

# ECONOMIC DEVELOPMENT AND BUDGET COMMITTEE

Council of the County of Maui

## MINUTES

January 31, 2019

### Council Chamber

**CONVENE:** 9:06 a.m.

**PRESENT:** Councilmember Keani Rawlins-Fernandez, Chair  
Councilmember Kelly T. King, Vice-Chair  
Councilmember Riki Hokama, Member (in 9:13 a.m.)  
Councilmember Tasha Kama, Member  
Councilmember Alice L. Lee, Member (in 9:28 a.m.)  
Councilmember Michael J. Molina, Member  
Councilmember Tamara Paltin, Member  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member (in 9:18 a.m.)

**STAFF:** Leslee Matthews, Legislative Analyst  
Yvette Bouthillier, Committee Secretary

Zhantell Lindo, Council Aide, Molokai Council Office (via video conferencing)  
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)  
Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

**ADMIN.:** Michele M. Yoshimura, Budget Director, Office of the Mayor  
David C. Thyne, Fire Chief, Department of Fire and Public Safety (EDB-21)  
Melissa E. Magonigle, Business Administrator II, Department of Police (EDB-20)  
Sterling M. Kiyota, Assistant Police Chief, Department of Police (EDB-20)  
David Goode, Acting Director, Department of Public Works (EDB-156(5))  
Scott K. Teruya, Acting Director, Department of Finance (EDB-156(1))  
Jeffrey T. Ueoka, Deputy Corporation Counsel, Department of the Corporation Counsel

Seated in the gallery

Bradford K. Ventura, Deputy Chief, Department of Fire and Public Safety (EDB-21)

**PRESS:** Akaku: Maui Community Television, Inc.

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CHAIR RAWLINS-FERNANDEZ: . . .*(gavel)*. . . Aloha kakahiaka kakou.

COUNCILMEMBERS: Aloha

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CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka kakou!

COUNCILMEMBERS: Aloha.

CHAIR RAWLINS-FERNANDEZ: ‘Eono minuke i ka hala o ka hola ‘eiwa keia, ma kanakolu kumakahi ‘Ianuali i ka makahiki ‘elua kaukani umi kama ‘eiwa. E ‘olu‘olu mai, e ho‘omalu ke Komike Ho‘omohala Waiwai me Mo‘ohelu Kālā. Good morning, Members. The time is 9:06 this morning January 31, 2019. Please be seated and we can call our Economic Development and Budget Committee to order. Okay, I’d like to ask everyone to please silence their devices and I will begin with introductions. ‘O wau o Keani Rawlins-Fernandez. I’m Keani Rawlins-Fernandez, Chair of our Economic Development and Budget Committee. We have Councilmember Shane Sinenci.

COUNCILMEMBER SINENCI: Aloha, Chair.

CHAIR RAWLINS-FERNANDEZ: Aloha. Councilmember Mike Molina.

COUNCILMEMBER MOLINA: Good morning, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Good morning. Vice-Chair Kelly King.

VICE-CHAIR KING: Good morning, aloha kakahiaka.

CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka. Councilmember Tamara Paltin.

COUNCILMEMBER PALTIN: Aloha.

CHAIR RAWLINS-FERNANDEZ: Aloha. And Councilmember Tasha Kama.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair.

CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka. And this morning we have with us from the Mayor’s Administration, the Fire Chief...yeah Chief David Thyne.

MR. THYNE: Good morning, Chair and Committee Members. Good to see you all here. Thank you.

CHAIR RAWLINS-FERNANDEZ: Good morning.

COUNCILMEMBER KAMA: Morning.

CHAIR RAWLINS-FERNANDEZ: I think we have Budget Director, Michele Yoshimura.

MS. YOSHIMURA: Good morning, Chair. Good morning, Members.

COUNCILMEMBER KAMA: Good morning.

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CHAIR RAWLINS-FERNANDEZ: Good morning. And from Corporation Counsel we have Jeff Ueoka, Deputy Corp Counsel.

MR. UEOKA: Good morning, Chair.

CHAIR RAWLINS-FERNANDEZ: Good morning. And Committee Staff we have Leslee Matthews, Legislative Analyst.

MS. MATTHEWS: Aloha, Chair.

CHAIR RAWLINS-FERNANDEZ: Yvette Bouthillier, Committee Secretary, and on my Staff, we have Sarah Pajimola and Trinette Furtado. Okay, and we do have quorum this morning. We have six Members so we can proceed with business of today. Okay, Members we have four items relating to amendments to the Fiscal Budget 2019...Fiscal Year 2019 Budget on today's agenda. EDB-21 relating to the Department of Fire and Public Safety, EDB-20 relating to the Department of Police, EDB-156(1) to Authorize Transfers Relating to Categories of Use within a Program or a Department for the Department of Finance, EDB-156(5)...156(5) to Authorize Transfers Relating to Categories of Use Within a Program or Department for the Department of Public Works. Okay, so let's begin with public testimony. Testimony will be limited to items on the agenda. To testify, please sign up with Staff. Testimony is limited to three minutes and upon request up to one minute to conclude. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. When testifying, please state your name and who you are representing. Please also indicate if you are a paid lobbyist. So, mamua, let's first check in with our District Offices. Hana Office, could you please identify yourself and call your first testifier?

MS. OLIVEIRA-MEDEIROS: Aloha kakahiaka, Chair. This is Mavis Oliveira-Medeiros from the Hana Office and there is no one here waiting to testify.

CHAIR RAWLINS-FERNANDEZ: Aloha, Mavis. Mahalo. Okay, Lanai Office, could you please identify yourself and call your first testifier?

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez at the Lanai Office and there is no one waiting to testify.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Denise. And, Molokai, Office could you please identify yourself and call your first testifier?

MS. LINDO: Aloha, this is Zhan from the Molokai District Office. There are no testifiers.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Zhan. Okay, Ms. Matthews, will you please call our first testifier here in the Chamber?

MS. MATTHEWS: Yes, good morning, Chair. There is no one signed up to testify in the Chamber.

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CHAIR RAWLINS-FERNANDEZ: No love. Okay, alright. Let's see then. I'm sorry?

VICE-CHAIR KING: No, I was just wondering if she knew that she was on, if she's going to be on the whole time. If she's aware that she's on Skype. Oh, okay.

CHAIR RAWLINS-FERNANDEZ: No, pau. Yeah, since there is no one here to testify...

VICE-CHAIR KING: Didn't want to intrude if she wasn't...if, you know, she was being watched.

CHAIR RAWLINS-FERNANDEZ: . . .(chuckling). . . Yeah, so, I'm so grateful to our Staff for setting up our first video conference for testifiers this morning. Okay, let's see...where we at now...okay, so seeing that there is no one here to testify, if there are no objections I will now close public testimony.

COUNCILMEMBERS: No objections.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo.

**ITEM 21:           AMENDING THE FISCAL YEAR 2019 BUDGET:**  
**DEPARTMENT OF FIRE AND PUBLIC SAFETY**  
**(TRAINING PROGRAM) (CC 19-18)**

CHAIR RAWLINS-FERNANDEZ: Okay, Members the first item on today's agenda is to authorize \$33,200 in Carryover/Savings from the General Fund for the purchase of 15 automated external defibrillators and accessories. Fire representative, could you please provide the Committee with an explanation of this request?

MR. THYNE: Good morning again, Chair and Committee Members. And I'd just like to say very quickly if I could, congratulations to all of you for being here in the positions that you're in and thank you in advance as a fellow public servant for the sacrifices you're gonna make with time with your families and loved ones in representing our community and doing the best we can for our community here in the islands. So, thank you for that and congratulations again. So, I'd just like to open with, and sorry for being here just to ask for money right away, I would like to have visited with you in advance but, so here we are. I believe you have before you County Communication 19-18 and that's requesting an appropriation to fund the purchase of 15 automatic external defibrillators or AEDs as they're commonly known for the amount of \$33,200. So, I would like to provide a brief history on how we got here and would like to offer you the following. So, coming into Fiscal Year '17 we found that our existing AEDs were going under warranty, you know, out of warranty, and what that means to us is that they no longer are repaired by the manufacturer and that is by far the best way and the safest way to maintain your AEDs. So, we found that there was some of our AEDs that were going out of warranty so we kinda went on a search. We have what's called a research and development committee. We also have a medical director that advises us, and so we went on a search for suitable replacements and we identified a replacement that would work for us and was approved by our medical director. So unfortunately, by the time the contract and

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notice to proceed was issued for the AEDs there was an injunction that was brought on by the FDA who regulates these types of devices. And so, working with the manufacturer and kind of a he said she said type of situation, we extended the contract or time of the contract because they had felt that the injunction was gonna be lifted. And so, we continued for another 30 days, and then a total of 60 days, and then we had to return the funding because the injunction wasn't gonna be lifted and we couldn't satisfy the fiscal year requirements at the time. So, apparently the injunction was related to some manufacturing deficiencies and whatnot by the company, not necessarily the particular product. So, we worked with Corp. Counsel on trying to find ways to see how we could maneuver in that, but again we had to just return the funding, so since that time we have found a suitable replacement, and our options are open, and so we are now requesting this funding again to move forward with purchase of 15 AEDs. So, thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo. And I'd also like to acknowledge Councilmember Riki Hokama. Thank you for joining us. Okay. Budget Director Yoshimura, do you have any additional information to add on this item?

MS. YOSHIMURA: Thank you, Chair. No, I don't have any additional information. I'm available for questions.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Okay, Members at this time I will now open the floor for discussion on this item. Chair King?

VICE-CHAIR KING: Thank you, Chair. Thanks for being here, Chief. So, these were items that were requested in for this current Budget that we're in? And then you had to delete them or were they requested for the previous Budget?

MR. THYNE: No, they were requested in actually Fiscal Year '17, Chair.

VICE-CHAIR KING: Seventeen.

MR. THYNE: Yes.

VICE-CHAIR KING: Okay, so they were...so were they grant funded?

MR. THYNE: No.

VICE-CHAIR KING: No. Okay so they were in the Budget --

MR. THYNE: Correct.

VICE-CHAIR KING: --and then you dropped it...

MR. THYNE: Yes.

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VICE-CHAIR KING: --you dropped the...were we affected at all in this last couple of months by the government shutdown? I mean since you're working with government agencies on these approvals?

MR. THYNE: I don't believe so. Not for us. I know that one of our assistant chiefs Val Martin is working with FEMA on the reimbursements for one of the hurricanes, I believe Hurricane Lane and some reimbursements. But he's held regular meetings during that time of the shutdown. Well, I'll stand corrected, he's held meetings prior to the shutdown and then he's finalizing the paperwork I believe today or tomorrow, so that'll continue. But that's to my knowledge is the only slowdown that we felt.

VICE-CHAIR KING: Okay so it was just really getting the regulatory issues worked out with these items?

MR. THYNE: Correct.

VICE-CHAIR KING: Okay, and actually I want to ask you a question. I don't expect you to be able to answer it right now, but I would like at some point to get as we go into the Budget process to get from every department just a rundown on what your Carryover/Savings is and where it came from, you know, as you go forward. Because it seems like we never have a lack of Carryover/Savings in any department, so I just wanna, you know, get a handle on what's happening with all this extra money. And you don't have to tell me right now, but I just wanted to forewarn you.

MR. THYNE: Okay and I will work, we will work closely with the Budget Office to get those numbers for you.

VICE-CHAIR KING: Okay, thank you.

MR. THYNE: Thanks, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Vice-Chair King. I'd like to acknowledge Councilmember Yuki Lei Sugimura.

COUNCILMEMBER SUGIMURA: Good morning, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo for joining us. Good morning. Councilmember Mike Molina?

COUNCILMEMBER MOLINA: Thank you very much, Madam Chair. Good morning, Chief. Just out of curiosity the 15 defibrillators that you're requesting are these more for replacing older ones, or is this additional ones that you're gonna distribute, or use for training purposes?

CHAIR RAWLINS-FERNANDEZ: Chief?

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MR. THYNE: Chair? Thank you, Member Molina. Yes, correct. We have tried in, anyway of the recent past made a concerted effort to rotate the replacement of basically everything we have from our turnouts, personal protective equipment, you know, SCBAs, our self-contained breathing apparatus. This would be another thing that falls under that category where we try to rotate, you know, not the whole inventory, but a segment of that inventory, and that way it's more for the taxpayers, for the Budget purposes, it's not that big lump sum of replacing. Just as an example, for our Department just the Fire Department alone we have about 65 AEDs within our inventory. So, obviously if we were to replace all of them at one time and continue to do that every eight years, it would be a hit, and that's just one of our pieces of equipment, and/or, you know, protective equipment. So, this is again a portion of what we would replace on sequential basis.

COUNCILMEMBER MOLINA: Okay. Alright, thank you for that clarification, Chief. Thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Molina. Councilmember Shane Sinenci?

COUNCILMEMBER SINENCI: Yes, this question is for Ms. Yoshimura. So, if this was itemized in the 2017 Budget and we're in the current one, would this affect our current Budget, the 2018-2019?

CHAIR RAWLINS-FERNANDEZ: Director?

MS. YOSHIMURA: Councilmember, we would be amending the Fiscal '19 Budget recognizing carryover savings to fund the purchase for the AEDs.

COUNCILMEMBER SINENCI: Okay, thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Are there any other clarifying questions? Oh, okay, Councilmember Kama?

COUNCILMEMBER KAMA: Yes. Good morning, Chair.

CHAIR RAWLINS-FERNANDEZ: Good morning.

COUNCILMEMBER KAMA: And thank you for the opportunity. So, Chief, this is for you. How are the AEDs distributed, and do you have sufficient enough AEDs across the County?

MR. THYNE: So --

CHAIR RAWLINS-FERNANDEZ: Chief?

MR. THYNE: -- I...oh...Chair? I'm sorry. Sorry to jump in there.

CHAIR RAWLINS-FERNANDEZ: That's okay.

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MR. THYNE: Member Kama, thank you. Basically, we have these for our response vehicles and again we also have them with our Ocean Safety personnel as well, speaking specifically for our Department. I can't speak to the other County facilities and/or agencies such as MPD. You would have to ask them but, for us these are primarily response-type AEDs. I believe, if I'm educated correctly, that some of the ones that you'll see like the airport, potentially at the schools, are probably more user friendly in the sense of anybody can pick 'em up and follow the prompts. Ours are very similar; however, they do have other features like a metronome that times your compressions and whatnot when you're doing CPR. It also has a feedback feature that our medical director can look at the quality of our CPR and whatnot and we can make adjustments to our training program and/or operations. So, you know, a few, I'll use the term loosely, bells and whistles. But yeah, so that would be what our inventory would be, Member Kama. It's just on our response vehicles and in our medical cache.

COUNCILMEMBER KAMA: So, is that sufficient?

MR. THYNE: I believe so, yes. Currently we are requesting this amount. I would...I, we're gonna have a meeting very soon on our 2020 request and I believe there may be some in there as well, but I'll double check and make sure if we have any shortage on inventory. I had a meeting in the past couple of days actually with our Health and Safety Bureau and one of our representatives is actually in the Chambers right now, but, you know, we're keeping our finger on that pulse because we don't want any delays to have, you know, our AEDs going out of warranty and any shortfalls, but at this point I can tell you our inventory looks adequate.

COUNCILMEMBER KAMA: Okay. Thank you. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Thank you. Okay, Councilmember Paltin?

COUNCILMEMBER PALTIN: Good morning. Thank you for being here and your comments. I just was wondering so if we have 65 and we're only replacing 15 eventually we gotta replace the other 50 because the devices are no longer gonna be serviced?

CHAIR RAWLINS-FERNANDEZ: Chief?

MR. THYNE: Yeah that's correct and we have had, you know, this Council's been very generous in funding us through the years, you know, we're thankful for that, and so we have been replacing them, Member Paltin, and we will continue to monitor our inventory, and our efforts to now the new Council just so that you're aware, I was talking to Chair King about this, you know, one of the things we wanna do in fiscal preparation is to, you know, kinda order things in, again, a sequential manner so you have a projection on, for instance, you know, a lot of places or other agencies don't sleep at their stations or at their workplace, we do as you know. So mattresses, things of that nature, living utensils and things that, I mean excuse me, cooking utensils and things, are all things that are part of our budget that we have to fund. So if you, you know, do a complete inventory replacement, that's a huge hit no matter what it is whether it's mattresses, or helmets, or any type of equipment that we use. So, we're going try to kind of layer in it



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in a sequential manner, so they get replaced but it's not a lump-sum replacement. And so, this would be another example of that.

COUNCILMEMBER PALTIN: I was wondering if you knew the specific brand that is no longer being serviced? I noticed our ones in the lobby is Philips as well, and just wanted to make sure that we're prepared over here too.

UNIDENTIFIED SPEAKER: Chair?

UNIDENTIFIED SPEAKER: Chief?

MR. THYNE: So, Philips is one of the, if I believe it is the biggest manufacturer of AEDs worldwide, okay. So, I can't speak to that particular model. I'm fairly sure if I can throw out a name, SeaRay or somebody like him, 'cause I know SeaRay does a very good job at what he does, but we don't monitor the AEDs across the County nor in the County building, but I'm fairly sure somebody does. But, you know, normally the manufacturer's warranty is eight years, is historically what we've seen, at least for the models that we typically deal with, so, you know, that's quite a while. And they do have problems as you know, you're a former lifeguard, Ocean Safety officer, so...but the manufacturers are very good with getting replacements and whatnot. And we do keep back stock as well. Some of our drop kits that we use for medical standbys and stuff that are "on a response vehicle" but they're there for medical standby if we have a, you know, a first aid station at a soccer tournament for instance cause we get those types of requests. So, yeah they should be checked, but I'm pretty sure somebody in this building does that already.

COUNCILMEMBER PALTIN: Right on, mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Councilmember Hokama?

COUNCILMEMBER HOKAMA: Didn't we give you \$250,000 last year for help implement certain programs within the Department?

CHAIR RAWLINS-FERNANDEZ: Chief?

COUNCILMEMBER HOKAMA: Can't you use that money?

CHAIR RAWLINS-FERNANDEZ: Oh, sorry.

MR. THYNE: We can. I believe that, you know, that we've budgeted some items already that was sent up I believe in an inventory to your former position, our new Budget Director. We could, but then that would be again things that we aren't able to fund. A large amount of that, Member Hokama...

COUNCILMEMBER HOKAMA: Because that money was not specifically designated. We gave the Department flexibility to --

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MR. THYNE: Correct.

COUNCILMEMBER HOKAMA: --use that amount.

MR. THYNE: Yes, that's correct. And we did have a "plan" for that and we could provide that, and so if we did utilize this money, and we could, you know, because we do have the funding, it would now mean that we probably wouldn't be able to outfit...one of the efforts was to outfit, as you know, Member Hokama, the relief apparatus. Because, you know, the relief apparatus when we get a new apparatus typically doesn't come with all the equipment, so they utilize their old equipment. So, therefore, when the truck is put into the relief pool it's basically empty.

COUNCILMEMBER HOKAMA: Okay, we're not talking about the tanks, right?

MR. THYNE: No, no, no.

COUNCILMEMBER HOKAMA: The air tanks?

MR. THYNE: No, no, no. We're talking about just Jaws of Life, you know, all the different things you typically hear a fireman having on board. That inventory ranges between 100,000 and 150-200,000 sometimes depending on the quality of the equipment we buy. So, it's very expensive, and so what we did was we looked at what our existing inventory of, for instance, hose, and appliances, and different things we had, we put those on the reliefs and then with the generous...I don't wanna say donation, but award that the Council gave, the 250,000 you're referencing we looked to, you know, order those other types of things to make sure our relief vehicles can basically be as close to a 100 percent equipped as we can get it. And so, if we take that money that we're speaking of and utilize some of that money from the 250,000, somewhere else is gonna be short of equipment. In...you understand in the relief apparatus pool more than likely, so.

COUNCILMEMBER HOKAMA: Chair, you know, I appreciate you allowing the Chief to respond there, 'cause tomorrow on our Agenda we do have another communication regarding Fire and equipment, and I have my comments about that situation. But, you know, we spend millions on our equipment and to think that we getting equipment that you still need to further retrofit...let me just say it irks the hell out of me. Okay. That's monies that I really can use somewhere else than you retrofitting brand new equipment, that we pay millions of dollars for, and then again I understand, Chief, you deal with a unique environment and some of my issue is the manufacturer like Pierce. I'll state it on the record my displeasure with this entity 'cause I think they abuse their position in the market, in their sector. Trying to be the sole provider so therefore pricing is not too flexible okay. So, I'll talk about that later, but my point is, Chief, I need...we need to know that you've tried within your internal review of your existing funding the ability to take care of your needs before you ask us for shifting. And I agree with the...Ms. King, you know, I mean, there always seems to be Carryover/Savings for every little thing, okay. So, are we being disingenuous upon giving Council the appropriate figures that when we do pass our Budget it's already fatter than we think? Okay? If the people ask

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us where is all this carryover coming from? I would go I thought we passed a lean Budget. And we expect all of you to be the administrators and managers of your funds within your parameters. But to keep saying General Fund will throw out again 32 more Carryover/Savings, the next department going come and we going get another 200,000 Carryover/Savings, I mean...well, we'll deal with the CAFR when we officially receive it and review that document for the Council. So, but, Chief, I understand the need. I don't have a issue with supporting your request this morning, but again, you know, you're the new administration of our Department, and again, like us we all look for improvements including in ourselves, so we ask you do your part for your Department please. Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. I'd like to acknowledge Councilmember Alice Lee. Thank you for joining us.

COUNCILMEMBER LEE: Thank you.

CHAIR RAWLINS-FERNANDEZ: Are there any other questions? Members? Okay. Okay Members, the Chair will entertain a motion to recommend passage of the proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO ESTIMATED REVENUES, DEPARTMENT OF FIRE AND PUBLIC SAFETY, TRAINING PROGRAM; TOTAL OPERATING APPROPRIATIONS; AND TOTAL APPROPRIATIONS (OPERATING AND CAPITAL IMPROVEMENT PROJECTS)" on first reading; incorporating any nonsubstantive revisions; and any adjustments required by prior amendments for the Fiscal Year 2019 Budget; and the filing of County Communication 19-18.

VICE-CHAIR KING: So moved.

COUNCILMEMBER KAMA: Second.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Okay, moved by Vice-Chair King and seconded by Councilmember Kama. Discussion on the motion? Okay. Seeing no discussion, all those in favor say "aye."

COUNCILMEMBERS: Aye.

CHAIR RAWLINS-FERNANDEZ: All opposed say "no." Okay, motion pass unanimously. Do I say nine?

<b>VOTE:</b>	<b>AYES:</b>	<b>Chair Rawlins-Fernandez, Vice-Chair King, and Councilmembers Hokama, Kama, Lee, Molina, Paltin, Sinenci, and Sugimura.</b>
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	<b>NOES:</b>	<b>None.</b>
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	<b>ABSTAIN:</b>	<b>None.</b>
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**ABSENT:**        **None.**

**EXC.:**        **None.**

**MOTION CARRIED.**

**ACTION:**     **FIRST READING** of bill; and **FILING** of communication by  
C.R.

CHAIR RAWLINS-FERNANDEZ: Members, the second item on today's agenda provides \$80,000 appropriation to upgrade the air conditioning system in the Department of Police's Forensic Facility. Budget Director, do you have any additional...do you have any information or an explanation on this request?

MS. YOSHIMURA: Thank you, Chair.

COUNCILMEMBER HOKAMA: Chairman? Chairman?

CHAIR RAWLINS-FERNANDEZ: Yes. Sorry, Mr. Hokama?

COUNCILMEMBER HOKAMA: Again, more than likely we are awaiting a representative from the Chief so if you wouldn't mind that we can continue the business of the Committee if you would consider putting this at the end of calendar and thus we can then take up additional business prior to the Department's representative coming before you.

CHAIR RAWLINS-FERNANDEZ: Okay, if there are no objections.

COUNCILMEMBERS: No objections.

CHAIR RAWLINS-FERNANDEZ: Okay, thank you. Okay. The third item on the today's agenda amends Fiscal Year 2019 Budget within the Department of Finance by transferring \$32,290 from Countywide Costs, Category B (Operations) to the Administration Program, Category A (Salaries), for the Internal Control Officer. Yeah, okay. The Chair is gonna call a brief recess, okay. . . .*(gavel)*. . .

RECESS:        9:34 a.m.

RECONVENE:    9:36 a.m.

CHAIR RAWLINS-FERNANDEZ: . . .*(gavel)*. . . Okay. Thank you, Members. We're gonna reconvene. The time is 9:36 and if there are no objections, I'd like to skip to the fourth item on today's agenda.

COUNCILMEMBERS: No objections.

CHAIR RAWLINS-FERNANDEZ: Mahalo.

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**ITEM 156(5): AMENDMENTS TO THE FISCAL YEAR 2019 BUDGET  
TO AUTHORIZE TRANSFERS RELATING TO  
CATEGORIES OF USE WITHIN A PROGRAM OR  
DEPARTMENT (DEPARTMENT OF PUBLIC WORKS)  
(CC 18-246)**

CHAIR RAWLINS-FERNANDEZ: Okay, so the fourth item on today's agenda amends Fiscal Year 2019 Budget within the Department of Public Works by transferring \$100,000 from the Engineering Program – General Fund, Category A (Salaries) to Category B (Operations) to fund a projected budgetary shortfall because of higher than anticipated expenditures for utilities, and repair, and maintenance services under the County Building Services section. A letter was sent to the Department of Public Works and the response to the letter will be distributed by the Staff at this time. Acting Director Goode, do you have any additional background to add on this item?

MR. GOODE: Good morning, Chair, Members. David Goode here, acting Director of the Department of Public Works. Thank you, Chair, for scheduling this item here in your first meeting. It is important to the Department as we anticipate being in the negative for this particular account. The driving force behind this is higher electrical costs than we had budgeted for. So we're running about 20 percent higher in general, maybe around, I think it's 18 percent higher electrical costs. The costs, you know, for Maui Electric are actually up on a kilowatt hour basis by about 19 percent. Usage is actually down a little bit. So, you know, kudos to everybody for saving a little bit of electricity even though we all seem to have bigger monitors, and more monitors, and that stuff. So, I think somewhere around 60-70 percent of our B Budget is electricity, so even though we have, you know, other costs in there, it's the total driver is utility costs. Coupled with that in this program we also do repair and maintenance on this building that can't be capitalized, so it'd be stuff that needs to be paid for out of operating expenses. We had some unexpected costs in that area as well. So, right now, we're running pretty tight and trying not to spend anything really on this building. Therefore, need that infusion of cash. On the over...where we have savings is in our A Account. The Engineering Division for many years had very few vacancies and we've had a lot more recently. We just had three retirees at the end of the year and prior to that we had some vacancies in an engineering position and a surveyor position. The surveyor position is to absolutely darn near impossible for us to fill. We've really, really struggled with that. And we continue to work with DPS on seeing what we can do in that area., but as a result of retirements and some vacancies, we have additional cash. We actually have about \$300,000. We monitor these programs monthly. So when we get the reports from Finance, it gets put into a spreadsheet. The spreadsheet Mike Busch does, our Fiscal Analyst, is very detailed. It looks at, you know, our fixed costs and our variable costs. So, we know what we're gonna be spending as a burn rate no matter what and we were projecting a deficit a few months ago. We kinda watched to see maybe there was some savings. It wasn't quite catching up, and quite frankly, Chair, it's actually gotten a little worse since we initially wrote this, and so in my response I did suggest that if we go to 150,000 transfer from A to B we have significant savings in A, we can pay for, but it gives us a little more flexibility for this building in particular. Should

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something occur we wanna be able to jump on it. So, I probably talked too long, but I think...I wanted to give that background, Chair. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Goode. Ms. Yoshimura, do you have anything to add?

MS. YOSHIMURA: Thank you, Chair. I have no additional comments.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Members? Do you have any questions you'd like to ask Mr. Goode or Ms. Yoshimura?

VICE-CHAIR KING: Chair?

CHAIR RAWLINS-FERNANDEZ: Vice-Chair King?

VICE-CHAIR KING: Thank you, Chair. Thank you for that explanation Mr. Goode. So, I just have a couple of questions. Are we, we have vacancies, are we incurring overtime costs due to those vacancies?

MR. GOODE: Chair and Ms. King, in some instances we are because work needs to get done. So, depending on the availability of folks to do the overtime, we have allowed some overtime here and there.

VICE-CHAIR KING: Okay 'cause if we have a, I think you said a \$300,000 fund from vacancies and some of that I'm assuming is going to be incurring...is gonna be covering overtime costs for people that have to work overtime to cover those vacancies, so I just wanna make sure we're not...we're recognizing that in that pot of money. And yeah, I'm just, maybe some of those positions that are hard to fill are those hard to fill because of the salary that we're offering? Because of the salary that the County offers or is it just is it hard to fill because of time of actual doing those kinds of searches?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Yeah.

VICE-CHAIR KING: Is it a competitive salary issue?

MR. GOODE: Yeah, Chair and Ms. King, a lot of these very technical professional positions we tend to offer less in salary but perhaps more in benefits. In the surveying community, even if you wanted to hire a surveyor today, some of them are four to six months out on the private sector side. So, they're searching too. So, we're caught up a little bit in a good economy, as well as I think a shortage of surveyors that I would hope that there would be some, perhaps even Statewide initiative, or maybe working with UHMC, to get some folks interested. Like folks that do GIS could be, you know, I think could be positioned well to maybe transfer over to the surveying profession. So, I've seen a bit of a deficit here for a while, but yeah, it's competition, hot economy, and shortages of --

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VICE-CHAIR KING: Okay, thank you.

MR. GOODE: --professionals.

VICE-CHAIR KING: And thank you for the work that you've done on this building because I know at the end of last year there I saw scaffolding outside my window, and I guess we'll find out today if the leaks were all fixed. . .(chuckling). . . We've got some pretty heavy rain out there, but yeah, no, I appreciate the work that's been done, and I think it's been kind of an ongoing task to keep this old building up to snuff. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Thank you, Ms. King. Councilmember Hokama and then Councilmember Molina.

COUNCILMEMBER HOKAMA: Director, thank you. First, thank you for looking within your own resources to deal with your issue, your challenge. And, yes, you lost some very good people to retirement, especially your chief engineer. Outstanding employee. So, I wish you luck in filling those top positions within your engineering side. So, I know you have money, and I'm glad you mentioned the overtime situation. Have we tried using third party licensed surveyors to assist us on a critical need basis in the past?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Thank you, Chair and Mr. Hokama. Actually, we are right now. So, we have contract survey, survey work primarily for our resurfacing projects, so you know, the funds that you provide for us for Countywide resurfacing we would typically survey in house. So, our survey section which was five people down to two currently. And so, in order to get that work out we've been contracting out some survey work for resurfacing as well as couple other smaller projects.

COUNCILMEMBER HOKAMA: Do you have any issues with deadlines as required by law for that component you're dealing with?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Not currently, no.

COUNCILMEMBER HOKAMA: Okay. 'Cause I do know the State has surveyors too and they're really screwing up some of my Lanai residents because the State survey needs to certify certain metes and bounds, and yet they telling my residents they have a two-year backlog, and so their whole project is sitting still because no State surveyor will be assigned to Lanai for as they were told for years. That's not acceptable for government to take care residential needs, or resident needs, or taxpayer needs. So, not only you having this issue, Mr. Goode. The State is having this issue too. My other thing to you regarding this is, I know this building is old, we have spalling, we have all kind of challenges, so this extra 50 is a good cushion you believe till June 30<sup>th</sup>?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

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MR. GOODE: Chair and Mr. Hokama, yeah, we think so. Obviously if something really big happens we'll probably we'd be in here immediately, but our track record has been we've never had to do that, so we do have the CIP funds as well right?

COUNCILMEMBER HOKAMA: Yeah.

MR. GOODE: So, those are more for capital type projects so like the spalling repair I think has been covered under that and larger projects. So, yeah, we have enough and if we don't use it all we'll return it at the end of the year.

COUNCILMEMBER HOKAMA: Yeah, you will, you will, I know that. No, happy to support your request this morning, Director. Thank you, Chair. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Hokama, Mr. Goode. Councilmember Molina?

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Good morning, Mr. Goode. Two questions, first with regards to the engineering and doing, I guess, outreach with UH Maui College, does the Department still offer internship programs for aspiring engineers to get some training and exposure to County-related matters? Is, I believe, we had that years ago, I don't know if that's still in existence?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

COUNCILMEMBER MOLINA: That's my first question, okay?

CHAIR RAWLINS-FERNANDEZ: Okay, Mr. Goode?

MR. GOODE: Yeah, Madam Chair, Mr. Molina, yeah, you're right we used to. In fact, our new Division Chief, Chico Rabara, started as an intern here in the Engineering Division. Graduated, and actually went to the private sector, I think, and came in to Maui. So, that's an example right there of someone who's exposed early on, had an idea what it was about, and then, you know, got some private sector experience, and came back. But the interns are basically like E/Ps, and so we need them in the Budget, and so there haven't been interns for a long time. I do think it is something worth looking at I think in general for the County as a whole. I was helping a friend's daughter who's a senior at King K who was interested actually in being an attorney, and they were asking me like what do you guys have, and I said, oh, we don't have anything. But she ended up working or internship at the Public Defender's Office. So, they had a program. So, I know it's out there. These things can be done, and I think it'd be something that our Department would be interested in and other departments that are having a hard time finding, you know, particular positions, especially technical positions.

COUNCILMEMBER MOLINA: And do you recall how much money was appropriated for the internship programs? That you would need?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?



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MR. GOODE: I'm gonna say it's not much. Like five or ten thousand per...you're basically looking at summer work. So, somewhere around there, but...

COUNCILMEMBER MOLINA: That might be something for us to consider during the budgetary sessions with the Department. And my second question relates to your responses to Chairman Rawlins-Fernandez's question two on the document dated January 28<sup>th</sup> with regards please explain the specific reasons for the projected budgetary shortfall and how and when it was identified. Letter A, I think bullet point number two, in your response, one of the reasons for the appropriations that you're requesting, purchase order number 371349 for polishing of concrete floor in old courthouse due to recurring flooding and that's for a total of 17,500, and that's just for polishing. So, is there a way or why we cannot...now the flooding is that ground level water coming up? Or is it just water coming through the roof in the courthouse? Is there some way to...I'm pretty sure you guys probably looked at, you know, preventative measures to, you know, for the flooding. Is there no way to...I mean, I know every now and then you're gonna have a big, big storm, but have you looked at other ways to, you know, mitigate that problem from reoccurring?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Thank you, Chair and Mr. Molina. Yeah, the old courthouse is a bit of a challenge, you know, it's an older building and its basement area is below, obviously below ground. You may have seen recently there's been sandbags near the entrance to direct water away from those wells kind of that seep into here. So, the prosecutors want to use their basement more effectively, and so after one flooding incident which was either ground flooding and also we had an AC condensing line that plugged, the carpet got all trashed in there, and so it had to get taken out, and then they wanted basically to go over the concrete floor, so if there is recurring flooding and there is a little drain in there, you know, it's going to be manageable for them. So, this was taking out the damaged carpet. The concrete below is pretty rough, it's like an old basement, right? So, it wasn't very...probably wasn't very safe or useable. So, anyway, they were able to make it more useable and now they're using part of that area. I think there's desire to use, do more improvements down there. To get some more useable area which I think the prosecutors evidently need. So, anyway that's kinda the long and short of it. It's an ongoing challenge. It's a super old building.

COUNCILMEMBER MOLINA: Okay, thank you. Thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Councilmember Hokama?

COUNCILMEMBER HOKAMA: Yeah, just one quick last question, Chairman. You mentioned utility impacts to this account for this building so that's part of the request. Within your parameters as our Public Works Director, is there any other areas that utility is gonna be a factor that you're gonna come back with additional request for funding for utilities as such? Are you aware of that? Since this is, I guess everybody didn't anticipate this increase, right?

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CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: I guess I'll answer that in two parts. One is we don't anticipate because we track all our funds monthly, so our...actually our...I think a spreadsheet there's 12 different sheets on that spreadsheet. So, no other fund has been identified as possibly going over. Our other biggest electrical expense that we have, and we're not as big as say Water and Wastewater expense, is our streetlights. And, so we're in the process now of modifying the streetlights so those costs are actually gonna go down. So, currently that was funded, funded enough. The second part of my answer is that, you know, funding for electricity is something that, you know, the Budget Office has done the last few years. I'm not sure how Ms. Yoshimura plans on doing it this year, but it's a combination of looking back, you know, a couple of years back, and then looking at anticipating increases. And so, when we look a couple years back we had down electrical right, and so then we got a smaller budget, and then prices shot up. So, we got kinda caught, but for us it really impacted this fund solely, not streetlights this year so far.

COUNCILMEMBER HOKAMA: Okay, thank you.

MR. GOODE: Yeah.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Goode. Okay, Councilmember Sugimura and then Councilmember Paltin.

COUNCILMEMBER SUGIMURA: Thank you. Nice to see you and I'm...regarding your answer and reading what you submitted to the Budget Chair, on number three you mentioned that it would be...you're saying although we believe 100,000 will be sufficient to cover utilities and repair and maintenance costs under the County Building Services section for the remainder of the fiscal year, it may be prudent to increase the transfer to 150,000 to provide additional funds for unforeseen repairs. There are sufficient unencumbered funds within Index Code 916023A, Sub-object Code 5101 to cover the additional 50,000. And I just wonder since we're talking about it and knowing that it's been raining, and my office is already ready for in case we have leaks through that side of the building 'cause that's what happens but...and the building is old, but just different things that come in, electricity costs, I wonder if it might be prudent for us to look at this if it's possible to amend this so that it would be for 150,000 instead of just the \$100,000. And we may as well look at the, you know, the problems straight on instead of waiting that our building doesn't leak or doesn't, you know, things don't happen. So, I would like to make that amendment if you would consider it, Chair. at the appropriate time.

CHAIR RAWLINS-FERNANDEZ: Okay. Okay, thank you Ms. Sugimura. Councilmember Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Aloha, Mr. Goode.

MR. GOODE: Good morning.

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COUNCILMEMBER PALTIN: I was looking at the same as Councilmember Molina, 2A, please explain the specific reasons for the budgetary, the projected budgetary shortfall and how and when it was identified. Number three under A about removing and replacing damaged double metal doors to the roof. That's for this building, right?

MR. GOODE: That's correct.

COUNCILMEMBER PALTIN: And so, I was wondering how it was identified by Public Works? Did you guys go up to the 9<sup>th</sup> floor double metal doors or...

MR. GOODE: Chair and Ms. Paltin, yeah, we're responsible for the maintenance of the building, so I'm not sure what precipitated it to maybe suddenly kinda fall apart. It's probably rust which kinda happens with metal doors, and it was not capitalized 'cause I think it was determined that it wasn't a 20 year...it was gonna last for 20 years in its location. So, we had to replace the doors and charge this account.

COUNCILMEMBER PALTIN: The reason that I was mentioning it is like, you know, sometimes when I take the Wells stairs, the doors to the 7<sup>th</sup> and 8<sup>th</sup> floor like that they're having rust on the inside, and it doesn't look like it's being like maintained. There's all sorts of rubbish in the stairway like a old fluorescent lamp and like that. And I just was wondering maybe if you like do some rust stop or something now, then in the future the whole thing doesn't need to be replaced?

MR. GOODE: Yeah, Chair and Ms. Paltin, thanks for pointing that out. Anytime anybody sees something with the building we're, we basically do work orders and we can get that fixed. I think there's a schedule for going through those kind of things, but I'm not positive. But, in general when you see things like that we're happy to get on 'em, so I'll make a note here and...

COUNCILMEMBER PALTIN: Okay so --

MR. GOODE: ...between seventh and 8<sup>th</sup> of Wells Street.

COUNCILMEMBER PALTIN: --yeah between the 7<sup>th</sup> and 8<sup>th</sup> Wells Street one. And so, if we were to just notice it and not wanna like talk about it here on the floor just send a work order to you or something?

MR. GOODE: Yeah, I'm not sure what your internal process is. If that goes to the Chair or how that's done, but we have some work orders are on our intranet. If you have access to the intranet you can just make a copy of it, fill it out, and send it in.

COUNCILMEMBER PALTIN: Right on, thanks.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Paltin. Councilmember Sinenci?

COUNCILMEMBER SINENCI: Yes, thank you, Chair. Mr. Goode thanks for being here this morning. I just wanna...had a clarification question. Can you kind of indulge me in

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how...in this it says the purchase order so I'm thinking that this has already been ordered? It says purchase number 374832 and so, what is the timeframe of pricing these items? Putting it and looking for the necessary people or the companies to go ahead and do the work? What is the timeframe that we're looking at this, all the purchase ordering?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

COUNCILMEMBER SINENCI: If you may?

MR. GOODE: Thank you, Chair and Mr. Sinenci. So, the fact that there's a purchase order that means it's already in process. It may already be done or it could already be done already. So we use the funds that are available in the account, and there are currently funds available, but based on what we see is, what we're using every single month we're gonna run out of funds. So, these were some of the larger expenses that we identified that helped, you know, create the situation if you will. Utilities were the main driver, the electricity, but we had some other larger purchase orders, but we're holding off on other purchase orders of significant value because we may not have the funds.

COUNCILMEMBER SINENCI: Till you can get reimbursed from these costs?

MR. GOODE: Well, until, if a motion is made today and passes for transferring the funds from A to B whether or not of 100 or 150,000 --

COUNCILMEMBER SINENCI: Okay.

MR. GOODE: --then we'll have funds to continue on with other work.

COUNCILMEMBER SINENCI: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Sinenci. Members, are there any questions? Councilmember Kama?

COUNCILMEMBER KAMA: Thank you. Mr. Goode, so I...help...you know, so on the first floor, the drinking fountains. They don't work. At least every time when I try to go there and drink the water, and I always tell I gotta talk to you about it, I gotta talk, and I forget about it 'cause I'm on the 8<sup>th</sup> floor right? Now my water fountain works great out here. So what's the process when these things we come across and how do we bring it to your attention?

CHAIR RAWLINS-FERNANDEZ: Mr. Goode?

MR. GOODE: Okay. Thank you, Chair and Ms. Kama. Those are good questions. So, part of my answer is the same as previous answers work...like a work order, work request. But, as I've mentioned to all the Members in our one-on-one meetings, you know, we have an open-door policy. You know, give me a call, have your staff call. We're aware of that particular one, so they've had plumbing issues in the past with that particular fountain.

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So, my understanding is that it's gonna be fixed. We have to get a purchase order for a plumber, get three prices, and the whole nine yards, so. But, if you see something, say something, let us know. Not a big deal. Have your staff call us, we'll get right on it.

COUNCILMEMBER KAMA: Thank you.

MR. GOODE: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kama. Mahalo, Mr. Goode. Okay, Members, are there any last questions for Mr. Goode or for Ms. Yoshimura? If there is not I will ask Ms. Sugimura to...this would be the appropriate time for your motion.

COUNCILMEMBER SUGIMURA: Oh so, maybe we'll do the main motion and I'll do and amendment...no need? Just make the...

CHAIR RAWLINS-FERNANDEZ: Oh sorry.

COUNCILMEMBER SUGIMURA: Okay, I'm sorry. So, I'll move to...let me look at your agenda. I'll move to authorize a transfer of an unencumbered appropriation balance within the Budget of Public Works Fiscal Year 2019 Budget the amount of \$150,000...and do I need to say from what account? Sorry. From Index Code 916023A, Sub-object Code 5101 to cover...

CHAIR RAWLINS-FERNANDEZ: I'm sorry, oh, Mr. Hokama?

COUNCILMEMBER HOKAMA: Chair, if I may assist my colleague.

COUNCILMEMBER SUGIMURA: . . .(chuckling). . .

COUNCILMEMBER HOKAMA: If my colleague --

COUNCILMEMBER SUGIMURA: Yes, please.

COUNCILMEMBER HOKAMA: --wouldn't mind. Chair, first I would just make the motion, yeah, that...I move to recommend to Council passage of proposed resolution Authorizing the Transfer on an Unencumbered Appropriation Balance Within the Department of Public Works, Fiscal Year 2019 Budget in the Amount of \$150,000.

VICE-CHAIR KING: Second.

COUNCILMEMBER KAMA: I'll second.

CHAIR RAWLINS-FERNANDEZ: Can I add with nonsubstantive revisions, okay, to your motion, okay.

COUNCILMEMBER HOKAMA: All of that and filing of any appropriate communications.

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CHAIR RAWLINS-FERNANDEZ: Okay.

VICE-CHAIR KING: I second the motion.

CHAIR RAWLINS-FERNANDEZ: Okay, so moved by Mr. Hokama and seconded by Vice-Chair King. Sorry, and now would be the appropriate time for an amendment to the motion.

COUNCILMEMBER HOKAMA: No, no, the amount is...

COUNCILMEMBER SUGIMURA: Hundred and fifty.

COUNCILMEMBER HOKAMA: I think the Corp. Counsel has a comment, Chairman.

CHAIR RAWLINS-FERNANDEZ: Yes, thank you.

MR. UEOKA: Thank you, Chair. I understand this is what the Department asked for and it seems as if the Mayor did authorize the transmittal from Director Goode, and I don't see any objections here, but generally speaking each of you guys, the Mayor and the Council, may initiate changes to their own operating budget. So, it's not normal for the Council to amend a budget...to amend the budget amendment that has come up. So, typically that's not the standard protocol. However, as I did mention the communication from Director Goode was transmitted via the Mayor where he did mention the 150 --

COUNCILMEMBER HOKAMA: Right. Correct.

MR. UEOKA: --so I just wanted to state that on the record today that this is not the norm and it's just the way the Charter works, is each of the bodies is authorized to initiate changes to their respective operating budgets. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mr. Hokama?

COUNCILMEMBER SUGIMURA: So...

COUNCILMEMBER HOKAMA: The Counselor is absolutely correct, but as he stated our window is the Mayor reviewed and authorized the transmittal that also included the comment about the additional \$50,000, that is why I believe it is an appropriate motion for this Committee to consider this morning, Chair. Thank you.

COUNCILMEMBER KAMA: Thank you.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Thank you, Mr. Hokama.

COUNCILMEMBER SUGIMURA: Thank you for your assistance.

CHAIR RAWLINS-FERNANDEZ: Okay.

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VICE-CHAIR KING: Call for the question?

CHAIR RAWLINS-FERNANDEZ: Is there any other discussion on this motion?

COUNCILMEMBER MOLINA: Recommendation.

CHAIR RAWLINS-FERNANDEZ: I think...motion already on the floor.

COUNCILMEMBER SUGIMURA: All in favor.

CHAIR RAWLINS-FERNANDEZ: Okay, I'll call for the vote. Okay, so all those in favor of the main motion...and that was the recommendation for adoption of the proposed resolution amending to \$150,000 from 100,000 just so that everyone is clear what the motion is. Okay, so all those in favor of the motion...oh, I'm sorry, Mr. Molina?

COUNCILMEMBER MOLINA: Madam Chair, just a quick clarification question.

CHAIR RAWLINS-FERNANDEZ: Yes.

COUNCILMEMBER MOLINA: So, we're voting on the amendment to...

COUNCILMEMBER HOKAMA: No.

COUNCILMEMBER SUGIMURA: This is the main motion.

VICE-CHAIR KING: The main motion is 150,000.

COUNCILMEMBERS: . . .*(inaudible)*. . .

COUNCILMEMBER MOLINA: All right, thank you.

CHAIR RAWLINS-FERNANDEZ: Yeah. So, the main motion was for the 150,000. So, it was the amended...it's gonna be the amended proposed resolution. Okay, is everyone clear on what it is that we're voting on?

COUNCILMEMBER KAMA: Yes.

CHAIR RAWLINS-FERNANDEZ: Any other questions? Okay, all right. Okay. So, all those in favor of the main motion please say "aye."

COUNCILMEMBERS: Aye.

CHAIR RAWLINS-FERNANDEZ: Any opposed? Okay, so the motion passes with nine "ayes" and zero "noes."

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**VOTE:**      **AYES:**      **Chair Rawlins-Fernandez, Vice-Chair King, and Councilmembers Hokama, Kama, Lee, Molina, Paltin, Sinenci, and Sugimura.**

**NOES:**      **None.**

**ABSTAIN:**      **None.**

**ABSENT:**      **None.**

**EXC.:**      **None.**

**MOTION CARRIED.**

**ACTION:**      **ADOPTION** of revised resolution C.R.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo.

MR. GOODE: Thank you.

CHAIR RAWLINS-FERNANDEZ: Thank you, Mr. Goode.

**ITEM 20:            AMENDING THE FISCAL YEAR 2019 BUDGET:  
DEPARTMENT OF POLICE (COUNTYWIDE POLICE  
FACILITIES) (CC 19-17)**

CHAIR RAWLINS-FERNANDEZ: Okay. Okay, Members, mahalo for allowing me to skip to the fourth item on the agenda. I'd like to now go back to the second and then the third. So, the second item on today's agenda provides an \$80,000 appropriation to upgrade the air conditioning system in the Department of Police and Forensic Facility. I have the Police Chief. Okay.

MS. MAGONIGLE: Good morning, I'm Melissa Magonigle, Business Administrator with the Maui Police Department.

CHAIR RAWLINS-FERNANDEZ: Thank you.

MS. MAGONIGLE: And we also have Assistant Chief Sterling Kiyota.

CHAIR RAWLINS-FERNANDEZ: Kiyota, okay. Mahalo for the introductions. So, can I ask for you both to provide the Committee with an explanation of this request?

MS. MAGONIGLE: Yes. Good morning, Chair. Good morning, Councilmembers.

CHAIR RAWLINS-FERNANDEZ: Good morning.



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MS. MAGONIGLE: I apologize for the delay, number one. We would like to request \$80,000 from FY '18 CIP funding to be reappropriated to FY '19. Due to delays in completing the project scope of work, the Department wasn't able to encumber the \$80,000 in FY '18 for the upgrade of the Forensic Facility air conditioning system before the funding lapsed on December 31, 2018. So, we are requesting to reappropriate the \$80,000 into FY '19 so that we can complete the project. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Ms. Yoshimura, do you have anything you'd like to add to that?

MS. YOSHIMURA: Chair, there is a Fiscal Year '19 appropriation for the project, but this will help them complete the project.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo. Members, at this time I will now open the floor for discussion on this item.

COUNCILMEMBER HOKAMA: I yield to the Vice-Chair.

CHAIR RAWLINS-FERNANDEZ: Okay, Vice-Chair King?

VICE-CHAIR KING: Thank you, Chair. Probably ask your question anyway, but so is, are these funds coming out...are you proposing to take these funds out of savings? Cost savings, or are the additional outside of your current budget?

CHAIR RAWLINS-FERNANDEZ: Chief?

MS. MAGONIGLE: Councilmember, there are cost savings from FY '18 that just were not encumbered in time.

VICE-CHAIR KING: Okay, so there are cost savings from the previous budget?

MS. MAGONIGLE: Yes.

VICE-CHAIR KING: I'm trying to figure out then how...so are those lingering? Where do they come from once they're, I mean, once they expire how are we able to dip back into the previous budget and for, and to use those funds?

CHAIR RAWLINS-FERNANDEZ: Department?

VICE-CHAIR KING: Maybe the Budget Director can help us?

CHAIR RAWLINS-FERNANDEZ: Okay, Ms. Yoshimura?

MS. YOSHIMURA: Yeah, Chair, the request is to appropriate \$80,000 in bond funds.

VICE-CHAIR KING: Oh bond, okay.

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MS. YOSHIMURA: So Fiscal Year '18 CIP projects lapsed in December...on December 31<sup>st</sup> of 2018 --

VICE-CHAIR KING: Right.

MS. YOSHIMURA: --they carry an 18-month life. So, the request now is to appropriate \$80,000 to supplement --

VICE-CHAIR KING: Okay.

MS. YOSHIMURA: --the Fiscal Year 2019 appropriation to complete the project.

VICE-CHAIR KING: Okay, so we're basically we're just increasing our debt service for this.

MS. YOSHIMURA: Correct.

VICE-CHAIR KING: Okay. Alright, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. King. Councilmember Hokama?

COUNCILMEMBER HOKAMA: We're trying to grasp this project here. The 80,000 that you requesting us in bond money this morning, that amount lapsed of the total appropriation? Is that correct? On the first point? We allowed 80,000 to lapse, but you encumbered the balance?

MS. MAGONIGLE: Yes, that is correct.

COUNCILMEMBER HOKAMA: So, why wasn't the 80,000 part of the original encumbrance if it's part of the project? You had 18 months.

MR. KIYOTA: Yeah, initially it was to upgrade our, the air conditioning system in the facility.

COUNCILMEMBER HOKAMA: Right.

MR. KIYOTA: So, we hired the consultant. The consultant...

COUNCILMEMBER HOKAMA: Who is your consultant please?

MR. KIYOTA: GYA. Alvin Yoshimura [sic], GYA. And so, they hired a mechanical engineer to come in from Oahu, Murayama. So, once they came in and walked through the facility and was gonna work on a scope we found more, they found more problems on the morgue side.

COUNCILMEMBER HOKAMA: Got it.

MR. KIYOTA: Which included ventilation and some air conditioning problems.

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COUNCILMEMBER HOKAMA: Chief, who did the original assessment for the project from the beginning? Was it...is it a...was it a different consultant?

MR. KIYOTA: No, GYA was...we hired GYA.

COUNCILMEMBER HOKAMA: Okay, so why wasn't part of the first assessment able to capture what you got in the second assessment?

MR. KIYOTA: No, that was during the first assessment.

COUNCILMEMBER HOKAMA: That was part of the first assessment?

MR. KIYOTA: GYA...yeah, GYA came in as the initial consultant.

COUNCILMEMBER HOKAMA: Right, right, and then that's how you based your first \$828,000 request?

MR. KIYOTA: Correct.

COUNCILMEMBER HOKAMA: But the assess...

MR. KIYOTA: No, that was only...last year we got money for the...we was, we were gonna do it in phases, but I believe last year you was so gracious to give us more funds and recommended we do it at one time.

COUNCILMEMBER HOKAMA: Right, we wanted...yeah because we felt we would get savings by not splitting the project into two cost items.

MR. KIYOTA: Correct. And so, when GYA came in and brought in the mechanical engineer, and like I mentioned they found additional issues with the morgue side of the facility which needed to take precedence over...

COUNCILMEMBER HOKAMA: Okay, I know the AC is critical for the morgue yeah?

MR. KIYOTA: Correct.

COUNCILMEMBER HOKAMA: Are you operational currently, Chief?

MR. KIYOTA: We are.

COUNCILMEMBER HOKAMA: Okay, so it's...we're not in a situation, an uncomfortable situation with the deceased, or their families, or anything of that nature then regarding the morgue, the County's morgue?

MR. KIYOTA: No.

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COUNCILMEMBER HOKAMA: Okay. Is this in any way hampering our Chief as the coroner in his duties?

MR. KIYOTA: Technically no, however if you were to walk in that building, you know, there's other offices that we have --

COUNCILMEMBER HOKAMA: Correct.

MR. KIYOTA: --training.

COUNCILMEMBER HOKAMA: Correct.

MR. KIYOTA: And there is a smell in there.

COUNCILMEMBER HOKAMA: Hey, it's the morgue.

MR. KIYOTA: And that is the ventilation issue that we have with the morgue --

COUNCILMEMBER HOKAMA: Okay.

MR. KIYOTA: --section.

COUNCILMEMBER HOKAMA: Okay. If Council passes your request after this Committee's review, how soon can the project move forward?

MR. KIYOTA: Right now they are completing the specs and they should be...we gave them till the middle of next month to complete that and once that it done it'll go out to bid.

COUNCILMEMBER HOKAMA: Great, Chief. Thank you very much. Thank you, Chairman.

CHAIR RAWLINS-FERNANDEZ: Thank you, Mr. Hokama.

COUNCILMEMBER KAMA: Chair?

CHAIR RAWLINS-FERNANDEZ: Thank you, Chief. Councilmember Kama?

COUNCILMEMBER KAMA: So, I'd like to follow up on Councilmember Hokama's question about...so the process is this, this, and this, and then it goes out to bid, and then how long until you actually...I just wanna know when is the vent gonna get fixed?

CHAIR RAWLINS-FERNANDEZ: Chief?

MR. KIYOTA: Once we go out to bid and we find a contractor, and then work starts after that.

COUNCILMEMBER KAMA: Three months? Six months?

MR. KIYOTA: But there's a process. It has to go out to bid for so long.

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COUNCILMEMBER KAMA: Do we have that timeline?

MR. KIYOTA: So, it could be a couple months.

COUNCILMEMBER KAMA: It could be a couple months or could be longer?

MR. KIYOTA: It all depends.

CHAIR RAWLINS-FERNANDEZ: Yeah, I think Ms. Kama's asking if you could provide her a range.

COUNCILMEMBER KAMA: Yeah.

CHAIR RAWLINS-FERNANDEZ: Anywhere from a couple of months to...

MR. KIYOTA: Okay, yeah, we can provide a timeline in writing for you if that's what you want.

COUNCILMEMBER KAMA: No. I just wanna know right now. I mean, if we've got people sitting in a training class, how long do they have to go through...I mean, how long do they have to go through that before they can...it'll stop. We talked about stink stuff yesterday right? So, we're talking about it again today, so it's okay. Everyday it's the stink stuff happening on this Council, but it's just...it's uncomfortable to know that people are sitting in a training room...I mean, this is a wonderful place to be trained, but somebody else is sitting in a different place being trained and having to go through that I think it's nauseating that's my thought, Chief.

MR. KIYOTA: Okay, normally three months, but again it could take longer.

COUNCILMEMBER KAMA: A few more? Okay that's a good thing, thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Kama.

COUNCILMEMBER KAMA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chief. Members, are there any other questions for the...okay. Members, the Chair will entertain a motion to recommend passage of all three proposed bills listed on today's agenda.

VICE-CHAIR KING: So moved.

COUNCILMEMBER LEE: Second.

CHAIR RAWLINS-FERNANDEZ: Shall I read all the bills?

COUNCILMEMBER LEE: No.

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COUNCILMEMBER HOKAMA: It's listed on the agenda.

VICE-CHAIR KING: Yeah, we have it.

CHAIR RAWLINS-FERNANDEZ: Okay. And the bills are listed on the agenda. Okay, moved by Vice-Chair King, seconded by Councilmember Lee.

MS. MATTHEWS: Madam Chair, would you also like to incorporate any nonsubstantive revisions and adjustments required by prior amendments to FY 2019 Budget, and the filing of County Communication 19-17?

CHAIR RAWLINS-FERNANDEZ: Yes, please.

COUNCILMEMBER HOKAMA: No objections.

CHAIR RAWLINS-FERNANDEZ: Any objections?

COUNCILMEMBERS: No objections.

CHAIR RAWLINS-FERNANDEZ: No objections, mahalo. Okay, discussion on the motion? Seeing no discussion, all those in favor say "aye."

COUNCILMEMBERS: Aye.

CHAIR RAWLINS-FERNANDEZ: Any opposed? None. Okay...nine "ayes" and no "noes."

<b>VOTE:</b>	<b>AYES:</b>	<b>Chair Rawlins-Fernandez, Vice-Chair King, and Councilmembers Hokama, Kama, Lee, Molina, Paltin, Sinenci, and Sugimura.</b>
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<b>NOES:</b>	<b>None.</b>
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<b>ABSTAIN:</b>	<b>None.</b>
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<b>ABSENT:</b>	<b>None.</b>
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<b>EXC.:</b>	<b>None.</b>
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**MOTION CARRIED.**

<b>ACTION:</b>	<b>FIRST READING</b> of bills and <b>FILING</b> of communication by C.R.
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CHAIR RAWLINS-FERNANDEZ: Mahalo, Chief.

MR. KIYOTA: Thank you.

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CHAIR RAWLINS-FERNANDEZ: Call Mr. Teruya up?

**ITEM 156(1): AMENDMENTS TO THE FISCAL YEAR 2019 BUDGET  
TO AUTHORIZE TRANSFERS RELATING TO  
CATEGORIES OF USE WITHIN A PROGRAM OR  
DEPARTMENT (DEPARTMENT OF FINANCE) (CCs 18-246  
and 18-444)**

CHAIR RAWLINS-FERNANDEZ: Okay, the third item on today's agenda, amends Fiscal Year 2019 Budget within the Department of Finance by transferring \$32,290 from Countywide Costs, Category B (Operations) to the Administration Program Category A (Salaries), for the Internal Control Officer. A letter was sent to Finance and the response letter is in Granicus. We have also received a revised proposed resolution from the Budget Director which is now being distributed by Staff. Okay, Acting Director Scott Teruya, do you have an explanation for your request today?

MR. TERUYA: Thank you. Aloha, good morning, Chair and Members.

UNIDENTIFIED SPEAKER: Thank you.

MR. TERUYA: Scott Teruya, Acting Finance Director. Members, the Director...the Department of Finance humbly asks for the transfer of funds back to the Director's Office, A Account so we can begin recruiting for an Internal Control Officer. The position was planned to play a key role in makeover of the Department of Finance. As we go through items addressing the audit findings dated November 26, 2018 from Moss Adams, LLP. The position will be primarily responsible for the establishment of Countywide policies on Finance as well as working on the HR/Payroll rollout project. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Thank you, Mr. Teruya. Ms. Yoshimura, do you have anything to add to that?

MS. YOSHIMURA: Chair, I did the...submit a revised proposed resolution to amend the source of the funds from Countywide Costs Category B to Countywide Costs Category A. Referring to Acting Director Teruya's response on Page 7 of the ordinance, you'll see that the funds were appropriated under Category A and not under Category B as stated in the original proposal.

CHAIR RAWLINS-FERNANDEZ: Thank you, Ms. Yoshimura. Before we go to questions, I wanted to point out that in Mr. Teruya's correspondence to our Committee and on Page 5 of the Budget, Fiscal Year '19 Budget, there is language that requires...there's proviso language that requires the review of the internal audit of Finance before making this change. And that review happened on December 20...December 4<sup>th</sup> with Miss...with Moss Adams. So that review did take place, and so if we would like to move forward on

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this, we would be okay to. Okay, Members, at this time I will now open the floor for discussion on this item.

COUNCILMEMBER SINENCI: Chair?

CHAIR RAWLINS-FERNANDEZ: Mr. Sinenci?

COUNCILMEMBER SINENCI: So, the funds requested is directly for a person's salary?

MS. YOSHIMURA: Chair?

CHAIR RAWLINS-FERNANDEZ: Ms. Yoshimura?

MS. YOSHIMURA: Councilmember Sinenci, yes it is. It's for an Internal Control Officer.

COUNCILMEMBER SINENCI: Okay. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Sinenci. Councilmember Hokama?

COUNCILMEMBER HOKAMA: Chair, I am in support of the Department's request. It's been verified through an independent audit of some of the improvements we can consider in moving our Department of Finance forward. Just so that the...there's no confusion, is there a difference between this position and what was previously known as the Internal Auditor?

CHAIR RAWLINS-FERNANDEZ: Mr. Teruya?

MR. TERUYA: Chair, my understanding it is the same position.

COUNCILMEMBER HOKAMA: Okay 'cause in the past people...we were aware of an Internal Auditor okay, and that was in Department of Finance. We made adjustments, auditor came back with his report, recommending we replace...reinstate for certain more controls and ability to verify information for us. So, I'm in support of this request by the Department and I believe that the current Director is following suit. So, again, this is something that the Council paid for. It's our audit regarding our review of this Department and I'll support the auditor's findings, Chair. I think it is a smart move on our part. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Hokama. Councilmember Lee and then Vice-Chair King.

COUNCILMEMBER LEE: Thank you, Madam Chair. So, either to the Acting Director or the Director, Budget Director, I noticed that \$32,290 is from Countywide Costs, General Costs, et cetera. Where is Countywide Costs housed? In Finance?

MS. YOSHIMURA: Chair? Member Lee--



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CHAIR RAWLINS-FERNANDEZ: Ms. Yoshimura?

MS. YOSHIMURA: Yes, it's in the Department of Finance.

COUNCILMEMBER LEE: Okay, but it's for...it's for Countywide use and that's the...like the plug account, right? So, I'm just wondering why the money's taken from there and not from your operating accounts.

CHAIR RAWLINS-FERNANDEZ: Ms. Yoshimura?

MS. YOSHIMURA: In Fiscal Year '19 the appropriation was made under the General Cost line item under Countywide Cost pending the audit for the Department of Finance and the review of the report by the Council. Once that was done, if the body felt appropriate, then the monies would be moved to fund the position. So, one E/P was included in the Department of Finance Administration's Budget for Internal Control Officer, however the salary was not, and that was to allow the body to make a recommendation, and then move...or follow the recommendations of the audit report, and then move the funds over.

COUNCILMEMBER LEE: So, essentially what you're asking for approval now was actually pre-approved by the previous Council?

CHAIR RAWLINS-FERNANDEZ: Ms. Yoshimura?

MS. YOSHIMURA: It required further approval once the audit was done.

COUNCILMEMBER LEE: I see. Alright, thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Lee. Vice-Chair King?

VICE-CHAIR KING: Yeah, thank you, Chair. I just wanted to clarify the changes because we have one in Granicus, the resolution in Granicus, the one you just handed us, and I just wanted to clarify that it looks like the only changes are the change in the name of the Mayor, for one, and then you added the line item which is I guess a subcategory of Countywide Costs as General Costs. So, that wasn't in the original resolution. Those are the only two changes?

MS. YOSHIMURA: So, Chair? The change was the name of the Mayor.

VICE-CHAIR KING: Pardon? Yeah.

MS. YOSHIMURA: And also, from Category B to Category A. So, in the original --

VICE-CHAIR KING: Oh, okay.

MS. YOSHIMURA: --submittal it was from Category B.

VICE-CHAIR KING: Okay. It was from Operations.

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MS. YOSHIMURA: Yes.

VICE-CHAIR KING: So, you added in the subcategory General Costs and underneath that Category A?

MS. YOSHIMURA: Yes.

VICE-CHAIR KING: Okay. Alright thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Mahalo, Ms. King.

COUNCILMEMBER SINENCI: Chair?

CHAIR RAWLINS-FERNANDEZ: Councilmember Sinenci?

COUNCILMEMBER SINENCI: So, are we...are we giving the...a raise to this person? No?

CHAIR RAWLINS-FERNANDEZ: Ms. Yoshimura?

MS. YOSHIMURA: Councilmember, the position is currently vacant.

COUNCILMEMBER SINENCI: Oh.

MS. YOSHIMURA: So, it would have to be filled through a recruitment process.

COUNCILMEMBER SINENCI: Thank you.

CHAIR RAWLINS-FERNANDEZ: Councilmember Paltin?

COUNCILMEMBER PALTIN: So, just wondering, is that the person's annual salary, 32,000?

MS. YOSHIMURA: No, it's a portion of. It could be up to...it's five month's salary.

COUNCILMEMBER PALTIN: Thank you.

CHAIR RAWLINS-FERNANDEZ: Thank you. Vice-Chair King?

VICE-CHAIR KING: I just wanted to know...thank you, Chair. I just wanted to know if you had somebody in mind for this position already or if it's completely open right now, you still have to go through from step one for recruitment?

CHAIR RAWLINS-FERNANDEZ: Mr. Teruya?

MR. TERUYA: Chair, thank you. The position will...once...if we have funding we'll go, need to go open recruitment. There's nobody that we're looking for other than the best candidate that we can find, so it will be recruited open. When you do the open recruitment, it'll

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take some time because you're gonna have to advertise, and to get the testing, and et cetera. So, I don't think it'll be an immediate hire, probably be about two months.

VICE-CHAIR KING: Okay, so basically then we're looking at, if it takes two months to get this person on board, so we're looking at February/March, then we have three months of a salary left till the end of the fiscal year, so are you going to need that entire 32,000 if that's only basically for three months of the salary?

CHAIR RAWLINS-FERNANDEZ: Mr. Teruya?

MR. TERUYA: Thank you, Chair. First of all, during the open recruitment the salary is set by the position. It...the SR and the step rating, so I can't tell you exactly off hand. I know what that is, but I believe it'll be enough for the remaining months that we have that it higher.

VICE-CHAIR KING: Right, I understand that, but I'm just saying that if the remaining months, you know, say there's two months left of the salary, are you gonna use that entire 32,000 in this fiscal year? Because that would be a pretty high salary yearlong if you look at that, or should we change the language to up to...or not to exceed 32,000? Because if it takes you...if you go to, through the end of the year and you don't find somebody and you don't hire anybody there's zero of that being used.

CHAIR RAWLINS-FERNANDEZ: Ms. Yoshimura?

MS. YOSHIMURA: The transfer would allow up to \$32,290. If the position is filled for only four months and let's say only \$20,000 is needed, that's the amount that we would transfer.

VICE-CHAIR KING: Okay, that language that's in there is good for that --

MS. YOSHIMURA: Yes.

VICE-CHAIR KING: --that application? Okay. I'm satisfied then. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo Vice-Chair King. Councilmember Paltin?

COUNCILMEMBER PALTIN: I just was wondering if you could share with us the SR rating and the step. Would it be an A?

MR. TERUYA: In what I've seen on the position it is a EM-3, there's,...it's not a step rating. It's an EM-3 position.

COUNCILMEMBER PALTIN: Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay, mahalo.

COUNCILMEMBER KAMA: Chair?



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CHAIR RAWLINS-FERNANDEZ: And that is the end of our agenda. The time is 10:28 and we will adjourn. Thank you. Thank you, Members. . . .*(gavel)*. . .

ADJOURN: 10:28 a.m.

APPROVED:



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KEANI N.W. RAWLINS-FERNANDEZ, Chair  
Economic Development and Budget Committee

edb:min: 190131:ja

Transcribed by: Jasmin Andrion

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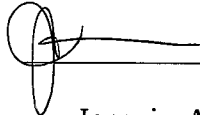
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CERTIFICATE

I, Jasmin Andrion, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 21<sup>st</sup> day of February 2019, in Kahului, Hawaii

  
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Jasmin Andrion