

# **BUDGET, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE**

**Council of the County of Maui**

## **MINUTES**

**April 5, 2021**

**Online Only via BlueJeans**

**CONVENE:** 9:07 a.m.

**PRESENT:** Councilmember Keani N.W. Rawlins-Fernandez, Chair  
Councilmember Tamara Paltin, Vice-Chair  
Councilmember Gabe Johnson, Member  
Councilmember Tasha Kama, Member  
Councilmember Kelly Takaya King, Member  
Councilmember Alice L. Lee, Member  
Councilmember Michael J. Molina, Member  
Councilmember Shane M. Sinenci, Member  
Councilmember Yuki Lei K. Sugimura, Member (in 9:20 a.m.)

**STAFF:** Lesley Milner, Legislative Analyst  
Kasie Apo Takayama, Legislative Analyst  
Ana Lillis, Legislative Analyst  
Richard Mitchell, Legislative Attorney  
Yvette Bouthillier, Committee Secretary  
Jean Pokipala, Council Services Assistant Clerk

Kate Griffiths, Executive Assistant to Councilmember Gabe Johnson  
Keisa Liu, Executive Assistant to Councilmember Gabe Johnson  
Evan Dust, Executive Assistant to Councilmember Tasha Kama  
Davideane Sickels, Executive Assistant to Councilmember Tasha Kama  
Lois Whitney, Executive Assistant to Councilmember Tasha Kama  
Axel Beers, Executive Assistant to Councilmember Kelly Takaya King  
Michelle Del Rosario, Executive Assistant to Councilmember Kelly  
Takaya King  
Sarah Freistat Pajimola, Executive Assistant to Councilmember Keani  
N.W. Rawlins-Fernandez  
Gina Young, Executive Assistant to Councilmember Shane M. Sinenci  
Jordan Helle, Executive Assistant to Councilmember Yuki Lei K.  
Sugimura

**ADMIN.:** Michele M. Yoshimura, Budget Director, Office of the Mayor  
Traci Fujita, Director, Office of Council Services  
David Raatz, Supervising Legislative Analyst, Office of Council Services  
Shelly Espeleta, Supervising Legislative Analyst, Office of Council  
Services

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Tammy Frias, Supervising Committee Secretary, Office of Council Services

Marlene Rebugio, Support Supervisory, Office of Council Services

Nicole Kahinu, Accounts Payable Specialist, Office of Council Services

Kathy Kaohu, County Clerk, Office of the County Clerk

James Krueger, Deputy County Clerk, Office of the County Clerk

Lance Taguchi, County Auditor

Camille Sakamoto, Administrative Officer, Office of the County Auditor

Moana M. Lutey, Corporation Counsel, Department of the Corporation Counsel

Richelle Thomson, First Deputy Corporation Counsel, Department of the Corporation Counsel

Lisa Kahuhu, Administrative Assistant II, Department of the Corporation Counsel

Mark Middleton, Safety Specialist 3, Department of the Corporation Counsel

Herman Andaya, Administrator, Emergency Management Agency

Kristina Toshikiyo, Deputy Corporation Counsel, Department of the Corporation Counsel

**OTHERS:** Michael Williams, Chair, Cost of Government Commission  
La`akea Low  
Others (5)

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

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CHAIR RAWLINS-FERNANDEZ: . . .*(gavel)*. . . Aloha kakahiaka kākou. ‘Ewalu minuke o ka hola. . . i ka hala o kahōla ‘eiwa ma ‘elima o ‘Apelila I Ka makahiki ‘elua kaukani iwakāluakūmākahi. E ‘olu‘olu mai, e ho‘omalū ke Komike Mo‘ohelu Kālā a me Ho‘omohala Waiwai ‘o wai ka luna ho‘omalū o kēia Komike o Keani Rawlins-Fernandez. It is...it was 9:07 on April 5th, 2021. Will the Economic...Finance...Budget, Finance, and Economic Development Committee please come to order. I’m your Chair, Keani Rawlins-Fernandez. Ni hao kākou. I keia lā me kou kākou, eia hope luna ho‘omalū, Tamara Paltin. Aloha.

VICE-CHAIR PALTIN: Ni hao a me aloha kakahiaka kākou mai Maui Komohana.

CHAIR RAWLINS-FERNANDEZ: Member Shane Sinenci.

COUNCILMEMBER SINENCI: Aloha kakahiaka, Chair. Mai Maui Hikina a me ni hao kaukou pakahi apau.

CHAIR RAWLINS-FERNANDEZ: Ni hao. Member Mike Molina.

COUNCILMEMBER MOLINA: Pehea ‘oe, Madam Chair, and ni hao kākou to you and my colleagues, from Makawao.

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CHAIR RAWLINS-FERNANDEZ: Maika'i. Mahalo. Ni hao. Council Chair Alice Lee.

COUNCILMEMBER LEE: Madam Chair, ni hao to you and my dear colleagues. Good morning.

CHAIR RAWLINS-FERNANDEZ: Ni hao. And Member Kelly King.

COUNCILMEMBER KING: Aloha kakahiaka kākou and ni hao. And I've got the door open, so let me know if there's birds in the background and I'll shut it. . . .*(inaudible)*. . . this morning. I don't want to compete with Member Molina's birds.

CHAIR RAWLINS-FERNANDEZ: Will do. Mahalo, Member King. Member Gabe Johnson.

COUNCILMEMBER JOHNSON: Ni hao, aloha, good morning everyone. And it's Monday. I'm ready to work. Thank you.

CHAIR RAWLINS-FERNANDEZ: Maika'i, maika'i. And then Member Yuki Lei Sugimura will be joining us momentarily. And Pro Tem Kama, ni hao and aloha kakahiaka.

COUNCILMEMBER KAMA: Aloha kakahiaka, Chair, and ni hao to you too. And thank you very much for the budget survival kit. I would like to let you know, and I will make a confession that I've already started digging into the survival kit. So thank you very much for my tea for this morning. Aloha, everyone.

CHAIR RAWLINS-FERNANDEZ: You're very welcome, Pro Tem Kama. And Budget started on March 25th, so we were already in session and survival was already necessary. So I'm glad you already dug in. We have with us from Corporation Counsel, Deputy Corporation Counsel Kristina Toshikiyo.

MS. TOSHIKIYO: Aloha kakahiaka, Chair. And ni hao to you as well.

CHAIR RAWLINS-FERNANDEZ: Aloha kakahiaka. And from the Office of the Mayor, Budget Director Michele Yoshimura. Aloha. Committee Staff, Committee Secretary, Yvette Bouthillier.

MS. BOUTHILLIER: Good morning, Committee Chair and Members.

CHAIR RAWLINS-FERNANDEZ: Good morning. Supervising Legislative Analyst Shelly Espeleta. Aloha. Budget Committee Analyst Lesley Milner.

MS. MILNER: Aloha, Chair. Aloha, Members.

CHAIR RAWLINS-FERNANDEZ: Aloha. Legislative Analyst Kasie Apo Takayama.

MS. APO TAKAYAMA: Aloha, Chair and Members.

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CHAIR RAWLINS-FERNANDEZ: Aloha. And Legislative Attorney Richard Mitchell.

MR. MITCHELL: Aloha, Chair. Aloha, Members.

CHAIR RAWLINS-FERNANDEZ: Aloha. Okay. Our quick disclaimer. This online meeting is being conducted in accordance with the Governor's most recent emergency proclamation on COVID-19. Please see the last page of the agenda for information on meeting connectivity. We have one big item on today's agenda, BFED-1, the Proposed Fiscal Year 2022 Budget for the County of Maui. And as Pro Tem Kama alluded to, I'm hoping everyone received their budget session survival kit. And for transparency to the public, I will let everyone know what it was that everyone received. In this kit, you will find some tools to help you in a bind. One, spearmint tea will help you clear your throat to assert your points and gain the vote. Two, super stamina spray of wild orange and rosemary. Put some pep in your debt, some perk in your work, some gain in your pain, ease stress in the yes. Added bonus, stimulates hair growth. Three, espresso and cream, because you're living the dream and everyone should be awake to feel it. Four, a loofah. Yes, a loofah. How else can you start anew? Jump in the shower and scrub off the day. We'll be seeing you in a few. Five, Moloka'i bread will help you BFED and keep your hunger at bay. So spread on some butter, watch what you mutter, and everyone will have a great day. And six, but what, you might ask, are thing one and thing two? They are not for your eyes today. Put them up high, don't peek inside, no matter or come what may. That's what was in the budget session survival kit. And we will proceed with public testimony. Oral testimony via phone or video conference will be accepted. Please note that if you are signed in, you are on the list to testify even if you do not request to testify. Please let Staff know in the chat if you are signed on and do not intend to testify. Testifiers wanting to provide video testimony, please join by going to the BlueJeans meeting link noted on today's agenda. Testifiers wanting to provide audio testimony, please join by calling the number and entering the meeting code, also noted on today's agenda. The Committee will be keeping...or intends to keep the same meeting link and phone number for everyone's convenience. Written testimony is highly encouraged. Instructions on how to submit written testimony can be found at [mauicounty.us/testify](http://mauicounty.us/testify). Oral testimony is limited to three minutes per item. When testifying, please state your first and last name. If you are testifying on behalf of an organization or are a paid lobbyist, please inform the Committee. Staff has posted the testifiers log in the chat so that testifiers will be able to see where they are on the list. Please be mindful of the use of chat during the meeting. Chat should not be used to provide testimony or chat with the Councilmembers or other testifiers. If providing testimony, please be courteous to others by muting your microphone and video while waiting your turn to testify. Once you are done testifying, you'll be asked to disconnect from the call. However, you are welcome to continue to view the remainder of the meeting on *Akakū*, Channel 53, Facebook Live, or on [mauicounty.us/agendas](http://mauicounty.us/agendas). Participants who wish to view the meeting only without providing testimony, please disconnect at this time and instead view the meeting on *Akakū*, Channel 53, Facebook Live, or on [mauicounty.us](http://mauicounty.us). Only Councilmembers, Staff, and designated resource personnel will be connected to the video conference meeting once testimony concludes. And we will proceed with testimony. In the log earlier...okay. All right. We have two individuals currently

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signed up for testimony. We'll start with Michael Williams, Chair of the Cost of Government Commission, followed by our last testifier signed up, La'akea Low. Mr. Williams, you may proceed with your testimony.

**. . .BEGIN PUBLIC TESTIMONY. . .**

MR. WILLIAMS: Ni hao and aloha kākou to all of you. I am testifying today...Michael Williams, as Chair of the Cost of Government Commission because our Budget is on your review table today as part of the Auditor's Budget. We're asking for an increase in our Budget of \$20,000, it has two components. \$10,000 is for extra hours we need from our technical writer, who helps prepare all our reports. And we have been much more active in the past year and a half or so than we...the Cost of Government Commission was in the past, it takes a lot more of her time to generate the reports, but I believe you'll find that we're being cost effective for you. Our first report that generated since I was Chair recommended that you cut the Budget for Maui Visitor's Bureau from 4 million to zero, and you cited our report last year when you cut it from 4 million to one and a half million. We've also submitted a report that we think will save the Council...the County \$6 million in bond service money if they find a private investor with opportunity zone credits they can use to finance the Wailuku Parking Structure. That report has not yet been reviewed by your Committee, but we hope that you get to it sometime after this Budget session. The other \$10,000 is a special project we're working on with Corporation Counsel to create a database of all of the publicly filed litigation documents in both the State and Federal Courts in which the County of Maui is a party. We've had Corporation Counsel testify before our Cost of Government Commission twice on this already, and I was...I've been in communication with Office of Council Services and also with Chair Lee, through Traci Fujita, and Corporation Counsel says they can't afford to create the database because it would take two full-time people and they don't have it in their Budget. Office of Council Services says they don't want to do it because they would require Corporation Counsel to have access to the Legislative Branch website. And so Chair Lee, through Traci, suggested that we just spend \$10,000 in our Budget to try to access the public documents that are in the court files. They're not readily accessible. You have to sign up for a subscription, and you have to know the name of the case, and you have to monitor them because they don't update you when something new is filed. But nevertheless, we're going to try to do that if you give us this extra \$10,000. Well, we'll just spend it more on our technical writer, or we'll hire a less expensive paralegal to help us, and...look...see if we can create a database that's useful. Corporation Counsel has been cooperative with us in the sense that they've already agreed to create a list of all of their litigation files, all the cases, and to tell us which of those they believe are the most significant ones. And so that's where it will start. . . .(timer sounds). . . And...so, that's why we're asking for more money. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Williams. I see a question from Member King.

COUNCILMEMBER KING: Thank you, Chair.

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CHAIR RAWLINS-FERNANDEZ: Go ahead, Member King.

COUNCILMEMBER KING: Good morning, Mike. Good to see you. Thanks for coming. So the...is the Auditor....have you been working with the Auditor on this proposal? This money would go into the Auditor's Budget?

MR. WILLIAMS: It's in the...yes, we're...the Cost of Government Commission is under the Auditor's Budget.

COUNCILMEMBER KING: Right.

MR. WILLIAMS: And the Auditor approved our request, and passed it on to the Mayor, who's passed it on to you.

COUNCILMEMBER KING: Meaning that he didn't put it in his Budget?

MR. WILLIAMS: Well, we're not part of the Mayor's Budget, so to speak, in the sense that we're unique among Boards and Commission, I believe, and that we're part of the Legislative Branch.

COUNCILMEMBER KING: Right, right. No, but all of the Budgets are in the Mayor's Proposed Budget. So just asking you who...

MR. WILLIAMS: Yeah. Ours is in there.

COUNCILMEMBER KING: Oh.

MR. WILLIAMS: It's...the extra \$20,000 is in there. I'm just here to tell you why we want it.

COUNCILMEMBER KING: Oh, okay. So we don't have to...so you're not asking to add an additional 20,000 --

MR. WILLIAMS: No.

COUNCILMEMBER KING: -- you're asking to support the extra 20,000 that's in there. Okay, got it.

MR. WILLIAMS: This is already in the requested Budget before you.

COUNCILMEMBER KING: Okay. Got it. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo for that clarification, Member King. Okay. And then I don't see any other hands up. I can't see everyone on my screen, so if you have your hand up and I'm not calling on you, just, you know, get my attention and I'll...okay. Mahalo, Mr. Williams, for your testimony this morning. Aloha. Okay. And then our last testifier signed up is La'akea Low. You may proceed with your testimony, Mr. Low.

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MR. LOW: Aloha mai kākou, o La'akea Low ko'u inoa. No ka moku 'o Hāmākua poko mai au. Makawao ahupua'a o Makawao. Ke noho nei wau mau kou ka moku o Kula i ke'ia manawa. I wanted to testify on agenda item 2, sections I, J, and K. So for I, in relation to the fuel tax, I agree we should incentivize alternative fuels, but I think that everyone should pay some kind of tax, especially if the fuel tax is for maintenance of the roads and stuff. No matter what kind of fuel or energy you use, you're contributing to the wear and tear of the roads. And so I think everyone should pay something for road maintenance if that's what it's for. Even if it's even just a penny or something, just to kind of incentivize people to move away from reliance on fossil fuels. And then moving on to J, the purchase of property. This is another one of those that I think we should invest in title search and sequence of title. I notice that this property had a Royal Patent and Land Commission Award for Kamāmalu. And so I think that, you know, we should really start investigating title on all these purchases. The title search...I think this was a quitclaim deed, and we know the problems with those and their relation to quiet title. So I think it would be good for the community (*audio interference*) that there's something about, you know, contracting people to research title on all the purchases the County makes, land purchases. And then for K, the Budget proposal, just want to thank the Mayor and his team for all the work they did. And thank you folks in advance for all the work you're about to engage in. I just wanted to express concern in terms of Upcountry and Moloka'i. Things like we always get the short end of the stick and, you know, not very much money is invested in our communities. So I just hope we could change that someday soon and . . . (*timer sounds*). . . you know, there's a lot of work to do up here too. So mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Low. I see a question from Member Paltin. Please proceed with your question, Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Low, for your testimony. I wasn't clear when you were referring to the letters, like, what page or section that you were referring to? Like --

MR. LOW: Oh, I was...

VICE-CHAIR PALTIN: -- when you said I, J, and K?

MR. LOW: I was referring to the agenda, the agenda items. So on there, number 2, I, J, and K: the fuel tax, the land purchase, and the proposed budget.

VICE-CHAIR PALTIN: Oh, okay. Okay. Thank you, I got so much letters and pages, I wasn't sure.

MR. LOW: Yeah. Yeah.

VICE-CHAIR PALTIN: Thank you.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Any other questions for our testifiers? Okay, seeing none, mahalo for your testimony, Mr. Low.

MR. LOW: Aloha.

CHAIR RAWLINS-FERNANDEZ: And I see...aloha. Member Sugimura.

COUNCILMEMBER SUGIMURA: Good morning.

CHAIR RAWLINS-FERNANDEZ: Aloha and ni hao. You're muted.

COUNCILMEMBER SUGIMURA: Is that the word for the day from our Chair? Good morning, everybody.

CHAIR RAWLINS-FERNANDEZ: Good morning. Okay. I will ask if anyone else signed on would like to provide testimony. It looks like it's mostly Staff on. Okay. All right. If there are no objections, Members, we'll now close oral testimony.

**COUNCILMEMBERS VOICED NO OBJECTIONS**

CHAIR RAWLINS-FERNANDEZ: Mahalo, Members.

COUNCILMEMBER KING: No objections. But Chair --

CHAIR RAWLINS-FERNANDEZ: And if there a --

COUNCILMEMBER KING: -- just a quick question.

CHAIR RAWLINS-FERNANDEZ: -- objection...sure, Member King.

COUNCILMEMBER KING: Thank you. Just a quick question. I just wanted to clarify. The agenda I was looking at only has one item, but it does have that A, B, C, D. So I'm not sure that...what the testifier. . .he was...when he said item number two. I think he was talking about starting on page 2? Is that...is it just the one item? It's just the one item, I think, that's on our agenda today.

CHAIR RAWLINS-FERNANDEZ: It's just BFED-1.

COUNCILMEMBER KING: Right. Okay. Yeah, he said second item, so I think he was mainly referring to starting on page 2.

CHAIR RAWLINS-FERNANDEZ: I'm not sure if...well, he explained which items he would be testifying on within --

COUNCILMEMBER KING: Yeah.

CHAIR RAWLINS-FERNANDEZ: -- our agenda item BFED-1.



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COUNCILMEMBER KING: Right. Right. I just wanted to clarify that there was only the one item. Thank you.

CHAIR RAWLINS-FERNANDEZ: Yes. Okay. And if there are no objections, Members, I will receive written testimony into the record.

**COUNCILMEMBERS VOICED NO OBJECTIONS**

CHAIR RAWLINS-FERNANDEZ: Mahalo, Members.

**. . .END OF PUBLIC TESTIMONY. . .**

**ITEM 1:                   PROPOSED FISCAL YEAR 2022 BUDGET FOR THE COUNTY  
                              OF MAUI (CC 21-30)**

CHAIR RAWLINS-FERNANDEZ: Okay. So we have our one agenda item, BFED-1, Proposed Fiscal Year 2022 Budget for the County of Maui. We have posted on Granicus for Members and the public to review the Members' priority proposals in order of Department in a matrix. Did anyone not receive that? Okay, good. It looks like everyone's gotten it. Okay. The matrix will come into play when each Department is reviewed. For example, if a Member's priority involved the Emergency Management Agency, the priority will be discussed today at the same time they are being reviewed by the Committee. It'll be the last part of the process when each Department or office comes before us. We also posted...mahalo, a big, big, big mahalo to OCS. They compiled all the Members' questions over the weekend, as well as the executive summaries. So that's something new this year. Did everyone receive the executive summaries for each of the Departments today? Member King.

COUNCILMEMBER KING: Well, Chair, what time did that come in? I haven't seen it yet. But...

CHAIR RAWLINS-FERNANDEZ: Ms. Milner, do you know what time that was sent?

MS. MILNER: That was sent --

CHAIR RAWLINS-FERNANDEZ: Staff can send it to you.

MS. MILNER: -- on April 1st.

CHAIR RAWLINS-FERNANDEZ: Oh, April 1st.

MS. MILNER: Sorry. That was sent on April 1st, but I will forward it to you and your EAs again.

COUNCILMEMBER KING: Okay. Thanks.

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CHAIR RAWLINS-FERNANDEZ: Okay. Think it looks like everyone else received it. Okay. Mahalo again to our OCS Staff for doing that. And then today's timeline, you know, subject to change. Let's see. What time is it, 9:31. We are ahead of schedule. Yay. Good job, team. So we started at about 9, and then we have OCS up first at 9:45, and I estimated about an hour, to 10:45, and then we'll take our morning break when we complete our review of OCS. And then we'll review the Office of the County Clerk. And that should take, you know, approximately 45 minutes to an hour. And then we'll break for lunch. I'm hoping we can break a little earlier for lunch. Some Members have to leave a little early, so I'll be trying to break a little earlier to accommodate all our Members. And then when we return, we'll review the Office of the County Auditor. And then...so that should be approximately 1:30 'til 2. And then from about 2 to 3:45, review of Department of Corporation Counsel, we'll take our afternoon break, and then we'll lastly review the Maui Emergency Management Agency. So the process that we'll be following this morning is I will be asking all the questions that was submitted by the Members, and the Department will respond to each question on the floor. If the Members request the Department to generate a report, the Department should be ready to share their screens so all Members can visually see the information provided. If the Members request hard copies of information provided by the Department which are not already in Granicus, or will not be provided as a response to the letter, Department should email a copy to [BFED.committee@mauicounty.us](mailto:BFED.committee@mauicounty.us) immediately after the meeting. Following this, I'll call on each Member. Each Member will have about five minutes to ask their questions. And if Members have additional questions not noted on the letter that was sent to the Departments, Members should ask them at that time if...or any follow-up questions to questions that were submitted. If the Department is unable to answer on the floor or there are follow-up questions from today's review, the Department is responsible for following through to provide that information to the Committee. Okay. Okay, so...we have our OCS Director on with us to start us off with the Office of Council Services.

**OFFICE OF COUNCIL SERVICES**

MS. FUJITA: Good morning, Chair. Good morning, everyone.

CHAIR RAWLINS-FERNANDEZ: Aloha, Ms. Fujita. Okay. So I...

MS. FUJITA: So we'll --

CHAIR RAWLINS-FERNANDEZ: Oh, go ahead.

MS. FUJITA: No, no, no. I was just going to say I would share my screen for the PowerPoint.

CHAIR RAWLINS-FERNANDEZ: Oh. We're not doing PowerPoint presentations.

MS. FUJITA: Oh, we're not? Oh.

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CHAIR RAWLINS-FERNANDEZ: We're going to dive straight into questions.

MS. FUJITA: Oh, okay. Got it.

CHAIR RAWLINS-FERNANDEZ: Okay. So I will start off with the questions from the Members, and then I'll open up the floor to questions--for follow-up questions or additional questions from the Members. Okay. Question one, and this is the overall Budget from Member Kama. If the Council were to ask for an 11 percent cut in programs and activities funded by the General Fund to fully fund the recommendation proposed in the comprehensive Affordable Housing Plan at \$57 million without increasing real property tax revenue, A, what programs or activities would you cut for your Department? And B, what impact would those cuts have on residents?

MS. FUJITA: That's a tough question. Our...I believe our Budget is pretty lean, the one that was proposed for FY'22. And I need some time to discuss this question with the Council Chair. So I'm going to submit this response in writing.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Fujita. The next question...next set of questions is on Category A, Salaries and Wages. One, please provide the following information relating to the proposed Deputy Director position: A, the anticipated position description, minimum qualifications, and summary of duties; and B, justification for the creation of a new Deputy Director position. Ms. Fujita.

MS. FUJITA: So for the position description, I'm going to be submitting that in writing. As far as the justification goes, there were several reasons why this is being proposed at this time. One of them is the span of control in the Research Section. When David was supervising all of the Research Section, the span of control was 10 to 1, which, in my opinion, was too much. It's too much for one person. That section requires a lot of oversight because the work that they do varies so much. They...the Staff require a lot of consultation with supervisors. So part of the goal of having a Deputy Director is to reduce the span of control. So having a Deputy Director that can oversee the Supervising Leg Analyst and the Legislative Attorneys, and then having the Supervising Leg Analyst supervise the Legislative Analysts. That is a more manageable...we're hoping a more manageable span of control as far as supervision goes. The other reason had to do with PAF management. Through the years, PAFs have just really grown in volume and complexity, and it's really taken on a life of its own. Having this sort of split in the research section will allow the PAFs to get the additional attention it needs. Our Committee work takes precedence over PAFs. So when you have one person managing both PAFs and Committee work, it's really challenging to ensure that the PAFs get that attention and management. So David will be overseeing the PAFs, and Shelly will be managing the Committee work. So we're hoping having that also split of duties will help both...you know, both categories of work, you know, both our Committee work and our PAF work. And then finally, the Deputy Director...you know, as with all the Deputy Directors in the County, the Deputy Director will serve as a backup to the Director. So the Deputy Director would step in when the Director is not available. And also, the Deputy Director would actually review work of the Director because we still want to have that second set of

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eyes, you know, on documents and things. And this is important. Having a backup for the Director is important for continuity of the office, as well as succession planning. It just makes sense to have that Deputy Director in place. So that's the response. And I'll include that in my written response to the Committee.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fujita. Member Paltin, are you talking to me?

VICE-CHAIR PALTIN: Oh, I just was...it wasn't clear if the minimum qualifications part was a oral response or if that was going to be a written response. Because she kind of went...said she would respond with position description and then went into the justification and summaries of duties, but I don't think the minimum qualification portion was addressed. I'm just wondering if that's going to be the writing part or it was meant to be orally answered.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Ms. Fujita.

MS. FUJITA: So there is not really a minimum qualification for the Deputy Director. And that's, again, similar to all the other Deputy Director's positions in the counties. The written response will include the position description and summary of duties.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fujita. Okay, second question is, are steps C and higher receiving step increases annually? The understanding was that once someone passes Step C, they would receive an increase every three years.

MS. FUJITA: For OCS Staff, they have been receiving annual step increases. My understanding is that for civil service employees, I believe that once they reach Step C, that they receive an increase every three years. I believe that that applies to civil service employees. You might want to confirm with, you know, DPS on that. But OCS employees are not civil service employees. They do not have the same employment protections of civil service employees, so our salary structure is different because of that. They...you know, they must be reappointed every two years for, you know, for each Council term. And they...I believe also, it was set in place so that we could recruit and retain Staff, you know, because of our...you know, this kind of appointed environment where every two years they have to be reappointed. So in...for the...I took a look at the resolutions. The last two resolutions that were adopted by Council Resolution 20-68 for Bargaining Unit 3 employees, and Resolution 20-70 relating to Bargaining Unit 4 supervisory employees, it looks like civil service employees were authorized to receive lump sum payments in 2019, step movements or salary increases in 2020, and across the board salary increases in 2021. So while they may get salary increases every three years, my understanding is that the increase that they eventually will get, you can actually be, you know, more than one year of increase because they'll have...you know, their positions have gotten increases and steps throughout the time. So basically, that's what it is. The past practice is that OCS employees do receive annual step increases, and it's primarily for retention and recruitment purposes.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fujita. Okay. Question three is, will the vacated Supervising Legislative Attorney position be filled or eliminated?

MS. FUJITA: That position will be...will not be filled. It's going to remain vacant.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo. And the last question for this set is, please provide the duties of the Director position. And I guess...

MS. FUJITA: And that one I'll include with my written response, yeah, the position description.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fujita. Okay, the next set of questions is from Operations and Equipment, categories B and C. And there are four questions under this category, starting with the first question regarding travel. Please provide explanations for the following: A, there seems to be a lot less travel since 2019, why is the FY 2022 proposed travel amount higher?

MS. FUJITA: So the way that travel is budgeted for OCS is that we are assuming normal travel in FY'22. Of course, nobody really knows, you know, how this COVID pandemic is going to play out. But for budgeting purposes, we need to assume that travel is back to normal, and that Members are going to choose to travel, you know, so that the funds are available in the event that the Members do choose to travel.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo. B, there is only a slight decrease in travel indicated, which is nearly flat for FY 2021, but a \$91,765 increase over the Fiscal Year 2020 actual cost. What are the FY 2021 expenditures on travel to date?

MS. FUJITA: So that amount...this is as of March 31st, 2021, it's \$31,794.

CHAIR RAWLINS-FERNANDEZ: And C, please justify the need to expand the travel budget for FY 2022 when travel is still discouraged, and virtual meetings and conferences have become commonplace. Kind of related to A.

MS. FUJITA: So as I mentioned for the first question, well, the FY'22 proposal for travel is nearly flat from FY'21, so there's not much of an increase. I think...actually, I think it's decreased a little bit, like \$379 decrease. But again, when we budget for travel, we have to assume that travel is going to be back to normal, and that the Members are going to choose to travel again.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fujita. So basically, it's...the Councilmembers' travel is included in that? Okay. The second question is, what will be the disposition of the replaced computer equipment?

MS. FUJITA: So for that item, those...the computer equipment being requested for FY'22 is for the Councilmember Offices...in the C accounts for the Councilmember Offices. So it's really up to the Councilmember to decide whether they're going to turn in their old computer equipment when they get new computer equipment. I believe the last...for

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the Surface Pros that we recently distributed, I believe that most, if not all, the Members kept their old computer equipment. I don't believe anything was turned into OCS. But...so it can be handled either way. It can either...the Members can either keep their equipment, or they can turn it in to OCS.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo. Question three is, please provide a breakdown of the subscription costs for the newly acquired budgeting software.

MS. FUJITA: Okay. So the initial cost, which is in our FY'21 Budget, is \$282,562.12. And the breakdown for that is the budgeting and planning software is \$178,541.67; premium support is 12,500; custom professional services is \$80,219.70; and then the tax is \$11,375. And then there's an annual subscription fee in...being proposed in our FY'22 Budget, and that is \$125,000.

CHAIR RAWLINS-FERNANDEZ: And the last question is, please provide a breakdown of the exact startup cost for the communication Cloud and the annual subscription cost? When will the communication Cloud be launched for Staff use?

MS. FUJITA: Okay. So for that one, it's govDelivery, which is a Granicus platform. And the initial cost, which is from our FY'21 Budget, is \$6,250.02. And the breakdown for that is advance package online training is \$500; advance package setup and configuration is \$1,000; communications Cloud online training is \$500; and communications Cloud startup and configuration is \$4,000; and then the tax is \$250.02. There is also an annual subscription that is starting in FY'21, which is \$13,020.86, and the breakdown for that annual subscription is the Cloud...communications Cloud advanced package is \$2,499.99; the communications Cloud is \$10,000; and then the tax is \$520.87. The estimated launch date of govDelivery is May 12th, 2020...I'm sorry, 2021.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fujita. Okay. Those are all the questions that we received from the Members. And I'll now go to the Members for questions. And we'll start with the subject matter Committee Chair, followed by the Vice-Chair, and then down the row. And that's starting with Member Molina for five minutes, and then followed by Member Paltin --

COUNCILMEMBER MOLINA: Okay...

CHAIR RAWLINS-FERNANDEZ: -- and then Member Sinenci.

COUNCILMEMBER MOLINA: Sorry. Thank you, Madam Chair. No, a lot of my questions were answered, and I think it's good that you had us ask these questions in advance to save us some time. But in the event we do have additional questions, would you like us to reference, for example, Program Budget, page 113, Council Services Program under objectives. Would that be helpful? So that way everybody can follow along the reference point of where the questions are coming from? Would that be useful?

CHAIR RAWLINS-FERNANDEZ: That would be useful. Mahalo, Member Molina, for suggesting that.

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COUNCILMEMBER MOLINA: Okay. Or Budget Details. Yeah. If everybody can do that --

CHAIR RAWLINS-FERNANDEZ: Yes.

COUNCILMEMBER MOLINA: -- then that way quicker for everybody to see where their questions are coming from. So, anyway --

CHAIR RAWLINS-FERNANDEZ: Love it.

COUNCILMEMBER MOLINA: -- just a suggestion. But, yeah, no further questions on this department. Thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Member Molina. Okay, Members, you heard the request from Member Molina. So as much as possible, if you can refer to the Budget Details, or narrative, or the ordinance so that Members can all follow along when you ask your questions. What page number and what line item. Okay? Committee Vice-Chair Paltin, five minutes, followed by Member Sinenci.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Director Fujita. My question was a follow up to that question about the minimum qualifications. And I know you said you would follow up in writing, but then when you said that the supervising legislative attorney position would be taken away, and then it seems as though that Mr. Raatz's position title would just be Deputy Director; is that correct?

MS. FUJITA: That's correct.

VICE-CHAIR PALTIN: I guess, just...I mean, a pre-thing [*sic*] is it meant for the Deputy Director to have, like, similar minimum qualifications, or at least be an attorney?

MS. FUJITA: For...even for the Director position, actually, there's not really minimum qualifications or requirement that the person be an attorney. So that's not a requirement. It gives the Council flexibility. I think that it's good for at least one of those positions to be an attorney, but there's no requirement for it.

VICE-CHAIR PALTIN: And then you said something about supervising Committee Staff and Committee work. Is that a...was that a redescription of Ms. Espeleta's job, or is it similar to what her job is right now...title.

MS. FUJITA: So right now, Shelly was appointed...as of January 2nd, she was appointed as the Supervising Legislative Analyst, so --

VICE-CHAIR PALTIN: Oh...

MS. FUJITA: -- yeah, her responsibility is to supervise the Legislative Analysts, and she manages Committee work.

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VICE-CHAIR PALTIN: Okay. And then I guess the last question I have is, I would've considered 2019 a normal year because the Coronavirus effects didn't happen until 2020. And then I know it's like fiscal years, but...so I guess my question is, like, why aren't we having a flat budget from Fiscal Year 2019 instead of a flat budget from 2020 or 2021, if, like, you consider Fiscal Year '19 a normal year?

MS. FUJITA: Right. So my understanding is that the travel budget was reduced by Council in FY'19. I don't recall why. And then in 2020, it was brought back to, I guess, what it was before.

VICE-CHAIR PALTIN: Okay. But we all live...did...if you can refresh my memory, if you know it, we all lived within the 2019 Fiscal Year, and we didn't need a budget amendment to get more travel, did we?

MS. FUJITA: Let me see...oh, you know what, I'm so sorry. I neglected to...I neglected to introduce the rest of the Management team at OCS that's with me today. So I have David Raatz, Shelly Espeleta, Tammy Frias, and Marlene Rebugio. And then also, Nicole Kahinu is...should be on the line too. So I just want to ask her if she knows off the top of her head. Nicole, do you know, in FY'19 if...how the travel budget, you know, how that went?

MS. KAHINU: I don't have that information in front of me right now, but I'll be happy to research it and get you that answer.

MS. FUJITA: Okay. Okay. We'll have to respond. Could we include that with our other...our other written response? Okay.

VICE-CHAIR PALTIN: Thank you, Ms. Kahinu. Thank you, Ms. Fujita. Thank you, Chair Rawlins-Fernandez.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Committee Vice-Chair Paltin. We'll go to Member Sinenci, followed by Council Chair Lee.

COUNCILMEMBER SINENCI: Mahalo, Chair. And thank you, Ms. Fujita. A lot of my questions were answered, but I just had a general question about having the available Staff to address a lot of the PAFs that we've been seeing. So we were upwards of 60 in the first year. So in anticipation of continuing and receiving PAFs, are we staffed to take on the additional work?

MS. FUJITA: We hope so. You know, we made this change. So, we're going to see how that goes, if that helps to improve things. We also still have a vacant analyst position. This is when Shelly moved into the Supervising Leg Analyst. So now there's a vacancy for Committee Analyst position. So that will help, you know, once we're fully staffed, hopefully that that will help with getting the PAFs done in a timely manner.

COUNCILMEMBER SINENCI: Okay. Thank you, Ms. Fujita. Chair, that's all I have for now. Thank you.



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CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay. Council Chair Lee, followed by Member Johnson.

COUNCILMEMBER LEE: Thank you, Madam Chair. I have no further questions.

CHAIR RAWLINS-FERNANDEZ: You all are so efficient this morning. Member Johnson, followed by Member Sugimura.

COUNCILMEMBER JOHNSON: Thank you, Chair. I have no further questions at this time. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Following the trend, Member Johnson. Okay. Member Sugimura, followed by Pro Tem Kama.

COUNCILMEMBER SUGIMURA: Thank you. So just kind of clarification based upon Tamara's question. So civil service gets a salary increase negotiated every three years, but OCS gets it every year? Is that what you said, Traci?

MS. FUJITA: Well, I guess it depends on the collective bargaining agreement. So I just took a look at the last one that was just adopted or authorized. And in looking in this particular one, it looks like in 2019, they get a lump sum payment, and then in 2020, they get either steps or increases or lump sum payments. And then in 2021, it's an across the board increase. And so what my understanding is, is that every three years, after step C for civil service employees, it would...you know, they would...they're...so whatever step that they were moving up to would have, you know, gotten these things in it, right. And then so when they get it, it may be like, you know, more than one years' worth of salary increases, versus OCS it's done annually, is my understanding.

COUNCILMEMBER SUGIMURA: Okay. I'll ask personnel. Thank you.

MS. FUJITA: Yeah. You might want to confirm with them. They're the experts.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Pro Tem Kama.

COUNCILMEMBER KAMA: Thank you, Chair. I have no questions for the Director. Thank you.

CHAIR RAWLINS-FERNANDEZ: Wonderful. Mahalo, Pro Tem Kama. Okay, and then I'll go...

COUNCILMEMBER KING: Chair, are you going to --

CHAIR RAWLINS-FERNANDEZ: Okay.

COUNCILMEMBER KING: -- skipped me.

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CHAIR RAWLINS-FERNANDEZ: Oh, I missed you. Oh, I'm so sorry, Member King. Member King.

COUNCILMEMBER KING: Okay. Thank you. A lot of my questions were answered, but I wanted to find out if you have...Traci, do you have a figure for how much we saved collectively as a Council on travel, you know, from not...the mileage from not driving into the offices all of us every day? Or, you know, five days a week?

MS. FUJITA: We can get that information. You want, like, to compare, yeah, like from last year to the year before or something like that? We can include that in the written response.

COUNCILMEMBER KING: Okay. Because I'm assuming that, you know, that now we have (*audio interference*) more satellite offices so that, you know, that helps with that expense as well.

MS. FUJITA: Okay.

COUNCILMEMBER KING: But I think that was a major...there were months that I think...most of those months, I didn't claim anything. So even if I went to the office and picked something up, I didn't claim it. And then the other question I have is sort of a...because the...I thought we were going to do the County Clerk first, but there was funding for...proposed for relocation is...for County Clerk. Is the OCS Staff moving into any of the places that they're vacating? Any of the offices?

MS. FUJITA: I'm not sure. Yeah. That part, I'm not sure what the plan is.

COUNCILMEMBER KING: Okay. So you don't...you don't know at this point? You don't have any plans to expand?

MS. FUJITA: We need to. I mean, we are desperately short on space in OCS. I just don't know, like, where we were going to go.

COUNCILMEMBER KING: Okay. You haven't had that conversation yet with the Clerk?

MS. FUJITA: Yeah, yeah, we haven't had that conversation yet.

COUNCILMEMBER KING: Okay. Okay, great. All right. Thank you. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. And my apologies again. I will follow my paper next time so I don't skip anyone. Okay. My turn. Okay. My first question is, Ms. Fujita, if the Members want a job description for the Director or the Deputy Director, would the Members establish a job description? Is that something that would be part of our responsibility, or that we would work with you on?

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MS. FUJITA: I suppose. I...the Director position description, I believe was...it's dated, like, 2014, so I'm not sure how it was created. The Deputy Director one, I worked on with David to create that one because we didn't have one to, like, revise or update. But yeah, like anything, I'm always willing to discuss with the Members, you know, that type of thing. Yeah.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fujita. And then for staffing, I heard your response to Member Sinenci about hoping to have enough Staff to address all of our PAFs. And another thing that this Council could do is figure out some kind of policy based on the amount of Staff that we have so that we're not overwhelming our Staff with the number of PAFs or...we could do something like that, yeah?

MS. FUJITA: Uh-huh. Yes.

CHAIR RAWLINS-FERNANDEZ: Mahalo. And I guess I should call you Director Fujita. And would you agree that we've been likely saving money and time by having...we pretty much haven't had a...turnovers have been very, very much down. Like when I first got in, I noticed we had a lot of turnover, which requires a lot of time to train, time is money, and having a Budget Staff that has gone through at least one budget session now has really helped to strengthen that team.

MS. FUJITA: Yeah. I mean we credit the leadership of the Council. I mean, it really...you know, like everything, it starts at the top. And, you know, having a supportive Council, I mean, it's amazing what, you know, what we can do at OCS when we have, you know, the Council's support, and we're able to work closely with the Members on, you know, making improvements and making things more efficient. I've never been...I've never felt like I couldn't come to the Council to, you know, bring up matters of concern to the...about the Staff. So I...you know, I want to thank you guys for allowing us to make these changes. And yeah, helping with...when we recruit now, we get lots of applications, you know, and people want to stay. So we want to keep it that way. We love all, you know, the Staff that we have, and so we want to retain them as much as possible.

CHAIR RAWLINS-FERNANDEZ: Oh, yes. Staff retention is super important for all of us. Okay. And then my last question is regarding travel. I know there is some concern about the increase to the travel budget, and so I think...would you agree that one of the solutions is if Councilmembers just commit to not traveling at all for NACo Conferences or the WIR Conferences? So if the Members wanted to commit to not going to any of those conferences, then we would be able to reduce that travel. Otherwise, the proposed travel budget is what it would look like if Members did want to attend, you know, these important conferences; is that correct?

MS. FUJITA: That's correct. I mean, it's...it really is what...it's the expectations of the Members. So if the expectations of the Members is that they're not going to travel, then sure, we can reduce our travel budget accordingly.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Fujita. Those are all the questions that I have. Stop the timer. And so that was our...oh, I'm sorry. I will ask any of the Members if there are any follow up or new questions before we move on to the next part of the process. Okay, Member Paltin. I have you on a two-minute timer.

VICE-CHAIR PALTIN: Thank you, Chair. And just a follow up to your last question on the travel. They could...Members could still travel and decrease the centralized travel budget if they take it out of their office account as well. That's another avenue to go possibly if there's money?

CHAIR RAWLINS-FERNANDEZ: Director Fujita.

MS. FUJITA: So yes, I believe the policy that's been in place is that Members are allowed to take one NACo Conference per year out of the central account, and then any other travel out of their office accounts. So yes, if the Members say that they're not going to use the central account for travel, then we can reduce that central account. That's correct.

VICE-CHAIR PALTIN: And is it also just further clarifying that the subject matter Chair can do one of conference . . . *(inaudible)*. . . sorry the . . . *(inaudible)*. . . is here. I'll ask later. I got to go.

CHAIR RAWLINS-FERNANDEZ: And I'll mute Member Paltin.

COUNCILMEMBER KING: Yeah.

CHAIR RAWLINS-FERNANDEZ: Oh, she's muted. Okay. And then I'll finish asking Member Paltin's question. I think she was going to ask if subject matter Committee Chairs would be allowed to have one conference travel covered by central. Director Fujita.

MS. FUJITA: Yeah. I mean, yeah. That would be up to the Chair. I mean, the Chair is the one that sets those types of policies. And I can't recall off the top of my head if that is already an existing policy or if that would be a new policy, but it would be up to the Council Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo . . . *(timer sounds)*. . . Director Fujita. Member King. Okay --

COUNCILMEMBER KING: Thank you.

CHAIR RAWLINS-FERNANDEZ: -- two minutes.

COUNCILMEMBER KING: Thank you, Chair. Yeah, I think that was an existing policy. It was when I was Chair. And...but I think you need to clarify exactly what the parameters of travel are because, you know, does that mean an international conference or national conference or in-state conference, you know, those are all very different levels of expense. And so if you could...if we could get, like...you know, once

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we finish the Budget if we can get a travel policy on what's covered by central and what needs to come out of our office account, that would be really helpful. And then the other thing I wanted to just mention on the Director qualifications, I think that's a really good idea. We ask all the other Departments to have that for the directors and we put it into ordinance. But I do want to mention that when Maria Zielinski was our temporary OCS Director, she suggested that there be a requirement for the Director to be an attorney because she said a lot of legal documents came across her desk, and she would have to always call an attorney. And so it's helpful...I'm hoping you're finding it helpful, Traci, that you are an attorney, and so you don't have to go find one when you have legal questions like that. So those are the only two comments I wanted to make. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Did you want Director Fujita to respond to or give you feedback on anything?

COUNCILMEMBER KING: Yeah, if you have any thoughts on those two items.

CHAIR RAWLINS-FERNANDEZ: Okay. Director Fujita.

MS. FUJITA: Yeah. We...I can...I put a note to myself to work on a travel policy, so I can work on that. And then as far as the having the attorney as a minimum qualification for the Director, that sounds reasonable to me. It has been, I think, helpful. Besides being an attorney, you know, just having the experience in the County, right. I've been here for almost 25 years now, so just having that background is really helpful.

COUNCILMEMBER KING: Okay. Thank you. . . .*(timer sounds)*. . .

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Perfect timing. Okay. I don't see any other hands. But --

MS. FUJITA: Chair?

CHAIR RAWLINS-FERNANDEZ: -- please get my attention. Oh. Director Fujita.

MS. FUJITA: I did have one thing, an additional proposal for Council's consideration. I'm going to let David talk to it, but it has to do with the self-insurance fund, like getting clarification on the use of the self-insurance fund. Would it be okay to bring that up now, or should we just put it in our written response? I wasn't sure what you wanted to do.

CHAIR RAWLINS-FERNANDEZ: I guess that can fall under one of my follow-up questions.

MS. FUJITA: Oh, okay.

CHAIR RAWLINS-FERNANDEZ: Yeah.

MS. FUJITA: So I'll let David...

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CHAIR RAWLINS-FERNANDEZ: . . .*(inaudible)*. . .

MS. FUJITA: Yeah, I'll let David explain it.

CHAIR RAWLINS-FERNANDEZ: Okay. Okay, Mr. Raatz.

MR. RAATZ: Thank you, Chair and Members. Good morning. Yeah, OCS would like to point out that currently there's nothing in the Budget that specifies where any special counsel compensation will come from. And this is a matter of interest for OCS because the County Council has exclusive authority under the County Charter over special counsel employment, so we're involved in every instance of special counsel being retained. And we'd respectfully suggest the self-insurance program be designated as a source of funding for any special counsel, and there's couple reasons for that. Briefly, one is that's consistent with this term's current practice with the special counsel that's been retained. And secondly, and probably more important, legal expenses, including special counsel compensation, tend to be very unpredictable from year to year. So, you know, some years there's very little special counsel compensation, some years it can reach into the millions of dollars. So a relatively large funding source, like the self-insurance program, we would suggest would be an appropriate source to be designated for special counsel compensation. And it could be a simple matter of adding one sentence to section 7 of the General Budget Provisions. A statement such as the following may suffice, funds from the Countywide self-insurance program must be encumbered and disbursed to compensate any special counsel. So thank you, Chair. We'd be happy to answer any questions about that.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Raatz. Okay. And then a follow-up question to that to clarify. So such as Council or...the County Council hiring special counsel for the Bank of Hawai'i...oh, sorry, Bank of America lawsuit, where trying to estimate how much money we would need to allocate in...or estimate or project for our Budget is really challenging, especially when there could be, you know, like with Bank of America suing the County, we weren't anticipating, I don't think anyone was anticipating, that preemptive strike against the County, and that was funding that we hadn't allocated. So it would help in that way. Correct, Mr. Raatz?

MR. RAATZ: Thank you, Chair. Yes, that's very well said, and it is that real life example that is one reason this has been on our minds for this upcoming Budget Session. So thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Mr. Raatz. And then I'll open up the floor for follow-up questions. We'll do two minutes again. Chair Lee, followed by Committee Vice-Chair Paltin.

COUNCILMEMBER LEE: Okay, Madam Chair. You're not planning to take any votes on any of these Departments today, right? Right?

CHAIR RAWLINS-FERNANDEZ: Nope, not today.

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COUNCILMEMBER LEE: Okay. Yeah, because like for something that David just brought up, we would need more time to discuss with the Budget Director, and also Corporation Counsel, et cetera, before we could, you know, come to any kind of conclusion on the proposal. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. And just to clarify, I didn't add this to the explanation of the process earlier. So just like how we had last year requests from the Department to add in things that they may have either forgotten or, you know, there was, you know, some kind of situation that occurred that because that situation happened after the Mayor put together his Budget, if we would need to add something, we'll make a list of the requests from the Department if it's coming from the Department, and during decisions week, we'll take a vote then. Okay? Okay. Committee Vice-Chair Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Can you hear me okay? Okay. My question was in regards to what Mr. Raatz was saying, like, how Council is involved in all special counsel situations, I just was wondering, did that include the wastewater injection well lawsuit special counsel as well?

CHAIR RAWLINS-FERNANDEZ: Mr. Raatz.

MR. RAATZ: Chair. Yes, Councilmember Paltin, that's correct. The County Council did approve retention of special counsel in that case as required by the Charter. A resolution must be adopted by a two-thirds vote to approve the retention of special counsel. Thank you.

VICE-CHAIR PALTIN: And so County Council retained the special counsel for the injection well suit, but we're no longer paying anything for that. But at the time that it was paid, it came out of County Council Budget?

MR. RAATZ: Chair, if I may. I don't believe that did come out of the County Council Budget. I believe that was through the Executive Operating Budget. I don't actually know off the top of my head where that came from. I would guess that probably did come from the self-insurance fund, maybe Corporation Counsel could clarify that, or we could look that up. I'm sorry, I just don't have that at my fingertips. But we're just trying to clarify for future reference that the policy, going forward at least, would be for that self-insurance program to be the designated source for special counsel compensation.

VICE-CHAIR PALTIN: Regardless if the request is coming from anywhere throughout the County, the Administrative, the Legislative, or whatever? That is correct?

MR. RAATZ: Yes.

VICE-CHAIR PALTIN: Okay. Okay. . . .(timer sounds). . .

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Committee Vice-Chair Paltin. And so this request would...to clarify, right now the Council...any Council-initiated litigation, lawsuits, legal action, is...it's not clear if Council has authority to use self-insurance. And so this language would add that clarification on authority, and not just the Executive Branch having that authority to use self-insurance when lawsuits are initiated by the Executive Branch, and not the Legislative Branch? Is that...did I say that correctly, Mr. Raatz?

MR. RAATZ: That's correct, Chair. It still would be part of the Executive Operating Budget, that's where the self-insurance program is located. But again, because the County Council is involved in every hiring of special counsel, in effect, you would have the authority to tap into that fund when you approve special counsel if this language is approved. Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Mr. Raatz. Okay, Members, any other questions on that? If not, we'll go to the next...Member King.

COUNCILMEMBER KING: Just real quickly. Thank you, Chair. Mr. Raatz, what...how much is in that fund?

MR. RAATZ: I think in the proposed Budget from the Mayor, it's just over \$13 million.

COUNCILMEMBER KING: Okay. And that's accumulated?

MR. RAATZ: It's a Countywide fund. Yes.

COUNCILMEMBER KING: Okay. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Okay. Seeing no other hands for questions, we'll go to the next part of the process. So this Department doesn't have any CIPs or rates and fees, and so we'll go to Members' priorities. And there are two priorities for this Department. The first priority is from myself, and I will give myself five minutes to introduce the priority, and we'll get feedback from Director Fujita. Okay. So my priority is...would be found in the Program Budget on page 115, and it's a funding proposal under Operations and Other Costs, Council Service Program. My proposal is to increase the Budget to...by \$150,000 to allow the Charter Commission to have education and outreach so they would be able to contract for that service. And that it would be a service that would be provided to the Charter Commission throughout their meetings, so for...for the year, from July to the end of June, so that the public will be informed and included, and engaged, and involved as much as possible in the discussions and deliberations of the Charter Commission, so that when the Charter Commission takes a final vote on those recommendations for questions, proposed amendments to the Charter to be on the ballot, that the public will have been, as much as possible, included in that decision. And so that would be an approximate \$100,000 and special counsel. So this would be independent counsel for the Charter Commission, and I feel that it would be necessary for the Charter Commission to retain independent counsel because the Corporation Counsel is part of



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the Charter, the structure. And so there would, I believe, that there is an inherent conflict of interest in the Corporation Counsel advising the Charter Commission instead of having an independent counsel that doesn't have any interest in how the Charter Commission reviews the Charter and comes up with their process in deciding on what kind of amendments to make in the Charter. Okay. And then I estimated about \$50,000 for that work. Okay. So it's a total of \$150,000 for Charter Commission to have education and outreach and special counsel. Okay. And then I'll first go to Director Fujita for feedback on my proposal, and then I'll open it up to the Members for questions for myself or Director Fujita. Okay, Director Fujita.

MS. FUJITA: Thank you. I'm not sure if OCS is the right place for this funding. I guess I'd need to look into that a little bit more if this is something that the Council wants to do. I'd have to figure out where that funding should be appropriated. That would...that's my only...off the top of my head, the only thing I can think of right now.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Director Fujita. And so the thought process behind putting it under the Office of Council Services is that the Charter doesn't direct who actually would, you know, staff the Charter Commission. And there wasn't any instruction on that in the County Code either. And I think it was directed probably by the Administration to have Corporation Counsel staff and provide legal counsel to the Charter Commission, you know, which makes sense. But it also makes sense for this to come out of Council since they would be doing legislative work, and we're the Legislative Branch. Mahalo, Director Fujita. I saw hands from Council Chair Lee, followed by Committee Vice-Chair Paltin. And I'll --

COUNCILMEMBER LEE: Thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: -- put three minutes...

COUNCILMEMBER LEE: Mine won't take three minutes. I'm just concerned that we're adding more projects for OCS to do, and as...which is fine if it's necessary. I can see hiring special counsel if and when it's needed, but for the day-to-day routine matters, Corp. Counsel can handle those things, and the Administration is already staffing the Charter Commission. So I'm questioning whether the funding might be...and the idea of hiring special counsel might be somewhat premature. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. Member Paltin.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Director Fujita. And I'm not sure who this question would go to, but in reading the Corp. Counsel money set aside for the Charter Commission, it says for the Charter Commission that is being sat March of this year, or last month. And so I just was wondering if we're to approve this, if we're behind the gun already that they've sat, they've elected a Chair, that they're starting their process, and about the time it would take, I guess, to RFP or whatever the special counsel and like that, I'm not sure how long that will take, but would the Charter Commission be near halfway or what? So I guess maybe Director Fujita, how long would you anticipate the process being for carrying out these items?

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MS. FUJITA: If OCS was to implement this, we have a special counsel notice that was already published for this Fiscal Year. So attorney...well, we could...first we could check to see if there already are existing attorneys that have already submitted their resumes to be considered for special counsel. But if there weren't, then we could, you know, solicit other attorneys to submit statements of qualifications to be considered. So it's a different...it's not a RFP process because it's a professional services procurement, so it's a little bit different. It's a little more expedited than an RFP. But we already have something in place for that, you know, to hire special counsel, so we would just...we would just use that existing process that we have. . . .(timer sounds). . .

VICE-CHAIR PALTIN: Sorry, but I just was wondering, like, the time of whatever the process is. I kind of felt like that didn't get answered. Like one month...if it's an expedited process, like, the time.

MS. FUJITA: It's hard to say because a lot of it depends on...I don't know off the top of my head what attorneys have already submitted, you know, that we have on file. If we do already have somebody that can qualify, then it's pretty quick. Like, you know, like in a couple of weeks, we could have a contract in place. If we don't, then it might take a few...a couple weeks longer to go solicit, you know, people to submit something to us.

VICE-CHAIR PALTIN: Okay. Thank you. Thank you, Chair. Sorry. Sorry about that.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Committee Vice-Chair Paltin. Member King.

COUNCILMEMBER KING: Thank you, Chair. And yeah, I like this proposal because, you know, we've only done this...we only do this once every ten years, so none of us have been through the Charter Commission before. And I think that because we have some experience with the Charter Amendments and putting out information on the previous Charter Amendments that just went through the...so we know that it's important to get community input and to get the education outreach out there. The only question I had was whether the Commission was consulted on needing special counsel. Just because we do have Corp. Counsel--and I totally agree with you that there could be conflicts of interest in some of the Charter Amendments--but we have Corp. Counsel, we also have counsel from OCS, and we...actually, the Chair is an attorney himself, the Chair of the Charter Commission. So I just wondered if you had spoken to the Charter...the Chair of the Charter Commission if they feel like they need additional legal counsel.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Yes, they did take a vote. Their last meeting was on April 1st, and so they had that discussion, and they voted in favor of retaining special counsel.

COUNCILMEMBER KING: Okay. Excellent. Thank you.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Members, any other questions on my proposal? Member Sugimura.

COUNCILMEMBER SUGIMURA: Thank you. We have...in line with the questions, we have Corp. Counsel coming, and in their...in the details if you look at it on 1-9, it says Charter Commission, Professional Services, 100,000. And when I was on the Charter Commission, we hired as an outside legal support Sherry Van Dyke [sic]. And she was our...at that time, she and her husband both taught Constitutional Law at the University of Hawai'i. So there is services, I mean, there are professionals out there who are specifically trained, I guess, to look at things like the Charter. So I don't know what all the RFPs would look like and what the Charter Commission would decide to do, but I think that this has been thought about through Corp. Counsel. So when they come up, maybe you can ask them also to supplement this discussion. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Yeah. So Ms. Sherry Broder and Mr. John Van Dyke were retained as analysts for the Charter Commission, and not special counsel, although they are both attorneys and professors for Constitutional Law at the William S. Richardson School of Law at U.H. Manoa. But they were analysts, they weren't special counsel. So they didn't necessarily give legal counsel. Mahalo, Member Sugimura. Any other questions? Okay. Seeing none. So following the process, I'll ask Members for consensus on the proposal. And if we don't have consensus, then during decisions week, we would take it up and take a vote then. So are...is there consensus on this proposal?

COUNCILMEMBER KING: Consensus.

COUNCILMEMBER JOHNSON: Consensus.

COUNCILMEMBER MOLINA: Consensus.

COUNCILMEMBER LEE: No.

COUNCILMEMBER SUGIMURA: No.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Members. Okay. So we'll take this up during decisions week, and we'll take a vote on that. Okay. The next...so we have two priority proposals. One from myself, and the second one from Member King. Member King, I will give you five minutes to present your proposal. You may proceed.

COUNCILMEMBER KING: Okay, thank you. Chair, I don't think I'll need the whole five minutes but...because we have precedent for this with the West Maui District Office. And so this is offering an opportunity for other districts, and specifically...well, possibly South Maui, Upcountry, and Pā'ia, Ha'ikū districts. I assume that the Kahului and Wailuku districts, since you're so close to the County building wouldn't need a separate district office. But, you know, open to that too. But I think it just...it's obviously been effective. We've seen Member Paltin utilize her office...even

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though we don't have testifiers coming there, but for this pandemic, it's been great. I mean, we've been...myself, I've been moving around between my bedroom and my living room and my...sometimes my Council office, and just trying to get everything in place --

COUNCILMEMBER SUGIMURA: . . .*(inaudible)*. . . County Clerk.

COUNCILMEMBER KING: -- I think the other part...well, it'll be really helpful is when we hopefully open up after the pandemic that we can have testifiers come to the district offices and testify from there as they do on Moloka'i, Lāna'i, and sometimes Hāna, and hopefully Lāhainā. I don't think...I think we went into the pandemic before we had a chance to test that out. But it may become important part of the State Legislation. Senate Bill 10-34 keeps going back and forth between amendments of requiring these special places for people to come and then not requiring it, and so the latest version of that that I sat through that passed out of the House Committee put it back in and so...anyway, I think it's really important for the district offices to be able to support the work that's in the districts as well, and especially now that we have...now that we have...sorry about that...the community advisory committees, which we're hopefully going to approve in First Reading today. So that's my proposal. And the money is a placeholder, you know, to see which districts are really interested in this.

COUNCILMEMBER LEE: How much?

COUNCILMEMBER KING: Well, that...the amount that I got from OCS was for the West Maui District Office, and that includes the personnel, was just under 87,000. So I multiplied that by three, and came up with a round figure of 260,000. And that includes the personnel.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. And then we'll go to feedback from Director Fujita, and then I'll open it up for the Members to ask questions. Okay. Director Fujita.

MS. FUJITA: Thank you, Chair. So I guess I should mention the impact on OCS. The district offices, they are kind of like sister offices to us, you know, they don't fall under OCS, but we...you know, we provide the funding, and we provide assistance to them. So depending on the Staff that's at the district offices, it takes quite a bit of time to onboard them and to kind of train them, you know, on procurement and, you know, all of those different things. Because basically they're like mini-OCS offices, you know, they technically handle all of the stuff for that district...that district office. But our Staff, particularly the support section, is the one that provides the most support, you know, technical support, procurement support, human resources support, accounting support, you know, all of that part of it, it does have an impact on OCS. And so to increase the amount of offices I think will increase the amount of...amount of services that OCS would be providing. So I'm not sure, you know, we may in the future need to think about staff...increase our staffing, you know, for the support section to be able to adequately support, you know, additional district offices. I don't know, we would have to just wait and see. Of course, we had this one, now we have

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four. So I'm just...and I hear from Staff about the amount of time sometimes it takes to, you know, walk the district office Staff through things and to, you know, help them with stuff, especially if they don't have that background or experience or not familiar. So they just need a little bit more help. So that would be my only comment right now is I'm not sure what impact that might have on OCS Staff. . . .*(timer sounds)*. . .

COUNCILMEMBER KING: Can I follow up, Chair?

CHAIR RAWLINS-FERNANDEZ: Go ahead, Member King.

COUNCILMEMBER KING: Okay. Thank you. Yeah, I just...what...I'm a little bit surprised to hear that because in my mind, it should be taking some of the work off of OCS. You know, like you don't have somebody that you send back and forth from Moloka'i or Lāna'i or Hāna that sits with that Member, right? That Member should...the Staff person in those offices should be taking care of some of those things that you're doing from the main office. So is that what you're finding with all the existing district offices that...it just surprises me that it's causing you more work and not less. I mean, what's the training time that you need to go through to get to that point where they're...you know, same with any other OCS staffer, right? You have a training period --

MS. FUJITA: Right, right.

COUNCILMEMBER KING: -- and you have to onboard them. And then once they get onboard, they should be able to do their work without someone holding their hand . . .*(timer sounds)*. . .

MS. FUJITA: It really varies on the, like I said, the individual. You know, some people are able to pick up faster than others. Some people just need constant assistance. They're just, you know, not sure, and they want help in the process, and it just...it varies. It varies. So it'll really depend on whoever, you know, is staffing those offices. But it will have an impact on OCS, just because the work that they do is not something that we currently do. So it's not like they're taking work away from us, this is going...additional work, right, because you're creating additional offices. So there's, you know, it's...and it's not...that type of work is not something that OCS does. They don't...they don't do OCS work basically.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Director Fujita. Okay. Chair Lee?

COUNCILMEMBER LEE: Okay. I can't speak for the Kahului representative but, you know, I would think because of the proximity that we wouldn't need a district office, at least I wouldn't. But think about this. How about if you allow us, Pro Tem Kama and myself, to have one additional Staff? Because let's face it, those of you who hire for your district offices work for you. Technically they're supposed to work for OCS, but they don't, they work for you and they do your work. So if...if Kama and I can have...we don't need an office, but we sure could use the extra help. So just a thought. Thank you.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. Okay. Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. Interesting. Thank you for the proposal, Kelly. And I just wondered if we could get a breakdown so the...does the personnel cost that you got, the 87,000, does that also include...include fringe benefits? Or can we see the breakdown of what it is? Is it only rent and telephone and whatever?

CHAIR RAWLINS-FERNANDEZ: Director...

COUNCILMEMBER SUGIMURA: Because I think fringes would...may add on. So I'm just asking for more information.

CHAIR RAWLINS-FERNANDEZ: Member King, or if you don't, you can...

COUNCILMEMBER KING: I got the information from Traci, so maybe Traci could give you the breakdown.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

MS. FUJITA: Sure. I don't...

CHAIR RAWLINS-FERNANDEZ: Director Fujita?

MS. FUJITA: Oh, sorry. I don't believe that the salary information includes fringes, but there was a breakdown of the office expenses that was sent, you know, shortly after the pre-budget meetings we had. There...because there were several reports that the Members had asked for in those meetings, and I sent them to all the Members so that all the Members had the same information. If you cannot locate it, let me know and I can send it to you again.

COUNCILMEMBER SUGIMURA: So I do have it. So are we not to include fringe benefits as far as the personnel cost? Is that...is that handled separately or differently for the district offices?

COUNCILMEMBER KING: I believe it's handled separately for all offices. I don't think our own Staff members, we don't include their fringe benefits in our office budgets either.

COUNCILMEMBER SUGIMURA: Just trying to look at what the total cost is.

CHAIR RAWLINS-FERNANDEZ: Chair Lee, you have information to help Member Sugimura with this?

COUNCILMEMBER LEE: No, I was thinking...I was hoping you would. Fringe benefits come from which account? They come from a separate account. Which account?

CHAIR RAWLINS-FERNANDEZ: Countywide under Finance.

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COUNCILMEMBER LEE: Okay. Okay.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. Mahalo, Member Sugimura. Member Molina?

COUNCILMEMBER MOLINA: Thank you, Madam Chair. If I could ask Director Fujita, if this proposal moves forward, how long would it take to implement? And also, all of the staffers for our various districts, they're...I assume they are full-time employees, and would it work even if you had a part-time employee in these district offices that are being proposed by Member King?

MS. FUJITA: So the time it takes to set up a district office varies. For the West Maui District Office because that was our most recent one, it took a bit of time to find a good location and, you know, negotiate the lease and everything. So I think it's just going to kind of depend on the location. The Councilmember of that district is the one that, you know, really is involved in all of that, you know, setting up that district office, finding a location, you know, finding a staff person. So if that district Member wanted to have a part-time, then that's possible, you know, that would be up to that district office Member. The district offices...the Staff, technically they fall under the Chair but past precedent has been that the Chair has deferred, you know, those things...those personnel matters to the district Member.

COUNCILMEMBER MOLINA: Okay. Thank you for that response. Thank you, Madam Chair.

VICE-CHAIR PALTIN: I can --

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina.

VICE-CHAIR PALTIN: -- further clarify if you wanted.

CHAIR RAWLINS-FERNANDEZ: Member Paltin?

VICE-CHAIR PALTIN: Yeah. So what was really difficult for us was to find the location within the parameters because you need to have like ADA accessible parking, restroom, and things like that. And of course, first we looked through all the County properties and nobody wanted us, and so then we had to look outside of the County properties. And so, you know, it...I guess it depends like...and my Staff helped me to set up the office, so it depends on like how motivated the person is and the opportunities like within County properties, without County properties, and...and meeting those criteria. So just clarifying.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Okay. Any more questions on Member King's proposal? Okay. I don't see any hands. Oh, Member...Member King?

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COUNCILMEMBER KING: Yeah, I don't...I don't...I just have a...I think Member Molina brought up a good point about, you know, how long it takes to get established. So maybe initially, the amount in this item could be reduced by 50 percent plus the staffing position that Member Lee is looking for. So we're talking about, you know, probably not more than 200,000. Because same thing like we do for all offices...all new E/P positions, we usually fund them for six or eight months, and it seems like it always takes at least six months to get to that point. But I think the...one of the...one of the...the things that took a long . . . *(timer sounds)*. . . for Member Paltin's office to get going was I think at first she didn't understand that we were putting the...the full rental of this into the budget. So I remember having that conversation where it looked like you couldn't find anything, and then once we...once we ironed out that that was in the budget, then she was able to find something. But we...we can...we can make that amount less, knowing that it will take, you know, probably four to six months to get somebody in place. But I agree that the...the district office Staff is...can be very helpful in getting everything set up and making sure that we hire...

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Mahalo. Okay. Mahalo, Member King. Okay. So that was the two proposals for this Department, both were Countywide. I'll ask for consensus on Member King's proposal. If we have consensus, then it would be added to the budget with the adjustment that Member King mentioned, and if not, it will go to a vote at...at decisions week. Is there consensus?

COUNCILMEMBER MOLINA: Consensus.

COUNCILMEMBER KAMA: Consensus.

CHAIR RAWLINS-FERNANDEZ: Okay. It looks like there's consensus.

COUNCILMEMBER KING: Yay. Thank you, Members.

CHAIR RAWLINS-FERNANDEZ: Member Sugimura, and Council Chair Lee?

COUNCILMEMBER SUGIMURA: Oh, and the priorities that were submitted, basically I wanted to, I guess, wait for the Department to come up. But if you look at the number...the second item from me, it says Countywide, and page number 107...I'm sorry, 107, item 2, and this is basically asking for a possible audit for the Department of Environmental Management Solid Waste Division. And I'm...I just want to see...purview of my Committee to examine what is being done well and what needs improving. I'm also...I'm also cognizant of the...the Department, for Solid Waste, the amount of fees that are collected is less than the cost for our services, and so I'm curious about that in terms of the operation.

CHAIR RAWLINS-FERNANDEZ: Okay. So Member Sugimura, are...is this your proposal that is supposed to be under OCS, but it got put under County Clerk? Member Sugimura? Member Sugimura? You're on mute, Member Sugimura.



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COUNCILMEMBER SUGIMURA: So it's supposed to say Office of Council Services, I'm assuming that's where the budget comes from for us to perform an audit, so I just wanted to make that correction on the summary that was...on the matrix. And *(audio interference)*

CHAIR RAWLINS-FERNANDEZ: Okay. My apologies. I guess it got put on to the wrong line. So if you want five minutes to present...I'm going to find out what Council Chair Lee wanted really quickly, and then I'll give you five minutes to present. Council Chair Lee?

COUNCILMEMBER LEE: Thank you. Because I was going to ask Member King if she would tag on...let me tag on to her proposal by adding the...the two Staff people for Wailuku and Kahului as part of the, you know...would you?

COUNCILMEMBER KING: Yeah. Wasn't that...

COUNCILMEMBER LEE: Could you?

COUNCILMEMBER KING: Wasn't that one Staff person, or did you want one each?

COUNCILMEMBER LEE: Yeah, it was, but I didn't think...I didn't hear the...the Chairperson repeat that part of it.

COUNCILMEMBER KING: Oh, I repeated it. I said, you know, the...we'll --

COUNCILMEMBER LEE: Oh.

COUNCILMEMBER KING: -- do 60 percent of the original ask because we won't get going, and then add on the one staffer for your...your combined districts.

COUNCILMEMBER LEE: One for Wailuku and one for Kahului.

COUNCILMEMBER KING: Oh, you want one each?

COUNCILMEMBER LEE: Yeah.

COUNCILMEMBER KING: I was thinking you were asking for one for both, but...

COUNCILMEMBER LEE: One for each because it...it's like asking Mr. Molina and Ms. Sugimura to share one, you know?

COUNCILMEMBER KING: Okay. I'll tack that on.

COUNCILMEMBER LEE: Okay. Thank you.

COUNCILMEMBER KING: If there's no...if there's no objection.

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COUNCILMEMBER LEE: Thank you.

CHAIR RAWLINS-FERNANDEZ: No objection. Okay. So when...we have consensus, I didn't hear any objections to the proposal. We know that the amount will be reduced, and fringe will have to go into Countywide, and the two positions would also have to be included into the description and into the final amount. So although we got consensus, we'll still...we won't need a vote on it when we get to decisions week, but we can review it a last time to get the actual number entered into budget. Okay. Mahalo, Member King. Mahalo, Council Chair Lee. Okay. Member Sugimura, you have five minutes for your proposal.

COUNCILMEMBER SUGIMURA: No, wait. So going back to...going back to Kelly's proposal. I'm sorry, I didn't realize you took a vote. But I wanted to...when this came up in the Chair's meeting for discussion, I know it's now posted on the Council agenda for referral for district offices, but I wanted to ask my...my constituency, and I will do it before decisions week. So if you could do a...have my consensus. I want to ask my community. Because a lot of the people in my community who would come and testify, they show up because we have the online capability now with BlueJeans. And I just wonder also, what is the impact with the...with Legislature --

CHAIR RAWLINS-FERNANDEZ: Member Sugimura?

COUNCILMEMBER SUGIMURA: -- passing or not passing...

CHAIR RAWLINS-FERNANDEZ: Member Sugimura, are you saying that you object?

COUNCILMEMBER SUGIMURA: Yeah. So I want revisit.

CHAIR RAWLINS-FERNANDEZ: Member Sugimura --

COUNCILMEMBER SUGIMURA: Yes, please.

CHAIR RAWLINS-FERNANDEZ: -- so I asked for...I asked for consensus, and I didn't hear any objection, but if you have --

COUNCILMEMBER SUGIMURA: I'm sorry.

CHAIR RAWLINS-FERNANDEZ: -- an objection, then we don't have consensus.

COUNCILMEMBER SUGIMURA: Yeah. So I'm sorry, can we revisit?

CHAIR RAWLINS-FERNANDEZ: Okay. So --

COUNCILMEMBER SUGIMURA: Thank you.

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CHAIR RAWLINS-FERNANDEZ: -- we'll take this to a vote during decisions week. And everyone's final proposals will be due on April 15th at noon, so this item will be cleaned up anyway to add the things that we discuss today. Okay.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. It's now your turn, and I'll put five minutes on the clock for you to present your proposal. You may proceed.

COUNCILMEMBER SUGIMURA: So basically, as the Committee Chair for the Department of Environmental Management, what this asks for is if we could consider doing an audit of the Department for a division, which is the Solid Waste Division. And when this Department came before my Committee for pre-budget, that their...I...I guess you all heard that basically the amount of fees that we collect for Solid Waste is less than really what it costs for operations, and so I wanted to look at what the...what is being done well and what is...what to improve for that Division of Environmental Management. As far as the cost goes, I guess it depends on if...if this (*audio interference*) who would agree, then what the RFP would be then would determine what the cost is. I would assume that just by other audits that were done, it could be like 100 to 300,000. I guess the Affordable Housing one, it must be more complicated as it looks like, so it's like 300,000. So I don't have a specific amount, and I would really need to get more information from those that put these RFPs together for a solid amount. That's it.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Member Sugimura. So I'll ask the Director for feedback first, and then I'll open up the floor for questions from the Members. Director Fujita?

MS. FUJITA: Thank you, Chair. So a couple of things. I just want to make sure that the appropriate amount of funding, you know, is...is added to the budget for this because the other legislative program fund can get drained pretty quickly, you know, by these types of contracts. So that's one thing. And then the other thing is just...we've been trying to avoid using the term "audit." So the Charter uses the term "investigate...investigation" I believe, as far as like the Council's power. So if we could maybe use that term "investigation" or even like review of operations, or some...some other term other than "audit." We've been advised by the Auditor's Office that that term "audit," I guess it means something in the financial world. It...it means like you need to hire a CPA and you're doing like a financial audit. So most of these requests for these kind of program reviews are not really audits, they're really, you know, something else. So my suggestion is to, you know, use the term that's used in the Charter which is an investigation, rather than the term "audit." Thank you.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Director. Okay. And then I...I saw Member Molina with his hand up. Member Molina?

COUNCILMEMBER MOLINA: Yeah, thank you very much, Madam Chair. I guess for Member Sugimura, is this being driven by constituents who have concerns? Because

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for me, you know, you guys know I've been trying to initiate an audit of the Planning Department, and a lot of that is based on complaints from the constituency. And if you look back a couple of years ago, Councilmember Sugimura, you initiated an audit of the Liquor Department and I assume that was of course based on complaints from the constituency. So my question is, is this complaints about the fees or concerns about the fees, I would ask from the Department, also based on complaints from the constituency? Because I will not support an audit if the constituents are not concerned, have no concerns with. So anyway, Member Sugimura?

COUNCILMEMBER SUGIMURA: Yes, that...that is where the question came from. And actually, I...I don't know what the amount would be. okay, and...and the input from Traci for investigation and review of operations. And again, because of what was presented, and I want to hear from the Department when they come forward later on this week, but I just want to learn about how we can help them in terms of their Solid Waste fees and being able to run their Department the way they need to, the divisions, and all that we ask them to do. So it...it's combination.

COUNCILMEMBER MOLINA: Okay. Thank you. Yeah, Madam Chair, I'd be more comfortable with revisiting this. I don't know if maybe we need an audit, but maybe something that maybe might be a little less costly than a full-blown audit. But anyway, that's just my thoughts. But yeah, I prefer to revisit, and then we'll see where it goes from there. Thank you.

COUNCILMEMBER SUGIMURA: Thank you. I wanted...I wanted to revisit this after. I wanted to actually talk about this once the...we had the Department before us. So I totally confer with what you're saying, Member Molina. And...and again, I guess if this does go forward, I'll...I'll try to figure out some kind of amount because I don't know enough about audits. Thanks.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Mahalo, Member Molina. Member Paltin?

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Member Sugimura, for this proposal. My question I guess is, you know, I think it's been a long time that the County has been subsidizing Solid Waste services, and they came up with that \$4 fee when you dump your rubbish to try and make up some of that balance. But is your intention to have Solid Waste fully pay for itself without any subsidizing of the expense of Solid Waste?

COUNCILMEMBER SUGIMURA: I believe that when the Department came before us for pre-budget, they said that it actually costs \$8, but the fee is only 4, right? So that's the kind of thing I wanted to look at. I think when we guessed 4 it was a guess, and then the actual cost is 8. So financial responsibilities, you know, that's a policy decision. I think even to go up to \$4 was a big decision at that time. So I don't know if we need to look at this and realize that maybe we're undercharging, maybe that's fine, we want to keep on subsidizing. Those are the kinds of discussions that I wanted

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to have through this investigation or review of operations. I will stop using the word “audit,” Traci, but review of operations.

VICE-CHAIR PALTIN: Because I just had thought that a large part of the \$4 fee is what the constituents can handle without folks illegally dumping at areas. You know, I mean even if the investigation says like, you know, the...the cost is \$8, I mean I’m not sure that I would support an \$8 fee knowing, you know, especially during these pandemic times what people can afford . . .(timer sounds). . . and what the alternative is.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Okay. Any other questions for Member Sugimura? My...my quick comments--put two minutes on the clock for me--is that I...I agree. I echo Member Paltin’s sentiments about where we find that balance, that we don’t put all \$8 cost on those that are taking their trash to the Central Maui Landfill so that we’re not paying more money to have to clean up illegal dumping. So that’s...that’s a policy that, you know, this Council, I think, weighs the...the pros and cons of the cost of...that we subsidize so that we’re not...that we may not generate as much revenue on the frontend, but we’re not paying more at the backend to clean up the trash that will be...that may be...may increase in places that is not the landfill. My only comments. Okay. That’s my two minutes. And I don’t see any more hands, so...and I heard a request for a revisit, and there isn’t an amount proposed here anyway, so we’ll take this to a vote during decisions week. Okay. Okay. Mahalo, Members. So that’s the priority proposals part of the process. And this...OCS does not have any grant revenue or special purpose revenue, so that is everything for OCS. I’ll ask Director Fujita for any closing comments, and we’ll...we’ll take our morning break, and then we’ll...oh, actually...yeah, we’ll take our morning break, and then we’ll have the County Clerk’s. Director Fujita?

MS. FUJITA: I just want to say thank you. Thank you, Members, for your support. I appreciate it.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Staff. Okay. Really quick, Director Fujita, Staff reminded me about the MRA investigation that was from the previous...previous, so the FY’20 Budget, I believe, that was already approved, and then that funding lapsed. But it was already something that...oh, it didn’t lapse. Okay.

MS. FUJITA: No.

CHAIR RAWLINS-FERNANDEZ: But it’s not in the budget.

MS. FUJITA: Yes. It was never in the budget. It was just going to be taken out of our other legislative programs, but there’s never enough money in there for like more than one, it seems. So yeah, so we would need to add it. If you wanted to...if you still wanted to do it, we would need to add it to this budget.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Director Fujita. Okay. So the MRA investigation or departmental review, or I guess that’s a board or commission. Oh, I don’t know, they’re kind of independent. Anyway. And so the MRA, that we had a

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resolution in 2019 that the Council majority approved, but the OCS did not have funding for. So if this Council would like to proceed with funding the...the resolution to investigate the MRA, then we would need to add that to the OCS budget. And...and we'll take that up as one of the departmental lists that we'll vote on at...during decisions week. Okay. Okay. Mahalo again, Director Fujita. Aloha. Okay, Members, so we'll...we'll see Council Chair Lee later, and we'll take our ten-minute morning break. And when we return, we'll have our County Clerk Kaohu with us to answer our questions. Okay. It's 11:06 on April 5th and the Budget, Finance, and Economic Development Committee is now in recess. . . .(gavel). . .

RECESS: 11:06 a.m.  
RECONVENE: 11:24 a.m.

CHAIR RAWLINS-FERNANDEZ: . . .(gavel). . . Will the Finance...no, Budget. Will the Budget, Finance, and Economic Development Committee please return to order. It is 11:24, April 5th.

**OFFICE OF THE COUNTY CLERK**

CHAIR RAWLINS-FERNANDEZ: And the next Department that we have to review is the Office of the County Clerk. And...okay. Aloha, Ms. Kaohu. Mahalo for joining us. And if you would like to introduce anyone else that you have with you today to answer questions, you may do so at this time.

MS. KAOHU: Good morning. Good morning, Committee Members and Committee Staff. I have with me today Deputy Krueger, who will also be contributing to the questions and answers. And...

CHAIR RAWLINS-FERNANDEZ: Aloha, Mr. Krueger. Oh, you have more?

MR. KRUEGER: Aloha, everyone.

MS. KAOHU: Oh, no, that's it.

CHAIR RAWLINS-FERNANDEZ: Oh, okay.

MS. KAOHU: That's it.

CHAIR RAWLINS-FERNANDEZ: Okay. We're good. All right. And we'll dive right in. We have a total of four questions for you. We'll start with overall. If the Council were to ask for an 11 percent cut in programs and activities funded by the General Fund to fully fund the recommendations proposed in the Comprehensive Affordable Housing Plan at \$57 million without increasing real property tax revenue, A, what programs or activities would you cut for your Department; and B, what impacts would the cuts have on residents? Ms. Kaohu?

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MS. KAOHU: Okay. Well, aside from the expenses associated with potential relocation of the Clerk's Office, we are in an off-year election budget, so it would be very lean, and there would be no real impact to the residents.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Kaohu. Okay. The next question is from salaries and wages, Category A. One...many of the temporary election clerks' monthly terms are proposed to be reduced. Will the remaining election staff be cross trained to assist with legislative matters and meetings during a non-election period? Ms. Kaohu?

MS. KAOHU: In the past, we have done cross training. When we'd have Council meetings, the election staff would assist in providing testimony signup at the table outside in the lobby. So right now because there is no in-person testifier or crowd control services that is needed up on the 8th Floor, they would probably...election staff is continuously busy with voter registration that comes in on a weekly basis from the Department of Motor Vehicles and the State SNAP program. And so that would definitely keep us busy, and maintenance of the database, Maui County's voter registration database.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kaohu. The next set of questions is from operations and equipment, categories B and C. One, please explain the 185,000 appropriation...\$185,000 appropriation in rental costs. A, who will be moving, when and where will they be moving; and B, how much is the monthly rent?

MS. KAOHU: Okay. So the 185,000 appropriation is kind of in response to what's been in the budget for a couple years already, that there would be this move to the Trask Building. So that was to cover or carryover that same placeholder. I did actually go over there and do a walkthrough and some of the costs in relocating would include movers to help us move our equipment across the street, retrofitting closet space into secured vault areas, and perhaps staff overtime in...in making the move. It's still up in the air, but we didn't want to discard it and not have it in the budget. Who will be moving, I'm hoping if we do move that the Office of the County Clerks will move as one unit instead of divisions. I am confident that the entire Liquor space can cover the extreme, and that would mean, counting center, the extreme amount of bodies. And also, there would be space for the Legislative side and the Elections side, so we wouldn't need Legislation to be in the Transportation office, which was one of the scenarios in a prior budget. And what else. When and where will they be moving, that's going to be a policy decision from the Council. And the monthly rent right now...this is based on a 2019 projection, the monthly rent for 4,546 square feet would be \$14,092 base rent, and an extra \$587 GET. That would equal approximately \$252,000 annually just for the rent.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kaohu.

MS. KAOHU: And --

CHAIR RAWLINS-FERNANDEZ: Oh.

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MS. KAOHU: -- what else is...oh, I think that's it.

CHAIR RAWLINS-FERNANDEZ: Yeah, I think you covered them all. Good job. Okay. And then the last question is, there is an expansion request of \$30,000 for the office relocation expenses. Please elaborate on where the office is being relocated. Please further elaborate on what contract...contract services are included with the requested expenses. If you do not know where the office will be relocating, how do you know you will be moving? How do you know the relocation cost of a specific site if a specific site has not been identified?

MS. KAOHU: Yeah, and we were just going with the status quo from past budgets of it being the Trask Building.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kaohu. Those were all the questions that we received from the Members and compiled. We'll now go to the Members for questions at five minutes each, starting with the subject matter Committee Chair Molina, followed by Committee Vice-Chair Paltin, and then we'll go up to the other direction, starting with Pro Tem Kama. Okay. So Member Molina, you...your five minutes, you may proceed.

COUNCILMEMBER MOLINA: Dandy. Thank you, Madam Chair. I don't think I'll be using all five minutes, that's for sure. I think the one question that I had related to the, I guess, diversification of duties for the personnel, and...and Ms. Kaohu answered that question. So I'm satisfied thus far with what Ms. Kaohu is proposing for her Department. Thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Committee Vice-Chair Paltin?

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Ms. Kaohu. My question is just, it's my understanding that the Liquor Department is still in the Trask Building, and so you folks, if you choose...or if the policy is to move there, is there a date certain that they would be vacating that?

MS. KAOHU: All I know is they are funded for rental through the end of the fiscal year, June 30th. And they're waiting on the second floor, but they're at the service center for their office space, for the work being...to be completed.

VICE-CHAIR PALTIN: Okay. And then I guess my other question is for the County Building, they have that parking out in front for folks that need County Clerk services, such as voter registration or whatever it is. Are you aware of how much parking spaces there are for the public if they need to go to get your services at the Trask Building?

MS. KAOHU: Oh, I believe that the...the...the number of parking stalls that came with that office space was seven, but I need to double check that.

VICE-CHAIR PALTIN: And so then do you think it would be okay to...for the folks to park in the regular County parking spaces and walk over to the Trask Building? Like because



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what if there's more than seven voters or something? Or sometimes, you know, when folks pull papers and they bring an entourage or whatever.

MS. KAOHU: I think that's fine because I know of people doing that to walk over to the State Building as well, as long as they stay within that time frame. I don't know if we have signage out that...there that says parking for business at the County Building only.

VICE-CHAIR PALTIN: Okay. Thank you. Thank you, Chair. Thank you, Ms. Kaohu. Thank you, Mr. Krueger.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Committee Vice-Chair Paltin. And then we'll go to Pro Tem Kama, followed by Member Sugimura.

COUNCILMEMBER KAMA: Thank you, Chair. I just had one question for our County Clerk. So Ms. Kaohu, the seven stalls that are allotted to the...to the office, is that inclusive of parking for Staff, or your Staff parks somewhere else, or is there other parking allotted to them...for your Staff?

MS. KAOHU: I'm not certain if it covers all the Staff at the Trask Building. They had quite a few staffers in there when I went. And I'll need to answer that in writing after I make a little bit more clarification with the office.

COUNCILMEMBER KAMA: Because my thought is, I'd like to make sure your Staff has parking so that they don't run in and out and have to move cars and this and that. And...and I think the public is just going to have to find parking where we can because parking is very small over there. But thank you, Chair. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Pro Tem Kama. Oh, Ms. Kaohu?

MS. KAOHU: One thing I do know is when they do have Liquor Commission meetings, there's always a tendency for attendees to park anywhere in the employee parking location. So yeah, parking is an issue for sure.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kaohu. Okay. Member Sugimura, followed by Member Johnson.

COUNCILMEMBER SUGIMURA: Thank you. So thank you, Kathy, and thank you, James, for your hard work. I...I got a question. I had an Upcountry town meeting on April the 1st, and I got this from one of the testifiers and their concern about having people who are homeless having accessibility to vote. And I just wondered that...I know that there's the Help America Vote Act of 20...oh, 2002, establishes standards for all voting systems and capability. So I just wondered if that...they have been included in that, or...or do you have accommodations or systems in place for homeless people?

MS. KAOHU: Chair? One of the...one of the barriers that we've identified in speaking with...I'm just drawing a blank...in speaking with one of the community organizers of homelessness is being able to retrieve their ballot. They can register to vote, but when

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we get ready to mail the ballot out, if their physical address is identified as the first parking lot at such and such beach park near the tree or near the bathroom, whatever identifying location they give, which is completely legal to do that, the problem we have is when we go to mail the ballot to them, mail is not delivered at that location. So the recommendation is to get a general delivery address with the post office, but that is only for a certain period of time. And so I am in conversation with the Postal Service about that definition of time and if that is a possibility, but then some of the other barriers is that perhaps they might not be able to get to the post office even to pick up their ballot.

COUNCILMEMBER SUGIMURA: Okay.

MS. KAOHU: That's where we're at with that.

COUNCILMEMBER SUGIMURA: So you're working on it, Kathy. And maybe once you...

MS. KAOHU: An ongoing...ongoing conversation.

COUNCILMEMBER SUGIMURA: Thank you for working on it. And maybe once you have a decision, if you could make that publicly known through whatever communication factors you...you have in place, so...and the other thing is that I know that you are, according to the Charter, the...the collector and...of County documents, and I just wonder how many departments actually...or...or utilize your services. I know we utilize your services a lot, but I just wondered, in comparison, how about the other County departments.

MS. KAOHU: That would be a question...I'm not sure if Deputy Krueger has that information, or if I can pull up one of the clerks if they're on.

MR. KRUEGER: Can you clarify the...the question? So is it like...

COUNCILMEMBER SUGIMURA: How often do the other departments utilize your services because...

MR. KRUEGER: Which...which services specifically?

COUNCILMEMBER SUGIMURA: Oh, I'm sorry, asking for documents. Because the Clerk's Office has contracts and you have, you know, other documents that even my office does request help from you, so I wonder about other departments. And I'm...I'm just wondering about accessibility once you move across the street, does that matter, or is that not a big deal?

MR. KRUEGER: Well...well, we do have on hand, you know, certain documents, you know, specifically those, you know, where we retain documentation for the Council, you know, we are you guys' recordkeepers, things like that. And then, you know, there are some other things we have on hand, like...like the contract listings that you guys receive regularly, things like that. I don't think the other departments request those

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sorts of documents from us too regularly. If they do need information pertaining to, you know, like Council minutes, things like that, you know, we'll definitely assist them. But...but...

COUNCILMEMBER SUGIMURA: James, I'm just wondering just beyond the Council needs, other documents that you may be the keeper of, and I wonder how much the other departments rely on you, or are you almost exclusively for us?

MR. KRUEGER: We usually only really hang on to documentation pertaining to the Council. There...there isn't too much else outside of your guys' work that . . .*(timer sounds)*. . . that we are holding on to.

COUNCILMEMBER SUGIMURA: Okay. Oh, here's Kathy.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Oh, the timer went off. We can...unless it's really quick. But basically, the Clerk's Office is...is the recordkeeper for the Council, not other departments. Other departments are responsible for keeping their own records. Ms. Kaohu?

MS. KAOHU: I just wanted to add that there is a misconception that we are the recordkeepers for the entire County of Maui, and that's just not true. Even with administrative roles, it's up to the...the departments to provide us with a copy of it. And there is one thing we do for the other departments, and basically they provide us with their agendas, their meeting agendas for commissions...boards and commissions that we keep on file.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Kaohu. Member Johnson, followed by Member King.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good morning, Director Kaohu. I just have a very basic question in regards to moving across the street. Is...does your Department have a preference, do you prefer to move across the street, would you prefer to stay?

MS. KAOHU: I think we've been here for so long, it's easier to be in a close proximity with the Council. And we do provide the seal service, certification of documents with the County seal. I think the public is used to us being here. But again, it's...our...our Legislative Division is just growing and bursting at the seams, so it's whatever works with the bigger picture.

COUNCILMEMBER JOHNSON: Okay. Thank you, Director. Thank you, Chair. I have no further questions. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. Member King, followed by Member Sinenci.

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COUNCILMEMBER KING: Thank you, Chair. I think all of my questions...I was going to ask you the same question as Member Johnson because I thought we're...the idea was just trying to consolidate, not be in rental space. But do you foresee this move to the Trask Building as being permanent for the Elections Division? I mean, you're...you're talking about having the whole County Clerk's Office staying together and moving there? Is that what...where your...your proposal is? Because you made a statement about that, but then you were talking about the Legislative Division would be better if it stayed here.

MS. KAOHU: In the past budget, there was rental for the Liquor footprint and for the Transportation footprint, and it was envisioned that the Legislative Division would be in the Transportation footprint. It's really a policy decision by the Council. I just had to do my due diligence because of the timing of the budget and the discussions that were going on at the time with *Maui News*, and it...it was the Clerk's Office that was mentioned as the...the moving body, so...

COUNCILMEMBER KING: Okay. But your move...your move is...is it just the Elections Division, or is it the entire Clerk's Office, what you're proposing in this budget?

MS. KAOHU: I would prefer the entire office.

COUNCILMEMBER KING: Okay.

MS. KAOHU: The entire Department at the Clerk's Office.

COUNCILMEMBER KING: Because then that would do what you just said you didn't want to do, that would move all the Legislative Division away from being in close proximity to the Council. But that's your preference, to keep it all together, and that's what's in the Budget?

MS. KAOHU: It's in the Budget.

COUNCILMEMBER KING: All right. Thank you. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. And aloha, Ms. Kaohu. Yeah, just one question for you. So it looks like since this is a non-election year, majority of your...your changes are salaries and wages; is that correct?

MS. KAOHU: Correct. Our equipment is flat, our operations is at 34 percent to cover any perceived move, and our A...A Account is down by 14 percent with the drop in temporary election clerks.

COUNCILMEMBER SINENCI: All right. Thank you for that. Thank you, Chair.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay. And then I...I don't have any additional questions. Okay. So I'll ask if there are any further questions for Ms. Kaohu before we go to the next part of the process. Are there any additional questions from the Members? Okay. Perfect. So it's programs, and then Clerk's don't have any CIPs or rates and fees. And for Members' priorities, there's one priority proposal, and I'll put five minutes on the clock, and that's a proposal from myself. Okay. For my proposal is a Countywide proposal, it's an additional funding proposal. It would be on page 107 in the Program Budget, if it was in there. And it's for a mobile voting trailer or van, vehicle, for an increase of 150,000, maybe more. So it may...it may end up being 300,000 for a mobile voting trailer and vehicle. And the purpose for this in this year's budget, which is a non-election year, is the timing of it. And so as we know, and for edification for the public, our fiscal year starts July 1st and ends July 30th [sic], and so if we waited to put this into the budget in an election year, the fiscal year would start on July 1st and then that's when we would need to add...and if we...we were to add funding for this item, that we wouldn't get it in time for the primaries. So if we prepare ahead of time, then the Clerk's Office will be able to go through the procurement process, adding all the decals to it, and this would be helpful to address one of the questions that Member Sugimura had asked. So if we have a mobile voting vehicle, then the...the vehicle would be able to go to some of the encampments or areas that our unsheltered community members are located, and would be able to help them vote in person, so that that's an option for that. And it would also provide in-person voting for places like Hāna or West Maui, which don't have voter service centers during the election year, or South Maui too. But it's just Hāna is, you know, two hours away and it's a challenge, you know, for them to be able to come and vote in person in Wailuku. And then with Lāna'i, you all remember what happened last year. We...we had it set at the police station conference room, and then when there were cases on the island, it had to be moved to the Council office, and...and even then, it was...you know, it was closed for a couple of days. And so we don't want to do that to our community members. We want to be able to have a space that will be available to them to vote in person throughout the time that they would, you know, need to, like everyone else. And you know, if...if we wanted to have a vehicle on Moloka'i, we would be able to do something like that as well. So it could, you know, benefit Countywide in that sense. Okay. So that's my proposal. I'll go to Ms. Kaohu for feedback on my proposal first, and then I'll open it up to the Members for questions. Ms. Kaohu?

MS. KAOHU: So we had a little bit of time between the General Election completing its...its run and our temp clerks leaving their employment, so I had a couple of clerks do...run some numbers and do some research on this. And the proposal or the example used--I don't know if you can see it--in prior budgets was the...oops.

CHAIR RAWLINS-FERNANDEZ: The further back.

MS. KAOHU: Was this...

CHAIR RAWLINS-FERNANDEZ: Yeah.

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MS. KAOHU: Was this really nice trailer, and the...the base price for something like this was 142,000. And the bells and whistles, it was only up from there. One of the things that we did need to make sure we had was ADA access, and there's ways to get out...get around that. You could always do curbside voting to get around that. But for example, to make something like this mobile voting unit ADA accessible as far as ramps go, the amount added to that was 28,000. This type of unit needs to be transported with a truck, like a heavy-duty truck or a semi, so it's more of a stationary unit. We also looked at examples of like food truck type of vehicles that can be driven, a little bit more compact. But I can put together a spreadsheet of what we looked at and provide it for your consideration. The other critical thing too is our proclamation will need to reflect this...this mobile unit, and so whatever they're going to do at the Legislature is going to have an effect, whether they loosen our ability to have voter service centers or have places of deposit. So we're watching that play out right now. So using something like this will be guided by State legislation.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kaohu. I've seen Pro Tem Kama's hand up for questions, followed by Committee Vice-Chair Paltin, and then Member Molina. Pro Tem Kama.

COUNCILMEMBER KAMA: Thank you, Chair. This is exciting. This is really exciting, and I'm so glad you brought it up. Just one thing I wanted to mention is that in this pandemic, one of the things that we heard about all the time was that there are no restrooms that are open. I mean, even the restaurants that are open don't let you use their restroom. So I would hope that maybe one of the bells and whistles, aside from paying the extra for the ADA, is also to include a...a restroom onboard, if that's possible. Because wherever you're going to go, and you don't know where you're going to go, and you don't know where you're going to find yourself, and you want your Staff to be comfortable no matter where they're at. So I would just hope that we would include a restroom in there too. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Pro Tem Kama. Committee Vice-Chair Paltin, followed by Member Molina, and then Member Sugimura.

VICE-CHAIR PALTIN: Thank you, Chair. My first question is for you, and I might have missed it if you had said it. Was this meant to be one for each island within the County, or was it supposed to be just for the Island of Maui?

CHAIR RAWLINS-FERNANDEZ: So there would be a trailer that would be on Lānaʻi, since it was a really big challenge getting a location because of the...it's usually at the cafeteria. And so we weren't going to have it at the cafeteria because it needed to be available for a longer period of time. So it didn't work out having the voter service center and a vehicle. And that vehicle would be able to traverse the islands.

VICE-CHAIR PALTIN: So a trailer on Lānaʻi and a vehicle on Maui? Okay. And then for the vehicle, I...this might be for Ms. Kaohu, do we need to have any special qualification of staff like CDL or specialized driving abilities if it's a, you know, like what you said, a heavy-duty truck with a trailer? Because brah, reversing a trailer ain't easy.

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MS. KAOHU: For the...for the trailer on Lānaʻi, we would probably have to look at services of like how they pick up cargo down at the harbor and bring cargo up. I think as far as location, permanent location, it was identified that possibly at the fire station on the outside of town, the outskirts of town, to have it there. I don't know if the intention would be to move it more central, like to Dole Park, during the election period. . . .*(timer sounds)*. . . But all those transports would be needed. I'll have to look into that further as far as the qualifications of the...the truck...the food truck type of model.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Ms. Kaohu. Mahalo, Member Paltin. Member Molina, followed by Member Sugimura.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. Member Paltin asked my question about the vehicles or trailers for each island. But one question I had with regards to the vehicle, I guess, do they have like hybrids, or is it all just fuel? If you could elaborate on that, Ms. Kaohu.

MS. KAOHU: We didn't research that, so I'd have to follow up in...in writing with that question. That's a good question.

COUNCILMEMBER MOLINA: Yeah. Just wondering in the...for...with regards to fuel efficiency. And do you have any information on the bells and whistles that you mentioned, what other things that could be included? I know Member Kama mentioned the possibility of a restroom. Anything else to, I guess, have a vehicle that's, you know, state-of-the-art, so to speak?

MS. KAOHU: Well, Josiah did go straight for the state-of-the-art model. For example, all this graphics, it all needs to...they don't do the graphics, so that needs to be subbed out, most likely on O'ahu. The...what would happen is the unit would be shipped here or to O'ahu, they would do the graphics, then it would be shipped to Lānaʻi. We didn't...we went as far as the ADA as far as bells and whistles, but the graphics also was a high-expense item. And then --

COUNCILMEMBER MOLINA: Okay.

MS. KAOHU: -- also size.

COUNCILMEMBER MOLINA: All right. Thank you very much for that, Ms. Kaohu. Thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. So in all of this I may have missed it, what about staffing? So you...do you think you'll need extra Staff on each island to do this, or your existing Staff that you hire for...during elections would be sufficient?

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MS. KAOHU: We'd probably build it into our elections staffing, but might request unique abilities to maybe manage a mobile voting unit. The work is...the issuing of ballots or voting is pretty much the same process wherever you're doing it, but to schedule and make sure the receiving locations are in line and the drivers in line, it's a coordination project in itself.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Chair. Yeah, just a question for Ms. Kaohu. You mentioned that we would need confirmation from the State Legislature, and I know that other states have been reducing some of their voter access. So would this...would this require...is the County...are we, the County, able to go ahead and do this on our...on our own or we still need to get legislation passed at the State level to increase voter accessibility?

MS. KAOHU: Well, it definitely needs to go into the proclamation that's issued prior to voter service centers and drop boxes going into operation. And because this will be a voting facility, right now...you know, we don't have legislation that speaks directly to a mobile voting unit, but I'm going to just punt to Deputy Krueger to see if he has any thoughts.

MR. KRUEGER: Thank you. My initial impression is that, you know, if...if we did obtain a mobile voting unit, I don't think we'd need any additional support from the State legislatively. I think...I think as long as in the proclamation when we set up for the election, you know, we proclaim that, you know, we're utilizing this unit at this location during these times and that's where people can go to vote on Lānaʻi, so to say, as long as that's proclaimed correctly, that should be okay. That's...that's my initial impression anyway. Thank you.

COUNCILMEMBER SINENCI: Okay. Mahalo, Director. Mahalo, Deputy. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Member King?

COUNCILMEMBER KING: Thank you, Chair. So as a follow up, Madam Clerk, why was this not done the previous time...you know, we've had this in the budget before, why was it not done previously?

MS. KAOHU: Last year was right when COVID hit, and we were asked to reduce our budget by 10 percent, and this hit the...the mark. We were already in our election cycle, and so this was our 10 percent cut.

COUNCILMEMBER KING: Okay. So would this be what you would be targeting if we do an 11 percent cut that was in the...one of the questions earlier (*audio interference*)

MS. KAOHU: Not necessarily.



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CHAIR RAWLINS-FERNANDEZ: Member King...Member King, this is my priority proposal, this isn't something that the Department proposed.

COUNCILMEMBER KING: Oh, okay. So it's not...it didn't continue on in the budget. So you know, I...I...I have mixed feelings because if...I was a big fan of mail in...all mail-in voting, and I think we reached so many more people that way, but now we're going the reverse way. But I really love the idea that this could be a service for the homeless people that we can't mail to. And so I wonder if there's any opportunity to do a dual purpose for the mobile hygiene units that we have out there, that we could possibly utilize those already existing vehicles during election time to help with getting the ballots to the homeless folks. Since hopefully they're getting used to coming to those mobile hygiene units already.

CHAIR RAWLINS-FERNANDEZ: So the mobile hygiene units I believe have showers and restrooms and washing machines, so it's, you know, fitted for different purposes. The...and I don't...and it would need to have like wastewater capacity, like large wastewater capacity.

COUNCILMEMBER KING: For?

CHAIR RAWLINS-FERNANDEZ: If...if you wanted to make the voting...mobile voter unit . . .*(timer sounds)*. . . also a mobile hygiene unit.

COUNCILMEMBER KING: Oh, no, I was...I was thinking take the already existing mobile hygiene units because they do have like...the one I looked at had offices in it, it had places to do counseling for people, and possibly repurposing those during the election season as both voter...you know, adding a voter registration, you know, concept to that, the existing mobile hygiene units. Because if we're going to talk about putting bathrooms in it, there's already bathrooms in there. The homeless people are supposedly already coming to those mobile hygiene units. And if we could use that as a way to disseminate ballots and do voter registration for folks that can't utilize the mail. I just wondered if you had considered that.

MS. KAOHU: No, but we can have the conversation.

COUNCILMEMBER KING: And maybe look at the ones that are existing and see if the...whatever space you need is...is in there. That would save a lot. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. *(audio interference)* other questions from the Members. If...I think I see everyone, but if...if you're raising your hand and I don't call on you, please get my attention. Okay. So I don't have any further questions.

VICE-CHAIR PALTIN: Member Kama is raising her hand.

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COUNCILMEMBER KAMA: Chair?

CHAIR RAWLINS-FERNANDEZ: Oh, Pro Tem Kama?

COUNCILMEMBER KAMA: Sorry. I just wanted to say that I think that the...although the idea almost seems like something worth considering and maybe we should, but when I think about the functionalities and the functions of what the...the intent of the mobile hygiene unit and the intent of the mobile voting unit, two different functions, and maybe it warrants two different types of qualifications or qualities, I don't know. But I kind of like just in my gut didn't feel like that would be something that I would...I mean, I think we can have a discussion, but just right off the bat my gut says nah, that might not be such a great idea trying to put those two things together, but worth the conversation nonetheless. Thank you, Chair. Thank you, Ms. King.

CHAIR RAWLINS-FERNANDEZ: Member Paltin, followed by Member Sugimura.

VICE-CHAIR PALTIN: Oh, I just wanted to quickly clarify from Ms. Kaohu, the mobile voting unit, although it could accommodate homeless folks or unsheltered, it wasn't exclusively for that, was it...the intent?

MS. KAOHU: No. The intent originally for Lānaʻi was to avoid what happened this past election of having to scramble to find a location for the voter service center. We ended up getting the police station conference room, with the understanding that in a case of an emergency, they would activate their EOC there, and we'd have to leave. We...luckily we knew that upfront.

VICE-CHAIR PALTIN: And the reason that those...that schools couldn't be used is because of the length of time that it has to be open for this during like school hours?

MS. KAOHU: Correct. It wasn't just one primary day or one general election Saturday, it was a whole span of days and hours.

VICE-CHAIR PALTIN: Okay. Thank you. Thank you for that clarifications.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Member Sugimura?

COUNCILMEMBER SUGIMURA: Thank you. I like this discussion. So I know that we have wonderful services that Family Life Center and Ka Hale A Ke Ola who provide...and I'm still on this homeless thing. But I wonder if...if we are looking at that, do you know, Kathy or James, if Ka Hale A Ke Ola or Family Life Center does provide like a mailing address for some of the homeless people?

MS. KAOHU: *(audio interference)*

COUNCILMEMBER SUGIMURA: *(audio interference)* doing...buying equipment.

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MS. KAOHU: Chair? Sorry. When I...when I first started looking into this, there were...and I did check with Staff, there were some case managers in the past that felt comfortable including their office as the mailing address for voter registration. And unfortunately, right now there...they had...there wasn't that infrastructure being offered. So yeah, there's a disconnect there. And I...I had thought that I...you know, I don't know if there's any validity behind it that if we could use our address, and they would just come pick their...their envelope up from the Clerk's Office, but...because that's where it's going to end anyway if it's misaddressed. But that conversation hasn't been had with the officials, whether that's even doable.

COUNCILMEMBER SUGIMURA: Thank you, Kathy, for thinking of all angles. Appreciate you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. I don't see any more hands for questions. Okay. Okay. So I will ask for consensus...oh, or...

COUNCILMEMBERS: Consensus.

CHAIR RAWLINS-FERNANDEZ: *(audio interference)* The...yeah, okay. Okay. All right. Thank you, Members. And then we'll review it again during decisions week, just so that everyone is clear on what it was. Okay. And then there...there isn't any grant revenue this year, unless there's some...some State grants that we can expect again, or special purpose revenue. Okay. And so I'll ask Ms. Kaohu for any final thoughts, closing comments, before we thank her for coming.

MS. KAOHU: Just that there's still a lot of unknowns where COVID is concerned, so we're just maybe over projecting for the what-ifs, but also it's in our minds of what if we go back to how it was before COVID. So yeah, all those considerations.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Kaohu. Thank you so much again for answering all of the Members' questions. Mahalo, Mr. Krueger. Okay.

MS. KAOHU: Thank you.

CHAIR RAWLINS-FERNANDEZ: Have a wonderful day. Okay. Members, it's 12:10, we're going to break for lunch. Good job getting the two departments done in time for lunch. So when we return from lunch at 1:30, we will review the County Auditor, followed by Department of Corporation Counsel. Okay. Any questions, Members? Okay. *(audio interference)*

COUNCILMEMBER MOLINA: No questions.

COUNCILMEMBER KING: Just real quick. So the goal is to...we're going to hopefully be done before 5:00?

CHAIR RAWLINS-FERNANDEZ: Yes.

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COUNCILMEMBER KING: That's the goal? Okay. Great.

CHAIR RAWLINS-FERNANDEZ: That's...that's what I'm shooting for, and if we all work together and try to keep as concise as possible, we'll achieve that goal.

COUNCILMEMBER KING: All right.

CHAIR RAWLINS-FERNANDEZ: And I'm...I'm trying really hard that when the timer goes off to ask Members to stop. So if we can all work together with that, the timer goes off, stop. Yeah? Okay.

COUNCILMEMBER KING: Okay.

CHAIR RAWLINS-FERNANDEZ: Awesome. Okay. So it's 12:11, and the...we'll return...we'll reconvene at 1:30. The Budget, Finance, and Economic Development Committee is now in recess. . . .*(gavel)*. . .

RECESS: 12:11 p.m.  
RECONVENE: 1:50 p.m.

CHAIR RAWLINS-FERNANDEZ: . . .*(gavel)*. . . Will the Budget, Finance, and Economic Development Committee please return to order.

**COUNTY AUDITOR**

CHAIR RAWLINS-FERNANDEZ: It is 1:50 on April 5th, and we are now on the Office of the County Auditor. Okay. And we have Mr. Lance Taguchi, our County Auditor on. And then, Mr. Taguchi, if you would like to introduce any of your other Staff that may be on, you may do so at this time.

MR. TAGUCHI: For this meeting, it'll...it'll only be me. If I need to get something clarified, I can always respond back in writing. Thank you. Good afternoon.

CHAIR RAWLINS-FERNANDEZ: Sounds good. Good afternoon. Aloha. Okay. We have two whole questions to start with for you. *(Audio interference)* overall. Okay. If the...first question, if the Council were to ask for an 11 percent cut in programs and activities funded by the General Fund to fully fund the recommendations proposed by the Comprehensive Housing Plan at \$57 million without increasing real property tax revenue, A, what programs or activities would you cut for your Department; and B, what impact would those cuts have on the residents?

MR. TAGUCHI: Hi, aloha. You know, I just got that question not that long ago. This morning I was trying to discuss it with my Staff. The amount of the cut is quite large, I mean, 11 percent is about like \$150,000 of my budget, and my office budget isn't that big. So it's going to be significant in the way it affects my office. But I would like to have a little more time so I can kind of discuss it with my Staff. Obviously it will

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affect them greatly. So if I can respond back in writing. I...I don't think I've thought it through enough to see how it's going to affect not only this year, but years going forward.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Taguchi. And the second and last question is for operations and equipment, categories B and C. Under the Cost of Government Commission, you're requesting an expansion, an increase of \$10,000 for a technical writer, and \$10,000 for posting of Corporation Counsel cases to the County website. A, will the technical writer be categorized as a full contractor? Will the technical writer be hired as temporary...temporary, full, or part-time? What is the purpose...what is the proposed tenure of this position? And B, regarding posting cases to the County website, will this require another contractor position? After each commission meeting, are there expected deadlines the cases need to be posted by?

MR. TAGUCHI: I think you got a response during the testimony period from the Cost of Government Chair Williams. This proposal is actually a flowthrough from the Cost of Government's request. I incorporated it into my budget as the Charter requires, and I submit it. So it's not something that I've been in consultation with Cost of Government, it's a flowthrough from their request. I am aware that they did some work on it, and they feel that this is a important priority. I haven't really commented on it. So my answer would be that if the testimony that Chair Williams wasn't enough, I can ask him to respond in writing if this Committee wants.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Taguchi. All right. Now we'll move on to the Members' questions, and I have five minutes. And we'll start with the subject matter Committee Chair, that's Member Molina, followed by Committee Vice-Chair Paltin, and then we'll go to the other side of the row with Member Sinenci. All right. Member Molina, you may proceed.

COUNCILMEMBER MOLINA: Thank you, Madam Chair. Just one question for the...for Mr. Taguchi. At a recent meeting, you...you mentioned that you're losing some personnel, can you further expound on that? I'm trying to just get a...I'm trying to (*audio interference*) because I'm remembering exact specifics of what you stated. But...and how is that going to have an impact on your Department, and any consideration for filling those positions or position?

MR. TAGUCHI: Thank you, Councilmember Molina. Just prior to the COVID...the coronavirus pandemic, I lost one of my analysts to another company. That person was well qualified, she was a CPA, but she found a better position, a higher...top-level management position in another company. That person remains on Maui though, but not within the County. Rather than trying to fill that position considering the pandemic, I decided to hold off, not knowing how the pandemic was going to affect our economy and the County's ability to get revenues. Recently I've lost my other analyst position. That person was well qualified. He took another position with a nonprofit in Honolulu. It's difficult retaining my analyst positions because their value to an outside agency because they're of highly-qualified people. You know, when I recruited, I specifically wanted highly-qualified people to get the best results and the best

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recommendations I could get. Also, the pandemic itself creates some problems logistically for my office, which I need to address and I know I have to overcome, and I can overcome them. But one of the things is that part of the benefits or attractiveness of this position is that you get to go into the different departments, take a look at it, understand them, and create relationships and try to improve the departments. That's very appealing to a lot of people; however, with the pandemic, everything needs to be more remote. You don't have that personal one-to-one, face-to-face contact. And in our business, that is crucial because you got to develop a personal relationship with the auditee because the auditee in general knows the work, they also know the best recommendations, so we need to create some kind of trust as much as possible. But the dynamics of the pandemic made the job a little harder. And that's...

COUNCILMEMBER MOLINA: Well...well, thank you for...anyway, sorry. But yeah, but thank you for refreshing my memory on that, so yeah. And Madam Chair, I'm sorry if it kind of maybe...I'm hoping it. . .this is germane to the Budget itself as it relates to Mr. Taguchi losing his personnel. So...and I know finding people that qualified is certainly difficult, especially when the private entities can offer more money, yeah? So...but anyway, good luck to filling those existing positions, right. So you have no request for expansion or anything like that, yeah?

MR. TAGUCHI: Yeah. Thank you, Member Molina. I'm not expanding, I...I want to find the right fit. Hopefully I can find that right fit. I think you guys...the Council has the same problem in the sense that you lose qualified people and these people, you know, it take...it takes a long time for me to train them so that they can be...you know, do a good job at auditing. You know, when we hire them, they still got to go through a training process. The reason I...I like to have two positions because it's easier for me to train two people at once. For expansion, no, I'm...I'm not asking for any expansion positions.

COUNCILMEMBER MOLINA: Yeah, I guess too bad you're such a good trainer, then other outside entities then they go target the County Auditor's position because of you, Mr. Taguchi. It's a testament to your...your...your ability and training. So...but anyway, but thank you, Mr. Taguchi, appreciate that. And thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Perhaps we can invest in a sign saying no poaching allowed.

MR. TAGUCHI: Can I post it at the Council Chamber too?

CHAIR RAWLINS-FERNANDEZ: Okay. Committee Vice-Chair Paltin, and then Member Sinenci.

VICE-CHAIR PALTIN: Thank you, Chair. Thank you, Mr. Taguchi. I just was wondering, you know, like without the analyst positions being filled, and I think in the past that you have contracted audit services, in the pre-budget session that you had mentioned about the halt indefinitely on the three lot or less deferrals. Is that something that could be contracted to outside services because the County is being sued?

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MR. TAGUCHI: Thank you, Member Paltin. At this point, I...I don't think that's something that can be contracted out. The audit itself is pretty much...we've did...we've done a lot of the background research on it. We're working towards recommendations. The hardest part about this audit is the recommendations because...but that's something that I value. I don't just want to just come out with a bunch of facts and leave it to people to make a...you know, to try and find a solution when I don't give them any idea of what could be done. I don't know of anyone that would want to take this project, to be frank, any third party. We have an...there is litigation that is somewhat related to this audit. Not directly because this audit is focused on what the Council wanted me to do. But I wouldn't...I...I would be very surprised if there are firms that would want take an audit like this when there's pending litigation.

CHAIR RAWLINS-FERNANDEZ: You're muted.

VICE-CHAIR PALTIN: Would halting the audit prevent the Department from coming up with a...a formula?

MR. TAGUCHI: The Department is tasked with administering the law. My...this audit would not affect them in any way if they want to...from fulfilling their obligations. Both from a Department standpoint and Administration standpoint, my audit shouldn't...this audit shouldn't hold them up in any way.

VICE-CHAIR PALTIN: But I got a time *(audio interference)*

MR. TAGUCHI: Because the law is the law, and they're charged to proceed and enforce it.

VICE-CHAIR PALTIN: Okay. Thank you. My last...or question is Member Sugimura wanted an audit from the Department of Environmental Management for the Solid Waste. Is that something that you would be able to do?

MR. TAGUCHI: I would...I would need to understand specifically what the objective of the audit is, what's the problem, what's the specific concern. If we leave an objective as just fix the Department, I don't think that's achievable for one; and two, it'll cost you a lot. I had this discussion, I think, with Councilmember Molina, and I think through his credit, he was able to focus what he wanted to something that is more achievable. And...and that's why, you know, I...I...I mentioned that I would be open to taking a look at it possibly. The...the really important thing is the scope, what you're trying to achieve, and what you think...what I would think I can bring to the table to help the County. You know, audit is not just punitive, but it also looks at how to better the County.

VICE-CHAIR PALTIN: So when you choose a subject to be audited, it...it's all inclusive in the Budget that you have prepared, it's not like per subject that you choose to audit per year, there's going to be additional expenses?

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MR. TAGUCHI: If I contract an audit out, it'll be using the appropriations that are within my budget to contract. If I perform a performance audit through my office, it uses the resources within my office, which is primarily my Staff. So that's correct, I wouldn't...unless I am going to take on something that I had not anticipated during the...the year, then I wouldn't need any more funding. In the case of current funding in 2021, I think part of my funding for third-party auditors are in anticipation of the pandemic being over and if I needed to take a look at CARES Acts funding and things like that, but that is still ongoing so we didn't contract for any of that type of reviews or investigations or audits.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Committee Vice-Chair Paltin. We'll go to Member Sinenci, followed by Council Chair Lee.

COUNCILMEMBER SINENCI: Mahalo, Chair. Can you hear me? Oh, okay. Thank you. And aloha, Mr. Taguchi. Yeah, just a quick question. I...I know you have a list of services provided, but what are your main...under operation services, I know there's a decrease of \$5,000. But what...what's normally spent for your proposed 2022 Budget as far as services?

MR. TAGUCHI: Operation services...

COUNCILMEMBER SINENCI: I guess just what takes up most of that budget.

MR. TAGUCHI: Our operations, if you know, the lion's share is we procure the financial audits, the CAFR, the comprehensive financial audit report, as well as the Department...we also have the single audit. We also have an amount there for professional services, which would expand if we're going to use third-party services. Or in the case of my current audit, I'm expending some of that money for an attorney to help advise me regarding the collectability of the deferral agreements. So those are the lion's share. We do have some cost for computer equipment, which we installed. And I think the decrease of 5,000 is primarily related to that computer equipment because it's installed, so we don't need to have that funding.

COUNCILMEMBER SINENCI: It...it looks like a decrease from the services, but I'll look into your equipment. Thank you, Chair. Thank you, Mr. Taguchi.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay. I see...okay, Council Chair Lee, followed by Member King.

COUNCILMEMBER LEE: Thank you, Madam Chair. I have no questions.

CHAIR RAWLINS-FERNANDEZ: Fast. Okay. So we have Member King, followed by Member Johnson, I see you back.

COUNCILMEMBER KING: Thank you, Chair. I don't have any questions. My question...I did, but my questions were answered by...with the other Councilmembers' questions,



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so just appreciate you being here, Lance. And thank God we're not in a war with you like they are on O'ahu with how...

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. We appreciate our audits. Member Johnson, followed by Member Sugimura.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good afternoon, Director Taguchi. I don't have any questions at this time. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. Okay. Member Sugimura, followed by Pro Tem Kama.

COUNCILMEMBER SUGIMURA: Thank you. Nice to see you, Auditor...Mr. Auditor. So you know, in our discussions with you, we cannot tell you what to audit and what not to audit, right? So we can have general discussions, but we cannot say...we can suggest maybe.

MR. TAGUCHI: That's correct. You can suggest and, you know, I'll take a look at it to see what I can bring to the table with my resources, if there's some benefit for me to do it, and also what the benefit for the County is. But at the end of the day, I establish my audit plan. That is the way it was designed in the Charter. So whether you recommend or the Mayor recommends or the Department recommends, I take a look at it to see what I can do. But we have limited funds, you know, it's not like I can do everything that people want me to do. But more and more, you know, I...I'm trying to accommodate the best I can when I think that it'll benefit the County for me to participate and maybe do an audit. So I'm not as opposed as I used to be and guarded in terms of, you know, making sure I don't do an audit just because somebody asked me. Unfortunately for me I've, you know, I accepted two audits, one was the post office and one was a subdivision. They tend to be very difficult audits. So I don't know, my Staff is kind of worrisome about accepting audits in that way because for two for two, I've accepted very difficult audits. But I...I do think it's meaningful, and I think...I do think it's worth it, so...

COUNCILMEMBER SUGIMURA: Thank you, Mr. Taguchi.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Member Sugimura. And then I forgot that Pro Tem Kama is not on at the moment, and she will join us a little later. Okay. Members, any additional questions for Mr. Taguchi? Member Johnson?

COUNCILMEMBER JOHNSON: Thank you, Chair. Mahalo, Director Taguchi. This is just a follow-up question from Councilmember Sugimura's in regards to your decision making on auditing. You said that's...you know, you pick up some, and people recommend of course, but do you ever find like the workload prevents you from picking up an audit.

MR. TAGUCHI: Thank you, Member Johnson. Yes, because you know, I...I'm very limited in Staff, especially in now since I've lost two Staff members, and it takes a while to train

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these Staff members. And that's why I'm moving towards trying to do some outsourced audits so that I can continue to do some audits. You know, I'm considering...strongly considering the...if Council passes a resolution looking at the Planning Department's audit, then I can look at things like Environmental Management, but I have to enter a discussion to fully understand exactly what the concern is, and how I can bring my resources to help the project become better. But yes, short answer, I have limited resources.

COUNCILMEMBER JOHNSON: All right. That...that just concerns me, yeah, because if you have to...if you have like a stack of cards and you need...and you don't have...there's no more room on the table, but...for them, then what do you...how do you prioritize and all of that. So okay, that...that's kind of my question. Thank you for answering. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. Member Paltin, you have two minutes. Oh, and...sorry, and please mute yourself after you asked your questions. There's a weird feedback coming from your site. Mahalo.

VICE-CHAIR PALTIN: Thank you. I was wondering, so you said that you accepted the two audits, the...the office and the...the post office and the subdivision, and that you do the CAFR and the single-something audit. In the...in the creation of your office, you've only done two audits? I thought that you were doing like three or four a year. So is that the CAFR, the single, and then the...those are two, and then additional one or two?

MR. TAGUCHI: Yes. Those are the two that I put on my audit plan at the Council's request. We still have other...done other audits in the past. We've done the Treasury Department audit, we've done the Fire Department audit, we've done an audit on roads. I don't know if...I know in a committee you had discussion on roads. We had some interesting recommendations on the roadway audits. So we've done a variety of audits, not only the two that I decided to pick up from the Council.

VICE-CHAIR PALTIN: Oh, so you've only picked up two from the Council, but you do a lot more audits than that, that you choose what to audit?

MR. TAGUCHI: Yes.

VICE-CHAIR PALTIN: Okay. Got it.

MR. TAGUCHI: Most...most recently we'll be coming out with a...when the pandemic hit, I decided to address my...my audit plan. And I moved forward with not an audit, but a...it's like a financial condition report, which I hope to bring forward to the Council before decision making. I decided to do that because I felt that it would help this Council, as well as the Administration, understand and...better understand the current and possible future financial position of the County. So this report will cover...it'll compare the impacts of the Great Recession . . . *(timer sounds)* . . . which was 2007 to 2009, it will establish some financial indicators, and it also will interestingly

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identify some current policies that may present uncertainty in the coming budget. So that should be coming out. And we're trying to get it out as soon as possible, we hope to get it out before your decision making.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Taguchi. Mahalo, Member Paltin. Okay. All right. Seeing no other hands, this Department doesn't have any CIPs or rates and fees. No Members have offered any priorities under the Auditor, and they don't receive any grant revenue or have any special purpose revenues. So I'll ask Mr. Taguchi if he has any final thoughts, closing comments before we thank him for coming.

MR. TAGUCHI: Just the final thoughts would be, you know, I wish...I know you have a very difficult task, it's going to be a difficult task moving forward, and I wish you the best of luck. And if I can be of any assistance, let me know. You know, I'll...I'll try and participate to what...the extent that I can and help you...help by providing some information for you so you can make a better decision.

CHAIR RAWLINS-FERNANDEZ: Mahalo for that, Mr. Taguchi. We appreciate you being here with us today. Aloha. Okay.

**DEPARTMENT OF THE CORPORATION COUNSEL**

CHAIR RAWLINS-FERNANDEZ: Next we have the Department of Corporation Counsel. Is Ms. Lutey on? Ms. Lutey, are you on? Okay. There, I see Corporation Counsel.

MS. LUTEY: We're here. Oh.

CHAIR RAWLINS-FERNANDEZ: The video is...is pointing to the ceiling.

MS. LUTEY: Oh. Okay. Yeah, let me fix that.

CHAIR RAWLINS-FERNANDEZ: Okay. Thanks.

MS. LUTEY: We really are here. Can you see us now?

CHAIR RAWLINS-FERNANDEZ: Yes. Thank you.

MS. LUTEY: Oh, good. Sorry.

CHAIR RAWLINS-FERNANDEZ: Okay. Aloha, Corporation Counsel Lutey. And if you would like to introduce who you have with you today.

MS. LUTEY: Thank you, Chair. And good afternoon, Councilmembers. Today to my right is my First Deputy Richelle Thomson; to her right is Lisa Kahuhu, our DPO; and behind Lisa and closer to the door is Mark Middleton, our Safety Specialist; and of course, we have Michele Yoshimura here as backup.

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CHAIR RAWLINS-FERNANDEZ: Wonderful. Aloha, everyone. Okay. So we'll start off with the questions that the Members submitted. Starting with the overall question, question one, if Council were to ask for an 11 percent cut in programs and activities funded by the General Fund to fully fund the recommendations proposed by the Comprehensive Affordable Housing Plan at \$57 million without increasing real property tax revenue, A, what programs or activities would you cut for your Department; and B, what impacts would those cuts have on the residents?

MS. LUTEY: Thank you, Chair. For what we would cut, this is a difficult question for us, as it will be for all departments I'm sure. We have to look back at last year's budget, and what you'll see in comparison is that we're basically a flat budget. The only differences are our increase in wages, and that's really based on our collective bargaining agreements where we need to pay our union members based on what they've negotiated or received as a result of their union rights. And the other change is the Charter Commission. So in terms of actually what we could cut, I think our budget's pretty slim. In terms of impact the cuts might have on residents, we don't offer direct programs to residents, it's really just to our clients, and so the impact to the residents of our County is not something that I think you would see by any cuts from our Department.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Lutey. Okay. The next set of questions are from salaries and wages, Category A. One, there's a proposed expansion request in overtime due to online travel exemption work. A, please clarify the meaning of online travel exemption work; B, please explain the need for overtime for civil service employees to do online travel exemption work; and C, is there other work that can be delayed instead of paying overtime, such as publishing older Board of Ethics' opinions?

MS. LUTEY: Thank you, Chair. So last year in June, the Attorney General's Office basically stopped handling the interisland quarantine and travel exemption requests being made, and so they went to each of the counties. Specifically, my Department was tasked with handling travel exemptions. So initially it was via email, and we would send out written letters that were electronically signed. We eventually were able to get into an online program that we call SeeClickFix, and that's how we assess whether or not people should be receiving exemptions based on the current emergency proclamations for travel into our County. Due to the sheer volume of these requests, we have had to have basically all hands on deck. Almost you know, our entire Staff and all of the attorneys are assigned to assist with these, and to date, my estimate is that we've done over 40,000. So that's what we mean by the online travel exemption work. We currently receive anywhere from 80 to a couple hundred a day, it depends on the volume of travel being done here, but it's...you know, it's just not something we can really control, we just need to keep up. In terms of the civil service employees, I think I incorporated that into my last answer. But because our Staff is civil service, we have offered them the option of receiving overtime or CTO. And then in terms of delaying other work, because, you know, we handle litigation, and then we also do the advising for the...the County boards and commissions, we try to prioritize our deadlines and get our exemption requests taken care of during normal working hours,

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but I'll tell you that that...it's just not possible. So every weekend, a number of us are actually working on it, sometimes late into the night and early mornings, just to try and keep us up to speed.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Okay. The next set of questions is for...for operations and equipment, categories B and C. One, the Department is requesting \$100,000 for a contracted analyst and secretary for the Charter Commission. A, please clarify the meaning of contracted staff; B, have an analyst and a secretary already been contracted for the Charter Commission; C, do you anticipate this contract will run the entire length of the Commission's term; D, are these positions referred to as a temporary, full, or part-time hires; and E, what is the salary for each position and the length of the contract?

MS. THOMSON: Thank you, Chair. I'll take that set of questions. So the 100,000 for the contracted analyst and secretary, those would be independent contractors. Under B, have they been hired yet, no. So the advertisements have gone out and we've received applications, but the Charter Commission itself will be the body that selects the analyst and...and the board secretary, and that hasn't been done yet. In terms of how long they will be hired, the secretary...the board secretary, I would answer and say yes, that would be for the full length of the Charter Commission's duties. The analyst, that would be up to the Charter Commission itself. And D, are they temporary, full, or part-time. They will be considered independent contractors, so...and E, the salary or the...the fee is going to be based on the proposals. Currently they've been advertised under the small purchase...purchase threshold, which is 25,000, so we'll see what the proposals come in at, and then we take it from there.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Thomson. Okay. Two, there is a proposed expansion request of \$60,000 in advertisement funding for the Charter Commission. A, please justify the need for the request, and explain how you arrived at the amount of 60,000 for advertising for the Charter Commission; B, can you provide more detail on the types of advertisement the funds will cover; C, the platform...what platforms do you feel is essential to use for advertisement? Okay. Yes, those questions.

MS. THOMSON: So the 60,000, that was based on the last Charter Commission from 2011, 2012, and my understanding is that includes graphic design, printing, postage, so the...the whole kind of set of services that would go into the advertising...the advertisement or educational materials. Some of the types of advertising, the last go around included advertising such as a full page in *The Maui News*, and then of course all the print direct mail pieces. I would answer and say that this go around, given social media, the importance of...of social media and all of that will probably be included, but that is going to be up to the Charter Commission in terms of what the Commission feels...feels is the best way to reach the voters. One of the goals that was brought up at the last...at the...our last week's Charter Commission meeting is the potential for a more robust kind of community outreach public affairs portion. And so we've...I drafted an RFP that is probably going to be on the next meeting's agenda for discussion, and that's a more robust presence for this community outreach. And it

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should be in the neighborhood, these are rough numbers, but potentially in the neighborhood of 100 to 150,000.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Thomson. Question three, please explain the need for \$100,000 for professional services for the collective bargaining negotiations operation. This item had not been previously budgeted for, but has now been requested two fiscal years in a row.

MS. LUTEY: Thank you, Chair. I'll take this question. So back a few Councils ago, money was put into our budget for a professional negotiator for interest arbitrations. We have not had an interest arbitration since then where we've needed to retain the services of a negotiator; however, I think the idea back when it was first placed into our budget was to be ready in the event that we needed a negotiator for interest arbitrations.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Lutey. Question four, where are costs...case costs reflected in the budget? For example, money spent on experts' fees.

MS. LUTEY: Thank you, Chair. I'll take this one as well. The...that comes out of the Self-Insurance Fund, which is 907816, and it's basically a Countywide fund that's under the Finance Department. We pay a number of things under this particular number, such as our third-party administrator costs through Risk, contracts for special counsel, litigation expenses necessary for the defense in litigation matters, and then it also covers things like property inspectors for claims, vehicle appraisals, our normal general liability claims and auto liability claims, settlements, and judgments over 7,500.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Lutey. Okay. Question five, please explain Risk...Risk Management's need for \$75,000 for professional services. This item had not been previously budgeted for. Okay. Go ahead.

MR. MIDDLETON: Thank you, Chair. Mark Middleton, I'll take that one. That is the TargetSolutions online regulatory compliance training. So the first time we saw that was in this fiscal year's budget. We have now completed the contract. We have a 36-month contract with TargetSolutions to provide that online training platform to 1,350 of our employees, so we're now entering the...will be entering the second year. With contracting and the normal way of...of proceeding, it took a few months, so we...we finalized that contract in December. We've already got five large departments using that. Fire Department's been using it with strong success since March of 2020. By combining our resources and doing it all as one County, we're currently saving 50 percent, so instead of a cost of around \$109 per employee per year, we're at \$55. We've gone over this before, but in the past we've had several HIOSH training violations and we found...or we've basically seen data where not all our employees are getting the training that they need, both in the time that they need, as well as in the completeness that they need. So now that we've got over 4,000 courses, and each large department is integrating that into their training platform, we're seeing a large improvement already with some of that training.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Middleton.

MR. MIDDLETON: Thank you.

CHAIR RAWLINS-FERNANDEZ: The last question is, please explain the computer software expense of \$12,584. Will this be an annual expense? If not, for how long?

MS. LUTEY: Thank you, Chair. I'll handle this question. So we had InvestiPro that we were using Countywide for personnel investigations, and then InvestiPro went into bankruptcy, so they are no longer providing us the software that we used to use for investigations. The new format that we're looking to use will cost approximately \$20,104, and our Department will cover it for this next fiscal year, and then it will be taken up by IT because it is something that is used Countywide.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Lutey. All right. So that ends all the questions that were received by the Members. And I'll open it up to the Members for questions, starting with the subject matter Committee Chair...my lips keep getting stuck together because I just went to the dentist. So we'll start with the subject matter Committee Chair, and then we'll go Committee Vice-Chair Paltin, and then we'll go to the other end with Member Sugimura. Okay. Member Molina, you have five minutes.

COUNCILMEMBER MOLINA: Yeah, thanks...yeah, thank you, Madam Chair. Well, you ran the gamut of questions. I think pretty much everything I was going to ask was asked. Very good questions. Just one...I guess this is more has to do with a reduction. I'm looking at the narrative on page 95 under machinery and equipment for Legal Services Program. I notice you have, I guess, a reduction of 67,500 compared to the previous fiscal year. Because I guess you have...the sensitive nature of the work you folks do, and I can only guess the equipment you need is copiers and scanners and all of that stuff, any reason why you're not making any additional requests for equipment? Especially you have...you know, technology changes, and just...just sort of curious as to why you're not requesting any more funding for equipment.

MS. LUTEY: Thank you, Member Molina, for the question. I'm going to ask Mark Middleton to address that last round of equipment because that was specific to a project that Risk was working on.

MR. MIDDLETON: Correct. Thank you, Moana. So that...that project is the air purifiers for Kalana O Maui campus, and we're...we're, you know, basically addressing long-term mold and air-quality issues. This all started before the pandemic. These air filters also are very capable of picking up viruses particularly and respiratory droplets. So it is a one-time purchase. We will be asking all of those people who received those, those departments, to pay for their ongoing filters, which will be a nominal charge of a few hundred dollars each time they need to get a HEPA or activated-charcoal filter, but this is a one-time purchase to be sure we get the right thing into the right locations.

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COUNCILMEMBER MOLINA: Okay. Well, thank you very much for that update, Mr. Middleton. Thank you, Madam Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. Okay. Committee Vice-Chair Paltin, followed by Member Sugimura.

VICE-CHAIR PALTIN: Chair, before you start my timer, I just wanted to do the disclaimer, like I don't mean to be rude and interrupt you, but if I got my answer I might cut you off because of the five minutes.

CHAIR RAWLINS-FERNANDEZ: Good reminder. And then just remember to mute yourself because there's like a feedback happening. Okay.

VICE-CHAIR PALTIN: Okay.

CHAIR RAWLINS-FERNANDEZ: Okay. I'm going to start your clock now.

VICE-CHAIR PALTIN: I just was wondering too about, you know, the CDC guidelines for travel. Do you anticipate having to process less online travel exemption forms?

MS. LUTEY: We hope for that every single day, but we're not sure how it's going to play out in terms of how the CDC will recommend or the State in terms of people that have been vaccinated. It may be status quo for us, and it may be an increase, but we just don't know. We just keep hoping for less.

VICE-CHAIR PALTIN: Thank you. My next question is on the interest arbitration negotiator. This is a non-collective bargaining year, isn't that correct? So wouldn't that be needed for next year, or are you planning on having someone on even on non-collective bargaining years? Because they just got --

MS. LUTEY: I believe...

VICE-CHAIR PALTIN: -- that increase.

MS. LUTEY: That's true. I...I think because we have three unions that may end up in arbitration and the Hawaiian Legal Relations Board determines whether or not there's an impasse. I think that that's why that we've been continuing to receive funding just based on timing really.

VICE-CHAIR PALTIN: And you're sure that's the cost of it, or that's like an estimate based on best projection?

MS. LUTEY: It's basically an estimate. And normally what will happen is that we would share the expense with the other counties, if possible. 100,000 probably is not sufficient, but maybe for our portion, it would be.



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VICE-CHAIR PALTIN: Okay. And then for the 907816, do you keep a running total, like how much has been spent for the wastewater injection case this year on expert fees and whatnot?

MS. LUTEY: We can get that.

VICE-CHAIR PALTIN: Thank you. I'd love it. And that concludes my questions.

MS. LUTEY: Could I just ask you, Member Paltin, are you asking for the length of the entire litigation, or are you asking specifically for the last year? Is there a time period?

VICE-CHAIR PALTIN: If you can get the entire, and then specifically of the last year itemized, that would be awesome.

MS. LUTEY: Okay. Will do.

MS. KAHUHU: Everything but...

MS. LUTEY: Including special counsel or just experts?

VICE-CHAIR PALTIN: Including special counsel. Just you know, all that we as a County have spent on this issue. Special counsel, expert fees, travel fees that come out of, I guess, 907816 in Finance you said, right?

MS. LUTEY: Yeah, yeah.

VICE-CHAIR PALTIN: Thank you.

MS. LUTEY: Will do. Thanks.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Okay. And I see Pro Tem Kama on, so we'll go to Member Sugimura, followed by Pro Tem Kama.

COUNCILMEMBER SUGIMURA: Thank you. Corp. Counsel, so this...with COVID, what I see is one of the things that I had wished couple Council budgets ago of having the downstairs for more security, and I think at some point we had bought a machine like the courts had. So I just...what is the status of all of that? Is that being put aside? Downstairs on the first floor it's locked, to admit yourself you have to have a badge. That was part of the...the whole idea. And then the public would go through the...I guess the lobby, and we had a machine. So what is the status of all of that?

MS. LUTEY: Thank you, Member Sugimura. The equipment still exists, but the security for the building was transferred to Department of Management last fiscal year. So I'm not sure in terms of status on...on what the program might be for that.

COUNCILMEMBER SUGIMURA: There's hope, I can ask Management when they come then. Thank you. Thank you.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Pro Tem Kama, followed by Member Johnson.

COUNCILMEMBER KAMA: Chair, thank you so much, but I don't have any questions for Finance this morning.

CHAIR RAWLINS-FERNANDEZ: We're on Corporation Counsel. You have questions for Corporation Counsel?

COUNCILMEMBER KAMA: No. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Okay. Member Johnson, followed by Member King.

COUNCILMEMBER JOHNSON: Thank you, Chair. Greetings, Directors. So I just have one question. I'm...I'm looking at your \$60,000 for the advertising fund for the Charter Commission on page 96. And then I...I noticed your...on page 94, under your goals and objectives in regards to publishing online your Board of Ethics' opinions, you...you had a hard time reaching your...your goals and your...from 20 percent up to 50 percent. Was...if...is that...is that a struggle for your office to work in the digital world, is it...or is it more other reasons why you didn't reach your...your goals and objectives to publish the stuff on...online?

MS. THOMSON: Thank you, Councilmember Johnson. I can answer that question. So in terms of publishing the Board of Ethics' opinions, beginning with 2019, we're 100 percent complete on that, and I believe that we are making progress toward earlier years. I was on there recently, and I...this is going from memory, but I believe we're at 2017, but we can get you that exact data in a follow up. And then --

COUNCILMEMBER JOHNSON: Okay.

MS. THOMSON: -- on the 60,000 for advertising for the Charter Commission's needs. So that's an estimate, and then ultimately that's going to be dictated by what the Charter Commission itself feels is necessary in terms of its public outreach. So it may be more than that, I wouldn't think it would be less.

COUNCILMEMBER JOHNSON: So just to follow up, it wasn't a financial issue to reach your goals and objectives on your publishing your Board of Ethics' opinions?

MS. THOMSON: Correct, it was not a financial issue. Primarily it's been a manpower issue, like the Corporation Counsel Lutey said. Any of our extra time has been doing the limited quarantine exemption processing.

COUNCILMEMBER JOHNSON: I see. Thank you so much. I have no further questions, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. Member King?

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COUNCILMEMBER KING: Thank you, Chair. Aloha, Corp. Counsel. Thanks for being here. Couple questions, on the online travel exemption work that you've been doing, it sounds astronomical, but shouldn't that be covered by the CARES Act funding? And how do you...how does that work in your budget? Like if we fund whatever it takes to do that work, and then we get CARES Act funding in, can that replace the General Fund money that your Budget's being taken out of?

MS. LUTEY: Thank you, Member King. So last December I think it was, by the end of last calendar year we had paid just over \$4,000 in overtime, and we were able to get reimbursed through CARES Act funding. So I'm assuming with more CARES Act funding coming that we would get reimbursed if...if there is funds available for us.

COUNCILMEMBER KING: Okay. So...so what...so then you...do...does that other...does that money go into Carryover/Savings, or what happens when you get reimbursed from either the CARES Act or the American Rescue Plan as it's being called now? Is that something you need to...

MS. LUTEY: Sorry, I had to ask a lifeline behind me.

COUNCILMEMBER KING: Okay.

MS. LUTEY: So yeah, it would go into Carryover/Savings.

COUNCILMEMBER KING: Okay.

MS. LUTEY: If we get reimbursed for it and it's budgeted.

COUNCILMEMBER KING: Okay. So there's no way to get that money into our Budget at this point so that we don't have to cut other departments. You know, if you're doing...if you're doing COVID-related activities, and we're putting extra money into your Budget, and then we might end up having to cut another Department, that's kind of a concern. So is there any way to know upfront how much money is coming in that could replace some of this activity money, the funding?

MS. LUTEY: I'm sorry, Member King, I...I don't know how much money we will get. I...like everyone else I've read what it says in the news, but what that translates into for our County, I'm really not sure. I'm sorry.

COUNCILMEMBER KING: Okay. And then you haven't discussed this with the Mayor as far as the process for getting it into the Budget ASAP?

MS. LUTEY: Sadly, no.

COUNCILMEMBER KING: I know that there's 35 million coming that's...around 35 million that's...that's allotted directly for our County that has to be applied to the U.S. Treasury. That's what I got from the NACo website, and it got listed exactly how much

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each County is getting. But just wondering about the process of getting it into the Budget so that we...that money is reflected before we approve the Budget, and then it gives us that cushion that we're looking for. So anyway, that's just a thought. And then the other question I had was on your Charter Commission expenses, you know, they meet on Maui, but you've got like \$10,000 in travel. So what...what travel are you expecting for the Charter Commission? And would you still need to be doing that travel if we approve a Budget priority that our Budget Chair put in for independent counsel for the Charter Commission?

MS. THOMSON: Thank you. I'll take the...the first part of that question. In terms of the Charter Commission's travel over the course of their term, I know that the last Charter Commission did an extensive amount of traveling to, you know, especially to the areas such as Hāna and Moloka'i and Lāna'i. You know, they wanted to sure that they heard from the residents from the entire County. So if we're able to travel again, I would assume that they would want to do that, but you know, we can't predict the future. So I...I don't know if that's going to either, you know, occur or not occur at this time.

COUNCILMEMBER KING: Okay.

MS. THOMSON: In terms of...I'm sorry, I missed the connection between --

COUNCILMEMBER KING: Well, there's a proposal...

MS. THOMSON: -- the travel and the independent counsel.

COUNCILMEMBER KING: Okay. There's a proposal that seems like many of us liked from the Budget Chair to put in 150,000 for the Charter Commission for education and outreach, and to hire special counsel. So if we approve that, does that take the place of that 60,000 you're asking for? And you know, what...does that cut down on your need to...for travel for the Charter Commission?

MS. THOMSON: Let's see...got it. So the...the 10,000-ish for the travel, that's just for the Charter Commission itself, so that's not for the Corp. Counsel...

COUNCILMEMBER KING: Oh. Oh, I see. Okay. Okay. That was a misunderstanding. I was thinking it was for you folks, but it's for the actual travel of the Charter Commission members.

MS. THOMSON: Right.

COUNCILMEMBER KING: Okay. That makes sense.

MS. THOMSON: And the 150,000, as I understand it, that would be primarily earmarked for this community outreach, public relations. You know, that...in terms of what the Charter Commission discussed at its Thursday meeting, you know, it's between 100 and 150,000 was a kind of target amount for that. . . .*(timer sounds)*. . .

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COUNCILMEMBER KING: Yeah. I'll...I'll follow up next round. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Okay. And then Council Chair Lee.

COUNCILMEMBER LEE: Thank you, Madam Chair. Moana, I just have one question. You have what, 37-1/2 E/P?

MS. LUTEY: Yes.

COUNCILMEMBER LEE: Okay. And you're...and you're all...you fit comfortably on...on your floor? You occupy the entire floor, right?

MS. LUTEY: We do. And we have a conference room, and also a kitchen.

COUNCILMEMBER LEE: Okay. Thank you. That's all I have.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Council Chair Lee. Ms. Lutey, you better not make your sound...your...your floor sound too good. We might be...

MS. LUTEY: Are you guys going to take us over? It's very crowded, it leaks.

CHAIR RAWLINS-FERNANDEZ: Okay. And then Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. And thank you to the Members, my questions were answered. Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay. Now my turn. Okay. My first question is a follow up on one of the questions that was asked on the questions that were sent. Okay. Question three, the 100,000 for the collective bargaining negotiation operation. So the 100,000, and I'm sorry if you did answer this already, is going to be Carryover/Savings for FY'21 because you didn't use that funds, yeah?

MS. LUTEY: Correct.

CHAIR RAWLINS-FERNANDEZ: Mahalo for that clarification. Okay. And a follow up on that, I really support this, but one of the problems is that the State leaves the negotiations; is that correct? Yeah.

MS. LUTEY: That's correct, Chair.

CHAIR RAWLINS-FERNANDEZ: That's...that's unfortunate. Okay. Perhaps we can talk story more about that after Budget. Okay. So my next set of questions are on page 93, it's the goals and objectives. Goal 1, Objective 1, raise safety awareness by providing annual training and education to personnel Countywide, and the measurement of success is the percent of all employees trained by Risk Management Division annually. And so FY'20 was 19 percent, FY'21 is 10 percent, and FY'22 is 5

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percent. Is it incrementally going down because more of the Division is...has already received that training?

MS. LUTEY: Thank you, Chair. I think part of the reason it looks like it's reducing is that there's cumulative training, which means that we've trained everybody up and they've gotten their certification so you see that reduction, but it...I think it also incorporates the fact that we now have online training as well that can provide some of those certifications.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo for that explanation. Section...second objective is close a minimum of one claim for every new claim filed, a ratio of one to one or better. For FY'21 it was a one to four, so there was one new claim, and then you closed four existing claims. Is that a correct understanding of your FY'21 projection?

MS. LUTEY: Thank you, Chair. No, I think that this is an error. I...I don't know exactly why it came out looking like that, but I can...we can clarify this. It's not one to four.

CHAIR RAWLINS-FERNANDEZ: I was super impressed that it was four...four claims for every one that was filed, very impressive. Do you...do you know what the actual number should have been?

MS. LUTEY: One to two.

MS. KAHUHU: Or two to one, actually.

MS. LUTEY: Or two to one, sorry. For every two that's open, we close one.

CHAIR RAWLINS-FERNANDEZ: Okay. Okay. So is that what the FY'22 projection is, for every one-and-a-half claim that is open, one will be closed?

MS. LUTEY: That's correct, Chair.

CHAIR RAWLINS-FERNANDEZ: And then my last question on page 93 is Goal 1, Objective 4, validate savings of fast-track...FT on general liability, GL, and auto liability program fees. FY'20 is 26,951, and then FY'21's 5,000, and then FY'22 is projected 25,000. Do you know why the FY'21 is lower than the FY'22 projection and the FY'20 actual?

MS. LUTEY: Sorry, Chair. We're having a little consult here.

CHAIR RAWLINS-FERNANDEZ: I figured. . . .*(timer sounds)*. . . Oh, that's my time. Okay. I can...I can come back to me after, and then find out if you were able to get the information. Okay. Members, I know Member King wanted a second round. Do...do any of the other Members want a second round? Okay. Member King, you may proceed.

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COUNCILMEMBER KING: Okay. Thank you, Chair. I just needed to clarify what...the last question because...so it sounds like you're saying that the Charter Commission asked you for an additional 60,000, but then I was also talking to a Councilmember about an additional 100,000 for...and you're saying...are they two separate things? Because I thought what we were talking about in our discussion of our Budget Chair's priority, it's...it's outreach, education, and to publish information on whatever Charter amendments they come up with for the Budget. So what's different that you would be doing with that 60,000?

CHAIR RAWLINS-FERNANDEZ: And...and I'll pause real quick just to throw in. So my proposal wasn't just about after the Charter Commission establishes their proposed amendments to the Charter, but also to outreach so that the community can be part of developing what those amendments are. So even before any questions are set to be put on the ballot, it would be like, you know, basically starting in July if possible doing outreach and education so that there's increased engagement and testimony --

COUNCILMEMBER KING: Right.

CHAIR RAWLINS-FERNANDEZ: -- and feedback, surveys, and polls. Okay. I'll set your time again.

COUNCILMEMBER KING: Okay. Thanks. So that's kind of what I thought that...I thought that was all encompassing, and that should cover what...what I...what it sounded like you were asking for the 60,000 for; is that correct?

MS. THOMSON: So the...the 60,000 is what...is what our Department proposed based on the last needs of the Charter Commission in 2011, 2012. But...and I didn't listen to all of this morning's discussion, but my understanding was that there would be potentially additional monies put toward that type of public outreach education effort. And I...I believe that the number was \$100,000 additional on top of the 60 that we have proposed by way of our Budget.

COUNCILMEMBER KING: Okay. So you feel like they need 160,000 to do all that?

MS. THOMSON: So the...the 100 wasn't something that we proposed, we just proposed the 60 based on, you know, prior needs. But if this body wanted to, you know, give more money toward that effort, I know that the Charter Commission at its last meeting did discuss wanting to do a more robust public outreach education effort that could cost well in excess of the 60 that's been currently requested through our budget.

COUNCILMEMBER KING: Okay. So if we were to propose 100,000, you think that would be enough?

MS. THOMSON: Potentially yes. And so if they go the route of doing an RFP, so you would get quotes back, you know, and that probably would be sufficient depending on how big of a program they did. If they...if they needed more money, they would come back to you though and request a Budget Amendment.

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

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Members, any other questions? Okay. If not, I'll go back to my question on the Goal 1, Objective 4.

MS. LUTEY: Thank you, Chair. I'm sorry, I don't know the response to this. Could I provide you with something in writing on this?

CHAIR RAWLINS-FERNANDEZ: Sure. Yeah. It's not like a super big deal, just it's...there's just a big discrepancy, and I was wondering the reason for that.

MS. LUTEY: My apologies.

CHAIR RAWLINS-FERNANDEZ: Okay. No problem. Okay. And then for clarification, with the 60,000 based on the previous Charter Commission's advertising for the ballot questions in 2011 and 2012, those...that money was used at the end of the Charter Commission's work to help with education on the questions that the electorate will then see on their ballot. And it didn't...the...the previous Charter Commission didn't request funding to do outreach throughout the Charter Commission's meetings.

MS. THOMSON: I'm just checking with Lisa Kahuhu because she was actually here during that period of time, and she said that...that yes, the 60,000 was spent more toward the end of their process, not the...the earlier part. And I...I can tell from reading their minutes earlier that they did quite a bit of in-person engagement with the public.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Ms. Thomson. Okay. That...those were all the questions that I had. Okay. Well, that's the operating Budget for programs. Corporation Counsel doesn't have any CIPs or rates and fees. There weren't any proposals from the Members for their priorities. They don't receive any grant revenue or special purpose revenue funds. Okay. So I'll invite our Corporation Counsel Lutey to provide any final thoughts or closing comments before we thank you for coming.

MS. LUTEY: I appreciate the opportunity to try and explain most of our Budget here. Can I just ask if there will be follow-up letters sent to our Department for questions that we were asked about today that you maybe didn't get full responses to?

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo for your question. So the...the...that wasn't part of the plan to have questions. Any of the questions that the Members asked, the departments would follow up with a response.

MS. LUTEY: Okay. We can add them to the responses to the questions that you've asked for us then to make sure you get a nice full picture.

CHAIR RAWLINS-FERNANDEZ: Perfect. I like that idea.



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MS. LUTEY: Thank you.

CHAIR RAWLINS-FERNANDEZ: Thank you. Okay. Mahalo, Corporation Counsel team. Mahalo for joining us today. Aloha. Oh, look at that. And it's perfect timing for our afternoon break, it's 3:00, Members. So we'll do a ten-minute break, and that will provide the Emergency Management Agency some time to sanitize the Finance Department's conference room and swap out with Corporation Counsel. So it's 3:01 now, so we can...we'll give them ten...ten full minutes to do that. So we'll...we'll come back, we'll reconvene at 3:11. Member Paltin?

VICE-CHAIR PALTIN: I...I might have missed it. Did you want us to write down the questions that didn't get answered yet, or was the Budget Staff going to do that?

CHAIR RAWLINS-FERNANDEZ: No, we...we didn't have Budget Staff. So you asked the questions on the floor, and then the departments heard your questions. And if they weren't able to provide you a response, they were going to follow up in the...what was this questions called? The departmental questions that you folks submitted in writing.

VICE-CHAIR PALTIN: Oh, because the one about the case cost for the injection wells, I thought they wanted us to follow up with them in writing. So should...should I have my Staff follow up in writing and not the Budget Staff?

CHAIR RAWLINS-FERNANDEZ: Ms. Lutey said that she would add that response to her response for...so we're...we're going to get written responses for the questions that you all submitted. And Ms. Lutey said that she would add the response to those questions that she didn't have an answer...answer for today as part of the response.

VICE-CHAIR PALTIN: Oh, okay. So don't need to do nothing.

CHAIR RAWLINS-FERNANDEZ: Everyone? Okay. We'll take our afternoon break. It's now 3:02, so we'll reconvene at 3:12. Okay?

COUNCILMEMBER KING: Chair? Did we...did we...sorry, I got...I got cut out again. My network keep...kind of keeps going in and out, so I missed the...the...the end of the...with...before Corp. Counsel left. So are we...we're done with Corp. Counsel, and then we're going to come back and do MEMA, and that's the last...

CHAIR RAWLINS-FERNANDEZ: Yes.

COUNCILMEMBER KING: Okay.

CHAIR RAWLINS-FERNANDEZ: Yes.

COUNCILMEMBER KING: Okay. So 3:15?

CHAIR RAWLINS-FERNANDEZ: If we keep talking, yeah.

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COUNCILMEMBER KING: Okay. Thanks.

CHAIR RAWLINS-FERNANDEZ: Okay. So we'll reconvene at 3:15. It's 3:03 on April 5th, and the Budget, Finance, and Economic Development Committee is now in recess. . . .(gavel). . .

RECESS: 3:03 p.m.  
RECONVENE: 3:17 p.m.

CHAIR RAWLINS-FERNANDEZ: . . .(gavel). . . Will the Budget, Finance, and Economic Development Committee please return to order.

**EMERGENCY MANAGEMENT AGENCY**

CHAIR RAWLINS-FERNANDEZ: We have our last Department for today, Department of Emergency Management Agency. Administrator Andaya and...aloha. And if you would like to introduce...if you'd like to introduce anyone else that you have. My square is blocking the...the part of the office, so I can't see if you have someone else with you.

COUNCILMEMBER KING: I think you're muted, Herman.

CHAIR RAWLINS-FERNANDEZ: Mr. Andaya?

MR. ANDAYA: Chair, can you hear me?

CHAIR RAWLINS-FERNANDEZ: Yes. Now we can hear you. Okay.

MR. ANDAYA: Good afternoon, Chair. It's just myself in this room, as well...as well as Budget Director Michele Yoshimura.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo for joining us. Okay. And then I will start with the questions. First question, if the Council were to ask for an 11 percent cut in programs and activities funded by the General Fund to fully fund the recommendations proposed by the Comprehensive Affordable Housing Plan at \$57 million without increasing real property tax revenue, A, what programs or activities would you cut for your Department; and B, what potential impact would the cuts have on residents?

MR. ANDAYA: Madam Chair? At this time, I...I don't have any recommendations, ma'am. The reason why is because our...our Department is...is small, and our budget is pretty...pretty barebones actually, and so I...I don't see where I would be able to cut 11 percent.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Andaya. Next question is salaries and wages. Please explain the difference between EM Specialist I and CB Staff Specialist, and the reason for the change in classification.

MR. ANDAYA: The classifications name change is nonsubstantive, and is made to reflect the name change of the agency which was done through a Charter amendment in 2016. It's...it's...it's one and the same.

CHAIR RAWLINS-FERNANDEZ: Mahalo. (*Audio interference*) question, a significant expansion in premium pay is requested. To decrease the use of premium pay, has the Department considered hiring additional E/Ps?

MR. ANDAYA: The premium pay is used for overtime pay incurred during emergency, which requires the activation of the Emergency Operation Center or the EOC. In an activation, all MEMA staff assumes an incident command system role, and are expected to work the duration of the operational period. As such, MEMA staff will incur overtime pay regardless whether there's additional E/Ps...whether additional E/Ps are hired. Also, Staff is also required to do an on-call rotational...rotation, rather. And so each week an employee is designated as the on-call Staff member and is responsible for receiving notification from various agencies, including Emergency Dispatch, Police, Fire, and the Hawai'i Emergency Management Agency. And so these individuals are responsible for pushing out emergency alerts and whatnot. And so again, these individuals will also incur overtime pay, and additional Staff will not eliminate the need for...for overtime pay.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo. Okay. The next set of questions are regarding operations and equipment, categories B and C. Question one, does...the HAM radio requested is a replacement, will the old equipment will be retained or disposed? And A, what is the estimated life expectancy or warranty on the requested new radio?

MR. ANDAYA: So the old equipment will be placed in our reserve inventory. In fact, we have about two other HAM radios, desk units in the...in our offices. So in the event that one goes down, we have redundancy, you know, we're able to rely on the other radio. With respect to the estimated life expectancy, it is about...about 20 years or so. The radios that we have are about 20 years old, so I would estimate about 20 years. The warranty is your usual about one-year warranty. The new radio, I...I should note, will increase our capability. So the radios they have nowadays because of new technology, they're able to not only send voice signals, but can also do files, computer files, photographs, things like that. And so they're actually hooked up to a computer and they can do much more than what we have right now.

CHAIR RAWLINS-FERNANDEZ: Very cool. Okay. Second question, the Emergency Management Program County grant subsidy indicates a \$50,000 appropriation for a grant to the American Red Cross. Is the amount the result of a request from the American Red Cross, or a limited appropriation recommended by the Mayor? If it is the result of a request, did they only ask for 50,000? And A, please provide a recent

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quarterly report for the American Red Cross grant showing how the money is being used.

MR. ANDAYA: Madam Chair? The \$50,000 is an appropriation that has been given for the past three or four years now, and so it's a continuation. And the American Red Cross does quite a bit for us. They are...they are a very close partner of ours. They are at the Emergency Operations Center during activations. They help staff our shelters, emergency shelters. They also help provide...help community with their like clean up or, you know, if say for instance a house requires whatever assistance to clean up and things like that, they're there to help, as well as doing damage assessments. So damage assessments are very important for us because that's how we apply for Federal funding for FEMA. In fact, right now they're going through...because of the Ha'ikū floods, we are going through what's called a joint preliminary damage assessment with FEMA, and that's going to be held on Wednesday. So these are things that we...we get information from the American Red Cross, and with their damage assessments, that we're able to apply for Federal funding.

CHAIR RAWLINS-FERNANDEZ: Okay. Question three, which entity are we consulting with to update Emergency Management plans? And A, how long are these updated...updates estimated to take?

MR. ANDAYA: Madam Chair? So MEMA relies heavily on our partner agencies in creating a plan. The strength of our Emergency Management (*audio interference*) in no small part due to the collaborations developed with our partner agencies. And depending on the plan that is being developed or updated will determine the agencies that we would consult with. A very good example is the Hazard Mitigation Plan update, and so with that we...we worked with various agencies, including the Planning Department. And we also got public input as well. And so I know the Council is very much involved with connecting us with members of the public who could assist us, who are very familiar with types of hazards that occur in your respective communities, and including those types of hazards in the Hazard Mitigation Plan update. So we...I'm sorry.

CHAIR RAWLINS-FERNANDEZ: Mahalo. Okay. And the next set of questions...oh, yeah, activity goals and measures. Okay. Question one, has the Community Emergency Response Team successfully met objectives for the number of district meetings, volunteers, trainings, and emergency exercises during this past year's pandemic environment? A, if these objectives are not met or are only partially met, will it impact the program's grant funding?

MR. ANDAYA: Madam Chair? The pandemic environment has hampered in many respects, even prevented some of our activities that relates to CERT. CERT is the Community Emergency Response Team, and oftentimes first responders may not be able to get into a community to assist during an emergency. They may not be able to get there quickly. And so that's where we have people embedded in the community who can provide some of that assistance, and that's where CERT comes into play. One of our agency priorities is to grow and create a more robust CERT team for Maui County.

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And since COVID prevented this agency from having trainings, which has to be done in person and not virtually, I've asked Staff to look at reengaging those individuals who are already CERT trained. And I know...like as an example, I know Councilmember Paltin is already CERT trained, you know. And so over the years, we have trained thousands of CERT members...CERT volunteers; however, currently there are only 250 individuals who are considered active members of CERT. And so we are looking at reengaging those individuals who've already received training to come back to CERT and to assist us during emergencies. So that's something that we are pushing for. We're...we're trying to...to do more. And also, we...we just hired a...a specialist who has...who has been through the Emergency Management Institute, who is trained in CERT program management, and so that's another way that we're trying to...to grow the program. With respect to your...your second question about the...what the objectives are, will affect or impact the program's grant funding, the unmet objectives does not affect the program's grant funding.

CHAIR RAWLINS-FERNANDEZ: Mahalo for that response, Mr. Andaya. Okay. The last two questions are regarding grant funding. One, how much of the emergency management performance grant from the Federal Emergency Management Agency is allocated for the Maui County CERT Program?

MR. ANDAYA: So the CERT...Madam Chair, the CERT Program does not receive any funding from the emergency management performance grant. EMPG is used primarily to pay for our training expenses, utilities, and services.

CHAIR RAWLINS-FERNANDEZ: Mahalo. And the last question is, please describe how the State Homeland Security grant program money was used during this past year. And A, is the Citizen Corps Program currently active on...in Maui County?

MR. ANDAYA: Madam Chair? With respect to the State Homeland Security grant program, so there's a three-year performance period for this program. And so some of the things that we've been using Homeland Security monies for...and I'll just...I'll...I can provide this list to you, but some...just to give you an example, with respect to cybersecurity, we're hiring or ITSD...so a lot of these monies, Madam Chair, if I may say, it's...we...we...we manage the grant, but actually it's various...various partners that...that the monies are used of...of...this grant funding is used for, for them. So for instance, the Fire Department, Police Department, ITSD, you know, those are the agencies that it typically goes to. And then at times like we'll...we'll put some monies aside for us, for MEMA, but typically it goes towards those programs. And it could...like for instance, the Fire Department could be for hazard...I'm sorry, for HAZMAT. It could...for the law enforcement, it could be to...let's see, it could be for like intelligence for, you know, like improve their intelligence gathering. I know a large chunk of it has been to...towards cybersecurity, so that is one of the priorities that FEMA...or Homeland Security indicated that they wanted us to prioritize much of our money towards. And so almost half or over half of the funding that we get goes towards improving our cybersecurity network. And...and then also, other examples are to the Fire Department, their IMT and so training for their IMT. Another example is for the Fire Department, training for like rescue, rescue training. So that's...that's

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pretty much the different types of programs that these monies have been used for. And I can give you a list, Madam Chair, a more detailed list if you want of these various programs. Oh.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo.

MR. ANDAYA: And...

CHAIR RAWLINS-FERNANDEZ: Oh, go ahead, go ahead.

MR. ANDAYA: No, your...your last question's about the Citizen Corps Program. So we...we've not...we've not used or, you know, taken advantage of that yet. I know there's only one other or one county that used it, and it's the City and County of Honolulu. They...they are...they've gotten, I guess, some workers through the Citizen Corps Program. We haven't...we haven't taken advantage of that yet.

CHAIR RAWLINS-FERNANDEZ: Okay. Mahalo, Mr. Andaya. All right. And we'll go to the Members' questions. And before we go to the Members' questions, I was going to try to do this earlier and then I forgot, so this is going to be part of our process too. The...the...the recommendation is that you shouldn't be sitting for...every 20 minutes you should be standing up and like doing stretches, but that might be a little bit too much. But so maybe we can do it like once an hour, and we'll just...we'll...we'll stand up and we'll just like stretch up, stretch to the side, and then we'll sit back down, and then we can start doing our questions. Okay. Everybody will stand up. Stand up, stretch to the side, and then stretch up. Come on, everybody. We're going to model good...good...good behavior, good desk behavior, which is stretch...

COUNCILMEMBER LEE: Yeah, but can we have music? Can we have some music please?

CHAIR RAWLINS-FERNANDEZ: Absolutely. I'll take...I'll take recommendations or requests from the Members. Just do a little bit of...to the side like that.

COUNCILMEMBER LEE: Anything.

VICE-CHAIR PALTIN: I like some Staying Alive.

CHAIR RAWLINS-FERNANDEZ: Yeah. . . .(hums). . . Staying alive, staying alive. Staying alive. Okay. Okay. Here we go. We're going to go with questions now, Members. Thank you for that quick circulation, get the blood flowing. Okay. Here we go. And mahalo...

COUNCILMEMBER LEE: May I recommend that you...may I recommend that you keep your day job?

CHAIR RAWLINS-FERNANDEZ: Not sing anymore? Oh, oh, what's that? What was that, Chair Lee?

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COUNCILMEMBER LEE: May I recommend that you keep your day job?

CHAIR RAWLINS-FERNANDEZ: You didn't like my karaoke?

COUNCILMEMBER KAMA: It isn't Saturday night.

CHAIR RAWLINS-FERNANDEZ: And mahalo, Mr. Andaya and Ms. Yoshimura, for...for doing stretches with us. Modeling good desk behavior. Okay. All right. Yeah. Okay. We're going to put five minutes on the clock. And let's see, the subject matter Committee Chair would be...is...I don't know. Is it Member Molina or is it Member King? Yeah, it's Member King. Okay. So we'll go with Member King, and then we'll go to Committee Vice-Chair Paltin after, and then we'll go back to the other side with Pro Tem Kama. Member King, five minutes on the clock.

COUNCILMEMBER KING: Thanks...thanks, Chair. I...I was waiting to see if...if Mr. Molina was going to claim it because...oh, here, you have so much on you plate already, Member Molina. So I just have one question. Thank you for being here, Herman. Good to see you as always. On the Budget pages 132 and 133 and, you know, on...on 132 you've got two...under the continuation Budget changes, you've got two grants listed there under operations, and one of them appears to be zeroed out. Is...is one of them the Hāna emergency preparation one that's on page 133? It's...it's done, I guess, got zeroed out? It doesn't say a title, it just says a number, so number 912064B-6317, County Grant Subsidy. Was that...it's zeroed out on page 132, and then there's a \$50,000 grant zeroed out on page 133, is that the same item? Just say yes or no. I just wanted to clarify what we're...what we're looking at. And then...well, if...and then if I can go on to my second question. That's the same one?

MS. YOSHIMURA: On page 132, you're looking at the chart on the very bottom of the page?

COUNCILMEMBER KING: Yeah. It says County grant subsidy deletion is 50,000, and then on 133 it shows 50,000 deleted for the Hāna Emergency Preparedness Team.

MS. YOSHIMURA: Yeah, so the Hāna Preparedness Team \$50,000 was deleted for Fiscal Year '22, we had done that in '21.

COUNCILMEMBER KING: Okay. So that was a...a project...that's not an ongoing project?

MS. YOSHIMURA: Yeah, it was one time to fill the FEMA container.

COUNCILMEMBER KING: Okay. And then the...the...the grant that's listed above it, 912014B-6132, Professional Services, was that 50,000 for the Hazard Mitigation Plan?

MS. YOSHIMURA: ...*(inaudible)*...I believe the...for a plan, it wasn't a grant, it was consulting fees.

COUNCILMEMBER KING: Okay. Consulting fees. And then the same...the same number is used on 133. So I'm not sure why it zeroed out here, but then it's got another 250,000

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request on 133. So if that was the Hazard Mitigation Plan, then these other plans have yet to be done, and that's what the 250,000 will be used for? The shelter, pandemic, and debris management, those three plans?

MS. YOSHIMURA: Yes. So we're asking for \$250,000 to do those three plans for Fiscal Year '22.

COUNCILMEMBER KING: Okay. It was a little confusing because it has the same number, so when you're talking about continuation, if it's a continuation of the same number, I...I was looking for it in the same section. But just so I understand what you're trying to do with it. So those plans should be forthcoming in the next fiscal year then.

MS. YOSHIMURA: Yes. The...the numbers will stay the same because of the index codes.

COUNCILMEMBER KING: Okay.

MS. YOSHIMURA: They don't change...

COUNCILMEMBER KING: Oh, but it's...but it's considered a new item it looks like.

MS. YOSHIMURA: It's considered an expansion to Fiscal Year '22...

COUNCILMEMBER KING: Okay. Okay. I think that's the only question I had. And I guess you...it's...you're still, in this next fiscal year, not going to be moved into the Hawaiian Telcom Building, or were you?

MR. ANDAYA: No. My...my...my understanding is we...we probably will not be, but we're...we're hoping...I was told that perhaps before hurricane season next year or so, we'll be able to --

COUNCILMEMBER KING: Okay.

MR. ANDAYA: -- move in.

COUNCILMEMBER KING: So...so that is the next fiscal year then?

MR. ANDAYA: Yes, yes.

COUNCILMEMBER KING: Okay. We'll keep our fingers crossed. Let us know if you need to...us to help you move boxes.

MR. ANDAYA: Thank you very much.

COUNCILMEMBER KING: All right. Thank you, Chair. Thank you, Herman.

MR. ANDAYA: Thank you.



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CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Okay. Committee Vice-Chair Paltin, followed by Pro Tem Kama.

VICE-CHAIR PALTIN: Thank you, Chair. And just disclaimer, if I interrupt, I don't mean to be rude, but we only got five minutes. So if I feel like I got my answer, I'll interrupt you.

MR. ANDAYA: Yes, ma'am.

VICE-CHAIR PALTIN: Thank you.

CHAIR RAWLINS-FERNANDEZ: Timer starting.

VICE-CHAIR PALTIN: So my first question is, you know, when you said EM and CD is the same, we used to be Civil Defense and now it's Emergency Management. I just was wondering why all the positions still stay CD, and the change was from EM to CD, but CD is the old and Emergency Management is the new. I'm...I'm kind of confused.

MR. ANDAYA: Madam Chair? I...I...I believe we're still trying to change all these...you know, they...they should be EMs, but I think over the years they...they didn't change the...all the positions to...from Civil Defense to Emergency Management. But it's...it's semantics, Councilmember, they're...they're the same positions.

VICE-CHAIR PALTIN: Okay. Just letting you know you went backwards on position 31598 from EM to CD, so I don't know what's going on there. But the other question I had, and I don't mean any disrespect but, you know, on your social media presence and reactions to natural disaster situations, Maui County Emergency Management Agency is not the go-to source for me during an emergency. You know, I...I get far more information from other entities like Maui 24/7 or something else. Even the March 8th Kaupakalua Dam Reservoir information, you know, the timeline that we read in the news was that the dam officials alerted the State around 1:00, but then the message came out to the population around 4:00. And the message was horrible because everybody was all like where is the Kaupakalua Dam? Where do they want us to evacuate from? What are the parameters? And stuff like that. So I just was wondering, you know, it says percent of erroneous messaging 2 percent, page 130 of the Program Budget, would you consider that an erroneous messaging? Because I mean, it didn't have the information that people needed to know. And similarly, like the fire before that that cut off West Maui. You know, when we first heard about the fire, it was through Maui 24/7. I think by the time that Emergency Management put out a statement, the West Side had pretty much been cut out of service, you know, whether it be social media, electricity and like that. So we didn't get the information unless we got it early from Maui 24/7. And I'm wondering, do people need to like leave their house, get to the County Building before they post something? Or like, you know, social media should be like . . .*(snaps fingers multiple times)*. . . Not like four hours later or three hours later. Just...just wondering if you had any comment as to those things. Because you know like, I want to be proud of Emergency Management. I want to be like they're my go-to source to get information when things are going

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down, and right now I kind of feel like you should look into who's running Maui 24/7 and recruit them.

MR. ANDAYA: Yes. Madam Chair? I...I...I only chuckle, Councilmember, because you're...you're right. You know, I mean, it would be great if we could get someone like them onboard who can...you know, who can push out these type of...type of information on social media and whatnot. But our primary...what we've been focusing on, and our primary way of getting information out to the public is through Everbridge, through Maka'ala. And so getting...like people receiving text messaging and whatnot, that's our...that's our primary source. We are trying to use other sources of information...other ways of getting information out to the public as well, one of which is social media. But right now, our primary...what we want to focus on is our Everbridge, is our Maka'ala, and that's how we've been...been able to get information out to the public. And you know, a lot of it too, I mean frankly, information that we send out through like press releases or through Everbridge or through...you know, is...is what...oftentimes that's where Maui 24/7 get their information from, you know. And so it...it takes a whole community, Councilmember. You know, we...it cannot...we...we send out information to various news agencies, news sources, and then they in turn push that information out to the entire public. So you know, they're getting their information somewhere, and I think a lot of it may be from us.

VICE-CHAIR PALTIN: Okay. Mr. Andaya, but I personally am signed up for Maka'ala, and I'm...I feel like I'm...I'm not getting the information. You know, like by the time I get the information from Maka'ala, I've gotten it from few other sources already. And so I feel like there's a problem here. Like you know, like I've gotten...I've gotten a phone call in the middle of the night from Maka'ala about like a flash flood warning going on like three days after the initial flash flood of the Kaupakalua one, and it's like who's calling me at like 5:00 in the morning, and it's Maka'ala, but I never got a call from the Kaupakalua one. So I...I...I don't think it's working the way that it's supposed to be working.

CHAIR RAWLINS-FERNANDEZ: Member Paltin, the timer went off, so we can have a round two and then you can follow up on that. Okay. Pro Tem Kama, followed by Member Sugimura.

COUNCILMEMBER KAMA: Thank you, Chair. So Mr. Andaya, you know, when I was in school in my youth, the days of my youth, we used to have CD trainings at the school I was at. And they would take us on excursions to Diamond Head, and we'd walk through the Civil Defense, and they'd tell us and show us the stuff that they would go do and what it is they're doing. Then...then they would actually train, you know, our parents into, you know, what was expected of them if they became a volunteer with Civil Defense and, you know, stuff like that. Do we do that kind of stuff here on Maui? Do we actually train people, train families, train students, go to the schools and those kinds of things? Because as I'm looking on page 130, and it...and we're...and...and...and the goal and the activities is all about, you know, ensuring that our community is well informed about information as it comes and goes. And I was

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just looking at number two, where it says number of Maka'ala subscribers added to the database, 1,000. So we have 150,000 people on the Island of Maui. So how...how do we get to informing the majority of our people about what's going on in a timely fashion?

MR. ANDAYA: Madam Chair? So before the pandemic, we used to have school tours come in through our Civil Defense, our Emergency Management, the EOC, Emergency Operation Center. We've had school tours in there. We've also had the Boy Scouts, Girl Scouts. In fact, the Boy Scouts, we offered a emergency preparedness merit badge that's given to...and I...I was one of the instructors for that. And so those are the kinds of things that we've...we've been doing. We also have a booklet specifically for families that...it's like a coloring booklet, and they can...there's like things on emergency preparedness, how is it that you can prepare, making a kit, making a plan, things like that. We are looking at doing an update to that book, that coloring book, and hopefully, you know, get the kids engaged. Because our plan is, you know, if we get the kids engaged, the parents will get engaged, you know, as a result. So we are looking at that as well.

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

CHAIR RAWLINS-FERNANDEZ: Mahalo, Pro Tem Kama. Okay. Member Sugimura, followed by Member Johnson.

COUNCILMEMBER SUGIMURA: Thank you, Chair. Mr. Andaya, thank you very much. I know you've been working really hard all through this pandemic and hurricane season, and boy, did we have rain this year, very grateful considering we're drought conditions. But I...I also know that from previous meetings that you have a communication system set up, and that KPOA, if...if it's the still same, is your...is your radio announcer program that you send information through...to. But I wonder if you need to have a communication persons just like how the Mayor's Office has...I think it's...well, Brian Perry and Teri Gorman or he has like a Staff. So I wonder if you also need to have a communications staffer just because of the number of emergencies that you take care of.

MR. ANDAYA: Madam Chair? So in our...in our plans, the County PIO becomes the EOC PIO. But I...I know oftentimes he's...he's busy being the Mayor's PIO, the County's PIO. And...and so I know in...a few sessions ago...or I'm sorry, last year, the County Council approved a position that would be...that would be responsible for that, doing more public engagements and whatnot. And so we're in the process of looking for someone to fill that position.

COUNCILMEMBER SUGIMURA: So it would satisfy the questions that Ms. Paltin had?

MR. ANDAYA: Yes. Yeah.

COUNCILMEMBER SUGIMURA: Was that Jock Yamaguchi before?

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MR. ANDAYA: No. He was a 90-day hire at the time, so...but...and...and he was doing...he was doing a lot of that. We...we all have been trying to do more...more like social media and whatnot. In fact, you know, during Hurricane Douglas, if you recall, you can go...go back to Facebook, but we had people from the National Park Service who were assigned to our EOC and who assisted us with social media, and they...they posted a whole...I mean, a whole slew of information regarding Hurricane Douglas. And so our hope is to...to get people like that working for us and putting out, you know, social media. You know, there...there are...there are many, many avenues to getting the messages out to the public. You know, some people say it's radio, some people say it's TV, some people say it's all social media, some people say it's text messaging. So you know, we're...we're trying to cover every avenue, but you know, it's a challenge, it can be a challenge.

COUNCILMEMBER SUGIMURA: Thank you.

MR. ANDAYA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Member Johnson, followed by Chair Lee.

COUNCILMEMBER JOHNSON: Thank you, Chair. Good afternoon, Mister...Director Andaya. I just have a quick clarifying question for you. Correct me if I'm wrong on this statement, you're saying that over half of your Homeland Security funding and grants goes to cybersecurity?

MR. ANDAYA: Yeah that's...that's correct, Councilmember. So that is...that is...oh, I'm sorry, go ahead.

COUNCILMEMBER JOHNSON: And then is that contracted out, that...the other half of those funds, you contract that out, or you do you do it your...your...in your Department?

MR. ANDAYA: So the...the...I should clarify, however, that...so we...we get guidance from Homeland Security, they...they give us categories to which we can spend these monies on. And so lately it's been...they...they've wanted us to focus on cybersecurity. And so what happens is ITSD, our cybersecurity coordinator, then applies for, you know, for various...like for various projects that she has in mind. And then...and that's how we, you know, then we then push that up to our Hawai'i office, our State office, and then they determine which projects gets funded.

COUNCILMEMBER JOHNSON: Thank you, Director. Do you work with the MPD at all in...with cybersecurity?

MR. ANDAYA: I'm sorry, which organization is this?

COUNCILMEMBER JOHNSON: Maui Police Department.

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MR. ANDAYA: Oh, Maui Police Department. So our...we...we have...the County has a Cybersecurity Coordinator, and she works in ITSD, and so she has been the person that we've been...who's been primarily working on these like cybersecurity type of things. But if the...if the Maui Police Department has a project, a cybersecurity project then, you know, they...they...they can apply for a grant, a Homeland Security grant for them. So...and --

COUNCILMEMBER JOHNSON: And then they...

MR. ANDAYA: -- Maui Police Department has...

COUNCILMEMBER JOHNSON: Thank you, Director. Do they apply through you, or do they...I mean, you're getting half of the funds. Are they going through you to get it, or do they go to the Homeland Security themselves?

MR. ANDAYA: They...we...we...they apply through us.

COUNCILMEMBER JOHNSON: I see.

MR. ANDAYA: And then we will...we will send up our various projects through the State office.

COUNCILMEMBER JOHNSON: I see. Thank you, Director. You know, it's...it's timely this conversation about cybersecurity because we just...Chair Lee just had her phone or her cell...or her...she got hacked. So...and I just, you know, did a little bit of research on cybersecurity, so over a trillion dollars is stolen by...via cybersecurity. It seems more like a police or enforcement kind of thing, and it's interesting that you guys are getting the grants to dish out. Okay. Thank you, Chair. Thank you, Director. I have no further questions. Mahalo.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Johnson. Chair Lee --

COUNCILMEMBER LEE: Hi, Herman.

CHAIR RAWLINS-FERNANDEZ: -- followed by...sorry, followed by Member Molina. Okay.

COUNCILMEMBER LEE: Herman, I just want to let you know that our comments are meant to be constructive, although they kind of border on complaints. You know, it...it does appear that we could use a quicker reaction to...as far as getting the message to the public, we could use a quicker response to the public. And that's probably an area that you can look into in the future, trying to boost that up. Because I'll tell you, you have nothing to do with this part, but I was looking for information on COVID-19, and where the cases were and the breakdown of the cases, and I found the best...one of the best sources is *Maui Now*. So you know, sometimes the government just doesn't...doesn't respond quick enough, and...and so we have to take a look at those kinds of things. So my question to you is on professional services on your Program

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Budget, page 133, you have professional services of \$250,000. Is this like for one consultant or various consultants?

MR. ANDAYA: Madam Chair? This is for the various plans. And so to give you an idea, these...these plans can be very costly, especially, you know, depending on like what...what kind of work is involved with the plan. So to give you an example, the...the Hazard Mitigation Plan update, that cost well over \$100,000 to...to do. And so that's the reason why, you know, we have...we have tons of plans in our office, and again, it depends that...what kind of plan...what kind of plan.

COUNCILMEMBER LEE: Okay.

MR. ANDAYA: And...oh, I'm sorry, go ahead.

COUNCILMEMBER LEE: No, that answers my question. What were you going to add?

MR. ANDAYA: No, and...and just...just to add to your comment about the...and I...I agree, we want to get messaging out as quickly as possible and as much messaging as possible. And so I...I totally agree with you, I totally agree with Councilmember Paltin, and...and you know, that's something that we want to...we want to work towards. And I know this Council has been very supportive in the past. You increased my advertising budget. You know two years ago my advertising budget was \$2,000, that's all I had, and this Council gave me \$10,000, and we used that \$10,000 for advertising. And you know, we want to do the same thing with Maka'ala. We've...we've gotten some improvements with Maka'ala. And so...and I know that we want to focus on getting word out to visitors, that's another group that, you know, they make up a quarter of our population, and we want to make sure that we get information to them as well, timely information. And so I...I totally agree, and that's something that we...we want to work on and we...we...we will do a better job of getting that information out.

COUNCILMEMBER LEE: Thank you. It's...it's encouraging to hear that you're open to that. And I just want to say that I...we don't expect you to be doing it because in an emergency, you have to be working. You have to be organizing, facilitating, doing a lot of things, and you just don't have the time to be doing communications. So somebody though, somebody has to be doing it. Okay. Thank you very much. Appreciate it.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. Okay. I see that...Member Molina, followed by Member Sinenci.

COUNCILMEMBER MOLINA: Yeah, thank you, Madam Chair. Good afternoon, Mr. Andaya. And just dovetailing off Chair Lee's and Member Paltin's questions about, you know, the response time as it relates to disasters or emergencies. What is your measuring stick or guideline that you use? After each type of disaster, I presume you have a Staff meeting, and then you look at ways of where you can improve. What type of measurements do you use, or any measuring tool or so forth? How...how do you go about that, if I may ask?

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MR. ANDAYA: Madam Chair? So after an event...after every event or incident, we have...we create...we do what's called a hotwash, and so that's where we get comments from various other partners and...and people in the community. And then we create what's called an after-action report. And so...and, you know, we've...we've had some comments from the community about not receiving information on time, or just not receiving information at all, you know. And so it's...it's quite a challenge for us, Councilmember, because again, you know, it's like you could be reading the newspaper and say well, I didn't see it, you know? But maybe because there wasn't something in the newspaper or maybe the media just didn't...didn't push it or whatever the case may be, and so that's...that's been a challenge. So what we've done is kind of a shotgun approach and try to get it out to as many, you know, different venues as we can. Yeah. But I...I...I think we want to get to the point where, you know, we...we do not get, I guess, comments from the community about not knowing...not knowing that, you know, not...not knowing that there was something going on. You know, one more thing, and I should...I should say this. So many people think they signed up for Maka'ala, but actually they're not, you know, and this happens quite a bit. People say oh, I've signed up for Maka'ala, I didn't get any information, but when we look...we look it up on our database, they're not signed up, you know. So that's...that's...that's an issue that...that we're...we're...we're faced with, you know. But we continue to encourage the public to please sign up for Maka'ala. Sign up for MEMA alert.

COUNCILMEMBER MOLINA: Yeah, all right. I know, Mr. Andaya, I think looking at your...under...page 130 under your goals and measures, I know you placed an emphasis of the number of Maka'ala subscribers added to the database, and your goal was to add the same amount as the previous fiscal year. And...and also, looking at your objectives, on page 127, increasing the number of Staff or meetings, one on one with...with Staff, so I guess, you know, evaluate their performance and how everything ties into response time and how you can do better. So I know you certainly don't have an easy task, but at least I see you're...you're making effort to improve response times to disasters. So you know, we certainly wish you well, and just keep moving on in...in that...moving forward in that direction. And one last thing, I want to wish your wife well wishes on...I know her alma mater Gonzaga is playing today. I don't know the score at this time, but certainly wish her...her team well. Thank you, Mr. Andaya. And thank you, Madam Chair.

MR. ANDAYA: Thank you, Councilmember.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Molina. And now we have Member Sinenci.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, Mr. Andaya. So I too receive the Maui 24/7 updates, and when looking at their...their Instagram profile, they boast that they're the fastest ones to get the emergency news out there. I'm just looking at it right now. But I...and I know that our Maui Metropolitan Organization, they use some of these platforms like Instagram to try and get some of their information out. My question was, does...do visitors receive the Maka'ala warnings on their cell phones?

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MR. ANDAYA: So...Madam Chair? They...they will receive it if they sign up for Maka'ala.

COUNCILMEMBER SINENCI: Oh, they got to sign up first.

MR. ANDAYA: Yes, they have to sign up for it. But then what we did was we...we recently through an upgrade of our...the...the...the system is called Everbridge, and so we did an upgrade. And so now what we will be pushing out very soon is when...when visitors come in, they can simply type in...and it'll be a word, like for instance MEMA alert. They type in MEMA alert to a number, and they will be signed up for...to receive alerts. And then when they...when they leave the island, they just type...they just text in stop to a certain number, and then they would be taken off the...our database. So --

COUNCILMEMBER SINENCI: Oh, okay.

MR. ANDAYA: -- it will just make it more convenient for them to...to sign...make it more easier to sign...sign up for...for our alert system.

COUNCILMEMBER SINENCI: Okay. Thank you for that, Director. And then, you know, our community...as you know, two months ago I think we lost like three to four of our visitors within our...in our flooding...our stream flooding. And so we understand that the National Parks has the stream alert system that'll...that'll inform the people below that there's some flooding coming...happening up mauka, and to clear out the paths down below. Has...has the Department researched or heard of any types of stream alert systems, particularly for us in East Maui?

MR. ANDAYA: Madam Chair? We're looking into that. I know just last week we were in a meeting with the Hāna ready...Hana ready group, and they were talking about that, and so we're...we're looking into what that...that...that involves. But you know, we...we would again encourage the public to use...use Maka'ala, use that as a way to get alerts and whatnot. And then, you know, there were...there were flash flood warnings and flash flood watches. And...and there's days when, you know, unfortunately we lost those people. And so, you know, if you're going to hike in those areas...if it's during a flash flood warning, know...know what the weather conditions are going to be that day, and if there's a flash flood watch or warning, please don't...don't go out into...

COUNCILMEMBER SINENCI: Right. We did...we did get those warnings, Director. I guess for...for us in East Maui, it's one or two particular streams that attracts a high number of visitors, and just so happens it's those places where we lost those visitors. So thank you. Thank you, Chair, for the opportunity.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay. And then I just have a quick follow up. Oh, getting ready for the next stretch out, we're doing a playlist for everybody so that you don't have to hear me sing again. Okay. Okay. My turn, five minutes. I just have one quick question for Mr. Andaya. So perhaps, you know how



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we have the Safe Travels app or the AlohaSafe and...app for COVID, but you know, perhaps we can encourage like when people travel via air, so when they're in the airplane, they can sign up for the Maka'ala alerts and it could save their lives. So I don't know if you would be able to work with MVB, MVA, HTA, with the visitors associations to...to try to get...to encourage people...I don't think we can mandate it, I mean unless we can. Can we?

MR. ANDAYA: Madam Chair? Yeah, no, those are great ideas. We're...we're thinking about...you know, I...I know it's difficult to put in like rack cards in...in airplanes. We've...we've tried...we've talked about that, and I know that's...that's difficult. Maybe perhaps doing a video on...or we did ask the airport manager if we could put up a...a banner, and he...he said we would be able to. So as they're coming in, going on the escalator, they might be...they can see the banner and, you know, and they can sign up for Maka'ala at that point. The other thing too, another challenge we have is a lot of people don't know what Maka'ala means, and so even Native Hawaiians have...have told me that, you know, like maybe we should not use the word "maka'ala." So...so we're...we're toying with the idea of maybe calling it like MEMA alert or something else so that our visitors would know...they could...they could quickly...very quickly see that, you know, it's an alert, rather than trying to figure out what maka'ala stands for.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Andaya. And then perhaps, you know, when you get that new staffer on to help with communications, they can help with branding. You know because I...I agree, branding is very important, making sure that most people would be able to understand what the...the significance of it and it's not just, you know, like a coupon app or something, that it's...it's...you know, it can sometimes mean life or death. Because if some of the visitors, you know, have access to when it's going to be flooding, and if they're in the area then, you know, it can...it can save their lives. So perhaps maybe doing like a video or something that can be played, instead of just like a banner, but like a video that, you know, shows like tourists like falling off the cliff of stuff and getting washed down. Because it's serious, like people die, you know? Like...and...and, you know, and then like the helicopters and Coast Guard looking for people out because, you know, the conditions were rough and they decided to go kayaking, but they're not in good, you know, physical...you know, physical shape. And...and...and, you know, like it's not Disney Land. You know, Maui County, Hawai'i is not Disney Land, and when tourists come here, they think it is. They think this is Hawai'i Land for them and, you know, that it's controlled, and it's not, this is nature. And you know, we don't want to see people die. So perhaps, you know, like doing like a serious video and not just like, you know, like a promotional video. A serious one that you will die if this...you know, if you go where it's, you know, dangerous to go out. Anyway, just an idea.

COUNCILMEMBER KAMA: I like that idea.

MR. ANDAYA: That's a good suggestion.

CHAIR RAWLINS-FERNANDEZ: Thanks. Thanks, Member Kama.

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COUNCILMEMBER KAMA: Can have the words as the guy's falling off the cliff, maka'ala, pay attention.

CHAIR RAWLINS-FERNANDEZ: There...there you go, maybe you can contract Member Kama right there, branding. She has some great ideas. Okay. Shall we do a round two? I think Member Paltin wanted to follow up on hers, and then Member King. Okay. Member Paltin, I got two minutes on the clock for you.

VICE-CHAIR PALTIN: Thank you, Chair. So relevant the things you're saying. In my former job, you know, one minute is the difference between the life and death, 30 seconds. And I just was wondering, you know, if you have an automated system, and if you can run us through the process that occurs. Like you know, if MEMA Staff, it's a holiday or they're on-call or something, and they get the Emergency Management ops update, what is the process? Can they just push a button and push out the information, or do they have to like, you know, come into the office, sign into a computer, and...like what is the process there? And is there a way it can be automated if it's not currently automated?

MR. ANDAYA: Madam Chair? That's...that's a very good question. So in the past, it would require somebody pushing it out, the on-call person pushing out the message using Maka'ala. But I was concerned, I had the same concerns as you did...as you do, Councilmember Paltin, in that what if we're not able to send it out quickly enough, or what if we, you know, for whatever reason are unable to get to a computer to send it out quickly. And so we upgraded our system so it's automatic. So if there is a flash flood warning or watch or tsunami or, you know, that kind of...like that level of emergency, it automatically goes from the National Weather Service to Maka'ala. So there's no...we don't push any buttons or anything like that, it automatically goes right through it. So in fact, you heard my phone go off just now, so there was a...there was a high surf...high-surf advisory, and it just automatically...first I got the...the notice from National Weather Service, and then right after that I got a notice from Maka'ala. So it's instantaneous at this point.

VICE-CHAIR PALTIN: Is there a way to automate it from Maka'ala to social media, like Facebook or...or whatever? And then, you know, also compile the list of things like how Member Rawlins-Fernandez was saying, like definitely don't step to an edge that's wet, but you know, it doesn't have to be wet for you to be swept off. We had an incident one time where the...the cliff was dry, a man lied down for a picture from his family, and the wave just came up and grabbed him, never to be seen again. So I mean, like there's certain things that they can do and look out for to avoid, but I...I don't feel like that type of message is getting out from anyone, you know?

MR. ANDAYA: So we are . . .*(timer sounds)*. . . in the process, we're working through some technical...but we...we are in the process of making it so that it will go from Maka'ala to...also again automatically go from Maka'ala to...to other...Instagram or, you know, even Facebook. So we are...we are working on that right now. And that's due to the...due to the upgrades to Everbridge, so...and in terms of...in terms of like what kind of advice that we can give to people, I mean in our website, we do have like all

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kinds of different, I guess, guidance with respect to hiking and whatnot, but you know, I'm not sure how else to...to explain to people, you know, like what not to do, or what kind of...what kind of activities could be considered hazardous activities, so...but you know, we can at very least tell them if there is like hazardous weather conditions out there.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Paltin. Okay. Member King?

COUNCILMEMBER KING: Thank you, Chair. Yeah, and I just wanted to follow up with you on this, Director, because I...I tried to, you know, Google Maka'ala and the first two things that come up are one, is a lesson on the Hawaiian meaning, the second one is a public school program, so it's not that easy to find online if you're trying to sign up. And then when I...when I finally put in Maka'ala Maui, it went to this Everbridge program. I just heard you use that word "Everbridge," but I would have not have known that Everbridge is the Maka'ala program...is the app for Maka'ala. So tying those two things together I think is really important if you want people to be able to find it. And maybe you could call it Maka'ala Maui, and if they put those two words in it's going to go directly to your site. But just the easiest you can get to because people don't have a lot of patience, especially when they're on vacation trying to search things, and they'll just give up. And if they see a word like "Everbridge" that they never heard before attached to it, they probably won't sign up. So I think that's going to be really important. And the other thing I wanted to say about...I think...I think this is a great idea of getting a message on the plane, a little like one...two-minute video that they could put on the plane as a PSA. And I think if you find a local celebrity to attach to it, it's easier to get it on the plane. I mean, back when we had Aloha Airlines, I remember being on a flight to the mainland and waking up...on the return flight, I woke up just in time, I was on the video, and it was a video on sustainability that Jack Johnson had made, and they played it. And you know, there was like a 30 or 40-second thing with my husband and I and our company. But I'm sure that...and that was done...that was put on there for free, they didn't charge us anything. But I'm sure that happened because of his profile. And so if we could find someone like that to do the messaging, I think you might have a chance of getting it on the planes. But it's very effective to have that show as you're starting to land with all the other information about Hawai'i. And I'd be happy to help you with that, make a connection like that if you want with possibly someone on Maui. . . .(timer sounds). . .

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. Okay. Any other questions, Members? Member Sugimura. You've got two minutes.

COUNCILMEMBER SUGIMURA: One last...one last question to tie this all together. So I'm just wondering if besides having a Staff person there, did you need more advertising funding to help you move through this...it's really not advertising, but it...it is your emergency message and putting like a whole campaign together sounds like you need to do.

MR. ANDAYA: Yeah, no, we...I know we have in our budget \$10,000 right now, and so...and we've gone through about half of it already. And right now we're...we're getting

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towards hurricane season, and so this is when we start doing, I guess, like a media blitz, I guess you could call it. And so right now, we're...we're really trying to ramp up our...our public messaging, you know. And so yeah, we're...we're...we're using whatever...whatever resources we can. Unfortunately I can't use any grant monies, I discovered, to push out messaging, so it would have to be from our operational monies.

COUNCILMEMBER SUGIMURA: Thank you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sugimura. Okay. It looks like we don't have any further questions. Let's see, we'll go to the next part. In our process there's no CIPs or rates or fees. We have one alternate proposal from Member Sinenci. Member Sinenci, I'll put five minutes on the clock for your alternate proposal. And it's the stream alert system for Waioka Stream. Okay.

COUNCILMEMBER SINENCI: Mahalo, Chair. I probably won't need five minutes. But I just wanted to...it was something that I had spoken to earlier about, and this was an alternative for us, a stream monitoring system like the ones that Oheo Gulch, National Park has in Kipahulu. And so Waioka was one of the areas that we were...that attracts a lot of the visitors and we...we wanted to consider, at least on this stream, to start with the first stream that some kind of an alert system that happens upstream, and then it informs you somehow of the patrons down below. So again, this was...and...and the reasoning is because, you know...you know, my community had some very negative publicity because of these accidents that happened in our streams, and it kind of negatively affected them. A lot of the residents were there warning visitors to...not to go because the streams were elevated, and...and some people still kind of took it in stride, oh, yeah, we know, and...and kind of just went on their know. And you know, including one of our teenagers that actually discovered one of the...the victims. So again, this was just something that my...my community was concerned about, and...and it affects us negatively, and we just wanted to make sure that, you know, there is...none of this happens. Particularly during this season, yeah, during the Lono season where we have lots of rain, lots of...so when we talk about messaging, you know, maybe just kind of letting our visitors know that this the rainy season, this is when we get tons of rain, this is when we get all the flooding. And...and so those are just some of the additional precautions and warnings that we wanted to give our visitors, so...so they do get to, you know, go home safely after their vacation. Thank you, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. And so the proposal is for \$250,000, and I will ask for Mr. Andaya's feedback on this proposal. It's an alternate proposal. Mr. Andaya?

MR. ANDAYA: Well, we would support anything that would provide alert or warnings, notifications to the public. And so in this situation, yeah, we...we would support something like this.

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CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Andaya. Okay. Members, questions for Member Sinenci or Mr. Andaya based on the proposal. Okay. It looks like no one has any questions. I think Member King may got...may have gotten dropped again. She's been having issues with her connection. Member Sinenci, do you have a question for yourself? Just kidding.

COUNCILMEMBER SINENCI: For us in East Maui, we're particular...particularly, you know, because of our...the length of our whole coastline and...and the areas for our emergency personnel to traverse. So it's...it's kind of a particular for...for East Maui; however, you know, just like the Maui 24/7, it looks like they post a lot of the...whether it be ambulance, EMT, or fire, those types of things. I don't know if they're getting from the Fire Department, the Police Department, these are some of the things that they're posting really quickly. So I don't know if the system could alert any of our emergency personnel with this equipment.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay. And then Member King's Staff confirmed that she is having connection issues again. Okay. So if there are no questions for Member Sinenci regarding his proposal...it's an alternate, so I'm not going to ask for consensus. We'll see if it makes it into his final ten proposals. Okay.

COUNCILMEMBER SINENCI: Mahalo, Chair.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member Sinenci. Okay. Grant revenue, Emergency Management performance grant, which we talked about, and State Homeland Security Grant Program. Those are the two grants that MEMA receives. And there are no special purpose revenue funds under MEMA. And that is everything. Bravo, bravo, Members. Okay. So I'll ask Mr. Andaya for any final thoughts or closing comments you would like to provide before we thank you for coming.

MR. ANDAYA: So Madam Chair, just wanted to thank the Council for their support, their continued support, especially with the EOC, the creation of a new Emergency Operation Center. That is...that will help us a lot with respect to collaborating with our partners. And so thank you very much for that, and for your past support of our agency.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Mr. Andaya. Thank you again for responding to our questions. And I think there were a couple questions you were going to respond to, and then...that were asked on the floor. So if you could add those questions to the questions that were transmitted on April 1st, that would be very much appreciated. Thank you. Okay. Okay. Members, look at that, well before 5:00, it's even before 4:30. Oh, Member King's back. Okay.

COUNCILMEMBER KING: Sorry, I'll catch up with Shane later and get a recap of it. I don't want to put you guys through all that again, but I...this is the third or fourth time this has happened to me today, and I don't know what it is, but I apologize for...it's very windy out there, that's all I can think of is the reason.

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CHAIR RAWLINS-FERNANDEZ: We've all been there and experienced that, especially at the worst times, so we understand, no worries. But we finished, so we're pau. So that was the warmup, today was the warmup day for everyone, first day of budget. I think we got it down, the process went real smoothly. Any questions on the process, or on the playlist that we're making for our workouts? Chair Lee, you have questions for the playlist? You have requests?

COUNCILMEMBER LEE: For the playlist, tomorrow's Council, be ready to do backflips.

CHAIR RAWLINS-FERNANDEZ: Double (*audio interference*)

COUNCILMEMBER KING: We'll follow you. We'll follow you.

CHAIR RAWLINS-FERNANDEZ: Mahalo, Chair Lee. Member Paltin?

VICE-CHAIR PALTIN: I'd like to request Another One Bites the Dust.

CHAIR RAWLINS-FERNANDEZ: It's already on there. Okay. Any other requests, please let me know. We got some disco on there too, so get your disco shoes. All right. So as Chair Lee stated, tomorrow we're going to...for Council meeting, Budget Session on Wednesday, and we will be taking up Department of Environmental Management, which includes EP&S and Department of (*audio interference*). Okay. Any last questions? Member Paltin, you got another request?

VICE-CHAIR PALTIN: No, this one is just a question about the calendar. I was wondering, maybe if you can send us the most updated accurate calendar. I'm...I got like three calendars, and I'm not sure which is the correct one. But like one of them says that we don't finish like Department of Water Supply until the 23rd, but then a different calendar says like that week is decisions week. So I'm...I'm just kind of confused and wondering if the Staff can send out the calendar --

CHAIR RAWLINS-FERNANDEZ: Okay.

VICE-CHAIR PALTIN: -- that we're working --

CHAIR RAWLINS-FERNANDEZ: No problem.

VICE-CHAIR PALTIN: -- on.

CHAIR RAWLINS-FERNANDEZ: Yeah. And then...and then we can have it scheduled as of April 5th, and then that way you know for sure that that is the most updated one. But again --

VICE-CHAIR PALTIN: Yeah, I like that.

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CHAIR RAWLINS-FERNANDEZ: -- you know, it's...it...there is a disclaimer, subject to change without notice, you know, because we're doing our best to estimate, you know, when we'll be able to take up each of the departments. Okay. Member King?

COUNCILMEMBER KING: Thanks...thanks for that. That was...that will really be helpful, Chair. I was just wondering about the testifiers, are...is it...are they...if we're adjourning every day and we're taking testimony in the beginning, is it the intent that the testifier should only testify on those items...those department items that we're going to be hearing, or is every day's testimony going to be open to all budget items?

CHAIR RAWLINS-FERNANDEZ: Mahalo, Member King. So like the West Maui Community Plan, it's one big item, and it's open to anything to testify on. So generally the...you know, grant days, so OED and DHHC is when we receive most of the testimony regarding grants, but it...it...it would be nice, you know, if we get testimony for the departments we're reviewing. But I...we cannot legally, you know, stop anyone from testifying on any part of the budget, so...

COUNCILMEMBER KING: Okay. Okay. And then the...but the public hearing...the...the Council meeting is...is...is noticed as a public meeting on the 16th as well, a public hearing for the Budget. Is that for the entire Budget? Because I...I had somebody that had emailed me, and I told her that's when I thought she should come out and testify. It was an item in the Mayor's Budget. And I said we...I said the same thing, we can't guarantee when we'll be talking about it on the...in the BFED Committee because, you know, things change. But she was told by the Mayor's Office to come out this Friday. And so I...so anyway, I don't know why there's...why they're picking days to tell people about individual items to testify on, but as a catchall I think we can...we can let folks know that April 16th is also the public hearing for...

CHAIR RAWLINS-FERNANDEZ: April 16th is in the evening, yeah? Yeah. So April 9th is the Office of the Mayor, and so if we're trying to encourage people to testify on the day we have the Department scheduled, then that would be accurate, this Friday, April 9th --

COUNCILMEMBER KING: Okay.

CHAIR RAWLINS-FERNANDEZ: -- Office of the Mayor.

COUNCILMEMBER KING: That's what I figured. But I also told her, you know, if...if it takes longer the day before, that could be pushed out into the next week, so we can't guarantee that we're going to be talking about the Office of the Mayor at this point. So I just suggested she come to the public hearing.

CHAIR RAWLINS-FERNANDEZ: Yeah. At any time, if they want to testify on the Office of the Mayor's budget, any day is a good day. They're welcome to testify.

COUNCILMEMBER KING: Okay. But is that one meeting? Is that the...the Council meeting and the public hearing, is it going to be concurrent?

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CHAIR RAWLINS-FERNANDEZ: No. So on April 16th the public hearing is in the evening. So that's why we have it in the evening because all the rest of the meetings are at 9:00 in the morning and some people work. And so on the 16th, it's in the evening at 6:00 p.m. so it's, you know, more convenient for those that cannot make it at 9:00 to testify.

COUNCILMEMBER KING: Okay. Great. I'll correct myself on that one. Thank you.

CHAIR RAWLINS-FERNANDEZ: Any other questions, Members? Okay. All right. Very good. Seeing no other questions. It's 4:35, and I'll see you...we'll see each other tomorrow at 9:00 for the Council meeting. And then we'll resume Budget Session on Wednesday at 9:00 a.m. with testimony and the departments Environmental Management and Finance. All right. Everyone have a restful evening, and I'll see you bright eyed and bushy tailed tomorrow morning. It's 4:35 on April 5th and the Budget, Finance, and Economic Development Committee is now adjourned. . . .*(gavel)*. . .

**ACTION:     DEFER pending further discussion.**

ADJOURN:   4:35 p.m.

APPROVED:



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

bfed:min:210405

Transcribed by: Crystal Sakai &  
Daniel Schoenbeck



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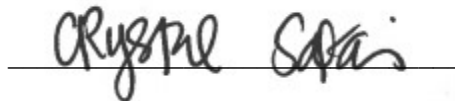
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CERTIFICATIONS

I, Crystal Sakai, hereby certify that pages 1 through 29 of 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.

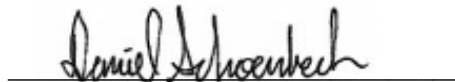
DATED the 12th day of May 2021, in Wailuku, Hawai`i

A handwritten signature in black ink, appearing to read "Crystal Sakai", is written over a horizontal line.

Crystal Sakai

I, Daniel Schoenbeck, hereby certify that pages 29 through 96 of 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 12th day of May 2021, in Kula, Hawai`i

A handwritten signature in black ink, appearing to read "Daniel Schoenbeck", is written over a horizontal line.

Daniel Schoenbeck