

MINUTES

ENERGY/PUBLIC SAFETY COMMITTEE October 1, 2008

A meeting of the Energy/Public Safety Committee of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Council Chair Jay Furfaro, Chair, at the Historic County Building, Room 201, Lihu'e, Kaua'i, on Wednesday, October 1, 2008, at 1:53 p.m., after which the following members answered the call of the roll:

Honorable Jay Furfaro
Honorable Shaylene Iseri-Carvalho
Honorable Daryl W. Kaneshiro
Honorable JoAnn A. Yukimura
Honorable Tim Bynum, Ex-Officio Member
Honorable Ronald Kouchi, Ex-Officio Member

EXCUSED: Honorable Mel Rapozo

There being no objections, the meeting was recessed at 1:54 p.m. The meeting was reconvened at 4:34 p.m., and the Committee proceeded on its agenda items as follows and as shown in the following Committee report which is incorporated herein by reference:

Minutes of the September 3, 2008 Energy/Public Safety Committee Meeting

Upon motion duly made by Councilmember Yukimura, seconded by Councilmember Iseri-Carvalho, and unanimously carried, the Minutes of the September 3, 2008 Energy/Public Safety Committee Meeting was approved.

EPS 2008-1 Communication (8/28/2008) from Councilmember Shaylene Iseri-Carvalho, requesting that the County Engineer provide an update on the condition of and the status of the repair and maintenance of the Ka Hale Māka'i O Kaua'i complex.
[This item was deferred.]

JAY FURFARO, ENERGY/PUBLIC SAFETY COMMITTEE CHAIR: Thank you very much. I am going to suspend the rules. I'm going to ask Ed Renaud to come up and I'm very sorry we're not more timely because I understand you had a project engineer to...a project manager to introduce us to.

There being no objections, the rules were suspended.

ED RENAUD, Deputy Director of Public Works: I guess it's good afternoon to Council Chair and Councilmembers. Ed Renaud, Deputy Director of Public Works.

Mr. Furfaro: Good evening, Ed, and Ed, do all members have a copy of your report?

Ms. Iseri-Carvalho: I do.

Mr. Renaud: I hope so.

Mr. Furfaro: Okay, thank you and there's a timeline guide letter included which shows the critical path, but I'm going to let you have the floor. Go right ahead. First, can you acknowledge that I'm correct in my assumption you do have a project manager assigned to this.

Mr. Renaud: Yes, we do. You are correct.

Mr. Furfaro: Who might that be?

Mr. Renaud: Joe Blevins. I apologize, he had to leave because of time, but...

Mr. Furfaro: We understand.

Mr. Renaud: ...we'll get him the next time whenever that is.

Ms. Yukimura: What was his name? Joe...

Mr. Renaud: Joe Blevins.

Ms. Yukimura: Blevins? Okay, thank you.

Mr. Renaud: Okay, this is the first report that came out and it took some time. Just to go back a little, we walked the building with PD and we identified different, how should I say, discrepancies on that so-called big project. And the first one that we wanted to look at was to get the Evidence Room and the Crime Lab so-called mediated. And to do that, we had to do some modification for the interim period. And the schedule you have there is just for the interim but very shortly because...I'm side-tracking right now. Because we have received our consultant's so-called solutions and also the overall consultant, the mechanical designer, we've been trying to put that together today. And because that all came in, we are going to go a more aggressive move on the whole project and then that's where we're at. But first of all, with this first report, we identified the biggest thing there in the Evidence Room was the mold. And working with three different consultants at different times, it was very interesting and with our team and with police present with their representatives, I think the bottom line was we came up with two different things. One was, do we go the biological or do we go the mechanical. Now, in the Evidence Room, we tried everything in-house and we are still working on it, to do whatever we can in-house because of cost and of that nature. We decided that the biological remedy is the remedy right now because if we would have gone the whole mechanical, that would be big dollars and I didn't want to go that route after discussing with the different consultants walking through, and I believe we don't have to go that route in that one room.

Ms. Iseri-Carvalho: I'm sorry, could you repeat that? Which route was too expensive?

Mr. Renaud: No, I said looking at the whole thing and with what the mechanical designer's findings were and with our people on-board and I'm saying the team, and we have our own so-called mechanical engineer and we sit down, we talk all of us, we believe that the biological, in the Evidence Room, is the way to go and what that is, is the mold environment. How do we so-call get rid of it? It wasn't really a design matter where...design meaning working on the AC system. We believe what we have there, we could terminate different areas so that we could address the problem of the mold, okay. So that's where we're at there and

we have a timeline. The crews are as we speak earlier...I didn't speak, but I mean earlier before I came up here, everything was in motion and they're working on it. We try to go there daily to check the project out and see how's everything moving along. And if we're not there, Captain Yagihara is always called on because he's usually with them...with that project. In the Crime Lab now, that we have a problem and that problem...there is some mold in there, but the thing is we have to do a mechanical system. So, the next report coming out is going to ID all the consultants and where we're at and what the solutions or what their comments came in first and then what our solutions and our determination is going to be. So, we should get that earlier to you. So that's where we're at. I'm open for any questions.

Mr. Furfaro: We have people on our staff that are proficient with working with sheet metal and...

Mr. Renaud: No, no, no. The people we have on our staff is just the maintenance side, so-called carpenter and whatnot. Okay, thank you very much. I know where you're going. The thing is we had areas in there, when we did do the inspection...it took us so many days and that's what took us so long because we tried to eliminate one source and then we went back the next time, we check our temperature, it did go down some, then we went up higher in the ceilings and we found out that the ceilings, the voided areas weren't blocked off, I guess is the term.

Mr. Furfaro: Okay, so it was drawing on warm...

Mr. Renaud: So now we're working on all that up there to seal all of those areas and its so-called coming down and...a lot of this is the suggestions of some of the consultants...the three consultants that came by and their input and it was free input and something that we kind of talked it over, but the thing is with them there being the professionals, we believe our theories were correct. So, that's the elimination process we're doing.

Mr. Furfaro: I do want to make note that if we get to the point, through the process of elimination...

Mr. Renaud: Correct.

Mr. Furfaro: ...finding warm air leaking in here and so forth, that we will look outside for sheet metal work to correct any of the ducts or...

Mr. Renaud: When we get to that portion...Well, in that area there is no sheet metal work in the Evidence Room. Okay? But when we go to the Crime Lab, that's where we're going to have to get a design. We have a design, but it's just a matter of talking to our design consultant, how do we break away from...he has both of them together, the Evidence Room and the Crime Lab, and we just want to do the Crime Lab. But we're trying to work out other things too. I'm not sure yet if we're going to go that route because of our so-called in-house expertise and I just want to go there first. But first we have to, you know, talk it over with our team members and see which route we want to go. And my bottom line is, how do we keep the cost down.

Mr. Furfaro: Well, I want to say to you I don't think this Council has ever expressed our concerns with cost at this point.

Mr. Renaud: I understand.

Mr. Furfaro: We have really wanted to make sure that, you know, we're doing it right, that the professional handling of evidence and all of the parts associated with the processing, the judicial processing is not contaminated and at the same time, I just want to be reassured, and I see Captain Yagihara here, you've been working very closely with the Police Department on this project.

Mr. Renaud: Yes. Now handling of the evidence and all that, we have a consultant. We have to finalize that detail and we will be doing it in a few days. And then this is where we go and get a contract going. But a professional will be doing that.

Mr. Furfaro: I really appreciate your diligence, but I want to make myself clear again. We want to do this right and, you know, we're not saying that the cost factor is what should drive us. I appreciate your process of elimination on finding out where the problems are, you know, where we have condensation, where we have warm air in there and so forth, but I just wanted to reiterate that and on that note, let me ask other councilmembers if they have questions on this...on this update. Councilwoman Iseri?

Ms. Iseri-Carvalho: Yes. Ed, who is Dennis Suzuki? I mean what does he represent as far as Suzuki Industries?

Mr. Renaud: Dennis, he is really an equipment supplier and he...I guess he is the representative in Hawai'i.

Ms. Iseri-Carvalho: I'm sorry, the equipment supplier?

Mr. Renaud: Correct, equipment supplier. What he does is the humidifiers and that's what he works with.

Ms. Iseri-Carvalho: So, was he the guy who provided us humidifiers?

Mr. Renaud: No, he gave us his comments and solution and it's up to us, do we go that route and whatnot. So what's going to happen there in his case, we are going to recommend him to the mechanical designer and let's see, because he has some other equipment suppliers also and we want to see if his product is compatible also to the design. But the thing is this is another stage that we have to look into yet.

Ms. Iseri-Carvalho: Okay, well, I just want to find out what the area of expertise is...when you say equipment, I mean...I guess, what is his significance in this whole thing as an equipment supplier?

Mr. Furfaro: You said dehumidifiers.

Mr. Renaud: Yes, yes, correct.

Ms. Iseri-Carvalho: I know and what relevance does that have?

Mr. Renaud: Well, the thing is...

Ms. Iseri-Carvalho: At this point?

Mr. Renaud: Yeah, yeah. He was recommended with some expertise and whatnot. So the thing is when somebody recommends a person or a company like that, I want to hear them out. So, we did bring him on-island.

Ms. Iseri-Carvalho: I guess, recommend for what, though?

Mr. Renaud: Well, the thing is...

Ms. Iseri-Carvalho: I mean, what is his area of expertise?

Mr. Renaud: Okay, I was informed that his area of expertise was he did work with molds and all that stuff, okay.

Ms. Iseri-Carvalho: So...

Mr. Renaud: And then when we did bring him on and we did research him out and he didn't give us everything that we needed for our specifications, the bottom line was he was a representative for a supplier of those type of equipment. But the thing is I had to bring him in because he was recommended.

Ms. Iseri-Carvalho: I know. Recommended by who? I mean...I guess I'm confused.

Mr. Furfaro: So he's a salesman?

Mr. Renaud: I believe he is a salesman, yeah.

Mr. Furfaro: Okay, so he's not an expert in...

Mr. Renaud: No.

Mr. Furfaro: ...dehumidifying an area or anything like that.

Mr. Renaud: Well, the thing is...

Mr. Furfaro: He sells products that addresses that problem.

Mr. Renaud: Correct.

Mr. Furfaro: But the person that is able to weigh out the amount of moisture in the air, the specific area, the temperatures and so forth, he's not that guy.

Mr. Renaud: No, he's not.

Mr. Furfaro: Okay, where is that person that's evaluating?

Mr. Renaud: Where is...

Mr. Furfaro: Yeah, where is...

Mr. Renaud: Where do we put Suzuki?

Mr. Furfaro: ...such a person that...where is...where is...in Honolulu...

Mr. Renaud: Oh, okay, the expert so-called.

Mr. Furfaro: Yeah, the expert.

Ms. Iseri-Carvalho: Well, okay, I'm just going...If I could continue my question.

Mr. Renaud: Sure.

Ms. Iseri-Carvalho: The report starts off, in order to effectively address the mold problem, a site visit was conducted by staff and three consultants. So, one of the consultants was Dennis Suzuki and I'm trying to find out his area of expertise. It appears that basically he is a person that sells dehumidifiers.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: That's his area of expertise.

Mr. Renaud: Yeah, see, when he was recommended...

Ms. Iseri-Carvalho: And who was he recommended by?

Mr. Renaud: The PD.

Ms. Iseri-Carvalho: The, I'm sorry?

Mr. Renaud: KPD.

Ms. Iseri-Carvalho: KPD?

Mr. Renaud: Yes. Okay, and when he was recommended, he had so-called expertise on this, you know, about molds and all that. So the thing is, and me...with me, I want to hear him out because if PD that's recommending, I want to see what it is. So, when we did bring him in, the bottom line was he's a salesman, okay, and he did not give us anything that could really assist us.

Ms. Iseri-Carvalho: Did we pay him? I mean, I don't know how...are these guys getting paid? By the hour?

Mr. Renaud: Well, he did not get paid. He did not get paid.

Ms. Iseri-Carvalho: Okay. So, we're not hiring him, we're just...

Mr. Renaud: No, we're not hiring him. We're bringing in, you know, so called...if someone tells me, well, in this case it was recommended that he is a so-called, he bid on a lot of projects or something of that nature that worked with mold. So the thing is, I will hear them out and that's what I did. He came on-island, boom, he came back, now we just received his written what-you-call comments and if anything...

Ms. Iseri-Carvalho: He's from O'ahu?

Mr. Renaud: Yes, he's from O'ahu. Correct.

Ms. Iseri-Carvalho: Okay, so then the next expert you list is Shane Pleasant of CIE, AirCare and what is that?

Mr. Renaud: He is a biologist.

Ms. Iseri-Carvalho: Okay. I mean, what is CIE?

Mr. Renaud: I don't know what is CIE. It's something in the biological field, you know. But the thing is what they do is they do...they work strictly with mold. He also makes specifications for mechanical engineering firms. So, his background, his discussions, the walk through and everything, I would say was outstanding.

Ms. Iseri-Carvalho: Okay, and don't get me wrong here, Ed, but for me, again like the Council Chair, it's not about money. I mean we're dealing with a serious health, safety and welfare issue for not only KPD officers and employees, but the community as well who submits evidence for prosecution or cases. So, I mean, when we provide...when you provide us a report and it says this is an expert Shane Pleasant - CIE - AirCare, CIE, I mean...you would have to know what CIE is in order to determine what kind of area of expertise he is from. What is AirCare?

Mr. Renaud: AirCare...okay. How should I break...

Ms. Iseri-Carvalho: This is your report, right?

Mr. Renaud: Yes, yes, yes, let me break it down this way. In my next report, it's going to explain everything that you're asking me right now, okay. When we brought them on, it was one thing: to get to know them, see what their expertise are, how can they so-call remedize (sic) the problems.

Ms. Iseri-Carvalho: Because this is an emergency project, we're not going through the normal, you know, the normal procurement process to put out the scope of work and have people bid on the project and...yeah, we're bypassing all of that.

Mr. Renaud: I'm not really doing that. The thing is I'm still going for three individuals. Yeah, in this case a consultant for the mold and the thing is, it is an emergency, but I have not went there yet to what-you-call, who I'm going to bring on board. I know with the emergency I can just, you know, after looking at everything we can go that one route. But the thing is I still want to work with three individuals and then once our team decides that this is the individual, then we'll go the emergency, whatever route. But we're trying to do everything within procurement.

Ms. Iseri-Carvalho: So, we haven't paid any of these guys.

Mr. Renaud: No, no.

Ms. Iseri-Carvalho: Okay, so, we get a referral...okay, so who referred Shane Pleasant?

Mr. Renaud: He was recommended because of his background in working in hospitals and that was by my mechanical engineer, Ken Teshima.

Ms. Iseri-Carvalho: I'm sorry, by your mechanical engineer.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: And who is that?

Mr. Renaud: Ken Teshima.

Ms. Iseri-Carvalho: I'm sorry, Ken...

Mr. Renaud: Ken Teshima.

Ms. Iseri-Carvalho: Teshima?

Mr. Renaud: Yeah.

Ms. Iseri-Carvalho: And he works at the hospital.

Mr. Renaud: Yeah. And the thing is, Shaylene, he has gave us his background, I mean everything, everything that we requested and what we requested of all of them was how long your company been in business, what is your areas of experience in Hawai'i, and your represented or professional qualifications, all three of them.

Ms. Iseri-Carvalho: Okay.

Mr. Renaud: Yeah, that's what we just got back. So, you know, when we did the walk, they talked about this and they talked that and, you know, many other different things.

Ms. Iseri-Carvalho: Okay, so he's a mold expert and I guess when we're talking about mold expert, he's got...

Mr. Renaud: Credentials.

Ms. Iseri-Carvalho: Credentials...

Mr. Renaud: Yeah.

Ms. Iseri-Carvalho: ...to support that.

Mr. Renaud: Yes.

Ms. Iseri-Carvalho: Okay, and so I guess I'll ask for each of the CVs of all of these experts.

Mr. Renaud: Yes.

Ms. Iseri-Carvalho: So...but you don't have...Dave Grow, okay, who is that?

Mr. Renaud: He is a company on Kaua'i that does similar work.

Ms. Iseri-Carvalho: Similar like the AirCare person?

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: And he belongs to a private company? You have here Kaua'i Environmental.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: And you're saying similar, he's a mold expert? I mean is there a degree for mold expert or is it...I don't know...Is there a field, a biology field...

Mr. Renaud: When I...

Ms. Iseri-Carvalho: ...when you say expert?

Mr. Renaud: How should I explain that? The thing is that became a field, okay? And with one of the consultants we have because of the different mold problems we have in Hawai'i and the hospitals been having a lot of them, they have so-called, I guess, created a field of mold experts, you know. We're calling them mold experts, but that's their expertise (inaudible).

Ms. Iseri-Carvalho: And that's so for Dave Grow. He works at the hospital too?

Mr. Renaud: I didn't really look at his resume, you know, but he came in and the thing is we just...I just need to ID his resume. We have it, but I did not get there yet.

Ms. Iseri-Carvalho: Okay and I guess when we break this down, I'd like to see what expertise we're relying in in drawing these conclusions...you know. So the mechanical engineering consultant is who?

Mr. Renaud: The mechanical engineering consultant is...

Ms. Iseri-Carvalho: That's the person that we employed.

Mr. Renaud: We did not employ anyone yet. It's still in the same process where he was working on...okay.

Ms. Iseri-Carvalho: No, I...

Mr. Renaud: Yeah.

Ms. Iseri-Carvalho: Okay, just reading your report it says, earlier DPW Building Division employed a mechanical engineering consultant to analyze the mold problem and design of the existing AC system.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: Okay, so who is that mechanical engineering consultant that we hired to analyze the mold problem and design of the existing AC system.

Mr. Renaud: Okay, let's get one thing first. We did not hire him. We...he was so-called rec...when I checked, I wasn't involved in this, but the thing is I checked into that consultant. He was selected, they went through the whole route and he came out on the top and the thing is he did his inspection and he is Lange and Motonaga. Okay, he's a Honolulu firm that does mechanical designs of AC systems and I believe has worked on molding. I have not really looked at his whole reference that came in. He's not hired yet.

Ms. Iseri-Carvalho: Okay, so this has to be changed. I mean I only getting this information from your reports. I'm reading verbatim from your report.

Mr. Renaud: No, no, no, I'm okay. That's not going to be changed because the thing is that's what was told to me by Public Works people, that this individual is da-ra, da-ra, da-ra, I mean not...I'm talking about the mechanical engineer designer.

Ms. Iseri-Carvalho: Right.

Mr. Renaud: Okay, but he's not on the payroll yet.

Ms. Iseri-Carvalho: Okay, so and that's what I'm saying. So, he's not...but the word is employed, employed means that you're hired.

Mr. Renaud: That's what I was informed. Until after this report came in, I just got his...his paperwork came in or his report.

Ms. Iseri-Carvalho: Okay, so this report is not prepared by you then?

Mr. Renaud: Yes, it was prepared by me by the information that my people gave me.

Ms. Iseri-Carvalho: Okay.

Mr. Renaud: I know where you're leading to, but I mean that's how it was, you know. And the thing is I just found out today when I read his comments or his what-you-call report to us that he is to be determined to be the one to use, but we just have to confirm his contract and his scope of work. He came in with a full scope of work, but it's only about mechanical design, you know, changing the system, adding humidifiers and whatnot.

Ms. Iseri-Carvalho: Okay, so I guess it says, we're awaiting analysis and for me, I guess what I'm doing is breaking down the expertise of each area and they...and whether they're employed by the County or not, number one, and number two, when will we get a report on their analysis and recommendation for resolution.

Mr. Renaud: Yeah, the next report is going to get that because that's what we...we received their so-called comments and whatnot this past week and that's what I've been looking at.

Ms. Iseri-Carvalho: Okay, so next week, we should have that.

Mr. Renaud: Oh yeah, yeah.

Ms. Iseri-Carvalho: All right.

Mr. Renaud: And I think that would make it more clear for you and everyone else here.

Ms. Iseri-Carvalho: All right, okay. That would be, you know, so you'll have all the findings by all of these experts and anyone that you employ. They'll do a report, we'll get the CV as to their area of expertise, their recommendations, and the cost estimates for solutions that they recommend.

Mr. Renaud: Correct. Okay, one thing I have to add to that. Maybe I'm talking too much, but I have to say this, that I wanted...I talked to my people in Public Works, not this team, the other team.

Ms. Iseri-Carvalho: And who is the other team?

Mr. Renaud: The other team is Building Division.

Ms. Iseri-Carvalho: Your County employees.

Mr. Renaud: Yeah, okay. They were the first people on the scene. I'm the second group. Okay, I'm going to put it like that. Okay, when I did talk to them and I said what is the hold up on the consultant, the mechanical consultant. Well, I should be getting info every week from one of these weeks, so, you know, it went on one, two, three, four weeks and I got upset and I said, now what is the problem that we're not getting that, that so-called report. And it was stated to me that because the environmental...they're having a hard time with an environmental consultant which is the mold person, so I said, you know what, eliminate that from his contract so this way he just comes in with the mechanical design and electrical design, and we'll do our own finding to find an environmental consultant and that's why we brought in these three individuals, to cut time.

Ms. Iseri-Carvalho: Okay, so Lange & Motonaga, that's your mechanical engineering person that did not have expertise in the area of mold and that's why...

Mr. Renaud: Well, he's...I didn't say...it's not really that. The thing is he believes...I mean he works with other consultants in that field, environmental consultants, and when so-called Public Works people informed me that that's their problem because he can't come back in sufficient time, I said then eliminate that from his contract or his scope of work and we'll find consultants, and this is where our team got together and we came up with different names. So, you know, that's where AirCare and Suzuki and everybody else came in.

Ms. Iseri-Carvalho: And I guess my question is are we getting the best experts in order to evaluate this problem. You know, it is...time of the essence is an issue, but I think for me the foremost priority is that they be the best experts in the field because we're dealing with such high sensitivity of information and evidence. So, I mean you're convinced that these people that we have here are the best that we can obtain. I mean have we exerted all diligent efforts in obtaining the best qualified consultants in this area?

Mr. Renaud: I'm going to say as for the mechanical engineer I wasn't involved in that, but after I talked to some people on that firm, he's good at what he does. He's a professional, he's licensed and he has done projects of that nature. Now, getting back to the environmental, those names came up, I tried them and we did background, I mean we did check and in their own right in their own

field, they're okay. I don't have a problem with that. But there's one that, and you're going to see my report, that is outstanding of all of them, with the experiences, with the references, with everything. So and I think with our team walking, the Police was in favor of this individual because they've been through a lot of different people that walked through there and questions and answering and whatnot, and I think this one consulting firm came out outstanding.

Ms. Iseri-Carvalho: And that consulting firm...

Mr. Renaud: I'm not of liberty yet. I want to do it in my report and then we can talk about this after. Then I can bring it on the floor, but we still have to go through procedures, yeah.

Ms. Iseri-Carvalho: Okay, but this firm is not none of the names that you've provided in this report, it's a different name.

Mr. Renaud: No, it's in this report. They're there. One of them is there. I mean, you know, my findings this next week will explain everything.

Ms. Iseri-Carvalho: Okay. You know, I'm very confused at this point and I don't think I'm the only one that's confused, but I guess for me the question that I have is that if we are questioning some of these personnel's expertise and they're making suggestions which are contained in this report about how to address the problem, I mean...you know, are we going by just being quick or re...you know, because it doesn't seem like on some of these that there is that quality assurance that we are having the best persons evaluate and do the job. So, that is foremost and I would ask that you not consider cost in this instance and try to hire the best people and open up the process because it's very important that this issue gets resolved, but resolved effectively, that there is, you know, a...you know, I guess not only a satisfactory resolution, but you know it's very serious stuff and it's, you know, I think the qualifications of persons involved, you know, have to be heavily scrutinized to assure that we get the best work and the most (inaudible). If we have to pay more to get the best, then I'm all in favor of doing that especially in this kind of area.

You know, I guess I'll focus right now on just movement of the new evidence. Have we found...we talked about storage (inaudible) where the new evidence was going to be moved to. Has that occurred?

Mr. Renaud: We did not move anything yet because we have to bring on the so-called consultant that we're going to hire to do that.

Ms. Iseri-Carvalho: Okay, the consultant, so his scope of work or the consultant that you're bringing on is what?

Mr. Renaud: Is the identifying the problem, cleaning the mold, and the mold that is going to be transferred over, working on that also.

Ms. Iseri-Carvalho: Okay, but this only deals with the current evidence that is being stored at KPD. That's in a different class from the new evidence that is being collected by KPD.

Mr. Renaud: Yeah.

Ms. Iseri-Carvalho: So, the suggestion was that the new evidence already be moved to a safe, secure location and I'm wondering since we last talked, has that process taken place that the new evidence is not going back into the same room that the evidence we are complaining about still exists?

Mr. Renaud: Yeah. I cannot answer that about any new evidence and whatnot.

Ms. Iseri-Carvalho: Okay, we'll have the Police personnel discuss that. I guess, I'll yield the floor. I've got, you know hundred other questions, but I'll yield the floor to others.

Mr. Furfaro: And I just want to summarize this at this point. You have a design for air conditioning, ventilation, exhaust. You need a mechanical engineer for that.

Mr. Renaud: Correct.

Mr. Furfaro: We have a mechanical engineer on-board. We have no one that does sheet metal work, so that would be contracted out as well.

Mr. Renaud: Correct.

Mr. Furfaro: That is correct. Secondly, we do have somebody who is a biologist and that biologist is studying and testing the mold at this time?

Mr. Renaud: He did come in and he did tests...

Mr. Furfaro: Okay and we will get a report.

Mr. Renaud: Yes, yes.

Mr. Furfaro: Now, we have someone who wants to get his equipment, his dehumidifiers in there, but first we need to address the building code, which is very clear. A mechanical engineer understands, you know, how much exhaust they need for what kind of air space, temperature controls, all of that. Now, that being said, do we have enough information that you can go to the Director of Finance to qualify this as an emergency project?

Mr. Renaud: I honestly believe I can.

Mr. Furfaro: Okay. You need to go to that next step because as Councilwoman Iseri said, and I said in the beginning, we're not concerned with the money portion right now. We're concerned with getting this done right and I'm reading part of this report and as it goes through staff evaluations, it talks about the items I just talked about, all the air exchange and so forth.

Now, separately from that, there is the urgency to get a new storage evidence facility so nothing going forward, and you've been working closely with the Police Department on that?

Mr. Renaud: Correct, yeah.

Mr. Furfaro: Okay and we have identified the space?

Mr. Renaud: We have identified the space and I think if you look at my timeline, the bottom line schedule is to get that completed by November 18.

Mr. Furfaro: Say that again.

Mr. Renaud: Excuse me, October 18, yes, uh 17, that's a Friday.

Mr. Furfaro: October 17?

Mr. Renaud: Yes.

Mr. Furfaro: Okay. So, you'll be prepared to answer us at your next visit on how close we are to accomplishing that.

Mr. Renaud: Correct.

Mr. Furfaro: Okay. Are there any councilmembers that have questions at this point? No?

Ms. Iseri-Carvalho: I do, I mean, if nobody else does. One of the easier things that we could address with respect to the Crime Lab is that the temperature control and that clearly is within the purview of the Building Division. Okay, so have you addressed that? I believe there was a memo that went out by Councilmember Yukimura, maybe, on all the temperatures in the County Buildings being at 72. I don't know...what is the temperature currently kept at the Police building.

Mr. Renaud: I was informed it was about 72, but I did talk to Building this past week because every day or just about every day I've been in that building and it felt colder than 72. So I brought it up with Building and they're going to go and look into it. But I have a lot of concerns about that because the thing is, and I did talk to PD about it, that they need to inform me or some way, verbally, by phone or by email what's happening there and I brought that up to the Building Division and my concern is because it is cold in there, I mean super cold at various times in various places. So, they are looking into that and then we're trying to work it out with PD on this solution.

Ms. Iseri-Carvalho: Okay, so we have not really addressed that.

Mr. Renaud: We have not done...I don't believe we have done anything about it, but I would have to go back and check with PD and with Building Division if they implemented anything.

Ms. Iseri-Carvalho: Okay and now I've been informed that the...the vents, I guess that was...before the building was occupied, the rooms ventilations were addressed by Board of Health because they did not build an exhaust system, right? And so they're currently using equipment that were supposed to be used for Crime Lab purposes for the purposes of providing this that is required by the Department of Health, right?

Mr. Renaud: Yeah, that's the Crime Lab, correct.

Ms. Iseri-Carvalho: Okay, so now my understanding was there was work done, that they closed that, and then there was some other experts that went in and then they said that you had to re-open that. So, what was the dilemma that was resolved?

Mr. Renaud: In that area when we looked at everything and with my discussions with PD, that so-called equipment, it's in here, it was...the off-on was on permanent, that's it. And when we did discuss the exhaust system and all this stuff, and also with the different consultants that came in, they were very puzzled. So with the mechanical engineer and looking at his finding that I just received, that's going to be addressed. We have not done anything yet, but the thing is, you know, I'm trying to put everything together. And now getting back to something, I'm not trying to save money. My bottom line is I could make it simple and I could say, okay, whatever the mechanical engineer firm says on both sides, we'll go that route. But the thing is by talking to this consultant and talking to people that...the PD people that were in that building, everything, I mean, you know, we gotta weigh some things out, you know, what can we do here. And with my so-called on...my mechanical engineer and what he came up with, his design and whatnot, it's similar to when I look at the consultant or mechanical firm that came in, and this engineer, so-called my mechanical engineer, worked for this firm. So, I have all the confidence in this firm. But the thing is I cannot see spending money to do the whole thing when we don't have to really redesign the what-you-call Evidence Room, but the Crime Lab, yes, we have to redesign it and we have to look into that one cabinet they have that only does...I mean, the exhaust is not correct. But that's the redesign there.

Ms. Iseri-Carvalho: Right and you know, again the concern is that I don't know how we could have even approved transfer of the building without an exhaust system that was even (inaudible) that was mandated and required by the Department of Health. I mean we should have addressed these structural issues back before even accepting the building because that's clearly a design flaw when you build a brand new building of 20 whatever million dollars and you don't even put an exhaust that is required by law in every building. So, you know, there's a lot of issues here and, you know, apparently it's not going to get resolved today. But, you know, I would hope as promised that you would provide a written report within a week and then that'll give us some time to follow up with some questions and be prepared to give a presentation to the public in two weeks on this report, so. Thank you.

Mr. Kaneshiro: Any further questions for Ed? If not, Ed, thank you.

Ms. Iseri-Carvalho: Call up Captain Scott Yagihara.

Mr. Kaneshiro: Mr...Captain.

SCOTT YAGIHARA, Police Department: Scott Yagihara, Police Department.

Ms. Iseri-Carvalho: Scott, so you've been the person that's been assigned to, on the KPD side, to provide input from the Department's perspective with respect to the recommendations that are being done structurally and environmentally, I guess?

Mr. Yagihara: Well, you know, we were working with the Department of Public Works, Building Division, specifically Doug Haigh, you know, in trying to resolve the problems and allowing access to Doug and whoever else needed access to the Evidence Room, you know, to view the problem.

Ms. Iseri-Carvalho: Okay, so my understanding is that Doug Haigh is no longer in the project or involved.

Mr. Yagihara: Initially he was, though.

Ms. Iseri-Carvalho: Oh, okay.

Mr. Yagihara: Initially he was.

Ms. Iseri-Carvalho: So since Mr. Renaud has taken over, have you been involved in the, I guess, the County team that's working on the project.

Mr. Yagihara: Yeah, except for that one consultant, Suzuki, I wasn't involved in that.

Ms. Iseri-Carvalho: Okay and the question I have is that from a police perspective, the discussions that we had earlier regarding this item was that new evidence needed to not go through or be funneled into the room that currently we know has issues...

Mr. Yagihara: Yes.

Ms. Iseri-Carvalho: ...of integrity. So, where is that new evidence go...I mean, have we collected new evidence since a month ago, I guess, since we've addr...I mean discussed this problem?

Mr. Yagihara: I'm sure, you know, we've received evidence, you know, almost on a daily basis and I've had discussions with Mr. Renaud when they prepare that alternate storage location that conditions in that room are not the same as our current Evidence Room, that there is humidity control for that room.

Ms. Iseri-Carvalho: Okay and to your knowledge, what has taken place with respect to determining whether or not that new storage location room is adequate?

Mr. Yagihara: Well, from what I understand, you know, they're in the process of preparing that room for our use and once that room is completed, then they'll have that room tested.

Mr. Furfaro: With an October 17 deadline, they said.

Ms. Iseri-Carvalho: Of finishing it.

Mr. Furfaro: Finishing it. That's what I heard today.

Mr. Yagihara: Well, that's my understanding, you know, provided everything goes right.

Ms. Iseri-Carvalho: Today is October 1, so. Currently, does KPD have an alternative site in KPD, the confines of the Police Department to assure that the rooms...because we've targeted certain rooms, yeah, as rooms that have issues.

Mr. Yagihara: Right.

Ms. Iseri-Carvalho: So, has the Police Department then knowing this exists, you know, placed the new evidence in some other room in KPD that we know does not have this humidity issues or mold issues?

Mr. Yagihara: Not at this time. You know, to give you some background, further background, the Building Division did go out for a request for proposal to secure a mechanical designer, which was Lange, Motonaga and Associates, and he came down, assessed the Evidence Storage Room and came up with a plan as far as how much the design would cost and his estimate as far as construction costs. His services wasn't secured.

Ms. Iseri-Carvalho: Why?

Mr. Yagihara: Well, the County didn't proceed to get a contract. What they did was they brought in this company called Architectural Diagnostics to further assess the mold situation and they brought in this other company called Beal and Associates.

Ms. Iseri-Carvalho: Who?

Mr. Yagihara: Beal.

Ms. Iseri-Carvalho: Yeald, y-e.

Mr. Yagihara: B-e-a-l, I think. Beal and Associates, and those two companies came in and did an assessment of the humidity situation and one of the consultants did take samples of the mold and tested the mold. And both companies provided a written report. We also brought in the Department of Health, Environmental, one of the divisions within the Department of Health, to come down and do an assessment as well.

Ms. Iseri-Carvalho: Okay, when you say we, is it Public Works or is it Police Department or...

Mr. Yagihara: Well Public Works secured Architectural Diagnostics and Beal and Associates and I contacted the Department of Health to send reps down to do a separate assessment.

Ms. Iseri-Carvalho: Great, okay.

Mr. Yagihara: And, you know, they provided a written report as well.

Ms. Iseri-Carvalho: Where are these reports? Have these reports been provided to...

Mr. Yagihara: Those reports have been provided to the Building Division.

Ms. Iseri-Carvalho: Okay. All right. So, you guys are aware of the report and have reviewed the report by Architectural Diagnostics and Beal and Associates?

Mr. Yagihara: Yes.

Ms. Iseri-Carvalho: And there was recommendations for resolution of this issue.

Mr. Yagihara: Yes, as well as the Department of Health.

Ms. Iseri-Carvalho: Okay and I guess I'm confused even more now because if we had people that went in and this was when? When did they go in?

Mr. Yagihara: I can't remember the specific dates, but...

Ms. Iseri-Carvalho: You know, like last year or this year?

Mr. Yagihara: No, no, it was this year.

Ms. Iseri-Carvalho: This year?

Mr. Yagihara: Yeah, after Motonaga was...

Ms. Iseri-Carvalho: Secured?

Mr. Yagihara: Secured. Well, he wasn't secured as far as a contract, but he was asked to provide a proposal.

Ms. Iseri-Carvalho: Okay. Well, you know, I'm actually even more confused now, but what we do know is that we need to find out chronologically, you know, who's taking the ball on what because it seems like you guys are involved in some respect with the Department of Health, Public Works and, you know, an explanation as to why we had these Architectural Diagnostics and Beal and Associates, I don't know what their qualifications are, but I would expect that if the Department of Public Works had them brought in that they would have, you know, some qualifications. I don't know who pays these guys, you know.

Mr. Yagihara: I brought in the Department of Health prior to the Building Division brought in Architectural Diagnostics and Beal and Associates. And the Department of Health provided that service for free and, you know, that's why I brought them in because...

Ms. Iseri-Carvalho: Okay, but you don't know whether we paid Architectural Diagnostics or Beal?

Mr. Yagihara: It wasn't us.

Ms. Iseri-Carvalho: It was Public Works that's why. All right, so.

Mr. Yagihara: Then after that is when all these other consultants...

Ms. Iseri-Carvalho: Came in?

Mr. Yagihara: ...were brought in and it was one of the most recent consultants who was brought in that brought to our attention about cold air seeping from under a doorway from an air-conditioned room and, you know, what that consultant said made sense because it seemed like the mold was concentrated in a certain area of the Evidence Storage Room and so, the recommendation was to try to seal off that door and, you know, that's what we're trying to do now as far as trying to seal those gaps and, you know, there's also air-conditioned air seeping into the Evidence Storage Room from adjacent rooms, so, you know, we're taking steps to try to...

Ms. Iseri-Carvalho: Well, minimize that, right?

Mr. Yagihara: Right.

Ms. Iseri-Carvalho: Or mitigate?

Mr. Yagihara: Yeah, mitigate the problem and, you know, I'm not sure if that's the whole solution to the problem, but you know, I think we can...by taking those steps, we can try to minimize the moisture problem in the Evidence Storage Room, which causes the mold growth.

Mr. Furfaro: Captain, I want to thank you for your initiative and that's exactly what I was talking in terms of earlier. You know, we have building codes that have certain criteria for these rooms. All kinds of seepage, any kind of contamination with cold air and so forth clearly has to be balanced with exhaust air and so forth. And I would like to say this now that it has gotten this far, quite frankly this Council is really prepared to, you know, do something with some contracted consultants and I would certainly encourage you to talk to the Chief of Police and let him know that we've had Suzuki, we've had Motonaga, we've had Architectural Diagnostics. You know, these are the types of experts that have looked at the project and we need to contract one. And, you know, the Police Department certainly could raise that red flag again with Mr. Haigh and the Building Department and we can have Ed do this through the Finance Director to get an emergency approval going. I also want to make sure that on the alternative space that Ed folks are working on, that you folks stay close to that because we'll have this back on the agenda in two weeks, which will actually be three days before their committed date. So, you know, the timing there is very important for us to, you know, preserve evidence going forward. But I do want you to...I do want to ask you, Captain, if you can, just give the Chief an update. Internally, in-between the team there, you've got to put some red flag on this for emergency funding.

Mr. Yagihara: Yes, we understand that.

Mr. Furfaro: Thank you.

Ms. Iseri-Carvalho: Thank you.

Mr. Furfaro: Anyone else? If not, thank you, Captain.

Mr. Yagihara: You're welcome.

Mr. Furfaro: Is there anyone in the public that would like to speak on this item? Yes, come right up.

ROLF BIEBER: Thank you, Chair Furfaro. Members of the Council, thank you. Rolf Bieber for the record. Just listening to the testimony earlier I wrote down some notes. My impression of testimony given by Mr. Renaud is one of not only lack of urgency but lack of quality in the finding of the best qualified personnel to address this long overdue project. Chair Furfaro made it clear earlier to Mr. Renaud that regardless of cost, we need a high quality result made by qualified personnel. Again, Councilmember Iseri-Carvalho reiterated this point as to getting quality, both in personnel and project result. My personal opinion is that I am seeing a Public Works representative not cooperating, at the very least not servicing the public-at-large well. There has been ample time for Mr. Renaud and his Department staff to make more progress than what is presented today. In the meantime vital assets as evidence to the Prosecutor's Office and KPD are at risk. New evidence is and had been entering an unacceptable environment. I have been in both the Evidence Room and Lab myself, and I can tell you that it stinks of mold and mildew. This is my personal experience. It is a...it is discouraging, as a member of the public when I see a Council assuring the Public Works not to worry about cost but to encourage quality and work in a timely fashion, to see Public Works drag on and on without progress. This is mind boggling. Thank you, Council. Thank you, Council in your diligence in keeping Public Works accountable. So, I want to thank you. That's all I have to say.

Mr. Furfaro: Thank you. Anyone have any questions? Thank you. Anyone else who would like to testify? If not, I'm going to call our meeting back together.

There being no one wishing to testify, the meeting was called back to order, and proceeded as follows:

Mr. Furfaro: I do want to say that I'm appreciative of Ed getting directly involved and I do want to point out that people who do kind of the work down in the trenches sometimes do not have the authority to speak in particular as they have signed a contract, agreed on a consultant and so forth. But I think through the summaries made today and the cooperation that I believe is going on between the Police Department and Public Works, I think we're close to being on the right track. I mean, we have a realistic date that we're going to have a temporary Evidence Room. But that's only going to be as realistic as when we meet on the 14th to see how close we are three days out. So, everyone needs to take this information back to their division heads and really highlight the urgency and get it into the front of the tray for the Finance Department. Councilwoman Iseri?

Ms. Iseri-Carvalho: Yes, and I think it should be real clear about what we expect when it comes back in two weeks. We need to get all the CVs of all of the experts that they have. We need to get a chronological history of all the experts that's been retained, what reports we've received, whether we've paid any of them or not, and what kinds of recommendations they made. So, I believe, we need all of the reports and, you know, like I said I had not even heard of Architectural Diagnostics or Beal and Associates before today and we have been discussing these issue for awhile. So, I'm glad that the Police Captain Yagihara was able to share with us more information and the more information we have, the better so that we can better assess the problem. But I just want to make it clear that the new evidence should not go into that room at all and I've said this many, many times and it just prolongs a lot of issues and it's going to jeopardize the integrity of the evidence by us continually knowing that this issue exists and putting new evidence there. It's been at least a month and we still have the same process in place, that the new evidence is going where the old evidence that are subjected to mold is

located at. It boggles rationality that this continues to happen. I can say that I brought this up for the n...more than several years. I'm glad Mr. Renaud is here because I know it was initially assigned to Mr. Haigh, who we waited for years for a single report or any report from himself or any experts. So, Mr. Renaud has really expedited the process from where it was before and so thank you, Ed, you know, for taking responsibility of this and of course, I wish it had been done a long time ago, but I'm looking forward to two weeks where we hope at that time there will be a report that all of the new evidence has been relocated as well as the other evidence that...(phone ringing) the phone refuses to die; it's amazing. It's time to end. That was the hint. So, thanks Cyndi for sending that. So, if we could send over those questions to assure that the next report is as comprehensive as possible and we're well aware of all the documents that have been provided by the many areas of expertise and that we will have a single vision as to how we're going to proceed to resolve this matter.

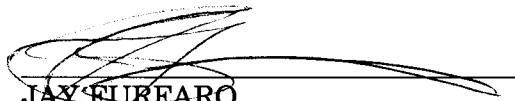
Mr. Furfaro: Thank you. Any other discussion? If not, I just want to sum that up again for the staff. We are looking for the CV or the company resumes for the experts, whether it's mechanical, the biologist, or design firms. We also are looking for a summary of the health report that has been done at this particular time and a status on the temporary facility and I guess, directly at the Police Department, what they might be doing right now for storage of items. So, if we can make sure again, from company resumes to any executed contracts are summarized for us in two weeks, it would be most appreciated and we'll send that correspondence over. On that note, we're going to reschedule this for the 14th, may I have a motion?

Upon motion duly made by Councilmember Iseri-Carvalho, seconded by Councilmember Kaneshiro, and unanimously carried, EPS 2008-1 was deferred.

There being no further business, the meeting was adjourned at 5:30 p.m.

Respectfully submitted,
Wilma Akiona
Wilma Akiona
Secretary

APPROVED at the Committee Meeting held on October 29, 2008:


JAY FURFARO
Chair, Energy/Public Safety Committee



1. The first part of the document is a list of names and addresses. The names are: John Doe, Jane Smith, and Bob Johnson. The addresses are: 123 Main St, 456 Elm St, and 789 Oak St.