

MINUTES

ENERGY/PUBLIC SAFETY COMMITTEE October 29, 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 29, 2008, at 12:22 a.m., after which the following members answered the call of the roll:

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

There being no objections, the meeting was recessed at 12:22 p.m. The meeting was reconvened at 1:47 p.m., and the Committee proceeded on its agenda items as follows:

JAY FURFARO, ENERGY/PUBLIC SAFETY COMMITTEE CHAIR: I would like to call to order the Energy and Public Safety Committee. Please let the record show that we do have a quorum (Councilmembers Furfaro, Iseri-Carvalho, Kaneshiro, and Rapozo) and I point that out because I will be leaving for approximately 30 minutes, attending another County appointment, and I will ask Mr. Rapozo to take over this Committee. Mr. Rapozo?

Vice Chair Rapozo: Thank you, and the first two items of the Energy/Public Safety Committee are Minutes of the October 1 and October 15 Energy and Public Safety Committee Meetings. Can I have a motion to approve?

Minutes of the October 1, 2008 and October 15, 2008 Energy/Public Safety Committee Meetings

Upon motion duly made by Councilmember Iseri-Carvalho, seconded by Councilmember Kaneshiro, and unanimously carried, the Minutes of the October 1, 2008 and October 15, 2008 Energy/Public Safety Committee Meetings were 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.]

Vice Chair Rapozo: Next item EPS 2008-1, Communication from Councilmember Iseri-Carvalho requesting 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, which is the Police, Civil Defense and Prosecutor's building. Can I just open up with a motion to receive?

Councilmember Iseri-Carvalho moved to receive, seconded by Councilmember Furfaro.

Vice Chair Rapozo: At this time I'll suspend the rules. Mr. Renaud?

There being no objections, the rules were suspended.

Vice Chair Rapozo: Thank you, Ed, for being here today and Councilmember Iseri-Carvalho, you have the floor.

Ms. Iseri-Carvalho: Thank you and is everyone in receipt of the report dated October 24 that was signed by the Mayor, Donald Fujimoto and Ed as the Deputy County Engineer. Ed, if you could just give us a summary of what has occurred since the last meeting we had. I know we were going to try to procure services and we had a timeline on (1) the current situation at the Police Department building and also the new storage area that we were going to try to secure, and then the various parties that will be involved in the clean-up and the design or repair or maintenance of both of the buildings.

ED RENAUD, Deputy County Engineer: Good afternoon, Council, Councilmembers. Ed Renaud for the record, Department of Public Works, Deputy Director. Okay, the past two weeks have been a very productive week for that project, the Police Complex and...let's see...As from the last meeting, the so-called Storage X has been completed on time and it's just a matter of...I'm just waiting for PD to schedule the security system and the phone. Other than that, everything is in the wall. It's a just a matter of the hardware to get in there. Then we can turn it over. And then the other thing that is going to happen there, I'm going a little bit backwards, is going to be the consultant. The environmental consultant that we have selected and as of today, per emergency procurement approval, the so-called contractor/vendor is going to be AirCare, and he will be coming on very shortly to test that area so that we can give it a good bill of health and also put monitors in there...everything that was requested at Storage X. He also will be doing a presentation.

Okay, to summarize my chart...okay, the mechanical engineer for this project, we are now trying to finalize his contract, scope of work and all of that nature, and he was...he went through the procurement process, he was selected. It's Lange Motonaga Inc. and he is the mechanical designer. What we had to do with him was...I was not satisfied with his contract, so we had meetings with Finance, with the Attorney's office and then we had a conference call...Public Works...We had a conference call with the mechanical firm just to confirm his contract because of the different mitigations we did at the evidence area, we have changed the whole atmosphere in that area. So I did not believe all of the mechanical design for the storage area was needed and we needed to talk. So we did talk and everything. We came to a conclusion. He's going to come back as soon as we can finalize his contract and we meet all the terms and insurances and whatnot. So, he'll be back on the project. He's going to re-assess everything and from there we should be closing his contract, hopefully, in the next week. Okay, so also now...so he's the primary design mechanical engineer for the project.

Now, we also had a report from the Department of Health and they stated everything similar to what the mechanical engineer presented to us and they came there from...per the Police Department's request because of health concerns. So anyway, they did their report and everybody has their report there.

Then Public Works, through Building, wanted a third-party review and they hired Architectural Diagnostics who is an architectural firm and they went through the whole place. They did a really good inspection and they had a mechanical design company also with them, Beall and Associates. And they came up with the same findings as the mechanical and as the Department of Health. So that gave them a clean bill of sale. But I did not know the whole history at the very beginning and so it took a little longer because I wanted to be convinced that everything was done properly.

I also went ahead and now for the environmental clean-up because that was the first problem that we had there besides everything else and Kaua'i Environmental was introduced to us or was selected or recommended by the Building Division, so okay I took that into consideration. I invited them over. I also invited Suzuki Industries and they came over per recommendation by KPD and then in-house one of our engineers on past...when he was working on the outside, recommended AirCare Environmental. So all of them came on the project. They did their inspection. They had their requirements on what we were looking for, what the scope of work was, etc. and their findings came forward. We looked at it, the team got involved and when we did walk with all of them, it was Public Works and Police, everybody...all of those vendors did come forward and stated different things and whatnot and they came back with a written proposal on their findings. And all basically came out to be the same thing what was happening there and their concern.

Maybe just to go a little bit over...There were three different consultants. One of them was Kaua'i Environmental. He came on. He only proposed to do the procedures and scope of work. Okay, Suzuki came on and Suzuki, his remedy was for us to install dehumidifiers and the equipment. And I had kind of some concern there because they not being a professional engineer and whatnot or a firm, we took it into consideration. Okay, he is a supplier of a mainland company and we will take him into consideration with our mechanical engineer and we left it at that. Then AirCare came on. He did his evaluation. He walked through everything and when we got through with him he left. And then, you know, he sent over his finding. But the team, which is Public Works and Police again, was very interested in him because of his findings and everything. The findings were similar to what the report was. So, we made a final selection that he be on the project to do our clean-up and with the approval of everybody on the team, we went forward and we did submit it to Finance and we're in the process right now. Okay. And you have everything, the back-up, everything that was requested of Public Works and I believe you have everything. Is there any questions that I can answer?

Mr. Rapozo: Thank you, Ed. Any questions for Ed? Go ahead, Councilmember Iseri-Carvalho.

Ms. Iseri-Carvalho: Ed, let's go through the findings, yeah.

Mr. Renaud: Yup.

Ms. Iseri-Carvalho: So Motonaga, you'll be closing the contract within one week, but it appears that the estimated construction cost is \$460,742?

Mr. Renaud: That's what was the estimated. So this is why we are negotiating with him because the scope of work has changed and if anything that needs to be redesigned, it is the Crime Lab. That is a definite and all the different things in there. But the cost should not become that high. This 460 was

with everything and this is why I had concerns and I would not go ahead with his contract until he could come back to us and give us that scope of work, the finding that is present now. So, that's where we are. We are trying to negotiate...it's not negotiate, but we're trying to confirm a new scope of work and that I don't believe and he understands that that 460 is not everything that we need right now.

Ms. Iseri-Carvalho: Okay and this construction... okay, so we're working on the estimated construction cost. What about the redesign of the air conditioning system? That's like 78,000...that is still going to proceed as...

Mr. Renaud: 78?

Ms. Iseri-Carvalho: Yeah.

Mr. Renaud: I don't believe so, no.

Ms. Iseri-Carvalho: Okay, so we're negotiating the whole scope of work.

Mr. Renaud: Correct, correct.

Ms. Iseri-Carvalho: So right now this...we'll put a question mark as to how much that's going to be?

Mr. Renaud: Yes, correct.

Ms. Iseri-Carvalho: Okay, but we've also already paid for consulting fees...

Mr. Renaud: Yeah.

Ms. Iseri-Carvalho: If we look in here where it says Architectural Diagnostic Limited, that we already paid, \$6,500.

Mr. Renaud: Yes...my research was that we brought them in for a third-party review and they came on and they did their findings to be sure that the first group, I'm going to say Lange and Motonaga, findings were so-called in the ballpark or correct and that's why they were paid for their services.

Ms. Iseri-Carvalho: But we didn't pay Motonaga a penny yet. Is that accurate?

Mr. Renaud: Say that again.

Ms. Iseri-Carvalho: We didn't pay Motonaga...

Mr. Renaud: No, no, no, no, no.

Ms. Iseri-Carvalho: ...a penny.

Mr. Renaud: No.

Ms. Iseri-Carvalho: But we paying...paid Architectural Diagnostic \$6500 for look over the work done by Motonaga?

Mr. Renaud: No. He came in there independently. Yeah, that's what I was informed.

Ms. Iseri-Carvalho: Oh, okay.

Mr. Renaud: He just came in to write up his findings, what he found and what would be a so-called remedy. And when they put everything together, I was informed that, and I read everything from both parties, it was about the same, their findings.

Ms. Iseri-Carvalho: Their findings were the same?

Mr. Renaud: Yeah.

Ms. Iseri-Carvalho: Okay, but we paid...I guess the question I have is we paid the third-party review person \$6500.

Mr. Renaud: Yeah.

Ms. Iseri-Carvalho: Right?

Mr. Renaud: And that was for services so that he could come in and do that so-called...

Ms. Iseri-Carvalho: Third-party review over somebody else's...

Mr. Renaud: Yes, correct.

Ms. Iseri-Carvalho: ...assessment, right?

Mr. Renaud: Yes.

Ms. Iseri-Carvalho: Okay and then we also paid this Beall and Associates, looks like \$6500.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: And what we got for this money that we paid \$6500 for?

Mr. Renaud: He is really a mechanical engineer and the Architectural Diagnostics is an architectural firm that also specializes in environmental mitigation.

Ms. Iseri-Carvalho: Okay.

Mr. Renaud: So he needed a mechanical person in there to assess his finding.

Ms. Iseri-Carvalho: Okay...but...okay, so...Motonaga is a mechanical engineer. We haven't paid him a penny, but he did consulting?

Mr. Renaud: Yes.

Ms. Iseri-Carvalho: Architectural Diagnostic we paid \$6500 to do a third-party review and we also paid Beall and Associates \$6500 to do a review based on his expertise of being a mechanical engineer which is the same qualifications as Motonaga Lange.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: So right now we're out \$13,000.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: And then it looks like...did we...but none of these people that we paid \$13,000 is going to be continuing services for the County.

Mr. Renaud: That's correct.

Ms. Iseri-Carvalho: All right. And...I...this other money that you get for environmental clean-up by Kaua'i Environmental Incorporated, that's \$6,000. Did we pay that or not yet?

Mr. Renaud: No, we did not.

Ms. Iseri-Carvalho: Okay, so...are we going to contract with this person? I'm trying to figure out who's doing what work at what time. Like...because we paid...the people that we paid \$6500 we're no longer using them.

Mr. Renaud: No, they were...I was informed that they were in there just to do a review to confirm if they...They came in to confirm the original mechanical design.

Ms. Iseri-Carvalho: Okay. All right. So, it appears that the main contractor for this job will be the mechanical engineer...

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: ...which we're still trying to negotiate the contract and we are...

Mr. Renaud: AirCare.

Ms. Iseri-Carvalho: ...going to use this AirCare...

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: ...for about 28. So, AirCare's procurement has already been...their contract has already been approved for the \$28,000?

Mr. Renaud: No, it has not been approved, but it's in the process right now to be approved.

Ms. Iseri-Carvalho: Okay, so that contract isn't finished yet. So we're still negotiating the AirCare contract and the...

Mr. Renaud: No, we're not...we finished finalizing with AirCare. It's now just a matter of the processing...

Ms. Iseri-Carvalho: (Inaudible)

Mr. Renaud: ...the Notice to Proceed, yeah.

Ms. Iseri-Carvalho: Okay, so the only two contractors that we're planning to move forward with on this project is the Motonaga and AirCare?

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: And the rest of them we're not using at all?

Mr. Renaud: No.

Ms. Iseri-Carvalho: Okay, the Department of Health recommendations...The Department of Health had 8 recommendations for mitigation. Have we implemented any of their recommendations?

Mr. Renaud: Yes, we have.

Ms. Iseri-Carvalho: Okay and which ones were they?

Mr. Renaud: We looked at everything that they proposed and basically...

Ms. Iseri-Carvalho: I guess the first one...let's go through their report. Back in July they made several corrective measures to implement...to be implemented. One was reduce the relative humidity to acceptable levels between 40-60%. How have we done that? Or have we done that?

Mr. Renaud: We have done that in one area...well, we have reduced...we have reduced it pretty close and that we're supposed be in the process right now of testing it. And this is where...when Lange comes back in, he's going to confirm all that, but we know...we believe that it has changed in there. Okay, so that's why...

Ms. Iseri-Carvalho: I guess, what does it take to measure the humidity? I mean...

Mr. Renaud: They have special equipment that they bring in. It's a logging thing...they put it up and everything.

Ms. Iseri-Carvalho: So they were here on September 17.

Mr. Renaud: Mm-hm.

Ms. Iseri-Carvalho: Right?

Mr. Renaud: Yes. July. Who you talking about, the Department of Health?

Ms. Iseri-Carvalho: Well, I'm sorry. The September 17 was AirCare, right?

Mr. Renaud: Yeah, correct.

Ms. Iseri-Carvalho: Do they do any monitoring of humidity level?

Mr. Renaud: Oh yeah, yeah. Then they're going to finalize with...They're going to have to come back in and when they do, put up all their monitors, yes.

Ms. Iseri-Carvalho: All right. So they haven't done it yet.

Mr. Renaud: No. They came in with an instrument and they did check what the current was.

Ms. Iseri-Carvalho: Okay, so what was the current level of humidity?

Mr. Renaud: I don't have it here, but it was basically the same thing like everybody else. In fact, it was like what the Department of Health said. It was high.

Ms. Iseri-Carvalho: Okay. Well, according to the Architectural Diagnostic, it's saying the humidity level was 66-75%.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: The Department of Health's acceptable level is 40-60%. So what efforts have you made to come in compliance with an acceptable level of humidity as indicated in the July 17 memo from the Department of Health.

Mr. Renaud: Okay, we as the County has done very little and this is why we need them on board to finalize all this.

Ms. Iseri-Carvalho: Okay, so we have not done anything to reduce the level of humidity.

Mr. Renaud: We have done. We have...

Ms. Iseri-Carvalho: We're in the process of doing it, but have not done it yet.

Mr. Renaud: We have lowered a lot of the different temperatures and whatnot (inaudible) by recommendations, the walk through that...for example, at the doors that have AC and there's 6 doors that have AC on the opposite of the door that enters the storage area, we have put sweeps on the bottom to control that air and then also at the very top of that storage area. At the ceiling and the wall, there were a lot of voids there and we have eliminated those voids.

Ms. Iseri-Carvalho: Okay and I guess for me, we're trying to...the first priority would be to try to comply...be in compliance with the Department of Health's recommendations, right?

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: Because they're the State agency that monitors the effect of the temperature, humidity, etc. So, I'm trying to see what these people are going to do to address these concerns that are in the July 17 memo and it's July...three and a half months now. What do they do to reduce the humidity?

Mr. Renaud: Okay, I believe we...the County had reduced a lot of it and this is why I had a hard time agreeing with the mechanical engineer. So now he needs to come back, do a site visit and his contract is going to be in different phases and he's going to come back on and he's going to do that final testing and then he will sit down with us and we will finalize different portions of his contract.

Ms. Iseri-Carvalho: Okay.

Mr. Renaud: And that's what he comes in for. He comes in with the design...the mechanical.

Ms. Iseri-Carvalho: Well...what kinds or proposals have they made to reduce the humidity level?

Mr. Renaud: They have really, I mean everything that we have done, like the void and whatnot, if you look in their report they have stated to do some of that. I mean, we should or somebody should do that, but we did it because through the environmental people that came on, different ones proposed this and that. So we did correct that and this is why I did not agree with the mechanical original scope of work. So we had mentioned this to him and this is why he's going to come on...on board, but only at different phases because I cannot live with that big dollar amount and he will come back on and do an assessment again because the temperature and everything is different in there. But what you gotta understand and I don't mean anything literally by that is that area was not designed, the final design, for AC. Now...when we first...if you went in there the very first time you would think they had AC in there because it's very cold. But the AC was coming in from all the different places of the existing buildings on the outside. So now when we have so-called blocked all the voids and whatnot, now it becomes really a storage area and you could feel the difference in there.

Ms. Iseri-Carvalho: Okay. Oh, I guess the experts, I would think, the first thing that they're going to address is what the State Department has told them to address, right?

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: And that's all I'm trying to get is there were 8 recommendations that were made by the State...

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: ...to correct or mitigate the problems that we're facing and that's contained in their July 17 memo. The first thing that we are supposed to address is to reduce the relative humidity to acceptable level. That was back in July. So since July, what efforts have we made to reduce the relative humidity to acceptable levels?

Mr. Renaud: Okay, let me put it this way. We have reduced whatever it had to be reduced because the air in there is changed. It's not cold any more, okay, that's one. But the thing is by bringing on the mechanical designer, he will determine all of this by the different monitor systems he's going to put up and this is why we'll so-called, if you want to say negotiate, we'll negotiate, but the thing is this is where his contract is going to be changed. That's why we need him on now.

Ms. Iseri-Carvalho: Okay.

Mr. Renaud: He's the only person, the mechanical person, can come on because he's the design so-called engineer that is going to qualify us to meet all these Department of Health standards.

Ms. Iseri-Carvalho: Okay. I remember you call...you...the first time we spoke, there were 2 issues. One was the mechanical part or the structural integrity of the building, I guess, and the first part was about biological effects of the building.

Mr. Renaud: Correct, mechanical and biological.

Ms. Iseri-Carvalho: Right?

Mr. Renaud: Yes.

Ms. Iseri-Carvalho: Okay, so I would assume that when we're talking about this humidity or temperature, etc. that that relates to the biological impact of the building.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: So is AirCare going to be handling this or is it the mechanical engineer that's going to be addressing the humidity issue?

Mr. Renaud: Okay. AirCare is going to go in and do the clean-up. That is his number one thing. All the different...if it's on the exist...exterior of contents or in the plastic bag, that is his thing. All the duct systems and what...he will clean everything that is so-called mold.

Ms. Iseri-Carvalho: Okay. So...

Mr. Renaud: That's his major function.

Ms. Iseri-Carvalho: Okay, he's basically removing the wrong in a sense, the visible bacterial growth, that's what AirCare is going to do.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: And then the changes...so that's all they're going to do. They're in there just for clean-up.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: But any other changes with respect to humidity and temperature and whether we got to seal up certain vents or not seal up, that is going to be done by the mechanical engineer.

Mr. Renaud: Yes.

Ms. Iseri-Carvalho: So...

Mr. Renaud: Well, his recommendation is going to be, that's why he needs to come back in now the second time because like I said the things in there has changed, meaning for the good.

Ms. Iseri-Carvalho: Okay, well I guess, I guess I'm still confused, but it appears that it's not going to get resolved today, but you have indicated that in a week we should be closing the contract with Motonaga, right?

Mr. Renaud: Yes.

Ms. Iseri-Carvalho: On what the scope of work is going to be, what they're going to do, how they're going to do it, how much money it's going to cost.

Mr. Renaud: Correct.

Ms. Iseri-Carvalho: So, I guess for me instead of us going in circles as to what's going to happen and whether or not they're going to be complying with the Department of Health or not complying because it appears that we could have done some interim measures before getting these experts involved. I mean we get a response...we ask for a site inspection from the Department of Health to tell us...give us a report on the indoor quality of the air and then they give us recommendations and what I'm saying is that usually when we invite a State agency to come in and to look over a building or whatever structure that is not operating properly and they provide recommendations, the first thing we're going to do is address those recommendations similar to the discussions that we had earlier this morning on the wastewater. They come out, they do an inspection, they tell us that this is all the number one through eight, you got problems, you got, you know and this is the recommendations to fix it. So that was back in July. Eight recommendations were given. I'm just trying to find out before Motonaga or before anybody got involved, we received the report on July 17, 2008, what have we done because you're saying we've done some things, what have we done to one, the first thing, reduce the humidity to acceptable level. Just what have Public Works done?

Mr. Renaud: Well, Public Works, like I said, we went in because per recommendations of the environmental and I'm going to repeat myself, we did all the voids okay, we eliminated that, all the outside air coming in. We did the sweep.

Ms. Iseri-Carvalho: Okay.

Mr. Renaud: ...the air that was coming in, we plugged all that up. There were 6...7...7 areas that we were required to plug and we did all that. So like I said...

Ms. Iseri-Carvalho: Okay.

Mr. Renaud: If the Department of Health would come in there right now, they will see a big change when they run their test.

Ms. Iseri-Carvalho: So, hold on.

Mr. Renaud: Yes.

Ms. Iseri-Carvalho: So, we did all of this. Now my assumption would be that once we made certain changes, we would...we would have a second site visit whether it be from the Department of...probably from the Department of Health that would come in and say, these are the actions that we took to address the concerns that you had raised. Then they would come in and they would check off, similar to how we did the wastewater and other issues. They would come in and then say, okay, humidity level is supposed to be between 40-60% RH, I'm measuring it, it's between 40-60%, that's acceptable. Next, surface temperature should be increased to prevent condensation, the temperature should be between 72-78 degrees. I checked the temperature, the temperature is between 72 and 78, you get a satisfactory mark, and we go on to the next one and the next one. That's all I'm asking for. With respect to this memo and the recommendations from the Department of Health and they're saying the first thing we had to do was reduce the humidity to acceptable levels. You're saying we eliminated voids, we did sweeps, we plugged this thing up. Have we had a site visit from the Department of Health before we get all these specialists and these people that going cost us money?

Mr. Renaud: To be honest with you, no we haven't. But if...

Ms. Iseri-Carvalho: Okay, so are we going to schedule it?

Mr. Renaud: We can if you want. If you request it, we will. That's not a problem.

Ms. Iseri-Carvalho: I think it's...

Mr. Renaud: Yeah, that's not a problem.

Ms. Iseri-Carvalho: I think we should before we get these experts on board to pay, we should get the Department of Health back because they're the one who gives us an okay or satisfactory mark on the building. So, I'm looking at the Department of Health. That's the initiation point because they're saying we are not, you know, in compliance. There's certain factors that are what they say negatively affecting the quality of the indoor air which is causing biological growth and particulate accumulation. And they, you know, they got the photos here on all that and so they gave these recommendations. So I think the first thing we should do, before we hire and spend any more money because we've already right now spent \$13,000 and I know it wasn't you. I know it was the person who was on the project before you that expended these funds, Mr. Doug Haigh, that we now had paid Architectural Diagnostics \$6500 and we've also paid Beall and Associates \$6500, so that's \$13,000 to tell us what the Department of Health has already told us back in June. So...and the Department of Health told us that free. But now, the County has already paid and I'd like a justification from Mr. Haigh as to why we paid somebody \$13,000 to tell us something, exactly what the Department of Health told us in the very beginning in their report. Why we wasted...in my opinion, why we wasted \$13,000 to reassess something that the Department of Health has already reassessed? They already told us these are the things that are wrong.

Mr. Renaud: I understand.

Ms. Iseri-Carvalho: And now we paying...based...I mean you know if it's going to come out of Mr. Doug Haigh's salary, then so be it. But why should it come out of my salary or anybody else's salary for \$13,000 to tell us nothing more than what our State agency has already told us? Thirteen thousand dollars and

now, you know, we're going to hire people...I mean, you see the frustration I know, Mr. Renaud, because I've voiced this to you before. But I think there has to be justification from Mr. Haigh as to why we needed to pay these people \$13,000 when the State did a perfectly fine report and said the exact same thing that we paid two private companies for. And now, after Mr. Haigh received this report that tells him what to do, since July we have not, you know, until you came on board, have not heard of a single thing that has been changed to address these concerns. What about...okay, the third one, it says, furnishings, carpets, or any textiles affected by particulates or biological contaminants should be cleaned and treated outdoors if possible or discarded. Has any of that remedies taken place?

Mr. Renaud: That I need the what you call, I need AirCare to come in and do.

Ms. Iseri-Carvalho: And then it also said, you know, hard or painted surfaces affected by mold or particulate contamination should be scrubbed with a detergent solution and may be disinfected with a bleach solution. You know, has the hard or painted surfaces that have been affected, have, you know, those kinds of actions taken place? You know, they requested a general maintenance plan to assure that these situations don't happen. Have we been using HEPA-type vacuum units or wet wipe methods for cleaning? Are we ensuring that the air conditioning units are kept in proper working order and have we replaced the filters on a timely basis? Are we using 30% dust-spot efficiency or greater pleated filters? Are we routinely inspecting the air conditioning unit coils, drain pan, ductwork and diffusers? I mean, we should utilize all these recommendations and address these recommendations, you know, before we expend more money because I really...I mean, I think for \$13,000 we could have done all of these things and it appears we haven't done it and I know you just came on board, but, you know, this problem, like I said, has existed for 5 years as we know of it. And, you know, the fact that somebody dropped the ball on this is very upsetting because it's affecting people's lives when, you know, evidence is being contaminated and we're paying moneys and not really getting to the places that we need to get. I appreciate all your work on getting the temporary storage site because I know you've gotten that as stated in your timeline that that is already set up and we're basically just waiting for the security cameras to be installed and the phone systems. But I really think we should, you know, get the Department of Health here to address these and then I know you mentioned that, you know, the expert, that AirCare would be able to give us a report in 2 weeks. So, we'll get this deferred so that they can give us a report on the clean-up. Thank you.

Mr. Renaud: Thank you.

Mr. Rapozo: Mr. Bynum.

Mr. Bynum: Hi, Ed. Let me see if I got this straight in my mind. We had this problem with mold. The first persons that came in was Montag or however you say it and they recommended we spend \$460,000 redesigning air conditioning, putting in dehumidifiers, doing all of this stuff, right. The Department of Health said the problem is the humidity, not the temperature and so your department put in sweeps, filled the voids, did the simple things in essence.

Mr. Renaud: Correct.

Mr. Bynum: And now that may have solved the problem, yeah?

Mr. Renaud: Correct.

Mr. Bynum: So, you are saying it's like, okay we did the things that were recommended including the things in the Health Department, right and then they've asked for clean-up and you would like to hire AirCare to do the clean-up. And then we may be pau, right and then it's time to assess this again and see if that dealt with the problem. Correct?

Mr. Renaud: That's true.

Mr. Bynum: Okay and so...so what you're trying to do is avoid doing a major overhaul of the air conditioning and buying dehumidifiers and all of that stuff, see if the simple things that the Health Department...because when you put the sweeps and filled the voids, the temperature went up in the room, which is what the Health Department said we need to do, right?

Mr. Renaud: Correct.

Mr. Bynum: So we still gotta clean up the problem, that's what AirCare is for and then we can reassess and see if we're okay. So, I want to applaud you to not go right to \$460,000 when there might be a simpler solution and so it seems that we're on the right track here and of course, we have to follow up and see if the environmental conditions have changed as you suspect they have, you know, and confirm that. Right?

Mr. Renaud: Correct.

Mr. Bynum: Now, we brought in some other consultants, one of which sold dehumidifiers that said their recommendation was buy dehumidifiers, right?

Mr. Renaud: Right.

Mr. Bynum: But a couple of other consultants that we paid money to said, no do the simple things first and then see, right, which is what you've done. You did the simple things first, the things you could do easily, the sweeps, the voids and it's changed the environment and that may be adequate and we'll determine that in follow-up. Is that correct?

Mr. Renaud: Correct.

Mr. Bynum: Have I got this right?

Mr. Renaud: Yes.

Mr. Bynum: Okay, so...and that determination is going to be made by the Montag...Motonaga?

Mr. Renaud: Well, he's going to come with the design, but the thing is what I liked about this is I will try and schedule the Department of Health to come back in and when we can finalize...not finalize but...today I think by the time I get back the contract should be completed with AirCare. He can come on and he can do his presentation and that presentation would help to understand about the mold and (inaudible).

Mr. Bynum: So if AirCare cleans up...

Mr. Renaud: Yes, they also do that, yeah.

Mr. Bynum: ...as the Department of Health recommended and you've already done the sweeps and the voids, we may be done.

Mr. Renaud: In that area, yeah. And that's why, excuse me, that's why I'm trying to clarify to the design, mechanical design firm that I cannot agree on the numbers and that's why we broke it down in phases that he's going to come back on once we can finalize his contract and reassess that big storage area because I don't believe we have to buy all those equipment.

Mr. Bynum: I hear that.

Mr. Renaud: Yeah.

Mr. Bynum: Okay, so we've done some of the things that were recommended and now we reassess to see if we need to go to the more cost...the big ticket items. Perhaps those aren't...things aren't needed. If they are, we'll go there, but perhaps they're not. So, thank you.

Mr. Renaud: Thank you.

Mr. Rapozo: Thank you. Go ahead, Ms. Iseri-Carvalho.

Ms. Iseri-Carvalho: I think that is the most ridiculous thing ever that this is going to be resolved just by that. It is not. I...they...I was there. It is ridiculous to suggest that oh, everything is all nice and...that's crazy. It's been going on for 5 years. You guys have basically done absolutely nothing except open up the vents and close up the vents because it was against the Department of Health and then it was something that had to be opened even though...because it wasn't built with an exhaust system ever. I mean for Mr. Bynum to sit there and try to minimize this problem is outrageous to me. He obviously is not very familiar with what's been going on there. And I'm over here saying that we're looking at one area. It says right in Motonaga's report September 26, 2008 that the enclosure walls and upper floor ceiling for these rooms seem to be generally open with loose construction joints making it difficult to maintain a relative humidity level. This issue will be analyzed but with the basic construction method it will be almost impossible to create a tight room. I mean, this is ridiculous. You know, I mean...so, I mean and we're only talking about this one small area of the Police Department. We still have mold and other issues, leakage and we have mildew building up in all of the ceilings. That's a whole other issue. So to suggest that oh, this is just very simple is ridiculous. I mean just totally ridiculous and so, you know, what I'm saying is we have not complied with the Department of Health because we have never had them come back and do a site visit. We can say all we want. If we were the experts and we could say that the RHs right now have already reached its temperature level or whatever humidity level percentage that it's supposed to be, then why are we paying any money for that if we were so great as being experts and the problem is still concurrently existing with all the mildew still there. So to suggest that it's gone away since June is crazy because it's still there and it's in September and they've done all...you've done all the closing...you've tried to mitigate the problem and yet even the expert that we're planning to hire is saying that it's impossible to do it given the construction of that building, which we shouldn't have ever accepted it from the very beginning because it was not fit for

acceptance 5 years ago and it's still not fit for acceptance 5 years later. So, you know...I mean just...totally outraged by the whole situation. And, you know, maybe it's, you know, and I'm still trying to figure out what we spent \$13,000 on...for and I know that was your question as well. I mean was the \$13,000 that was spent on this project even necessary when we still had these kinds of recommendations that were made by the Department of Health that we never even complied with, that we never even, at this point, complied with in a sense because we have never gotten a satisfactory rating back from the Department of Health that we've complied with their recommendations. So, I mean at a bare minimum that would be the first thing that we need to do and then we can get AirCare as far as cleaning up. They can clean up the mess that is there. They cannot tell you that the mess that is there is not going to continue in another 6 months or another 6 months.

Mr. Renaud: I believe they...

Ms. Iseri-Carvalho: They're going to say once they clean up and this is fine. Once they come in, AirCare is going to say once you pay me those \$30,000, all of this is going to be resolved?

Mr. Renaud: That's why they need to educate all of us and because they do design...they do design writing for the mechanical contractors, they have a lot of exposure to mold. So the thing is we just need to listen to them out...listen them out when they come over.

Ms. Iseri-Carvalho: And that would be fine. All I'm saying is that the project that we have them for is basically for cleaning and removal. We don't have them for consultation on mechanical designing of buildings...

Mr. Renaud: No.

Ms. Iseri-Carvalho: ... if that's what you're saying. So, I don't know. I mean is that...they're just going to do that for free because I'm just looking at what you're saying is part of what is in the contract?

Mr. Renaud: No, you're correct.

Mr. Rapozo: Any more questions for Ed? If not, Ed I just get one question and it's kind of related. The Department of Health came on the 12th of June and then ADL (Architectural Design) and Beall came on the 13th. Was that...the Department of Health, we requested them here?

Mr. Renaud: When I talked to Police, they requested the Department of Health.

Mr. Rapozo: The Police requested the Department of Health and Architectural Design and Beall was requested by Buildings...

Mr. Renaud: Correct.

Mr. Rapozo: ...and hired by Buildings.

Mr. Renaud: Correct.

Mr. Rapozo: And did Buildings know that the Department of Health was doing an inspection?

Mr. Renaud: I'm not sure and I would say this that they should have known or maybe they have known and I cannot answer that but, you know, it's a small place, yeah.

Mr. Rapozo: Yeah, yeah. I'm just wondering. That money comes from where? The \$13,000 came from where in the budget?

Mr. Renaud: I'm not sure where the 13 came from.

Mr. Rapozo: I mean we had...because I don't remember it being in the budget so is it...I'm just curious where that discretionary kind of money comes from.

Mr. Renaud: I didn't look at that. I can...I will look at that.

Mr. Rapozo: And does that stuff go out to bid or...because this all occurred before the declaration...emergency declaration was done.

Mr. Renaud: Mm-hm, correct, correct.

Mr. Rapozo: So I just want to know how any department or division head can get that kind of money.

Mr. Renaud: I'll look into that.

Mr. Rapozo: Okay. Any more questions? If not, thank you, Ed.

Mr. Renaud: Thank you.

Mr. Rapozo: Anybody in the audience wishing to testify?
Mr. Pleas?

BRUCE PLEAS: Bruce Pleas for the record. I've been following this since it's been here. I don't have your paperwork and the only time I've actually been to the Police Station is to register my guns. So I only have a small area that I've been in. But just following what's been going on, what concerns me is I'm kind of familiar with a building being built. I knew some people that helped build it and the mildew building-wide and cracks, if that is true and that is something that is happening, I've had enough experience with mildew living in Lāwa'i and all that that if you don't address the whole problem in the entire building, you're still going to have a problem in the small area you're trying to keep it away from. That's almost a given. As for the mitigation measures from the DOH findings, I'm wondering is there a temperature and humidity monitoring system in that room right now. It seems to me that would be the first effort that should be done and then doing efforts after that for dehumidifiers and an air cleaning system and try to bring everything in compliance with DOH and to at least mitigate the problem right away. And I'll just keep following this and seeing where it goes. This is very interesting. It shows how long government takes to get going. Okay, thank you very much.

Mr. Rapozo: Thanks, Bruce. I got one of those measuring things in my humidor at home. It doesn't cost that much. You can...Anybody else wishing to testify? If not, I call the meeting back to order and discussion.

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

Mr. Rapozo: No discussion? I don't know Ms. Iseri-Carvalho if you wanted to have this remain on. I heard Ed say he wanted to have AirCare...what's the name of that company?...AirCare to come do a presentation. That might be helpful. I know their proposal is to have them clean first. It's much like this chambers here. We have a mold problem here in this chambers and you can clean it up last week and after yesterday's rain, guess what? It's here again. It doesn't go away if we don't get to the root problem. I think it's not a temperature problem as I'm reading some of this stuff. It's a humidity problem. So, what's the pleasure of the committee? Do they want to get an update every so often on this issue or I think it's a critical...

Ms. Iseri-Carvalho: Why I think it needs to be resolved. I also think that we need to figure out what we spent \$13,000 on because it appears that that was money that one, like you said, I never saw it in the budget to spend \$13,000 for any expert coming on. In fact, we had...remember, it was in April that we actually had this item on the agenda and subsequent to that it appears there were some meetings back in June. There was no money bill that was proposed. And so I think it's important to have Doug Haigh, who was the initial project manager, here to explain a lot of the history that occurred prior to Mr. Renaud taking over and trying to resolve the issue. It appears that we need to still comply with the Department of Health. So I would, you know, ask that in the interim if they can get the Department of Health here as soon as possible to reevaluate and if it's accurate and it's as simple as Mr. Bynum seems to believe that everything has been resolved, then we'll get that answer from the Department of Health person. But I know based on what the structural engineer has said, the mechanical engineer, it's almost impossible to do it basically by retrofitting this section of the building when it appears that the entire building is where we're having leakage, so it's not only a mold and mildew problem. That clearly is a problem that exists in the evidence section of the Police Department building. But I can tell you after this rain, it's all flooded in the Prosecutor's Office, it's flooded over at the Police Department and it's flooded, I mean, on the bottom by where the evidence section is. So, there's still major problems that was also a part...there were three parts to this communication. One was that...the evidence room and the mold and the mildew. The other was the remaining parts of the building and there was...remember that 40 or so work orders that had to be completed as far as the interlocking floors, the wires being exposed, the ceilings not even having ceiling coverings because they keep getting soaked in because it's leaking within the building and it's a brand new building, you know. It's a...we don't even have an exhaust system in that building. So, you know, to use that exhaust system that they have which is actually an evidence...was supposed to be using to flume the evidence is totally an improper usage of that equipment and they haven't even resolved that. So, I think there's a, you know, what we can do is do a three-part request to this. We can go ahead and receive this and/or continue it to have the experts come in. I mean, it's just...I think Mr. Renaud has done an excellent job of trying to move this project along, but you know, as you described earlier this morning, I mean we need to know the source of the problem before we can act appropriately and when the original project manager is not present to give information to either Ed Renaud or the Police Department and explain the decisions that were made and why we did not follow up with the recommendations from the

Department of Health, it's really hard for us to continue, you know. I'm inquiring whether all of the files that belong to this project has actually even been turned over to Mr. Renaud or to the Police Department. It appeared Mr. Renaud did not even know when he spoke here the last time that the Department of Health had even really made an inspection or report. So, you know, there's obvious some concerns as far as some disconnect within the Public Works and so, you know, I think it's important that the next time that we have this meeting, I'm going to be in favor of deferring and then adding on another agenda item with respect to the particulars about the money and again about the contract. But I mean you look at these pictures...I mean, you know, it's like the ceilings are all falling through, you know, it's just unbelievable. It's all rusted, it's a brand new building, you know you got rust all through the vents. You got mold and mildew all on the walls. I mean they got pictures of all of this stuff and it hasn't been resolved as opposed to what, you know, a councilmember may believe and maybe people should take a look as to what has actually happened since the time that building has been in place because these photographs are still a replica of what exists today.

Mr. Rapozo: So did you say you wanted to defer and repost or receive and repost?

Ms. Iseri-Carvalho: Defer this item and then post, as far as the funding that's been allocated as far as the emergency contract and what the scope of work is going to be with respect to that contract.

Mr. Rapozo: Thank you. Mr. Bynum.

Mr. Bynum: Thank you, Mr. Rapozo. I don't think I made any conclusions. I was clarifying with what Mr. Renaud said. My reading of the documents the Health Department said reduce the relative humidity to acceptable levels through air conditioning adjustments to prevent reoccurrence of mold problems. If this is not possible, the installation of dehumidifiers may be necessary. We had one consultant who said, put in dehumidifiers. We had another consultant that was consistent with what the Health Department said which was try to reduce...make adjustments in the air conditioning, fill the voids, do the sweeps and then assess. And that's what I heard Mr. Renaud say, that they had filled the voids and followed through with the recommendations that the Health Department and another consultant made and then they'll reassess, but they're not ready to pull the trigger on buying the humidifiers until they find out if it's necessary. So, I don't think I drew any conclusion regardless of the characterization from Councilmember Iseri-Carvalho. I asked for clarification of Ed's testimony and that's what he did.

Mr. Rapozo: Thank you. Anyone else? Then I would entertain a motion...we have a motion on the floor is to receive. I do...I guess my question and this can go over in the new communication is I kind of want to find out why we did go with the two consultants the day after the Department of Health came by and it's interesting that Beall and Associates who we paid \$6,500, their site visit was conducted on June 13, again on the same day, and they observed...it says, we observed mold in the above areas and also assisted Architectural Diagnostics in placing temperature humidity data loggers at selected locations. The results from these loggers and other observations are well covered in the Architectural Diagnostics site visit report dated June 13. So they came along for the ride, helped put up...I don't know what a logger is. I'm assuming it's just a little box you put in the Evidence Room and they rely on the report from Architectural Diagnostics, and we paid them \$6500. So, I'm not sure...I guess I kind of want to see that, the

justification for hiring two consultants. And I heard Mr. Renaud say he wanted that mechanical engineer or they thought they wanted a mechanical engineer here as well. But if the deal was to determine or locate mold and find out what temperatures were, I don't know if that was good use of the money. So, we can put that in the new communication. So, with that, there is a motion to receive...

Ms. Iseri-Carvalho: I'll withdraw... Who did the motion?

Vice Chair Rapozo: It doesn't matter. You can just make a motion to defer and that'll...

Ms. Iseri-Carvalho: Well, motion to defer because we...

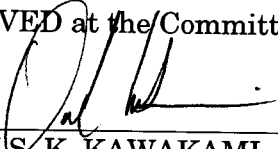
Upon motion duly made by Councilmember Iseri-Carvalho, seconded by Councilmember Kaneshiro, and unanimously carried, EPS 2008-1 was deferred.

There being no further business, the meeting was adjourned at 2:41 p.m.

Respectfully submitted,

Wilma Akiona
Wilma Akiona
Secretary

APPROVED at the Committee Meeting held on January 7, 2009.



DEREK S. K. KAWAKAMI
Chair, Public Safety/Energy/Intergovernmental Relations Committee