

**COMMITTEE OF THE WHOLE
DELIBERATION AND PRELIMINARY DECISION-MAKING
FY 2008-2009 ANNUAL BUDGET**

MAY 12 and 13, 2008

A Deliberation and Decision Making Meeting on the FY 2008-2009 Annual Budget of the County of Kaua'i was called to order by Ronald Kouchi, Chair, Committee of the Whole, on Monday, May 12, 2008, at 9:25 a.m. at the Council Chambers, Historic County Building, 4396 Rice Street, Lihu'e, Kaua'i, Hawai'i and the presence of the following was noted:

Honorable Bill "Kaipo" Asing, Council Chair
Honorable Tim Bynum
Honorable Jay Furfaro
Honorable Shaylene Iseri-Carvalho
Honorable Ronald Kouchi
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura

The meeting proceeded as follows:

Mr. Kouchi: Let's call the budget session to order. Instead of beginning at the mayor's office, we going do the mayor's office toward the end, if not last. So let's begin with the clerk's office, and essentially, you know, I got to you on Wednesday a plus/minus sheet going through the departments, and as you know, we wound up going on day two till 2 a.m. on the decision making. I don't think everybody was really happy, you know, the length that it took, and certainly it doesn't foster good decision making, and I really didn't want to have to go page by page confirming that nobody had a disagreement with an electrical bill or paper clip supplies or whatever it is. So you know, I tried to focus in on where changes were going to be made, and also to try and get people at least thinking about if we want to change something, then you know, you need to reduce money or add revenue in order to create a project that's not currently in the budget. And so therefore the plus and minus sheet, and so for the office of the county clerk, which is next, you can see on the special counsel that there was a request to have some funding available, and that the 12,000 wasn't enough, so we have an addition. Other supplies was for that smart white board/digital projector that was not purchased and was supposed to be purchased.

Mr. Rapozo: Can I get a copy of that stuff?

Mr. Bynum: She just went to make one for me, so tell her several.

Mr. Kouchi: You guys should have had.

Mr. Furfaro: It's in the folder that you distributed, right, Mr. Kouchi?

Ms. Iseri-Carvalho: It was in your box.

Mr. Kouchi: And then if you need Peter to explain it to you, essentially the 119,000 plus up was the fact that you could not encumber the money for this year's elections (inaudible) that should have been encumbered because of the suit that was filed against the State Elections Commission, but maybe Peter...well not everybody got that, so you know, you should just give the members the update.

Mr. Nakamura: Committee Chair and Councilmembers, I think on that figure, there was a protest...there was an award of the contract for the new elections system, for the statewide elections system there was a protest filed. Because the protest is still pending, they weren't able to execute a contract with the proposed vendor, and so what we normally do is encumber one-half of our prorata election share in this current budget, and the second half in next year's budget. Because of the protest that's been filed, we'll not be able to...I don't think we'll be able to encumber that half in this 07-08 budget. So we're just moving it to the next fiscal year.

Mr. Kouchi: And then for lack of a better way to describe it, so what will happen is it will actually lapse.

Mr. Nakamura: Yes.

Mr. Kouchi: An additional amount of money that should have been spent, and then it will wind up carrying over to the surplus next year, so it's just washing (inaudible).

Mr. Furfaro: Mr. Clerk, do you know how much that lapse is going to be? You know what's there now?

Mr. Nakamura: I think currently we have...I'm going to guess, but I need to check the budget. I believe it's about 116,000.

Mr. Furfaro: About 116, okay. And this total, 235, that's a pretty firm number?

Mr. Nakamura: It's as firm as we can get it from the Statewide Elections system, because the contract hasn't been awarded yet. It's our best guess at this...our scientific best guess.

Mr. Furfaro: Thank you.

Ms. Yukimura: Can somebody just review for me the planned expenditures for the special counsel? I mean...

Mr. Kouchi: Explain your special counsel plan.

Mr. Rapozo: My special counsel plan?

Mr. Kouchi: You wanted money in the county clerk's office for special counsel. This was in reaction to some discussion that was offered by Mr. Rapozo.

Mr. Rapozo: Well, it is obvious that we are not going to get the level of service from the county attorney's office as we would like, or...in my opinion, anyway. I know it's not going to be at the level that I would like, so I am asking... I do not want this Council to have to compromise our work because of the actions of another department, and I don't think that the County Attorney's responses that day at the budget review session was appropriate or acceptable. He basically told us that, you know, he cannot see his employees sitting here doing nothing while we pick on every single issue that comes before us, which happens to be our job. So in light of that, and in fact I see no change in that, even with discussions with the administration, there is no attempt to get him to change his position, and in fact, at the last Charter...Salary Commission meeting, he was successful in getting the Salary Commission to submit a resolution to this body that would effectively take the Council out of the evaluation process for the county attorney. That is going to be coming up to us as a resolution, basically a request for us to amend the salary ordinance taking this body out of the evaluation process of the county attorney. It is clear in my mind that he has no intention of serving this body at all. So in fact, after hearing about the Salary Commission...in fact, he was even

asking for a raise as well; they did not approve of that, but they did approve or at least approved at a level that was forwarded here that would take our...any performance review opportunities from this body away. So it's clear and that's in his prerogative. He can do what he wants, and I think we need to protect our citizens, we need to protect ourselves, and if that is the service that we are going to get, I just did my own research, and I can tell you that other counties have attorneys on staff and they rely on the attorney's information and opinions. It's not against the Charter. All the Charter says is that the county attorneys shall represent both the mayor and the county council. It does not say that shall be the sole representation or the sole provider of attorney opinions, legal opinions. So in my mind, we could hire our own legal counsel, we can rely on our own legal opinions by our staff. The reality is if we get sued, the attorney needs to represent this body, the county attorney. But anything outside of that, if we wanted an opinion on any issue, we don't have to go to the county attorney, and I think as I see the service that we've been getting, and as I see the plan of action for that county attorney, that I think it's in the best interest of this community and this council to appropriate funds to have our own legal counsel. Thank you.

Mr. Kouchi: And it was clear to me from Mr. Rapozo's prior presentation that he had no specific issue that he anticipated this for, but he had wanted to have an ability to have this as a possibility, and then clearly to expend any money from this account, he would require 5 votes of the council to retain special counsel if it's hiring outside counsel, the way it's currently structured; if you were to hire a position, it would require action from the council in the creation of a new position. So this is establishing an account, but it would be an account that would require justification to be submitted and a vote of the councilmembers before any of the money could be expended...was how I understood it.

Mr. Rapozo: And, and... Exactly. I'm not proposing a new position, but what I'm saying... We have a legal analyst on staff right now that we should be using more in the legal arena. What I'm saying is if there is a situation that came up and this County wanted a county attorney's...I mean an attorney's opinion, a legal opinion on the issue, whether it's regarding environment, real estate, land law, agricultural subdivisions, it doesn't matter, that we could go out and get a professional unbiased attorney and get an opinion in a reasonable period of time, and that if the attorney didn't want to come, you know what, it wouldn't affect our decisions, because we would have the ability to rely on our own resources to obtain that necessary opinions. Now, is that the perfect system? No. But I am a realist, and I realize that things aren't going to change between this office and the county attorney's office. I mean that was clearly stated in his position at the budget review that he is not going to provide an attorney here if it goes beyond 6 o'clock, 5 o'clock, or...and so forth. We all heard the discussion, so I'm not going to be held hostage because the county attorney does not want to service this body. If he thinks what we're doing is petty, that's his opinion and he's entitled to it, but we have an obligation to the community to make sure that we make right decisions based on good information.

Ms. Yukimura: I totally agree with Councilmember Rapozo that we should be part of the evaluation of the county attorney, because under the Charter his job is to advise us. And so we being part of his clientele should absolutely be part of the evaluation. If it is true that we can obtain and then stand on attorney's opinions that come not from the county attorney but from our side of the separation of powers, then so be it, but we can then use our legal analyst who is a licensed attorney. So I, you know, I'm just questioning setting aside...I mean it's sort of that principle that if you're not going to spend it, we shouldn't put it in, and I understand that we need some contingencies, but I don't know that we need 100,000.

Mr. Kouchi: I guess when I had agreed, at least in my suggestion to plus it up, I'm not so sure that the first opinion we might not need is that we in fact can do it.

Ms. Yukimura: That's true.

Mr. Kouchi: And so that was at the back of my mind in considering what Mr. Rapozo had requested in the plus up. The second thing, as is the normal case with the amount of attorneys we have in the attorney's office that there's oftentimes issues that arise that aren't necessarily in the purview of expertise of the attorneys that are there, and since we're limited to only one attorney, I also took into account that, you know, our attorney may not be someone who's best versed in that particular field, you know, in considering the request from Mr. Rapozo, and so as to why, you know, it was put at that amount, that was just what was at the back of my mind when I had suggested it. But you know again, it's out there and I understand the concerns that you raise as well, but I'm just trying to explain why I came up with a particular number that I did, after listening to the discussion during the reviews.

Mr. Furfaro: Well, I understand Mr. Rapozo's point of view. I also understand your commentary that we may have to reach out for a decision, but I think in all fairness to this contingency, you know, we might want to reduce it to adding an additional 53,000, so that, you know, we end up with 65,000 in the contingency, and if we find it necessary to get those kinds of interpretation, we can always reflect on the surplus through a money bill later. I mean it sends the appropriate message, I mean, that we have the money, but I would suggest we take 25,000 out of there.

Mr. Bynum: I have... I share some of Councilmember Rapozo's concerns, particularly regarding the presence of the county attorney during our meetings, and you know, at first look at the evaluation issue, I can't see why the council wouldn't continue to provide evaluation of the county attorney. However, I think we had a transition period and the county attorney has hired at least 2 new staff, and I feel like our needs are being met. He set a limit that said this is going to be done in writing. I've seen couple of dozen written opinions in writing, and I don't feel a need for these funds to go in there. If we have...we need special counsel, the county attorney's office already has contingency for that. You know, we're going to have a tight budget. I didn't see the need for this the last couple of years, and I don't know that having this county attorney's going to require that in the future. So I'm not in support of increasing this. We already have a small contingency if we want to... Like I said, we often hire outside counsel and the county attorney's budget has that in it as well.

Ms. Iseri-Carvalho: I'm totally in support of the total amount being put in. It was obvious by the county attorney's responses that not only will he not be fulfilling our needs, and I don't know, Mr. Bynum, maybe you needs have been fulfilled, I find that statement kind of specious, in light of the fact that so many of our meetings have had to be deferred, even a lot of the opinions that have been requested in writing, for months. So it's kind of ridiculous to me to suggest that our needs are being met when time and time and time again, and I can pull all the county attorney's opinions and the times that they have sent those in, and the amount of times that we have had to have vacation rentals, housing...affordable housing policy questions, shoreline protection questions of legality deferred. And each time that we have it deferred, it's money spent. We got to put on more time for Ho'ike to put on, we have the public testimony, they had...we had hundreds during those period of time they came forward to testify and weren't able to get an...a decision by us because we were awaiting opinions from the county attorney. What bothers me the most with respect to this county attorney is that he had every opportunity to hire county attorneys and did not take a single step in that effort. I was told during the budget time that there was no announcements in the paper. There was no announcements at the Hawai'i State Bar Association looking for county attorneys. There was no posting at the personnel office for attorneys. And yet we were here saying that the county attorney's office were short-staffed and that they did not have, not only the expertise, but they did not have the amount of quantity of attorneys to even attend the meetings. So it's ludicrous to me on one point to be saying that I don't have the staff, and at the second point saying, but I'm not going to advertise to get staff, because I want to pick and choose who maybe the mayor wants. And so I think

this process is flawed, but clearly it points out that he had no indications...no intention of filling those positions, because he said he did not even post for it. So in light of that, it's clear that I don't think if there are openings that that kind of process, open process, and we've heard this time and again, it was the same thing with planning. Councilmember Furfaro brought this up about people applying, and I know even at the county attorney's office that there were people that applied, just because we sent people there, because we said that there were openings in these positions, and yet they sat for months, and they didn't even get a call back, they didn't even get a call back for an interview, they didn't even get a call to say that they were not qualified or qualified. And so this whole thing about, you know, being short-staffed I think is hogwash, because I think that we don't make the necessary effort to hire qualified personnel, especially by our own admission when we come forward and say we don't want to advertise, because we want to pick who we want. That's totally a flaw in the system. I think there are many qualified attorneys on the island that would have loved the opportunity. There are many qualified planners on the island that would have loved the opportunity. I heard that there were people that even applied for the transportation planner position and didn't get a call back. So I'm very concerned about the hiring processes of the administration, because it's clear that it's not being advertised, and so to come up here and say that we don't have the personnel, to me, without making any effort is being hypocritical. Therefore, I think it's very important that we have legal advice, that there are significant issues that are coming up with respect to liability for our county. We have seen millions of dollars being spent, I think, needlessly, that a lot of cases could have been settled way before it was settled, that there were a lot of opportunities to do thorough investigations. I think we're going to land into a lot of problems with not having attorneys that are qualified in land use issues, especially with the amount of litigation that is pending already in court. I think that we should have...we should be entitled to have legal advice at our whim. Before this administration, before this county attorney was here, we did have, and every year before that. My understanding by the council chair is that we did have a county attorney that was present to assist the council, and in fact, every single other county has a county attorney that attends all of the meetings. So I think it's a disservice to not only the council, but it's a disservice to the entire community when this county attorney decides that he's not going to provide the adequate legal service that other counties are being provided, and it's not a matter of money, because he has the money and he has the positions, it's just that he doesn't fill it. So that's my position and I'm going to be totally supporting this amount of funding.

Mr. Bynum: I just, you know, met with Judge Pyun, and my memory is that since he's been in office, he's hired 3 attorneys: Jennifer Winn, Mona, and Harrison; means he has one opening, I believe I'm accurate, that he says in the process of filling. So...and I think there was a period of time when they were very short-staffed. That's a situation he inherited. That it was frustrating the delays in written opinions, but in more recent time, the opinions have been coming in what I consider a timely manner, and he told me, you know, we're geared up to respond in writing and to put these out in a timely fashion. So just there aren't...there's only one opening, as I understand it right now, which is in the process of being filled.

Mr. Kouchi: And that's one of the issues. Again, I think the other issue that I clearly hear from Councilmember Rapozo is the issue of the attitude toward the council, and it was clear that in the Judge's testimony in the budget deliberations that he said that I don't want my attorneys sitting here doing nothing. So clearly, there's a total lack of respect or regard for any of the activity that is going on here by the statement that was made. You know, we further went through the discussion, and then he advocated why he had employees who were better educated than our employees, and therefore they not only were deserving but were owed more money than the very people who work for us, and that, you know, with that kind of attitude and that no matter how many new people he hires and whether he's full staffed or not, he did not expect any employee to stay past whether it was 7 p.m. or 9 p.m., but that when that bell rung that he had no problem with that deputy standing up and leaving, no matter at what juncture of the council meeting we were at. And I believe, you know, Councilmember Rapozo's point were twofold, so maybe half of it has been solved.

But until we hear the Judge come back and say the council meetings are important, I'm fully staffed, you'll have full coverage and legal advice available to you whenever you need it, and it is important for us to be reviewed by you since you confirm me, and we would be part of wanting to know if we're doing a good job of servicing you, you know, it's still falling short of the second portion. And that's, you know, part of the discussion that I've heard. Because I am aware and I do personally know the deputy who's about to come onboard, and you know, he's a pretty good attorney. So I'm excited for the county that they're able to recruit someone of good quality, but that...I'm not expecting to see that deputy here after 7 p.m., based on the Judge's prior comments, and I'm told although he's from O'ahu, he has found an apartment and will be renting and living here on Kaua'i and moving to Kaua'i. But you know, we'll see what happens.

Mr. Rapozo: I got a comment real quick, and I think it...you know we got to remember who we service. We service the public. We do not service the county attorney. In fact, it's opposite. He serves us. You know, when we got to move our executive sessions because we want to make sure we can get the county attorney before he has to leave to catch a flight, that's not serving the public, because now you got people in the community here in the audience that's got to go step outside, you got a captioner that has to go on break and wait, and heaven knows how long we're going to take, you have the Ho'ike cameraman that's got to go step outside... On the agenda, executive sessions are posted last, and that is because that's the process. Now if...we are not here, again, to make it convenient for a county attorney's office. No, no, no. Imagine if you're a private attorney, you called him up and you had to cater to him or her, you paying 300 bucks an hour and you got to cater to him or her? I'm sorry. We deserve better service. You know, what really floored me was when I heard that the planning commission gets staffed with an attorney as long as they're in session, and this council doesn't. So like Ron said, it's a matter of respect, and really, this last action of the attorney requesting that we be stripped of our ability to evaluate his performance I think is a downright slap in our face. And Tim, I appreciate your comments, but you don't have anything to compare him to. You came with him, so you don't have anything to compare him to. You don't have the history of an attorney that sits here, that does whatever it takes to service their client. Even before I got elected, Hartwell Blake was...he was here, every meeting, not a deputy, but THE county attorney. Now...but we have seen the transition to a tag team where every 2 hours, okay, hey, you're up. It's a joke. We get no respect, and yet this body creates legislation that will in fact draw litigation, so we need to be serviced properly. And it's unfortunate that we have a county attorney that feels that way, and it's unfortunate that he feels that we're nitpickers, but it is what it is, and I... My only concern with reducing the money, but you know, I'm willing to settle whatever is agreed upon by this body, is if we go out and hire an attorney on our own for an opinion or for an issue, the money dries up real quick. You see, you approve it all the time, you know, hundred grand for this, a hundred grand for that, a hundred grand for this. So I mean, if we're going to...if we believe in that philosophy, then let's put the money that we know we not going be shortchanged, but again, you know, I appreciate all the comments. I just think that this body, and the community, deserves to be served by a county attorney that is really at their beck and call, and not at their own. So that's all I have Mr. Chair.

Mr. Furfaro: First of all, I want to say that my suggestion that, you know, the total amount goes to 75,000 or a \$25,000 savings is I want to recognize, you know, the shortcomings pointed out by my colleagues. I also want to point out that with one vacancy being filled, there is time to continue to negotiate to the client we are with the county attorney's office to come to some conclusion as to what services we are going to expect, and also expect being able to review those services. So my commentary is solely from a standpoint of the financial portion. I would hope with having \$75,000 there, the differences can be reconciled and our position and our responsibility to the community can therefore be conveyed with the same urgency to the county attorney, with at the same time having this money here for potential counsel would be to our advantage to have a total of 75,000 there.

Mr. Kouchi: And before I go to Tim, the only part of that that I have a different perspective of is that I'm not client, I'm the boss. But anyway... I'm saying, as the clients of the attorney, I'm the boss of the attorney, is my perspective.

Mr. Furfaro: I think if you dig into that definition, as the client you should have the right to terminate a relationship as well. So you are the boss.

Mr. Bynum: Just real briefly, not to beat this up too much, but I want to be clear that I concur with the need for the county attorney to be present, and I'm not in agreement with changing the policy on how the county attorney's evaluated. But I don't know that these funds are going to cure that issue. Like I said, the funding...you know, our budget's really tight. We're starting out right from the beginning, and there are contingency funds for special counsel in the county attorney's budget and you know, I think the attitude from... I think it's very unfortunate that there's this much tension between the two sides. I think it's unfortunate that the budget hearing was as heated as it was. But you know, to me, this may be a way to just continue the thing, the tit for tat, and what we need to do is develop a working relationship that's based on mutual respect, and I understand that there's been some...that some of the positions that county attorneys take and call that into question. But I want to be clear that I'm not...I'm not saying there's no issue here, because I think the county attorney's presence and this issue about, you know, I mentioned to the mayor in a meeting with him that the county attorney asking for a change of this wasn't the right direction to go in terms of healing our relationship.

Ms. Iseri-Carvalho: You know, when we talk about what you brought up about respect, it's not only the fact that the county attorney went to the salary commission to ask for the council to not evaluate him, but he gave a legal opinion to the salary commission stating that it was illegal for them to require the council to evaluate him. I have some serious concerns, because one, it's a legal opinion, and why is that not a confidential opinion, number one, because they've always said it's confidential, every opinion that comes out of that office is confidential, but when it has to do with my salary and what I want, then it's no longer confidential. Number two, there's an ethical issue as to how the county attorney can submit a legal opinion that is self-serving to himself that basically tells them to exclude a party of which we are a client from evaluating him, number one, and number two, from requesting two pay raises at two various times that he went to the salary commission, without even informing the client that he was seeking that kind of request. Talk about respect. So there's a lot more, and this may not be the place to bring it, but since Councilmember Kouchi brought about respect, there's numerous issues, and I think this body, the council, has been very open to having these kinds of discussion with the county attorney, and he has purposely and intentionally failed to disclose these kinds of actions that he's taken before the salary commission, on his own personal behalf. And so I anticipate that there'll be some other legal ethical issues that will come out with this county attorney as soon as the resolution hits the floor, and the community is aware of what took place at the salary commission. But there's...you know, there was a distinct legal opinion that was provided by this county attorney in saying that, legal opinion in his sense, about what the client's relationship is with the attorney that if there was distrust and there was disrespect between the parties, then it was time for the county attorney to leave. Well, I'm actually waiting for the county attorney to leave, because that was something that he had said would happen, in his interview. He basically said that, that if the clients do not trust him, if there is not a mutual respect, then he would take it upon himself to leave, and I'll put up that minutes as soon as the resolution hits the floor on the council agenda, because I think that to me would better the relationship with the council, with the community. There have been many, many issues from the community members who have participated in the Kōloa issue, with the Kapaia bridge, that have been totally disrespected by the county attorney, and we've received letters, many numerous letters from the community about the ranting and the raving by the county attorney on community members. So it goes simply beyond this issue. This is one way of addressing it, I feel. There are numerous other ways that I believe the community is working towards in addressing the tension, but clearly, this tension was

not, in my opinion, created by the council, but continues to be one that is reinforced by actions taken alone by the county attorney.

Mr. Furfaro: Yes, I'd like to make a note if the time permits, Mr. Chair.

Mr. Kouchi: I was just going to ask you, are there any other objections besides Tim to 100,000? Two. So Jay had suggested at 75, so we go back to...are there any objections besides JoAnn and Tim to 75,000? And if not, we'll settle in at 75,000.

Ms. Yukimura: I don't know that I object to 75,000.

Mr. Kouchi: Okay, but 75,000 would be the number, and we have a \$25,000 reduction.

Ms. Yukimura: I want to say I think 50 is enough, but you know, if other members feel otherwise, I'll go with the 75.

Mr. Bynum: But Ron, that would be a total of 75?

Mr. Kouchi: Yes. And I'm reminded that there's a May 9 memo from the staff to all the councilmembers, and it says the budget comparison highlights between March 14 and May 8, and so if you go to page 2 on the council services side, what isn't picked up in the plus/minus sheet is that we needed to have an increase of approximately \$8,000, but that reflects picking up the accurate salaries for the council chair, the councilmembers, the clerk, and the deputy clerk.

Mr. Rapozo: Peter, where does that whiteboard show on the budget? On the old budget?

Mr. Kouchi: Yes, other supplies.

Council Chair Asing: Ron, I just wanted to make a comment. I didn't say anything, but I just wanted to note that I agree with the concerns raised by Councilmember Rapozo, but I will agree to the figure brought up by Councilmember Furfaro as a compromise.

Mr. Kouchi: As I recall, you did ask the \$64million question.

Mr. Rapozo: I was being civil. Thank you very much, Mr. Chair, because then you're right, it needed to be addressed.

Mr. Kouchi: So anyway, the salaries are just reflecting the salaries that are required by the salary ordinance.

Ms. Yukimura: And what was the figure?

Mr. Kouchi: It's \$8,000. It's almost \$1,000 per councilmember and 1100 for the chair, and then 586 for the clerk, and 539 for the deputy clerk, as far as a positive variance. Are there any other questions in the clerk's budget?

Ms. Iseri-Carvalho: Well, I'd like to go back to the other attorney question with respect to special counsel. I had brought up the issue about the resolution that we were forwarded from the salary commission. In that kind of instance, is that an instance where that funding will be utilized, or is that an instance where...because it appears that there would be a conflict if we had special counsel to evaluate whether that opinion that was provided from the county attorney was a valid or

legitimate opinion. Is that one that would come out from this budget or from special counsel budget, because I can foresee that is specifically an issue that there would be a conflict with the county attorney's office.

Mr. Kouchi: That would be from the special counsel budget, because the Charter is clear. If there is a dispute then the council is authorized to go out and retain special counsel, which would be off of the special counsel budget.

Ms. Iseri-Carvalho: From the county attorney's office?

Mr. Kouchi: Would be the position that I would be advocating, because that's why part of the reason that you put special counsel funds in the county attorney's office is to be able to anticipate that situation.

Ms. Iseri-Carvalho: Okay. And I guess the question again has to do with if it goes through that process, who is going to have jurisdiction over that process if the county attorney's office has a conflict, if it goes through their budget, and who's going to do the hiring or going to put out the list of retention of attorneys?

Mr. Rapozo: I believe it would be us.

Mr. Kouchi: Most importantly, while it is an important issue, I think it's one that would be addressed within this current fiscal year to begin with, and so it has nothing to do with this proposed budget. And so I prefer that we debate how we go about process when that resolution hits the floor, unless the intention was to defer that resolution past June 30.

Ms. Iseri-Carvalho: I hope not. I mean I don't know when it comes off on the agenda, so...

Mr. Kouchi: I didn't think so, but I just saying it would have to be addressed within this fiscal year anyway.

Mr. Rapozo: Yeah, I think that will have to be addressed when it gets...

Mr. Kouchi: Otherwise we going be here 'till we take the lunch break talking about this one.

Ms. Iseri-Carvalho: I guess that was my question, whether we would actually be addressing that resolution in the former budget or...

Mr. Kouchi: I believe the intent is to (inaudible).

Ms. Iseri-Carvalho: Do in the form of (inaudible).

Mr. Kouchi: Resolve as soon as possible.

Ms. Yukimura: Well...I mean I think the council's jurisdiction over the resolution is clear, right? And if he wants to challenge it, we can...I mean he can propose special counsel, but we don't have to approve it.

Mr. Rapozo: Exactly, because it'll...

Ms. Yukimura: From his budget.

Mr. Rapozo: It'll result in a amendment of the salary budget. That's what they're seeking.

Ms. Yukimura: And that's completely under our jurisdiction.

Mr. Rapozo: Correct, and...but I think for the other legal issues that Councilmember Iseri...

Mr. Kouchi: Shaylene's concern is that in the testimony provided to the commission for the request, there is a written legal opinion that indicates the council has no legal jurisdiction in the review. So the issue is how do you now wind up getting legal advice in regards to that opinion by the attorney. The attorney is conflicted. But I'm just saying that we would wind up, if we doing it within this fiscal year, it would be out of the special counsel account of the current budget, and there are procurement issues that Shaylene raises are all excellent ones, but for the item when it reaches the agenda. I don't think it's part of the decision making for this budget at this time.

Ms. Yukimura: Won't it be mooted out by our action on the salary ordinance?

Mr. Kouchi: Not if there's a legal opinion, though. Will we have now been violating law? I mean those...

Ms. Yukimura: By amending the salary ordinance?

Mr. Kouchi: Or by not...

Mr. Rapozo: Because the opinion is... The opinion clearly states that it is illegal. It is a violation of the separation of powers, which causes a concern. Now, I have independently, and not as a member of this council, but you know, I'm looking at pursuing it my own way because I think it's a total violation of the attorney's code, and I think it's an outright conflict of interest.

Ms. Yukimura: It's a violation of the Charter.

Mr. Rapozo: Well, that too.

Ms. Iseri-Carvalho: It is, but it's in writing...

Mr. Rapozo: But because...like what Shay is saying, because we have that opinion in writing signed by the Judge [County Attorney Pyun] , if we go against it, are we in fact compromising our liability. So anyway, it's a joke. That's what it is.

Mr. Kouchi: But anyway, not for today to be resolved. Thank you for bringing it to our attention. Anything else in the office of the county clerk? Otherwise, we want to go to the county attorney, and besides deleting the word "fines," there is a variance of \$500 for each of the attorneys in there to be in compliance with the salary ordinance, and that's one, two, three, four, five, six, seven, eight, so \$4,000.

Ms. Iseri-Carvalho: I think...you know, the concern I have on this text, and it appears that on page 17 the text would read as it's stated here, is not only...because fines could come under other litigation related expenses. My point was that no county funds should be utilized to pay for fines or sanctions that are imposed on attorneys, and so I think this is a broad catch-all...

Mr. Kouchi: If we delete that from that section, Ricky, I'm assuming that in the text portion of the budget, because this would apply to the prosecuting attorney's office as well, correct, or if our attorney's going to take a more active role should the attorney here receive a fine, then you know, it would not apply to the attorney here. So I think we'd want it in the general text section that any fines incurred by any attorney for the county of Kaua'i are fines that should be borne by the person who incurred the fine. So we'll add that in the general section proviso.

Ms. Iseri-Carvalho: Thank you.

Mr. Kouchi: But delete the word "fines" from the line item, so not to be in conflict with the section.

Ms. Iseri-Carvalho: Yes. Thank you.

Mr. Kouchi: Further discussion under county attorney? If not, then let's move on. The prosecuting attorney, we also have...

Ms. Iseri-Carvalho: Hold on, Peter asking a question.

Mr. Kouchi: Well that's why I said we had salaries of about \$4,000. Same thing again, required by the ordinance. There's a difference of about \$500 from each of the lines of the deputies and the attorney.

Mr. Furfaro: So that comes to about 4,000.

Mr. Kouchi: Yes.

Mr. Bynum: Would that go on our plus/minus here?

Mr. Kouchi: Yes. It's in the May 8.

Mr. Bynum: Right, it's in the... So anything that's in the May 8...

Mr. Kouchi: We need to pick it up, or else the... The only budget we currently have before us was the budget that was submitted on March 14. So this is a plus/minus to March 14, and this is a plus/minus to March 14. Because if you recall, when the mayor sends the thing up on May 8, he is amending or suggesting to amend what was submitted on March 14.

Mr. Bynum: Okay, just so I understood.

Mr. Kouchi: So on the prosecuting attorney's office, we also have, again, a similar thing. For only... For whatever reason, there is one deputy that is 386 instead of the 515 number, but that again would be one, two, three...little over \$3,000. So are there issues in the prosecuting attorney's office?

Council Chair Asing: So that figure should be 3,000?

Mr. Kouchi: Peter will have the exact. It's like 3500 maybe. Peter? I think it's about 3500 total, if you looking for a total. And then just as a heads up, they...for whatever reason, didn't get the salaries right for every department, for whoever is on the salary ordinance, and so, you know, each of the departments as we go through, there'll be a variance for each of the departments. Prosecuting attorney? Finance, we didn't have anything. The only thing we picked up in finance was, again, the 586 for the director and 539 for the deputy. I'm sorry, then the mayor has picked up

in the health fund, if you go back to this memo from the staff, they have increased the health fund contribution by 700,000. The new number is 11,361,000. And as you know, what was pointed out to me, as I told you we've been trying to do some research on how to fund the health fund, what I forgot to think about, or did not think about, and the finance director reminded me of, is this 11,361,000 reflects the general fund contribution to the health fund. We do have a contribution to the health fund made by the water department, whose budget is separate. Then when you go through sewer and golf course and highway and liquor, whatever enterprise funds we have, we have almost 3.6 or 3.7million in health fund contributions through enterprise funds. So the total contribution to the health fund is at \$15million overall county, and this is to be at 100% funding of our liability. So we're not carrying any liability on our books, and what is it? GASB 48, 49, 34? Anyway, with the new federal law, to be in compliance. But you know, so far it looked from 06 numbers is the worksheet I had handed out to you from the Dryden company that there may be a better way to fund it, but Wally has been in receipt of the newest actuarial numbers which are 07, and those have been forwarded on. So we're hoping to be able to consider some proposals, but by projected timeline and adequate council review and departmental review, we probably could not implement something till conservatively the first quarter of next year. You know, whether it can be done sooner or not, I'm not sure, but it can't be done before we vote on the budget, clearly, because of the public process in receiving proposals and having proper public hearing and giving councilmembers adequate time to do research on this matter. But there is great promise that we may be able to see some significant savings mid-year in this area, and then reduced operating cost going forward. Then real property tax, they took out the automobile lease. So those were the only other 2 changes in the finance department.

Council Chair Asing: What was that, Ron, now?

Mr. Kouchi: They took out the 11,000 for the automobile lease for real property assessment. So they increased 700,000 for the health fund, and 11,000 the lease was removed. If you didn't have anymore questions on finance, then we'll go into personnel services. And we did have the...well, we have the memo from JoAnn about that clerical position, and we did have that discussion with the director when he was present. So besides the \$562 for the director which we need to put in...JoAnn?

Ms. Yukimura: Thank you. I circulated a justification memo and it was only this weekend, because I only got it on Friday, I think.

Mr. Kouchi: But in talking to personnel, basically they are 3 years behind in the inputting of that data, and even when they were...would catch up, the problem is that you'd need to continue to update the current profile, and so as far as us being in a better position to more accurately reflect, you know, compensation issues and all the other things for our employees, you know, they seem to be so far in arrears that, you know, it seems like we got very little choice in funding it.

Ms. Yukimura: Well, may I just say that... It's 40... Salary would be 31,212. SR13A. And just for your information, they did check with Hawai'i and Maui counties. They find a personnel clerk to employee ratio in Maui of 1:400, one personnel clerk to 400 employees, and in Hawai'i it's 1:417 employees. On Kaua'i, it's 1:1200 employees. So even if we add another personnel clerk, it's still 1:600, which the other county...2 neighbor island counties are 1:400. So it's not extravagant, but you know, the alternative is to have professional staff do inputting and clerical work, and that's very expensive; doesn't make any sense. And it's actually, I think, really dangerous to be 3 years in...behind.

Mr. Kouchi: But I feel for all those others who are trying to get... If there are no objections, so then we'll add that personnel position. Shaylene did ask me offline, and I did tell her

though that as far as whatever other collective bargaining benefits, issues, and calculations, the staff will be in touch with the administration to have the accurate number to fully reflect what that addition would be. It's not simply the 31,000. Probably be about 46, 47,000.

Ms. Yukimura: That's correct.

Mr. Furfaro: Ricky just said 46,190.

Mr. Kouchi: So we have anything else in the personnel department?

Ms. Yukimura: So that's what we put as the total for personnel, 46,194...oh, you'll spit it up later. Okay.

Mr. Kouchi: Okay, let's move on to Planning. We have the 2 salaries, and then the mayor has put 2 dollar-funded project managers, and then we also had from our discussion the 3 inspector tech positions to be removed, and instead, the planning inspector II, and then the CZM and CLG programs from the review session, and then social security contribution, health fund contribution, retirement contribution were the items that were picked up in my notes that were submitted by the administration. Discussion on planning?

Ms. Yukimura: Yes Mr. Chair. I just want to say that planning only this morning, I understand, submitted their responses to our budget follow-up questions, and they are being copied right now.

Mr. Kouchi: Well, let's move from planning and move that to the end of the calendar. At least you know more than I know. Oh yea, because we're going new land use permit clerk instead, and... Okay, so we need to go look at that.

Let's go on to economic development. So besides the salaries for the director, there was discussion about adding money to the NFL youth clinic, so that is picked up there. Are there any other issues in economic development?

Mr. Furfaro: I have to tell you, I have had some discussion with Councilwoman Yukimura about, you know, leading the charge maybe next year on, you know, a summit related to energy management. It's probably too premature to ask for anything now, but I think Councilwoman Yukimura has made a lot of advances and discussions on that, but if we were to have a summit, an energy summit, it probably be something we'd want to put in there. Councilwoman, you want to add anything there?

Ms. Yukimura: Yes, I'd like to. Actually, it's...I think a summit could be appropriate in the community outreach part, but I see it as a...the summit as a part of a larger effort to develop an energy sustainability plan, and I'm taking the lead from Hawai'i county which did one in 2006, and then as a follow-up. In 2006 they developed a baseline study that analyzed where the energy is coming from, what it's used for, and how much money is going out of the economy in paying for the energy. And then as a follow-up they did a study that says analysis and recommendations for the Hawai'i county energy sustainability plan, and actually, the picture in front shows it all. It shows the fossil fuels declining in the percentage of fuel supply, and the renewables and efficiencies increasing, and you know that gas this weekend up to \$4 a gallon, and I think our people are reeling under these increases. We have to have a plan for addressing this, and so I want to suggest actually 200,000 for a planning process that would include public outreach. And because there is a model for it on the Big Island, we don't have to do it exactly as they do but we can learn from them. This is what I'd like to propose for economic development, Beth Tokioka, and the energy office under Glenn Sato, working under with KEDB, which has shown a great interest in this issue, because it

affects the economy and our businesses so dramatically, KIUC which has already done some its studies, but only as to the electric production part of it and not as to liquid fuels and not as to building efficiencies and a whole lot other things that we have to consider, so...and then as you know, Apollo Kaua'i, which has testified on The Bus and has been working on a solar water hearing project. All of these things. I mean they're clearly stakeholders, so bringing the community together, having experts help us build the database, and then developing a plan for addressing this so we don't...this is proactive...well, hopefully. It's a little late, but so we don't get into a crisis situation.

Mr. Kouchi: Actually the only question I had is, you feel confident in discussions with economic development that this is the place to put the money?

Ms. Yukimura: I am. I have had discussions with both office of economic development and the mayor, and they both understand the value of it.

Mr. Kouchi: That's fine. I didn't know if this was something that was going to be a general fund-CIP...

Ms. Yukimura: And it could be.

Mr. Furfaro: It could be, but I just wanted to mention in there, and then I do have notes that I will share with the rest of the committee. Last week I had a special gathering of businesses to talk in terms of our economic situation, our energy forecast, you know, understanding what we're going to do with expanding the bus and so forth, so I just thought it was the time to talk about it, and therefore I raised it in economic development.

Mr. Kouchi: No, that's a fine time to discuss it. I just had anticipated that without a clear plan from the administration that this might have been located in a fashion that would have had them come back with what they're going to do, knowing it would take 3 months, give or take, to get a money bill passed to move it out. But if they have all of this work done, they could have it ready for July 1 to have the first reading, public hearing, if they really want to go that quickly.

Ms. Yukimura: I think just putting it in the budget, so that... You're not talking about a separate bill, are you?

Mr. Kouchi: No, again, without having a submitted plan from the administration of how they were going to expend the \$200,000, I had anticipated that this may have been located in a CIP contingency line so that they would have come back with a plan of what they were going to do once they had it. I mean I like the concept, I think that this is the right direction to go in, but to just put \$200,000 in a department's budget when the department has not come to testify to us about, you know, what was going to go on and that this wasn't even on their radar screen till you brought it on to their screen, but this gives them a chance to say, yeah we didn't know we could do it, we'd love to, but this is how we plan to do it, you concur, sure, move the money bill, and if they're closer to being ready, they can start introducing the bill and start making it work. But absent that support data, I'm thinking it's kind of hard to just write them a blank check.

Mr. Furfaro: Well like I said, there was a gathering of about 22 people as I shared with Councilwoman Yukimura, a general outline of what needed to be addressed and so forth, and that's about as far as it went. Councilwoman Yukimura approached me on the effort she was making, and I just thought it was a good time to put it on the radar screen. So that's where we're at, and I will share the outline of that meeting with you folks.

Council Chair Asing: You know, I think this whole issue on energy, we need to get a plan together.

Ms. Yukimura: A road map.

Council Chair Asing: Well, let me just share with you. Peter and I had a meeting with econ development office, Beth and Sato, and presently, they're doing a solar system for electric on the entire roof of the building. Now, to even start with that, you know, how many councilmembers know about that project?

Mr. Rapozo: I read it in the paper.

Council Chair Asing: Well, you know, that's where you get it. And what I'm saying is, they moving forward, we don't know anything about this. And so it's ridiculous what is happening, and so I did meet with both Beth and Sato and it's...and you're going to find it, by the way, on the...it is on the agenda. But it's...if you look at the whole program, Council knows nothing, and the administration is moving forward with an energy project that the Council knows nothing about. So I think we need to start with a plan and where we're now and where we're heading for.

Mr. Rapozo: What's even more disturbing with that is that the administration somehow indemnified...

(Inaudible): No they did not.

Mr. Rapozo: They did not indemnify.

Council Chair Asing: No, and that's why it's on the agenda...one of the reasons.

Mr. Rapozo: The contract states it was indemnified. So on paper it's indemnified. The indemnification was granted by the administration via the contract without this Council even knowing what was going on. So I agree with you, Mr. Chair, and I think you right, and I believe you the energy chair, so I have total confidence that we'll get that straightened out. But those are the kinds of things I think that we as the Council is tasked with the oversight, to make sure those things don't happen, and...so I agree with you.

Ms. Yukimura: Mr. Chair, so yeah, I do appreciate that Councilmember Furfaro has raised this very important issue and begun discussions with the business community, and the Chair is correct about needing a road map or a plan so that we're all on the same page together, and it's not just the administration and the council as to county facilities, but it's about the islandwide picture about energy, and this is what the plan would do. And one of the...there is a template for how we do it; we don't have to follow it exactly, like I say, but we don't have to reinvent the wheel either.

Mr. Furfaro: Is that the Big Island model?

Ms. Yukimura: Yes, it is the model, and they use the Yale School of Forestry and Environmental Studies, so that's one potential consultant that's out there, but there's a lot of others. There's Rocky Mountain Institute and others. And it is good news that the mayor did have it also on his radar screen, because it is included in the supplemental budget. Whether we should wait for bond fund or see if we can find some money...

Mr. Kouchi: No, it's not to see. We put it in the general fund-CIP cash, but then it requires them to come by money bill to move it out to use, like we did the important ag lands. It will be cash that they can come for immediately, and as I say, if they are...or you can work with them to

put what they would like in that template. You can submit the money bill in a couple of weeks and it can be ready to go by the first quarter of the fiscal year, but you know, again, it's just so that we see that what plan they have and what they were going to do. I don't disagree with your general concept. I agree with what you're envisioning, but I'd like to hear what Beth or the Mayor's actually going to do themselves, if we give them the money.

Ms. Yukimura: And I'm just going to pass out...I had mentioned it before, this plan that actually Punahou School is doing, and it's just showing what institutions, non-profits, educational, and others are trying to do within their own kuleana. But there is...you know, they're saying they're going to have 25% fewer cars on campus, 50% lower energy costs, less solid waste and water use, and 100% healthy foods, which is interesting, and there is one class that is trying to go zero waste, one classroom. So it's just interesting how different groups are working, and I'll just pass it out.

Mr. Kouchi: The fastest growing club in MIT is that green club where they have people who actually go out to check all the vending machines, because they are supposed to have energy saving devices on all the vending machines. So they fixed the ones that aren't working, because it is a wiring issue, and identify those that are not, and they said even though this may be \$100 annually, you start here and keep moving, but the club actively goes around campus looking at ways of saving energy and being more efficient in how they go about doing their job, but they just see it as the new leading edge field of where you want to be in the capitalist work market to be able to be more energy efficient.

Ms. Yukimura: How exciting and interesting. Thank you.

Mr. Kouchi: So we'd move that into the project contingency with cash. Anything else in economic development? I didn't hear objections to the NFL youth clinic.

Ms. Iseri-Carvalho: I'm not sure if this is the area, but I will be proposing an amount for the Food Bank to continue their kuleana...not kuleana, their kupuna program.

Mr. Kouchi: It's picked up in here someplace. Not the kupuna. We got it picked up in elderly affairs for the meals.

Ms. Iseri-Carvalho: Okay no. This would...

Mr. Furfaro: This is additional money that Councilwoman Iseri is talking about for the same issues that...

Mr. Kouchi: Is that the mayor's office where it would be?

Ms. Iseri-Carvalho: Economic development was where we had put, I know, like the Y money when they...

Mr. Kouchi: Then if it's economic development, then let's have the discussion, and then we can break for the ceremony.

Ms. Iseri-Carvalho: This was the 58,000 I believe. I don't know if Judy had contacted all of you with respect to this. Basically, the amount of return that we get from this program and what it does is it assists the elderly and disabled in applying for funding from the feds so that they do not have to rely on so much on the Food Bank's resources, and her proposal was for 58,000, and I'm going to ask if we can support that, because she had provided some numbers that basically we get four-fold, and there's actually...had they had somebody doing that fulltime, we would actually get

back even four times as much as what the person who is currently doing it part-time could get. And so I'd be requesting an additional 58,000 for the Food Bank for that purpose.

Ms. Yukimura: Question. Is this...she already has a part time person, or...

Ms. Iseri-Carvalho: No, it was... Remember, under that grant, but that grant lapsed and they are not qualified in order to get that grant, because it does not come under the auspices of their mission.

Ms. Yukimura: So I think it's a very worthy cause. I'm just concerned that it might become a recurring cost, and I'm wondering whether this is a one-time expenditure, or whether it's something we're going to have to fund year after year.

Ms. Iseri-Carvalho: I would not be able to tell you that. I only know that it was funded one time as a pilot project, which was that grant, that specific grant last year. I would anticipate that she would be happy with having it just for one year. The more people that she can get onto this program, there's be less that would have... So I think, you know, there will be some attrition that we would eventually not have the clientele in order to apply for that services.

Mr. Kouchi: But I think just in the point JoAnn raises, if we do it, then perhaps we would need some text that we are supporting a one-time grant to allow the Food Bank to utilize this as a demonstration project to be in a position to solicit funding sources should they determine that this be a viable program they want to continue into the future, and that the level of expectation does not exceed the one year that we have money available for.

Ms. Iseri-Carvalho: And that would be fine. I think she would be more than pleased to get that opportunity, you know, this year to continue what they have already started, and because they have kind of worked out the knicks of the program, I mean that one person now can process an application a lot more efficient than that they did, you know, when they first started with the initial grant. So that would be fine.

Ms. Yukimura: I want to say too that I know later on in the budget we have this \$100,000 for home delivered meals, and I'm just feeling like there needs to be perhaps, or...not needs to be, but there's a potential for more coordination among the groups that are providing food to the needy in our community. I mean we heard from the Salvation Army, and they should be giving out this food stamp information, and maybe they...but I mean it seems like the Food Bank could work with the Salvation Army and also with the elderly who are getting these meals. Just to get that information out, I just see like there could be a lot of synergy if there's this kind of coordination of sorts.

Mr. Furfaro: I do want to say, and maybe some of you are not aware, I am the treasurer for the Salvation Army, and the fact of the matter is, there is a lot of coordination going on right at the present time, more so than ever with the Food Bank. But in my dialogue with Judy, I do want to point out, this is targeted really at the elder and those people that have great need right now. But it's a leverage program. It's going to produce 4 times the amount, and I do want to put the proviso in as a one-time item, but I do want to share with you that between the Food Bank and Salvation Army, the restaurant association, there's a lot of dialogue going on right now, and in fact, some of their shortages are directed to funds that they had anticipated they were going to get from, you know, the State in other ways of the way of grant, but we need to put the proviso in, because the message certainly has to be that, you know, economic conditions here in the county are pretty much flat, and it's challenging, but the reality, this is a program to leverage the amounts of food that can be available to seniors and so forth. But I will tell you that the Salvation Army is working closely with the Food Bank, a lot closer than they have in the past.

Council Chair Asing: Well, I agree with all the concerns, especially the recurring cost. I think if it's put in as a one-time supplement, then that's fine. But I'm concerned about the recurring cost.

Mr. Kouchi: I was going to say, I take to heart what the Chair ended the budget review process with at that economic forecast, and although I did have to leave early from the budget public hearing, you know, it was very...distressing isn't the word, because it's a normal thing. I think that the budget testimony by the public was a good caution that really strikes home on what the Chair said. Most of the people are now here because either the federal government or the State government is going through difficult times, and their normal funding source has dried up. But it almost seems like now that I can't get that money but I know that the county's going to take care of me, and you know, does not acknowledge that the county's about to start experiencing some difficult times because of where our assessed values are going, and we are going to be having to face the same difficult choices that the federal government and the State government has always made. The other problem with being a councilmember is that the easiest place to come to and talk to somebody is at the council, because we're here on Kaua'i. You know, it's not going to Washington, D.C., or it's not going to the legislature because you can't get to O'ahu, and you assume your councilmembers are going to listen, because everybody who testify says, I hope you're going to listen carefully, and we've got all of these leads. And so that's why I say, if we put the text in, you know, and it's ironic because when it gets tougher, these are the people that need the most help, and we want to try to be sure they're not going to be slipping through the cracks, but we need to let them know that you got to do the best you can now and you got to start working in this ensuing year to figure out how you're going to be able to meet that mission next year, because we're going to be challenged and we are not in a position to expand services, we're going to be trying to struggle to meet the service demand that we need to meet based on the Charter.

Ms. Yukimura: Well, you know, and ultimately...well, you want these programs to be self-sustainable, and I know the Salvation Army is working toward that in their work with the restaurants, which is really a very innovative program. But you hope that in the long run, and this is related to our ag planning, that we'll be able to produce food at a cost...a reasonable cost that people can and we can also create jobs so that people can, you know, pay for their own food in the long run.

Mr. Bynum: Ron, you pretty much said what I wanted to say, but it's just that, you know, the way I understand a political subdivision in that we're picking up the slack of the State and the Feds, you know, not that I'm against any of these programs; I grew up in nonprofits and spent most of my career there, but you know, last year child and family service came with a great proposal to fund the summer program, which is in the budget again this year, you know, I'm not speaking out against these, but it's just very cautious and we have big brothers, big sisters, a brand new program, not one that's been around here for a long time...

Ms. Iseri-Carvalho: Did we get the justification?

Mr. Bynum: ...and so it's pretty difficult to... But you know, I recall when the Food Bank was here, I was really impressed with Judy taking the initiative to get these federal dollars to our kupuna and creating a program that does it without shame, and you know, so I really want to concur with the councilmembers here that support that, but also be cautious that, you know, there's a bunch of other needy nonprofits out there, and it's going to... So...

Ms. Iseri-Carvalho: I think on that suggestion, all of these programs, I mean maybe that's what we need to do, even ones that we have funded from the past year, is state a proviso that we do not expect this to be recurring cost next budget.

Ms. Yukimura: Well, I mean that you brought it up and I know our time is limited, you know the NFL youth clinic, that's the same thing, in my mind.

Ms. Iseri-Carvalho: I think we...she reduced it, though. I believe there was initial budget that we started off with 20,000 or so, and...

Mr. Kouchi: Again though, we can put that in, but I just said tougher times are coming, and it's just natural that the last place that they turn to ask is the county because it's in the budget cycle last, and also the place that they have the most access to, and we touch them in a more real way than the other levels.

Mr. Bynum: I had my own one that I'd hope to put in here this...so...on regarding shattered dreams, which I understand the funding's not going to continue. But the organizers never came up with the proposal, with the justification and the proposal, even though I asked them for it, because I hate to see that come to a halt. So I think we all understand the cautions.

Ms. Yukimura: Well, you know, besides making it nonrecurring, we also need to be strategic and make sure that we're funding the most effective programs. And so I mean I know the value of shattered dreams, challenge day, NFL youth clinic. It seems to me at some point we give money, even the drug money that Ms. Koki is asking for, you know 40,000, you say how do you decide what you fund and how can you tell which ones are the most effective, and you want to fund the ones that are going to create a long term program that are going to really be effective and not just rah, rah, rah. So you know, that's what the...Diane Zachary and the drug plan is supposed to be doing, and Mel was part of the original process that, you know, was trying to do that.

Ms. Iseri-Carvalho: Well, and again, if you add in with KPAA, I mean all of those agencies, how are they collaborating together to get the most bang for our buck, because if you add in all of those moneys, anti-drug coordinator, KPAA, challenge day, the police you know DARE program, I mean really, there's a lot of money, and we still haven't really gotten coordinated results and actually gotten a hierarchy of which programs should be funded and shouldn't, and I think along the same message, all of those programs should have a proviso that says that, you know, this is a year basically we're looking at, but next year, I mean they're going to have to come in and justify these expenditures and how they are working or coordinating with all of these programs that the county itself is supporting...funding. Because if they're not going to come forward with the justification, we know leaner times we're not going to be able to support these programs, and many are recurring programs, as you've mentioned.

Mr. Furfaro: You know, I want to point out on the one time piece here too. As we, the county, goes through these economic challenges, so are many people out in the community, and they find themselves with probably, you know, a drop in the visitor arrivals, NCL leaving, the fact that they're not going to be getting the kinds of hours that they had, the overtime that they had, escalating utility bills, escalating cost of food, and so forth, and many of us reach out to our seniors, our family members to help them. And this allows the Food Bank to leverage those dollars, but I do support the one time proviso, and I think Judy gave us great justification, but you know, this is about feeding our seniors and others that have need right now, and as you can see across the country, there's great need.

Council Chair Asing: I just want to expand a little bit in that area. You know, Councilmember Yukimura made reference, and so did Councilmember Rapozo, reference to the drug plan. You know, we spent nearly \$300,000 on that Hanapēpē Center, and you know, that nearly \$300,000 is going to go down the drain. So I think there's much more to...you know, we put the money in there, but the money is used and wasted. I believe it's close to \$300,000 that is in there

right now and nothing is happening. So I think we need to be very careful. I will give you another example and say, Opaekaa bridge, we spent I believe about \$152,000 for plans, down the drain. We returned the money to the feds, so it's waste of money that is a big concern too.

Mr. Rapozo: I get one real quick. You know, when we talk about the recurring and I just...I'm just looking at in the mayor's budget. You know, the big problem with this budget, and the problem with this whole budget, since I've been here, 5 years I guess, I know Kaipo and I think I said this at the last public hearing, but you guys have seen the times when we had no money. But you know, every item in this budget is recurring. If you look at all the departments, no one really is accountable to making sure that when the budget comes across that it includes only the items necessary to carry this county into the next year. So whatever was in there last year is in there this year, but we'll add some more things, so that the budget just keeps on growing and growing and growing, projects don't get filled, positions don't get filled, but the money is still there. And when you look at, you know, as we move into those times when you start justifying, you know, we get concert association, hospice, lights on Rice, challenge day...I don't even think they did a challenge day last year. They didn't do one, so why is it even there? That's my point, and I'm only talking the small money that when you add it all up becomes big money. So I would hope that this...and you'll see as we move forward through the departments, you know, my feelings on a lot of these items that should be taken out. If we're not using it, it should be taken out. Free up the money either for the programs that we have to use and have to do and provide, or put it in a contingency fund, because it's not fair that we keep taking the taxpayers money, put them in accounts with no intent or plan to use them. And I would hope that as we go through this process, we can identify some of these lines and remove the money. And if they want to do it later, they can come back, but it's, you know, just in the... I know we have in the millions, in the millions, moneys in this existing budget that this council will pass that we know, or we will know by the end of this process, that there is no intent to fill or to complete, and I think that is irresponsible budgeting, and I think this year, because of what Mr. Furfaro has forecasted or what he has explained to us, we need to take the active role going forward as the council oversight, and say, hey if you're not going to use it, you're not going to fill it, then we're just not going to fund it, and that money can be placed in a contingency fund or returned to the public. Thank you.

Mr. Kouchi: And before we break for the recess, we have plussed up the budget and normally I would tell you that for any plus up, give me your reduction. But since I sit next to Mel and watch him on his computer, I was pretty confident we're going to come to some minus discussions to pay for the plus ups. So with that, we'll take a recess to 12:30 for lunch.

There being no objections, the decision making was recessed at 10:49 a.m. The meeting was called back to order at 12:44 p.m., and proceeded as follows:

Mr. Kouchi: Next department we have after economic development, the police department, and on my worksheet, of course this was handed out Wednesday, so we had nothing at that time, and on the mayor's supplemental we have the police chief, deputy chief salary adjustments, then you have the \$43,000 for the new community relations program specialist, and then the automobile leasing money. Discussion on the police department?

Mr. Rapozo: You know, when the chief was here during his budget session, he did not ask for a community relations person. In fact, he made no mention of that. What I did hear him say is when I asked him about the possibility of him having a legal person in his department to help with the journey to accreditation, to help with the revising of the standards and the general orders and all of that. That he did agree and basically said that that was something that would benefit the department. So my suggestion is that we replace that community oriented person with a legal analyst position, much like we have here, and it could be at the same pay scale, just to help on that journey to accreditation. I mean, you know, it's easy to say we're going to go accreditation, and I

don't believe that the police department is receiving any better or improved service than we are here from the county attorney's office. So a legal analyst or legal adviser that is specially assigned to the police department I think will...the return on investment will be much greater than in fact a community person, a community outreach person, which in fact the, you know the community outreach in the police department is already there. I mean they have officers that are doing the neighborhood watches, they have officers that are doing the KPALs and all of that. And you know, I think we all know that this is just...this was just another way that they could achieve the continuance of the Ka Leo program, and for me, it's what can we provide these departments that can help them succeed. And you know, in my research, it's tough to find a department today that doesn't have access to an inhouse legal adviser, so my proposal is that we would replace the...being that it is the police department budget and the department head for the police department is the chief, and not the mayor, that that position be changed to the legal analyst position, which we already have the class and the rates and all of that, and help the chief put together his team of...for accreditation that's going to be of some benefit to the community. Thank you.

Ms. Iseri-Carvalho: And these were the priorities. One was the team accreditation, and number 2 was establishing an internal affairs division. This is clearly within the arena of a legal analyst and not within a community relations person. I had spoken with many police officers, both on the administrative level as well as patrol officers. This program on the community outreach they feel will really affect currently what they have already in place with their officers in the school, with their neighborhood watch. One of the benefits of having...and with the KPAL program. One of the benefits of having a police officer is the mentoring between specifically a police officer with the community, not a community person, because you can get that at any organization that you have, any nonprofit organization that you have. And therefore, to me, I think it's duplicative of the efforts currently in place. I have especially held a neighborhood watch program to develop one in Anahola. They do not want to see a community person like Ka Leo there to set up their neighborhood watch. What they want to do is to assure that they're going to have the kind of response, should they call in, should they have incidents that happen, which is what a neighborhood watch program does, is that they establish a network of community members to be the eyes and ears of that community. And so when there is a crime happening, they are the one that's going to be calling in, and they want to make sure that they have that direct link with a police officer who can respond immediately, and not with a civilian who then has to call dispatch or has to contact another officer. So I think this is very duplicative of the services we already have. These kinds of services, furthermore, is that it's one of those coveted types of positions that the officers get in any department, and they have this...we visited HPD, we also visited with officers on the Big Island, and Maui as well. But all of them have this same kind of system that there's not a community relations person that does these programs, it's an officer, and it's because they have that establishment and training of an officer that is in charge. So I think this would be a disservice to support this program, simply because we have officers who are already doing it. I think that the chief has established his goals for the next 5 years. They definitely need a legal analyst to establish both of these divisions that we see they still have some issues with respect to setting up the investigative services, whether it's done by the police commission, or whether it's done by police officers, how does that complaint get taken forward. So I will not be supporting any community relation person. Foremost, I guess would be my argument that this chief is very different from the other chief. The other chiefs did not have a community aspect as part of their job, or they did it and they did not do it well. This chief, as we've seen in the short time that he's here, at the many...he's already established a column in the newspaper about all of the programs that are going on at KPD, he also has a radio program that comes on every Saturday, he also attends all the vigils, I've seen him at the homeless vigils, he also makes contact with the schools, with the teachers, and he wants to do that. He wants to be the direct link of the community outreach, and therefore, I think it would be stepping on his toes in order to provide a community outreach person that he really does not want or does not need. And I think it would be a waste of funding to do this. I would support, as Councilmember Rapozo said, a legal analyst. I will also be asking for an additional auditor position, which he had wanted to maintain their FLSA and

their EEOC complaint. That was another position that the chief had requested here at the budget, but as far as this community person, I don't think that it will provide any service to the public that is not already covered by officers who are already in those positions.

Ms. Yukimura: I understood the police chief's and the department to want 2 positions, as I recall, and they were very well justified. I think as for the legal analyst and all of that, he might have thought it was a good idea, but I don't know...I didn't get a sense that it was his priority. Well, I think they sent over a job description, but I don't know that it was a request for the position. And so, you know, to me it's about ascertaining really what the chief's priorities are, and I'm not clear that those additional positions are his priority. So I guess I wouldn't be willing at this point to vote for the additional positions suggested. If the request for the community person did come through the chief's office, then it's something I would support.

Mr. Rapozo: I'm with you. If it came from the chief, I'd support it. But it didn't, and it's not even in his goals and objectives, so it's clearly an attempt by the mayor to create a new position for that program, and that's... You know, we're trying to get the chief accredited. I want to be part of the team that helps get that department accredited, and this position does nothing to help accreditation, and that's just, you know... We rely on Jay for his hotel experience, we rely on you for legal, and we rely on Shay for legal, Ron for his business, and I don't know what that...but you know I would ask that you at least appreciate my knowledge in law enforcement, and I'm telling you, accreditation is not an easy feat. In fact, it's an annual recurring thing in Honolulu. They struggle with it, but they have...I forget what they have, they have 3 or 4 attorneys on their staff. So I don't think it's too much to ask, and I'm not asking for a county attorney rate. I'm talking about a legal analyst or a legal adviser, something in that range of the 65 to \$70,000 range I think is fair. I think we can find somebody that has the ability to do the legal research necessary to move that department in that direction and to deal with the daily questions, legal questions. Right now our chief has called HPD frequently to get advice, because he can't get it here. He can't get it here, and that's not fair for a chief of police.

Mr. Bynum: I want to be part of the chief's accreditation team as well. In my discussion of the chief, he seems supportive of the outreach position, and he didn't ask for any additions or changes to his budget, and so I wasn't contemplating...and if there's some information different than what I heard, show it to me, but I'm not contemplating any additions or changes to the police department's budget.

Council Chair Asing: Well, I guess it's no secret on where I stand. I just don't stand...don't appreciate the Ka Leo program, and I think this is... What makes it even worse is that we're now taking the Ka Leo program and it is now going to be a fully funded recurring cost. That's what is happening now.

Mr. Rapozo: In public safety department.

Council Chair Asing: Where it used to be, contract, and we could at least terminate that, but the direction that we heading is recurring cost, a program imbedded in the system. And I have major problems with that. I could support Councilmember Rapozo's ideas, although you know, Councilmember Rapozo is going to be merely title anyway, because you can take that position, you can give it any name you want it, call it whatever you want to call it, but that individual will serve the mayor and the police department and do whatever I guess both feel they want to have done in that area. So anyway, you know my stand on it. And recurring costs, ladies and gentlemen, again very important, and we heading down that road...concerns...I think it's a bad move. Thank you.

Mr. Rapozo: I just want to comment on the recurring cost issue. I think, Mr. Chair, as my comments before we took the break was that as we go through the budget, and I

know I asked Ernie last week to provide me a list of the vacant positions and the time they've been vacant, because I'm going to be proposing that anything that's been vacant for over 2 years that we dollar fund. Any position that has been vacant for over 2 years, with the exception of public safety, would be dollar funded. And then they would have to come back to justify the need when they need it. If they haven't filled it for 2 years for whatever reason, and I think the good example is what Councilmember Iseri-Carvalho talked about, maybe we just haven't looked, we haven't posted. Maybe we just comfortable with the pad in the budget of unexpended salaries. But I'm saying, anything beyond 2 years, this is my proposal, and that would free up some of the money that has been tied up and available for use for other things, which is a big problem of mine. So Mr. Chair, I am 100% in support of your comment about the recurring budget. I do not want to add any positions, but as we look forward going forward when we have finally received a department head at the police department that is competent, qualified, certified person that can take us to accreditation, which I think is what we all want to do, we got to give them the tools, and this one here I think is a small price to pay when you talk about ROI. You know, the mistakes the police department makes costs money, and you know if you can put in some legal assistance at that level, I think it'll save us all quite a bit of agony and money. So I think with a control on the unexpended salaries, with a control on the vacant positions, and it just forces everyone, including this body here, because we're just as guilty, we have positions that haven't been filled, and it puts the onus back on us, we better fill it or you're going to lose it, and not the position but you going lose the funding, and then you going have to come up through the public process one more time, public hearing, you know, first reading, public hearing, second reading, committee, all of that to justify now we're ready to fill the position. And I think we have reached that point where this is necessary.

Mr. Kouchi: So let me try and clarify. We were discussing the new community relations program specialist. If I heard correctly Shaylene expressed a no vote, JoAnn a no vote, Kaipo and Mel.

Ms. Yukimura: No, I'm okay with the specialist, as long as the chief...

Mr. Rapozo: You said if it came from the chief, and it didn't that why.

Ms. Yukimura: Well, then I would like to talk to the chief about it.

Mr. Kouchi: Well, but at this point, we currently don't have enough votes to...

Ms. Yukimura: Well, you need 4 to remove it, right? Isn't it part of the budget?

Mr. Kouchi: Anyway, we don't have 4 votes at this point. So if you'd like to separately talk about the legal analyst, because you've kind of talked about it in conjunction with something being out, something being in, you know, we can go in that direction. Is there something else you'd like to talk about in the police department?

Mr. Rapozo: I think the legal analyst stands on its own. I'm just looking for ways to accomplish our mission without adding on positions, unnecessary positions. The bottom line is, and I think... The bottom line is the chief was here. It didn't come from him. He's not asking for that position, and if he made a priority list...

Mr. Kouchi: We currently moved on. I'm asking about your legal analyst. How would you like to proceed, because you coupled it with another issue that's off the table for the time.

Mr. Rapozo: I'm proposing that we add the legal analyst as an exempt position. I'm looking at our legal analyst position here that is rated at a 68,976 pay. You know, I'd like to see it at a level where we could get a decent attorney, but I'm willing to go with an existing class just so

that we can get it done, and we can always, you know, change that later. But at this point, I'm looking for that, an exempt position where the chief can appoint a legal assistant/legal analyst to help him through accreditation.

Ms. Iseri-Carvalho: Again, this is something that I'd spoken with the chief, as well as the deputy police chief. Their 3 goals for this position would be to draft a document and obtain all of the information necessary for the department to get accreditation, they have also developed rules and procedures regarding their internal affairs division, which they did not put in for positions this time and are utilizing other police officers to do, and number 3 was to update their general orders and procedures which have not been updated since I believe 1982. There is no way, without any...without number 2 and 3, will the chief ever be able to achieve accreditation, and in light of those requests and that this position can be utilized to achieve those goals, I will be supporting the position of the legal analyst. I think that the police chief has sufficient respect for the process, that he realizes that this position...I under the chair's concern that any position can be taken and reallocated, but I do believe that the police chief, knowing the process, hopefully will stand up to any administrative interference with his operations of his department, because he really does answer to the police commission, and he has already brought this goals up with the police commission. And you know, without this tool, it would only put him back further to achieving his goal of accreditation. I can also tell you, with this legal analyst position, one of his other goals was to improve their traffic safety unit, because they are really below par in their conviction rates, in their investigations, in the amount of...because it's a special task force, they are mandated to keep statistics on arrests, convictions, etc. and it has been expressed by me as well as that department that they are not achieving their benchmarks, and this would achieve...or hopefully seek to achieve that, because they are not getting their complaints filed in a timely manner. And what has been a result of this is that now the police officers are drafting complaints, which normally was a prosecutor's job. So they have taken on a tremendous amount of burden in light of the conditions that exists at the law enforcement agencies and I think that this legal analyst, as described to me by the chief, was fully supported in its justifications to me, and I think it's necessary for this operations, critical for his operations of achieving accreditation.

Ms. Yukimura: I may be missing it, but I just don't see a actual written request from the police...chief for this position of legal analyst.

Mr. Rapozo: Nor is there one for community outreach. So will you change your vote for that too?

Ms. Yukimura: Well, I think the legal analyst is on the table, and so I'm just trying to...

Mr. Rapozo: Well, we can go back to the other one and ask for the written request from the chief for the community outreach person.

Ms. Yukimura: And I will talk to him about it, as I will about the other one. But I'm just looking for if I'm missing something.

Mr. Rapozo: What I referenced was the discussion we had at the budget review session, nothing in writing. I think Shaylene expressed her...

Ms. Iseri-Carvalho: Mine was in a personal discussion with the chief, as well as the deputy chief.

Mr. Rapozo: And the chief's respect for the process here with our mayor. You know, he's not going to go and undermine the mayor's program, but I can tell you that... I mean I just think that we need to give him what he needs.

Council Chair Asing: You know, I want to do this. I want to show this picture here, and this picture here, 3 police officers, 48 hours, 3 careers. This to me is a strong, strong statement about the police department. You know, I was the one that initially started the move for the investigation of the police department, yeah. I can tell you that if we went through the process, I will bet that we would have taken care of this problem, because had we identified it and if it came here, we would assist the police department on rendering the kinds of decision it took to take care this problem. And this is a... When I look at this, 48 hours and 3 careers down the drain. You talking about 47 years of service to the community, and they not bad people. They made errors, mistakes, mistakes major so that you lose your job? I don't think so. Not from the things that they did. There are management tools that you can use to take care of this kind problem even if it's after the fact. There are methods that you can use to take care of this type problem, and this to me is a failure from everybody, including the council. I will take responsibility too, but it's a strong message, and you know, for that reason, you know, accreditation, although recurring cost is always there with me, at least you know, it's a step in taking care of this kind of problem. So I will support that because of that. Thank you.

Mr. Kouchi: Further discussion? Well, I guess if not, I think what Mel is saying is probably accurate that the chief has submitted a budget, the chief has gone through the departmental review with the administration, and an administrative judgment was rendered, and he will abide by the administrative decision that was made, being respectful of the process. When he was here testifying in person and asked questions, he gave honest and truthful candid answers, but if we're going to expect anything in writing from him, I don't believe that that will ever be forthcoming, because I do believe he will be respectful of how the process works. And if we are simply left to make decisions based upon whether they sent the paper or not, then we really wasted our time spending all of the hours asking the questions that were important to us to try and glean the kind of information that we felt we needed to make intelligent decisions and not merely accept the information as filtered through the administration, reflecting the priorities that they have set. You know, we've done without it for so long, I might have thought that we were going to perhaps beef it up in the prosecutor's office so that they were going to get that service, but we didn't add anything to the prosecutor's office, and I got to say I have some respect now for Shaylene, because she could have advocated that there wasn't enough, and as a candidate, in assessing the needs of the prosecutor, this deputy should have been placed there, and instead, I find her this afternoon advocating that it be place somewhere else. And you know, so that was a message to me about how important, you know, she feels about it, and while I initially was not inclined to support this, I still come back to the position for the police department that no matter what we've tried to do over the last 20 years, recruitment of officers have been a problem and will continue to be a problem to get uniformed officers onto the beat. So if we can find ways to help them be more efficient, and free up some of that uniformed time, you know, then I believe that this is another way to try and attack the problem that we haven't been able to solve at this time. But having said that, you know, I still believe that there is still great value to the outreach, and I think in the police department especially, you know, we really want to have that, and I didn't like being held hostage in the DARE program, you know, when we had to make a decision if we're going to serve the warrants, and then all of a sudden we're pulling the DARE officer, and then the council got blamed, and I think there's a lot of paperwork that gets done to deal with the community program. So I certainly would have voted yes had I had a chance to vote on the community outreach, as well as for the very same purpose that if we can recapture time for the uniformed officers to do things with the uniform, you know, I would have supported it. We'll see what happens when JoAnn gets her information, but I do not want to not say anything after everybody spoke on that. But I would cast a vote in favor of the legal analyst

based on everything that has occurred this morning and now this afternoon. So I hear 4 votes. Do we have at least 5 votes for the legal analyst to be in?

Mr. Furfaro: And I want to quantify that. I think on the mission for the police chief to get our group recognized nationally is extremely important to have this position as it relates to updating general orders, also providing a review of policies, procedures, the support that would be able to streamline activities in getting uniformed officers out, and I think it's just as important as we look towards the requirements of certification is also the part about reaching out to the community. To me they go together, so I would be supporting both, Mr. Chair.

Mr. Kouchi: Thank you, and we'll... Well before...and actually before we move on, just as a total unrelated thing, you know, we talked about having the new chief. Where we were staying in Waikiki during this weekend for the State tournament was a portion of Kalākaua where they were going to have a parade on Saturday, and my wife was trying to determine when the parade was going to conclude so that we could exit the property and go about doing some things that we wanted to do. And when she went out, she talked to 2 police officers who were doing the security, and when they found out that she was from Kaua'i because she had to brag that we were going to be in the Division II championship baseball game that afternoon, they said, how is the new chief working out for you guys? You guys are so lucky to get him, and we really miss him here, and we really liked working with him. And so I thought that was, you know, the ultimate compliment from lie guys who had no idea who my wife is, other than some crazy lady from Kaua'i that wanted to get out of the hotel to get to her baseball game, and unsolicited from their side, you know, they had those kind of comments to offer to the chief, and so certainly toward that end too, to the extent that we can try to work together with him to go to that next level. You know, I want to be sure he stays excited about being on Kaua'i and continues to want to say. So Shaylene, you had some other things in the police department?

Ms. Iseri-Carvalho: I just wanted to say that we had the opportunity to visit the Honolulu Police Department and speak with their chief as well, and he is very aware of the chief's major goals that I had discussed, because they talked on a weekly basis. But also, you could see the pride in the department. They have...they are a tri-accreditation department, and they have their CSI unit accredited, they have their police department, and they have their...one other unit that is...I think the traffic, that is accredited. It's just impressive, and they glow. I mean we visited all through the departments and accreditation brings so much morale to the department. They had pictures...tons of pictures all over the entire department of awards...receiving awards of having worked so hard. They say they work endlessly every day, because they need to maintain. It's not only achieving accreditation, which is hard to do, but maintaining it is just as hard to do as well, and I think this is a start for it. I know he'll be extremely pleased by having this tool to assist him in this regard.

Mr. Bynum: I have a process question Mr. Chair. When we went through this last time, the plus/minus up here I think was maybe more informative to me, because we have to pass a balanced budget, right?

Mr. Kouchi: Right.

Mr. Bynum: Okay, and so, you know, we've added 162 at least thousand dollars to the budget, but the way this plus/minus is happening is not showing me that figure of what we've added, because we added in the salary changes that were in the supplemental budget. So if I'm reading this wrong, I just...you know, the other...my other experience of going through budget is, you know, when you came down to the end, and we're just going through these departments in order, we get to another department it's, oh, we've already committed all of whatever money we might have. So maybe Peter can help me to understand where I see what funds we've committed to above what is in the mayor's supplemental budget. Is that on your calculation?

Mr. Nakamura: No, I'm sorry, I was just... Before I get to that, councilmember, I was just looking for a number for the legal analyst position.

Mr. Furfaro: 68,000 two was what we talked about.

Mr. Bynum: Oh, plus fringe, yeah?

Mr. Furfaro: Yeah.

Mr. Bynum: 68,976, I think is what Councilmember Rapozo said, matching the legal analyst we have here in Council Services. So I'm must looking to see how that...is that... Is my question clear?

Mr. Furfaro: That's when the fund happens, at the end.

Mr. Bynum: Well, no. But I want to know...I want to see it as we go, because...

Mr. Furfaro: Well here, you can use my tablet.

Mr. Bynum: Of what we committed above the mayor's supplemental budget, or cut.

Mr. Kouchi: But at this point, though, your number is accurate.

Mr. Bynum: I'm just a guesstimate, because I figure...

Mr. Kouchi: Because at this point we've taken out 25 from the council special studies account for the...or special counsel account rather, and then we've added the...

Mr. Bynum: I thought we added 62?

Mr. Kouchi: No, but my sheet is zeroed out that I've... My sheet also contains where there were reductions, so this is a zero sheet here. This sheet is at zero, or balanced budget. So now if you take 25,000 out from the 100,000, so you have a reduction of 25,000, you have an addition of the personnel clerical position, and you have an addition of the legal analyst position, and then you know, that minus the 25,000. So you'd be in the neighborhood of plus about 130,000.

Mr. Bynum: Can staff keep a running tab on what that plus is?

Mr. Kouchi: They are, because when we get to the end of that number, it will show you what the...

Mr. Bynum: Because Ron, what my concern is, these are...you know, I appreciate the work you did on this... Right, that doesn't tell me that we're 130 up.

Mr. Rapozo: That means we got to spend...cut.

Mr. Kouchi: That's the total plus.

Mr. Bynum: Right, but this...and you're anticipating other things. Ron, what I'm trying to say, and thanks for bearing with me here, you know, I appreciate the work you did on this plus/minus sheet, but it came from the budget hearings and what you heard there. Some of us, like

me, I chose not to make speeches about what I thought should be added to the budget, and it would have showed up on this form, maybe, right? And so we get down to the end of the day, this is what...

Ms. Yukimura: No, but you add on whatever you want at the appropriate place.

Mr. Kouchi: Yeah, this only was a suggestion from some of the things I heard, and I obviously didn't put in everything I heard. (Inaudible) the discussion of the legal analyst, I didn't feel like I wanted to put that on the sheet I was suggesting at the time that I heard...but I heard the conversation with the chief. I heard what Mel and Shaylene were talking to him about, so...I knew that, so yeah, this was only a place to get started, but also to just get everybody focused in. So we'll get to the end, and then what we wound up doing, if you recall the last time, was going through each line item, but at the end of the day, we said now that we have a package in its totality, can you vote for the budget. Because at the end of the day, you could give a fifth vote here, a fifth vote there, and say I don't like what the budget is like I'm going to vote no, all those votes go out the window because when we call the roll, the only vote you're going to give is the vote on the budget. So if we wind up when we're done with the exercise with too much money, then we'll have to sit back and say, now this is what we need to reduce it by, and where are the suggested reductions. So you might have gone through the process and actually gotten a whole bunch of things in there thinking, oh this is going to be great. Then we wind up at the end and it's plus, and so now you say, okay, what are we going to cut. And you look and say, wow they took my stuff out, I can't vote for that now. And then it also can affect the whole budget even at that point, because again we go back to do we have 5 votes.

Mr. Bynum: It's just my recollection that this process that Peter's engaged in last time...

Mr. Kouchi: Right now the plus number is at 917,000; that's the running number at the top.

Mr. Bynum: Right.

Mr. Kouchi: So if you're looking for the number, 917 is the answer, and it's on the board.

Mr. Bynum: Right, because we're...

Mr. Nakamura: Committee Chair, I think this is the exact same spreadsheet that we used last budget.

Mr. Bynum: Is this...and we put the mayor's supplemental was in that plus figure?

Mr. Nakamura: On this one, no. As we're running it, it drops into this number.

Mr. Rapozo: It affects the budget.

Mr. Nakamura: So as we're going through each department, Committee Chair, that's where it's dropping it.

Mr. Bynum: And so my guesstimate of 130 that we've added...

Mr. Kouchi: Was off, actually, because I forgot the 2...917,689 is the plus number. Red denotes surplus; I don't see anything red. But the number you looking at is 917.

Mr. Bynum: You understand what I'm saying though.

Mr. Kouchi: Yes.

Mr. Bynum: You know, nothing...because I chose during the budget hearings not to, you know, jump in and say here's where we ought to have additions, because I thought that happened now...

Mr. Kouchi: Yes. No, it does, but I tried to, through this, get us a little better focus than we were in the last review, because we spent a lot of time just...well yeah, let's leave the electricity money, yeah let's leave this in, and it became redundant, and I think, you know, from just going through the morning, you know, this has got us a little better focus that we are debating the issues that warrant the full debate and discussion, but for the items that are the routine operational items, you know, we're not allocating time and going through those. Those are just in, you know, because they need to buy the paperclips or need to turn the switch on and have electricity. So there's the number you're looking for, the 917. Anything else in the police department?

Ms. Iseri-Carvalho: Yes. I would like to add...we had this discussion during the budget that the criminal law and traffic manuals were not included. I noticed that it's still not included. The chief had wanted to put it in. I think they just forgot to put it in. They absolutely need these manuals in order to operate. We have the price from that, which is 3,895. We also have spoken with the Chief about getting the Michie's Hawai'i Revised Statutes annotated, that is 935, and 3 copies for the chief, the investigation division, and for their library, comes out to 2,805, and so we add both of those numbers, those are for 6,700.

Mr. Furfaro: That's all 3 numbers. That's the 935, the 3995 and the 2805.

Ms. Iseri-Carvalho: Yeah. The individual manuals are 835 plus \$100 shipping, so it comes out 935 times 3, which comes out to 2,805...

Mr. Furfaro: Got it, got it.

Ms. Iseri-Carvalho: Yeah, and add that to the 3,895 for the criminal law and traffic manuals, it comes out to 6,700 and that includes the shipping.

Mr. Kouchi: Any objections? If not, then we'll give them manuals so they can actually do their work and the laws...

Mr. Rapozo: I believe we funded that in the past.

Ms. Iseri-Carvalho: Every year they have a...

Mr. Rapozo: Yeah, because it changes every year.

Mr. Kouchi: Anything else in the police department? So we go to fire.

Mr. Rapozo: I get one question, and it was off an email from Andy Parks, and I'm trying to right now rush it. He was mentioning about the fuel cost that...and I don't know. Where would the fuel show up? Anybody can help me real quick? Is the per gallon...I'm not sure his email was accurate, and I didn't have the budget at my house to go look at it. But he mentioned that the fuel... Yes. I think his thing...his email stated like a \$2 and some cents per gallon, and I just want

to see if that is even something that is accurate. Because if it's \$2 a gallon, then we got to change that.

Mr. Bynum: We know we have an inclusive process if Andy Parks can add to the...

Mr. Furfaro: Is Alvin here?

Mr. Rapozo: I just don't know where to look.

Mr. Kouchi: Are we saying this his calculation of the budget is that we are paying a little over \$2 a gallon?

Mr. Rapozo: Well, he's saying that the budget for the fuel was not possible. So he's asking that we raise the fuel allocation, because the price that was listed in the budget... He actually gave the page number and the line number; I just don't have his email. I don't know, maybe... Wally's here. Is there a standard number that we use? Because that would seem strange that, you know, that doesn't change.

Mr. Kouchi: I guess my only thing for expediency, if you will, is that, you know, you did say you weren't going to push to dollar fund public safety positions. There will be some vacancies if the budget is going to be falling short, so there'll be some room for them to come back, and by the time we'd certify the January unappropriated, then we'd have a funding mechanism that we are aware of that would have adequate funds to do it, and in the meantime, we can send some communications to the police chief saying that based on our calculations, we're not sure of that. You know, if in fact this number is going to fall short, please advise the administration and council as soon as possible, so that we would be looking at that, you know, January 2 submittal of the unappropriated surplus with that in mind. Obviously, they need the fuel to do their work.

Mr. Rapozo: I'm not sure it was just police. I'm not sure if it was county-wide. I'll find it. We can move on. We can deal with that later.

Mr. Kouchi: Okay, so fire department. We have salaries for the chief and the deputy. Automobiles...truck with the utility body and drill lift, that was for the mechanic, I believe. Leased automobile for the deputy chief and prevention was removed. I guess jet ski premium pay was something that was overlooked. So there's 438, and then the leased automobile for water safety is out. So I guess the main discussion is on the outreach specialist.

Mr. Rapozo: Well, Ron, I'll tell you the same applies. You know, I hate to see public safety compromised. Again, you know, I agree, community outreach is important. I think we have those in place. You know, I...and I just want to make that comment that, you know, some of the uses on the police one that was stated, you cannot use civilians, DARE, GREAT. Those positions are funded by the federal government, you cannot use a civilian for that. Neighborhood watch, why in the world would you call a police department for neighborhood watch program? Same with the fire. You know, the fire chief needs positions, other positions. These positions were created for the mayor to pursue his programs, you know. I just cannot support those positions, and what bothers me the most is in the press releases and the newspaper articles, it states that we're increasing public safety, and I have a problem with that, because, you know, community outreach, although important, I don't consider that public safety. Because you house it in a public safety department shouldn't give it any more priority than a real, true public safety position, another lifeguard or another firefighter, or another clerk that they would be requiring in their office. So I will not be supporting that additional position.

Ms. Iseri-Carvalho: So they returned back the senior clerk position.

Mr. Kouchi: Yes.

Ms. Iseri-Carvalho: And then they added...

Mr. Kouchi: Well, they're going to...on June 30 it expires.

Ms. Iseri-Carvalho: June 30, and then so they'll have like I guess 2 positions. Because they had the senior clerk will go back as a senior clerk, and then they're going to add the new one, because they never hired on the senior clerk.

Mr. Kouchi: Correct.

Ms. Iseri-Carvalho: Is that correct, so it's like basically having 2 positions. I guess for me, it had to do with whether or not this position was essential for the operations of the fire chief's missions, goals, objectives, and as well as for the entire operations of his department. It was clear from what he said that it was not. I don't believe that he went to his fire commission to submit, because they are required to have an overview of his budget. My understanding is this did not appear in his budget to the fire commission as well. So it appears this is a creation by the administration on a agency that really does not or should not have any...I guess any allegiance in a sense to the administration, because he really should be true to what he represents at the fire commission as what is essential for his operations. Therefore, I don't see this position as a necessity, and again, this is a recurring cost, as the Chair has stated earlier, and so I will not be supporting this position. I do support him getting back his senior clerk position, which he did advocate strongly at the last budget session that was...it was essential and crucial for the operations of his department. That he could not articulate at this budget for this public education and community outreach specialist.

Council Chair Asing: Same comment. I don't agree with this position.

Mr. Rapozo: And I just want to say, I don't believe we had anything in writing from the fire chief as well...requesting this position.

Mr. Kouchi: No, I think that was...came from the mayor when he came back. Further discussion? We have any other objections? If not, we have 4 votes for the position to remain in, so we'll see what that means. Anything else in the fire department? If not, the next item I see...

Mr. Furfaro: Excuse me. So it looks like we just missed this premium on the jet ski. That's what happened?

Mr. Kouchi: Yes.

Mr. Rapozo: That thing is like a hazard pay?

Mr. Kouchi: Yeah. No, I think it's upgrade if you go onto the jet ski then you get paid to run the jet ski, as opposed to (inaudible).

Mr. Furfaro: But first time around they just missed it. Just missed it the first time around. Okay.

Ms. Iseri-Carvalho: Well, they missed the manuals too now, for the police department.

Mr. Kouchi: On civil defense we had...on my sheet anyway, and so we'll reconcile it with the mayor's, but I believe that 30,000 was what was going to be required, but we also were going to put in the text that the grant would be released if the civil air patrol should not have State funding available. So questions on the civil air patrol.

Mr. Furfaro: Yeah. I guess my thinking is...I mean when will we have an indication that they will be State funded?

Mr. Kouchi: I'm assuming it's zero, Jay, but it just...you know, made sure that there wasn't any to put the text in.

Mr. Rapozo: I can add some. I did speak with the island...the squadron commander last night, because I had explained to him that we had decision making coming up, and the problem is they have 2 aircraft on Kaua'i. The State usually funds \$100,000 for the entire State. The federal government will provide all the funding for the actual warning, but the training and the incidentals that are required are usually funded by the State. Well this year, the State basically said you guys just not going get the money.

Mr. Furfaro: But this is the plane that when we have a tsunami warning, this is the plane that goes out to the State parks to broadcast to move to higher ground.

Mr. Rapozo: Correct, and this year, like the county, because they're finding themselves in a financial bind, have basically said, you folks are really on your own, and it was through a discussion with some of the senior commanders here on Kaua'i, and I said, you know, we really can't allow that to happen, and they went to see the mayor, and the mayor did allocate the 14,000, which would be sufficient for one plane...almost, with the re... And I'm surprised to see 30,000 in there and I'm really happy, because I was going to ask that we up it, because that would not be sufficient to maintain the fleet of 2 planes on Kaua'i. We won't know. The letter that...they were supposed to forward me a copy of the letter. I don't know if the wing commander from O'ahu wanted that paper...that letter out in the public, because it's air force, and it's involving missions. So it didn't come to me, so I'm assuming that they decided not to share it with the council, but I was informed that the chances of the State funding the counties...not the counties, but the wings on each island is slim, and that we will probably have to fend for our own, and I got no problem...

Mr. Furfaro: I have no problem with the 30,000. What I'm saying is, if the State has got to tighten the belt, you know, maybe we could split it or something. But to give us nothing and put the \$30,000 burden on us, when it's about getting fair notice to swimmers, fishermen, and so forth.

Mr. Rapozo: And what I told the commander, obviously it was too late, is that I will be seeking, hopefully I'm still here next year, but I will be seeking to add this item on the HSAC legislative package next year. But even before that, once the final determination is made one way or the other, I am hoping that we can get a resolution passed on our county asking the State to pick up the tab on these things, because it is a real...really a State function, but it does provide the emergency services for our local residents, so I got no problem. And I appreciate your input, Jay.

Mr. Kouchi: And I think one of the mistakes that we made is the assumption that the State was going to continue to fund and accept their responsibility and be in a position to warn the people who are using their facilities, but you know, and then we could have done a lot of the things that Mel had talked about, including when House Finance was here and meeting, and all of that to try and get that kind of information out to them, because this is a lot more significant impact on our budget than the State's budget, but we didn't even realize that these are the kinds of things that they were talking about cutting out, but in the meantime, well we try to do everything Mel says.

If we do have an emergency situation, somebody has to deal with those people. And the other thing I do know is that should something happen, under the deep pocket syndrome, the county will be drawn into the lawsuit as well, and so this is a lot better in prevention than, you know, what any kind of, you know, emergency casualty would result in, and so even though I look like I'm sleeping, Mel, I was actually listening. So no objections?

Council Chair Asing: I just want to comment on that. You know, they're not only taking care of State, but also county... It's a combination of both, but mainly you're right. It was for isolated areas where the police department cannot drive to the area and warn residents.

Mr. Kouchi: Or might be out of siren range.

Council Chair Asing: Yes.

Mr. Kouchi: Some of those remote areas. So if there are no objections, we'll add that. Is there anything else in civil defense? Otherwise let's move on to public works. The first thing under public works administration, we do have the engineer's salary and deputy's salary, and under administration, they're putting in 2 new dollar fund contractual positions, and they are hoping to try and pursue through those positions, the project management of the construction projects, which was, I know, a big issue that we were pounding on them on to try and hear how they were going to try to resolve that. So is there any problem with the one dollars for the 2 project managers?

Mr. Furfaro: No, I think that's what we kind of agreed on that as we approve moneys for the projects, considering the amount total, the project manager would be extracted from that amount, and therefore hold the vacancy with one dollar.

Mr. Kouchi: Okay, then we'll go to building inspectors. While I was absent from this portion, I'm told that this is a building permit clerk that's actually been on a different funding source other than the general fund, but we were now going to pick this up on the general fund. Then we have social security, health fund, and retirement system contributions, which would be our employee obligations. Any question on building inspections?

Mr. Furfaro: I would just like to say on this particular position, it seems to me, as we have this \$100,000 reserve, right off the bat July 1, the \$47,000 that this amount represents should be extracted immediately from the 100,000 revolving fund and transferred into a revenue account, and then let them rebuild the reserve.

Mr. Kouchi: Well, and we'll see what they do, and we can send Donald a letter. But I think when I had an opportunity to talk to Don Lutao to follow up, since I missed the meeting, if we weren't picking up this position on the general fund, they could only take care of the building permit clerk and one more plan checker, and they had to eliminate a third position that the fund was covering. Now that we are going to pick up the permit clerk by general fund, then they were going to be able to continue the 2 positions and continue with the 3 that they had, and then I think the proof would just be in the turnaround of the plans out of the building side, but you know, so far, you know it seems most of the hangup is engineer concerns and some of the issues at the planning department, but then the building with the staffing that they have has been doing a pretty good job of, you know, the initial intake and then the final review and approval with what they have. But that's why I think Don had envisioned that, but you know, we can hear what they were going to do with the fund, and I'll get something.

Mr. Furfaro: I understand what you're saying. Just that the fund sometimes is pretty flush, and the whole idea here is to make this person a regular employee. So okay.

Mr. Kouchi: Okay, then anything else in public works?

Ms. Iseri-Carvalho: I wanted to add an SUV for the buildings inspections. They are the only department that does inspections that do not have a 4x4 vehicle. What I've been told is that...and they are up on the list that they provided to get their vehicle. It's just that they have decided, the administration, that this is not one that they will fund. I have been told that there are a lot of places where they have to do inspections that they are not able to do because they have...they don't have 4x4 vehicles. Planning has them, real property has them, any other department that does inspections. They have never had a 4x4 vehicle, so I'm proposing to put in \$35,000 for the building, so we do not have to put off these inspections.

Ms. Yukimura: So you're saying that they're putting off inspections because they don't have an SUV?

Ms. Iseri-Carvalho: On certain properties, yes, because they have to wait till they ask from another department to borrow their SUV in order to do the inspection.

Ms. Yukimura: How many parcels are there that need an SUV?

Ms. Iseri-Carvalho: A lot.

Mr. Bynum: A lot. She's right. They're construction site, you know. They're muddy and... I thought they had worked it out, because I asked the same question.

Ms. Iseri-Carvalho: It's a lot of remote places. No, I had just spoken to see if they had worked it out last week Thursday, and they had not. They had not put in this budget for...

Ms. Yukimura: Work it out with whom?

Ms. Iseri-Carvalho: The administration, the department, the buildings division with the administration. They had put in every single year for it. It has never once been approved.

Mr. Bynum: I thought they switched one of their cars to a (inaudible), because I asked the same question, because she's right.

Ms. Iseri-Carvalho: It's ridiculous.

Mr. Bynum: I mean they going on construction sites, so...

Ms. Iseri-Carvalho: And it's not good for the... I mean there are some that are so, so, and they use the vehicle, but then there's more maintenance on the vehicle because it's being used on those bumpy roads. So it doesn't help us either way to not have a 4x4 vehicle for building inspections. So I'm asking that we proposed...I got the figure as 35,000.

Mr. Kouchi: Because I'm assuming too that you would have a...

Mr. Bynum: That's a deal.

Ms. Iseri-Carvalho: Well, that's what I was told that's how much it cost.

Mr. Kouchi: But with that policy, I mean I'm assuming that that's a vehicle that's parked in the lot, Wally, if you could come up please? For lack of not having anybody else, you'll have to do. I'm assuming if we got the 4-wheel drive vehicle, it's a vehicle that will be parked in the

county lot, and that they would, by assignment or by submitted worksheet of assignment, have whatever inspector that would sign out the vehicle because of where they would be going to inspect, and there would be some kind of thought process about, you know, how they'd lined up those particular parcels and which individual would use it.

Mr. Rezendes: Yes, I don't think if it's a every day, you know, subdivision that's paved, they won't use that SUV, but for the ones that I guess that are remote, they could use the SUV.

Ms. Yukimura: There are no other departments that use it on a part-time basis as well that they couldn't coordinate with?

Mr. Rezendes: Well, I'm sure that would be a possibility. There's a few other...

Ms. Yukimura: I mean how many SUVs does planning have, and how often are they used?

Mr. Rezendes: I believe planning has one, I know real property has one for the ag inspector... I can't tell you how often it is used. Probably our ag inspector SUV is used more often than the planning one.

Ms. Yukimura: Why couldn't they just coordinate with planning?

Ms. Iseri-Carvalho: Because it's kind of territorial. That's what it is in reality.

Ms. Yukimura: Well, territorial should yield to cost efficiency and effectiveness. I mean they're not...building and planning, in fact they should be doing a lot of work together.

Ms. Iseri-Carvalho: They should. I mean we don't disagree with that.

Ms. Yukimura: So, I mean has anybody...

Ms. Iseri-Carvalho: It's been a problem for years and years and years.

Ms. Yukimura: I know, but if it's been a problem because it's been territorial, that's not a adequate reason.

Mr. Bynum: We're talking about building division right? They need a vehicle that can go...and they go out every day. These are guys that go out every day, pretty much, and they need a vehicle can go on the job sites and you know, when...so to have one, and there are several people that go on the field from building.

Mr. Kouchi: Because otherwise, I mean they drive small, compact, fuel efficient vehicles. Planning is doing their best to be, you know, fuel conscious because of the nature of their job...not planning, but building, the building inspectors.

Mr. Bynum: A few years ago I was thinking they were the ones that should get the Prius, because they put the miles on it, right? And I think they need...some of those...initially, some of those hybrids went to places where they weren't used that often, but they definitely...I thought they had worked it out where they were going to get...maybe not a 4-wheel drive, but big ground clearance vehicle, like a...I thought they were getting an Explorer or something like that, but they definitely are hobbled, and then they have to walk through the mud, even on ones that aren't that remote. They definitely need that kind of vehicle.

Mr. Furfaro: Wally, earlier in the day we put back 116,000 in the surplus from some of the election items we needed from the council. Is there any way we could handle this the same way we handle the fire department and make a purchase before the year-end of one 4-wheel, rather than put it into the budget?

Mr. Rezendes: Of this one now that you're requesting now?

Mr. Furfaro: Yeah, the one that Councilwoman Iseri is talking about.

Mr. Rezendes: I don't know if they have available moneys for that right now in the present budget.

Mr. Furfaro: Well, what I'm saying is we just...we put 116,000 at the start of today...

Ms. Iseri-Carvalho: No, well, he thinking if we put back money...

Mr. Kouchi: I think in the department of public works there's \$35,000. I mean I'm going out on the limb on this.

Mr. Furfaro: Hey, that's a big thick limb. I'm sure we can find \$38,000, but couldn't we make that purchase now?

Mr. Rezendes: I think we would have to come for that... That one they would have to come up here for approval.

Mr. Rapozo: Can it be done before the end of the fiscal year, Wally? Timewise?

Mr. Furfaro: Before June 30, sure.

Mr. Rapozo: Being that it took a year to get the lawnmower for Kekaha...

Mr. Rezendes: See, it's already May and it'll expire in June, and I don't know. It's tough because of the procurement of it.

Mr. Kouchi: The State procurement law doesn't lend itself well for these situations.

Mr. Rezendes: It'll be a formal bid ad, so you would have to go through a formal process that'll take... Highly unlikely.

Mr. Furfaro: You've only confirmed my biggest suspicion that we can never take advantage of quick action based on some of the procurement laws, but it is an ideal time. We just saved 28,000 in leases for the year because we acted quickly to purchase for the fire department. I just thought we could, you know, just create a second possibility here. You've answered my question, Wally.

Ms. Iseri-Carvalho: Is that the SUV price that you guys have currently allocated towards you guys budget?

Mr. Rezendes: That would be the smaller...the smaller SUV. The ones that I've seen pricing for for the larger mid-size one would be more towards like 40,000, 45,000, in that range. But that would be like a...I think that Ford Escape, that small SUV.

Ms. Iseri-Carvalho: No wonder. I mean that's kind of cheap, the 35,000.

Mr. Kouchi: We put it at 40...

Mr. Rezendes: You might get the Ford Escape. You know, it's smaller than the Explorer.

Mr. Furfaro: We can't do it, whether 35 was too little, or 40,000.

Mr. Rezendes: No, it's a matter of...

Mr. Furfaro: But you know, I'm so pleased that, I want to share with you that this is part of the problem in managing cash in government, you know. The fact of the matter is, we're putting money back in the surplus over here because we're postponing stuff, but inside of 60 days we can't even initiate a purchase. Unbelievable.

Mr. Kouchi: So if there are no objections, then we'll put 40,000.

Mr. Furfaro: For next year.

Mr. Kouchi: Anything else in building?

Mr. Rezendes: You can initiate. You can't consummate.

Mr. Furfaro: Got it. It's called over-promising and under deliver.

Ms. Iseri-Carvalho: I will be proposing one more and this has to do with the solid waste division. My understanding, upon talking with Donald, is that every week they need to TA a person from the bottom to move up, because they don't have anybody working on the weekends. And so everybody moves up, and this has been going on, my understanding, for many many years. So if we actually put in a low worker, they wouldn't have to go TA, TA, TA all the way up and pay overtime on all these positions. And it happens because they've got 4-day work weeks, and so every Friday, Saturday, and Sunday, these people have to TA up. So I'm going to be proposing a solid worksite attendant for 36,680. They're going to need it. They've needed it for the past 3 years, and it's been that way for the past 3 years. I mean it maybe is a benefit to some of them because they get all this overtime, but it's come to the point where the workers don't want to work overtime already, because they have the 4 workday, they're working 6 days a week because they have that extra day, and all of them are having, at most, it appears one day a week off.

Mr. Kouchi: The only thing I would tell you is that when we go to page 4 of the May 8 submittal, we have solid waste collection listed. So I think that's where that move is.

Ms. Iseri-Carvalho: Is that an additional?

Mr. Kouchi: Anything else on building? Otherwise we going to parks and rec.

Ms. Yukimura: I have something to say about building. I don't know if you guys saw their response to the question about the comprehensive list for updating facilities, county facilities, and...I mean... So you know, it's a huge bill, I think, and I just want to know how we're going to deal

with it. Now is this going to be a bond issue? I mean year after year, I think they ask, you know, for this basic maintenance list, and year after year these things yield to other supposedly more pressing stuff. I mean it's just preventive maintenance, but you know, they are doing this facilities... They're putting on a...

Mr. Kouchi: Let me answer the question this way so that we don't talk in a circle and not get anywhere. No matter what we finish today, I still want to give everybody time to read the planning department submittal overnight. So although we seem to be moving at a good clip, it's not my intention to finish by 4:30 today, because we also may come to the end of the day to answer the tough question that Tim pointed out too, we may need some time. Why don't we get a little more information from this for tomorrow morning as well, because the flipside of the concern that you raised is that one year we sat there and had a minimal list of under \$100,000, and we said, what will it take for you to finish everything, and we got a number of \$600,000. And we went back into the budget as a council and cut the \$600,000 and put it on the line only to have the public works guys come back in screaming, you can't do that to us, because it'll be impossible to schedule all work. And this is before Konno, so we were then asked to put 10% more into the budget...

Ms. Yukimura: Before what?

Mr. Kouchi: Before Konno, Konno decision on privatized contract. So we were asked to put 10% so that they could hire outside engineering to go get the bid specs ready, or architects, and instead of reducing the amount of money and have the 10% in, we cut \$60,000 more. So we put \$660,000 into the budget for them to do these projects at a time we didn't have money, but this is the neighborhood centers, and bleachers at parks, and you know, all the things that neighborhood centers and the community was using, and they wound up spending \$160,000 by the next fiscal year and made us crazy. So I don't mind going out and fully supporting these guys, but I want to be sure if we're going to give them that money, especially if they got to do spec'ing in-house. Now if it's only maintenance without spec'ing, you know, then we better have an agreement that that'll get done so we can measure them in the next budget as to how much they accomplish.

Ms. Yukimura: Well, I appreciate the background, because I wasn't aware of all of this. I'm seeing that the total figure is 8 million, \$8.5 million for all of this, and I think...and I also had sent them questions like for some of the abbreviations weren't clear to me as to what... My initial question was, how much can you do in-house and how much can you do...contract out, because I mean as the economy downturns, you know, we want to get out contracts for...to create jobs out in the private sector if that's possible...

Mr. Kouchi: (Inaudible)

Ms. Yukimura: Right, right. No, and it is the time both to get better bids and to give out jobs. So you know, it might be a good time to catch up.

Mr. Kouchi: But if the number is 8 million, we got to have a better systematic plan of biting that apple, because otherwise it's going to go way beyond that at a (inaudible).

Ms. Yukimura: And it is possible, because they were reluctant to even give this list because they wanted to get it on their...still inputting it. I think they're going to be finished by Summer in terms of inputting all the buildings onto this building management program, which will give them better information and better way to set up, I guess, the way that they're going to get rid of this backlog. So yeah, I guess we can make some inquiries between now and tomorrow, and see...

Mr. Kouchi: But if we going commit the money, then...I mean I don't mind, because we need to do it, but I mean I want to know that we're going to actually be able to get that job done, or if they want to finish all of this first and then they're going to come back in the interim.

Ms. Yukimura: Right. It may be a bond float issue for all we know.

Mr. Kouchi: It may be of that magnitude as well.

Ms. Yukimura: I don't know if we can qualify it for bond, but anyway, I just wanted to raise it, because it comes under building.

Mr. Furfaro: But it is rather concerning that we have to look at bond money for repair and maintenance.

Ms. Yukimura: Well, and I don't know if it would even qualify.

Mr. Furfaro: You know, it's questionable at best.

Ms. Yukimura: Renovation would qualify, though.

Mr. Kouchi: But even mid-year, if we need, you now, we need to commit some of that surplus, what did we certify, you know, 7 million this year, I mean you know you need to more realistically look at some of these kinds of R&M. Again, everybody knows that if you put that cost off, then you'd get your cost go double, triple, whatever. You know, it just doesn't go up 5% the next year, and the longer you put it off, the worse shape you get in, because (inaudible).

Mr. Furfaro: Well, we have a history of putting those things off. But the question I had, you know, I was of the impression that they were going to put this all in the program.

Ms. Yukimura: They are.

Mr. Furfaro: ...to do an evaluation.

Mr. Kouchi: Oh, JoAnn said they won't be done till the summer.

Mr. Furfaro: Yeah, I mean...and that was kind of what we heard last year too, JoAnn.

Ms. Yukimura: I don't remember that, but maybe. Yeah. I have a letter here that says...

Ms. Iseri-Carvalho: JoAnn, do they have a committee to put this all into a plan, or is this done in-house, or... Do you know?

Ms. Yukimura: Well, they said that we'll be implementing a facilities management and work orders program tied to the existing computerized AS400 system. The target implementation date is beginning of the upcoming fiscal year July 1, 2008. So that's when they hope to have the input done, and then they're going to do some dry runs or things to see how it works. And you know, that's a big step. It's huge.

Mr. Furfaro: Well yeah, it's not huge in private practice, though. You have normal repair and maintenance that you send manpower out, check the roof, fix the plumbing, you know, follow up on the work orders. \$8 million of repair and maintenance. It's like a capital wish list.

Mr. Kouchi: We got to have Kaipo take the to the re-use center so they can start cherry picking material, and then avoid the landfill. Okay, so now we were going to parks and rec. We had the new park caretaker at the veterans cemetery, social security, health fund, retirement...

Ms. Yukimura: And that's in the mayor's budget too, is it not?

Mr. Kouchi: The deputy, the... We're in violent agreement on that issue.

Mr. Bynum: Yes we are. On the park planner, I just see the name change, and I thought we were talking about upgrading this to a planning kind of person, because they were saying that they haven't gotten... It was called parks planning coordinator, and during our budget discussions it was like...have you got...you know, park planner is a masters level person, potentially, and they hadn't got that level of...

Mr. Kouchi: They were still leaving it at SR24.

Mr. Bynum: They are, but I'm questioning that. Shouldn't we be... I thought the decision was to upgrade this to a park planner, not just the name, but the salary as well.

Mr. Kouchi: So the salary should be what? What is SR24...is 50 something?

Ms. Yukimura: Oh, so you're talking about raising it higher?

Mr. Bynum: I thought that was what the discussion was. That it wasn't just a coordinator, it was a planner, which is a professional level position. They haven't got that kind of qualified people who are willing to come for that salary. That was my memory of the discussion. So I thought it was like planner V.

Mr. Kouchi: Planner V is an SR24.

Mr. Bynum: Same thing.

Mr. Kouchi: Yeah. Planner VII is an SR28.

Mr. Rapozo: Now they have it as an SR24, 50,800.

Mr. Bynum: In the planning department we're paying planner Vs at 60,000?

Mr. Kouchi: No. One of the planner Vs is being paid 61,800, and that would be with years of service...

Mr. Rapozo: But it's still an SR24.

Mr. Kouchi: Yeah, but it's an SR24. So you can raise that thing up from the 50, depending on the level of qualification of the applicant.

Mr. Bynum: So with this budget they can range it up if they get a qualified applicant?

Mr. Kouchi: Yeah.

Mr. Rapozo: If they got the funds.

Mr. Kouchi: Because it's the planning. Yeah, because all we doing is changing the text to the planner versus the (inaudible), but it's still left at SR24, and they can do salary adjustments within the range of the money. They cannot take it up to SR26.

Mr. Bynum: Yeah, I guess I misunderstood. I thought they were going to put in more money.

Mr. Rapozo: They could actually reallocate, though, right?

Mr. Kouchi: Yeah, if they have somebody of that qualification.

Mr. Rapozo: I've seen that happen recently.

Mr. Kouchi: But right now SR24 is a planner V.

Mr. Bynum: Okay, thanks for answering the question.

Mr. Kouchi: When you asked that, I thought, let's go see what we paying planners, because we even have planner IVs that are making more money than some of the new planner Vs in the planning department, but based on their years of service.

Mr. Bynum: So if they had an applicant they wanted to offer more money, they can do that.

Mr. Kouchi: Well, they have the range when they go out, the low to the high, based upon your years of experience or the qualification.

Mr. Bynum: This is the entry level one.

Mr. Kouchi: Right, initially. Anything else in parks and rec? We have that same salary adjustments. If not... Park maintenance, we already talked about all of that, the health fund, veterans cemetery there's an increase from supplies by \$7,000 in the mayor's budget. I don't think anybody's objecting to that after that discussion. Elderly affairs? The mayor added the home delivery...

Mr. Furfaro: Excuse me, I just want to go back. I thought we had discussion about this extra 7,000 being line-item veterans cemetery, not just kind of rolled in...

Mr. Kouchi: No, it says other supplies, veterans cemetery.

Mr. Furfaro: I see it. Got it, thank you.

Mr. Kouchi: So they heard you loud and clear.

Ms. Iseri-Carvalho: Elderly affairs, the home delivered meals, so this would assure that the people on the waitlist, because that was a concern that we had, it will serve and so we would exhaust that waitlist, right? That was the addition of 100,000.

Mr. Rapozo: Correct, right. That was the intent.

Mr. Bynum: And even some headroom for new...

Mr. Rapozo: Well, yeah, and also I think Councilman Yukimura brought it up that with no expectation of payment from the people.

Ms. Yukimura: Well, I did bring it up, but I brought it up as a concern that people who could pay would be getting this free service, and that still bothers me.

Mr. Rapozo: Yeah, I think you were asking them to see if they could figure out a way to determine who could pay and make them pay, and then move the ones that cannot pay to the free list.

Ms. Yukimura: Right, would enable us to serve more people who cannot pay. And they said there are these federal restrictions, but if it's our money, then it doesn't have to follow those restrictions.

Mr. Rapozo: Exactly.

Ms. Yukimura: And there must be a way early on to qualify people, you know, and then those who aren't qualified would be expected to pay on a monthly basis or something so that we can make it available to those who cannot afford this meal.

Council Chair Asing: I thought it was by the federal guidelines that you could not do that, JoAnn.

Ms. Yukimura: Right, but that's for federal moneys.

Council Chair Asing: Well even with that, that's what I understood.

Ms. Yukimura: I don't see how... I suppose if we're doing it under the federal program, but we should stipulate that this is not to be under the federal program. I mean because it just doesn't seem right that we would use scarce money to provide meals for people who can pay for it, but who still want the service, so not deny them the service, but who would nonetheless pay. You know, it would be according to ability to pay. So...

Mr. Rapozo: I think what Kaipo is saying is that with the existing clients that we serve, the existing seniors, I don't think that federal law allows us to go screen those people. I think that's what Kaipo is saying. We cannot go ahead and say, okay you were on the federal program, now, you know what, we think you can pay. So I think it's just a matter of providing the funds, and hopefully they can, you know, who can. I mean it was really to take care of that backlog.

Mr. Kouchi: And I think that you can have a discussion with elderly as to if there are other ways to make it work, but the other concern I'd have besides just how do you determine who's a federal to say that we're in compliance with the federal program, and that you don't fall under the federal, you're the county and you do this, and then would we create an administrative situation that exceeded the cost of the savings, and I don't...I'm not necessarily sure we want to go there. So I think the overall mission was to make sure that whoever was on the list would get a meal, and then I think that there would be an opportunity to continue to work with Kealoha to see if there are other ways to try and see if we commit this much county money that to some extent an ability to pay would be something that could be workable from a management standpoint, and workable in a way that would not jeopardize the federal money. But if we don't have a workable administrative program or it jeopardizes it, the bottom line is we wanted to clear the list, was what I thought I heard.

Ms. Yukimura: Well, you know, what I'm concerned about is that this situation of restriction would continue with \$100,000 of county money where we're paying for people who can pay, and therefore not able to service those who cannot pay, you know, that it just gets rolled right into the federal program without utilizing the fact that it's coming from a different source and could be handled differently, but then you get this situation where then you have all these people, new people, that are going to be in the same situation that Councilmember Rapozo's concerned about, you don't want to ask them now to, you know, how much they're making and so forth. That doesn't...so it seems like before they institute with this money that we're giving, there needs to be a process thought through as to the most...the best and fairest way to use the money.

Council Chair Asing: Yeah. Councilmember Yukimura, I agree with you totally, but I believe that you're going to have to get clarification from Kealoha. I believe that she came here on more than one occasion to explain that program and why it couldn't be done in the manner that you're making reference to.

Ms. Yukimura: Right, and she as referring to the federal moneys that we get for the program.

Mr. Kouchi: I'm going to say, we can have a discussion in the committee or an appointment over with Kealoha to try and talk to her, now if we're going to commit this kind of moneys...

Ms. Yukimura: And maybe a proviso that indicates the council's intentions within the restrictions that she has to work with.

Mr. Rapozo: It really is going to be...you know, it's a subsidy, and the way it works now is, the federal money provides x-amount of meals through KEO. You only get so much money, they only can provide so many meals, so over and above that, they tell the person we can provide a meal, but you got to pay. And they'll drive it out to your house and they'll talk story with you little while, talk, and bring your food, but you got to pay. This was, when we go beyond that cap that the federal moneys provide that we...now we going be able to, the county now is going to say, okay KEO go deliver the meal, but we going pay you now. So KEO gets subsidized by our county dollar for that people that's on the waiting list. So I mean I don't see how you can do it any other way. Unfortunately, I think you're going to have people that have the ability to pay that's going to benefit from the service, as is right now. I mean it's happening right now.

Ms. Yukimura: Well, it's happening right now because you have these federal restrictions, but you won't be bound by those restrictions with this county money.

Mr. Rapozo: But I don't see how you going to be able to...

Ms. Yukimura: Well, it's like you...you say you're applying, we'd like to have either a copy of your taxes or whatever that we qualify, however we...and you do it upfront, not at every meal, you know, you don't do it like that, and then you just...you can... We do that all the time in a lot of programs, based on ability to pay, and this is... I want to remind you, this is probably a recurring cost.

Mr. Rapozo: That was the intent. The intent for this money was to allow everyone access to that program...I mean every senior that needed the program.

Ms. Yukimura: But we don't have money to just give everybody meals, we don't, and we want to give it to the people who can't afford it.

Mr. Rapozo: I agree, and I don't know what the count was, I don't know what the...what was it? 60 people, I guess, 61 or 41, I can't remember what the number that's on the list currently. I think Ron is right. You create an administrative nightmare and I don't know how you administer the program, then nobody gets the meal.

Ms. Yukimura: No, there's must be a model somewhere that works.

Mr. Rapozo: It's the one they're using right now.

Ms. Yukimura: No, there's other models. That doesn't work very well.

Mr. Kouchi: And we can work on that on the (inaudible).

Mr. Bynum: I'm comfortable with having us discuss this later.

Mr. Kouchi: And then I see also, now that I've turned my page, we have...

Ms. Iseri-Carvalho: I just have one clarification. On the 4 by 4, I know I mentioned SUV, but I didn't want to just limit it to SUV and just put SUV slash truck.

Mr. Kouchi: Four-wheel drive...

Ms. Iseri-Carvalho: Four-wheel drive vehicle.

Mr. Kouchi: Right, correct.

Ms. Iseri-Carvalho: Because it had SUV there, and I didn't want to limit it.

Mr. Kouchi: We have other commodities, bike path tour program for the elderly/ADA, and then the automobile electric shuttle for bike path tour program 8 to 10 passengers.

Council Chair Asing: Let me explain that program. I've talked about it for a number of times, and the only person that is here that will remember that...when we bought...not bought, when we acquired the McCloskey property on the 60-acre pathway, yeah, that's when I first brought this up, and as a matter of fact, you will see in the signed document that if you read that document, I believe the term that's used is...what was it, Ron, now?

Mr. Kouchi: We had said no motorized, but (inaudible).

Council Chair Asing: Motorized, right. No motorized vehicle will be allowed.

Mr. Kouchi: Because we didn't want the patrol of the security going up and down like police Gestapo chasing people off the path. But the exception to the no motorized was to try to address some of the elderly and ADA concerns, because the discussion was it should be open so that they could enjoy it too.

Council Chair Asing: Anyway, that's what this program was designed to do, and it'll start in the Lihi area, and it'll probably be...I talked to Kealoha, and I talked to Bernard, and there's lots of work that need to go on...and you'll start from the Lihi area and it'll probably be like twice a month, and the program will include taking the seniors and the ADA people from the Lihi area all the way to the very end to Kuna Bay, probably have lunch there, rest a while, and then come back again. That's what this program is designed to do. I will be continuing to talk to both Bernard and Kealoha regarding this program. So that's the intent of the money.

Ms. Yukimura: Just to understand it better. So the idea is that you would actually have a group of motorized wheelchairs?

Council Chair Asing: No. Motorized shuttle like a golf cart.

Ms. Yukimura: Oh, I see.

Council Chair Asing: Like a large golf cart. I believe they have those carts, club carts, that you can seat about 6 to 8 people. That's what it is.

Mr. Furfaro: A lot of resorts/hotels have that.

Mr. Rapozo: Golf course has them.

Mr. Furfaro: Some golf course, but mostly resort.

Mr. Rapozo: Smith's Tropical Paradise. I just rode one this weekend.

Mr. Kouchi: So it's not something that can attain a high speed.

Mr. Rapozo: 65 mile an hour max, that's it.

Mr. Bynum: So this would be county vehicles and a county program.

Council Chair Asing: Yes.

Mr. Bynum: So I just... That sounds creative. I just wouldn't want to open the door to anybody thinks they can take...private individual can take their golf cart.

Council Chair Asing: No.

Mr. Bynum: So if it's...

Council Chair Asing: It's specific to and it should be in that document, because we discussed it, and Lorna was the attorney at that time, and I believe Lorna took what we discussed on the floor and made it part of the agreement when the land was turned over to us. So we're going to have to work with the ownership McCloskey people, because we need to let them know in advance.

Mr. Rapozo: But that was part of that agreement. I read it. That agreement also was clear that it would prohibit any commercial use of the path, and that was in that contract or agreement as well. And then I remember the Chair's...several years ago when the bike path was being discussed and funding and you made that point as well that your approval was contingent on the future program where elderly and ADA would be able to enjoy the path using that shuttle system. So thank you, Kaipo, and it's nice to see it finally here.

Mr. Bynum: As long as it's a county...because it will...it'll exacerbate to some extent people who want...individuals, I mean, that want dispose...you know, they want to be able to drive their motorized vehicle. And so if it's a county program, we might have to amend the ordinance or something that if it's controlled like that, sounds great.

Mr. Kouchi: No objections? Housing. Trying to look at the both...is this broken out in a way that the 88,000 is picked up in the submittal, the way the mayor broke out his

submittal? The 88,000 was the money that they were saying that they didn't have enough to guarantee those guys their jobs past half the year or whatever, and we said, either we going have them or we're not going to have them, and then Kaipo said, just shut up we going have them in, put the money. So this was reflecting of putting the money in to keep them. But now in the way the mayor broke down all of these salaries, this reflects one year funding for the people.

Ms. Iseri-Carvalho: So what you said, Ricky? It's more than 88?

Mr. Rapozo: What's the status of that, though?

Mr. Kouchi: This one would have, so this comes off of ours, because it's picked up on the 9th in a different way.

Mr. Rapozo: I'm still trying to figure out how come we paying. Is the federal government cutting the funding on the section 8 program for salaries?

Mr. Furfaro: You're going to find...

Mr. Kouchi: Now I remember as soon as you said that. There's a formula by usage by which you get money, and because we don't have available units, we have certificates that cannot be placed, so we get cut this year because we not spending as much money. But with the units that are scheduled to come online, the certificates are going to be used, and they're anticipating that our subsequent contribution is going to go back up again. And so this was how do we take care of these guys for a year, because they wouldn't have been carried on past December 31 if this didn't go in, but now that it looks like from the projects coming on we'd have to rehire them, we said that we should keep these people on the payroll, because they actually will have work to do, because we're going have to start working at qualifying, placing, and all of the other things, because... And the report last week showed all the stuff that's coming online.

Mr. Furfaro: I want to add too though with...to think it's one year I think is a wishful thinking, but it maybe 2. Ron summarized it exactly right. The low end inventory isn't there for the consumption of the vouchers, but at the same time, you'll see as we move towards the audit, the demand on the accountability of those vouchers gets more and more strict with the federal government.

Mr. Kouchi: I believe it's an inventory issue.

Mr. Furfaro: Yes, it is an inventory issue, but it's probably a 2-year adjustment for us.

Mr. Kouchi: You probably right.

Mr. Rapozo: So Ricky, what's the actual number?

Mr. Kouchi: But about 100,000 for this interim, and then you know, hopefully it'll be reduced by about half or three-quarter by next year, and then by the time more inventory comes out, in the subsequent year we should be back, you know, having them fully funded again.

Mr. Furfaro: At lunchtime talking with the Unlimited guys, you know, asking the timeframe for phase 4, they indicated that, you know, within 9 months they'd be able to have phase 4 done. That gives us a lot of inventory that would help us on those as well.

Mr. Rapozo: I'm sorry Stephanie. 115?

Mr. Kouchi: Was there anything else in housing?

Mr. Rapozo: 115162, is that what you said? 150... Not about.

Mr. Kouchi: On housing, we didn't really have anything else. On transportation, we did add... I was going to say, the first we had the 2800 for education, per diem, car rental, other travel, was in line with trying to make sure they had that, and then on transportation, the mayor has added an additional 425,000 for expanded services/new routes, and we also have a program that the mayor would offer to the first 200 county employees, a bus pass to encourage county employees to ride the bus. Discussion on transportation?

Mr. Bynum: I've been spending a lot of time looking at the bus system and talking to transportation advisory council and bus riders and social service agencies, and I think the testimony we received was really compelling. And I started with that we have commuter routes that are maxed right now and the opportunity to do commuter routes...express routes that eliminate the number of stops say coming from the west and north shore, which will make the bus even more attractive and likely attract more people to the bus. And then this testimony about the evening hours that basically we stop at 7, which means the final bus routes are like 5:30 or 5 o'clock sometimes, and that we have a growing percentage of the population who's dependent on the bus. They simply just can't afford to have an automobile and pay the expenses, and it becomes a...I thought the testimony, a social justice issue for those individuals who can't access services and evening activities, and so I thought there was a pretty compelling argument for the evening activities. This amount of 425 will probably address the commuter issues, and in the...you know, the bus just announced additions to the Hanalei side that they were trying, in existing moneys. But I would love to find another 350 for expanding evening services for those people, our citizens, who basically are stuck at home at night, can't access social services, can't access evening services, because the bus ends. I don't think we'll have great ridership, to be honest, at those times of night, but those are people who you know are dependent on the bus, and as we enter the economic times we think we are, this is a really important thing for our folks, and I don't know where we find it, but I'd like to find even more money to expand transportation services in the bus.

Ms. Iseri-Carvalho: I think I would agree that we need to expand. However, I do not see a comprehensive plan on that happening. It's not only a matter of increasing services (inaudible) the money, it's again those recurring costs about how much employees will we need in order to service those additional hours, there was no discussion of that, are we going to purchase bigger buses that we won't need as much (inaudible), there was no discussion on that. I have yet to see a plan to utilize the types of recommendation that were made by this transportation transit committee. So I think those are conceptual ideas. In light of the tough budget times, I think it was commendable of the mayor to put in a lot of money, almost half a million dollars, for expanded service and new routes. I don't know if expanded services will include increasing the time period from 7 to 9. I think that's something that the director needs to address. I also have some concerns, because I remember we put in money for a transportation planner, and I think that that position has been reallocated to chief operations, and so we do not have a transportation planner position. So I will not be putting any new positions, because we were very clear that the position that we wanted and advocated for here at the council was not important to the administration, and plus, they did not fill it, and therefore we do not have a transportation plan despite the fact that I had sent in a job description obtained from Jim Charlier while he was here, they responded with the type of transportation planner that would be effective in this community, and we put it to the director, and they reallocated that position. So I will not be supporting any new transportation planner position or any other position that has already been put in for the \$425,000. I also have a question on the free bus pass.

Ms. Yukimura: You know, I had a chance to talk to the executive on transportation at the Kalepa dedication slash groundbreaking, and it turns out that they actually still have that program specialist III transportation planner position, they have filled it.

Ms. Iseri-Carvalho: I'm sorry. Who?

Ms. Yukimura: Celia, I think. So they...

Ms. Iseri-Carvalho: When did they fill that position?

Ms. Yukimura: I'm not sure.

Mr. Rapozo: I'm trying to figure out which position that was. I'm looking at the budget. You know which position we talking about? This is on page 210 of the new budget.

Ms. Iseri-Carvalho: I can tell you that that information about the planner being reallocated was actually information that was provided by the director of the transit committee that was here.

Ms. Yukimura: They did have it advertised for maybe about a year, and there was no qualified person who applied. So they reallocated it to the higher level of salary to try to attract a qualified person, and...

Mr. Rapozo: Is it the program specialist III?

Ms. Yukimura: That's what I have as the job description.

Mr. Rapozo: There's a program specialist I, which is a paratransit coordinator. There's an accountant, there's a program specialist III, which says transportation specialist... Is that they one they reallocated?

Ms. Yukimura: I believe that is.

Mr. Rapozo: Because we don't have the planner.

Ms. Yukimura: And that is meant to be the planner, from what I understand.

Mr. Rapozo: What did we approve? When did we do that, last year?

Ms. Iseri-Carvalho: Yeah.

Ms. Yukimura: No, 2 years ago.

Mr. Rapozo: Two years ago. Peter, what did we approve? I mean it was council initiated that position.

Ms. Yukimura: I mean we can still actually have Janine come in and speak, but look, it says... I have the job recruitment announcement, because I was trying to help fill it and find people. But it does...serves project manager to assigned projects to expand and enhance the transit system performance in accordance with the agency's long range and short range transportation plan, which was basically our intention, I think. So I don't believe that is a request from the executive on transportation. That is not a request. And what I also wanted to say, though, in looking at these different options, you know, the 425,000, there are positions involved in this, because it involves

more buses and more drivers. But they have positions that were numbered sort of like police does, and then when they expand they actually use the money that we give, the 425,000, for salaries.

Mr. Kouchi: And all I'm saying is that all I heard from Councilmember Iseri-Carvalho is that she appreciates that the mayor has increased by more than 25% of the original submittal for transportation that increase in funding, and she supports the \$425,000 increase. But she was speaking to not supporting any future increases at this point in time, and that she thought that the 425 was a significant increase over the original submittal.

Ms. Yukimura: And I have no objections to that amount. I support and I'm very glad that the mayor has increased that. But in actually implementing the expansion that will be enabled by the 450 or 425, I just want people to be aware that there are positions involved.

Mr. Kouchi: Yes, but there is support for the \$425,000 increase from 3 people already.

Mr. Furfaro: I just wanted to say that, and you heard me say this last week, I have had some discussion with the mayor and I think for us to have a good understanding of what our capabilities, our cost, and our expansion possibilities are, we should set a very broad goal, and that goal being over the next 5 years, can we improve the capacity, especially as oil prices move forward. Number 2, what is the best use, which would include some dialogue with, you know, visitor units, workforce areas, and so forth, our own workforce development group, education and so forth, and the mayor is in full agreement that those kinds of recommendations that I'm pointing out should come to us in the form of the administration...administrator Janine Rapozo. But we in leadership today, we should set this broad goal of identifying what our...what is possible, and then have her, whether it's the intersected of more commuter routes. You know in Hanalei, I know that the bus plan actually runs back empty with the bus in the evenings, but as the resort transportation demand is there, if that could turn into an express route actually getting people back into Kapā'a in the evening, but those are the kinds of things that we need to leave to Janine. We just need to kind of set the broad goal of what we want and we've heard from Councilman Bynum, an area that he thinks. We've heard about staffing issues from Councilwoman Yukimura, the endorsement from Councilwoman Iseri, but I think I just wanted to share that with you that I had this discussion, and just take a broad brush and say, you know, what are we looking at in the year 2013, and what expansion and what can we offer our citizens for these alternatives. And I think the mayor is pursuing that.

Mr. Rapozo: And that is exactly what we had asked for when we put in the planner position either...

Mr. Furfaro: I understand that. I just wanted to say that I revisited with the mayor asking for that possibility to get a little more urgency.

Mr. Rapozo: Yeah, and that's why I think, you know, this is premature. You know, I'm not going to oppose the funding. I'm just saying that I feel uncomfortable, because right before the budget review, I spoke to Janine outside, right outside here before the review, and I asked her, you know, was there any intention to increase the service? And she says, you know, there is, but they're still looking for that plan, they're still looking for that method, and of course the community came in droves and said, you know, raise 1.5 million they wanted us to put in there for what they wanted, and yet there's no plan.

Mr. Furfaro: No I'm... Mr. Rapozo, I understand you 100%. What I am saying is I have revisited, and I take that as my portion as finance chairman saying, okay, if we set these broad goals and it should come from Janine's department, and we have budgeted the appropriate people for her and we have this ad hoc committee under Apollo Kaua'i, and we have visitor industry, and we

have other business people that want to look at ways that they can help their staffing, we need to put that as higher urgency. That's all I'm saying.

Mr. Rapozo: And again, I mean, we... I guess for me it's just difficult to continue to put money in projects that, you know, don't get fulfilled. I don't think increasing the routes right now is an easy thing to do, because you're right, it's going to take more buses, it's going to take more employees, more training, more certifications. So just to say, okay here you go, \$425,000 public, I hope I satisfied you, knowing that it's more than that. I mean we not just talking about throwing a bus out there. It's a process, and I agree with Jay, I think, you know, we again we're jumping the gun. You know, if we had...if the planner had did the plan 2 years ago, one year ago, today we would have had a plan that said, you know what, we can realistically in the next year increase our routes, we can realistically in the next 5 years have express routes. That wasn't done. I mean...

Ms. Yukimura: Oh, it has been done.

Mr. Rapozo: There is no plan, JoAnn.

Ms. Yukimura: No, but the routes have been expanded...

Mr. Rapozo: I understand that, but it's basically hit and miss. We go...we do as we go along. There's no plan. There is no transportation plan for the buses in the next 5 years, 7 years... If there is one, I'd love to see it.

Ms. Yukimura: There is no long range plan, but it's not like...

Mr. Rapozo: That is my point.

Ms. Yukimura: It's not like planning where there's a lot of talk and no action. In the case of transportation, there every single...

(inaudible)

Ms. Yukimura: I'm sorry, but that is the truth, and whereas in transportation, every time there's a commitment to do something, it's done, and it's done with great administrative foresight and ability. I agree with you though, there's no long range plan, and part of it is...part of the reason we put the planner in was not only to do a bus plan, but to work on the long range land transportation plan that involves Janine's office and some of the other county departments, and I have to say the State has been dragging its feet terribly in this effort, because it's so important as part of this issue. But the...actually there's one module that can be implemented without any more buses, and that is adding Sunday, because...

Ms. Iseri-Carvalho: I just want to tell you, tell it to Janine, because this is not where we should be deciding what her plan is...

Ms. Yukimura: I have full confidence that if we give the money like we did a couple budgets ago that she, working with her advisory committee, will figure out the best way to use the money and will actually get it done.

Ms. Iseri-Carvalho: Well, she has a plan, she can come here with a money bill requesting for it with the justification. That's just my point.

Ms. Yukimura: Oh, I'm just talking about this 450,000, and people are dying under the gas prices, so we need to have continuous improvement in our bus system, and I think the moneys that the mayor has put in there will help us do that.

Council Chair Asing: Yes, I just have difficulty with this, only because I don't have a plan in front of me. Why can't we have a plan? Why can't we have a piece of paper saying here's how we're going to do it. You know, I mean it's (inaudible) concepts. We're going to do this, we're going to do that, we're going to add routes, we're going to change the system. Why can't we get a piece of paper and here's the plan, this is exactly what we're going to do.

Ms. Yukimura: She actually has the plan.

Council Chair Asing: Isn't that the simple way?

Mr. Kouchi: And to me, I support the 425, because it will essentially be relieving those peak hour routes, and you know, I think that there was a lot of discussion by the council about, you know, how can we expand a course of the services before the community ever came out to testify in the manner in which they testified, and so I am happy that, you know, the administration was listening both to the council as well as the people who testified, and they've come forward with that plan. So do we have anymore discussion on keeping the \$425,000 in the budget?

Mr. Rapozo: Well, just that...I just want to clarify, and staff checked, we did approve the planner in 06-07, and that was an SR20 position to be a transportation planner, and in 07-08 it was changed to a program specialist III, bumped to SR24, and I guess like Kaipō saying, we still have no plan and it's difficult. And I guess for me, it's even more difficult, because like the positions in the police and fire, when you talk to the department head, they not ready for it, they don't have use for it right now, but we're going to go ahead because the mayor says we're going to get it done, so...I mean you know, when we start talking about a tight budget, and I appreciate all the comments, but I think it...you know, the administration going to have to come up with some kinds of justification when they asking for this kinds of money, you know. Putting money in an account is not going to solve the problem without action.

Mr. Kouchi: Further discussion on keeping the 425 in the budget?

Mr. Furfaro: Yes. I'm going to support keeping the 425, and I do have a lot of faith in Janine as a leader. I'm sure she has plans that will identify and satisfy this particular piece. At the same time, I do understand what is being said by Mr. Rapozo that, you know, we've come with this kind of detail, it's a pretty significant number, perhaps it should have been made available to us. But I do have faith that Janine has that plan in place.

Mr. Bynum: I just want to make several comments. One is I believe that there is a plan. I've seen that there was a priority set. I believe that the transportation department has a history of effectively and efficiently using funds for expansion, but I'm talking about what's on the ground today. What's on the ground today is our transit...and I assume that they will use this 425 for peak time transit. But you know, the way it was put out was for the transit advisory committee and the director to determine where the expansion has, because they have plans for several different ways they could expand the bus. And what we have right now is commuters who were turned away, that's a reality. We have traffic on the road now. We have people who are dependent on the bus increasingly every day in these economic times with the gas going where it is that are dependent on the bus to live on Kaua'i, and they can't get around at night, that's the bottom line. We heard from social service agencies that they use paratransit, and that when they've had expansion of the bus, people have been able to move into the regular bus system; that's savings to the county. This is the segment of the population that, you know...some people choose to do this to save money. Other

people are forced to do it because it's the only option they have, and they are homebound virtually in the evening now. It does become a social justice issue. I believe if we came up with additional funding that the plans are there, they know what to do, this isn't as complex as some of the other planning issues that our county faces to expand these services to meet the needs of the segment of our population. You know, bottom line the budget comes down to priorities. You know, I've seen a whole bunch of money added. I didn't vote for all of those things. That certainly wouldn't be my priorities when we have this segment of the population that has this kind of clear present demonstrated need right now. So I still would like to see an additional 350,000. The community came up here not just with a ballpark figure, give us a million and a half, had very specific things that were identified with cost estimates of how they could expand the bus, and it came to a million and a half. If we added 350 to this, it would be our total contribution for expansion of the bus would be half of that...half of what the community came up here and suggested. I think we should put additional funds into the bus.

Mr. Kouchi: Anybody else to discuss keeping in the \$425,000? Any objections to keeping in the \$425,000? Hearing none, we will keep the \$425,000 in. The next question that was asked was adding \$350,000 above the 425. Further discussion on the... This is still the line item that we're on, expanded services/new routes. There was a discussion about the 425 that also led to increasing 350. The first question I wanted to ask was keeping in the 425, so we kept it in. Before moving off of this line item, the question has been asked to increase that by an additional 350,000. So now we're on discussing adding an additional 350,000. Further discussion.

Ms. Yukimura: I support Councilmember Bynum's idea or proposal that we add more money into the bus, because I think it's about addressing people's basic needs as gas prices go up. It's about getting to work. It's about getting to the doctor's. It's about getting to, you know, school, and the need is just going to increase more and more as the gas prices go up. And the sooner we start addressing it, the better. I think soon there's going to be a real run on buses, because other jurisdictions are going to be doing this, and you now, so the more we get into place, the more we'll be helping our people and offsetting the costs. Now I admit it's a really big amount, and it is a recurring cost, but it's a far less recurring cost than people individually driving to work. Because it's...it multifold in advantages in terms of using less energy per capita and producing less global warming per capita to have people in buses than in their individual cars driving around. So I think we have to keep that in mind, and if we can find the moneys for it, I think it's worthwhile. Otherwise, I think we should look mid-year to, you know, some kind of addition after we see how the 425 is used, because I am convinced it will be used and used well and quickly because the need is so great and going to be getting greater.

Mr. Furfaro: I also would support this initiative of additional money for transport. I do want to say, though, at this point it is possible that we might look at putting some of that money in a bond so that we could actually use the next increment of money for the actual purchase of equipment. You know, this is one of the long term benefits. We also had with the, you know, the community facilities districts that we talked about that we could actually use some money for equipment. So you know, I would like to offer my support, and at the same time, I would like to say that we have an opportunity in the bond to look at equipment purchases.

Mr. Rapozo: I guess I just want to say I'm surprised, especially from Councilmember Yukimura who's such one that's into planning, and to just start shot-gunning this thing out with almost a million bucks with no plan is, to me, incredible. I'm just surprised. You know, I'd love to put a million in the police department for accreditation, but the chief's not ready yet. He know what needs to be done, but he's not ready yet. The plans haven't lined up yet. So I understand the transportation needs, but we cannot...we cannot just put the money in the account and expect it to produce without a plan, I mean. I guess I'm in shock, so excuse me for these words,

because I am in total, total shock. And I'm curious to see if that philosophy will carry through throughout the budget process with the other departments as well. That's all I got to say.

Ms. Iseri-Carvalho: Well earlier, we had heard across the table about, well the person did not request it, so why are we giving that person money, and if the person didn't request it, then we shouldn't give it. Likewise, I spoke with Janine, she didn't request it, this money came from the council requesting and from the community requesting, so the mayor put in the \$425,000. She's not ready for it. She's already admitted that, but we insist that we want to run her department here, at least 2 councilmembers over here want to run her department. It's just ludicrous. The second thing that I have is about the morale issues that already exist at the transportation. Nobody here seems to be admitting. They think everything is running hunky dory over there, when we've had grievances that they've been working on for the last couple years. The dispatchers cannot even get a Saturday day off, none of the dispatchers can get a Saturday day off even if you've worked there 17 years, you cannot get a day off on Saturday. You got co-workers that cannot take vacations at the same time, even though they play sports together. One person can go on the team and the other person cannot go, because you cannot have 2 workers from that department off at the same time. They got numerous issues with respect to sick leaves that come in. So you know, don't make it like this whole...she doesn't have issues. And then you guys are now trying to impose upon her more morale issues, and it's not something pretty to talk about, but I've been also talking with the union. They've had meetings already. You can go see Janine about the numerous grievances that they have over at transportation. I know many people that work at transportation. So you know, it's apparent that if Janine is such a great administrator, had she wanted this half a million dollars or additional half a million dollars she would have come in. But I think we need to give her time to work out these morale issues over at her department, and we need to give her time to resolve these grievances between the employees, and resolve these communication defects within the working UPW workers, as well as other workers that are there, with the administration before giving her a plan that she hasn't even accepted or even want to pursue because she's got all these other things on her table. And I bet none of you have talked to her about those. So I will not be supporting any more money other than the 425 even though if I think it's a great idea. One, we don't have the money that we had in past years, and number 2, she doesn't need it and she doesn't want it, because she has other things to do. It's outrageous.

Ms. Yukimura: I want to say that there is actually a plan. It's not a long term plan, but it's very clear modules of how the bus system can be expanded, and though it came from the community, it really came out of the transit advisory group that's been working with Janine. So there are 4 more modules that were possible, and one actually go implemented between the time I think the advisory committee worked on it and that is the bus services...increase in service to Hanalei that was 300,000, and the found a way to get that done. So the 3 remaining modules that are very concrete ways of expanding the bus system, and I call it a short term plan, is increase in the frequency of buses during peak commuter time, and that's an estimated cost to 400,000. There's an extension of service until 9 p.m. which is approximately 450,000, but there's a caveat that it depends on what the state of the system is that you're going to be adding the services to, you know, because if it's grown bigger since the estimate was made, that'll mean more buses, because you're going to be expanding the services to night on the whole system. And then the third module that's still available is a extending the Saturday schedule to Sunday, which is approximate \$350,000. I mean the thing that has been really great about working with Janine is that she can give you what costs are, and then when you...if you decide to appropriate it, it's used and the services result. So that's why I'm comfortable in putting that aside, and I'm only doing it because I feel like we're in a semi-emergency situation with the way that gas is going, and we need to be ready, and it's better to be ready than to be reactive. But that's just my basis for looking at this additional amount.

Mr. Bynum: I think our debates around here are fascinating. I often choose to just remain quiet and do what I choose to do in voting. But today we've added positions and added things

in people's budgets that they didn't ask for, and we say, well that's because they're respectful of the process and they went through the mayor. But when I say the same thing, it's somehow ludicrous and outrageous. So I don't think it's ludicrous and outrageous. I think the difference is in this instance, as JoAnn has said, there are specific modules that have been identified. I think Janine, just like the other department heads, were respectful of the process. So if it works on one side of the argument, it should work on the other side of the argument. And I think when we talk about planning, I couldn't agree more that this community is in need of long range planning. You know, we had a general plan that said, here's the way we should react to development, but we didn't do impact fees, we didn't, you know, put in CZO changes that were requested, and but development didn't wait for us. It just came and used the regulations and the rules we have. We need a park plan, and this year we have a budget for a park planner, but in the meantime, we have fields that have 6 teams playing on them at once because we don't have adequate capacity. Things just happen whether you plan for them or not, and these areas we have some planning, we have some distinct modules, the community asked for them all to be implemented, I'm suggesting we give them half of that, but you know, it's interesting how we can justify one part of adding things to the budget and saying that those are important, and that those department heads didn't have the latitude to tell us what they really wanted. But it's a different story when we get into something else. So you know, I think I have a right to put out there what I think are priorities. We can garner 5 votes, we'll add it. If we don't, we don't, that's the process.

Mr. Furfaro: First of all, I've...you know, I've spent good amount of my adult life in managing business, and I do want to say that I'm a little bit concerned that Councilman Rapozo did not kind of grasp some of the things that we have been consistent about today. We have been consistent about the continued economic growth standstill that we will have in our county based on the issues today, and we did, or at least I also supported, money for the Food Bank. I also support the additional money to get meals into the homes of people less fortunate at the more mature end of our population. And I do think there is some short term plan for the bus here. I support the 425...I would actually support a little growth in the purchase of equipment through the bond, because I think these are things that are on the radar screen now, and it's very unusual for a county government at this political subdivision level to be addressing so many of the social issues that we need to address, but without demonstration without stepping forward somehow here, we are going to have a number of people that are going to be in some pretty stressful situations with their families just, you know, getting food on the table, getting from point A to point B and so forth. So I just wanted to point that out. I think I have been consistent about recognizing those things, and at the same time, recognizing how very difficult it's going to be for our county going forward.

Council Chair Asing: I won't be supporting the 325. I was hesitant on the 425 but did not register my opposition when you called for the vote on is there any opposition. So that's where I stand.

Mr. Kouchi: Thank you. It would be easy to say nothing, since we already have 3 votes against it, but you know, I think that what Jay brought up is an opportunity for Janine to talk to the mayor and say, if one method we could make the \$425,000 go a lot further to expand it is to have some of the equipment, if it's appropriate, to be purchased through the bond fund, and you know, it appears that buses may be something that would be eligible as far as costs, and they are a costly item, and so that would be one way of trying to be efficient and effective in how we use the dollars that are on the table. But I also believe that in this case, the department head has spoken, and under the current situation that the 425, which as identified in the paper JoAnn was reading from, will be able to relieve the pressure on those peak hour routes, and what I fear with the way the public came out to testify last week, is if we do add the 350,000 and then they have procurement issues, and they have bringing on employees issues, and they aren't ready for the bite, that they're going to be spending more time trying to say how come the 350 isn't being spent than spending the 425 and getting the expansion of the routes. And we need to let them go about doing their job,

and you know, I see them as identifying what is the next bite that they could take on, what they reasonable expect to accomplish, and how they're going to start expanding the service from where it is today to to the next step, and I'm just really disappointed that what should have really been a positive message from the mayor and the council to our community has now been totally obfuscated with this whole discussion that, you know, makes it seem like somebody isn't for trying to get us to the next step when everybody is trying to get there. And I talked to JoAnn for a while about this before we came in this morning and just said, you know, if Janine had 750 on this line, I'd vote for 750. If she had a million on this line, I'd vote for a million. But I'll only vote for what she has on this line, because I'll know that that's what she can do, and I said, get me the plan from Janine, and in 3 months I'll tell you where to find the money. I have ideas on how to find the money already if we need to do it, and would be committed if she's committed, to help her take the next step, but I don't want to leave money in her budget to have the public demanding of her to produce something that she may not be able to produce. And so if you want to go lobby before you even lobby the votes here, lobby the mayor across the street to come forward with Janine to say this is now not all we're going to do, we'll do something else. I'll personally go find the money for you, Tim, and vote yes at that time if they come forward. But you know, with what is here today, I was really excited that we were going to be supporting 425, and I'm still excited that we're going to support 425.

Mr. Rapozo: I just want to...because you're always so...more articulate. You know, I agree with you 100%, and I think I've been consistent that if the request came from the department head, I've supported it. So I am applying the same standard on both sides of the issue. It's...in the chief's case, I spoke to the chief. He told me what he needed. I personally spoke to Janine, and she told me what she could not do right now. So I know you have a plan, JoAnn has a plan, I have a plan for this county. Unfortunately we on this side of the aisle and we cannot implement the plan, and if there is no plan, then I think it's not too responsible to just let the money sit there and roll into another huge surplus at the end of the year like we witnessed this year. So as I stated when I started, I did not oppose the 425. I am uncomfortable because there is no plan, and I think I've been here long enough to see when there is no plan there is no action. So...but I don't know how it's going to be taken, Ron. I think you're right, it'll be...you now, it'll be taken differently, and that's fine too. I just think that it's our job to make sure that when we allocate the money that it is tied to some plan, and I just haven't seen that.

Mr. Kouchi: So we have the 30,000 on the bus pass program. Discussions?

Ms. Iseri-Carvalho: I do, and I just want to know, if it's our bus, do we have to allocate that money, or can we just waive the fees if we have these passes?

Mr. Kouchi: Well, while we could, I think we just want to do from a...what is the term under accounting?

Mr. Furfaro: It's a contra account.

Mr. Kouchi: No. But forced account, we want to see true cost, and one of the questions we would ask the bus is how many riders did you have, what kind of revenue are you generating, and so while it seems a little foolish, it's the foolishness that I actually am in support of, because we want to see what the bus is doing per the ridership (inaudible).

Ms. Iseri-Carvalho: But I think, you know, again, you know, we talk about a plan. I mean how...are we going to just have it available and anyone can apply for it if you're a county employee, and is it based on need, is it based on distance, is it based on where you work. Who's going to track how many... Is it going to require a minimum amount of usage? What if I go in and take the pass and I don't even use it? I mean how are we going to set up those kinds of parameters to assure that we are getting bang for our buck, not that we're putting in 30,000, everybody goes in and applies for

it, and on the days that they want to use it they use it, you know, is it going to be once a week, is that going to be sufficient for getting a free bus pass, or is it going to be twice a week, or... I mean I think there has to be a system, you know. Is it, you know, why don't we give, you know, senior citizens? Are we going to give people the bus passes are the ones who are already using the bus first, or are we going to give new riders that we want to encourage to use the bus pass. I just have a million questions on...and it's only \$30,000. It's a good service. I just, you know, I think people want to know that how am I going to take advantage of it.

Mr. Furfaro: I think the councilwoman asked some very good questions. I think the Chair stated, I mean 30,000, you want to have their revenue stream pure so that you can account for them for cost. You could set up a contra account later that there's really no cost to them, because they do get allocated for some central services. But the 30,000 is roughly 165 passes used every day, you know. Where is 165 seats, you know, and therefore I'm back to, you know, some equipment issues. But the fact of the matter is, the county passes should only be good Monday through Friday, I would assume. They are intended as an employer benefit to get you to and from work...

Mr. Kouchi: I just heard from Shay guys work on Saturdays.

Ms. Yukimura: Well, and we want to encourage people to ride the bus every day.

Mr. Furfaro: Okay, but all my point is is that the reality is, until we actually see the template of what is covered, those are reasonable questions, but I will support the 30,000, but they are reasonable questions.

Mr. Rapozo: I just want to clarify that it's actually 200 seats, because it's 15 bucks a month on a monthly pass. So it's actually 200 seats, and...

Mr. Furfaro: I'm sorry, I divided it by 18.

Mr. Rapozo: Yeah, but it's actually 15 on a monthly pass.

Mr. Furfaro: Right. I came up dividing it by 18 on a monthly pass, so my math was wrong. I'm sorry.

Ms. Iseri-Carvalho: Because you went Monday through Friday, instead of the full 30 days.

Mr. Rapozo: And I would hope that if you cannot find 200...I guess for me, you know, why wouldn't we offer it to the general public as well and not just employees. You know, the taxpayers are going to be paying for a county employee to catch the bus, where if we would have given that bus pass to somebody else that actually uses it every day...

Ms. Iseri-Carvalho: Because they're still going to work.

Mr. Furfaro: But I think we don't want to open that door now, because if we're actually able to come up with a plan that we could have hotels buy passes for their employees to ride the bus, then fact of the matter, we do want that revenue coming in. But you know, there's a lot of unanswered questions right now.

Ms. Iseri-Carvalho: If I could just follow-up with Jay's...and that was my point. I mean and if the buses are as full in certain routes, we would not want to be taking away a seat from somebody else already, or 2 seats or 3 seats or 4 seats.

Ms. Yukimura: Add buses.

Ms. Iseri-Carvalho: You know, and that may not be it, because that may hold up traffic if you don't have the necessary infrastructure on the pull-outs. Anyway...that's my point, and I hope that those questions can be answered or there's some text.

Mr. Kouchi: (Inaudible) for the report on how they plan to implement the program. So it would be discussed at a council meeting.

Ms. Iseri-Carvalho: That's correct, and that's fine.

Ms. Yukimura: I do think some of the questions that Councilmember Iseri-Carvalho has raised are really good questions. I just want to say with respect to the idea that employers would pay for, you know, at hotels, would pay for free bus passes for their employees. It would be so cost effective for them. I remember learning...

Mr. Furfaro: It's not just hotels (inaudible).

Ms. Yukimura: Right, because the parking...the cost of parking at a hotel for employees is really expensive.

Mr. Rapozo: It's still free.

Ms. Yukimura: No, no, no, no. But the cost of providing a parking lot for employees. I understand that the Sheraton in Waikiki it was like \$600 a month cost per employee per parking... So what that means is if, you know, to buy \$15 a month for an employee and it can work for them and they cut the cost for them of gas and car maintenance, it really can be a win-win.

Mr. Bynum: I have mixed feelings about these bus passes, because I don't think we have capacity if the people got on there, and that's exactly the point that this is exactly the kind of program, whether it's hotels or others, that we should be encouraging in terms of where we are in the planet right now and where we are in terms of traffic on Kaua'i. You know, we should be doing PSAs with the local schools to get...encourage people to do bus riding. But we don't have the buses to put them on right now. And so, you know, one of the things that Janine has talked about is if they add routes, they don't pick up all the way to Lihu'e, so they do express routes, which makes it even more attractive to ride the bus because you're not on it as long, and you know, will encourage more riders. And so you know, I'm going to support this, because I think it's a good idea, but...and maybe we need to create a crisis, but these are exactly the kinds of things we should be doing to create ridership and to give people this interest, you know. But I don't think we can add 200 commuters on right now, even with the expansion we're contemplating, and what a shame, and we can't take 200 cars off of the road. It would benefit everybody.

Mr. Kouchi: Further discussion?

Council Chair Asing: Yeah. I have reservations. I think the statement made by...was it Councilmember Rapozo? Who made the statement about county employees. I think that's to me a big one. I mean how do you justify to the public we're going to take care of county employees? You community members, well, you know, see you later. I just have reservations about that in itself. Why county employees only, and no system to try to assist others. I just have some reservations on the kind of message that we're putting out there.

Ms. Iseri-Carvalho: Can we just amend that text to just say free bus passes until they come forth with a plan when we spend the \$30,000? Because I do have concerns about the public

saying, you know I've been riding...doing my due diligence for the past 5 years and you're not giving me any benefit for that, and then you know, why should it be county taxpayers' money. I got to use my own money to pay for mine, and yet pay the taxes for somebody else to use the bus pass.

Ms. Yukimura: How about we just say free buses for students, usable only during off school hours, and then have the county come back with another plan for county employees.

Council Chair Asing: I could support that.

Ms. Iseri-Carvalho: That would be fine.

Mr. Bynum: I want to support this because we are an employer. We're one of the largest employers in the county, and it's a kind of thing I hope other employers would take up the example and see. So I think it is... I understand Kaipō's concern, but I think it is justifiable, because these are our employees and everyone would benefit if we take people...you know other commuters who choose not to ride the bus, if suddenly there was a hundred fewer cars, it would make a difference in their commute. So I think...

Mr. Kouchi: And part of our point is that we, for the most part, have the majority of our employees in Līhu'e. So the majority of our employees are impacting the most traveled zones at the most peak hours of traffic, and I mean it's kind of funny, because when the mayor told me he was going to do this, I closed my eyes and I said, say that again. I said, no, you still look like Bryan, but you sound like JoAnn. And you're going into the community gardens next, but the bottom line is, the only way that you lead is to lead. You cannot lead if you follow. And if we want those other businesses to do this, then you do it by leadership. And the only way you can do that is to take the first step, and we control our employees, and it's an offered benefit to your employees. And if we fill the buses, guess what? Who's going to be the first person in here with the plan for the next 350 or 750,000? Janine. But then that would wind up being a good thing. I agree with that. I think that this was innovative. I thought that this was so far out of the box, I was surprised as heck when the mayor offered it, but I told him he certainly was going to get my support on this, because if we don't do something different, then nothing different is going to happen. And it's not about the students, and we have buses, and I understand off hours and whatever, but I looked at this as how do you start, you start in an area where you have direct control over. How do you start this? You start this with people who come in 5 days a week into Līhu'e for their job, and then let's see how it works. Let's work with other agencies, and then you have some baseline with which to work and see how you reach out to try to encourage other businesses to do it. But that was just my particular point.

Mr. Rapozo: I just get one question for clarification. What do we tell the 201st employee and the 202nd employee and the 203rd employee...

Ms. Yukimura: That we're going to allocate more money.

Mr. Kouchi: When we get there I'd love to answer the question. I am saddened that I don't think we'll be confronted with that.

Ms. Yukimura: You know, my suggestion for an alternative was not to say the program's not a good idea. It was just to give the county some time to think through the program. There is another way employers handle this, and my daughter's boyfriend, his company allows him to pay for the bus pass as a flexi benefit, so with pre-tax moneys. That's also, you know, an alternative way and I was going to write a letter to Wally to suggest that we at least allow that also in our flexi benefits program. So I just thought maybe it would take more time to think it through,

but I agree with you, Councilmember Kouchi, that ultimately a program for county employees is a good idea. I just thought...there were questions about how it would be implemented.

Mr. Kouchi: And the only thing I forgot, Shay. He blew me away so much with that thing that I didn't have my right brain engaged...

Ms. Iseri-Carvalho: And you did not ask all these questions.

Mr. Kouchi: So you're...but you absolutely have very valid questions, and it would be a terrible shame if somebody took it and was going one day a week or one day a month or whatever the case is. And so I, you know, agree we need to have them report back with what they're going to do.

Mr. Furfaro: I want to thank you for putting the emphasis on my earlier comment. The fact of the matter is, we need to walk the talk before we can sell the idea to the other industries on the island, and what a better place to start, with our own employees. So thanks for putting the exclamation mark on that.

Mr. Bynum: I want to thank my colleagues for your patience with my...what I wanted to say, and I just want...I'm not going to ask for it now, but I feel strongly because I've been talking with Janine and others that at some point we should fund a ride-sharing program that pairs people up, because it doesn't cost any equipment, doesn't increase our budget other than by a program level to get folks sharing rides, and I'm surprised we haven't done that already at this point. So when I can work that all out, maybe I'll come back here and ask for (inaudible).

Mr. Furfaro: Would you pursue with her the State's van pool program, because it is still available to us and it's funded by the State.

Mr. Kouchi: Further discussion on the 30,000? Objections with the proviso? So ordered. Anything else in transportation? Otherwise, we have solid waste and Shaylene's question, but we also had the report on the 1.9 just come in today.

Ms. Yukimura: Did it just come in?

Mr. Kouchi: That's what I've been told.

Ms. Yukimura: I've been asking for it.

Mr. Kouchi: (Inaudible). I was trying to ask Ernie if that came in. So instead of getting into your question without resolving solid waste, we'll do solid waste, planning, the mayor...we didn't do the mayor's office yet, tomorrow morning, and then we'll resolve the CIP, and then vote on the tax rate. Nine o'clock.

Ms. Yukimura: We're ending now?

Mr. Furfaro: Mr. Kouchi, are you going to...when we get to the bond, would you keep bus equipment on the radar screen?

Mr. Kouchi: Well, I think what the mayor was trying to do, and I don't know if he did it, because I was gone Wednesday, Thursday, Friday, was he was trying to identify some of the things he was thinking about in the bond issue, so the council would just not look at a bond float number, but have an idea of how he was getting to where he was getting to. So I think there's an ability to have that discussion about if something were to take a higher priority or do we have

adequate debt service...if in fact we wanted to fund some of the buses that way. But again, unless...and staff, tell me if I'm stating this wrong, on the operating side we have the mayor's office, the planning department and solid waste. All other departments we've gone through, and then we need to do the capital improvement budget, and then the tax rate.

Mr. Rapozo: Can I just make a real quick comment before close? I just...I mentioned earlier today about the vacant positions, the over 2 years. I'm hoping we can get a report from personnel. I thought we asked last week; we didn't. Anything over 2 years, I'm asking that we consider dollar funding so that we can get a more accurate picture and reduce the surplus at the end of the year. Also, I think in the last year we've seen a lot of manipulations in the budget, and you know, I know there's some council people that feel that we are not allowed to proviso the budget to require council approval any time a position is changed or a function of a position is changed, and I just tend to disagree. I think that when the budget is submitted, that specific line item, that's what the public is told, that's what everyone is told. Any change in that should be required to come back to us. I think that it's not fair for the public to be part of a budget process, then they go through the public hearings and listen to committees, we're told one thing and then right after we approve a position, it may get reallocated, it may get transferred, and we really have no say. I mean we've seen that happen time and time again, and I'm asking your consideration that we proviso this budget. I know Maui does it, that any time a position, a line item is used for purposes other than approved, that it needs to come back to this council for approval, and the public process. Because I think we mislead the public with our budget process. I think that when we approve the budget, that budget should stay intact, and if there's any changes from the budget that was approved, it should be in the open public forum via this council. So I'm asking for your consideration, and I'm hoping we can get that report on the vacant positions by tomorrow, and as well as all the other projects. I mean I have a list that I've made, and maybe you folks have more input. Projects that have been funded that we know is not going to be done, and I'll give you an example of the tennis courts at Vidinha Stadium, one million dollars in the CIP, that's not going to be done. The motorcycle restroom in Wailua, 100,000, is not going to be done. Why do we continue to keep it there? So I'm going to have a list by tomorrow of some of the projects that I know, with obviously with the acknowledgement from the administration that simply not going to be done, that it's off the radar screen, that we should not continue to fund. And I'm just asking for your consideration, because as we go into tougher times, we got to prepare ourselves, and that is how you prepare yourselves, by, number one, getting a budget that accurately depicts what we need, and I don't see that happening if we continue on the path we're going. Those right now are simple. Anything over 2 years we dollar fund, and of course, any changes in the budget line items need to come back here, simply for the purpose of the public getting informed. Thank you.

Mr. Kouchi: Thank you. Depending on what gets removed, Tim, I'll let you now if I can still keep that commitment about where the money is.

Ms. Yukimura: So Ron, you don't want to do any CIP today? I was just thinking, so we don't go late tomorrow?

Mr. Rapozo: I'm prepared to stay here as long it takes.

Ms. Yukimura: Well, I'm prepared to stay here till 4, but it's up to you.

Mr. Kouchi: I don't think we have a lot that we'll consume on the CIP. I think we'll be able to resolve everything we need to do in the morning and have the whole afternoon for CIP, and the morning may not even be that long.

Ms. Yukimura: Okay, thank you.

There being no objections, the Chair recessed the decision making meeting at 3:20 p.m.

The decision making review reconvened at 9:13 a.m., and proceeded as follows:

Mr. Kouchi: Let's call the decision making back to order. I am told that they are still... Councilmember's request that have been out there that we have not gotten responses, so why don't we start with the CIP budget this morning and then hopefully we can finish the last few depart... last three (3) departments that we didn't finish yesterday (inaudible)... through the CIP if we also have a response... Councilmember Rapozo's request (inaudible)...

Ms. Yukimura: Before we start, I just want to say that I had a chance over the evening to talk or communicate directly to the Police Chief and he did confirm that he does want the Legal Analyst, so you were all right and also the community liaison. I am more than happy to vote for both.

Mr. Kouchi: Okay, so noted, but let's go to the General Fund or the CIP. We should begin at the beginning.

Mr. Rapozo: That is a good thing.

Mr. Kouchi: We should just follow the CIP budget itself.

Ms. Yukimura: Do you (inaudible) the supplemental?

Mr. Kouchi: No, I think we need to... the supplemental removes Black Pot from the... for some reason, do we have another CIP budget Stephanie or Yvette? The supplemental is just this. I got this. The one we had tabbed out...

Mr. Rapozo: The one with the green tab?

Mr. Kouchi: The original May 14. I don't know why my stack of papers... Because in the supplemental, the only thing that is proposed for removal is the Black Pot expansion, so let's...

Mr. Furfaro: Is that moving to the bond Mr. Chair?

Mr. Kouchi: Well, the bond is at yet identified, but let's just start the bikeway fund, we have the \$78,000 and... This is the March 14 CIP budget that originally came over because if you look at the supplemental that you were showing me right now Shaylene, the only changes from the March 14 to the May 8 are contained in the General Fund-CIP. So we need to reconfirm what we are going to do on the March 14 in the other funds and then when we talk about the General Fund CIP, then we would look at the General Fund on the 14th and also the May 8. I hope it is clear as mud to have...

Mr. Bynum: Ron, I also got communication from the Police Chief, so what we voted on the analyst position...

Mr. Kouchi: Yes.

Mr. Bynum: And I voted against it and is that the way it stands?

Mr. Kouchi: No, we are not final... if you want to... I think that is what JoAnn was trying to say that she changed her vote.

Mr. Furfaro: You get second chance braddah.

Mr. Bynum: Well, yea, based on the communication that I received, I want to support that.

Mr. Kouchi: Let's reflect that we had unanimity on the Legal Analyst position. Councilmembers Bynum and Yukimura with the new communication from the Chief, they would like to vote now in the affirmative.

Ms. Yukimura: Thank you.

Mr. Kouchi: We are going to go off of the March 14.

Mr. Bynum: Is that directed somewhere Shaylene?

Mr. Kouchi: And the CIP is the only changes in the May 8 supplemental, so we need to go through the March 14 budget. We have the bikeway fund, the bond fund, the development fund, highway fund, sewer trust fund, special trust fund for parks and playgrounds, so we need to reconfirm and then we will talk about the General Fund CIP because there are some proposed changes in May 8, but there are no changes on the other categories, so we need to go through the...

Ms. Yukimura: You said March 14?

Mr. Kouchi: Yes. 12th or whatever the date.

Mr. Furfaro: The original one that came out with the tab.

Mr. Kouchi: And page 1 should say bikeway fund at the top.

Mr. Furfaro: So before we go there Mr. Chair, we have about 66... no we have \$76,000 in moneys that are in these accounts that the projects are closed. There is the neighborhood center improvements, \$37,000 balance, there is real property tax computer system, there is rubberized track and there is park improvement grants, Waimea. Those projects are done, but I want to somehow gather that money out of that.

Mr. Kouchi: And those are in different accounts?

Mr. Furfaro: One is in a bond, one is the development fund, one is in the General Fund, you know, there are moneys that are sitting out there and the project is closed.

Mr. Kouchi: But, again, since we need to do it within the fund (inaudible)... So the bike fund, you know, we didn't have anything. On the bond fund, you know, I don't know that there was much that we could do at this point. I believe it is bond funds... these are the projects that prior councils had approved and were submitted on the list that went out to the buyers of the bond and we have three (3) year clock running on completion to be in compliance with the Federal law. So unless I misunderstood what was done by the prior Council, I will be happy to listen to what else might be happening, but I was of the impression that we pretty much had to stick to this because of the method by which the bonds were sold. So are there questions on the bond fund?

Ms. Yukimura: Yea, you know, I just noticed that there is a public access and open space acquisition, a million dollars there?

Mr. Furfaro: Yes.

Ms. Yukimura: Now that isn't the open space acquisition fund.

Mr. Furfaro: That is a whole separate million dollars.

Ms. Yukimura: There was the issue with the supplemental budget that everything was taken out of the Black Pot expansion line item. It was zeroed out in the supplemental that just came to us last weekend and I am aware that there are negotiations going on right now to see if landowners... there are about three (3) landowners there...

Mr. Kouchi: Let me ask a reverse question.

Ms. Yukimura: Okay.

Mr. Kouchi: This was a bond issue that Tim and I did not participate in, so can someone tell me what your intent was and if the Black Pot would qualify... I mean I have no objections to re-titling this to Black Pot for the acquisition.

Mr. Rapozo: That wasn't the intent. This was just to supplement the fund.

Mr. Furfaro: It is exactly as Mr. Rapozo... but we put in another million dollars on that bond for the purpose of... we were looking at that ½% that we have now and to just beef up the fund, we wanted to take that million dollars, match it with the \$1.2 million or \$1.4 million that is in the fund. At that point, you know, no more dialogues happened other than the fact that we did approve another \$35,000 in this Council to look at those 11 areas that were critical to see if they were low hanging fruit and we can move them, but that was the intent of that million dollars to beef up the fund.

Ms. Yukimura: Thank you for refreshing my memory. So may I bring up the fact that there is that issue with the supplemental and that I think it is really important to have a Black Pot expansion line item because there is active interest at this point for expanding that park. The line item shows that there is a Council intention.

Mr. Rapozo: But that is not in the bond fund though.

Ms. Yukimura: No, but I am suggesting that we might put Black...

Mr. Kouchi: Change the title for public access and open space acquisition or after that, put in parenthesis Black Pot.

Mr. Rapozo: But that wasn't the intent...

Mr. Kouchi: I understand what the original intent was, so what Councilmember Yukimura is suggesting with this whole specific project has yet come up to use that million dollars that we would identify Black Pot as identified parcel for acquisition.

Mr. Furfaro: Thank you Mr. Chair. I understand where Councilwoman Yukimura is going and I think by having the million in the CIP, the reality is we are exposing our intent, but I do want to caution everyone that in this process, we will probably look at a number that might be five (5) or six (6) times bigger than the number that we have here. The reality, though, if we move forward on an issue of a friendly acquisition, you know, we would have some immediate money in the CIP account for deposit, acquisition, and then eventual funding. So I just want to

make sure that we... if it turns out to be an unfriendly piece, then clearly, we could have a much larger need more quickly as well. So I just want to point out those two (2) friendly and unfriendly issues that may...

Mr. Rapozo: I guess my question is for JoAnn. This negotiation that you talk about, is that with the open space commission?

Ms. Yukimura: I will just say that it is just with the Kaua'i Public Land Trust that has been working with the County on that possibility.

Mr. Rapozo: But it is...

Ms. Yukimura: For ultimately transfer to the County.

Mr. Rapozo: I understand because I am not aware of that but, again, I don't know if it is what the open space commission is recommending.

Ms. Yukimura: Black Pot expansion is one of the top priorities on the open space commission's list.

Mr. Rapozo: Okay.

Ms. Yukimura: And they are aware that there has been a lot of effort between the County and the Kaua'i... actually, the Kaua'i Public Land Trust has spoken to the open space commission.

Mr. Rapozo: For me, when I approve this bond fund, it was when the open space commission selected a parcel, that is what the funds would be for.

Ms. Yukimura: You see, the way it works is they have a list and the top five (5), say, anyone could break at different times. You don't just say, I am only going to go for this one and I am not going to even work on the others.

Mr. Rapozo: Right, but when we put money in Black Pot, basically, you are telling open space, that money is for Black Pot and not the other four (4) alternatives or options.

Ms. Yukimura: If you want a letter that endorses this, I am sure there is no problem getting it.

Mr. Rapozo: JoAnn, I just want to give the commission the latitude they need to select the best parcel at the time the selection is made. That is it whether it is Black Pot or...

Ms. Yukimura: The commission is not the one to do this work. I think their authorization is to identify.

Mr. Rapozo: Identify and make a recommendation.

Ms. Yukimura: But they don't... I mean, it is a list and then if the County works on it or some community group works on it and then it begins to look like there is an option or there is an agreement, then there is a proposal to the Council from the Administration with the open space commission.

- Mr. Rapozo: Right.
- Ms. Yukimura: That is how it would work.
- Mr. Rapozo: And that is how it could work. It also could work where the open space commission says, we want to go purchase this right-of-entry access to a beach that we used to have that we don't have now and we need \$750,000 from the fund.
- Ms. Yukimura: And they would come to us and ask us...
- Mr. Rapozo: But if it is listed Black Pot on a bond fund, we are not going to be able to release that money. That is my point.
- Ms. Yukimura: It will still take an action from the Council and if we decided that the priorities were important, we could change from Black Pot to whatever is requested specifically...
- Mr. Rapozo: By amending the ordinance. You would have to amend the bond...
- Ms. Yukimura: Yea, whichever. We would have to transfer money, we would have to do an appropriation bill and either way it would take an action by the Council.
- Mr. Rapozo: That is fine.
- Ms. Iseri-Carvalho: JoAnn, are you still on the Board of Directors...
- Ms. Yukimura: I am.
- Ms. Iseri-Carvalho: I think you need to disclose your conflict. You are here negotiating funding for a project that public land trust is negotiating. How can you do that?
- Ms. Yukimura: Okay, I think you are right and I do hereby disclose the conflict except that it is the same goal. I am not... there is no conflicting goal.
- Ms. Iseri-Carvalho: We don't know. I mean I think you are here trying to convince us to do an action that is supportive of what Kaua'i Land Trust does... you as a Board of Director.
- Ms. Yukimura: So I hereby disclose my potential conflict of interest.
- Ms. Iseri-Carvalho: And I wonder if you can still negotiate and participate in the discussion. You know, I think you should get an attorney's opinion because you guys have been flying all these acquisitions of conflict against companies that aren't even directly related and, yet, here, you have a direct relationship. You are on the Board of Directors negotiating for funding to go through a specific purpose that is currently in negotiations.
- Ms. Yukimura: Alright, so I would refrain from any discussions.
- Mr. Kouchi: And, you know, now that I have heard all of the issues and when we get to the General Funds CIP section, you know, I still believe that it is priority for us to get Black Pot and I would hope that we could have put some amount of money there if we utilized the (inaudible)... whatever it is, so that it is on the list, but I think Jay's advisory about the potential cost and I will (inaudible)... it would give us latitude and certainly through the process that has been

described about the open space commission... if they (inaudible)... Black Pot would be eligible, the access to the beach would be eligible, a mountain path would be eligible, whatever is under the purview of the open space commission and it would allow the commission to...

Ms. Iseri-Carvalho: Well, I have a question. If one declares a conflict, is one to leave the room or does one still participate at the table. County Clerk or maybe we can have a County Attorney's opinion because it has been the practice in the past when there is a conflict as Councilmember Kouchi has done is he has refrained from participating in the discussion and has also left the room, so it that the same practice? Is that just a practice? Is that a policy? Is that a rule or is that something that is required by the law?

Ms. Yukimura: I'd like to say that this is an open meeting and the proceedings are...

Ms. Iseri-Carvalho: All the meetings are open. The Council meetings are open as well.

Ms. Yukimura: But I think as long as I don't participate, I am fine.

Ms. Iseri-Carvalho: Well, I think we should get a County Attorney's opinion with respect to that because it seems that there is different practice.

Ms. Yukimura: I mean if it is an executive session, that is correct.

Ms. Iseri-Carvalho: (Inaudible) and that may be why we need to put more money in the special counsel because maybe these are the kinds of issues that will be coming up frequently. I mean, you know, it is just bothers me that this is what is happening at this point and people are exercising these rules based on their own interpretation...

Mr. Kouchi: Fair question Shaylene, but I think that we have resolved that we are not going to be changing this item. It is going to be as is, so we are moving on this item because it has been completed and the record should reflect that Ms. Yukimura cast no vote on leaving public access and open (inaudible)...

Mr. Bynum: I just want to concur that Black Pot is critical and that we not let the lands there go into other usage and it could become a crisis if the landowner moves to do something with land other than...

Mr. Kouchi: And we will get to that on the CIP.

Mr. Bynum: I understand our budget constraints, but it is difficult to send a message that we are serious as we cut the funds that have been there for two (2) or three (3) times. I don't have a proposed resolution to that dilemma other than to speak...

Mr. Kouchi: In that May 8... I mean I was only looking at a plus/minus. Did the Mayor have a proposed list of what was going to be in the bond fund?

Mr. Bynum: He did.

Mr. Kouchi: And Black Pot was not in there though, right?

Mr. Bynum: No.

Mr. Furfaro: First of all, just for that...

Ms. Iseri-Carvalho: Are we still going to talk on the same subject?

Mr. Furfaro: I am talking about bond float money and I want to make sure that as the Finance Director, I share these two (2) avenues that exist, so that we are very clear. There is no doubt that Black Pot has been identified as the (inaudible)...prior site by the open space commission in 2006, end of story. The reality here is, in my conversation with the Administration and them wanting to absorb that current money, Mr. Kouchi, I was of the impression that they were going to come back with some itemized amounts that is in this \$30 million for the bond float. I have not seen that to date. I don't know if you have, but I would think when we get to that point, we would like to see that itemized list because I also want to point to this Council from a standpoint of the future economic basis here, if there is any opportunity for us now to acquire some money through expanding the bond... I just want to say that this is probably the right time because for every maybe \$10 million that we get, we probably going to carry about \$300,000 debt in the year and we will not be in the same position in future years because of the economy. Secondly, I just want to point out that I have some research that I have been doing with Mr. Itamura on the approaches to this that Mr. Kouchi highlighted earlier and I can make it available to other Councilmembers, but, hopefully, it is a friendly situation when the time comes. Thank you, but I would like to see what is in the proposed bond float. All of us don't know.

Mr. Kouchi: And they do have to come... I think the Mayor was trying to talk about some of the things that they were considering as to how they got up to the number and wanted to give the Council a preview and it was kind of, do I tell you something that I am not firm about and, you know, we cannot answer all the questions, so should I not say anything and then does that become perceived as secretive or by not answering anything... I don't know what we are even doing. How did you get to the number and my only suggestion to him was, to the extent that you have an idea of some projects that you are considering, we should let the Council know what they are upfront, so, you know, that we can start getting ready, but, obviously, you know, the Council will have their say about what should be contained in any final bond float and (inaudible). At this point, anything could be considered on that, but on this bond float, bond fund items, I am assuming that we are going to (inaudible).

Ms. Iseri-Carvalho: I am going to request on the Police evidence room, humidity control, that we put in \$2 million. It is currently at \$500,000 and it is clear that the \$500,000 will not address the issue. This, I believe, was set on the agenda, we did a site visit... I encourage other people to go visit what this evidence room looks like. We had an opportunity to visit with Honolulu Police Department and the way that their structure is. Basically, they will need to relocate that entire room of evidence in order to fix, if you will, the problem that exist there and not only in that room, but in the entire Police Department as well as Civil Defense, as well as the Prosecutor's Office. This has been discussed and I believe that they were in the process of speaking with an attorney that had done issues of this sort on O'ahu. My understanding and agreement was that they were going to come in with an amended budget, if not, we were going to have this put on the agenda. I, at this point, see that they haven't amended this. This will not even touch the issue of what is in the problems that exist in that Police evidence room.

Chair Asing: Ron, I just want to state that I concur with the statements made by Shaylene and I, too, have visited the room and I had planned on going to Honolulu with both the Chief and Doug Haigh to look at Honolulu's evidence room. We had scheduled a time, but I believe during Police week, so the change of schedule and it will probably be some time next week or the week after that we can try to resolve some of the problems.

Mr. Furfaro: Mr. Chair, so I understand the concern here and I have some experience with this. If this problem is related to ventilation, circulating, and so forth, it is probably a pretty significant number. Do we know if we are getting something in advance of the trip to Honolulu from the Building Division?

Chair Asing: No, not at this time. I think for them to make any kind of recommendation, I think it will be in everybody's best interest that they at least take a look at what is happening in Honolulu.

Mr. Furfaro: But what I am saying Mr. Chair is, is the problem ventilation. I think possibly 80% of it is circulating, the air vents, dehumidification, and so forth. Those kinds of preliminary assessments should be able to be done here by the appropriate people from O'ahu air, train and so forth. I understand that getting to Honolulu is going to be the ideal process, but, here to fix the problem, I mean, they should have been able to make some kind of an assessment and cost.

Chair Asing: I have to say, Jay, in my discussions with Doug... Doug is really not the lead person. He is the one that did the project for the Police building and they have done some work already, but they have not fixed the problem. They are monitoring the problem also, so they have done some work, so they have done some work already. If you go to the Police building in the back section, you will find scaffolding that has been set up. Scaffolding that has done some temporary work and they are doing some monitoring to see if they can rectify the problem, but it is a lot more.

Mr. Furfaro: Well, we will wait for the return and we will just guess on the number for the time being I guess.

Ms. Iseri-Carvalho: This is a very low figure, the \$2 million.

Mr. Furfaro: Oh, no, I don't disagree with you because if it is a ventilation, it is the whole building and it is not just about encapsulating the vents that are in that specific area. It is a ventilation issue, it is the whole building.

Mr. Kouchi: But, again, this is in (inaudible) 2.5... increase (inaudible)...

Ms. Iseri-Carvalho: \$2.5 million.

Mr. Rapozo: Jay, after talking to the facilities guy on O'ahu, they had similar problems at their building. What is unique about Kaua'i is that we have air conditioned segments of the building separated by non-air condition segments. The heat difference between...

Mr. Furfaro: Yea, and then you have the condensation, the whole bit...

Mr. Rapozo: But it would mean that we would have to basically retrofit the entire building with air conditioning and... there is a lot of possibilities, but I think the remedy will be quite expensive regardless of what it is. It is interesting when you walk through HPD, every part of the evidence room, every part of that whole facility, the temperature is the same and it is cool. Here, again, segments of the evidence room is not air conditioned at all and not ventilated at all, so it is extremely warm. So that probably is a problem, but we won't know.

Ms. Yukimura: I just wanted to be clear about the proposal, but I think I get it now. It is to increase that line item to \$2.5 million.

Ms. Iseri-Carvalho: And it should not, I think only say, Police evidence room because the problem is not contained only in the evidence room. It is the entire building and this is the problem with design/build projects. This is a fiasco. If you looked at the building, it is five (5) years old and it looks like it is 40 years old. If you do the interior... if you look at HPD, their building is 15 years old and it looks almost brand new. So, you know, the design/build is just not the way to go. This is five (5) years now. It is a problem that needs to be fixed immediately and it is unfortunate that the Administration is not taking this problem... this is the first time that I have seen this even though the problem has existed ever since the building was constructed and this is the first time after making a lot of waves that they finally put something in the budget, but \$500,000 is like pennies on what it will cost to repair these buildings.

Mr. Furfaro: What is the appropriate name for this building?

Ms. Iseri-Carvalho: There is a Hawaiian name as you enter. It should encompass...

Mr. Furfaro: But if it is going to encompass the entire building, then, in fact, we need to label it appropriately for the bond (inaudible).

Ms. Iseri-Carvalho: Because all of the vents are connected because they are all in basically one building.

Mr. Kouchi: And the timeframe for us to be able to do these repairs.

Chair Asing: It is still up in the air. It is complex.

Mr. Kouchi: The issue is really simple. We are talking about adding money to bond fund. Tell me what \$2 million will we cut out that is in the bond fund, it is a self contained fund. So if you are going to move money within this account, then money has to come up or we can tell the Administration that half a million is there for you to conduct the studies, etc. because it is an unknown problem, but that \$2 million whatever it is... whatever you thinking about your bond fund, the Council is committed to get that Police facility up and going or whatever we cut out of here, you can put \$1 and say that we want to leave that account alive, so that in the new bond float, we can consider replenishing the account, but, again, this is a self contained account, so we need to come out to a zero exercise in the math.

Ms. Iseri-Carvalho: Ron, and maybe you can help me. I am not sure if this is really the appropriate place because they do have immediate repairs that they need to do that they haven't done for years. For example, cellblocks be locked that you cannot open with the key. Many of these issues are there and that is why we asked for the list of all the projects that came from buildings because this is just one of the issues about...

Mr. Kouchi: I think what we need to do...

Ms. Iseri-Carvalho: So where do we put money that they can expedite?

Mr. Kouchi: I think what we need to do is change that title up to repairs to the facility by the Hawaiian (inaudible)... so the half a million is immediately available, so (inaudible) study or repairs and then we get the assessment of what the real fix is as far as the evidence room and from your guys best guess, probably the whole facility. You know, then I think that you need to have that included and I don't know how we not fund that. One, I mean, we are housing too many employees there in the first place because all the evidence aside, there are health issues and liability that comes with most health issues and we have personal experience with

employees who have had, through the mold, health issues, so for a safe work environment for employees, we need to do that, then obviously the other side that Shaylene has talked about. And in compromising the evidence, we have now had an ability to effectively prosecute and convict people for, you know, crimes that they have committed... seems then a whole waste of effort of the Prosecutors and the Police Department if we do all of that other hard work and putting in the evidence room and you wind up destroying the evidence that is supposed to convict.

Mr. Furfaro: I would suggest that we leave the \$500,000 for the R&M here and re-look at the \$2 million in the bond.

Mr. Kouchi: And it may be more.

Ms. Iseri-Carvalho: Or whatever. I am thinking that the plan had been in the discussions that we have had was to immediately find a new site for the evidence location. That, again, did not come over. We need to put money in there. That evidence needs to get out because each evidence that you put there is going to be contaminated because the problem hasn't been fixed. So they need to move on this immediately and it does not appear to be a priority of the Administration and it hasn't been for the past five (5) years and there has to be room, another site relocation and I want funding in here. I am not sure if this is the appropriate place, but funding to allow the Police Department to move their evidence out.

Ms. Yukimura: And may I ask a question? So what is the Chief's direction on this?

Ms. Iseri-Carvalho: We have actually done the tour with the Chief's people.

Ms. Yukimura: So he is making a request for a new evidence place? I mean you may be anticipating, you know, a very good move, but is that his...

Ms. Iseri-Carvalho: That is the only way that it can work.

Mr. Furfaro: I would suggest that we follow up with the Chief. At this point, we are talking about this item and I think what Mr. Kouchi has offered leaving the \$500,000 with an R&M a number and then we get a firmer number, we look at the bond.

Mr. Kouchi: And I think for your question Shaylene, if that is some of the immediate things, we really need to get something on the Public Safety agenda and if the Administration is not focusing on it, then let's bring the focus and it is funny how quickly they move on certain things on t.v. because it will sound stupid.

Mr. Rapozo: I think the Chief is pretty optimistic about getting the repairs done and I think Councilmember Iseri-Carvalho and myself probably... I think most of us here would agree that to retrofit that building is going to take a while. It is going to take a while the way we operate, the way that government operates to go out and get a procurement. I mean it has been five (5) years, almost five (5) years since the problem has been noticed and we really haven't done anything... it finally came to our attention, but I would agree that I think some of that evidence, especially the evidence, the drugs, the perishable stuff, that can be affected by mold would have to be moved. I would agree with that and at what cost, I don't know. I know that KPD... we used to pay, in fact, Kaipo. I remember that was one of your beefs where we used to pay for storage in Puhi and that might be where we have to go again at least to secure some of the... I believe the drugs are okay because I think the drugs are in a room that has a humidifier or dehumidifier, but a lot of the paper evidence, a lot of the documents, a lot of the... it is horrible. I was kind of shocked to see the condition of some of the evidence.

Mr. Kouchi: And without knowing the specificity of the (inaudible)... there may be an opportunity through this discussion in the committee that the Chief has a line item that they might be able to transfer money encumbered some of this cost before the close of the fiscal or if we need to work with the County Engineer if there is some provision in the Charter for emergency public, health, safety, and welfare. There certainly... this evidence would fall in that particular category and I am sure that we can convict people, but there may be a way to encumber this before the fiscal year even ends and we would have to try and work with him from what I have been hearing in the report today. Even July 1 and then starting a procurement process is... will have lost a month and a half that we should be working on.

Chair Asing: Well, the actual schedule time was supposed to be May 15 which if Friday is the day that I was going to go down with the Chief... the Thursday rather, Doug Haigh, to look at the department.

Mr. Furfaro: Let's leave it at that. Go do your site and everything and...

Mr. Kouchi: We need to change the title to maybe a broader as to opposed to just the humidity control, identify that building.

Ms. Iseri-Carvalho: I don't know if the Councilmembers remember, but when there was this discussion regarding the building and we asked how many... there are hundreds of them and we still haven't them as far as the word orders that the Police Department has provided. I mean when we are talking about locks... keys not being able to open cellblocks, those kinds of issues existed for at least a year and than was lead to the discussion about the priorities of what is... whom makes the determination and what criteria do they rely on in having these kinds of repairs being made. But we currently have on that building, 130 warranty repair orders just for that building and that doesn't include all the R&M stuff. I think it is... once Kaipo gets an opportunity to look at HPD and we will bring it back on the agenda Kaipo, but we should move on it.

Mr. Kouchi: The other thing, Ricky, you know, whether it is for the Chair's signature or my signature as well, Budget Chair, we need to write up some kind of summary of this discussion and the general concern because if this isn't on their bond float radar screen, then it better get up on the radar screen in a hurry because this is going to be a significant cost item whatever that number winds up being. You know, I would like Tim to know that from all of the things that we have looked at, obviously, we need to get this issue resolved and we better factor this in... whatever it is that they are going to do in the proposed bond or (inaudible). So it is better to have it all discussed now.

Ms. Iseri-Carvalho: And I would just note for the record, Ron, we did have a discussion with Harrison Kawate, so he is aware of the issue and hopefully with all the working together that we can move to expedite the repairs.

Mr. Kouchi: Okay, development fund...

Ms. Yukimura: Excuse me. You know, there is on the bond fund Maluhia Road which was a subject of great discussion. We were told that it is actually meant for the northern bypass in which case it is misnamed, but also because there are so many questions about the Kōloa-Po'ipū Road. Excuse me, Kōloa-Po'ipū transportation plan. There are two (2) things in this bond fund. That Maluhia Road and the Kōloa circulation plan short term improvements and I don't know if we ever got a list of what those are going to entail, but it seems to me both of these should be in a contingency fund until we do a workshop and get clear about it.

Mr. Kouchi: Further discussion? Tim?

Mr. Bynum: I don't have a problem with the Maluhia Road, but I think the Kōloa circulation plan short term improvements are well underway to do with the intersection by Sueoka Store and by the bypass intersection. I think that is pretty much mapped out. I wouldn't want to...

Mr. Yukimura: Okay, I can buy that. Then it would be the \$2 million for Maluhia Road that would be in a contingency until we are clear what is going to be done with that.

Mr. Bynum: So that is not to resurface Maluhia Road from...

Ms. Yukimura: No, the resurfacing of Maluhia Road is already out to bid I believe.

Mr. Kouchi: Ricky tells me that the bond fund, you need a contingency account, so...

Ms. Yukimura: You cannot?

Mr. Furfaro: Cannot because when you go and borrow this money, you have to be very specific that the project is being done and the scope is agreed upon.

Ms. Yukimura: Well, I don't know if the scope has been agreed upon. Arguably, this is for Maluhia Road, this is not for... under this title, it is not for a northern bypass.

Mr. Kouchi: So I suggest you leave it as it is and if they change the purpose, then they have to come back and get it approved.

Ms. Yukimura: Well, then...

Mr. Kouchi: And I would send a letter to that effect after we approve it.

Ms. Yukimura: I think we put a proviso then that says, no moneys expended until there is Council approval.

Mr. Kouchi: If we can do that, I mean that is fine too, but at this point, you know, the way it is titled, they need to come back and clarify it, so moving onto the development fund. We have the ag land study mapping...

Ms. Yukimura: So if we can do a proviso, we do a proviso?

Mr. Kouchi: Yea. And then this rubberized track is what we want to zero out?

Mr. Furfaro: We need to put the money back.

Ms. Yukimura: And the neighborhood centers improvements.

Mr. Kouchi: Again, the development fund is the category, and so you can co-mingle, so this \$33,000 would be zeroed out and it would go back into the development fund account.

Ms. Yukimura: Wouldn't we also zero out the neighborhood center improvements in the bond fund or is that not a closed project Councilmember Furfaro?

Mr. Furfaro: No, those are closed projects, but I think there is a different kind of handling on that.

Ms. Yukimura: I see.

Mr. Furfaro: And I think we probably need some clarification from Alvin (Honda).

Mr. Kouchi: They will spend within the lines.

Ms. Yukimura: Can you just tell us which ones in the bond fund are closed out?

Mr. Furfaro: It should be neighborhood center balance of \$37,266 and the real property tax computer system upgrade, there is a balance of \$2,186 and we will get some direction from Alvin.

Mr. Kouchi: Well, actually, the real property computer system, they have zeroed out.

Mr. Furfaro: I see that now. I am sorry. They caught that. It is the \$37,266 JoAnn.

Ms. Yukimura: Thank you.

Mr. Kouchi: And the Highway Fund, we have the islandwide resurfacing at \$6.1 million (inaudible) Kapahi Bridge, Kōke'e Road resurfacing, northern leg, resurfacing various collector roads. Maluhia/Hardy Road, that should be zeroed out Ricky? We will just leave that there. Anyway, it can't go anywhere else, but he highway fund. Questions?

Ms. Yukimura: Well, what is the Kōloa Bypass Phase I? So possibly closeout?

Mr. Kouchi: It would be just within the highway fund.

Mr. Rapozo: It just a wash, it doesn't go back to general fund or anything.

Mr. Furfaro: No, it stays in the fund, but you could reallocate it.

Ms. Yukimura: And then there is the northern leg, so that one we would also proviso until we are clear?

Mr. Kouchi: And that is all fine because to actually do that, they are going to have to get Federal Highway funds where it is not going to happen because this \$2 million and whatever else... \$100,000 is far short of the total cost of the project, that is why I don't have any problem with that. Sewer trust fund and then the general fund, the easiest way is, let's go through...

Ms. Iseri-Carvalho: I can bring up something before I forget. There was one thing that I wanted to add on the housing and I have excessive discussions with Housing yesterday

regarding rules and they informed me that they did not also have a copy of the Michie annotated which was \$935, so I will make a request for that manual.

Ms. Yukimura: What is that?

Mr. Kouchi: The housing department didn't...

Ms. Iseri-Carvalho: Request for that manual.

Mr. Kouchi: The Housing Department didn't have the Michie laws and they had asked Shaylene.

Ms. Yukimura: What laws?

Ms. Iseri-Carvalho: That is the publisher's name. It is the H.R.S. annotated, the ones that we had appropriated for the Police.

Ms. Yukimura: But that is in their operating budget, right?

Ms. Iseri-Carvalho: Yea, but before I forget, I have a note here.

Mr. Kouchi: So we will go through the March 14 submittal first and then we will get the general fund-CIP from the May 8, so we will start with page 2 of the March 14 submittal first and then we will do the page 5 of the May 8 submittal second. So project contingency, we have the \$2.3 million. Kaua'i War Memorial Convention Hall... do we need all of this? If you have the question, then tell me which item on page...

Ms. Iseri-Carvalho: What is the AR Treatment Center?

Mr. Rapozo: That is the Adolescent... but if we could back up to the fish bowl, I wasn't sure if they were prepared to move on the fish bowl renovations. As I stated yesterday, I think we have to start removing the funding as we go through these projects if, in fact, there is no intent to fulfill these projects. That fish bowl renovation money has been in the budget every year now for quite a while and I am not sure even if they are desiring to move forward.

Mr. Kouchi: So noted. And then the treatment center... if that is Hanapēpē, that can be removed because we are not doing that.

Ms. Iseri-Carvalho: I think staff just pointed out that they said that they still have outstanding bills.

Mr. Kouchi: For the treatment center?

Ms. Iseri-Carvalho: Yea, so I guess we will leave it in. I was wondering what that was.

Chair Asing: Which one is that now Ron?

Mr. Kouchi: The AR Treatment Center, Adolescent Treatment Center.

Mr. Rapozo: And I think what they were saying, there was some close out issues, but how long does a close out issue take? You know, I question that. I think everything is pretty much done. I heard what they said when they were here, but I would be interested in hearing

what we ask and some closeout. What is the closeout cost? I mean what do we owe? But, you know, that is a lot of money \$135,000 and we are looking at a budget, that is a lot of money.

Mr. Kouchi: But we can get a letter to find out when they anticipated and what the final bill would be.

Mr. Rapozo: The swimming pool design, is that done already? Aren't they done with that pool?

Ms. Iseri-Carvalho: They did open it.

Mr. Rapozo: That is my point. That needs to go.

Ms. Yukimura: That doesn't always mean it is done though, huh?

Mr. Rapozo: How are we doing this Mr. Chair? Are we... are we going to be voting or...

Mr. Kouchi: Okay, so Hanapēpē Treatment Center, Mel is correct, so you can reduce \$60,000 on that handout that I gave you on the plus/minus. So to close out, they needed the \$75,042 and we already would reduce that by \$60,000. And Waimea Swimming Pool design is zeroed out.

Ms. Iseri-Carvalho: So that money is free you mean.

Mr. Kouchi: Well, no but in the plus/minus sheet that I gave you that is all back to zero, so it is money already accounted for.

Mr. Rapozo: I guess Ricky, the budget fund is \$73,020 and your sheet shows \$73,000, are we leaving \$20 in there for tip or... all of it, right?

Ms. Yukimura: Um...

Mr. Kouchi: And then the Po'ipū Bypass Road Phase I is zeroed out.

Mr. Rapozo: That was...

Mr. Kouchi: That was 53...

Ms. Yukimura: So could you go over again what is zeroed out? The treatment center...

Mr. Kouchi: The treatment center is reduced by \$60,000, so they would have \$75,042. Waimea Swimming Pool design is zeroed out, then under the Isenberg Park bathroom improvement... Po'ipū Bypass Road Phase I, \$53,313 that is zero. They are just asking for the zeros, then when you go down the Kapahi Park playground equipment at \$55,000 is zero and then when you turn your page, the Hanamā'ulu Beach Park \$150,000 is zeroed out... oh, not zeroed out, but \$150,000 is reduced. The project will cost \$300,000 and the Wailua Motorcross Track is \$90,000 reduced, so \$10,000. The comprehensive road maintenance is in this account?

Ms. Iseri-Carvalho: (Inaudible).

Mr. Kouchi: Some was picked up in my sheet and some was picked up in...
Okay, so now let's go back to the page and we had zeroed out Waimea Swimming Pool design, so going down, are there other questions?

Mr. Rapozo: Black Pot expansion, they took out \$1 million?

Mr. Kouchi: Right.

Mr. Rapozo: And I know there is no explanation or... and I heard the concerns earlier, what was the plan? There is no plan. The Administration has decided not to pursue that?

Mr. Furfaro: That is not what I heard.

Mr. Rapozo: What did you hear Jay?

Mr. Furfaro: I heard, but I have nothing to confirm. They are moving it from there and it is going to be on the bond list, but I will go back to what I said in the beginning. I haven't seen the bond list.

Mr. Rapozo: Well, we have the bond list and it is not in there.

Mr. Furfaro: Oh, it is not?

Mr. Rapozo: We have in this supplemental. If you read the supplemental...

Mr. Furfaro: The \$33 million?

Mr. Rapozo: Well, he has included... he didn't put numbers.

Mr. Kouchi: I think he talked about some of the projects and perhaps not all.

Mr. Rapozo: But it is not on there.

Mr. Furfaro: Then I heard wrong.

Mr. Rapozo: No, you may have heard right, they just didn't put it on the list.

Mr. Kouchi: That may be some of the things being considered, but not the (inaudible)... how do we know? So, anyway...

Mr. Rapozo: Then I want to go down to...

Ms. Yukimura: Is there a... do we do or don't have a bond list?

Mr. Bynum: We have a documents that says, the following are possible projects that will be proposed for consideration with a list of projects (inaudible)...

Mr. Kouchi: Those are all the projects that would be there.

Ms. Yukimura:
of today?

Are we expecting one from the Administration before the end

Mr. Kouchi: Let me restate what I said earlier. The Mayor debated whether he should even identify potential projects because they have not yet completed the list, but they have been discussing projects, trying to get cost estimates to come up with a figure that would be there. They realized when they submit the list, that the Council will have an opportunity for input and to put things on the list, so it might have been easier not to submit anything other than we believe the bond float we are looking at is for \$35 million which will translate to this amount of debt service and I did tell him that I thought it would be a little better if you can the Councilmembers some idea of some of the things you were thinking about. The earlier you disclose information, the better, but that we certainly were not going to be reviewing each specific item one by one to decide if we were going to do the bond float or not. For the exercise of the budget, the real issue is if you take \$35 million in debt and it translates to... what was it Ricky? \$1.2, \$1.4...

Mr. Furfaro: About \$300,000 per \$10 million.

Mr. Kouchi: In debt, is that debt an amount of debt that we feel is reasonable to carry, but as to what the final projects would be, that still will entail a process of discussion with the Council and the Council's ability to have input as to what would be in the final list. So, again, those are possible, those are suggested, those aren't all of it, but he wanted to just give you an idea of some of the things that he was talking about in an effort to try and give you, you know, more information to make the decision, but there is no complete list and there are no completed details and I think the Police facility is a good example of if it wasn't being considered, that the Council send a strong message that it should and it would wind up taking a, you know, good size of the debt, the bond debt as far as what project would happen. Given the report from the... about this Police station, you know, I feel that, you know, we probably are going to have to take out a higher amount, you know, and we still have talked about Black Pot. And top of that, the interest rates are starting to go up, so we should be out there as soon as possible when we are still in a favorable interest rate climate.

Mr. Rapozo: And that was a concern of mine is, you know, how much can we absorb in the general fund and not go into debt with. You know, the bond float, the plans were lined up years ago for bond float, interest rates low, bond rating high, and now I am not so sure this is the right time to even entertain a bond float for issues that are not necessary. It is going to be a tough call and I saw some of the things on the list he submitted and I am kind of concerned because we do have some maintenance issues. I think Jay talks about deferred maintenance quite a bit and those are the kinds of things we have to look at in the bond float, not the feel good, look good things. I mean I think now is the time as we prepare for the tough times, if we are going to go and entertain... enter into a bond float, then we better start looking at some of the deferred maintenance like the Police station building like wastewater and so forth and not some of these projects that are just things that are luxuries. Now is not the time to be entertaining luxuries, it is a time to fix what is broken and that is why I am so critical on the issues that are not going to be done. We need to take those funds and put it in projects that we need to do. I think it is just common sense, so I don't know what the plan is for bond float. That has been tossed around quite a bit since yesterday, bond float, bond float, bond float, but it is not as simple as going out and borrowing the money because that ties this County the debt service for quite a while and I want to make sure that when we go into a bond float, it is for issues that we need right away, so I just want to caution everyone.

Mr. Kouchi: Not a problem. The other thing is as interest rates move, you know, if it moves negatively, you know, it may limit what you can borrow based on what you have set aside for debt service should interest rates move in a positive way, you would have some room to say, do you think there is more because your debt service could secure more money with that particular

interest rate. And certainly the third option is that we should not take out that amount of debt at this time, you know, you don't agree to a \$35 million bond float as is currently being suggested and by whatever number you have, then your debt service number would wind up in a surplus savings that would carry over into the budget. By voting for this, it gives you the opportunity to consider it, but nobody is locked in as to what the actual amount is because that decision can only be made at the time that we have had public input, testimony, and the most current financial information available to us to make those choices, so there is no obligation to do it. But, you know, having been through numerous tough time budgets, I do have a similar philosophy that JoAnn talked about yesterday. When we do get into the tough times, we do get a lot more value for our dollar in the community because the contractors are a lot more competitive in their bidding, but it also... you know, as JoAnn talked about yesterday, creates an opportunity for people here to get to work while they are producing projects that the community really needs, so the bond issue can really help provide some level of economic stimulus locally when the times are tough. So with that, you know, that is why, at this point, I am comfortable with the perimeters, so that we can at least consider that amount. On the general fund, other discussion?

Ms. Iseri-Carvalho: Some projects that have been noted to be critical that have not... because of funding shortages have not made the list and this is based on, you know, the supervisor actually going out. I remember we funded like painting and roof for the Kapa'a Pool, do you remember that? I think it was in the last budget, but when they went out to go paint, they found out that they were actually a lot of structural damages, so it didn't make any sense to paint, but that project on the construtural damages never made the list.

Mr. Furfaro: I will give you a quick synopsis of the Kapa'a Pool. You could paint the building right now and it will be cosmetic only. You have laminated beams and you have a filter system for the pool that in the next few years, it will need to be replaced. To replace the filter system, you actually have to remove the roof. It is just that kind of design, so I am hoping that Parks is looking at that over the next 24 to 36 months as to, you know... at a point that you change the filter, you then have an opportunity to do the cosmetic work and repair some of the roof. You know, it seems to me that has to be a decision coming from Parks & Recreation.

Ms. Iseri-Carvalho: Well, I talked to Bernard earlier today and I also had an opportunity to speak with Brian Inouye and that is how I ended up with this list here about hiring or providing funding for a consultant services to assess the structural damages and like you said, what are we going to take care of first. I am not sure where that goes. If that goes here or that goes in Public Works, so...

Ms. Yukimura: Could I say something about that?

Ms. Iseri-Carvalho: Yes.

Ms. Yukimura: Actually, when I was Mayor, Wayne Watanabe who was principal of Chiefess and I talked about actually moving the pool to one of the schools (either the high school or probably the middle school) where there was room... for two (2) reasons, one that pool... and I learned to swim in that pool, but, you know, it is really old and two, global warming and all those issues because there are waves that are coming up against plus the rust, so, I mean, I just want to say that there is a larger picture than that. They are talking about moving the library right? There is some talk about that and, so, you know, that might be the bigger issue before we go into a major renovation of the pool... whether we want to keep it there for the next 50 years because that is...

Mr. Furfaro: A filter won't last for 50 years.

Ms. Yukimura: No, no, you make...

Mr. Furfaro: And I don't think we are going to be swimming in the ocean in five (5) years. The filter is going to give out. We are talking about moving a pool, we are talking about moving a library and the next thing you know, we are going to be talking about moving a road. You know, but the reality is, long term, the pool, I agree should be near one of the schools. But in the short term, you know... requirements dealing with the Health Department on the ongoing maintenance of that pool and part of it deal be with the roof, part of it will deal with the filter, part of it will do with the cosmetic stuff.

Ms. Iseri-Carvalho: And I think in the interim because there is no other pool structure on the eastside... that is where all of the practices occur, all of the trainings occur even with the Fire Department, so I don't foresee even with my discussions with them that they are going to close that anytime soon.

Ms. Yukimura: And I wasn't suggesting that, but I am just saying, so you have these choices... you can kind of make quick fixes for a certain period of time with the idea that there needs to be a long range plan or you do it when you make major improvements, you may as well go all the way and do whatever it takes to do it right.

Chair Asing: I think we need something more comprehensive on a plan. You know, we are just tossing out things and on top of that, you know, you are talking about an Administration that is not so-called top notch on what they can and cannot do, the manpower availability. You know, you have lots of issues over there, so unless you have a plan on... the first thing we are going to do is this, that is the first priority, the second priority. Without a plan, we are just talking and tossing out things and making assumptions and I don't think we can operate that way.

Mr. Furfaro: We shouldn't be expected quite frankly. We are sitting here with an item of \$1.4 million in the operating budget to fund a bond float. A bond float for \$35 million of which we are not absolutely sure what the list is.

Mr. Kouchi: I think in hearing this, if we follow Kaipo's thing, I am going to trust that Shaylene will follow up and get something from them and when they come back with the report, then we would be able to better make a decision and hopefully this isn't going to be something that would rise to a bond issue... (inaudible) number that we could work with the departments in funding to make happen because I am still expecting that we won't get the full information until the new fiscal year starts.

Mr. Furfaro: Which is a shame and as we have frustrations here... from my standpoint, if I was running my business and the reality was, I am asked put \$1.4 million on the side for the acquisition of amenities, assets, and improvements for my business operation and at the time I am borrowing that money, I am not absolutely sure what I am borrowing it for. You know, that is kind of the basic things that you look here which just kind of drives a little of my frustration in how comprehensive is this. You know, it is a significant number, it is \$1.4 million. Is it the only time to borrow? Probably not. Is it tougher next year? Absolutely, and those are the kinds of things we have to understand. This window is very narrow right now and we are in a financial position that we could borrow this kind of money and we need to have the kind of detail that goes around that supports million four contribution each year to pay this bond debt. It is quite frankly not as comprehensive as I would like it to be.

Mr. Kouchi: But I think that has to be conveyed because if we are going to make that commitment, that is the kind of information...

Mr. Furfaro: I am going to convey it. Let me assure you, I mean, when I am sitting here and we are moving Black Pot stuff and then I am hearing from a colleague that it is not even on the list. I mean, gee, you know, extract my pledge and the fact of the matter is, you know, your wish list disappeared. It is not as comprehensive and it should be folks and from a business standpoint, this is something that we should be able to hold our feet firmly on.

Mr. Rapozo: And let me just read real quick and this will take 10 seconds. This is what is possible usage for the bond fund. Acrow bridges, dams and reservoirs, energy sustainability plan, Hanapēpē Stadium which is they want to change the bleachers... the Kōloa-Po'ipū area circulation plan, playground equipment for parks throughout the island, roller hockey covering, shearwater shielding, skateboard parks, and soccer fields in Kapa'a.

Mr. Furfaro: I understand. I read the same list you read. Did I see a comprehensive list that had estimates, scopes on it, no I did not. Does that list tie to a number? No, it does not.

Mr. Rapozo: Does it include infrastructure or improvements or deferred maintenance, no. It is all the feel good stuff and that is what I will not support in a \$30 million bond float in this economic times.

Mr. Furfaro: It doesn't seem like we are going to have an opportunity to get it before the end of the year.

Chair Asing: Ron, I don't know. I think now is the time. I have an additional CIP in the general fund for \$15,000 and that the title of Hanapēpē (inaudible) public access... remember the road that used to be along the shoreline? Well, that road has been closed a number of years now, so the pathway... they have a pathway to join the top and the bottom section.

Ms. Yukimura: Which one are you talking about?

Chair Asing: The road along the shoreline where Hanapēpē Pavilion is. That road used to go right through, but because of the wave action, then closed that road. So that access over there needs to be cleaned and put some kind of pavement to gain access along that shoreline.

Ms. Yukimura: Are you talking about repairing the part that got watched out?

Chair Asing: I talked to Donald about that. Donald said that it can be done in house and that he estimated...

Ms. Yukimura: So we are keeping that?

Mr. Kouchi: So long as everybody agrees with the Chair, but it is not showing up as a plus on the sheet, but he needs the concurrence for adding, so I don't hear objections. Adding \$15,000. Further discussion? We are still on page 2 of the March 14 submittal items on page 2.

Mr. Rapozo: I know on the zeroed out there, they are listing Wailua Motorcross.

Mr. Kouchi: The 90, so they are leaving 10.

Mr. Rapozo: And I guess why... at the end of the list, there is Wailua Mauka Motorcross Track which there is another \$100,000 and I am proposing that remove both of that because in my discussions with the Administration, there is no plan to move on that this year.

Mr. Kouchi: So you wanted to take out the fish bowl and the...

Mr. Rapozo: Well, the fish bowl, I was not sure and I am asking for help from you folks if you know more than I.

Ms. Yukimura: I think Beth said that they were going out to bid soon.

Mr. Rapozo: Okay.

Ms. Yukimura: And as someone who really...

Mr. Rapozo: Something is telling me right now that I thought I heard that they were moving.

Ms. Yukimura: I actually felt like they should have saved that space for Planning Department.

Mr. Rapozo: So I withdraw that question. So right now it is the \$200,000 appropriations for the motorcycle track. The first one is for the restroom that we requested and that has not and will not be done. We are on that first page right below Veteran's Cemetery improvement.

Mr. Kouchi: But in the list that we had, it is zeroed \$90,000 of the (inaudible).

Mr. Rapozo: And why would they leave \$10,000 is beyond me.

Mr. Kouchi: Tim, do you know why?

Mr. Bynum: (Inaudible)... temporary restroom facility (inaudible).

Mr. Kouchi: I got top secret information. I sat down to work on this list with the staff and essentially said, you know, what did you hear, this what I heard, you know, let's try to do this thing and whatever. So Mr. Sensitive tells me that the \$100,000 as Mel has been describing was originally suggested by Mel, so there was a reluctance to zero out Mel's account just in case he wanted to keep it alive.

Mr. Rapozo: That is an insult. No, that is an insult and I am pissed off. That is an insult to leave \$10,000 for a restroom that I think the Chair and myself has been fighting for, for many years. We have been fighting for the restroom at Isenberg Park and it is a slap in my face and this Council's face and the only reason I am going to request that we zero it out is because there is no intention to do it. So I can go back and tell the bikers that the Mayor has decided not to build your bathroom, period, end of story, zero. And zero mauka because I have spoken with the bikers and there was an active attempt at one point, that cannot reach resolution and this Administration doesn't have the grapes to make the call and they are waiting for consensus, it ain't going to happen, so zero that out and use that money for something else that the public can benefit. Now I am upset and leave \$10,000. You know what, \$10,000 is not going to buy the toilet paper for a year.

Mr. Kouchi: Message received.

Mr. Rapozo: Thank you very much. The \$150,000 for Isenberg, they are actually doing that.

Ms. Iseri-Carvalho: They are moving.

Mr. Rapozo: After four (4) years that is a lot of bladder infections because that thing wasn't built.

Ms. Iseri-Carvalho: What is that traffic calming?

Mr. Bynum: (Inaudible).

Mr. Kouchi: If you would like to vote in a different way, you can.

Mr. Bynum: (Inaudible).

Mr. Kouchi: Well, Mel has said... which I have learned...

Mr. Bynum: (Inaudible).

Mr. Rapozo: When was your last meeting Tim?

Mr. Bynum: (Inaudible).

Mr. Rapozo: Thank you very much and that is what I am saying. You know, if you make a statement and I have been active with this group, then you need to validate that. I have been active with the group as well and I am a relative of the cousin... I mean a cousin of mine is one of the guys in one of the groups. I mean, I just want this budget to be accurate for the media out there. I want this budget to reflect exactly what the Administration is planning to do and if they are not going to do it, let's not fool the people. Let's not pretend that we are going to do something that we have no intention of doing. I have said that enough times this period.

Mr. Kouchi: And the other comment that Mel had made earlier was because of the two (2) philosophies.

Mr. Rapozo: There is actually three (3).

Mr. Kouchi: I was aware of the two (2), but the Administration's position is until you get consensus, we are not going to do anything, so they are not going to make the call to go mauka. They are not going to come to a consensus.

Mr. Bynum: (Inaudible)... about three (3) months ago (inaudible)...

Mr. Kouchi: And if they do and they want to come back, we will be happy to entertain it. I think everybody on the Council has had extensive discussions with various members who are passionate about this issue.

Mr. Rapozo: I want to leave it in, but I don't want to leave it in if it is not going to be used because that \$100,000 can be used for other projects like road resurfacing and things that will benefit the community at-large. We have a few more hours for today. If I can get a statement from the Administration saying that they are committed to moving forward and not committed to getting consensus because that is not going to happen with the groups that involved.

We need to be realistic, but if they are committed to moving forward, you know, let's put \$300,000, \$400,000, \$500,000 in there. I think the track is a good thing, but it is a problem when the Administration doesn't have the spine to make the call. It is that simple.

Mr. Bynum: And I think the effort to... (inaudible)...

Mr. Furfaro: Let's take a 10 minute recess and get the Administration over here.

Mr. Rapozo: Just have staff call.

Chair Asing: I don't think you are going to get anything.

Ms. Iseri-Carvalho: And if nobody comes then... this is the last day and we are not going to be waiting around to get responses today. We have a big agenda tomorrow.

Mr. Kouchi: And the only thing that I am in agreement with and trying to do our best and everything else, but last year, we deferred and deferred decisions because we wanted this, we wanted that, and I remain firm in my position that I accept all information you would like to give me to make a decision and whatever you choose to help assist me in making that decision is welcome and then we are going to make that decision. This has been on the calendar and, you know, because of commitments for the Western Interstate Region and other things, we don't have time to post new decision making days beyond today and also because we need to post these amendments prior to the Tuesday Committee meeting, so that the public will know, you know, what has happened. Well, Nathan is trying his best to let them know what is happening and he doesn't have enough column inches to let them know, so have to get this posted up. JoAnn?

Ms. Yukimura: I just want to say that... I mean if this is just a one year budget and we are only funding projects that can either be started or done within a year, that is one thing. I don't know if it is. I mean I don't know how long that rubberized track was on the budget, but it was there sort of showing an intention and it took a while for everything (inaudible)... to bring it in to reality. But what I want to say is, like... I forgot the project. Oh, I know. The ag park which is on the general... It is Kilauea Ag Park Phase II, there is \$100,000 and I actually would like to have a proviso because they don't have a plan yet and I don't want to give them a blank check because we are not even sure what is feasible over there. They have to figure out the water system and all of that, but we want to make it happen. We just want to go through the correct planning process.

Mr. Rapozo: JoAnn, that is a new one.

Ms. Yukimura: I don't know if it is going to happen.

Mr. Rapozo: That is a new request.

Ms. Yukimura: Well, we gave an initial amount to them to do the planning and they hired Kimura International.

Mr. Furfaro: We gave them \$75,000 and they hired Kimura and Associates, they came back with alternatives which will require \$100,000 worth of funding.

Mr. Kouchi: And just clarifying what Mel has been concerned about is wasn't looking that if it didn't happen in a year, it wasn't going to happen. He was looking at things that had carried over for three (3) or four (4) years, so far, the only one that he has suggested

removing... actually, out of frustration has been projects that generally he has suggested to the Administration, had put into the budget, and they have not wound up doing those projects. So from his side, he is saying, I'd like to have a better use of the money if they are not going to do...

Ms. Yukimura: I appreciate that.

Mr. Rapozo: Let me just clarify that. The only one that I actually asked for was the restroom. In fact, it was myself and the Council Chair. The mauka was their proposal. They wanted the money to develop the mauka plan. They were supposed to... because of an executive order from the State, they were supposed to complete an EIS, they were supposed to complete the subdivision. There was a lot of things they were supposed to do and they didn't. They were trying to pond it off into the community and say, hey, you folks all get together, we will hold the meeting at the Convention Hall... I was there. We will hold this wonderful get together and when we all come together, then we will come up and that is not how government works. If, in fact, the County wants to build the mauka track, the land is available, the infrastructure is available, then let's get it done, but don't keep tugging these bikers along and promising them stuff that, you know, it is not things that I feel is not going to be done. I am saying that we need to remove the projects that I believe and we all believe that there is no intent to complete and that is what I am saying. All these other projects, it is not a one year deal. I am not suggesting that we cut everything that hasn't been done in a year, I am saying that if there is no indication that it is going to be done, that the intent has gone away, then don't leave it in the budget, so you can tell the public that you are helping them because you are not. It is a disservice.

Ms. Yukimura: So I really appreciate that approach and I think it is good one and it leads us to really look at all of these projects with a kind of clear eye, but I just wanted to help us develop what our philosophy is here and it is clear... you have clarified that it is not just about one year projects and regarding the Kilauea ag plan which I just was using as an example... I think this is here because they are anticipating that we are going to need some moneys to fully implement the project and that is okay, but I don't know that we just fund it without... because they haven't come back with the report yet.

Ms. Iseri-Carvalho: Councilmember Furfaro, was there a report completed already?

Mr. Furfaro: There is going to be report scheduled on the next... not this committee meeting, but the next one. They have the recommendations that came back from Kimura and Associates.

Mr. Furfaro: Okay, so anyway, it is just that sometimes there are projects that are in phases and anticipated and I hear Councilmember Rapozo saying, those are not the ones that he is looking at cutting and he is looking at the ones where there is no intention to actually get done.

Mr. Rapozo: That is exactly what I am looking at otherwise, Lord have mercy, they would all be cut. You know, I am trying to make this budget real that is all. You know, I am just trying to make it real because I have seen this in the last five (5) years. I have seen these issues come up and when we have to explain to the constituents, oh, yea, it is in the budget... the Mayor said it is in the budget. Bernard said it is in the budget. Well, it is in the budget, but if there is no intent, then you may as well take it out so we can tell them... the Administration has decided not to pursue that project.

Mr. Furfaro: That is the reason Mel and I don't go to any men's softball tournaments anymore. The bathrooms have been in there for three (3) years.

Mr. Rapozo: Well, it got expensive paying for portable toilet rentals, so that the seniors could use the bathroom.

Mr. Furfaro: \$26,000 for portable toilets.

Mr. Rapozo: And it is hard, you know, to pay for that out of your own pocket.

Mr. Kouchi: This year it will be at Hanapēpē.

Ms. Iseri-Carvalho: We just got the senior citizens... no, but the lines over there are just as long.

Mr. Kouchi: So the issues on the general fund CIP?

Ms. Yukimura: We are talking about the May 14 one right? I mean March.

Mr. Rapozo: What about mauka?

Mr. Kouchi: Zero. If they bring some information...

Ms. Iseri-Carvalho: We can change it later.

Mr. Kouchi: We are not waiting for them. I am moving. They have had ample time...

Mr. Rapozo: The other project on the... and we had some discussion, Kapaia Swinging Bridge. I know what we heard from Donald and I can tell you that wasn't accurate, but we asked for them to send over something to get our concurrence that we would accept liability. We have not seen anything... I want to keep that one in because of what Donald said on the record that it was his intention to move forward. Staff, if staff could please draft the communication. I want this on the agenda Mr. Chair if that is possible... an update of the Kapaia...

Chair Asing: It is possible, but I believe you are not going to get anything on that. I believe there is a County Attorney's opinion that we should not move forward on it.

Ms. Yukimura: You do see though that the supplemental has increased the line item if I am reading this correctly to \$190,000.

Mr. Furfaro: For the bridge.

Ms. Yukimura: Right, for Kapaia Bridge.

Mr. Rapozo: That is not the swinging bridge.

Ms. Yukimura: No, it says Kapaia Swinging Bridge.

Mr. Rapozo: On the supplemental?

Mr. Kouchi: It says Kapaia Bridge replacement.

Ms. Yukimura: No, but in the supplemental, it says Kapaia Swinging Bridge \$190,000.

Ms. Iseri-Carvalho: It is not on the supplemental, it is on the prior one. It is on the March 9 one.

Ms. Yukimura: I am looking at one that I marked March supplemental.

Ms. Iseri-Carvalho: No, that is not the one JoAnn.

Ms. Yukimura: No, this is the one that they sent to us on Friday.

Mr. Rapozo: What is the date on your cover sheet? May 9?

Mr. Kouchi: The March 14 submittal says \$190,000 and that is why Mel is saying that he would like to leave in based on what Donald said.

Mr. Rapozo: But I want the communication because we need to get that here because, again, the community is waiting now. After that discussion that we had, you know, I informed the community that the Administration has decided to move forward and I am hoping that the media can print this that the Administration has decided to move forward on the Kapaia Swinging Bridge project. I understand there is a County Attorney's opinion, but the reason Donald stated the last time he was here was that the reason for the opinion was because the County would not accept liability in which case we said, that was not even offered. If you came to this Council and asked this Council to accept liability on the restoration of that bridge, then that would allow them to move forward and I thought I heard, that was Donald's intention.

Mr. Kouchi: Correct.

Mr. Rapozo: And I have yet to see a communication because I am sure when he went back across the street, he got his butt chewed, but it is what it is and I am prepared to leave that in, but, obviously, they need to move on that.

Mr. Kouchi: So continuing down the general fund CIP list, JoAnn?

Ms. Yukimura: And we are talking about... wait, I am sorry. So, you know, I am looking at this community gardens, but we are not talking about that now?

Mr. Kouchi: No.

Ms. Yukimura: Okay. Well, then I do want to talk about the Kilauea ag plan phase II.

Mr. Kouchi: We are still on page 2, so are we moving to page 3?

Ms. Yukimura: Okay, I will stay on page 2.

Mr. Kouchi: Well, I am happy to go to page 3. So now we are on page 3, the Kilauea ag masterplan, I already have a notation that we would have a proviso and I don't think there is any objection to that for the approval. So anything else on page 3 for the CIP?

Ms. Yukimura: I just want to say, Mr. Chair, the solid waste programs is in limbo yet because we haven't seen that report which I think is imminent because we haven't received how they are going to spend the \$1.9 million.

Mr. Kouchi: (Inaudible) project contingency because the general fund, we can have a contingency account which we already have.

Ms. Yukimura: I am also concerned that as to whether or not \$1.9 million will be sufficient for the next fiscal year. It kind of depends what their timeframe and schedule is for moving ahead with different parts of the program.

Mr. Kouchi: 1.17.

Ms. Yukimura: Well, there is \$500,000 where was that... for waste reduction consultant services and I am not clear. Is everybody clear on what they are planning to do with that? Well, so...

Mr. Kouchi: Part of the R.W. Beck, but obviously, the \$1.170 is what they will need to go forward, so anything else on page 3 in the general fund CIP?

Mr. Rapozo: Yea, the last item is the Vidinha tennis courts and that was one that we asked Mel and he said that they are not even close. They are not even close to that. That is a million bucks that we can free up right now and I would ask that we remove that money especially now that they are pursuing a gymnasium. That, in fact, the tennis courts now have gone lower in the priority list and that was from Mel Nishihara's mouth right here at the last meeting.

Mr. Bynum: Last year, one of the few things we had citizens come in here (inaudible). It is news to me that it is not the Administration's plan to go forward on that. (Inaudible).

Mr. Rapozo: You weren't here when Mel testified?

Mr. Bynum: They are not going to build the tennis courts at all?

Mr. Rapozo: No, not all. They are not even... it is so... they are so far behind.

Chair Asing: At this time.

Mr. Rapozo: It is not something that is going to be done, not in this Administration's time I can tell you that.

Ms. Yukimura: Aren't there also lighting issues. Same thing about the shearwater?

Mr. Rapozo: This wasn't that. This was specifically for the design and the building of the tennis courts.

Ms. Yukimura: But that is what I mean. The tennis courts are having lights and I thought that was part of the hang up on the tennis courts was this whole shearwater thing. I guess... are we getting closer to this kind of...

Mr. Bynum: (Inaudible).

Chair Asing: That is not true Tim. If you take, as an example, Kaua'i Electric with their... I mean KIUC, their poles are not all the tall poles. It is a combination.

Mr. Kouchi: The only thing that I would tell you is that... because I have had people from the tennis community that are in contact with me to get the update, so I know that while I was not here for the CIP review that I did receive the same response that the tennis courts weren't projected to be completed within this fiscal year that is upcoming, but I think that perhaps if we can just put that into the CIP contingency account, then we need to ask the Administration to be present at a Committee meeting and we need to invite the tennis community and have them hear it first hand and then should the Administration say that they are going to push as a priority a gymnasium or some other kind of facility or if there are other plans, you know, leaving the \$1 million here if they are not going to build tennis courts doesn't do us any good, but I certainly agree with Tim with the way that the community members have turned out to testify at our last budget session, they certainly deserve a better answer and a clear answer from the Administration about what has changed.

Ms. Iseri-Carvalho: Then I would suggest that we reduce that amount because there is no way they are going to spend a million dollars.

Mr. Kouchi: But Shay, I would just put the whole million dollars in the CIP project contingency and then have the Administration either say that now the tennis courts would be a priority, if they have changed the priority and as Mel has said that a gymnasium or something else is going to happen... being hard headed and (inaudible)... if it is not going to be spent, will not be productive, but we need the tennis community to know that the Administration has made a change in their priorities and what their real intentions are. Should the Administration say, oh, we weren't going to get to it this year, but my next year, then the money will still be there available for that improvement. If Mel is right, then that money will go to the gymnasium which will have its own constituency (inaudible)... But I don't want to take it out and just have it removed from the budget because I do know that we are going to want to build something on that site.

Mr. Furfaro: So let's move the million dollars to contingency.

Mr. Kouchi: And then at a later date after all of this, maybe in June or July, we will have something on the agenda when our agenda might slow down a little and have them explain that to them. In the meantime, for the people who have e-mailed me from the tennis community, I will do my best to try and explain that we have set it aside and if you had people who contact you, I suggest that you try to let them know as well.

Ms. Iseri-Carvalho: I have a question. I know I had a list of critical projects, but one of them that I guess I am going to try to push it in is the Wailua Houselots pavilion roof repairs. That roof is leaking and there is major problems. They get a lot of usage, not only on the weekends, but parties, etc., but also because the soccer games are held there. It is just a dangerous situation because the flooding that occurs because of the roof is causing people to slip and fall. So they are requesting, again, this was something that went over with Bernard and Brian... \$150,000 as a critical repair for that pavilion. It was on the list four (4) years ago according to Mr. Inouye and it did not take place.

Mr. Bynum: I have been in that pavilion when it is wet and leaking (inaudible).

Ms. Iseri-Carvalho: This came over May 12 on Monday and I also spoke with Bernard this morning if this is a project that he supported as well which, of course, he said he did.

Mr. Kouchi: So no objections to Shaylene's suggestion, so we will add that particular project. Anything else on CIP general fund? We are on page 5. The only other thing. On that Black Pot and given everything else that Jay said, the uncertainty of all of the issues, but knowing that we have a million in the bond fund, knowing that we have over a million dollars in the open space account, I just want to suggest that we put Black Pot at \$1 and the account is active, so if it goes to bond fund, then it would be addressed in the fund if the open space commission decides that, you know, the million dollars would be an appropriate use for some of the money... their account would be an appropriate use, they had funds to transfer. I initially thought that we could use the open space money, but Ricky says that is a whole separate whatever account, but if we create the dollar funded account, now that Black Pot account could accept a transfer from...

Mr. Furfaro: I would accept your...

Mr. Kouchi: If they vote and then I understand Mel's concern about wanting to have (inaudible)... through the open space commission and (inaudible).

Mr. Rapozo: I agree with you. I think it is important that we set Black Pot as the priority. That was my question was, what was the alternative? We are taking it out, does it disappear.

Mr. Kouchi: But if you put it with a dollar, there are three (3) separate ways you can get funded.

Mr. Rapozo: And I would support that.

Mr. Furfaro: And I do want to make it clear that I do understand as of right now that is something that the Administration is going to look at for the bond and that is how I understood it.

Mr. Kouchi: Kaipo?

Chair Asing: No problem.

Mr. Kouchi: Alright. Anything else on our general fund CIP.

Ms. Iseri-Carvalho: This host community benefit.

Mr. Kouchi: That, you know, is something that Mel had brought up passionately and the \$100,000 I think as I read through it is a reaction to us telling them that they need to at least establish an account with some money. I believe based on the discussion I heard from Mel and Donald and then certainly with Bruce Pleas testimony, you know, this is going to not be what finally is in the account, but we are waiting for that formula to (inaudible)...should be there, but I do believe that we owe the westside community, you know, an effort of good faith to have an account established and money initially put into it.

Ms. Yukimura: Are talking now about the supplemental?

Mr. Kouchi: Yes.

Ms. Iseri-Carvalho: Well, I just think that, you know, this was something that the Administration had brought up at that meeting that was attended about 40 or 50 people at the

Waimea Neighborhood Center. To simply put \$100,000 at this point is, I think what Jose Bulatao had described.

Ms. Yukimura: Kekaha Neighborhood Center?

Ms. Iseri-Carvalho: No, it was in Waimea.

Mr. Rapozo: The meeting was in Waimea.

Ms. Yukimura: I wasn't there.

Ms. Iseri-Carvalho: There were a lot of people there and there were a lot of concerns and this was one of the ways that they alleviated the concerns raised by the persons that were there, that they had to daily deal with not only the trash that went to the landfill, but all the trash along the way as they went to the landfill. I am going to suggest that we put at least a million dollars in this amount because it is just ludicrous to put \$100,000 as a show. I mean it is basically a show. You cannot buy anything these days with \$100,000. You just cannot and it sends... really, I think it sends a bad message to that community because that was a way that the meeting went actually well because there were a lot of people there that came really upset and wanting to raise hell because there was also a representation there, that the Mayor had done a study. In fact, they are doing another study because the study that came back, Kekaha was the number 1 site that was selected again for the new landfill. This also caused an uproar with the residents that were there. So I cannot support \$100,000, you may as well put zero because that is what \$100,000 is when you measure it. I think we think we need to send a message that we did hear that from the Mayor and that we need to show the Kekaha and the westside community that we are aware of the concerns that they had to deal with for the past 20 years. A way of showing that, is to show that at least a minimum of a million dollars is something that would go back to the community in whatever form that the Mayor might decide. But, clearly, \$100,000 is not going to alleviate any. In fact, now it has generated a whole bunch of e-mails about how... now the Kekaha community is being victimized again.

Mr. Kouchi: I have two (2) or three (3) simple questions and then we will proceed to consider Shaylene's suggestion. We have a balance of about \$400,000 of CIP general fund cuts that we had, so one thing we could do is add that to this account for half a million dollars. I don't know if there are other items that are suggested to be cut that could be added to that and I don't know if anybody else had projects that they wanted to add to the CIP general fund side or get to the million dollars, then we need to get another half a million dollars someplace. JoAnn?

Ms. Yukimura: I have a concern about this community gardens which is \$150,000. I have no idea what really is in the intention, who is involved, what is the goals... it seems like something that could get a grant you know. So I mean there hasn't... there is just no information about it and it feels like a feel good project. I mean and it may have some value, but there are a lot of things that have value that we can't... that are not appropriate for County funding, so that is one thing.

Mr. Rapozo: I guess my question was, where were these gardens going to be?

Ms. Yukimura; I have no idea.

Mr. Rapozo: It is not like the County has land that we can go create these gardens, so I would agree with you JoAnn. I think it is something that would require more justification.

Mr. Kouchi: Okay, well, let's zero that out. Further discussion? Tim?

Mr. Bynum: This host community benefit, I've been watching this with interest, because my understanding, or the way I understood it before, I wasn't at the meeting at Kekaha, but that was in...put forward as something we would do to site a new landfill, and I was unaware that has been discussed in terms of existing landfill. But...

Mr. Kouchi: Well, the promise that Donald made when he was here was that Kekaha would receive host community benefits. And if you recall the discussion in front of the committee, he made the statement that we're not sure, but Kekaha may be out of the impact zone, and you know, I mean at that particular point in time, I told him, if you went out to west Kaua'i and promised host community benefits, and then you come up with a statement like Kekaha may be out of the impact zone, and you don't put any money in the account and deliver on the promise that you made when you met with that community, how are you going to expect the next community where you want to site the new landfill to now believe you when you say that you're going to do a host community benefit program for your community. And I think that much that Shaylene has described that for our own county integrity to have whatever that next community is, confident that they will receive that host community benefit, we need to step up and show that, you know, we're going to keep the commitment to west Kaua'i.

Mr. Bynum: (inaudible)

Mr. Kouchi: But Donald did say he said it, and then he came out with that, oh now maybe outside of the impact zone, and I said whoa...

Mr. Bynum: (inaudible)

Mr. Kouchi: Yes, right.

Mr. Bynum: And what I was leading up to is a question. Whatever we decide to put in here (inaudible).

Mr. Kouchi: But I think that it'll take the administration to go out in a public meeting with the community, and I don't know if this is something, Ricky, that we say, you know, comes back for, you know, the Council's approval as well. But you know, my understanding, limited as it is, of the host community benefit is that it is something that should be done collaboratively with the community that's impacted so they can identify what they'd like to do. And I know Bruce had talked about the swimming pool at Kekaha as something that may be, you know, what they would like to see, since they've lost their swimming pool. But again, whether Bruce had extensive community discussions and is reflecting a consensus or he's the most available and passionate (inaudible) that's his thing, I think needs to be determined by going out to the community and having some hearings.

Mr. Bynum: If I read Jose's communication correctly, he was feeling like 100,000 was kind of an insult, but he wasn't really endorsing a million either. So perhaps there's somewhere in the middle, given what (inaudible)...

Mr. Kouchi: Further discussion on the general fund CIP? Mel?

Mr. Rapozo: I think there's a lot of models. I think, you know, host community benefits are quite common in jurisdictions throughout the country. There's a lot of models on how to use it. I mean it becomes a contract with that community, and a simple Google

search can produce a bunch of these agreements, host community benefit agreements. So you know, what this does, it just takes away the County's excuse for not compensating the community, including the council. I'm not just saying the mayor and the administration. I mean it takes away the whole county's excuse... I mean to say that you're not in the impact zone is crazy. I mean that's ridiculous. It's not about being in an impact zone. That zone is impacted. It has been impacted for decades. So to say that it's out of the impact zone, again, looking for reasons it won't happen. We need to get this established and successful so that when we go out and solicit or site a new landfill, what I envision is seeing communities bidding...competing for this, this infrastructure, so that they know, yes, we'll inherit that so called problem, but with it comes the ability that our community will have resources that others don't, and that was one of the comments I heard stated that oh, you know, what about the other communities. Well, you know, if you want it, go get it. If you want a host...a waste treatment center, you want to host the landfill, by all means, have your community come up and bid for it, and say yes Mr. Mayor, we want it, because we don't want the landfill just because it's a landfill, we want that host community benefit so we can build a swimming pool, so we can build or improve our parks, so we can improve some of the things in our neighborhood as compensation for holding on to this nasty environmental concern. So I agree with Shay. The hundred grand was, I think, you know, it was nice, and I think that came off with a suggestion with Mr. Kouchi basically saying, hey if you don't know the number, put at least a hundred grand in there. And I just think, as I was reviewing some of the HCBs throughout the country, a million dollars is really not as extreme as it sounds.

Mr. Kouchi: I don't think that that's where we'll ultimately (inaudible).

Mr. Rapozo: I agree, but what I'm saying is that it needs to be something where this community...remember now, this is not something going forward. This is to repay the Kekaha community for what they've endured for decades. That's what this is about. It's basically saying, thank you. I think if you go forward and say it's going to...which I think is what the administration was planning, hearing Gary Heu, he was looking at setting this up with the next siting of the new landfill. That's not going to show any kind of...a carrot that you can dangle in front of that community, because they don't know how it works.

Mr. Kouchi: I was going to say, so with the community gardens, would 650,000 be an adequate initial statement, or do we need to...

Mr. Rapozo: 650?

Mr. Kouchi: Yea, because we had 400,000 in balance from...you know those cuts of the restrooms...

Mr. Rapozo: Yeah, yeah, okay.

Mr. Kouchi: And so we could have gotten to half a million. And now if we reduce the community gardens, we can get to 650.

Council Chair Asing: I agree with that.

Mr. Bynum: And you know, my also understanding is that this is to establish this fund. It doesn't mean that's the end of it. Because if I heard Councilman Furfaro correctly, often this is...there's a ongoing contributions even during the life of the landfill folded into like tipping fees and...

Mr. Kouchi: They're supposed to do some kind of formula, and I believe the formula will derive a number greater than the 650, but at least we're a lot closer to what the number is at 650 rather than 100,000.

Ms. Iseri-Carvalho: I think the problem here is not what happens in reality and that we're starting to do it, but the message that is being sent to these people. And we know that 100,000 is never going to be enough. 650, like you say, may be getting closer. Now, people are hearing all of these statements being made in the paper about the economic woes that we will be facing, and they're thinking, so I better get my hand in now, because hey, you now, 2 years from now there might not be anything there. And that's my whole point of asking for a million there, so that they know that we're committed, despite the economic woes and the economic downfalls, that this is something that we will not compromise, you know. It's not like when we're going to come in 2 years and say, well there's no place else we want to cut, we don't want to lay off any new jobs, and so, you know, this is all we have and this is all we're going to be able to hand out to you. I don't know if \$650,000 really sends that type of message that, you know, in light of all these financial difficulties that we consider your issues very important. And especially because, you know, there were statements made here about the extension of the landfills that we're not going to allow anymore extensions, and then they came forward, and the committee was like, alright, we're finally going to close this landfill, and then the council went in and unanimously approved it, because we had no other choice at that point. And so we were constantly faced with decisions that we didn't want to make, and yet we had to, and there were a lot of upset people in that community when we continued to expand the landfill, and continued to connect, and continued to go higher to create that, you know, hotel that they call Mt. Opala there on the landfill. So really, when you look at... There's also been a lot of concerns raised by the community about the workers that have to work in those kinds of conditions at the landfill. They didn't even have a riding lawnmower in order to do the grass. They were using weedwackers in order to basically mow the grass. They've been working overtime for the past almost 10 years. Everybody's been working overtime over there. So there's a lot of, I think, people that are very upset, that they feel that they've been left behind, that the landfill has been a cause of major, major problems, and some other issues that are going to happen that they are worried about, even now. They didn't even have gloves. They didn't have appropriate shoes and protective gear there. I mean they were getting punctured by medical waste, that waste were being disposed of that were not in compliance with the department of health. There's all these major issues that the workers there, as well as the Kekaha community. And I've attended, I don't know, hours and hours of meetings with the community out there, and this is one way to show them that the council understands what they've been going through for the past decades, including the workers that are there.

Mr. Furfaro: Let's say we set up this account. What would be...and the landfill has this continued presence there until we site such a thing. What would be our approach since we set this up, this account up, to have an opportunity to then continue to make contributions to that account from say tipping fees and so forth. I mean what would be the structure, Mr. Chair, if we were to look at something like that. Because regardless of what we do here at the table, 100,000, 500,000, 650, it's opening the account, but the landfill will continue to be there and there are ways to continue to make contributions to build that fund. What would...as I've talked about other impact fees and so forth, what in your opinion would be a way to build that account?

Mr. Kouchi: Just cash, because it's not an enterprise fund, and the tipping fees don't cover the whole cost of your operation to begin with.

Mr. Furfaro: Understood. I just want to make sure we understood that, it is an enterprise fund and...

Ms. Yukimura: It's not.

Mr. Furfaro: It's not?

Ms. Yukimura: It should be, though.

Mr. Furfaro: It should be though.

Mr. Kouchi: Because they can't break it up on the real property tax bill as you asked before.

Mr. Furfaro: As we've asked before to break it out. Okay.

Ms. Yukimura: I mean I, you know, I think the county owes the community of Kekaha a lot, because of the years of landfill, and so at the same time, you know, we have...we also need to cover the police department building, and then we have many needs that have to be addressed. So I think for starters, the 650,000 is good, especially because the administration doesn't have a process yet to work with the community. But I also want to say that the other side of the coin of this is how we're managing our solid waste, which includes partly the landfill management, but also how we're going to move toward reducing the amount that goes into the landfill. And that's what I'm concerned about, and I don't know if the finance director's still here, but the... You know, knowing... I mean where's the plan for that? And I mean we have to keep our eyes on that, because that's the long term solution. It is reducing the waste so that we don't have to keep dealing with this end side problem. It's like looking at the beginning of the system, and what troubles me is the fact that we don't have a good plan yet. But I just...I just do this because we can get, you know, really focused on the end and forget that we also have this other side to look at.

Mr. Kouchi: Thank you. So Shaylene, would you like us to register you as a no vote (inaudible)?

Ms. Iseri-Carvalho: No. I think it's fine. I will, as I had described earlier, be asking for a position in the solid waste division, and I'm more than happy...I would ask for your support on that, and...

Mr. Kouchi: Let's go sing Kumbaya.

Ms. Iseri-Carvalho: Yes, that's fine with me.

Mr. Kouchi: Okay. So is there anything else in the CIP general fund? Otherwise, the parks and playground trust fund...

Ms. Iseri-Carvalho: I guess I just wanted to, Chair, the message was from all of us that we know that \$650,000 wasn't the total amount, that is a start, and that the community will know that, because we have the *Garden Island* here to state that, that it is a start, and that we understand the concerns, and I'm more than happy with that message.

Mr. Bynum: And I think some of the community looked at this proposed one million and thought that was the end and didn't know that...

Mr. Furfaro: But again, I want to point out, until we make it an enterprise fund, the reality is we can't...you know, it get subsidized right now. Mr. Kouchi is saying we would have to continue to put cash in the account. But eventually, the goal would be to have some way to make it...

Mr. Kouchi: But if you open the new landfill, you can try to push or press for a different way... But the other thing you got to realize too, I mean, the admin usually does a study and you have a suggestion and whatever it is, so you have a rational basis upon how you set tipping fee. But the council ultimately sets the tipping fee, and if you believe that, you know, there needs to be a dollar a ton or two dollars a ton that should go into it, the council can try to push forward legislation. I just think that normally you'd like to have the thorough study done so you can explain to the people who are going to be paying what thought went into the actual number that you've presented to them. So as we look at this new landfill siting and everything else, and this study as JoAnn has said, in the plan you know, you may account for that in that manner as well.

Ms. Yukimura: Well, you know, one of the questions is, are you going to spend that dollar to internalize externalities and, you know, give it to the community, or are you going to use that dollar to stop the stream of solid waste.

Mr. Kouchi: Well, it doesn't have to be a...

Ms. Yukimura: Either/or.

Mr. Kouchi: That could be we need a dollar for reducing the stream, and it could be a dollar for exter... But again, it's a policy by the council, and we can ask for what you want to get in studies, and so...

Ms. Yukimura: If you have really limited money, then the question is where do you use it.

Mr. Kouchi: So at 11:15, why don't we take a 10-minute break. I'd like to use the bathroom, but we have the mayor's office, solid waste, and we have planning, and then I do believe that we'll be done before lunch, even if it's a late lunch.

Ms. Yukimura: Can we call the administration to get their solid waste information?

Mr. Kouchi: I don't know that it's there. I thought by the 1.17 is put in the CIP project contingency, so they need to submit the plan before we spend it.

Ms. Yukimura: I'm concerned that there might not be enough in the 1.1, that's what I'm concerned about.

There being no objections, the Chair called a recess at 11:15 a.m. The meeting reconvened at 11:33 a.m., and proceeded as follows:

Mr. Kouchi: So anyway, we're called back to order. What Mel advised me of is there's actually a meeting scheduled for May 27, so Yvette or Stephanie or whoever, if you can pick up that we would put that Wailua...what is that, mauka motorcross item back at a dollar funding, and you know, we'll see if we need to use any of the CIP contingency funds to do it, if they come to a, you know, where somebody decides what to do, but at this point, without us having seen any kind of plan, unless you guys want to just put the 100,000 there.

Council Chair Asing: I think we should put the one dollar. You can always come back.

Mr. Furfaro: I agree with Kaipo.

Mr. Kouchi: So Ricky, one dollar in that mauka track. So with that, let's go to the...

Mr. Rapozo: Also, real quick. I don't know who to ask, but can we send a communication over to get a status of that project? Is that appropriate at this time to ask for that, Ron?

Mr. Kouchi: Yeah.

Mr. Rapozo: Okay, and not to be posted on the agenda. I just want a written report back on an update on what's been done. I was informed by one of the motorcycle group members that they were informed that an EIS is underway. I don't think that's true, but I'm just curious to see what was done. Thank you.

Mr. Kouchi: And then on the solid waste, Shay, if you could talk about your position again?

Ms. Iseri-Carvalho: Okay. I had indicated earlier that basically every Saturday, Sunday, Monday, everyone from the bottom has to TA, TA, TA, because they are short one person. And so basically I'm starting I guess at the solid waste worksite attendant, which is the BC5, which is 36,680, so that we can alleviate some of that concerns. A lot of the other issues, I'm thankful that we had spoken with Troy Tanigawa and he had addressed the...some of the working conditions as far as the gear, the telephone service. I believe the vehicle...was that also worked out? Yeah. So this is really an area that they would, I believe, benefit from. They've been doing this TA appropriation for I don't know. They said it's been like 10 years like that.

Mr. Kouchi: And I got to say, I didn't understand that you were talking about yesterday, and I somehow thought it was on the collection side, and you know, in talking to Donald, this is in landfill operations, and in fact this has been ongoing, and it was something that they just missed in there. So I certainly would support it, because it would reduce the overtime cost that we're paying anyhow.

Ms. Iseri-Carvalho: Also, the other thing that they finally did come through with and it's supposed to be delivered, I talked to Troy, on the riding lawnmower. So 10 years, but it finally got there.

Mr. Furfaro: I have no objections. I just think we might want to at the same time, adjust the overtime that's budgeted by maybe 10,000...move it by 10%, because if we add the staff, it should then reduce that. There's a pretty significant number there, there's 111,000. So maybe if we take 10,000 out.

Mr. Kouchi: I think you guys just got to note that for your next year's budget. You know, they got to go through recruitment process, whatever, so I don't know how long they'd be there until we do that. But it should be reflected as a reduction next year.

Mr. Furfaro: There should be a reduction, and quite frankly, if you take a 36,000 straight time person and you've been filling those hours with overtime and the premium, the adjustment might have been closer to 41,000. I was just asking for 10,000, but so noted, and we will do that for the next time around.

Council Chair Asing: My comment is more what are we doing. Why are we doing the work of the administration? Right now on this table, we're the administration.

Ms. Iseri-Carvalho: Yeah.

Mr. Furfaro: Absolutely.

Council Chair Asing: I mean it's ridiculous. Maybe we don't need them, look like. The way we're doing it now... Well, that's the way it is. It's exactly what we're doing. We're doing their work.

Ms. Iseri-Carvalho: That seems a proven point.

Mr. Kouchi: Okay, no objections, we'll have that item added. You know, we'll go to the mayor's office. Mel, you had some questions on some of those line items in the mayor's budget?

Mr. Rapozo: I don't know if I had any... I know we had some discussion...I don't know where JoAnn went, but Challenge Day was one of the programs that we put in, I think JoAnn asked for that several years ago, and I'm not sure if they even do that anymore.

Ms. Iseri-Carvalho: I thought we... What page you on?

Mr. Rapozo: On the mayor's...the new one. I don't believe I had too many comments on the mayor's office budget. I think challenge day was one, and...

Ms. Iseri-Carvalho: I think we had cut the Big Brothers/Big Sisters, right?

Mr. Rapozo: Was that in there?

Mr. Kouchi: No, we did not discuss...

Mr. Rapozo: I think...yeah Shay, I think you may have had some questions.

Mr. Kouchi: That's why I said, we didn't do the mayor's budget...

Mr. Bynum: You know, I'd make a request we try get JoAnn in the room, because I know she's been talking and doing all this stuff.

Mr. Furfaro: We all agreed to start at (inaudible).

Mr. Bynum: I understand.

Ms. Iseri-Carvalho: So I'm going to start. If this is important enough, then you should be on time. It's always like this. It's at every meeting, so you know, I'm not going to waste time because somebody is not here to discuss an issue that's important to...or important...we think it's important for her. So as far as the... I don't see it over here, though. The Big Brothers/Big Sisters. And I'm going to request that we remove that. I have reviewed a copy of what the mayor has sent over. As we had discussed earlier, I don't know how all these programs inter...relate with each other. We're sponsoring, at different points in the budget, activities that are basically achieving or are duplicative of each other. I mean we see the anti-drug moneys, we also had...I think we may have taken out the KPAL, we used to have KPAL in here, the challenge day. There's really been no explanation on how all of these programs are correlated with each other, or do they actually provide just duplicative services. Especially here again, we're talking about recurring accounts. We're going to start a whole new account with Big Brothers and Big Sisters when we're telling everybody else

that you know what, this may be the last year. So I would not want to engage in a new project without even having an idea on the current projects that we fund what the success rates are, and what kind of benchmarks are we setting for the funding that we are providing. We don't get any reports back.

Mr. Rapozo: I'm just trying to figure out what the 70,000 is for. I mean is it to...is it to hire somebody, because it's... The cost says...

Ms. Iseri-Carvalho: They said to help 60 kids at \$1,000 each, basically. That's all it says, and there's no benchmarks, there is nothing to say what they intend to measure whether the program is successful or not. I mean when you are asking for, basically what these are are grant moneys. There's a whole process whenever you ask for funding from the State or from the feds. You have to state your mission objectives. You got to say well how much percentage of the kids you're going to affect and in what manner, how are you going to measure that, and then you have to come out with your success. I mean basically what you have achieved. There is absolutely nothing in that 5 or 6 pages that they turned over except that they...I believe, went to the internet, pulled Big Brothers & Big Sisters and attached what the general Big Brothers and Big Sisters does. So I will propose that we remove that \$70,000 for other purposes.

Mr. Rapozo: I guess I'm still confused, because if you look at the services offered, it talks about site-based programs at thousand bucks a student, and community based programs at 1500. They're talking about 30 students with the site-based which is 30,000, and then 30 students looks like at the, I guess, community base, which would be 45,000, which equates to 75,000, but the request is 70,000. So I not sure. And you're exactly right, I mean you know, I...as Councilmember Yukimura mentioned yesterday, I sat on the committee that designed that first drug manual, the drug plan, and you know, one of the biggest... And I was fortunate enough to have gone through 6 weeks of training throughout the mainland trying to develop that plan, but it was real clear that anytime you fund programs, there's certain requirements that you need. Number one is obviously the cost and the purpose, but also the measurable outcomes. It needs to be a best practice program. And I'm not sure that that is included. I'm reading here... You know, how do you measure, and I think that is one of the problems... I still don't see it. Are we hiring somebody, or...do we just pay...

Mr. Bynum: Just says it's a grant.

Mr. Rapozo: To who?

Mr. Bynum: To the...

Mr. Rapozo: Big Brothers/Big Sisters?

Ms. Iseri-Carvalho: To give them free money, that's what it is.

Mr. Rapozo: So I guess it would be to assist this organization's expansion of programs... I guess it's to...it would be to Big Brothers/Big Sisters, the money. I guess, you know, when we... And would this be going to the anti-drug program? Is that who's asking? We have an anti-drug coordinator, we have an anti-drug office, and this here is... I guess it's requesting from the anti-drug program. I don't know, not enough information on this.

Mr. Bynum: I'll take a stab at this. I'm not sure if this is what JoAnn intended, but I have concerns about that much amount of money to a start-up organization on Kaua'i, although I know Big Brothers and Big Sisters have started programs at Wilcox School in particular. Mentoring programs generally are recognized as best practice programs and are highly

effective. We also have a letter here today from Kaua'i Planning and Action Alliance, and I'm making some assumption here, but you know, we do have a very active group and a whole bunch of people in the community working on the drug plan under the leadership of the drug...anti-drug coordinator and Kaua'i Planning and Action Alliance. Diane Zachary was here at our budget hearing specifically asking for a outreach drug plan...worker. She submitted a letter today. I think JoAnn's intention was to ask for funding for this as a contract position to support the drug plan, you know, in recognition of our concern that we not create positions that are expected to be ongoing.

Mr. Kouchi: I guess the only simply question is, this is related to the Big Brothers/Big Sisters.

Mr. Bynum: Yeah, I think so... I'm speculating, because my colleague is absent at the moment.

Mr. Kouchi: The mayor introduced the Big Brothers and the Big Sisters. JoAnn introduced this and called Diane Zachary after she talked to me yesterday morning, so I got to with no. No that they're not related. How could there have been a relation when JoAnn didn't even think of calling her until after I told her I would not support an additional body in the county, but if there was a nonprofit that we could do it like we did with Beth. So these are independently introduced by 2 separate people that have no correlation to what's happening. And I only say that because we're on the Big Brothers/Big Sisters appropriation discussion right now, and then we'll take this one up after that, and I did tell JoAnn, in this structure for one year I could support Diane's thing. But again, we're on the discussion on the Big Brothers/Big Sisters 70,000. And I can tell you...

Mr. Bynum: I thought they might be connected.

Mr. Kouchi: No.

Mr. Rapozo: So Ron, you know it's not connected?

Mr. Kouchi: Yes, because JoAnn didn't call Diane Zachary until after she met with me at 8:30 yesterday morning. So Diane Zachary was...this thing has nothing to do with the Big Brothers/Big Sisters.

Mr. Bynum: I thought that might be where we were looking for the funds.

Mr. Kouchi: Well she was ready to cut Big Brothers/Big Sisters to fund this. Yes.

Mr. Bynum: Right, that's how I thought it be linked.

Mr. Kouchi: Yes.

Mr. Bynum: I also am aware that there have been many...several attempts to get Big Brothers/Big Sisters started on Kaua'i in the past. This seems to be the first one, so I guess where I was going with this is perhaps we find the money for this KPAA Action Alliance by cutting some from Big Brothers/Big Sisters request, because it's about...this is about 56, so maybe we could cut that to 24 and fund this.

Mr. Kouchi: That would be 14.

Mr. Bynum: Oh, there's optimistic math.

Mr. Kouchi: That's why I'm chairing the budget, Tim.

Mr. Rapozo: So what are we on now?

Mr. Kouchi: We're on the 70,000. All Tim is trying to say is that JoAnn, in trying to lobby for this, did approach me, apparently approached Tim and said that they way she could envision getting her money for the position that Diane wrote about was by reducing the Big Brothers/Big Sisters appropriation and instead funding this position. That's the link that JoAnn had between the position here and the Big Brothers/Big Sisters appropriation. Not that they were going to be synergistic in cooperation of, you know, this position working with Big Brothers/Big Sisters working with whatever. This position is the one that we lost the grant for, and you know, they were seeking ways to bring assistance to Teresa in the coordination of the other external (inaudible). But they're two separate and apart issues, and you know, if you so desire to link cutting this to fund that, you know that that's something you can make, but I've heard Mel and Shaylene simply say that, not talking about anything else, only talking about Big Brothers/Big Sisters, they're uncomfortable with the justification that's been submitted, and they currently don't support the \$70,000 funding. So that's the current discussion, the 70,000 for Big Brothers/Big Sisters in the mayor's budget. Further discussion on this item?

Ms. Yukimura: I haven't been satisfied with the justification for Big Brothers/Big Sisters either. I think it has the potential, but we've seen really nothing from the community stepping forward. I mean this has just been a mayor's thing. So I would support a partial funding, but not 70,000. And I mean I'm also thinking...did you consider the request from...

Mr. Rapozo: Diane?

Ms. Yukimura: Yes.

Mr. Rapozo: That's up next.

Mr. Kouchi: But it was mentioned that a suggestion was reducing this amount so that you would instead fund this. That was part of a conversation, but doesn't have to be correlated that way. We were discussing Big Brothers/Big Sisters. Further discussion on the 70,000, JoAnn?

Mr. Rapozo: I have some discussion, and I guess it's becoming related. Do you just want to hold off on the...

Mr. Kouchi: No, you can...I mean Tim kind of opened the door.

Mr. Rapozo: Well, I just...as I'm reading this KPAA request, and it looks like that the purpose of this position is to implement the county's drug plan. I guess my question is why would we not put that position in the county? Why would we not put that position as a contract for a year under our drug... What I'm concern is I want to make sure that this person will be doing the county drug plan and not KPAA duties. I want to make sure that this person is doing...and if I'm going to support it... Let me just say it right now. I'll support this only if this goes under the county office.

Ms. Yukimura: Well, I'll give you two reasons why it should be KPAA. One, the fringe benefits are much less; it's cheaper. And two, two, you will achieve your purposes because Ms. Zachary's intention is absolutely to support the county process, and she will come and testify to that right now, she's right across the street.

Mr. Rapozo: I know what she's going to testify to, JoAnn. What I'm saying is for me, I don't think the county is in the position to be funding positions for nonprofits.

Mr. Kouchi: And I'll just tell you that we can easily take a vote and just move on when everyone has had their chance to say... But when JoAnn lobbied me to have an additional county position, I told her my biggest concern was taking on new positions under the social programming, and I appreciated that Beth was able to work with KEDB to get the other mission done by grant, but should the money run out, then it's up to KEDB to find the money to continue the person if they think its worthwhile, but it wouldn't be a decision by the council to terminate that position. And then I could support this one-time only if there was a nonprofit that was involved, so it was external of the county payroll, and should funds not be available next year, it's up to KPAA to determine if they can, through outside methods, secure funding to continue the position, or they would then have to terminate the employee. And the other thing is if you go past one year, then you now, civil service law, they probably would go back in and then you need to convert it to civil service. But that was my only rationale, and you know, like a lot of these questions with 2 right answers, which right answer do you agree.

Mr. Rapozo: That's right. And as a member of the original drug plan committee, there is not enough work in the drug plan committee to warrant a fulltime employee. I can tell you that right now, and some may disagree. But I'm saying, we're adding in \$5,000 as an administrative fee for KPAA, a thousand dollars in expense, and to me, if we're going to create a position for the drug plan, it belongs in the county where the county controls it. And that's just my position and that's fine, Ron, we just call for the vote. And that's how I feel. I'll support it if it's a contract position within the office of the anti-drug coordinator.

Ms. Yukimura: I just want to say that I don't know when the last time it was that you went to the drug coalition meetings, but it's...there is full-time work. They are trying to establish a programs and systems that will be ongoing and sustainable into the future, so it's not about just putting on events, you know. It's about actually laying the groundwork for an ongoing system.

Mr. Rapozo: Maybe that should have been included in this letter.

Ms. Yukimura: Well, that's included in the plan, yeah. And so I just want to say that. And then the other thing is that, you know, I mean this person will be totally dedicated, and if you want Ms. Zachary's commitment to...

Mr. Rapozo: No, I read the letter.

Ms. Yukimura: ...to the plan.

Mr. Rapozo: I read the letter, but I, you know, again, I...for me, we have a... We set up a drug office. We have an anti-drug coordinator that's hopefully has all the information necessary on Kaua'i for the county, and you know, she needs assistance, she needs help. She needs help, and this is an opportunity to give her help...

Ms. Yukimura: And that's what we're trying to do.

Mr. Rapozo: ...on a contract... No, this is not, JoAnn. You're putting a position under KPAA who becomes the employer. In other words, we do not have access to that person. They're not our employee. They're not our employee.

Ms. Yukimura: I think there might even be an intention to have her located with Teresa, but I don't know. Okay.

Mr. Rapozo: No, no. Anyway...

Mr. Bynum: I hope we can get over this, because I don't think KPAA motive was to go out and get an employee or a nominal administrative fee. I think they want to support the plan that they worked on for years, and whether it's in the county of KPAA... I have no problem with it being in KPAA. I thought they were reacting to a request to make this possible. So hopefully we find a way, wherever it's housed, to give this support, because hundreds of people are involved in this drug plan and you know, are giving of themselves in the community, and we want to be supportive of it. There was a... This position did exist at one time with other grant funding, I believe, and you know, I want to support this position. Where it's housed, I'm not that concerned, but hopefully we can come to 5 votes to agree that this is a needed effort. I have no doubt that this person will work 100% with Teresa on the drug plan.

Mr. Rapozo: Then she should be working for Teresa, period.

Ms. Yukimura: You know, that... I just want to say, that was my whole motivation in trying to think this through, because I do know that Ms. Koki needs help, and it was sort of in the discussions with the Committee of the Whole Chair that it sort of evolved into this way, which is actually cheaper and also meets our nonrecurring issues, and so that's why it's proposed that way. And you know, like the Chair says, if we all want to agree on a county position, we can do that too, but...

Mr. Rapozo: It's a contract position. I mean...is that what we're going to set, to save the county money we're going to look for nonprofits to house county... This is a... You telling me that this function...

Ms. Yukimura: Because there's been such a partnership on the drug plan, that's why.

Mr. Kouchi: But don't look at her, look at me, and the answer is yes. That was my intention.

Mr. Rapozo: And that's fine.

Ms. Iseri-Carvalho: I have a question. You know, when we were talking about positions, I was told by staff that we could not fund positions for nonprofit. I mean that was how had discussed the Foodbank issue. So I don't understand how this is happening where we using county moneys to fund positions at nonprofits.

Ms. Yukimura: But that's what we're doing with the Foodbank too, right?

Ms. Iseri-Carvalho: No. My understanding is they changed. That they're...we using...for services. We're giving a grant for food bank services and Foodbank is using their funds to fund their position. Because we had to do it that way. That's what I was told. Now if that has changed, then let me know, because...so now I'm shocked that, you know, we went through all of that.

Ms. Yukimura: Well then we can convert it to that too, if you like. I mean we can...

Ms. Iseri-Carvalho: Well you know, for me, I don't want any new positions period. So...especially when we're looking at, with respect to things that are not... To me, this drug plan been going on for years. I haven't seen any benchmarks or hear any report. We give KPAA amounts...many, many amounts of money. I can tell you that the drug cases have not gone down. I can tell you that there's still increases in the amount of drug usage in...from juveniles all the way to adults. So when you telling me about measurables, then come show me some results. But every day we keep funding these plans, and funding these plans, and funding plans. We fund anti-drug programs. We fund speed and quickness. We fund ribbon...red ribbon week. We fund this Waiola... Nobody comes here to tell us how it all interacts with all these agencies that the county funds, how they even merge together, how they even come forward, to show us that we actually doing something for the community. It's all a feel good thing, because drugs are still up. Usage is still up. The age of using drugs have gone down that we're now into the elementary school. I mean if you want to... I mean be realistic here. But show some proof, instead of keep adding positions and positions, and let's fund Big Brothers/Big Sisters because they can do the mentorship. These programs have existed for many, many years, and yet the drug usage, especially on Kaua'i, I'm not even referring to the other counties. The drug usage on Kaua'i has increased.

Ms. Yukimura: I, you know, the issue is a tenacious one, and it is about long term ways of strengthening family and individual kids, and that is what this group of people have been working on day after day and month after month to try to set in place a system that will make our community immune to drugs, and you're right that they need the results and they were following the department of health surveys, they're developing tracking systems, and they sometimes get diverted into some of these feel good programs. I'm the one who's been trying to keep them on the, you know, on the long term effective program. So it's not an easy effort, but there's huge progress being made in the treatment and the integration back into community. I would say there's even, when you look at the kids and how they're performing, there's a lot of really good things happening, and there's still many problems, and they're not going to be solved overnight.

Ms. Iseri-Carvalho: Right, but we are now into 30 years of it.

Ms. Yukimura: No, we're into...

Ms. Iseri-Carvalho: No, because I have been practicing law since...for 20 years,

Ms. Yukimura: But the real effort started in 2003.

Ms. Iseri-Carvalho: I totally disagree, because we had funding from Inouye for the past...at least past decade where we had 100,000, 100,000, 400,000...

Ms. Yukimura: No, that started in 2003...

Ms. Iseri-Carvalho: Not only... I'm not saying not only with Inouye money. We had JAG money. We had CDBG money. We've had all of those money.

Ms. Yukimura: And we haven't been... When we've had DARE money. Yes, and the shift, Councilmember Rapozo and I, when we went to the programming, the shift is to a different model, and that's what it...we've tried to start in 2003.

Ms. Iseri-Carvalho: JoAnn, regardless, I mean like I say, where are your measurables? To me, the real measurables is are we reducing drugs in the community. Are we having people be more successful in the schools? No, we have the highest dropout rate here. I mean, you know, but we keep funding all these nonprofits. I just don't think that all of these programs that the county is sponsoring are really integrated or know what each of the other persons are doing.

Ms. Yukimura: And one of the things I was going to suggest was to put the NFL program, the Big Brothers/Big Sisters all into the anti-drug program and let them determine which ones would be strategic in terms of actual implementation, according to the plan. Because it's like you say, you know, they're just here and there. So putting them all together and then having a committee that's, you know, has allegiance to a planning process make those decisions with the drug coordinator.

Mr. Kouchi: I think Councilmember Rapozo has helped bring this issue into focus. I think the real question left for decision making is should this be a position in the county, because at this point, I hear Shaylene is not supportive of the position outside or in the county. I don't support it going into the county. So the only place that you can have it is in the county if the 5 of you agree, and if the 5 of you agree, we'll take the vote and make the necessary...

Ms. Yukimura: Well, 5 of us could agree to give it to KPAA.

Mr. Kouchi: Mel does not want it there.

Ms. Yukimura: No, but there's 1, 2, 3, 4, 5...

Mr. Kouchi: He and I have a different of opinion there. Whichever way you want to do it, you know... If there are no other objections to the position, period. Because I know the Chair has just had concerns about positions.

Council Chair Asing: I always have concerns about positions. I too, you know JoAnn, I know you almost talk measurables, and that's ideal, you're right. And I've been hearing about, you know, the drug, the drug programs, but I don't know that anybody has come up here and given us the documentation on the measurables. I hear that all the time, but I don't really see it. And I'm concerned where we're heading. I'm concerned about the...you know, and I bring it up again about the Hanapēpē issue, you know, spending nearly 300,000 and that's going to do down the drain. That was drug money. I mean that is almost ridiculous. What are we doing, taking this drug money, spending nearly 300,000, and then what are we going to do now? Everything is going to fold after spending that kind of money, time, effort, Ka Leo meetings? I'm just... Programs... Somebody's got to come up with some measurables and give us these measurables so that we can, you know, continue. I can continue to support some of the programs, but again, adding another body, I just have difficulty with that.

Mr. Bynum: That was a interesting debate. I spent most of my career in social service programs, and you know, when you look at prevention, it's really difficult to measure what doesn't happen, because you're trying to prevent. But we all I think agree that sports programs are a preventive for drug involvement, and I think there's long term national longitudinal studies that show that. But sports programs don't meet every kid. You know, they meet kids that have athletic ability, especially as they get older. Some of these programs are, you know, like Big Brothers/Big Sisters for instance, you know, are meant for kids maybe who aren't involved in sports programs. We started an anti-drug effort in 2003. It's ongoing. It involves hundreds of people in the community. They've come to us and asked for this position. My preference is that it be in KPAA, as Ron has said, but I think, you know, and I think the efforts... You know, last year this Council cut all of the drug funding from that office because we weren't happy with the leadership there, and I think the leadership has improved, and you know, and JoAnn has put a lot of energy into it, Mel has in the past to try to integrate and direct those funds that best practices that have the kind of measurable goals we're looking for. I guess I like to ask Kaipo if he can support and if we have 5 votes to put it in KPAA. You know, I'm willing...I'm ready to vote for that right now. But there's no

question in my mind that these prevention efforts are really worthwhile and that we have engaged a large segment of the community involved in that process, and so...

Council Chair Asing: I guess, Tim, my question to you, you made a statement about leadership improved. Like as an example, give me some example. The leadership improvement, what are you referring to?

Mr. Bynum: Well, I think that Teresa has done a better job of integrating this program and directing the funds...

Council Chair Asing: And where's the documentation, some proof, something to say it was here and it is here now. Where is that?

Ms. Yukimura: Mr. Chair...

Mr. Kouchi: And before the debate continues, the only clarification I'd make to Tim's comments is, we were considering removing the drug money until Teresa came back and said that she was brand new and this is what she hoped to do. And so the \$40,000 remained in the budget last year, because she had programs that she did.

Ms. Yukimura: This year.

Mr. Kouchi: Yeah, in the current year. We talked about cutting it. We were ready to cut it, but she was able to come back on a callback and provide information that we said we were going to continue that for the county.

Ms. Yukimura: No, that's for this year. Last year there was... We cut. And this year we're putting it back in.

Mr. Kouchi: She submitted a report of the money she spent.

Ms. Yukimura: No, she... The report is of what she's going to spend it on.

Mr. Kouchi: Did we not have her doing... I mean if we gave her the money, what she was doing at work?

Ms. Iseri-Carvalho: (inaudible)

Mr. Bynum: I don't think that was a County...

Ms. Yukimura: No, all we have to look in the budget for...

Mr. Rapozo: No, what happened... Remember last budget, we upped the money. The...last year they had drug money. This council felt it wasn't enough, so we upped it by \$40,000. That \$40,000 at the end of the year was used for non-drug programs. The year prior, and that is why this council did not fund the money.

Mr. Bynum: Right.

Ms. Yukimura: In the 06... The 07-08...

Mr. Rapozo: Correct, because they were using it for leis and lunches and...

Mr. Kouchi: But that was the portion we cut out; she still had money.

Mr. Rapozo: Right, she still had the original drug money that they mayor had put in their budget. We upped it here. This council increased the drug money.

Ms. Yukimura: In 2003, under the chair's leadership, when people were holding signs, you know, cook rice not ice, you know, you remember that, they were holding signs, and the iggy...what was her name, did this documentary that everybody was playing on the 3 channels. And it was the chair who proposed the \$40,000 and we kept putting it in for several years until last year's budget when we asked and...and at that point there was a transition of the drug coordinator. And because, as you say Councilmember Rapozo, the actual expenditure showed things that seemed really trivial and not related to drug prevention or drug...anti-drug programming, we took it out. So over this last year I think the drug coordinator didn't have any...the anti-drug coordinator didn't have any moneys. She's been struggling with lack of a budget, but she did give us a proposal as to how she's going to use it in this year. Is that accurate?

Mr. Kouchi: That's fine. If you want to continue the discussion we can, but it appears we have 2 no votes, and a disagreement by Mr. Rapozo and I. But if you want to perpetuate a discussion that will result in no change, then we can by all means continue the discussion.

Ms. Iseri-Carvalho: Let's not continue.

Mr. Bynum: How do we come to an agreement (inaudible).

Ms. Yukimura: I mean we can all go with the county position, then there are 5 votes.

Mr. Kouchi: I believe Mr. Asing has indicated a no, and Shaylene has said no, and I have said that I would not support it being in the county, Mel feels strongly it should be in the county not privately, we have a disagreement about going forward, so we can't get to 5 votes, so we need to move on.

Mr. Furfaro: Any way you mix it, it's 4:3.

Ms. Yukimura: Well, you know, so I would like to say that if our goal is, we agree on the goal, that there would be someone assisting the present anti-drug coordinator, can we... Can we find a way to do this?

Council Chair Asing: You know, I see the drug coordinator as someone who just coordinates and passes things out to the different agencies to do work. And that's what I see. That's what I see. That's the function. The function of the coordinator is to have all of these nonprofits and you pass the money out. That's what I see. I don't see the drug coordinator actually doing the programs and anything else, except doing this, making sure that the money goes out to all of these different groups that are asking for money, and that's what I see. Am I wrong?

Ms. Yukimura: That's not quite what a drug coordinator does, and...

Council Chair Asing: Well, that's what I see.

Ms. Yukimura: I understand that's what you see, but what you see may not be everything.

Mr. Kouchi: The only other thing I'll say, and I mentioned it to some of the staff and I talked to Tim briefly during the recess, when we conclude this process, this is not going to be transcribed onto stone tablets. You know, the budget has been and always will be a fluid document. I mean if the mayor wants to come forward with an amendment and he finds money, he may be able to find 4 votes for KPAA. The mayor may be able to find 4 votes to be housed in the county. I mean there is opportunity, he needs to go about it, but going back to Kaipō's other thing about us doing their job, I mean here we are still arguing about something that they didn't put in the budget but the need to carry out. And so if he hears from the discussion today that, you know, there is some will to get it done and you know is there a way that he favors it, you know, this budget can be amended, you know. That doesn't have to be the end of it, but I think, you know, from everything we've heard, you need to have a little better detail attached to whatever proposal would be coming forward to do. But for today, we're not going to resolve this with 5 votes. So we never did really have a vote on the Big Brothers/Big Sisters at this point. I've heard 2 votes for no, one vote for reduced funding...Tim?

Mr. Bynum: I'm sorry. Can I comment on this?

Mr. Kouchi: You can do anything you want.

Mr. Bynum: So if I understand this correctly... So Mr. Asing, I didn't understand... So either way, you're a no vote.

Council Chair Asing: He and Shaylene are voting no for a new position.

Mr. Bynum: And the 5 of us who can entertain a position can't overcome the impasse about where it's placed.

Mr. Kouchi: No.

Mr. Bynum: Okay. So I just want to say that in my mind, Diane Zachary came up here to try to resolve an issue on behalf of hundreds of people in this community that deal with drug issues in both enforcement and prevention, intervention and education, and have worked since 2003 to work together to do what this letter says to expand the community's understanding of the issue and enlist their support and assistance from preventing and mitigating this problem. The anti-drug coordinator does help coordinate that effort and do the things Kaipō says, and I believe she's also actively involved in numerous community events, which many of which I've attended, and I know the effort that she puts in in organizing that. And so this community of people are coming to us and saying this is a need that we have, and even though we have 5 people here who can support it, over a objection to where it's placed, we're going to say no to this group of the community. And prevention, education, intervention on drugs is a critical issue. And you know as I mentioned before, the...I didn't complain. I didn't vote to cut the 40,000 last year, but I concurred with the councilmembers who said it hadn't been well managed under the previous administrator. Now I have more confidence that the funds we issue will be managed better, and I just very disappointed that we can't come to terms on this, which I see again as the community coming to us and saying give us support to help us deal with this drug problem in our community.

Mr. Kouchi: So noted. Jay?

Mr. Furfaro: Yes. I just want to reflect on the fact that I think Councilman Kouchi also implied that there is another option, and that option is to come from the mayor's office to look at getting 4 votes from the mayor, and I would hope that you would take that commentary to him. I know I will share the same. As it comes to the votes on Big Brother, I would not support Big

Brothers. As it comes to the support for KPAA, I would do the such, but I wanted to make my point clear that there is one option and that is to solicit help from the mayor.

Ms. Yukimura: So there's 3 votes against...

Mr. Kouchi: Three votes against Big Brothers (inaudible)

Ms. Iseri-Carvalho: No. And for me, it has to do with a matter of justification, not to think that there may not be a need out there for services. So you know, it depends on how it's fashioned. This is not...you know, when we're running around last minute when the budget session started back in January, and now Councilmember Bynum is over here saying, you know, I'm disappointed. Well I'm disappointed too, because if this was such a critical position, then it should have been sent in, in the initial budget, instead of coming in at the very last eleven hour and now we're over here and having to determine, well, what are your measurables, what have you achieved with this position, what will you achieve, what will they do. You know, we have...you know we have a county drug plan, apparently, and I don't know if it's been updated, I don't know what the committee has done with it, again, I don't know how successful they've been with all of the different criteria that they've wanted to achieve. They've also...you know, you talk about duplication of services, we have many organizations that we belong to that don't get absolutely zero funding from the county. You know, Boys & Girls Club, I don't see them here, and they operate very successfully. You know, KPAL had last year. They don't have funding in it this year. They operate successfully too. They do alternative kind of sports. We had the program that the county supported where they have alternative programs like sewing and dancing and... So there's a lot of efforts that are going into critical needs of meeting this targeted group, and I'm not sure if they're overlapping their services. There has to be some coordination. And if she is the coordinator and she's been doing a great job, then I need to know that, because I don't see the coordination with all of these different agencies. You have Pop Warner, you have Little League, I mean there's all kinds of organizations that the county is a part of, or utilizes some county facilities. But clearly, you know, it's time at the 11th hour to provide the necessary justification, and you know, it's not for me to go out, after spending hours and hours and hours of trying to gather information when this position only came up I believe yesterday...or when Diane Zachary came up during the public hearing. So JoAnn, if you were part of those meetings for years, then this should have been something that should have been considered way before then and solicited in a manner where the councilmembers could support it.

Ms. Yukimura: Well, we could say that of a lot of positions that are being proposed today, but... If I could at least ask for 10 minutes for Ms. Zachary to come and give you the information you're asking for, not...I mean I can't say that we have absolute tracking systems and everything in place, but this...an update of the plan, absolutely has just been done, and so I would ask that I could call and if she could at least make that presentation.

Mr. Rapozo: If it's going to change somebody's mind. I can tell you it won't change my mind, because I understand what you're saying, JoAnn. It's just I disagree. As I read the request...

Ms. Yukimura: I understand. But no, it's not trying to change your mind.

Mr. Rapozo: No, I mean I would try that, if I was passionate enough. But it's... In this case, because the purpose is to facilitate the county's drug plan, not KPAA's drug plan...

Ms. Yukimura: No, the county's drug plan is the community's drug plan.

Mr. Rapozo: I understand, JoAnn.

Ms. Yukimura: And it involves KPAA and others. It's not just... I mean that is the strength of it.

Mr. Rapozo: JoAnn, I understand completely. But what I'm saying...

Ms. Yukimura: Okay, then do you mind just giving 10 minutes.

Mr. Rapozo: I'm not going to listen, I can tell you, because I know what you're saying. JoAnn, it's... My point is this. The police department has a domestic violence coordinator. You think we should house her in YWCA and fund the YWCA to take care of a position that handles a county's function?

Ms. Yukimura: The police department is not working with the community...

Mr. Rapozo: It's yes or no.

Ms. Yukimura: ...to do a community plan.

Mr. Rapozo: That's what she does.

Ms. Yukimura: It's different. I think it is.

Mr. Rapozo: Well, in your eyes it is; in mine it's not. It's real simple.

Ms. Yukimura: Okay.

Mr. Kouchi: We simply have a disagreement.

Ms. Yukimura: Mr. Chair, could I just ask for 10 minutes to call her and if she can cover?

Mr. Kouchi: You can call her. She can come over. We have no legal right to stop anyone from speaking, but we voted on the matter, and unless somebody says they're going to change their mind, in my mind this matter is resolved at this particular point in time.

Ms. Yukimura: Thank you.

Mr. Kouchi: You know, we'll go forward. So Mr. Asing, on the Big Brothers/Big Sisters?

Council Chair Asing: No.

Mr. Kouchi: So that is out. We have anything else in the mayor's budget?

Ms. Iseri-Carvalho: What is this miscellaneous?

Mr. Bynum: Can I just review that?

Mr. Kouchi: Yes.

Mr. Bynum: What are the 4 votes to remove it completely?

Mr. Kouchi: One, two, three, four.

Mr. Bynum: What was...

Mr. Kouchi: One, two, three, four.

Mr. Bynum: To remove it completely.

Mr. Kouchi: Right.

Mr. Furfaro: That's Big Brothers.

Mr. Bynum: So we wouldn't entertain a reduction?

Mr. Kouchi: No.

Mr. Furfaro: I would like to make a statement here. I am a big brother, or have been on Maui. You know, my little brother, my activities there, it was a well established program, it calls for a lot of personal contributions from the big brother, from the big sister, because you're dealing with surfing, you're dealing with movies and so forth. This request for funding is to start a program. I have to tell you I would have hoped the agency on Maui would have been able to make a bigger presentation, and I do know the ex-executive director for Big Brothers/Big Sisters on Maui, that's Deidre Tegarden. She's now the head of economic development for the county of Maui. So for me, my presence on that vote dealt with my familiarity with the agency, but also expecting that they've got a lot of hurdles with the startup.

Mr. Kouchi: Thank you. Anything else in the mayor's budget?

Ms. Iseri-Carvalho: The miscellaneous. I don't know what is that. Yeah, the 1,000. I don't know what that's for.

Mr. Rapozo: For miscellaneous stuff.

Ms. Iseri-Carvalho; So I'm going to cut that. There's no justification for an MISC.

Mr. Rapozo: And I think the challenge day. Wally, you know anything about challenge day?

Ms. Iseri-Carvalho: Nobody knows anything about challenge day?

Mr. Rapozo: Well, I know that it wasn't done. I mean we put that in one year, because of the threat of...similar to what shattered dreams is going through. But we put it in and they ran the challenge day, and I participated in that first segment. It's a pretty cool program, but it never continued. So that's one that I would also recommend removing.

Mr. Kouchi: So the miscellaneous 1,000, the challenge day 9,000, we have one vote to remove. Shaylene, you were in agreement? Anybody else?

Mr. Furfaro: I'm not in agreement to remove a miscellaneous account for a thousand bucks. That there are going to be miscellaneous costs. They have to be charged somewhere.

Mr. Rapozo: But there... Jay, there's also...there's also a mayor's contingency that he has of \$5,000. This is a miscellaneous within special projects, that's why I don't know what that is.

Mr. Furfaro: I understand. When you're dealing with the chief executive of a \$157million corporation of which the county is, the reality is it's got \$6,000 in contingencies and miscellaneous that is not a substantial amount. And therefore, I just wanted to plea that I do not support removing those 2 articles from the mayor's budget.

Mr. Kouchi: So the challenge day you support.

Mr. Rapozo: JoAnn, you get any information on challenge day?

Mr. Bynum: I support.

Mr. Kouchi: You support challenge day...

Ms. Yukimura: Teresa has it. She's been working on it.

Mr. Bynum: You don't know what challenge day is?

Ms. Iseri-Carvalho: No, I know what challenge day is. I don't know what this expenditure is for.

Mr. Bynum: Says it's for 3 high schools. To do challenge day at 3 high schools.

Ms. Iseri-Carvalho: Maybe you can just spend money like how you feel without a justification. I need more justification.

Ms. Yukimura: It's kind of just like the NFL thing. I mean it's, you know, it's a program that has had...

Ms. Iseri-Carvalho: But they didn't do it last year.

Mr. Rapozo: I don't know when they did it last. No, I know they didn't do it, because we...

Council Chair Asing: We attended one of them down at...

Ms. Yukimura: Yeah, you and I did, Chair. At Waimea.

Council Chair Asing: Yeah.

Mr. Rapozo: Not last year.

Ms. Yukimura: No, the first year.

Mr. Rapozo: No, it wasn't last... Because I went to the one at Kapa'a.

Ms. Yukimura: So yeah... I have not tracked it. But you know what we could do is just put it all together in the 40,000 and let them decide.

Mr. Rapozo: That's what I would... I would say, you know, these programs, if it's an anti-drug program, should be in the anti-drug coordinator's budget, not in the mayor's office budget.

Mr. Bynum: So move the 9,000, make it 49?

Mr. Rapozo: No. They have 40,000.

Ms. Yukimura: Okay, well...and I would put the NFL one there too.

Mr. Rapozo: I agree.

Ms. Yukimura: I mean it's all these anti-drug programs...

Ms. Iseri-Carvalho: But the problem, JoAnn, is that there's...these programs have existed for...I don't know, the NFL at least for the last 6 or 7 years. So now to have Teresa now start up the whole new program when they have all their contact information and all of that, I think would be utilizing more time and effort.

Ms. Yukimura: Well, I mean...the thing about putting them all together is that they are anti-drug programs, and we let the anti-drug coordinator make the decision based on the, you know, best practices or whatever, criteria which ones they're going to fund. But we put the money all there. I mean that's just a thought. You don't have to do it.

Ms. Iseri-Carvalho: I mean I think that should be something that they should work on. I think it's kind of quick to do it right now, though, to put all the money in right now. So I think with that intention that we do want to kind of centralize all of these program, so that they can coordinate, so they're not targeting the same group of individuals, because I can see, you know with the...when I look at the program for the Big Brothers/Big Sisters, it's kind of similar to what the Boys and the Girls club also do. So you know, and we don't fund but we fund the other, especially in a big amount like that, so you're right, it has to have some coordination at some point, but I hope next budget they'll be prepared to do that. But I think it's kind of late at 12:30, it's lunch, to try to reorganize all this funding appropriations.

Mr. Kouchi: So that I know I'm listening correctly, but there are still 2 separate points that are being made. Mel is saying it should all be coordinated under the one account, and the one account should still contain \$40,000.

Mr. Rapozo: I need to say, the NFL one is actually hosted or sponsored by KEDB, and we assist. So it's not where it's a county program. It's a KEDB program.

Ms. Yukimura: That's the same with all of them, challenge day and everything. It's like the chair says, it's about giving off money to do programs, and that you give them to different agencies to do...I mean different community groups.

Mr. Kouchi: What you've talked about is that if you put them all in but you would keep the funds.

Mr. Bynum: Yes.

Mr. Kouchi: Because the question simply...

Ms. Yukimura: Yeah, that's fine.

Mr. Kouchi: No. I'm saying I'm trying to understand your position. Because the issue on the floor right now if we called for a vote is do we remove the \$9,000 for the challenge day and the \$1,000 miscellaneous account. Jay has said he supports funding for the both. Tim has said he supports funding for the both. Mel and Shaylene said they would remove it, and if consolidated, the money still goes out, the \$40,000 stays the same.

Mr. Rapozo: No. What I'm saying is I would... If we're not going to pursue challenge day, then we need to remove it. If we're going to pursue challenge day, then I support...it's a good program. I don't not support challenge day. I don't support funding a program that's not going to be done, that is my...because it hasn't been used. I don't even know if challenge day still exists.

Ms. Yukimura: Actually it does. It does.

Mr. Rezentes: I'm trying to confirm with Teresa on what the status of challenge day will be next fiscal year.

Mr. Rapozo: And I want to know when the challenge day will occur. It's that simple.

Ms. Yukimura: I do know that...I mean if that is the issue, I know that Teresa's been in tough with at least 2 of the 3 schools, and there is intention to do it in this coming fiscal year.

Mr. Rapozo: JoAnn, the thing is, Teresa needs to communicate that to 5 councilmembers.

Ms. Yukimura: I mean she didn't... She wasn't like she was just telling me, because you know, she was just asking me what happened in the past, because it originated from me in the past.

Mr. Kouchi: Well, it just seems like that will be in. We're on the thousand dollars for the miscellaneous account. We have 2 votes to remove that. Jay and Tim has said they would like to leave the \$1,000 for the miscellaneous account.

Council Chair Asing: I will be supporting both.

Ms. Yukimura: You will be supporting what?

Council Chair Asing: Both—the 9,000 and the 1,000.

Ms. Iseri-Carvalho: But should we move it into... I guess, are these going to be recurring expenses that the county will always...I mean do it, or is this something that we're sending a message that, you know, this is nice because we have the money now, but you know, next year we may not be as fortunate?

Ms. Yukimura: And that's exactly what we're trying to do with the whole drug program. We're trying to devise a rational way to address the issue, and then figure out a long term way to keep it in place. And actually, Diane...without county moneys to the extent possible. Diane Zachary is here to tell you that. I mean there's a long term effort to use, you know, sin taxes, you know, liquor and alcohol, that kind of thing, but it just doesn't happen overnight.

Ms. Iseri-Carvalho: Right. But I think it's not going to happen today either, on today. So we can ask for an update of the drug at the public safety next committee agenda item, and you know, let's just vote and move on. I mean it's 12:30. I thought the chair said that we would be finished by 12:30. So at this point, I mean we've gone in circles. I do want to hear an update of the drug plan. I think that that's important, but that's not going to...

Ms. Yukimura: Okay. Well the intention I think of Ms. Zachary is not talk about the update of the drug plan, except to let you know because you asked, that there has been an update...

Ms. Iseri-Carvalho: Okay, and that's fine.

Ms. Yukimura: But to talk about that position if...just to...because of the chair's question about, you know, what does the coordinator do, do they need help... I was hoping that she could speak for a few minutes.

Mr. Kouchi: Yeah, but we had enough votes to keep the 9,000 and 1,000. And so I believe that I'm still chairing the committee, so I thought I was still running the meeting. You know now that that's resolved, are there any other questions in the mayor's budget?

Mr. Furfaro: Done, sir.

Ms. Iseri-Carvalho: No. No.

Mr. Rezentos: Teresa's off-island, but she called me on her cell phone. She said she's meeting with the DOE on May 22 with Bill Arakaki, but she didn't want to commit...she plans on moving forward with the program and coordinating it with the DOE, but didn't want to commit to a meeting before she knew she had the money in the budget. But her full intention is to roll it out next fiscal year and coordinate it with the DOE.

Ms. Yukimura: Mr. Chair, since we're all in support of...or there's 5 votes in support of the 9,000, can we just move it into the drug coordinator's budget?

Ms. Iseri-Carvalho: Well, I don't know. Is that the miscellaneous that was just for the drug...

Ms. Yukimura: No, no. It's the challenge day line item in the mayor's budget, and just putting in with the other anti-drug programs.

Ms. Iseri-Carvalho: Does it make a difference/

Mr. Kouchi: Well, the reason why I would prefer to keep it this way, is there appears to be the accountability to see that the program happened. And this is a specific program they're asking to happen in the high schools. If it's within there, then it's also arguable that they can say, well, when we prioritized, we spent the money on something else. And there seems to be support that if they were going to do it in the schools, we wanted to see that program happen in the schools, and it's a specific program, and they wanted the specific program to happen.

Ms. Yukimura: Okay. Could we have Ms. Zachary?

Mr. Kouchi: So we have no more questions in the mayor's budget? Well, what we did, JoAnn, before we get to that, is we did vote to add that position at the landfill because of the temporary assignment, and we have noted that we should track a reduction in the overtime.

Did you have other questions in the solid waste area besides the issue of that person at the landfill that we added?

Ms. Yukimura: So what is the amount that we have for solid waste programs other than landfills?

Mr. Kouchi: Did I read something incorrectly, Ricky? I thought the half a million and the 1.17. If I'm understanding your questions correctly, and those were 2 funding items in the capital budget for the solid waste program. And the 1.17 was being put into the CIP contingency account. And we don't have the plan that has been asked for, that's why we put the 1.17 into the contingency to require them to submit the plan before we move any money. Other than that, with the lack of information that we have at this point, I don't know how else to deal with this matter, but I certainly am not advocating cutting it out. They'll clearly need money, and I know your concern is that that may be short of what they need, but at this point, you know, given what they submitted with the addendum, you know, we would expect that should that fall short, they need to go back and look at the items in the budget and come back with a suggested revision of how they're going to get the additional money.

Ms. Yukimura: Okay.

Mr. Bynum: Just in the communication we got, final decisions on projects we funded under this line item will be made following council adoption of the integrated solid waste management plan. So I concur with what you're saying, Mr. Chair.

Mr. Kouchi: So that's it on the operating side then, Ricky? So we'll suspend the rules, because besides Diane, I see Bruce here. So if we have someone who wants to give public testimony. Bruce, I'll only tell you that we were able to get an additional \$550,000 added to the original 100 in the mayor's addendum for the community host program, or host community benefit account, but it was acknowledged that in fact the study needs to be completed, and that 650 was only the first step in beginning the funding, but it's not the final amount and everybody's aware that that is going to be an even greater amount that would be required to be put into the account.

BRUCE PLEAS: My only question is, is this going to be a... There we go, now I can hear myself. Is this going to be a yearly program? Is that the intention on the council or not?

Mr. Furfaro: I will share with you that we haven't come to that conclusion.

Mr. Pleas: Okay. Fine.

Mr. Furfaro: That we need to have discussion with the administration. But that this in fact, we felt, was the right starting point. And we had some discussion on enterprise funds to tipping fees and so forth, but premature to discuss...

Mr. Kouchi: Because it may require an ongoing contribution, was how the discussion was (inaudible). But that's why again, the bottom line is this is the first step, but not the final step.

Mr. Pleas: Okay, thank you very much.

Mr. Furfaro: Okay? And I do want... Bruce, I have sent over a written communication on some of the other cost items that was in your testimony, but we left those numbers in, the roof painting cost, the...so we're leaving those numbers in, but I have sent some written comments over to see what we get back.

Mr. Pleas: And I can get a copy of those written comments from council services?

Mr. Furfaro: You know, I write from home a lot, but I'll...

Mr. Pleas: You have my email.

Mr. Furfaro: Yes I do.

Mr. Pleas: Okay thank you.

Council Chair Asing: Bruce, it's going to be a long haul, let me tell you. I know the process. Long haul, so don't expect anything magic happening very soon.

Mr. Pleas: No, but I will... Once I find out which department it's adding to, or the mayor, we will continue to keep the issue open, and we hope to have something done this fiscal year forming the committee and everything, I hope. Thank you.

DIANE ZACHARY: Good afternoon councilmembers, Diane Zachary. I wanted to be able to answer any questions that you might have about a letter that was disseminated to you this morning, and perhaps I could just make a couple of comments prior to that. Kaua'i Planning and Action Alliance has worked for the last almost 5 years with the administration related to the substance issue on the island. And so while we don't consider ourselves experts on substance abuse, we certainly know all of the efforts that are going into this problem. We've also seen the progress that has been made but were well aware of additional progress that's needed. The new drug plan, which is near completion but not totally complete, all of the goals and strategies and action plans are completed, the narrative is now being developed, really reinforce what's needed related to that new progress. One of the things that there were funds available for KPAA to assist with coordination, those funds are now gone, and the responsibility of the implementation of the drug plan is really falling to the anti-drug coordinator and whatever staffing she may have available to her. And right now that is a half-time secretary. And yet there are many tasks which we have identified as needing to be undertaken with this new drug plan. One of the primary ones is related to community outreach and really involving the community, making them more aware of the issue, what they can do, how they can be supportive in prevention efforts, information, so that if a outpatient treatment facility is located near them, we don't get this NIMBY situation, which we've seen in the past. A lot of outreach so that the community becomes allies with this effort, and it's in that context that the letter was written to you this morning, and the testimony was presented to you last week asking for an outreach person to assist that office. How that person...where that person is placed, I leave that to you. Certainly KPAA would be very willing to house that person and administer the funds and make that person available to assist the county. So if you have any questions related to that, I'd be happy to help.

Mr. Bynum: Diane, approximately how many people are involved in the community drug plan?

Ms. Zachary: Probably about 80, something like that. We have 8 different...7 different committees.

Mr. Bynum: And the committees, off the top of your head, they're...

Ms. Zachary: So we have 4 prevention committees; there's a westside, an eastside, and a central, and then there's a overall prevention committee that's working with

all...those 3 come together. In addition, there's an enforcement committee, and then there's a treatment and integration committee that meets jointly most of the time.

Mr. Bynum: So it's not just all prevention...prevention, enforcement, and treatment.

Ms. Zachary: It's all of those things, yes. And one of the things that has been...I think where there has been real value and the help that KPAA has offered in the past is we make sure that those meetings happen, and there's agendas and minutes, and those minutes go out to about 600 people who can't come to meetings, but they want to know what's going on because they're working on their own agency. So it is a real education effort in disseminating information out. So you want to be sure that that effort can continue.

Mr. Bynum: So most of these 80 people are people actively involved in some element of drug issues, like they're treatment providers, prevention program providers, and enforcement people involved in (inaudible).

Ms. Zachary: Primarily. There are a few community people, but mostly providers.

Mr. Bynum: Like that core of 80 is mostly people that have some direct involvement...

Ms. Zachary: yes.

Mr. Bynum: ...in some aspect of this drug program.

Ms. Zachary: That's correct.

Mr. Bynum: And then the 600 or more are interested people.

Ms. Zachary: Yeah, we have a lot of churches, for example, want to know what's going on, and it goes to many, many churches, for example.

Mr. Bynum: So if we were going to site a treatment facility, we already have a network of 600 people that potentially could be called on...

Ms. Zachary: Absolutely.

Mr. Bynum: ...to be supportive of that.

Ms. Zachary: Absolutely.

Mr. Bynum: And these are some of the efforts that have happened since 2003?

Ms. Zachary: That's correct.

Ms. Yukimura: You said a new drug plan. This is in fact an update of the initial drug plan, right?

Ms. Zachary: Yeah, but it's...I mean it's pretty... This is our previous drug plan, and this is our new one so far. And as I mentioned most of the...the heart of it is completed. It's the narrative and we're getting some final statistics to show need right now.

Ms. Yukimura: But it includes strategies for prevention, enforcement, treatment, and after-care, and it's also going to find tracking methods for...

Ms. Zachary: We have measures of success that have been identified for every single strategy, and I think that those measures of success have greatly improved since the previous drug plan. You know, I have to admit that with the first drug plan, it was a first time we had done. It was the first time it had been done in the State. We did our best to create good measures, but we didn't always create measures where there was really data available. This time we have looked to see where is the data available that we could actually collect to find out how we're doing. And so I think it's a much more realistic way of generating the information that's needed. Getting good data is tough, and we want to be sure that it's available to you...for your decision making, as well as to the community.

Ms. Yukimura: So you have a new plan that's based on the learning and experience from the old plan, which was done in 2003. Was that the first plan?

Ms. Zachary: Yeah, it was completed and adopted in May of 2004.

Ms. Yukimura: Four, because the 2003 was used for the planning process in developing the plan. Okay, and the implementation of this new drug plan will fall a large part on the drug coordinator of the county?

Ms. Zachary: Oh, totally on the drug coordinator, yes.

Ms. Yukimura: And that's why she needs some help.

Ms. Zachary: Yes. And so that's one of the things that's a little bit different is as we have looked at how can we create a sustainable structure and sustainable funding for these efforts, so long as there's a drug problem (some day hopefully it all goes away) but so long as there is a drug problem, how can we create a good process. So we have the structure of the committees. The work of the drug...anti-drug coordinator to make sure that everything happens is firmly in place, but some assistance so that... It's truly more than any one person can do, and then you mentioned earlier some of the things we're looking at in terms of long term sustainable funding.

Ms. Yukimura: Okay thank you.

Ms. Iseri-Carvalho: (inaudible).

Ms. Zachary: Yes.

Ms. Iseri-Carvalho: (inaudible)

Ms. Zachary: Yes.

Ms. Iseri-Carvalho: (inaudible).

Ms. Zachary: No, the new one has...is...we hope to bring it to you in June or July.

Ms. Iseri-Carvalho: (inaudible).

Ms. Zachary: That's correct.

Ms. Iseri-Carvalho: (inaudible).

Ms. Zachary: Within probably the next 6 weeks, something like that.

Ms. Iseri-Carvalho: (inaudible) You know, I understand that you just mentioned that you had this networking capability, and I'm assuming that that is listed for the past 2 years at least... (inaudible)

Ms. Zachary: That has come about as a result of the work that's been done since the first drug plan was put into place, yes.

Ms. Iseri-Carvalho: And I guess the question I have then is, you know when the adolescent treatment center came forward and there had been a lot of discussion and apparently these organizations were (inaudible). The community, which is the ones that we were talking about that should really matter, which is what you're saying we should have community outreach, we should have all of these contacts with the community, and yet it was the very community where the adolescent treatment center was very, very, very upset, and in fact...I mean (inaudible). You know, they were yelling at the mayor at the meeting that I attended. It was horrible. There was (inaudible) disrespect for the process, because they had not been contacted or consulted with prior to the decision being made for the siting of this adolescent treatment center. In fact, because of that mistake, we paid at least 300,000, at least, with all the contract that we had to cancel, with all the (inaudible) and equipment that had been dropped there. So I guess my concern is that, you know, I see that there are these things, but I'm trying to look for a measurables in the community as to, you know, what really works. I have been in close contact with the police departments across the State, as well as ours here, and you know, drug use is definitely still going up, and in fact, the age of the usage of drugs is going into the younger ages than it was before, and so for me, I'd like to see what actually is being measured. I mean to me that's success, when you can say, you know, we used to have this much (inaudible) kids using drugs at this age, but because of all these programs that we've implemented, you know...and sometimes there won't be that direct nexus of cause and effect, so we can show, well, during the time, (inaudible), and this is what the result has been. So you now, when we do...I know when we have (inaudible) we've had to do measurables. I mean you have to do how much arrests are we getting, are arrests going down or not, what are the (inaudible) rates, are they being referred to (inaudible), what is the success rate at these treatment facilities, are they going for 30-day sessions, 60 days, 90, or for long residential treatment. So there are these kinds of data that are being kept, and to me, those are the kinds of measurables that I'm looking for that I haven't seen since I've been on the council. And you know, so I think, you know, you guys are doing well in trying to address these issues, that there are a lot of (inaudible). To me, it's about positions, it's about the fact that we don't have, at this time, the kind of luxury of funding that we used to have in the past. And should there be a plan that is more direct that you can actually measure, you know, for a period of time or whatever, I think that would be much more beneficial for the funding (inaudible).

Mr. Kouchi: Thank you. Any other questions? If not, thank you Diane.

Ms. Zachary: Thank you very much.

Mr. Kouchi: Meeting is called back to order. I forgot Planning. So that's... But we've not reviewed the planning department budget. That was the last one we had, solid waste and the mayor's office and planning. So what questions are...or issues in the planning department?

Mr. Rapozo: Ron, real quick. I know I showed this to you. I just want to let everyone. I just went online to challenge day, and just to let you guys know how much the prices changed since the last time. Right now challenge day per day is 3200 bucks, but there's also a requirement that you pay the expenses of the facilitators, and they give you all the exact figures here. So I just want to let you know, to run the 3 days here, it would be about \$15,000, not 9,000, because...and in fact it may be a bit more, because there's a little asterisk that says, schools or organizations that require travel by air must book a minimum of 3 consecutive days shared by no more than 2 schools per trip. So in other words, they're going to come for 3 days, do 2 schools, go back, and then we may have to even fly them back.

Mr. Furfaro: So we better change the number.

Mr. Rapozo: Well, I want to know what they plan on doing.

Mr. Kouchi: They may have a collaborative effort and this is the amount required for the county contribution.

Ms. Iseri-Carvalho: (inaudible).

Mr. Furfaro: Good point, Ron.

Mr. Rapozo: Well, the 9,000 at that time was to fully fund the program.

Mr. Kouchi: So planning department, any issues? There were some suggestions that are picked up in the sheet that I handed out that they were changing the positions to, based on the discussion during the budget review.

Ms. Yukimura: I just want to say that we haven't gotten a complete report back on the status of their long range plans. They did not submit anything on the ag plan or on the coastal erosion plan, although we did...yeah, I was going to say we got an oral report, but there was nothing in writing in response to our request. And you know, the...as you'll see from the RFPs, they're pretty simple boilerplate requests that have almost nothing for public participation and communication. So hopefully with the Līhu'e development plan and the SDAT process, the sustainable design assistance team that's coming from the American institute of architects will develop a better format or template for our community plans, so that we can get better results in our community planning process.

Mr. Kouchi: And then instead of the 3 tech inspectors, we had the planning inspector II, SR19, planning inspector II, SR19, but the last one was supposed to be land use plan checker, and they had SR15, and it's actually SR19 at 39,480.

Mr. Furfaro: Did the clerk catch all of that? Oh, they told you, okay.

Ms. Yukimura: We also have not gotten any final report back on the scope of work for the Līhu'e development plan, or...excuse me, for the ag rural lands.

Mr. Kouchi: Well, and I believe though, we do have everything set up so they do have to come back in to get those approvals.

Ms. Yukimura: No, we've already given them approval of the ag moneys.

Mr. Kouchi: No, the ag plan, but I mean I'm saying...

Ms. Yukimura: But the Līhu‘e development plan has a...

Mr. Kouchi: I believe we had the agreement that they were going to be coming back in and we were going to have a chance to talk about it if we put it in, and I did tell Joann that I'd personally follow-up in trying to get that ag master plan in, since I had started the appropriation thinking that they would have it by the time we approved it. So I'm rather embarrassed that that is not happening.

Ms. Yukimura: Thank you. So on the Līhu‘e development plan, Chair, I see you have a...you've stipulated a proviso that they come to us with a plan to do a plan?

Mr. Kouchi: Right, because they were supposed to do and you know, and again the issue was brought up, and while we can't directly control who they actually hire, when we wanted to get a reporting on all of those issues as well. Any other things?

Ms. Yukimura: I have one more. I realize, and I remember just in passing, Donald Fujimoto said we don't have any money to do a Kōloa-Po'ipū transportation plan workshop, and I don't... You know, we all agreed that that was the next step, I think. Right? That we needed a workshop between the administration and the council...

Mr. Kouchi: My latest discussion with Donald yesterday is that he has contacted Jim Charlier, and Charlier is presently doing a State transportation plan for the State of Arizona, and will be wrapping that sometime I guess through the rest of May, and has a vacation planned with his wife in early June. So I believe Donald was saying he's hoping to work with Jim, and he should be here between the 18th of June and the 30th of June, which will lead me to believe that they will be paying for it out of this current fiscal year for that workshop. But they're targeting June is what I was told...in this year's budget to bring him in.

Ms. Yukimura: They have money?

Mr. Kouchi: Well, if you recall the last time we had this conversation, you know, and they said they didn't have money, I believe I told Donald, I'm sure in public works you might find one or two dollars to get this done, if we do it by June 30, and you know, I did check with him if he was able to schedule him in, or did we have to do something for July. He said right now the tentative plan was hopefully before the end of June, but he couldn't get him here tomorrow, because you know, there was some urgency from the councilmembers, but also that Charlier was supposed to put into writing what his conflicts were, so that the council would understand that he made his best effort, and you know, this was trying to work with Charlier (inaudible).

Ms. Yukimura: Okay, thank you.

Mr. Rapozo: Wait, I get one more. Going back to my original discussion that we had in the beginning regarding the proviso, and I would ask your consideration in putting in a proviso that would require the administration to get council approval anytime they use salary funds for non-salary items. In other words, if they're coming to us and telling the public we need all of these positions and we fund those positions, and then they not fill the positions but use that funds for other purposes, I don't think that's right. And I'm just asking that we...like we do with all the other plans, and you know, you come to us before you spend it, we want to make sure that you're on track, I'm asking for that same consideration that if they're coming up here, and we've seen it too many times, they've come up and justified positions, if we don't get it, we cannot function. And then either that position is used for something else or the funds are used for something else. I'm just asking as responsible lawmakers that we say, okay fine, we'll give you the positions, but if you decide that you need to use it for another purpose, or if you need the funds for another purpose, which

means that now the budget is not accurate, you would require the public process. I will require you coming up to this body and letting the public know that our needs have changed and that now we feel we need to utilize this position in another way, or we need to use the funds for another purpose. That is what I am proposing.

Mr. Kouchi: Further discussion?

Ms. Yukimura: I think... Isn't there a question of whether it's legal or not to do that kind of restriction?

Mr. Rapozo: Like I said at one of the prior meetings, we proviso the budget. We proviso the budget...

Ms. Yukimura: No, no, I know. But this has been tried in the past, and I think there's been lawsuits about them.

Mr. Rapozo: Where? I would like to see it. I have not seen a lawsuit, and in fact, my comment was, if in fact they feel it's illegal, then they can sue the council. But I don't...I mean I think it's just responsible government to make sure that what is being asked for... I mean that's what a line item budget is all about, as opposed to the performance based where you just give them the money and let them run wild. We're saying no. If you're telling us you need a labor I, you're telling us you need a planner, then we're going to give you that planner. But if things should change, all we're saying is please come back to the county council, let the public know what has changed that, and... JoAnn, I ask that you look at this as a councilmember and not a mayor, and just say that's our job. That's our oversight. And I agree that the mayor needs some latitude, but also, I think the public has a right to know when things like that change. How often have we found out too late, you guys did what? And it goes past, and next thing it's in the budget as the altered position, and I...many will argue that there's a county attorney's opinion. I mean I read the opinion. But if we cannot proviso a salary item, then we should not be able to proviso any item. That's just my opinion.

Council Chair Asing: You know, I agree with Mel. But at the same time, I do have the same concerns that Councilmember Yukimura has—I am not sure whether we can legally do it or not.

Mr. Rapozo: Then I would not support any other proviso that you folks bring up. That's just... I'm sorry, but if you're... What's good for one is good for all, and if we can proviso a solid waste plan, we can proviso planning's plan, if we can proviso projects, I don't see the difference. You cannot... I mean if you're going to go in, you go all in. Don't just play with this and...

Ms. Yukimura: Well, the difference is what might be legally possible and what's legally questionable.

Mr. Rapozo: Well, I would ask the legal barrier? What's the difference between proviso-ing one line item versus another. That's all. In general law.

Ms. Yukimura: Well, it's both a legal issue and I think a philosophical issue in terms of...I mean the limitations of a line item budget are that, you know, the administration needs some leeway to respond to changing conditions and so forth, and for better performance that it's, you know, you don't want to be too restrictive and come back for every single thing. And I mean that's why I did put in a...request a proviso which is in our thing that expenditures for equipment

over...under 6500, you know, won't have to come up to us, because it's crazy to have to come up for equipment okays for little things. It's a lot of work and it's a lot of paper.

Mr. Rapozo: So you require them to come up for something over 6500...

Ms. Yukimura: Less than.

Mr. Rapozo: No, you're requiring them to come up...

Ms. Yukimura: It's required right now. Every time. So I'm just putting a limit, so that the smaller things don't require all the paperwork...

Mr. Rapozo: Well I'm not talking about the smaller things. I'm talking about funding for positions, and I'm talking about line items that we approve here. And it wouldn't be an issue if in fact the, you know, and we've seen it where...in parks, when they created the new position where parks came up and begged for positions, basically telling us, if we don't get this, we cannot go forward. And then right after that, those positions were converted to Ka Leo positions. Right after that, the moneys were transferred to other items. Now, if was important for you last month, or 2 months ago, enough that you would have to come up here and basically beg, and then by the stroke of a pen it's no longer necessary, I question that. I question the... I guess for me it's the integrity of the request when it comes out, and I'm saying that if you want to put that request on the budget, and if whatever...if forces change, economics change, then that's fine. I don't think the public is going to argue, but I think the public deserves to know when in fact the administration has taken a change in direction, and in fact alters the budget that was submitted.

Ms. Yukimura: I don't agree with those changes that were made, and I would think that our appropriate remedy would be, if you do that and not respect the process, we won't approve anymore positions in the future.

Mr. Rapozo: Well we...you just did. You just approved 2 during this budget, JoAnn. Come on.

Ms. Yukimura: Well, and I'm...

Mr. Kouchi: Well, the only thing I'll tell you, Mr. Rapozo, is I'm more than happy to meet you half way. Because I have been involved in the issues legally and don't believe that we can, but when I listen to you speak twice now on this matter, you know, to me I think the most important thing that you're saying is not about us as councilmembers, although you'd like them to respect our wishes, but you have emphasized the public has a right to know, and I think it is perfectly within our legal authority to ask and require the administration to send a report anytime they use salary money for a non-salary item, and that if we want to, we can then post that on the agenda, and if they know that that is going to be publicly disclosed, hopefully, you know, they will be very cautious in making those decisions. But one area that we've left money in salary accounts knowing that it'll probably get transferred is to take care of overtime issues in the police department, and I don't want the chief coming here taking 3 months to get a money bill approved even if we had the legal authority to do the management of his operation. When we leave it there that if he can't recruit personnel, that the salary on that line is available for him to use in an overtime way. But I think that, you know, what is part of the problem is the do these things, we never find out about it in some cases until 11 months later or 9 months later when we reviewing the budget and go what the heck happened. So to get a timely report so that the public has a right to know, besides us, I think is a fair thing to ask, and I believe that would be legal and I can support that.

Council Chair Asing: I will support that compromise.

Mr. Rapozo: And so will I, Ron, and I appreciate that.

Ms. Iseri-Carvalho: Ron, is that something that would be put on in the text...okay, in the general text, right?

Mr. Kouchi: Correct.

Ms. Iseri-Carvalho: Alright.

Mr. Kouchi: Because actually, I don't think Kaipo sees it now, but I know in the past, back in 1970 when I used to be council chairman, but anytime they had a transfer of money because of the recordation with the clerk's office, you know, I used to see those, and now we got the computer, whatever, those don't come over for signature and file. So I think that this is an appropriate tool, but you know, there was somebody from the council that was monitoring transfers of accounts before when we had, you know, the older method of recording. So there is something to be said for some of the older techniques that were in place.

Mr. Rapozo: And Mr. Kouchi, having said that, I would not pursue the dollar funding of positions in the vacant positions. Actually, I just, for your information, from last year's, 57 vacancies totaling I believe well over \$3million or \$4million. This year it's down to 19 positions at an amount of about \$832,000 that includes public safety.

Mr. Kouchi: I was going say, or quite a few that they actually had been able to find.

Mr. Rapozo: Correct. So we've actually done a good job with hiring and filling those positions. And I think a lot of that has to do with the council's threat last year of doing that, and you know, as long as we can get compliance, that's fine. The other thing I would ask is that...any time, I would add that any time we, again, salary funds are used for other items that we get notified within 30 days. I think that's fair. I think 30 days is a fair period, because it's simply sending us a copy of the transfer. I think it could be done relatively simply, and with a short justification. And that way the public would know and we would know, and we can better prepare for budget sessions next year providing we're here.

Mr. Furfaro: I just want to say that I do believe, as Councilman Rapozo pointed out, that a number of these vacancies have been filled because the council has really indicated the need and urgency to conduct our business in the way we laid out the budget and the staffing guides and so forth, and the net results has been good in comparing 56 positions vacant a year ago to 18 now. And so I wanted to thank you, chairman, for offering that compromise on the narrative to go on the budget. That was an excellent summary of what we need to do, and for the right reasons. So thank you.

Mr. Bynum: Yeah, I just want to...you know I've been listening to what Councilmember Rapozo is saying, and I concur, but I didn't know what to do about it. I didn't know about the legalities of it. Anything that brings more transparency is a positive thing, and I appreciate your compromise and your flexibility, Mel, and that sounds good to me. And I wanted to acknowledge Ron for his leadership during this budget process and several occasions coming to a middle ground that kind of found us a way through some difficulties. Thank you.

Ms. Yukimura: I think the idea of reporting is fine, especially if it's an easy thing to do now that we're computerized, so it won't cause any additional burden, hopefully.

- Mr. Kouchi: Well, they need to file...
- Ms. Yukimura: But I do have a question about where we are in terms of balancing the budget.
- Mr. Kouchi: 300,000 Ricky? So instead of trying to go back, it seems that everybody's happy with the additions they put in, so I was going to use a portion of the CIP general fund contingency account, since it's at 300,000 and do it. We did have a million dollars for the Hanapēpē waterline that's still compromised in the 2.3million that isn't going to get done, and so we'd anticipate should we need more money for the pool or the Wailua motorcross that there is adequate funding if we need to increase some funds for the host benefit community that it would be there, and we could resolve the budget if we use 300,000 of that, roughly, but the staff would do the pennies.
- Mr. Bynum: So we were at 300,000.
- Mr. Kouchi: Plus.
- Mr. Bynum: Plus.
- Mr. Kouchi: Yes.
- Ms. Yukimura: So we're putting that in the contingency, basically. Is that what I heard?
- Mr. Furfaro: We're possibly reducing and massaging...
- Mr. Kouchi: We may need to reduce the contingency to balance by about 300,000.
- Mr. Furfaro: Contingency that's at two million three.
- Mr. Kouchi: Well, it's actually at 3.5, I think. So what we do is probably have about 3.2 in the CIP project contingency. Because the 2.3 added the 1.17.
- Mr. Furfaro: That's right. I'm sorry. Thank you.
- Mr. Kouchi: Oh, Ricky said we put couple other things. So we at close to 4 million in the CIP contingency, so we'll use about 300,000 to balance off the operating side.
- Ms. Yukimura: Okay.
- Council Chair Asing: I just have one question. Mel, you satisfied that the 18 positions are the only positions? I just have some feel and question on the 18 positions. I don't know. I don't agree with that.
- Mr. Rapozo: Kaipo, let me just be honest. I saw our list that was generated from the recent report that was submitted that's coming up on tomorrow's agenda that Mr. Pasion went out and put together the figures for me, and then I got the list that was sent over from the administration regarding the last 2 years of vacancies, and they're not the same. And that is why I'm saying, if in fact... Well, we know it's not accurate. Remember, it's only 2 years, Kaipo. It's only 2 years...going back 2 years.

Mr. Kouchi: But with the proviso, if they do something else and spend that money somewhere else, they need to report it to us, and now we'll know right away.

Mr. Rapozo: And it's not... I'm not talking about the positions 2 years old, now, in the proviso. It's any salaried account.

Mr. Kouchi: No, but I'm just saying, if they have one and they use the money, they got to let us know.

Mr. Rapozo: Correct.

Council Chair Asing: Well, it's just the point, you know, when I hear conversations like 18 and 56, and I'm saying, now wait a minute now. I don't know about this.

Mr. Rapozo: Well, the 18 is positions that have been vacant 2 years or longer.

Mr. Kouchi: Yeah, so there are other vacancies, but...

Mr. Rapozo: Yeah, in the police department alone we got...

Mr. Furfaro: You get 24 alone, but if you look at the narrative that came over, it's been for more than 2 years.

Mr. Rapozo: Correct.

Mr. Furfaro: And that's down to 18.

Mr. Rapozo: According to one version.

Mr. Furfaro: Yeah, but that's my classification.

Mr. Rapozo: Well I...in fact tomorrow it's on the agenda.

Mr. Furfaro: No, but it only covers the police officers one.

Mr. Kouchi: Anything further as it just relates to this part. Then we can adjourn so that we don't have to take the minutes. But before I officially adjourn, for Bruce and Diane and the other members of the public who took their time, we appreciate the active involvement and input. Wally, thank you to you and the administrative staff who, for the most part, did the best job you could to get us information. And I would say to Wally, you know, you did a good job of listening, because in the May 8 submittal, the mayor did pick up a lot of the concerns that the councilmembers raised during the departmental reviews. Thank you to the councilmembers. We're done 45 minutes before 2 o'clock, but that would be p.m., not a.m., so you know, we were able to get it resolved in a more reasonable fashion where we were able, I think, to make better decisions. You know, the late nights don't foster for good...a good decision making environment. And most importantly as each budget session goes, it was so easy because the staff worked very hard to produce all of the information that we needed to get our job done. So to all of the staff members who put that effort in, thank you very much.

Ms. Iseri-Carvalho: And came in on a Sunday. They came in last week Sunday.

Mr. Kouchi: I was with here with them for a little while.

Ms. Iseri-Carvalho: For a long period of time.

Mr. Kouchi: So we are adjourned.

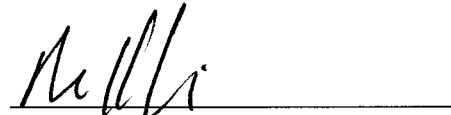
There being no further discussion, the FY2008-2009 Budget Decision Making was adjourned at 1:16 p.m.

Respectfully submitted,



Ricky Watanabe
Council Services Administrator

APPROVED at the July 23, 2008 Committee of the Whole Meeting:



RON KOUCHI, Chair
Committee of the Whole

