

Kaua'i Fire Department

Honorable Bernard P. Carvalho, Jr.
Honorable Felicia Cowden
Honorable Bill DeCosta
Honorable Ross Kagawa
Honorable KipuKai Kuali'i
Honorable Mel Rapozo

Excused: Honorable Addison Bulosan

The Committee reconvened on March 31, 2023 at 9:00 a.m., and proceeded as follows:

Council Chair Rapozo: Good morning, everyone. I will call the meeting back to order. Is there anyone in the audience wishing to testify?

Councilmember Cowden: Looks like you had a hand.

Council Chair Rapozo: Please. We will suspend the rules.

There being no objections, the rules were suspended to take public testimony.

AARON HOFF: My name is Aaron Hoff, I am the founder of the Keala Foundation and I have just been hearing things that you folks have some money allocated for substance abuse and for the kids and I am just asking you folks to give careful consideration when you folks are spending that money in the community to help and look at the Keala Foundation and help us help these kids survive their hardest times of their lives. We have a successful intervention program that exists right now. We had two (2) successful camps and we have aftercare set up for these kids through the five (5) facilities that we have on the island, so we are an operating and functioning program that helps kids not only get off of drugs, but we also give them the tools to survive the temptations of addiction and help them process mental trauma. It is always hard for me to ask people for help, but I am coming to you folks and asking you for help to...we had successful help through the community over the past ten (10) years. We are successful, but for us to keep doing what we do, if I am not here asking, I am not doing my job. Thank you for your time and I encourage each and every one of you to come check out what we do. I will take you into detail, take you to our camp, we have one on June 1st, our June 16th is our third camp, and I will be more than happy to walk you through all of the aftercare gyms that we have and the prevention gyms, so I can give you full detail on the curriculum that we are using with the kids and the processes that we use with the kids, so you can make a very calculated decision with where you are dispersing the money within the community. Thank you for your time.

Council Chair Rapozo: Take care.

Councilmember DeCosta: I have a clarifying question.

Council Chair Rapozo: Go ahead.

Councilmember DeCosta: Good morning, Mr. Hoff.

Mr. Hoff: Good morning.

Councilmember DeCosta: I heard many good things about your program. The kids you are helping, is it from across the island from west to north?

Mr. Hoff: It is from west to...of course I want to take every kid in, but I have to have a facility in the community, so we have one in Kekaha, which is the Westside, we have one in Po'ipū, we just took over the one in Līhu'e, and then we are building a facility in Anahola, that should probably be up in the next two (2) to three (3) months.

Councilmember DeCosta: I was talking about the camp. Tell us more about the camp. What is this camp, where is this camp, and...

Mr. Hoff: The camp is in Kahili. The Knudsen Trust gifted us the cabins up there to be able to run the kid's prevention program up there. It is free to all kids. I will take kids from all over the island, the only challenge is when we are working on the North Shore, I will probably be going to have a facility by the end of hopefully this year in the beginning of next year open for the kids out there. When I take a kid from a community, I have to have a gym there because if there is no aftercare, the kids are going to go right back to what they have. For example, if I take a kid from the North Shore now into the camp, which I have, and he goes back there, the environment will suck him right back into it. The places where we have the gyms that the kids...like Anahola, we have a kid at our last camp, he is amazing, he is like a model kid now in that program and the kids are following him because they want what he has. That is the key. I am pretty much all over the island. I will be in the North Shore in no time. It is just a matter of...

Councilmember DeCosta: I have another question. Does our court system use your program?

Mr. Hoff: We are in the process...I am working with them right now and I am in the process of...a lot of them come to me because the resources are very limited. There is pretty much no resources for kids over here, so they all turn toward me. We are working on that right now, so we are in the process of working with all those departments.

Councilmember DeCosta: Can I share a small story that reflects on him?

Council Chair Rapozo: Hang on. Are there any further questions?

Councilmember Cowden: I am so familiar with the good work he does, I do not have questions. I appreciate you.

Council Chair Rapozo: Okay.

Councilmember DeCosta: I had a kid in my class at Kapa'a High School and he invited me to go to a CrossFit training, he was so proud, so I went Saturday in the Po'ipū/Kōloa area, that was your CrossFit program, this kid was in it, and I was so proud of him. I found out that he was ordered by the court to do your program as part of his community service. So, you are telling me that you have a program running, helping kids that our own system buys in to and we have not funded you yet?

Mr. Hoff: No, not yet. I have never come to ask.

Council Chair Rapozo: Yes, that is important.

Councilmember Cowden: Yes.

Council Chair Rapozo: Yes, you have to ask.

Mr. Hoff: It is like my head is down grinding every day, but I have not...and I think this is the beginning of a great relationship.

Council Chair Rapozo: Let me just say, this year the Mayor has put \$1,000,000-in the Office of the Prosecuting Attorney budget.

Mr. Hoff: I will take it.

Council Chair Rapozo: Well, it is going to be a grant process...

Mr. Hoff: I am just kidding.

Council Chair Rapozo: ...so you have to ask. We are not in the habit of just picking nonprofits and give money to, because there is a process, but I want to let you know that we will not make the decision, it will not be this Council, it will be the Office of the Prosecuting Attorney that should this Council approve that funding, which I am almost positive they will, then it is the Office of the Prosecuting Attorney who will be granting those funds out.

Mr. Hoff: I think we are doing some work with the people in there. We have great...

Council Chair Rapozo: There is no dispute about the effectiveness of your program.

Mr. Hoff: Some great relationships have been coming about through all the work we are doing; we all want the same result and we all have to work together and make it happen.

Council Chair Rapozo: Thank you.

Councilmember DeCosta: I would like to clarify one more thing, if I may, Chair. On this donation and the grant-in-aid for the Office of the Prosecuting Attorney, Keala Foundation is already set up. I believe we gave back a building that was owned by the County for an Adolescent Treatment Center to get and running, and it is not yet, but your program is up and running.

Mr. Hoff: Yes, it has been running for ten (10) years.

Council Chair Rapozo: Again, we will have OPA up and you will have an opportunity to talk to them.

Mr. Hoff: Okay.

Council Chair Rapozo: I do not want to put the testifier on the "stand," so I appreciate your testimony.

Mr. Hoff: Yes, I have been there before back in the days.

Council Chair Rapozo: Thank you.

Councilmember DeCosta: Invite us for a visit.

Mr. Hoff: Yes, whenever you want, my number is...I will pick up my phone whenever it rings and I would really love to show you what we do. *Aloha*.

Council Chair Rapozo: Is there anyone else wishing to testify?

SHERRI CUMMINGS: Sherri Cummings, Malama Anahola, Anahola. I would be remised to say that the Keala Foundation is amazing. The story behind the name Keala actually comes from a family that was a longtime family in Anahola, nine hundred ninety-nine (999) year leases of Hawaiian Homes. I would like to encourage the Keala Foundation to come back into Anahola and I wish I knew that he was spending unnecessary money to build a facility when he missed an opportunity for where he was staying and the Department of Hawaiian Home Lands (DHHL) got him out. Now that there are good relationships with

DHHL and the organizations that helped Anahola, I would like to have him come back and see if we can help and assist in any way we can to solidify that home, which is Camp Faith. I encourage the partnership, I like what they do. Ronson (inaudible) was the big driver behind this and Aaron Hoff helped to facilitate because Ronson is an amazing local boy that does good work, has good intentions, and I support him coming back into the community and hopefully working with different partners to solidify Camp Faith. Thank you.

Council Chair Rapozo: Thank you very much. Is there anyone else?

DR. MONTY DOWNS: Good morning, and thank you. I am Dr. Monty Downs. I am not going to belabor you; you received my written testimony and there will be a lot more discussion coming up. I have to be in Waimea at 10:00 a.m., so I am here for just a couple minutes. I am really thankful I had a chance to come up and say that I obviously... you know why I am here, I support the lifeguards and the lifesaving that they do. I very much hope that you will approve the Mayor's request to add twelve (12) more positions and allow for increased hours of coverage, which would be huge. That is all I have to say. Thank you.

Council Chair Rapozo: Thank you, Doc. Is there anyone else?

BRUCE HART: For the record, Bruce Hart. Good morning, Council. I want to say that I appreciate the good job you have done up till today and I am encouraged that you will continue. All of you have shown respect for all the different agencies, the department heads, but you have been firm to hold everyone accountable to how the people's money is spent. If I might quote some scripture, I would say that the word says, "To not lean not upon your own understanding, but in all your ways acknowledge him and he should guide your steps." Thank you, Council.

Council Chair Rapozo: Thank you. Is there anyone else?

LAOLA LAKE AEA: My name is Leola Lake. I just finished my first term of President with the Kaua'i Lifeguard Association. I am now the Vice President. Jamie Arreola is now the President. I am here to support the Ocean Safety Bureau's request for twelve (12) more positions. I have been a lifelong water sports athlete, a lot of you know me. I have been in and around the oceans of all the islands since I was a toddler. I can honestly say that I would prefer that the professionals, we need more professionals out there. In the absence of actually having a lifeguard at a tower, what happens is that you get lay rescuers coming to the aid of someone in trouble. What happens when you have a lay rescuer jump in, sometimes that lay rescuers are great, they are the true first responders sometimes, but sometimes what happens is you end up having a double drowning or the lay rescuer gets into trouble. We really need more professionals out there. That is what I am here in support of. That is all I have to say. Are there any questions?

Councilmember DeCosta: I have a clarifying question. That extra lifeguard on the sand, are you telling me that he or she will not only help our swimmers, tourists, and locals, but they help each other? If someone is drowning and that fire/safety person (inaudible) has a drowning person in their arms, that drowning person is drowning the ocean safety person, then having that extra body there can help not only the person who is drowning, but our ocean safety person, correct?

Ms. Lake Aea: Absolutely.

Councilmember DeCosta: Thank you for that.

Council Chair Rapozo: Thank you. Is there anyone else?

CHANTAL ZARBAUGH: Good morning. I am Chantal Zarbaugh. I am here on behalf of the Hawaiian Lifeguard Association and I am here to support the twelve (12) new positions for Ocean Safety Bureau.

Council Chair Rapozo: Thank you very much. Is there anyone else? If not, I will call the meeting back to order. Members, we will get an overview from the Chief and then we will go right down the budget by division, starting out with Administration. Chief, you may proceed. Just give us an overview, we received your narrative, if you can just highlight the big items, the challenges, the accomplishments, etcetera.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

MICHAEL R. GIBSON, Fire Chief: Good morning. For the record, Mike Gibson, Fire Chief. We are very appreciative this morning for your time and also throughout this budget process, and tremendously grateful for the service that you do always. Embracing our Mayor's foundational component in formulating our request this year, all the items in our Fiscal Year (FY) 2024 budget were accumulated effort of all Kaua'i Fire Department KFD (employees, including Fire Administration, Fire Operations, our Fire Operations Bureau, Fire Training Bureau, and Ocean Safety Bureau. Please know anytime I say Kaua'i Fire Department, it is all five (5) of those bureaus combined. There are five (5) bureaus, twelve (12) training (inaudible), six (6) operational teams, and sixteen (16) committees. They all took input from two hundred plus (200+) of our employees for our need of programs, resources, and equipment. Our KFD budget team consisted of our entire Administrative leadership, however, I have to thank the exceptional hard work, guidance, and leadership from Kathy Tanita, Rose Bettencourt, and Yolanda "Yoli" Gomez-Cummings for their expertise and familiarity of this process, as I was brand new to it and although I was deputy chief, I saw the budget process two (2) other times, I thought Chief Goble had it well in hands, so I did not pay as close attention as I should have. I will put that out there. Also, sitting up here today with me is Deputy Chief (inaudible) Mills, Administrative Battalion Jayson Pablo, Ocean Safety Bureau Chief D. Kalani Vierra, and everyone else in the audience are here because of the Mayor's request of input from all the employees, so they all have interest in the budget that we made. When you see all the firefighters and lifeguards here it is either for a good reason or a bad reason. I would like to hope that it is for a good reason. They are here to support and they want to hold me accountable. They want to be sure that I am presenting to you what they asked to be presented. I have to read our mission statement to you, "To preserve and protect life, property, and the environment of Kaua'i County from all hazards and emergencies." I say that it is the Fire Chief and our Administration's responsibility to ensure all of our personnel, all ocean safety, all the bureaus, the mechanics, and everyone have the training, the certification, and the proper equipment that is well-maintained so that they can safely do their jobs without hurting themselves.

Our FY 2024 budget focuses on further restoring and strengthening our abilities and services to our community, not only to save our rescue lives, but also to bring it to the forefront

opportunities to prevent the loss of lives through many of our community risk prevention programs.

Just a few of our highlighted items in this year's budget are to increase our expanded ocean safety coverage, which protects our locals and our visitors. A lot of it is just for the replacement of life safety equipment and fire apparatuses. That is our opening statement to you.

Council Chair Rapozo: Thank you. I appreciate the very clear narrative that you provided. With that, we will start on page 129.

Councilmember Kualii: I have a question on the narrative.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: Good morning, and thank you for being here. On page 2 of your narrative, you have two (2) charts, one is blue and the other is red. What does "good intent" mean?

Chief Gibson: That could possibly be, say, Fourth of July or New Year's Eve, someone sees what they believe to be a fire and when the firefighters arrive, it could have just been from the lights from the fireworks. They got there and there was not a hazard, not an emergency, but the intent of the person calling was good. It was not a false call.

Councilmember Kualii: At the bottom, "Other," there were only two (2), what does that mean?

Chief Gibson: Just something that does not fit...or records management system has to program data whether it is an (EMS) Emergency Medical Services call, rescue call, swift water, and there happen to be these calls this year that could just could not fit in any particular category.

Councilmember Kualii: Are you saying it was an EMS call?

Chief Gibson: Probably was not an EMS call. There was not a category that the person inputting it tied to.

Councilmember Kualii: What is it?

Gibson: It would have been other than EMS, so it could have been...I would have to make up...

Councilmember Kualii: In the red chart, the preventative action went up majorly, right, one hundred ninety percent (190%) jump. Do you have an idea of why? Did

you count it in any different way? Are you tracking it differently? Why is there such a huge jump?

Chief Gibson: In March of 2022, we contracted with a new vendor to do our data collection, the vendor's name is Watchtower. This put the ability of tracking data, beach attendance, preventative actions, rescues into an iPad, cellphone, or smartphone, so they can do real-time data as opposed to a pen, an excel spreadsheet, and putting hash marks. A data collection system, which is only as good as the person inputting the data, but we believe the current number is very reflective of what we are doing now.

Councilmember Kuali'i: A couple lines down, where it says, "Public Contact," went down by thirty-five percent (35%), any idea of why that is? What is Public Contact?

Chief Gibson: For example, if someone at Kē'e getting ready to go on the trail, they might have questions at the tower, "Hey, is this trail safe today to go on," anytime they come up and ask something. The difference in the numbers, I would also attribute to the data collection, it is just a different procedure, different system whether we were not as good as putting in the data as we should have or were we erroneous in the years before.

Councilmember Kuali'i: The last one right before that is jet ski rescue. Is it the same thing, collection of data...one hundred ninety-six percent (196%) increase?

Chief Gibson: I would say there are several factors on this one. One, the data collection and number two, the staffing. We have been limited in years. When we started the roving jet ski patrols, it was a pilot program. Being that it was a pilot program, we were not allocated new positions due to that, so we took existing staff from the towers and put them on the jet skis, so now we have less people. If people start calling...we have long-term injuries or vacations, those roving jet skis will shut down or will be placed at a tower, because we did not have enough people, and so when those are staffed and out on the water and with the rise of tourism, we are seeing more incidents. It could be several factors why that number is higher or it can vary.

(Councilmember Kagawa was noted as not present.)

Council Chair Rapozo: A lot of our numbers throughout the departments, there is a big increase because of the conditions to COVID. We did not have as many people back in the last fiscal years as we do this one. Councilmember Kuali'i, do you have further questions?

Councilmember Kuali'i: Yes, with the narrative.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: On the Fire Operations, the highest one is false call. Can you tell us a little bit about false calls?

Chief Gibson: That would be the false alarms. Major hotels and resorts have alarm systems that malfunction and send out the signal that should not have been sent, and we were not notified in time by the property owner to cancel the response or the alarm company. A lot of private residences that are vacation homes and they are set up with alarm systems and we receive numerous responses to the same place, that is a false alarm, but we have to go every time we receive the call, because we do not know if it is a malfunction or if it is an actual problem, because there is no one there to verify it. Those add up.

Councilmember Cowden: Are these from the same alarm companies? Do we check it and give the alarm company a call? Twenty-five percent (25%) is a lot. I think the biggest problem is if you go somewhere, you do not need to be, you might not be available to go somewhere that you are needed. Plus, it could be in the middle of the night, so you are dragging everyone out of bed. I would be curious to see the list of false calls. I am not trying to put another layer on you, but I am curious to see if we have a pathway of working with...if it is the same hotel, to try to see what they can do on their end to minimize wasting our resources because my presumption is if you get a 911 call, probably the police are coming out as well.

Chief Gibson: Yes, we...

Councilmember Cowden: Is that correct? If KFD shows up, the Kaua'i Police Department (KPD) shows up, too?

Chief Gibson: Not every time, but I can speak to...we can get you the information, the breakdown of the calls and also, we can supply you with the information of one of the properties that our Fire Prevention Bureau has worked with as a system so they can circumvent. They have fifteen (15) seconds to verify it is an alarm before we have to go, so there are some processes that are being put in place, but we can follow up with more information for you.

Councilmember Cowden: And I do not want to make it "the boy who cried wolf," so we do not go. I am not trying to do that.

Council Chair Rapozo: We passed an ordinance years ago that provides an ability for us to charge them on the false alarms. Are we using that ordinance? Are we charging them?

Councilmember Cowden: That is what I wondered about; I did not want to say that.

Council Chair Rapozo: I want to say it. They should pay.

Chief Gibson: Correct. We have not fined anyone for that. We had our Fire Prevention Bureau follow up with them and make an advice that could happen, but everyone that we have worked with so far, has made an effort to...

Council Chair Rapozo: So, we have not had multiple false alarms from the same...

Chief Gibson: The private residence would be the... and I have to get the printout for you to show you the most current.

Council Chair Rapozo: Are we charging the private residence?

Chief Gibson: We have not.

Council Chair Rapozo: We need to.

Chief Gibson: We could.

Council Chair Rapozo: That is why we did the ordinance.

Councilmember Cowden: If it is a repeat offense...

Council Chair Rapozo: Yes.

Councilmember Cowden: ...I would think so.

Council Chair Rapozo: I think they get one (1) or two (2) freebies and then after that they get charged.

Councilmember Cowden: It was three (3) years ago, the last time, but we want to make sure people are willing to have a system, but we sure do not want to be dragging out team out and it could also be a long way to go.

Council Chair Rapozo: I do not want to have a heart attack when you are at some transient vacation rentals (TVR) that is vacant. I would be upset.

Chief Gibson: Yes.

Council Chair Rapozo: That is why we need to fine them. That is why we did the bill.

Chief Gibson: Yes.

Councilmember Cowden: If you give me a list, I would be curious on the range of the time of the day, because I know when I had shops, our alarm would go off, I actually lived close enough and I would go down right away. It would wake me up before I would even get the call, so I could stop it if it was nothing. That only happened at night, so I just wonder if this is dragging people out of bed all the time, that to me is worse than having it happen during the day.

Chief Gibson: We have it.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: You have a jet ski on the trailer, let us say it is out at Salt Pond, you get a call that a fisherman in Kaumakani might have gone into the ocean, would you trailer that jet ski on the trailer to Kaumakani or would you launch it out at Salt Pond? What is the quicker way to get to the spot and does it hold enough gasoline to do that travel on the water if you folks do not put it on the trailer?

Chief Gibson: Let me bring up Chief Vierra.

D. KALANI VIERRA, Ocean Safety Bureau Chief: Good morning, Kalani Vierra, Ocean Safety Bureau. We have three (3) jet ski roving units on the island and they do have all the proper equipment on their truck, so it is like a portable lifeguard tower. They also have the jet ski on the trailer, a beach dolly that they can launch from any beach, any ramp, so depending on the call, they have the access to respond right to the scene or they can go to the closest harbor, or the closest sand beach that they can put the jet ski on the dolly and ride into the water.

Councilmember DeCosta: Are they equipped with enough fuel?

Mr. Vierra: Yes, they also carry extra fuel just in case they have a long rescue that they can ride back to the beach or harbor and they can refuel.

Councilmember DeCosta: Thank you.

Council Chair Rapozo: Are there further questions for...you might want to just stay there, Kalani.

Councilmember Cowden: I would say yes to that.

Council Chair Rapozo: I just have a feeling you will have to answer further questions. Does anyone have further questions on the overview?

Councilmember Kualii: On page 3, you give us a chart on the replacement program, I am just curious if you have more detail to share. Is all this equipment, vehicles

that are being replaced already at the end of their useful life? What becomes of those old vehicles or equipment?

Chief Gibson: Our basic fire engine, the nine hundred thousand dollars (\$900,000), very expensive piece of equipment, traditionally we budget those to last us for twelve (12) years, frontline service. Prior to the twelve (12) years, we estimate the timeline that it would take to go through the invitation for bid and the manufacture process, which is now three (3) years from the time we order a new one. So, we would have to start at the ninth or tenth year. At twelve (12) years, we will replace them and then it will go into reserve status, so they can serve in a reserve capacity. At least up to fifteen (15) years, some longer. We currently have three (3) reserve fire engines and our oldest is a 2003, so it has been twenty-one (21) years already in the reserve. Some do not last that long. Some might only make it twelve (12) years and they are finished. When they do reach the end of their life, they will go up for auction. If we cannot use them as a reserve, then they will go up for auction. We had two (2) last year that no one would even buy at the auction, for as little as five hundred dollars (\$500). Unfortunately, they went to Puhi Recycling, however, I will tell you that we take every part that we can use off of that vehicle, whether it be the motors, the pumps, the tires, all the loose equipment comes off. We do not want to turn in anything that still has value to us. With those twelve (12) years, that generic or that national standard timeline, we have incorporated our own vehicle condition report. The vehicle condition report adds a numerical value to the age, so every year counts as a point, every ten thousand miles would count as a point, just the general condition goes into the rating factor, the mechanics perspective—if this is a piece of equipment that they are constantly having to work on or put money into gets a rating factor, then it gets a cumulative score. The score has a range telling you this will last you another three (3) to five (5) years, less than three (3) years or more than five (5) years. That, we can forecast and base. Just based on the twelve-year replacement plan, we have our orders placed before us. With the County this year switching to save money by buying vehicles outright as opposed to a lease purchase, we found a formula to equalize our purchases, so that one year we are not asking you for two million dollars (\$2,000,000) and the next year it is nothing. It would be an average amount. That is the fire engine's scale. The other trucks you see in the stations are referred to as brush trucks, but they are the four-door F-150s, those are our quick response vehicle trucks. Those last us a little longer, but they also have their own rating system. Those diesel engines have only been lasting us up to twelve (12) years. It has been really unfortunate. The next purchases we make are going to be gasoline engines. The whole theory behind buying diesel engines is that they last longer under these conditions, but it is not just KFD, it is the private contractors that have been having problems with these diesels. They do not are on the road for the high RPMs enough to burn that diesel, so we are getting a lot of problems. In the mainland, it might be a great thing, but it is not good for this island, we have been learning. We are going to try to do that to extend the life of our vehicles, so they last us a little bit longer. That is just in a nutshell how we estimate that equipment replacement. When it comes to equipment versus vehicles, a lot of the fire rescue life safety items have about a ten-year lifespan, so basically we have taken our entire inventory, we have eight (8) fire stations, but you can look at nine (9) frontline pieces of apparatus, if you count the Rescue 3. Basically, divide that by ten (10),

every year we order one (1) new cash of equipment, so that way every ten (10) years someone gets a new replacement of equipment.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: I want to thank you for indulging me and ordering those engine control units for the recent fire truck.

Chief Gibson: Yes.

Councilmember Cowden: I just want to encourage that with these particularly expensive vehicles, like the trucks that are just like truck aid or truck 5, those are the smaller trucks, right?

Chief Gibson: Yes.

Councilmember Cowden: I imagine those are standard. The ones that I am concerned about are these highly specialized ones where they are unique and it is amazing that we have them, but when we drop close to \$1,000,000 into something, I wanted to make sure that we spend an extra \$10,000 or \$20,000 to keep...so if we can move to have that be standard policy.

Chief Gibson: Yes.

Councilmember Cowden: I would be happy with that.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I want to just let our audience understand how important it is to have equipment that works when you are responding to a fire and your fire program that attracts new fire safety officers, using tools to change out parts is very important. These pumps that you would use in a wildfire, that happened in Waimea Canyon, those pumps—you do not want them to go down because you need them to pump the water out of the ditch. I was at a fire a couple years ago with you folks and that pump did not work. I am curious to know, because you told me that you have a life of that pump, but you always want to have a backup pump just in case, because if that pump does not work...I have seen the fire keep burning and you folks had to call the helicopter. It was dangerous.

Chief Gibson: Yes.

Councilmember DeCosta: So, we are not just spending money foolishly to replace this, these are safety things that must be in place.

Chief Gibson: Yes.

Councilmember DeCosta: Can you tell me if you have backup replacement equipment and in what category does that pump fall underneath?

Chief Gibson: Those trucks, truck 7 and truck 8, et cetera, they have a skid unit on the back, so it slides in and is about \$30,000 for that skid unit, which consists of the pump, the water tank, which we are limited, because F-550s can only carry so much weight in capacity. Fiscally for us, that is the best fit, buying those vehicles. There is the next step up, which would be the type 5 or type 6, what they would call a brush truck, which you can carry five hundred (500) or seven hundred (700) gallons of water, but that turns a \$185,000 investment to about \$700,000 or \$800,000. For the bang for the buck, those trucks work. We are limited in what we carry. Our redundancy is the next stations, so if truck 7 is out on a call, we bring truck 6 for backup. If it is the terrain that fire engines cannot go on, because we have a lot more water in those engines, then we must shuttle, establish a shuttle operation to get water to them. That is why water tenders come in handy. We only have one (1) currently on the island and in the next five (5) to seven (7) years, we would like to work our way up to two (2), so we have one (1) on each side of the island, and for the redundancy, but currently our redundancy is that next closest station. We get them rolling early just in case things do go bad.

Councilmember DeCosta: You mentioned about your vehicles and the length of the engine and your diesel does not burn that well. I own a 350 Ford Diesel; it is a commercial grade diesel. Do you do your studies on what company—Ford, Chevy, and Dodge produces the best fire truck? When it comes to safety, we should put our money where our mouth is. There is no water safety officer that we are not supposed to be protecting, so when a fire is roaring and you have a pump that does not work, there is no life that we cannot save, we have to do everything we can. Tell me about Chevy versus Ford versus Dodge. Have you done your homework on that?

Chief Gibson: Yes, but I am not the expert. He has done his homework, but he is not in the crowd, but I will tell you that the brand of vehicle now, we have looked at getting another brand. When we go to do our inventory of our bid, we are limited to who is in. We only get one (1) vendor or the three (3) bids would go with. At the time we went out to bid, the current brand that we used, which was Ford, was the only dealer that was manufacturing that F-550 type or the Ram...

(Councilmember Kagawa was noted as present.)

Chief Gibson: ...version, Ford was the only one making them at the time. We came to you about two (2) years ago, because we needed an emergency replacement, truck 6 had broken down and we did not have any reserve trucks. At that time, Ford was the only vendor available. That truck has still not yet arrived. We are still in waiting. It is in process, but we cannot control what the dealers are doing. We will be asking you for these three (3) same types of bodies, for the rescue 3, truck 5, truck 8, knowing that

we area already behind and we are going to try to do everything we can to get a different manufacturer.

Councilmember DeCosta: I own a Ford, that seven-point three (7.3) engine, which I believe you folks have in your commercial vehicles. It is probably the best engine built, but their transmission sucks. I burned two (2) transmissions, I am on my third one. I think the Chevy and the Dodge have a better set up with the transmission, so please look into that. I would like to be able to purchase the best.

Chief Gibson: Yes. My expertise falls on that committee. We do have an apparatus committee that buys and look into all of those things for us.

Councilmember DeCosta: Okay, thank you.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: Under operational challenges, on page 4, to me there is a very significant one listed and I respectfully say, "It should put standpipes in areas of inadequate fire flow protection." We had the problem in Hanalei, maybe last spring or last summer and we had a house burn down and after KFD got there and seven (7) intense rescues that very day, ironically it was the home of the mother of one of our firefighters. So, no doubt they tried as hard as they could do, but that created my awareness and I want to give gratitude to the platoon who did that, I do not remember their number, but I found out from them what their experience was. After that, I drove around the island from Wainiha, Waikoloa, all types of roads, Hanapēpē Valley, all types of roads do not have enough standpipes. Wainiha has two (2) standpipes towards the front and that is it for the entire way. Waikoloa Road, that is it. It is right at the front and that is it. I understand it is "water" but it is fire too and so we need to make sure that place is a high priority. We had a fire analysis that was done, I want to say it was from Spire or something like that, and one of the most key questions on there is "What are we lacking?" I called the company and they just said, "Oh, he retired," but how they could have missed that we do not have water in the pipes to put out a fire. That is beyond the pale and so we have to figure that one out. You folks are not doing something inadequate, but to me that is an operational challenge that is a risk to every one of our firefighters, as well as the properties that we charge taxes to protect. I would like to see that one go on there and if you can, if you talk to Joe Tait from the Department of Water, get a sense or two from him to say where we are at on that. I know it is a difficult and expensive fix, but it should be front and center on our radar screen.

Council Chair Rapozo: Thank you. Is there anything else on the overview.
Councilmember Carvalho.

Councilmember Carvalho: I had a question on the aging technology. We evolved so much from manual to technology, so specifically the mobile data computers, is it both sides and how does that work, and can you give an overview?

Chief Gibson: Yes. I can speak to the Fire side. In our line item request or the MDCs, last year, we replaced ten (10) of our frontline, so the fire engines. This is a request for another ten (10), so all the brush trucks, so the truck 8s, the truck 5s, et cetera, and then there is another request for ten (10) for vehicles that are coming. That new truck 6 that is coming, because that has the outdated technology, the next engine 5, the next engine 8, the new Battalion Chief command vehicle that is on its way, the Deputy Chief's command vehicle, and then we also want to make redundancy with our fire training, that is another line item request is the fire training vehicle, their previous work truck that pulls trailers was twenty-three (23) years old, the F-150, it is now parked at Waimea Fire Station and does not start anymore. We want to start up the redundancy, so those have the mobile data computer, the radar communications so that if the Battalion Chief's vehicle is in the shop for maintenance, any one of these vehicles can be a back up to that vehicle. We are in the process of adding those updated technologies.

Councilmember Cowden: Please do—on this list relative to inadequate fire flow protection, list any roads or areas that we know are inadequate. I think we would know if there is just one (1) or two (2) or small amount of stand-pipes at the beginning of the road, and I am not asking you to do a survey of everything that is insufficient because that probably would take a year and we would have to probably spend \$400,000 for someone to do that study, but if we have a list of what we do know...because I think this is really important when we look at our infrastructure requirements, we have so much that we have to spend. I reckon we had \$2,000,000,000 worth of infrastructure needs, so obviously we cannot have everything, but I do not want this off the list. If we know how many areas that it is and then how many miles of areas, for example, Wainiha, I am sure that is at least two (2) miles on one street and the other is probably four (4) to five (5) miles of different streets out there, and I do not mean to emphasize the North Shore. I know my own neighborhood better. But these valleys on the west side are a couple few miles deep and there is just a lot. We need to be able to have that on our horizon. I even wonder when we are looking at our reservoirs that we are considering retiring, if there is some cheap way to use reservoir water to push these standpipes, so it is not potable water. Thank you.

Council Chair Rapozo:

Councilmember DeCosta.

Councilmember DeCosta: You sparked a light bulb in my head, Councilmember Cowden, great conversation piece. Does our reservoirs—we are decommissioning most of our reservoirs, the State wants to decommission all reservoirs. How important is having some reservoirs, like the Kōke'e Reservoir you folks used many times to fight the brush fires on the slopes of Kōke'e, how important are reservoirs? Do you need a few of these reservoirs to stay intact so we can pick up water with our helicopter? What can we do to assist you folks with the State Department of Land and Natural Resources (DLNR) to make sure we do not put away our source of water?

Chief Gibson:

Thank you.

Councilmember DeCosta:

You can get back to me on that.

Mr. Gibson: One answer I will tell you is the pre-planning, know in advance what is being proposed or closed, so we can replan on a map what sources are going to be available to us. Maybe we can do without one, maybe we cannot, but if we have a heads up on what is going to leave us, then we can provide recommendations.

Councilmember DeCosta: The State is going to close every reservoir, that is their plan. We have one (1) up Kōke'e.

Councilmember Cowden: I did go with the dam safety specialist and the reservoir people, I believe we have twenty-six (26) notices of violations, which means...I mean notice of deficiencies, and they want to take down pretty much every reservoir we have. I do not know how we would rebuild it and you never know what the future might bring, so I think if possible, if we have a shared reason for it, because right now the mindset is these reservoirs are pretty much a water feature in an estate area. Since sugar is no longer here, they are not recognizing multiple values. I do not think any fire prevention value is on that page.

Council Chair Rapozo: Are there any further questions pertaining to the Fire budget? We will go to page 129, Administration.

Councilmember Kualii: I have a question, but it does not come up until 138, so if other members have something earlier.

Council Chair Rapozo: Just ask your question.

Councilmember Kualii: The line item that is computers and accessories, from \$60,000 to \$123,000. It is doubling. I am wondering to know if the doubling of this line item brings all our stations and/or vehicles up to date and if not, how much of it is being done and how much more do we need to do in the future? You said something about you can only speak to the Fire side and that there is another ten (10) trucks and another ten (10) new trucks coming, does that take care of everything on the Fire side and what other side is there?

Chief Gibson: Thank you for the question and clarification. Yes, this line item 8903 is for Fire and for Ocean Safety...

Mr. Vierra: Ocean Safety, we talked about the data collection so each tower has an iPad that usually been out in the salt environment, we try to replace it every couple of years. It is \$800 to \$1,000 with all the protections. We are slowly changing some of that just to keep them updated. Someone had a question earlier about sharing data between Fire and Ocean Safety, the data collection that we use, the Watchtower data collection, they are slowly making it Fire component data collection that they are showing us, so it is possible we can look into that in the future. Again, this is just news that came to the table a couple days ago, but we talked to the Watchtower data collection computer.

(Councilmember Carvalho was noted as not present.)

Councilmember Cowden: I have a handful of questions. If I am looking at it correctly, please help me if I am not understanding something here. On page 132, where it is about airfare going down through all the pages beyond page 136, down to 137. It looks like all these training funding is dollar-funded, is that saying we are not going to be training people?

Chief Gibson: Under the Fire Administration Bureau section of the budget, we have not increased any of our training. This would be to send administration staff; the Fire Chief, Battalion Chiefs, and mechanics. The only thing that we had budgeted this year, and we were constricted by our budget, we are still trying to watch the dollars, there is only one (1) conference in here, which is for our EMS and fire data collection.

Councilmember Cowden: What about our mechanics, are we sending them to learn how to take care of these million-dollar trucks?

Chief Gibson: With that invitation for bid, it would be written in that the mechanics, as part of that contract, will be able to go to the factory to receive some training on those new engines.

Councilmember Cowden: Okay.

Chief Gibson: But other than that, we did not put in for any extra mechanics training this year.

Councilmember Cowden: Is there on a different page we are hitting some training, because it looks like everyone, everywhere... we are dollar funding...I was lucky enough in my first year of office to be able to go...thank you for inviting me, to the training over here. It was an off-day and I felt like I got so much out of that training, it was like an entire platoon, was in there doing a number of different training. Are we not doing that anymore?

Chief Gibson: We are. A lot of these training, the disciplines, will be in the training budget, 1104.

Councilmember Cowden: Okay, alright.

Chief Gibson: When we get there...

(Councilmember Carvalho was noted as present.)

Councilmember Cowden: Because everywhere I look on training, am I on the wrong page?

Council Chair Rapozo: Training has its own division on page 157, so that is where all the training funds are for the department.

Councilmember Cowden: Okay.

Council Chair Rapozo: Anyone else have any questions with Administration? If not, we are moving on to Operations from page 140.

Councilmember Kualii: On the eight, firefighter training vacancies.

Chief Gibson: Yes.

Councilmember Kualii: For all of them, they say, "04-16 start," so that means these hires have been made and offers accepted and they are actually starting on 04-16?

Chief Gibson: That is correct.

Councilmember Kualii: Then the only thing is that on a couple of them, the budgeted dollar items, obviously they are all at the same rate, (\$61,404) in the budget, but a couple of them seem totally out of whack from what was budgeted prior. Position No. 66, fire fighter trainee, that was vacant for seven hundred eighty six (786) days, so I guess that was partially funded in a prior year, but the jump is from \$42,993 to \$61,404. Do you know?

Chief Gibson: If I fail to answer completely, I have some help behind me. To speak to that long vacancy, that position was filled. We recruited for it, we had a body in the recruit class, and this one happened to be a state transfer, and after three (3) weeks in the recruit class, he decided the previous place was the better place for him, so he left us. It was too late for us at that time to get someone caught up in time and get trained. Speaking to the difference in pay, I believe the year before all those firefighter training positions were only nine-month funded to allow us time to recruit and fill them. If I am missing anything...I will get a head nod from those who know.

Council Chair Rapozo: Janine was coming up to answer and you answered it correctly, because she turned around and went right back. You do not have to worry, Janine is paying attention and she will come up if you get into trouble, but that is exactly what happened.

Chief Gibson: I would have turned that way earlier.

Councilmember Kualii: Along those lines, do you have another...these ten (10) or eight (8)...they all came through a recruit class?

Chief Gibson: The previous class or the upcoming?

Councilmember Kualii: Do we have a budget for the upcoming class?

Chief Gibson: Yes.

Councilmember Kualii: Is it nine-month or less funding, where do I see that?

Chief Gibson: The positions were already in the 2023 budget, so we had some retirements, we had someone who transferred back to O'ahu, so those positions remained...

Councilmember Kualii: These "trainees" is to help you with filling vacancies, but you are also filling them from inside with promotions?

Chief Gibson: Yes.

Councilmember Kualii: Is there more positions?

Chief Gibson: No.

Councilmember Kualii: These are that?

Chief Gibson: Yes.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I have a question on page 143. We spoke about this before, the rank-for-rank on your budgeted amount there, \$480,008, we have a good grip on the rank-for-rank overtime, right?

Chief Gibson: Yes.

Councilmember DeCosta: Our new hires coming in is a concern, we spoke about it, that a lot of the new firefighters that pass the test, they do not want to work overtime.

Chief Gibson: Right.

Councilmember DeCosta: That is why it goes to the old-timers who are willing to work, because someone has to pull that shift and if that young firefighter wants to spend time with his or her family, they do not want to work, so you have to fill it, right, but we are encouraging our new recruits that their obligation is to work some overtime. We are passing along that message.

Chief Gibson: Yes, that is correct.

Councilmember DeCosta: Can you explain to me a little bit about your premium pay. I noticed it is a little over \$500,000 and it has some things like temporary assignments, scheduled overtime, hazardous pay, is this budgeted from the year before and you know the exact numbers or is this something...like hazardous, we do not know when we are going to fight a hazardous fire, so tell me a little bit about that.

Chief Gibson: Okay. The firefighters are assigned to Rescue, Rescue 3 in the Kaiākea Fire Station, the hazmat (inaudible) receives an 8% premium pay, it is in their contract, they get that. It is a math that can be forecasted.

Councilmember DeCosta: Okay.

Chief Gibson: We arrived at that amount every year based on their salary.

Council Chair Rapozo: Is there anyone else? I have a follow-up on the rank-for-rank. The budgeted request is \$480,000 year to date as of March is \$453,000.

Chief Gibson: Yes.

Council Chair Rapozo: Is that enough?

Chief Gibson: The rank-for-rank is one of the contractual agreements, they are allowed to work so much, (\$280) per person. If all one hundred thirty-two (132) of our firefighters worked the amount of rank-for-rank that they are entitled to, it would be almost \$2,000,000. The amount is forecasted as a percentage of what they have been using, so it looks like this year we might run a little over that, but it has been due to the needs we have three (3) long-term injuries...

Council Chair Rapozo: Okay.

Chief Gibson: And then we had the vacancies...

Council Chair Rapozo: Are you comfortable with the...

Chief Gibson: Yes.

Council Chair Rapozo: That is all I need to know. Thank you.

Councilmember Kualii: Page 146, the line item is diesel, \$45,000 the current year being raised to one hundred thousand dollars (\$100,000) in this next budget. \$55,000 increase, 122% increase, does that represent the increased cost of the fuel?

Chief Gibson: Exactly. That \$45,000 amount had not changed for forty (4) or five (5) years. We know in FY 2022, we ran over a little bit and then unfortunately before we already submit a budget, the same amount went in and I know we have already spent \$90,000 in diesel this year, just due to the rising cost, gasoline as well.

Councilmember Kualii: A couple of line items down, Automobiles, it was dollar funded last year, \$765,000, you show a breakdown of the vehicles. Do these follow a replacement plan or is some of them new or are they are all being replaced?

Chief Gibson: Yes, everything that we have asked for and everything that we are still paying on the lease are all replacement items. We have not added a new component or resource to the fleet since probably the Kaiākea Fire Station.

Councilmember Kualii: Are any of these purchases replacing a lease?

Chief Gibson: All the FY 2024 will be new purchases. We are still paying off the leases as they are on carryovers.

Councilmember Kualii: So, as the leases expire, like elsewhere in the County, you are replacing it with purchases?

Chief Gibson: Correct, we are not paying anything (inaudible).

Councilmember Kualii: Thank you.

Councilmember DeCosta: It is a no-brainer, our State moving towards electric vehicles, our County just purchased some electric buses, are you looking at to having some electric vehicles in the near future? Do not speak to my fancy, because I am not an electric person, but tell me what you think. Where are you heading with your department?

Chief Gibson: I have met with two (2) vendors that sell these new fire trucks, Rosenbauer is the leader, they have several already on the mainland. It is a \$2,000,000 fire engine versus a \$900,000 one, so it is just not in our realm right now. They need to prove themselves first...if they are going to be durable and last. The amount of battery that they carry is probably as big as a thousand-gallon water tank that we carry, where do those batteries go when they expire?

Councilmember Cowden: Yes.

Chief Gibson: We are researching it, but not committed yet.

Councilmember DeCosta: You just made me happy, thank you.

Councilmember Kualii: But the vehicles that I was just talking about are just normal vehicles, right, I mean not \$900,000 ones.

Chief Gibson: Yes.

Councilmember Kualii: Are you looking at your other smaller vehicles to try some electric vehicles?

Mr. Gibson: We can look. We currently do not have any on the radar right now. What we are replacing right now is truck-wise...is for the Training Bureau, it has to be a truck that can tow trailers and a crew of four (4). Waimea—we are asking for the four-wheel drive utility truck. We saw recently with the landslide (inaudible) the type of vehicle. As far as the Fire Prevention getting folks to and from, we are not at that world yet.

Councilmember Kualii: There are electric vehicles that can do the job, for sure, and getting better priced as well.

Chief Gibson: Yes.

Council Chair Rapozo: We still have to worry about where we throw the batteries.

Councilmember Cowden: And we still have to worry about how long it takes to charge those batteries.

Councilmember DeCosta: Most of these vehicles that are not the heavy duty, like what Councilmember Kualii is talking about, the regular Sedan vehicles, where do you park them? Do you park them at the station or here in Lihu'e?

Chief Gibson: They are all parked outdoors.

Councilmember DeCosta: But where? At the stations: Waimea, Hanapēpē, Kalāheo?

Chief Gibson: Outside.

Councilmember DeCosta: Right. Are you equipped with EV chargers at every one of those stations?

Chief Gibson: We are not.

Councilmember DeCosta: So, that would be an added budget if we decide to have electric vehicles.

Chief Gibson: That is correct.

Council Chair Rapozo: Is there anything else on Operations? Moving on to Prevention, page 150.

Councilmember DeCosta: We asked this of our park rangers who are now working on the bike path, all of your Ocean Safety and firefighters, they are knowledgeable of Narcan and that spray intervention that they need to use? Are we going to get our personnel certified on that?

Mr. Gibson: We are very aware of the product and it is benefit of its use, but currently KFD personnel, it is not within our policy to give that. We do not have the authorization, so we rely on our partners from American Medical Rescue (AMR) and also KPD officers are authorized, they carry it and can spray it. At the current time, KFD can only watch. We cannot even give some an aspirin; we are not legally allowed to do that.

Councilmember DeCosta: Wait a minute, you mean to tell me you are going to rescue someone from Hanakāpī'ai and this person might have a sprain ankle, and I hope they have some severe injury, because if we are just rescuing them because on their Twitter or social media to get rescued, and they stand up and walk away, we better be charging them, but you cannot even give an aspirin? You save a life, but you cannot give an aspirin?

Chief Gibson: No. We provide the basic life support, stop the bleeding, control the airway, and we keep them healthy until we can get advance medicine, paramedic help.

Councilmember Cowden: Where is that policy written? Is that higher than the County? Where does that policy come from?

Chief Gibson: With our State EMS Chief.

Councilmember Cowden: State EMS.

Chief Gibson: Yes.

Councilmember Cowden: States that the Fire Department cannot do Narcan?

Chief Gibson: It is not that we can, there has not been policy created saying that we can.

Councilmember Cowden: How does one create a policy, because there is a difference between Narcan and aspirin? Aspirin takes some pain away, Narcan might save a life.

Chief Gibson: We can make the request to the EMS Chief and I can get a follow-up back to you.

Councilmember Cowden: Okay, and whatever way I can help you on that, please let me know.

Council Chair Rapozo: Are there any further questions for Fire Prevention? We are moving on to Training, page 168.

Councilmember Kualii: Training Bureau is page 156. The line item on page 158, that is training, from \$70,000 to \$136,000, that is 93% increase. What is new? I see the breakdown and a lot of it sounds like things you do probably every year, especially when you have new people coming online. What is new and will it be needed every year? Will this budget next year and the following year need to be \$137,000 instead of \$70,000?

Chief Gibson: There is a spike this year, but it will level out, it will be a little lower, and the next several years...we are still playing catch up from the pandemic and not being able to bring our firefighters in for training. Just for example, an Remote Emergency Medical Technician (REMT) training, we do forty (40) hours of refresher training a year for every student. Thirty-two (32) of those hours are done on duty while they are at the station, so it does not involve overtime and it does not involve shutting the station down and affecting a response coverage. There are some training courses where we have to bring them in and do in-person as a group, and so this budget reflects making up not just the Emergency Medical Technician (EMT) training, but other things that we have been falling behind on. This is just a way to get caught up from where we were before. You see the spike this year, but it will level out over the next few years.

Councilmember Kualii: At the bottom of the list, Hazmat Refresher Training, that is the largest item at \$64,000, what is that? Is that something that happens every year? What was it last year? Are we doing a lot of catch up here?

Chief Gibson: This is exactly the catch up. We missed it last year, so we are making up for a little bit of loss time. Normally this would have cost about \$35,000 to \$40,000, but other advancements we made with hazmat, there is a new program coming in called "Hazmat ID," it is a...if you look at the Table of Elements chart. It is a way to teach the first responders by using that chart. There is above the line, below the line, where they can simply look at that chart and look at the algorithm, and they know if this is a chemical product that they can go in and save someone or if they get too close, they are going to drop from it. This is some key training that is going to be new with the Hazmat Refresher, and that is why I said it will be high this year, but it will go down the next year.

Councilmember Kualii: Do you have an idea of how many people will be trained for the number of people trained for this amount?

Chief Gibson: Yes, our entire...every firefighter, so one hundred thirty-two (132).

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I noticed your Confined Space Rescue Training and when you hang from the helicopter, those are two (2) things that I do not believe is in the Fire test. What happens when you have a Fire trainee who passes the test, and then you have to put them in a small box and he or she is claustrophobic? At that point, do we have a way to assist them to grow or do we just terminate them, because if they cannot be in that confined space or hanged from a chopper, we have a problem.

Chief Gibson: This gets identified in the recruit training. The recruit training that consists of several months, which is not as long as some, but is a little longer than others, because we do train on those components. There is a helicopter awareness component, the confined space, and that is when they determine. We put them in the worst possible situation in the recruit class, so that when they go out in the field, there are no surprises. However, as a firefighter or as a police officer, there is a surprise every day, but those known common situations, we get them in too early. That is some of the line items of the firefighter survival training, they come in and put them in those...literally put them in boxes with wires wrapped around them and have to get out of it.

Councilmember DeCosta: I understand and I do not want to badger you, but we have many tunnels on the island, old plantation tunnels that I experience when I go hunting. Do you put your Fire trainees in those tunnels, deep inside, I am not talking about ten (10) feet, I am talking about walking deep inside in case they have to do a rescue? What is this confined training? I want to know is it a small room, is it a box, is it a coffin? What is it?

Chief Gibson: I am going to reach behind me.

Member of the Fire Department: It is a specialized unit that does specialized space training and rescues, so a young firefighter would not be put into that situation, he does not have the training for it.

Councilmember DeCosta: Okay.

Member of the Fire Department: The firefighter who is trained would step into that role.

Councilmember DeCosta: Okay, so what happens if there is an emergency call and there are young Fire trainees out there with a group of men that is attending a fire, does he or she do not have to participate in that or would they be thrown into the hot seat?

Member of the Fire Department: They would definitely participate, but we would not have him put his life in danger.

Councilmember DeCosta: Are we going with the best.

Member of the Fire Department: We are going with the best, yes.

Councilmember DeCosta: Okay. Thank you for clarifying that. I know who to call on if I need to be rescued.

Councilmember Cowden: Do we go for the best for hanging from a helicopter because not every one can do that, it maybe that someone is built for that and have the "adrenaline junkie" qualities for that more than...we will not hang someone out if they cannot.

Member of the Fire Department: We go for the best.

Council Chair Rapozo: The firefighter is not going on the helicopter, right? They are going request to go to Rescue, they will have the training, you are not going to take a firefighter on a fire truck and say, "We need you on a helicopter," right?

Councilmember Cowden: Okay.

Member of the Fire Department: No. You have to be qualified and want to be there.

Chief Gibson: If I may? We train them to not contribute to the problem, so if it is a hazardous materials and they can identify the product and someone laying there lifeless, if it is a product that even with our gear, the personal protective equipment (PPE), that does not protect from hazardous chemicals. The folks at Kaiākea who has the Class "A" hazmat suits will be protected, but our firefighters are trained that if that is going to kill you, you are not going to add to the problem. There are times where they have to stop and wait, call for the helicopter or specialist.

Council Chair Rapozo: I watch Chicago Fire, I know...are there any further questions?

Councilmember DeCosta: I do not want to compare Fire to Ocean, but I am looking at Ocean and I am thinking these folks on the ocean do not have a chance to say "I am not going to go save someone in the big wave, I can only save someone in a small wave." I know we made an adjustment in pay for Ocean Safety and that is the reason why we should have made that adjustment, because those folks do not have a chance to say, "I cannot go in a small room," they have to do it all. They cannot refuse, correct?

Chief Gibson: Yes.

Councilmember DeCosta: Thank you.

Councilmember Kualii: On the same page on the last item on the bottom, Airfare General, it is not a lot, but it was only \$2,000 last year and now it is up to \$26,000 this year. Is this new? How many are being trained? If people are traveling to a training, can they receive the trainer type training so they can come back to train others when they are back here, and can you reach more people if some of these things are virtually as well.

Chief Gibson: Yes, the (inaudible) training is a great example, that is a high number of \$26,000—this sends five (5) people to Corona, California, they have a Vehicle Auto Extrication Academy. This used to be attended every year by us. We have not attended since 2018 due to financial restrictions and then the pandemic. The reason I support sending them this time as opposed to bringing an instructor here, this only happens at this class. They have the newest technology, the newest cars that they can cut up and break in to. We cannot bring those instructors here, they cannot do it virtually, if they come here they do not have the props with them, but by sending our five (5) folks and you know the men and women of this island, they see something, they come back and build it. They will build the props and then we can...these are instructors that are learning how to train. We get all that training for the entire department for that investment.

Councilmember Cowden: I know we have new iPads for the Ocean Rescue, but with our Fire Department, again, I am influenced by the area where I live, there are so many security gates everywhere, and nested security gates. Sometimes in dangerous cliff faces. Do you have a listing of people's combos in there and is it on your computers, so you do not have to find a notebook where it has been written in handwriting? How do you know to get through these nesting of security gates?

Chief Gibson: There are times where dispatchers will have to put it on the card, so they will have that digital code.

Councilmember Cowden: So, it is not too big of an issue, you folks are able to get through it. Okay.

Council Chair Rapozo: They have the master key, the bult cutter.

Councilmember DeCosta: There are a lot of landowners that have an electric key that goes in and it is titanium, so you cannot use the bult cutter. Do you have to call the landowner to get the electric key? That is absurd, you folks should have those keys.

Chief Gibson: In front of the County building, we have a master key that opens this box, and in that box, the property owner can put access codes or key, if needed, to get into the gate. When plans come in, the Fire Prevention does recommend that they do that.

Councilmember DeCosta: Let us know, because there are quite a bit of landowners, today, using electric keys. That key, if it is left out in the weather, which is that lock box, the key will not work. The key is digital, so it has to be kept indoors, so please write that down and let us know if we need to help you get that access key.

Council Chair Rapozo: Has it been a problem for you folks? If it is a problem, then we have to do something about it, but if it is not a problem, then...

Councilmember DeCosta: When does it become a problem?

EHREN EDWARDS, Battalion Chief, Line Operations: For the most part, because of our engine companies and fire personnel go out and do preplanning, so for the most part we pretty much have a lot of these numbers on file or in the mobile data terminal (MDT), which dispatch has. However, we cannot cover it all. You also mentioned that electronic key, Grove Farm, they have been very cooperative, they provide that key for us. Not all situations are covered, but for the most part I think we are pretty good. If we have to, we will take down a gate, we will take out our K-12, which is a big saw, we will cut a gate down, if we have to, if it is life safety. We prefer not to damage property, but if we have to, we do have that special key.

Councilmember DeCosta: It is not just Grove Farm, we have a lot of large landowners on the North Shore who has their private little domains that they do not want anyone going in, they need to provide you folks access. They can keep the normal person out, but you folks have rights, so those properties out there in the North Shore, I want to see you folks have access to.

(Councilmember Kualii was noted as not present.)

Mr. Edwards: Like our Engine Captains out in Hanalei are very proactive about that. There are big wealthy landowners out there and they have been very cooperative with us. There is probably a few that slip between the cracks and we cannot get to and they realize the consequences of delaying response because of that, but our folks get out and do the preplanning, so we are just fortunate that they are proactive and speak with their stakeholders.

Council Chair Rapozo: These electronic keys have the ability to open lock remotely, right?

Mr. Edwards: Remotely?

Council Chair Rapozo: Yes, like if it is my electronic key, I can go on my phone and unlock the lock, right?

Mr. Edwards: I think so.

Chief Gibson: Yes.

Council Chair Rapozo: That is why you have an electronic key, so you can get the remote access.

Councilmember DeCosta: Not the Grove Farm one.

Council Chair Rapozo: Okay, I do not know. Is there anyone else with questions for Training? Water Safety? Page 168.

(Councilmember Kualii was noted as present.)

Council Chair Rapozo: I think we have been briefed a lot during the CIP, I think we have been briefed a lot throughout this process. A big add is the twelve (12) new Water Safety Officers, which we have received a lot of testimony in support. I do not think anyone will oppose the safety officers. Are there any questions?

Councilmember Kualii: On page 168 at the top, vacancy Position No. 2538, Ocean Safety Officer IV. It has only been vacant for fifty-eight (58) days, a couple of months. It says, "Eligible list is being established," could this position be filled with an in-house promotion?

Chief Gibson: Yes.

Councilmember Kualii: When will you fill it? Before July 1, 2023?

Chief Gibson: It should be filled by then, yes, that is correct?

Councilmember Kualii: It should be or it will?

Chief Gibson: We need someone to pass the written test, so it is dependent on that, but we have faith that it will be filled.

Councilmember Kualii: On the next page is Position No. 618, Ocean Safety Officer II. You are anticipating it become vacant on April 1st and the new status is new vacancy. Is that going to be an in-house promotion as well?

Chief Gibson: We will have that filled. We just had someone give notice and leave, and we are in the process of refilling that position.

Councilmember Kualii: The only other thing is that...and it might be an error on the Vacancy Report, the salary there was \$52,584 and then here in the budget, it is \$58,608. That represents an 11.45% increase and I think most of the increases have been in the...just to account for raises and what have you...in the (9%) range. I mean, the position was filled...or maybe the person who left...

Chief Gibson: Oh, the difference from an OS-02 classification OS-01.

Councilmember Kualii: Okay. Thank you.

Councilmember Cowden: I have a general public safety question if I can bring the Managing Director up here to help in case he needs to.

Council Chair Rapozo: Is this for the Fire Department?

Councilmember Cowden: This came out of our water safety discussion on the 12th and I said I am happy to support twelve (12) new officers to help keep people from drowning, but I made the comment that I wish we cared as much about other people who died from extreme poverty in our houselessness. Deputy Chief Roger Mills beat my expectations, actually, he was not able to give me the number, but what he did do is give me the number of calls that you folks go and help the houseless community. I really do want to understand why we are not tracking, because this is whether it is the ambulance, police, or fire, we know who dies on the island. I should not have to call police and describe someone and when I think they die, why are we not tracking the deaths like we do for car accidents or drownings of extreme poverty death? We also track the numbers of fentanyl overdoses or different drug overdoses. To me what that says, when we do not even bother to count that these people do not matter. I think that it is a shocking number of people who do die. I really want it counted. That is public safety and I am the Committee Chair on Public Safety & Human Services. Most of those who passed, I have met them and I know them. How can we...I will not accept that it is a privacy issue...

Council Chair Rapozo: Let me stop there because even though it is budget, we are still bound by Sunshine Law.

Councilmember Cowden: How am I...

Council Chair Rapozo: We are in Ocean Safety budget right now. You are asking a...

Councilmember Cowden: Public safety question.

Council Chair Rapozo: Yes, we are in Ocean Safety.

Councilmember Cowden: So, when will I ask the question?

Council Chair Rapozo: We could send an item, if you wanted to discuss that at a committee level, but this has absolutely nothing to do with Ocean Safety.

Councilmember Cowden: Okay. I thank the Fire Department for caring.

Mr. Vierra: I might have an answer to your question. We had our discussion; our Roving Patrol Units do roves all over the place where there are no lifeguard towers. They do respond to car accidents or house emergencies. We could add a component to our data collection platform that we could add some checks like you are

mentioning, so we can track some of...if we do respond to any houseless person, we can add that to our data collection and have a tracking.

Councilmember Cowden: Okay. I would appreciate that. I care for every single person who drowns in the ocean, I thank you for risking your lives. I support the twelve (12) new positions and I just want to make sure we look at everyone that we are losing.

Council Chair Rapozo: If you assist a houseless person, I am assuming you put it in your report that they were houseless, right? In the address block, you do not make one up.

Mr. Gibson: We do.

Council Chair Rapozo: You do? You make up an address?

Mr. Gibson: No. There is a houseless block.

Council Chair Rapozo: Yes. Are you tracking that already?

Councilmember Cowden: No. I cannot get it.

Mr. Vierra: Not for Ocean Safety.

Mr. Gibson: And that is our miss is not doing it for Ocean Safety.

Council Chair Rapozo: When you do your report...

Mr. Vierra: If we do a houseless medical, it would just go right to the medical staff. The first aid would just go right to the first aid staff.

Council Chair Rapozo: But when you do your report...I am assuming you do a report.

Mr. Vierra: There is a little narrative comment in our iPad that you can put what you did, but we do not really track. We do not have a specific category that we can...but we can add that if we decide to.

Council Chair Rapozo: That is something that we should track, no doubt about it, but on the Fire calls, if I put in a request for the number of houseless incidents, I am sure you could provide that, right?

Chief Gibson: Yes. We also have been in contact with someone who provided us with avenues to report to her. If we come across a new camp or a new area

that they were not familiar with, we have given them the information so they can help provide some services.

Councilmember Cowden: I should be able to have that information.

Council Chair Rapozo: You have to request it.

Councilmember Cowden: I do.

Council Chair Rapozo: I do not think you should have the access to just go online and...

Councilmember Cowden: We put these other desks on the front page of the paper, we count them and we honor them, and we recognize the tragedy that happens in car accidents, in drug overdose, and drownings. We absolutely place that there and I just want to see a priority made...and it take a collection together is important to me.

Council Chair Rapozo: Yes, well I would not use *The Garden Island* the source of my data, but if you have a question, if you ever sent a request over for those numbers, then I think...

Councilmember Cowden: I have not gotten it.

Council Chair Rapozo: Excuse me?

Councilmember Cowden: It is not easy to get. It is not tracked.

Council Chair Rapozo: Okay. Councilmember DeCosta.

Councilmember DeCosta: How do you attract, besides money, for the position? Is there a hidden camaraderie between the firefighters and the Ocean Safety folks that make your department a department that people want to work for. I noticed that we have been struggling in our County with different departments, a lot of people do not want to work for the money, the lower pay, but it seems like you folks, Ocean Safety and Fire, have a hidden camaraderie component that people want to belong to your group. What do you do in the training process to promote camaraderie?

Chief Gibson: Traditionally and in the past few years, we have attracted high numbers of applicants for Fire. However, over the past two (2) to three (3) years, it has been trending down. I do not know if it reflects the current culture or the younger people, so we need to reinforce our efforts. I know there are struggles in other departments and we cannot just keep assuming people will keep applying. Junior Lifeguards is a way to get out there and show what a great job this is and on the Fire side, we are doing the same thing this year, the Junior Firefighters, and then also by being out in the community setting the example, showing them the professionals, the pride, and the profession. We continue to

track, we want to reach them while they are young, start farming them in the elementary school, junior high school, so that in high school when their minds are made up, they know they want this profession.

Councilmember DeCosta: You mentioned about the Junior Firefighters and we have Junior Lifeguards, but in other counties across the nation, I learned this when I went to the National Association of Counties (NACo) convention, they have senior volunteers that can come work in the Fire Department. Is that a possibility that you might have a senior program? They do not have to go on the fire truck and dress up in their suits, but maybe they can cook dinner or clean the yard, tell some jokes at dinner, is there something that you might open up for them?

Chief Gibson: Currently, anyone can come in and cook dinner for the firefighters, they will welcome you in. I will say that, yes, we are farming them, so we are starting with junior firefighter, when we get to the high school level, we want to begin a program, recruit, and then we will keep working our way up.

Councilmember DeCosta: But the "seniors" is a big time in the mainland, they have senior volunteers, but I know the union might frown upon that, but it would not take away a position from you, it would just add you more people that can do a little bit less hazard positions. I am not thinking about someone going out there and save a life if you are sixty (60) years old, but maybe they can help wash down the jet skis, salt water, service the machine. There are a lot of retired people that want to help and I am two (2) years away and I want to help. I want to hang out with the KFD and the Water Safety folks.

Mr. Vierra: Good comments. We can look into, like our Junior Lifeguard program, we do invite other people from the community to come and talk to the kids and be role models to the kids. If retired lifeguards or retired firefighters, we welcome them to come talk to the kids and tell them their experience about their jobs, engage them. That is possible.

Councilmember DeCosta: Thank you.

Council Chair Rapozo: Are there further questions for Water Safety?
Thank you. We will continue on with Emergency Management, which is page 178.

Councilmember Kagawa: Can we take a five-minute break?

Council Chair Rapozo: We will just take our ten-minute caption break.

There being no objections, the meeting recessed at 10:47 a.m.

The meeting was called back to order at 10:57 a.m., and proceeded as follows:

Kaua'i Emergency Management

Council Chair Rapozo: Thank you for being here, Elton. We did receive your narrative. If you just want to give us some highlights, an overview, then we will open it up for questions.

ELTON S. USHIO, Administrator: Good morning. Thank you for having me here today. We come before you today with a budget that we feel includes input from all of our Kauai Emergency Management Agency (KEMA) associates, as per encouragement from Mayor Kawakami and his team. We did work very collaboratively, as the other departments did in developing our budget. We feel it is both one that helps us accomplish our core mission and vision, it helps us adjust to lessons learned over the past several years, and it is also still fiscally responsible. You can see some changes in the budget, position-wise, operational challenges, not much different than prior years, although with the multiple years of COVID activation and the cessation of in-person training. We did see with the natural course of turnover retirements, people moving on, a gradual decrease in our available team members from all of our partners. As such, we are adjusting and we are rebuilding, but the budget before you today will also assist us in part of that process. We noted some highlights, our COVID-19 response and how we are wrapping that up and winding down, various serious weather events, and then our public safety radio system telecom upgrades. Thank you in advance for your consideration and I am here to answer your questions.

Councilmember Kualii: On your narrative, page 2, you state "enhancing our staffing via the addition of a Staff Officer position," what is that position?

Mr. Ushio: A Staff Officer position is...

Councilmember Kualii: Could you say the position number and title?

Mr. Ushio: Okay.

Councilmember Kualii: Is Staff Officer the actual title?

Mr. Ushio: Emergency Management Staff Officer is the actual title.

Councilmember Kualii: Okay, so it is Position No. 9032.

Mr. Ushio: That is correct.

Councilmember Kualii: Is that a brand-new position? Did you create a new position?

Mr. Ushio: That position is a new position. We are using a preexisting number.

Councilmember Kualii: Okay, so what was that before?

Mr. Ushio: Prior to that, it was a position that supports our Act 12-39-9 and the American Rescue Plan Act (ARPA) grant funding and that position has been transferred to the grant side of our budget.

Councilmember Kualii: So, it was funded by another grant and now it is coming into be funded by the General Fund?

Mr. Ushio: Correct.

Councilmember Kualii: What was the title of the former position?

Mr. Ushio: Project Management and Compliance Officer.

Councilmember Kualii: Okay. So, that position just below...was it like another position like Position No. 9074?

Mr. Ushio: The position just below...yes.

Councilmember Kualii: And then that one does not have any funding there because it is funded by a grant, but you just have \$1 in it, because right now you do not have the grant.

Mr. Ushio: Which one are you looking at?

Councilmember Kualii: Position No. 9074, right below it.

Mr. Ushio: That position was transferred out.

Council Chair Rapozo: Transferred out...

Mr. Ushio: Yes, so that is why do no longer have it on our budget.

Councilmember Kualii: Oh, okay.

Mr. Ushio: In the notes, it will say, moved to Real Property Assessment.

Council Chair Rapozo: Position No. 9074? It says, "Moved to wage and hourly."

Councilmember Kualii: Yes, and now he is telling us now Real Property.

Mr. Ushio: Let me see.

Council Chair Rapozo: What is wages and hourly? I did not realize we had hourly wages. Here comes Janine.

Mr. Ushio: Our notes did not change, but we actually moved that to wages and hourly, Emergency Management 127A6 reserve core. Apologies we did not make the corrections in our asterisk.

Councilmember Kualii: And with just \$1.

Council Chair Rapozo: No, the dollar-funded is Position No. 9029.

Mr. Ushio: The dollar funding is there because that position is intended to be a (inaudible) position. Hawai'i Revised Statutes (HRS) 129A-6 enables the creation of an Emergency Management Reserve Core where you have qualified persons who can be activated to support a response. Right now, it is one position, but we can see great value in having a position like that. If it is a response that requires an additional staffing at KEMA, we can bring in a veteran employee or retiree, something like what Councilmember DeCosta was suggesting to KFD, have them on contract, bring them in, and immediately staff them up. At such a time where we come to Council for an emergency appropriation, we can get that funding and cover it that way, and although we do not wish for a major disaster, should it end up as an major disaster, then we can get the partial Federal Emergency Management Administration (FEMA) reimbursement to help cover that position.

Councilmember Kualii: So, it could be both? It could be county funds that are appropriated by the Council in the future, if needed, and it could also be grants that you get, federal moneys or FEMA.

Mr. Ushio: Yes.

Councilmember Kualii: Position No. 9032, you maintained Position No. 9074 and you dollar funded it here, or the number at least, but you said that Position No. 9032, as a new position was transferred from grant funding, and then you used the same title. Did they used to be two (2) of those positions?

Mr. Ushio: We had two (2) positions as far as if you are referring to the former COVID-19 response and recovery assistant positions, we did have two (2) slots, Position No. 9070 and Position No. 9037.

Councilmember Kualii: No, I am referring to this Project Management Compliance Assistant.

Mr. Ushio: We had a Project Management Compliance Officer and a Project Management Compliance Assistant.

Councilmember Kualii: That is what Position No. 9032 used to be, the Project Management Compliance Officer.

Mr. Ushio: Hang on. Yes.

Councilmember Kualii: And you do not need that anymore?

Mr. Ushio: We have it under the grant side.

Councilmember Kualii: Oh, okay. Back up to the top. In your narrative you talked about that Staff Officer position and then you also said the conversion of a grant funded position through general funds civil service status.

Mr. Ushio: Yes.

Councilmember Kualii: It sounds the same sort of thing, it sounds like a new position, new to the General Fund because it used to be paid by a grant, so, what position is that?

Mr. Ushio: That is a Program Support Technician position.

Councilmember Kualii: You have the position number? I am looking at the budget...oh, that is at the top, Position No. 9021.

Mr. Ushio: Yes, Position No. 9021.

Councilmember Kualii: Position No. 9021 is actually another new position to the General Fund, because it used to be funded by a grant. Is that a new number or did you get that number...

Mr. Ushio: No, that is an existing position with an incumbent, currently employed, currently on staff.

Council Chair Rapozo: But you are saying that used to be a grant funded position.

Mr. Ushio: It currently is a grant funded position and we are proposing...

Council Chair Rapozo: So, next fiscal year, it will be civil service.

Mr. Ushio: Yes.

Councilmember Kualii: Then that explains why your salaries line item has jumped pretty drastically, from \$384,000 to \$163,000 increase or a 42% increase. That is a big chunk of it, right?

Mr. Ushio: Those two (2), yes.

Councilmember Kualii: Those two (2) positions. Okay, thank you.

Council Chair Rapozo: Are there any further questions on the narrative?

Councilmember Cowden: Before COVID, we used to have community emergency response team (CERT), Community Emergency Response Team, and I appreciate that has been headed through the Fire Department, because that has to be a value to KEMA. Is that something you would like to see continued or is that something that would be better off under KEMA? I do not understand why we do not have it anymore. Do you know?

Mr. Ushio: The CERT program is a program that we still have much interest in and like with many things during COVID, the in-person trainings all went away, so we definitely hope to want to rebuild and revamp the program working collaboratively with our partners at KFD; rebuild and get more community engagement. A prepared community, particularly when they form teams and they organize, it really helps the entire community responds to disasters.

Councilmember Cowden: Do we have any plans? I should have asked that in the Fire Department, would you be encouraging of that to continue?

Mr. Ushio: We actually started some of the discussions with our partners at KFD and we will follow-up.

Councilmember Cowden: Because when you talk about having a contraction of your team, having some CERT in there might be really good. I did not think about it until you were speaking of that challenge.

Councilmember DeCosta: Thank you for all you do. I am trying to wrap my head around your division and I know you are an emergency response to a disaster, but at the same time there are moneys that come down from our government, from the state of from FEMA, that goes through your department. Let us just say if we only had three (3) employees, the money they would allocate would only be for that staff that you have. There was an emergency that happened and you had to bring in, like you said an old-timer, that staff person now would not be funded, right, from that money that came down. What you are trying to do is build a core group then when we have moneys that are allocated from the government or from the State, it goes to you, so if your department is, like you have staff, then we can receive these funding. Am I correct?

Mr. Ushio: As far as the Emergency Reserve Core position that we are asking for, is that what you are asking about?

Councilmember DeCosta: Yes.

Mr. Ushio: You are correct, but more importantly to me, if we had something bad happen right now and it is a day like today where our Executive Officer and one of our staff officers are attending a large event on O'ahu, and they are, we have another staff on vacation, out of country, and on the core emergency management side we are very limited, I can very quickly active a reservist who is already vetted, on file, County employee on contract and bring them in, very responsive. As far as the dollar funding, like I previously said, we can start off with our internal funding, come to Council for appropriation and when federal funds become available, go to those.

Councilmember DeCosta: And if you do not spend the money or you do not have an emergency, would the money just lapse?

Mr. Ushio: That is why we are funding that at one dollar \$1, just to have it there.

Councilmember DeCosta: Thank you.

Council Chair Rapozo: Are there any further questions?

Councilmember Kualii: On page 178, the two (2) vacant positions, starting with Position No. 2504, Emergency Management Senior Staff Officer, it says that it has been vacant for one hundred four (104) days, the salary actually represents a two percent (2%) decrease from what was shown in the Vacancy Report and then the recruitment status says, "No activity." Can you tell us what is going on with this position? Where are you at with the recruitment and can you get the person on board by July 1st?

Mr. Ushio: That position became vacant in December. The reason why the budget reflects less is the prior incumbent was a veteran, many years of service to the County, and being a civil service position, when we recruit again, it will more than likely start at the baseline. Although it shows as no activity, as far as what we have been doing there, we did temporarily reclassify the position into an Emergency Management Special Executive Officer, so I do have a functioning deputy on board who is a veteran with the County, a retired KFD Assistant Chief who has served as Incident Commander or Unified Commander for many major incidents with KEMA. He is on staff now utilizing that slot under an 89-day contract. It is a specialized position, so when we eventually do fill, it may take awhile to find a good candidate, but we have every intention of doing so.

Council Chair Rapozo: How do you plan on soliciting for that position?

Mr. Ushio: Through the normal civil service process.

Council Chair Rapozo: But you have not done that. Are you planning on recruiting?

Mr. Ushio: Yes.

Council Chair Rapozo: Like...coming up?

Mr. Ushio: We will do so when we are able to permanently fill.

Council Chair Rapozo: So, you cannot recruit?

Mr. Ushio: If I were to recruit today, I cannot do a permanent fill yet, primarily because there is a civil service rule about six-month period. If a civil servant moves to another civil service position, there is a probationary period that takes place and upon successful completion of the probationary period, that employee becomes permanent in the new position, otherwise we can fill.

Council Chair Rapozo: I am a little confused. So, you have this position here, Position No. 2504 that has been vacant for one hundred seventeen (117) days. You said you are using a retired County employee on a contract basis, so why are we prohibited from recruiting?

Mr. Ushio: We are not prohibited per se, but if we were to offer a permanent civil service position...I mean we are not able to is my understanding.

Council Chair Rapozo: Janine, help me out. You have a position where basically you are filling it up emergency with a contract employee, that should not stop the recruiting effort, right?

JANINE M.Z. RAPOZO, HR Manager III: Correct. I think what Elton is saying is we cannot offer a permanent civil service position. We can recruit and we can hire them as limited term civil service for at least six (6) months until the incumbent, we know that they are permanently in their other positions. He did not lose the incumbent to the private sector, this person moved to another position within the County, so that person has return rights to this position in case she does not do well in the current position that she is in. There is a six-month probation period that that person is sitting in. So, he can fill, what he is saying is he may limit his possibilities because he can only offer a temporary or limited term civil service. More likely than not, the person will then be converted to permanent after the six (6) months.

Council Chair Rapozo: How many positions do we see...so, you are saying when someone transfers, maybe a policeman go to the KFD, you have to hold that position for how long?

Ms. Rapozo: They have a six (6) month probationary period, with KFD, they have a one-year. We do not have to hold the position, we just cannot fill it permanently, we can fill it temporarily.

Council Chair Rapozo: Yes, and for all intents and purposes you basically cannot fill it, right? I mean, you could, but who in the heck going quit their job to work for us for three (3) months, four (4) months, or five (5) months?

Ms. Rapozo: I think that is his concern. Other departments go ahead and fill it. It depends on what...

Council Chair Rapozo: When that happens, the budgetary amount should be reflected in that position, right, because if you know you are not going to fill for six (6) months, let us say someone goes...and we have that here with Lyndon. So, you know you are not going to fill the position, because you have to hold it, so why would we fund it 100%?

Ms. Rapozo: Some departments do fill right away.

Council Chair Rapozo: Okay.

Ms. Rapozo: Elton has just made that conscience decision not to fill and that is his choice.

Council Chair Rapozo: Okay. You are saying you probably will not recruit out until six (6) months?

Mr. Ushio: Yes.

Council Chair Rapozo: Okay, understood.

Councilmember Cowden: Just so I understand what Council Chair asked. When we do that, when we leave six (6) months of a vacancy, does that not hurt the continuity in the skillset? There is no one to really be training under, we have this big gap in coverage.

Mr. Ushio: In our case, because we brought in an 89-day hire with a lot of experience, we do not have such a gap.

Councilmember Cowden: Okay.

Mr. Ushio: And in such a time when we attempt to recruit a permanent replacement, we are going to set a high bar and try to get the best possible candidate in a permanent position.

Councilmember Cowden: Okay.

Councilmember Kualii: Do you use the funding from the position to pay the 89-day hire or do you have a pot of money somewhere?

Mr. Ushio: We are using the funding from the position.

Councilmember Kualii: Does the 89-day hire get compensated at the full level of what the position is budgeted for?

Mr. Ushio: The 89-day hire is not compensated for the same level. It is already without benefits.

Councilmember Kualii: So, it is more likely it is the benefit line item that you have savings at, but not necessarily the salary line item.

Mr. Ushio: If we do right now, yes.

Council Chair Rapozo: When they do the budget, it does not know if it is a contract or a civil service, so the benefit packages, I would assume is probably as we see it in the budget, has not probably been...

Ms. Rapozo: Adjusted, correct.

Council Chair Rapozo: And it is not that significant amount of money.

Ms. Rapozo: Right.

Council Chair Rapozo: I have been a beneficiary, I have worked on contract with the Office of the Prosecuting Attorney (OPA) and I think for many departments it is hard to go out and find the qualified experienced people, so I am not knocking the contract. In some cases in a position like this, you may never find a full-time and the contract is the way to go, and we save money because there are no benefits paid.

Mr. Ushio: Our intent is to continue utilizing that 89-day contract mechanism to continue utilizing the available funding, now, hopefully not until next fiscal year because that period we are talking about will be done before the end of the fiscal year.

Council Chair Rapozo: Yes. But you as a director know what is best for your department, right?

Mr. Ushio: Yes.

Council Chair Rapozo: Thank you. Councilmember Kualii.

Councilmember Kualii: The other vacant position is Position No. 9029, Emergency Management Staff Specialist III. By the asterisk it says, "Fully funded by other source," so you only have \$1 in there. What is the other source?

Mr. Ushio: The other source is a grant called Emergency Management Performance Grant (EMPG).

Councilmember Kualii: It is a grant.

Mr. Ushio: Yes.

Councilmember Kualii: Forty-two (42), only a little over a month vacant, but it says, "Offer decline re-recruit."

Mr. Ushio: Yes, we went through the process, made an offer, and last month the person declined. We will be trying again.

Councilmember Kualii: Okay.

Council Chair Rapozo: Is there anyone else with questions for KEMA? If not, thank you.

Councilmember DeCosta: I have a comment. Ms. Rapozo, I really appreciate your extensive knowledge on answering every question in any department. We are lucky to have you. It is almost like Betty Crocker in the kitchen. You go to Betty Crocker for a recipe, we go to Janine for the answer.

Ms. Rapozo: It is being a dinosaur.

Mr. Ushio: Thank you very much.

Council Chair Rapozo: Thank you. Police. Welcome, Chief. Like we do with all the departments, if you want to start off with an overview, we do have your narrative. We have your beautiful PowerPoint printed out for us. If you would like to just go over the overview, highlights, challenges, plans, etcetera.

Kaua'i Police Department

TODD G. RAYBUCK, Chief of Police: Good morning, Chair, Honorable Members of the Council. Thank you so much for the opportunity to be here today. I just want to first start by thanking the Mayor, the Managing Director, and the Mayor's budget team for working with us to present this budget to you, which I believe will meet the needs that we have for the KPD for Fiscal Year 2024. I also want to thank my leadership team. With me today is Assistant Chief Bryson Ponce, who this will be his last budget hearing, which I am sure he is not too...not going to miss too much, Assistant Chief Kalani Ke, and Acting

Assistant Chief Mark Ozaki, and Acting Captain Makana Rivera. I also want to welcome our new Fiscal Officer Candy Souza, she stepped in for Daurice Arruda, with her resignation last year and I am really grateful that we were able to pull her away from another entity on the island; she hit the floor running right at the beginning of the budget season and she has done an outstanding job helping us get this package to you today. Most importantly, I want to thank the men and women of KPD, whether they are in the police car, in the Detective Bureau, or a support personnel that work in many different areas in the civilian positions for their dedication that they have for our community and the service that they provide.

Our plan for 2024, as you see in our budget, is to reimplement our five-year plan to replace the necessary fleet vehicles to maintain functional, reliable, and safe vehicles to serve our community. Focus on increasing our recruitment efforts with our current available opportunities with any organization to fill necessary vacancies and reintroduce programs, and to continue to reschedule postpone trainings that were identified as being mission critical. All other adjustments to the budget recurring items are to sustain KPD's daily budgets.

Just to give you the overview as you saw in the narrative of our snapshot, 87% of KPD's budget goes towards our salaries and benefits. Only thirteen percent (13%) of our budget is operations and other expenditures, and of that 13% only 8% is our day-to-day operations budget. The largest budget increase for us this year as you can expect was salary, wages, and benefits, due to collective bargaining agreements and increases in wages, salaries, and benefits. The largest percentage of budget increase outside of that category is in our vehicles and equipment. As you can see our department is broken into different bureaus. We have the Chief's Office operating budget, with an increase of just over \$4,100,000, which I will get to in just a moment. Our other bureau, Administration Technical Bureau (ATB) has a budget increase of about \$459,000. Investigative Services Bureau was a decrease overall of \$51,000, Patrol Service budget increased \$95,000, for a total operating budget increase of just over \$4,600,000. Of the \$4,100,000 in the Chief's Office, \$4,000,000 of that is broken down into two (2) main categories. \$2,500,000 in salary, wages, and benefits, and then \$1,500,000 for the new patrol vehicles purchased.

Some of our operational challenges, which is why you have seen the budget you see today, is vehicle replacements. Another one is our staffing, vacancies, and recruitment, which I will get to in just a moment, but our KPD Patrol snapshot, Assistant Chief (AC) Ke has done an incredible job at reviewing our fleet and identifying the challenges that we currently have with our vehicles. As you may know when we talked about previously budget hearing 2018, our replacement strategy for replacing vehicles was interrupted due to COVID-19. Ongoing supply issues have given us additional problems in getting that, for example, we can order a vehicle today and it may take us up to a year or longer for us to receive that vehicle, so that causes some challenges as well. I have listed on your sheet before you what our vehicles are, how many we have, and where the design, so I will not go through each line item. I will just tell you that we have a budget and a goal for the annual replacement strategy of replacing fifteen (15) new vehicles per year. Out of our ninety-five (95) vehicles, we categorized them into what we refer to as end of life, meaning that they have been in

service for more than six (6) years and the mileage is at or exceeds ninety thousand (90,000) miles or unserviceable, meaning that they have major mechanical issues or body damage present where cost may exceed the value of vehicle in that; be feasible for replacement. Our staffing snapshot, I just want to tell you we have twenty-four (24) current sworn vacancies, nineteen (19) non-sworn vacancies. I want to show you to the right side of your slide there, in July 2021, we only had eight (8) vacancies in the sworn position. As you can see today it has gone back to where we were, roughly about 2018 and 2019. A decrease in our qualified candidates that began in 2022 is not offsetting our annual attrition rate, which is about thirteen point five (13.5) officers leaving due to various reasons, whether it be termination, resignation, or retirement, which is why we see the increase vacancies in our sworn positions, but I want to highlight the numbers to the left to show you how many sworn hires we made since 2016. Eighty-three (83) police officers have been hired since 2016, and that credit belongs directly with the cooperation we have from Human Resources (HR), who is responsible for scheduling and performing a test, and helping us with those announcements, as well as our ATB Bureau who is focused on going out and recruiting, as well as, getting people through the background process. We are on track, hopefully by the end of this calendar year, to hiring a total of eighty-eight (88) officers during that same time. This year we started hiring four (4) in January, and we anticipate six (6) more in the next recruitment class. We lost one in that first group of four, so that is why you see a number nine (9) there.

I wanted to talk about something we are excited about partnering with is for the second time we are going to partner with the Council for Native Hawaiian Development and the Kaua'i Community College (KCC). That is to be able to bring local candidates through a course that is designed in conjunction with KPD's and HR's testing process. That is to help our prepare our local candidates of what they can expect when they apply for the position of police officer. That is to help them with sample written exams, help them with the physical fitness requirements, and really help them and train them up to prepare them to be successful when they do apply for us. HR and the recruitment team is going to shadow through that program and so we are excited and hopeful that will assist us in continuing to increase the number of local candidates.

KPD recruited—what are we doing? First, we created a new youth and community engagement unit, which has dedicated and motivated resources to direct and support our Kaua'i Police Department (KPAL) activities, the School Resource Officer (SRO) unit, as well as organize community engagement activities. We reallocated a vacant lieutenant position from the Chief's Office into the new youth and community engagement position, that lieutenant is Lance Okasaki, you may know him from his previous days running the KPAL events. We also have a new KPD SRO Sergeant was expanded to include managing KPAL activities and that is Sergeant Mo Unotoa, which I am sure you know of his great past experience in our schools as an SPO. We also created a new position, a new PO-9 position from a previously existing position number to allow us to have a dedicated KPAL officer, and that is Officer Chuck Bedford, so I want to just direct you to the social media post up here. One of the things that Acting Assistant Chief Ozaki did was, under his leadership, provide the direction for this team to engage our community through social media and to do it on a weekly basis. Officer Chuck Bedford, being new to social media, took it upon himself to do

some research and start looking at ways to attract new recruits and not just police officers as you see at the top corner, but we also have postings for police records, emergency dispatcher, and our criminalist. He uses the tag line, "Stop dreaming and start doing." One of the things that he has done to change and increase interest is not just post what the base salary is, but also what the top end salary is, so that people know that, yes, coming in, it may be difficult to look at and say, "I do not know if I can take that type of a pay cut," but the great thing is, is if there is an opportunity through KPD to continue to increase your salary, the longer you worked here in those positions. That picture of the officer with the reflective vest is Officer Chuck Bedford. I wanted to highlight him today because that video that he created got over six thousand two hundred (6,200) views. Just in this level of engagement, an increased engagement to give you an example, we previously posted the administrative assistant position, and in a previous posting, we had seven (7) people who applied. Because of, I believe Office Bedford's efforts on social media, this last posting, I think we had sixteen (16) people applied. More than double the number of participants who have expressed interest. It seems to be working and I am hopeful that as we continue to expand that, we will see continued success in bringing more numbers to the table.

Finally, just to highlight our community engagement and the activities that we do to continue to build relationships with our community, to build transparency and trust within KPD and also engage the community in ways that potentially it gives us as a recruiting opportunity both immediately as well as in the future. We do that through officers participating in the National Reading Week, career days, special Olympics CopOnTop, we did Touch a Truck last summer, which we will do again this summer, and then our Coffee with a Cop programs. I am going to wrap up now with KPAL. I want to thank the Mayor's team, I want to thank you for the support that you gave us in this last fiscal year financially and also through the approval of being able to expend ARPA funds to support the KPAL program. Lieutenant Okasaki, Sergeant Unotoa, and Officer Bedford have been working overtime with other areas in the department to implement a KPAL strategy that is exciting and I think is moving us back in the right direction to our pre-COVID activities. As you know we signed a three-year lease with the Kaua'i Philippine Cultural Center, we are looking at plans with the help of the Mayor's Office to demolish and design a Vidinha Stadium KPAL building. I mentioned already the staffing that we used. In FY 2024, we are looking at continuing to upgrade the equipment and space in Hanapēpē and in Kapa'a and then expand our KPAL programs as we continue to look at those. With that, I look forward to your questions. Thank you.

Council Chair Rapozo: Thank you. Councilmember DeCosta. Let us start with the overview and then we will get into the actual budget.

Councilmember DeCosta: Thank you for that detailed presentation. You mentioned eighty-three (83) new hires, what year was that? Was it this current year or is it over a three-year span?

Chief Raybuck: No, it is between the time of 2016 and year-to-date.

Councilmember DeCosta: Okay, I got it. How many did we lose to retirement? That number looks great, but if we lost more than we hired, then that number would not look so great. How much did we lose in retirement?

Chief Raybuck: I do not have that number in front of me, but you can tell by the numbers that I showed you, right? We average about thirteen point five (13.5) vacancies per year due to retirement, resignation, or termination, and so you can factor that in. You can see that in July 2021, we only had eight (8) vacancies and today, we have twenty-four (24). Our hire rate has not kept up with our attrition rate.

Councilmember DeCosta: You mentioned something about vacancies and recruitment, but you never mentioned anything about retention, so if you are losing a whole bunch of people to retirement, you just mentioned Chief Ponce that this might be his last budget, is he retiring?

Chief Raybuck: Yes.

Councilmember DeCosta: I believe you also had some other officers retire, so do you have something about retention? Can you capture my mind and tell me what you are doing to retain these officers that are priceless? We just went through FEMA and we talked about contracting a person that has ten (10), twenty (20) experience in disaster relief, I want to know what we are doing for retention.

Chief Raybuck: That is a fair question, thank you for asking. As you know one of the goals for all of us when we start a job is to one day hopefully retire. It is a difficult day when so many people retire at the same time. In AC Ponce's case, he and his classmates are eligible to retire and they are. As far as retention, I think one of the things we need to continue to focus on is looking for opportunities to continue to move our department forward and encourage people to serve this community, and also to be able to improve the way we work in our department and provide them the needs, the equipment, the training, and the challenges they need to be able to be fulfilled in this position.

Councilmember DeCosta: Are we doing those things, because the retention, it seems like we lost some key players, and I want to make sure we can not lose anymore.

Chief Raybuck: The good news is that we have a lot of great people behind them that are coming up and will fill those.

Councilmember DeCosta: Okay.

Chief Raybuck: I am confident that the great work that the people that have retired have put into this department has filtered down to people they lead and have positioned those people to continue to move up.

Councilmember DeCosta: You mentioned filling those vacancies, I noticed you introduced all of your staff, but I do not see the new deputy.

Chief Raybuck: There is none.

Councilmember DeCosta: That position has longtime not filled. Did we not have a qualified candidate?

Chief Raybuck: There are qualified candidates within KPD. It has been my goal since I came in four (4) years ago to always go and promote a deputy chief from within KPD, however as you know every vacancy or every promotion I make up, creates a vacancy below. I made the determination at this time that I would prefer the experts that are doing such a great job in the position they are doing continue to do the work that they are doing, so I do not have to fill that void or try to fill that void. Right now, I do not have a deputy chief position, because I have key players in positions that are doing a great job.

Councilmember DeCosta: But you are losing a key player directly behind you, has he been considered for this new position? I believe you had an officer retire a couple months ago, Calio, did he have interest in the position? I do not want to lose our people, we cannot replace these folks, and you have other candidates sitting there that might be interested. Tell me about that deputy position that needed to be filled at the last budget.

Chief Raybuck: The deputy chief position is a position that is, as you know an appointed position that I choose at the time that I believe is important to fill it. I have not filled it at this time because as I mentioned earlier I think it is important for the people who are within my department, in the positions they are to carry out the great work that they are doing.

Councilmember DeCosta: How about the ones that retire? Would they have an opportunity to apply for this position?

Chief Raybuck: When I am prepared to fill that position, I will select a person who I think is the best partner for me.

Council Chair Rapozo: Chief, at this point you are not interested in...you are not looking at filling the deputy?

Chief Raybuck: I am always looking to fill the deputy position, but it is all about timing. With my vacancies, those vacancies being at the lower levels, pulling from...increasing the lower level vacancies by promoting up is a challenge.

Council Chair Rapozo: Yes, I understand.

Chief Raybuck: One of the things that I have done is I do have a temporary position that I created, it is called the Executive Operations Manager, it is a

retired police officer who started as a background investigator, he is a retired chief of police, and so he has been in my office helping to support me and provide me with the guidance and support I need for staying on track for planning and programs. It is an 89-day contract.

Council Chair Rapozo: Oh, okay. Am I to assume that the funding for your deputy chief's position, is that what is being used to fund that contract?

Chief Raybuck: That is correct.

Council Chair Rapozo: Thank you.

Councilmember DeCosta: Can we do that? Can we take money that supposed to be funded for a position to hire an emergency hire, 89-day, that does not have the same position holder? That money we put in is for a deputy chief of police, that person is managing something, so that is two (2) different positions. Are we allowed to do that?

Council Chair Rapozo: I think you heard KEMA just say they use...so basically, to get a contract position, you need a position number. Whatever department it is looks through their positions, one that is vacant, they can take that position number, HR will create a contract position based on that. Bottom line is if you use a contract position, if you hire a contracted employee, you are using this position number.

Councilmember DeCosta: Can I ask Janine a question?

Council Chair Rapozo: The department head has the prerogative to do that.

Councilmember DeCosta: I am not questioning your procedures or what you folks do, and I am glad chief has help, he needs the help, this is a big department. We have people coming and going, but how do we promote our man and women in blue to want to be a deputy chief, when we go out and hire an 89-day hire to fill some of the needs of the deputy chief and not all of it? Yes, I know that is your department, but it is our department, it is all of ours, it is the taxpayers' department.

Ms. Rapozo: Are you asking me?

Councilmember DeCosta: Where is the logic behind picking up a "managing something" versus a deputy chief? Where is the logic, I want to know?

Chief Raybuck: Councilmember DeCosta, if I can answer your question. I came before the previous Council with a plan to reorganize my police department. Part of that plan was to eliminate an Assistant Chief position. In that, that position and the funding for that position would help support if I promoted a deputy chief from within the organization that they would not take a pay cut. There is a salary inversion.

Councilmember Cowden: Right.

Chief Raybuck: The salary inversion, typically an Assistant Chief who would take a Deputy Chief position would lose at least twenty thousand dollars (\$20,000) in annual salary. So, if you figure that out, over five (5) years that is a significant amount of money, plus no overtime. To try to address that, I had sought to promote a deputy chief from within my organization and one of the challenges that person provided in accepting that position was that salary decrease. I went before the Salary Commission with the assistance of HR with the assistance of the Office of the County Attorney, and Boards & Commissions, and went forward, pitched the idea that I would reduce from three (3) Assistant Chiefs to two (2) Assistant Chiefs, and create an Operations Manager position at a lower salary. That would offset the cost of giving...say for example, I promote an Assistant Chief into the Deputy Chief position, that would offset the cost of that twenty thousand dollars (\$20,000). I have not been able to create that full-time position as I had hoped, so as a stop-gap between the Deputy Chief position and creating that position to replace an Assistant Chief position, I created the Executive Operations Manager with the goal of one day converting that into a permanent position.

Councilmember DeCosta: With that being said, I am going to end right now. You still take away an opportunity for an employee to become a Deputy Chief.

Chief Raybuck: Sir...

Councilmember DeCosta: With having the managing position filled. Thank you.

Council Chair Rapozo: I see there is an Assistant Chief of Police opening here as well. Assistant Chief Ponce is retiring, so he is going to show up on this Vacancy Report shortly, and so that will leave you with two (2) vacancies and an Assistant Chief?

Chief Raybuck: So, currently, yes, but...

Council Chair Rapozo: Besides Bryson, do you have another Assistant Chief right now?

Chief Raybuck: I have three (3) budgeted Assistant Chief positions, two (2) of them are currently filled, one (1) with AC Ponce and one (1) with AC Ke, the third one is currently being filled in the acting position by Acting Assistant Chief Ozaki. I have put in a NEOGov request and we have a promotion process pending for the Assistant Chief. The goal is to promote an Assistant Chief, which would be either one of those vacancies currently, whichever vacancy number, it is irrelevant.

Council Chair Rapozo: Right.

Chief Raybuck: That would continue to leave a third Assistant Chief position vacant at this time.

Council Chair Rapozo: Right.

Chief Raybuck: And we have a Captain who is acting because I have not reorganized the department, so currently I have to have an Acting Assistant Chief to take over the role, because there are jobs needing to be performed.

Council Chair Rapozo: But did you say earlier that you came before the Council and you said you were going to reduce to have only two (2) Assistant Chiefs. Is that your plan?

Chief Raybuck: Once the department reorganization is completed and hopefully I can do that in FY 2025.

Council Chair Rapozo: How would that work out as far as the Bureaus?

Chief Raybuck: It would go down to a two-bureau system. One would tentatively called Community Services Bureau, which would entail patrol, and the other would be a Support Services Bureau, which would comprise the other portion of the department.

Council Chair Rapozo: Okay. That would be a lot of work for those Assistant Chiefs.

Chief Raybuck: To that point, instead...currently, one (1) AC has one (1) Captain.

Council Chair Rapozo: Right.

Chief Raybuck: Each one of those bureaus would have two (2) Captains assigned to them. So, the captains would...the bureaus would be split into two (2) entities under one (1) AC.

Council Chair Rapozo: So, you would have two (2) captains under the AC?

Chief Raybuck: Yes.

Council Chair Rapozo: Okay.

Councilmember DeCosta: You have one of the largest departments. Everyone was asking for more employees, we just put three (3) folks in the Lihu'e area to beautify our landscaping, and you are going to decommission your management team. To me, honestly, it looks like you are controlling your hierarchy, like you are micromanaging,

because now you have less ACs that have to answer to you. Tell me, how does that work, because I am not understanding it.

Chief Raybuck: I can tell you that I have done a lot of research on similar size police departments and departments that are larger, for example, Chula Vista Police Department has twice the number of police officers that we have and half the level of executive staff. I believe to be able to better organize the Department, moving to two (2) ACs with each AC having two (2) Captains report to them, will make us better, more efficient.

Councilmember DeCosta: You want to go to two (2), but how many do we have now, four (4)?

Chief Raybuck: Three (3).

Councilmember DeCosta: So, you still take away one (1) hierarchy ladder that your officers can work up to and become that top-level position at a higher pay.

Chief Raybuck: It is an excluded managerial position. It would be, yes. The answer to your question is yes, it would be one (1) less excluded management position at a rank of Assistant Chief.

Councilmember DeCosta: Correct, thank you.

Council Chair Rapozo: Councilmember Carvalho.

Councilmember Carvalho: Is it your intent to look within first before you fill any position?

Chief Raybuck: Yes.

Councilmember Carvalho: That has to be at the forefront. However, that elimination of positions, but the intent to look within first and then go from there.

Chief Raybuck: Yes, I will fill my vacancies within this Department from within...at the deputy chief position, if I think is what you are asking.

Councilmember Cowden: Thank you for highlighting the efforts that you have made to bridge that \$20,000 gap and correct me if I am wrong, if someone comes from another police department, they can have their retirement from the other place and go into that deputy position. If someone comes from our police department, even if they retire and come back in, they would not get that retirement, do I have that correct?

Chief Raybuck: That is correct.

Councilmember Cowden: Then the other thing is, if I am understanding where we have the salary inversion, so it might be an issue for our people, it is an issue within every department, is that the deputy, not only gets paid less, but they can get fired.

Chief Raybuck: That is correct.

Councilmember Cowden: And so if you are an AC, your job is somewhat protected, not by the State of Hawai'i Organization of Police Officers (SHOPO), but by the Hawai'i Government Employees' Association (HGEA) or some other organization and bargaining agreement.

Chief Raybuck: By SHOPO...yes.

Councilmember Cowden: So, that is an additional reason why we have a barrier in moving up to the Deputy Chief position from within.

Chief Raybuck: Not necessarily because that person would most likely have return rights to their previous position.

Councilmember Cowden: Okay. For six (6) months?

Ms. Rapozo: If you are going to take an appointed position like a Deputy, you can ask for a leave of absence, so that is different from just going into another position, that is another civil service position.

Councilmember Cowden: This seems to be an important issue and I know it is critical to be raising homegrown, if we take an Assistant Chief and they take a leave of absence and they become the Deputy Chief, do we have the same problem then that our KEMA Director outlined that the next AC would be an Acting AC instead of an AC?

Ms. Rapozo: They would be temporary, limited term, civil service.

Councilmember Cowden: But would they get all their benefits...

Ms. Rapozo: They would get everything and what would happen is that they would have their return rights back to wherever they came from, if they were like a Lieutenant or Captain.

Councilmember Cowden: Okay.

Ms. Rapozo: So, it becomes a domino effect and that is why a lot of times it takes a while for civil service to fill positions, because there are all these different considerations for the incumbents.

Councilmember Cowden: Okay. I am following the Police Commission meetings that even fits with the Chief...it is very difficult.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: Did you ask any of these retirees, the ones who are approaching retirement like Mr. Ponce or the Officer that retired a few months ago Calio or even our retired people, did you ask them if they wanted to stay on longer? Did you have that conversation with them?

Chief Raybuck: No.

Councilmember DeCosta: Okay, thank you.

Chief Raybuck: Oh, I did with one. I asked one what it would take for them to stay longer.

Councilmember DeCosta: Why would you not have the conversation with all of them.

Chief Raybuck: It was a hypothetical question—we were talking about retention.

Councilmember DeCosta: Okay, fine. That managing position that you hired...and Councilmember Carvalho just asked you about promoting from within and you responded, "Of course," you would promote within. Is this person from within our organization? Where did this person come from?

Chief Raybuck: It was my understanding and that is why I tried to clarify; it was my understanding what Councilmember Carvalho was referring to be the Deputy Chief position. The person who is in the Executive Operations Manager position, which is a temporary position is not from within the department full-time, he is a retired police officer. If there is a full-time position that is created for that, then it would be an open recruitment course at which it could potentially mean it would be filled from within as well.

Councilmember DeCosta: Have you ever thought about asking a retired officer or a high rank if he or she would like to do that position instead of going outside of our people that we have here...our local candidates.

Chief Raybuck: I selected someone who I believe met the needs that I needed at this time.

Councilmember Kualii: Along those same lines of questioning, how long has the 89-hire...how long has it been in place for this position? Eighty-nine (89) days is three (3) months.

Chief Raybuck: I believe he is in his second 89-day contract.

Councilmember Kualifi: Second 89-day contract. Ms. Rapozo, the question for you is how is 89-day hires supposed to be used? Can they go on indefinitely, just three (3) months at time you just keep renewing it, renewing it, and renewing it?

Ms. Rapozo: There are different exemptions in the civil service laws as far as 89-day contracts, so it all depends. As an example when KEMA was here, they have a specific law, I think it is 127 where he can use that forever and ever. It all depends, but right now it is every ninetieth day they are technically fired or terminated, so they start again, right? So, you start the clock again, so that has been going on for a while.

Councilmember Kualifi: So, we have actually examples in the County that has gone on for years?

Ms. Rapozo: Yes, we have.

Councilmember Kualifi: Oh. Maybe we need an 89-day hire report, the same way we have the Vacancy Report, because my real question is when it comes to the budget is if we fully fund a position such as the Deputy Chief of Police position at \$135,960, but we then do a different position called Executive Operations Manager, which is an 89-day hire, I am thinking the salary has to be lower.

Ms. Rapozo: Not necessarily. It is wage and hourly, so they get paid hourly, but a lot of times they get paid more than what the salary is for that particular position because they get no benefits.

Councilmember Kualifi: Is HR determining that? The Council is not having any input on that because you are creating positions and you are creating salaries and we are not really voting on it in the budget, because it is hidden. It does not seem right.

Ms. Rapozo: They are not creating a new position, they are using a current position that is budgeted, and while it is supposed to be temporary.

Councilmember Kualifi: But you just said that it could be higher? Oh, because you are taking the dollars from the benefits...

Ms. Rapozo: Yes.

Councilmember Kualifi: I mean...

Ms. Rapozo: Well, it is hourly, and then they have that one (1) day break, they do not get holiday pay, they do not get leave, so all of that taken into consideration.

Councilmember Kualii: Yes. Can you give us the specifics on this? Can you come back and give us the numbers on how it all breaks down?

Ms. Rapozo: Yes, just put it in the question and I will...

Councilmember Kualii: Yes, we will. Then, whether it is filled or not can...they can not just be filled. You can go on indefinitely...that this Deputy Chief of Police position will remain vacant.

Ms. Rapozo: It will remain as a full-time vacancy. A lot of times, like in this case the Chief is using funding from there to help him temporarily by bringing on someone short-term.

Councilmember Kualii: On the Vacancy Report, this is a true example of when it comes to recruitment, there is no activity, because as HR, you are not doing...

Ms. Rapozo: As far as from HR, correct.

Councilmember Kualii: There is no recruitment activity, so there is no intention to fill it.

Ms. Rapozo: Yes. If it helps, we can put in over there 89-day contract, so that you know that it is filled with something.

Councilmember Kualii: I am jumping, Council Chair, because I went to the vacancy on that on, but back to the overview that we were provided, on page 7, I am trying to fully understand all the chart's sworn hires. When you list four (4) and nine (9) in parenthesis, that was in your presentation, for the new sworn hires for 2023. Basically, when someone expresses interest and then they go through everything, are they already hired?

Chief Raybuck: No. The process includes...first, they have to pass all their testing, right, the written exam and the physical agility, and then they go through an extension background check. Once they go through that extension background check, they get a conditional hire, but that conditional hire allows us to do a polygraph and a psychological exam. If they fail the polygraph or psychological exam, then we retract that conditional offer and then they are terminated from the process. If they complete that, then they move on to the hire.

Councilmember Kualii: When you said terminated from the process...I guess what I am trying to understand budget-wise, compensating for people that work for us, is when do we start compensating them and where does that show up in the budget?

Chief Raybuck: We start compensating them...

Councilmember Kualii: KFD had a trainee position, do you have one?

Chief Raybuck: We start paying them the day they actually start their employment. For example, we have the next recruit class that starts in July, so we have two (2) people already that have confirmed offers on employment, and we have six (6) more with conditional job offers. Once they start recruit class July 1st or July 2nd whenever it is, that is when their pay starts.

Councilmember Kualii: So, all that prior to starting the recruitment process is not compensated, but once they start on July 1st, that is compensated?

Chief Raybuck: Correct.

Councilmember Kualii: So, all of these vacancies in the police officer position, I think there are seventeen (17), but on the new Vacancy Report, three (3) of them came out as filled. I am trying to figure out how do those, now fourteen (14) vacancies, tie into this four (4) and nine (9) number. Does the four (4) or the nine (9) of 2023 numbers, are any of those already having a position other than the fourteen (14) vacant positions?

Chief Raybuck: I am trying to track your question. So, the four (4) is the number that we hired in January.

Councilmember Kualii: Alright, so they got a position.

Chief Raybuck: Yes.

Councilmember Kualii: So, they are not...

Chief Raybuck: The nine (9) in parenthesis is a total of what we anticipate actually having filled in 2023, for the calendar year.

Councilmember Kualii: Not to start July 1st.

Chief Raybuck: For the total calendar year.

Councilmember Kualii: Okay, then my logic is if you are forecasting nine (9), but you have fully funded vacant positions for fourteen (14) now, because three (3) of them are gone, then you have five (5) more positions, are you funding more because your hope is to get even more even though you are thinking you will only get nine (9)?

Chief Raybuck: I am not sure I understand your question, but I will explain the funding for the officers that are vacant, as you know, our vacancies do not get...if have a vacant police officer position, we do not have the luxury of not putting a body in that position, someone has to answer the call for service when someone calls 911. We have to pay overtime through cancelled days off to help support staffing our police department in those vacant positions. In trying to answer your question, is those remaining vacant police

officer positions, the funding from that budget helps to supports the officers that have to fill those positions, so that we can answer the 911 calls.

Councilmember Kualii: In fact these fourteen (14) police officer positions are not the positions that this new persons that are coming out of the class hired, recruited, going to go into. Are they going to go into another position?

Chief Raybuck: They are assigned position numbers, I am not quite sure...I am looking at the list right now. For example, Position No. 599, that was one of the positions that was hired January 1st.

Councilmember Kualii: Yes, that is police officer. In the Vacancy Report, there is almost three (3) pages of these positions, so these are the entry-level positions that these people who come out of the police recruit will occupy.

Chief Raybuck: Correct.

Councilmember Kualii: So, is it that when a recruit class is completed, had all these positions been filled, you would create new positions for that?

Chief Raybuck: I will let Acting AC Ozaki step in.

Council Chair Rapozo: Well, you would not recruit for positions that are not vacant, right?

Chief Raybuck: We have two (2) different ways that we hire in. The County Council has given us temporary position numbers, so that if we do not have vacancies to fill that police officer position, we can assign someone a temporary employee number until that vacancy is created.

Council Chair Rapozo: Right. I think you can do that up to twelve (12) vacancies per budget.

Chief Raybuck: Correct. One of the challenges is that we have ranked vacancies as well.

Council Chair Rapozo: Yes.

Chief Raybuck: And so part of the hold up in filling the ranked positions is that that creates greater vacancies at the bottom. It is a balancing act. If we were fortunate that come January 1st every one of those temporary police officers were filled and we had five (5) more people in line, it would give me the opportunity to promote upward into those positions to create those vacancies to fill those position numbers.

Council Chair Rapozo: Got it.

Councilmember Kualii: So, that thing about promoting upward, though, right, the positions we are talking about is at the bottom. When other police officers are filling in upwards, then there are even more vacant positions at the bottom. In the past you have followed my suggestions and partially funded some positions, but in this budget you have not partially funded any positions?

Chief Raybuck: I do not believe any were partially funded, no, sir.

Councilmember Kualii: I am going to further take the information from the Vacancy Report...because we have a column in here that is the FY 2022 estimated salary savings. I am guessing that it could turn into a significant amount of money that is being overbudgeted. I am going to do that calculation and send a recommendation to you for your following submittal.

Chief Raybuck: Thank you. Just to clarify, in years past, fortunately when our vacancy numbers were decreasing our need to cancel days off also decreased, and so we did not need to touch those unexpended salaries. As our vacancies numbers have increased, so have our canceled days off. The number of unexpended salaries we have at the end of the year is decreasing as well.

Council Chair Rapozo: But to balance it out, you could up your overtime budget, if you needed, but it is so hard to predict.

Chief Raybuck: That is one way of doing it. Our overtime budget has, I know has remained flat for many years and the reason why we have never requested an additional overtime budget, even though we have exceeded it in years past, is that we have defaulted to the unexpended salaries.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I want to address Mike Dahilig or Ms. Rapozo. We approve the budget for these positions, right? We approve for the Deputy funding, although we are using it for an 89-day hire. What I am thinking and what I am looking at...we did this exact same thing with Mr. Michael Gibson who came from the mainland on an 89-day hire and then eventually he became our Deputy Fire Chief, which we never promoted anyone within KFD, and do not get me wrong, I think he is a great candidate and he prove himself, because now he is our chief. But I am just wondering if this is the same process, we are going with in filling our Deputy Chief of Police position with this 89-day hire. That is all I want to know.

MICHAEL A. DAHILIG, Managing Director: Ultimately, we leave it up to the department heads, especially of the departments where they are commissioned appointed to go through the process of hiring or choosing how to handle hiring their number 2 position. In the case of then Chief Goble when he was the Fire Chief, he elected to go through an interview

process, but the situation that the person that did get selected was in fact someone who had been brought on in an 89-day hire to support some of their operations. There was a process for that. In terms of how Chief Raybuck wants to handle his hiring process, we again provide the resources necessary for him to go through that civil service process or through a direct appointment, but we leave it to his call because he is a commission appointed director. That is how we handle it. It is not consistent across the board.

Councilmember DeCosta: With that being said, I want to address the chief. Chief, we gave you that budget to hire a Deputy Chief. I do not remember the Council giving you that budget to hire an 89-day hire. We wanted someone from within our workforce to be moved up to Deputy Chief. If you do not see it fit, then you need to be able to find another application process and find a candidate that can fit the deputy chief, because every other department has a deputy right now. Thank you.

Councilmember Cowden: I wanted to ask about the Criminalist position. Do I have this right that there are two (2) openings in there; two (2) out of three (3)?

Chief Raybuck: AC Ponce will come in to fill you in on what the status is of that.

Councilmember Cowden: Thank you for your service to us and I am going to miss you deeply, so congratulations on your retirement. I am on the Vacancy Report, on page...

BRYSON M. PONCE, Assistant Chief: Are you talking about Position No. 392 and Position No. 492?

Councilmember Cowden: Yes. When we have three (3) criminalists, they cross-train but they have different skillset, is that right?

Mr. Ponce: Yes. We currently have four (4) positions in our Criminalist Section. We are down two (2), so we only have two (2) right now.

Councilmember Cowden: We only have two (2).

Mr. Ponce: Yes.

Councilmember Cowden: I just want to show gratitude for their service that they provide. Do we have our needs met and is that something we can get in an 89-hire? How do we...that is what helps you in the Investigative Services Bureau with Homicide, correct?

Mr. Ponce: Correct. We have posted for Criminalist I and we have names that have been referred. We try to tailor that position in a way that we can also

attract students who just graduated from Forensics Sciences Colleges and so we are hopeful that we can pick up a couple of candidates to help out the team.

Councilmember Cowden: Okay, because it seems like that is an important position. So, it has not been open that long, a couple months for one and maybe a little over a half a year for the other.

Mr. Ponce: Yes.

Councilmember Cowden: Okay, but you feel solid?

Councilmember Kuali'i: On the Vacancy Report, it says "Reviewing applications," so are you at a point in the process where you could go through your hiring process, select people, get them onboard, and go through your onboarding process? I think the police officers onboarding to get processed; hired, trained, and onboard took nine (9) months. How long will it take you to actually fill this position and bring them through whatever process you have to do to onboard them and actually start...

Council Chair Rapozo: Which positions are you talking about?

Councilmember Kualii: The Criminalist positions she was just talking about. Page 99. There are two (2) Criminalist positions, Position No. 392 and Position No. 492.

MARK T. OZAKI, Captain, Acting Assistant Chief, Administrative & Technical Bureau: The Criminalist position, Position No. 392 and Position No. 492, we actually have two (2) applicants. On March 15th we got their suitability guidelines packet submitted and we have an interview that is going to be scheduled in two (2) weeks. We are hoping that both are qualified, suitable, and we can hire them before July 1st, so we actually have an interview process.

Councilmember Kualifi: So, you are hoping, but based on what the process is to get them onboard, it is possible and it is going well.

Mr. Ozaki: Yes, very well. Just to clarify, it is not nine (9) months anymore for us to bring in a police officer. We really condensed the process and we can get a background done rather quickly.

Councilmember Kual'i'i: What is it?

Mr. Ozaki: I would say at the max, six (6) months.

Councilmember Kuali'i: Okay.

Mr. Ozaki: But that is on the high end.

Councilmember Carvalho: Are we still on the overview? I have a question on the Investigative Services, the decrease, can you explain that?

Chief Raybuck: Do you want me to answer that now or do you want to wait until we get to the budget?

Councilmember Carvalho: Oh, okay, it was not in the snapshot, so we can wait.

Council Chair Rapozo: Yes, we can wait. Councilmember Kagawa.

Councilmember Kagawa: I did not say anything the entire day and I just want to reflect on a couple of things. Teaching for the Department of Education (DOE), a large organization, a lot of limelight shown on the vacancy problems in the DOE. I have personally seen a lot of great teachers that I consider way too young to retire, but they retired because they were unhappy, upset with management, and I think what Councilmember DeCosta questions...I want to make sure that as much as we can that some effort is put forth to keep those officers that would want to remain, if they were happy with their job and happy with management and wanting to serve the people of Kaua'i, and could use the extra money that would provide them with by staying rather than retiring. I want to know if some of your efforts can be put forth to try to keep these officers on longer that can better serve our people that we do not have retrain, we do not have to...for those with all the experience that they have, I think you cannot measure it.

Chief Raybuck: Thank you, Councilmember Kagawa. I would like to see people stay as long as they want to. Policing is a very difficult job. Our officers deal with trauma every day, they are dealing with stressful situations, they are dealing with people who die, they are dealing with people who beat each other, people who take out heinous acts of violence, and the toll of doing that day after day after day is significant. For some people, retirement is a way to cope and is a way to extend their life. It is a personal decision they make. For others, it is a financial reason. I am pretty impressed with the level of focus that my employees have on the retirement benefits and I know that people that get to the end of their career, they meet with their financial advisers and the tell them if it is worth staying. Some people make more money retiring than staying because of whatever their calculations are. That is why it becomes a personal decision. I do have a responsibility of creating and helping to facilitate a workplace where people want to work and I am committed to that.

Councilmember Kagawa: I am hearing of officers, as soon as they hit twenty-five (25) years, they want to leave immediately. That resolves with my prior career in teaching where you have great teachers who left because they were unhappy. It makes me sad that they cannot continue to contribute when they have so much to give to the students, but they are leaving because of unhappiness with the principal that say, "We do not need them, we can bring in someone else." It is not helpful because the principal is not thinking about the overall community and kids that can benefit with...just putting forth that effort

and seeing, "What can I do to make you stay a little longer." If you have five (5) more years out of them, that is five (5) more years that I am not looking for another vacancy.

Chief Raybuck: Thank you.

Councilmember Kagawa: I received the survey from the dispatchers and a lot of them seem to feel unhappy and looking to go elsewhere, so what are you doing to make sure that we improve that relationship with dispatch?

Chief Raybuck: I have not seen the survey yet, so I cannot speak to what the survey results are.

Councilmember Kagawa: It is not good.

Chief Raybuck: I am sure it is not; dispatch is a very difficult position.

Councilmember Kagawa: It is stressful, so I just want to make sure that we beware of that, it is coming and I know it is in relationship with doing their jobs and keeping the community safe, so I want to make sure that we do not have a whole bunch of dispatchers transferring to other places in the County when we have them doing their jobs well and wanting some tender, love, and care...doing whatever it takes.

Chief Raybuck: It is a difficult job and they are not compensated at the level that they should be for the job they do.

Councilmember Kagawa: Thank you.

Council Chair Rapozo: Are there any further questions?

Councilmember Cowden: This is probably a "Janine" question. I am wondering if we can put dispatchers in a different category in HGEA so that we are able to compensate them a little bit more appropriately. I think that is one of the limitations that happens.

Chief Raybuck: I will answer in general terms, I do not know what the current bills status is, most recently, but there is currently a bill in the Legislature to create bargaining unit specifically outside of the current bargaining unit. It would allow them to potentially bargain for higher pay. That is one way of going about it and then I do not know the status of it, so I will turn it over to Ms. Rapozo.

Council Chair Rapozo: I was checking with you, because I know there is that bill at the Legislature and I do not know the status either but I think they are looking at them as being first responders, so that is why they are looking at their own bargaining unit.

Councilmember Cowden: Okay, I see that. When I look at what is happening in the Country and what the media puts such a really dark story on this police department, I do not think that really bleeds over here too badly. I just turn it off, actually, I do not like to listen to it, but is that impacting our retention and recruitment? It seems like we are doing a pretty good job.

Chief Raybuck: Yes, I think you could say it is and it is not. I think that today to find people who are willing to be police officers is increasingly more difficult than probably in my thirty plus (30+) years of law enforcement. We have continuous attacks in the media based upon some obviously heinous acts of individuals that probably should have been police officers from the get-go and that does impact people's desire and commitment to being police officers and it does...what role that plays in our recruitment efforts, I am not sure, but I am sure it does play something.

Council Chair Rapozo: Sure does not help.

Chief Raybuck: It does not.

Council Chair Rapozo: Are there further questions? Go ahead.

Councilmember Kualii'i: In your narrative at the bottom of page 8, you talk about the creation of the Youth and Community Engagement Unit, and then you said the reallocating of vacant Lieutenant position from the Chief's Office into the new Youth and Community Engagement Unit Lieutenant position. This is what you were talking about earlier, too, for KPAL, right?

Chief Raybuck: Yes.

Councilmember Kualii'i: What is the position, because when I look at the Vacancy Report and the budget, I am looking at pretty much thirty-eight (38) total vacant positions. You talked about the twenty-four (24) as of March 23 for sworn, but then with the non-sworn.

Chief Raybuck: On paper right now that Lieutenant is filling my Office of Professional Standards Lieutenant position, so that is why it does not show vacant there. I did not create a new Lieutenant position; I just transitioned to a Lieutenant into that vacancy. I promoted a Lieutenant up and then filled a vacancy that I previously had in the Office of Professional Standards, and assigned that person to work in...

Councilmember Kualii'i: In the budget, there are about maybe ten (10) police lieutenants, so it is one of those positions? I think in the future it would be helpful if you just point out the position number, so when I look at the budget, I know which one you are talking about. A filled position was converted, that is why it is not showing up on the Vacancy Report, okay, so that is that position. Basically, you are just describing it in a different way, it is not changing the salary, it is not changing the rank, you are just...

Chief Raybuck: Correct, I had an unfilled vacancy position in the Chief's office and so I...

Councilmember Kualii: It is not a reallocation or anything.

Chief Raybuck: No. Eventually under reorganization, that position would be moved out of the Chief's Office into that bureau.

Councilmember Kualii: Okay.

Council Chair Rapozo: And which bureau would that fall under?

Chief Raybuck: Currently, it is ATB.

Council Chair Rapozo: Okay.

Councilmember Kualii: It also says, "Additionally one PO-9 officer position was created to assume the primary duties," so what does that mean when I look at the budget? Is it a new position and what is the actual title that shows up on the budget?

Chief Raybuck: The actual title that shows up on the budget is still police officer. PO-9 is a temporary position. It has to be reallocated.

Councilmember Kualii: Is it one of those fourteen (14) vacancies or is it a...

Chief Raybuck: No, it is a filled police officer position.

Councilmember Kualii: Existing filled position.

Chief Raybuck: It is an existing position, which is the PO-9 is a temporary position, it is temporary pay while they are assigned...much like Vice. So, our Vice Investigators are PO-9 positions, but they hold the position number at police officer.

Councilmember Kualii: I think just to follow-up, I am going to want the position numbers, so that I can actually do it right.

Chief Raybuck: You wanted the PO-9, where the PO-9s are?

Councilmember Kualii: For the position. Because if it is an existing position and then also for this Lieutenant position. On the narrative, too, at the very end you talk about Traffic Safety Section, the Department transferred a dedicated Lieutenant into the Traffic Section, the Patrol Bureau Traffic Investigators, three (3) officers transferring into a section. When positions are moving around, I want to know what is happening and see how that impacts the vacant positions as well, and the budgeted positions.

Chief Raybuck: The internal transfers within the Department are positions that are already filled.

Councilmember Kualii: Filled, all filled.

Mr. Raybuck: All it is, it is just moving one person from where they work, from one position to a different position within the department, so it does not affect the vacancy numbers at all.

Councilmember Kualii: Okay, thank you.

Council Chair Rapozo: Are there any further questions? Go ahead, Councilmember Kagawa. We are going to try to wind up the overview at 12:30 p.m., take our lunch break, we will come back and go through the different division budgets.

Councilmember Kagawa: Can we finish it all?

Council Chair Rapozo: No because we still have the Office of Prosecuting Attorney.

Councilmember Kagawa: To follow-up on the survey for the officers that we were all briefed on, that one reflected the officers' personal feelings about their job, about relationships, potential future based on their jobs, and again there is a lot of room for improvement. What are you doing now to ensure that when the survey is done, that we see some improvement in the numbers...because these are from officers with a lot of experience and to those who just started and I guess...in any organization, it is tough. You have a tough job. I commend you for taking it, doing it, answering these types of questions, but it must be asked. When we bring up problems, we try to make sure that we address them.

Chief Raybuck: I think one of the biggest things that the survey pointed out was 1, improve communication, and 2, increase cooperation at all levels of the organization. Those were the two (2) main takeaways. What we have been doing since that is working on continuously building improved communications between myself, my executive team, and union leadership, so that we can properly hear what some of the challenges are, directly from when they are occurring and then work to try to focus on resolving those issues. I think we had success in moving in a positive direction in that regard. The other piece to that is that we have been bringing in union leadership into the executive leadership team meetings involving them in, for example we are looking at potential shift in how we staff our patrol shifting. The union worked right along with command staff in a set of a committee that went out into the department, came up with an idea, and then received feedback and we continue to work on that. That is what I think is important, the communication and cooperation between all of us to try to identify and then resolve the issues.

Councilmember Kagawa: Thank you, Chief.

Council Chair Rapozo: Are there any other questions on the overview? If not, we will take a lunch break and be back at 1:30 p.m.

There being no objections, the meeting recessed at 12:28 a.m.

The meeting reconvened at 1:30 p.m., and proceeded as follows:

Council Chair Rapozo: The meeting called back to order. We will resume on page...

Councilmember Cowden: Page 99.

Council Chair Rapozo: Thank you. No.

Councilmember Cowden: Page 95.

Council Chair Rapozo: I was in the right place, page 95. Are there any questions on KPD, Chief's Office? Go ahead.

Councilmember Kualii: On the vacant positions, we had some discussions already on those top positions, then someone said that 371, Assistant Chief of Police, vacant, that it is being an acting assignment is into that position. When an acting assignment is in a position, are you still working to fill that position? How does it work?

Chief Raybuck: The acting position is to temporarily fill that position.

Councilmember Kualii: Temporarily fill, it has been vacant for four hundred sixty-nine (469) days, the vacancy reports under status says, "no activity." Is there anything happening to fill that position?

Chief Raybuck: I think you are talking about position 371.

Councilmember Kualii: 371, that is correct. I guess what further seems to be is if someone in another position acts up into that position, then their position will become vacant, so does someone else act up into that position. At some point, what budgeted dollars are paying for what position? If it is all fully funded, but it is not all fully occupied, then there is extra dollars just sitting in the budget.

Chief Raybuck: Reference Position No. 371, we have a promotion solicitation requisition that went out March 25th, so we are in the process of preparing a posting for promotion for that position.

Councilmember Kualii: The position went out for recruitment request, if you will. To just be initiating the recruitment process, you will not have someone hired and in place on July 1st.

Chief Raybuck: The goal is to have that position filled by July 1st. We anticipate during the promotional process, the interview process, hopefully by the end of April.

Councilmember Kualii: Okay.

Council Chair Rapozo: Real quick. This assistant 371 will be your second.

Councilmember Kualii: This is vacant right now.

Council Chair Rapozo: Yes, but Bryson is leaving, so he will create a vacancy, so earlier you said, you will only end up with two (2) assistant chiefs.

Chief Raybuck: Right now, the plan is to promote the current vacant position at 371. When AC Ponce retires, that will create a new vacancy at that assistant chief position, and I do not have the intent to fill that position, currently.

Council Chair Rapozo: Right, that is the one that Bryson's position will be the one that eventually gets in the reorganization will get eliminated.

Chief Raybuck: Potentially.

Council Chair Rapozo: Okay. Thank you.

Councilmember Kualii: The next position is 446, Police Captain, budgeted \$94,343, vacant for nine hundred fifty-six (956) days, status of recruitment showing no activity, so what is happening with that position?

Chief Raybuck: That one was also updated, March 25th, the promotion solicitation requisition was also submitted, and again, that one also, the intent is to hold the promotional process at the end of April.

Councilmember Kualii: Follow-up? Go ahead.

Councilmember DeCosta: Nine hundred (900) something days, is that close to three (3) years? Give or take two and a half (2½) years, so we had money sitting in an account for two and a half (2½) years, and we did not use it, and close to \$100,000.

Chief Raybuck: Correct.

Councilmember DeCosta: Does it lapse over into the General Fund at the end of the year, or is it just spent? What happens to that money?

Chief Raybuck: It depends. The unexpended salaries are in a pool, so some of those unexpended salaries may go towards the purchase of equipment.

Councilmember DeCosta: But it is not going to be budget. We budgeted money for this position, which is 446, it is a Police Captain, EM3, if you are not going to use,

you are not planning on filling it, and it goes another three hundred (300) something days, then we should be having that dollar funded.

Chief Raybuck: It will be filled.

Councilmember DeCosta: But it has not been filled.

Chief Raybuck: You are correct.

Councilmember DeCosta: It has not been filled in two and a half (2½) years.

Chief Raybuck: Correct.

Councilmember DeCosta: What makes me believe that it is going to get filled just by you telling me it is going to get filled?

Chief Raybuck: The promotions solicitation requisition is out. I have already contacted people to sit on the board.

Councilmember DeCosta: Okay. I am done.

Council Chair Rapozo: Thank you.

Councilmember Kualii: Next position is Position No. 442, Police Sergeant, \$99,528, vacant for three hundred ninety-four (394) days, the status is showing as "list referred." What does that mean? Where are you in the process and when will you have the person on board?

Chief Raybuck: We have a promotional list that is currently valid, so that promotion may be filled if the vacancy is allowed.

Councilmember Kualii: From that list?

Chief Raybuck: Yes.

Councilmember Kualii: And that will happen sooner than later? Before July 1st.

Chief Raybuck: It is dependent upon our...I have a meeting scheduled next week to review what the needs are across the department for promotions and our current vacancy staffing.

Councilmember Kualii: I guess that is not really saying. Are you going to fill the position or not, because if you are not then you should partially fund it, right?

Chief Raybuck: I think you could partially fund it.

Councilmember Kualii: Okay.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: Are there times where we are able to promote quickly? What is the fastest we promoted from within? A week maybe?

Chief Raybuck: To answer your question, the timing of the promotion is all dependent upon how long it takes to do the process. Once the process has been concluded, however long that may take, then those promotions could occur.

Councilmember Kagawa: What is the most efficient process to take if we were living in a perfect world?

Chief Raybuck: Thirty (30) to forty-five (45) days, maybe in a perfect world.

Councilmember Kagawa: Okay. It seems like the process is part of the problem why it is taking, in some cases, over a year, right?

Chief Raybuck: It is not just the process; it is managing where the vacancies are. Sorry to sound like a "broken record," but if I fill some of these promoted positions it creates more vacancies in Patrol, if I do not have people coming in, I pay more overtime to fill those vacancies too.

Councilmember Kagawa: Understood. These management spots, at least at high schools, if a Vice Principal leaves today, we have the next one in there next week already. They are being promoted from either a teacher or a department head straight in. It seems like it is something we can improve on. That way we have people getting paid to manage their job, and we will have no excuses why we do not have the management. Thank you.

Councilmember Kualii: Then the next two (2) positions are similar, 538, Police Sergeant, five hundred ninety-seven (597) days vacant, list referred. Then position 1305, Police Sergeant, one thousand four hundred fourteen (1,414) days vacant, list referred. Would the answer that you just gave me for position 442 be the same for those two (2) positions, they are also sergeants.

Chief Raybuck: Can you tell me, 538, I did not catch the second one?

Councilmember Kualii: 1305.

Councilmember Kualii: It was listed as "list referred." You said a promotional list was valid depending on where the needs are. Then, you said, "Could partially fund."

Chief Raybuck: If you are asking if those could be short funded...

Councilmember Kualii: Yes, because they are not going to start on July 1st based on your ability to go through the recruitment process and get them filled.

Chief Raybuck: I think they could be short funded.

Councilmember Kualii: Okay. Skipping all the police officer positions, because we talked about that already. Then there is another Police Sergeant 580, same salary, this one is four hundred fifty-eight (458) days, is that the same as the other three (3) sergeant positions?

Chief Raybuck: 580?

Councilmember Kualii: 580.

Chief Raybuck: Give me one second, please.

Councilmember Kualii: Yes.

Chief Raybuck: Yes, that is true, you can short fund that one as well.

Councilmember Kualii: Okay. The next position is middle of the page, 356, Public Information Officer, \$58,556, three hundred fifteen (315) days, but it says, "interview scheduled with staff," so are you on track to getting someone?

Chief Raybuck: Yes, we actually have candidates in the background process and are waiting for that background process to be completed to fill that position, and it will be filled by July.

Councilmember Kualii: Okay. What about in one place it says 565, but in the other place it says, "T565" near the bottom of page 99, Emergency Services Dispatcher I. Even though it has no budgeted amount, I guess it is because it is funded by another source, grant, or the State.

Chief Raybuck: Yes, it is a grant funded by the State.

Councilmember Kualii: But it is showing vacant on the vacancy report as seven hundred fifty-seven (757) days, the status did say, "Test scheduled on March 15." Did the test happen on March 15?

Chief Raybuck: Yes, two (2) names were referred to by HR on March 15.

Councilmember Kualii: Now you are just at the point to interview those people?

Chief Raybuck: It is currently in review for suitability guideline review process.

Councilmember Kualii: Okay. Is the likelihood of filling it good?

Chief Raybuck: I hope so.

Councilmember Kualii: The next one, just a couple of positions below is 1310, Public Safety Worker I, vacant for four hundred thirty-eight (438) days, it also said, "status of test scheduled on March 15." Did that test happen?

Chief Raybuck: Did you say for 1310?

Councilmember Kualii: Yes.

Chief Raybuck: We also have two (2) names referred by HR on March 24, and the suitability guideline review is in process.

Councilmember Kualii: Okay. 1314, Administrative Support Assistant, two hundred fifty-seven (257) days vacant. The status of recruitment just says, "continuous." What is going on with this position? Are you far enough along in the process of recruiting that you can get this person in place by July 1st?

Chief Raybuck: We have sixteen (16) names referred to by HR. As of March 23rd, we anticipate being able to fill that position.

Councilmember Kualii: Okay. One more, position 1316, Police Evidence Custodian I, three hundred one (301) days vacant, also says, "continuous."

Chief Raybuck: Two (2) names were referred by HR on March 17, and the suitability guideline reviews are in process.

Councilmember Kualii: So you can get them in place by July 1st.

Chief Raybuck: That is the goal.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Are there any other questions? Councilmember Kagawa.

Councilmember Kagawa: What is the amount of failure for...what is the percentage of a dispatcher to not pass the psyche part?

Chief Raybuck: Dispatchers do not go through a psychological exam.

Councilmember Kagawa: They do not, only officers?

Chief Raybuck: Only officers.

Councilmember Kagawa: Okay, so the evaluation process for the open dispatcher is not a psyche thing.

Chief Raybuck: There is not a psychological exam.

Councilmember Kagawa: Same question for an officer, and I will tell you why. Once, I was talking to this former all-star quarter back that he was irritated that he did not pass psyche, he did not think anything was wrong with him, and he brought out some names that had moved on and he did not, so I was wondering, because I believe some folks have a past that they can overcome. I am hoping with the vacancies that we have; we do not toss out some folks who deserve a second chance.

Chief Raybuck: We refer the psychological services to a licensed Ph.D. that does those, that is their job, they provide us with a recommendation, and Acting Chief Ozaki can give you more details if you would like.

Councilmember Kagawa: Okay.

Chief Raybuck: Based upon that, they give us a recommendation on whether or not that person is suitable for the position, and to your point, sometimes a person may fail a psychological exam, but it is not a "fatal" failure, meaning that maybe at that point in time that individual could not pass the psychological exam for fitness, that does not mean that perhaps at a later date to another psychological exam that they could not potentially pass.

Councilmember Kagawa: Do you know a rough pass-fail rate on the psychological test? If we had ten (10) folks go through it, what can we expect?

Chief Raybuck: It really varies. Sometimes we are lucky, and we may get five (5) of five (5) that pass. Sometimes we may have one (1) of the five (5) fail, it just really depends on the individual candidates.

Councilmember Kagawa: Alright. I just ask those questions, and people may be curious, but we have a huge vacancy problem to the point that we are recruiting on the mainland, and we have local folks that feel like they can help, and they need a well-paying job, willing to step up to a rough job like this. I would just like to be sure that we look at all avenues to make sure that we can fill these things with local folks that know the island who were raised here, have family here, and I think in many ways, for me, I believe there is a lot of added capability when you have someone locally raised. Thank you.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: Sorry, I found a couple more positions on page 99. Near the top, 362, Secretary, \$48,000, vacant one hundred thirty-four (134) days, the status is "no activity." What is happening with the recruitment and filling of this position.

Chief Raybuck: That is a leave of absence. The former employee took an appointed position and requested a leave of absence due to that position being an appointed position. The goal as was explained earlier, on fire, is that we could potentially fill that position, but that position would be a temporary hire in the event that the other person wanted to come back to fill that position.

Councilmember Kualii: Are you recruiting to fill it temporarily? Will you put that temporary person in place by July 1st?

Chief Raybuck: My goal is to get that position filled.

Councilmember Kualii: By July 1st?

Chief Raybuck: Yes.

Councilmember Kualii: 317, Police, I am not sure what "Rec" is, Records Technician I, \$46,000, one hundred thirty-four (134) days, it says, "continuous" as a status of recruitment. What is that?

Chief Raybuck: The anticipated start date for that position is April 1st.

Councilmember Kualii: Okay, so it will happen sooner than later. 588, Police Records Technician I, one hundred four (104) days, I think that is the same position.

Chief Raybuck: For that one, three (3) names have been referred by HR on March 17th, and the suitability guideline review process is taking place now.

Councilmember Kualii: Okay. Thank you.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: Chief, on page 100, are you on the same page as us? On page 100, I want to ask you a general budget question, when you are doing your budget for expenses, no one can budget to the exact dollar, I understand that. Do you have a percentage that you allocate to your budget in an overage to cover in case you went a little over your expenses, do you have a percentage use, 5% or 10% that you use in an overage when you budget?

Chief Raybuck: No, we try to be as exact as possible.

Councilmember DeCosta: Okay. When I did the numbers, and I am looking at your accurate numbers, right now you are about \$1,180,722 in another three (3) months you will reach \$1,248,492.75 that is going to be the amount of overtime that you will use for this year, but in the budget, you are asking for \$2,153,457 that is \$900,000 more than you need. You just told me you approximate almost exactly, why so much in overtime? Because the year before that was the same number, it looks like it carried over and it is a 42% overage that you are budgeting for, why would you ask for that much money?

Chief Raybuck: I am going to ask my Fiscal Officer to come up, because she can talk about some projections on overtime that she may have, but that \$1,180,000 we talked earlier that \$2,100,000 is flat, so I do not have the numbers in front of me on...

Councilmember DeCosta: I did the math, you have three (3) more months before July, and if you do the math, it is about \$22,590 a month that you spend on overtime, so you are going to be well below that projected amount, I do not see how we can put \$900,000 in an account that we are not going to spend, and that is taxpayers money.

Chief Raybuck: I do not want to misspeak, because as I have mentioned this is the overtime budget just for regular overtime, it does not include the money that we have to use at times for the canceled days off.

Councilmember DeCosta: Do you have those cancel days off in this budget?

CANDY SOUZA, Fiscal Officer: Candy Souza, Physical Officer. What you are looking at is only six (6) months allocation, so it is not "trued up" to today. In the fiscal year, the report you are looking at is posted only for the first six (6) months.

Council Chair Rapozo: I am showing this as of March 9th. When we get this budget, this is my fifteenth budget and I have been relying on this as of March, is this a six-month actual?

KEN M. SHIMONISHI, Budget Administrator: There is a lag in the payroll posting and this was somewhat characteristic in previous years too, but it is really only posting up through the paycheck dated January 15th. It is only reflective closer to a six-month period than a nine-month.

Councilmember DeCosta: Okay, so even if I do my number calculation, you are talking to a person who has a "numbers degree" here and you do too, Ken, that is an added three (3) months more. That is all you would have to add on. If I did my math, three times \$22,599 would give us a little over \$67,000 more dollars. So, let us say another \$100,000. You are still overbudgeting by eighty hundred thousand.

Mr. Shimonishi: No, so that number that you quoted on the overtime was \$1,180,000.

Councilmember DeCosta: Correct.

Mr. Shimonishi: What I am saying is that is closer to a six-month number, so you would have to double that to get the annual.

Council Chair Rapozo: Yes, so we are at \$2,360,000, which means we are under budget. I think that everything I said for the last week and a half about the...no one said anything until now. Thank you. What is your name?

Ms. Souza: Candy.

Council Chair Rapozo: Awesome. Great.

Councilmember Kagawa: Thank you, Candy.

Council Chair Rapozo: That is embarrassing, but that is okay. I own it, I should have known that.

Councilmember DeCosta: I thought we were up to par with March.

Council Chair Rapozo: I think I scolded a few people with that number and no one said anything.

Councilmember Kagawa: You did.

Council Chair Rapozo: I apologize.

Councilmember DeCosta: Chief, you are on target with your overtime. Sorry
about that.

Councilmember Kagawa: We have been saying that for years, though.

Council Chair Rapozo: This is my fifteenth budget and I have been
relying on this and not one person said anything.

Councilmember Kagawa: We have been...

Council Chair Rapozo: I do not think anyone knew, only her, the new
hire.

Councilmember Kagawa: It is payroll only, right? Everything is up to date.

Council Chair Rapozo: Got it.

Councilmember Kagawa: So, when you go on about other expenditures...

Council Chair Rapozo: But typically, the discussion has been around the
overtime and around salaries.

Mr. Shimonishi: Let me make another correction, the worksheets
on the upper right corner tells you the accounting period 07...

Council Chair Rapozo: What are you looking at?

Mr. Shimonishi: The same page, page 180.

Council Chair Rapozo: Oh, July.

Mr. Shimonishi: So, 07...as the accounting period, that would be
January, in the Fiscal Year.

Councilmember Cowden: How would we know that.

Mr. Shimonishi: On the other expenses, you could assume that it is
closer to that period, right. The report date is dated March, but that is just when we generate
it out. The accounting period is what period we are functioning in. It is not as far off as you
might think.

Council Chair Rapozo: So, it is not six (6) months.

Mr. Shimonishi: Well, what I am saying is that the other expenses
would more closely reflects the seventh accounting period, right?

Council Chair Rapozo: Which is January.

Mr. Shimonishi: Right. What I did clarify was the payroll was posted up to the January 15th pay date.

Council Chair Rapozo: Okay. Got it.

Councilmember Cowden: I have a simple question on page 100 at the top. It says, "SANE Exainer," is that the same nurse program?

Chief Raybuck: Yes.

Councilmember Cowden: It is dollar funded here, is it reflected with a dollar amount somewhere else?

Chief Raybuck: No, the funds...

Council Chair Rapozo: It is grant funded.

Chief Raybuck: I am going to ask AC Ponce to come forward to address your question.

Mr. Ponce: What was the question again?

Councilmember Cowden: It was about the Sexual Assault Nurse Examiner (SANE) nurses, it looks like it is dollar funded, but is it grant funded, is that why we are not seeing a real amount in there? It just has a dollar in there, on page 100, at the top.

Mr. Ponce: With the SANE nurses, in the past we had a grant and it paid for the SANE services. The Violent Against Women Act (VAWA) grant that we got back in 2012, prior to 2012, SANEs were paid out of County funds, and over the years, the amount of the VAWA grant has substantially gone down, which was not enough to cover the cost of paying our nurses. The dollar reflection shifts from now these nurses being paid from County funds and not grant funds.

Councilmember Cowden: I guess I am still confused, because we are not paying them a dollar.

Mr. Ponce: It is just a reflection, the dollar showing that they are being paid out of County funds rather than a grant fund.

Councilmember Cowden: Are we going to see what they are paid somewhere else, because I know it is hard to hold on to those positions because of how irregular the funding is. If we are putting it to County funds...because I honestly think they should have one full-time person and then have maybe a couple part-time that are the on-calls, so you have someone there most of the time. We were told that we did not have that opportunity before because of the nature of the grant. If this is County funds, then why do we not have County funds in those columns?

Mr. Ponce: If you had to put a number...so, I have five (5) nurses right now. That number per nurse would be about fifteen (15) to twenty thousand.

Councilmember Cowden: So, that is about \$100,000.

Mr. Ponce: Yes.

Councilmember Cowden: We are not reflecting it in here in our budget because it will come from somewhere else?

Mr. Ponce: Currently, not reflected a specific amount, so that amount will come from different position. In the future as far as that exact amount, because this is first time, maybe we can project out better to see what that would look like.

Councilmember Cowden: Okay, but I can feel confident that they are going to get paid.

Mr. Ponce: Absolutely.

Council Chair Rapozo: So, you are saying the funds for these examiners are going to come out of unexpended salaries.

Mr. Ponce: Yes.

Council Chair Rapozo: Is there a reason why? I heard what you said, but we should know what typically they cost, right?

Mr. Ponce: Fifteen to twenty thousand.

Council Chair Rapozo: Okay, so let us just say \$20,000 per...that is \$100,000—why would we not just put the money? If you look at the budget, there is a little asterisk and that tells the Council that it is one hundred percent 100% full funded from another source. Typically, that would mean that is a grant. You are telling me, by looking at this budget that it is grant funded, but it is not grant funded, you are taking money from unexpended salaries, which is County funded.

Mr. Ponce: Yes, used to be grant funded, but no longer.

Council Chair Rapozo: This is not correct. So, the “used to be budget” this would be correct, today’s budget, this is not correct because you are not relying on other sources, you are relying on your own source. You are relying on the General Fund money to pay for these nurses.

Mr. Ponce: That is correct.

Council Chair Rapozo: I agree with Councilmember Cowden, we need this, but I do not know who fixes this before the Supplemental, but obviously this has to be corrected. Ken? You do not have to come up, I am just saying the dollar has to be in here, we cannot say “it is coming from another source,” when the other source is...your department budget.

Ms. Rapozo: You are correct, Council Chair.

Council Chair Rapozo: I know. I love grants. When we do not have the grant, the budget has to reflect the true source of the fund, which is the General Fund.

Ms. Rapozo: The intent is to fund it correctly in the May Supplemental.

Council Chair Rapozo: Okay, thank you.

Councilmember Cowden: So, that nine means it is like a temporary or flex position that is unbenefited, right? Is that what the first digit, when we have nine in there? Does that mean that?

Ms. Rapozo: At one time the positions were either a "T" or started at nine thousand were temporary positions, but throughout the years, those positions moved and things like that, so it is really not. What you would look at is this is in the wage and hourly account, so they are getting paid wage and hourly, so they do not have benefits.

Councilmember Cowden: So, they would get some benefits now?

Ms. Rapozo: No, they do not get benefits.

Councilmember Cowden: They would not.

Ms. Rapozo: They get paid per exam and...

Councilmember Cowden: I think that is an essential part of why we have a problem with keeping those positions very well. This is probably not the right place to ask, but I have asked it before, like if we had a nurse that worked a main shift, she could do other things too...I do not know, but it seems like we would have more stability.

Ms. Rapozo: KPD has looked at that and that is why they looked at doing standby pay and changing the rate on that, so that they are able to attract more. You are right, we are only paying them when there is a situation where they need an exam. If we hire them full-time, then if there is no assault...

Councilmember Cowden: Right, so that is why I am wondering if there is anything else we can use a nurse in KPD for, no? Someone in the holding cell or...

Mr. Ponce: I can say that one of the challenging things about the concept you brought up having one person, the biggest challenge is we have nurses on standby every day and so I even looked at the feasibility of something like that and it would not work out. For them to cover every single day, and we need them, because we do not know when a sexual assault will happen regarding a child or an adult, we need the numbers and the flexibility to have the nurses be able to cover those shifts. It does work with having five (5) nurses, and we are looking to fill our last spot with a sixth nurse soon.

Councilmember Cowden: I think it is an important program.

Councilmember DeCosta: You only pay them (inaudible) when they come in for the exam, they get paid for their hours they work?

Mr. Ponce: Correct, they get paid an exam fee, when they do an exam, they get paid standby pay when they are on standby, everyday someone is on standby, they also get administrative pay if they have trainings or in meetings that they have to go to or travel regarding meetings.

Councilmember DeCosta: So, you rotate each nurse on the days that they standby, so everyone has equal standby pay.

Mr. Ponce: Yes.

Councilmember DeCosta: Have we ever thought about increasing their examiner pay and not paying them to standby or do we need that standby?

Mr. Ponce: We did both. We increased their standby and examination fee pay, and also put in a response differential, so all three (3) were increased recently.

Councilmember DeCosta: Thank you.

Councilmember Cowden: All three (3) were increased?

Mr. Ponce: Yes.

Councilmember Cowden: Okay, because I think that is important because it is almost like being a paid volunteer, because you hold your time away, so what did we increase the pay to and the standby?

Mr. Ponce: Their standby pay increased from \$250 to \$450 an hour. The SANE fee increased from \$450 to \$650 for exam and their administrative, like their normal...when they come in and do meetings or other duties increased from \$25 to \$28 for the regular nurse and \$35 for the SANE Coordinator.

Councilmember Cowden: Okay, thank you.

Council Chair Rapozo: Are there any further questions for KPD Chief's Office.

Councilmember DeCosta: The premium pay at the bottom on page 100, can you explain to me what that premium pay? You have regular pay, regular overtime, and then you have premium pay. You folks had a meal allowance, I forget where I saw that... "meals due to overtime work," they have a meal allowance of \$140,000, so can you explain that to me? When they work overtime, they get paid overtime but then they get paid a meal too?

Chief Raybuck: That premium pay, as you alluded to, is broken down in the different categories, so for example, you have your standard of conduct differential, your temporary shift assignments, your night differential, and then your meals.

Those are all requirements based upon the collective bargaining agreement that the department must pay if certain conditions are met. As an example, you mentioned meals due to overtime work. If an individual is required to work overtime, the department is required to pay them for their meal.

Councilmember DeCosta: I think that is a pretty good deal.

Chief Raybuck: I would not disagree with you.

Councilmember DeCosta: You get paid 1.5% of your pay, plus you get a free meal.

Council Chair Rapozo: Put that on the recruiting brochure.

Councilmember DeCosta: That is great. We work overtime as teachers and we do not even get a granola bar, right, Councilmember Kagawa?

Council Chair Rapozo: Are there any further questions for the Chief's Office? Not bad, we only have four (4) more divisions to go. Next, Administrative & Technical, we will take the two (2), which is on page 110 all the way through to 115. Are there any questions? Pretty flat budget. Portable radios, I think are the only big item that I noticed in the budget. \$215,000. For APX next portable radios. Are those walkie talkies the police officer has?

Chief Raybuck: Yes, that is.

Council Chair Rapozo: Okay.

Councilmember Cowden: I was just looking at the towing and this is evidence towing, which is different than towing with abandoned vehicles—is that in a different department?

Chief Raybuck: Yes.

Councilmember Cowden: Is it the same tow driver?

Chief Raybuck: Depends on the contract.

Council Chair Rapozo: Moving along.

Councilmember Kagawa: Are we on the towing contract?

Council Chair Rapozo: The evidence towing is in here, but go ahead and ask the question.

Councilmember Kagawa: If it is about the derelict car towing...that is under Patrol, I will hold off.

Council Chair Rapozo: Are there further questions? If not, we will move on to ISB, page 116. Are there any questions?

Councilmember Cowden: How is our crime solution rate going? It looks like our Traffic Division is doing really well, how are we doing with effectively getting arrests when you identify someone who should have a warrant? Is it going well?

Mr. Ponce: For any particular crime you are referencing? For example, person's crime or property crime?

Councilmember Cowden: Person's crime is what I am really thinking about, like we had someone killed in Keālia, are you feeling confident...what are the batting average, I am going to use sports metaphors.

Mr. Ponce: Our batting average for homicide, in general, for the past thirteen years has been 93% solvability.

Councilmember Cowden: That is good. Yes, I see we are doing good on our hit and runs too.

Council Chair Rapozo: Is there anything else? Big difference from before lunch and after lunch.

Councilmember Cowden: You do the "shooter" when we have been doing these active shoot drills, how has that been? Have you felt that we have all the supplies we need and the money that we need for that training?

Mr. Ponce: Yes, I do and we have been refreshing and doing training with assistants of our special response team and our ALICE train after alert instructors, and I think that has been going sufficient.

Councilmember Cowden: I just want to thank you for all the different layers of the ISB even if I do not have a problem with the budget.

Council Chair Rapozo: Thank you. Are there further questions for ISB? If not, moving on to Patrol.

Councilmember Kagawa: Abandoned vehicles—I remember I had a conversation with you, Chief, you told me about when you see those abandoned cars, you pass them the next day, you see something missing, pass them the next day, something else is missing, and every time I see that and I see the progression I laugh. These folks are good, I do not know when they take those things off cars. \$133,000...how much cars does that...what is the approximate number of vehicles that can take?

ELLIOTT "KALANI" KE, Assistant Chief: It all depends on the contract and what the rate scales are in the contract, so we have two (2) different ones. One for abandoned vehicles and one for derelict vehicles and the scales are different. I do not have those numbers available right now. I can give you what we have seen in the last three (3) months as far as tows.

Councilmember Kagawa: How much?

Mr. Ke: Between January and today, we have towed two hundred and seventy-seven (277) abandoned vehicles. Derelict vehicles are lower numbers, we have towed forty-five (45). As far as what it has costed us, I can get that number to you. Generally, the derelict vehicle tows are higher than the abandoned vehicle tows because generally the derelict tows require special equipment to tow.

Councilmember Kagawa: Like some have no wheels.

Mr. Ke: Exactly.

Councilmember Kagawa: So, we have to lift it up with something? It is pretty funny. We had a great person that jumped in from the start and she had to move, so do have someone there now?

Mr. Ke: Good question. We just went through a process to fill that vacancy, she did leave at the end of last year, and we are hopeful that we can fill it.

Councilmember Kagawa: Besides that, who does it?

Mr. Ke: Right now, it is a shared responsibility between the officers, they do the posting and the follow-ups to see if the vehicles are still there, and issuing citations if necessary, but for now to cover while that position is vacant, we included the clerks from the different districts, so they are assisting with processing the paperwork to ensure that we still have those operations continuing.

Councilmember Kagawa: Is that room still in place, where if they move it a little bit, you have to give it a whole new set of days?

Mr. Ke: Yes, but I believe the distance is a mile, so as long as is it still within a mile.

Councilmember Kagawa: Oh, so it got moved further? What was it before?

Mr. Ke: Before it was you move it and you start a new time clock, but it has changed.

Councilmember Kagawa: Yes, that rule was ridiculous. Made more sense, it just gave them more time to break that car down even further.

Council Chair Rapozo: The process...because I see some abandoned vehicles sitting on the side of the road for a while, and again, back in the day you just post them, twenty-four (24) hours later you go back, you call dispatch, the tow is coming and it is gone. Why is it taking so long now? What is the difference in the process?

Mr. Ke: There is a process in place for approvals. We had a challenge when (inaudible) left, there was a time when we had to retrain the staff to fill that gap, so there was a period when not as many tows were getting done as prior to, so some of those vehicles started to stack up. Once we got our staff trained up, we had to catch up. I am hoping that it is what was happening during that time but I believe we are caught up,

there may be one or two here and there that are extended but we are trying to stay on top of that.

Council Chair Rapozo: But if you have two hundred plus (200+) since January, that is a heck of a lot of cars.

Mr. Ke: They have been working hard, yes.

Councilmember Kualii: On page 126, the line item is Other Commodities. It went up from \$21,000 to \$122,000, one \$101,000, 473%. I see by the detail that the big difference, I am guessing, is the KPAL—\$105,000. I am wondering was KPAL budgeted somewhere else and now it is coming into this category?

Mr. Ke: The budget for KPAL in the past was not reflected in here. KPAL is a nonprofit, so in the past that covered a lot of these types of expenses, with changes within the department. We needed to budget some of that within our budget so that we can ensure that there is continuity and continuation of services for KPAL.

Councilmember Kualii: We recently heard about the improvements at the Philippine Cultural Center so that KPAL can go in there and there is a monthly rent or lease payment, where is that showing up in the budget?

Chief Raybuck: The lease agreement is what you are speaking about? It is coming out of ARPA funds right now, so the three-year lease that is currently signed is being paid for through ARPA funds, so that is why it is not reflected in the budget. The improvements also are coming out of ARPA funds.

Councilmember Kualii: Okay. So, not in this budget.

Councilmember DeCosta: Explain to us the abandoned and derelict vehicles—it has to be on County property, but what happens if these derelicts or abandoned people who leave their cars on the private property side and the County property is right here, how can that constituent get that car and someone illegally put them on the property, can they still get that car inched over to the County property so we can assist that person? Chief, you are smiling...that happens, Chief, that happens so much. This is across all the economically suffering neighborhoods, you see those vehicles, and it is an eyesore. How can we help our community out if it is almost on the County property but...

Mr. Ke: What I can say is that as far as on the County side is we require to follow State law and the State law requires us to tow only if it is on public, not on private property or places open to the public. If it is on private property, unfortunately, it is going to be the property owner that will be responsible for towing that vehicle.

Councilmember DeCosta: But it is not his or her car.

Mr. Ke: I understand that.

Councilmember DeCosta: Do we have a law in place that arrests the person who puts the car on County property? For example, the derelict vehicle cannot be found and all of a sudden the derelict vehicle was on private property, but now inched over to the County

property, but the neighbor called and said they saw someone inch the car over to the County property. Can that person be charged for something?

Mr. Ke: What first comes to my mind is criminal littering, if we have a witness that might identify someone who dumped...

Councilmember DeCosta: Do we have a crime call criminal littering?

Mr. Ke: We do. It is a separate classification. Derelict vehicles is one, criminal littering would be entirely separate, but if someone is illegally dumping a car, that would be a crime. As long as we can identify the...

Councilmember DeCosta: We are just trying to see how we can help these areas of our community to look a little nicer. I can name several of them who needs our help.

Mr. Ke: I understand. Unfortunately, we are bound by the law and there are certain situations where our hands are tied.

Councilmember Carvalho: The Mahelona KPAL is still in place, right?

Chief Raybuck: Very active.

Councilmember Carvalho: So, everything is covered overall, funding wise.

Chief Raybuck: Funding wise? Yes, we requested the funds that we thought were necessary for the next fiscal year in this budget.

Councilmember Kagawa: Is KPAL officer doing it, do we have a full-time officer doing KPAL?

Chief Raybuck: Yes, Officer Charles Bedford is the full-time KPAL Officer.

Councilmember Kagawa: If we can get these activities to engage youth, we correct them before they become criminals.

Councilmember Kualii: If the vehicle is abandoned on private property but immediately adjacent to State or County, near the highway or whatever, and it is not something you can address, how is the property owner supposed to address it? Was it a crime for the person to have dumped it on their property?

Mr. Ke: They can file a police report with us, that is one option.

Councilmember Kualii: What does filing the police report get them? Does it get the vehicle removed?

Mr. Ke: Technically not, but depending on what information is available, identification of the vehicle, we may be able to back track and figure

out who the owner was, the last registered owner, and potentially figure out who had dropped it at that location.

Councilmember Kualii: Can they take some type of action to get the owner to pay?

Mr. Ke: Yes.

Council Chair Rapozo: Yes, that would be civil...but the expense of the tow would come from the property owner and not the County.

Mr. Ke: That is correct.

Councilmember DeCosta: But could the property owner get into trouble now because he removed the car that he did not get permission to the derelict dumper?

Mr. Ke: There is a process that they will have to follow to get rid of vehicle.

Councilmember DeCosta: You mean to tell me that they can go to someone's property, dump some trash, commit a crime, but that person cannot get that car removed until they follow a certain process?

Mr. Ke: That is correct.

Council Chair Rapozo: Call the police and make a report. I think the biggest problem that the homeowner would have or the only liability would be if the owner of the vehicle says, "I parked it on County property, I did not park it on his yard, he towed it, and now I have \$2,000 worth of tow bills, and I am not paying." You make the police report, establish the fact that it is on private property, and then if you want to tow it, you tow it, but you will pay and then you can go seek reimbursement from the person in civil court. It is a process, but it is just the way it is.

Councilmember Carvalho: With the Investigative Services Bureau budget decreasing \$51,000...

Mr. Ponce: We were able to decrease it because we purchased all new vests for tactical team and so that is why the decrease went down. The cost of the vests was able to take it down this FY.

Councilmember Carvalho: Oh.

Council Chair Rapozo: Awesome. Are there any further questions for Patrol? Last item is the Asset Forfeiture fund—can you give us an update on the funds.

Chief Raybuck: This fund is moneys that we receive either through State forfeiture or forfeitures that federal partners participate in and then they give us a share of those funds, so we set aside, as you can see, \$100,000 set aside in training or other services and that is for us to be able to provide the funding necessary for non-budgeted training or other services that may come up throughout the year. For example, I just had an

invitation for some of our officers to go to DREEP school in Maui, and so that is not in our budget and so if we choose to respond to that request by sending people, these funds allow us the opportunity to do that, if necessary.

Councilmember Cowden: What is DREEP?

Chief Raybuck: Drug Recognition Expert Evaluation Program.

Councilmember Cowden: There is no pressure on our organization to seize any dollar amount of assets. There is no incentivization to have to...or no requirement...

Chief Raybuck: No. The decision on whether or not something should be seized is a case-by-case basis depending on the facts of that particular circumstance.

Councilmember Cowden: And we are not measured in success by how much we seize or do not seize.

Chief Raybuck: That is correct.

Councilmember Cowden: When we get this money, this is coming from the State and it goes out proportionately, something like that rather than being in any type of reflection of what...any one particular area has seized on?

Chief Raybuck: Well, these funds are comingled so some of these funds would come from shared asset, seizures that come from the federal government, so we work a case with the federal government, and they share those assets with us that they are seized; the dollar amount. Some of it maybe from State seizures where it is our case, where we may seize funds that are either proceeds of illegal activity or in some examples, property that has been seized that has been used for criminal activity and is sold and we receive the funding potentially from that.

Councilmember Cowden: I think it is important for, not only myself to know, but anyone to know that there is no external motivation to inspire seizing assets. Because when I think we look at what has been perceptions out there that we can correct that.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: Page 315. I noticed at the very bottom there are three (3) categories, Chief Officer Police and Criminal Asset Fund, all of them are about \$100,008? Can you explain the three (3) categories and what are the funding used for?

Chief Raybuck: That is the actual one hundred eight thousand dollars (\$100,008) that is being referred to under the forfeiture funds.

Council Chair Rapozo: Are there any further questions for KPD in general? If not, thank you Chief. We will take a five-minute break.

There being no objections, the meeting recessed at 2:30 p.m.

The Committee reconvened at 2:36 p.m., and proceeded as follows:

Council Chair Rapozo: Next up, the Office of the Prosecuting Attorney.

(Councilmember Kagawa was noted as not present)

Council Chair Rapozo: Thank you for being here. We have your narrative, so if you would just like to give us an overview.

REBECCA LIKE, Prosecuting Attorney: Good afternoon, Chair Rapozo, Councilmembers Cowden, Kualii, DeCosta, and Carvalho. I am excited to be here on behalf of the Office of the Prosecuting Attorney to present our Fiscal Year budget. I have our Administrative Services Officer Nicole Pongasi, our Grant Coordinator, Jamie Olivas, Victim Witness Director Storm Po'omahealani, and Michael Miranda, our Life's Choices Director available to answer any questions you may have. Our budget remains mainly flat with 82% of our operating budget going towards salary, wages, and benefits. There is a 13% increase in our Operating Budget amounting to approximately \$1,300,000, mainly attributed to the \$1,000,000 set aside for Grants-In-Aid through our Life's Choices Department. The adult adolescent mental health and substance abuse community programs grants available through our Office of Life's Choices Program will help fill a gap in services available on Kaua'i. Our hope is to be able to provide meaningful financial support to evidence-based mental health and substance use disorder programs through multiple grants. We have three (3) main requests addressed in our budget narrative, which you have before you relating to security, Americans with Disabilities Act (ADA) improvements, and training. Thank you for having me today, and I am happy to answer any questions you may have.

Council Chair Rapozo: Thank you. Councilmember DeCosta.

Councilmember DeCosta: I am excited. I will tell you why. I heard good things about your department, and when I was teaching at Waimea High School in the full and self-contained unit, I had the drug adolescent kids that did not have a treatment facility to go to, and as a teacher, once in a while, it is a hit and miss. I see there are some programs that are already well established on Kaua'i. I saw this \$1,000,000 in the Grant-In-Aid, and I got excited, and I believe Ms. Olivas is a great person to have in charge of your grant program. Tell me a little bit about this grant program and who qualified, and is it going to be one (1) chunk to one (1) entity, or will it be broken down into different, or is your division going to make that decision? Tell us a little bit about this Grant-In-Aid.

Ms. Like: We are still working on logistics in "hammering out" the details as to how many grants we are going to distribute and what that will look like. We are anticipating giving multiple grants not just one (1) grant. It is going to be under the supervision of Michael Miranda, so I am going to have him address some of your questions as well.

MICHAEL MIRANDA, Life's Choices Coordinator: Michael Miranda, Life's Choices Coordinator. To answer your question, it is kind of a perfect timing, because it is part of the SPF-PFS grant where we are working on a islandwide assessment to look at an inventory of what is working and what is missing on the island, and we should have that done by mid-April, and we will be able to determine what level of treatment we should be

funding with the grant, whether it is in in-patient or out-patient, low-intensity or high-intensity.

Councilmember DeCosta: How many users do we have currently? Did you folks investigate that right now? How many programs do we have that are running successfully or not successfully that may need an opportunity to reach out to this grant, how many of those programs exist on Kaua'i right now?

Mr. Miranda: Currently, I am in contact with the Department of Health, and it looks like we have about twenty-seven (27) certified substance abuse counselors that are active and licensed. We are not sure exactly how many are licensed to work with adolescents yet, but there are some that are working on the island.

Councilmember DeCosta: Will this grant be for counseling, or will it be for a program to treat adolescent drug abusers? There are two (2) different things, right? You are talking about a program versus an individual person that gives counseling, did you decipher that, or have that in the criteria for when you do apply?

Mr. Miranda: The counseling is part of the treatment. An individual would have to go through an evaluation by a Certified Substance Abuse Counselor (CSAC). The evaluation determines the level of treatment that is appropriate, whether it is low-intensity, high-intensity, or individual or a group setting.

Councilmember DeCosta: There was a testifier this morning. Am I allowed to let them know that the testifier came on behalf of the foundation, or I cannot disclose that?

Council Chair Rapozo: I think you can share what you heard.

Councilmember DeCosta: This morning there was a gentleman, Aaron Hoff from Keala Foundation who came by. I believe I made a comment about a child in my class who was given community service based out of your office to go to his Cross-Fit program. I know Cross-Fit is not drug treatment adolescent rehabilitation, but they have a program right now in place that he mentioned to us at Kalihi, where it is an adolescent treatment camp facility where they come for ten (10) days in a row, and they do ten (10) weeks, and it reach kids that you mentioned from Anahola and Waimea. Are you folks familiar with the Keala Foundation and what they have done with their drug treatment program.

Ms. Like: Yes, we are, and Mike is more familiar with it than myself, but we are both very familiar with Keala Foundation.

Councilmember DeCosta: Would they qualify for something like this?

Mr. Miranda: I am not sure what kind of credentials they have, but I have been meeting with their staff a few times, and they are successfully serving large

numbers of children. I think they serve seven hundred (700) unique youth in the calendar year 2022.

Councilmember DeCosta: You are making me a little nervous right now, because you put a "monkey wrench" in this whole thing for me. Certifications: are we talking about if there are no PhD's working out of Keala Foundation with these drug treatment centers, are you not going to grant them? Will they not be considered as part of that grant?

Mr. Miranda: PhD for a CSAC is not necessary.

Councilmember DeCosta: Okay, a Master's Degree in Counseling. That could throw off everything.

Mr. Miranda: Part of the responsibility for Life's Choices is also to support agencies to get the proper certification. With the help of the Department of Health, we have been helping these agencies get the training that they need, so they can provide the services that they want to provide, and the services that the island needs.

Councilmember DeCosta: I would like to offer that you folks highly consider not only putting that auto certification, because sometimes certifications do not mean that you are doing a good job. Bridging the gap between that missing link of being a mentor and building the relationship with the child, that is how the child improves.

Mr. Miranda: I agree. There are some levels of services that are not being provided by agencies on the island, and I think Keala Foundation could be one (1) of those agencies that is filling those gaps.

Councilmember DeCosta: We all were invited, so we are all going to see this in operation, and we will be able to...since we are approving this money, we will be able to let you folks know how and what we saw, how is that? Thank you.

Council Chair Rapozo: It will be a competitive granting process, right?
Councilmember Kualii, then Councilmember Cowden.

Councilmember Kualii: In your narrative, the third paragraph under major changes and variance in operation budget, you talk about travel training accounts, and list a few of the others. When I looked at the details, and I tried to quickly add them all up, there is only about \$15,000 total. Are there training dollars anywhere else?

NICOLE PONGASI, Administrative Services Officer: No.

Councilmember Kualii: How many folks do you plan to send to these training?

Ms. Pongasi: Nicole Pongasi, Administrative Services Officer with the County of Kaua'i, Office of the Prosecuting Attorney. We try to send as many attorneys as we can to these events. There is a list that comes out at the beginning of the year that provides us with a schedule that we open up to the attorneys and other staff to see if they are able to attend these or are interested in attending these training. COVID-19 put a huge damper on our ability to travel, but we are open and much more interested in having staff attend these events.

Councilmember Kualii: Are some of these training the types of training where they train the trainer, so you can send a couple of folks, but they can come back and train everyone else in the department.

Ms. Pongasi: Some of them, yes, they do have the ability to do that.

Councilmember Kualii: Also, because you are limited on how many you can send to these trainings make participation virtually for the other ones?

Ms. Pongasi: Yes, virtual training is available as well.

Councilmember Kualii: My last question about the training piece, for myself personally, and other employers, when the employer invested in me as an employee in training, especially if it were moneys to travel somewhere, I had to sign a form that said, "If I leave the employment within six (6) months, that I would pay them back for at least a portion of the training." Do you have anything like that, or thought of anything like that? And are you having any problems with people leaving?

Ms. Like: I will address that. We do not have anything like that in place, currently. However, priority is given to deputy training for deputies who have been in our office for a longer amount of time.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: I have a handful of questions. One is, when you were just speaking to him, what is our turnover rate right now in our deputy's and lawyers? Where our attorneys are paid less than market rate, what is our turnover loosely? Is it a problem?

Ms. Like: No. Currently, to be honest, the issue we have in our office is that we are a little bit "top heavy" deputy-wise, so almost all the deputies in our office have been there a significant amount of time, or they have a significant amount of experience.

Councilmember Cowden: Okay.

Ms. Like: It is a good problem to have in my assessment. We recently hired a new deputy, because at the end of last year we had one (1) Deputy retire, then we also lost another Deputy last year, so I believe we lost two (2) last year and hired two (2).

Councilmember Cowden: Okay.

Ms. Like: The turnover has not been very noteworthy.

Councilmember Cowden: It does not sound extreme. Okay. I believe last year I asked for this ahead of time. I will send a message over to ask for performance information. It was really helpful for me last time. I got a report on the number of incidents where people called the police for a crime enough to where there is police action on it, then if warrants or arrests are put out, if the Office of the Prosecuting Attorney determines it to be actionable, because that is an important step there, correct? It could go to a crime scene, but whether a warrant is given out based on the information they turn in, right? There is a variance there. Not every crime scene gets a warrant.

Ms. Like: Correct. How the reports come to our office are typically one of two ways. If the officers make an arrest, those come to our office with a court date. Some reports come to our office called Refer To Prosecutors (RTP), and those are not arrest cases, so those are not what you are talking about, but the generation of the warrant is a little bit different than how you are explaining it.

Councilmember Cowden: Someone calls the police and they come and see there is a problem, and they have a good idea who is the assailant or active person, but they do not catch them there and arrest them. Sometimes they have to get a warrant to arrest them, right?

Ms. Like: Correct.

Councilmember Cowden: If they come and respond to an incident in which they need to get a warrant, I would like to know how many of them actually generate a warrant. In convictions, what our rate of conviction is and if they go to court, and if they are convicted as charged? Because there is a lot plea bargaining that happens, and I understand that could be good. The concern is that people do not get overcharged, so they plea bargain down to anything, right? Because that is not really just, but you do not want people to plea bargain down for a whole lot less than they actually did. It is hard for me when I am listening to constituents, I get the whole range, this happened, no warrant was put out, no one was arrested, other people feel like they got too strong of a warrant on them, I hear the whole thing, so I would like to be able to look at the numbers to see how many cases actually go to court, because now that our COVID-19 restrictions have lightened up, are we having more cases go to court and jury trial, or at least a judge trial?

Ms. Like: I am happy to get you that information, I do not have it on-hand. Anecdotally, I would say, I believe the answer to that question is yes. We have had a number of trials that were currently in a lengthy trial, so I believe the answer is yes, but I would be happy to track those statistics for you.

Councilmember Cowden: I do not expect you to just pull them out of your back pocket. Last time, before we had the Budget, I asked, and I got those sent, because it is important for me to be able to look at those numbers, and if there is any kind of way, and I would have it written in a question, and the average time between these events to the steps of the resolution, because someone who is threatened and terrified, please come. If it is two (2) months later that there is an arrest made, if it is two (2) years later that there is actually a resolution to it, sometimes those people live in a lot of fear in those two (2) years. So, I am just trying to get an idea of where our performance is. When we have experienced lawyers, I would expect that those numbers would be a little bit in the good end. I think it is important for us to see and understand performance as we have received these great grants, then see that it actually hits the goal. We can get a lot of grants, we can do different things, but in the end what we want to do is stop crime, and I appreciate what you folks are doing, there is no judgement in that, it is just a question. I think drug court numbers would be another thing that I would put on that list. Drug court goes through the Office of the Prosecuting Attorney, as well, right? Or is it separate?

Ms. Like: It is separate from our office. We recommend cases for drug court, but it is not something that our office facilitates.

Councilmember Cowden: Okay. I was not sure. Are you seeing an upward trend in crime, downward trend, upward trend in court action, how are we trending?

Ms. Like: Again, I do not have that data in front of me. It seems like there is more activity, but I am not sure if it varies that much year-to-year. I would feel more comfortable if we actually had the hard numbers before you before I...

Councilmember Cowden: I accept that. I apologize for not asking for it ahead of time. We will just look at it. It is really helpful to...

Ms. Like: Some of that information may be better accessed through the Police Department since they are the ones responding to incidents, depending on what numbers you are looking for.

Councilmember Cowden: Okay. I want to make sure when I am looking at Prosecutor performance there are two (2) major steps; one is the warrants. If someone goes and they address a crime scene, getting a warrant out is an important step. The other one is if people get to court or go through the process, and how it is managed.

Ms. Like: Just to further understanding a little bit. Sometimes the Police Department generates that warrant and sometimes our office does, so oftentimes after an arrest, especially in a person situation, a domestic violence situation, the officers will generate their own warrant of arrest, send it to us for review, then execute that warrant. For sometimes more complex property type cases, they will send us the reports for review, our office will generate the warrant, so we both have that ability to do so, but it is ultimately reviewed by the judge, and the judge signs off on it. However, we are both preparing those warrants.

Councilmember Cowden: Okay. Thank you. I just want to be able to address people who say, "I called the police and nothing happened." It is all perception, so where is it that things do or do not happen, so I am just trying to look at that.

Council Chair Rapozo: Thank you. Councilmember Kualii'i.

Councilmember Kualii'i: In your narrative, you have a section on the major changes, the variances with the Operations Budget, then you have the last section on three (3) operational highlights, and a lot of other departments have done that as well. Many of the other departments also had a section on challenges, but you do not have one on challenges, do you have any challenges?

Ms. Like: None.

Council Chair Rapozo: The problem child left a little while ago, so they have no problems now.

Ms. Like: There are always challenges and it is an evolving thing. I think the biggest challenge for me has been settling into my role as department head and switching from being a Deputy appearing in court to managing a department of almost forty (40) employees. It is what I have embraced, and it has been wonderful to build and engage a wonderful team that has been critical to managing personnel. Another thing is just keeping the Deputies engaged, sending them to trainings, one thing we really deal with is burnout. We see the worst of people, and we see things that are very traumatic to witness, so just making sure that the deputies are getting the help that they need to process the trauma, as well as training to keep them excited and engaged with the topics that they are dealing with.

Councilmember Kualii'i: In your top three (3) operational highlights, one you say, "Successfully utilize several grants with the assistance of our grant coordinator." But it is just that one little sentence, maybe you could provide more detail, not necessarily now, but if you could send something like which grants doing what purpose.

Ms. Like: Absolutely.

Councilmember Kualii: Share what your success are. Then, same thing with the next one on Deputies training and retention. That is that on the narrative, Chair.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I have a follow up on the narrative. Back to what Councilmember Kualii was saying on the grants. Are the grants geared towards nonprofits or can it go to for-profit entities that are applying for your grants?

Ms. Like: Are we talking about the Grants-In-Aid, or the grants that are referenced in the operational highlights?

Councilmember DeCosta: A grant is a grant, right? How do you disperse your grants? Does it go through a nonprofit, or is it for-profit?

Ms. Like: I am going to have Jamie.

Council Chair Rapozo: Which grant?

Councilmember DeCosta: I was just talking about in general, they have two (2) grants, right? They have the one that Councilmember Kualii mentioned, and they have the one that I am mentioning, Grant-In-Aid. Let me just be direct, the Grant-In-Aid, is that made available only for nonprofit or for-profit?

Council Chair Rapozo: I think that is what you had discussed earlier. Are you still working on the logistics for that? I spoke to the Administration yesterday, and this is new money, so we are relying on Life's Choices to come up with the logistics of how they are going to apply for these grants.

Councilmember DeCosta: I know that we gave out grants before. We approved grant money to go out as grants. We did an agricultural grant and it all had to be nonprofit.

Council Chair Rapozo: Okay, maybe Life's Choices. Life Choices monitors grant money that comes from the County as well.

Mr. Miranda: With this Grant-In-Aid would be kind of casting a while net, I am looking at both nonprofit and for-profit. Basically, I would like to get the best people involved and funded.

Councilmember DeCosta: Can I ask Managing Director Mike a question? Mike, please come up.

Councilmember Kualii: While he is coming up, I will just clarify that my question was not about grants that we are giving out, but the grants that you go after successfully, right?

Ms. Like:

Right.

Councilmember Kualii: Then you have different Federal grants to do different parts of what you do.

Ms. Like:

Yes.

Council Chair Rapozo:

Which you folks do very well by the way.

Councilmember Cowden:

Yes.

Ms. Like:

Thank you, Jamie.

Councilmember DeCosta: This Grant-In-Aid of \$1,000,000 that is County money, tell me, how do we disperse this.

Mr. Dahilig: As mentioned, the County does issue a number of grants that you have seen through the budget through different offices for different purposes. Typically, what will happen is a solicitation is going to be sent out with the department saying what they are interested in seeing support from our nonprofit or private sector partners on, and to submit proposals based off of that request, to then be matched with an amount and a service that will then be competitively be evaluated by the staff that is relevant to that particular department, and using their expertise to essentially rank it and provide disbursement, and manage a contract once it is executed. It is a familiar process that we have used even throughout the COVID-19 response, throughout the Office of Economic Development who is coming up for budget discussions next week, and the Office of the Prosecuting Attorney has a long history of managing and dispersing these types of support funds for various number of Federal and State programs that they have been asked to deliver on. We do not see it any different in that sense, but in terms of developing the actual specificity of the proposal of the request, what the Administration is largely interested in is understanding that there is a gap with respect to adolescent and adult drug treatment support, and substance abuse support, and we feel that this is the best way to try to target that resourcing by providing it through general solicitation rather than try to earmark it for specific things.

Councilmember DeCosta: I understand all of your logistic explanation, but I have a hard time grasping that we can give a for-profit entity County funding that they have for their private practice of counseling adolescent drug rehabilitation children. I just cannot understand. I see the logistics of nonprofit, but...

Mr. Dahilig: All I can say is that the process that we will undergo will be consistent with whatever 103D requirements that are set forth in procurement, so we obviously through the years have worked with our Purchasing Division to make sure that whatever is solicited either is compliant with 103D or it is not covered under 103D.

Councilmember DeCosta: Okay. I am going to start asking too many questions. I understand, maybe I can have a meeting with you folks later, I just do not want to see conflict of interest with certain for-profit companies that we are affiliated with—it is County taxpayers' money. May I ask, do you have a law degree? What is his background? I want to know. You will be managing this \$1,000,000 grant, what is your background?

Mr. Miranda: No, I do not have a law degree, but I worked with drug prevention for about eight (8) years with the Boys and Girls Club of Hawai'i, and eight (8) years as a probation officer with adults.

Councilmember DeCosta: Do you have a degree in drug rehabilitation with adolescents or something like that? Do you have a degree?

Mr. Miranda: I have a degree in sociology, and I have gone through extensive certification in different interventions as a probation officer.

Councilmember DeCosta: Okay, it was not to point out any descriptor, I just wanted to make that clarification that not all the time people with the degree know the best. If he knows what he is doing, it does not mean that he has to have that degree, the same process I made with the counselor with a PhD or a master's degree versus some kind of treatment camp that just has volunteers that has that relationship with he kids, right? Because I asked you do not have a problem with your division, right? You are an attorney, you are not a person with a business management degree, you have a law degree, but yet, you look like you are managing your department really well, how do you do that? You do not have the degree to do it. What did you do?

Ms. Like: Law.

Councilmember DeCosta: You built the relationship, right? That is the key right there. I am making a point; I am making the reference contact.

Ms. Like: Absolutely.

Councilmember DeCosta: Thank you.

Council Chair Rapozo: Councilmember Carvalho.

Councilmember Carvalho: I just wanted clarification on the other services of \$120,000 plus for teen court for the budget.

Ms. Pongasi: Do you have the page number for that?

Councilmember Carvalho: I am sorry?

Ms. Pongasi:

The page number.

Councilmember Carvalho: Page 32.

Ms. Pongasi: For the other services.

Councilmember Carvalho: Yes, I just wanted to get an understanding of that.

Ms. Pongasi: Yes, the other services will include the upgrade of our security maintenance system. We currently have a deficiency with respect to our security cameras.

Councilmember Carvalho: What about teen court? Is it the same thing?

Ms. Pongasi: That is correct.

Councilmember Carvalho: So, it all ties in overall.

Ms. Pongasi: Yes, it all ties into the same account.

Councilmember Carvalho: Okay, I just wanted clarification. Thank you.

Ms. Pongasi: Thank you.

Council Chair Rapozo: Are there any more questions?

Councilmember Kualii: Just on positions.

Council Chair Rapozo: Okay.

Councilmember Kualii: On page 31, I need you to start with a few of these positions not necessarily vacant, one (1) vacant, others are not, that are listed with a percentage, so I am assuming that is 35% funding and that is why the number is much lower. Starting with E-41, Deputy Prosecuting Attorney, 35% funding, \$45,503, is there an incumbent in that position?

Ms. Pongasi: That is correct.

Councilmember Kualii: Is that less than one 100% Full-Time Equivalent (FTE)? Is it a part-time position?

Ms. Pongasi: No, it is a full-time position.

Councilmember Kualii: Why is it only funded at \$45,503?

Ms. Pongasi: Because the other source of funds is grant funded.

Councilmember Kualii: So, 35%) from the General Fund.

Ms. Pongasi: That is correct.

Councilmember Kualii: The rest is from grant.

Ms. Pongasi: That is correct.

Councilmember Kualii: That is the two (2) asterisks there.

Ms. Pongasi: Yes.

Councilmember Kualii: Is that the same for the other one 9091, Deputy Prosecutor, because there are two (2) asterisks there?

Ms. Pongasi: Yes.

Councilmember Kualii: Okay. The other one, E-88, Deputy Prosecuting Attorney, has the two (2) asterisks, it is 50%, so it is not 50% because it is partially funded, it is 50% because it is from that other source.

Ms. Pongasi: That is correct.

Councilmember Kualii: The position is vacant, it has been vacant for three hundred fifty-nine (359) days, the recruitment status says, "no activity." What are you doing to fill this position?

Ms. Pongasi: I am sorry, which position is this?

Councilmember Kualii: Position E-88, it is also 50% partially funded from a grant. E-88, Deputy Prosecuting Attorney, showing half General Fund funding, which is the full half, right?

Ms. Pongasi: That is correct.

Councilmember Kualii: If it is not being recruited and will not be filled to start on July 1st, then it should not be fully funded, in my opinion.

Ms. Pongasi: I believe that all of our grant funded positions whether they are partially or half are fully occupied with incumbents at this time.

Councilmember Kualii: Wait, it is on the vacancy report though. Even the updated one we got on March 28.

Council Chair Rapozo: E-88.

Councilmember Kualii: E-88, Deputy Prosecuting Attorney, Exempt, vacant for three hundred fifty-nine (359) days, no activity. Just to put another one out there because it is the same Deputy Prosecuting Attorney, 2903, it is also three hundred fifty-nine (359) days.

Ms. Like: I can comment on the recruitment efforts while they track down the position number.

Councilmember Kualii: Yes.

Ms. Like: We have been actively recruiting on Indeed.com and on the Hawai'i State Bar Association (HSBA) website, and we have had a number of interviews, but we did make an offer about two (2) months ago, and our offer was rejected by the applicant, but we have been actively interviewing and recruiting for those positions. Right now, as I have mentioned earlier, we are in what has been almost a month and a half long trial, which is unusual, we have two (2) Deputies in that trial, and it has really shown how shorthanded we are in regards to Deputy positions. Also, things happen in the community that we have to be able to respond to, for example, I think Councilmember Cowden eluded to it, but we have had a lot of vehicular crashes and offenses lately, and we have been doing our best to work with the Police Department so that we can charge these cases quickly, and we have one (1) Deputy in our office who is half-time training Deputy, half-time Prosecuting traffic cases, and there is just way more traffic cases than he can handle, so we really need those positions.

Councilmember Kualii: I appreciate everything you have to share, so are you going at recruitment on your own, or are you working with Human Resources (HR)?

Ms. Like: Mainly on our own, we are going through Indeed and HSBA, but not working directly with HR.

Councilmember Kualii: Because HR provides us with this vacancy report, and unless you make them aware of where you are at, then she should put in "no activity."

Ms. Like: Okay.

Councilmember Kualii: That leads to tell me that it is three hundred fifty-nine (359) days vacant, and you are not really recruiting. There is still time, because

there is a couple of months before July 1st. I would ask for positions to be not fully funded if it is not going to be starting on July 1st.

Ms. Rapozo: Councilmember Kualii, just to clarify, with the exempt positions, usually the department will go ahead and recruit on their own, and those are appointed positions.

Councilmember Kualii: When you say exempt, that is the one with the "E" in front.

Ms. Rapozo: Sometimes it has the E, sometimes it does not, but it will say, "exempt."

Councilmember Kualii: Are all these Deputy Prosecuting Attorney positions...

Ms. Rapozo: Appointed and exempt, yes.

Councilmember Kualii: Whether it is E-88 or just 2903.

Ms. Rapozo: Yes, but the other ones, they do work with us for the Civil Service positions.

Councilmember Kualii: Okay.

Council Chair Rapozo: Did you figure out are the two (2) vacancies?

Ms. Pongasi: Yes, we did, thank you for asking. It appears that E-88 is actually occupied, and E-89, should be the vacant position. E-88 is occupied by one of our Deputies who is as Prosecutor Like mentioned the half training deputy.

Council Chair Rapozo: Did you get this Janine?

Ms. Pongasi: I will work with Ms. Rapozo as well.

Council Chair Rapozo: I am assuming this report that we get comes straight out of Workday, HR, or whatever software they use.

Councilmember Kualii: What I would say about that too is that, E-88 is the position that is half funded by the other source or grant, and this E-89 is fully funded by the General Fund, so if a fully funded position is not going to be filled and occupied on July 1st, then that is a fully funded position, so it could be partially funded, so do look at that.

Council Chair Rapozo: E-89 is vacant.

Ms. Like: That is correct.

Council Chair Rapozo: 2903 is vacant.

Ms. Like: That is correct.

Councilmember Cowden: I have a simple follow up.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: What is "HSBA"? I do not like acronyms.

Ms. Like: I apologize, Hawai'i State Bar Association.

Councilmember Cowden: Hawai'i State Bar Association. So, you are looking for experienced attorneys.

Ms. Like: Or recent graduates who passed the bar as well. We just want people who are licensed to practice law in the State of Hawai'i.

Councilmember Cowden: Okay.

Ms. Like: We have gotten a number of applicants, and even though our advertisement on Indeed says you need to have a license to practice law, we get a number of applicants for people who are licensed in other States to practice, so we have not been interviewing those folks, but it does not necessarily need to be someone with a lot of legal experience, but the Hawai'i State Bar Association list serve, or email list goes out to a wide range of people who may...

Councilmember Cowden: So, you can give your piece and they will promote the opening, you would give it to the Hawai'i State Bar Association and they send it out to their applicant list, right?

Ms. Like: We have to pay for an advertisement with them, and then they send it out periodically, I believe on a monthly basis to whoever is a member of the Hawai'i State Bar Association, so if you are licensed in Hawai'i.

Councilmember Cowden: What is "SPF"? SPF is used two (2) or three (3) times, I do not know what that is. It is better if you used real words, because then it kind of sits there and floats off in space and I do not know what you are talking about.

Mr. Miranda: Councilmember Cowden, SPF stands for Strategic Prevention Framework.

Councilmember Cowden: Strategic Prevention of...

Mr. Miranda: Strategic Prevention Framework.

Councilmember Cowden: Framework.

Mr. Miranda: Yes.

Councilmember Cowden: Okay. Strategic Prevention Framework. Thank you.

Councilmember Kualifi: Continuing with the vacant positions, I will just do them together, because they have the same thing. 2829, Legal Clerk II, and 2823, Legal Clerk III.

Ms. Pongasi: Yes.

Councilmember Kualifi: The first one, two hundred fifty-seven (257) days vacant, the second one, one hundred thirty (130) days vacant, and they both say continuous, but where are you at in recruitment and filling these positions.

Ms. Pongasi: Position No. 2829, the employee who previously filled the position was promoted. We did actually extend an offer to an applicant who then intern rejected that offer, so we were forced to start again from ground zero. With respect to Position No. 2823, the employee resigned from that position, and we are in continuous recruitment, and we actually did interview applicants for that position, but unfortunately, it was not filled.

Councilmember Kualifi: Are you going to be able to fill them in the next couple of months, so they can start on July 1st?

Ms. Pongasi: That is the goal. Yes, we are in active recruitment for that.

Councilmember Kualifi: Okay. Next position, 2804, Victim Witness Counselor II, partially funded from General Fund, four hundred ninety-four (494) days vacant, interviews scheduled, this was in March, right?

Ms. Pongasi: Yes.

Councilmember Kualifi: Have you had the interviews?

Ms. Pongasi: Yes, we have had the interviews. The position is pending selection of an applicant.

Councilmember Kualii: Okay. 2822, Senior Account Clerk, nine hundred forty-nine (949) days, so that is a long time, and the recruitment status says, "no activity." What are you doing to fill the Senior Account Clerk position?

Ms. Pongasi: We are currently in the process of receiving approval for that position, so once we receive approval we will continue with recruitment on that.

Councilmember Kualii: What does that mean receiving approval?

Ms. Pongasi: It is currently sitting under review with Human Resources to see whether or not it is going to be moving to the next step.

Councilmember Kualii: That it even exist.

Ms. Pongasi: It exists. The position number exists.

Councilmember Kualii: You have a position...

Ms. Pongasi: It is in neogov right now, I have placed a request to advertise the position, so that is where it is at.

Councilmember Kualii: Okay, to start recruitment.

Ms. Pongasi: Correct.

Councilmember Kualii: To open it. Hopefully you can fill it. I think the last one, Process Server, 9102, two hundred seventy (270) days, recruitment says, "continuous."

Ms. Pongasi: We actually did interview for that position, and the position is pending selection of an applicant. We do have an applicant in mind that we are going to be making an offer to.

Councilmember Kualii: Thank you.

Ms. Pongasi: Thank you.

Councilmember Kualii: Thank you, Chair.

Council Chair Rapozo: Are there any other questions for OPA, whether it is overview or the budget? I think we got it covered. Are we done? Alright. Thank you very much.

Ms. Pongasi: Thank you.

Council Chair Rapozo: With that, we will be in recess until Monday morning at 9:00 a.m.

There being no objections, the meeting recessed at 3:17 p.m.