



COUNTY OF KAUA'I

Office of the County Clerk

Fiscal Year 2020-2021 Annual Report

Jade K. Fountain-Tanigawa
County Clerk

Scott K. Sato
Deputy County Clerk

Lyndon M. Yoshioka
Elections Administrator

OFFICE OF THE COUNTY CLERK
Annual Report
Fiscal Year July 1, 2020 to June 30, 2021

I. MISSION STATEMENT

- A. To efficiently, accurately, and respectfully provide the public (general public, County Administration, and other agencies) and the Kaua'i County Council with the staff support and assistance required to carry out the Legislative function of the County of Kaua'i.
- B. The mission of the Elections Division is to:
- Provide open, accessible, fair, and secure election services for the residents of the County of Kaua'i; and
 - Provide County Agencies with quality document reproduction services in an expeditious manner.

II. DIVISION GOALS

The Council Services Division provides support services to the County Council, and consists of four (4) sections – Research, Records Management, Support Services (Clerical), and Support Services (Secretarial Assistants).

Council Services Division:

1. To recognize that all members of our staff are valued and that the contributions they each make, strengthen our organization and help to carry out our mission of delivering efficient public service.
2. To treat everyone that comes into contact with the Council Services Division with respect, while recognizing the importance of providing exceptional customer service.
3. To efficiently and effectively provide staff and support services to the Kaua'i County Council in the preparation of Council and Committee Meetings, and to perform the necessary follow-up work as required.
4. To provide information and related documents on legislative and/or County matters when requested by the public. If information cannot be delivered within the time frame requested, a response to the request shall be provided no later than the time frame established pursuant to the provisions of the Uniform Information Practices Act (UIPA).

Elections Division:

1. Conduct elections in accordance with Federal, State, and County laws.
2. Establish and implement sound policies and procedures which ensure the integrity of the electoral process.
3. Offer services which are convenient and accessible for all election stakeholders.
4. Provide quality document reproduction services to county agencies in a timely and cost-effective manner.

III. PROGRAM DESCRIPTION & OBJECTIVES

A. Council Services Division:

1. Records Management. To maintain records of the Legislative Branch, including legal documents and operational records of the County. To file documents of the County Council and the Office of the County Clerk and retrieve records requested by the Council, the Administration, the public, and other agencies. (The Records Management Section is not the county-wide repository of all county records.)

Goals:

- a. Provide records-related assistance to the Kaua'i County Council, staff of the Office of the County Clerk, the County Administration, the public, and other agencies in a timely manner.
- b. Continue indexing/scanning system to allow for easier retrieval and to ensure that the records kept are protected.
- c. Process documents received in a timely manner.

Objectives:

- a. Maintain the current database indexing system in Microsoft Access.
- b. Maintain the current electronic filing system on Laserfiche.
- c. Continue the computerization of the indexing system for selected records series.
- d. Continue the scanning, verifying, and indexing of selected records series.

- e. Continue the digitization project by verifying, separating, and indexing the vendor-scanned documents.
 - f. Fulfill records requests on a priority basis within ten days after the request is received, with “ASAP” requests being researched immediately.
 - g. Process rules and regulations and transmit them to the State of Hawai‘i, Office of the Lieutenant Governor within three (3) working days after received by the Office of the County Clerk for filing.
 - h. Maintain records pursuant to the Kaua‘i County Charter.
 - i. Update the Office of the County Clerk “Sale-Item List.”
2. Support Services (Clerical). To provide all the clerical support for the County Council and the Office of the County Clerk. In addition to the day-to-day typing of letters and documents, the Support Services Section is responsible for preparing and posting agendas of meetings, public hearings, and workshops, including posting agendas on the County’s website with applicable attachments, staffing meetings and compiling documentation prior to and after such meetings, preparing minutes and Committee Reports, processing claims against the County of Kaua‘i, processing and distributing mail delivered to the County Councilmembers and the Office, preparing legal notices for publication, recording all necessary legal documents as required with the Bureau of Conveyances, handling the sale of ordinances, handling cash deposits, posting resolutions to the County’s website and servicing the public by providing documents pursuant to the UIPA.

Goals:

- a. Post and upload all agendas and attachments using Optical Character Recognition (OCR) Software to the County’s website, and distribute and mail as necessary, notices of meetings and public hearings as required by law.
- b. Complete all minutes accurately within the 40-day requirement established by the “Sunshine Law”, and complete Committee Reports drafted by the Research Section by the third working day following the meeting.
- c. Answer all telephone calls by the third ring and exercise proper phone etiquette.

- d. Adhere to the established standardized format for all clerical work produced.
- e. Provide the necessary training and exposure so that all clerical support staff will be capable and confident when staffing meetings including reporting and transcribing minutes within the established time frames.
- f. Type, distribute, and mail (including securing signatures when necessary) all letters and memos within three (3) working days of request.

Objectives:

- a. Council Services Assistants have embarked on a rotational system where they are provided with the “down time” necessary to complete their minutes accurately utilizing proper grammar and punctuation within the required time frame.
 - b. Review all written material (minutes, Committee Reports, memorandums, etc.) for accuracy to ensure the proper use of grammar and punctuation, while keeping with the intent of the speaker.
 - c. To utilize the Standardization Guide that was developed by the Council Services Assistant II, when drafting / formatting memos, bills, resolutions, certificates, etc. in order to achieve a standardized product.
 - d. Continue the clerical rotation, with respect to clerical assignments, mail distribution, and tasks accordingly.
3. Research Section. To perform all legislative staff functions, including comprehensive research and writing necessary for the efficient operation of the Office of the County Clerk and the Kaua‘i County Council.

Goals:

- a. To invest in the development of each member of the Research Section so that every staff member is confident and capable with staffing any Council Committee, project, or request.

- b. To provide a three (3) day turnaround for project assignments. For projects that are more complex in nature, staff will need to work with the “Requestor” to determine an agreed upon date. Encouraging staff to work with the “Requestor” will help to build a strong working relationship.
- c. To meet on a weekly basis to provide the status of projects, an update on upcoming events, solicit different ideas of how to approach complex assignments, and to discuss any difficulty experienced with certain projects/assignments.
- d. Provide assistance to the State Legislature, Hawai‘i State Association of Counties (HSAC), National Association of Counties (NACo), and the Western Interstate Region (WIR) when requested, and develop / maintain relationships with respective counterparts in the various organizations.

Objectives:

- a. Staff all meetings and hearings and provide information requested by the County Council and its Committees so all meetings can be conducted efficiently.
- b. Work closely with the County Administration, the public, and other governmental and private agencies to ensure the smooth flow of accurate information.
- c. Draft legislation, Committee Reports, certificates of achievement, letters, news releases, speeches, and requests for “Investigation and Report” (“Personal Requests”) with accuracy and on a timely basis.
- d. Initiate the necessary follow-up to requests for information.
- e. Assist in the preparation of the County and Hawai‘i State Association of Counties (HSAC) Legislative Packages which is annually submitted to the State Legislature. Provide assistance/information to the County Administration relating to their respective Legislative Packages, when requested.
- f. When requested, draft testimony to be submitted to the State Legislature and Congress.
- g. Provide the public and other interested organizations with requested information on Council and County matters within seven (7) business days. Should more time be needed, the request for additional time should be communicated to the requestor.

- h. Assist the County Council in the preparation, scheduling, and enactment of the annual County Operating and Capital Improvement Programs (CIP) Budgets and Resolution establishing the County of Kaua‘i’s real property tax rates.
 - i. Provide the necessary research and supporting documentation to assist in the development of the Operating and CIP Budgets and Resolution establishing the County of Kaua‘i’s real property tax rates.
4. Support Services (Secretarial Assistants). Council Services currently has two (2) Secretarial Assistants responsible for providing clerical assistance to each County Councilmember as well as serve as the liaison between the Councilmembers and the respective Sections within the Office.

As these positions and the functions that they provide continue to evolve, we strive to find the best staffing model that will enable our Office to successfully address the needs of all seven (7) Councilmembers.

Goals:

- a. Determine the individual needs and expectations of each Councilmember.
- b. Provide assistance to each Councilmember on a timely basis (scheduling meetings and appointments, making travel arrangements, etc.).
- c. Utilize the pCard System correctly to ensure that all transactions comply with the established policies and procedures for pCard use.

Objectives:

- a. Meet individually with each Councilmember to determine their expectations and type of assistance that they need/require.
- b. Assess how to best serve each Councilmember and establish standard procedures for dealing with the following:
 - Scheduling appointments and meetings.
 - Maintaining their individual calendars.
 - Notifying / providing reminders as necessary.

- Scheduling travel arrangements for all Councilmembers utilizing the pCard System.
- Process all requests for reimbursement timely, and in compliance with established policies and procedures.
- Prepare on a timely basis, all forms required for mileage and cell phone reimbursement.

B. Elections Division

1. Voter Registration.
2. Candidate Nomination and Filing.
3. Election Management.
4. Procurement.
5. Legislation.
6. Printing Services.

IV. BUDGET BY DIVISION

- A. Council Services Division: \$3,753,086
 B. Elections Division: \$875,118

V. ACCOMPLISHMENTS / EVALUATION

A. Council Services Division

Overall Achievements:

1. Received an A+ rating by Ballotpedia (formerly known as the Sunshine Review) for Government Transparency for the ninth consecutive year.
2. Continued day-to-day operations of the Office of the County Auditor as it relates to on-going contract management and performance audits initiated by the Kaua'i County Council. Continued with the on-going recruitment efforts of the County Auditor position.
3. Continued to enhance and maintain the County Council's Facebook page. This initiative is an effort to be more accessible to the public and encourage public participation in County government. During the period of July 2020 through June 2021, the Council's Facebook page had:

Weekly Total Reach: The number of people who have seen any content associated with the Council’s Facebook page (Unique Users).

July 1-November 30	166,096
December 1-February 28	31,143
March 1-June 30	<u>148,728</u>
TOTAL	345,967

Weekly Total Impressions: The number of impressions seen of any content associated with the Council’s Facebook page (Total Count).

July 1-November 30	244,847
December 1-February 28	53,138
March 1-June 30	<u>203,732</u>
TOTAL	501,717

Weekly Reach of Page Posts: The number of people who saw any of the Council’s Facebook page posts (Unique Users).

July 1-November 30	155,895
December 1-February 28	29,667
March 1-June 30	<u>101,603</u>
TOTAL	287,165

Weekly Total Consumers: The number of people who clicked on any of your content. Stories that are created without clicking on the Council’s Facebook page content (Liking the Council’s Facebook page from timeline are not included) (Unique Users).

July 1-November 30	10,367
December 1-February 28	2,237
March 1-June 30	<u>6,579</u>
TOTAL	19,183

The Council’s Facebook page has accumulated 1,555 total “Likes.”

- Completed the codification of the Kaua‘i County Code 1987, as amended, and Supplements #1-9 (2013-2021) which are available online. The online version of the Code is updated twice a year (December & June). A printed supplement is available once a year (June).
- Completed assistance to the Office of the County Clerk, Elections Division with the 2020 All-Mail Primary and General Elections.

Other Achievements:

1. Records Management. (Statistics provided are from July 1, 2020 to June 30, 2021, and may include cross references.)
 - a. Non-agenda communications scanned, indexed, and filed (does not include any modifications/updates to existing items): 1,956
 - b. Agenda-related items scanned (does not include any modifications/updates to existing items): 1,618
 - c. Council and Committee minutes scanned, indexed, and filed: 103
 - d. Executive Session minutes and related documents scanned, indexed, and filed: 146
 - e. Committee Reports scanned, indexed, and filed: 68
 - f. Resolutions scanned, indexed, and filed: 51
 - g. Bills/Ordinances scanned, indexed, and filed: 83
 - h. Public Hearing transcripts scanned, indexed, and filed: 26
 - i. Affidavits of Publication scanned, indexed, and filed: 89
 - j. Studies scanned, indexed, and filed: 7
 - k. On average, seven (7) communications on the weekly meeting agenda were indexed and filed.
 - l. Total requests to retrieve and research documents: 213
 - m. Vendor-scanned documents that have been indexed, corrected, and verified: 10,577
2. Support Services (Clerical) and Research Section. (Statistics provided are from July 1, 2020 to June 30, 2021.)
 - a. Agendas prepared, meetings staffed:
 - i. Council 25

ii. Special Council	4
iii. Executive Session	35
iv. Workshops	1
v. Committee	19
vi. Advisory Committees	0
vii. Length of Meetings (Hours)	134
b. Committee Reports prepared:	54
c. Minutes prepared:	
i. Council / Special Council Minutes	26
ii. Committee Deferred Minutes	40
iii. Public Hearing Minutes	24
iv. Executive Sessions	32
v. Workshops	1
d. Public Hearing Notices and Publications:	25
e. Ordinances adopted:	31
f. Resolutions adopted:	49
g. Total typing assignments (including daily communications, bills, and resolutions, etc.):	602
h. Request for Investigation and Service (Personal Request) forms drafted and typed (includes follow-up, response to constituent, etc.):	35
i. Certificates drafted and typed:	48
j. New Project Assignments – Requests for information, request for research, letters, memos, etc. (This would range from simple to complex issues):	4,359
k. Legislative Packages: Staff assisted in the preparation of the annual County Legislative Package and the Hawai‘i State Association of Counties (HSAC) Legislative Package, and assisted in lobbying efforts at the State Legislature.	

1. Council Recap Memos and approved Council Meeting Minutes were placed on the County website, as soon as possible (depending upon when signatures were obtained).

B. Elections Division

1. Voter Registration and Turnout.

- a. Voter File Maintenance¹.

Paper Voter Registration Transactions	2,600
Online Voter Registration Transactions	4,348
Purge / Deceased (a)	427
Purge / Moved Away (b)	170
Purge / Self Cancellation (c)	89
Purge / Felony Incarceration (d)	6
Purge / Pursuant to NVRA 2-cycle Inactivity ² (e)	1,715
Purge / Total (a + b + c + d + e)	2,407

¹ As of June 14, 2021.

² Number of voters purged from the rolls for failing to respond to federally mandated notices within two (2) Federal election cycles (4 years).

- b. Miscellaneous Statistics³.

Voter Registration Follow-up Letters Mailed	205
Voter Registration Certificates Issued	30
Voter Notification Postcards Mailed ⁴	47,000
Voter Final Confirmation Postcards Mailed	1,345

³ As of June 14, 2021.

⁴ Approximate quantity.

c. 2020 Voter Turnout.

	<u>Primary Election</u>	<u>General Election</u>
No. Registered Voters (a)	45,135	47,253
Voter Service Center Turnout (b)	404	2,350
Mail Turnout (c)	22,010	31,731
Overall Turnout (d=b+c)	22,414	34,081
Voter Service Center Turnout % (b/d)	1.8%	6.9%
Mail Turnout % (c/d)	98.2%	93.1%
Overall Turnout % (d/a)	49.7%	72.1%

2. Election Administration.

a. Procurement Summary.

<u>Items</u>	<u>Contractor</u>	<u>Amount</u>
Four (4) Barcode Scanners	Technology Integration Group	1,238.58
Envelope Scanner Spare Parts	Runbeck Election Service	2,276.66
Ballot Drop Box Badging	SIGNart	1,504.90
Post-election Shipment to O‘ahu	Royal Hawaiian Movers	1,067.13
Voting System & Support ⁵	Hart Intercivic	87,648.44
	TOTAL	93,735.51

⁵ Ballot envelopes, envelope personalization, ballot packet assembly, and delivery of assembled ballot packets to the USPS were included in the cost of the voting system.

b. Facilities Used.

<u>Facility</u>	<u>Purpose</u>
Historic County Annex Warehouse	Counting Center
Pi‘ikoi Conference Rooms A/B	Voter Service Center

c. Ballot Dropbox Sites.

<u>No.</u>	<u>Location</u>	<u>Primary Election</u>	<u>General Election</u>	<u>Total</u>
1	Waimea Neighborhood Center	n/a	235	235
2	Hanapēpē Fire Station	224	288	512
3	Kalāheo Fire Station	527	492	1,019
4	Kōloa Neighborhood Center	n/a	363	363
5	Voter Service Center	404	1,573	1,977
6	Elections Division	1,363	2,798	4,161
7	Kapa‘a Fire Station	768	797	1,565
8	Kīlauea Neighborhood Center	n/a	272	272
9	Hanalei Fire Station	354	539	893
10	Hanalei Neighborhood Center	n/a	116	116
	TOTALS	3,640	7,473	11,113

d. Personnel and Training.

	<u>No. Recruited</u>	<u>Training Sessions</u>
Voter Service Center Officials	21	2
Counting Center Officials ⁶	678	2
Dropbox Collection Officials	14	2
Control Center Officials	14	2
TOTALS	723	8

⁶ Ballot processing occurred over a ten (10) day period prior to each election. Given this expanded timeline a higher than usual number of Counting Center volunteers was required since the majority of volunteers could not commit to the additional number of processing days. This quantity also includes an ample number of alternates, which were not called to service.

3. Primary Election Recount

During the 2020 Primary Election a mandatory recount of all votes cast for the Council contest was triggered pursuant to HRS § 11-158 (a) (1), which states:

"(a) The chief election officer, or the clerk in the case of a county election, *shall conduct a recount of all votes cast for any office* or ballot question in any election if the official tabulation of all of the returns for that office or question reveals that the difference in:

(1) The number of votes cast for a candidate apparently qualified for the general election ballot or elected to office and the number of votes cast for the closest apparently defeated opponent; or

(2) The number of votes cast in the affirmative for the ballot question and the number of votes cast in the negative for the ballot question, including when applicable, the tabulation of blank votes,

is equal to or less than one hundred votes or one-quarter of one per cent of the total number of votes cast for the contest, whichever is greater. (Emphasis added.)

The determination that a recount of the Council contest was required was based on the following calculations.

No. of Primary Election Council candidates advancing to the General Election ballot	14
Total votes cast the for the Council contest	110,519
Recount trigger: one-quarter of one percent (0.0025) of 110,519	276
No. of votes received by the <u>apparently qualified candidate</u> (i.e., Council candidate receiving the 14th highest number of votes in the Primary Election)	2,557
No. of votes received by the <u>closest apparently defeated candidate</u> (i.e., candidate receiving the 15th highest number of votes in the Primary Election)	2,322
No. of votes separating the apparently qualified candidate and the closest apparently defeated candidate	235
235 vote difference < 276 recount trigger, therefore recount provisions pursuant to HRS 11-158 were met	

Additional recount provisions include:

- Completing the recount and announcing the results no later than seventy-two hours after the closing of the polls on Election Day. HRS § 11-158 (c).
- Notifying affected candidates no later than one day prior to the date of the recount. HRS § sec. 11-158 (d) (2).

Overall, the recount went well, but having to complete the recount no later than seventy-two (72) hours after the closing of the polls on Election Day barely provided sufficient time to identify and allocate the resources needed to complete the process.

To provide more time for recounts to be completed, HB 197 and companion Bill SB 420 were introduced during the current legislative session. The Bills would amend HRS § 11-158 by moving the deadline for completing the recount from seventy-two hours to five (5) business days after the closing of the polls on Election Day. The Bills were not adopted but will be carried over to the 2022 Session.

4. Legislation.

During the 2021 Legislative Session one (1) House Bill, three (3) Senate Bills, and one (1) Senate Resolution were adopted and have either been signed by or have been enrolled to the Governor.

- HB 199, Relating to Election Proclamations.
Repeals the requirement that election proclamations contain a statement of the time and places where an election is to be held. Specifies that the county clerk, not the chief election officer, shall issue an election proclamation listing information on voter service centers and places of deposit. Act 007, 04/16/2021 (Governor's Message No. 1107).
- SB 159, Relating to Voting.
Makes an application for voter registration part of all state identification card and driver's license applications. Requires qualified applicants to choose to be registered to vote. Requires updating of names and addresses of qualified applicants who are already registered to vote unless the applicant declines. Requires sharing of certain information among the counties, department of transportation, election personnel, and the online voter registration system. Enrolled to the Governor on 4/29/2021.
- SB 548, Relating to Elections By Mail.
Amends various statutory provisions to clarify and improve the administration of elections by mail. Establishes voters with special needs advisory committees at the state and county levels. Requires the department of public safety and Hawaii paroling authority to inform individuals on parole or probation of their right to vote and provide them with voting information. Requires the office of elections and the county clerks to make a determination, as soon as practicable, of the optimal number and placement of voter service centers. Enrolled to the Governor on 4/29/2021.
- SB 1350, Relating to State Government.
Part II: Establishes public notice requirements for short form public notices of reapportionment plans. Temporarily amends the start date for the availability of nomination papers for 2022 primary election. Defines "permanent resident" for legislative reapportionment purposes. Authorizes and appropriates funds to the reapportionment commission. Act 014, 05/17/2021 (Governor's Message No. 1114)

- SR 220, Requesting the attorney general to petition the Hawai'i Supreme Court seeking relief to prevent action against the Reapportionment Commission for the Commission's failure to meet statutory or constitutional deadlines relating to the 2021 Reapportionment Plans. Report and Resolution adopted on 3/31/2021.

5. Printing Services.

- a. Completed sixty-seven (67) off-set print jobs (forms, brochures, booklets, business cards, flyers, etc.)
- b. Completed one hundred twenty-seven (127) bulk photocopying jobs (bid specifications, manuals, etc.)

(Print jobs may require collating, binding, folding, stapling, etc.)