



COUNTY OF KAUAI

Office of the County Clerk

Fiscal Year 2021-2022 Annual Report

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County Clerk

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OFFICE OF THE COUNTY CLERK
Annual Report
Fiscal Year July 1, 2021 to June 30, 2022

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: \$3,571,568

B. Elections Division: \$841,623

V. ACCOMPLISHMENTS / EVALUATION

A. Council Services Division

Overall Achievements:

1. Continued navigation through the COVID-19 pandemic and remote technology advent to successfully provide transparent meetings of the Kaua‘i County Council pursuant to all applicable laws and emergency orders.
2. Received an A+ rating by Ballotpedia (formerly known as the Sunshine Review) for Government Transparency.
3. 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.

4. 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 2021 through June 2022, the Council’s Facebook page had:

Page Reach: The number of people who saw any content from your Page or about your Page, including posts, stories, ads, social information from people who interact with your Page, and more.

July 1-November 30	7,572
December 1-February 28	2,609
March 1-June 30	<u>6,083</u>
TOTAL	16,264

The Council’s Facebook page has accumulated 1,700+ “Followers.”

5. Completed the codification of the Kaua‘i County Code 1987, as amended, and Supplements #1-10 (2013-2022) 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).
6. Completed assistance to the Office of the County Clerk, Elections Division with the 2021 Special Election for the Prosecuting Attorney and in preparation for the 2022 Primary and General Elections.

Other Achievements:

1. Records Management. (Statistics provided are from July 1, 2021 to June 30, 2022, and may include cross references.)
 - a. Non-agenda communications scanned, indexed, and filed (does not include any modifications/updates to existing items): 1,158
 - b. Agenda-related items scanned (does not include any modifications/updates to existing items): 1,024
 - c. Council and Committee minutes scanned, indexed, and filed: 86
 - d. Executive Session minutes and related documents scanned, indexed, and filed: 96
 - e. Committee Reports scanned, indexed, and filed: 43
 - f. Resolutions scanned, indexed, and filed: 50

g. Bills/Ordinances scanned, indexed, and filed:	40
h. Public Hearing transcripts scanned, indexed, and filed:	33
i. Affidavits of Publication scanned, indexed, and filed:	104
j. Studies scanned, indexed, and filed:	11
k. On average, ten (10) communications on the weekly meeting agenda were indexed and filed.	
l. Total requests to retrieve and research documents:	168
m. Vendor-scanned documents that have been indexed, corrected, and verified:	11,189
2. Support Services (Clerical) and Research Section. (Statistics provided are from July 1, 2021 to June 30, 2022.)	
a. Agendas prepared; meetings staffed:	
i. Council	25
ii. Special Council	2
iii. Executive Session	22
iv. Workshops	0
v. Committee	24
vi. Advisory Committees	0
vii. Length of Meetings (Hours)	128
b. Committee Reports prepared:	58
c. Minutes prepared:	
i. Council / Special Council Minutes	24
ii. Committee Deferred Minutes	42
iii. Public Hearing Minutes	34

iv. Executive Sessions	21
v. Workshops	0
d. Public Hearing Notices and Publications:	59
e. Ordinances adopted:	31
f. Resolutions adopted:	48
g. Total typing assignments (including daily communications, bills, and resolutions, etc.):	574
h. Request for Investigation and Service (Personal Request) forms drafted and typed (includes follow-up, response to constituent, etc.):	32
i. Certificates drafted and typed:	62
j. New Project Assignments – Requests for information, request for research, letters, memos, etc. (This would range from simple to complex issues):	3,895
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.	
l. 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. Prosecuting Attorney Special Elections

a. Overview

The Prosecuting Attorney Special Elections appears to have gone well despite the highly condensed preparation timeline. No major issues were encountered, and no election contests were filed.

Though highly disruptive to regular election preparations, the unscheduled special elections did prove beneficial as it allowed us to gain experience with the new voting system and ballot tracking services, which were scheduled to be deployed in the 2022 Elections. However, the relatively low turnout did not subject the new election components to the typical voter volume experienced

during a regular election so further evaluation is needed during the upcoming elections to truly gauge each component's strengths and weaknesses.

Conducting the ballot packet assembly and mailing using an out of state vendor also proved to be highly enlightening and we would not hesitate to utilize this option in the future, if required. The out of state vendor employs some highly beneficial quality control measures, which have been passed on to our in-state vendor in the hopes that some measures may be adopted, equipment permitting.

b. Special Election Cost

The cost for conducting the special elections was initially estimated to be approximately \$500,000. Subsequent evaluation reduced the amount and \$475,000 was eventually appropriated. The final cost for conducting the special elections, including a breakdown of substantive cost items is below. Please note that the breakdown does not include the cost of non-overtime salaries for Election Division staff.

Items	Amount
Voting System (Hart InterCivic)	\$300,407
Postage	\$68,272
Temp Election Clerks	\$35,196
Notification Mailing (Edward Enterprises) ¹	\$13,304
Overtime and Premium Pay	\$12,862
Voter Service Center Staff	\$12,100
Counting Center Officials	\$9,915
Counting Center Facility Lease	\$4,000
Meals, Refreshments & Supplies	\$3,557
TOTAL	\$459,613

¹ The contract included notification mailings for the Prosecuting Special Elections and 2022 Elections. The amount stated reflects the entire contract amount as a cost breakdown by election was not available.

c. Special Election Voter Turnout

The lower voter turnout was typical for a special election but still disappointing given the time, effort, and resources invested. As anticipated most voters opted to cast a ballot by mail. This trend is expected for the 2022 Elections, but we are nevertheless required by law to offer a full slate of in-person voting services with emphasis on accommodating voters with disabilities.

	Special Primary Election	Special General Election
No. Registered Voters (a)	47,568	47,698
Voter Service Center Turnout (b)	66	61
Mail Turnout (c)	12,142	12,176
Overall Turnout (d=b+c)	12,208	12,237
Voter Service Center Turnout % (b/d)	0.14%	0.13%
Mail Turnout % (c/d)	25.52%	25.53%
Overall Turnout % (d/a)	25.66%	25.66%

2. 2021 Reapportionment

On February 23, 2022, the 2021 Reapportionment Commission (Commission) adopted the Reapportionment Plan for the State Legislature and U.S. Congressional Districts.

Based on a statewide permanent resident population 1,348,054 persons and a Kaua‘i permanent resident population of 73,004 persons, the Commission allocated the County of Kaua‘i:

- One (1) Senate seat, District 08 representing the islands of Ni‘ihau and Kaua‘i; and
- Three (3) House seats, Districts 15, 16, and 17 representing a target population of 24,335 permanent residents residing within the district boundaries described in pages 12-15 of Appendix D, District Boundary Descriptions of the 2021 Legislative Reapportionment Plan.

The Commission’s full report is available at:

<https://elections.hawaii.gov/about-us/boards-and-commissions/reapportionment/>

3. 2022 Election Preparations

a. Contests

Following the 2021 Reapportionment, all State offices will be up for election during the 2022 Elections, including all State Senate seats regardless of whether the term would have extended past the 2022 General Election.

The State Reapportionment Commission, as part off the Reapportionment Plan was responsible for assigning two-year terms for twelve (12) Senate seats for election immediately following adoption of the Reapportionment Plan. The remaining Senate seats shall be assigned four-year terms.

The assignment of a two-year term was made so that constituents in each Senate district would have no more that two (2) regular senate elections within a six-year period beginning in the even-numbered year prior to the Reapportionment year. Kaua‘i’s sole Senate District 08 seat was assigned a four-year term pursuant to these mandates in Article IV, Section 8 of the Hawai‘i State Constitution.

2022 Contests	Term (years)
U.S. Senator	6
U.S. Representative, Congressional District 2	2
Governor	4
State Senator, District 08	4
State Representative, District 15	2
State Representative, District 16	2
State Representative, District 17	2
OHA Trustee, Hawai‘i Island Resident	4
OHA Trustee, O‘ahu Island Resident	4

2022 Contests	Term (years)
OHA Trustee, At-Large	4
Mayor, Kaua‘i	4
Councilmember, Kaua‘i	2

b. Significant Dates and Deadlines

Significant election dates and deadlines are established pursuant to the Hawai‘i State Constitution and Hawai‘i Revised Statutes.

Event	Primary Election	General Election
Ballot Packets to Voters HRS § 11-102	07/26/22	10/21/22
Ballot Place of Deposit HRS § 11-109 Available 24/7 Closed at 7:00 p.m. on Election Day	07/26/22	10/21/22
Voter Service Center Period HRS §§ 11-15.2 & 11-109 Mon – Sat, 8:00 a.m. to 4:30 p.m. Election Day: 7:00 a.m. to 7:00 p.m. Also a Ballot Place of Deposit	08/01/22	10/25/22
Deadline to Register via Paper Application HRS § 11-24 After this deadline unregistered individuals must register and vote in-person at the Voter Service Center	08/03/22	10/31/22
Deadline to for Registered Voters to Request an Absentee Mail Ballot HRS § 15-4 This request is to mail a ballot to a temporary alternate address	08/06/22	11/01/22
Election Day HRS § 12-2 & Hawai‘i Constitution Article II, Section 8 Ballots must be received by 7:00 p.m. to be counted	08/13/22	11/8/22
Deficient Ballot Resolution Deadline HRS § 11-106 Deficiency must be resolved by 4:30 p.m. to be counted	08/22/22	11/16/22

Event	Primary Election	General Election
Election Contest Deadline HRS §§ 11-173.5 & 11-174.5	08/26/22	11/8/22

c. Projected Non-Personnel Expenses

The cost of the voting system is always the highest expense for each election. However, for the 2022 Elections, Federal funds will be used to offset 50% of the total cost of the voting system for each County and State so each will pay half of the actual amount due.

Some non-personnel cost savings are anticipated as preparations for the Prosecuting Attorney Special Elections remain in place and will be utilized for the 2022 Primary and General Elections.

Items	Contractor	Amount
Postage	U.S. Postal Service	\$75,000
Voting System ²	Hart Intercivic	\$59,970
Election Notification Mailings ³	Edward Enterprises	\$13,304
Counting Center Facility Lease	Kaua'i Community College	\$4,000
NVRA Final Confirmation Mailing	Edward Enterprises	\$1,927
TOTAL		\$154,201

² Includes the voting and vote tabulation system, paper ballots, mail ballot envelopes, ballot packet assembly, HTML (ADA) ballot, and ballot packet tracking. The amount stated reflects 50% of the actual amount due for the voting system. Federal funds will be used to pay the remaining 50%.

³ The contract included notification mailings for the Prosecuting Special Elections and 2022 Elections. The amount stated reflects the entire contract amount as a cost breakdown by election was not available.

d. Projected Personnel Expenses

Regular salary costs continue to increase as wage rates rise. However, overtime, premium pay, and meals have been kept in check as vote by mail operations become more efficient.

An evaluation of staffing levels following the 2020 Elections and Prosecuting Attorney Special Elections appears to indicate that existing staff numbers are adequate. However, anticipated retirements will eventually require a temporary increase in permanent staffing to allow the new hire(s) time to get trained.

Items	Quantity	Amount
Election Division (permanent)	4	\$235,908
Election Division (seasonal)	4	\$61,593
Voter Service Center Officials ⁴	7	\$17,500
Overtime, premium pay & meals ⁵	N/A	\$30,000
Meals	N/A	\$750
TOTAL		\$345,751

⁴ Each VSC Official is paid a flat rate of \$100/day (25 days total), no overtime, meals, etc. The total cost is shared equally between the County and State Office of Elections.

⁵ For Election Division permanent and seasonal staff only. Overtime for specified events may be shared with or entirely charged back to the State Office of Elections.

e. Facilities

Election facilities established during the Prosecuting Attorney Special Elections will be used for the 2022 Elections.

Facility	Purpose
Historic County Annex Basement	Voter Service Center
Kaua'i Community College OCET Building	Counting Center

f. Ballot Places of Deposit.

The ten (10) Ballot Places of Deposit established during the Prosecuting Attorney Special Elections will be used for the 2022 Elections.

- Hanalei Neighborhood Center
- Princeville Library
- Kīlauea Neighborhood Center
- Waipouli Shopping Center
- Elections Division
- Kōloa Neighborhood Center
- Kalāheo Neighborhood Center
- Hanapēpē Neighborhood Center
- Waimea Neighborhood Center
- Voter Service Center

All locations, except the Voter Service Center, will be available 24 hours a day, 7 days a week beginning on the dates in section 3b above. All Places of Deposit will close at 7:00 p.m. on each Election Day. The Voter Service Center Place of Deposit will be available during days and hours of operation also noted in section 3b above.

4. Legislation

During the 2022 Legislative Session one (1) Senate Bill and three (3) House Bills were adopted and have either been signed by or have been enrolled to the Governor.

- HB 1471, Relating to political parties.

Amends provisions relating to dates and deadlines in statutory provisions governing political parties. (Act 004, 04/07/2022, Governor's Message No. 1104)

- HB 1472, Relating to withdrawal of petition signatures.

Amends the information necessary for a voter to withdraw their signature from a petition under election laws. (Transmitted to the Governor, 04/22/2022)

- HB 1883, Relating to elections.

Requires the exterior of the envelope containing the ballot package for elections by mail to include instructions on how to obtain language translation services in Hawaiian and certain other non-English languages. Applies to all elections beginning with the 2024 primary election. (Transmitted to the Governor, 04/22/2022)

- SB 2162, Relating to ranked choice voting.

Establishes ranked-choice voting for special federal elections and special elections of vacant county council seats. Effective 1/1/2023. (Enrolled to Governor, 05/06/2022)

5. Printing Services

- a. Completed thirty-eight (38) off-set print jobs (forms, brochures, booklets, business cards, flyers, etc.)
- b. Completed eighty-five (85) bulk photocopying jobs (bid specifications, manuals, etc.)

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