

Kaua'i Emergency Management Agency

Honorable Mason K. Chock
Honorable Felicia Cowden
Honorable Luke A. Evslin
Honorable Arryl Kaneshiro

Excused: Honorable Arthur Brun
Honorable Ross Kagawa
Honorable KipuKai Kualii

The Committee reconvened on April 11, 2019 at 9:03 a.m., and proceeded as follows:

Committee Chair Kaneshiro: Good morning. I would like to call back to order the Committee of the Whole and the Fiscal Year 2019-2020 Departmental Budget Reviews. Let the record reflect that we do have a quorum. On the schedule for today, April 11, 2019, we will be hearing from Emergency Management Agency, Department of Human Resources, Office of the County Attorney, and the Agency on Elderly Affairs. As we do every morning, we will take testimony. Is there anyone in the audience wishing to testify?

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

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

Committee Chair Kaneshiro: Seeing none, we have the Emergency Management Agency. If you folks would like to come up. You are the Kaua'i Emergency Management Agency (KEMA) now?

ELTON S. USHIO, Emergency Management Administrator: Yes. *Aloha.*

Committee Chair Kaneshiro: We did receive your synopsis. Do we have any questions for Elton? Councilmember Chock?

Councilmember Chock: I have budget questions. Is that okay?

Committee Chair Kaneshiro: Yes.

Councilmember Chock: Good morning, how are you? Just two (2) questions that came to me as I looked at your budget...for Special Projects...I think you actually have a significant decreases, correct? Is that related to the Disaster Contingency?

Mr. Ushio: Please hang on for a second.

Committee Chair Kaneshiro: I wrote a note on this. Last year Elton, you folks had a Mitigation Plan Update that was a matching \$25,000.00 that was in your budget last year. That is why I believe that account is down by \$25,000.00 because that matching grant is done.

Councilmember Chock: That is what I thought too when I looked at the budget. As it relates to the remaining amount, how are we going to use those funds after this past tumultuous year? If you could provide any updates or revisions to that contingency.

April 11, 2019

Kaua'i Emergency Management Agency, Department of Human Resources, Office of the
County Attorney, and Agency on Elderly Affairs

Page 2

Mr. Ushio: Can you please hang on, my laptop is frozen.

Councilmember Chock: Today is not a good day for the computers or video.

Committee Chair Kaneshiro: We will take a quick break until the computer is working.

There being no objections, the meeting recessed at 9:06 a.m.

The meeting reconvened at 9:07 a.m., and proceeded as follows:

Committee Chair Kaneshiro: Okay, we are back.

Mr. Ushio: Councilmember Chock, could you please restate the question?

Councilmember Chock: Sure. This in regards to your Special Projects line item. As it relates to the Disaster Contingency amount that decreased, you have just a small amount left in it...I just wanted an update as to the plan as it relates to what we have gone through this past year and what adjustments need to be made. My point being...do you feel that is something we need to re-look at based on this past year or...

Mr. Ushio: This past year was particularly busy as far as natural disasters. We had two (2) major disaster declarations. Those are unusual. The disaster contingency funding there...our intent is to use it for flash flood warning activations, which are normally partial activations and normally not extended. Should we need additional funding, we can always come back and request more or transfer from other line items. I think last year, it might not be good to use that year as the norm, knock on wood, we do not have another busy season like that. I think for now we are fine with this item as proposed.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I want to first say thank you for doing an exceptional job last year. We had a busy and difficult year, and I was surprised to see relatively low costs on that. Good job with not much. It looks like when I am reading in here that one of your biggest challenges is getting additional staffing when it is needed. Is that correct?

Mr. Ushio: First of all, thank you for the kind words. It really is a whole community approach from all levels of government, the private sector, down to the community-based organizations, and the people that we serve. We are in the process of recruiting. In fact, we will have a new employee come on board on the 16th. We are working with Human Resources (HR) closely, on additional hires. So that is in-process.

Councilmember Cowden: Okay. So you have one (1) more open position? Is that correct?

Mr. Ushio: Yes. We will be recruiting shortly for a position at the Unit 13 professional-level.

Councilmember Cowden: Okay.

Mr. Ushio: Possibly further down the line, we have to get confirmation from the grant source.

Councilmember Cowden: Just in case anyone is watching, what is the main requirement for that job?

Mr. Ushio: Hang on. Let me consult with HR to see if I can say what we will be doing.

Councilmember Cowden: Okay, you do not have to do it. I just thought that people watch this and if we need help, maybe it might help get the word out to help the whole island.

Mr. Ushio: If they monitor the recruitment announcements that are posted, something will be coming up.

Councilmember Cowden: Okay, thank you.

Committee Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: I also want to say good job for last year. Especially, it seems like you folks really kept a handle on your overtime. You have every reason to go over budget for overtime because of this unforeseen year, and you are well within your range for that. Good job on everything that you all are doing. Quick question on the grant, where does that come from?

Mr. Ushio: We manage various grants. One (1) of our employees is funded through the Homeland Security Grant program. We also have the Emergency Management Performance Grant (EMPG) that can help us with positions as well. One (1) of the proposed positions coming in will be funded with EMPG funds. We may have another position, but we have to work with HR first along with getting confirmation from the grant source first.

Councilmember Evslin: Those are all Federal grants?

Mr. Ushio: Yes.

Committee Chair Kaneshiro: I have a question regarding positions. For the last few years, you have always just had four (4) employees. What is the reason for changing around the titles?

Mr. Ushio: It has actually been in the works for a while where we have been looking at best practices, other counties, etc., and you may recall some changes in the years past. What we essentially did in this year is to reclassify the Grant Coordinator to an Emergency Management Staff Officer. The Staff Officer title is consistent with the City & County of Honolulu and Hawai'i County Civil Defense. We made it consistent there. Given the duties of the position, you need more flexibility into the emergency management side. We did an additional change to convert that position to be the Emergency Management Senior Staff Officer. The duties of grant management still remain under the Emergency

Management Administrative Branch of KEMA, and as we develop new staff, we hope to get them well-versed and well-rounded to help us both on the grants side and the administrative side, as well as emergency management. At the core of what we do, we are the Emergency Management Agency, and we need to always be ready.

Committee Chair Kaneshiro: I figured that your office is so small, you are already doing everything anyways regardless of what anyone's titles are. I was just wondering about the movement of titles. Changing the title one day, I think everyone will still have to do everything. When there is an emergency, everyone will be running around doing everything anyways. Any further questions for KEMA? Councilmember Chock.

Councilmember Chock: Elton, you have an increase in the R&M. I just wanted to confirm that it was because of the radio system software upgrade. What are those increases related to?

Mr. Ushio: If you look at the last three (3) items, encryption annual maintenance, as part of the security upgrades, that will be an annual security cost. We came in for the Homeland Security Grant approval and we received some questions about the encryption. My understanding is that that is associated with that. Radio system software upgrade is related to our current software security version is what the vendor calls their "2014 version" and they have done a temporary extension for us. After this fiscal year, it will no longer be supported. We need to upgrade that and that is the cost. Finally, Hanalei Police Substation and Fire Station, we are in the process of doing upgrades to the telecommunications system there that is tied into the building. The building is old and the electrical system is outdated so we are having to budget for those costs.

Committee Chair Kaneshiro: Any other questions? If not, thank you. We will move on.

Mr. Ushio: Thank you very much, *aloha*.

Department of Human Resources

Committee Chair Kaneshiro: Next up is Human Resources (HR). Welcome Janine.

JANINE M.Z. RAPOZO, Acting Director of Human Resources: Good morning.

Committee Chair Kaneshiro: Did you want to go over your synopsis real quick?

Ms. Rapozo: Really quick. Good morning, with me I have Jill Niitani, HR Manager. If you look at our budget report, there were movement of funds between various accounts. Other than benefits though, it is a pretty flat budget. I was going to go over my position vacancies so that there are no questions later on. We have three (3) vacancies. The Director, which the Commission is working on filling that position. We have an HR Specialist III, Position No. 2465, which we are recruiting at the end of this month and hope to fill no later than June. Our Accountant II, Position No. 210, we downgraded that position and it was just posted earlier this week. The other thing that I wanted to go over was something that I believe came up in the Parks & Recreation budget, which I believe had to do with our recruitment efforts. We do look at different approaches in how to recruit for a

position and ensure that we get qualified candidates and that we are outreaching to all of the different types of people that we can. The first approach is making sure we get the word out. With all of our positions, all of the postings are distributed to all of our County employees. If you have a County E-mail you are probably seeing those come through. They are also posted at the baseyards or other locations where our employees may not have County E-mail. All of them are online as well as on the County's website. If you go on our County website, you will see that. People can actually sign-up to get notifications when new jobs are posted there. We recommend that so that you do not have to keep searching that every day or every hour. It will notify you through E-mail when a position that is of interest to you is being posted. Of course, we use the newspaper and we use job fairs. Depending on the positions, we look at various types of professional organizations to post in their publications for the higher-level positions. Other than that, during some of the higher-level department head positions, we did use some of the more nationally recognized type of postings such as Indeed, Glassdoor, LinkedIn...there are pros and cons to that. Some of them are just sending us applications even if the individual is not necessarily interested. But, because it meets the criteria of what the person has put on their particular resumé, they are just sending it to us. There is good and bad to that. The second prong under recruitment...what we noticed is that if there is an exam or a test, we do get a lot of applicants...we do get a lot of them that do not necessarily pass the exam. What the Kaua'i Police Department (KPD) is doing right now is that they are doing that class to try and prepare for the exam. We are looking at trying to provide that for other types of positions as well. We are also trying to provide study guides or other materials to help people to get through that exam. We do want to be sure they are competent for that position if it is not entry-level. Also, we are looking at the test itself to make sure that we are testing for the right things. We are making sure that we are looking at the correct competencies so they are successful at the job. That would be another part of recruitment that we also look at. Thirdly, we do work with departments to re-describe positions because when someone leaves a position, sometimes they may have been re-allocated higher as they got better at the job, and so now, we need to bring the job back down so that we have entry-level positions that people can apply and qualify for. Finally, as I mentioned before, we are looking at different ways to provide differentials in pay for those positions that are hard to fill. Those are kind of all of the different efforts that we are doing as far as trying to get our jobs filled.

Committee Chair Kaneshiro: Thank you. Councilmember Chock.

Councilmember Chock: When it comes to the Police Department, I know we have made all kinds of efforts, including changing the test a little. We really have not been able to increase the numbers. I do not know how long we have been at it and if you think it is a matter of time...or do we need to improve upon it? Are we getting the results we are looking for? In your opinion, is that possibly not working and do we need to look at other options?

Ms. Rapozo: I think nationally, police officer positions are hard to fill. With all of the different things that have happened, including police officers getting indicted on shooting charges. Rightfully, some of those are really bad. Police officer positions are difficult. Every day you are facing people that are probably...you are going to be in an antagonistic situation, so it is a difficult position to fill. We have had some come on board, go through the training, and then after a year they say, "This is not for me," even with the pay being pretty substantial. We cannot do that. The Police Department under Acting Chief Mike Contrades has looked at various ways, and I am not sure if he has explained that to the body at his budget hearing, that he is talking about an apprenticeship program. They have

looked at various ways trying to encourage people...one is the testing...we know a lot of people are just not being able to get that basic reading and writing skills down to be able to get to that level. If they are not able to do the performance testing, the physical part, they are able to...they are working with them to prepare for that. Whatever we can do...unfortunately with the Police Department we got very close. I think we were down to three (3) or four (4) vacancies. Through attrition and various things, they only need to stay in the Department for twenty-five (25) years, so of course it is going to come up quicker when they are able to retire and start collecting. The law did change that; it is now thirty (30) years that they have to stay in. Still, that is really quick. If they come in at age twenty-one (21), they can get out at fifty-one (51) years of age. It is something that we need to realize that that is always going to be there. Through the efforts with KPD, they have gone out, they have even gone to mainland roadshows to try and see how we can improve. I think they are trying to work more locally with the schools as well, with the high schools. If we are ever going to get there, that is our goal. We have been testing every month. We have been working as hard as we can with them to try and get those positions filled. They have done their part too. They have tried to do the background checks as quickly as they can. It is a rather long process. For someone that needs a job today, that is not going to happen. It is going to be at least three (3), four (4), or five (5) months. If they need a job today, they are going to apply and get something to hold them over until they can get into that job. I know they have been talking to applicants to let them know that this is the process...so if you are serious, that is what it is going to take...so be patient and it is going to come around. They have been more in communication with them, so they are aware that is something that is possibly coming up, but not right away.

Councilmember Chock: In your opinion, the efforts that we are taking in terms of preparation, like the pre-classes and the tests, are positive? They are working in the direction that we want at this point? The reason I ask is because like you said, it is really just a tough job and people are not looking forward to that. That is more of a systemic, inner, root cause, and something we may have to look at from a policy standpoint in support of our Police Department. Do you feel in terms of our efforts in recruitment and what we have instituted, are working right now?

Ms. Rapozo: I do not know if we have enough data yet to know whether those efforts are working. Possibly in a few months or after the year, we can see. I think KPD knows that that is their number one goal, which is to fill those positions. We are working very hard with them to try and get there.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Thank you for what you are doing. In the narrative, under "Operational Challenges," you had a sentence in there that meant a lot to me about the staff departures and having institutional knowledge being lost. I think we are having that across the County. Can you elaborate on what kind of institutional knowledge you are losing so that we can be aware of how we might be able to strengthen it?

Ms. Rapozo: Specifically for our Department, we had a Central Payroll Accountant who had forty (40) years of service. We are talking about someone who started with our Human Resources Information System (HRIS), our information systems that was computerized back in the 1980s and he was there. He basically was the payroll person. So we lost a lot of that knowledge. Luckily, we were able to have someone come onboard a year before he left. Still, we cannot get all of that knowledge back in forty (40)

years. What we are doing with a lot of the departments that have positions that are very specialized is that we are trying to encourage them...if the person has given notice that they will be retiring in a year...and sometimes we do not get that notice...we are allowing through the budget ordinance that you folks help put in...to hire a trainee so that they can shadow them for that period of time. Our Payroll Accountant actually did not give us that much notice. We thought he was going to stay a little longer and then all of a sudden he said it was time for him to depart. We did not really have that opportunity to prepare, but luckily we were able to promote someone from within, though it was not at the point where we were able to gain that experience.

Councilmember Cowden: When we have the new software, that I am excited about, do you think that that will help bridge that continuity that we need if we have people quitting in the future? Do you think that will make it a little bit easier? Some of these things are just straight knowledge, but...

Ms. Rapozo: I think the thing that we are working towards is trying to communicate with our employees and for employees that are very committed and committed to their department to make sure that succession is there, they will give us the notice to allow us to prepare. Oftentimes, they do not have to give us more than two (2) weeks' notice that they are leaving. With the Retirement System, it is about a month. That does not do much for us. We never know when they are going to leave. A lot of them are retirement qualified, but they do not necessarily leave at that point. The system itself will probably be able to identify who qualifies and who does not. Maybe we would have to have the departments work closer with that as far as knowing, "at any time, this person can go...what are your plans for today?" As opposed to waiting until the actual day is there.

Councilmember Cowden: Thank you.

Committee Chair Kaneshiro: Councilmember Evslin.

Councilmember Evslin: Have you folks noticed a trend as we reach full employment? Is it getting harder and harder for us to fill vacant positions?

Ms. Rapozo: Absolutely. I think that is across the nation and especially on Kaua'i. I was telling people I see, that I observe even private companies having to close down their restaurant because they have no workers. It is very, very difficult, even for us.

Councilmember Cowden: Is that directly related to housing? I know in many areas, certainly for restaurants, they cannot hire anyone because people do not have places to live. Are you seeing that as the trend line? Do you have any idea?

Ms. Rapozo: I think right now, unemployment is very low. Everyone is trying to grab any warm body that they can. Housing may be a part of it. There are probably a lot of reasons why right now.

Councilmember Cowden: Okay.

Councilmember Evslin: In 2007, my own company would get thirty (30) applicants for every posting. Now we will get three (3). There is a stark difference. Under Consultant Services, third party administrator, what is that?

Ms. Rapozo: Third party administrator is for our workers' compensation claims. We have an adjuster that is hired and contracted to do that.

Councilmember Evslin: Thank you.

Committee Chair Kaneshiro: I have a question on R&M Computers, NEOGOV annual maintenance. How come that amount was moved from Information Technology (IT)?

Ms. Rapozo: A year ago we had it and we had decided it would be better housed in IT and I guess this year, IT figured it would be better housed in HR so it moved back. It is an annual maintenance just for HR. So I guess what they are going to be taking is new contracts or anything that is specific to Countywide. This one is specific to HR.

Committee Chair Kaneshiro: Okay. I noticed in Other Commodities, you have Hep B vaccines. Where was that cost before and why do we bear those costs?

Ms. Rapozo: I will have Jill speak to Hep B vaccines as to why we do it. I can tell you the costs were spread out to all departments. By centralizing it, paying the invoice is more efficient as we pay it once and confirm with the department. We are actually the ones tracking when they go. What we have had to do currently is to send the invoice to the departments to have them pay out of their accounts. I think moving it here will make it more efficient for us to pay the bill. Jill can tell you why we have to bear that cost.

JILL NIITANI, Human Resources Manager III: Good morning. So the Hepatitis B vaccinations are required. We have to offer that. It is a series of three (3) shots and it spans over a period of at the minimum six (6) months. So they have to go back two (2) times after the initial shot. That is required as part of Occupational Safety and Health Administration (OSHA) standards. You need to provide anyone with reasonable exposure to blood borne pathogens within their positions...we are required to provide that to them.

Committee Chair Kaneshiro: Insurance would not cover those shots?

Ms. Niitani: It would, but it is required for the employer to pay for those costs.

Committee Chair Kaneshiro: Okay, it is required for the employer to pay.

Ms. Niitani: The employee can decline. The part of the vaccination is that even if you took it five (5) years ago, it does not hurt them to take it again even though they may have received it in the past for a prior employer.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Thank you. So an example of a job may be wastewater treatment?

Ms. Niitani: Yes.

Councilmember Cowden: What other positions?

Ms. Niitani: Fire, police, we even have janitors, park caretakers...

Ms. Rapozo: Solid waste.

Ms. Niitani: Yes, solid waste, landfill employees.

Committee Chair Kaneshiro: Councilmember Chock.

Councilmember Chock: Just a follow-up under Other Commodities. The budget did increase. Is that related to the drug testing that you speak about in your narrative?

Ms. Rapozo: Part of it. The random testing rate when up. Instead of doing twenty-five percent (25%), we have to do fifty percent (50%), so our costs doubled.

Committee Chair Kaneshiro: Any other questions for HR? If not, thank you.

Ms. Rapozo: Thank you.

Ms. Niitani: Thank you.

Office of the County Attorney

Committee Chair Kaneshiro: Up next we have our County Attorney.

MATTHEW M. BRACKEN, County Attorney: Good morning Matt Bracken, County Attorney and with me is my First Deputy Nick Courson.

Committee Chair Kaneshiro: Do you want to go over your synopsis or we can get right into it?

Mr. Bracken: We can get right into it.

Committee Chair Kaneshiro: Your synopsis indicated there were not many variances in the budget. I guess I will ask the questions that Councilmember Kuali'i would typically ask. You have two (2) vacancies. E-68. What is the status of filling that position? I will tell Councilmember Kuali'i what the status of that is when he is here.

Mr. Bracken: We have a continuous posting with HR. We almost always have a vacancy. We have a difficult time hiring people. E-68 specifically, we have an attorney coming onboard who actually is not licensed here yet. He is starting next week. We are bringing him on as a Law Clerk. He has already taken the bar exam. After he gets his bar results, we will then turn him into a Deputy County Attorney. He starts next week Monday.

Committee Chair Kaneshiro: Then you have E-275.

Mr. Bracken: E-275. We have offered a position to an attorney in California. He will be starting on June 3rd. We will have one (1) opening at the end of the

month. While we have managed to fill those two (2) positions, we will have an additional opening on April 30th.

Committee Chair Kaneshiro: Okay. Any other questions? Councilmember Evslin.

Councilmember Evslin: In your operational highlights from 2019, you mentioned cash received due to your efforts. 697,000.00. That is pretty impressive. Do you have...how does that track over time?

Mr. Bracken: Our collections efforts...we ramped them up about four (4) years ago. I think in that first year we brought in about \$100,000.00. The year after that, not very much. The year after that, maybe \$200,000.00. This is the highest thus far. This was written a few weeks back. It actually increased by \$50,000.00. So we are almost up to \$750,000.00 total. \$500,000.00 would be from delinquent accounts receivable which is comprised of unpaid sewer bills, tipping fees, and a little bit of housing collections. Through those efforts we have been able to collect about \$500,000.00 in delinquent accounts. The other \$200,000.00 is from complex litigation cases wherein the County is actually receiving funds. The \$500,000.00 from delinquent accounts receivable, that is the best we have done. It has been slowly going up over the last few years. We intend to continue to increase that. Last year, Finance gave us a position for a Deputy County Attorney with the agreement that we would take on the foreclosures for unpaid property taxes. We intend to start conducting judicial foreclosures for unpaid property taxes. With that, we are expecting an increase in that line item as well. We are hoping to bring in even more money.

Councilmember Evslin: Do you know how long we have been without that position for foreclosures?

Mr. Bracken: The person that was handling the foreclosures left in 2015. I know that position was open for a while. When we were doing the non-judicial foreclosures, our Office aided in that heavily. We reviewed a lot of the postings, we reviewed all of the title reports, so we were very much involved in the process. The last non-judicial foreclosure was in 2014. So, we were so involved in the process that we decided...a lot of the properties have broken titles so that involves complex litigation on the backend, where we have to give away excess funds...we just decided that we would take on the work on the frontend and do judicial foreclosures.

Councilmember Evslin: So do you anticipate a very big backlog?

Mr. Bracken: It varies. We are talking millions of dollars.

Councilmember Evslin: I have one more, I am sorry.

Councilmember Cowden: Go ahead.

Councilmember Evslin: Delinquent accounts, what does your increased efforts in that area look like? So what was happening before and how has that process changed?

Mr. Bracken: Prior to 2014, the departments would just send out letters saying, "Please pay your bills" and just send them the bills. That was kind of the

end of it. Occasionally they would send them to our Office and at that time, the County Attorney's Office would send out letters. That was the end of it. Currently, we send out demand letters with ten (10) days notices and if they do not pay without ten (10) days we take them to court. Within the last year, we have probably filed close to between eighty (80) and one hundred (100) cases.

Councilmember Evslin: Wow.

Mr. Bracken: Collection cases in District Court. The difference is, if people do not pay, we take them to court. If they do not show up in court, we ask for bench warrants. Once you get a bench warrant, people are more willing to pay.

Councilmember Evslin: You cannot just sell them to a collections agency?
Sell the debt in some fashion?

Mr. Bracken: That is a possibility.

Councilmember Evslin: Thank you.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I had a couple of questions. When we are talking about foreclosures...I know I have seen some foreclosures done by the County that it ends up being that someone died maybe fifty (50) years ago and when they are foreclosing there are so many descendants. When that happens that is kind of a rough story. Is there some kind of pathway that you follow to look at those properties to see if you are displacing someone living on it to see how that can be managed?

Mr. Bracken: Our plan when we work on foreclosures, we will not be taking on those kinds of cases right in the beginning. Those kinds of cases where you have a broken title where someone dies...one of these cases where we received funds back where we received \$125,000.00, that was a case that had been open for eight (8) years. It was a non-judicial foreclosure. There were two hundred (200) or three hundred (300) heirs. It took that long. Eight (8) years. It took that long because there were so many heirs and was complicated. Our initial attempts and intentions would not be to attack those complicated cases. We would go after the easier ones.

Councilmember Cowden: Sometimes a site visit might help. I do not know if you guys do that or if you can do that. It might help to go out and talk to the family. That, I think...what I have observed in some of those foreclosures that did happen last year, it is not people that have that legal capacity to really understand. That is something that is important to me.

Mr. Bracken: We actually have not initiated a foreclosure...the County has not initiated a non-judicial foreclosure since 2015. Judicial, the only foreclosure we have done was for Housing, and the last one we did was 2016.

Councilmember Cowden: Well I did see...

Mr. Bracken: We are often defendants on a lot of foreclosures because of property taxes. We are often a party to those cases, but they are not initiated by us. We are a party to a lot of foreclosure cases.

Councilmember Cowden: That is something that I can talk to you privately about. Another just little piece on foreclosures that I think I mentioned with the last group that was here on Tuesday...I think when we are initiated foreclosures, I think it would be good to work with Housing to see if that is a property that we might want to buy. That is something that can happen too. Do we ever buy any of those properties that we foreclose on?

Mr. Bracken: Not that I am aware of.

Councilmember Cowden: Okay.

Mr. Bracken: Yes, not that I am aware of. The one (1) foreclosure that we did for Housing, Housing ended up buying that one and it was put back into the affordable housing program.

Councilmember Cowden: Okay, that is what I would like to see.

Mr. Bracken: With the Housing foreclosure that was done, that is what happened. It went back into the affordable housing pool.

Councilmember Cowden: When we are looking at how you create money, thank you so much for being successful with that, another metric that might be interesting to look at is...how to protect the County from lawsuits, right? That is another way that you help the County, correct?

Mr. Bracken: I completely agree.

Councilmember Cowden: You are deflecting costs that we might have. That would be something that I would be interested to see moving forward. Not only what you are able to collect, but what you are able to deflect. Do you have any estimate on that?

Mr. Bracken: I do not. That would be a little harder to track. We often get involved in a lot of things. We keep metrics on various cases and various requests coming from all of the departments. It would just be a little harder to put a number on that. We do keep metrics on a lot of our cases and all of our advice. We do provide it by all departments.

Councilmember Cowden: I appreciated you pointing out the \$750,000.00 because when we are looking at trying to create some departments that are somewhat revenue neutral...not that I would expect the County Attorney's position to be that, and we do not want it to be a predatory position, it is still important for us to be looking at the important value that you bring to the County. So thank you for that. I know that you do manage some of that. Thank you.

Committee Chair Kaneshiro: Councilmember Chock.

Councilmember Chock: Speaking of predatory positions, former County Attorney Mauna Kea Trask made a comment that the County was looking at the opioid crisis

and looking at it with a nationwide approach to dealing with it and lawsuits...is that still an effort or priority in your Office and if so, how is that going?

Mr. Bracken: It is. There is some proposed legislation that we are going to push over to you shortly that should help with opioid litigation. Currently we are collecting data to support our claims. We have sent requests to the various departments, to KPD, to HR, Life's Choices, to total up all the costs or damages to the County that we can use in our litigation. At this point, Council has approved the use of Special Counsel. We selected a law firm to represent the County in opioid litigation. At this point, the complaint has not been filed. We are basically tallying up our damages to help support the lawsuit. The proposed legislation is also being done to help support the proposed lawsuit as well. A complaint will likely be filed. We expect it to be moved to Federal Court and consolidated with the rest of the opioid litigation on the mainland. That is what we kind of expect to happen.

Councilmember Chock: Thank you.

Committee Chair Kaneshiro: Any other questions for the County Attorney? If not, thank you.

Councilmember Cowden: Thank you.

Mr. Bracken: Thank you.

Agency on Elderly Affairs

Committee Chair Kaneshiro: Our final department for today is the Agency on Elderly Affairs. Good morning Kealooha.

LUDVINA K. TAKAHASHI, Executive on Aging: Good morning.

Committee Chair Kaneshiro: Do we have any questions for the Agency on Elderly Affairs?

Councilmember Chock: There is no change.

Committee Chair Kaneshiro: Yes, it is a flat budget.

Ms. Takahashi: Yes, no change.

Committee Chair Kaneshiro: How is the meals on wheels program working?

Ms. Takahashi: It is good, thank you.

Committee Chair Kaneshiro: I think that is the question we get every year.

Ms. Takahashi: I am not sure if you wanted to know the three (3) reallocations and the justification for them? The three (3) that was reallocated from Community Program Assistants, SR-13 to Aging and Disability Service Technicians, which is an SR-15. They serve as the State Health Insurance and Assistance Program Counselors. They are certified to ensure seniors understand the difference between the Medicare plans

and are able to compare plans and choose the right ones for individual needs. Plans include Medicare, Medicare Advantage, Medigap, Medicare benefits...their responsibility is to help seniors to make their choices and to obtain the benefits and file Medicare claims, compare Medicare supplemental policies, even the prescription drug plans, and Medicare Advantage plans and resolve claims and billing programs. That was basically the basis for reallocating them to those positions.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I want to first of all thank you for the work that you do.

Ms. Takahashi: Thank you.

Councilmember Cowden: We are looking forward to next week's recognition for the Outstanding Older Americans. Do you have any outstanding positions unable to fill right now?

Ms. Takahashi: Nope, we are all full.

Councilmember Cowden: Congratulations!

Ms. Takahashi: I know, thank you.

Councilmember Cowden: I think you are one of the very few departments. Is there an area that you are seeing any needed support? I am pleased that you have a relatively flat budget right here.

Ms. Takahashi: Basically we are good, thank you.

Councilmember Cowden: The Consultant Services, can you explain that for me?

Ms. Takahashi: The Consultant Services for the \$128,955.00 that is to help with our in-home services and to help with the home-delivered meals.

Councilmember Cowden: Okay. And the Fire Department is also helping with the fall program? That seems to be a really significant challenge that we have on the island. Does Elderly Affairs interface with the Fire Department on that?

Ms. Takahashi: Yes, we do partner with them. We do weekly visits. We do three (3) assessments on Tuesdays with the Fire Department and assess the homes and install whatever needs they may have. Shower chairs. Grip tape. Those supplies would come out of our grant.

Councilmember Cowden: Who is the source of that grant?

Ms. Takahashi: That would be a Federal grant.

Councilmember Cowden: Thank you so much.

Ms. Takahashi: You are welcome.

Committee Chair Kaneshiro: Any other questions from the members? I do not have any. Okay, this is the last item for today.

Ms. Takahashi: Can I just mention that I really appreciate this method of formatting and reporting the budget. So thank you very much.

Committee Chair Kaneshiro: Thank you for providing the synopsis, as that provides a lot of information that we would normally have to ask on the floor, so thank you.

Ms. Takahashi: It was kind of hard to narrow it down only to three (3) highlights.

Committee Chair Kaneshiro: I know.

Ms. Takahashi: Thank you so much.

Councilmember Chock: They do not all do that. So if you want to add more, you can.

Ms. Takahashi: We appreciate your support. Thank you.

Committee Chair Kaneshiro: No problem. Thank you. Thank you Kealoha. With that, at this time, I would like to recess the Departmental Budget Reviews. We will reconvene tomorrow at 9:00 a.m. on Friday, April 12, 2019 where we will hear from the Office of the Prosecuting Attorney, Transportation Agency, Housing Agency, and the Department of Liquor Control.

There being no objections, the meeting recessed at 9:50 a.m.