

Department of Parks & Recreation

Honorable Bernard P. Carvalho, Jr.
Honorable Mason K. Chock
Honorable Felicia Cowden
Honorable Luke A. Evslin (*via remote technology*)
Honorable Bill DeCosta
Honorable KipuKai Kuali'i
Honorable Arryl Kaneshiro

The Committee reconvened on April 1, 2021 at 9:00 a.m., and proceeded as follows:

Committee Chair Kaneshiro: Good morning, I would like to call to order the Committee of the Whole and the Fiscal Year 2021-2022 Departmental Budget Reviews. Please note, all Members are present. On the schedule for today, April 1, 2021, we will be hearing from the Department of Parks & Recreation, the Office of the County Attorney, and the Department of Liquor Control. As we do each morning, we will take public testimony at the beginning of the meeting. Clerk, do we have anyone signed up 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: We have no written testimony for today. We will begin with the Parks Department, and the Order of the Day is on the paper in front of you. We will keep questions pertaining to the Department. We will allow the Parks Department to give a presentation on their Department, followed by any questions. I would like to ask Pat Porter, Director of Parks & Recreation to give us a brief overview and/or highlights regarding the department's budget requests.

PATRICK T. PORTER, Director of Parks & Recreation: Good morning. Pat Porter, Parks & Recreation. The Parks Department is proposing a \$20,400,000 Operating Budget for FY 2022. This represents a 11.3% or approximately a 2,600,000 decrease from our current budget of \$23,000,000. The main drivers for the \$2,600,000 is taken from the deferred maintenance projects, which is approximately \$2,200,000, and the short funding of positions which is approximately \$404,000 less in salary and fringe for this year. The current requested budget is approximately \$650,000, which represents ongoing service contracts that are needed. Unfortunately, due to the current circumstances, a lot of the new projects were cut out, and we are trying to do our part in balancing the budget. The rationale was to keep the daily need of our ongoing operations for the department as whole as possible. The idea is to resume new projects when money is available.

Regarding the short-funded positions, we will discuss that throughout the budget. There were eight (8) half-funded/six-month funded, and one (1) dollar-funded position, that makes the up the \$404,000 amount. We are not going to stop recruiting for those positions and will try to get those positions filled.

Highlights and changes to the FY 2022 budget. We want to improve the response and amount of complaints we get for abandoned and derelict vehicles in the County parks. The Department of Parks & Recreation requested \$60,000, and the responsibility to take over the towing of derelict vehicles in the County parks. That dollar amount is included in our budget. This program is currently operated by the Kaua'i Police Department (KPD). Throughout the years, KPD trained our rangers on issuing the stickers and giving the rangers delegation of authority to site the abandoned and derelict vehicles. This is another step in taking this program over. If we split the workload between the Parks Department and KPD, it will improve the response time to get these vehicles removed.

We requested nine (9) additional pickup trucks for the Parks Department's maintenance crew. As discussed in the past, we have a lot of park caretakers using their personal vehicles. We have been working to improve the parks' maintenance. The vehicles are tied to a larger reporting and accountability mechanism for our staff.

We want to improve efficiency. Right now, the Park Maintenance staff is not allowed to use their vehicles for trash runs, et cetera. They have to wait for another employee to pick up the trash. If we had the extra vehicles, we would be more efficient.

In the past, we were not paying the Department of Public Works Wastewater Division when they pumped the septic, et cetera. We want to do our part and compensate them for the work that they do for the County Parks. We put in another \$40,000 to cover that service.

We are looking to improve to the RecTrac Software and use it to its full capacity. The RecTrac System is what we use for reservations at various facilities. We are looking to implement GolfTrac at the Wailua Golf Course.

That is an overview regarding the changes for our department. I would like to give a shoutout the Department of Parks & Recreation. I do not do it often, but I would like people to know that this department stepped up during the COVID-19 response. The Parks Maintenance and Facilities Maintenance staff that took on the workload of helping maintain the County campgrounds and take on added maintenance and responsibilities. Those facilities are not created for that amount of use, and there are a lot of issues that go on, and they stepped up to provide that service. Recreation staff—when the Incident Management team and the Office of the Mayor said, “food distribution is important right now,” the Recreation staff stepped up. The Neighborhood Centers transitioned into distribution centers, and they spearheaded that program. They also facilitated youth programs despite the added responsibility of the COVID-19 guidelines and pivoting to comply. Lenny at the Kaua'i War Memorial Convention Hall has been key to the success regarding the vaccination and testing center. A lot of people do not know, but Lenny has been serving as the “Staging Area Manager” for the COVID-19 response. All of the inventory, supplies, equipment, and everything that is bought for the COVID-19 response is staged at the Kaua'i War Memorial Convention Hall. Lenny has been responsible for inventory and sends a daily report to the Kaua'i Emergency Management Agency (KEMA).

The Park Rangers were incorporated into the Incident Management Team under the Law Enforcement branch to help KPD and the Hawai'i National Guard enforce the Mayor's Emergency Rules.

A few employees from the Planning & Development Division have been stationed at KEMA and under the Incident Management Team to assist the planning section. The planning section plays an important role especially with recording and documenting everything. Everything is implanted into an Action Plan.

Thank you for allowing me to give a shoutout and overview to let everyone know what the Department of Parks & Recreation did within the last year. I am proud of them for stepping up. That is all that I have.

Committee Chair Kaneshiro: Thank you. The writeup in your presentation answered a lot of the questions I had. Councilmember Chock.

Councilmember Chock: Thank you, Pat. I would like to also acknowledge the work that you folks have been doing. It is double duty in every aspect of our response. I have a few questions regarding the abandoned and derelict vehicles at the County parks. Is the \$60,000 being transferred from the Beautification Fund that we use to fund majority of the abandoned and derelict vehicles?

WALLACE G. REZENTES, JR., Deputy Director of Parks & Recreation: *Aloha,* Councilmembers. Wallace Rezentes, Deputy Director. No, the \$60,000 is funded through the General Fund.

Councilmember Chock: When I think about the Department of Parks & Recreation taking this on, I think about the bike path and cars that are alongside the easements. For the sake of reporting and guiding the community, are you able to share information regarding jurisdiction between Public Works and the Department of Parks & Recreation.

Mr. Porter: If the vehicle is within the County park boundary, Parks would be responsible. If it is in the road right-of-way, it would fall under KPD.

Councilmember Chock: For example, the Maka'iwa property in Kapa'a between the Sheraton Kaua'i Coconut Beach Resort and The Royal Coconut Coast, it has been boarded up and there is a lot of abandoned vehicles along the shoreline. Is that your department or Public Works that would take care of that?

Mr. Porter: Are you talking about the vehicles that are adjacent to the bike path?

Councilmember Chock: Yes, the proposed bike path.

Mr. Porter: If it is adjacent to the bike path, we will take on that responsibility.

Councilmember Chock: That is what I wanted to know. Thank you.

Committee Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: Thank you for everything that the Department of Parks & Recreation has done over the last year. Thank you for acknowledging your working crewmembers. I believe it is inevitable that we need the men and women in the department to get the job done. Shoutout to you and your Deputy for giving credit where credit is due. Lenny Rapozo missed your shoutout where you gave him a "pat on his back." Lenny, thank you for opening up the Kaua'i War Memorial Convention Hall during COVID-19. Everyone is stepping up to the plate and has different responsibilities. I believe the County is one big family, and I see that we are moving towards the paradigm shift where we "do a little more with a little less," and we are going to make it through these tough times. I do not have any questions for you, Mr. Porter, but thank you very much for conducting the Department of Parks & Recreation like a family. Thank you.

Committee Chair Kaneshiro: Councilmember Carvalho, followed by Councilmember Evslin.

Councilmember Carvalho: Good morning to the Department of Parks & Recreation team, Pat, and Wally. I am familiar with the overall department. A lot of my questions were already answered. Right now, the big part for me is connecting back to the community to see how soon we can get back to Keiki to Kūpuna programs on the Recreational side. I know that you have been doing a great job trying to reconnect and resume as normal. We talked about the summer programs. I know that program involves hiring students to come in and help support the entire program. I would like to receive an update regarding the youth summer programs. I would like to get more information about the RecTrac Program. Once upon a time, everything was manual. It is nice to see the RecTrac and the GolfTrac both of which are online opportunities. I would like to get updated on that, so that the people can get a better understanding how we are moving forward technology-wise. At the same time, taking care of the emotional side of reaching out and bringing programs back to the table, understanding the situation that we are in, and how it works overall. I wanted to put that on the table.

Mr. Porter: That is our goal. To get up to speed, get in the 21st century, and with the RecTrac, to have online services. That is what we should strive for. Cindy, do you want to talk about the Summer Program? Cindy, are you there?

Committee Chair Kaneshiro: If not, we will send her a follow-up question. However, I know that you addressed the Summer Fun Program in your write-up. You said there is not as much money as there was in the past, but you are relying heavily on your

Recreational Staff to help coordinate the programs. We can follow up in writing. Councilmember Evslin.

Councilmember Evslin: Thank you, Pat and Wally for the presentation and thank you for the amazing work you folks have done over the last year. I would like to add on to everything that you already said. For me personally, as soon as it became clear that outdoor spaces were relatively safe in a time of COVID-19, when we socialized with groups or family, it was always at County beach parks and/or playgrounds. I spent more time at park facilities in the last year than I have in my entire life. I know that several families are doing the same. If you go to Kamalani Playground on the weekend, there are a lot of people. I would like to recognize the vital importance of our outdoor public spaces and the role that you folks play for our community. A few questions. With the big hit to Repair & Maintenance on top of your deferred maintenance, are you expecting a surge in upcoming budgets if we have the fiscal capacity? Are you expecting us to have to climb our way out of a hole, or are we okay taking the big hit for this year?

Mr. Porter: I believe that we will be okay for this year. However, in the years to come, we will be playing "catch up" with numerous projects. A lot of these projects have already been put on hold for one reason or another. If funds allow, I am sure we will be coming back with "big asks" in the future.

Mr. Rezentes: I am sorry for the interruption. Cindy is available to speak to Councilmember Carvalho's questions regarding the Youth Summer Program. I am sorry, she is having technical difficulties.

Committee Chair Kaneshiro: It is okay, we can continue to move along.

Mr. Rezentes: I will have her chime in when she is available.

Committee Chair Kaneshiro: I have a follow-up on the deferred maintenance question from Councilmember Evslin. We had \$2,200,000 last year in deferred maintenance budgeted, did we get the work done or did we defer the amount again?

Mr. Rezentes: A lot of the work is currently in progress or in procurement for the existing projects that were currently listed in the current FY Budget. Yes, it will be a challenge to finish all the projects. However, our intention is to push out all the bids and contracts in the last quarter of the FY.

Committee Chair Kaneshiro: Okay, thank you. Councilmember Evslin.

Councilmember Evslin: That is good to hear. My only concern with pushing deferred maintenance out, as we have heard with cases like roads and bridges, the costs increase the longer you wait. I want to ensure that we do not get ourselves in too deep of a hole in the future. I recognize the sacrifices that you are making, and I really appreciate

it. Another question along those lines, for the island-wide parks security systems, can you explain what that is?

Mr. Rezentes: The island-wide park security systems, we have numerous systems at various neighborhood centers and facilities throughout the County. Some of them are managed through Brian Inouye from our Administration Division. Basically, it is that type of security system that are in individualized facilities throughout the County.

Councilmember Evslin: Thank you.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Thank you. I would like to follow up on Councilmember Evslin's questions. On deferred maintenance, is the Kapa'a Neighborhood Center open yet? Is that finished? I know that you were working on it. I have not been in there since COVID-19.

Mr. Porter: Yes, that one is done.

Councilmember Cowden: Is it being utilized, or is it on-hold because of the pandemic?

Mr. Porter: For our neighborhood centers, we have opened them up on a limited basis for meetings, trainings, and organized events. We have not opened them up to parties or social gatherings just yet. All of our neighborhood centers are open and people can request to use them for those limited situations.

Councilmember Cowden: Great. On the major changes and variances in the Operating Budget, I see that it says, "Black Pot Beach Security Services" for \$23,000. What is that specifically for? Is it for cameras or for a person?

Mr. Porter: That is a contract that we have. The *mauka* section of Black Pot Beach Park, within the terms of the sale, the County agreed to close the *mauka* portion at 10:00 p.m. and open at 5:00 a.m. or 6:00 a.m. Currently, we have Blue Knights out there that open and close those gates for us. It is something we are tied to and we have to continue that, because it was the term of the sale.

Councilmember Cowden: I remember that term. Thank you. With the abandoned vehicles—I want to acknowledge what you opened with and that is what a difficult situation your staff have to deal with. I have three (3) issues here of the very difficult things your staff is dealing with and I would thank Wally Rezentes for taking relentless calls from me and being very quick to answer texts if there are questions. What is the process on the abandoned vehicles? I know there are plenty of complaints and I also know that they also serve as a storage sheds and storm shelters for the people living in the parks. They are part

of the reason why there are so many abandoned vehicles down there. It is not actually abandoned, it is that they have stopped running. I guess we would call it derelict. What is the procedure for notifying people when their cars are going to be taken so they are able to get their belongings out?

Mr. Porter: We have not touched cars that have been used as shelters. We do not plan on touching those vehicles unless they are in violation of our rules. Usually a notice is posted on the window for twenty-four (24) hours if it is considered abandoned. There are certain criteria for a car to be considered abandoned and there are certain criteria for a car to be considered derelict. After twenty-four (24) hours we are able to tow. Are you asking about in the campgrounds, currently, that are used for shelter in place program?

Councilmember Cowden: As you know I spend a lot of time down there with the encampments. Yesterday I was there probably four to five hours as 'Anini was moving out. It is really helpful for me to be there so I am able to see what I am hearing as complaints from our constituents and what is truth. I want to say yesterday I saw nothing but kindness and compassion from our staff. It is not the Parks Department's fault for the economy's lack of a place for people. I routinely hear about people losing really important things like ashes of a family member or something as their car is being taken away. I am just trying to know how to better understand what that process is, so I can help people. It sounds like there is a good intention and at some point we cannot have all these vehicles down there. People get in those cars when it is raining and lightning at night—they do not live in them most of the time. But when it is storming so hard, even if the car does not work, they feel safer in the car. I have no complaint with how the Parks personnel have been handling the people for the most part. It seems like there is a lot of care. The other piece I am going to bring up and I do not want to, none of us want to...is the birds and the cats. We have gotten more letters of concern for the cats than I have ever gotten of concern for the people who are struggling in the parks. That certainly catches my attention, how important cats are. I love cats. I have a feral cat. Why do you have the responsibility? I see we have \$120,000 in here for feral cat control. We heard from the Kaua'i Humane Society and they are now largely a "no kill shelter." They were unwilling to euthanize cats. I just want to hear why the Parks Department has the responsibility for the seabird Habitat Conservation Plan (HCP)?

Mr. Porter: Parks was given the responsibility to take on the seabird HCP and we have assigned that responsibility to William's shop, the Planning & Development shop. As part of the HCP, we have to do predator control, trapping, as part of the HCP. Is William on? William can give information on that.

WILLIAM TRUGILLO, Chief of Planning & Development (*via remote technology*):

The forming and siting on to the Kaua'i Seabird Habitat Conversation Plan (KSHCP) and the permitting was a collaboration between all the departments, primarily Parks and the Office of the County Attorney. Now we are in the permit mode and the operations side of it; it has been moved primarily into Parks. That is how it got here. In terms of the question about the predator control, that is one of the requirements in the permit that we are required

to follow. We are doing our best to make sure we offer the safest possible way for the predators to be managed in all of the County's facilities. I believe Parks was the lead point on the KSHCP, primarily because a lot of the lighting that was identified in the review, the ones that raised most concerns, were the Parks' facilities. Especially now that Parks manages almost all of the facilities on the County, that is why it primarily stayed in the Parks Department.

Councilmember Cowden: Okay. I remember how important the lights are relative to the flight of the seabirds. Do we have our own people set these traps or do we have a contract with anyone?

Mr. Trugillo: The County has a contract to have the predator control. Our staff do not handle anything.

Councilmember Cowden: When we have that predator control contract, are they placing them in the higher problematic areas, like...I know Kōke'e is State. I live right near a national wildlife refuge; we have wild birds right there in Kilauea Lighthouse area. We have birds all over. We cannot even negotiate with them and tell them go to the other side of the fence. They do not do it. There are a lot of cats in Kilauea and I like them in Kilauea, but is there any focus on areas of strong habitation or are we just getting rid of the predators within our parks and our own County properties?

Mr. Trugillo: The County's responsibility is for the County. We can only manage the County properties. We cannot go onto private or other entities' property to do anything on their property. The County's permit has over one hundred (100) properties identified. About sixty (60) of them have some form of lighting, which is the trigger for us to make sure we have predator control. There is no way that the County will be able to afford managing that control for all sixty (60) properties, so what has happened is we have worked with the state agencies to help identify some priority areas, given the habitat, the area physically where it is at, known colonies of predators, and come across a handful of places that we are targeting at a time. It is not the ideal that the agencies would want, as they would want monitoring and control on all properties all the time, but financially and manpower-wise, because I do not even think there is an agency on Kaua'i that would be able to do it year-round. We are doing what we can with what we have.

Councilmember Cowden: Does the State take any intervention on predator control or is it primarily county?

Mr. Porter: There are different divisions under DLNR that do predator control on State land in known natural area reserves, forest reserves, State parks, et cetera. They handle their own, which is a totally separate program. This HCP also funds some of their activities too, through a grant. As far as the County side, we are a totally separate program doing the predator control than from the State.

Councilmember Cowden: Thank you for that. I just want to recognize that is a very tough position to be in doing predator control. We get passionate prospective from people who are very protective of our natural wildlife that are endangered. Others that have a lot of concern about the predators. I care about both groups. We had a lot of success at having a high live release rate from our Humane Society, so somewhere the problem falls and I do not think anyone is being heartless to anyone, but I just want to acknowledge all of these letters that come in. Thank you for helping to answer the question of why do we do it on County property instead of more difficult areas. If I am hearing correctly, other groups deal with the predator challenge in more highly vulnerable areas and it just might be that County's purview is closer to the viewplane of people who might be watching. I want to acknowledge probably one hundred (100) letters that we received, not today, but in general, in the past month or two about this issue. It is difficult that the Parks have to deal with that as well. Those are my questions.

Committee Chair Kaneshiro: As a follow-up. Can you clarify something? This was a big issue. I know we had it in Executive Session and I cannot remember if it came back out on the floor. A lot of the focus ends up on cats versus birds, but the reality is—it was to protect residents also. It was to allow us to have lights at the Convention Hall at night, lights at the tennis courts, lights for football games, lights in the County parking areas. So for us it was to protect our residents and to protect our taxpayers, because if we did not do the HCP plan, then we would take on these major fines. The goal was to protect the County, our residents, and our resident taxpayers, and then the fallout is that we have to do this HCP plan, we have to pay a lot of money for, we have to do this cat contract, but the reality was that we were trying to protect our residents and resident taxpayers, right?

Mr. Trugillo: Yes. Very well-said.

Councilmember Kualii: The first item in the narrative you talked about was that two million two hundred thousand dollars (\$2,200,000) reduction in R&M building. I was wondering if you had a couple of examples of the largest projects being deferred. Do you have a schedule that you can share? I would bet that you have a multi-year plan showing the most critical projects and that you cannot necessarily keep deferring, but you can defer some of them and then do the most critical ones each year. Can you share a little bit now?

Mr. Rezentes: We definitely can put something together in more detail, but one example is the seven-figure need for a full reroofing of the Pi'ikoi Building. It is our intention to possibly do an RFP and partner with the private sector, which could better utilize their funds to make that type of improvement. That one I know for sure is something that would pop up if we are not going to venture into a possible partnership with other entities and if that does not happen then that would be a pretty significant deferred maintenance project that the Parks Department will likely have to take on.

Councilmember Kualii: These are some pretty large-ticket items and in many ways they are like almost infrastructure investments, if you will. How does it cross over with CIP? Are some of these bigger projects being addressed with CIP funds?

Mr. Rezentes: It could if the project...ultimately the Finance Department has the authority to determine if a project is a repair and maintenance project versus a capital project. The rule of thumb has been if the improvement is something that has a long-term nature, like if you do a full reroof of a facility, you can categorize that as a CIP. But if you replace tiles on a roof because of wear, that will probably be an R&M-type project, but I would defer to Finance as to how that determination is made. Another example of a project of significant cost is at the Wailua Golf Course with our water pumping system and our pumps that basically receive water from the Wastewater Treatment Plant in Wailua and pump it into our various ponds on the golf course and utilized throughout the golf course as R-1 and R-2 water. As the Wastewater Treatment Plant completes their project to reduce the outfall into the ocean, we are going to have to receive more volume. Our pump system is currently antiquated. When they do that, there is going to be a significant cost to upgrade and to bring in new pumping systems that can push the added volume throughout the golf course. Those types of things will likely come up in the relatively near future, in the next few years, but we definitely would be able to put off a number of these CIP-type or deferred maintenance items that will be in the next few year horizon.

Councilmember Kualii: My question is on the Operational Challenges. Mr. Porter talked about nine (9) parks caretakers utilizing their personal vehicles. I think I heard you say that you requested nine (9) additional trucks, but I was trying to find out where that is in the budget? Is it under Parks & Recreation, Parks Maintenance, I see under the lease line item, a first of five-year lease for a nine (9) F150 truck. If you are adding nine (9) vehicles to the budget, can you tell me where that is?

Mr. Porter: Yes. Go ahead, Wally.

Mr. Rezentes: That is the amount. Eighty-eight thousand five hundred dollars (\$88,500) is the estimated annual lease obligation for the nine (9) additional trucks.

Councilmember Kualii: Is it spread out to all the different departments or is it in one (1) division? Oh, I see. The eighty-eight thousand five hundred dollars (\$88,500) is the total for all nine (9) vehicles, the first-year of the lease.

Mr. Rezentes: Correct.

Councilmember Kualii: Thank you. Do you have a schedule that assigns those vehicles to cover different parks? I am curious as to how they all spread out. You made it sound like the supervisor in some case has the vehicle and the people working the park are doing the work and then the supervisor is not there, so they have to wait until the supervisor gets there to actually use the vehicle. It seems like the vehicle should be where it is needed, in the park. Is it assigned geographically or is it assigned by individuals?

Mr. Porter: It is mostly on need. The example is the working supervisor will have the vehicle and the park caretaker will just show up to the park on their own and start working on the park. The working supervisor will need to haul a mower to a given park and then drop off the mower for that park caretaker, and then maybe pick up trash in another park, and then come back. He will pick up the mower and take it to another park. All the while the park caretakers can bag up the trash and then leave it in one spot, but it needs to be picked up at some point. The truck with the working supervisor will be doing multiple jobs throughout the day.

Councilmember Kualii: In some cases the vehicle has to cover multiple parks...if there are nine (9) additional vehicles, how many do we already have assigned to Parks?

Mr. Porter: We can get you the number.

Mr. Rezentes: I can say that you are correct that the intention of the vehicles, the assignment of them would be geographically across the island. For example, one of the vehicles will assist with Anahola parks areas, another vehicle would be Wailua Homesteads/Kapahi, another vehicle would be in the Hanamā'ulu/Līhu'e area, another vehicle would be in spread for three (3) different parks in Puhī, two (2) other vehicles for Līhu'e, and then two (2) parks in 'Ele'ele, another vehicle on the South Shore. It is spread out geographically like you mentioned.

Councilmember Kualii: In the second paragraph, Spouting Horn Vendor Booth, information for bids (IFB) is currently being worked on. What is IFB?

Mr. Porter: Invitation for bids. That means there is a solicitation out.

Councilmember Kualii: So if you are just doing IFBs, it is not likely that it is going to be in operation in...I see...like first quarter as in July, August, or September. By September, you think? The last question...I think someone asked it...Councilmember Carvalho asked for an update on the RecTrac software migration update and GolfTrac for the Wailua Golf Course. This allows us to pass along the credit card fees to the customers at the point of sale and for reporting purposes. In regards to the credit card fees, are we minimizing what fees we pass on to the constituents and are they just the fees that the system requires us to pay? Or is there an administrative fee included? Perhaps there is an ordinance that says how much we are allowed to charge.

Mr. Rezentes: Our intention is to pass on the transactional cost and nothing more. If the credit card vendor fees are 2.5%, with the new software, we will be able to pass that along to the customer purchasing the service. I think it is similar to how it is done in many other jurisdictions. Yes, that software will allow us to do that.

Councilmember Kualii: Thank you.

Committee Chair Kaneshiro: Are there any other questions on the presentation? I believe we answered a bunch of questions for the Division as well. When we get to the divisions, we probably will not be asking that many questions. Councilmember Cowden.

Councilmember Cowden: I just have one statement. I think we appreciate all the help that has been provided to the houseless encampments this year. I want to state that some of them have a place and many of them do not. I just want to acknowledge that we have not solved the problem as we clean out our parks. I know there is a lot of work that goes into it and I appreciate you and the people who are a part of the larger community. It really takes all of us to find the tolerance to be able to be kind and to find a way to care for these people. I have received so many handouts that they wanted me to read today, which I am not going to do. I just do not want to go past this without acknowledging the costs that we are experiencing in our community. This burden has been on the Department's shoulders and I just wanted to thank you again for being the safety net for a solid year.

Committee Chair Kaneshiro: With that, we will move into the actual detailed budget. Councilmember Kualii.

Councilmember Kualii: Under Other Services, there is \$90,000 last year and \$15,000 this year. That is a \$75,000 decrease. The \$75,000 represents a Parks Department Performance Audit. Is that something that was completed and does not need to be budgeted this year? Or was it not completed and is not planned to be completed this year? If it has not been completed and is not planned to be completed, is there a plan to do it in the future? Are there any requirements to do it at some point?

Mr. Rezentes: That is a good question. To be honest, due to COVID-19, we prioritized resources and functions. We did not and do not intend to use that for that purpose. It would be difficult during the COVID-19 period, which was a good portion of this year, to engage a consultant for that purpose and to have them do the due diligence and work that they would need to do, in terms of the research that they would need to do on-island to ultimately provide us a good product. I think in the future the Department is open to still doing something along those lines when we get beyond post-COVID-19, and we are back to more normalized activity here.

Councilmember Kualii: That makes total sense. Thank you.

Committee Chair Kaneshiro: Are there any other questions for the Administration section of the budget? If not, we will move on to the Fiscal Division. If not, we can move on to Planning & Development. Councilmember Kualii.

Councilmember Kualii: Under Dues & Subscriptions...what is M-PET services, for \$35,436?

Mr. Rezentes: That is our annual service cost for the vendor that we use for our work order system.

Councilmember Kualii: M-PET is the name of the vendor?

Mr. Rezentes: Yes.

Councilmember Kualii: Okay.

Mr. Rezentes: It is probably an acronym, but I do not have the exact details of that.

Councilmember Kualii: That is fine, thank you.

Committee Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: On page 207, and it reflects back on page 203...under Computer Peripherals/Supplies, are those two (2) different computer setups in two different divisions? You are asking for \$5,672, and the other one before that was for \$7,644. I was just wondering if you could explain that.

Mr. Rezentes: They are for two (2) separate divisions. This is a request for computers. Unfortunately, our page number system is different than yours. If you are referring to Computers for Planning & Development, I believe that is for one of William's staff members...a laptop. Is that the one you are asking about?

Mr. Trugillo: That is for computer supplies for one of our staff members.

Councilmember DeCosta: There is also one in the Fiscal Division.

Mr. Rezentes: Preston, can you acknowledge?

PRESTON CHONG, Fiscal Officer II, (*via remote technology*): That would also be funding for computer equipment for the Fiscal staff. The other amount is for the ranger radios, which we have not purchased yet, but it is budgeted for in the next year.

Councilmember DeCosta: Is that one-way radios?

Mr. Chong: No, it is for two-way radios.

Councilmember DeCosta: I believe our Fire Department got a grant for some radios. I am not sure if you want to collaborate with them to see if you could use their old radios. I am not sure if there are problems with crossing them over because of the frequency or bandwidth. I just wanted to provide that information to you.

Mr. Chong: Thank you. We will look into it with them.

Committee Chair Kaneshiro: Are there any additional questions for Planning & Development? If not, we will move on to Recreation. Councilmember Cowden.

Councilmember Cowden: I see an item called Loans for \$125,000. What is that loan for and where is it from?

Committee Chair Kaneshiro: I have page 212 for IMP TO EXISTING HANAMĀ'ULU AND KAPAIA SEWER PUMP STATIONS.

Councilmember Cowden: What is that?

Committee Chair Kaneshiro: I am thinking IMP stands for improvements to the existing Hanamā'ulu and Kapaia sewer pump stations.

Mr. Rezentes: That is what it is.

Councilmember Cowden: Okay. Would this be the division that is going to be working on our Summer Fun and *kūpuna* programs. Is that correct?

Mr. Porter: Yes, correct.

Councilmember Cowden: We are all really hopeful for going back to normalcy. Is that what this budget is planning for? Are we planning for continued care? I see there is a little bit of contraction in expenses. There is maybe \$140,000. Are we planning on having Summer Fun? What are we planning to do?

Mr. Porter: We are planning on the priority to keep moving forward with our programs. We are pivoting for safety and COVID-19 protocols. We are going to be...what is different this year is that we are not using Department of Education (DOE) facilities. We are using all County facilities. It was easier that way this year. We are going to use Kīlauea, Kapa'a, Anahola, Līhu'e, Kalāheo, Hanapēpē, Waimea, and Kekaha. We are going to be spreading everyone out. We will have smaller groups at each site and spreading everyone out throughout the island with the safety protocols in place.

Councilmember Cowden: Is there going to be food again this summer? I know last year, it seems that there were a lot of different places for food distributions. Is that something that we are planning to include this year?

Mr. Porter: Continuing the food distributions?

Councilmember Cowden: Yes.

Mr. Porter: We are not sure. We will see. With the new wave of federal stimulus moneys coming down, we are going to try and prioritize what that is going to look like. If there is a need, then yes, I am sure the Incident Management Team will be able to organize something and get direction to staff.

Councilmember Cowden: The federal moneys, that is separate and apart from this budget, correct? While this is pretty narrow, we might be able to fill in gaps with the Coronavirus Aid, Relief, and Economic Security (CARES) Act moneys?

Mr. Porter: If it is tied to actual COVID-19 activities, then we would be able to use those moneys.

Councilmember Cowden: Thank you.

Committee Chair Kaneshiro: Councilmember Kualii.

Councilmember Kualii: Just to make it easier instead of flipping back and forth, can we continue to go page by page?

Committee Chair Kaneshiro: Yes.

Councilmember Kualii: On page 210, Position 809, it was vacant since July 1, 2020. The report from the Department of Human Resources (HR) says, "Continuously recruited with no eligible applicants." When HR was before us and I asked about it, Janine stated that it was very difficult to fill the position, hired two (2) prior, and that I should follow up with the department. Can you tell me about Position 809, Pool Guard Rover? What are your plans to fill that position and when might that be filled?

Mr. Porter: We wanted to hold onto that position so that we can be fully staffed. We had some turnover in the pool guards area and we are going to continuously work to fill that position. We have had a little bit of a problem, but our plan is to get that filled. Our pools are high-liability for the County and having lifeguards fully-staffed is the best way to protect our citizens. We are really actively trying to fill that position.

Councilmember Kualii: Do you believe that you will fill that position in time for the new budget, which starts on July 1?

Mr. Porter: Yes.

Councilmember Kualii: Okay.

CINDY DUTERTE, Administrative Officer I (*via remote technology*): With regard to the Pool Guard, we will be filling it soon with summer around the corner. We anticipate

people using the two (2) pools in Waimea and Kapa'a. We need that position and we should be recruiting soon.

Councilmember Kualii: Thank you.

Committee Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: I wanted to move forward.

Councilmember Kualii: We can go to the next page if there are no questions. Then we can keep going.

Committee Chair Kaneshiro: We can keep jumping around. These divisions are really small. Councilmember Kualii.

Councilmember Kualii: Grant-In-Aid, for \$25,000. It says that it is a competitive award. What it is for? Who will be competing for it? How do they compete for it?

Mr. Porter: The Grant In Aid is something we want to hold on to. We get requests throughout the year for projects that community associations, nonprofits, or individuals want to take on. We use that pot of money to grant to these small organizations to do projects that they want to do mainly in park facilities. Every year it is different. Having that pot of money throughout the year...we continuously get requests to support these different entities out there. This includes baseball associations, the Lions Club, and other groups like those.

Councilmember Kualii: This is not the same thing as community groups that want to come into the parks to help with projects or maintenance types of projects where the County provides the funding for supplies, like maybe paint, if they are going to paint over graffiti and things like that. Is this that? Or not?

Mr. Porter: It could be. It might not be. It depends. Sometimes we will be able to cover small expenses just out of our operating budgets. It depends on the project and what they want to present to us as to where it would fit the best. It could be an outright grant or it could be that we just help them with supplies.

Mr. Rezentes: Councilmember Kualii. I think what you may be referring to, and we have Grant-In-Aid in one location, but in the Kauai War Memorial Convention Hall budget, there is the Adopt-A-Park program budget that helps facilitate getting supplies to nonprofits. That program is in the Special Projects budget in the Convention Hall's budget. It is a small \$9,079 annual request.

Councilmember Kualii: Okay, thank you.

Committee Chair Kaneshiro: Following up on what Councilmember Cowden asked earlier about the loans...so it is for improvements to the existing Hanamā'ulu and Kapaia sewer pump stations. This is the second year? There is a loan and this is the payment that is due? So the \$125,000 is going to pay for that loan? If it is the second year, and last year's budget was \$0, how was the loan paid for in the first year? I am just having a hard time understanding it.

Mr. Porter: We can get back to you on that one.

Councilmember Kualii: Thank you.

Committee Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: Can you explain what you mean by Other Supplies for \$82,238?

Committee Chair Kaneshiro: It is \$94,750.

Councilmember Kualii: Just look at the first and last columns.

Committee Chair Kaneshiro: It says it is for pool operating supplies, cleaning supplies, janitorial supplies, and there is a whole bunch on the next page.

Councilmember DeCosta: At the bottom you have something called Other Commodities. Does Commodities mean the same as Supplies?

Committee Chair Kaneshiro: Other Commodities is Summer Fun Meals.

Councilmember DeCosta: Thank you.

Committee Chair Kaneshiro: Are there any other questions from the Members? If not, are there any other questions for Recreation? We will move on to Parks Maintenance.
Councilmember Kualii.

Councilmember Kualii: Under positions, 1985, Tree Trimmer, vacant since April 1, 2020, three hundred forty-eight (348) days. HR's status was "requisition to post received." Where are you at with filling this position and when do you expect to fill it?

Mr. Porter: We wanted to fill that as soon as we could. Once we got approval from the Office of the Mayor to move forward, we started the paperwork for that one. We are looking to fill that one pretty soon, actually.

Councilmember Kualii: So that has already started? You received approval from the Mayor and HR is in the midst of recruiting?

Mr. Porter: Yes.

Councilmember Kuali'i: Is that the same one that says, "Eligible list pending"...

Committee Chair Kaneshiro: Councilmember Kuali'i, I know you have a lot of notes that you took down for each division. We can go through all of your questions first and then keep going around the table. If you need time to write something down, we can go to someone else. I do not know if I really want to go page by page.

Councilmember Kuali'i: That is all I have on positions.

Committee Chair Kaneshiro: Okay. Are there any other position questions from the Members? Are there any other questions for Parks Maintenance? Councilmember Cowden.

Councilmember Cowden: Prior to all of this COVID-19 disturbance, we had the Kapa'a Ballpark and the Waimea Park right next to the school where we were experimenting with a more regenerative landscape style. Has that been able to continue or has that been consistently maintained like the rest of the parks with different pesticides?

Mr. Porter: We are planning on continuing the program. To my surprise, our Park Caretakers were actually open and excited about the new techniques. We will be continuing to work with Beyond Pesticides and Autumn Ness for additional training. It is going to be on a limited basis, because we are starting off small at the certain parks that we identified before. But yes, we are continuing that program.

Councilmember Cowden: So in this last year, did we continue it? Have we been doing it this whole time, or did we stop?

Mr. Porter: Since the training, the small techniques that we learned when we went through the training have been in-place this whole time.

Councilmember Cowden: Thank you.

Committee Chair Kaneshiro: Are there any other questions for Parks Maintenance? If not, we will move on to Beautification. Councilmember Kuali'i.

Councilmember Kuali'i: Position 1644, Senior Groundskeeper, vacant since September. It says, "Eligible list pending testing." Are you anticipating filling that position soon?

Mr. Porter: Yes. For that position, we need applicants to complete a supervisor's written test. That kind of limits us on the number of eligible people

that get past that step. As soon as we can get people to pass the written supervisor test, we will be filling that.

Councilmember Kuali'i: The other is Position 1835, Groundskeeper. When do you anticipate hiring that position?

Mr. Porter: Wally, do you have information on that one?

Councilmember Kuali'i: The HR status says, "Pending selection." I assume you are already past any kind of testing and interviewing and you just have to make a selection. That should be soon, correct?

Mr. Porter: Yes. I think we were given approval for that one. We went through the list and we did interviews.

Councilmember Kuali'i: Thank you.

KYLAN DELA CRUZ, Parks Project Manager (*via remote technology*): For the Groundskeeper position for the West District, we just did an intra-move to fill that position and this is the person's first day in that position of West Beautification.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: Another Beautification topic. This group manages the public cemeteries that are dispersed throughout the island, correct? How many employees do we have for that task?

Mr. Rezentes: There are no specific employees assigned specifically for those activities. They do it as a part of many other things that they do. We cannot really be specific as to how many full-time equivalent positions go there. A lot of these facilities and locations...it is done just to support community efforts and it is on-call a lot of the time.

Councilmember Cowden: It is someone who is mowing a lot of different areas and they go and mow an area in Kapa'a, for example. I was just curious how that was handled, because I think it is something very nice that we offer our community. So it is just embedded in the overall Beautification cost, correct?

Committee Chair Kaneshiro: Are there any further questions for Beautification? If not, we will move on to Stadiums. Councilmember Kuali'i.

Councilmember Kuali'i: Position 1957, Park Caretaker. The eligible list is pending testing. On the Vacancy Report after the listing of 1957, in parentheses, it has the number 1658. I see there is another Position 1658, Park Caretaker at Vidinha Stadium and

that other one was at Bryan J. Baptiste Sports Complex. What does that mean? Why is that other position number being referenced? Or was that just a coincidence?

JANINE M.Z. RAPOZO, Human Resources Manager II (*via remote technology*):

That is an internal transfer. I left that number there to show where the number is going to. For that particular position, he is going to be transferring to another position number, so they are awaiting the Park Caretaker II being filled before he can be moved to that other number. That is why I have two (2) numbers there.

Councilmember Kualii: Excellent. An internal transfer. Thank you.

Committee Chair Kaneshiro: Are there any other questions for Stadiums? If not, we will move back to Facilities Maintenance. Councilmember Kualii.

Councilmember Kualii: Is there any update on Position 1545, Janitor II, Anahola Roving, vacant since November 2016? That one has been vacant for a very long time and the HR status is that the offer is pending. Have they started already? Is that one filled?

Mr. Porter: I can get back to you for the start date.

Councilmember Kualii: Thank you.

Mr. Rezentes: I am sorry, did you say Position 1545? That one is also an internal transfer from Golf to Janitorial, effective April 16.

Councilmember Kualii: April 16. Thank you.

Committee Chair Kaneshiro: Are there any other questions for Facilities Maintenance? If not, we will move to Convention Hall. Councilmember DeCosta.

Councilmember DeCosta: What is the regular overtime of \$10,000 for?

Mr. Porter: We have one (1) staff member over there. When things happen when he is not working his regular hours, we have to pay for him to come in and fix various things. That is what that is used for. When things go back to normal and there are more activities, he has to be there to support events, parties, and things like that. That is what that is for.

Councilmember DeCosta: Thank you for that explanation.

Committee Chair Kaneshiro: Are there any other questions? If not, we will move to the Parks Improvement and Maintenance Fund. There is only one project in there for Parks Lot Resurfacing of \$130,000 and Park and Sports Field Enhancements for \$50,000, which is \$10,000 lower than the prior year. In the prior year the number was a little higher

for Kalawai Park Electrical Repairs. Do we have any questions on that Fund? If not, we can move to the Wailua Golf Course. Councilmember Kuali'i.

Councilmember Kuali'i: Position 1728, Golf Course Maintenance Operations Supervisor, vacant since September 2019. It says, "Pending Application." The posting date was, at that time, to happen by March 18. Where are we at with recruitment for that position and when do we anticipate filling that position? It seems like the recruitment is just starting.

Mr. Porter: Wally?

Mr. Rezentes: That is in recruitment with HR right now. I cannot give a specific time on when that will be completed. I know it is in process.

Ms. Rapozo: For that position we are doing written tests next week so the eligible list should be ready for the Department by next week.

Councilmember Kuali'i: With the entire recruitment process and all of the steps along the way, what is the soonest you could have this position hired and filled?

Ms. Rapozo: It depends if they select an internal person or not. The soonest could be April 16.

Councilmember Kuali'i: Page 349, Dues & Subscriptions, RecTrac and GolfTrac annual fees. The question surfaced earlier for an update on these. Are these software programs that we have to pay an annual fee to use every year?

Mr. Porter: Yes, correct.

Committee Chair Kaneshiro: That is the software to allow us to charge for the credit card fee. Councilmember DeCosta.

Councilmember DeCosta: Wally, could you explain what you mean by Other Services for \$93,960?

Committee Chair Kaneshiro: Just below it has the description.

Councilmember DeCosta: Got it. Thank you.

Committee Chair Kaneshiro: Are there any other questions for the Wailua Golf Course? If not, we will take our ten-minute caption break now and we will come back for the Departmental Budget Reviews for the Office of the County Attorney and the Department of Liquor Control.

There being no objections, the Committee recessed at 10:35 a.m.

The meeting was called back to order at 10:50 a.m., and proceeded as follows:

Office of the County Attorney

Committee Chair Kaneshiro: Welcome back, I would like to call on Matt and ask him to go over his budget proposal.

MATTHEW M. BRACKEN, County Attorney (*via remote technology*): As a quick overview, our salary, wages, and benefits increased by 10.7%. Our operational costs decreased by 23.8%. To go into the details for that, our Regular Salaries increased due to the addition of a part-time attorney position and Hawai'i Government Employees Association (HGEA) salary increases. That increase of \$176,000 was attributable to those items. We also increased our training and our travel-related training. A lot of those accounts were dollar-funded due to COVID-19. We have hired a lot of new attorneys recently and we want to send them to training as possible to get the up to speed. We are encouraging and doing a lot more online webinars and online conferences, which have kept training costs down. We increased the pre-COVID budgeted line item numbers. Our dues and subscriptions decreased by \$50,000, which is attributable to last year's appropriation for contract automation. I am happy to say that our contract automation is wrapping up and should be done by the end of this fiscal year. Those funds will not be needed. We decreased our Special Counsel costs by \$165,000. That is mostly due to the fact that we are fully-staffed and we have an attorney starting today. That is our last vacant position. We are fully staffed as of today. He is going through orientation as we speak. Litigation costs increased just a little in the amount of \$600 just to cover a contract increase. Off-site storage increased by \$240. Computer peripherals would be another larger line item. That is for a \$15,000 increase. That will be used to replace twelve (12) laptops that were purchased in 2018 and are getting towards the end of their lifecycle. Their batteries are not lasting that long and they are moving really slowly. That is a general overview of basically all of the increases and decreases in our budget.

Committee Chair Kaneshiro: I will take questions regarding the presentation and the budget. It is not a very large budget. Council Vice Chair Chock.

Councilmember Chock: Congratulations on filling your vacant positions. I know you have been working hard on filling those. You talk about the part-time positions and I know that was one of the ways to fill the void in being able to hire people off-island to accomplish some of the work, since the pool here has been difficult. Is that where that is related? In the part-time positions, where you have off-island attorneys still contributing?

Mr. Bracken: It is. We hired our first part-time attorney a year or year and a half ago, when we were really having a hard time hiring. We hired a part-time attorney to a full-time position, which is not ideal, because we are wasting half of the position. She is a good attorney in our Office and that attorney still lives off-island. She is on the Big Island and it is actually working out well. She was familiar with our Office and we are familiar with her work product. She actually wants to start working more hours. We should be able to accommodate that in the next fiscal year. The other part-time position...the

realization as we were going through the hiring process is that we are getting a lot out of the part-time position. She accomplishes a lot. She has a focused twenty (20) hours. The applicant pool is really good right now. I have interest and I basically have someone lined up if this position is approved, to fill that other part-time slot. That would be an attorney that is on-island. We just realized that the part-time position works and we actually get a lot of work out of them. That is what the request is for.

Councilmember Chock: Thank you.

Committee Chair Kaneshiro: Councilmember DeCosta.

Councilmember DeCosta: I am looking on page 24. We have \$19,000 allocated towards other litigation costs, filing, recording fees, transcripts, subpoenas, and photocopies. Is that sort of the clerk's or paralegal's job responsibilities? I was wondering if this is on top of what your existing staff does. I just want you to explain why we need this extra funding when it seems like those responsibilities are what your staff is already doing or should be doing.

Mr. Bracken: So those fees actually are outside of what our staff does. The recording fees, my staff prepares everything for recording and the duties associated with the filing. We have to pay court filing fees. We are a government entity so some of those State court filing fees are waived, but in some other areas where we appear, we have to pay recording fees. For transcripts, these are usually something that is paid for if we are involved in an administrative appeal. If we need to record them and if we want transcripts, we have to pay to have them transcribed, which is not something that our staff does. Whatever agency you appear in front of, you actually pay the cost and you pay them to transcribe the recording for you. Deposition costs, those are for deposition transcripts. When we depose a person, that would usually cost between \$3,000 and \$5,000 for deposition transcripts. Depositions are expensive. That is something you are paying an outside agency to do. It is using a court reporter to take the deposition. The witness fees, again, those are other fees that we have to pay people to appear in court for us, including mileage if we subpoena them. These costs are generally associated with outside costs that is not things my staff is doing, but things we have to pay for as part of the litigation process.

Councilmember DeCosta: Thank you for that clarification.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: I would just like some clarification on Special Counsel. I realize that is when we hire people outside of our team. When I look over the past few years it really varies quite a bit. It goes from \$500,000 to as low as \$7,700. We see a large variation. We are looking at \$335,000 for this year. Do you estimate that by what you think is on the table in front of you and what you are going to need Special Counsel for? Or is it a ballpark figure based on vacancies and trends? How do you anticipate that budgeted amount?

Mr. Bracken: We base it on current open contracts and cases we think might be in the works and that we will need help on. It varies and has varied a lot in the past. The reality is that we try as much as possible not to use Special Counsel. It is very expensive, and we know it is expensive. My attorneys, you pay them \$40 to \$50 an hour. For Special Counsel it is \$200 to \$500 an hour. We try to avoid it at all costs. For the years that were higher, there were conflict of interest cases that we cannot handle and we have to use Special Counsel on. The one year when we were severely short-staffed, Special Counsel costs were higher that year. I think we used most of our funds. They can burn through that money very quickly. I remember there was a time where Planning Department cases cost \$200,000 for just a three (3) to four (4) month period. The costs are high and run very high. It is basically based on open contracts we currently have and things we see in the works such as things we see, hear, or that will be filed, or that we might have a potential conflict with.

Councilmember Cowden: Thank you.

Committee Chair Kaneshiro: Are there any other questions from the Members?
Councilmember Kualii:

Councilmember Kualii: On the Special Counsel line item, last year we budgeted \$500,000. This year we budgeted \$335,000, a reduction of \$165,000. You said something about a prior year that was unusually very high due to primarily being short-staffed. Was that last year?

Mr. Bracken: It would have been 2019 into 2020. Yes, it was the tail end of last year. It was towards the end of 2019 that we were severely short-staffed. I think Special Counsel costs were roughly higher the year before, too, due to conflicts.

Councilmember Kualii: Now that you are fully-staffed, is that why you have lowered the amount? Are you just estimating based on current and foreseeable cases? You lowered the amount to \$335,000, is that what you will need in the new fiscal year?

Mr. Bracken: That is correct.

Councilmember Kualii: In the current fiscal year, now that we are three-quarters of the way through, the budget was \$500,000, has that been adequate? How much of that have you already used and how much is left?

Mr. Bracken: I have to guess a little bit here. From what I recall, we used a little over \$200,000—between \$200,000 and \$250,000. The rest will lapse back into the General Fund. We will not be coming back for more Special Counsel funds this fiscal year. At least half of it will lapse.

Councilmember Kualii: Thank you. I have another question.

Councilmember Cowden: I have a follow-up.

Committee Chair Kaneshiro: Councilmember Cowden.

Councilmember Cowden: When we have Special Counsel under the County Attorney, does that apply to every department? Could it be for helping Transportation or any department? Special Counsel would be the Planning Department and everyone else? Is there any group that Special Counsel does not cover?

Mr. Bracken: It should potentially cover all departments. When there is something that we cannot do or cannot do because of a conflict, a lot of times with litigation essentially created by another department. Special Counsel costs are for the entire County. In some circumstances, some departments might fund Special Counsel costs. That is rare. With the Housing Agency, the Special Counsel for Lima Ola came out of their budget. Most of the time it comes out of our budget.

Councilmember Cowden: Thank you.

Committee Chair Kaneshiro: Councilmember Kualii'i.

Councilmember Kualii'i: For Dues and Subscriptions, that has been cut in half. When I look at the last several years there was \$49,000 in 2018, \$47,000, then \$30,000, and last year it was \$102,000. This year it is back down to \$52,000. You made a comment when talking about the narrative about contract automation wrapping up. Was that a significant cost from last year that is no longer needed this year? Are all the things that are broken down here of the different types of subscriptions and charges typical of what we pay every year? Those are annual charges?

Mr. Bracken: Yes. I would say those charges are typical of what we pay every year. Some things due increase slightly each year, like the research database costs. That is a contract that increases by a certain percentage each year. Last year there was \$50,000 put into this line item for contract automation, which is software. We are using software the County already had, but we have used the money to fund a position to build contract automation for us. It is almost built and he is wrapping it up right now. That is why we do not need the cost in the upcoming year. That should streamline our contracting process for our clients and our use. We are excited about that being done. These are typical costs. Our legal research database contracts are actually expiring this year. I am currently renegotiating those. I am hopeful we can get them a little cheaper. I plan to use the two (2) that we use to play off of each other to drive down the price a little bit. Other than that, the prices there are typical.

Councilmember Kualii'i: In the Vacancy Report on March 15, 2021, there was Position E-2902, Deputy County Attorney, vacant. Has that been filled? When was the start date?

Mr. Bracken: It has been filled. The start date is today. He is going through orientation right now.

Councilmember Kualii: Okay.

Mr. Bracken: We brought back a former Deputy County Attorney who was in the Office when I first started. It should be really nice, as there is not a lot of training involved. We are really excited about that.

Councilmember Kualii: Great, congratulations.

Committee Chair Kaneshiro: Are there any further questions for the Office of the County Attorney? Councilmember Kualii.

Councilmember Kualii: On page 26, Computer Peripherals/Supplies ...with new staff, are you having to provide new computers?

Mr. Bracken: Yes, we will need to for the additional position. The amount that was budgeted was to cover the replacement of laptops and it will cover the new computer as well.

Councilmember Kualii: Thank you.

Committee Chair Kaneshiro: Are there any questions for the County Attorney? If not, we will move on to the Liquor Fund. Thank you.

Department of Liquor Control

Committee Chair Kaneshiro: We are on the Department of Liquor Control. Cecil, if you want to give us a brief overview of your Department or any highlights...

CECILIO BALIARIS, Acting Director of Liquor Control (*via remote technology*):
We met the goal that was given to us to make any type of cuts to our budget to help the licensees with their fees. We made dramatic cuts to the budget and this was more centered around cutting traveling for conferences and all of that. For our Regular Salaries, there was a slight increase in salaries, because of the HGEA schedule for salary increases. We have one (1) position that is being reviewed for reclassification. Our Private Secretary resigned and our Clerk is picking up the workload. We have another Clerk position that we will be transferring to the Office of Boards & Commissions. That will relieve us of that position. As far as operational challenges, the Department's goal is to help the licensees with their annual percentage fees for 2022. We anticipate gross liquor sales to be decreased significantly, especially for on-premise licensees. One of the options that we presented to the Liquor Control Commission and the Salary Commission was to defer the hiring of a new Director until after the 2022 budget. This was recommended so that we could use that salary, which would be my salary, and that could be added to the carryover, which is part of the formula that we use to calculate the percentage fees. No other expenditures that we could foresee could save licensees anything in this budget. We do not have any major operational challenges. Most of the licensees are very cooperative. Our investigators do not have any problems with the licensees; aside from the other islands' licensees, our licensees are very

cooperative and our rapport with them is very good. The only thing that I can see is that educating and monitoring the COVID-19 compliance with the licensees will be a challenge. It is mostly with their patrons. Sometimes we need to remind them about that, but other than that, we do not have any big problems with the licensees. That is about it.

Committee Chair Kaneshiro: Thank you. Are there any questions from the Members? Councilmember Cowden.

Councilmember Cowden: I want to thank you for the time you took to spend with me. We talked about your budget in-depth. I want to acknowledge the relationship of wanting to help these struggling businesses make it through this pandemic. If my understanding is correct, you moved one (1) position into another department, and you are not filling the Director position in order to be a financially functional department and to not demand too much from the bars and restaurants. Is that correct? Are you able to lower any percentage of their fees? Do they pay one percent (1%) of their sales?

Mr. Baliaris: We can try and use the savings from expenditures and add that to the carryover as part of the formula for their fee. To say that we can lower it in any other way, I cannot say that. We have to look at the carryover, gross liquor sales, and the formula to calculate what we get from the licensees.

Councilmember Cowden: So you are using your carryover and you have tightened your budget to keep things balanced?

Mr. Baliaris: Yes, that is what we are trying to do.

Councilmember Cowden: Okay, thank you.

Committee Chair Kaneshiro: Are there any other questions for the Department of Liquor Control? If not, that is our last department for today. With that, thank you all for a very informative session. At this time, I would like to recess the Departmental Budget Reviews and reconvene at 9:00 a.m. on Monday, April 5, 2021, where we will hear from the public safety departments. This includes the Kaua'i Fire Department, Kaua'i Emergency Management Agency, Kaua'i Police Department, and the Office of the Prosecuting Attorney.

There being no objections, the meeting recessed at 11:14 a.m.