

Department of Parks & Recreation

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

Excused: Honorable Addison Bulosan

The Committee reconvened on March 30, 2023 at 9:00 a.m., and proceeded as follows:

Council Chair Rapozo: Before we start, is there anyone in the audience wishing to testify? Seeing none, we will go ahead and start with the Department of Parks & Recreation. Welcome and good morning.

There being no one present to provide testimony, the meeting proceeded as follows:

There being no objections, the rules were suspended.

PATRICK T. PORTER, Director of Parks & Recreation: Good morning.

WALLACE G. REZENTES, JR., Deputy Director of Parks & Recreation: Good morning.

PRESTON CHONG, Fiscal Officer II: Good morning.

Council Chair Rapozo: We have your narrative, if you just want to highlight the changes, challenges, vacancies, all of the things you cited in your narrative.

Mr. Porter: I can give a quick overview of our department, and then the significant changes in the budget.

Council Chair Rapozo: Okay, if you can just state your name before you start.

Mr. Porter: Pat Porter, Director of Parks & Recreation. The Department of Parks & Recreation is made up of eight (8) Divisions: Administration, Recreation; Recreation is where we house the neighborhood centers and gyms, that is where the County youth seasonal programs fall under, also the pools, etcetera. We have the Planning and Development Division, that is where we have our project management team, they do plan designs for parks and facilities, public outreach, and also our permit section for all of our permits falls under that division. We have our Facilities Maintenance Division, which is...one thing to note for the Facilities Maintenance Division is that they service all the departments, they are not just Parks Facilities Maintenance, they are all County Facilities Maintenance. We have our Parks Maintenance Division, and that includes all the maintenance from our parks and various green spaces that are not designated as parks but are under the County Parks Department. One thing to note for that one, in your budget the

Parks Maintenance Division is broken up into three (3) sections, so there is the Parks Beautification, and Stadiums are under that. We have our Fiscal Division, and that is where they do all our fiscal things, and that is where the Park Ranger section is housed. Then, we have the Wailua Golf Course, of course, and the Kaua'i War Memorial Convention Hall. Those are the eight (8) Divisions that fall under the Department of Parks & Recreation.

Just some quick significant changes for this year's budget, and then we will go into more detail when we get to the section, is that we have an added Janitor position in the budget that falls under Facilities Maintenance Division. We have an added position in the Park Maintenance Division to service the Kaua'i Veterans Cemetery in Hanapēpē. We looked at changing up our seasonal hire positions for the summer and winter programs, so we can go into more detail about that when the Recreation section comes up. Then, we have various equipment that we are asking for, and those are for Facilities Maintenance, Park Maintenance, and Golf Course. That is mostly the significant changes in this year's budget.

Council Chair Rapozo: Thank you. Are there any questions for the Department of Parks & Recreation? Councilmember Cowden.

Councilmember Cowden: I have a few broad-breaststroke questions. First of all, I always want to thank you and particularly thank our people who clean the bathrooms. I know that is a tough job that people do not often recognize good work done. We made a few budget improvements, one was to add a maintenance person for the beautification for this Līhu'e area. I think it looks good, is it meeting your expectations, and are you happy with the achievements that have come with a result of that?

Mr. Porter: Yes, it has been a real help, and it has not only improved the Līhu'e Town Core, but it has also improved the east side, as well, because we were grabbing men from the east side to take care of this, so those places have been improving as well.

Councilmember Cowden: Okay. Then, another position that we added that I was really enthusiastic about was the position to help with the Bryan J. Baptiste (BJB) Sports Complex and the bike path. It has two (2) topics that are super close to my heart, one is our youth, particularly our youth at risk, and, I would say, if I can say it nicely, our trauma-based community that might be living and not making the best choices along our bike path. How has that been for that particular Ranger?

Mr. Porter: That seems like it has been a success, too. As far as when that time that they spend at the BJB Sports Complex, the Ranger that is assigned there has become kind of "Uncle Joe" to the kids there, so they call him as "Uncle Joe" and that has improved that place a lot. Also, relating to the bike path, we are able to get from tip-to-tip with that position, so there is presence on the bike path.

Councilmember Cowden: That tip-to-tip person, are they in a four-wheel All-Terrain Vehicle (ATV)?

Mr. Porter: Yes.

Councilmember Cowden: They are able to get around.

Mr. Porter: Yes.

Councilmember Cowden: The bad behavior that can be particularly bad on the bike path—the drug influence, is that staying away from the Sports Complex and the kids?

Mr. Porter: Yes, we have seen an improvement, especially with the vandalism portion.

Councilmember Cowden: Okay. I know that we had a lot of skaters on the basketball court, and the different courts, and there was a lighting issues, I think people were partly skating there because there was not enough lighting in the skating area, and if I remember right, we were going to be funding more lighting in our Capital Improvement Project (CIP), did that occur?

Mr. Porter: Yes, the skate park has its own lighting now. We were able to install it.

Councilmember Cowden: It has reduced the pressure on the lighted basketball and tennis courts.

Mr. Porter: Yes, correct.

Councilmember Cowden: Okay, that is good. Then, when we get to the actual parks themselves, is that a place to ask the general question, or would that be now?

Council Chair Rapozo: General questions, right now, just overall, then we will start doing the different division's budgets.

Councilmember Cowden: I have a general question on our parks properties. How many leased private properties do we have that become a County park? An example that I know of would be Wai'oli Town Park in Hanalei. Are there a number of parks like that?

Mr. Porter: With that type of agreement, that is the only one I can think of, but we can get a list to you if there are more.

Councilmember Cowden: Okay. I think what would be interesting for me is if I could see a list of parks that have private property with a lease agreement, my guess is there are stipulations in that lease for rules. Then, I know we have a set of County rules, so I would like to see where lease stipulations might be different than County park rules,

because I hear from people who complain about things like vehicles in parks, asking what is against park rules, and it seems like...by the way, I am someone who really supports free agency, so I say each park to me is like what their own community wants, and what they can tolerate or do not tolerate, but when there is variations from park to park, and when people say, "Well, you cannot do that," I want to be able to see what you can do. I am also curious, how many stewardship agreements do we have over parks? Are there a handful of them? Do we have canoe clubs in some parks? When people are wanting stewardship agreements...

Mr. Porter: We did provide a list of Adopt-A-Park.

Councilmember Cowden: Is that list in here somewhere?

Mr. Porter: That was to Council about a month ago.

Councilmember Cowden: Okay.

Mr. Porter: We can send the same thing over.

Councilmember Cowden: Okay. I will just look at it again. I probably saw it, but I need to see it again. In these stewardship agreements, I assume those stewards are given a list of both stipulations on leases. I do not want us to be in the middle of tension and fights, or challenges. Also, when I look forward, relative to Hanalei Park, if there can be a stewardship agreement, how can we do that? I see mild contention on one (1) park, I want to make sure we do not make it hard for any other stewards or create contention, and if those are ways like when I am wanting to encourage retention of unique qualities in different communities, I think it is really important that we hold consistency. Then, when we drove back from the park we did not talk about policy, but we did help drive by Po'ipū Beach Park, we just drove where we were looking at things—so there are stewardship agreements down there. Just trying to make sure we have accurate expectations and reasonable expectations, and what goes how, and when we are going to have both in Po'ipū, Lydgate, and Hanalei, the paid beach parking, which I think I was the one (1) who said "no" to that, I worry anytime we create points where there is conflict, I understand there is a pilot project, but that is also going to have some unique characteristics now, so all three (3), I would say Lydgate is a stellar park, so I have given a lot of discussion here, but if you can speak. I am looking at Wally, and I can tell he has something to say.

Mr. Rezentes: Wally Rezentes, Deputy Director. I just wanted to comment a little bit about Adopt-A-Park and stewardship agreements. Those types of agreements are more driven by the community, as far as what they are willing to help us with and what kind of service they are willing to provide, so for the most part, they drive the scope of what they want to do in a particular park or area, so it is not like we are dictating to them what the requirements are. Sometimes there may be requirements that by some State requirement that we need to make sure that everyone upholds, and that would need to be part of the agreement, but by enlarge those types of agreements are and the scopes are driven by and how the community wants to assist us.

Councilmember Cowden: I appreciate that, and that is consistent with what my perception is. When I look at different parks like in Waimea Town behind Big Save area in there, there is a park that seems deeply underutilized. There is a park in Hanapēpē Heights, there is a park in Kōloa, and a lot of different places there are deeply underutilized parks. I would say the park down the street from me in front of the stone buildings in Kīlauea—the community takes care of that park, I think. I really would like to see how we reach out to these community associations, and encourage them to look after their own *kuleana* just a little bit more, because if they can do things to replace a rotting basketball net, or something like that, because when we are trying to keep our costs down, and we look at how expensive everything is and how stretched thin we are, if people are not happy with their neighborhood park, and I go and look at them, they are mowed, but their facilities are behind. I am thinking if we can work with the ‘Ele‘ele and Hanapēpē Community Association, or whoever it is, and get participation from the communities to help make that happen—so that is the direction that I think can strengthen our Department of Parks & Recreation in a way that builds a lot of good behavior from the community. An abandoned park is where you get bad behavior, and we cannot have our police everywhere. What do you think? You both are nodding. What are your thoughts?

Mr. Porter: We are on the same page as you. We are always encouraging partnerships with community associations like the Kalana Kīlauea, they are the organization that we drafted up a stewardship agreement with them to take over the Kīlauea Dispensary Park. That is probably the latest example of a stewardship agreement that we executed. That is a full stewardship agreement.

Councilmember Cowden: I appreciate that. I am on the Parks & Recreation / Transportation committee, I am not either Vice Chair or Chair, but I am happy to help promote community engagement and help.

Mr. Porter: Yes, send them our way.

Councilmember Cowden: Okay. Thank you.

Council Chair Rapozo: Councilmember Kualī‘i, then Councilmember DeCosta.

Councilmember Kualī‘i: In your narrative, and we can get into detail when we go through the vacant positions division-by-division, but you talk about trucks and being assigned to the Electrician and the Plumber under major changes and/or variants, but in operational challenges, you only talk about supply chain issues, significant usage, vandalism, graffiti, then, you also say, “We intend to review operational and administrative best practices, and forward strategic partners.” So, you talk about the challenges, and you give a little bit of what you are going to try and do about it. I think you probably should have mentioned it here, and I would like to see departments mention when they have a huge challenge like filling certain positions. You do have an operational challenge in Facilities Maintenance to fill two (2) different Electrician positions and one (1) Plumber position. In

general, is there an ongoing challenge and attempts, what could you have put in here in this paragraph?

Mr. Porter: For those specialty types of positions, we are competing with the private sector, and the private sector at this point is a little more attractive for those types of positions than working for government, because of the pay scale, so that is our main challenge with those specialty trades.

Councilmember Kualii: Are you working with HR to match the private sector in any way? I do not know if you need to go back to the unions. Are you working on that, because it is a continued challenge?

Mr. Porter: Yes, we have had many conversations with HR about how we can either make it more attractive, or to widen the applicant pool. We are still working through that.

Councilmember Kualii: The comment about the new trucks being assigned to Electricians and Plumbers, are there other Electricians or Plumbers that will be assigned to those trucks, or those are the positions that need to be filled, so they can use those trucks?

Mr. Porter: Current, so they are sharing those trucks right now.

Councilmember Kualii: Okay. Thank you.

Council Chair Rapozo: Are those pieces of equipment assigned to the employee?

Mr. Porter: Not directly.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: First of all, thank you, Mr. Porter and your team. This is my second term as Vice Chair, and I really have a good relationship with you folks. I want to comment, you had internal moves between John and Kylan Dela Cruz going into Project Management and you brought on a new man, Randall Cremer. I had an ability to work with both of them on some of our County issue parks in Kalawai and 'Ele'ele, and because Councilmember Bulosan is so new, I took him out under my wing, and I called twice, and spoke to Mr. Cremer and Mr. Dela Cruz, with your permission of course, and Wally's, and those parks were met "like this," and I received a call back from the community saying that Mr. Cremer made a call and sent some men down—that is County efficiency that I like to see. I am really proud to work with you folks. What I am concerned about is Uncle Joe is on an ATV and is a Ranger. Do we have him certified to what it takes to be a Ranger? What is his responsibility, what can he do legally, and what can he not do—we do not want a County

Ranger overstepping his boundaries. The next thing I want to make sure, you see on radio frequency with the lifeguards, in case he sees some kind of activity, a person needing help, Cardiopulmonary Resuscitation (CPR) on the beach, drowning further away from the shack where the lifeguards sit, can he radio them? Do we have any contact with them?

Mr. Porter: Yes.

Mr. Chong: Preston Chong, Fiscal Officer for Parks & Recreation. He is on the dispatch radio. All the Rangers carry a radio.

Councilmember DeCosta: Okay.

Mr. Rezentes: The other thing, most recently all of our Park Rangers were certified for CPR and Automated External Defibrillator (AED) just recently, so they are going to be carrying those devices once we get them in their vehicles when they patrol

Councilmember DeCosta: Okay. Councilmember Cowden mentioned the drug activity, the Narcan or the ability to implement that lifesaving piece of equipment, are they certified with that also?

Mr. Chong: Recently, we brought in a nonprofit organization to train us on Narcan.

Councilmember DeCosta: Okay, so we are covering that. The last thing, you mentioned maintenance on our equipment, and I brought this to your folks' attention, several of your employees want to drive their own lawn mower. They claim when they are changing lawn mowers the service is not done to full potential—I do not want to discriminate, but the younger drivers of the lawn mower do not take care of it as much as the older drivers. Do we have a lawn mower that can be assigned per park per driver, or would that equipment cost be too large?

Mr. Porter: Yes. The way we assign them is per district, the lawn mower position is a different position than a park caretaker position, it is its own position, so the way that it works is multiple people have an opportunity to jump on the mower, so we cannot assign one (1) mower to each individual.

Councilmember DeCosta: Did we have that situation before where the lawn mower operator had his own lawn mower.

Mr. Porter: For our beautification crews, yes.

Councilmember DeCosta: Okay, but not for our parks.

Mr. Porter: Park Maintenance is different; it is for the district.

Councilmember DeCosta: We have a good service program, right? Then we can take care of our equipment.

Mr. Porter: Yes. We just took over all small engine mechanics. We have two (2) mechanics now under Parks, but we service Countywide, all departments for small engines, but it just so happens that Parks is the biggest user of small engines. Since we took over those two (2) positions, our small engines have been maintained a lot, more frequently, and it is a better tracking of our Parks equipment.

Councilmember DeCosta: Thank you for that.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: Do all of our Rangers have Narcan kits with them?

Mr. Chong: They all were trained on the Narcan, it was voluntary for them to take a kit or not.

Councilmember Cowden: Okay. I know one of our recent passings, we had a death at the Lihi bathroom area, I believe that was an overdose, a person without housing, you know I tend to follow these deaths that happen. They happen, so I know this when they happen, and some of them that happen, so it would be a suggestion that maybe we have some there. We have the Kapa'a Armory substation, maybe they can have some in that area. Another question I have, the Kapa'a Beach Park and the Waimea Sports Field, prior to COVID-19 we were having them be pesticide-free parks, are they still on that program and did it work?

Mr. Porter: Yes, they still are on the Beyond Pesticides program.

Councilmember Cowden: Beyond Pesticides?

Mr. Porter: Yes.

Councilmember Cowden: Are the caretakers of that park feeling good about it? I know the grass...those are two (2) dry parks, so dry parks get stubborn weeds.

Mr. Porter: You know, I was actually surprised at how receptive our men were to the program, so they still try to implement some of the things that were went over in the training.

Councilmember Cowden: I went down for the training day, and I would describe them as really receptive, but that kind of got sidelined. Was the pilot program good enough that we are trying to use it elsewhere? I know with glyphosate under greater and greater pressure against it, I do not know how we are going to keep up with things if all that

stuff does get stopped, because the grass grows so fast, guinea grass, this would be for roads, as well, but parks are easier, I would think, to deal with than the sides of the roads. Have we put Beyond Pesticides in any more parks, than just Kapa'a and Waimea, or only those two (2)?

Mr. Porter: Only those two (2). Then, out at Black Pot, they are implementing some of the...

Councilmember Cowden: At Black Pot.

Mr. Porter: Yes.

Councilmember Cowden: If communities want to move in that direction, maybe they can be part of what would help move things in that direction, because I continue to get complaints. Not about those two (2) parks, but that we are not moving fast enough on that.

Mr. Porter: We are also looking at a bunch of products on the market now since the glyphosate lawsuit—more organic-based products, so we are looking at those two (2), we started testing one (1), so we are seeing how that goes, too.

Councilmember Cowden: Okay, thank you.

Council Chair Rapozo: Real quick on the Narcan, I just wanted to put a plug in for Mālama Pono, because they offered harm reduction services for the public. You can call Mālama Pono and they will give you the training and the Narcan. I believe everyone should have it in their car and at home, and it is free, so please check that out.
Councilmember Kagawa.

Councilmember Kagawa: Before I start, regarding the concerned people who want parks to be better without using pesticides, they can volunteer and pull weeds, that is how they can help, not only by complaining. You cannot have it both ways, you cannot have a perfect grass park without using any legal pesticides that are allowed to be used. If you follow the label of the law, you can buy it at Walmart or Home Depot, why are parks not able to use it to make the park look beautiful and do their job better? I have trouble with that. Regarding Salt Pond Beach Park, if you dig down by the "kiddie pond" you hit clay within two (2) inches, so the sand is gone. I am wondering, is there a way we can replenish the sand in that area? I do not know how fast it will go back out being that there is that barrier of reef, it might hold some of it, but I am thinking if there is some way to...because when kids are small and they are first learning to swim, they want to play with the sand too, besides swimming in that kiddie pond, but there is no sand. How many of you have taken your grandchildren recently? It is weird. You hit this gray mud or clay. I am wondering if there is any way that we can try and at least start on that kiddie pond area and see how that works.

Mr. Porter: Yes, we can reach out to our state partners at the Office of Conservation and Coastal Lands (OCCL) and see what is appropriate permitting-wise and see how we can.

Councilmember Kagawa: It is still highly used. There are certain groups that look like they almost live there, and it is legal to swim there every day. Sometimes I wish other people could enjoy it too.

Council Chair Rapozo: Councilmember DeCosta, then Councilmember Carvalho.

Councilmember DeCosta: Quick chime in. I appreciate that conversation piece, Councilmember Kagawa. Ala Moana replenishes the sand all the time, so I believe the Department of Land and Natural Resources (DLNR) can do that, they do it all, they have permits in line, so I think that is great. Yes, Salt Pond is a place for kids, even tourists bring their kids there. I need to chime in a little bit on the legal pesticide use, I worked with you a lot, Pat, on Kilauea guardrails, I think it is State highways, but we have some County jurisdiction, and our weed-eating team is out there constantly with the sun, rain, and the grown of this guinea grass, almost to the point where we spend so much money. I believe like Councilmember Kagawa, we have a usage that is allowed by the law, and we are going to wait for someone to get into an accident, or someone to die by that tall clump of grass that they cannot see on the corner, because I think we had three (3) calls come in the last three (3) months from the North Shore saying that guinea grass shoulder between the Kalihiwai bridge coming into Kilauea town is really bad. Just wanted to chime in, thank you.

Council Chair Rapozo: Councilmember Carvalho.

Councilmember Carvalho: I wanted to touch base on the coastal path area. I know there is a maintenance team for the cleaning of the path, and I know a lot of us walk the path, so is there any other support there where you have a plan in place to continue that support?

Mr. Porter: Yes, we have the structure set up, and we just keep chugging away at it.

Councilmember Carvalho: The small engine repair, that is with Transportation?

Mr. Porter: It was at Transportation.

Councilmember Carvalho: Is that located in Kapa'a? Do you have enough to maintain that operation?

Mr. Porter: Yes, we are able to have a bay designated in the baseyard by BJB Sports Complex. They have a good amount of space there.

Councilmember Carvalho: Okay, thank you.

Mr. Rezentes: They recently moved out of the Transportation
baseyard to Kapa'a.

Councilmember Carvalho: And they are located in Kapa'a, specifically for the
parks.

Mr. Porter: For all the County.

Councilmember Carvalho: All small engines.

Mr. Porter: But most of the small engine equipment is in
parks. We do the majority of parks things, but it is for the whole County.

Council Chair Rapozo: I am taking that it is working out well.

Mr. Porter: It is.

Council Chair Rapozo: Okay, good. That was always a concern, that the
machines were not being repaired in time. Real quick question, I know Wally is familiar with
this. This is an issue that just popped up recently, and if you cannot answer today that is
fine, because I think we need to work with the County Attorney—electric bikes on the bike
path. I looked up the definitions, there is a grey area, electric bikes do not have a throttle,
but they do have a motor, it is self-propelled. I looked at our statutes, and from the
discussions that we had back in the day about the bike path, I think it was clear that we
would not have any motorized vehicles or bikes. Now, e-bikes are not mopeds, but they are
motorized—they are powered by a motor. Again, I do not expect an answer today, I plan to
talk with our County Attorney about it, and we are going to have to make a decision on what
we are going to do with e-bikes. Last week, or two (2) weeks ago, I was at the red light by
Kuamo'o Road, and this man was, not on an e-bike, this man was on a moped, these mopeds
today can go fast, and this man was "flying." There is a wall, and he was blitzing. I do not
think it was an e-bike, but that is a discussion that we are going to have to have, so maybe
you can start thinking about what you folks feel going back and looking at the intent when
we created the rules for the bike path.

Mr. Rezentes: Chair, we are actually fielding similar kinds of
questions on both sides, people that support it and people that do not like it, and starting to
do our research, and relooking at our ordinance, as well. I have been researching other
places, other jurisdictions, even National Parks, and there are different types of e-bikes, level
one (1), two (2), and three (3), and there are certain ones that are pedal-assist where you have
to pedal for the motor to kick in, others that you can just press the button and you do not
need to pedal—that is type two (2), and then, type three (3) is a higher speed type of bike.
Some of the park systems throughout the nation and some state levels, they are allowing
level one (1) and two (2), and they are proliferating. The e-bike trend is...a lot of times what

we get back is some of the seniors on the bike path like to use it to help them up the little hills, so we get that type of feedback, as well. We are looking at the situation of how we can make best recommendations.

Council Chair Rapozo: One of the constituents shared your response. First of all, thank you for getting back to them quickly. That is so important when the constituents email the Administration or the Council, and we respond quickly, and you did that, and I read your response, which was a good response. We will have that discussion later, but I just wanted to bring it up today, because we have an opportunity, you folks are here. Councilmember Cowden.

Councilmember Cowden: I will just very briefly second that request heavily, because I see, especially on curved roads, if the e-bike is on the road, they are under a lot of risk of someone coming around the curve and hitting them with a car, and if they are on the bike path, everyone from the kid in the stroller, there is just an accident waiting to happen. When we have this rebate from the State, is that right, something like a \$350 incentive to buy one, that makes me want to go and buy one, I want one.

Council Chair Rapozo: You can leave Tuesday to come to the Wednesday meeting, you could leave Kīlauea Tuesday and you would get here on Wednesday.

Councilmember Cowden: There you go. I am just saying that is a good and exciting thing that people are doing this, and someone is going to get hurt.

Mr. Rezentes: We have a problem with motorized dirt bikes on the bike path, as well—that is a big challenge. Some of them just “rip” through that place.

Council Chair Rapozo: Yes, we need to get something that comes up, when they sense the bike coming at thirty (30) miles per hour, this little speed bump pops up, and then they can “phew.” I saw that, and was thinking, that was just an accident waiting to happen, and so many people use that bike path, a lot of *kūpuna* use that bike path, that is all it is going to take. Is that a follow-up?

Councilmember Carvalho: It is a follow-up.

Council Chair Rapozo: Councilmember Kualī‘i, do you have a different question.

Councilmember Kualī‘i: It is a different question.

Councilmember Carvalho: Just follow-up to that, because originally it was gathering your bike, you walk, run, stroll—that was the whole intent, but we have evolved and I did have discussions like Chair said, with several people, the level one (1), level two (2). I think we need to talk about it more, maybe more for *kūpuna*, because they want to get out there on the path, but some cannot, maybe they see something they can use, I do not know,

but I am open to listening and hearing more, but I know from the beginning it was just get on your bike, regular bike and pedal, if not, you walk.

Council Chair Rapozo: And the level one (1) is pedal, you have to pedal.

Councilmember Carvalho: You need to pedal, but still, maybe that can qualify.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: Mine is to follow-up on motorized vehicles or bikes on the bike path, but just equipment that is used on County beaches that are coming with Turo vehicles. There are a lot of Turo vehicles that have kayaks and electric bikes on them, they are outfitted with everything, coolers, and you can rent this. I am not saying that we should go after the Turo person, but I am saying that if they are going to park this truck fitted with all these amenities on our County beach, then take off their kayak when they want to use it, take off the e-bike when they want to use it, take off all these amenities on that vehicle, I think they should be paying a higher fee than a normal vehicle that pulls up to the County park to enjoy the beach. That is some food for thought, but I have seen it in State and County parks. There are a lot of Toyota trucks or vans that are outfitted with almost everything you can see.

Councilmember Cowden: A tent even.

Councilmember DeCosta: Yes. They actually wait until everyone leaves the County beaches in the evening, then pull in their truck with their camper and set up tent, and by the next morning they are gone. Let us look into that. Maybe we can look into that deeper.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: I just wanted to know, where in the budget, last year we added caretaker positions for the Lihue Town Core, is it under the Lihue District? Is that what those positions are?

Mr. Porter: Under Parks.

Councilmember Kualii: Under Parks Maintenance. In fact, when we added that last year, we were not creating a new category, we were just adding to the Lihue District, because we already had some Lihue people working on Nawiliwili and Niumalu, or were they roving from a roving team?

Mr. Porter: This crew is under the Beautification section. I think what you are talking about is the actual Park Caretakers for the parks. This was an added Beautification crew.

Councilmember Kualii: The Lihue Town Core is not these positions, it is in Beautification.

Mr. Porter: I think it is listed under Parks, but it is a Beautification crew.

Councilmember Kualii: I am just looking in the Parks Maintenance section, and there is a group of positions under Lihue District, so what is Lihue District?

Council Chair Rapozo: Councilmember Kualii, let us get through the Administration portion, away from the overall question of parks.

Councilmember Kualii: It is not vacancies or anything, it was just about, in general, last year we added positions for the Lihue Town Core, so where in the budget do I see them? Is it in Parks Maintenance or in Beautification?

Mr. Porter: Let me see. They are the central beautification crew.

Councilmember Kualii: Okay. We will get to it, when we get to it. My question was answered, basically, I just did not see it.

Mr. Rezentes: It was in Park Maintenance.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Page 206 in the Administration budget.

Councilmember Kualii: Page 205 first.

Council Chair Rapozo: I am sorry, it starts on page 205.

Councilmember Kualii: I have a quick one.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: Under Other Services, it is just a small \$10,000 increase, but it is fifty percent (50%) increase, because it was \$20,000 last year, and now \$30,000. What represents this new increase? I know you have a line item called Energy Management Services Repairs and Parts, \$15,000, is that something new or is that just something from last year, and it has increased a little bit?

Mr. Chong: The increase in that account 3000 is more for the bank and credit card fees.

Councilmember Kualii: Yes. What are Energy Management Services Repairs and Parts?

Mr. Rezentes: That is the contract that we manage under Brian Inouye, we have a contract for services for an energy management firm.

Councilmember Kualii: The other one was bank and credit card fees for RecTrac. What is RecTrac?

Mr. Rezentes: RecTrac is our software system for the Parks & Recreation Department.

Councilmember Kualii: Okay, thank you.

Council Chair Rapozo: Is there any more questions for the Administration? Councilmember DeCosta.

Councilmember DeCosta: I have a question on page 205, I believe it is Parks & Recreation Special Projects, and I think I asked this the other day, but it was out of context to the right department. Why and maybe explain how come those bathrooms by the soccer field across Vidinha Stadium that hosts our American Youth Soccer Organization (AYSO) and Hawai'i Youth Soccer Association (HYSA) games, why did we not put bathrooms in that area? We still have port-a-potties. I believe it was asked a long time ago. When I was not on the Council, just as a community member, because my kids played both HYSA and AYSO, we had budget money for the bathrooms and it never came to fruition—not under your administration—I am just saying, I believe at one time there was a really big push for that. Can you explain if we are ever going to make that happen, or why it did not happen? Can someone explain?

Mr. Porter: I am not sure about the prior. I know that when we came in, the way we decided to solve the bathroom issue was that we were opening up the north Vidinha bathrooms for the soccer or any event that goes on the north Vidinha field. We installed yellow gates to block the highway and parking lot, so that people can traverse back and forth between the north Vidinha Stadium bathrooms and the soccer field. That is what we have done for now to solve the issue, and to provide more toilets.

Councilmember DeCosta: How is that working with our *kūpuna* trying to traverse down the staircase that is steep to get from the field to the bathroom?

Mr. Porter: We have not received any complaints.

Council Chair Rapozo: Yes, because they call the Council, they do not call you folks, you do not work on the weekends. It is a problem. I can answer your question, because obviously, it was this Council that put that money in for the bathroom. It was \$750,000 that we put in for a bathroom up there. That was in fact, Mayor Kawakami was

sitting right here, and it was never built. Never. I remember the temporary fix was to use the stadium, but that money disappeared, and the bathroom was never built. The amount of usage that that park gets—you talk about the *kūpuna*, I talk about the five- and six-year-olds that are playing on the *mauka* end of that field, and you need to go, kids will go when they need to go, you need to go all the way across the road, go to the stadium and use the bathroom. It kind of is what it is, right? We can put the money, but the Administration needs to make it happen. I do not know if that is something that you folks would consider, because this would be the year to do it because of the funds. But if that is not something that you folks will pursue, I do not want to put \$750,000 and no one uses it, but this would be the year. I cannot imagine anyone that can sit there and tell me that the use of that facility, that field does not warrant a comfort station of their own—I just cannot. Correct me, maybe. The *kūpuna* do not have that kind of time, their bladder gets smaller, prostates get bigger, you have to go when you have to go, and that is a long walk, and like you said, you need to go down the hill. I did not mean to interrupt, but I just wanted to put it in context, because that has always bothered me.

Councilmember DeCosta: Thank you. It is not an interruption; we all learn and work together. We have some old-time Councilmembers here. I am new here, but we have Councilmember Kagawa, Councilmember Carvalho who have been Administration on the opposite side, we have Council Chair Rapozo here, so I am going to be a stickler here, our Mayor is here, I believe we also have our older Parks Director Mr. Rapozo in the back. If we budget \$750,000 and that money was never used for a bathroom, where did that money go and why can we not reimplement it if at one time the Council thought it was important, then why is it not important when more kids are playing soccer today than ever? That is a world sport, you folks.

Mr. Rezentes: I think the money had lapsed, but we can look at what it would cost, at least rough order of magnitude estimates. One of the things that I know that we should consider is, with respect to north Vidinha, and I agree, in the last ten (10) years, especially the amount of use that it gets is astronomical. I think the last time a plan, master plan, or general type of plan that was developed was decades ago.

Council Chair Rapozo: Thirty (30) years ago.

Mr. Rezentes: It included a bunch of tennis courts, which was more popular way back then.

Council Chair Rapozo: Tennis courts, a gym, and a swimming pool.

Mr. Rezentes: I think we need to get community feedback on what they want, but there might be some give and take if it is just a restroom. We can look at the cost of the improvements as well as the sewer.

Council Chair Rapozo: Even if it is one of these that gets regularly cleaned. The portable toilets, to me, are not acceptable. I have been in those at the soccer field. It is not safe.

Mr. Rezentes: What was happening a few years back, the push did not come from the soccer associations it came from the parents, and that is why Pat made the decision, if there is going to be a permit for soccer—American Youth Soccer Organization (AYSO), Hawai'i Youth Soccer Association (HYSA), or whatever, with that comes the bathrooms no matter what, then as well as locking the gate. Yes, it is a farther walk, but that is the stopgap right now, the solution that we have right now is a stopgap.

Council Chair Rapozo: Again, I just go back to the need came from the community it did not come from the Council. I referee KPAL, so I can hold it until I get to the Police Station bathroom. But back in 2017 or 2018, whenever that was, that was a loud cry from the community. Councilmember Kagawa was here, it was a loud cry, Councilmember Kualii was here, too. We found the money and we put it in there. Go ahead.

Councilmember Cowden: Councilmember Kagawa might remember. My memory is that during that window of time when we went into 2020 and we had COVID-19 and different things, is that why we prioritized that money? I cannot remember exactly, but we were coming into all these elements, and we decided for now to open the bathrooms across the way. It was not like it was not discussed. My memory is like, well, we do not even know what is going on, so it just got deferred, because it was \$750,000. Am I remembering right?

Council Chair Rapozo: It was \$750,000.

Councilmember Cowden: I do not think they would just slide it by without conversation, I think there was conversation—I remember it anyway.

Council Chair Rapozo: I know COVID-19 was not the reason, because it was way before COVID-19—it had nothing to do with COVID-19.

Councilmember Cowden: I know we have talked about it before, and then when we agreed...

Council Chair Rapozo: That was my last term, so maybe this Council decided, no need. I do not know. Then, I am upset with you folks.

Councilmember Cowden: It was not a no need, but it okay, it does not have to happen right now, because we did not know what kind of funding we were getting, we were just going into all this emergency thing.

Council Chair Rapozo: No, this was Fiscal Year 2019.

Councilmember Cowden: I am talking about 2020.

Council Chair Rapozo: The funding was 2018. The budget 2018 for basically Fiscal Year 2019, which was from July 1, 2018, to June 1, 2019. That is when the funding lapsed.

Councilmember Cowden: Alright.

Council Chair Rapozo: It had nothing to do COVID-19, it was way before COVID-19. Again, that is “water under the bridge.” Going forward, I guess what I am asking, and you do not need to answer today, is you folks go back and have your talk session and determine if it is needed or not. If you do not think it is needed, then why would we put the money in? If it is not going to be built, then why would we put \$750,000 in a holding account? That is all I need to hear from you folks. But that way the public knows that it is not the Council, because we tried.

Mr. Porter: Yes.

Council Chair Rapozo: Thank you. Are there any further questions?
Councilmember Kagawa.

Councilmember Kagawa: To harp on that, in our meetings with the Mayor, he made it clear to us, some things that we as a Council, if we see a need, he was open to us sharing it, so if we want to move in that direction, the Mayor already stated to us that he is willing to look at things that may have been overlooked. Whatever is realistic, if it is putting in plan and design money, or whatever we need, we can start that process. I expect similar situations next budget, that we will have enough to put the building moneys in, but for now, if we can find out whatever they need for the plans and designs at least we can start off by putting that when we make our amendments in the budget, I am willing to propose that amendment. We can have that discussion ongoing.

Council Chair Rapozo: Okay.

Councilmember Kagawa: I agree. It would be great. It would be much easier than opening up the football stadium side, we can just keep that exclusively for football and whatever is happening in the stadium, and if we have that separate bathroom, it would be great. Me and Landon have coached, how many years of HYSA and we coached girls, and when the girls need to go, it is difficult. At least the boys, you can tell them to go under the tree, which is rare. It is a fine and accepted practice growing up. If the boys need to go, you have no problems, but when the girls have to go it is more difficult. I think it would be great. More women’s bathrooms than for boys for sure, if we do plan it. Thank you, Chair.

Council Chair Rapozo: Okay. Are we done with that? We are still in Administration.

Councilmember Kualii: But the item goes over to the next page, Special Projects.

Council Chair Rapozo: Are you on page 206?

Councilmember Kualii: Yes. Continuing with Special Projects, the Kaua'i Seabird Habitat Conservation Plan line item and Incidental Take Permit \$425,000. I know we have this obligation; is it for a specific period of time, is there an end point coming?

Mr. Porter: Thirty (30) years.

Councilmember Kualii: Thirty (30) years, okay. How far in it are we?

Mr. Porter: We are in year three (3).

Councilmember Kualii: Year three (3), okay, we will be paying for that for a while. Then, the other line item, Feral Cat Control \$120,000, how is this done? Do we do procurement or contractor?

Mr. Porter: Yes, we contracted a private entity to do the tracking for us.

Councilmember Kualii: Has this been going on for several years now?

Mr. Porter: It is part of the Habitat Conservation Plan (HCP), so three (3) years.

Councilmember Kualii: It is part of what?

Mr. Porter: It is a requirement under the HCP that we do predator control.

Councilmember Kualii: Oh, I did not make the connection there. It is tied to the whole bird thing.

Mr. Porter: Yes.

Councilmember Kualii: So, we need to do that for thirty (30) years, too?

Mr. Porter: Yes.

Councilmember Kualii: Okay, thank you.

Council Chair Rapozo: Go ahead.

Councilmember DeCosta: I said this on Tuesday, but I want to make sure that it is reiterated today. Please look into those lighted reflectors that can go on cable lines around Vidinha Stadium to divert the birds.

Mr. Porter: Yes. I actually did reach out after to my contacts.

Councilmember DeCosta: Thank you, Mr. Porter.

Councilmember Kualii: Following up.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: Along the lines of his suggestion, do we get to revisit this every year or every few years with them to try and make adjustments and bring the cost down?

Mr. Porter: No. It is set for thirty (30) years with the HCP.

Councilmember Kualii: That is a long time.

Mr. Porter: This is tied to Federal requirements.

Councilmember Kualii: It is a long time; what if we change our behavior, and fix things? It is government though, so maybe we should appeal somehow, or get our citizens to appeal. Thank you. That is \$500,000 more we could spend on parks or programs.

Council Chair Rapozo: Kauai Island Utility Cooperative (KIUC) pays more. It is expensive, it is unreal. Are there any further questions on Administration? If not, moving on to page...

Councilmember Kualii: Wait. The next one, Grants-In-Aid, is just a small amount of \$45,000, but how is that distributed and awarded? What is an example of the largest and smallest grants awarded, and are there roving deadlines? If it is a lot and you want to follow up, you can follow up, too.

Mr. Rezentes: There are no deadlines, and no minimum or maximums, but if you want further details of what we gave out in the past, we can get that to you later.

Councilmember Kualii: Yes, I want to look at it. Thank you.

Council Chair Rapozo: Is that a standing program?

Mr. Rezentes: It has been there for a long time.

Council Chair Rapozo: We kind of talk about this in the CIP budget, because there are funds in there for community use.

Mr. Rezentes: Yes.

Council Chair Rapozo: Generally, who would qualify, or what kind of grants do you give out?

Mr. Rezentes: Nonprofit groups that wish to provide improvement in a park.

Council Chair Rapozo: Similar to what you have in the CIP.

Mr. Porter: Yes.

Council Chair Rapozo: Alright.

Councilmember Kualii: Just one other thing, it would be interesting to see how it has been used in the past is also whether you are maxing out, you are giving it all out, and other nonprofits are asking, and you are having to tell them “no,” because you do not have more funding. Obviously, you can lavish that money working with the community, the community can feel good about doing whatever projects they want to do. I would guess, it would be a great program, so maybe we should try to promote it more, get more work with it, and if it needs a little more money, put more money in it.

Mr. Porter: Yes.

Councilmember Kualii: With some follow-up information, I think it could be better.

Mr. Porter: Yes, we can work with the communications team to get it out, too.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Moving on to page 209, Fiscal, including all your Parks Security Officers. Are there any questions? I have one (1) on the Security Services. Security Services Līhu‘e Civic Center, are we getting security guards over there?

Mr. Porter: It is a contract for a private security company.

Council Chair Rapozo: Are you going to have a guard there every day?

Mr. Porter: Is this for the Black Pot Beach Park or the Līhu‘e Civic Center?

Council Chair Rapozo: I am looking in your Fiscal budget, it says...

Councilmember DeCosta: At the bottom.

Council Chair Rapozo: ...Security Services Līhu'e Civic Center, Monday through Friday.

Mr. Porter: Yes. For that one, we are procuring services to have an early morning shift, and then a late afternoon shift, when people arrive in the mornings, we have a security guard on campus. Then, when people are leaving work at the end of the day, and the folks who stay late will have a security guard to stay later.

Council Chair Rapozo: How complicated would it be to expand that contract to have them do a run here as well?

Mr. Porter: It would not be complicated, just more funds.

Mr. Rezentes: It would include roving the whole campus.

Council Chair Rapozo: Would they be able to take care of our employees here, too?

Mr. Rezentes: They can rove.

Mr. Porter: We can add this as a site.

Council Chair Rapozo: In the mornings, sometimes it is a little "hairy" for our employees.

Mr. Porter: Yes, that is the main reason why this is.

Council Chair Rapozo: It just says, "Līhu'e Civic Center." It does not say, "Historic County Building."

Mr. Porter: Yes, we can.

Council Chair Rapozo: I do not know if you would need more funds.

Mr. Porter: If you want to add a body. If we feel like one (1) person cannot handle all the campuses, then we would have to add a body, and it would be more costs.

Council Chair Rapozo: Even if you had a rover like Wally said.

Mr. Porter: We can try that first.

Council Chair Rapozo: Once they know there is security, then it becomes a deterrent. Once they see the uniform here, the truck, or whatever they are using, I think it becomes a deterrent, but I worry for our staff.

Mr. Rezentes: We did not realize how expensive those services are now. We had been inquiring before, we might be tight under \$75,000 to be honest, but we will find out soon.

Council Chair Rapozo: I think this is something that nowadays we do not have a choice for the employees. Councilmember Cowden.

Councilmember Cowden: The security service there has been less people living around the building, is that what the concern is? I have noticed it has been noticeably less. Is that what we are looking for, the people who are sleeping on the porchway?

Mr. Rezentes: We have all types, we have people that try to open every door in the County parking lot, we have people who are stealing gas, we have people, just yesterday when we came to work early in the morning, all the *ti* leaves and plants in front of the round building were torn apart, so there is a host of things that happen on this campus, here as well as on the other side.

Councilmember Cowden: Thank you. On the Security Services for Black Pot Beach Park, is that for basic bad behavior? Why is that one (1) park singled out, and no other parks?

Mr. Porter: That one (1) was the term of the sale, so that is for the *mauka* portion, the old Sheehan portion.

Councilmember Cowden: Okay, so that was a stipulation in the sale that they would make sure to not have drugs or bad behavior in that part of the park, which is right adjacent to a number of houses.

Mr. Porter: Yes. Since we acquired that and started a right-of-entry with Sheehans until land court gets finalized. Once we started, we took over that and we had to implement the security to lock the gates.

Councilmember Cowden: Okay, I was just wondering why one (1) park would get more attention than another park, but that answers that question.

Council Chair Rapozo: Councilmember Kuali'i.

Councilmember Kuali'i: Before we leave this page, the four (4) vacant positions, three (3) of them were vacant for eight (8) months, I see the salaries are the eight point nine percent (8.9%) adjustment upward for the raises or what have you. For all four (4) positions the recruitment status on the vacancy report says, "Test on 3/22." Is it that you went to a list and tested people on March 22nd, and you are now ready to interview from that and hire someone?

Mr. Chong: It is on continuous recruitment. There was one (1) candidate for the past and there are no active candidates currently.

Mr. Rezentes: What we are trying to do is, there is a test component, as well, with the application. We are in discussions with HR, because it has been on continuous ongoing recruitment and the demand for this type of job is relatively slim. We are looking to come in with a trainee at a lower level and have them grow into the hire position once they complete the six (6) months. Our new track on that is to work with HR and try to see if we can bring them in as trainees, and hopefully recruit more people. It is definitely a needed position, we are running thin now with our Park Rangers, so we are hoping going this avenue with HR and trainees will help us become fully staffed soon.

Councilmember Kualii: By soon, you mean before July 1st.

Mr. Rezentes: Yes, the intent is if we can go out and continue with the continuous recruitment but go out at the training level and maybe in the next month, we can get some "bites at the apple."

Councilmember Kualii: I do not think Janine is in the room, but did the test happen on March 22nd, and did people show up?

Mr. Rezentes: As a result, we do not have anyone active on the list right now.

Councilmember Kualii: Following the test, you were not able to establish a list.

Mr. Rezentes: No.

Councilmember Kualii: So, you are still at the beginning of recruitment. Okay, so we have a little bit of time. Good luck. Thank you, Chair.

Mr. Porter: That has been another challenge like the other trades, competing with the private sector for this type of job.

Councilmember Kualii: I think you need to address it probably the same way you were addressing the plumbers and electricians, and you need to work with HR, and the unions to make it higher to compete; you need to do it. Thankfully these have been vacant for only eight (8) months. Hopefully things change, and you have a list, because this should be something where you have a list.

Mr. Porter: It is the same type of deal, there is a test component, so we are not getting people. People do take the test, but they do not pass the test, so we cannot move forward with it.

Councilmember Kuali'i: Maybe HR can also help you relook at the test.
Thank you.

Councilmember Cowden: I have a follow-up.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: What is on the test? Are people failing because they have a learning deficiency? What are they failing on the test?

Mr. Porter: I am not sure.

Mr. Chong: The test is basic grammar, spelling, and reading comprehension.

Councilmember Cowden: Okay.

Mr. Rezentes: We did some revisions to the test.

Councilmember Cowden: I understand why it is important to be able to read, especially to be able to understand instructions. I wonder if we work with adult continuing education, because there are a lot of bright people who just are, you would be surprised how many people are reading deficient. I know our Police Department works with Kua'i Community College (KCC), and we do these special trainings. A lot of times, I have been a former remedial reading teacher, and many people, once they have a motivation to read, bother to learn to read—that might be something. I see that Janine came up. What is on that test that people are not passing?

JANINE M.Z. RAPOZO, Human Resources Manager: Good morning, Janine Rapozo, HR manager. As they said, it is basic reading and writing skills, and math. Just trying to make sure that they are able to come in and do reports, and those kinds of things. I believe, for the Park Security Officer position there are some customer service types of questions, as well, so that is what is on the test.

Councilmember Cowden: I do not know if this might apply for the range of people who work in the Parks & Recreation Department and beyond, are a number of them immigrants where English is their second language? Maybe we can work with those groups, private groups who support those immigrants from those other islands in the Pacific or Philippines or wherever, because I can see where you might have English as a second language.

Ms. Rapozo: I have not seen a lot of immigrants for those types of positions. We do see a lot for the labor registration list, that they come on those type of positions where there is no test. We also have worked with, I cannot remember the name, but it was a Native Hawaiian group that did a preparation test for the Police exam.

Councilmember Cowden: Yes.

Ms. Rapozo: Those types of things we work with the community organizations to go there, proctor a test for them, as in a sample, to see where they are, get their baseline to see what they need to improve on, so those types of things we do work on. Just to let you know, one of the reasons for the vacancies is they did lose one (1) to the police, so it is like everyone is competing with each other, it is a same type of position, it is a good entry level to get them to become police officers, and Police is also struggling.

Councilmember Cowden: Right.

Ms. Rapozo: It is one of the things that we are doing with them, is looking at an even lower-level entry, so that we can get people in, train them up, then they start moving on their progression.

Councilmember Cowden: I wonder if we worked with the Office of Continuing Education and Training, or continuing adult education, there are these different programs there that are State-funded programs, but I think we all have the same goal, and that is to lift up our existing population, and to fill these positions. I am just kind of thinking about that, maybe we might have an outreach, and I saw how we have gotten agreements with different schools to be able to use their cafeterias to do testing and training. Through the schools might be a good way, because even kids parents might be able to see these flyers, because reading is important, and as a person who has been a teacher, the more people who have their cellphones that do their calculator for them, and they watch videos instead of read, people get out of practice of reading and adding—basic skills. It is hard to teach when people are so far behind.

Council Chair Rapozo: Do we have any sort of preparation manuals? I remember in the old days for Police you could get the book. Do we have any kind of assistance for applicants, so they at least know what the test is about?

Ms. Rapozo: We do not have anything with us, but we have told them, I know there is some civil service exam type of preparation books in the library or online, so we refer them to that. Some of the higher-level positions, there are preparation books like for the promotional Police or Fire. Entry-level Fire, there are some preparation books and things like that.

Council Chair Rapozo: That is an idea, if we can have a local Kaua'i preparation manual, just a sheet or something. We lose so many people in...just Parks here, you go to the hotel, they pay you \$25 an hour, they give you free medical for you and your wife, you have benefits like free meals when you go to work, and they are competing for our people who we are paying \$40,000, I think that goes to what you were saying earlier with the plumbers and the electricians, the competition is so much more appealing now, and everyone is looking for workers, and they are going to go where the money is at. Even at the Police Department, we lose so many of our local people because of the test, because our test is based

on a national manual, and I do not know what you use for this, but we need to get them in the door, then you get them through the training, and probation period, and that is where you can keep a lot of our local people here, but it is hard when most of our local people fail the initial test, it is just the test, it is not even the interview, they just fail. I do not know how we can do a better job with getting them prepared for the test, because if you go online and Google "civil service exam preparation," you will get a mainland test, and I am not sure if that is what we are using. I do not know. I am thinking out loud here, because we are losing a lot of local kids coming into our County because we are losing them at the test.

Ms. Rapozo: We are also noticing that a lot of applicants do not show up for the test. We will invite eight (8) and one (1) shows up.

Council Chair Rapozo: Yes, because they got the job at the hotel.

Ms. Rapozo: Some people just do not like tests.

Council Chair Rapozo: Yes.

Ms. Rapozo: We are looking at other ways to measure these competencies, maybe not do a written test, but maybe as part of the interview looking at this both ways. We are looking at different ways to get these people in.

Council Chair Rapozo: Perfect. Thank you. Councilmember Kagawa.

Councilmember Kagawa: It is kind of like how I love the *kama'āina* rate, but with hiring it is hard to get around the equal opportunity employment. I would love that; I think the local folks bring an added value when we bring them in. Born and raised here whether it is security or Park Ranger, sometimes they know the people they are trying to correct, and that is a better way of solving the problem than writing them a ticket or calling the police on them. I wish there was a better way, I think it is a magic question, but I would think that Kaua'i taxpayers are paying the tax, so why can we not get *kama'āina* rate when we are hiring open positions, that is the hard puzzle to solve.

Council Chair Rapozo: I love that idea where there is an alternative, because some people are very intelligent, just horrible taking tests. I was the opposite, I was not very smart, but I did tests well. I am a good guesser. Councilmember Cowden.

Councilmember Cowden: Can I make a recommendation? We are sort of making recommendations...I did an alternative middle school, a lot of kids...if you teach someone through their passion, and then, I would think that if you were testing, if you just have them come in for the interview when you have different questions that are up there, or different pieces of information stated, and you sit down and start talking to them about it, you can tell if they read it, you can tell if they were able to communicate it, because we do not want to get such that we have people who cannot read or write, because you have to be able to follow directions, but there might be ways that we can have that front line through

where it builds confidence. Definitely the groups that I have loved focusing on are the people who have those emotional barriers to wanting to deal with the structure that is there, and some of them really succeed afterwards, you just have to get past that barrier.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: Just a quick follow-up with Janine. You said something about a Hawaiian organization. I remember a while back, the Council for Native Hawaiian Advancement doing something with carpenters and other trade positions, could it have been them?

Ms. Rapozo: All I know is that Michael Contrades was involved with it, and they did one for Police and Fire, it might have been that organization, I just cannot remember the name.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Are there any more questions? Okay. Do you have a question on page 210?

Councilmember Kualii: Yes.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: The loans, I am curious what this is, it says, "IMP to exist Hanamā'ulu and Kapaia SPS 4th year." Is this a loan? Are we paying back a loan and if we are, are we paying interest on it?

(Councilmember Kagawa was noted as not present.)

Council Chair Rapozo: Maybe you can start with the acronyms.

Councilmember Cowden: Yes.

Council Chair Rapozo: I do not know what SPS means.

Mr. Rezentes: It is relating to sewers, I do not know the acronym either off-hand, I would have to check, but it is relative to paying back something for sewer connectivity.

Councilmember Kualii: I would guess that is for both line items that says seventeenth year of 20-year.

Mr. Rezentes: The other one is the cesspool conversion requirement.

Councilmember Kualii: Just because it is under the item Loan, I am curious to know the terms like, how long is it for? That one says fourth year. Fourth year of how many years. What is the balance? And if we are paying a considerable interest, or any interest, who knows? Does it add up to such an amount that it might make sense to pay it off like we did in some other areas to save on the interest?

Mr. Rezentes: These are usually low-interest loans, but we can check on the terms.

Councilmember Kualii: It is probably insignificant, but if you can follow up and provide the detailed numbers. Thank you.

Council Chair Rapozo: On that same item, the Islandwide Cesspool Conversion, I know we have an islandwide conversion program that I believe was in Housing, what is this one? Seventeenth year out of 20-year term.

Mr. Rezentes: That is a Sewer Revolving Fund loan that was obtained decades ago to convert cesspools to septic or sewer. I do not know the terms; we can go and gather the terms and conditions.

(Councilmember Carvalho was noted as not present.)

Council Chair Rapozo: I am not sure if that loan was made to convert our County cesspools.

Mr. Rezentes: Yes.

Council Chair Rapozo: Alright. Moving on to page 211. Planning and Development, are there any questions?

Councilmember Kualii: Page 213?

Council Chair Rapozo: Yes.

Councilmember Kualii: Just a confirmation, the 1649 Parks Permit Clerk, you are anticipating it to be vacant or it is becoming vacant on April 1st, so you will go through the entire recruitment process and be able to get this person in place by July 1, 2023.

Mr. Porter: Actually, the employee pulled back, and is going to stay on for another few months.

Councilmember Kualii: Okay.

Mr. Porter: So, it is not vacant. It was just recently decided, yesterday or the day before.

Councilmember Kualii: At that time, you anticipated.

Mr. Porter: Yes.

Councilmember Kualii: Okay, great. Next item.

Council Chair Rapozo: Yes, go ahead.

Councilmember Kualii: I am just wondering what this item is, it says, "Fledging season night game monitoring." It is so small; it is just \$1,000.

Mr. Porter: That is for overtime costs for...during night football games we need to provide staff, so this is just the...

Councilmember Kualii: Who does that work? One of the security officers?

Mr. Porter: No, an employee under the Permit Section. One of our employees under the Permit Section is assigned to handle a lot of the seabird things, so it would be her overtime, and if she wants to bring someone with her, it will encompass that.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Alright.

Councilmember Kualii: I have another one.

Council Chair Rapozo: Which page?

(Councilmember Carvalho was noted as present.)

Councilmember Kualii: Same page.

Council Chair Rapozo: Okay, go ahead.

Councilmember Kualii: Near the bottom of the page, what is a new, it was \$0 last line item, \$35,000 this year, Information Technology (IT) arrangement SBITA, then in the details it says, "MPET services." What is that?

Mr. Porter: That is our MPET, that is our work order system. That is how everyone submits their work orders to facilities maintenance.

Councilmember Kualii: Thank you. If it said "work order system," I would know, otherwise, I do not know what all those other things mean. Thank you.

Council Chair Rapozo: Okay, moving on. Are there any other questions?
On which page?

Councilmember DeCosta: Page 214. Pat, can you explain to me the Planning and Development budgeted money, is this for overall projects that you will be doing? Is this the funding to help plan it out and develop it into fruition?

Mr. Porter: Which one is this?

Councilmember DeCosta: Your bottom line.

Council Chair Rapozo: That is the total.

Councilmember DeCosta: That is the total amount.

Mr. Porter: That is the total amount of the whole thing.

Councilmember DeCosta: Okay, got it. Thank you.

Council Chair Rapozo: Okay. Recreation. Councilmember Cowden.

Councilmember Cowden: Is this like our Summer Fun Program?

Mr. Porter: Yes, it is a big part of what they do.

Councilmember Cowden: We are still doing Spring Break, Christmas, and Summer, is that right? We are doing all three (3) pieces?

Mr. Porter: Yes.

Councilmember Cowden: How is that going? Is the program going well? Are people continuing to request it, use it, and we are able to staff it?

Mr. Porter: So far, one of our changes is, part of that program this year that I mentioned before, one of the issues we were having was finding seasonal workers, so we are supplementing that shortfall with recreation workers, actual County workers.

Councilmember Cowden: Okay.

Mr. Porter: The changes that we are proposing are meant to try to make it more attractive to get these seasonal hires, and also to make it more efficient for the operations of it, too.

Councilmember Cowden: How are you making it more attractive? Usually, it seems like when I was watching it, it would be people home from college, they tend to be like the older siblings of some of these users, or they went through the program themselves. We are not getting that young adult crowd home for the summer anymore. Is it because they are hired somewhere else or are there fewer young adults coming home.

Mr. Porter: Previously from what I hear, it was a good part-time job for seasonal workers. Nowadays, the type of people we are getting are people who are going into the education field and then the people who are looking for a part-time job are going to the *lū'au* and going for the money more than this type.

(Councilmember Kagawa was noted as present.)

Councilmember Cowden: How is our demand? Does it seem like there are more kids who need assistance? When I looked in my own community, we are having a lot of new families move in who probably have a lot of assets. I live in Kīlauea. Are we continuing to have working families who are...is that count still up? I worry that we are replacing a lot our population.

Mr. Porter: The County is just now starting to get back to what it was before. During COVID-19 people were uneasy about sending their kids to a group of other kids, and being in that kind of setting, but now, this past year we saw it go back up to what it was previously.

Councilmember Cowden: Okay.

Mr. Rezentes: We are just trying to address the biggest problem with the program, which is staffing every cycle, especially with our Recreation Division. It is one of their biggest challenges every year to fill enough positions in the various programs at each site. With the changes that are being proposed, we are hoping that we can attract enough seasonal workers so that we can stand up the programs to meet the demand.

Councilmember Cowden: Can you restate what program change you are making? Is it paying more money, or giving them insurance?

Mr. Porter: We are changing the job description.

Councilmember Cowden: Recreational Worker opposed to Summer Hire.

Mr. Porter: No, we are actually calling them Summer Program Leaders or Winter Program Leaders now. As opposed to before it was Summer Site Manager. With the Summer Program Leaders, we will be able to be more flexible about where they work as opposed to being a site manager where they are fixed or hired for a specific site.

Councilmember Cowden: Okay.

Mr. Porter: I think we will be a lot more efficient that way.

Councilmember Cowden: Okay.

Mr. Porter: At the same time, we are also increasing the pay, and before it was less Site Managers, and more Recreational Aides under the Site Manager, now, we are evening it out and we are making more Program Leaders across the board, so that there are more positions at a higher pay.

Councilmember Cowden: Okay. Are we reaching out to the University of Hawai'i (UH) system, or Growing Our Own Teachers, or any of that? It might be that they can get credit or something like that, like an internship. It is actually meaningful education for them to be running these programs.

Mr. Porter: We met with KCC and tried to see if there was a program that we could start working on. Because of the requirements on the KCC it is a little more complicated, but we did start the conversation with them.

Councilmember Cowden: If they can get an internship credit, even if it is just one (1) credit hour, it ends up on their transcript, so that it is seen there, and sometimes it is beyond money, there are different benefits.

Mr. Porter: Yes.

Council Chair Rapozo: I feel like a schoolteacher here. Are there any more questions for Recreation?

Councilmember Kualii: Yes.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: A little bit about that, the position 1955 Recreation Worker II, Kekaha, only vacant a couple of months, since January 1st, according to the vacancy report, it shows \$48,084 and the budget here shows \$43,068, so that is a decrease of ten percent (10%). I know most of the position salaries have been increasing eight point nine percent (8.9%), this one instead is going down, so was this a different position that was reclassified? What happened with this position? And what does the list mean? Does it mean you are about to hire someone?

Mr. Porter: Yes, we have selected someone.

Councilmember Kualii: Selected.

Mr. Porter: We have a tentative start date for that person.

Councilmember Kualii: Sorry.

Mr. Porter: We have a tentative start date for that person.

Councilmember Kualii: Okay. Why the discrepancy in the salary?

Mr. Rezentes: The person who retired was at a higher level.

Councilmember Kualii: Okay, that makes sense. Thank you.

Councilmember Cowden: A small one.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: Summer Janitor, three (3) positions for a total of \$2,268. It does not seem like much money. Is that one of the Summer Aides? Maybe they get paid an extra \$700 for the summer sweeping the floors afterwards, it does not seem like a real position.

Mr. Porter: When we use Department of Education (DOE) facilities for our programs, as a requirement, they put on us that we need to provide our own janitors.

Councilmember Cowden: Who would bother to come in for \$700?

Mr. Porter: Part-time people who want to make a little extra money after their normal shift, because it is late afternoon.

Councilmember Cowden: So, they are doing some other job on the campus, they get a few extra dollars to come in and sweep the floor, and make sure the garbage is put away.

Mr. Porter: Yes.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: I am not sure, there was a lot between the two (2) of you, but did you say what the season is? From when to when?

Mr. Porter: I am sorry?

Councilmember Kualii: When will these people come and work for us temporarily?

Mr. Porter: It is for the programs itself.

Councilmember Kualii: Is it June through September? What is the season? You use the word summer. Is it school break time? When the schools are not in session.

Mr. Porter: Yes, it is the summer programs.

CINDY DUTERTE, Executive on Recreation: Good morning. Cindy Duterte, Recreation Administrator. The summer program is from June through July. This year specifically, it will start June 5 and end July 21st. It is always six (6) weeks.

Councilmember Kualii: Six (6) weeks. Okay.

Ms. Duterte: The winter program is during the DOE winter break—two (2) weeks. This past year it is usually from December 13th through the 31st. Then the spring program is just one (1) week, and we just finished the spring program.

(Councilmember Kagawa was noted as not present.)

Councilmember Kualii: Does this budget cover all of that? Basically, from what you are saying the department is sort of overhauling the whole system to try and attract more people, were you not having enough people in the past?

Mr. Porter: I would say it started going down before COVID-19, then through COVID-19 it has been “dry,” so we are trying to bring it back up.

Ms. Duterte: Changing the Site Managers to Program Leaders, one of the main reasons for doing that is because we really benefit when we have returnees apply and work for our summer, winter, and spring programs. So, if we have returnees coming in, they know what they are coming in to and what to expect—that is the most ideal for us if we can retain our returnees who come back from college break.

Councilmember Kualii: Great. Thank you.

Councilmember Cowden: Thank you.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I had a follow-up on that college break thing. My kids all benefited from our County programs, especially with the siblings when you have the little ones, then you have the older siblings can get the job, mom or dad can drop off the older sibling with the job, and a couple of younger siblings are in the program. I am wondering, you mentioned college only, what about our high school students? What is the age limit? Can we go down to sixteen (16)?

(Councilmember Kagawa was noted as present.)

Councilmember DeCosta: Are we allowed to have a 16-year-old be in a Leader position? That way we are not counting on them coming back from college, we have them here on the island for the summer, and they will return again at seventeen (17), because they are not going to go off to college yet. Do we have a pool of young adults that we can use in that category?

Ms. Duterte: Yes, of course, our summer program provides service for children five (5) to eleven (11) years of age. Kids twelve (12) to fifteen (15) can apply for, and we usually pick them up for Junior Leader program, and we mentor them, and show them the basics of being a Recreation Aide. A lot of them get interested, and then when they turn sixteen (16) years old, yes, they can apply, and they do apply. If they did good as a Junior Leader, we pick them up, and they start working.

Councilmember DeCosta: Thank you for that.

Council Chair Rapozo: Thank you. Councilmember Kagawa.

Councilmember Kagawa: Thanks to the COVID-19 employment that I had, I got to get out to the neighborhood centers and witness the millions of great things that the centers do, primarily the *kūpuna* activities, so thank you for that. The Mayor and I witnessed them making Christmas ornaments at the Waimea Neighborhood Center, I did not participate, but the Mayor did. Is there a website where a senior can see what is being done? I know there is Zumba like at Kalāheo—that was amazing to watch. At Kōloa, they have the ukulele and singing. I was wondering if there was a website for any senior to look at, or do they have to call the centers and see what is going on when?

Mr. Rezentes: I know each center promotes, and then we do press releases, as well, but Cindy can probably get into more detail on how they advertise. I do not think it needs much advertising, because it is popular.

Ms. Duterte: We have a Parks website for our senior programs, and each neighborhood center has their calendar listed on the website with classes and activities available for specific sites, like Waimea Neighborhood Center, it will have what is available, time available, day available, and senior can go and look at that.

Councilmember Kagawa: All on our website.

Ms. Duterte: On our website.

Councilmember Kagawa: Okay, terrific. Thank you.

Council Chair Rapozo: And the coconut wireless, of course.

Ms. Duterte: Yes, that too.

Councilmember Kagawa: I feel like I speak for the seniors now, because I play senior softball.

Council Chair Rapozo: Oh, you are a senior.

Councilmember Kagawa: I want to be the senior contact, so I will try to get out to all the neighborhood centers again, meet with the seniors, and see what is on their mind, because I can tell them that I play senior softball.

Council Chair Rapozo: Are there any other questions for Recreation?

Councilmember Kualii: Any page?

Council Chair Rapozo: Any page.

Councilmember Kualii: On page 219, I was just wondering if these are two (2) separate line items, would you give us a breakdown of the \$55,000?

Council Chair Rapozo: The Officials.

Mr. Rezentes: Is the Officials and the Youth and Senior Instructors?

Councilmember Kualii: Yes, it is two (2) line items, I mean category detail, but it does not give any breakdown.

Mr. Rezentes: Roughly, about \$15,000 for Officials, and the difference is with the Youth and Senior Instructors, so \$40,000.

Councilmember Kualii: Like we were talking about with Summer Fun, is this working well? Are you able to get what you need? Do you need more money? Obviously, you would have put it in there if you needed it.

Council Chair Rapozo: Real quick follow-up, year-to-date \$76,000, you folks spent.

Councilmember Kualii: Alright, so it is \$20,000 more.

Council Chair Rapozo: Yes, so we are already way over what we are asking. Did something unique happen this year that we had to spend extra money? I guess the question is, what do you expect next year will be like this year?

Ms. Duterte: For summer?

Council Chair Rapozo: For your Officials and Youth and Senior Instructors.

Ms. Duterte: Yes.

Council Chair Rapozo: Do you expect to spend the same?

Ms. Duterte: Yes.

Council Chair Rapozo: Yes, so the \$55,000 you would run out.

Ms. Duterte: Yes, because even though we said \$15,000 for Officials, it may be more this year because we have a lot of teams.

Council Chair Rapozo: Absolutely, I just want to make sure you have what you need. Thank God for being here, Mayor. He can add in a little bit more for the supplemental, because it looks like you will be spending \$100,000. If you are submitting \$76,000 already, three-fourths of the way through.

Ms. Duterte: Yes.

Council Chair Rapozo: If you add another fourth, that comes out to \$100,000, so you will be \$45,000 short if you spend next year what you spend this year. That is Kaua'i High School math, it might be wrong, but that is just what I am thinking right now.

Mr. Rezentes: Sometimes the \$76,000 has some encumbrances, so we can look at year-over-year to make sure we have enough. In reality, what happens is we need to scrape, and we need to borrow from Peter to pay Paul, but we make it whole—we definitely make it whole. At the end of the day, we do not short-change.

Council Chair Rapozo: You folks make the determination.

Mr. Rezentes: We will go back and check. Thank you.

Council Chair Rapozo: Thank you. Is there anything else for Recreation?

Councilmember Cowden: Just want to say thank you, Cindy.

Ms. Duterte: You are welcome.

Councilmember Cowden: It is such an amazing piece, and I want to say that by having this program there, it helps so many families stay working when they are struggling to the end, and it keeps those kids well occupied building friendships, and it is healthy.

Ms. Duterte: Yes.

Councilmember Cowden: It is a small item on the budget, but I am very happy that we had a good ten (10) or fifteen (15) minutes talking about it, because you do something very good. Please give our gratitude to your team.

Ms. Duterte: Thank you.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: Right below that there is Special Projects, it has Senior Busing. Bus service for summer, spring, and winter program. Throughout the year there are three (3) times that you need to bring the seniors in from all over the island to a particular place. I am wondering if that is enough money also.

Ms. Duterte: Councilmember Kualii, can you repeat the question, please?

Councilmember Kualii: The Special Projects has a line item for Senior Busing, bus service for summer, spring, and winter program, and it has \$40,000. Basically, I am asking, are there three (3) different events in the course of a year that you bring the seniors in from all over the island?

Ms. Duterte: Yes.

Councilmember Kualii: That \$40,000, we would just break up in three (3), and that is enough to do that.

Ms. Duterte: Yes. Throughout the year we have special programs like the Valentine's dance that we just had in February, and Fun Day. It is an islandwide event that we solicit bus information, and seniors get on the bus to get to these events. The other part of it is Summer Fun. On Wednesdays, the kids go to excursion sites, so we solicit and bid for bus excursions.

Councilmember Kualii: Do you have enough money for all of that?

Ms. Duterte: I do not know what this year will be, because prices have gone up, but we will make it work.

Councilmember Kualii: Now is the time for you to just look at it and ask for more money if you need more money.

Ms. Duterte: I know you did not need it as much last year, and I do not know if some of the events did not happen, but I am happy to support you more, if you need more. Thank you, Chair.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: I want to just follow up on that. I know Alu Like used to be the one that would take a certain group of talented *kūpuna* to Nāwiliwili. Occasionally, I get asked, somehow it was a County bus that was bringing them there, is that somehow in this? Is it those four (4) buses at Vidinha that we have that are used for that? Do you know?

Ms. Duterte: Each and every year we had a contract with the Transportation Agency for senior busing, and the seniors could go on excursions, I think, twice a month. What happened just like everything else, is they are really short-staffed, so this program year we have not got into contract with them, our agreement is not finalized, because they do not have staff, and until that happens we are encouraging our seniors to take the regular transportation if they need to come to Līhu'e. They have been doing that.

Councilmember Cowden: Okay. This thing at Nāwiliwili, at your brother's restaurant...

Councilmember Kualī'i: I think it is the Office of Economic Development (OED). This is separate from the bus for the seniors, right?

Councilmember Cowden: Okay, because they are seniors and they take the County bus, so that is why I was asking. They want to go back to Nāwiliwili.

Ms. Duterte: I know they do.

Councilmember Cowden: I get asked almost weekly.

Council Chair Rapozo: Is there any more? Councilmember Carvalho.

Councilmember DeCosta: The Grant-In-Aid program, there is no funding. What happened? Is that something to look at? The Grant-In-Aid.

Council Chair Rapozo: What page?

Councilmember Kualī'i: Same page right below.

Councilmember Carvalho: Same page.

Councilmember Kualī'i: \$0.

Mr. Porter: That was consolidation.

Mr. Rezentes: That is in Administration.

Councilmember Carvalho: Administration. I just wanted to make sure.

Council Chair Rapozo: Are there any other questions on Recreation? If not, we are moving on to Facilities Maintenance, page 224. Councilmember Cowden.

Councilmember Cowden: This is where we have our people who clean the bathrooms in the parks, right?

Mr. Porter: No.

Councilmember Cowden: Okay.

Council Chair Rapozo: The big items are the trucks that we already talked about in your overview. Everything else is...

Councilmember Cowden: These janitors are not the people who clean the bathrooms in the parks? Where are they cleaning when it says...

Mr. Porter: Our Park Caretakers clean the comfort stations in the parks.

Councilmember Cowden: When it says Janitor Hanapēpē / Kaumakani N/C.

Mr. Porter: Yes, janitors do the facilities. Under Parks, it would be neighborhood centers.

Councilmember Cowden: Neighborhood centers.

Mr. Porter: This campus over here—all of that, those are janitors.

Councilmember Cowden: They are paid, I do not know, that is probably a reasonable amount, are we keeping them okay?

Mr. Porter: Yes, we are fully-staffed for janitors.

Councilmember Cowden: Okay.

Councilmember Kualī'i: Chair.

Council Chair Rapozo: Go ahead.

Councilmember Kualī'i: On those three (3) vacant positions we talked about it a little bit ago when we were talking about the narrative, two (2) of them, 1540 Electrician, and 142 Plumber I, both have a forty-five percent (45%) increase. I am guessing

it was because it was partially-funded last year, because you knew you were still having difficulties filling it. I am wondering if you are really going to be able to fill it by July 1st, because the status on the recruitment is “no activity,” right? You talked about how you need to relook at competing with the private market, and all of that. Are you going to be able to accomplish that and hire folks for July 1st, and if not, should you not partially-fund like you did last year?

Mr. Porter: We actually have a good lead on a good candidate for the Plumber position, so we are hoping to hire that one soon. Then, one (1) of the Electrician positions, we have an 89-day hire in that position fulfilling that job for us now.

Mr. Rezentes: 1541.

Councilmember Kualii: Okay.

Mr. Porter: There is an actual “warm body” in that position helping us out with that until we can fill it with a permanent.

Councilmember Kualii: Can that person apply for the position?

Mr. Porter: They are retired age and helping us out.

Councilmember Kualii: Okay, they do not want to commit to the position, but they can help us out for now.

Mr. Porter: Yes.

Councilmember Kualii: The only difficult position remaining then is the 1540.

Mr. Porter: Correct.

Councilmember Kualii: I guess between now and the next submittal, if you do not see any progress and you know it is not going to be possible for July 1st start date, then you could partially fund and remove a few months just to be cleaner and tighter, I guess. Thank you, Chair.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: We go in the Plumber vacancy, does the 89-day hire allow us to hire someone that may not have the qualifications for that position? On my softball team I have a couple of men who do electrical work, but they are not electricians, they do plumb work, but they are not plumbers. A lot of times they have the hands-on, but they do not have the actual experience that is required to apply for that position, so does that 89-day contract allow us to fill that with someone capable, and knowing that it is short-term?

Mr. Porter: Yes. If they can fulfill the requirements of the job, then they would qualify under the 89-day hire.

Councilmember Kagawa: I will tell them to apply. Senior citizens would be perfect, they have experience.

Council Chair Rapozo: I have a question on page 225. That is the Janitor position for the golf course that has been \$1 funded. I noticed that in the golf course budget there is a Janitor position that is funded. Do we have one (1) person at the golf course?

(Councilmember Kualii was noted as not present.)

Mr. Porter: One (1) person.

Council Chair Rapozo: Do they take care of just the building?

Mr. Porter: Yes.

Council Chair Rapozo: Who does the bathrooms?

Mr. Porter: That is the janitor.

Council Chair Rapozo: Okay, so what is the plan with 1730?

Mr. Rezentes: That is the same position, it is just because the management is within Facilities Maintenance, they are physically located at the golf course, so it is funded from the Golf Fund, so there is a corresponding 1730 number in the Golf Fund that if funded by golf.

Council Chair Rapozo: Is it the same person?

Mr. Rezentes: Same person.

Council Chair Rapozo: It is kind of confusing.

Mr. Rezentes: It is only one (1) body, it is dollar-funded here, but is fully-funded in golf.

Council Chair Rapozo: How can that be?

Mr. Rezentes: It is just because we want the Golf Fund to fund...

Council Chair Rapozo: Oh, because it is an enterprise fund.

Mr. Rezentes: Yes.

Council Chair Rapozo: Okay. Are there any further questions for Facilities Maintenance? Okay. Parks Maintenance. Are there any questions for Parks Maintenance?

Councilmember Cowden: Yes.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: On this equipment number, is that when we would be replacing a toilet or sink like in the Waimea parks? I have had people send me pictures of how beat up the toilet is, or how beat up the sink is. Is that part of our routine maintenance? Just pull it out of those numbers in that equipment, is that where this money comes from?

(Councilmember Kualii was noted as present.)

Mr. Porter: Yes. For toilets, for fixtures, it would be our Facilities Maintenance crew doing fixtures.

Councilmember Cowden: It was the last page.

Mr. Porter: If it was a comfort station it would be the Plumbers.

Councilmember Cowden: I know sometimes we will put in a brand-new sink, and it still looks damaged right away, but when it is clearly not brand new, what gets them through the line up when they end up getting changed? How are they prioritized when they are "beat"? Some of these bathrooms look "beat."

Mr. Porter: It would be the responsibility of the Parks Maintenance staff that routinely maintains the facility.

Councilmember Cowden: To put in the request.

Mr. Porter: To put in the work order, then Facilities Maintenance would receive the work order and prioritize it.

Councilmember Cowden: Okay. With our Park Caretakers and the bathrooms, I guess this "hits" me, because when we had encampments in there, and even afterwards, I watched difficult interactions, I felt like our maintenance people, or people who clean the bathrooms being abused, so I went in a few times, and helped clean the bathroom, and that is no small order. Then, I scolded hard at the people who were abusing the park, because that makes it hard on everyone. At that time, I asked, and there were only two (2) people who clean the bathroom on the whole Westside, and they are tiny and not that young,

I do not know if there has been a change, but that is a big ask for two (2) people. Do we still have two (2) people for the Westside?

Mr. Porter: No.

Councilmember Cowden: How many employees clean the bathrooms from the end of the road into just before...

Mr. Porter: We have different districts on the Westside, so starting from far west we have our Waimea District which does the Kekaha area and Waimea. Then, we have our Hanapēpē District and then we split off between Hanapēpē Stadium and Hanapēpē District. Then, moving over more, Hanapēpē also does 'Ele'ele. Then, moving further south, we have our Kōloa District which is on the *makai* side, Po'ipū all the way up to Kalawai.

Councilmember Cowden: Okay, so there must have been a lot more than when I asked.

Mr. Porter: Yes.

Councilmember Cowden: I was like, "My gosh, two." A typical person who cleans the park facilities, how many parks do they have typically? Two (2) or three (3).

Mr. Porter: For the park maintenance side, it is usually around two (2) or three (3).

Councilmember Cowden: Two (2) or three (3). So, they can look after two (2) or three (3) bathrooms.

Mr. Rezendes: In Waimea, we have five (5) Park Caretakers and one (1) vacancy now. So, there are four (4) employees today for that side of the island.

Councilmember Cowden: Okay. Are they reasonably happy? Are we taking care of them, okay? What happens if there is abuse of our caretakers? If park users are hard on the caretakers, how do we deal with that?

RANDALL CREMER, East Beautification & Park Maintenance Administrator: Randall Cremer. The caretakers are told to report to their working supervisor, which will report to the Rangers if they are being harassed or abused by anyone.

Councilmember Cowden: Okay. Is that much of a problem, or not too bad?

Mr. Cremer: It depends, honestly.

Councilmember Cowden: Okay. Alright. How was our turnover in those positions, are they relatively solid?

Mr. Cremer: Honestly, like they said, competing wages. As far as wages and benefits, it really varies. As far as me being in the position, it is a little bit new to me right now.

Mr. Porter: I would say, for Park Caretakers, the turnover is pretty consistent, but we were able to hire, too, but there is always that gap between when you lose someone and hire, so that is where we see our gaps. Most of them, the turnover is consistent.

Mr. Rezentes: Similar to Park Rangers going into KPD, we sometimes lose Caretakers to Public Works' different divisions there, because there is a bump there, but we are also competing with the private sector hotels, as well. From what we understand, HR assists with recruitment to build the list of people that we can choose from. From what we understand that list of eligibles is a lot less this time around than in years past. It might be a sign of competition; it might be a sign of people having opportunities other than the County.

Councilmember Cowden: Okay. I know in the areas where there is bad behavior. That makes it harder. I notice we have been locking more, putting doors on some of the park doors, probably to help with the cleaning problem. I know even in the past when we first started having a heroin problem, we had to start locking our shop bathrooms, because we would have problems. Are you seeing an increase, or is it a level of bad behavior problems in the park bathrooms?

Mr. Porter: It is pretty level.

Councilmember Cowden: It is, what?

Mr. Porter: It is level, like you say.

Councilmember Cowden: Pretty level.

Mr. Porter: Yes.

Councilmember Cowden: Okay. Thank you.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I wanted to address Mr. Cremer since you are up here. Thank you very much for stepping up to the plate and taking this leadership role, management role, I really appreciate it. I have heard only good comments about what is happening in your position, so thank you so much. When you folks are down a Park

Caretaker, do we ever think about having a Rover Park Caretaker that you folks can use when a park is down? I noticed everyone takes care of their own park, but if you are missing a Park Caretaker, who fills that position, and how do we at least keep the grass down, and the bathrooms somewhat clean, and somewhat presentable? Do you have a solution for that?

Mr. Cremer: Yes. Every district on the island, there is one (1) to two (2) rover positions that we have. We also have three (3) general rover positions that are islandwide, they help assist in different areas when needed.

Councilmember DeCosta: Thank you for that. That is important.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: We do not do this because of the unions, so that is kind of a question, are we not participating sometimes with the visitor industry? You know they have big crews that could probably go in and help make some of these areas where their people are filling those parks and making them a little bit healthier and stronger. We are not allowed to do that, is that correct? I have asked that before, because it seems like certain hotels that are really close to certain park bathrooms seem like a park, they can go in and do their part too, because it is their guests.

Mr. Rezendes: We have not had those discussions, but we are open to volunteerism. I know that there are two (2) park restroom facilities, both on the south side, that require maintenance by the hotels, but that is part of the planning approvals to allow them to have built the hotel, like the one (1) at Grand Hyatt Kaua'i, and the one (1) in Po'ipū, there is one (1) by the Sheraton Kaua'i.

Councilmember Cowden: Okay, so that is part of their hotel approval, so they have a stipulation that they need to help.

Mr. Rezendes: I believe they had to build it, as well.

Councilmember Cowden: Okay.

Mr. Porter: What you are talking about, we can get services from entities on a one-off basis, and there are no union issues, but once we start asking for consistent ongoing services that involve the same tasks that a civil service employee does, that is where we have union issues.

Councilmember Cowden: Okay.

Council Chair Rapozo: Are there any further questions? Councilmember Kualii.

Councilmember Kualii: On page 229, the vacant positions in the Kawaihau District, 1637 Park Caretaker I, and 1825 Park Caretaker I, also for 1637—it might be a mistake in the vacancy report—1637 is listed with the position title of Groundkeeper, but here in the budget you have it listed as Park Caretaker I. If it is correct in both places, did you do some kind of reclassification?

Mr. Porter: No, that should be Park Caretaker.

Councilmember Kualii: It should be Park Caretaker.

Mr. Porter: Yes, Park Caretaker.

Councilmember Kualii: So, the vacancy report is wrong. That one (1) is only a month vacant, and it says, “Registration list established.” You will get through recruitment and have that position filled to start by July 1st.

Mr. Rezentes: It was filled internally on March 17th.

Councilmember Kualii: Then, the other one, 1825 Park Caretaker I, six (6) months vacant. Same thing, “Registration list established.” What are you doing to fill that one?

Mr. Rezentes: Filled on March 16th.

Councilmember Kualii: Oh, it was filled on March 16th.

Mr. Rezentes: That was another internal transfer to that district.

Councilmember Kualii: Perfect. Thank you.

Council Chair Rapozo: Real quick, we need to take a caption break.
Councilmember DeCosta.

Councilmember DeCosta: On page 230, I noticed in Waimea, we have five (5) Caretakers, is that because Kekaha is grouped into the Waimea area?

Mr. Porter: Correct.

Councilmember DeCosta: I am just doing the math on the Kōloa and the Līhu‘e, and it seemed like a lot just for Waimea, but Kekaha is grouped into that.

Mr. Porter: Yes.

Councilmember DeCosta: Thank you for that.

Council Chair Rapozo: We will take our 10-minute caption break here and be back in ten (10) minutes.

There being no objections, the meeting recessed at 11:00 a.m.

The meeting reconvened at 11:17 a.m., and proceeded as follows:

Council Chair Rapozo: We are still on Parks Maintenance. Are there any questions? It starts on page 229. Page 231, go ahead, Councilmember Kuali'i.

Councilmember Kuali'i: I am wondering about this line item under Other Services at the bottom of the page, it says, "Coconut tree trimming contract \$114,000." Is this about what it is every year, and what does it cover?

Mr. Rezentes: We hired out a third party for coconut tree trimming islandwide, so it is a contractual amount.

Councilmember Kuali'i: Islandwide.

Mr. Rezentes: Yes.

Councilmember Kuali'i: Thank you.

Council Chair Rapozo: That contract is only for the coconut trees, because we have tree trimmers in-house that do everything else.

Mr. Rezentes: Yes, just the higher coconut trees.

Councilmember Cowden: I have a question.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: I think it is necessary, but I do not quite see it, so I can wait if you tell me where the right place is. Our graveyards, like the Kōloa graveyard, we have a handful of graveyards that are County, where is that reflected?

Mr. Porter: The maintenance of the...we have thirteen (13) cemeteries under the County, and depending on where it is, it is our beautification crews that maintain the grounds for those.

Council Chair Rapozo: Beautification is next, actually.

Councilmember Cowden: Okay.

Council Chair Rapozo: Are there any further questions for Parks Maintenance? It is just a tough nut to crack. I will ask that at the Veterans Cemetery, the new position will make sure that that place is kept well at all times.

Mr. Porter: Yes.

Councilmember Cowden: This “portable toilet yearly rentals,” \$207,620, do you know how many parks that we supplement with portable toilets?

Mr. Porter: We can get the contract to you. There are two (2) groups in the portable toilet category—there are the fixed sites, and then there is Group II, where, as needed, we can ask the vendor to throw it out there.

Councilmember Cowden: In most of those, is it because the bathroom is broken? I know in Kekaha there is one (1) out there that just has portable toilets, I am forgetting the name of that one, it is right on the beach. What is that one called?

Mr. Porter: Lucy Wright.

Councilmember Cowden: No, in Kekaha.

Mr. Porter: MacArthur.

Councilmember Cowden: MacArthur. That had portables for a very long time, and we do not have a plan to put a bathroom there at this point.

Mr. Porter: Yes.

Councilmember Cowden: Do we consider Black Pot portable? Is that a portable toilet? No. Okay.

Mr. Rezentes: The infrastructure is permanent in our sewer system. We also have portables there, because the demand on the weekends is quite heavy.

Councilmember Cowden: Okay.

Council Chair Rapozo: Are there any more questions for Parks Maintenance? Thank you. We are moving on to Beautification.

Councilmember Kualii: Just a quick question. Here it is called Groundskeeper, right? But the salary range is the same as classification BC II is the same, is the Groundskeeper position and the Park Caretaker one position interchangeable?

Mr. Porter: No, they have different responsibilities. Same level, but different.

Council Chair Rapozo: Councilmember Kagawa, then Councilmember Cowden.

Councilmember Kagawa: The beautification, we made a crew to take care of these planters, is that under this budget right now?

Mr. Porter: Yes.

Councilmember Kagawa: I firmly remember and want to bring this up, because it is very important during budget, that when we did the Hardy Street improvements, and the Transportation Investment Generating Economic Recovery (TIGER) grant, we asked the question directly to Doug Haigh, is this going to mean we are going to have to hire additional staff to take care of these things, because we had Kauai Nursery taking care of it for a year, but we said, beyond that, are we going to hire any additional staff to take care of these things, and his answer was "no." Very frustrating, and this is not a former Mayor, this is Lyle and Doug, if they were transparent and they answered the question honestly, there was no doubt in our mind that we were going to hire additional staff for that. Where it came out of was more of the question. Lenny was sitting there as well, and he had concerns, because we already are stretching our beautification crews to take care of these things that you have no say in. We are planting them, but how long will it take to maintain them like that? It is easy to make it look nice, but it is hard to keep up. We have the crew now, but have we thought about some of these planters like whether the planning was poor, that maybe we are planting the wrong things. Maybe that sugar cane has weeds inside. Maybe that is not the right thing to have in there. We can ease the maintenance and the looks by changing it if need be. Just pull them out and put some type of covering that needs less maintenance.

Mr. Porter: Yes. Moving forward, when we are consulted by the project managers or the design consultants that do these types of projects, that is our message to them, is the maintenance side of it.

Councilmember Kagawa: Thank you. I think that the crew does a great job, by the way. It is a new crew, but I see them "hitting" places that were overlooked before. We have beautification on the Līhu'e side covering so many different areas, and now we have this specific extra crew, I have seen a difference, at least around the Kaua'i War Memorial Convention Hall area. I have seen them detail-mowing or weed-whacking areas that have gotten worse. I appreciate that part, but again, going back to the planning with this big Federal grant, let us at least be more up-front and honest about what is the plan after, because it is frustrating when you hear the "no" and I still hear the "no." Thank you.

Council Chair Rapozo: I have a follow-up on that. When did that new crew start?

Mr. Porter: We requested that last budget.

Council Chair Rapozo: Yes, so when did they start working on the Hardy Street TIGER grant?

Mr. Porter: I want to say it was September was the date that we got started.

Council Chair Rapozo: Okay. Councilmember Kagawa, you know which “buttons to push.” That was the biggest reason why I voted “no” for that project funding, it was because of that. That was one of the bigger reasons was, I knew, we are not stupid, they said they were going to plant low-maintenance grass—it is horrible, I will be honest. I have not noticed it, but for the most part of the year, I do not know since September, but it is like no one was taking care of it. It was weeds, it was terrible looking, and I think we really need to consider either planting grass that will keep out the weeds, or putting rock, or putting something else in there that will not take up our time. How many are on this crew?

Mr. Porter: Three (3) people.

Council Chair Rapozo: What is their responsibility?

Mr. Porter: They do the Līhu‘e Town Core, so they have from the Transportation to this facility here to the Civic Center, and the cement paths from Vidinha to Rice, then there is the new path going between Elsie H. Wilcox Elementary School and the Līhu‘e Baseball Field, then of course Rice Street is the big one.

Council Chair Rapozo: Do they have a maintenance schedule, or is it like when someone complains we send them out? How is this? I am trying to think how their time management is.

Mr. Cremer: Right now, they are trying to establish a set schedule, so they do rotations in different areas. They do the Kaua‘i War Memorial Convention Hall, they take care of Hardy Street, and certain times of certain hours of the day, they are able to do different areas due to traffic and usage in certain areas.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: Small follow-up on what he is talking about. I believe when this was planted there was an effort to put indigenous plants in, and they put native species, and things like that, so I think there was an effort, at least I have noticed some of them. I want to go back to the cemeteries. I think it is really important that we have them.

Council Chair Rapozo: Councilmember Cowden, hang on, I think we have more follow-up on the beautification here in Līhu‘e.

Councilmember Cowden: Sure.

Councilmember Carvalho: Just clarification with this new crew that takes care of the entire Civic Center, right? Everywhere, all the way down the roadways down to the stadium.

Mr. Porter: Yes, down to the stadium.

Councilmember Carvalho: When I heard about that, this was a question, and what was going to be planted, and who was going to maintain, I know at one point, the community was going to get involved, but that did not happen, but overall, now with the crew who takes care of this entire area...I just wanted to clarify that.

Mr. Porter: Yes.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I want to follow up on the beautification also. When we do our trips to Washington D.C., we get to experience counties and councilmembers from all over the country, and Arizona has one of the highest ratings for beautification and the lowest cost. Chair brought up an excellent point, and I spoke with you about it, and I even spoke with Managing Director Dahilig, but colored rocks, and the native *a'ali'i*, which you just do not plant any native, you need to plant the native that can be least beautified, and it does well in any type of environment, whether it is rain or sun, and the *a'ali'i* with the red barriers and colored rock would fit so nicely, and you do not need to send no one out there. In Kōloa, we asked about that in the roundabout—the cactus and the colored rocks, so when we do our future beautification, I am thinking colored rocks and plants that need little beautification.

Council Chair Rapozo: Are there any further questions on Līhu'e Beautification Crew? If not, go ahead, Councilmember Cowden.

Councilmember Cowden: Okay. I want to appreciate that we take care of our cemeteries. Is it possible for me to get sent a map of where the cemeteries are? I would like to have that. Then, it is not broken out, I am just curious, is it twenty percent (20%), or fifteen percent (15%), how much of this beautification effort goes for something like that as opposed to the green belt along the side of the road, how much of it goes to that? How much do we invest in cemeteries in a year?

Mr. Cremer: As far as what is invested, I cannot give you a number. As far as people, we have an east beautification that takes care of cemeteries from public cemeteries from Līhu'e to Kapā'a, then we have our west beautification that takes care of Lāwa'i, Kōloa Public Cemetery, St. Theresa Public Cemetery, and we do all the mowing and grass maintenance there.

Councilmember Cowden: Maybe when I get the map, I would like to see a map of what beautification is, because I could probably look at it, and say, "Well, it is twenty

percent (20%) of the areas that we are looking at.” Just to have a sense. I remember when I first learned that this is County and we were taking care of that, I was proud of it, and I have noticed fresh burials from humble families in these places, it is nice that there is a way for people to be able to...some people cannot even afford these things, so I am curious of that. You can often look by just the amount of real estate, the land mass is put into different things, so I would think it is like a quarter, I do not know, do you have any idea how much the proportion is?

Mr. Porter: Not off the top of my head. It is seasonal too.

Councilmember Cowden: Is it because it is raining a lot?

Mr. Porter: Yes.

Councilmember Cowden: Okay.

Council Chair Rapozo: Are there any further questions? When I look at the budgets of the central district, is that the Lihu'e three (3) people? Okay. Alright. Are there any other questions for beautification? Thank you. Stadiums. No significant adds, Councilmember Kualii'i.

Councilmember Kualii'i: Just to confirm, no vacancies at the stadium, right?

Mr. Porter: No.

Councilmember Kualii'i: Thank you.

Council Chair Rapozo: Thank you. We talked about the improvements in the CIP. Are there any other questions? If not, moving on to the Kaua'i War Memorial Convention Hall. Alright, moving on.

Councilmember Cowden: I have a basic question on Kaua'i War Memorial Convention Hall.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: Do we consider the repairs compete on it, or where are we along on fixing it up? We had a lot that needed repair, where are we on that continuum?

Mr. Porter: Todd Ozaki presented that on the CIP side. There is a bunch of money being requested this year to do that.

Councilmember Cowden: Okay, alright.

Council Chair Rapozo: Is there anyone else? The last page, 340-341, which is the last part of the Administration, the only big item is the Special Projects for \$120,000 for Park & Sportsfield Enhancements for all across the island, or is that stadium?

Mr. Porter: I am sorry, what is that?

Council Chair Rapozo: I am sorry, master page 340.

Mr. Rezentes: The 209 Fund?

Council Chair Rapozo: Yes.

Mr. Rezentes: That is for miscellaneous improvements repair for that district.

Council Chair Rapozo: Is this islandwide?

Mr. Rezentes: The 209 fund is for Kōloa. It is funded by Spouting Horn.

Council Chair Rapozo: Okay, I got it.

Mr. Rezentes: It can only be used in that region.

Council Chair Rapozo: Okay, I got it.

Councilmember Cowden: What was it funded by?

Mr. Rezentes: The Spouting Horn revenues.

Councilmember Cowden: Okay.

Council Chair Rapozo: Okay, I got it. That is the only fund that has money in Kōloa, the rest does not have any.

Mr. Rezentes: Other than the Special Trust Fund in CIP.

Council Chair Rapozo: Yes. But in the General Fund, just the 209, because you do not have a 209 Fund for each district.

Mr. Rezentes: No, it is only for Kōloa.

Council Chair Rapozo: Okay.

Mr. Rezentes: The ordinance that created...

Council Chair Rapozo: What was the 209 Fund created for?

Mr. Rezendes: The 209 Fund was to accept the revenues from Spouting Horn, and the ordinance requires us to only keep the revenue within Kōloa District.

Council Chair Rapozo: Okay, I got it. Are there any other questions? I noticed that we have not really touched that fund year-to-date, is there a reason why we are not? I have to believe that in that area there are some improvements to be made, is there a reason why we are not spending money?

Mr. Rezendes: We can tap that for operational items. Right now, we are in the process of procuring the vendors, we do not have income coming in at the present time. We did a new building there, and we had some items that we need to fix, but soon we will be getting in, hopefully advertising for vendors, which we should be starting to get income into that.

Council Chair Rapozo: And Kaua'i Made products, right?

Mr. Rezendes: I do not think it is all Kaua'i Made. Years ago there was one (1) booth that was a Kaua'i Made booth.

Council Chair Rapozo: I thought that was, Kunimura...We had that discussion when they had that whole fiasco and the original intent was to have one (1) booth available for a nonprofit, so they could generate funds for their nonprofit. Are we planning to stick to that original vision?

Mr. Rezendes: I do not know what happened. I need to relook at the ordinance, to be honest, about that nonprofit-specific booth, but definitely if it was a requirement in the ordinance when we do the bidding, we would need to include it.

Council Chair Rapozo: We should probably take a look at the ordinance now before you go out to bid, because that is something that I would definitely have the community input, because we all know what that turned into, right? It was a flea market with crap from the Philippines, China, and Thailand, and all this cheap garbage that they were selling to the tourists pretending that it was Kaua'i things, like Kaua'i nuts, Kaua'i seeds, and Kaua'i beans, and it was rubbish, and they made a lot of money, and paid very little rent. I do not know how my colleagues feel, but to me, if we are going to allow the community to rent at Spouting Horn, then we should make sure that it is locally made, or at least a majority of local-made products that we can showcase Kaua'i.

Mr. Porter: When we constructed the new building, we had to amend the ordinance, because in the old ordinance it had a diagram and listed the nine (9) vendors, so we had to clean that up. So, we cleaned that up, and now we are writing the administrative rules, which never existed before, and the County Attorney said that we should create some administrative rules for this place.

Council Chair Rapozo: Absolutely.

Mr. Porter: We are doing that, and we are in our last draft of that with the County Attorney right now. We can talk with you folks and add that into the rules before we go to Small Business Administration.

Council Chair Rapozo: That is my opinion, but I want to hear from the committee as well.

Mr. Porter: If it something that comes up.

Council Chair Rapozo: I do not shop there, but for those people who live there, and for prospective vendors that may want to bid. Wally, it is very hard for me to sell my bracelet that I make at home when the booth down the road orders it by the thousands from China for \$0.02 a piece—it is hard for me to compete, and that is all I am suggesting.

Mr. Rezentes: I believe we increased...my understanding, do not quote me, but the last time we had it operational, I think we were making \$250,000 a year from just those small booths for the 209 Fund. I think the average person was bidding about \$5,000 a month for that little booth, so it is not cheap, as far as the income to us, it is a decent amount.

Council Chair Rapozo: Absolutely, because they are making a lot of money—that is my point. They bid on how much they will pay, right?

Mr. Rezentes: Yes, but we upped the minimum.

Council Chair Rapozo: Yes, because we had to, because they were getting away making \$1,000,000 a year, and they were bringing in that rubbish. Anyway, maybe staff can pull up that ordinance for me, I want to take a look at that, and we will have the discussion for the rules.

Mr. Porter: It is a perfect time now, because the rules are in draft form.

Council Chair Rapozo: Yes, before you folks go out.

Councilmember Kualii: Chair, I have a question that is sort of jumping back a little bit. All of the Parks & Recreation—Beautification, Stadiums, Convention Hall, they all have a Water line item, and for Stadiums it is pretty significant, \$131,000, what is that? The County pays the Department of Water for water.

Council Chair Rapozo: Yes.

Councilmember Kuali'i: The golf course, we use some of the water from the wastewater, right? So, we do not have to process wastewater here in Līhu'e and they give some of the water to the hotel for their golf course.

Mr. Rezentes: In Wailua, we take effluent from them, their R-2 water, and actually, it is something that we are going to be working on with the future CIP to upgrade our water distribution system on the golf course campus, and I know the one in Līhu'e, the golf course takes some of their effluent, as well. Going back to your question, the water usage, yes, we do pay the Department of Water for the use and because we are seeing increases now in the use of our stadium and facilities, the cost for water is increasing from the COVID-19 time, when everything was down.

Councilmember Kuali'i: Is this the water for the bathrooms, as well as the water for the fields?

Mr. Rezentes: Yes.

Councilmember Kuali'i: Is it all the same water?

Mr. Rezentes: Yes.

Councilmember Kuali'i: Okay. Then, the stadium, are we going to upgrade the field to turf of some sort?

Mr. Rezentes: That is the plan in the CIP.

Councilmember Kuali'i: In the future. Then, could that bring down the water bill?

Mr. Rezentes: Hopefully, maybe in a couple of years, yes.

Councilmember Kuali'i: Because it went from, in 2020 the line item was \$67,000, and in 2024 this new budget, it is budgeted at \$131,000, so it has doubled.

Mr. Rezentes: I believe it went down when we were on shutdown during COVID-19, as well.

Councilmember Kuali'i: In 2021, it was \$72,000, so it starts coming back up in 2022, \$97,000. Now it is all the way up to \$131,000. I am just curious. Are those the only two (2) places that we pay for water? I did not see it in any other place in the budget.

Mr. Rezentes: We pay for water at all the County facilities.

Councilmember Kuali'i: It is probably being covered by Finance or something.

Mr. Rezentes: No, it is within Parks.

Mr. Porter: If it is in the parks, it is in there.

Councilmember Cowden: Even for this building.

Mr. Rezentes: Yes.

Councilmember Kualii: Okay. Thank you.

Council Chair Rapozo: Are there any other questions for Parks? *Adios*,
thank you, folks.

Councilmember Cowden: Thank you.

Council Chair Rapozo: I am sorry, Wailua Golf Course.

Councilmember Kagawa: I thought there were no questions on the golf
course.

Councilmember Kualii: Is there anything from you, Councilmember
Kagawa?

Councilmember Kagawa: No. I am good with the golf course. I love it.

Council Chair Rapozo: There are a lot of questions for Wailua Golf
Course. So many that I forgot that we had Wailua Golf Course.

Councilmember Kagawa: I am just kidding, I have one (1) question.

Council Chair Rapozo: Thank you for being here. Councilmember
Kagawa.

Councilmember Kagawa: Again, no one wants to talk about great increases,
but it always gets complained that we subsidize the golf course, so I think at some point we
need to compromise. The monthly rates have not gone up for a while, and there are a lot of
folks who play a lot with the monthly pass, and it makes up for people like me who play once
or twice a week, but there is no finger-pointing, we have been subsidizing the cost, and try to
encourage local residents to play, and that has been the purpose from way back. Subsidy
may have been \$400,000 in 1980, but \$1,000,000 or whatever it is, when you talk about the
dollar value changing, it is about similar...we have always been subsidizing that trying to
encourage golf, but the monthly rate came up where they say maybe it is time to increase.
Everything in price has gone up, everything you buy—plate lunch, beer, soda,
whatever—everything has gone up, so the monthly rate...has the Kaua'i Golf
Association (KGA) come back with what should be a new monthly fee? I know the golf course

workers frown upon the dollar per round or \$2 per round idea. They said those transactions would backlog that front window, because people need to pay for carts when they get to that window, too. They said, when they talked to their counterparts in Maui or Hawai'i Island, they said, "Do not do that." Just raise the rates, otherwise you have accounting and cashier nightmares. Have we looked at what the rates should be? I think the *kama'aina* rate is \$60, seniors is \$40 maybe.

Mr. Rezentes: We have super seniors, too.

Councilmember Kagawa: Has KGA looked at another proposal to up everything about \$10 or so?

Mr. Rezentes: I started to have discussions with KGA last year, and rolling into this year, and by and large the KGA management board are supportive of some increase, and they know it has been quite some time. It is always a touchy subject any time you touch golf course rates. I realize that we will continue to have those discussions with the KGA. They brought it to us because of the length of time. I know there are a lot of golfers that will support it, because when they play elsewhere, they realize: one, how cheap it is at Wailua, and two, the quality of the golf course compared to other courses that they play at a much higher price point, but we can continue that dialogue and have discussions with you folks, as well.

Councilmember Kagawa: Yes. I would say, I do not want to pay more too, as a golfer, but it is an expensive sport for the County to take care of.

Council Chair Rapozo: Let me ask a question, because I do not golf, so I do not have a conflict. I know you do not want to raise your golf rates, but how much is the subsidy now? I should know that, but what is the subsidy?

Mr. Rezentes: About \$2,400,000.

Council Chair Rapozo: \$2,400,000. When Councilmember Kagawa said \$1,000,000, I was thinking that is a lot. But I knew that is what it was a while ago. So, it is \$2,400,000.

Mr. Rezentes: I am going to age myself, but I remember when we were freaking out when it was getting close to \$1,000,000 and now it is \$2,400,000.

Council Chair Rapozo: We could always provide a good argument, because it is a healthy place, the public benefits, and I think this goes to what Councilmember Kagawa was saying, everything else is rising, especially golf. What are the programs now? I heard \$60 for regular golf, and \$40 for seniors. What is this card? Is it still \$60?

Councilmember Kagawa: The monthly card.

Council Chair Rapozo: What is it?

Councilmember Kagawa: The monthly pass.

DAN URWILER, Golf Course Administrator: It is about \$40.

Council Chair Rapozo: \$40.

Councilmember Kualii: Monthly pass.

Mr. Rezentes: \$40.

Council Chair Rapozo: \$40 per month.

Mr. Urwiler: For the super seniors.

Council Chair Rapozo: Let us stay away from the seniors for now.

Councilmember Kagawa: \$60 is the regular.

Mr. Rezentes: Senior rate is \$40, resident rate is \$60, we have
super senior that is \$26.

Council Chair Rapozo: What is the super senior?

Mr. Rezentes: Super senior is ages seventy-five (75) and over.

Council Chair Rapozo: Okay.

Mr. Rezentes: In the past, when we look at some of the folks by
category, some of them play five (5) days a week, so when you calculate how much you pay
monthly, some people pay \$2.

Council Chair Rapozo: How much is the cost per round? Have we ever
figured that out?

Mr. Rezentes: We have a cost per round.

Council Chair Rapozo: What is it?

Mr. Rezentes: The resident is \$15, senior is \$12, junior is...

Council Chair Rapozo: No, how much does it cost to maintain?

Mr. Rezentes: Oh, if we calculated making up \$2,400,000.

Council Chair Rapozo: Correct.

Mr. Rezentes: We can run that calculation.

Council Chair Rapozo: This is because senior is how old? What is the senior rate with that card?

Mr. Rezentes: Senior rate is \$12.

Councilmember Kagawa: Age.

Councilmember Cowden: What is the visitor rate?

Mr. Rezentes: I know it is up to seventy-five (75), but I think it is sixty (60) to seventy-five (75).

Council Chair Rapozo: Sixty (60) to seventy-five (75) is the senior rate, so they can buy the card for \$40, is that what you are saying?

Mr. Rezentes: Yes.

Councilmember Kualiti: Unlimited.

Council Chair Rapozo: With that \$40 card they can play anytime as often as they like.

Mr. Rezentes: As many times as they like.

Council Chair Rapozo: No copay. I show up with my card, and I can go, and I am sixty (60) years old.

Mr. Rezentes: That was the discussion Councilmember Kagawa had about paying \$1 or \$2 every time you play.

Council Chair Rapozo: I am just trying to...now, if I do not have the card, if I went right now and wanted to play, how much will they charge me? If I went there and wanted to golf today.

Mr. Urwiler: So, you do not have a card, and you are not a senior.

Mr. Rezentes: Resident \$15.

Council Chair Rapozo: Let us just say, I am a senior, I am sixty (60).

Mr. Rezentes: \$12.

Council Chair Rapozo: So, I will pay \$12, that is for one (1) eighteen (18)...well, the card does not give you a cart, right?

Councilmember Kagawa: No, you need to buy your cart.

Council Chair Rapozo: Yes, so I am thinking about green fees.

Mr. Rezentes: The cart is \$24; it is split \$12 and \$12.

Council Chair Rapozo: Yes, but the card does not pay for it.

Councilmember Kagawa: The cart, not the card.

Council Chair Rapozo: I know, but the card does not cover the cart. I want to talk about the fees, not the cart, the cart is separate.

Mr. Rezentes: Okay.

Council Chair Rapozo: Because you do not have to get a cart, you can walk, right?

Mr. Rezentes: Yes.

Council Chair Rapozo: Yes. I am just trying to figure out the analysis of how we came across this number of \$40, which basically, you pay \$40, and you will get unlimited golf. If I did not get the card, that \$40 would last me only three (3) rounds. So, anything over three (3) rounds is free. Well, it is not free, because the taxpayers are paying. The taxpayers are paying for you to golf. I know this is going to be unpopular with KGA—and I love those people, but at the same time, that number has to change, right? Right now, if you golf three (3) times, you might as well get the card, and you can golf ten (10) or twelve (12), you can golf every day. What about if I have the card, am I limited to late, mid, or...so I can steal a morning time...how much is a visitor rate?

Mr. Rezentes: Non-resident \$48 daily, on weekends \$60.

Council Chair Rapozo: How much?

Mr. Rezentes: \$48 on Monday through Friday.

Council Chair Rapozo: The visitor rate is \$48.

Mr. Rezentes: And weekends \$60.

Councilmember Kualii: Earlier you said resident was \$60.

Council Chair Rapozo: No, that is the card.

Councilmember Kualii: Oh.

Council Chair Rapozo: So, a visitor is paying only \$48.

Mr. Rezentes: On weekdays.

Council Chair Rapozo: Wow. You cannot golf in a junk golf course for that.

Mr. Rezentes: I heard some private places are \$300.

Councilmember Kualii: Let us start there.

Council Chair Rapozo: We need to start looking at that.

Mr. Porter: Chair, before COVID-19...

Council Chair Rapozo: And we do not want to spend \$300,000 on a study.

Mr. Porter: Yes. No. We had talks before COVID-19, and we met with KGA, and everyone was supportive of a rate increase like Councilmember Kagawa was saying, even Councilmembers are supportive of it, too. We had those talks, and they were getting serious talks, then COVID-19 hit, and we shut down the golf course. Now that COVID-19 is back, we are getting play back, we are getting the visitors back, I think it is a good time to have that conversation again.

Council Chair Rapozo: When I was working at the hotel, and tourists would ask to golf, they could not get a time in the morning, because it is being taken up by the people with the card. So, if we are going to keep the card, then the card may be good for certain hours of the day, but if you are going during peak times, you need to pay a surcharge. \$2,400,000 is a lot of money, and number one, the visitors should be paying way more than \$48, period. Councilmember Kagawa, how much are the golf courses around here like Pua Kea?

Councilmember Kagawa: I think the visitor rate is about \$120 at Pua Kea.

Council Chair Rapozo: And our course is better than that course.

Councilmember Kagawa: Yes.

Mr. Porter: Oh, yes.

Councilmember Kagawa: Hōkūala maybe about \$160.

Council Chair Rapozo: Yes, so we should be charging \$100 or \$120, because it is a good course.

Councilmember Kagawa: What I have noticed, and I am surprised maybe the revenue does not reflect it, but lately there is a lot of tourists at the Wailua Golf Course, and I think they are coming because of the cost savings, so we need to raise those rates on them for sure.

Council Chair Rapozo: And you need to allow them to golf in the morning. You need to lock it in.

Councilmember Kagawa: I do not know about that.

Council Chair Rapozo: The card would be like, if I worked for the airlines, I show up, if there is an open seat, I get to fly, but we are going to sell that seat first to a person who is willing to pay for that seat. If it is available, you use your card. Either that or charge \$500 for the card, or \$400, I am being facetious, but my point right now is you are paying \$40 a month and we are losing so much revenue from prospective customers or golfers, because there are no times, the times are taken in the morning, and that is when tourists want to golf. Councilmember Cowden.

Councilmember Cowden: I am just following up on that. Maybe there would be a percentage of the slots would be held for people with the cards—I do not know. I have a really basic question as a non-golfer. We do not charge football, soccer, surfers, we do not charge any other sport for their use at the parks, so when we talk about how it is a bummer to subsidize the golf course, I look at the golf course as a place for dealing with our effluent water that comes out of the wastewater treatment plant. I look at it as a place where we have held really critical open space. It has a lot of other values besides just playing a game of golf. Sometimes it feels a little tedious to me to say we have all this subsidization for this piece, but we are one hundred percent (100%) subsidized in the stadiums, right? We are one hundred percent (100%) subsidizing other parks for whatever other reason, so while I am not in disagreement that we could raise some of the rates, I just do not quite understand why we are bitter that the County pays for some of the money.

Council Chair Rapozo: I am not bitter. It is an enterprise fund. It is not the General Fund. It is an enterprise fund, and an enterprise fund pays for itself.

Councilmember Kualī'i: Pays for itself.

Council Chair Rapozo: If it was in the General Fund, that is a different story, but this is an enterprise fund. The other thing, too is, I can go to any park I want right now, I could even go to the stadium, run on the track, I cannot do that at the golf course, I cannot just go and pick up my clubs, and say, "I am going to golf right now, sorry, move, I am

first.” No, you cannot. The golf course expenses are a lot more different than the expenses of the park or stadium; it is different like apples and oranges. For me, again, it is an enterprise fund, and when the enterprise fund, like you said, Wally, we were cringing when we were approaching the \$1,000,000, we did not even hit \$1,000,000, but it was like, “Oh, my God.” Then, we passed the \$1,000,000 and went to \$1,500,000, and now we passed \$2,000,000—that is not an enterprise fund.

Mr. Rezentes: Rough order of magnitude, we have about eighty-two thousand (82,000) rounds a year. To cover the Golf Fund operations, it would be about \$42 a round, just indiscriminate on average, would take about \$42 a round.

Council Chair Rapozo: So, would you not agree that regardless of what programs we have that we should meet that \$42 a round, so if you are upping the visitor rate to compensate a lower resident rate, a senior rate, but we should not be collecting less than \$42 a round if this is a true enterprise fund, would you not agree? It is okay to disagree.

Mr. Rezentes: If the intention is to operate as an enterprise fund to fully fund it from the revenues, then it would have to be.

Council Chair Rapozo: Is that not what an enterprise fund is?

Mr. Rezentes: Yes, but I am telling you, bottom line, as you know, we have not done that historically from day one this County has contributed from the General Fund.

Council Chair Rapozo: Maybe we should start moving to that. I am not saying catch them all in a year.

Mr. Rezentes: That is a policy call on how we want to go with that.

Council Chair Rapozo: Okay, is there anyone else?

Councilmember Kualii: Just a note to the people in our budget work, you have revenue fees rates, assessments, and taxes, and on page 22 it has the schedule of all the fees.

Council Chair Rapozo: It was obvious that I did not look at that.
Councilmember Carvalho.

Councilmember Carvalho: I heard you say, Pat, that KGA is open to discussing rates and fees. I think that is a good start, because you know how this can turn entirely, I hear what Chair is saying, but at the same time, I think we need to take it one step at a time, and that is a big plus to me, we need to talk about it, and look at the change of rates, and see how we can really work the golf course, it is a County facility, and it brings

so much to the table, but at the same time we need to be more fiscally responsible overall, too, and it is that account. I just want to clarify that to make sure we are on the same page.

Mr. Porter: Throughout the years, we have already been soft sounding a lot of the major players in the golf community, so people will not be surprised by it. Of course, once we dive into the details and start hammering at those, there are going to be some disagreements.

Council Chair Rapozo: I will get the calls tonight just from my comments earlier today; I guarantee I will get hammered, but at some point, you need to stop the bleeding. We have not even tried to, we just let it run, and we have to make adjustments. I am not saying in one year.

Mr. Porter: The good thing is that it is not going to be a surprise that this is going to come out, that is what I am trying to say.

Council Chair Rapozo: Are there any other questions for the golf course?
Councilmember Kagawa.

Councilmember Kagawa: Name one course in the state, a public course, that operates as a true enterprise?

Councilmember Kagawa: Ala Wai, Westlock, Pali, Makalena—do any of those operate as a true enterprise?

Mr. Porter: When you say true enterprise, you mean they fund themselves?

Councilmember Kagawa: They fund themselves.

Mr. Porter: I do not know. I do not think they do.

Councilmember Kagawa: I just want to point out, too, that Kaua'i is not the only County that subsidizes golf, that says, "Golfers, you pay for a sport." I just want to point that out, every County struggles with this, every County has a *kama'āina* rate that takes care of local residents, and you need to add in half the card cost, because not many people can walk eighteen (18) holes. I can go nine (9), then after that I am "out of gas," and I am not that senior, yet. Then, you add half the cost of \$42, you are talking \$54, we need to determine when you come back with the rates, there is going to be a breaking point where they are not going to golf already. You try to go \$50 a round at Wailua for the local rate, try it for a month, that place will be a ghost town, guaranteed, or you will only have tourists, but we are going to knock the tourists one too, because we are not going to let the tourists pay only \$50. If the locals need to pay \$50, the tourists will pay \$150, because we are trying to be a true enterprise. Let us come back with something reasonable that is not going to shut down the cost, and I am willing to support it. I believe that they need to pay their share, but also let

us keep our ear open to other suggestions that the Administration may have regarding pickleball, tennis, because I do not think only one sport should pay. I want to see equity if we are looking at those types of things.

Council Chair Rapozo:

Councilmember Kualii.

Councilmember Kualii: I agree with Councilmember Kagawa's comments about fair share. Obviously, you have to look at it and analyze it. It has not been addressed in many years, that is why the \$1,000,000 subsidy became a \$2,000,000 subsidy. Yes, it is the rates, but I think what you also have to look at is the availability to everyone, if it is a benefit for everyone, how available is it to everyone? Like Chair was saying, so do you even keep track of people who call in and want to golf, but you have to tell them "no" because it is booked? And how often in advance are the tee times all booked? And the people with the monthly card have an unlimited, that is the word there, "unlimited" means that then they can book it all up, and the availability it not truly there, so it is not really a public benefit other than the things Councilmember Cowden talked about—a place for the effluent wastewater to go, preservation of open green space—that is all good, but not necessarily worth the \$2,000,000 investment, so you need to look at everything. Are you tracking the availability? You obviously have no limitation on how much you can book, and how far in advance you can book, it is all the kind of things if we are going to be a part of any kind of decision-making, we would want to know all of that, and I would not want to push for anything more than fair share.

Council Chair Rapozo:
a card, can I call and reserve next week?

What are your restrictions to the card? If I have

Mr. Rezentes:

Yes, as long as it is available.

Council Chair Rapozo:

That is the problem.

Mr. Rezentes: Usually, weekends are the busier times, and we may turn away about twenty (20) folks a day on Saturday and Sunday, which are the busier times. Past discussions we have had when it came time to increase rates was because the visitor rate is two (2), three (3), or four (4) times higher than the local rate, the discussions have been, "How can we set up a system where up to twenty percent (20%) of the play would come from the higher price points, the visitors. Eighty percent (80%), which is our core, would be the locals, where there would be enough dealing with the demand, covering the demand of the locals, yet we are trying to make sure we have enough visitor play to help us on the revenue side of the equation." We need to try and marry both, meet demands of both, and there is definitely room for growth, we had the discussion early on with this Administration pre-COVID-19, we had the proposal that we pulled back because of COVID-19, and that was vetted with KGA, and KGA was supportive of that proposal at that time.

Council Chair Rapozo:

What was the proposal?

Mr. Rezentes: I do not have it with me, but there were increases in all the categories including the visitor play. It would not make up the entire amount by far, but it would "eat" into it.

Council Chair Rapozo: What about restricting any reservations with the card for forty-eight (48) hours out, so at least we have a chance to fill it up with full-paying tourists or full-paying local residents who want to play?

Mr. Rezentes: That was never discussed. I know some local courses have restrictions when you buy the monthly card on the times of play, but we have never gone that far down that road, but there are some counties that do some restrictions, but we have never discussed that yet.

Council Chair Rapozo: If we are not tracking the numbers like Councilmember Kuali'i suggested, then it is very hard to do an analysis of how many tourists we turn away. If we were tracking, then we would know about how many tourists we are losing, how many dollars we are losing to the card at the peak hours. But if I want to golf on Saturday, I need to call before Thursday.

Mr. Rezentes: To be honest, we probably want more local play on the weekends, because most folks are off on the weekends, and we want to push visitor play to Monday through Friday when the local demand is lower.

Council Chair Rapozo: That makes sense.

Mr. Rezentes: We definitely have higher local play on the weekends, and we want to support that. We can start looking at how many visitors get turned away. I do not think there are many locals who are.

Council Chair Rapozo: Do we have any cardholders that have standing reservations? In other words, I have a card, and I have every Monday morning at 6:00 a.m. or 6:30 a.m.

Mr. Urwiler: No, only through the KGA.

Mr. Rezentes: Through club play, the club's reserve is going forward for the weekends.

Council Chair Rapozo: So, when the club reserves the time, the same rules apply, right? If the club member has a card, he is not paying.

Mr. Rezentes: The club member would pay via monthly card or daily.

Council Chair Rapozo: Right, that is what I am saying. Now you have the KGA blocking up...how many open times do we have for me, if I wanted to golf? Are there any open times in the morning?

Mr. Urwiler: Usually there are no open times in the morning.

Council Chair Rapozo: Because club play has them all.

Mr. Urwiler: There are open times where people can make reservations, and they can play.

Council Chair Rapozo: Right now, based on KGA club play, how many times and days do they take up in the morning? That is what I am asking.

Mr. Urwiler: How many do we push away in the morning?

Council Chair Rapozo: No, what blocks are already taken by KGA?

Mr. Urwiler: Usually the first times.

Council Chair Rapozo: What does that mean?

Mr. Rezentes: On weekends.

Mr. Urwiler: On the weekends, on Saturday and Sunday.

Council Chair Rapozo: None during the week.

Mr. Rezentes: Only Wednesday. It is sporadic during the week, but by and large weekend mornings.

Council Chair Rapozo: Right, so if Mondays and Tuesdays, all of this wide open, how many times on those weekdays are taken by card members is what I am trying to find out?

Mr. Porter: We can get that information. We can compile that. We have a lot of it compiled already.

Council Chair Rapozo: Okay. Councilmember DeCosta.

Councilmember DeCosta: I chimed in the least on this subject-matter, because growing up my dad said, "If you have the time to hit a small ball on a green grass field, you are supposed to clean the leaves under the mango tree." I grew up cleaning leaves under the mango tree; I am not a golfer. But listening to all sides, I have some insight to this, I am a fisherman, diver, I throw net, I am a hunter, you know what frustrates me the

most when I try to dive Po'ipū Beach in the morning, and I am surrounded by tourists snorkeling, when I go hunting, and I am on my trail trying to hunt my hunting dogs, and I pay a fee, and I know it is State not County, but I have tourists hiking on my trail. The way I look at this scenario, we have locals who want to golf, and we are going to put our tourists first, we put our tourists first in this visitor industry in every entity. I hear Chair Rapozo, \$2,000,000, but when I took this job many people in the community said, "Mr. DeCosta, do not touch golf, that is the one thing that Kaua'i people really enjoy to do." So, yes, we do spend money on our golfers, we spend money foolishly sometimes in the County on many other things, I think this is a good way. I need to go with Councilmember Kagawa, if we can get more fees out of the KGA folks who are agreeing, so we can offset this \$2,400,000, then great, but let us not raise it so much that we take away a group of people that enjoy a sport. I wish the County had a senior citizen park, so I can hunt pigs with my dogs, that is a dream of mine one day, make it come true Mr. Dahilig, but right now, you folks have that dream for golfers, why are we going to take that away? Thank you.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: Again, you talk about fairness, subsidy, neighborhood centers, I just mentioned about how we have arts and crafts, hula, ballroom dancing, Zumba, ukulele lessons—all free.

Council Chair Rapozo: It is not free.

Councilmember Kagawa: For our seniors.

Council Chair Rapozo: They charge.

Councilmember Kagawa: I thought it was free.

Council Chair Rapozo: That is another issue with the County facilities being...anyway.

Councilmember Kagawa: This is one (1) activity, when you are ninety (90) years old, there is some walking and playing on the course regularly. We talk about supporting and giving back to our local *kūpuna*. I am going to fight for this. I am telling you, when it gets legal, I am going to fight for this because I am very passionate about fairness. Make one sport pay, then we make everyone pay, and let us figure out all of those numbers out but let us not just pick on one group, that is my thing.

Council Chair Rapozo: Is there anyone else? I am not picking on golf. My colleagues here maybe have not experienced a budget of only \$40,000,000. The former mayor, you know what it is like, we are not looking at where we can add, we are looking at where we have to cut. All I am saying is we need to stop the bleeding. I agree, I do not think we should make the tipping point where we lose golfers, but I also do not think we should be giving away Wailua Golf Course to visitors at the rate you are charging—that is insane, they must

go nuts when they see that rate. Again, it is a matter of making use of that course where we can generate the most revenue. I agree, I am not going to take it from the 90-year-old golfer, or the 70-year-old, or the 60-year-old. But we have to start looking if we are doubling the subsidy every few years, at some point, we will be at \$10,000,000, so I am just suggesting we take a look at it, work with KGA, come up with a minimal solution, and move forward. Councilmember Kualii.

Councilmember Kualii: Just a question, when I look at this chart of the fees, I was actually looking for visitor, and I realized you do not call it visitor, you just call it nonresident, and I am wondering if maybe the fee for that category potentially could have remained relatively low because some of our local golfers here have friends that come from O'ahu and Maui, and you lumped everyone together there, right? You are only talking about Kaua'i residents, and nonresidents being anyone living off of Kaua'i. If we wanted to necessarily raise fees on visitors from the continent or other parts of the world, the planet, you would have to distinguish between Hawai'i and the rest of the world, just putting that out there.

Council Chair Rapozo: Are there any other questions for golf course? If not, thank you. Is Matt around?

Councilmember DeCosta: Right there in the back.

Council Chair Rapozo: We are moving right along. You might want to get...is liquor here?

Councilmember Carvalho: Right there.

Council Chair Rapozo: We might be able to get through this before lunch. Thank you, folks, from the Department of Parks & Recreation. Page 25. We will do attorney. Mr. Bracken, if you would like to start off by giving us an overview of anything that is going to jump out at us.

MATTHEW M. BRACKEN, County Attorney: Matt Bracken, County Attorney. I should start by saying our operating budget is flat from last year, so there are no real significant differences. We did move around a few thousand dollars here and there to cover projected increases, but it is basically the same. Really the only increase you will see here is in salaries and wages, because there was an additional Deputy County Attorney position that was placed into the budget, so that is the main big thing, other than that, our budget is exactly the same. I can probably spend most of my time on the Deputy County Attorney position, just to explain the need for it. I have several graphs in our budget synopsis that show the current caseload of our attorneys. We have thirteen (13) full-time attorneys and one (1) part-time attorney. Four (4) of those attorneys are litigation attorneys, and the rest do mostly transactional work. I have one (1) attorney that does both litigation and transactional work. What you will notice is, I do have how many matters, and these are legal matters that are assigned to each attorney—our litigation attorneys generally have the

higher more things assigned to them, there are more litigation cases, but a lot of those are inactive cases, some of them are in the Intermediate Court of Appeals (ICA), or are in various stages in litigations where they are not quite as active, so a decent balance in the litigation side currently. The number of legal requests comes through a case management system, so I can track it when it comes in, I can track how long we spend on it, I can track how much time my attorneys sits on it, and everything else, it is kind of helpful, but litigation cases totaling, we have about two hundred seventy-three (273) as of this morning. Then, our advice and counsel cases, which are transactional cases, we have about three hundred three (303). On average, we get about one hundred (100) new legal requests and transactional requests from the various departments within the County every month. This month we had ninety-five (95), and on average we close about that same amount, so we are at a decent balance within the office if we can close approximately what comes in, I think what is evident though is we still have a backlog, so every time someone puts in a legal request they are going to sit behind the pile of work in front of them, so the backlog I estimated about two hundred (200) legal matters, and that is the backlog that every single legal request that comes in sits behind. I will get complaints from departments about why my thing is sitting for so long. The reality is you are in a pile of papers and yours just happens to be at the bottom of the papers, so eventually we do get to you, and then we get it done, and it gets out the door—that is the current problem. We do kind of get continuous complaints from departments on how long legal requests take for review and to get done, specifically, I think where we see the most need is with Public Works and Parks in those construction contracts. We have a lot of construction contracts, and those are the things that keep the County moving, gets things done, but we have a lot of them and they take longer to process, so if we do get this new position, the first thing they would be working on would be clearing out the backlog for Public Works and Parks, and just assisting them with that. We get more of those contracts, and they take more time, and that is where the immediate need is within the County. The thought is with the position as well is to take over the County's insurance policies. Currently, the insurance policies are handled by the Director of Finance. There are some issues with the policies, certain things that we are not currently accomplishing. Our policies have gotten more expensive over the years, but they also require us to do more reporting. With our most recent policy, we have to do quarterly loss runs, which is a new requirement that we never had to do before. Our lifeguard policy also requires certain reporting whenever there is an incident at or near one of our lifeguard stations. That reporting kind of gets done, kind of does not get done. Other than that, we have to report major injuries, and that does get done. The thought is this position takes over the insurance policies, but also takes on a risk management function. I do not intend for that to happen immediately, I think it would happen after we clear out the backlog, but as a risk management role it would take on the insurance, so we would manage the insurance policies, make sure we meet all the requirements within the insurance policies, but the person could also review and analyze loss trends, which are claims, litigation—I have a decent idea of what things have happened over the last several years, but we could go back and look, and this person could also produce reports, which is something that has not currently happened with all the claims. If the departments are getting a certain amount of claims, all those claims are sent to the Council, then the Office of the County Attorney, and then we send them to the department, but the one thing that is not currently happening is that we do not send reports

to the department saying, "You have this many claims in this one-year period, this is something you need to focus on fixing." Ideally, this person could take on that role as well, and also track completion and mitigation measures. Oftentimes, we will come to you with a claim, there is a recommendation for something to be improved, the recommendation is made to the department, there is actually no follow-up beyond that generally, it just kind of ends. So, this person could track and make sure things get completed. That is the thought with the risk manager, and that is something that this position could take on. Overall, legal requests, we get a lot of them, and I get a lot of complaints from the departments and how long they have to wait, so there is a need for additional legal support, so that is why that new position is in the budget.

Council Chair Rapozo: Thank you. Are there any questions for our attorney? Councilmember Cowden.

Councilmember Cowden: Help me understand this, the Office of the County Attorney, do they predominately represent the Mayor's Administrations pieces, or are we shared? It seems a little strange that both branches of government share the same attorney, so are we limited in how the Council can utilize the Office of the County Attorney?

Mr. Bracken: You do share attorneys, and I would say, no, you are not limited. I handle the majority of the legal requests that come from the Council and Council Services, so I handle most of the contracts that will come out of Council Services. I handle the majority of the opinions. It just depends on how busy I am at that time. If I have too much going on, I will ask one of my Deputies to handle it, but I handle the majority of the work that comes out of Council and Council Services. It is shared equally, so if a Councilmember asked me a specific question I cannot share that question with Administration, I have a duty of attorney confidentiality, so the Administration will never find out anything you all are working on, and it goes the same with all of my attorneys. It is the same, I spread the workload as needed, but I handle the majority of it.

Councilmember Cowden: Typically, when we, Councilmembers, get help from you folks, it might be that we are coming up with a resolution, or ordinance, and you look at it and say, "This will work, this will not work, this needs to be adapted." That is the main way we have our interaction.

Mr. Bracken: Yes, there are procedures. When you are proposing a new bill it goes through a request officially sent over to my office, then it is reviewed by my office, we will develop a legal opinion on the bill, and send it back. Same thing with resolutions. So, all official communications that come from you are routed, assigned, and then tracked.

Councilmember Cowden: I gave you a warning that I was going to ask this, I gave the Managing Director it also, there has been questions that I have asked consistently through the past COVID-19 window when we get reports regularly that are contrary to the policies that we are putting forward, and I ask for help, or ask for some of these things to be

reviewed or looked at, we are given what I consider a lame excuse of not having medical background, but it does not take medical background to compare documents presented by the Federal government and different elements. How do we get that help? When I look at the risk management position, we have taken risks and there are lawsuits in place, and there are more coming. Seems like somewhere...if we are a concerned Councilmember, how do we get legal help to be able to look at policies that do not seem like they are being enacted responsibly.

Mr. Bracken: You can always ask for a legal opinion with anything you are concerned about.

Councilmember Cowden: I have not gotten an answer. I have asked, and all I am given is that you are not going to answer it.

Mr. Bracken: I think it depends on the question. Some questions we cannot answer, some questions are not legal, so if there is a legal response to a question, I will absolutely give it to you. Our goal is to always try to help all of our clients achieve what they want to achieve. If it falls outside of our authority, I cannot give you an answer, but if it is a legal question, I can give you a legal response to it.

Councilmember Cowden: So, when I have legally asked, how can we be imposing some of these policies, and I give information, all those things are all kicked. I asked, "Can I have someone assigned?" I asked our own department if I could have someone assigned, I asked the Department of Health if we can have someone assigned, I asked Kaua'i Emergency Management Agency (KEMA) if we can have someone assigned, the amount of quality information that we get from constituents crying, concerned, and questioning our policy is profound, and there is seemingly no place in our organization to be looking at the fairness of the policies that we have imposed on the population, and I feel like we need someone assigned in either KEMA...

Council Chair Rapozo: Let me jump in, because he just said if a request for a legal opinion is given, then he will write one, but not every question needs a legal opinion. I think what you are talking about is policy, it is not legal.

Councilmember Cowden: We need legal support to be looking at the choices that are being inflicted on people, and I am using a loaded word, "inflicted," because that is what happened.

Council Chair Rapozo: Again, that is your opinion. If you are asking a legal question on the Office of the County Attorney of, "Is this legal or not? And why or why not?" He is going to respond.

Councilmember Cowden: They do not even get looked at.

Council Chair Rapozo: Did you ask for a legal opinion or did you ask for assistance in researching a thing, so we can make policy changes?

Councilmember Cowden: I have asked any and all of the above.

Council Chair Rapozo: That is not his function. People need to understand the County Attorney's role is to provide the legal opinions for us.

Councilmember Cowden: There is no one who has placed any responsibility on this in our County to look at anything counter, and I have asked and asked, and it is risk. We have lawsuits coming, we have lawsuits...

Council Chair Rapozo: Well, this is a budget hearing.

Councilmember Cowden: This is a budget hearing about this risk manager and his lawyer.

Council Chair Rapozo: Correct. He is asking for a new attorney.

Councilmember Cowden: A new attorney, and I am saying, I want those responsibilities. Someone in the Office of the County Attorney to be able to answer...

Council Chair Rapozo: To do what?

Councilmember Cowden: ...questions from a Councilmember, or the constituents—I have not gotten it in three (3) years, other than, "I cannot answer you."

Council Chair Rapozo: If I called Matt and said, "Hey, Matt, I want your advice on something that I want to do here as a policy matter," he is going to give me the legal advice that I need.

Councilmember Cowden: Yes, I get that.

Council Chair Rapozo: As far as the legality, but he is not a policymaker, we are the policymakers.

Councilmember Cowden: But I am making calls. No, they are making...I am asking about the policy. I am asking, "Is this policy even legal?"

Council Chair Rapozo: Okay. Was that sent across? Do you remember?

Councilmember Cowden: I have sent so many things, and we have called and talked. We have talked for three (3) years.

Council Chair Rapozo: Okay.

Councilmember Cowden: And I have never gotten a legal opinion.

Mr. Bracken: I have outstanding legal requests from Members of this body, but I do not have that one, that is not an outstanding legal request waiting on me, currently. I do not answer questions from constituents; it is not my job, right? I just answer questions from this body, and from members from the County. So, if someone from the public sends me a question, I do not answer them; that is not my job.

Councilmember Cowden: Have I asked you questions about this? I am trying to not get really specific.

Council Chair Rapozo: I think you have already made your point. I think everyone can read between the lines. I want to keep that...it is a general discussion on the position he is asking for, if that is your question.

Councilmember Cowden: I want to have it, so that we look at real risks that we are imposing on people, and we do not. Where can we have that? Maybe I need the Managing Director up here, because he has certainly heard from me on this.

Mr. Bracken: The Office of the County Attorney plays a role in all policies. You are the policymakers, so every time you ask for a legal opinion on something, we are going to give you our opinion on it, and we will give you our opinion on the risks that you will take with any ordinance, whatever it is—that is part of our legal opinion. We will give you a legal opinion on something and a potential risk from passing it. Are we involved in policies? We are involved in that role in analyzing risks to the extent that we are aware of them. We issue-spot. If we see issues, then we will tell you about them.

Councilmember Cowden: I will get to you in one second, but in a very specific one before the Civil Service Commission, I asked a question and we had people come, and they went into Executive Session, I have never seen that happen before, for a half hour to basically come back and say, "Yes, we cannot answer your question." It was really bad, about people having...but when they have gone through the whole window of qualifying for Police and Fire, and it takes eight (8) months to a year to get there, and they are basically given a job, then at that point, told they cannot have it unless they have a shot that they know is not healthy for them, and that was completely punted. Completely punted in that meeting.

Mr. Bracken: If you asked that question legally, "Can an employer require people to get vaccinated?" the answer is, "Yes." Yes, they can. That is established case law by the Supreme Court. Are there exemptions to it? Yes, there are. But can an employer require vaccinations? Yes, they can.

Council Chair Rapozo: We are not going to use the budget for a session between...

Councilmember Cowden: I want a real lawyer to help us.

Council Chair Rapozo: He is a real lawyer, but that is not a budget question. That is a question...

Councilmember Cowden: I have been asking for three (3) years, can we have someone to do this? I want to let Mike Dahilig, because he and I...

Council Chair Rapozo: I do not want to hear about COVID-19, and I do not want to hear about policy, and whether it is right or wrong. Matt is submitting a budget that is requesting an attorney, which is the only new thing he is asking, he has explained in the narrative why he needs the attorney.

Councilmember Cowden: I want an attorney that serves us. I want someone that serves us.

Council Chair Rapozo: I thank you for serving me.

Councilmember Cowden: I mean, he serves me on a lot of things, but this is...I cannot think of anything more important that involves the budget.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Cowden: Well, Mr. Dahilig came up, can he speak?

Council Chair Rapozo: To the budget.

Councilmember Cowden: To the budget and having the needs of the Council met for legal positioning on a most critically important topic.

MICHAEL A. DAHILIG, Managing Director: Mike Dahilig, Managing Director. Good afternoon, Council Chair and Members of the Council. Matt's job as the way that I see it from a managerial standpoint, at least from a shared oversight responsibility with the Council is the fact that Matt's job and Deputy Attorneys are sometimes there to tell you "no." That is a very hard thing to say to people that you work with, having been in his shoes and in that office many years ago. They essentially are the arbiters of whether something is legal or not legal, and what exposure do you give to the body corporate from a risk standpoint, as well as from an advice standpoint, but as it comes to matters of policy, it is the body's job, as well as our job on our side to say, "Can I do this?" Not necessarily whether or not it is a good idea or not. I have always found that is Matt's style, that is the way he runs the office, that he is going to give everyone a straight answer equally across the board on whether you can or cannot legally do something, but whether it is a good idea or not within the realm of either public opinion or the realm of good or bad policy, that is up to the body as a legislative branch or us at the Administrative Executive side to make those calls. I sometimes do not want to listen to him, but if I do not then I know that I am personally liable given the executive

authority that I will be in my Charter position, but he is at the crosshairs of that discussion. His primary job is to keep us from getting into lawsuits, and I understand that your question is pertaining to, "How do we avoid lawsuits?" Given that we have had many lawsuits come through very unusual times, I found the advice sound, at least in my opinion and in my training, and have not had necessarily large questions about what is going on with them.

Councilmember Cowden: The risk has been determined to be one (1) out of eight hundred (800) by a policy that we have imposed, and we do not discuss it.

Mr. Dahilig: Again, that is policy versus law.

Council Chair Rapozo: We are not going to get into policy. We are getting to a budget discussion with Matt. It is very simple. He justifies his position.

Councilmember Cowden: We are punting the...

Council Chair Rapozo: No, we are in a budget meeting.

Councilmember Cowden: ...responsibility of putting clear things in that job description. We are not going to put it in the job description.

Council Chair Rapozo: That is not our job. We do not hire. We are legislative.

Councilmember Cowden: He is saying he is getting a risk management lawyer, and we are not going to look at risks that are inconvenient to look at.

Council Chair Rapozo: They are going to look at the risk, their answer might not be one that you want to hear.

Councilmember Cowden: Well, they are not looking at it.

Mr. Dahilig: I will say that when Matt came to us with this proposal during our budget deliberations, we did look at other counties with respect to how they handle risk management, either consolidating in an office of risk management, or it is attached to the office of their corporation counsel. Matt felt that this was the right structure given the size of our organization, the complexity of our...

Council Chair Rapozo: Mike, you do not have to. He did a good job.

Mr. Dahilig: Okay.

Council Chair Rapozo: He did a good job explaining. I mean that in all genuineness that Matt provided his narrative, he is here explaining why he needs the extra attorney—that is it. This is not a session between a Councilmember and an Attorney, that

happens off the table, that is something that you want to deal with privately—this is a budget session.

Councilmember Cowden: We deal with it privately all the time. I thought I was getting what I was asking for. I have been concerned about risk. We are getting an attorney who does risk management, but they are just not going to look at the risk that I wanted looked at for three (3) years.

Council Chair Rapozo: They are going to look at it. Again, they may not analyze it the way you see it.

Councilmember Cowden: I do not care; I want it looked at.

Council Chair Rapozo: Okay. Let me give you an example really quick. Ross is very familiar with this. Bill No. 2491, right? Do you remember, Ross? The County Attorney advised the Council that the law was not valid. Councilmembers said, “I do not believe you.” We will lose it anyway. It gets passed, it gets vetoed, the veto gets overridden, it goes to the Hawai‘i Supreme Court, we lose. Yes, because we did not want to hear what the attorney told us. I hate when the attorney tells me something...trust me, Matt and I have had discussions, I have worked with many County Attorneys that told me what I did not want to hear. At the end of the day, do we have to follow the opinion? This body can do whatever we want, but I learned it is best to listen to the attorney. It is best to listen to the attorney.

Councilmember Cowden: I have not gotten an opinion.

Council Chair Rapozo: I understand what you are saying, Councilmember Cowden. You heard what he wants his attorney for, and it is up to you if you want to support it—bottom line. I think Councilmember Kualii was up first.

Councilmember Kualii: The risk manager position that was on page 4 in your narrative. On page 3 of your narrative, I appreciate these graphs. On the first graph, you actually list all the attorneys, but you say at the top, there are thirteen (13) full-time, and one (1) part-time. I am just curious to which one (1) is the part-time.

Mr. Bracken: It is the one (1) with the least amount of assignments, attorney initials TFT.

Councilmember Kualii: Fourteen (14)?

Mr. Bracken: Yes, fourteen (14).

Councilmember Kualii: Okay. In the second graph it is the “Matters per Division,” right? Is it a snapshot at a point of time, and when was that?

Mr. Bracken: It was a snapshot and point in time and it was when this was submitted.

Councilmember Kualii: Just a couple of weeks ago?

Mr. Bracken: It was in March, so it was not long ago. The numbers have changed slightly, so litigation here is two hundred sixty-eight (268), and now it is two hundred seventy-three (273) as of this morning. Then, advice and counsel was three hundred sixteen (316) at the time and it is three hundred three (303) as of this morning.

Councilmember Kualii: You made a comment, something about, "a lot of them are inactive." Were you talking about litigation in general or civil litigation on the next page?

Mr. Bracken: I was talking about litigation in general.

Councilmember Kualii: Of the two hundred sixty-eight (268), what do you mean by lots, like a quarter of that?

Mr. Bracken: About half.

Councilmember Kualii: About half. Then, inactive means it is *pau*, or it is sitting there, and it may come up again?

Mr. Bracken: It is sitting there and it is not complete. We will half about twenty (20) cases that are currently pending appeal. When they go up on appeal, they will sit for five (5) to six (6) years before we hear from the Intermediate Court of Appeals, so in these cases we mark them inactive and are just waiting for the court to make a decision, and it will come back down. Other cases that are marked inactive, we have a lot of foreclosure cases just because people owe us for property taxes. They are not a lot of work for my attorneys, so we just mark them inactive, but we are part of the lawsuit.

Councilmember Kualii: You probably have the data, and it would be interesting if you would share, like this two hundred sixty-eight (268) for litigation, how it breaks up within the County, so maybe you could follow up with another graph or something, but not just the litigation, I am also interested in this advice and counsel with three hundred sixteen (316). Is that where all of our Council Services things go if we are requesting your review of a resolution, bill, or anything we submit to you in writing?

Mr. Bracken: They are in there.

Councilmember Kualii: Each thing is a transaction and part of this three hundred sixteen (316).

Mr. Bracken: Correct.

Councilmember Kualii: How much of that three hundred sixteen (316) is Council Services? I think you said you handled all or most of it.

Mr. Bracken: I do handle most of it. I can pull it up, just give me one second.

Councilmember Kualii: The other thing is, you can follow up later and submit later. I am curious, you said half on the litigation side was inactive. I am just thinking, we probably give you a lot of work, a big chunk of this three hundred sixteen (316).

Mr. Bracken: It ebbs and flows, right? So, specific times, yes, a lot, and other times it can be a little quieter. It is similar throughout the County. Towards the end of the fiscal year, we will have a huge increase, because everyone is trying to get their contracts done, in December it is really quiet, so there will be ebbs and flows. I do have it broken down by departments and divisions. I did not necessarily want to share that, because I did not necessarily want...

Councilmember Kualii: Maybe more interestingly then, instead of a point in time, would be a quantity over a year or something, maybe to see it in the future. I will send a written request.

Mr. Bracken: I can do that, and I will put together a graph. It is informative and I can send it over.

Councilmember Kualii: Thank you. My last question is on the last graph on page 4, "Kind of Matter." There is a chunk there that is called "Collections," and there is eighty-five (85) of them there, like collections on behalf of a division in the County?

Mr. Bracken: That is correct. The majority of those will be collections on behalf of Wastewater, we have a lot of collection cases open for Wastewater on delinquent accounts that will also include real property taxes. We send out a lot of real property tax demand letters. There is a different category for Foreclosures. We are actually starting a bunch of real property tax foreclosures as well, but that Collections category would include any account within the County that is delinquent or that has been submitted to our office. We do not necessarily handle all of them, we leave it to the department to handle initial letters sent out, once they are non-responsive to a certain point, we will pick them up.

Councilmember Kualii: Any chance you know what the largest collection is that you are working on?

Mr. Bracken: The largest dollar amount?

Councilmember Kualii: Yes.

Mr. Bracken: Not off the top of my head. The batch of...so of that eighty-five (85) a huge chunk of it was real property taxes, and some of those were worth approximately a \$100,000 figure, but I am not sure off the top of my head.

Councilmember Kualii: Right below that it says, "A&C Advice/Informa." I guess that is short for information, and it is showing eighty-three (83), is this the same, A&C is Advice & Counsel, right? In the paragraph, you showed us three hundred sixteen (316), in here you are showing only eighty-three (83), so what is the difference?

Mr. Bracken: The two (2) categories, Litigation and Advice & Counsel, are then further broken down in chart 3, so what is included in Litigation is, whenever there is not an A&C in front of it, those are actually included in Litigation bulk numbers, so Collections is included in Litigation, Civil Litigation, grievances, Arbitrations, Foreclosures—whenever it says A&C and additional words, that is part of the A&C total number, so the Advice/Informal Opinion is what that one is, and that is when we are not writing a formal opinion, but someone is seeking our advice, so that is a majority of what we do. They are not formal legal opinions, there is actually a different category for those, and those end up taking a lot longer, so oftentimes, they want informal advice because it can get done faster.

Councilmember Kualii: I lied, it is not a chart, but the other thing you said was you get a lot of requests, and I think you said something about routed, assigned, and tracked. When you get a request, how do you prioritize them? Is it basically first come, first served, and you get to the bottom of the line?

Mr. Bracken: Generally. Everything is routed and tracked, they all show up...I can pull up my assignments, and it will show all—it was fifty (50) this time, but it is less now—so it will show all of my assignments. I work predominantly with you all, so I prioritize your assignments, so your stuff gets to the top of the list, but oftentimes, I am working on multiple things for multiple Members, so that is the top of my priority list, and my attorneys are similar, they are not necessarily assigned to departments, but they do kind of have priorities. For instance, my Public Works attorney, he majority of the time works with Public Works, but he also gets assignments from other departments, but he prioritizes the Public Works assignments. All the attorneys are similar that way. I have one (1) attorney who handles the majority of the employment law things, she prioritizes that at the top of her list. I will leave it up to the attorney in most situations.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: Thank you, Matt. We have had our discussions, too, and you told me "no," and I listened. Thank you so much for being who you are. A lot of good community feedback on your position, and we are lucky to have you. Two (2) questions. That risk management assessment lawyer that you are looking at hiring, does the statute of

limitations apply to that person also where they work for our County, and when they either decide to quit or move on, how long before they can represent a client against the County?

Mr. Bracken: It is an attorney position, so it is one (1) year, as is in the Code of Ethics.

Councilmember DeCosta: I know I have had this talk with you before, but can we make that longer? We do not want to give all these good, young attorneys all this information, and then they go out and use it against us, right? I know I have talked with you about it. The last one I wanted to ask you was, the Deputy County Attorney salary maximum of \$130,008, how comparable is recruiting lawyers like how we have to recruit engineers? We are always lower than in the private sector. Are we lower than the private sector or at least a good base salary for a lawyer working on Kauaʻi?

Mr. Bracken: I would say it is not competitive at all. Compared to the private sector, it is probably \$100,000 too low. Compared to the public sector, it is still too low. We are the lowest paid attorneys in the State, so if you went and worked for the Office of the Attorney General, you would get paid better. If you went and worked with Corporation Counsel on any other island, you get paid better. So, it is the least competitive figure in the public sector, then in the private sector it is not competitive at all. The only area that is competitive is for attorneys coming right out of law school. It is concerning with attorneys coming out of law school, or with not a lot of experience, I can offer them a salary that competes with those big law firms, because they are not going to pay them very well either, but I can compete with that, but for an attorney with certain amount of years of practice, we are not competitive at all.

Councilmember DeCosta: Basically, you can get the “cream of the crop” out of college, but when they become experienced “cream of the crop” you are going to lose them, so we want to see if we can keep them, and raise that one (1) year, so they do not come back and haunt us.

Mr. Bracken: I think you can see that around the island, there are a lot of former Deputy County Attorneys around in private practice.

Councilmember DeCosta: Thank you, Matt.

Council Chair Rapozo: Councilmember Carvalho.

Councilmember Carvalho: Matt, I just want clarification with this new position. Risk manager, insurance coordinator, transactional legal backlog and Insurance coordinator responsibility, all of this encompassing, and will that take care of your operational challenges?

Mr. Bracken: Yes.

Councilmember Carvalho: Overall, right?

Mr. Bracken: Overall. The main goal is to eliminate the backlog. Initially, what I am going to have that attorney work on is the backlog. Wipe out that backlog, and it potentially can be done in a year. My attorneys on average close out anywhere between one hundred (100) to one hundred fifty (150) legal matters each year, so if I have one (1) additional attorney on-board, I can wipe out that backlog within about a year.

Councilmember Carvalho: Thank you.

Council Chair Rapozo: Are there any further questions for Matt?
Councilmember Kualii'i.

Councilmember Kualii'i: On the last page of your narrative, you talk about your operational highlights, and the second bullet is about training videos, and on the Administration procurement, Uniform Information Practices Act (UIPA), Sunshine Law, Ethics, and Fiduciary duty, who is this training videos available to, and how and when?

Mr. Bracken: They are all available on PowerDMS, which is the County's software, so it is available to all employees. Anyone who wants to watch these videos can get on PowerDMS and watch them right now. It is on-demand, they have been recorded. The ethics one is on the County's website, but the rest of them are on PowerDMS.

Councilmember Kualii'i: You are saying, "D"MS like "dog."

Mr. Bracken: Yes, like "dog." It is software that the Police Department originally procured, and the rest of the County procured as well, but everyone in the County has access to it.

Councilmember Kualii'i: What is "UIPA"?

Mr. Bracken: Uniform Information Practices Act, so it is your open records.

Councilmember Kualii'i: That is OIP.

Mr. Bracken: OIP controls kind of like Sunshine Law, UIPA, yes, it is public records requests when people are asking for public documents, which is fairly frequent.

Councilmember Kualii'i: Thank you.

Council Chair Rapozo: Is there anyone else? If not, thank you, Matt.

Councilmember DeCosta: Thank you.

Mr. Bracken: Thank you.

Council Chair Rapozo: Liquor. We have liquor until 4:30 p.m. Good afternoon, sir.

LEO SANDOVAL, Director of Liquor Control: Good afternoon, Chair and Members of the Council. Leo Sandoval, Director of Liquor Control, it is nice to see everyone's smiling face today.

Council Chair Rapozo: I read through your narrative, I guess the big thing is the new position, so maybe you just want to cover that, and if you have any challenges that we should be made aware of.

Mr. Sandoval: Definitely. First of all, I want to give "kudos" to the staffing that we currently have. I want you folks to understand that they have been working very hard for me under the conditions that we have been having to pull out of COVID-19, and we have been working with the assistance of Mr. Sales over here; he has done a really good job. He keeps up with our finances with the addition of our private secretary, which is Malia Kelekoma, she is sitting behind me, as well. She has been keeping me on track with what needs to be done, and she is doing a very good job. We have a very good, skilled set of employees and these folks all come from the island, and we are trying to stay that way, we are bringing in individuals that are available here. With that being said, we are trying to keep up with the customer service aspect of liquor, making sure that we are providing exceptional service to all our licensees that are coming through. We started bouncing back from pre-COVID-19, we were about two hundred eleven (211) or two hundred nineteen (219) licensees, we had dropped down, people were closing down, we rebounded now, we are currently servicing about two hundred thirty (230) with a lot of active licenses in the queue to be issued, so there is going to be more work. To make it easier for all those that are existing licensees and the ones that want to do business on our island, we started utilizing technology a lot better now, so we are moving more towards not eliminating the in-person aspect of doing all the licensing, but we are also moving towards offering the option of having online and technology, so people who choose not to want to come in to do the licensing they can have that option to file it completely online for a new license whether it be for an on-island license or bring it in for the direct shippers, which are wineries from all over the United States that want to do business on Kaua'i as well and sell their product here. Having said that, we have inadvertently opened kind of Pandora's box that is making it easier for everyone else, but now we have to have an additional person that can service and sit behind that computer and be the sole source contact for all these licensing questions. In the past, we did not have this kind of person, we have been counting on the staff that we had in place, and after COVID-19 we are down to six (6) staff members. We temporarily eliminated the Private Secretary position, and we were down an Investigator IV at the time, so we were down an investigator and an administrative staff, so again, "kudos" to Clarence, because he was our lifesaver going through the whole time when we had no staffing. Also, our investigators were diligent in processing the applications, which is actually not part of their position description, so everyone was "all hands-on deck" that was coming through, and we

were making this ship go forward. Now that we are bouncing back, more businesses are coming in, it is going to be hard for us to maintain that system and be consistent in providing the customer service that people are expecting of us to process their applications and become in-business on our island. As a current band-aid, we had to add in a current 89-day contract position. Once again, we reached in locally, we have a person that was willing to come in that was from the island, and she has been helping us on that contract. Unfortunately, that 89-day contract is not a permanent position. This person is willing to apply for that position as a permanent position if we permit that to become permanent and having that position available would continue to allow us to provide all these services that we are wanting to do. We are not at a point where we want to be completely, because we have a lot more programs that are in the works right now with our developers. Software, we are moving towards online renewals, as well. June is our busiest time for the Department of Liquor, because everyone on-island has to renew their liquor license at that time. Having that said, our module for renewals should launch in May of this year, so everyone on the island will now instead of having to deal with bringing their paper in, paying with a paper check, will now be able to do it from the convenience of their store without having to leave their stores and have that downtime for having to process paperwork. All-in-all, everyone is going to be winning. The best part about it is the Department of Liquor was able to seek out the use of all these programs at zero (0) charge to the Department of Liquor. We implemented all these programs, and it has not cost us a dime to do it. I kind of see it as an asset to our department, because it is free, we just need to have a person that can manage that position the whole time. The other portion is, now we are making online payments for our cards, which are the manager cards that people are required to take to be in charge of the premises, those are also being processed completely online. All our direct wine shippers, as you will start looking later on in our budget it does show an increase on revenues, and that is because we are starting to collect additional funds and increases on off-island contributors that has brought in a lot more money to our department. I am kind of winded, but there you go.

Council Chair Rapozo:

Thank you very much. Councilmember Cowden.

Councilmember Cowden: First of all, I want to really commend you, because when you took this position, I remember in our first meeting, your goal was to be bringing us more online to be able to be dealing with a lot more volume, so I want to acknowledge that you have done well to hit your goal, I am sure it is ongoing. I am trying to look at where we have the money coming in, like we have talked about golf being an enterprise program, mostly the Liquor Commission and the Department of Liquor get your money from the vendors, right? They sell alcohol.

Mr. Sandoval:

That is correct.

Councilmember Cowden: It seems like since COVID-19, and continuing, people are just drinking more alcohol, or is that just because the dollars of the alcohol has gone up, is it inflation or is it just so much more drinking going on the island?

Mr. Sandoval: The consumption has increased, and that has a lot to do with the opening back up to the tourists. During COVID-19, we were expecting to have a very low amount of revenue coming in, we were expecting to be about \$80,000,000 that was supposed to be reported, we ended up clearing \$156,000,000, so people were just drinking. The amount of revenue being generated was really high. Now, with additional licensees and the other fees that are coming in, that number is going to be...we are expecting it to be higher than what it was coming out of COVID-19.

Councilmember Cowden: So, business is good. I am not sure that is necessarily healthy for everyone, but business is good. So, we are bringing in more money. When you are talking about the licenses, that is also wine companies, and things like that who are sending alcohol through the mail, would that be right?

Mr. Sandoval: Yes, that is correct. We are approximating that there are five hundred (500) wineries that would be contributing to our fund. In the past, the reason that amount went up was historically, we had only been charging them \$48, and then we raised it to \$180, which increased our revenue to \$90,000 a year just on wine from the mainland.

Councilmember Cowden: I remember that was another thing you brought from your experience in Texas, if I remember correctly.

Mr. Sandoval: Yes.

Councilmember Cowden: I just want to acknowledge you. You have made some recommendations and appreciate the success in that.

Mr. Sandoval: Thank you.

Councilmember Cowden: When we are talking about having more applicants, are we opening more bars and small businesses distributions of alcohol, or is it mostly more sources of alcohol somehow getting it to Kaua'i?

Mr. Sandoval: We are having both. The direct wine shippers are increasing. The amount of local establishments, restaurants, and dispensaries are increasing on-island, which is a positive. The revenues that have been generated from the licensing that are doing business on-island have remained the same. The money that has been increased is all the money that we are taking from the mainland, people that are wanting to come in, so nothing changed from the local level on revenue basic fees, it all has been an increase on the outside source.

Councilmember Cowden: Relating that back to the golf course conversation, our people who are here are doing well, and we are not burdening our businesses that are in recovery, and we are thankful, maybe not for the level of alcohol being consumed, but we are thankful that our local businesses were able to have the stamina to make it through being

closed, but we are not adding burden, we are making the money from the continental United States businesses wanting to join our business here.

Mr. Sandoval: One thing I would like to add if I could is, the additional money that is coming in from the mainland, it is obviously going into the Liquor Fund, which ends up allowing us to increase that fund. At the end of the year, we still have our expenses that we are paying, our liabilities, and if we have additional money that is being brought in from the mainland, it ends up going towards our carryover. My goal was to increase the amount of money that is coming in to keep that carryover higher, so that way our licensees on-island pay lower fees, so I am trying to take it from another source so that there is no burden on-island, a lower burden on-island, I guess you could say.

Council Chair Rapozo: I thought the Liquor Fund, whatever you collected in the fees had to go back to the licensees.

Mr. Sandoval: Good question. Statute actually allows them to do either a credit towards the license or you can refund it. At one point, it was my understanding that checks used to be cut and sent back to the licensees, if that was done now, basically, the fee that they would pay would be increased, so it is like being saved, then credited towards them.

Council Chair Rapozo: So, your carryover is the credit?

Mr. Sandoval: Yes, the credit is the carryover.

Council Chair Rapozo: Okay. My point is, that carryover cannot be used for anything else other than credit back to the licensee.

Mr. Sandoval: It is not a good idea to use it.

Council Chair Rapozo: I do not think that is legal the way I read the...because it had to be returned, right?

Mr. Sandoval: Twenty percent (20%), we keep on reserve, then we try to just be fiscally responsible in sending our money back.

Council Chair Rapozo: That is good.

Mr. Sandoval: We have been able to keep our carryover high, which is above twenty percent (20%), and that in turn obviously keeps the percentage rate low.

Council Chair Rapozo: Okay.

Mr. Sandoval: That is my goal. Obviously, we get our money from that, or our operating budget from that fund, but we know, and everyone in the office knows, we cannot spend it to \$0, because if we do, ultimately, the percentage fee is going to skyrocket, because there will be no money for us to pad the next year's percentage fee.

Council Chair Rapozo: Got it.

Mr. Sandoval: That is how we have been operating, so there is no burden to the licensees.

Council Chair Rapozo: Thank you. Are there any other questions for the Department of Liquor Control? Is there anyone who wants to testify? Are there any employees from the Department of Liquor Control who want to testify? If not, we will stand in recess until tomorrow morning at 9:00 a.m. Thank you.

There being no objections, the meeting recessed at 1:04 p.m.