

## Department of Parks & Recreation

Honorable Addison Bulosan  
Honorable Bernard P. Carvalho, Jr.  
Honorable Felicia Cowden  
Honorable Bill DeCosta  
Honorable Ross Kagawa  
Honorable KipuKai Kuali'i  
Honorable Mel Rapozo

The Committee reconvened on April 4, 2024 at 9:01 a.m., and proceeded as follows:

Council Chair Rapozo: Good morning, everyone, and welcome back to our budget hearings. We will start off with public testimony. We have one (1) registered speaker, Maka'ala Ka'aumoana.

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

MAKA'ALA KA'AUMOANA: Good morning. I am Maka'ala Ka'aumoana, testifying today on behalf of the Hanalei Makai Watch Program and our relationship with the Department of Parks & Recreation. Thank you for receiving the briefing that we did for you folks from the Statewide Makai Watch Coordinator. You now have a better sense of what that report is about. I strongly support the Department of Parks & Recreation's request for a dedicated ranger for the North Shore. I think you heard some of that from Kirk Deitschmann, the Statewide Coordinator for Makai Watch. It is just too long of a distance. By the time we call for help, the trouble is *pau*. The calls are supposed to go through the Kaua'i Police Department (KPD) dispatch, and they are supposed to radio to the Park Ranger. That has not sped up response. We have a solid partnership between the community, the County, and the State, and we are trying to support that. We have built a dedicated community support system for supporting enforcement of parks, but we need the rangers to be there. Visibility is key for the park permit enforcement. It is my personal opinion that if the County is going to issue a permit, it should be prepared and capable of enforcing it. Otherwise, why bother? Right now, there is very, very little and when they come, they are not well-trained. I just got a copy of the budget and I would sure like to see, or at least participate in some of the training that occurs, at least for areas that have specific park issues and park permits. We are also experiencing a gap in community communication with the department regarding permit applications. There have been other activities. This is not just surf schools. This is not just boating. There have been events in the last couple of years that have demonstrated an inconsistency of response to the applications. The response that I have seen from the Department of Parks & Recreation has been, "We would love to have you come back at any time, to an application that the community rejected—lights after dark, loud noise, structures being built. I do not have a personal problem with those types of events, but the process is inconsistent. Where the community needs to be consulted is whether these types of events are acceptable and okay for Hanalei parks. All of them. We all know that we welcome State canoe races and all those types of things, so it is not like we are anti-events. It is just that this is a residential area, there are homes nearby. I know many are vacation rentals, but not all are, and it is important to us that we have some communication with the Department of Parks &

Recreation on this application review process. We can do that in one (1) conversation to just establish parameters. We are not asking for a call every time someone applies for an event. If we had a set guardrail for what is and is not acceptable, that would be very, very helpful. It is divisive to the community, because some people will support the event and some people will not, but if there is a policy or guidance in place, then we do not need to have that *hukihuki* in the community. Consistency is key for both enforcement and for application processing. That is all I really have today. I just got ahold of the budget today and I will send testimony if I have anything additional. The new position is in the budget. We want you to fund it and we want it dedicated to the North Shore. However you have to do that, we will certainly help and support politically if you need that help, but that is key. It may set a precedent for other parks, but that is okay, too. It is just the distance. *Mahalo*.

Council Chair Rapozo: Thank you. Go ahead

Councilmember DeCosta: Thank you for all you do and thank you for your active role on the North Shore. I am really impressed with all that you do. Did you have this conversation about the park ranger with the Department of Parks & Recreation to get some community input?

Ms. Ka'aumoana: We have been begging for a dedicated ranger for four (4) or five (5) years.

Councilmember DeCosta: Specifically, would you see his or her responsibilities to be at the County beaches?

Ms. Ka'aumoana: The County parks in Hanalei, and for now, unless there is a shift, they can cover Hā'ena Beach Park as well, which would be a distance, but the County parks on the North Shore are what I think would be the appropriate assignment. Obviously, we can keep them busy in Hanalei parks. It is not just Black Pot. It is Hanalei Pavilion Beach Park and Wai'oli Beach Park as well.

Councilmember DeCosta: Thank you so much.

Ms. Ka'aumoana: Sure.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: What about 'Anini Beach Park? 'Anini has a lot of concerns.

Ms. Ka'aumoana: I am not concerned with Wanini. Wanini can...

Councilmember Cowden: Wanini.



Ms. Ka'aumoana: I was taught by Linda Akana to say Wanini, so I honor and respect her.

Councilmember Cowden: Yes, Wanini. Are you not concerned about Wanini?

Ms. Ka'aumoana: It is not my purview. My job is Hanalei.

Councilmember Cowden: Okay.

Council Chair Rapozo: Thank you. Is there anyone else wishing to testify? Mr. Hart.

BRUCE HART: For the record, Bruce Hart. Good morning. We are moving right along, but it has occurred to me several times. I would like to ask the Council to fund a clean up or spruce up of this building. The men's bathroom downstairs could use some renovation. It could use some painting. I would like to see the carpets cleaned or replaced, and just a general spruce up. I do not get to go into the kitchen area or other areas, but maybe there are some things that could be improved in there. Maybe information technology (IT), too, who is coming up. If you need any IT renovations or the electronics. All of it. Just look at everything, okay? Let us spruce up this building. Let us bring it up. Thank you.

Council Chair Rapozo: Thank you. Is there anyone else wishing to testify? If not, we will proceed with the Department of Parks & Recreation and start off with the Administration for an overview. Members, we will go through the presentation that we have here, then we will go through the individual divisions within the department.

PATRICK T. PORTER, Director of Parks & Recreation: Good morning. Pat Porter, Director of Parks & Recreation. Basically, we want to go over some of the major changes that were proposed in this year's budget. We will just start with that. We are asking for two (2) new positions in this year's budget, and one (1) of them is the North Shore ranger that Maka'ala was talking about. I guess we can go into more detail when we get to that section where it is in the budget. The other position is under the Facilities Maintenance Division, which is going to be like a mid-level supervisor in that division. It is a long time coming. We are requesting a new excavator, and it is to replace our old back hoe that is currently in and out of the shop a lot and is aging. Instead of getting a back hoe, we are moving towards the newer type of equipment—a mini excavator—which is more conducive to the type of work that our equipment operators do under the Department of Parks & Recreation. Along with that is a trailer to pull it. We have the trucks, so a new trailer. In this current fiscal year, we have funding and have ordered a replacement mobile sound stage to replace the old wooden stage. In this next proposal, we want to replace the existing mobile sound stage, so we are putting that in. Then there are two (2) replacement mowers for the golf course. Those are the major additions we have for this proposal.

Council Chair Rapozo: Is that all? Did you say you have two (2) new positions?

Mr. Porter: Yes. We are requesting two (2) new positions.

Council Chair Rapozo: Your narrative is just showing the park ranger. I am sorry, what is the other one?

Mr. Porter: Yes, it was a late addition into the proposal.

Council Chair Rapozo: What is that one?

Mr. Porter: That is under the Facilities Maintenance Division and is like a mid-level supervisor for operations of facilities maintenance.

Council Chair Rapozo: Are there any questions on the overview?  
Councilmember DeCosta.

Councilmember DeCosta: Thank you. Thank you, Pat, for your team. You folks always seem pretty concise with how you ask for what you need and your descriptors. I wanted to know more about that mid-level position. What is the big outcry for that? Is it more operational of the working people or is it more keeping track of sick leave and vacation, and more office-related tasks? What will this mid-level position be?

Mr. Porter: No. It will be tied to the operations.

Councilmember DeCosta: Tied to operations.

Mr. Porter: Yes. It is more an operational clean up of the Division. Currently, the way the organizational structure is under the Facilities Maintenance Division is that we have two (2) sections. We have the trades and maintenance workers under one (1) section, and we have the janitorial under another section. Currently, we have that mid-level supervisor overseeing the janitorial section, but on the maintenance side with the carpenters, the plumbers, and the maintenance workers, we have the Division head directly supervising those United Public Workers (UPW) workers without the mid-level supervisor, so this is in an effort to clean up that organizational structure and provide that oversight at that level.

Councilmember DeCosta: Do you know if we have that same structure with the mid-level supervisor in the other divisions?

Mr. Porter: Yes, so this will be consistent across the board at the County.

Council Chair Rapozo: Councilmember Kualii, then Councilmember Cowden.

Councilmember Kualii: On the new position for the North Shore, in the narrative, it said the officer will also concentrate on parking issues that have become more of a concern since the State Department of Land and Natural Resources (DLNR) changed the access to Kē'e Beach. Will this position issue parking tickets?

Mr. Porter: No.

Councilmember Kualii: No. Does the State issue parking tickets? Will they just chase people away?

Mr. Porter: It will be more to control the flow out there during really bad times. They would have other responsibilities, too, but that was the idea.

Councilmember Kualii: Thank you. That is all.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: I have a follow-up and I wondered if Wally had something to add to that. It looked like you did.

Mr. Porter: They have jurisdiction within the parks to do...but with that, a lot of the issues over there are along the State highway. If it was within the park boundary, which is the parking lot and the park itself, the ranger would have jurisdiction over that. As far as the State highway where there is a lot of the congestion, they would not have jurisdiction over there.

Councilmember Cowden: I have a follow-up to that and then a fresh question. On a busy day, the entire town of Hanalei becomes a parking lot, right? Every side of the road, every church area...He is not going to have jurisdiction over that. Is that correct? No. That would be overwhelming, but that is a parking issue. With our small equipment repair operation, I am really happy to hear that it lightens the burden maybe somewhere else and works on that. Where exactly is that located? Is it at the Kapa'a Baseyard across from the Bryan J. Baptiste (BJB) Sports Complex?

Mr. Porter: Yes.

Councilmember Cowden: Is that like weedwackers and things like that? What do you do?

Mr. Porter: From riding lawnmowers to weedwackers to all small engine...

Councilmember Cowden:                      Okay. That is great.

Mr. Porter:                                      Yes.

Council Chair Rapozo:                      Councilmember DeCosta.

Councilmember DeCosta:                      Pat, I have a follow-up first, then a new question. With the new park ranger, I think the County just hired another park ranger for the bike path. It seems like we are moving to this park ranger to help supervise or keep some type of government control over what happens in parks for the County, but you talk about traffic at Kēʻē Beach. You mentioned the parking. Do we not already have an attendant at the guard shack at Kēʻē Beach?

Mr. Porter:                                      This is at Hāʻena Beach Park. Kēʻē is under DLNR Division of State Parks and this would stop...

Councilmember DeCosta:                      The Hāʻena one right before?

Mr. Porter:                                      Yes.

Councilmember DeCosta:                      Okay, so will he or she take care of Hāʻena and then move further towards Hanalei?

Mr. Porter:                                      Yes, so Hāʻena would be the most north boundary. Hāʻena Beach Park would be the most north boundary for this ranger, then back towards Hanalei. They will even have jurisdiction over ʻAnini, too.

Councilmember DeCosta:                      May I ask? You did not include it in the budget, but this person will need some type of transportation, whether it be a utility task vehicle (UTV), an all-terrain vehicle (ATV), or a little truck. Maybe I am getting a little ahead of myself, but I am just looking at how we can support you. If we decide to have that position, do you need a vehicle for the person in this position to use?

Mr. Porter:                                      Yes. We added that in.

Councilmember DeCosta:                      You have that? Okay. Do you plan to train this person like how you train the other rangers?

Mr. Porter:                                      Yes. One (1) thing to add is that...Makaʻala was talking about the Makai Watch. This ranger will work closely with the Makai Watch as far as oversight of the North Shore area. Makai Watch is a statewide program that is under DLNR and liaises with the counties, so it is already an established program. This ranger will liaise with that program as well.

Councilmember DeCosta: But the ocean is not owned by the County. It is owned by the State, right?

Mr. Porter: Yes. It is a working group. It is a working group that includes the State and the County. This person will be a part of that working group.

Councilmember DeCosta: My new question is in regard to that excavator. What size excavator is that, Pat?

Mr. Porter: It is a six-ton excavator.

Councilmember DeCosta: Okay. The County loaned excavators out when they went to Anahola to do a cleanup. I noticed that fire mitigation is a big thing with the Fire Department. Are you planning to help the Fire Department if they need to use an excavator? Would this be one that would be loaned out in case of a fire break road that needs to be cut if a major fire is happening and different departments need to be supported?

Mr. Porter: Yes.

Councilmember DeCosta: Is this excavator big enough to support the Fire Department in their fire mitigation plans?

Mr. Porter: Yes, it could definitely help out and do projects together with the Department of Public Works.

Councilmember DeCosta: That is perfect. Thank you.

Council Chair Rapozo: Where are we on the discussion with the State taking over Hā'ena Beach Park?

Mr. Porter: We are still in discussion.

Council Chair Rapozo: Is that going to happen?

Mr. Porter: It is going to happen. I am confident it is going to happen. It seems like DLNR Division of State Parks wants it and they see the potential on how having jurisdiction over that...essentially, when Kē'e Beach was modified and they started implementing their program out there, Hā'ena Beach Park sort of became the end of the road. All the problems that were happening at Kē'e Beach moved to Hā'ena Beach Park. Everyone sees that Hā'ena Beach Park now needs to be addressed, because it just bumped the problem out. The Division of State Parks realized that, too, and they see the success of their program and how it can be implemented at Hā'ena Beach Park. We are still in talks with them. They do want it. They see the potential. Of course, the process is a government process.

Council Chair Rapozo: The question was for budgetary reasons. It is not to have a discussion on whether we should or should not. It is because, obviously, that is a large chunk of the workload for the County and if the State takes it over...

Mr. Porter: For budgetary purposes, it will not affect the budget, because in our agreement with State Parks, we are going to have a transition period. There will be about a year that we are still going to...during that transition.

Council Chair Rapozo: The County will still take care of it. Okay.

Mr. Porter: Nothing will change in the budget.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: I have a follow-up on that and I am hearing that you do not want to go into detail, but I wish that this was coming for the Council and to the public to be asked.

Council Chair Rapozo: It will.

Councilmember Cowden: But when I am hearing him saying it is already a made decision and not everyone is happy about it...

Council Chair Rapozo: He did not say that.

Councilmember Cowden: Okay.

Council Chair Rapozo: What he said was that the State wants it.

Councilmember Cowden: He says it is going to happen and we want to give it, and that is really, really sad to hear. It is definitely divisive.

Council Chair Rapozo: That discussion will definitely be heard on the floor.

Councilmember Cowden: I hope it is heard before the decision is made. It sounds like they are already making the decision, but it should not be made without the community being involved.

Council Chair Rapozo: That is more of a legal question, but I do not think the County can give away property without Council approval. I do not know. That is a discussion for a later time. We will find out. Councilmember Kualii.



Councilmember Kualii: This is a follow-up on the excavator. We have one (1) excavator; will this new mini excavator replace the backhoe, giving the County two (2) excavators?

Mr. Porter: That is correct.

Councilmember Kualii: We also have two (2) track loaders. Does a track loader do some of the same types of jobs that an excavator can do?

Mr. Porter: No, track loaders are like your skid steer-type of equipment with the bucket in front and the backhoe has the arm.

Councilmember Kualii: That gives us a total of four (4) machines, and I think I only see three (3) operators.

Mr. Porter: We have three (3) operators. That is correct.

Councilmember Kualii: Will one (1) machine always be sitting or be backup?

Mr. Porter: One (1) of those skid steers is a tire skid steer, the other is a track skid steer. They are for different purposes. Three (3) machines will be running at all times.

Councilmember Kualii: One (1) of the justifications you gave was, "Often we need to rent a second one to address park needs," so can you provide us the information on what the rentals have been for the last two (2) or three (3) years?

Mr. Porter: Yes.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Also, like we asked for the Department of Public Works, because they have a large equipment budget this year, provide us with a breakdown of the justification. Is it going to be replacing an older piece of equipment? Is this new equipment? Is it going to be sitting? How much are you expecting to use it? I think we can share, especially with the Department of Public Works. I do not think those machines run eight (8) hours a day, every day, at every site, so I just want to see the justification of why we need it, because we are talking about millions of dollars of equipment this year. This is the same as the Department of Public Works. If you can, provide a justification sheet.

Mr. Porter: Sure.

Council Chair Rapozo: Is there anything else on the overview? Go ahead.

Councilmember Carvalho: I have a quick follow-up question on the mobile stage. I think we talked about it being heavily used. I am asking just for clarification. You already have one (1) on order, and you will order one (1) more, so you will have two (2) brand new stages, right, for the people to use at the end of the day? I am just clarifying that.

Mr. Porter: Yes.

Council Chair Rapozo: Are you retiring the one (1) that is out there now?

Mr. Porter: Yes. If this one is approved, then we will be retiring that one.

Council Chair Rapozo: How old is that one?

Mr. Porter: I do not know.

Council Chair Rapozo: Is it ten (10) years, fifteen (15) years?

Mr. Porter: No, it is longer than ten (10) years.

WALLACE G. REZENTES, JR., Deputy Director of Parks & Recreation: It is in need of a lot of service.

Council Chair Rapozo: Yes, and you know, I was looking at that thing at one of the events and we need to really put this into the maintenance schedule so we get the best use out of it. Corrosion control...these things rust and we need to make sure we do everything we can to make it last.

Mr. Porter: To piggyback on that, we are also asking for two (2) forty-foot containers with hoop roofs. That is where we will store those stages. It will be under those at the Kapa'a Baseyard.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I have a follow-up. Thank you for bringing up that rust component. Pat, I am a stickler for the equipment that I own and with the oil change service. There is an itinerary sheet that the operators check, right? Grease the machine before using the machine. That is one that many workers do not like to do because their hands get a little greasy. Put the gloves on, get the grease nipples, and put some grease in the tracks. We have that program set, right, with the check sheet and those personnel who are accountable for driving that equipment?

Mr. Porter: Yes.

Councilmember DeCosta: That is perfect. Thank you, Pat.

Council Chair Rapozo: Are there any more questions? Councilmember Kualii'i.

Councilmember Kualii'i: On the back page, on Operational Challenges, you talk about the high use of camping at the parks, so it makes it difficult to do larger repairs—plumbing, septic, electrical, carpentry—because people are camping all the time and then you say, “We will develop and consider rule changes and other operational changes to address this challenge.” Do you have any more about that? What does that mean? Will you come back to us and propose different hours or different days?

Mr. Porter: Yes. It is all of that. We are looking at the Ordinance and seeing what types of changes we can make to improve the campgrounds. We have been drafting it up, so that is something we will come back to the Council with.

Mr. Rezentes: In the interim, we have done temporary closures to have the appropriate staff from facilities maintenance and park maintenance go in and do necessary repairs and refurbishments on a one-off basis. That has been happening pretty consistently in the last two (2) or three (3) years.

Councilmember Kualii'i: Are you trying to evolve from having to sporadically do temporary closures here and there to have it as a schedule and then you can tie it back to your labor needs, equipment needs, and all of that?

Mr. Porter: Yes, and there are some things in the County Code that we think could be cleaned up to help us improve the overall management of the campgrounds. Those are the types of things we are looking at.

Councilmember Kualii'i: Finally, if the draft is in the making, when do you expect to come before the Council?

Mr. Porter: We have had it reviewed by the County Attorney and there were some questions the attorneys had that we are going to answer.

Councilmember Kualii'i: Will it be soon, like in the next three (3) to six (6) months?

Mr. Porter: Yes.

Councilmember Kualii'i: Thank you.

Council Chair Rapozo: I had discussions with the Mayor about possibly expanding or extending the shutdown time of a park to let that park breathe a little bit. Is that part of the considerations as well?

Mr. Porter: Yes, that is part of it.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I have follow-up on the last page about the level of beach park camping. We spoke a little bit about that privately with you folks, our department head, and Councilmember Bulosan. Did you ever come up with an amount of permits that we can shut down to non-residents, wherein when they go online and try to book these permits one (1) year in advance that we have a shut down limit so our local families can actually have a camping permit, because a lot of local families do not book their camping trips one (1) year in advance, but the non-residents who live outside the State of Hawai'i like to book their trips in advance because that is how they plan their Mainland United States (U.S.) vacations? Do you have a set number of permits that was decided will be held for non-residents and what is the amount that will be held for residents? Do you have something like that in place?

Mr. Porter: No, we do not have that in place.

Councilmember DeCosta: Why not?

Mr. Porter: We are looking at trying to address the non-resident versus resident camping in other ways. Setting the limits...I do not know if we are there yet to be able to come with those established limits, but in other ways, as far as fees for residents and non-residents...we are looking at all of that to see how we can control that.

Mr. Rezentes: Part of our proposal is going to be increasing the fee structure for the visitors substantially.

Councilmember DeCosta: That is nice, Wally.

Mr. Rezentes: We have been talking with Kaua'i Visitors Bureau as well, and they are in support of going along those lines. Right now, it is virtually free. It is a very reasonable price. When we compare that to other locations, even with locations at the State level, we are really, really far down on the bottom. We have not touched that in a number of years.

Councilmember DeCosta: Do you need some support in a division?

Mr. Rezentes: As part of the proposal that Pat mentioned, it is going to include the fee structure increases.

Councilmember DeCosta: I understand. Let me finish what I was going to say. Do you need some support in personnel to run this program and create this document online? Do you have someone in place who can do something like that?

Mr. Porter: Yes, we have our Permitting Section already in place and everything is online now.

Councilmember DeCosta: Did you folks think about a weekday versus weekend price increase for non-residents? You will raise it substantially during the weekdays, but maybe on the weekend it is almost financially impossible for them to afford the permit, so the local residents can enjoy the beach on Saturday and Sunday. Where do we go? Where is our Disneyland? I heard this before from the Chair and I did it many times growing up. We go to the beach, we camp, we fry *opelu*, we sit down, we make stew, we enjoy the beach. Now we cannot. There are too many non-residents crowding our beaches, so please think about doing something like that so we can curb this problem.

Council Chair Rapozo: Are there any other questions on the overview? If not, we will get into the budget. We will start off with the Administration page. On the bottom right, it is page 198. Go ahead.

Councilmember Kualii: There are only five (5) positions here. None are on the vacancy report, so you are fully staffed. Do you anticipate any vacancies and has anything happened since the March 15<sup>th</sup> report? Are there any potential upcoming retirements?

Mr. Rezentes: No, not in the Administration.

Councilmember Kualii: Okay. Thank you.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: On the bottom, where it is talking about Kaua'i Seabird Habitat Conservation Plan (KSHCP) for four hundred twenty-five thousand dollars (\$425,000), I know this is reoccurring, but can you explain to me again what that four hundred twenty-five thousand dollars (\$425,000) pays for? Is it the keeping of the habitat at the top of the island for the birds to nest? What does it do?

Mr. Porter: That is part of it. As a participant of the Kaua'i Seabird Habitat Conservation Plan, we have to pay an annual fee to be a part of it. On top of that, there are other mandates that we have for which we hire out, such as the Save Our Shearwaters. They have a contract with us on that. All of that comes out of this line item.

Councilmember Cowden: The four hundred twenty-five thousand dollars (\$425,000)?

Mr. Porter: Yes.

Councilmember Cowden: I know we have issues with lights and things. Does that come out of this or is there a different way that lights pointing the right way is handled?

Mr. Porter: This one is mostly for those mandates under KSHCP. Lighting comes out from different moneys.

Councilmember Cowden: My next question is the top of the next page.

Council Chair Rapozo: Okay.

Councilmember Cowden: It is under the same basic heading, because it extends.

Council Chair Rapozo: I have follow-up. Are you going to talk about the take permit?

Councilmember Cowden: Yes.

Council Chair Rapozo: Okay, go ahead.

Councilmember Cowden: I will just talk about the feral cat control. We have a contractor who also contracts with the State, correct?

Mr. Porter: That is correct.

Councilmember Cowden: That is for predator control.

Mr. Porter: One hundred percent (100%) of this goes toward our predator control contract.

Councilmember Cowden: Does the State also have a companion predator control contract with the same contractor?

Mr. Porter: They might. I am not sure.

Councilmember Cowden: Is this for our parks project properties?

Mr. Porter: This is also a mandate under KSHCP. As a participant, we are required to do a predator control at County facilities.

Councilmember Cowden: The Kaua'i Humane Society also wants to respond on this request for proposal (RFP). Is that a different way of controlling those predators?



Mr. Porter: No. Our contract has expired for the existing contract.

Councilmember Cowden: Okay.

Mr. Porter: Right now, we are drafting the RFP to go back out for bid. From what I hear, the Kaua'i Humane Society is interested in bidding on the new contract that will come out.

Councilmember Cowden: Will that still come up as a decision between who the County goes with and how the County goes with it?

Mr. Porter: It will go through the normal procurement process.

Councilmember Cowden: Okay.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: Following up on that. When you say, "Predator control contract," is it to one (1) individual company?

Mr. Porter: That is correct.

Councilmember Kualii: Would you recognize this company if they are out there doing their job? Do they have marked vehicles? Do they wear uniforms? Are they regular looking people with their regular looking car that does not necessarily hold cages or anything like that?

Mr. Porter: Because they are cross-departmental facilities...they are all fixed sites. They do not change sites all the time. In the contract, it has the fixed sites of where the County is doing these predator controls, so we work with that department and let the individuals who are there know we are doing trapping at the facility.

Councilmember Kualii: Are they trapping and bringing them to the Kaua'i Humane Society? What is happening? Are they euthanizing?

Mr. Porter: It is a combination. I think some of them are dispatched and some are taken to the Kaua'i Humane Society?

Councilmember Kualii: What are the areas that this is being done? Is it only on our County lands or do we support it?

Mr. Porter: No, this is only for County lands.

Councilmember Kuali'i: It is just County lands. Is this our parks, our parking lots, our facilities, and our facilities' parking lots?

Mr. Porter: We have a couple of parks, transfer stations, and some of the housing developments. It is scattered. Currently, we have thirteen (13) sites.

Councilmember Kuali'i: For how long has this been going on?

Mr. Porter: Since we signed the Habitat Conservation Plan (HCP), which was in 2020.

Councilmember Kuali'i: Is this what is required?

Mr. Porter: It is mandated under the HCP.

Councilmember Kuali'i: At that level?

Mr. Porter: Yes, it is federally mandated.

Councilmember Kuali'i: It is for County properties. For anything that is happening in, for example, the Walmart parking lot, is that other people?

Mr. Porter: That is correct.

Councilmember Kuali'i: Thank you.

Council Chair Rapozo: Is that only for cats?

Mr. Porter: No.

Council Chair Rapozo: Your main item here just says, "Feral Cat Control."

Mr. Porter: It is the predominant predator, which is cats.

Council Chair Rapozo: What is the County doing other than for cats?

Mr. Porter: We do have a permit to do pigs. It is at transfer stations, where the pigs go. Rats are approved, but it is mostly cats. They are the main predator.

Councilmember Kuali'i: Is all of that—pigs, rats—included in the one hundred twenty thousand dollars (\$120,000)?

Mr. Porter: Yes.

Council Chair Rapozo: Councilmember Kagawa, do you have a question?

Councilmember Kagawa: I have a follow-up.

Council Chair Rapozo: Is it about the lights? I have a question about the incidental take permit.

Councilmember Kagawa: You can go first.

Council Chair Rapozo: Obviously, Kaua'i Interscholastic Federation (KIF) cannot play at night, right? The whole community thinks it is the County that is stopping them. Is it true that KIF made the decision? What is the process to play at night? Do they need to pay a deposit? How does this work? I want to clear this up once and for all, again, because we are blamed for everything.

Mr. Porter: Yes, it is true. KIF has chosen to play predominantly day games that are after September 15<sup>th</sup>. Basically, how it works is every year, before the fledgling season, before September 15<sup>th</sup>...fledgling season is from September 15<sup>th</sup> to December 15<sup>th</sup>. One of the steps that is done is the Federal government does a risk assessment. We ask KIF for their proposed game schedule. We turn that over to the U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service does a risk assessment based on weather conditions—moon phases and those types of things—on whether that night, for example, that given Saturday night is a low-risk, a medium-risk, or a high-risk night. Under our HCP, incidental take permit, and incidental take license, we have negotiated saying that we will not offer night games to high schools for all the ones that were deemed high-risk. For anything that is medium-risk and low-risk, there is still an option. We took that back. We told KIF, "Based off of the risk assessment, these are the nights when you can have night games." It could be scattered all over. One of the issues that came up, which is why I think they only do day games and because they have been pretty consistent with this in the last few years, I do not mind sharing it with you folks, when it is all said and done, Waimea High School might have three (3) night games. And Kaua'i High School might have one (1) game based off the moon phases and whatnot, then it becomes that they want consistency and fairness across the board, so they have chosen to only do day games. That has been the main...

Council Chair Rapozo: Is that the real reason why the games are not being played at night?

Mr. Porter: That is correct.

Council Chair Rapozo: I think that is really important for the public to know, because former-Mayor Carvalho and Mayor Kawakami were hammered. Pat, you, too. We always get it. I was sort of surprised to hear it. It makes no sense. If you put it out to the teams...when Spectrum Oceanic channel sixteen (OC16) did a game last season...they did a televised game of the Hawai'i High School Athletics

Association (HHSAA) and it was okay to play that night game so they could get that television (tv) coverage. That is what makes the parents wonder why they can play, but we cannot. I just wanted to make sure the public understands that. By a very simple agreement with the schools that this year, it might be Waimea High School that has three (3) games, next year, it might be Kapa'a High School, and the following year, it might be...it is either that or only play Saturday day games. I do not think KIF communicated or got consensus. It is just for the public to understand that is how it is. They have the opportunity except for high-risk nights. Do you recall how many high-risk nights there are? Does it change every year?

Mr. Porter: Yes, it changes every year.

Council Chair Rapozo: Okay. Councilmember DeCosta.

Councilmember DeCosta: I have a follow-up. Sorry Councilmember Kagawa. Pat, I am not being facetious, but it may seem like I am. Do we not own Vidinha Stadium? Do we not own Hanapēpē Stadium? Do we not own the Bryan J. Baptiste (BJB) Sports Complex in Kapa'a? Is it owned by the State or the County?

Council Chair Rapozo: It is owned by the County.

Councilmember DeCosta: Do we have the purview of saying the football stadium is closed during the noon to 5:00 p.m. period and that the only available time is from after 5:00 p.m.? How is that, Mr. Porter? Let the Federal government and the State government deal with that. Thank you.

Council Chair Rapozo: Councilmember Kagawa. I am sorry. I skipped you.

Councilmember Kagawa: From back when we were working on it, we determined with DLNR personnel who had the expertise that feral cats probably cause more deaths than the lights, so we asked why more focus was not on catching the feral cats, which would bring up the population and maybe we can go back to how it was before when we only played night games. We played against Lenny, and Cremer and his brother, and the stadiums were filled every game with local families on Friday nights. They packed the stadium. Now, it is sad. It is empty. For a good game, maybe there are one thousand (1,000) people. You would probably get over three thousand (3,000) people. Now, with double the population, you would probably get even more than that. It is just frustrating. Does our feral cat contractor focus on areas where the shearwaters are? Our feral cat contract only focuses on County parks, right?

Mr. Porter: They focus on County facilities.

Councilmember Kagawa: County facilities. That answers the question, right? The shearwaters do not habitate at our County facilities.

Mr. Porter: We are getting pressure from the Federal government to provide predator control at all County facilities that have lights on during the fledgling season.

Councilmember Kagawa: Again, that just does not make sense, because the feral cats are killing the birds in their habitat. They are not killing birds...the amount that the feral cats are killing that are dropping from the lights is immaterial. It does not make sense. Why do we not argue about it?

Mr. Porter: Just for your information, the thought process for that is the lights attract the birds, the birds go down, hit the ground, and are injured, the predators are on-site and will eat the injured birds. That is the whole thought process. That is the pressure that we are getting from the Federal government.

Councilmember Kualii'i: They are literally sitting ducks.

Councilmember Kagawa: In reality, the feral cats are eating the chicks and the eggs in the habitat where they are nesting, right, which is not on County property?

Mr. Porter: Yes.

Councilmember Kagawa: Another thing, when you said the Kaua'i Humane Society has offered to enter into a contract, in a budget meeting with myself and Chair Rapozo, we just heard that the Kaua'i Humane Society does not believe in killing cats. They only believe in spaying and neutering. What are they going to do? Will they catch twenty (20) cats at the 'Anini campsite, spay and neuter them, and bring them right back there? I would rather go with Mission, who will eradicate the cats so that when you wake up at night when camping, you do not see twenty (20) cats on your tables, eating all your food. We need to watch what the Kaua'i Humane Society does when they bid, because they only believe in spaying and neutering. When you talk to them, you sort of agree, too. You kill one (1), while ten (10) are born at the same time. It is just like nut grass, where you pull one (1) and ten (10) come up. Please watch. I would rather go with Mission or whoever will actually do what the contract says, which is to get rid of nuisance feral cats at County facilities. I think that would give us at least temporary relief.

Mr. Porter: We will make sure to write that into the contract as part of the terms.

Councilmember Kagawa: Thank you.

Council Chair Rapozo: Councilmember DeCosta, followed by Councilmember Kualii'i.

Councilmember DeCosta: I have follow-up on the birds. I am sorry for my facetious attitude on that one. First of all, how many birds die from being attracted to the

light? Do they not just fall on the ground, and then we put them in the boxes? Is that correct?

Mr. Porter: That is correct.

Councilmember DeCosta: How many birds die? Do you have the number that die every year from our lights?

Mr. Porter: I think we have had two (2) takes so far, from this past year.

Councilmember DeCosta: Two (2) takes. What is a take? Is that a death?

Mr. Porter: Let me explain a take. A take does not mean a death. If a bird touches the ground, then it is considered a take.

Councilmember DeCosta: Then you take it to the box. Let us hire a person called the taker; he or she will take the bird when they fall; we will absorb the fines from the Federal government, and screw not playing night games. Let us go back to playing night games; we will hire a staff member to take the bird, and if the bird dies, then we pay the fine. I think this Council will be willing to put money on the side for a fine, I know I am, versus having our children getting dehydrated at a game and suffering physical conditions. Did you know we had an athlete...I believe it was two (2) years ago, who suffered some type of kidney damage due to lack of hydration from playing in a game? Is a human's life not worth more than a bird's? Have we talked to the Federal and State governments about hiring a take person to get these...or put some nets under the light? Can we do that so the birds do not fall on the ground? Have we thought about that? There could be nets that stick out twelve (12) feet from each pole. As they fall, they land on this net, and then we get the bird. The net can be like a trampoline so that the bird does not get hurt. These are logical things that I am talking about versus a child going to Wilcox Health Center because he or she is dehydrated.

Councilmember Cowden: Chair, are we straying off the budget?

Councilmember DeCosta: I want him to answer me.

Council Chair Rapozo: We are still on the take permit. It is a budgetary item, because we get fined. The take permit allows us so many takes, right?

Mr. Porter: That is correct.

Council Chair Rapozo: I was told that a take is not only when the bird hits the ground. When they have these Federal observers, if the bird changes its direction in flight because they were confused by the light, that is considered a take as well. Is that true?



Mr. Porter: Yes. If it modifies their behavior in any way, it is.

Council Chair Rapozo: If the birds are flying at night...I guess they have night goggles. Not the bird, but the observers...if they see the bird make a sudden change because they think the light is the moon, then that is a take.

Councilmember Kualii: They have a truck with the radar.

Council Chair Rapozo: Whatever it is that they use. I do not know.  
Councilmember Kualii, you are next, then Councilmember Kagawa.

Councilmember Kualii: I will go back to cats, so if he has follow-up on the birds...

Councilmember Kagawa: Just to clarify, are there no shearwaters living on the other major islands—Hawaii'i Island, Maui, O'ahu?

Mr. Porter: I do not know. I am not sure. I know they say that Kaua'i has the largest population.

Councilmember Kagawa: Do they have a few shearwaters on the other islands?

Mr. Porter: I would imagine that they do.

Councilmember Kagawa: Do they have any restrictions on football games at night?

Mr. Porter: They do not.

Councilmember Kagawa: That is why you hear some say crazy ideas and whatnot, but it is just frustrating that this is the only island, even though they all have shearwaters as well. It is frustrating. We are not like the other islands as far as things they have do to. Our community values Friday night football. To me, the sport is dying a little because of the long-term effects of this judgement.

Council Chair Rapozo: Is participation in this HCP part of a settlement agreement that we do not have a choice?

Mr. Porter: Yes.

Council Chair Rapozo: The County was sued.

Mr. Rezentes: On the parks side, we are part of implementing the HCP.

Council Chair Rapozo: Right.

Mr. Rezentes: If there is any discussion outside of the implementation, I would recommend that discussion happen at the Office of the County Attorney.

Council Chair Rapozo: We have had that. That is what separates us from everywhere else in the country. We are not the only place that has shearwaters, but it is because of the settlement agreement that the County entered into decades ago that we are bound by and is the reason why the County does what it needs to do. It is unfortunate.

Mr. Porter: To give a big picture, everyone along the way was getting sued. These large environmental groups, like Earthjustice, were suing the U.S. Fish and Wildlife Service saying that they are supposed to govern the Endangered Species Act and they are not doing their job, so they were sued. It trickles down and the end user is the local government.

Council Chair Rapozo: At the end of the day, this is the agreement...

Mr. Porter: Everyone along the way was in litigation.

Council Chair Rapozo: This is not something that we can change, and that is the frustration. There are mitigating things that we can do. I just hope KIF will step up. For all those watching, call KIF and make sure to let them know.

Council Chair Rapozo: Who is next? Councilmember Kualii. Are you on birds?

Councilmember Kualii: No, I am going back to the cats.

Council Chair Rapozo: Go ahead.

Councilmember Kualii: If you are still on birds, go ahead.

Council Chair Rapozo: I think we are done with birds. Does anyone else have questions? Okay, we are back to cats.

Councilmember Kualii: I thought I heard you say that the State also has a predator control contract. In the instances where there is a State property, like the Salt Pans, and the County property immediately adjacent, such as Salt Pond Beach Park, do we coordinate? There is a feral colony there. I do not know if it is still there, but Kuulei and others came and complained about that all the time. Is that one of the sites?

Mr. Porter: Our predator control contract does not coordinate with the State. I believe what Councilmember Cowden was talking about was the *mauka* lands, like the land up in Kōkeʻe.

Councilmember Kualīʻi: For anything that happens at Salt Pond, do you have to deal with it, because the State does not? Is that what you are saying?

Mr. Porter: Yes, we would need to.

Councilmember Kualīʻi: Okay.

Councilmember Cowden: I have a tiny bit of follow-up.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: The Nature Conservancy is also very active at the top, too, on some of those private lands. I think they do their own predator control. Is that your awareness? That is my awareness.

Mr. Porter: They are part of the Kauaʻi Watershed Alliance partnership and that partnership does...

Councilmember Cowden: That is where most of these birds that are really needing the help originate from.

Mr. Porter: Yes, a lot of the nesting is in those upper *mauka* lands.

Council Chair Rapozo: Are there any other questions? Go ahead.

Councilmember Carvalho: I have not been involved with that from the beginning. From what I recall, almost ninety percent (90%) of the *ʻāʻō* are from Kauaʻi versus the other counties, so we needed to address it in a different way. There was a percentage that came forward, but in order to address it, I think it was that we would work with the schools to have our students be part of this process wherein if they were at the game, they would pick the bird up, and put it in the box as an educational...I am just talking about this side of the fence. Unlike the other counties, we were the only county, percentagewise, that hit our island, especially at the stadium. I do not know if that program is still in place.

Mr. Porter: Yes, we have carried that on.

Councilmember Carvalho: What was that?

Mr. Porter: That is still in place. We have carried that same program on.

Councilmember Carvalho: Is it the program in which the children help should a bird fall and all of that?

Mr. Porter: Yes, at the football games.

Councilmember Carvalho: There is a process in place. I just wanted to ask if that was still a part of it. I remember the percentage was so high that we needed to address it in a way that...but I still think that we should play KIF games. We have the option to play three (3), four (4), or five (5) games, but however it is done, I just wanted to mention the process.

Mr. Porter: That is all in place. The County is willing to coordinate the effort to have those night games.

Council Chair Rapozo: I am sure that word will spread after today's meeting. Is there a financial requirement for KIF to play at night?

Mr. Porter: No.

Council Chair Rapozo: Does the responsibility still lie with the County?

Mr. Porter: That is correct.

Council Chair Rapozo: Is the County's take permit what is going to be used?

Mr. Porter: Yes, and the County is still on the hook.

Council Chair Rapozo: Okay, so there is no reason KIF...if we could get a few more games, that would be wonderful. Next is Fiscal on page 202. We talked about the Security Officer, which is new. This is page 202. Go ahead, Councilmember Kuali'i.

Councilmember Kuali'i: The other Park Security Officer I, position 1212, has been vacant since November. It has been one hundred twenty (120) days. It says, "Closed March 6," so you must have just closed the recruitment that you opened. What is the result? Do you have a group of applicants? Are you about to interview? Was a list established? Are you hiring someone off of that list? Where are you in filling that position?

Mr. Porter: We offered the position to someone, and they just declined it.

Councilmember Kuali'i: Did you say they declined it?

Mr. Porter: They declined the position. We are actively recruiting for that position.

Councilmember Kualii: Is this not a grouping of positions where you have a list or group?

Mr. Porter: It is.

Councilmember Kualii: If the first person who you made the offer to declined, can you offer it to the next person?

Mr. Rezentes: After that declination, we decided to reclassify the position to a working supervisor, Park Security Officer II. The intent was to have night and weekend coverage with a working supervisor level so we provide seven-days-a-week better coverage by including a working supervisor position.

Councilmember Kualii: The only thing I am concerned about then is if this now slows down the recruitment to fill it to the point where the person would not start on July 1<sup>st</sup>. Will you have that person onboard?

Mr. Rezentes: We are actively seeking to hire someone as soon as possible.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Go ahead, Councilmember Cowden.

Councilmember Cowden: I am looking at and I actually like that way that this is set up, but can you help me where it says, "Regular Overtime." It has one hundred sixty-five thousand dollars (\$165,000), which is substantially higher than what it was in the past. I am hoping what this means is we put a bucket in for overtime, instead of maybe sucking it out of an unfilled position. I think that would be a good strategy. Why did this go up from twenty thousand dollars (\$2,000) to one hundred sixty-five thousand dollars (\$165,000).

Mr. Rezentes: As you folks may know, we have had a horrendous time recruiting and retaining employees for these park ranger positions. They are SR-13 positions. It is pretty demanding. You have a lot of issues that you need to address on a daily basis from 6:00 a.m. until late at night. We worked with the Department of Human Resources (HR) and Hawai'i Government Employees Association (HGEA), and we came into an agreement to basically pay our workers more as part of a retention and recruiting tool. We are three (3) months into the program and that is what you see. That pot of money is basically spread to all of our nine (9) or so members.

Councilmember Cowden: Would you call this a hardship adjustment? Is this a way to be able to be...

Mr. Rezentes: Competitive in the marketplace.

Councilmember Cowden: Competitive in the marketplace. I support that choice. When we are getting a ranger on the North Shore, which, by the way, I think should go to Wanini, also, because I get more calls from there than any other place, so I feel like an adjunct park person.

*(Councilmember Bulosan was noted as not present.)*

Councilmember Cowden: Is this the same position? You are getting another position, but these are positions that you cannot even fill anyway. Are you doing a hardship adjustment to be able to compensate them appropriately in order to recruit and retain?

Mr. Porter: Yes. Actually, we have been able to fill them all since.

Councilmember Cowden: Since you have done it?

Mr. Rezentes: I think this has been an improvement. Hopefully, "knock on wood," it will be long-term. For the short duration, it has helped us. Hopefully, with this upcoming vacancy, we can successfully recruit and retain someone.

Councilmember Cowden: I want to support that, because what I find when I...as you know, I am in the parks a lot, very often with a population that is considered problematic.

*(Councilmember Bulosan was noted as present.)*

Councilmember Cowden: I want to acknowledge that a lot of the rangers have pretty respectful relationships, because this is a difficult job to have. It is a difficult piece to be. I watch them migrate out into maybe the Police Department or somewhere where it pays more.

Mr. Rezentes: We had one (1) success story in the last year and a half along those lines.

Councilmember Cowden: Yes, and he was great in both positions. Actually, I think I have seen two (2) recruits move, but maybe at least one (1). I wonder if you can call that hardship adjustment. What I would like to see in a different item...this is probably more for the Finance Department to be hearing, but if the budget had a Hardship Adjustment line item and a Regular Overtime line item, we are able to anticipate and put



money into positions so we are not funding vacant positions in order to have a threshold. I think that is a way to better monitor what is happening. That is a thought.

Council Chair Rapozo: I am reading it as no lunch overtime. I am assuming that we are basically paying them to work through their lunch.

Mr. Porter: It is based off of the Department of Motor Vehicles (DMV). It is the same thing.

Council Chair Rapozo: Right, so that is one of the eligible types of overtime or required overtime amounts that are in the collective bargaining agreement. I need to believe that is what this is, right?

Mr. Porter: Yes.

Council Chair Rapozo: I do not know if the collective bargaining agreement has a hardship adjustment.

Mr. Rezentes: The interesting part about the agreement...I will call it a differential...is you need to show up to earn it. If someone calls in sick or whatever, they go back to the normal range structure. When they work, they get it.

Council Chair Rapozo: Is it that every day they go to work, they get this overtime?

Mr. Rezentes: Yes.

Council Chair Rapozo: Forty-five thousand dollars (\$45,000) is about twenty dollars (\$20) an hour, maybe a little over twenty dollars (\$20) an hour, which is what I think Walmart pays for their greeters. This is...I will not say it is a terrible job, because it is a cool job, but you meet different types of people. There are not only health hazards, but also the risk of injury. At some point, the State needs to look at these salary scales and increase them, because they are forcing the County to pay overtime creatively to make these jobs attractive enough for people to apply.

Mr. Rezentes: I think Maui, as well as O'ahu, has been contacting Preston to discuss that issue. I think Honolulu is trying to implement the new program. They have a new employee manager who is trying to start up something like a park ranger type of system there, so they have asked Preston and his team for advice on what they are doing. I believe it is the same for Maui, too.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: You said you are three (3) months into the program, so we see this drastic increase because you are now running the program through

the whole year next year. Should we expect that this amount is the new amount going forward?

Mr. Porter: Yes, for the foreseeable future, it will be in every budget.

Councilmember Kualii: Is it indefinitely, because your contract or this benefit is already negotiated with the unions, it is in place, and was not just for a finite period?

Mr. Porter: Yes.

Councilmember Kualii: Okay, thank you.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: I want to caution that when we are talking about raising job salaries, we are reaching over to the Administrative end, which is not our purview. I would lay caution on that. What are the days of work for the Park Security Officers? Is it Wednesday through Sunday?

Mr. Porter: Preston can go over that.

PRESTON S. CHONG, Fiscal Officer II: Preston Chong, Fiscal Officer.

Councilmember Kagawa: It would not make sense if the regular work day was Monday through Friday, because Tuesdays are non-camping days, right? We use that day for cleanup.

Mr. Chong: For certain parks. I think the days rotate. Their shift does not rotate, but they do have different days off. They work five (5) consecutive days, then have two (2) days off. It could be Monday and Tuesday off; it could be Wednesday and Thursday off.

Councilmember Kagawa: Is it sort of like a firefighter?

Mr. Rezentes: It is a seven-days-a-week operation.

Mr. Chong: Yes, it is a seven-days-a-week operation.

Councilmember Kagawa: Do they have different weekends when they work and different weekends when they are off? Okay. What is their major function? Is it park permits? Is it camping permits?

Mr. Chong: It is park permits, camping ordinances...

Mr. Rezentes: Commercial boating permits.

Mr. Chong: They have the ability to enforce the rules for anything that falls under the jurisdiction of the parks. Whether it is under Chapter 19 or Chapter 23 of the Kaua'i County Code, they have the authority for anything that falls under that.

Councilmember Kagawa: What about homeless individuals who witness breaking things at the parks? That is KPD, right? It is not them, right?

Mr. Chong: They would have to call KPD.

Councilmember Kagawa: Would it be the coordination of them and KPD?

Mr. Chong: Yes. In addition to their Chapter 19 duties, they also have abandoned and derelict vehicles, and can give parking tickets in certain areas.

Councilmember Kagawa: For abandoned and derelict vehicles, do they coordinate with KPD, again?

Mr. Chong: Yes.

Mr. Rezentes: They do the citation.

Mr. Chong: And they do the report.

Councilmember Kagawa: Can they do the notice and monitor where it is, because if they move it, then they need to issue a new one or something?

Mr. Rezentes: They tag them and coordinate with KPD's coordinator.

Mr. Chong: The abandoned and derelict vehicles coordinator.

Councilmember Kagawa: Thank you. Thank you, Chair.

Council Chair Rapozo: Are there any more questions on page 202? If not, we will move on to page 203. Councilmember Kualii.

Councilmember Kualii: At the top of page 203, one of our testifiers talked about the training. This specifically says, "Staff Development Training" and "Ranger Training," the Ranger Training line item is only two thousand dollars (\$2,000). You have seven (7) or eight (8) positions and they have to cover the entire Ordinances of our County, which is a huge job. I do not even know it all. Do they get trained on all of that? Is it all

here? Do they get sent away for any other types of training? How are we supporting them to do such an important job?

Mr. Chong: The training is done in-house by either the Park Security Coordinator or the Parks Security Officer II. The funding for the training you see on the top of page 203 is more for first aid training, automated external defibrillator (AED) training, NARCAN training...although there was no cost for the NARCAN training.

Mr. Rezentes: They have also coordinated with the Department of Liquor Control and teamed up on some trainings in the past and will continue to do so when there is synergy between the two (2) departments.

Councilmember Kualii: Is this all the training dollars available for those positions?

Mr. Chong: Yes.

Councilmember Kualii: Is there training dollars somewhere else?

Mr. Chong: That is all of it.

Councilmember Kualii: You do all the rules and ordinances in-house, so do you provide the training?

Mr. Chong: The Coordinator does.

Councilmember Kualii: Okay.

Council Chair Rapozo: Are there any more questions on page 203.

Councilmember Cowden: I do.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: For Other Services, there is one hundred two thousand dollars (\$102,000) a year for private security for Black Pot Beach Park and the Civic Center and our building. Have you done that for a while or is this the first year? No, it is not the first year. How long have you done that?

Mr. Porter: For which one?

Councilmember Cowden: For both. Is there private security at Black Pot Beach?

Mr. Porter: For Black Pot Beach, it was part of the terms of sale. When we officially took over the *mauka* portion, a term of the sale is the park needs to be closed from 10:00 p.m. to 5:00 a.m.

*(Councilmember Carvalho was noted as not present.)*

Mr. Porter: This contract is for them to close the gates at 10:00 p.m.

Mr. Rezentes: And open.

Mr. Porter: And open.

Councilmember Cowden: Okay. For the Civic Center, is it someone just cruising around?

Mr. Porter: Yes. I do not know if you have seen the person walking around. Years back, we had security.

Councilmember Cowden: Was it Blue Knight?

Councilmember Bulosan: Yes.

Councilmember Cowden: Okay.

Mr. Porter: It was Blue Knight Services Hawai'i. It stopped for a little while, then we started back up again.

Councilmember Cowden: Okay, I see them occasionally.

Councilmember Kagawa: I have a follow-up.

Council Chair Rapozo: Go ahead, Councilmember Kagawa.

Councilmember Kagawa: They open and close the gate, but what do they do if there are cars inside the restricted zone?

Mr. Chong: They create a report. They take pictures of the cars and they send over the report with when the cars were there and the license plate numbers. We receive a weekly report.

Councilmember Kagawa: Do they close the gate even if the cars are inside?

Mr. Chong: If someone is there, they tell them they need to leave.

Councilmember Kagawa: If it is unattended, will they just close the gate, like Māhā'ulepū Beach, where your car just gets stuck in there?

Mr. Chong: Yes.

Councilmember Kagawa: Alright. Thank you.

Council Chair Rapozo: Councilmember Kualii, do you have a follow-up on that?

Councilmember Kualii: Yes.

Council Chair Rapozo: Okay.

Councilmember Kualii: When you say, "They," is that a company that bid for the contract?

Mr. Porter: That is correct.

Councilmember Kualii: For how long is the contract?

Mr. Chong: The current contract is for one (1) year. I think there are three (3) one-year options. That was recently. It went out a couple of months ago.

Councilmember Kualii: Okay. Thank you.

Council Chair Rapozo: There is a drop from year-to-date, right? Is there a reason why? Is one hundred two thousand dollars (\$102,000) sufficient for those two (2) items? Okay. Councilmember DeCosta.

Councilmember DeCosta: Are we done with page 202?

Council Chair Rapozo: We are on page 203 now.

Councilmember Kagawa: We are saving money on that.

Council Chair Rapozo: Are there any more questions on page 203? If not, we will move to page 204. Go ahead.

Councilmember DeCosta: Pat, I have two (2) questions on page 204. The first question is regarding the two (2) replacement radios. Are these radios only for the County rangers to talk to the main office, or are the frequencies the same as KPD, so in case they need to call the police, they can call the police right away?

Mr. Porter: They get them programmed for police dispatch.

Councilmember DeCosta:                      Okay. My second question is about the "New Vehicle 4x4." I asked this question and you do not have a specific vehicle descriptor of what you bought, but I know the UTV works really well with the orange triangle sign.

*(Councilmember Carvalho was noted as present.)*

Councilmember DeCosta:                      You can legally drive it on the highway, you can go on the beach, and you can actually get in tighter spaces. What are you buying for the new ranger? What type of vehicle is it?

Mr. Chong:    Are you asking about the 4x4 vehicles that are in the budget?

*(Councilmember Kualii was noted as not present.)*

Councilmember DeCosta:                      Yes.

Mr. Chong:    It is on order. We are still waiting for it. We are looking at full-sized trucks. Yes, the UTV can go to certain places, but when we need to pick up any type of rubbish or anything, the truck is the way to fill it.

Mr. Rezentes:    We have one that is used on the bike path, though.

Councilmember DeCosta:                      This person is not a rubbish picker-upper. This person is a ranger.

Mr. Porter:    No. When we do the camp cleanups or if there are camps left behind at certain camp spots, when the rangers go, we ask them to help with removal, too. They are a part of the process.

Councilmember DeCosta:                      When this illegal camper individual takes off on the beach and the space is tight, the park ranger cannot bring the truck to chase the individual. How will the park ranger apprehend this camper who took off?

Mr. Porter:    We have a UTV that is assigned to them.

Councilmember DeCosta:                      Do you like that Councilmember Kagawa? That is a funny one right there. They need to be trained, right? Do they have an obstacle course that they go through like the police? Thank you, Pat.

Council Chair Rapozo:                              Are there any other questions on page 204? What is the allowance that is only eight thousand dollars (\$8,000)?

Mr. Chong: That is specifically for the North Shore ranger. It was an add-on item to the personnel. The new personnel asked.

Council Chair Rapozo: What is an allowance? Is it just an equipment allowance?

Mr. Chong: Yes.

Council Chair Rapozo: Okay. Are there any other questions?

Councilmember Kagawa: I have a comment.

Council Chair Rapozo: Go ahead.

Councilmember Kagawa: Councilmember DeCosta asked if the park ranger is physically fit. In senior softball, a lot of times when the ball falls now, I say, "Twenty (20) years ago, I would have caught it."

*Councilmember Kualii was noted as present.)*

Councilmember Kagawa: When you are young, you can catch it, but when you are getting older, it is a little hard.

Councilmember Cowden: I have a comment, too.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: It is a long way from Hā'ena to 'Anini. An ATV is not the right vehicle.

Council Chair Rapozo: Moving onto Planning & Development, which is on page 206. Go ahead.

Councilmember Kualii: Just to confirm, it shows there are no vacancies for this grouping of about eight (8) positions. Are there any expected retirements or anything?

Mr. Porter: No.

Councilmember Kualii: Thank you.

Council Chair Rapozo: Are there any other questions on Planning & Development? Next, we are moving on to page 210.

Councilmember Kagawa: Did you say page 210?



Council Chair Rapozo: Yes, we are on page 210.

Councilmember Cowden: I have a question.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: When it says, "Seasonal Summer Program Coordinators" on this, do we know yet...and there are leaders and aides. Between the two (2) of them, there are fifty-one (51) part-time people. I see you have dollar-funded the coordinators and the specialist, you are just pushing that into the positions called, "Summer Program Leaders" and "Recreational Aides." Is that correct? Just so we are prepared, do you know which towns are going to do...above it shows Kekaha, Kalāheo, Kōloa, Waimea, Hanapēpē. It shows all these for the main positions, but for the summer positions...is Kīlauea able to get Summer Fun this year? Do you know what area is not getting Summer Fun?

Mr. Porter: Russell can go over the list for that.

Councilmember Cowden: We are in April. Parents are planning.

Mr. Porter: Yes.

Councilmember Cowden: Thank you for doing this.

RUSSELL K. WELLINGTON, Recreation Coordinator II: What we are looking at this year as far as ones that are getting started central and going west are Līhu'e, Kōloa...which is one that has been brought back, because it disappeared pre-pandemic and we are actually in the midst of working with the State again to use Kōloa Elementary School, because the participant count is big. We dropped Waimea, so it is at Kalāheo, Hanapēpē, and Kekaha.

Councilmember Cowden: Kalāheo, Hanapēpē, Kekaha.

Mr. Wellington: Kekaha.

Councilmember Cowden: No Waimea?

Mr. Wellington: Kalāheo, Kōloa. Then it is at Līhu'e, Kapa'a, and Anahola will take on the far north. Kīlauea is not on the list right now.

Councilmember Cowden: It is not on?

Mr. Wellington: No.

Councilmember Cowden: Is it because you cannot get anyone or because you do not have the money?

Mr. Wellington: It is more the participants and having people to apply.

Councilmember Cowden: If the demand is down, I am good with that. It really matters for people the way they make their life work. This is for people who are not wealthy. Maybe we just do not have enough people left in our community who are not wealthy. That used to be really crowded.

Mr. Wellington: Kīlauea?

Councilmember Cowden: Yes, because I live right there on that park.

Mr. Wellington: At one time, it was pretty big.

Councilmember Cowden: It was pretty packed.

Mr. Wellington: Yes. Over the years, it has really dropped. Then, too, it is getting people to apply. Outside of Kapa'a started to rise, so we started using Anahola Clubhouse.

Councilmember Cowden: Thank you for that. I just want to say that is a reflection of the population replacement that is happening in large part due to the incredible cost of housing. We are pushing our people out of the community.

Councilmember Kagawa: I have a question.

Council Chair Rapozo: Is it a follow-up?

Councilmember Kagawa: Yes.

Council Chair Rapozo: Go ahead.

Councilmember Kagawa: You said you are having trouble finding workers now. What is the impact?

Mr. Wellington: I was leading into that. A lot of it has to do with competitive pay. Recently, in discussion, we are trying to be more competitive and every one (1) of those positions that you are looking at this year has gone up at least two dollars (\$2). The seventeens would be nineteen dollars (\$19), and then fifteen dollars (\$15) for both Recreational Aide and Summer Pool Lifeguard. We are hoping that is going to be part of a raise for us to get, because it was a struggle to fill these positions every year.

Councilmember Kagawa: It was so popular in the past.

Mr. Wellington: Yes. In the past, we needed to cut away.

Councilmember Kagawa: What is the effect if you do not have enough workers, but you have a lot of children? Does a recreational worker need to spend more of their time?

Mr. Wellington: Are you talking about if we do not get enough hires?

Councilmember Kagawa: Yes.

Mr. Wellington: That presents a huge problem because there is a ratio that you need to follow.

Councilmember Kagawa: Is this to have enough children safely?

Mr. Wellington: Yes. It is ten to one (10:1). When you start getting into fifteen to one (15:1), that creates a major problem, because then we need to start cutting the amount of children we can accept at each center.

Councilmember Kagawa: Do they still need to manage the senior programs that go on? Does that stop?

Mr. Wellington: It is guided that way. We do not stop any programs around the program. They move and it fits in. There is more dominant youth programs, but we do not stop any program.

Councilmember Kagawa: Thank you.

Mr. Wellington: We hire these people, and it is overseen by the site managers who are there all year around.

Councilmember Kagawa: Thank you for that. I see how much the seniors value the neighborhood centers and what they do for their lives.

Council Chair Rapozo: I have a follow-up. Are the wages that are reflected in the budget the increased wages?

Mr. Wellington: No, because that was recent. This was a planned budget.

Council Chair Rapozo: We will see a little jump in that for the Supplemental?

Mr. Wellington: It came to our notice that the rise of the minimum wage is flying. By next year, it is another two dollars (\$2).

Council Chair Rapozo: You folks will make the adjustment for the Supplemental, right?

Mr. Porter: Yes.

Council Chair Rapozo: Do you have follow-up?

Councilmember Cowden: Yes.

Council Chair Rapozo: Okay. Is it follow-up? Councilmember Kualii is waiting to talk about positions.

Councilmember Cowden: This is about the positions.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: Now, I want to do follow-up first. Are these positions regular positions, or are they stipends? Is it another system?

Mr. Porter: They are seasonal.

Councilmember Kualii: There are no benefits, right?

Mr. Porter: Yes. It is under the seasonal programs.

Councilmember Kualii: Is this just an hourly seasonal position without benefits?

Mr. Porter: Yes.

*(Councilmember Bulosan was noted as not present.)*

Councilmember Kualii: Okay. At the top of page 210, the first vacant position is 1627, Executive on Recreation. It has been vacant since December 30<sup>th</sup>, so it has been vacant for a few months. The recruitment status on the vacancy report says, "No activity," but what is happening? Have you requested recruitment? Are you going to fill it? Are you going to fill it from inside?

Mr. Porter: Yes. That is the lead. That is the division head position for the Recreation Division. The person retired at the end of the calendar year. Since then, we have decided to go with providing a temporary assignment (TA) opportunity for our three (3) senior leadership personnel within the Recreation Division. Right now,

they are on a rotation basis, cycling through in that position. That will be ending soon, and we will go out for recruitment.

Councilmember Kualii: TA is being done on a rotational basis. For how long do you plan to do that?

Mr. Porter: We will probably be going out for recruitment in the next couple of months.

Councilmember Kualii: In the meantime, will you do the TA program?

Mr. Porter: That is correct.

Councilmember Kualii: You will be going out to start recruitment in a couple of months. How long will recruitment take? Do you have any potential for hiring from within, because, obviously, that can happen more quickly?

Mr. Porter: There is potential for that.

Councilmember Kualii: You are giving the TA opportunities so people can try it, right?

Mr. Porter: That is correct.

Councilmember Kualii: Are you doing this for several people?

Mr. Porter: Yes.

Councilmember Kualii: Are you able to recruit and get the person in there by July 1<sup>st</sup> or is it highly unlikely? If it is highly unlikely, then I would suggest or request that you partially fund. I do not know why, but the vacancy report showed one hundred eighteen thousand dollars (\$118,000) for last year, and now you are showing eighty-six thousand dollars (\$86,000). I think eighty-six thousand dollars (\$86,000) is the full salary, right? Is this a partial salary?

Mr. Rezentes: When there is a vacancy, HR drops it to the minimum. If, for example, you hire internally, you need to potentially hire above that. It all depends on the current employee's pay situation. The eighty-six thousand dollars (\$86,000) may not be enough, so we would need to move money from other places to cover it.

Councilmember Kualii: Is this entry level and you need to make it higher?

Mr. Rezentes: Right.

Councilmember Kualiti: Will you have an idea in a couple of months, when you come back in May?

Mr. Rezentes: Sometimes, we do request to recruit above the minimum to be competitive, so we would have to move money from other areas to cover that shortage. Obviously, we are looking to recruit sooner rather than later, and we will likely be in a situation where the amount there may not be enough.

Councilmember Kualiti: The other two (2) positions are both called, "Pool Guard." One (1) is a Rover, one (1) is for the Waimea Pool. One (1) has been vacant for nearly three hundred (300) days, the other for one hundred fifty (150) days, but it does say, "Test scheduled for March 18." Do you have the test and a group of people, are and going to hire?

Mr. Porter: That is one of the positions that we are having a hard time recruiting. We had two (2) applicants and scheduled a test, but they ended up being no-shows for the test. We are continuously trying to recruit for those positions.

Councilmember Kualiti: What do you think the difficulty is?

Mr. Porter: I think pay is part of it.

Mr. Rezentes: Pay. It is an SR-13 position.

Mr. Porter: This is one that we created a trainee position for, to see if we can have more applicants that way. We have the trainee and the regular pool guard position simultaneously.

Councilmember Kualiti: Obviously, are you working with HR to figure something out?

Mr. Porter: Yes.

Councilmember Kualiti: Okay. Thank you, Chair.

Council Chair Rapozo: Does anyone else have questions about positions?  
Councilmember DeCosta.

Councilmember DeCosta: I have a follow-up for you, Wally. Again, thank you for all you do. Thank you, Mr. Wellington for coming aboard and explaining your position there. Wally, you mentioned that for position 1627, EM-3, you folks put it down to the lowest end at eighty-six thousand dollars (\$86,000). Is that what we are talking about? You might have to hire at a higher level because...

Mr. Rezentes: Yes. I think that is just standard practice for HR and the budget team to reduce it to the lowest limit when there is a vacancy.

Councilmember DeCosta: For your three (3) qualified applicants, you should know what would be the starting average salary to include in there. Is that on the top of your head, you know that it is going to be higher than eighty-six thousand dollars (\$86,000), but it is common practice to start at the low end?

Mr. Rezentes: Yes.

Councilmember DeCosta: Thank you, Wally. I understand now.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: When I am looking at the Recreational workers in the different neighborhood centers, are all those positions currently filled?

Mr. Porter: Yes.

Councilmember Cowden: Okay. Do they have an office right in the building?

Mr. Porter: Yes.

Councilmember Cowden: Okay. I think I am in Līhu'e too much. I used to know a lot of those, but I am trying to think if it is. Do we definitely have someone in Kīlauea and Kapa'a now? Okay.

*(Councilmember Bulosan was noted as present.)*

Councilmember Cowden: Does the Kapa'a staff also go up to Anahola for the keys still? Okay. I appreciate all those people and I just want to acknowledge that they tend to mentor the community and the children, so that is good.

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: Back to the Pool Guard position. Basically, is that a lifeguard at the pool?

Mr. Porter: Yes.

Councilmember Kualii: Is the Fire Ocean Safety Officer I a lifeguard? Obviously, it is on the open ocean. The range there is fifty thousand dollars (\$50,000) to seventy-seven thousand dollars (\$77,000), so maybe anyone interested in doing lifeguard-type duties would rather go there than come to you, because there is a

five-thousand-dollar difference. Maybe you could work with HR to get that closer. Maybe it is not exactly the same, but maybe it can get closer.

Mr. Porter: We have had those conversations with HR and working around the classifications of it. Again, there are challenges with that, but we are always looking at ways that we can try to improve that.

Council Chair Rapozo: A suggestion would be to have them all classified as Ocean Safety, and have the pools included under them, so you would always have a pool of people to go to should someone not be available, right? Obviously, they would be trained as Ocean Safety, so they would be more like lifeguards, but the rotation could put them at the pools.

Mr. Porter: When we first came onboard, we met with the Fire Department and Ocean Safety Division about that. We can bring that up again.

Council Chair Rapozo: Are there any other questions on page 210?

Councilmember Cowden: I have a question. When there is no Pool Guard, is the pool still open?

Mr. Porter: No.

Councilmember Cowden: Do you close the pool because you do not have someone?

Mr. Porter: Yes.

Councilmember Cowden: I really want to second that idea.

Mr. Rezentes: We have had to do that from time to time.

Councilmember Cowden: Pardon me?

Mr. Rezentes: We have had to do that from time to time. We have had to close the pool because we do not have coverage.

Councilmember Cowden: I think those pools mean a lot to certain populations. Especially people who are healing from injuries and things like that. A lot of money was spent to refurbish the pool. It is important to have it staffed.

Mr. Porter: Yes.

Council Chair Rapozo: Councilmember DeCosta.



Councilmember DeCosta: Since it seems like we are giving constructive information instead of asking questions, I want to give constructive information. That pool lifeguard has much less responsibility treading water in a pool versus treading water in an ocean to save someone. Perhaps that is the reason why HR has that large discrepancy in the pay scale. It is not that a human's life is not important, but the responsibility in pool water versus ocean water is very different. I do not know if both positions could actually be categorized in the same realm.

Mr. Rezentes: You can answer that question. It is collective bargaining.

JANINE M. RAPOZO, Human Resources Manager III: Janine Rapozo, HR Manager. Initially, Ocean Safety Officers and Pool Lifeguards were all classified in unit 13, but a few years ago, the Legislature created a different bargaining unit, so the Ocean Safety Officers are now in unit 15. At the time, we asked why the Pool Guards were not included in that particular unit. We were told they are very different positions, because, as you said, it is an open ocean situation versus an enclosed water area. That is why there is that big difference. It is not only the salary range (SR) rating, but the two (2) different bargaining unit salary schedules are very different now, because Ocean Safety Officers are being considered first responders now, so they need to have a lot of different certifications—United States Lifeguarding Association (USLA), Lifeguarding skills, et cetera—versus a Pool Guard, which does not have as many necessary certifications. It seems like it is the same thing. Even I thought it was the same thing, but as I was told all of this...

Council Chair Rapozo: I am not suggesting putting the Pool Guards under...I am suggesting training our Lifeguards as Ocean Safety Officers and they become Ocean Safety Officers, so they basically have dual roles.

Ms. Rapozo: At times, I think they do lose some to Ocean Safety. That is like a stepping stone for them to get there, then they would move to the other collective bargaining unit.

Councilmember DeCosta: Thank you for the explanation.

Councilmember Cowden: I have a follow-up. Is it not possible to rotate people out of...one (1) day a week or one (1) day a month, they are at the pool? If you have a schedule that is normally at the beach, but one (1) day a month, you are at the pool, because we have enough Ocean Safety Officers. Could that not be done? It would be a light day for them.

Ms. Rapozo: That is something that the Department of Parks & Recreation could on work with the Fire Department, as the Ocean Safety Officers are under their control. The Fire Department does hire short-term Ocean Safety Officers who fill in for the Ocean Safety Officers who are out. They do not get full-time work. Whether or not that is something they would be willing to do, the question is what would

we be paying them at that level when they came to this position? If we paid them at what they were hired as—Ocean Safety Officers—we are technically paying them more than what the job entails. There would be all of those things that we would need to consider, but it is not a bad idea to cross-train, because the positions are very closely aligned, but not exactly the same.

Council Chair Rapozo: Let me give you an example, because it can be done if you want to do it. KPD police officers are State of Hawai'i Organization of Police Officers (SHOPO). Public safety workers and cell guards are HGEA. When they run short, they put a police officer in there and there is no issue. They are paid as a cop and they are doing the work of an HGEA employee, but you need the coverage. Let us find ways to make it work and not keep talking about why it is difficult. It can be done if you want to do it. The question is, how does the County get someone at that pool so the resource can be provided to the public, especially because so much money is being spent on the renovations. The bottom line is that the pool should never be closed. I am saying it is done. It can be done if we want to get it done. That is all I am saying.

Mr. Porter: What you are saying is exactly the conversation that we have with the Fire Department and the Ocean Safety Division. Kalani was saying they have brand new newbies and they could use the pool to ease them into the lifeguard situation. Then they have the aging employees who are headed out. He talked about utilizing those people at the pools.

Council Chair Rapozo: Exactly.

Mr. Porter: We can bring that up again. We can start that conversation again and explore that.

Councilmember Kagawa: I beg to differ, Chair.

Council Chair Rapozo: That is fine. That is why we are here.

Councilmember Kagawa: The pool can close, because one time, a child made number 2 in the pool. No lifeguard will save that.

Council Chair Rapozo: Councilmember Kagawa woke up.  
Councilmember DeCosta. It is hard to follow that one.

Councilmember DeCosta: I was not going to.

Councilmember Kagawa: That was recently, too.

Councilmember DeCosta: It is really fruitful conversation when we have some disagreeing discussions. Again, I appreciate the elaborate explanation you gave about bringing the aging employees to the pools and the younger employees to the ocean. They are

two (2) different animals. I believe the reason why police officers can work as prison guards is because the responsibility is less than what the police officer does on patrol or in the community, but you cannot take a prison guard and throw them in a police car and have them be a police officer. I am sorry, but I think those are two (2) different things.

Council Chair Rapozo: Did I say to take the pool guard and throw them in the ocean?

Councilmember Cowden: No.

Council Chair Rapozo: I said to use the lifeguard to backfill like KPD does. If I say something, feel free to repeat it, but if I did not say something...

Councilmember DeCosta: I did not say you said it. I am just having an opposite conversation. It is okay for us to differ.

Council Chair Rapozo: The whole point of my comments is to find ways to make it work versus trying to figure out why we cannot. Let us be creative. We are being creative in the budget. We create numbers and bump up salaries. We can do that. Let us do it to fill the resources so we can provide that service and resource to the community.

Councilmember DeCosta: I have a clarifying question.

Council Chair Rapozo: Go ahead.

Councilmember DeCosta: Do you have a Lifeguard who is working at the Ocean Safety level and can be moved at any time throughout the day if he or she needs to work at the pool? Do you have a floater position that would not take away from safety issues at our oceans?

Mr. Porter: We would need to work with the Fire Department on that.

Councilmember DeCosta: That is the point.

Councilmember Cowden: We do not have it now.

Mr. Porter: I cannot answer that. That is a question for the Fire Department.

Councilmember DeCosta: That is the point I was trying to make. That would cause another body to be employed. Thank you.

Council Chair Rapozo: Are there any other questions on page 210? Are there any questions on page 211?

Councilmember Cowden: Wait a minute.

Council Chair Rapozo: Page 211 is basically just benefits.

Councilmember Cowden: Okay.

Council Chair Rapozo: Are there any questions on page 212?

Councilmember Cowden: I have one (1).

Council Chair Rapozo: Go ahead.

Councilmember Cowden: Senior busing slowed down for a while or stopped. I think that was a contract with Alu Like, Inc. or something. Who is doing the senior busing? Do we have someone and is it consistent?

*(Councilmember Kagawa was noted as not present.)*

Mr. Porter: If we can use outside contractors, we use outside contractors for that.

Councilmember Cowden: Is that to bring the *kūpuna* to the cruise ships?  
What is the senior busing for?

Mr. Porter: It is for the large senior programs or events that the County puts on.

Councilmember Cowden: Is it that everyone comes to Līhu'e to review the candidate type of thing or craft fairs?

Mr. Porter: They had a Valentine's dance. It is for those types of events.

Councilmember Cowden: Okay. Do we not use the County buses? Do you get a company like Robert's?

Mr. Porter: We usually contract it out, because of the transportation side and with their driver's doing it.

Councilmember Cowden: It is just not normal. Okay. That was my question.

Council Chair Rapozo: Are there any other questions on page 212? Go ahead.

Councilmember DeCosta: My question is about the Valentine's dance, but it is not on this page. What is the age for the Valentine's dance? I have not seen Councilmember Carvalho, Councilmember Kualii, Council Chair Rapozo, or myself at this dance. What is the age?

Mr. Porter: I think you qualify.

Councilmember Kualii: It is through your center. Be active in your center.

Councilmember DeCosta: If I qualify, these three (3) are coming with me, too, because they qualify. We needed that chuckle.

Council Chair Rapozo: You need to be invited.

Councilmember DeCosta: Then I do not think I will be invited. Thank you, Chair.

Council Chair Rapozo: That is why you have never been there.

Councilmember DeCosta: Thank you for that. I feel so great and loved now.

Council Chair Rapozo: Page 213. Page 214. Go ahead.

Councilmember Carvalho: I have a question regarding the Summer Fun meals. I know there was some concern about that.

Mr. Porter: We have gone away from meals. We are not providing meals for summer anymore. The main reason for that is there is no entity on the island that can fulfill the capacity that we need.

*(Councilmember Kagawa was noted as present.)*

Mr. Porter: We used to rely on the school cafeterias to offer that for us during the summer, but apparently, there are problems on the Department of Education (DOE) side with staffing the kitchens during the summer months now, too, so they cannot provide that for us. Unfortunately, that is why we moved away from it.

Councilmember Bulosan: Following up on that. Do they need to be prepared meals?

Mr. Porter: Yes. For it to qualify, there are certain criteria that it needs to meet to qualify for the Federal program that we are in.

Councilmember Bulosan: Is it all the different things in the...?

Mr. Porter: Yes. It is the nutritional aspects of it and all of that.

Councilmember Cowden: Can nonprofit organizations like Nourish Kaua'i, Mālama Kaua'i, and those types of organizations that provide cooked food not do it? I am not sure if Mālama Kaua'i does cooked food. Even if it is just giving them cheese and a piece of fruit or something.

Mr. Porter: Meeting the criteria is the hard part. It is meeting the Federal requirement, and tracking and reporting on that as the kitchen. That is the hard part.

Councilmember Cowden: Russell, do you have anything to add?

Mr. Wellington: No. It is better for me to hear it, but on those same lines, because of all that criteria that he is talking about is...you can meet those criteria, but I think the biggest part of it is the fact that they, too, cannot fulfill the working obligations to even open up in the first place. It is a struggle. They want to put it back on us, so when we do use them, we always get the, "You need to find your own thing," type of response.

Councilmember Cowden: I know the Federal government has a new program...I do not have it in front of me, so I apologize for not being prepared, but maybe we can get back on that where they are even going to do funding, because what they realize is for many of these children, their main meals are breakfast and lunch during the school year and it is at the school, because the families do not have the money or the time to make the food. They have a program now so that the food gets provided...at least the funding is provided all summer, so I do not know. Maybe we can talk about that later. Maybe there is some way, but I hear what you are saying. It is trying to find...

Mr. Porter: I can say with confidence that we do not let anyone...

Councilmember Cowden: Go hungry.

Mr. Porter: ...go hungry during the program. We find a way if there are families that need help. We tell them to provide food for their children, but if there are those that need help, we find a way to feed them.

Councilmember Cowden: Can we work with any of the foodbanks or something? I know they can have the little backpacks full of food or something. Having been a teacher, when people are "hangry", children do not behave as well when they are hungry and it is also rough if someone has food, but someone else does not.

Mr. Wellington: Just so you know, all the foodbanks are in on this with us. They provide. We have a lot of food.

Councilmember Cowden: Okay, so the children are not showing up starving?

Mr. Wellington: No.

Councilmember Cowden: They will not leave starving?

Mr. Wellington: If they do show up starving, they do not leave starving.

Councilmember Cowden: Alright. That is what matters.

Councilmember Bulosan: Just to keep following up on that. Is that because the foodbanks are donating? There is no line item in the budget.

Mr. Wellington: No. It is all donated.

Councilmember Cowden: They are fed, but we are not paying for it. Alright.

Council Chair Rapozo: Are there anymore questions for the Recreation Division? Councilmember Kagawa.

Councilmember Kagawa: I do not want to overexaggerate the thing on being "hangry", because I was in charge of giving away free food with the foodbank at Waimea High School, and poor or rich, a lot of the children do not want to take it. They do not want the free things. They have food. Nowadays, they are picky. It is not like before. We ate anything before. Now, the children are very different. I do not want to sympathize with something that is not really there.

Council Chair Rapozo: Are there any other questions for the Recreation Division? If not, thank you. Go ahead.

Councilmember DeCosta: Will we move to page 216?

Council Chair Rapozo: Yes, we are moving to Facilities Maintenance next, but we will take a caption break, because I think Facilities Maintenance will go beyond fifteen (15) minutes. We will take a ten-minute caption break.

There being no objections, the meeting recessed at 10:46 a.m., for a caption break.

The meeting reconvened at 11:00 a.m., and proceeded as follows:

*(Councilmember Kagawa was noted as not present.)*

Council Chair Rapozo: Let us get started. We are moving on to Facilities Maintenance. We will start off with page 216. Councilmember Kualii.

Councilmember Kualii: From the top of page 216, the first vacant position is 1540, Electronics Tradesperson. It has been vacant for quite a while, since 2021, eight hundred twenty (820) days. It does say, "List referred." Does that mean you have names and you are about to hire someone? Where are you with recruitment?

There being no objections, the rules were suspended.

Mr. Porter: We have interviews scheduled for the 17<sup>th</sup> of this month.

Councilmember Kualii: What do you have?

Mr. Porter: Our interviews are scheduled for the 17<sup>th</sup> of this month.

Councilmember Kualii: That is great. That is perfect. Next is right below, the Plumber. "No selection made," so did you have people, but were unable to go with one of them?

Mr. Porter: That one did go out. We are currently...there is a union issue with that right now. We are resolving that union issue first, then once the union issue runs its course, we will go back out for recruitment.

Councilmember Kualii: When you say, "Go back out," would that mean to initiate recruitment?

Mr. Porter: Yes, it is to advertise for it.

Councilmember Kualii: Was Plumber one of the positions that you had a hard time filling?

Mr. Porter: Yes.

Councilmember Kualii: This is throughout the County, right?

Mr. Porter: Yes.

Councilmember Kualii: What will be different this time? Will you be able to...How long do you anticipate for resolving the union issue?



Mr. Porter: I am not sure. Right now, it is out of our hands.

Councilmember Kualii: Okay. In May, as you know better, if it looks like you are not going to be able to have the person hired and starting by July 1<sup>st</sup>, then I would request that you partially fund, even if it is nine (9) months. Take some of it out, because it is unrealistic if that is the case. The next one is Electronics Tradesperson, which has been vacant for quite a while, but the description is, "Filled with short-term hire." How long has the short-term hire been in place, how much longer do you anticipate it, and are they being paid at the same level where you need this full budget, or can it be some portion of this?

Mr. Porter: The April 17<sup>th</sup> interviews will encompass this position as well.

Councilmember Kualii: Is it to actually fill the position?

Mr. Porter: Yes. Currently, there is an eighty-nine-day hire in this position.

Councilmember Kualii: Okay. The next one is Maintenance Worker I, where you have a whole group of positions. This one is newly vacant, but there is no activity. Have you not requested recruitment, yet?

Mr. Porter: Is that position number 1533?

Councilmember Kualii: Yes, it is 1533.

Mr. Porter: That was actually filled on March 16<sup>th</sup>.

Councilmember Kualii: That is excellent. It was one (1) day too late to make this report. For the three (3) other positions, I will ask all together, because they are all Janitor II positions. One (1) is very recently vacant, the other two (2) are a few months. For all of them, it says, "Registration list established." Does this mean you have a group of people you are interviewing and that you expect to hire soon?

Mr. Porter: For 9457, that position was transferred over to the Transportation Agency. For the remainder, we are doing a small reorganization of the Janitorial Section. It is a cleanup reorganization, but nonetheless, it needs to go through the union, so we are pretty much finalized with that union consultation process and are just waiting for the union to send us a close out letter saying that it is final. Then we will start filling the positions based off of the labor list.

Councilmember Kualii: Do you have the individuals to put into those positions?

Mr. Porter: Yes. Actually, we do internal transfers first, then go off of the labor list after that.

Councilmember Kuali'i: Okay.

Mr. Rezentes: Hopefully, by May 8<sup>th</sup>, it will be filled on the Supplemental.

Councilmember Kuali'i: The one you mentioned on the flipside, about 9457 on the next page, the other Janitor II position said, "Rover," and you are moving it to the Transportation Agency, so you do not need to worry about filling it, the Transportation Agency does. It was not vacant for long. It was only a few months. Do you not need that position or it is just the position will continue doing the job that they did, but instead of under the Department of Parks & Recreation, it is under the Transportation Agency? I am wondering if this has to do with the cleaning of the bus stops.

Mr. Porter: It was more of an operational thing. Being under the Transportation Agency made more sense, because their operational periods are longer. It goes through the night. They are able to direct that janitor position more efficiently if they had control over it as opposed to if it stayed under us, and we are done by 2:00 p.m. every day. It is that type of thing. Operations-wise, it made sense. They are fulfilling the same thing.

Mr. Rezentes: Councilmember Kuali'i, if you want to leave another position in our Department, I guarantee you we will make use of that janitor. They will definitely find work.

Councilmember Kuali'i: No. In the Transportation Agency, will we see not just that one, but a bunch of janitor positions? Is that who takes care of the cleaning of the bus stations?

Mr. Porter: No, this is for their facility.

Councilmember Kuali'i: Is this for the facility?

Mr. Porter: Yes, so it will be their one (1).

Councilmember Kuali'i: Do you clean the bus stops?

Mr. Porter: No, they have their own staff.

Councilmember Kuali'i: Is that their group?

Mr. Porter: Yes.

Councilmember Kualii:                      Okay. That is all for positions.

Council Chair Rapozo:                      Does anyone else have questions on positions?  
Councilmember Cowden, go ahead.

Councilmember Cowden:                      Just in general, I appreciate the janitors. How hard is retention of those positions? Some of them, especially the ones at the parks, work so hard. Do they not need a hardship adjustment? Are they doing okay?

Mr. Porter:                                      Yes, we have been pretty successful in recruiting for the janitor positions.

Councilmember Cowden:                      Okay.

Council Chair Rapozo:                      Councilmember DeCosta.

Councilmember DeCosta:                      Pat, responsibility on janitors...when our community sports programs use the County parks, let us say, they will use Vidinha Stadium or Hanapēpē Stadium to play football or baseball. Why is it still recommended that the organization picks up all the trash if the County has a Park Attendant there? What is the responsibility of the Park Attendant at the park with the trash that these organizations and youth programs have to help? Explain that to me.

Mr. Porter:                                      That is under our Parks Maintenance Division. That is not the Facilities Maintenance Division.

Council Chair Rapozo:                      That will be up next.

Councilmember DeCosta:                      Scratch that question. I have another question on this page. You have an Electronics Tradesperson, which Councilmember Kualii mentioned, and you have some electronics and plumbing positions. Are all those people journeymen? Do they need to have a journeyman's license to be employed for that position?

Mr. Porter:                                      Yes.

Councilmember DeCosta:                      Underneath you, there are maintenance workers. I noticed BC-9. I do not see any money to train these workers in their position. Do they go to training? These maintenance workers are pretty much maintaining something, right? They are not just doing groundskeeping. They are maintaining machines or they are maintaining buildings. What are they maintaining?

Mr. Porter:                                      Previously, they were under the carpenter. The classification was changed to maintenance worker just so that they have a little bit more freedom to do other types of work, not just carpentry. For a lot of them, their specialty is more on the carpentry side.

Councilmember DeCosta: Okay. Do they also need to be a journeyman carpenter or just have experience in carpentry?

Mr. Porter: For this series, we like to have several journeymen in our workforce, but to get in, you do not need to be a journeyman.

Councilmember DeCosta: Do you provide training for the ones who are not journeymen, so they can actually become a journeyman one day?

Mr. Porter: Yes. It is all on-the-job training.

Councilmember DeCosta: Do we not recognize it with a certificate like they do at the union?

Mr. Porter: Not that I know.

Councilmember DeCosta: How do you enable the BC-9 workers to grow and become BC-10 or BC-15? How do you allow them to learn more of the trade, become more certified, and help them move up the pay scale, so you can retain more of the qualified workers? That is something you should look into, okay?

Mr. Porter: Okay.

Councilmember DeCosta: Thank you.

Council Chair Rapozo: Are there anymore questions on positions? Page 217. For the regular overtime, you have Overtime, Standard, and Carpet & Floor Cleaning. You spent about nineteen thousand dollars (\$19,000) this year, but you are asking for one hundred thousand dollars (\$100,000). Is there a reason why the jump is so significant? Do you anticipate more overtime?

Mr. Porter: We have been getting a lot of requests, like mold requests in the carpet. We are looking at probably taking on more of those jobs.

Council Chair Rapozo: Is that done in-house?

Mr. Porter: It is both in-house and subcontracted.

Council Chair Rapozo: Did you hear Mr. Hart ask about our carpets? Can we add ours in there?

Mr. Porter: Sure. We can do that.

Council Chair Rapozo: I think he asked to replace them, but I do not know if we can replace them. It can at least be shampooed.

Councilmember Cowden: It is not that bad.

Mr. Porter: We can give it a wash.

Council Chair Rapozo: Are there any other questions on page 217? Page 218. Go ahead, Councilmember Cowden.

Councilmember Cowden: I am looking at Islandwide Chain-link Fencing Repairs for thirty-five thousand dollars (\$35,000). I certainly support fencing repairs and I have no problem with the price. I am just curious. When new fences are put in, it is like six hundred thousand dollars (\$600,000) or one hundred sixty thousand dollars (\$160,000). It is a lot of money. I would think you folks probably have more fencing than any other department. Why are you so much less? I cannot even tell if these are the year-to-date expenses or what you are doing. Why is that so cheap?

*(Councilmember Kagawa was noted as present.)*

Mr. Porter: Our in-house crew does chain-link fencing, but it is more like patchwork—taking out a small section or replacing a section. If we are going to do large projects, then we will contract that out.

Councilmember Cowden: Okay. Do you only fix the parks? Do you not fix the other fence problems in the County?

Mr. Porter: Facilities Maintenance services all of the County. It is under the Department of Parks & Recreation, but they actually service the whole County.

Councilmember Cowden: I looked at the Kapa'a Refuse Transfer Station. The way it was sort of fixed is that the fence was simply taken away. It was broken for years. I went to look and there was no fence, so I just walked in. In the off hours, you can just totally walk in to the equipment. You can walk in to the whole supply thing. There is a little sign that I did not observe, that says, "No trespassing." I did not go inside very far. I just wanted to take a picture. It seems to me that there should be a fence there. That was one I have been waiting to be fixed. I have been asking for fixes on that for a number of years. I guess I am utilizing this moment to say...I am sure the other departments ask you folks. It is not your *kuleana* to look for which fences need to be fixed.

Mr. Porter: They would submit a work order through our system.

Councilmember Cowden: Okay.

Council Chair Rapozo: Does the County not have a Chain-link Fence Project for the Department of Public Works? Was it not for a massive amount?

Councilmember Cowden: But it was not on that particular...

Council Chair Rapozo: I am trying to think.

Councilmember Cowden: It was on Līhu'e Refuse Transfer Station.

Council Chair Rapozo: I think it was the Līhu'e Refuse Transfer Station.

Councilmember Cowden: It was like a six-hundred-thousand-dollar job.

Council Chair Rapozo: It was a lot.

Councilmember Cowden: There was another one for one hundred sixty thousand dollars (\$160,000). The transfer station workers are bitterly upset at how people kept going through the hole in the fence for years, but now those people who were complaining to me mostly transferred into other transfer stations. That does not mean there is no problem.

Council Chair Rapozo: In that case, would the Solid Waste Division not come to you?

Mr. Porter: They would. If it was a patch job.

Council Chair Rapozo: No, there is no fence.

Councilmember Cowden: Now, there is no fence, but it had been a patch job.

Council Chair Rapozo: I saw it in their budget. Would they come to you folks?

Mr. Porter: If they wanted in-house work to be done, like if someone cut a fence.

Council Chair Rapozo: Okay. If they will contract the work out, which is what they are going to do, then it does not come to you?

Councilmember Cowden: But that was not for Kapa'a.

Council Chair Rapozo: No, it was for Līhu'e.

Councilmember Cowden: Maybe it needs to be for Kapa'a in case anyone in here can hear it?

Council Chair Rapozo: I do not know if they realized that there is no fence.

Councilmember Cowden: Yes, there is no fence.

Council Chair Rapozo: Yes. I saw a picture. Are there any other questions on page 218? If not, we are moving on to page 219. I am a little confused on the vehicle, because it under leased. It is showing new, but says it is the third of a five-year lease. Are you getting two (2) new leased trucks?

Mr. Rezendes: For the one that says, "3<sup>rd</sup> of 5 Year Lease," that thirty thousand five hundred dollars (\$30,500) is to pay for the ongoing lease of existing vehicles.

Council Chair Rapozo: That new is...

Mr. Rezendes: Under that...

Council Chair Rapozo: This tells me it is not new.

Mr. Chong: It is not a new truck.

Mr. Rezendes: We should have removed "new."

Mr. Chong: We should have replaced it with an equipment (eq) number or whatever it is that we would put in there. We are still waiting on the specialty trucks.

Council Chair Rapozo: Okay. Is it the same for the fork lift?

Mr. Chong: It is the same for the fork lift.

Council Chair Rapozo: I was a little nervous that we were buying into a brand new...I do not know how you buy into a third year lease on the first year.

Councilmember Kualii: It was cheap, though.

Council Chair Rapozo: Yes, it was very cheap. Is there anything else on page 219 or for Facilities Maintenance? If not, thank you. We are moving on to Parks Maintenance. We are on page 221 now.

Councilmember Kualii: On the top of page 221, the Parks Maintenance Administrator. It is another one of those top-level positions. It has been vacant for three hundred ninety-three (393) days. The recruitment status is shown as, "No activity." Can

you update us on what the plan is? Are you recruiting? Will you have someone in place by July 1<sup>st</sup>?

Mr. Rezentes: I think we will definitely have someone in place by July 1<sup>st</sup>. We are just working with HR. We got the approval from them to go out and recruit, so that should be coming very soon.

Councilmember Kualii: Recruitment has started. Have you already made the request with HR?

Mr. Rezentes: Yes.

Councilmember Kualii: Okay. Thank you.

Council Chair Rapozo: Councilmember Kagawa.

Councilmember Kagawa: Thank you, Chair. I will just pick out Lihu'e District. Are all these Park Caretakers assigned to one (1) park or do they work as a team?

Mr. Porter: Currently, the way it is set up is that there...and this is in agreement with the union through a supplemental agreement...currently, all Park Caretakers are on a twelve-week schedule. Every twelve (12) weeks, within their district and by seniority, they are able to choose what park they want to maintain for the next twelve (12) weeks.

Councilmember Kagawa: Is that every three (3) months?

Mr. Porter: Every three (3) months, the schedule goes back out, and by seniority, they choose which park within their district. Lihu'e District has its own workforce and they choose within that district whatever parks are within that district. That is how it currently is. We have been working with the union to see ways that we can be more efficient that way, and we just went through a consultation process and implemented a pilot program for the Kawaihau District where there is no twelve-week schedule. They work as a team and are led by the working supervisor who directs them. Above the working supervisor is the F2 who gives priorities. That has started, but just as a pilot project for the Kawaihau District. So far, it is good. It seems like it is working well. We went through the consultation process to do that one. If it is successful, we have already given the union the heads up that we are going to try to implement it islandwide.

Councilmember Kagawa: Does the union have the right to protest?

Mr. Porter: They can give their input. It is a consultative process. It is not mutual consent. At the end of the day, as long as we go through the proper process—105 Consultation Process—I think we will be successful in implementing it.



Councilmember Kagawa: When did you go through this twelve-week process that you have now?

Mr. Porter: I am not sure.

Councilmember Kagawa: When did the County change to that? Was it there for a long time?

Mr. Porter: Yes. We inherited it.

Councilmember Kagawa: Did you inherit it?

Mr. Porter: Yes.

Councilmember Kagawa: The common thing that we hear from the occasional complaints from the sports community is that some parks are good and some parks are really bad. I do not know if that is a reflection on not being able to provide the teamwork to get it up to speed so the staff can handle them. Even I have a hard time maintaining my yard, if I do not put time in, right? When you get it to a certain point...I was wondering if they had flexibility like that to assist.

Mr. Porter: With the pilot program, we do have that flexibility. That is what we are trying to look for.

Councilmember Kagawa: Alright. Thank you.

Ms. Rapozo: Just for clarification, the twelve-week schedule that Pat alluded to is part of the collective bargaining agreement. It is in the contract that you post the schedule every twelve (12) weeks and they select the shifts by seniority. How long has it been in the contract? It has been in ever since I have been here, because we had to do that with the Kaua'i Bus as well. That is at least thirty (30) years or more.

Councilmember Kagawa: Okay. I just pulled Lihu'e because that is where I practice softball. I was not making a comment about the Lihu'e parks. I was just wondering how the process we have...sometimes, all the employee needs is some help to get it to that level of what it should look like. After that, it will perhaps lead to better motivation to upkeep it. Like I said, I have a hard time even with my own yard if I do not put in the time.

RANDALL S. CREMER, Park Maintenance Operations Superintendent: With the old program, let us say you are a new employee who comes on board at the Kawaihau District, Ross Kagawa will get Kapahi Park, Wailua Homesteads, and two (2) green areas. One (1) employee is responsible for all of that.

Councilmember Kagawa: It is a lot.

Mr. Cremer: It becomes overwhelming. That is why I believe we lose people every once in a while. With this new pilot program, groups will go out. Four (4) employees will go out to take care. I believe we will have a better success story in the long run, because you are going to have more hands at one (1) park to complete it and make it nice, instead of having one (1) employee bounce from area to area and whose responsibility is so great for one (1) person.

Councilmember Kagawa: The more overreaching one that you just brought up is how can those at the County keep it where the good park workers stop jumping over to the Solid Waste Division where the pay, the hours, and the opportunities for overtime are better? Many of the Councilmembers and I feel the park workers are the ones you should be rewarding when they do a great job, and we want to keep those employees.

Mr. Cremer: I believe pay is a big part of it.

Councilmember Kagawa: The Solid Waste Division is rubbish, and a transfer station. The degree of how clean it is by the worker, compared to a park where you have hundreds of thousands of users, and you have issues with cleanliness or even with injuries because of fields not being...it seems like so much more important.

Mr. Cremer: I worked in the Solid Waste Division also, and I believe that our Park Caretakers should get the same pay as a Solid Waste Worker I, because they deal with the same *kúka* in the bathrooms and the sanitary issues. It is pretty much the same types of things. In the long run, that may be something we can look at.

Councilmember Kagawa: Thank you. I think Lenny even mentioned having a good worker jump to the Solid Waste Division. It is frustrating. Why are good workers lost to the Solid Waste Division, and you folks need to retrain? Thank you. Thank you, Chair.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: I have one (1) that I think pertains to the same page, but it is actually on page 223. It is the first item on Water. Can I ask that question?

Council Chair Rapozo: Does anyone else have any questions about positions? If not, go ahead, Councilmember Cowden.

Councilmember Cowden: On Water, I am not surprised that it is four hundred fifty thousand dollars (\$450,000). I assume that is all the showering, bathrooms, and possible washing down boats and things. Is that why you have high water usage?

Mr. Porter: Yes.

Councilmember Cowden: I have a question relative to our playing fields and water. Some of them dry out and get long cracks in them. Some of the cracks are two (2) inches wide, four (4) inches deep, and four (4) feet long. This is more so in Kōloa and on the drier side of the island. I went down to look at those. I sent pictures to Wally and Pat, because people were saying they thought it was the blasting that was cracking the park. I went and looked at the park behind my house in Kīlauea. It has huge cracks in there. I think about the children running on it and playing soccer. My guess is it is just dried out. Would that be correct? Is it just dried out and that is why there are big cracks in the grass fields?

Mr. Porter: Yes, I would say so.

Mr. Cremer: Kīlauea does not have an irrigation system set up. It has never had one. A lot of the parks do not have irrigation systems set up.

Councilmember Cowden: I am accurate, right? It is just drying out.

Mr. Cremer: We would need to have someone possibly do a percolation test. I cannot say.

Councilmember Cowden: I went and looked, because people were saying it was this other reason, so then I did a comparative. It is probably really expensive to water those fields, yes? Let us not do it. Let us probably not even think about it. What do you do when there are big cracks in the field during the season? Do you put dirt in it to close the *puka* up? If the children are running and playing soccer, they could easily twist an ankle. I actually measured with a measuring tape how deep, wide, and long it was. They get pretty big.

Mr. Porter: If we are notified of those things, the Parks Maintenance workers can definitely go out to fill the cracks.

Councilmember Cowden: That might just be something I wonder if, like how you can report an abandoned vehicle to the Police Department and how you can report a pothole with the Roads Division, maybe if there is something perceived as dangerous in the fields in our parks...maybe just putting dirt in there would fix it.

Mr. Cremer: You could put dirt or sand.

Councilmember Cowden: Dirt, sand, or something like that. Okay.

Council Chair Rapozo: Are there any other questions on page 223? Page 224. Page 225. It sounds like I am calling bingo numbers. I am just waiting for a bingo.

Councilmember Cowden: Page 225, it is almost page 226...you are getting three (3) new trucks.

Council Chair Rapozo: Okay. On the bottom of page 225 and on page 226.

Councilmember Kagawa: Can we go back up to page 224?

Council Chair Rapozo: Go ahead. Page 224.

Councilmember Kagawa: For Other Rentals, why is the request for three hundred eighty-two thousand dollars (\$382,000)? Three hundred eighty-two thousand dollars (\$382,000) is the request, and year-to-date, you are already at five hundred thousand dollars (\$500,000).

Mr. Porter: For some of these, like the three (3) parks where we are getting restrooms in this fiscal year, those will be completed, so we will not need to spend that money on a contract for portable toilets.

Councilmember Kagawa: Okay.

Mr. Porter: There are things such as that we are going to be cutting.

Councilmember Kagawa: It is a significant savings, so that is good.

Council Chair Rapozo: Alright. Going back to page 226. You have three (3) new trucks.

Mr. Chong: The line item at the top of page 226 is for three (3) replacement trucks. It is the replacement of existing vehicles.

Council Chair Rapozo: Again, I am requesting the breakdown of all vehicles and equipment from all departments, so we can take a look at it. It seems like we are doing a massive replacement. I just want to make sure these trucks are at the end of their lives, because it is a significant cost. This is for the equipment as well. I cannot count how many.

Councilmember Kagawa: I have a question.

Council Chair Rapozo: Go ahead.

Councilmember Kagawa: I know back when Councilmember Carvalho was the Mayor, we had this motor pool, because the County thought it could more efficiently track and provide vehicles for those who do not use vehicles all the time. Then I heard the motor pool is for the Department of Public Works. Does the Department of Parks & Recreation have a small motor pool or is it within each district that they maybe have it?

Mr. Porter: Most of the parks vehicles are assigned to districts, individuals, or programs. If we need additional vehicles outside of our fleet, we rely on the Department of Public Works' motor pool to provide that for us.

Councilmember Kagawa: Now, with what Council Chair is asking, with you buying a few more, does that open it up for you to have...

Mr. Cremer: These are replacements. Some of these trucks are from 2005.

Councilmember Kagawa: Is there no other value for...

Mr. Cremer: They are rotten and in bad shape.

Council Chair Rapozo: For those, of course, but I want to make sure we are not...we have funds this year, so I just want to make sure we are not buying before we need to buy. I should have had my calculator going as we go through these pages, but the amount is significant. I think we are buying six (6) excavators this year. I am not just talking about the Department of Parks & Recreation. This is throughout the County. Do we really need that many excavators or can we share? Can we have a motor pool set up, because you are not using an excavator every day? Do you know what I am saying? I am just curious to see the justification. That is all.

Councilmember Kagawa: There was a time when we received a lot of complaints asking why the County has so many. I do not see it now, but it used to be all in front here. We were asked, "Why do you have so many vehicles? Are they all being used?" That was the time we asked and were told that the motor pool thing was in place. That is what was making employees reluctant to use it sometimes. They said it was "humbug" to go through the process. Is the Department of Parks & Recreation not dealing with that motor pool? Is it only once in a while that you can ask the Department of Public Works?

Mr. Porter: Yes. If we need, we will.

Councilmember Kagawa: Okay. Thank you.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: I have one (1) more. I just want to ask a basic question about how you base the equipment. Thank you, again, for the Hanalei Baseyard. It is really beautiful and wonderful. It seems like the area around Kilauea Neighborhood Center has become a baseyard. There are a number of different big green equipment trucks parked up there. Have you had a different plan where that parking lot at the neighborhood center is now an informal parking lot?

Mr. Cremer: For the Parks Division, we have one (1) truck that stages out of the neighborhood center. It takes care of Kīlauea Park and ‘Anini.

Councilmember Cowden: Is that a white truck?

Mr. Cremer: It is a white truck. The larger trucks are under the Department of Public Works, Roads Division.

Councilmember Cowden: Has that neighborhood center become a baseyard for the Department of Public Works?

Mr. Porter: Is this recently that you have seen this?

Councilmember Cowden: A year or year and a half, maybe.

Mr. Porter: They were using it during the construction. It became North Shore’s baseyard for the trucks during the construction of the Hanalei Baseyard. Since then, they do stage trucks there if they are working in the area, but it is not used as their baseyard anymore.

Councilmember Cowden: I will try to keep an eye out on that. I am not complaining, but we do not have much parking in town, so when there are four (4) big, green trucks...they have the water trucks. They have all types of things right there. If there is anyone playing basketball or if there is any type of event happening there, it is all around the neighborhood and all up and down the road, so I just wondered if that was the long-term plan. Will the roof and job repair there ever happen?

Mr. Porter: Yes. It will happen soon.

Councilmember Cowden: Okay.

Council Chair Rapozo: Are there any other questions on page 226? If not, I have a general question. This came up at the Kekaha Townhall Meeting regarding trashcans at the parks. Is it on purpose that trash cans are not being put out at the parks?

Mr. Cremer: Trashcans are supposed to be put out at the parks. I have not had any calls as far as trash cans not being put out. Trashcans are budgeted in.

Council Chair Rapozo: I am curious, because that came up. I did not even notice.

Mr. Cremer: I will check into it.

Council Chair Rapozo: Please do. I know the stadium does not have any, but we will cover that when the stadiums come up. I find it hard to understand why the County is not putting more trashcans out.

Mr. Cremer: Last week, we just purchased fifteen (15) new cans.

Council Chair Rapozo: After that, I went to look out at Kekaha. I think I saw two (2) trashcans.

Mr. Cremer: Was that in the whole park?

Council Chair Rapozo: Yes.

Mr. Cremer: I will check.

Council Chair Rapozo: Thank you. Councilmember Kagawa.

Councilmember Kagawa: I have had some experience talking with the caretaker there. He said some of the members of the Kekaha community were throwing their personal trash in there. That may have been why that person tried to reduce the amount and to curb the behavior. It is because of frustration sometimes that they try to get a new solution. At that time, I know the person was complaining about people throwing their personal rubbish in there. For that person, it was out of control.

Mr. Cremer: I have asked them to actually move the cans from the gates, and into the parks. A lot of people do...Peter Rayno and others come with white trash bags from their homes. They become full every day, so I asked them to reassign the trashcans in different areas so they are not at gates where others can just throw their rubbish inside from their cars.

Council Chair Rapozo: In the bigger parks, even if you put a dumpster and lock it at night. I have a hard time...from the actions of a few, the general public is punished. Put up cameras and catch them. It is criminal littering if you are throwing your rubbish in there.

Councilmember DeCosta: I have one (1) last comment. I always tell you folks thank you for what you folks do, but I may need to pick Mr. Cremer's brain. You said something about pay scale retains workers, but I am hearing a rumor about you folks having good camaraderie in your department, which helps with your workers enjoying working for the Parks Division. Please help me to understand that. Is that just a rumor or have you built some camaraderie, because you brought it to my and everyone else's attention that you are trying the Kawaihau District park thing where everyone works in groups, so everyone takes care of parks and there is no competitiveness where one person's parks looks better than another person's parks? I go out to the Westside. I see that only



one (1) park look exceptional, and if the old timer gets to pick that park every time, he or she shines when the new person never shines because their park never looks good. Is that new program to continue to build the camaraderie and that is the buzzword going around?

Mr. Cremer: We are hoping that will happen. With the way it was happening prior, you, as the old timer, choose a park. Ross is the new person. Usually, the new person will come in and work really, really hard. They will get it done all “cherry,” and at the next schedule selection, Billy will take Ross’ park because it is all “cherry.” Now, Ross needs to take care of Billy’s park. It is like that.

Councilmember DeCosta: I knew the answer. I just wanted to shine on you folks. I just wanted to put the spotlight on you folks.

Mr. Cremer: By working together, everyone will be responsible for everything in their district and it should be good.

Councilmember DeCosta: Thank you, folks.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: I often like to use the parks when I meet with constituents. I started really doing that especially during the COVID-19 pandemic. That was a place where we could go to sit in the air and be outside. I am sure the lack of park tables or picnic tables, maybe a part of that is to not allow people who are without housing to have a place to sit down, but are you going to return any of the park benches and picnic tables to the parks, because a lot of people use it? It is the same thing with the rubbish going in the cans, and we no longer get cans. If we get rid of the tables because there are some people who we do not like using it, then no one can use it. I would go and have meetings, I am totally good with sitting on the grass and sitting on the ground, but not everyone is. Some people are stiff and some people do not feel comfortable sitting on the ground. Is there a reason why we do not have the picnic tables? Can we have more back?

Mr. Cremer: As far as I know, the only tables that were removed were the ones at Kalena Park.

Councilmember Cowden: There are none here.

Mr. Cremer: I am sorry. That was before my time, so I cannot answer that.

Councilmember Cowden: There used to be several out there. Most of the parks used to have them—the Houselots park...sort of all over, even Kilauea park does not have one anymore. Most parks do not have a picnic table. People bring their children there. They want to have a little bit of food on it. It seems that was the norm to use those tables in the parks.



Mr. Porter: I think both sides of that argument have valid points.

Councilmember Cowden: Yes, they do.

Mr. Porter: I think if we look at it strategically, I think we can find good options and good spaces for those park tables. We just need to look at it in a strategic way.

Councilmember Cowden: On that same strategy, I would put some trees back. I am sure a lot of those trees are cut down to make sure there is no shade for people who do not have a good place to sit, but then no one has a place to sit with shade and a table. I am putting a little push.

Mr. Cremer: I have a question. Where would the trees move to?

Councilmember Cowden: For example, in Kekaha Neighborhood Center Park, there used to be a really big and beautiful *hau* bush right there on the west beach side of the park. It had a lot of nice shade. There is not much *hau* on that side of the island. There are all types of trees that came out of Hanalei Park. Like these small neighborhood parks. Those are the places I like to go. I try to go somewhere that is not packed with tourists, like Po'ipū Beach Park. It is overwhelming. The neighborhood parks are really nice, but there are no little shade trees. I am thinking of one in Puhi. There is a nice little park in the middle of the neighborhood over there. There are no tables anymore. It makes for a good constituent greeting area. I go and talk story when they call me. I ask where they live, tell them to pick a park, and I meet them there.

Council Chair Rapozo: Are there any more questions for Parks Maintenance? If not, let us go through the Beautification Section, then we will break for lunch. This is on page 228. Councilmember Kualī'i.

Councilmember Kualī'i: You have two (2) vacant positions. The first one (1) is Groundskeeper, 9298, three hundred forty-nine (349) days, registration list established. Do you have interviews scheduled? Are you moving along to get someone hired?

Mr. Porter: Groundskeeper, 9298. That one is tied in with 1830, too, the Mower Operator.

Councilmember Kualī'i: What do you mean? Those are totally different positions.

Mr. Porter: Those are tied into one (1) consultation process that we are going through right now, also, like was mentioned the other time.

Councilmember Kualii: Is it like a reorganization?

Mr. Porter: Yes, it is a small reorganization. It is another cleanup and reorganization that we have to go through the 105 union process with.

Councilmember Kualii: Are you consulting with the union and are you near completion?

Mr. Porter: Yes. Just like the other one, we went through the whole process, the union will send a close out letter, and then we will start.

Councilmember Kualii: For the other one, it says, "Test scheduled," so did you have the test on March 14<sup>th</sup>? No, but will you?

Mr. Porter: I am sorry. Which one is it?

Councilmember Kualii: The Mower Operator. You mentioned 1830. The recruitment status is, "Test scheduled 3/14".

Mr. Porter: For that one, we will have a list and will be able to move forward as soon as the consultation is closed out.

Councilmember Kualii: Is it that you did not have the test, but you are having it, it will all move, and they will be hired by July 1<sup>st</sup>?

Mr. Porter: The test is already done.

Councilmember Kualii: It is done. Okay.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: I have a beautification question. I do not know if Pat can answer this or if HR will need to answer this. I know we charge our local residents five dollars (\$5) as a beautification fee when they register their vehicles. The Chair and I just introduced something where we will hold accountable commercial vehicles for a beautification fee. Do you have moneys that come in specifically used for beautification that can be applied from the beautification fee that is charged? Is that something that you have a fund account that you take for this part of your program?

Mr. Porter: I am not sure if we have a fund.

Councilmember DeCosta: Maybe I will put that in writing and send it over to HR or something.

Mr. Porter: I think it is all General Funds from our beautification.

Councilmember DeCosta: I see "beautification" and I know we charge our taxpayers that when they register their vehicle, but we will not beautify their vehicle, because they take it home, and wash and wax it themselves, but that funding should be for beautification. If you are doing beautification, I am wondering...what was that?

Council Chair Rapozo: I think those funds go into the line item for abandoned vehicles. Does it not? Ken, correct me if I am wrong. My memory is not as good as it used to be. That went into the beautification fund which is where the abandoned vehicles are...

KEN SHIMONISHI, Budget Administrator: That is correct. Ken Shimonishi, Budget Administrator. Councilmember DeCosta, the beautification fee attached to the vehicle registrations actually goes into a beautification fund in and of itself, which is primarily used for the derelict vehicles. The Beautification Division in the Department of Parks & Recreation is through General Fund revenue sources.

Councilmember DeCosta: Thank you, Ken. To keep you folks from sleeping back there, you need to come up once in a while.

Council Chair Rapozo: He jumped up. I thought I said something wrong. Are there any more questions on page 228 or 229? We will get to the stadium after. Let us take a break for lunch. Councilmember Carvalho has an appointment at 12:00 p.m., so we will break for lunch and we will be back at 12:50 p.m.

There being no objections, the meeting recessed at 11:47 a.m.

The meeting reconvened at 12:55 p.m., and proceeded as follows:

*(Councilmember Carvalho and Councilmember Kagawa were noted as not present.)*

Council Chair Rapozo: We are now on page 231. This is the Department of Parks & Recreation, Stadiums. Councilmember Kualii.

Councilmember Kualii: There are no vacancies.

Council Chair Rapozo: That is perfect.

Councilmember Kualii: It is not expected.

Councilmember DeCosta: I have a question on the stadium.

Council Chair Rapozo: Are there no other questions on positions? Okay, we will go to page 232. Are there any questions on page 232 or are there any general questions for a pretty flat budget?

Councilmember DeCosta: I have a general question.

Council Chair Rapozo: Go ahead.

Councilmember DeCosta: I wanted to ask again. When our nonprofit organizations and youth groups use the stadium, whether it is for soccer, Pop Warner, or KIF, why do they still need to pick up all the trash? We have trash cans and I know we have a person who takes care of all the stadiums. Do we need to tell the constituents that they need to take care of their own trash? Normally, what is the protocol?

There being no objections, the rules were suspended.

Mr. Porter: For large sporting events in the stadiums, we do ask that the permittee putting on the event to take care of the trash that is generated from that event.

Councilmember DeCosta: Okay.

Mr. Porter: This is if it is a large event.

Councilmember DeCosta: Does the caretaker or whoever help with taking the bags, because sometimes the children cannot carry the bag clearly across the field? Do they assist with that?

Mr. Porter: Yes, we will usually have them working so they can assist with that.

Councilmember DeCosta: The main thing is we have that going on. That was just one of the questions from the constituents.

Council Chair Rapozo: I will go back to the trashcans because this is another one. There is not one trashcan in the entire parking lot at Vidinha Stadium.

*(Councilmember Carvalho was noted as present.)*

Council Chair Rapozo: Just a couple of weeks ago as I was driving past, I saw that an area had three (3) or four (4) rubbish bags. We know a lot of *kūpuna* use that parking lot to each lunch. We were just talking about who is a *kupuna* and who is not, but when I was at the Office of the Prosecuting Attorney, my partner and I would pick up our lunch and eat at the parking lot of the stadium, but there are no rubbish cans. I cannot

understand why. That is a public place. It is pretty much like a park and a lot of people go there. People go there and eat their lunch. I am just curious as to why.

Mr. Cremer: Since I have been in this position, there have not been any trashcans there, honestly. I know we put trashcans back on the soccer fields. Soccer field trashcans were removed in the past. I guess there were engine heads and all different types of things. I do not know exactly what it was, so it was removed, but I had that put back. I can try to find out exactly why they were removed. Honestly, I cannot answer you.

Council Chair Rapozo: We do not want people to dump their trash on the ground, in someone else's property, in the bushes, or in a culvert. I think parks and trashcans are supposed to go together, unless there is a reason. We will always have the issue with people coming around and tossing their trash, but for me, it is trash. I do not know. That is one of the complaints I have heard over the years. Is there anything else for Stadiums? If not, we are moving on to Convention Hall.

Councilmember Kualii: There are two (2) positions.

Councilmember Cowden: Thank you.

Mr. Cremer: Thank you, folks.

Council Chair Rapozo: Thank you.

Councilmember DeCosta: Thank you, Mr. Cremer.

Councilmember Kualii: There are two (2) positions and no vacancies. I would expect that. Do you anticipate any retirements or anything like that?

Mr. Porter: No.

Councilmember Kualii: Thank you, Chair.

Council Chair Rapozo: Are there any other questions for the Convention Hall?

Councilmember Cowden: I have a general question.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: It is looking very *pau*. How finished is it? I know that is mostly mostly IT, but are you almost finished with fixing it?

Mr. Porter: The Conventional Hall? No, it is a huge project.

Councilmember Cowden: Is there still a lot more going on?

Mr. Porter: Yes.

Councilmember Cowden: It was in the Capital Improvement Projects (CIP) Budget, right? We just looked at that and that is why we do not see it here.

Mr. Porter: Yes.

Council Chair Rapozo: Next is the 209 Fund. Is Special Projects all you had on the 209 Fund?

Mr. Porter: Yes.

Council Chair Rapozo: Are there any questions with that?

Councilmember Cowden: Which page are you on?

Council Chair Rapozo: This is master page 334. This is the Parks fund, right?

Mr. Porter: Yes.

Council Chair Rapozo: Is it the Special Parks fund?

Mr. Porter: Yes.

Council Chair Rapozo: This is the fund that the Spouting Horn vendors money goes to, right?

Mr. Porter: That is correct.

Council Chair Rapozo: I think we will be asking for a briefing on that in the Committee.

Mr. Porter: Okay.

Council Chair Rapozo: That came up for some reason. I had not heard about Spouting Horn for a long time, and it seems like over the past three (3) or four (4) months, we have been getting a few inquiries from the public about what is going on.

Mr. Porter: Okay.

Councilmember Cowden: As you know, people have been asking for several years. As soon as that building was finished, people wanted to be in there. This is before

you were in office, Chair, but there has definitely been strong interest from people wanting to be in there.

Mr. Porter: Yes, we get that in our office, too.

Councilmember DeCosta: I have a question since we are on Spouting Horn.

Council Chair Rapozo: Go ahead.

Councilmember DeCosta: Councilmember Bulosan and I will be asking for a meeting with you folks. Do you want to include something or will you wait for next year? Will you entertain a pay to watch Spouting Horn thing? Is that something we will eventually talk about, have a discussion on, or possibly budget for?

Mr. Porter: Yes, I think we should bounce that off the Office of the County Attorney to see if an Ordinance amendment needs to be made, or if we need to amend the Administrative Rules that we are currently working on to be able to do something like that over there. I am not sure, so I think that we should bounce that off them.

Councilmember DeCosta: I will put that in the request from Councilmember Bulosan and myself.

Council Chair Rapozo: Are there any more questions on the 209 Fund? If not, we will go to page 357, Wailua Golf Course.

Councilmember Kualii: It has its own tab, yes?

Council Chair Rapozo: Yes, it is its own tab.

Councilmember Cowden: Page 357?

Council Chair Rapozo: It is the third to the last tab.

Councilmember Cowden: Okay.

Council Chair Rapozo: Thank you, Lenny. We will start with positions on page 357.

Councilmember Kualii: There are no vacancies showing on the Vacancy Report. Do you have no vacancies? Do you expect to have any? Are there any planned retirements?

Mr. Porter: No.

Councilmember Kualifii:                      Okay. Thank you.

Council Chair Rapozo:                      Does anyone else have any questions on positions? If not, we are moving on to page 358. Again, I think the only increase or indirect cost...it is not an increase, but it is showing a one-hundred-thirty-thousand-dollar request with zero dollars (\$0) spent so far. Can you explain what that is?

Councilmember Kualifii:                      Do they do that at the end of the year?

Council Chair Rapozo:                      I do not know.

Councilmember Cowden:                      Is that the Central Services Contribution?

Council Chair Rapozo:                      It is the Indirect Costs. Is that the one that you folks pay out at the end of the year?

Mr. Porter:                                      It is the...

Council Chair Rapozo:                      Okay. Alright, page 359. Page 360. There are two (2) more mowers, a UTV, and a sand rake. Again, we will send the request across. We just want to see the justification for these. That is all. Are there any questions for the Wailua Golf Course? Thank you.

Councilmember Cowden:                      You have a lot coming in the CIP Budget, though, right?

Council Chair Rapozo:                      It is still one of the best municipal courses in the country, so thank you. Thank you for your folks' work down there. That will wrap it up. Are there any more questions for the Department of Public Works?

Councilmember Cowden:                      It is the Department of Parks & Recreation.

Council Chair Rapozo:                      I am sorry. Are there any other questions for the Department of Parks & Recreation? If not, thank you, Pat, Wally, and everyone else on your team. We will move on to the Office of the County Attorney. It starts on page 24.

**Office of the County Attorney:**

Councilmember Kualifii:                      Matt, are there any vacancies?

MATTHEW M. BRACKEN, County Attorney:    There are no vacancies.

Councilmember Kualifii:                      Are there any planned or upcoming retirements?

Mr. Bracken:                                      No.



Councilmember Cowden: I have follow-up on that.

Council Chair Rapozo: Go ahead.

Councilmember Cowden: There are no vacancies, but it is a seemingly vacant office. Do you have twelve (12) attorneys on your team?

Mr. Bracken: Matt Bracken, County Attorney.

Councilmember Cowden: I counted. I just went through and counted.

Mr. Bracken: There are fifteen (15) attorneys. There is one (1) part-time attorney and fourteen (15) full-time attorneys.

Councilmember Cowden: Okay. How many work remotely and how many are physically present on Kaua'i?

Mr. Bracken: I have seven (7) attorneys who work remotely and eight (8) who are present in the office.

Councilmember Cowden: Okay. Thank you for finding a creative way for hanging on to those seven (7) attorneys. I am sure that is why you have them working remotely. It is better to have them than lose them, right?

Mr. Bracken: Yes. We probably would have lost all seven (7) if we did not let them work remotely. It helps with retention. There are definitely up sides and down sides to it.

Councilmember Cowden: I notice that, without complaint, the travel budget is stronger than maybe it would normally be in here. Is that when they are flown over to be present at a commission hearing or to meet with the Council?

Mr. Bracken: Not really. Our budget is essentially flat from last year. There is a one-thousand-dollar increase from last year and that is attributable to travel, but that is actually travel for training. Our attorneys who work remotely do not really need to come over here very often. I have one (1) litigation attorney who lives on O'ahu. We assign him all the cases where he needs to appear in Federal court on O'ahu or at the tax court on O'ahu, so in some ways, we are actually saving on travel, because we are not flying an attorney there. I have an attorney there who just drives in now.

Councilmember Cowden: That is good.

Mr. Bracken: Travel costs have not really increased because of this. It is still flat.

Councilmember Cowden: I believe there is one (1) in Arkansas?

Mr. Bracken: It is Kentucky.

*(Councilmember Kagawa was noted as present.)*

Councilmember Cowden: What does he work on?

Mr. Bracken: He handles a majority of the contracts for the Department of Public Works.

Councilmember Cowden: Are contracts not something the attorney has to show up for either?

Mr. Bracken: No. It is all transactional work, so he does not need to be present for it, and he just uses Microsoft Teams for meetings.

Councilmember Cowden: Okay.

Council Chair Rapozo: Matt, I apologize. I was supposed to have you go through this first. It is really an opportunity for you to share. We all know the challenges. If you want to take a few moments and speak about your office, I apologize. We should have done that first.

Mr. Bracken: It is just a quick overview. Operationally, we are talking about a one-thousand-dollar increase in our budget, which is attributable to travel or air fares. For Operational Highlights, we basically have two (2) large line items in our budget, which are Special Counsel and Litigation Costs. Special Counsel is set at three hundred thirty-five thousand dollars (\$335,000), and it has been at that amount for the last ten (10) years. Our goal is to not use that account, so we try as much as possible to not hire Special Counsel. We do have two hundred fifty-two (252) active litigation cases, and four (4) that we are being aided with Special Counsel on. One (1) of them is being closed as we spoke, and one (1) should be closed within the next couple of weeks, so we really only have two (2) cases that are being helped with Special Counsel. One (1) is up on appeal and the other one is an inactive case. Largely, we try not to use it, but it is in our budget if we do need it. The other is Litigation Costs. Litigation costs vary from year to year. This year, we have had a lot of claims lately, and a lot are personal injury claims, so we have had to hire a lot more experts and take more depositions. While how much we use that account can vary from year to year, we have fully exhausted it this year and are pulling money out of our Special Counsel to cover Litigation Costs. Last fiscal year, you did give us another attorney position to create a Risk Manager. The thought at the time was to clear out our legal backlog, then create the Risk Management position. At this time last year, we had about two hundred (200) legal matters. That was the backlog. At this point in time, we have about one hundred (100). We have cut it in half. Hopefully, within a year it will be completely gone. The Risk Management Program is up and running. Currently, the Risk Manager

created a portal on SharePoint, which describes what risk management is and the process for it. Within that portal, they also now review the insurance from premade contracts. They are also managing the County's insurance policies, and are currently working on getting County property appraised, which should help with their insurance policies next year. They also tweaked our internal matter management software, so we can also produce better reports, which should help with risk management going forward. Those are the highlights of our budget and operations.

Council Chair Rapozo: Are there any other questions? Councilmember Kagawa.

Councilmember Kagawa: Can you clarify more, Matt? We had a publicized case come out in the Civil Beat today. Can you explain the types for the public? When does Special Counsel come into play? Maybe we have a County subordinate filing against the boss and why we sometimes need to use Special Counsel and not handle it internally.

Mr. Bracken: We will go to Special Counsel for different reasons. Sometimes, we do not have the expertise. We have a lot of litigation cases and my attorneys are not necessarily familiar with all the different areas of law, so sometimes we will pull them in as a consultant, which is one of the ones we were using. We were consulting with them in an area of law that we were not terribly familiar with. Sometimes we do it because of conflict. The one (1) inactive that we currently have is a lawsuit from a former Chief of Police. My office formerly represented him. I represented him in other lawsuits. Once we represent someone, especially if it is in their individual capacity, you carry the conflict. I have a conflict. He sued the County and because he sued the County, I have that conflict, so I cannot go against him. Sometimes there is just a conflict. For those cases, we need to go to outside counsel.

Councilmember Kagawa: Thank you.

Council Chair Rapozo: Are there any more questions for the Office of the County Attorney? If not, thank you.

Mr. Bracken: Thank you.

Council Chair Rapozo: Next is the Department of Liquor Control? Are they here? We will take a short recess until they arrive.

There being no objections, the meeting recessed at 1:12 p.m.

The meeting reconvened at 1:15 p.m., and proceeded as follows:

Council Chair Rapozo: Sir, thank you for being here. Do you want to go through your presentation, and then we will open it up for questions? If you could, introduce yourselves for the captioner.

There being no objections, the rules were suspended.

**Department of Liquor Control:**

LEO SANDOVAL, Director of Liquor Control: Sure. I am sorry to keep you folks waiting. Leo Sandoval-Reyes, Director of the Department of Liquor Control.

CLARENCE R. SALES, Accountant II: Clarence Sales, Accountant II.

Mr. Sandoval: I would like to go over the budget for the Department of Liquor Control for FY 2024-2025. I am sorry. I was trying to run, because she told me to run. It is sort of hard for a person of size to run.

Council Chair Rapozo: Do not feel bad. Mauna Kea Trask, who is a lean, mean, fighting machine ran across the other day and he was out of breath for about forty-eight (48) minutes, so do not feel bad.

Mr. Sandoval: We are good. We are here, we made it. I just want to give you folks a quick overview of everything. I think it has been moving pretty fast with everyone else's overview. The Department has been working really, really well and very efficiently this past year with the Council's approval of an additional position of a Licensing Clerk. We were able to successfully convert that person into that position and she has been working fantastically processing licensing on-time without any type of delays for new licensees. Our turnaround, compared to any of the other islands, Kaua'i is the fastest possible, statutorily. It has been working great. Unfortunately, one of the things our Department has been hit with is a shortage on Investigator positions. We had a hit from retirement; one (1) person was eligible for retirement, and another person wanted to transfer to another department to move up the career ladder. That has been one of the issues we have had with the current pricing or classifications that we have for our Investigators. They get to a point where there is no movement upwards until someone else vacates another position. At this time, we are in active recruitment to try to fill those positions and we are finding that will be a bit of a challenge because the pricing of those positions is low, so we are trying to negotiate a method to either supplement or make it more advantageous for an applicant to go into that position in the future and try to retain them, if possible. Negotiations or talks for consultation have been initiated with the union at this point to see what can be done. Apart from that, the Department continues to regulate all the licensees on the island. It has been so successful with the amount of people that we have coming to the island. When I got here on the island, I believe it was towards the end of the COVID-19 pandemic, we are down to about two hundred nine (209) to two hundred five (205) licensees on-island. We were bouncing back. We are almost hitting two hundred fifty (250) licensees on the island within that time, so the growth amount for people wanting to sell on this island is so high, it is requiring additional staffing to keep up with that, because not only do we serve their license at the initiation of the application and the issuance, we have to continuously service those applicants when they want to do additional services, such as catering, special events for concerts, and things like that. That

requires an ongoing service and we try to continue to provide that with the staffing that we have in place. We have been blessed to be able to continue to do that. This is for our nonprofit organizations as well. If you take a look on the actual budget narrative, we asked for a little bit of an increase. Most of the increases, like everyone else, are for salaries and wages, because of the negotiations with the salaries through the collective bargaining agreement. We did have a slight increase on the operations of only four point seven percent (4.7%). The reason for the four point seven percent (4.7%) increase is because of increased costs associated with future expenditures for the State conferences which, for some reason, is taking place on Maui, and it will just be at a premium price to take all the commissioners to Maui, so I just want to make sure that I do not exclude any commissioners and have enough for them to go. Those increases will be on travel and per diem. As far as other places that might have slight increases, I think we were pretty reserved with adding additional items throughout the entire budget. With the way that we are doing our operations, it has just been so effective with the efficiency that we are doing and we have so many people who are cross-trained that when someone is absent, another person is able to step in and take up the slack whenever that person is out. That has just been a model that we have had at this point. As the island continues to expand and businesses continue to serve alcohol, at this point, we do not foresee that we need to add anyone, because the addition of anyone else to where we are at this point would obviously increase the percentage fee that would be passed on to our licensees, so we will keep a balance at this point so we can keep the amount that they are used to below the one percent (1%) that is statutorily permitted for us to charge on the annual fees. That is what we have on our inflations. Are there any questions from the Council?

Council Chair Rapozo: Are there any questions on the overview or the actual presentation? Councilmember Kagawa.

Councilmember Kagawa: You folks are enterprise-funded, right? Are you self-sustaining?

Mr. Sandoval: Yes, we are self-funded.

Councilmember Kagawa: How much are you subsidized by the General Fund?

Mr. Sandoval: Zero (0).

Councilmember Kagawa: To that extent, do you make a profit?

Mr. Sandoval: Anything that is in excess of the amount needed for our operations is credited or returned back to the licensees for use on the next renewal of their license.

Councilmember Kagawa: Thank you.

Mr. Sandoval: We subsidize the amount so they pay less.

Councilmember Kagawa: Thank you.

Council Chair Rapozo: Councilmember DeCosta, followed by Councilmember Cowden.

Councilmember DeCosta: I am impressed by how you said you have done so many more applications since the COVID-19 pandemic with the same staff that you have. Can that staff still do all the inspections and follow-up inspections? You did not mention too much about that, you just mentioned the applications and the new people selling alcohol. Where is the follow-up for all these people? Do you folks do follow-up?

Mr. Sandoval: Thank you for the question on that. This took a little bit of reorganizing in the manner and functions that our Department runs, and like I said earlier, we cross-train, so everyone knows what is going on. The way that we initially intake an application is we have our Liquor Licensing Clerk who takes care of all the necessary documents to make them statutorily eligible to have a license. Once that goes over, we have a daytime investigator who "takes the baton," goes out and does a field inspection, photographs the entire location, and does the written investigator's report that is required. After that, the baton is passed on to the supervisor for review and approval. Once that is approved and reviewed, the baton gets passed to myself, where I, in turn, put it on the commission's agenda for consideration. Once that is considered, approved, public hearings, the baton is passed to the Department and we send it back to the Enforcement Inspectors. At that point, they go back and do their portion. They do the inspection to make sure they are in compliance with what they told the commission they would do. At that point, we issue their license to them. Once they are issued their license, they have been blessed to continue to sell alcohol. Immediately, they are put into rotation for inspection on a system that we have. Those inspections are scheduled by the Assistant Chief to be randomly done throughout the entire year. That is just for that portion. It is not for complaints. Complaints are independent of this type of system, so we do that as well.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: As a follow-up on that, I remember when you first took over you were going to shift the system and it was going to be a little bit higher with IT's involvement. Is that what has been the big increase in efficiency?

Mr. Sandoval: This is actually a good question and that has been a work in progress. We completed three (3) or four (4) modules of that program and we had a positive effect that came out of that. First of all, we started doing the licensing intake completely online for initial applications. We actually have real-time tracking of what is coming in and going out. We also have real-time tracking of where direct wine shippers are coming in and going out, so we are getting the revenue from the Mainland U.S. for wineries that are coming in, which has generated an additional revenue fund. It is not a revenue



fund that you are thinking of where we can take it somewhere else. It is a revenue fund that is not utilized. It goes into that amount of excess that the licensees had to carry over, so we give them additional moneys to reduce the amount of money they pay at the renewal even more. Everything that we have been collecting, as opposed to the past...I do not know exactly what the revenue amount was this year, but it went from collecting thirty-three dollars (\$33) times five hundred sixty (560) applicants to one hundred eighty dollars (\$180) for five hundred sixty (560) applicants on each application. Anything in excess is completely going towards our carryover. That amount has been vital to reducing the amount that our licensees need to pay. That is one (1) area of revenue where we have been generating extra. The other thing is for doing our manager's courses. We have been doing all the payment processing through there. That is additional revenue that we are able to put into the carryover. We are finding so many indirect ways to increase the funds to reduce the amount that our island needs to pay.

Councilmember Cowden: That is great. Are the new entities, like the wine products, mostly boutique products? You said you have a lot of new...it is not new bars opening up; it is new products into the island to sell?

Mr. Sandoval: It is mainly any winery from the Mainland U.S. who wishes to ship to our island needs to obtain this license.

Councilmember Cowden: Okay. This is my last question. It is an overview question. I remember during the COVID-19 pandemic I was shocked...I guess I should not have been...to see how much more people were drinking. The revenue sales went way high during the pandemic. I was like, "Okay, at least one (1) type of business is doing well," but it looks like there is a nine percent (9%) increase in liquor sales this year. Do you have any type of instinct? Are we over-consuming alcohol or is it that there are a lot more visitors on the island who are consuming?

Mr. Sandoval: Without comparing...I do not know what the numbers are from statistics from either the Chamber of Commerce or the Hawai'i Restaurant Association on what has been coming in. All we know is the amount that they are reporting is a lot higher on each person. I cannot give you future amounts, but renewals are about to come up again in June and people are going to start sending us the amount of sales that they have had for this previous year, so we will possibly have the revenues for this past year by June 30<sup>th</sup>.

Councilmember Cowden: Okay. I am now thinking it might just also be inflationary pressures. They might not be selling more bottles of wine, but it just might be that the bottles of wine cost more money. Is everyone getting "sauced" too much?

Mr. Sandoval: I hope not.

Councilmember Cowden: I hope they are okay. I just want to make sure everyone is healthy. During the COVID-19 pandemic, when I saw that drinking was going

up, I was thinking, "It does not sound healthy. Maybe people are depressed and are sitting at home and just drinking."

Mr. Sandoval: I can tell you the follow-up on that. On the wineries itself, it maintains the same of licensees shipping in. One of the things the State requires is common carriers, such as FedEx, is whenever someone orders wine through the mail, that common carrier sends me a list every month of everyone who has ordered wine and exactly how many cases of wine they ordered. If we had someone in the public who was ordering from a Hawaiian retailer, I would know exactly how many cases they ordered and when it was delivered to their house.

Councilmember Cowden: Wow.

Mr. Sandoval: I could effectively tell you this person...not that I will say who the person is, but they are drinking a lot more than the year before.

Councilmember Cowden: Okay.

Mr. Sandoval: The amount of sales is going to be for on-island sales where it is showing the increases. He just wanted to make sure that you folks also know that list is also for us to follow-up on compliance, because we sometimes find violations of people who are shipping from the Mainland U.S. to our restaurants, but they are not supposed to be shipping that way. That is another compliance issue that we follow-up with.

Councilmember Cowden: Thank you.

Council Chair Rapozo: Councilmember DeCosta.

Councilmember DeCosta: Since you mentioned compliance, I was just wondering about not only the liquor that comes in through the shipments, but also about compliance with the individual licensee who sells alcohol to underage or of-age people. How do you folks address that situation or that problem? Is it a problem on the island? I know it used to be a problem and I think we had something in place. I am not sure what you have in place now.

Mr. Sandoval: Again, that is a good question. We have been putting the framework in place to do those operations on-island. We have consulted with the Office of the Prosecuting Attorney to make sure those cases would be filed and prosecuted. We have partnered with KPD to make sure we have the proper staffing to do those operations. At this point, our issue is to find a minor who wants to volunteer to do that type of operation. For any local person who wants to assist, it could be a conflict in the future with that person, so we are trying to find alternative solutions. I have a meeting on the 19th with the Directors from the other islands to see if we can have some type of cooperative agreement where I can possibly utilize someone from another island and bring



them here to do those, because we have to do those checks. I do not want to put anyone from our community in danger for accomplishing these, so I need to find a solution where I can bring in someone else.

Councilmember DeCosta: Thank you for elaborating on that, because I did not consider endangering that person or isolating them to take the brunt of being the person who was undercover. Thank you, sir.

Council Chair Rapozo: In the past, did we not work with the State and UH which provided the...if I remember correctly, and this is probably years ago, there was a program that UH had and they would provide the children?

Mr. Sandoval: Yes.

Council Chair Rapozo: Is that available?

Mr. Sandoval: The program that you are talking about is through UH's Human Services Department.

Council Chair Rapozo: Right.

Mr. Sandoval: They used to have that program and it was grant-funded. Right now, the grant only covers tobacco. That is one (1) that KPD has been utilizing for the tobacco compliance checks. I have made contact with the coordinator and the money is not there for that grant for our side, so we are having to find other solutions. It is not only our island. The rest of the islands are in the same situation where we are having to find the solutions to do this.

Council Chair Rapozo: It is not grant-funded, but could you still do it if the County funded the program? I thought that program worked really well and I agree, I do not want to see our local children being used. By children, I mean under twenty-one (21). We are not talking about twelve (12) and thirteen (13) year olds. We are talking about adults who are under the age of twenty-one (21).

Mr. Sandoval: That is a good idea to look into. If it is possible for us to contribute to that program so they could come do it on our island, I would be willing to work with that. I can reach out to them.

Council Chair Rapozo: I actually watched that. I walked into 7-Eleven Lihu'e one evening to get coffee and they just succeeded in buying it. It was classic. Then I found out it was a UH student. It was a brilliant idea.

Mr. Sandoval: I would much prefer using that program as well.

Council Chair Rapozo: Your funds come from your licensees, but if there is anything we can help with, because I think that is critical. We have a lot of problems with children having access to alcohol and even tobacco, vapes, and everything else. Last night, I was watching the four (4) Chiefs of Police talking about safety on television (tv), and one of the big issues was about drinking and driving, and the accidents and number of fatalities we have already seen this year in the State. That is one area I would like to see really stepped up on the underage alcohol purchasing and drinking.

Mr. Sandoval: Yes. Just for educational purposes, the Department of Liquor Control Investigators, as far as overserving, statutorily, there was an overlook at some point...or it was intended at that point that they were the only ones to do the administrative portion, so they are only able to enforce anything that is in Hawai'i Revised Statutes, Chapter 281 at this point. For anything outside of Chapter 281, we need to count on the Police Department to enforce that. That would be a collaborative effort between both departments to get those types of things done. Right now, the thing that we really focus on is the minors. Like I said, we talked with KPD and they do have it as a high priority for overserving. The Office of the Prosecuting Attorney also has it as a high priority, because they know it is a big problem on the island.

Council Chair Rapozo: Thank you. Councilmember Kualii.

Councilmember Kualii: You said the excess funds go back. Have you been returning a lot of funds each year?

Mr. Sandoval: As a practice, whenever we get our funds and we allocate for everything, I have been making it a point to not deplete the funds completely on whatever has been approved even though it is there. I do my best to keep a reserve of at least two hundred fifty thousand dollars (\$250,000) to three hundred thousand dollars (\$300,000) at the end of the year. It sort of looks bad, because whenever you look on the budget sheets, if you have them in front of you, it will say that we have a high budget account on this and that, but it is because we are trying to be as conservative as possible to keep that money at the end of the year, so I can just give it back to the licensees. You can look at the budget and say, "You have twenty thousand dollars (\$20,000) left in travel," but that is done on purpose, because I will try to return it.

Councilmember Kualii: On the positions, though, you said the two (2) relatively new vacancies are in active recruitment. It says, "Test scheduled," assuming you did the test, but you said that you expect a challenge because the salaries are low. With the range of forty-eight thousand four hundred fifty-six dollars (\$48,456) to seventy-one thousand six hundred sixty-four dollars (\$71,664), you have the ability to increase those salaries, right?

Mr. Sandoval: I would need to consult with HR.

Councilmember Kualii: You can propose it and we can support it.

Mr. Sandoval: I would welcome the support. Obviously, that would give me better chances of recruiting in that aspect, because at the rate of bringing someone in at forty-eight thousand dollars (\$48,000) to the island, when there are dishwashers who make sixty thousand dollars (\$60,000), is not a good thing.

Councilmember Kualii: It is there in a range, so I do not understand why you would not have proposed that. HR may be involved because you have another SR-18, one (1) retired and another was promoted elsewhere, but maybe they would not have taken the promotion elsewhere if you are paying them more, too, right?

Mr. Sandoval: Yes, that may have been the case.

Councilmember Kualii: How do you work it out with HR to pay them more?

Ms. Rapozo: Going back to the last question you had, it is a civil service position, so he has to hire at the beginning step.

Councilmember Kualii: Would it be like a reclassification?

Ms. Rapozo: For the Investigator positions, I believe after one (1) year, they can be reallocated up to an Investigator II. Is there also an Investigator III, or is that a working supervisor?

Mr. Sandoval: Investigator III is the working supervisor.

Councilmember Kualii: If you are forced by the civil service law to start them at the lower end, what other things can you do to add incentives like you did elsewhere?

Ms. Rapozo: We have been working with different departments who have approached us with what you have heard—differentials at the Police Department for their dispatchers, DMV workers have a differential right now, and Park Security Officers. We do a supplemental agreement with the union to provide for...it depends on what the structure of the differential is. In the case of DMV, we pay them premium pay after the fifth hour without getting a lunch break, then they work that lunch period as well, so they work three quarter hours per day overtime. Their last three (3) hours of work, the sixth, seventh, and eighth hour are paid at the overtime rate. We do different things like that. In that case, and Reiko can correct me if I am wrong, I think it resulted in about a thirty-something percent increase in pay. That is when they come to work. That is similar to the Park Security Officers.

Councilmember Kualii: Will you folks be working on that for these positions?

Ms. Rapozo: We have not recruited for this for a while, so we do not really know what is out there, unless Leo knows something that I do not know. We do not know what types of applicants we are going to get.

Councilmember Kualii: Did the test that was scheduled for March 27<sup>th</sup> happen or not?

Ms. Rapozo: I believe it happened. I do not have that.

Mr. Sandoval: We had a low amount of applicants. None of them were selected at that point. They were supposed to take that scheduled test, so we have requested for reposting of the position once again to see if we can get more applicants. Talking about supplemental agreements, I have reached out again to the union for a consultation on a possible retention differential, if possible. Nothing is set in stone at this point; it is just talk, and I need to consult with everyone before anything is set in stone. I am also open to discussing the other thing, like the Park Rangers, but again, that will take an increase somewhere, and since we are self-funded, that will end up being something that is passed on somewhere.

Council Chair Rapozo: You just said you are giving back money, right? It is two hundred fifty thousand dollars (\$250,000) or three hundred thousand dollars (\$300,000). That salary money is...

Councilmember Kualii: Spend it to do the job.

Mr. Sandoval: I would not mind doing that. It is just that once you start getting people used to, "This is the amount you are paying, and all of a sudden, now you are paying more." It can be explained. Do not get me wrong, it can be explained. I did that once already when we came back from the COVID-19 pandemic and they were paying almost nothing, then went back to the normal rates with an explanation.

Council Chair Rapozo: You should understand that they are making a lot more money as well.

Mr. Sandoval: That is true.

Council Chair Rapozo: That is just how the structure is. If you do not like it, you can sell ice cream, instead of alcohol.

Councilmember Kualii: Thank you, Chair.

Council Chair Rapozo: Janine, thank you for being here to clarify all the things with HR, because it is so confusing. Do you post the job as a Liquor Investigator I?

Mr. Sandoval: That is correct.

Council Chair Rapozo: If someone has the qualifications for Investigator II... I do not know if that is possible. I do not know if you have to be an Investigator I first. I am not sure what the agreement says. If someone came up and was already qualified as an Investigator II, could you bring them in as an Investigator II or do they need to start as an Investigator I?

Ms. Rapozo: We would need to repost at an Investigator II. They could, but we would need to repost it and then they would apply for that.

Council Chair Rapozo: I understand. Thank you.

Ms. Rapozo: For some positions, that is why we post a range, so we can see where people would qualify.

Council Chair Rapozo: Thank you. Councilmember DeCosta.

Councilmember DeCosta: I am curious to know what the qualifications of a Liquor Inspector are. Do they need to be a retired police officer or an alcoholic? I want to know what the qualifications are.

Councilmember Kualii: It is an Investigator.

Councilmember DeCosta: That was a facetious joke.

Mr. Sandoval: My answer is no. No, you do not need to be an alcoholic. You do not even have to be someone who has gone to bars in the past. I believe it is a high school diploma and at least one (1) year of inspection experience. It does not specify that it needs to be inside of a bar. It is just inspection experience, so it could really be any type of background as long as it involves inspecting.

Councilmember DeCosta: A humane society animal control person who inspects a homeowner for proper kennels for dogs. He or she is an inspector at that point. Would they qualify?

Mr. Sandoval: Yes. It is inspection experience. They can be trained to do the liquor inspection position. It is just the qualifications.

Council Chair Rapozo: Are there any more questions? Go ahead, Councilmember Kagawa.

Councilmember Kagawa: Again, just regurgitating what you said about running your budget over by about two hundred fifty thousand dollars (\$250,000). Does that mean, if I am looking at FY 2024, the current year's budget, where you were budgeted one million four hundred thousand dollars (\$1,400,000), at the end of June, you are

probably looking at actually being in the range of about one million two hundred thousand dollars (\$1,200,000), where you have two hundred fifty thousand dollars (\$250,000) left?

Mr. Sandoval: I will pass it on to him.

Councilmember Kagawa: You are saying that has been the practice.

Mr. Sales: Like Leo said earlier, just because we are approved for the budget, does not mean we are trying to deplete every account we have.

Councilmember Kagawa: But that means...this is an enterprise fund, right? You are self-sustaining. In the General Fund, if you admitted that, the Council would be looking to cut the two hundred thousand dollars (\$200,000) and give rebates to the taxpayer, or add more projects that are needed but does not have money. In your folks' case, it is different. You are an enterprise. You are self-sustaining. Right now, for this budget, you are asking for one million five hundred thousand dollars (\$1,500,000). Does that mean you are projecting to come out in the neighborhood of one million two hundred fifty thousand dollars (\$1,250,000) as your actual?

Mr. Sales: I would say it is in that ballpark.

Councilmember Kagawa: As more alcohol is consumed and our population is growing and has a bigger tax base, at what point do we say perhaps...like how the Council looks at it, do we say...because you can say Costco is paying the big bill, but it is us, the taxpayers, the regular people who use alcohol to cope with family stresses or whatever, but we are the ones paying a little more than we should for the County's need to enforce liquor. At what point beyond the two hundred fifty thousand dollars (\$250,000), do we say we will lower the percentage because our budget is sufficient the way it is? Is it when you reach five hundred thousand dollars (\$500,000) or when you reach a million dollars (\$1,000,000)?

Mr. Sandoval: I think it would really be based on...let me go back.

Councilmember Kagawa: If you are giving back money to Costco or wherever, because they are paying too much, Costco will take that as a profit off the backs of the customers. I want to balance it so the County takes what it needs, customers pay what the actual fair rate is for having liquor being properly controlled and inspected as you do...do you know what I am saying?

Mr. Sandoval: Yes.

Councilmember Kagawa: Rob's will have the refund check and give bonuses, but it is the normal, average people who are paying too much. At what point is two hundred fifty thousand dollars (\$250,000) or beyond that too much? Again, with a bigger

population, there is more tax base, and maybe your actual expenditures are not growing as fast as the increase, so at what point do you folks say, maybe we will lower the rate so that Costco does not have a big check for themselves that is on the back of customers?

Mr. Sandoval: Our highest expenses will always be our salaries on top of everything. As long as that is maintained, the rest will be added in. We do not try to do exorbitant amounts on top of everything. For anything at all, we try to leave the minimum amount that we have done. The thing that increases the amount, even if we go to the minimum that is allotted for our operations, the State allows us to tack on an additional twenty percent (20%) on top of our actual budget, so "right off the bat," we are getting an additional twenty percent (20%) of what we are operating off of. We count that as a savings. That actually goes towards our overall carryover, so we are already on the way to saving money for them, even if we are not needing that money.

Council Chair Rapozo: Councilmember Cowden.

Councilmember Cowden: Are you fixing your floor? Are you getting a new floor?

Mr. Sandoval: Yes.

*(Councilmember Kagawa was noted as not present.)*

Mr. Sandoval: For anyone who has not been to the Department of Liquor Control, look at it now and maybe in a few months it will look better. We did budget for carpet in this past fiscal year. We did not realize how expensive carpet is, so we are only doing half (½) of the office. Next year, we are planning on doing the rest of it. We left out the training room this time, which is a really big space. With the budget, we intend to utilize that money to do that room, because for the entirety of last year, we got so much use. Everyone in the entire County wants to use the Department of Liquor Control's training room, so we are having more of the public go in there. It will be better for us to make it look nice for the public and those that are going to be using our space. It does not look very good at this point. That is our intention on the next one. We already have this year's carpet contract signed and they should be installing within the next month or two (2).

*(Councilmember Kagawa was noted as present.)*

Council Chair Rapozo: Councilmember Kualii.

Councilmember Kualii: I have no questions.

Council Chair Rapozo: Is there anyone else with questions for the Department of Liquor Control? Go ahead.



Councilmember Carvalho: You mentioned the twenty percent (20%).

Mr. Sandoval: Yes, that is twenty percent (20%) on top.

Councilmember Carvalho: Is that on top of the entire...

Mr. Sandoval: For whatever we submit as our requested budget, they automatically add an additional twenty percent (20%) on top.

Council Chair Rapozo: Are there any other questions for the Department of Liquor Control? Are there any other questions for Reiko?

Councilmember Kagawa: Can I clarify?

Council Chair Rapozo: Absolutely.

Councilmember Kagawa: I am sorry. I interpreted it as they were getting refund checks from the overpayment. Their overpayment is just being credited to their fee for the next year. They are not getting bonuses, but they are saving money off the backs of customers. Thank you, Chair.

Council Chair Rapozo: This is the last chance.

Councilmember Cowden: I woke up this morning with a big question for Reiko, but I cannot quite remember it. I was hoping for a chance to talk to Reiko.

Council Chair Rapozo: Make one up.

Councilmember Kualii: There is always tomorrow.

Councilmember Cowden: Alright, I will make one up. I am kidding.

Council Chair Rapozo: We will reconvene tomorrow morning at 9:00 a.m. We are in recess.

There being no objections, the meeting recessed at 1:48 p.m.