

BUDGET AND FINANCE COMMITTEE

Council of the County of Maui

MINUTES

April 1, 2009

Council Chamber, 8th floor

CONVENE: 9:07 a.m.

PRESENT: Councilmember Joseph Pontanilla, Chair
Councilmember Danny A. Mateo, Vice-Chair (In 1:34 p.m.)
Councilmember Gladys C. Baisa, Member
Councilmember Jo Anne Johnson, Member (In 9:54 a.m.)
Councilmember Michael J. Molina, Member
Councilmember Wayne K. Nishiki, Member (Out 11:40 a.m.)
Councilmember Michael P. Victorino, Member

EXCUSED: Councilmember Bill Kauakea Medeiros, Member
Councilmember Sol P. Kaho`ohalahala, Member

STAFF: Gayle Revels, Legislative Analyst
Lance Taguchi, Legislative Analyst
Yvette Bouthillier, Committee Secretary

Leinaala Kihm, Executive Assistant to Councilmember Medeiros

ADMIN.: Frederick Pablo, Budget Director, Office of the Mayor
Thomas Phillips, Chief, Department of Police
Gary Yabuta, Deputy Chief, Department of Police
Sydney Kikuchi, Assistant Chief, Uniformed Services Bureau, Department of Police
Wayne Ribao, Assistant Chief, Department of Police
Clayton Tom, Assistant Chief, Department of Police
Lawrence Hudson, Captain, Technical Services, Department of Police
Jeffrey Amaral, Captain, Department of Police
Greg Takahashi, Business Administrator, Department of Police
Traci Fujita Villarosa, First Deputy Corporation Counsel, Department of the Corporation Counsel

OTHERS: **Item 1:** Others (30)

PRESS: Akaku: Maui Community Television, Inc.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

ITEM NO. 1: PROPOSED BUDGET FOR FISCAL YEAR 2010 FOR THE COUNTY OF MAUI (CC Nos. 09-59 and 09-88)

CHAIR PONTANILLA: . . .(*gavel*). . . Good morning, Members.

COUNCILMEMBER VICTORINO: Good morning.

CHAIR PONTANILLA: The Budget and Finance Committee meeting for April 1, 2009 is now in session and the time is 9:07. Hopefully, there's no April Fools comments this morning. . . .(*chuckle*). . . Members, this morning, we do have the Police Department with us to review their 2010 Proposed Budget. So, at this time, the Chairman would like to introduce the Committee Members that are here this morning. We do have Members Molina, Baisa...

COUNCILMEMBER MOLINA: Good morning, Chair.

COUNCILMEMBER BAISA: Good morning.

CHAIR PONTANILLA: Good morning. Member Nishiki...

COUNCILMEMBER NISHIKI: Good morning.

CHAIR PONTANILLA: ...and Member Victorino.

COUNCILMEMBER VICTORINO: Good morning, Chair.

CHAIR PONTANILLA: Good morning. Excused at this time is Member Johnson, Kaho`ohalahala, Medeiros and Mateo. Members, I just want to say thank you for staying up late last night. I know this is a pretty early start for some of you. Supporting the Committee this morning, we do have Ms. Gayle Revels as well as Mr. Lance Taguchi, both our Legislative Analysts and our Committee Secretary, Yvette Bouthillier. Upfront, in the Administration area, we do have the Director of Budget, Mr. Fred Pablo; our First Deputy Corporation Counsel, Traci Fujita Villarosa; and joining up from the Police Department, we do have Chief Phillips, Mr. Greg Takahashi as well as Deputy Chief Yabuta. Good morning. Do we have anybody signed up for public testimony?

MS. BOUTHILLIER: No.

CHAIR PONTANILLA: No? Members, if there's no objections, the Chair would like to close public testimony at this time.

COUNCIL MEMBERS: No objections.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Thank you. I want to say “hi” to one of the Police Commissioners that used to work with me. Don’t duck. . . .(chuckle). . . Her name is Pua. At this time, the Chair would like to call on the Budget Director to provide us with comments regarding the Fiscal year 2010 Proposed Budget for the Police Department. Mr. Pablo?

MR. PABLO: Thank you, Chair Pontanilla and good morning, Members --

COUNCIL MEMBERS: Good morning.

MR. PABLO: --and good morning to the Maui Police Department. I just have a few comments to make and then I’ll give it over to Chief Phillips and his staff. What we, what the Budget Staff has prepared is a five-page handout, which you should have received this morning. The first page is an overview of the Department. It shows that there’s four programs under the Maui Police Department. All of these programs are funded under the General Fund. This summary compares the Fiscal Year 2010 Budget requests which I’ll, I’ll go into a little more later with the Fiscal Year 2009 Budget. As you can see, there’s an increase of \$359,000, which represents a 0.8% increase over the Fiscal ‘09 Budget. For reasons which I’ll explain later, this is not really a true increase and I will cover that in a few minutes.

There is no additional personnel being requested for this year. The Maui Police Department has an authorized staffing of 518 equivalent personnel.

In the equipment area, the Department is requesting a very small amount this year of \$948,000 for equipment.

The Department has four programs, an Administration Program, Investigative Services Program, Uniform Patrol Services Program and a Technical and Support Services Program. They are one of 17 departments that share in the General Fund and as many of you know, the General Fund this year is not as large as it has been in prior years. Every department has been asked to cut back their budgets. We were aiming for something less than Fiscal Year ’09, if possible, and for other departments, if they could bring it down to the Fiscal ‘09 level, that would be very helpful. Out of the 10 departments which we have thus, thus far covered, 2 in the legislative branch and 18 in the management branch, I think the public have seen the reductions that these departments have taken. This, just this week, we had the Mayor yesterday, we had a 10 percent decrease in her budget; the Managing Director, we had an 8 percent decrease in her budget; and in the Planning Department, we had a minus 3 percent decrease in that budget. In the area of public safety, thus far we’ve had the Maui Fire Department and today we have the Maui Police Department. We were very careful to balance public safety with any type of reductions.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

As stated before, this 0.8 percent in the Maui Police Department increase is not a true increase. When you consider the Maui Police Department and the County is obligated to pay a 6 percent salary increase under the State of Hawaii Organization of Police Officers, just by that fact alone, you would have seen that the budget should have increased significantly larger than a 0.8 percent increase that this Department is receiving. I have to commend Chief Phillips and his management team, Deputy Chief Gary Yabuta, Assistant Chief Sidney Kikuchi, Assistant Chief Wayne Ribao, Assistant Chief Clayton Tom and the Business Administrator, Greg Takahashi, and of course, the rest of the staff. It was a very difficult year in putting together this year's budget. In the end, what we did, with the Budget Staff and the Police Department, we worked together, and the Police recommended two areas to look into for possible targeted savings.

The first was a postponement of replacement vehicles. These are vehicles that according to their vehicle replacement policies, should be replaced but it was decided to postpone the acquisition of this replacement vehicles. That would produce some cost savings.

The second large area was a delay in the hiring of vacant positions and this is a very difficult one to do. The Maui Police Department has, for a long time, suffered vacancies. They have been very...*(inaudible due to background coughing)*...in their recruitment retention policy, and with the state of the economy, there are very good recruits out there that could fill these vacancies, so this was a very difficult position. At first, 37 positions were targeted as possible cost savings and then because of the possibility of recruiting and hiring and filling these vacancies, this amount of partial funding of position was reduced from 37 to 25. We thought this is a workable solution, approximately 50 percent funding will be provided for these, for these positions, but because this is a program budget, it's not really freezing 25 positions. That pool of money is still available, so you have 25 positions at six month's funding which is 150...month's funding, which means either hiring 25 for half a year or hiring 12.5 employees for full time. Considering that, the DPS has been using the eight month, eight month filling rate. There's about four months processing and eight months to have the persons really on board, and in eight month's funding, that would allow 19 of these 25 positions to be filled in the Fiscal Year 2010. With that as an overview, I'd like to hand this over to Chief Tom Phillips and his staff, and again, I'd like to thank them for all their efforts in this area.

CHAIR PONTANILLA: Thank you. Chief Phillips, comments?

MR. PHILLIPS: Good morning, Chair and Members. Thank you for the opportunity to discuss our budget with you this morning. I just have a few comments and then we'll, we'll be available for questions.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

I guess the first thing is to let you know that over the last 12 years, the challenge for our Police Department, the leadership of our Police Department, has been to manage with, with the manpower shortages that we've realized, anywhere from 30 vacancies all the way up to 70 vacancies, and that's been a challenge, but we've, we have tried to spread the vacancies around the Department so we don't have to shut down programs, and what that meant was doing a lot of things by overtime. So, so the, if we, if we want to have training and we send officers to training, usually the backfill was all on overtime. We don't have the manpower to pull people without backfilling with no overtime. If we want to do special operations that you read about in the paper, targeting curfew or drug issues or thefts from beaches, any of those kinds of things, they are typically done on overtime because, we, we again, we have to pull people off the regular shift or backfill people that are on the regular shift with overtime. So, if you look at our actual overtime budget, it's always, we always go over, in the last several years anyway. So the challenge now, though, with this economy the way it is, is going to be for our leadership to manage the Department with less resources and still balancing those, those vacancies. Currently, we have 38 vacancies in the Department but we have 21 people in class right now, recruits. We have, we're starting next week another class of 20, so that is, operationally, we're operating with 78 short. So you can see that that, that costs us a lot of money in overtime to keep programs running, to keep the DARE program, to keep school resource officers in place, to keep our visitor-oriented policing in place. Those things typically are going to result in, in overtime somewhere because, because, the, we just don't have the personnel at this point.

So, just, the only thing I would add, I guess, to, to what Fred said, because he kind of did my overview for me, so I don't really have to tell you much about our budget, but our, our salary costs are going up by 1.6 million starting July 1st. That's negotiated pay raises for the SHOPO. That's going to, that's going to be an increase and we also have to pay collective bargaining, another increase that's uniform and gun allowance, that's about \$264,000 extra. So, although our budget did go up by a little over \$300,000, the reality it went up, salaries went up by 1.6 or a little over 1.7 million so that's, that's going to be a challenge. And then our, our actual overtime expenditures for the last two years, in '08, was \$6.4 million. This year, we're on target for about 6.2 million of overtime. Our budgeted overtime last year was 4.8 million, the year before that was 4.7 million. What we're requesting in this budget is 4.8 million. It's flat. And that's my biggest concern because we, you know, it's going to take some, some real fiscal management, probably reducing services, reducing programs somewhere during the year to make it through the year without running out of money. Because, if you look at the overtime, it's flat. Our request is flat. And the overtime rate is going to go up because the pay raises, so our overtime naturally would go up 6 to 10 percent based on those pay raise increases. So, that's going to be our biggest

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

challenge this year is managing not only the vacancies but managing the, of course, the less resources to do it with. Our budget is fairly flat.

We have no expansion requests for positions. We have no expansion requests for equipment. As a matter of fact, we only have three items of equipment. That would be, we are replacing some vehicles, some marked vehicles. We're going to replace 20 tasers and we're going to replace some ballistic vests for the officers. Their five year warranty is running out, we need to replace 76 vests. And that's it for our, our equipment budget. There are no expansion.

You will see some small increases in operational expenses and I'll be able to explain that as we get to the different programs, but there is some slight increases in operation. Generally, it's gas, electricity and we're working on a new morgue, as you all know, and so we have some operating expenses for our new morgue and that's about it for an overview and we're, we're happy to answer questions about the budget.

CHAIR PONTANILLA: Thank you, Chief Phillips. Before we start, I have a question for the Budget Director. In, in regards to salaries and wages, the salary increase that's going to happen on 7/1/09 is already calculated into this budget?

MR. PABLO. That's correct.

CHAIR PONTANILLA: Thank you. Okay, Members, we're going to review the four different programs that the Police Department has. First of all, we're going to review the Administration Program and we're going to start from, when you look at your Proposed Bill on page 9; on the Program Budget, Page 17-1; and on the Budget Details on Page 15-1. As you note, as the Budget Director had indicated, that the Administration Program, the change in their budget from the '10 Budget from the '09 is 4.5 percent and when you look at the budget itself, most of the increase is in operations. Again, like yesterday, we'll go with the A, B, C Accounts and then we'll handle the CIPs when we complete all of the programs. So at this time, I'm going to call on Mr. Victorino, if you have any questions regarding salaries and wages on the Administration Program?

COUNCILMEMBER VICTORINO: Yeah, we'll start with the Administration. No, not really other than, Chair, if I may take this moment before we get into this to thank Chief Phillips for all these years of service he's given to this County from way back when we started back in the '70s and we were two little guys on the street. You were young and I was young and I was in trouble, and you were looking to make sure I didn't get into any trouble.

MR. PHILLIPS: . . .*(chuckle)*. . .

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER VICTORINO: So I want to thank you for all the years of service you've done for this community and we're going to miss you very much, sir, but thank you, and this County does appreciate, even though there's some people that may not, that's their kuleana, but you've done, I think, an outstanding job through the years as Chief and as one of Maui's finest along with all the people back here. So thank you, Chief. Thank you, Chair.

CHAIR PONTANILLA: Thank you. He's still working for the County, by the way. . . .(chuckle). . .

COUNCILMEMBER VICTORINO: I know he not retiring until June but, you know, I like say nice things now because, you know. . . .(chuckles). . .

CHAIR PONTANILLA: Thank you. Member Nishiki?

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: Yes, I'm looking at the--and, and this may be more of general question but I guess it's an administrative issue--all the information that we've received about how many positions they have and how many positions more they going to have and all of this stuff. I'm interested in knowing, Chief Phillips, if maybe you can tell us, I know that you've mentioned, somebody mentioned that there's a class of 21 and another class of 20 to start soon, how is this going to be affected by retirements? I know that's always an issue in a department that's been around a while, that people retire, and so how's this going to work for you?

MR. PHILLIPS: Well, you know, the retirements, the people that leave, that transfer, we have some people looking at moving to the mainland right now. We're going to lose some, we're going to lose some over. Our, our attrition rate has kind of remained pretty, pretty consistent over, if you look at the last 20 years. We lose 25-35 people a year for various reasons, retirements, transfers, they go to Big Island, they go Honolulu, they come back, they leave, they go mainland. Terminations, we do terminate people from time to time, not many, but we lose some to that. And, and so, you know, that's the normal, that's, you just deal with that normal. The problem over the years has been the applicant pool wasn't big enough to keep up with that 25-35, so we continually get behind.

COUNCILMEMBER BAISA: Fall behind.

MR. PHILLIPS: Right now, the applicant pool is good. Actually, if we had continued the fast tracking hiring that we, we did last year, if we had continued into this

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

year, I, I'm convinced by probably December, we'd be fully staffed. But, but DPS has stopped, they're going back to their, their same, the old way of kind of, the recruitment where they just give a test and give us a list, where before, we give a test today and people were interviewed today and had a job offer today. So, you know, the process was, was up and we were getting, we were getting more applicants, and I guess because of the economy and the recruitment that we're doing, the advertising, we were getting more applicants. And that's, it's just kind of a numbers game. If I got to hire 20 people, I know I need at least 100 applicants or more because you wash them out, or 100, actually 100 job offers, so out of that 100 job offers, we're going to get 20-25 that make it. So last year, we, we, we did well. Our staff worked really hard and Greg worked really hard and we did a lot of advertising. DPS worked awful hard to, to do these fast tracking recruitment drives every month, so we were offering 12, 15, 20 job offers every month and so that resulted in the hiring of I think somewhere around 50 officers which we haven't done in a decade, hired that many people in one year. So we're kind of, we were kind of catching up. Right now, we have, we do have a class that's in, in session now. They're going to graduate in June and then go onto their FTO so those, those officers that, that make it would be deployed in about September. So that's when our, when our patrol districts will actually see some help. They'll see people hit the road and reduce some of the vacancies and we're, next Monday, we're starting another class that right now has 20. And then I think, I think we still have about 12 people in, in the process, in the hiring process that we can bring on over the next few months to work in different areas, receiving desk and so we can put those people back out on the road. So things were kind of looking up. We're, we're going to have, we're going to have a little downtime now mainly because, you know, the process, the testing process and stuff is, we've gone back to the old way. We're not doing those monthly recruitment drives. That's going to hurt us a little and then I'm a little bit concerned about the budget. We're happy that our final, our final budget that went in to the Mayor had 37 positions that were cut to half a year funding, but Fred was able to cut that down to 25, so that, that's huge for us because that gives us those 12 extra funding for the whole year and what that funding does, by the way is, not only does it help us to try and recruit and hire but, when, when we're talking about the overtime issue, that kind of gives us a cushion. When we, when we run these programs on overtime, and if we go over our overtime budget, we do dip into that money, that, that savings, so it, it helps us get through the year without reducing services and reducing programs. So we've been able to do that over the years. But the hiring, I still think, we're still optimistic even though we're not doing the, you know, the monthly fast tracking that, you know, we'll be able to recruit. It's going to take us a little longer, but we can be fully staffed in a year, year and a half, especially with the way the economy is.

COUNCILMEMBER BAISA: Thank you very much and you answered my second question which was about the dropout rate from people who apply and are

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

selected and then make it. The other thing I wanted to ask you was in regards to this switch back to the old way of hiring, which apparently is not that productive, how did that happen and who made that decision and can we assist in any way?

MR. PHILLIPS: Well, I think the, the test, they changed the test, so that took a couple months to get a new test. So we didn't test for a couple months, but I think in, in fairness to DPS, I think they get a little concerned when, when our vacancies, you know, we have a lot of job offers out and the job, if the job offers go beyond the number of vacancies, they get concerned. We don't really get concerned because we know they're not all going to make it. If I have 38 vacancies and I have 70 job offers out, it's not a concern to me because I know I'm only going to get about 10 of them, so I'm not going to really cut into that 38, but I know it's a legitimate concern for DPS so I think that's probably why we went back to the, because we were getting close, you know, we had a lot of job offers out at the end of the year, where, where the job offers equaled the amount of vacancies we have, but since that time, we've kind of gone through the process and eliminated some, you know, through the psychological and polygraph and background and all those things where people have dropped out. So now we're getting down, back where we have that number up again where we can actually start offering again. So I think we are scheduling some interviews in May and hopefully we'll get some. I don't think there's an awful lot on the list, though, right now, but we're hoping to get some off of those, the current list. I think eventually, or I'm hoping, that they'll, you know, once they see that we're not cutting into that 38, that we'll go back to that fast track and let us do a few, maybe not every month, but maybe every other month or something, so we can have enough...

COUNCILMEMBER BAISA: Fast.

MR. PHILLIPS: If it speeds up the whole process.

COUNCILMEMBER BAISA: Right, right.

MR. PHILLIPS: Yeah.

COUNCILMEMBER BAISA: Thank you very much for that and I'll make a note of it to discuss it with folks when they come down here for their budget session.

MR. PHILLIPS: Thank you.

CHAIR PONTANILLA: Thank you, Member Baisa. Member Molina?

COUNCILMEMBER MOLINA: Thank you, Chair. Good morning, Chief, and congratulations on being a short timer and, you know, I echo the sentiments of my colleagues as well.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: Thank you.

COUNCILMEMBER MOLINA: Thank you for your service to our community. Mr. Chair, our questions relate to account A for the Administration Program?

CHAIR PONTANILLA: Um, yes.

COUNCILMEMBER MOLINA: Okay, thank you. Chief, my first question relates to the Commission on Accreditation of Law Enforcement Agencies. One of your Department's goals has always been to manage the financial and human resources to, I guess, meet the accreditation standards. Can you just elaborate a little bit how often you have to go through this accreditation and I guess, when was the last time you went through it and so forth?

MR. PHILLIPS: The accreditation process is constant. We're, we always have to remain in compliance with, there's about 462 standards that are set up by CALEA, the Commission on Accreditation for Law Enforcement Agencies. Those that apply to our Department are about 462 and they have to do with everything from management to training, facilities, how we hold prisoners, everything, arrests, you know, they cover almost everything, all the nuts and bolts of the law enforcement. So we, we have to be in constant compliance, so our commanders submit the compliance reports--most of them monthly, some of them are quarterly, some of them are annual--and then we have an accreditation manager that takes those reports and files them with the standard that they, that they go with so that we can show compliance, because each year, we have to submit an annual report. So if I fall out of compliance with any of the standards, I have to notify CALEA and then, and then show how we're getting back into compliance, but the actual assessment, the inspection that they do is every three years. Our last inspection was last year, 2008, and we were awarded accreditation last July and actually, we had no, no issues last year. It was actually our best, best assessment report to date, out of the 5 that we've been accredited so far where the assessors found really no issues with our Department, no standards that weren't complied with.

COUNCILMEMBER MOLINA: Okay.

MR. PHILLIPS: It was a very good report for our agency.

COUNCILMEMBER MOLINA: Good. That's good news to hear. And my second and final question for this go around, Mr. Chair. Chief, on your opening remarks you mentioned about the request for overtime being less from in previous fiscal years and you mentioned about the possibility of reduction of services and I, I know your, your time is running short and I guess this will be a challenge for your

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

replacement. Can you, at this time, tell us what areas of service we may, the public may see a potential shortage of?

MR. PHILLIPS: Yeah, I think, for, for us, and, and the reduction of that 37 to 25 is, is big because that's going to help us in that area. But there, there's still concerns, so I think the management of the Department will have, even more so than we do now, review those monthly finance reports that we get. They're going to be, they're going to be our bible for the next year. And if we're getting behind, we're going to have to look at areas where we can save. Typically, what we would look at is probably cutting prevention programs first and then going into proactive programs. By that, I mean like the Street Crime Enforcement, things like that, that are all overtime driven. We are looking at other things to try and save as well. Even, even in this current budget, we're looking at ways to cut back on overtime, but so much of it is, you, you, you know, when you're, when you're working with vacancies, it's, it's, it's tough because you always have to backfill with somebody on overtime. Court is a huge cost for us. Officers work at night and they go court all day. That's a . . . you know, so we, we got to try and work with the courts and look at ways too. You know, sometimes on Monday morning, we'll have a bunch of guys sitting around that actually never end up testifying because they schedule a whole bunch of cases for Monday morning and they may only take one or two and then they release the other people but they're all on overtime. So, you know, we need to look at all these things and try and figure a way to reduce our overtime expenditures. We're looking at different scheduling to see if that will help us. There's a lot of, a lot of different things we can do, but the last resort would be the cut in services, but, you know, we may have to reduce some of those programs and roll people back into patrol, cover beats. It may be, it may be that we, that we only have to do it on a part-time basis. We've had, in the past, where we've taken some of the specialized services and rolled them into patrol for one day a week or two days a week, so we don't completely shutdown their programs, but it does supplement patrol. We're not at that stage right now, but I think we have to watch very carefully and, and if we do get to the point where we're running out of money, then we're going to have to do those things. That's my, the biggest area of concern is that, that overtime, that didn't, we didn't get any increase in that and that's, we know that that's going to go up, it has to because the overtime rate is going to go up, so we have to try and work on reducing the hours of overtime that we work so and that may mean a reduction somewhere.

COUNCILMEMBER MOLINA: Okay, thank you, Chief. Thank you, Chair.

MR. PHILLIPS: If you, if you look at Administration, you're going to see there was a reduction in the salary request by 32,000 and that, that is just, we did, we did also reduce, and I failed to mention, but if you remember, we had a service and retention allowance for officers. We, we, they took that out of this upcoming

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

budget so they will, they will lose that service in retention allowance July 1st. So that was about, throughout the Department, was 1.1 million, so that's a reduction in what we had from last year's budget of 1.1 million.

COUNCILMEMBER MOLINA: Thank you. Well I hope, we'll try to stay optimistic and hopefully we don't have to get to, as you put it, the last resort, where some major programs or services could be cut or reduced. Thank you, Chief. Thank you, Chair.

CHAIR PONTANILLA: Thank you, Member Molina. I just want to make some comments in regards to not only the Fire Department, but also the Police Department that we shouldn't, not shouldn't, but we need to take a look so that, you know, we don't shortchange our communities, and both Fire as well as Police services is very important for our County. Chief, I have one question and this is in regards, and you may not be here in 2011 right, but I, since you have all this knowledge, in regards to that proposed Kihei Fire Station, how do you perceive the manpower to be, you know, based on the manpower that you have today?

MR. PHILLIPS: The Kihei Police Station?

CHAIR PONTANILLA: The Kihei Police Station.

MR. PHILLIPS: Yeah. I think, you know, Kihei is definitely an area that--probably, probably not just Kihei, but probably most of our districts, the Wailuku district and Kihei and Lahaina are probably in need of expansion beats. We know that. I think we went, we talked about this in previous budgets, but we haven't been able to ask for that over the years. The years where we had money, we didn't ask because we had so many vacancies and we didn't want to ask for positions and then know that we can't fill them, so we didn't come in and ask for positions. And of course this year, you know, we're not asking for positions just based on the economy. We know that's not something in the, in the cards right now, but I think eventually, when, when finances are better, we do need additional people. . . .(end of tape 1A - 9:34 a.m.). . . If you look at our Vice Division, narcotics is one of, is probably the priority problem for us in the County and we haven't increased that section, I don't know when, not since I've been Chief, but it's been probably 15 or 20 years since we've added people to the Narcotics Division. So there are a lot of areas in the Department that are in need but of course, we understand the way the economy is. And Kihei has grown since we, since we started the Kihei district in 2000. I think we've gone from 17 patrolmen to 30 patrolmen, so we have increased the beats there. The problem for them right now, of course, is that they have to deal with the vacancies just like everybody else, so, so they're working a little bit short. So it will be, that station will be built as a full service station as well where we will want to have people from Criminal Investigation Division and possibly other sections, Vice and Juvenile to work out

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

of that station as well as the patrol element. So, at some point, we will need to, to look at expansion. We are looking in right now at the COPS Grant that's available. We, we have a real short turnaround. I don't know if we're going to be able to apply for any positions, but we are looking at what, what type of positions we can apply for. So our, our commanders are looking at that right now. That has to be in by April 13th, by the way, so --

CHAIR PONTANILLA: Uh-huh.

MR. PHILLIPS: --not sure if we're going to be able to, but we are looking, and, and again, of course, the problem there is even if we get the funding, can we hire them, that's, that's the hard part, but we are looking at the possibility of some COPS Grant positions.

CHAIR PONTANILLA: Thank you. I kind of understand the COPS Grant. Although it's a temporary grant, what I'm looking at is when you complete your Kihei Fire, not fire but Police Station, that hopefully that grant can provide you with some means in regards to getting officers trained so that, you know, you can fully staff or partially staff your Kihei Station when it's completed.

MR. PHILLIPS: Yeah, I think that grant right now is for three years.

CHAIR PONTANILLA: Yeah.

MR. PHILLIPS: It will pay for three years and there used to be a match. I don't think there's a match now, but you do have to commit to keeping the positions at the end of that three years.

CHAIR PONTANILLA: Right.

MR. PHILLIPS: I think that may be the issue currently for us, but we're, we're looking at it and we'll explore it and then work with the Administration on if, if it is something that we can apply for.

CHAIR PONTANILLA: Thank you.

MR. PHILLIPS: That's the real short term, though, because those, we didn't have much time once the applications actually came out to, to submit them. Pretty short.

CHAIR PONTANILLA: Thank you. Yeah, both Member Victorino and I, we learned about that about 2½ weeks ago, so. Members we're going to go to the B Account Operations. Member Victorino, if you have any questions?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER VICTORINO: Yeah, thank you. In this area--I'll start off, you know, I know gas, diesel oil, you know, let's not even discuss that issue because that, we all know where that's going. But, you know, under Services: 6101, Advertising, I see a big drop there, is that primarily because no recruiting and they're not going to. . .

MR. PHILLIPS: No.

COUNCILMEMBER VICTORINO: . . .spend?

MR. PHILLIPS: It's just an area that we've tried to cut...

COUNCILMEMBER VICTORINO: Okay.

MR. PHILLIPS: Because, because, you know we're trying to. . .we know that we're going to have increases in other areas so, so that was one of the areas that we, we cut and we'll, we'll have to just manage that money better. But we do need to advertise and at the appropriate time, we will, but that's important money to us but it's just one of the areas that we cut back on. I think the biggest increase in that area, we have negotiated increases in the gun and uniform allowance --

COUNCILMEMBER VICTORINO: Right.

MR. PHILLIPS: --so you'll see an increase in our operations for the Administration, that's mainly where that is, that gun and uniform allowance.

COUNCILMEMBER VICTORINO: No, that was my next question. I saw the tremendous increase. Is it something that every so many years you decide that you're going to rotate the weapons used or upgrade --

MR. PHILLIPS: No.

COUNCILMEMBER VICTORINO: --the weapons, you know, because you had zero, zero, and then this year, 150...

MR. PHILLIPS: No, that's new. It's just --

COUNCILMEMBER VICTORINO: Yeah.

MR. PHILLIPS: --it's a negotiated --

COUNCILMEMBER VICTORINO: Uh-huh.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: --it's a, it's a one-time payment to the officers once a year, so July 1st, they get, they get so much for gun and so much for uniform allowance. This is something they had several years ago and then it was, it was turned into the SOCD and then now it's back as uniform and gun allowance. So it's just a new negotiated collective bargaining increase that starts this July 1st, so it's, for our Department, it's about, 200-something, 260,000 or something like that, so that's mainly, that's mainly where the increase there is. We do have some increases, small increases in fuel and electricity in the administrative area, but it, that main increase is, is right there, in the uniform and gun allowance, that's something new. That's why there were zeros before.

COUNCILMEMBER VICTORINO: So where was that expense put in? Where, where was that, you know, in prior years, there was guns and uniforms and all that.

MR. PHILLIPS: Well, no, the prior years, there was no allowance.

COUNCILMEMBER VICTORINO: So they just paid their own?

MR. PHILLIPS: This is an allowance that's paid to the officers. It's not for them to buy a gun, it's for the maintenance of their uniforms and maintenance of their gun.

COUNCILMEMBER VICTORINO: Oh.

MR. PHILLIPS: So, we still provide the gun, that's still part of our budget, we still provide the uniform, we pay for their uniform, that's part of our budget. But this is an increase, it's a, it's an allowance that's going to the officers, so each officer will get--is it 750?--oh, 720 for the gun allowance and 720 for the uniform allowance. . . .*(speaking off mic)*. . . What's the total? Okay, I'm sorry, the total is 720. So each officer will get a \$720 allowance for gun and uniform maintenance.

COUNCILMEMBER VICTORINO: Okay.

MR. PHILLIPS: That's all that is.

COUNCILMEMBER VICTORINO: So when you . . .and, and just because I'm being, being curious, when you say uniform maintenance, is that like dry cleaning or something of that nature?

MR. PHILLIPS: Yes.

COUNCILMEMBER VICTORINO: Okay.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: Because they also purchase their own foot wear, shoes and things like that, so I guess it could be used for all those things.

COUNCILMEMBER VICTORINO: That would be allowable for that?

MR. PHILLIPS: Yeah.

COUNCILMEMBER VICTORINO: Okay. Then the other area that and...these moving expense, you know, is that another change, because it went from, if I'm not, seven, this is 6220? Am I reading this right? One year was 28, then went to \$7,300 and now it's back up to, you're asking for \$25,300, anticipating people, recruits coming in? Is that what that moving expense is?

MR. PHILLIPS: It's actually, that's a, another, it's collective bargaining --

COUNCILMEMBER VICTORINO: Oh, okay.

MR. PHILLIPS: --when we transfer officers from one district to another, we pay for their moving expenses.

COUNCILMEMBER VICTORINO: Oh, okay.

MR. PHILLIPS: So that's, and that's actually the, the requested increase is just that we're trying to go more what the actual cost is, what it's been for us.

COUNCILMEMBER VICTORINO: Okay. And then the last question, I saw a decrease in the County matching funds. Is that because we're going to go after or you anticipate a drop in the matching funds availability because you went from 67 you asked for this year, you dropped it to \$50,000.

MR. PHILLIPS: Yeah, it is, it is a drop in funds. Those are, those are the, what they used to call the Byrne Grants, where we had matching requirements, cash requirements, and, and, some of those are, we're not getting as much grant money from those. There's other money available this year through the stimulus, the grants that are, that don't require matching, so we still will have grants in that area but, but they won't be as large, we won't have as much matching as before.

COUNCILMEMBER VICTORINO: Okay, Chief, thank you, thank you for that information. I'll let my other colleagues have, have a shot. Thank you. Thank you, Chair.

CHAIR PONTANILLA: Thank you, Member Victorino. So, Chief, some of the increases are due to contractual agreements?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: . . .*(Whispering)*. . .

CHAIR PONTANILLA: Am I right?

MR. PHILLIPS: I'm sorry?

CHAIR PONTANILLA: Some of the increase is due to contractual agreements?

MR. PHILLIPS: Yeah, most of it is due to the collective bargaining and the new contract. As far as Administrative Services, almost all of it. As far as the increase, is due to the negotiated increases.

CHAIR PONTANILLA: Good. Thank you. Member Nishiki?

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Member Baisa?

COUNCILMEMBER BAISA: One quick question. Something catches my eye and I don't, I, I'm, it's kind of intriguing. What is Confidential? There's a budget item for Confidential.

MR. PHILLIPS: We have a Confidential Fund--is that the Confidential Fund you're talking about?

COUNCILMEMBER BAISA: Yes, yeah.

MR. PHILLIPS: Yeah. We have a Confidential Fund. We reduced that as well but for our Narcotics Enforcement, that would be to purchase drugs in undercover investigations, to pay informants, things like that. So we have, we have. . .the main, the main Confidential Fund, of course, would go to our Vice Division, but each of the districts also have a small account where they, they do investigations on their own which would include the possibility of paying informants or undercover stuff, doing buy busts, things like that where you need money to do that. A good example, of course, is the Kihei District last year worked a narcotic case that ended up in a 10 lbs. cocaine seizure, so, you know, the districts are pretty active in, in those narcotic investigations as well. So that what's that money is for.

COUNCILMEMBER BAISA: Well, shame on me, as a former vice officer's wife, I didn't know that's what you call it. Thank you very much. . . .*(laughter)*. . .

MR. PHILLIPS: I don't think it, I don't think there was as much back then when Sherman and I were in Vice.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER BAISA: . . .*(laughter)*. . . Yeah. I don't think, I don't think you guys had that much money.

MR. PHILLIPS: Yeah, we had to get approval for \$100 expenditure.

COUNCILMEMBER BAISA: . . .*(laughter)*. . . Thank you very much, Chief.

CHAIR PONTANILLA: Thank you. Member Molina?

COUNCILMEMBER MOLINA: No questions.

CHAIR PONTANILLA: Thank you. We'll go to the C account which is Equipment and, Members, on the bottom of Mr. Pablo's handout, they show a high volume copier, copiers, two of them.

UNIDENTIFIED SPEAKER: Yeah.

CHAIR PONTANILLA: Member Victorino, got any questions?

COUNCILMEMBER VICTORINO: No. How many is this, one or two? One, yeah?

MR. PHILLIPS: It's two. We're leasing them.

COUNCILMEMBER VICTORINO: Two?

MR. PHILLIPS: That's two. Two copiers.

COUNCILMEMBER VICTORINO: Yeah. It says quantify one, but yet item says two, yeah?

MR. PHILLIPS: Yeah, there's two and it's, it's actually just a continuation. We have them. But it's a little bit less as well. That's why there's a reduction.

COUNCILMEMBER VICTORINO: Oh, okay. Okay. No questions other than that. Thank you.

CHAIR PONTANILLA: Thank you. Member Nishiki?

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Member Baisa?

COUNCILMEMBER BAISA: No, no questions.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Member Molina?

COUNCILMEMBER MOLINA: No questions.

CHAIR PONTANILLA: Thank you. Again, Members, if you do have any questions regarding the Administration Program, A, B, C account, if you can forward those questions to the Chair and we'll have the Police Department answer those questions. Next up, Members, is the Investigative Service Program starting on Page 17-9 of the Program and 15-9 of the Details. We'll take the A account first. And again, Members, in the Investigative Service Program, you note that there is a percent change of minus .7 percent reduction in that program. Member Victorino, on the A account, salaries and wages?

COUNCILMEMBER VICTORINO: Not so much that. I had a question on the performance measurements. When are you planning to take that up?

CHAIR PONTANILLA: That's on the A account.

COUNCILMEMBER VICTORINO: Okay, on the A account. Okay. Chief, you know, I'm on Page 17-10 and I'm looking at these numbers and obviously they're numbers, but they mean significance in my mind and you got to maybe put me on the right track. I'm concerned as far as you have these Offensive Juvenile Classes assigned and, you know, I see Part I and then Juvenile Offense Classes cleared. I see numbers that are staggering in differences. First of all, under Part I, you have 619 and then projected for this year, 500, projected for next year, 2010, 500 and under the Juvenile, Offense Juvenile Classes cleared, you had actual of 277, this year you're looking at 30 and next year 30. I mean, I guess my question is, I don't see that drop so drastically in the real world, but maybe you can explain what that means so that the public and I understand a little bit better what those two statistics mean, please?

MR. PHILLIPS: Yeah, I believe that number should actually be 300, the projection.

COUNCILMEMBER VICTORINO: Oh, okay.

MR. PHILLIPS: It could be a typo. But the projection would be 300 on both of those.

COUNCILMEMBER VICTORINO: Okay, well that, good thing you cleared that one up because, boy, I thought we, something was wrong out there because that was a big change. And then, so, so, any more typos because I also see like, for example, the number, Part II Juvenile Classes assigned went from 400, 4,586 to 800 and then bang, it goes back up to 8,000, I mean back up to 4,000. I see this year big drops. So are they typos, are there, are that actuals, in the 2009 projections?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: I think all that means is that last year they're, you know. . .and what you probably don't see here is the previous years.

COUNCILMEMBER VICTORINO: Yeah, okay.

MR. PHILLIPS: So, so, you, you, sometimes you get spikes in, in, in different crimes, and, and --

COUNCILMEMBER VICTORINO: Okay.

MR. PHILLIPS: --some years it's high, some years it's low. So in. . .all that tells me is that in, in Fiscal Year '09, they projected it lower, I'm guessing. Now, now they're going more, for '10, they're looking at what the actual was in '08, the actual cases, which, when they projected in '09, they didn't know what the actual cases were in '08. So I'm guessing that's why you see an increase there.

COUNCILMEMBER VICTORINO: Okay, I, I was very curious because again, from '08 to '09, drastic drops and then spike back up in '10.

MR. PHILLIPS: Yeah, and, you know, I don't have the actual for '09 yet.

COUNCILMEMBER VICTORINO: Okay.

MR. PHILLIPS: So I can't tell you what we have this year as far as our, but I'm guessing what's going on this year would more be in the line with the 4,000 projection for next year.

COUNCILMEMBER VICTORINO: Okay. Okay, you know, again, the other ones pretty much go the opposite way, but that was the one that really stood out, the juvenile section seemed to have dropped tremendously and I guess maybe in '07, it was a lower number so that's why we picked that up that way, yeah?

MR. PHILLIPS: Yeah. I'm not, I wouldn't be able to tell you without looking at that.

COUNCILMEMBER VICTORINO: Okay. Okay. I guess those are the concerns I had, you know, as far as, I know you try your best and isn't, is this part...

MR. PHILLIPS: You know, excuse me, the other thing too --

COUNCILMEMBER VICTORINO: Yeah?

MR. PHILLIPS: --is that could be the projection, you know, the Juvenile Section has, has a lot of vacancies. At one point, one unit was, was almost completely shut

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

down. So, so that, that may be why they're projected low that year, because you're talking about cases assigned. So if you don't have the personnel, you know, you may not have as many, not have the ability to assign as many cases, so it could be a combination of both of those issues.

COUNCILMEMBER VICTORINO: Well, thank you, Chief. That was exactly the next question I was going to ask, if this is due to lack of manpower in that particular area.

MR. PHILLIPS: It could be because they, you know, they've loss people due to promotion over the years that we haven't replaced right away.

COUNCILMEMBER VICTORINO: Yeah, yeah.

MR. PHILLIPS: So they do have, do have more vacancies. Gary?

MR. YABUTA: Excuse me.

COUNCILMEMBER VICTORINO: Yeah.

MR. YABUTA: If you will allow us to reexamine our statistical information on this particular scenario because for. . .in fact, our Juvenile, JCPD, our Juvenile Crime Prevention Division, has done an outstanding job and they have remarkable statistics. So if you'll give us an opportunity to reexamine our stats, we believe that there's some errors in there and we'll resubmit it to Council.

COUNCILMEMBER VICTORINO: Okay.

MR. PHILLIPS: Yeah. I think what you'll see, the actual for '09 is a lot higher than that projected 800. That's, that's, but that is, that 800 is just like a guesstimate and is based on a lot of issues. It's, it's not always real accurate.

COUNCILMEMBER VICTORINO: Yeah.

MR. PHILLIPS: But I think if you look at, if we were to give you the report of what we've done so far this year, you'll probably see that number a lot higher, the actual, this is just the guess, that projected.

COUNCILMEMBER VICTORINO: And let me end by saying this was by no means a criticism to that Department or that Division or anything of that nature. It was the variance in statistics and the drop that kind of caught my eye --

MR. PHILLIPS: Yeah.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER VICTORINO: --and that's the only reason for the questions and, I, I believe you guys are doing an outstanding job. So please, that's not my question. The question was is these wrong because right away when the first one you said should be 300 instead of 30, then I'm asking if the rest may be --

MR. PHILLIPS: Yeah.

COUNCILMEMBER VICTORINO: --incorrect or not properly stated. So if you would, Chair, if we could, upon receiving that, be passed out to the Members, I would appreciate that.

CHAIR PONTANILLA: Sure, thank you.

COUNCILMEMBER VICTORINO: Thank you. Thank you, gentlemen.

CHAIR PONTANILLA: Yeah, I think, I was looking at your performance measures and I take Part I, the first three, basically all three are related, meaning that, you know, just by looking at clearance rate, you know, you have 45, 50, 45, and it kind of tells me that there's a possibility that you don't have enough manpower --

MR. PHILLIPS: Actually --

CHAIR PONTANILLA: --in that one particular area.

MR. PHILLIPS: --for, for criminal conviction, a clearance rate of 45-50 percent is really high. Typically in investigations, it would be way lower than that. So it tells us that a lot of the cases, they're clearing, but, usually it's not, you know, these are not the kind of cases--and a lot of it is, is they catch people with things. So, you know, the clearance rate of 45 to 50 percent is actually pretty high.

CHAIR PONTANILLA: So the clearance rate, meaning that after they go to trial or...

MR. PHILLIPS: No, it's just that, it's just once their case is reported to us and we start an investigation, that they clear it with either an arrest or identifying the responsible in that case. It doesn't always mean they, we don't follow it after it's, you know, for prosecution, that's, that's somebody else that would follow that part of it, but we would clear it through the arrest or the identification of a responsible. So if you look at one and two of these cases that are reported to us is cleared, which is actually a pretty high rate based on, if you look at other, other areas of investigation.

CHAIR PONTANILLA: So there is a norm then, actually for, I guess, nationwide?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: I'm not sure what the nationwide norm would be. That would be something we'd have to research if there is.

CHAIR PONTANILLA: Yeah, because I come from private industry. When I see low numbers like that, it kind of indicates that --

MR. PHILLIPS: . . . *(inaudible)* . . .

CHAIR PONTANILLA: --actually you don't have enough manpower.

MR. PHILLIPS: Actually, most times, criminal investigations, you know, if you see, if you see clearance percentages of 20 to 50 percent, that's usually pretty good. Because a lot of stuff is reported that you have no, no leads, no suspects, you know, so a lot of it goes uncleared, a lot of these investigations.

CHAIR PONTANILLA: Okay, thank you. Member Nishiki?

COUNCILMEMBER NISHIKI: Thank you. The March 20th communication is the last that we got on vacancies?

UNIDENTIFIED SPEAKER: Um-huh.

COUNCILMEMBER NISHIKI: Okay. Chief, when I checked Investigative Services, and help me understand this, I looked at the count here and it showed 22 vacancies. Is that current? And I looked at the report action and I, I see a lot of transfers, I guess. I'm not sure how to understand the report of action.

CHAIR PONTANILLA: Mr. Pablo, does the Chief have our Vacancy Report? I think that more clearly would identify what Member Nishiki is talking about.

MR. PHILLIPS: What I show today is 19 vacancies in Investigative Services.

COUNCILMEMBER NISHIKI: Oh, okay. And, and, and getting back to that question that Gladys asked and...

MR. PHILLIPS: I'm sure, I'm sorry, it is 20 because I didn't count the civilian, there's a civilian vacancy, so there is 20 vacancies in Investigative Services.

COUNCILMEMBER NISHIKI: Right.

MR. PHILLIPS: Sorry.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER NISHIKI: Okay, in this Division, is it mostly policemen that are given, what should I say, transfers but they get promotions? Is that how most of these positions are filled?

MR. PHILLIPS: Some of them would be lateral transfers like in the Vice Section and the Juvenile Section, there are positions for patrolmen and so they would, they would apply and be selected and assigned to that Division and it is, it is somewhat of a promotion because they go from a PO-2 to a PO-3 so there is a short, small pay increase for those positions based on the investigative nature of the assignment. For the detectives, it could be through promotion. If they got promoted from patrolman to a sergeant and then assigned to the detective or it could also be lateral from sergeant somewhere else in the, maybe in another area, transferring in to become a detective. Because a detective is, as far as the, a detective is equal to a sergeant as far as the rank, so, and then of course, the lieutenant and the captains in there, it could be both, through promotion or through lateral transfer as well.

COUNCILMEMBER NISHIKI: So you would probably, and I don't know how the Department operates, but you would hold your patrol line until you get those vacancies filled before you laterally move people up. . .*(inaudible)*. . .

MR. PHILLIPS: Well, yeah, again, what we've, what we've tried to do is spread vacancies around so every, every section except for maybe the small districts, we try not to have vacancies in smaller districts. We do have a vacancy on Lanai that we hope to fill shortly, but like for Molokai, Hana, Lanai, we try and keep those fully staffed because they are small. But so we have vacancies in, in Wailuku District, Kihei, Lahaina, and then, and then, of course, in all the Investigative Services area we have vacancies. In almost every area, there's going to be some vacancies and then that's what I mentioned that we have to manage our manpower around that through, sometimes through overtime. In all the districts, we have a minimum number of beats that have to be filled so if, if because of vacancies we don't have enough people, then they're filled through call-back, we call people back or they volunteer for overtime. That happens generally when we have training or special assignments, things like that, so we're, we're, that's the, that's what I mentioned, the difficulty of managing the Department over the last 12 years with the vacancies, that's been the tough part. Of course now we throw into the mix the poor economy and the less resources available, so it's going to be even more of a challenge to manage through that.

COUNCILMEMBER NISHIKI: Fred, you know when the Chief mentioned about how Personnel Services is handling the recruitment and possibly the reason why there is slow movement of hires, is that something that you could look at?

MR. PABLO: Well, we're going to be having the Department of Personnel Services down, I believe --

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER NISHIKI: Okay.

MR. PABLO: --this week or next week and that.

COUNCILMEMBER NISHIKI: Okay.

MR. PABLO: But yeah, we'd be glad to look into something like that.

COUNCILMEMBER NISHIKI: Okay.

MR. YABUTA: Can I comment, you know, I don't want to stir any feathers with Department of Personnel Services. They have been cooperating with the Police Department, but because the economic situation, they have been very cautious too. You know, we continue to work with them and it's, it's something that we're going to continue, to work with them in 2009.

MR. PHILLIPS: Yeah, they, they were terrific last year and their personnel came out on weekends and, and, every month, they did these fast tracking and it, we, we have an excellent relationship with them. We're not complaining about them, but we have changed the, we have changed that. We're not doing those fast track, and I think it's more because, not so much the budget, that is an issue because it costs them money every time they do these things, money in overtime and things. But I think it's more of the concern about us offering too many, you know, and, and, and that's their, I mean they, they worry, they have rules that they have to worry about and we kind of just, we offer the world, you know, but because we know we're going to whittle them out but, you know, their concern is if I offer 100 people jobs and I only have 38 vacancies and they all somehow by miracle make it --

COUNCIL MEMBERS: . . .*(Chuckles)*. . .

MR. PHILLIPS: --then I'm in trouble and so they're very cautious about that and that's their job to be cautious about that, so we're not really complaining about them but it is, it is going to slow us down a little bit, but I think we're all very optimistic about the momentum that we gained last year about hiring and --

COUNCILMEMBER NISHIKI: Yeah.

MR. PHILLIPS: --it's going to take us a little longer but I think, I think we will get to that, that more manageable level at some point.

COUNCILMEMBER NISHIKI: Okay. I, I, I guess, Mr. Chairman, you know, we, we, we talk about complaining about vacancies but then, and I'm not saying there's a

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

problem, but I, I really want to understand why now the slowdown in, in, in, in, in the process and, you know, when you look at vacancies --

CHAIR PONTANILLA: Uh-huh.

COUNCILMEMBER NISHIKI: --you're going to go *oh, wow*, you know that's why we're having a hard time with, you know, society, I mean, our men in blue are not fully filled.

MR. PHILLIPS: You know, one of the things you have to understand as well is that we loss three months, not to anybody's fault and not to their fault, but --

COUNCILMEMBER NISHIKI: Right.

MR. PHILLIPS: --the test was changed and it took three months to develop this new test, this new entry level test. Something happened with the test last year where they couldn't use that test anymore. So it took them a while and so I think if, you know, if we didn't lose that three months, we'd probably be in better shape but we'll catch up and we will continue to work with them. The Deputy meets with them every month and we discuss these issues. So, I, I think they've been working really hard at this as well with us to make, make it happen for us.

CHAIR PONTANILLA: Thank you.

COUNCILMEMBER NISHIKI: Okay, I'm done.

CHAIR PONTANILLA: Thank you. And, Mr. Nishiki, if you can hold your question probably until DPS comes to our Chambers. And what the Chief says is so true, you know. If you get 100 applicants, 38 vacancies and all of a sudden you have 50 takers, then, then, you know, what do we do? So Member Bai...before I call on Member Baisa, the Chair would like to recognize the presence of Member Johnson. I'll go to Member Baisa first.

COUNCILMEMBER BAISA: No questions. They've been asked. Thank you.

CHAIR PONTANILLA: Thank you. Member Molina?

COUNCILMEMBER MOLINA: No.

CHAIR PONTANILLA: Member Johnson?

COUNCILMEMBER JOHNSON: No.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Thank you. We go to the B account which is operations. Member Victorino?

COUNCILMEMBER VICTORINO: You know, Chair, I guess the biggest one here I see is, and really stands out, is the request for electricity which jumped tremendously and also professional services. Maybe, if, Chief, if you could address those and other services. That would be, under other services, 619...6129, 6132 and of course, utility, electricity, 6120, and the reason I'm asking is because one, last year, or this present year, you requested \$60,000, this year you're requesting \$240,000. That's, I know prices have gone up and I think everybody knows that but maybe you can explain to use what those different variances.

MR. PHILLIPS: That's not really due to the prices going up, it's mainly the morgue operations. We're including the operations, the electricity and some of the costs for operating the morgue this year.

COUNCILMEMBER VICTORINO: Okay.

MR. PHILLIPS: We did request an increase in our autopsies and that's just kind of based on our actual. I, I think we're up, the cost of our autopsies has gone, well the number of our autopsies has gone up so of course the cost goes up with it, so also included in there would be things like DNA testing, and that can be very expensive.

COUNCILMEMBER VICTORINO: Oh, okay.

MR. PHILLIPS: So included in that professional services would be, would be that. But the main reason for the increase would be morgue operations expense.

COUNCILMEMBER VICTORINO: Yeah, so that means, are we open already, our new morgue?

MR. PHILLIPS: No. It's not open yet.

COUNCILMEMBER VICTORINO: When will you, when do you anticipate opening?

MR. PHILLIPS: Not sure yet. We're, it's, it's, we're still working on permits so that we can start the construction of the morgue.

COUNCILMEMBER VICTORINO: Okay. So hopefully sometime in the next fiscal year you guys will --

MR. PHILLIPS: We're hoping, yeah.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER VICTORINO: --be operational.

MR. PHILLIPS: Yeah.

COUNCILMEMBER VICTORINO: And then the lease rent for June, or Juvenile Section, did we lease property outside of...

MR. PHILLIPS: Yes, we have a, we have an office at the Cameron Center --

COUNCILMEMBER VICTORINO: Okay.

MR. PHILLIPS: --that we're leasing. We also lease, we have a building that we lease for specialized vehicles that would come under the Investigative Services as well, that's another increase.

COUNCILMEMBER VICTORINO: Okay, thank you. I appreciate that, Chief, thank you. Thank you, Chair.

CHAIR PONTANILLA: Thank you, Member Victorino. Just a comment in regards to, you know, we did purchase a building at the Wailuku Industrial Building for the morgue that the Police Department had requested last year. Member Nishiki?

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Member Johnson?

COUNCILMEMBER JOHNSON: In regards to . . . *(end tape 1B, start tape 2A 10:05)*. . . I guess the opening of the morgue and some of the other investigative things that you may be able to perform, do you believe that you have sufficient money allocated to be able to take on some of those tasks within this year's budget?

MR. PHILLIPS: Yes. You know, it's always, it always kind of a guess, but we kind of go on what we've spent the previous year. But if we had, you know, if you had a major case where there was a whole bunch of DNA testing, we could go over that because that gets pretty expensive, but just on the, on the normal, on the normal year, we're fine.

COUNCILMEMBER JOHNSON: Yeah, and I was watching on one of the national programs the other day about monies, I guess, that were made available at the Federal level for DNA testing for unsolved rapes and other crimes and I just wondered, you know, is any of that money available to do additional testing or anything within this particular budget?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: I think in, in those areas the cold case, so to speak, we, we could get assistance from the AG's because they have a unit that has grant money for that, for that specific issue. So if we were to refer a case to them, then I think their funding would cover that.

COUNCILMEMBER JOHNSON: Okay, thank you very much.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: No questions.

CHAIR PONTANILLA: Member Molina?

COUNCILMEMBER MOLINA: Thank you, Chair. Chief, you know, maybe this is a question more out of morbid curiosity on my part and the subject of autopsies and you mentioned the increase in costs for that, and I come from a family that was involved in a mortuary business many, many years ago. Can you tell us the contributing factors to the increase for autopsies?

MR. PHILLIPS: Well, I think just the increase in number of people here, so we, generally the number of autopsies goes up a little bit each year.

COUNCILMEMBER MOLINA: Oh, okay, just the, just the body counts basically is what's --

MR. PHILLIPS: Yeah.

COUNCILMEMBER MOLINA: --contributing.

MR. PHILLIPS: Well, the police, the police involved cases anyway and that's anything from, from accidental to suicides to of course murders, but accidental deaths, suicides, like even this year, we've seen the suicides have gone up this year so we're seeing more of that already, dramatically in some areas. So, you know, we just, it typically goes, goes up just due to our growth and other issues.

COUNCILMEMBER MOLINA: Okay, I see.

MR. PHILLIPS: More cases.

COUNCILMEMBER MOLINA: Okay. I thought it was...

MR. PHILLIPS: I don't think it's really dramatic increases too, but it does, it does go up each year.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER MOLINA: Okay, I just thought maybe like, you know, the services provided by the coroner and so forth, I thought maybe that had some factor in that as well too, but just simply just out of growth I guess, you have more...

MR. PHILLIPS: It's pretty much, yeah, just numbers. I mean sometimes there's, there are additional costs but and supplies and things like that, but it's generally just the number of cases.

COUNCILMEMBER MOLINA: Okay, thank you. Thank you, Chair.

CHAIR PONTANILLA: Thank you, Member Molina. Committee, we're going to the C account, Equipment and there's none being projected for Fiscal Year '10. Members, any questions regarding why they don't have anything budgeted? Seeing none...

COUNCILMEMBER NISHIKI: Mr. Chairman.

CHAIR PONTANILLA: Member Nishiki.

COUNCILMEMBER NISHIKI: Yeah, I got a general question just because of going through the budget process now and in lieu of what the situation is with jobs and layoffs and the gamut. Just a general question, Chief, have you seen an increase in police having to deal with the general public, and I'm not saying *what*, because of the economic downturn?

MR. PHILLIPS: Yeah, I think, I, I, I think we have--it's hard, it's hard, I can't really give you numbers because we, we actually don't have all our numbers yet. But I think some of our commanders would tell us that they're seeing more, a few more issues, more domestic violence, seems to be on the increase. We've had more suicides this year already. Whether that's due to the economy, of course, is just a guess, but we, we, we typically will see more issues, more contact with some of the social issues as well, more homeless, more domestic violence, more drinking-related issues, alcohol-related issues, probably more DUIs, things like that. And I don't, I don't know that it's early enough that we can tell you that for sure, but I think if you talk to the command you'll probably see that they are seeing some increases in those areas. And, of course, that would be a guess to say that's it all related to the economy, but we would, we would guess that some of it is.

COUNCILMEMBER NISHIKI: Anyway, food for thought as, as we look at this Department.

CHAIR PONTANILLA: Uh-huh. Thank you.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER NISHIKI: I want protection.

CHAIR PONTANILLA: Yeah, thank you for that question because as we go to the district meetings, we're hearing more and more from nonprofits in regards to increase to social issues here on Maui and one of the things that they, in fact the other night, the talk about money is a big issue because of unemployment and they see a lot of domestic violence, you know, creeping up, so...

MR. PHILLIPS: We do see they're, we do see that and we met with the mental health people earlier this year, because their budget was cut dramatically where, where they were. . .had funding to meet with their clients three hours a week. It was changed to three hours a month. So we, we will probably see the results of that, the people that are on medication, you know, that. . .or start drinking, things like that because they don't have the counseling. So a lot of that falls to us when, when those things happen. Could I just comment, too, on the. . .we see zero equipment request for Investigative Services, not because they have a really mean Assistant Chief--well, they do, but it's not because of that.

COUNCIL MEMBERS: . . .*(Laughter)*. . .

MR. PHILLIPS: They, they did have a request for equipment in their, in their proposal to us but, but we had to cut and so we went with just the bottom-line equipment that we needed. So everything else pretty much got cut so whatever they asked for, we took it out and then we, of course, we'll hope to look for grants and other things that maybe we can purchase some of it later on with. We are looking at some stimulus money and some other grants that maybe we can get equipment needs for them, but it's not that they don't need anything, it's just, we kind of had to prioritize.

CHAIR PONTANILLA: Thank you.

COUNCILMEMBER BAISA: Chair?

CHAIR PONTANILLA: Thank you for that comment. Member Baisa?

COUNCILMEMBER BAISA: Yeah, just a quick comment. For planning purposes for the Police Department and since you're going to be looking at your performance measures, I noticed that your performance measures in the area of domestic violence are projected to go down. You might want to have a talk with Women Helping Women, because they were the ones who came to the Lahaina meeting the other night and the Director informed us that they were really being smashed. So, you might want to look at that.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: Yeah, and I think, you know, those projections --

COUNCILMEMBER BAISA: Just for planning.

MR. PHILLIPS: --again --

COUNCILMEMBER BAISA: Yeah.

MR. PHILLIPS: --were based on, on previous years and stuff --

COUNCILMEMBER BAISA: Uh-huh.

MR. PHILLIPS: --so kind of not, yeah, not looking...

COUNCILMEMBER BAISA: Yes.

MR. PHILLIPS: At the point that we submitted this, maybe not seeing what's actually happening with the economy and those things, but I, I think we already have seen that there is some increases, in some areas anyway. And, again, we got to look at the numbers and see if that holds true.

COUNCILMEMBER BAISA: I just thought I'd mention it because they were the ones who talked to us. Thank you.

CHAIR PONTANILLA: Thank you for that comment, Member Baisa, and again, this budget was created last year so some of the information that we got --

COUNCILMEMBER BAISA: Things change.

CHAIR PONTANILLA: --they probably didn't get. So. . .

COUNCILMEMBER BAISA: Everything changes.

COUNCILMEMBER VICTORINO: One more, one more quick comment if I may.

CHAIR PONTANILLA: Member Victorino.

COUNCILMEMBER VICTORINO: Also, you know, and since we looking at all that, please also for Drug Awareness Programs, I mean, you were at 625 in 2008 and then drop it down to 200, and obviously you mentioned earlier about drugs, the drug challenges we face in our community. So again, not to belabor the point, but really, when you look at this, I mean, if you see something already, then why drop it and that's my first comment. And secondly, if you know things are coming, can we have a better picture because when we're allocating money, the picture has got

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

to be really clear in our minds so that we can do the best job for the funding issues, yeah?

CHAIR PONTANILLA: Thank you, Mr. Victorino. I think Deputy Chief Yabuta kind of explained about reviewing those numbers, so we'll get information from the Department.

COUNCILMEMBER VICTORINO: I want to make sure that it's all made, you know.

CHAIR PONTANILLA: Yeah.

COUNCILMEMBER VICTORINO: Thank you.

MR. PHILLIPS: And we'll review, but then, you know, you got to realize too the reality for us --

COUNCILMEMBER VICTORINO: Yes.

MR. PHILLIPS: --is as we, if we start getting short on funds, that the prevention programs are going to be the first to go, so that, it may be reduced next year. We can't, we can't really say. It's going to be tough to manage and do it the same level we're doing now with essentially less funding.

COUNCILMEMBER VICTORINO: Okay.

MR. PHILLIPS: That's where we're at right now.

COUNCILMEMBER VICTORINO: Okay.

COUNCILMEMBER BAISA: Yeah.

CHAIR PONTANILLA: Thank you for that comment.

COUNCILMEMBER VICTORINO: Fair enough. Thank you.

CHAIR PONTANILLA: And, Members, again, you know, if you have any more questions regarding this area, if you can forward those questions to the Chair and we'll get information from the Department. Members, we're going to take our mid morning recess or break, but before we do that, Chief can you introduce the Police Commissioners that are here this morning?

MR. PHILLIPS: Yes, we're very happy to have several of our Commission members here. We have Keone Ball who is the current Vice Chair; Leil Koch;

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

Dave Jorgensen; our Chair, Doreen Gomes; and Ron Vaught, our newest member to the Commission.

CHAIR PONTANILLA: Thank you. Members, the Chair is going to call for a recess and we'll reconvene at 10:30. This meeting is in recess. . . .(gavel). . .

RECESS: 10:20 a.m.
RECONVENE: 10:35 a.m.

CHAIR PONTANILLA: . . .(gavel). . . The Budget and Finance Committee is now reconvened. Members, when we last, last left off, it was the Investigative Service Programs that we had reviewed. This time, we're going to take the Uniformed Patrol Services Program and if you can take a look at your Program Sheet, 17-23, and on the Details 15-17. So, at this time, the Chair is going to go from my left, Mr. Molina, if you have any questions regarding the A account, Salaries and Wages.

COUNCILMEMBER MOLINA: Thank you, Mr. Chairman. No questions at this point as far as the positions. My questions more would be related to some of the performance measures and objectives.

CHAIR PONTANILLA: Yeah. Go ahead.

COUNCILMEMBER MOLINA: Thank you. Chief, just a comment on expanding the Department's Community Policing Program, if you could--you know, I know we're in some very austere times right now. How do you believe the Department. . .well, is the Department still able to reach that objective in spite of the, you know, economic situation we're in with regards to the Community Policing Program?

MR. PHILLIPS: As far as expanding?

COUNCILMEMBER MOLINA: Expand and continue, yeah. I'm just looking at the objective on 17-23 in our Program Budget.

MR. PHILLIPS: Yeah, we're not, we're not looking at expanding. I think, I think one thing on these program objectives, that, this document was submitted back in September, October, little bit before we had some of the economic downturn anyway that we've actually realized where our budget would be at this point.

COUNCILMEMBER MOLINA: Uh-huh.

MR. PHILLIPS: But I think most of that pretty much stays the same. Those probably, you're talking about Wailuku district or probably the school resource positions

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

and so it's pretty much remaining the same at this point. We're not, we're not looking at any changes or expansion right now --

COUNCILMEMBER MOLINA: Okay.

MR. PHILLIPS: --in those areas.

COUNCILMEMBER MOLINA: Status quo I guess, yeah, based on the situation that we're in. Okay. Thank you. Thank you, Chair.

CHAIR PONTANILLA: Member Baisa.

COUNCILMEMBER BAISA: Not in this section, thank you.

CHAIR PONTANILLA: Thank you. Member Johnson?

COUNCILMEMBER JOHNSON: No.

CHAIR PONTANILLA: Member Nishiki?

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Member Victorino?

COUNCILMEMBER VICTORINO: No questions.

CHAIR PONTANILLA: Thank you. On the B account, Member Molina?

COUNCILMEMBER MOLINA: Hang on, Chair, that was pretty quick. We went right through that. Um, just...

CHAIR PONTANILLA: This is a lean budget.

COUNCILMEMBER MOLINA: Yeah, it is. No, Chair, nothing on this B account at this point. Thank you.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: No thank you.

CHAIR PONTANILLA: Member Johnson?

COUNCILMEMBER JOHNSON: No.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Member Nishiki?

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Member Victorino?

COUNCILMEMBER VICTORINO: No, not at this time.

CHAIR PONTANILLA: That was quick. Let's see, we go to Equipment. The handout that the Budget Director had provided us, we do have some patrol vehicles in it and the total amount is \$875,000. Mr. Molina?

COUNCILMEMBER MOLINA: Thank you, Chair. Just on the, if I could get comments from the Chief with regards to the vehicles. You know with all of this talk about, you know, greener vehicles or so forth, are there vehicles out there in other municipalities, other police departments using vehicles that are, I guess, you know, like hybrids or some type of fuel, more fuel efficient vehicles?

MR. PHILLIPS: I, I ...

COUNCILMEMBER MOLINA: Is it even feasible for us to even consider that?

MR. PHILLIPS: Not at this point. The, the vehicles aren't large and safe enough. The vehicles, we have certain specs for our patrol vehicles, anyway. That's certainly an area that we could look in for unmarked cars in other areas but not in the patrol area. I don't know of any around the country. There is, there is a car, so-called car of the future, that we looked at at the last IACP Conference that had, actually the driver's seat looks more like an airplane cockpit and it has, the vehicle itself is not that expensive, maybe around \$20,000, but the equipment and everything that goes with it puts that car at about \$100,000. So I could buy eight of them next year, it wouldn't help me. So, our, our vehicles, for patrol, I think we need to continue to meet that, that specifications that, that we have right now. Even, even that car, it looks big to you but it's not real roomy. Officers of my size have a hard time because it has a cage and it has a computer and once you put all the equipment in it, it's pretty crowded inside there, but we have been very lucky so far in the, you know, the accidents that we have had, we haven't had any real major injuries. So I think that's one of the issues, the safety of the car and of course the size of the car, too. I wouldn't want to go to a smaller car just simply because it would be hard to fit people in it. That's their office for the eight or twelve hour shift that they have and it needs to be somewhat comfortable so that we don't run into other issues, you know, the back pain and those kind of issues that would come with having something that's too small.

COUNCILMEMBER MOLINA: Okay. Thank you, Chief. Thank you, Chair.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Thank you. Chief, fast question. For vehicles for Hana, Molokai and Lanai, do you qualify for CDBG funding or any piece of equipment that is required for that...

MR. PHILLIPS: Yes, we do. Not, not so much the patrol vehicles, though, but we have purchased vehicles through CDBG for all of those districts, you know, specialized vehicles, trucks and SUVs, those type of thing. We purchased one . . . *(speaking off mic)*. . . yeah, but we have in the past purchased through CDBG.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: Thank you, Chair. Quick question. What is the average life of a police patrol car considering how you, how much use they get?

MR. PHILLIPS: Yeah. We generally have a three year rule for a patrol car, marked vehicle. We'll use it for three years or if the mileage is high, it may, it may not make it to that or the general condition of the vehicle. And then sometimes once, once we take them offline for the patrol because they might have high mileage or whatever the issue might be, sometimes we'll refurbish them and use them as unmarked vehicles. As our budget over the years for unmarked vehicles hasn't kept up with the replacements, so sometimes we are able to use them in other areas or, you know, use them like for the School Resource Program and things like that where they're not going to have the high mileage, the daily pounding they take.

COUNCILMEMBER BAISA: That, that's an important thing to think about because, you know, when we delay our replacement schedule, it only means that at some future date we're going to have a whopping replacement cost because you can only do so much. I mean, you can't beat a dead horse.

MR. PHILLIPS: Yeah, absolutely. I think that, that's why, you know, the Budget Director, even though this is a large request, they, they allow us to replace these marked vehicles because it's so important to keep them in good shape and operating so you don't have the high maintenance costs or downtime that they're getting repaired and all that. So we're, we were fortunate to have this put in our budget this year.

COUNCILMEMBER BAISA: Thank you very much. I think it's important to know this. It's not like our regular family car. Thank you.

MR. PHILLIPS: Thank you.

CHAIR PONTANILLA: Thank you. Member Johnson?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER JOHNSON: And I know the Mayor is trying to get some of the newer vehicles, you know, some of the hybrid or electric vehicles. Are, is there any money allocated within this that you would be able to actually purchase any vehicles of that sort? I'm probably thinking more like, you know, for ticketing or, you know, other little runs that might be more fuel efficient in your urban areas?

MR. PHILLIPS: We, we don't have any in this budget. This budget is only 25 marked vehicles, that's all.

COUNCILMEMBER JOHNSON: And, and...

MR. PHILLIPS: We're not looking at any unmarked or any specialized vehicles in this particular budget.

COUNCILMEMBER JOHNSON: Okay. And was there, and I'm not sure, but perhaps Mr. Pablo can check on this too because I know that the arrangement that the Administration has with use of some of these fuel efficient vehicles and some of the smaller, I guess--I don't know if they're scooters or whatever--if any of the Federal, I guess, program monies for purchase of those might be available. Because I think the Police Department has probably one of the highest uses of, you know, mileage and, I don't know. Are we still doing our bicycle patrols?

MR. PHILLIPS: Not as much because we don't have the manpower.

COUNCILMEMBER JOHNSON: Yeah.

MR. PHILLIPS Those positions aren't, the positions are vacant. I, I, I think we do occasionally do bicycles patrols in Lanai and Lahaina. That's probably the only areas that that is available. We do have other vehicles, though, specialized vehicles that we use like for the beaches and things like that that are more economical and, of course, we can get into areas that they can't get in to with the patrol vehicle. But again, those operations typically are overtime based because they're usually special operations where we'll bring in people that may be on day off or extend a shift or something and then do a special op, maybe in Kalama Park or somewhere like that, Kaanapali Beach, those kind of things where we're looking for the problems, you know, people drinking or fighting or any of those kind of things, were using drugs and breaking in cars. So those, those vehicles have been very effective in, in those programs and we do have some of those available to us already. We're not looking, we're not asking to purchase any new ones, but we have had some donated to us and we have purchased some through our own budget and through grants, so we have several available to us.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER JOHNSON: Yeah, I appreciate that. And I think that, you know, why I'm asking Mr. Pablo is because a lot of the thrust now is on fuel efficiency and energy conservation and all these kinds of measures, and some of the vehicles that we have are through a pilot program. And so I'm kind of looking at, if your Department could make use, if there is any such vehicle like, I think of, you know, the little Cushman, you know, that maybe there's something that's electric that's, you know, we could try to do as an experiment. So I, I don't know, Mr. Pablo. If you have any knowledge of that, fine. If there is no money available, then there's no money.

MR. PABLO: Okay, let me make a general comment on that. We are looking to all of these possibilities. We are looking into energy efficiency. We are looking to, to alternative energy. One of the visions we have, is actually electric cars like you mentioned, but we really have to do a feasibility study on that first before making such a huge investment. Some of these electric cars are not very, very inexpensive. They could total, you know, 40,000. And of course, there's also things we have to check on is the mileage, how far can you travel on a battery. We did have a vision of having carports where we have photoelectric cells on top of the carport. You could drive your electric car into it, plug it in and it would charge while you're in the office and at the, when you go out in the field, it would be ready to go, but, like I said, these are items which we are looking into. We are following what's available under the Energy and Environment Block Grant. We're hoping that, there will be monies available. If there are, we will take advantage of it.

COUNCILMEMBER JOHNSON: Yeah, I really appreciate that because I, I think particularly, moving in that direction would give our Police Department maybe access to something that they might not have otherwise and kind of relieve money, you know, from other areas, you know, where we would be taking, taking that money from the General Fund, you know, and then if we don't have to, if we have that available through these other programs or through these pilot programs from the Federal government or even sometimes manufacturers will give you a test vehicle so that you would be able, as a test area, to see how that performs. So . . .

MR. PABLO: Yeah. We definitely are looking into all of that. Yeah.

COUNCILMEMBER JOHNSON: Yeah. I, I, I see there is a new little, one of those little mini, mini cars that's available. So anyway, just a thought, but thank you very much, Chief and Mr. Pablo.

MR. PHILLIPS: Thank you.

CHAIR PONTANILLA: Thank you. Mr. Nishiki?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Mr. Victorino?

COUNCILMEMBER VICTORINO: No, not at this time.

CHAIR PONTANILLA: Thank you. Just have a question for the Department in regards to, you know, those signs that you put close to the schools that indicate how speed, you know, how fast a driver is approaching the school area. I, I noticed that you don't have anything being requested in this 2010 Budget proposal, and I was wondering. You know, I think it's a deterrent in regards to, you know, making sure drivers, you know, obey the laws when they come close to the school. And if there's any indication from your Department in regards to having more of that type of equipment, I surely would like to know about it so that, I, I think it's something that we need around our schools.

MR. PHILLIPS: I think you'll see different communities asking, but we, we don't have any of that requested in this budget, and basically just prioritize, we had to prioritize our requests and cut back and there may be opportunity to look at grants in the future that may be able to give us some of those, some more of those. We have some, but and I think . . .*(speaking off mic)*. . . so at this point, in this particular budget, we don't have that request.

CHAIR PONTANILLA: Yeah, if you can send me something in regards to, you know, some recommendations from your Department in regards to, you know, where we should be placing some of these signs, you know, close to the schools. You know, safety is a big issue, yeah, for me. So if you could.

MR. PHILLIPS: Okay.

CHAIR PONTANILLA: Thank you. Okay, Members, any more questions regarding the Uniformed Patrol Services Program? If not, if you do have any questions, if you could forward the questions to the Chair and we'll get the Police Department to provide answers. Let's see, the last program that we have is the Technical and Support Services Program. Again, in this particular program, we, I noticed it, it decreased in the overall total as far as their budget. So, at this time, Member Molina, you got any questions on the A account, Salaries and Wages?

COUNCILMEMBER MOLINA: Thank you, Chair. No, no questions on Salaries and Wages, but more related to the Program Budget 17-36, Accomplishments.

CHAIR PONTANILLA: Go ahead.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER MOLINA: Related to the Radio Shop, Chief, where it says Fiscal Year 2010 will require the Radio Shop to continue working with Sparling, our Washington State based consultant to determine the next generation of Countywide public safety grade two-way radio system to replace the antiquated analog system that's currently being used. First of all, I want to, I think that's a great direction that the Department is, you know, going, because communication obviously is so critical in your line of work. Can I get further comments on that and, you know, I believe Captain Amaral has done an outstanding job in this area.

MR. PHILLIPS: Don't say that. He's sitting right behind you.

COUNCIL MEMBERS: . . .*(Chuckles)*. . .

COUNCILMEMBER MOLINA: But I just want to get some more feedback on that and where we're at right now.

MR. PHILLIPS: We, we are in the, pretty much the second year of looking at what will be our next generation of radio and I think as we, as we mentioned before in previous meetings with the Council, that our current system will be obsolete within a year or two. We won't be able to maintain it. They're not going to be making that, that technology anymore, so we do need to move to the next generation. So we have a consultant that is working with Captain Amaral in our Radio Shop in developing the specifications and the needs for our next system. We've already done a lot of the ground work, though. We have a site from last year's CIP that you guys gave us funding for that should start very shortly in the renovation of that site which is a key, that's up in Ulupalakua, but a key site for the next generation. It will help, it will help us now as well, but it will be certainly a key site in the next phase when we go into a new system. And so, we do have a request in this budget to continue with those professional services to move that project forward this year. And then I'm guessing in the next year or two, that we'll be coming in and asking for the CIP funding to start that project because we're kind of at that stage where we're going to have to identify and then move on to the actual implementation of that new system. It's coming up very, very fast for us. And that will be, you know, not only for the Police Department but Countywide, Police, Fire, Medics and all the other County agencies and State and Federal agencies that are on our system. So we kind of manage that as a Countywide project, not just the Police project.

COUNCILMEMBER MOLINA: Okay, thank you, Chief, for the heads up and it's amazing with technology, just when we've installed a system and then all of a sudden, it becomes antiquated and there's new technologies...

MR. PHILLIPS: Actually, when you look at it, that system is about 15 years old which is pretty much the life of the system. We purchased that system and installed in the

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

early 19...well, 1994 I think is when we started that project and it, it did take years to complete, but the life of that technology is from the early '90s. So things do change rapidly in that, that technical area and what, what these companies will support too. So we were, we were given notice, I think ample notice, to try and move into the next, the next phase or next generation, new system. And I'm sure, as you know, well as you mentioned, Captain Amaral is the most capable person of making sure that we have the best system possible for our County.

COUNCILMEMBER MOLINA: Okay, thank you, Chief. Thank you, Chair.

CHAIR PONTANILLA: Thank you, Member Baisa?

COUNCILMEMBER BAISA: No question, but just a comment. I'm very happy to see the Police Department is becoming very technologically up to date. I see you have your share of Blackberry addicts and that's...

MR. PHILLIPS: Unfortunately we do, yeah.

COUNCILMEMBER BAISA: ...*(Laughter)*... but, you know, it is really, really useful and great technology, no matter where you are, you can be in touch, so congratulations on that.

CHAIR PONTANILLA: Thank you. Member Johnson?

MR. PHILLIPS: May 29th, mine's going in the trash.

COUNCIL MEMBERS: ...*(Laughter)*...

COUNCILMEMBER BAISA: Don't throw it away, give it to me. I can use another.

CHAIR PONTANILLA: Member Johnson?

COUNCILMEMBER JOHNSON: No, I just, you know, I think that as, you know, just as a question though about, with all the technological advancements, because it seems every time you turn around, we have new technology. The way that we even do our purchasing, what is your belief or I guess, you know, your tech person's belief, how often are we going to be doing this because you just get one phone and then a year later, they have a whole new model and series. So, you know, if we at least understand about what the cycle and frequency is, that, that will help us to know how much we're going to have to expend.

MR. PHILLIPS: Well, absolutely. That's always an issue. It's just like our IT, you know, our IT project that we're putting in, a new computer system. I mean in the time that we've, you, you know, started that project, the technology has changed

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

so much and they always want you to upgrade and stuff. So I think we have to be careful. We have to look at what. . .you know, certainly we want to improve always, but, you know, sometimes you got to look at what is, what is just what you need too. You don't sometimes need all the bells and whistles. Sometimes you just need something. You know, when we went to Blackberrys', I told her I just want a phone that I can . . .(end of tape 2A – 10:52 a.m.). . . technical, so that was a big step for me to go to a Blackberry. So, you know, sometimes you just need the phone and you don't need that Blackberry. You know, our whole Department doesn't need Blackberrys', but I think we have most of our command staff so we can communicate and it is, it is a great thing. But in all of these areas, the technology just continually changes and, well, everybody knows, the number of people using cell phones will soon probably outnumber the population, you know, I mean my 8-year-old granddaughter has a cell phone now.

COUNCIL MEMBERS: . . .(Chuckles) . . .

MR. PHILLIPS: So I didn't know how to text until she used to text to me, so she started texting to me. So, you know it's, it does change rapidly and sometimes we will get caught up into looking at that next generation before we're even finished with what we're on and get the full use of what we are. So I think we have to be careful along those lines and not just move just because there's something new, but if it's adequate and it's working, sometimes you just have to get by with what you have.

COUNCILMEMBER JOHNSON: Yeah, and I, I know that, you know, I mean, I go through the same thing even in our own office budgets, you know, I, I, I didn't go with the, they call it lovingly the Crackberry. You know, I didn't go with that. I just have my old phone just, you know, because I felt it was serviceable. But I think for me anyway, I, I just want to understand, and not just from your Department, but, but we're all facing these things because we have all these bells and whistles that we can have access to. You know, do the Departments generally wait like, wait until it gets, it's not fresh off the shelf and maybe like wait about a year until the price drops a little bit and then purchase or do we get a first shot out of the box and pay top dollar?

MR. PHILLIPS: No, I think we kind of look at what we can afford and what our needs are. The cell phone is a great tool. If I had the money, I would issue every officer a cell phone. And not, not only is it a great tool that they use daily, most of them use their own, but, you know, we do have, our cell phone use Department wide has gone up just as the general public has. But, you know, in an emergency when our radio might be out, it's a, it's a backup and, you know, it does cut down on the radio traffic, so our dispatchers that are working shorthanded, actually critically more shorthanded than our officers, you know, if anytime we can reduce the air traffic for them, it makes it easier. The computers in the cars that we're getting,

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

that will reduce that as well. They'll be able to communicate by computer and do some of the checks and, and things themselves with the computer rather than calling in and asking a dispatcher to do it, so that will help reduce that, that load on the dispatchers as well. So, the technology is great and I think we have, we do have to keep looking ahead and moving with the technology--not to say you have to rush out and buy something just because it's new, though. It's like that car I mentioned. It has everything. It has 360 degree video and video in and out of the car and it's a really neat car but, you know, I don't have \$100,000 per car. If I had, you know, a four-man Department, maybe, but, you know, we need, we need, I have a fleet of 200 something cars. So I think we have to be realistic too and look at what is, where we can help our efficiency with, with the technology that's changing, but then keep it within reason as well. So. . .

COUNCILMEMBER JOHNSON: I really appreciate you sharing that because I think it's important for all of us to kind of look at. . .you know, everybody's looking at us saying well, I can't afford that or I can't afford this. So I guess we're looking not only for efficiency and having technology work to our best and highest use, but we're, we're doing it within our budget and in a practical way and I'm really, I'm, I'm sad that you're going to be leaving, but I'm glad to hear that that's your philosophy because I think that that's pretty much what the public expects of us. So, thank you very much.

MR. PHILLIPS: I think we have to remember that's, you know, everything we buy is somebody's tax money that we're. . .

COUNCILMEMBER JOHNSON: Uh-huh.

MR. PHILLIPS: So we want to make sure that every dollar we spend is for a purpose and it's going to help us do our job better, not just because it's the newest whatever out there.

COUNCILMEMBER JOHNSON: Yeah. Thanks very much for sharing that and thanks for giving me the additional time, Mr. Chair.

CHAIR PONTANILLA: Thank you, Member Johnson. I think we watch Cops every night. . .*(laughter)*. . . Sometimes I see the technology that other jurisdictions have and they are so way ahead. Member Nishiki?

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Member Victorino?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER VICTORINO: Thank you and, Chief, thank you for, and I too, if it wasn't for my grandchildren, I would have a hard time using my Blackberry. So. . .

ALL: . . .*(chuckles)*. . .

COUNCILMEMBER VICTORINO: They grew up with that, we still in the dark ages where black and white and the Three Stooges is what we grew up with.

ALL: . . .*(chuckles)*. . .

COUNCILMEMBER VICTORINO: So I've dated myself so I'm not worried about that. My question really goes to, are we--no wait, we didn't go to the last one, yeah?

CHAIR PONTANILLA: No.

COUNCILMEMBER VICTORINO: The C account?

CHAIR PONTANILLA: No.

COUNCILMEMBER VICTORINO: Equipment, no? Okay. That was my, my only question is on that one.

CHAIR PONTANILLA: Okay, fine.

COUNCILMEMBER VICTORINO: No other questions. Thank you, Chair.

CHAIR PONTANILLA: Thank you. I just have one and maybe you can answer this one here. I was looking at Page 17-36 and on Radio Shop, that first bullet item, that we had to retune to a new frequency because of some interference caused by Sprint Nextel. And, whenever, you know, we have or, you know, in this case here Sprint Nextel going, you know, causing some interference to our radio system, do we have like say a, similar to what the Public Works have, whenever people, you know, dig the road, they need to go see like say the power company, the telephone company, the cable company to ensure that none of their facilities would be affected. In this case here, we're looking at radio frequency. Do we have anything that we go to like say the phone company, the cable company or any other provider to ensure that whenever they put in new things, that it doesn't affect our radio system?

MR. PHILLIPS: Yeah. Actually, yes we do. That, that item that you mentioned there, that retuning was actually a national issue where, where we were actually ordered to move frequencies and it was paid for by Sprint Nextel. So they actually, that was a big project that Captain Amaral and our Radio Shop just finished in the last

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

year, where, where we changed over all of our radios and all of our, there was retuning at all of our radio sites for this new frequency. Unfortunately, it didn't move us to the next generation, but it replaced all the equipment from our old system and then we do have the ability, or the, whenever there is a project and it's sent to us, that if. . .we, we, we would forward it to the Radio Shop where they can comment to say if that is going to affect our radios. Or we may, even in a large building, we may want them to put something in that building for us that would help, if that building might block our, you know, our site, then maybe we would want some kind of amplification that they would build into the construction of that building. So we have that ability to comment on projects like that.

CHAIR PONTANILLA: Okay, thank you. Okay, Members, we go to the B account, Operations. Member Molina?

COUNCILMEMBER MOLINA: Yeah. Thank you, Chair. Chief, can I get an update on the IT Program. I note too that there's a, I guess, a drop off for miscellaneous other costs, if you can comment on that as well?

MR. PHILLIPS: It's really not a drop off. We actually just spread them into the more appropriate categories so that we can better tell where the money's going. So you'll see that that miscellaneous dropped off, but we just kind of spread them out into the different categories.

COUNCILMEMBER MOLINA: Okay.

MR. PHILLIPS: So we have a better, you know, just better control over where they're going.

COUNCILMEMBER MOLINA: Okay.

MR. PHILLIPS: The update on the project is we're, we had, we had to actually hire a new vender for our CAD and RMS system. The original vender we fired and then it took us about a year to select a new one and move into. So we're right, we're right at the implementation stage where we're putting in the CAD system now, and I'm guessing that's going to be done around the end of the year and, and then we'll move into the RMS system and finish that.

COUNCILMEMBER MOLINA: Okay.

MR. PHILLIPS: So hopefully within a year, year and a half, that new system will be complete.

COUNCILMEMBER MOLINA: Okay, thank you, Chief. Thank you, Chair.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: No, the Chief's explanation answered my question.
Thank you.

CHAIR PONTANILLA: Thank you. Member Johnson?

COUNCILMEMBER JOHNSON: No.

CHAIR PONTANILLA: Member Nishiki?

COUNCILMEMBER NISHIKI: No, but before we end, I want to ask a question about
this Police Aide Program.

CHAIR PONTANILLA: Sure.

COUNCILMEMBER NISHIKI: When was the last time they got a raise? I see
everybody getting raises, so I was just curious. I mean, they . . .*(inaudible)* . . .

MR. PHILLIPS: The last time they had a raise?

COUNCILMEMBER NISHIKI: Yeah.

MR. PHILLIPS: About a year ago.

COUNCILMEMBER NISHIKI: Oh, they did?

MR. PHILLIPS: Yeah.

COUNCILMEMBER NISHIKI: Okay.

MR. PHILLIPS: Those are half time, not quite half time, 19 hours a week. Those are
the, we used to call it the Cadet Program, where you hire college students to work
19 hours a week, usually, typically in our receiving desk area. We had to change
the name of it, that's why it's Police Aide now.

COUNCILMEMBER NISHIKI: Okay.

MR. PHILLIPS: It conflicted with a union position in Honolulu, the name of it anyway.

CHAIR PONTANILLA: Okay, Mr. Victorino?

COUNCILMEMBER VICTORINO: No, no questions.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Thank you. Okay, C account, Equipment. Mr. Molina?

COUNCILMEMBER MOLINA: Thank you, Chair. Chief, just regarding the request for the replacement tasers, are these tasers upgrades over what you currently have in stock?

MR. PHILLIPS: I believe they're the same, the same taser, but the, the supply is aging. We started the program about five years ago and we're due to replace some of them. That's all that is. I don't think they're any different. Is Mark here? Our taser guy? I pretty much think they're the same, the same taser. The only technology that's changed over the years is they do have a taser that has a camera on it now, but we, we're, we haven't gone into that. It's a pretty good expense to put that on there and so far, we haven't had the type of complaints that would justify buying cameras for all the tasers, so it's pretty much the same unit.

COUNCILMEMBER MOLINA: Okay. And is that, the Department's offer is still good for any Council Members who would like to experience the feeling of a taser?

COUNCILMEMBER BAISA: Yeah, yeah.

COUNCIL MEMBERS: . . .*(Chuckles)*. . .

MR. PHILLIPS: Sure.

COUNCILMEMBER MOLINA: I just thought I'd ask for some of the other Members.

MR. PHILLIPS: You may have a lot of volunteers in here that will willingly give you that experience.

COUNCIL MEMBERS: . . .*(Laughter)*. . .

COUNCILMEMBER MOLINA: Okay. . . .*(Laughter)*. . . Thank you, Chief. Thank you, Chair.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: No questions about tasers. Thank you.

CHAIR PONTANILLA: Member Johnson?

COUNCILMEMBER JOHNSON: I saw what some guy did on America's Funniest Videos and I don't think he thought it was too funny. . . .*(chuckles)*. . . He even tried a dog collar, you know, one of those electronic ones and I thought after I saw that, I thought I would not want to be on the receiving end of one of those things.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: I think most of the officers in here have experienced it and they wouldn't think it's a fun experience either.

COUNCILMEMBER JOHNSON: No, I wouldn't think so either. So, you know, it's just, you know, all, all of it is for people out there, you know, don't get into a situation where they're going to have to use one of those on you. . . .(chuckles). . . Avoid it at all costs, right? Thank you.

CHAIR PONTANILLA: Thank you. Member Nishiki?

COUNCILMEMBER NISHIKI: No.

CHAIR PONTANILLA: Member Victorino?

COUNCILMEMBER VICTORINO: This curly hair didn't come automatic, let me tell you that. . . .(chuckles). . .

COUNCIL MEMBERS: . . .(Chuckles). . .

COUNCILMEMBER VICTORINO: And they're ain't no taser out there that can change it. So sorry, let's see how you do with that. I'm really curious on the body armor. You know, I'm always concerned with that because, you know, for all our officers that are out there in the field, you know, that is one of their first lines of defense, especially in light of what has happened. Well, in Oahu, the officer that was attacked was off duty so, I mean, it wouldn't have helped him anyhow, but knowing that people now probably are more susceptible to violent reactions, drugs, whatever, these body armor that we get, are they the, I guess, the best that we can get for the money? I mean, you know, I just want to know that our officers who are family and friends of many of us in this room have the best protection we can afford them.

MR. PHILLIPS: Yeah, they meet, they meet the specifications that, that, and they--that's why the, you know, that's why the five-year warranty typically, because the, sometimes the technology changes during that five years, the vest doesn't all of sudden become obsolete or not working after five years. But five years wear and tear on it and then five years, there's usually change in the technology, but it is the best vest that we can have them use comfortably. There may be vests that are, that might be better, have better stopping power, but then they wouldn't be able to use it with the uniform.

COUNCILMEMBER VICTORINO: Uh-huh.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: So these are the best vests that we can buy for them and use them comfortably with the uniform. The price we have seen too dropped over the, the last few years. I guess there's more competition, more people selling these things. And you have to be really careful because some of them use supplies in their vests that we, that we don't want to purchase. They, they, we've had, you know, around the country where they've seen some of them fail, so we, we make sure that our specifications don't have that in the vests, so. So, this request that we're making now is to replace those ones that are coming to the end of that five years, during the next fiscal.

COUNCILMEMBER VICTORINO: Well, thank you, Chief. I, I think that's reassuring that, you know, that we're doing the best and I understand, you know, we have climatic challenges here too that maybe other areas might not have or the same, similar climatic changes, and so that makes body armor somewhat uncomfortable when they're out there in the field too.

MR. PHILLIPS: I looked, I looked at a vest, by the way, again at the ICP that was a lot lighter and it looked a lot more comfortable. We put it on, tried it and stuff, but it, it did have this material in it called Zylon where they've had failures in the, in the seams and stuff in the mainland, so we weren't willing to go with that particular type of vest.

COUNCILMEMBER VICTORINO: Thank you, Chief, and I think that's what I think the public needs to understand, that we try to get the best we can for our finest and make sure that they're protected because we don't want to see anyone hurt as much as possible. So, thank you, Chief, for that information. Appreciate it. Thank you, Chair.

CHAIR PONTANILLA: Thank you. That concludes the ...

COUNCILMEMBER BAISA: Chair?

CHAIR PONTANILLA: Member Baisa?

COUNCILMEMBER BAISA: Before you get the gavel, I am sorry but I was sleeping at the switch when we were doing Administration and it is a budget-related question.

CHAIR PONTANILLA: Go ahead.

COUNCILMEMBER BAISA: And I think it's kind of the 800-pounds gorilla that's sitting in the room that hasn't been discussed and it's in regard to Chief Phillip's retirement, and I haven't offered him my congratulations because we're going to work him to death for the next three months, but I'll be there for the party.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: . . .*(Chuckles)*. . .

COUNCILMEMBER BAISA: But I have been reading in the paper and I know everyone else has, that there are issues surrounding your replacement and it's tied to the request to the Salary Commission for an increase and, you know, this does affect our budget because what they decide to do will have an effect on our budget. I don't think it's a significant increase, but I just wondered if you were feeling comfortable in making any comments.

MR. PHILLIPS: Oh, I don't know. Comfortable? . . .*(chuckles)*. . .

COUNCIL MEMBERS: . . .*(Laughter)*. . .

MR. PHILLIPS: This whole process--

COUNCILMEMBER BAISA: If you prefer not to comment, that's okay too, but I thought we might want to hear if there's anything that we can do. It's out of our hands essentially.

MR. PHILLIPS: Yeah, and it's a tough issue because, you know, to go before the Salary Commission and complain I don't make enough money is, is, is ridiculous. I'm, I'm, I'm very comfortable. I make enough money. The problem, the problem is, of course, is that we're, our salaries are set by the Salary Commission and if they don't adjust it as often as the, your subordinates get pay raises, then they, you have that inversion, and it's pretty substantial right now. So I, I would like to see them address that and I know the economy is bad so it's tough, even harder. It is never a good time to give elected or appointed officials a pay raise, no matter what. So it's hard, it's always a political issue. And it's a, you know, I would never go in there and ask for a pay raise for myself, but I am concerned about the position and the successor and getting the right applicants because certainly people aren't going to apply if they take a large cut in, in salary. It wouldn't, it wouldn't make sense. It's, it's strange here. This doesn't, this doesn't happen in most other places. I was just at a conference with a bunch of California police chiefs and they were dumbfounded. They couldn't believe that, that this happens here. It happens a lot here. I think in my 11 years as Police Chief, you know, my subordinates have generally made more than me most of that time, so I think it is something that the Salary Commission can look at. It's tough now, though, the way the economy is. But the hard part I think is they had this information back when the economy was good and they could have adjusted it and made the corrections, but I think, again, because it's always a political issue, you call it an 800-pounds gorilla or something. I thought you were talking about somebody else in the room but. . .

COUNCIL MEMBERS: . . .*(Laughter)*. . .

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: . . .but, yeah, you know, it's a tough issue and you hate to go and whine about making the kind of salary that we make because it certainly is sufficient but, you know, you do want to have the ability to attract the top candidates and, you know, so it's, it's a tough...

COUNCILMEMBER BAISA: Well, as you know, I have history with this Salary Commission and the Police Chief's salary and I certainly understand how difficult it is to advocate for your own salary because I've gone through it. And when I was on the Salary Commission, we had the same issues about the Police Chief's salary because we had inversion and at that time, it had to be a substantial increase in order to take care of it, but it only took care of it temporarily and I don't know how many years ago was that, because I lose track of time. How long ago?

MR. PHILLIPS: Six years ago.

COUNCILMEMBER BAISA: Six years ago.

MR. PHILLIPS: And it did take care. I mean, that was, it was a substantial, but actually it kept me on the job for this much longer, because I did have, I did have other places that had offered me positions and I didn't go because of that pay raise, so...

COUNCILMEMBER BAISA: Well, thank you very much. I feel better about doing it then. But, you know, I, I, the sad thing is I don't know if the public understands that the County Council does not set the salaries of people like yourself, that it's set by the Salary Commission and that our role in this, of course, would be to provide for the money in the budget if they make that decision. But, I thought it was important to discuss it today for the public's education that, you know, the Council is in a budget process and until we have their decision, we can't provide for it in the budget.

MR. PHILLIPS: Yeah. I think my, my commission, the Police Commission, has been tirelessly, you, you, you know, trying to deal with the Salary Commission and have them look at that inversion issue and they've, they've been going every month and testifying and everything. So it's kind of hard. They did have me testify a couple of years ago, the Salary Commission asked me and I went but again, it's always, it's never an easy thing to give those kind of pay raises and then it's compounded now by the economy, so it is tough. I, I don't think that most people that apply for this job, they'll do it just because of the money, though, because I think you, I knew that when I took the Deputy's job, that there would be subordinates making more money than me, but it's something that you have to really want to do to come and do this, this particular job.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER BAISA: I'm sure that the psychological exam is probably appropriate.

ALL: . . .(*Chuckles*). . .

COUNCILMEMBER BAISA: We have the same issue here. People ask us why would you every want to run for office and do this job, but you have to find some personal satisfaction in providing service and, you know, you've done that and I want to thank you. I just was wondering, you know, if it was, if it was okay for you to comment about it, but thank you.

MR. PHILLIPS: Yeah. I, yeah, it is tough to comment about, but I, I, I could tell you this is the best job in the County, so I'm leaving the best --

COUNCIL MEMBERS: . . .(*Chuckles*). . .

MR. PHILLIPS: --no I believe that, I don't think there's a better job in the County than what, mine, so I don't want of your...

COUNCILMEMBER BAISA: We won't have that debate.

MR. PHILLIPS: . . .(*Chuckles*). . .

COUNCILMEMBER BAISA: . . .(*chuckles*). . . Thank you, Chair.

CHAIR PONTANILLA: Member Johnson?

COUNCILMEMBER JOHNSON: Yes, I just want to ask, Mr. Chair, because we're in the throes of budget and because we have no control over whether the Salary Commission, what they do, is it possible for you to send a letter just at least asking can they resolve this, because if we don't know what to budget, it's very difficult for us to even know what figures to plug in if they don't make a decision. So if it's possible, I, I would just ask that, under your signature, that we send a letter to the Salary Commission at least just asking, look, can we have a decision one way or the other so that by the time we conclude budget, we know what we're actually going to have to expend.

CHAIR PONTANILLA: Thank you, will do that.

COUNCILMEMBER JOHNSON: Thank you. Thanks very much.

CHAIR PONTANILLA: I'd just like to add my comments in regards to Member Baisa's comments. I, too, was on the Salary Commission about nine, maybe ten years

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

ago, and at the time, Chief Tagomori came to the Commission, you know, telling us that we should do something to the Chief's salary and I was dumbfounded when I saw, you know, how much money, you know, different officers were making and I go, how can the Police Chief get paid less than some subordinates? That was mind-boggling for me and because of that, you know, we started to act in regards to raising the salary for the Police Chief. So, Member Baisa, thank you for bringing up, you know, that forward. And then, we'll send that letter to the Commission to get some response from them before we conclude our budget. One last note, though. And it's personal. When you do have your 70th class graduation which is in June, you know, I would like to have an invitation so I can see one of my relative graduate from that class.

MR. PHILLIPS: Absolutely.

CHAIR PONTANILLA: Thank you.

COUNCIL MEMBERS: . . .*(Chuckle)*. . .

MR. PHILLIPS: Is that your niece?

CHAIR PONTANILLA: Personal. Okay, Members, if you have any questions regarding the A, B, C Account for Technical and Services Program, if you can forward it to the Chairman and then we'll get information back from the Department. Members, if you can turn to Page 15-45, we will review the grants that the Police Department applied for and hopefully will receive in this upcoming budget session. So, Member Victorino? I'll tell you what I'll do. Chief, if you can go right down the line as far as the grants that you receive and then we'll take questions from the Committee. And the first grant is a Local Law Enforcement Block Grant, Bureau of Justice Assistance. So if you can go ahead and explain.

MR. PHILLIPS: Most of these grants, we don't know what we'd be getting.

CHAIR PONTANILLA: Yeah.

MR. PHILLIPS: So and this one, we put it in because it's a grant that we've received in the past and it's actually, this particular grant probably won't come out this year. They've replaced it with this stimulus, Federal Stimulus Grant that we are going to apply for so we're probably going to need to add that into our grant proposals because we didn't know about that one just until the last couple of weeks, so we will be adding at. But this Local Law Enforcement Block Grant was a grant that we used to share with the Prosecutor's Office. It was a small amount of money, typically 70 to 80,000. When it first came out, we used to split it with the Prosecutors and then we used to alternate it. I think the last time we had this grant was probably three or four years ago, so I don't anticipate that one coming out.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

The State and Forfeit...the State and Federal Forfeiture Program. Again, we do receive monies from the forfeitures, but I never know how much that's going to be. It varies from year to year. We do have a lot of money pending forfeiture that our officers have made cases against, drug and gambling organizations, and so there's a lot of money pending forfeiture, but we don't know how much of it will come in during the fiscal. And typically, that is the money that we use for any extras. That, that money is money that you can't supplant. You can't look at oh, you're going to get a \$100,000 in forfeiture and reduce our budget by \$100,000. It's, it's against the law. So that money is to supplement our programs and typically what we use it for is employee development, mostly training. So most of our, most of our costs for attending different training sessions off island, in the mainland or bringing training here, we would use forfeitures monies or grant monies for that. Most of our, most of our travel budget is just spent between Maui, Molokai and Lanai for contracted travel for the officers. So this forfeiture money becomes very important to us for all of those other training, which we are looking again at cutting back. Typically, you know, previously, when we'd send four or five people, we cut that back to one or two because we need to save some of this money and we may use it for other issues, equipment that come, equipment needs that come up during the year that we don't have budget for and things like that. So that becomes a very important account for us. *(speaking off mic)*

CHAIR PONTANILLA: Training grants.

MR. PHILLIPS: This is just typically, once in a while we'll get small grants that reimburse us for training from a variety of sources, so we put that in. That's usually not a lot of money, but sometimes during the year you'll get money for various training programs.

I don't know that we get a heck of a lot of Private Donations, but we do put that in there just in case because sometimes we do get equipment or bicycles or those type of things that communities will donate to us generally.

CHAIR PONTANILLA: That's it?

MR. PHILLIPS: That's it.

CHAIR PONTANILLA: Members...

MR. PHILLIPS: There are other grants that we're looking at again, like I mentioned the COPS Grants and some of the Economic Stimulus Grants that we'll probably have to send that up and try and have Fred include that into this budget because we didn't know about them when this budget was submitted.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Okay, on Page 15-46, you, you, you do have, you know, and 15-47, I guess those are all grant programs, yeah?

COUNCILMEMBER BAISA: Yeah.

CHAIR PONTANILLA: As well as 15-48. I don't know, if you can briefly go and kind of explain all of the grants that are on these pages briefly.

MR. PHILLIPS: Okay. Oh. Okay. We, we do get some grants from the Department of Health. I'm not anticipating as much as we've got before but, and those would help us with those investigations that we do, alcohol sales and tobacco sales to minors. We get some money for that typically.

The Clandestine Lab Response Team, we've had in the past. I don't anticipate that this year. It will probably be zero.

Covert Operations, same thing. Again, just different grants from the State or Federal that would give us money for drug investigations. I don't know of any that are, that are upcoming.

We do have a grant from DEA that helps us with marijuana eradication. They give us money for that program and we probably will get money from that again.

We've had, in the past, Domestic Violence Grants and sometimes State and sometimes Federal monies that are available for those operations.

We've, we've received grants for investigation of Electronic Enticement of Children, usually through the State AGs office.

And this Gang Resistance Education Training, I don't anticipate receiving any money from that, but we've received it in the past so we include it in the budget just in case.

This Hawaii Anti-Trafficking Task Force is another Federal grant for drug enforcement. We probably will receive monies from that.

Hawaii Community Foundation Grant has ended. I don't anticipate receiving money from that grant this year. . . .(end of tape 2B – 11:23 a.m.). . .

High Intensity Drug Trafficking Area, we will receive money for drug enforcement and to be part of the Hawaii HIDTA, which is just a program that targets drug organizations Statewide, it's more intelligence-based, and you share resources with 16 other member agencies. That's a real important grant for us. We will receive monies from that this year.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

The Office of Youth Services we've had in the past, Juvenile Accountability Grants. *(speaking off mic)* I don't anticipate, but because we've received before, we've, we've included that.

Same thing with the Gang Response from the OYS. We just included that just in case we get monies from that grant.

OCDETF is the Organized Crime Drug Enforcement Task Force. We, we sometimes receive money when we work with FBI or DEA on large drug investigations, organizations, there's sometimes money reimbursed to us from that program. Again, hard to tell what the amount might be because it depends on the type of cases that we would work.

The PASS Grant, Police Against Street Sales, is a grant that we got, the old Byrne Grants through, it's Federal money that's pushed through the Attorney General's Office. That grant is going to end, I think. I don't anticipate, but I think we're probably in the last year of that grant, but what that did is give us money for overtime and training for our, in our patrol areas to train them to do drug enforcement cases, so to kind of have them do the street cases where. . .so our Narcotics Section can focus on the organizations. That was a real important grant and helped us a lot, but I think it's run, pretty much run its course. Where's Gerald, is he here? Yeah, so I think it's probably, we're in the last year of that grant.

Same with the Safe and Drug-Free Schools. I don't anticipate money in that.

The Statewide Marijuana Eradication Task Force, we will get some funding there. It's the continuation of the old Byrne Grants through the AGs Office and it helps us with our Marijuana Eradication Program because. . .you probably know we don't have any funding in our, in our General Fund for marijuana eradication, so we use these Federal funds for it.

The Hawaii Narcotics Task Force Grant is again the old Byrne Grant. We get money for task force cases and we're able to bring other agencies here or send our officers to assist in agencies around, or investigations around the State, and we will probably get money from that again. Those two grants, the Statewide Marijuana and the Hawaii Narcotics Task Force, those grants go all the way back to when I was in vice in like 1988, '89, somewhere in there, '90, it started in those years. So they've continued all those, all those years.

Hawaii Airport Task Force is a HIDTA Grant. I don't anticipate we'll get money from that, that program.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

And VAWA, same thing, I don't know that we're going to get any VAWA money this year, but we put it in because we've had in the past. I think that's all the grants.

CHAIR PONTANILLA: Yeah. Thank you for that information, Chief, and I know you're, the Department is one of a few departments that does go for grants throughout the nation as well as throughout the State. Question, though, in regards to applying for the grants, do you have somebody that does that or do you have a group that does apply for the grants?

MR. PHILLIPS: Right now, yeah, the different commanders apply for grants. We did, we did have a grant manager's position but we lost it. It never was, never was filled, but through the Community Foundation Grant, we got two positions several years, well actually three positions. We filled one, we filled two of them, I believe, but at the end of that grant, those, as a matter of fact, it was this past December, we weren't able to continue the County funding so we lost two of the positions. And, and one of them, one of them was an equipment specialist that we have in our Narcotics Division, so what we did is, is reallocated the grant manager position to that position because it was filled and we didn't want to lose it, and so we actually lost the grant manager position. So we don't have one person doing it. Greg kind of handles the finances of each grant, but the different commanders would apply for--we have traffic who apply for a lot of traffic grants, speed grants, seatbelt enforcement grants; and then the vice, of course, for narcotic grants, it would be the commanders in those different areas. Some of our patrol captains have applied for and received CDBG money over the years. They continue to do that. So it's kind of spread out. Right now, we're looking at these other, the COPS and the Economic Stimulus Grants and trying to focus on where we would apply for those particular grants, we're waiting for applications. I missed some grants but I don't know if you want me to go through all of them, but there are some different patrol grants and some other grants that we receive from, from our Technical and Support area, too, that I didn't notice but there is, there is a bunch more.

CHAIR PONTANILLA: Okay. Members, anybody got questions regarding the grants that the Police Department apply for? You know, it's no guarantee money but --

COUNCILMEMBER MOLINA: Question.

CHAIR PONTANILLA: --at least they identify, you know, the possibilities here. Member Molina followed by Member Baisa.

COUNCILMEMBER MOLINA: Thank you, Chair. Chief, just one question related to the proposed medical marijuana legislation and the grants that you receive, the domestic cannabis eradication and the Statewide Marijuana Eradication Task

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

Force Program. Will there be any impacts on the amount that we could receive if say this medical marijuana legislation advances?

MR. PHILLIPS: No, not that I know of. It's two separate issues.

COUNCILMEMBER MOLINA: Okay.

MR. PHILLIPS: Those eradication grants have nothing to do with anybody that has a medical marijuana permit. We don't bother them.

COUNCILMEMBER MOLINA: Okay. Okay. Because, if I recall, there was a bust recently, supposedly this person was doing medical marijuana, but I guess they apparently was growing a lot more plants than...

MR. PHILLIPS: Correct. We've arrested people that have medical marijuana permits but none that, none that were within the law. They're generally, they're generally either growing too much or they're in a distribution operation, which is not part of the law. So we find that they're selling marijuana, just to anybody, then we'll investigate and arrest them, whether they have a permit or not. Those, those grants have nothing to do with that area, though.

COUNCILMEMBER MOLINA: Okay, thank you. Thank you, Chair.

CHAIR PONTANILLA: Thank you. Member Baisa?

COUNCILMEMBER BAISA: Yes, just a quick general question in regards to grants. I'm sorry to hear that you lost your grant writers because writing grants is such a time-consuming art and I'm sure that it does put extra stress on the folks that are having to, you know, take up the slack. When you had your grant writers, did they pretty much earn their keep? You know, I have some experience with this at MEO, we have a grant, well we had a grant writer, and he more than paid his salary because the money he would bring in, you know, we paid him very moderately and he'd bring in \$3.5 million grants and \$3 million grants and I always felt like it was a good investment.

MR. PHILLIPS: Yeah. Unfortunately...

COUNCILMEMBER BAISA: I'm wondering if we should consider that.

MR. PHILLIPS: Unfortunately, we never did fill the position so we don't know how--

COUNCILMEMBER BAISA: Oh, I'm sorry, I missed that. Too bad.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

MR. PHILLIPS: The grant, the grant that we had, the positions that we had in the grant, it took so long to develop the--that's what we learned too--but it took so long to develop and create the position that the grant actually ended up expiring before we hired a couple of them. So, that, but that grant writer position, we, we, we applied for it just exactly for what you're saying because we know that, we know that there's money out there too that's available that we might be missing because our commanders are too busy doing their regular jobs to go and sit down to look for grants. So that was part, partly why, not only to have them manage the grants we do have, but actually come and search for other grants that might be available to us and then, of course, develop the expertise to do that. It's not easy to apply and then manage these grants and I did it for years when I was in, in, in vice, and it's kind of a pain. It's great because you get the money, but it's a lot of work and so that was the reason that we went for that position and I, I would hope that at some point, maybe when the economy's better, we are able to go look at that position again and revisit bringing that grant writer back.

COUNCILMEMBER BAISA: You know, it's interesting this whole idea of trying to describe a position because, you know, there are oodles of grant writers and most, many, many organizations have them. So it isn't like rocket science that you have to develop a position for a grant writer, but that's neither here nor there, but I think something to think about, Chief, and I think it would be an excellent addition to the Department because you're already doing an outstanding job of bringing in grants. I mean, the list is very impressive, but, you know, if you had a full time, two people sitting at a computer doing it all day, just think how long that list could be. So thank you.

MR. PHILLIPS: Absolutely. Yeah. I don't think it was a grant writer position two that we had trouble with creating, it was the other, the other grant positions that we ended up keeping instead of the, the grant writer. It's kind of complicated, but we loss two grant positions that we didn't want to lose, so it was our choice to prioritize and we decided to give up the grant writer position rather than the equipment specialist. We have a whole bunch of technical equipment in our, our narcotic and vice areas that you need somebody that can set it up, the different cameras and recorders and all the different equipment they have. So we, we chose to keep that position rather than--we would have, you know, preferred to have both of them, but we, we chose to keep that position and it was filled already rather than, than to move ahead and lose that position and fill the grant writer.

COUNCILMEMBER BAISA: Well, maybe as the money gets tighter, more and more people will see the value of grant writers.

MR. PHILLIPS: I think, yeah, I think they would pay for themselves.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER BAISA: They, they always do, that's been my experience and, you know, I've dealt with it for 37 years. Thank you.

MR. PHILLIPS: Thank you.

CHAIR PONTANILLA: Thank you, Member Baisa. Members, any more questions regarding the Police Department 2010 Budget in regards to the four programs? If you do have, again, you know, let me remind you, provide the questions to the Chair and we'll get answers from the Department. Members, I understand that some of you got appointments or you were invited to attend this, going on that two decker bus as a demonstration at about noon. Yes, no?

COUNCILMEMBER VICTORINO: Yes.

CHAIR PONTANILLA: Oh, okay. We got only one more item to cover with the Police Department which is the Capital Improvement area, and the Chair would like to take that item after lunch at about 1:30 this afternoon and hopefully, it doesn't go beyond 2 o'clock this afternoon. So, with that, the Chair is going to recess this meeting until 1:30 this afternoon. So this meeting is in recess until 1:30. . . .(gavel). . .

RECESS: 11:40 a.m.
RECONVENE: 1:38 p.m.

CHAIR PONTANILLA: . . .(gavel). . . The Budget and Finance Committee meeting is now reconvened. Thank you, Members, for being here this afternoon. The Chair just has one comment. You know, we're just about done with our review as far as the Department as well as our district meetings and, you know, my concern is that sometimes we get hard time find, find quorum. So I would like to remind the Members that the budget process is about the most important thing that we do as Council Members and for me, you know, I expect the Members to be here in deliberation of the 2010 Budget. You know, it's sad that, you know, we all get elected, we, we need to do the people's business. . .and, you know, looking at our attendance, sometimes it's poorly attended and that's a concern.

With that, the Chair would like to now move forward on the Capital Improvement Projects. We do have four projects for the Police Department and the first one is on Page 23-4. Chief, if you could describe that particular project?

MR. PHILLIPS: Okay, yes. Some of you may remember several years ago that we put, this was kind of before the cell phone explosion, but we put call box telephones, emergency telephones around the County in different areas and then the State followed up and they put some and this particular location is, is, is kind of critical. We're not looking at replacing any others, but this one at Koki Beach out in Hana,

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

between Hana town and Hamoa, it's a popular beach, but it has quite an undercurrent there. We have a lot of incidents there, but cell phones don't really work in that area very good and so we wanted to fix, replace this, this particular call box or emergency call box out there. And it's a cost of 30,000.

CHAIR PONTANILLA: Thank you. Member Victorino?

COUNCILMEMBER VICTORINO: Yeah, and I can support this. I have no problem because I understand out in Hana, even my phone, my cell phone doesn't work everywhere. The question I had, you know, you brought up about other call boxes and I look all around, either they've been taken out, been locked up, tied down, whatever, so because of the explosion with cell phones and we're assuming that most people have cell phones, probably more true than not, you guys have allowed this, both you and the State have kind of allowed this to...

MR. PHILLIPS: Yeah. As they failed over the years, they just, due to wear and tear, because they're about 14, 15 years old, some of them, so they're beginning to wear out and so as, as they're, as they fail, we haven't been putting in for funding to replace them and just basically because of that, because it's, they're not remote areas anymore --

COUNCILMEMBER VICTORINO: Yeah.

MR. PHILLIPS: --with the cell phone explosion.

COUNCILMEMBER VICTORINO: Okay. I can, I just, I hope and pray that one day, an emergency doesn't occur that, you know, some tourist or somebody doesn't have a cell phone, but I find that hard to believe because today, I don't know of many people who don't have a cell phone.

MR. PHILLIPS: Yeah. I think we base it on use, too.

COUNCILMEMBER VICTORINO: Yeah, okay.

MR. PHILLIPS: Or the use has declined so much over the years.

COUNCILMEMBER VICTORINO: Yeah. Because even like payphones, you don't see them anymore, they're pretty much taken out in most places. Thank you, Mr. Chair. Thank you.

CHAIR PONTANILLA: Thank you. Mr. Mateo?

VICE-CHAIR MATEO: No questions.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Thank you. Ms. Baisa?

COUNCILMEMBER BAISA: No questions.

CHAIR PONTANILLA: Thank you. Member Molina?

COUNCILMEMBER MOLINA: No questions.

CHAIR PONTANILLA: Thank you. The second project, Members, it's on Page 26-14. Chief, if you can provide some comments regarding this project?

MR. PHILLIPS: Okay, thank you. And actually, too, I wanted to recognize another one of our Police Commissioners who came after I recognized the others, but Tina Gomes is here. She was here earlier, but I missed her or she was here after I recognized the other ones, so we want to thank her for coming. This, this project, the Liebert Unit Replacement, that's the air conditioning in our dispatch center that needed to be replaced. We put in for funding of \$60,000 to replace that, but I do need to report that we were able to find some money last year and, and actually finished this project. Since we've submitted this budget anyway, that we've been able to do this project, so we would like to request to take this \$60,000 from this and put into the Countywide and then what we would do is probably use that at the, our morgue site. The building that our morgue is in, the morgue isn't going to take up the entire building. It's a very large building so over the next several years, you may see requests from the Police Department for funding to renovate different parts of that building for different, different functions. We may want to move some of our functions. We've outgrown the Wailuku Station so we are looking at offsite. That building is going to be one that we will be able to move some functions into including possibly some training. There already is a room that, that's used for training. With some minor renovations, we would be able to have an offsite training room and then possibly some offices. We're looking at the possibility of moving our evidence techs over there, that would make sense to be in that area, and so some other things that would take funding to renovate. So part of our Countywide request this year is for the renovations of that building and so we're kind of asking to move that money into that area. I think a good example for us would be, another example anyway of us looking to get offsite would be project--and I see Jacob here--but I know a project he's working on with the new emergency center that they're looking at. That's a big, an important project to us as well because we're looking at the possibility of moving our dispatch center out of the station and into that facility which would be better protected from the elements and give us more space in our area where our receiving desk is and stuff like that. So, so this is kind of, again, along that same lines, looking at using that building not just for the morgue, but for other police functions as well.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Thank you. So your recommendation is that we move from Government Facilities to Countywide?

MR. PHILLIPS: Yes, if that's possible.

CHAIR PONTANILLA: Okay, fine. Member Molina?

COUNCILMEMBER MOLINA: No, no questions.

CHAIR PONTANILLA: Member Baisa?

COUNCILMEMBER BAISA: No.

CHAIR PONTANILLA: Member Johnson?

COUNCILMEMBER JOHNSON: No.

CHAIR PONTANILLA: Member Mateo?

VICE-CHAIR MATEO: No.

CHAIR PONTANILLA: Member Victorino?

COUNCILMEMBER VICTORINO: No.

CHAIR PONTANILLA: Thank you. The next project is, Members, on CIP 27-6, Kihei Police Station. Chief?

MR. PHILLIPS: Yes, this is, and I think most of you are aware of this, but the request for the construction of our Kihei or South Maui Police Station. This year, we're finishing up on the design and the land variances and the permitting for that project and now we're asking for the, to start the construction phase and this would be actually a two year, as far as part of the funding, over the next two years, we'd like to phase it and then this, this particular year we're asking for 19,980,000 for the start of the construction of the Kihei Facility. We're just about ready to put it out to bid for, the construction bid anyway. There's some things that we're working on to finish, but the design is almost finished and I know that Captain Hudson has worked very hard on this project and he's here in case you have questions about the actual process and where we're at. He can answer all, all those questions.

CHAIR PONTANILLA: Thank you. Mr. Victorino?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER VICTORINO: Yes, thank you. Captain Hudson, thank you. My question basically is, this, this design that you have, is it--again, I've asked this same question for everybody that's coming that's doing new construction--is it green, is it LEED certified, is it being built with that in mind because it is a new building, we have opportunities to lead the pack and show that we, the people of Maui County, will be very environmentally sensitive, so whenever and whenever possible, is this being incorporated in your plans first of all?

MR. HUDSON: The, the architects, Mitsunaga and Associates did take a look at all of the clean environment and they incorporated as much as possible, but, but keep in mind and we're not going to deviate from the fact that it is a police station and there's certain things about a police station that have to be built to specifications like your holding cells. We want to, we want a structure that's going to withstand hurricanes. We want a structure that will be able to stand up to just about anything. So when everything else fails, the Police Department, that particular station is still functioning. So, yes, green is considered throughout the project, but if you look at the project, there's not a whole lot of green you will see right away.

COUNCILMEMBER VICTORINO: Well, again, I guess the question begs to be asked that, you know, are we, I think referring to fixtures like water, utility, lights, stuff like that? Okay. I'm not asking about the cells and the building structure and all that. Yes, I understand there's standards, but those were the kind of questions or, or the areas that I was kind of concerned that you guys would at least make some attempt to and from what I'm hearing, you are making some attempts, especially in those types of areas.

MR. HUDSON: Yes, sir.

COUNCILMEMBER VICTORINO: Okay, I think that's important. And secondary, how much of this 19 million, what would this take up, because I see we have 19 million this year and we're looking at 17 million, I guess, for next year. Do you think this 19 million will take you pretty well into the project itself, from your best estimate? So you guys haven't gotten bids, so you're just kind of guessing at this point?

MR. HUDSON: We've done cost estimates. We have a pretty good idea of how much the, the entire project should cost. We know the entire project should cost just around \$40 million. We put it together in this particular package so it's a little bit more palatable towards the County Council and towards government in general to spread it out over two years. We can have one bid stretching out over the two years so the funding will start the project. We'll get through most of the project and by the time the second fiscal year rolls around, we'll have more money to continue the project. So it will be seamless. We'll have one start date and one end date spread out over two fiscal years.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER VICTORINO: Well, I hope it's like, like others, I hope that at this point because the economy has been fairly soft and construction is, is badly needed out there, this is a project that, first of all, going to help get people back to work. But secondly, I hope that the bids come in, what I call, reasonable and fair and not like what we've seen in the past. And I think hopefully that will make you guys able to put in more things that I know you guys were cutting back on or scaling back on or whatever term you want to use because you didn't want to go way over budget. So that's my hope and I wish you guys luck and I'm. . .we're, like a lot of the community, very excited to see this finally come to fruition. Thank you, Captain Hudson.

MR. HUDSON: Thank you.

MR. PHILLIPS: Along that lines, too, one of our concerns, of course, that we just found out recently is that we're going to need to hire construction management. So we're hoping, just like you, that those bids are reasonable enough that we'll have the funding available for that because that wasn't in the plan, in this money. We didn't plan for a paid construction management out of this money.

COUNCILMEMBER VICTORINO: When you say construction management, you mean a project manager, somebody whose...

MR. PHILLIPS: Well, yeah, to hire someone to, for the construction management. Because when we like, when we built the Lanai Station, we used construction management from within the County. So we were just informed recently that we need to hire for this project.

COUNCILMEMBER VICTORINO: Hmm. Interesting. Well, Chair, maybe that's...

MR. PHILLIPS: It's a much bigger project, too...

COUNCILMEMBER VICTORINO: Yeah.

MR. PHILLIPS: That's part, partly why.

CHAIR PONTANILLA: Thank you.

COUNCILMEMBER VICTORINO: Well, I would maybe ask the question and I'll ask Chair to maybe send a letter to the Mayor asking her why this has come about and why in the past we haven't had to do this and now you guys going to have to bring, we don't have somebody in the County to do it. Maybe the CIP Coordinator should be the one doing it, I don't know. Chair, thank you. Thank you for you time.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CHAIR PONTANILLA: Thank you.

MR. PHILLIPS: I think the CIP Coordinator has been very, a big part of this project, but I, I, I think in, in, in the scheme of things, the size of the project, you know, we were informed we're probably not going to have that person full time for the construction management, so to move ahead with looking for someone.

COUNCILMEMBER VICTORINO: Okay.

CHAIR PONTANILLA: Thank you.

COUNCILMEMBER VICTORINO: Thank you, Chief. Thank you, Chair.

CHAIR PONTANILLA: Yeah, just to let you know, Mr. Victorino, that we normally request that the Department do have a project manager to oversee the project. By having a project manager or some inspector doing that work, that, you know, we can be ensured that the contract, you know, will be honored as written by whoever does the construction. And the other thing that I'd like to pass onto the Department is that the idea of the two-year funding, you know, it's something that I've been trying to pursue for, I don't know, seven years, and, and, you know, to me, that's the proper way of budgeting because of, you know, you know when you're going to be, you know in how much you're going to be spending on a given year rather than lump everything like the 40 million into one budget process and, you know, you tie up cash as well as you tie up the bonding requirements. So thank you for, you know, doing that in regards to this project. The other question that I have, though, is that for 2010, you know, you have like bonding, lapsed bond in cash and what's, what is the reason for the three different source of funding rather than just go bond?

MR. PABLO: Well, the reason we did this, Chair, Chair Pontanilla, was because of the shortage of funding. We did not want to exceed too much on the, on the bond side not knowing how much our debt service we could pay. We did have lapsed bonds from prior years so we applied the entire amount of lapsed bond towards this project and whatever was left from the General Fund after funding the departments that was also put towards this project. So we looked at every possible funding sources to get this project going.

CHAIR PONTANILLA: Thank you. Mr. Mateo?

VICE CHAIR MATEO: No questions, Chair.

CHAIR PONTANILLA: Thank you. Member Johnson?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER JOHNSON: No questions.

CHAIR PONTANILLA: Member Baisa?

COUNCILMEMBER BAISA: No questions.

CHAIR PONTANILLA: Member Molina?

COUNCILMEMBER MOLINA: No questions.

CHAIR PONTANILLA: Thank you. The next project and the final project is the, well it's not a final, it's one project, it's Countywide, Members on CIP 31-11. The amount is only for \$300,000. Chief?

MR. PHILLIPS: Yeah. Actually we're hoping to move that to 360 if we can move that money over, but this is a fund that we use for a variety of projects around our different, we have six different facilities, now seven with the morgue, so we, we do have some planned projects like the locker replacements would be at the Wailuku Station, some canine kennel plumbing renovations, and the Hana, Hana generator project. We need a new generator out in Hana. So, there's several projects that we want to use this money for and the good thing about the Countywide is we have things come during the year we didn't plan for, that this money is kind of available for us to use and then, of course, we have that, that morgue building that we want to renovate some offices and like I mentioned, hopefully move some functions into that building. So I think you may see that over the next few years where we're asking, we may ask for small amounts each year to open up a different part of that building for different functions.

CHAIR PONTANILLA: Thank you. Member Molina?

COUNCILMEMBER MOLINA: No, no major questions. Just a quick question on the locker replacements. You're looking at larger size lockers because of, I guess, more additional equipment and so forth or was it just because the lockers is just rusted out and old and . . .?

MR. PHILLIPS: Yeah. They are, they are larger and a different material. The ones we have now are. . .well there's, the building is 21-22 years old, so the ones we have now were the original lockers and a lot of them are rusting out and they're pretty small, so we're looking at a little larger locker and then a different material that will be easier to maintain over the years as well.

COUNCILMEMBER MOLINA: Okay. All right. Thank you, Chief. Thank you, Chair.

CHAIR PONTANILLA: Thank you. Member Baisa?

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER BAISA: No questions.

CHAIR PONTANILLA: Member Johnson?

COUNCILMEMBER JOHNSON: Are any of these, because they're just in general categories, are any of them for the Lahaina Station at all?

MR. PHILLIPS: None of these are in, in this.

COUNCILMEMBER JOHNSON: Okay. And, and how is, you know, the Lahaina Station? I know we're growing out of it.

MR. PHILLIPS: Yeah, we've grown out of it actually. We did renovate it a few years ago to try and keep us in it for a few years, a few more years. We, we tried to do a renovation to better use the space. As a matter of fact, that's when Captain Hudson was the commander out there and I think that's when he got his first CIP project under his belt, but, yeah, I don't, I don't, there's not a lot more we can do to renovate that building to make it bigger for us. So at some point and I know it's not. . .you know, the Kihei's going to be the first, but down the road I think we'll be looking at a new station in Kihei [*sic*] at some point.

COUNCILMEMBER JOHNSON: Yeah. And, and we still have the majority of officers on Lahaina side. . . .(*end of tape 3A - 1:55 p.m.*). . . area.

MR. PHILLIPS: Yes, that's true. We have a lot of officers that are commuting everyday between here, Upcountry and Kihei to Lahaina.

COUNCILMEMBER JOHNSON: Yeah, I think Captain Hirata said there was something like only five officers or six officers live actually on that side and work there.

MR. PHILLIPS: Yeah, there's, that's probably pretty close.

COUNCILMEMBER JOHNSON: Okay, alright. I just keep asking . . .(*laughing*). . . I know we can't magically print money but, you know, as the West Maui representative, I, I know, you know, I just have to keep plugging away trying to help you guys.

MR. PHILLIPS: There is, there are times that projects come up for Lahaina like, you know, last year we had some issues with the sewer system and the roof and stuff like that that we, we used this type of money for to fix. We don't have any plans right now, but if those things come up, then certainly we would use this money

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

for it. But we're not looking at any major renovations with that station because it's, there's not much more we can do with it.

COUNCILMEMBER JOHNSON: Yes.

MR. PHILLIPS: It's what it is, you know, we can't expand it anymore.

COUNCILMEMBER JOHNSON: Yeah, and, and you have that separate trailer site. Is there another, are you still using that?

MR. PHILLIPS: No. We were in that temporarily while, while we were renovating. I actually wanted to give our ACs that for their offices when we were done.

COUNCILMEMBER JOHNSON: . . .(*Chuckles*). . .

MR. PHILLIPS: But, nah, that was pretty, that was a rough time for our Lahaina guys --

COUNCILMEMBER JOHNSON: I know.

MR. PHILLIPS: --to be working out of the trailers.

COUNCILMEMBER JOHNSON: Yeah. And so, you're just hanging out around the building then.

MR. PHILLIPS: Yeah.

COUNCILMEMBER JOHNSON: Okay. Thank you, Mr. Chair. And at some point, hopefully, we'll be able to help the Police Department in Lahaina side to get them some support because, you know, I know there's only so much money to go around but it's really tough when you have working conditions that...

MR. PHILLIPS: Yeah, I think the priority here became, because the Kihei Facility was temporary and we went in there in 1999, 2000, somewhere in there, and, and when we went in, we were supposed to just be there five years and we knew that we were in the flood zone and then, of course, we've outgrown that, we outgrew it almost as soon as we moved in. So the priority, of course, was, for us these past few years, has been Kihei and get, getting that project going and then after that, we need to look at Lahaina and, of course, down the road, Molokai as well. Molokai Police Station is still in the inundation zone, so the Fire is moving out. So if we have something, we'll be up there with the Fire, I guess, staying in their place, but eventually, I think those, those two locations are going to need new stations and it is tough when there's not the money available.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

COUNCILMEMBER JOHNSON: I know. I know and I'll visit separately, Mr. Chair, on that one. Thank you.

CHAIR PONTANILLA: Thank you. Thank you, Chief. You know, Chair Mateo and I had a discussion regarding Kaunakakai and looking at a campus layout for Kaunakakai and that would involve the Police Department, Public Works, and whoever else is at the location. So once the Fire Department move out, then there's a possibility of redoing the campus at that location. Member Mateo?

VICE CHAIR MATEO: No, thank you and thank you for referencing that because just to do that alone, hopefully, the funds will come in this budget because it's non-existent at this point. But I have no questions for the Department. Thank you.

CHAIR PONTANILLA: Thank you. Mr. Victorino?

COUNCILMEMBER VICTORINO: No, no questions.

CHAIR PONTANILLA: Thank you. Members, that concludes the review for the Police Department on their request for 2010. The Chair would like to thank Chief Phillips, Deputy Chief Yabuta, Captain Hudson as well as Mr. Takahashi for being here from this morning in regards to your proposal.

Members, tonight we go to Hannibal Tavares and hopefully, you know, we have quorum for tonight's meeting. So, we'll meet at 6:30. I understand that if you're catching the van, then they're going to be leaving pretty soon.

So, Members, tomorrow we have the Parks Department, Parks and Recreation Department to review and hopefully, I, I, I understand that Member Medeiros as well as Member Mateo are going to be on Oahu tomorrow attending HSAC Meeting.

So with that, Members, anybody have any announcements to make? None, then I'll see you up in Pukalani. This meeting is adjourned. . . .(gavel). . .

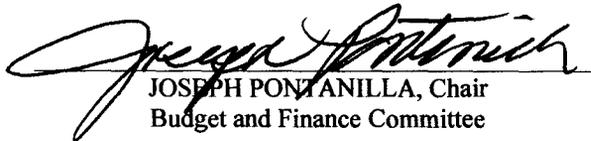
ACTION: DEFER pending further discussion.

ADJOURN: 2:00 p.m.

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

APPROVED:


JOSEPH PONTANILLA, Chair
Budget and Finance Committee

bf:min:090401

Transcribed by: Kandi Ayakawa

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

April 1, 2009

CERTIFICATE

I, Kandi Ayakawa, hereby certify that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED this 30th day of April 2009, in Wailuku, Hawaii.

Kandi Ayakawa
Kandi Ayakawa