

BUDGET AND FINANCE COMMITTEE

Council of the County of Maui

MINUTES

April 2, 2014

Council Chamber

CONVENE: 9:03 a.m.

PRESENT: Councilmember Mike White, Chair
Councilmember Gladys C. Baisa, Member (out 10:59 a.m.)
Councilmember Elle Cochran, Member (out 10:21 a.m., in 10:46 a.m.)
Councilmember Donald G. Couch, Jr., Member
Councilmember Stacy Crivello, Member (out 9:15 a.m., in 9:17 a.m.)
Councilmember Don S. Guzman, Member
Councilmember Michael P. Victorino, Member

EXCUSED: VOTING MEMBERS:
Councilmember G. Riki Hokama, Vice-Chair
Councilmember Robert Carroll, Member

STAFF: Michele Yoshimura, Legislative Analyst
Chancy Hopper, Legislative Analyst
Jordan Molina, Legislative Analyst
Yvette Bouthillier, Committee Secretary

Ella Alcon, Council Aide, Molokai Council Office (via telephone conference bridge)
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)
Dawn Lono, Council Aide, Hana Council Office (via telephone conference bridge)

ADMIN.: Sananda Baz, Budget Director, Office of the Mayor
William Spence, Director, Department of Planning
Michele McLean, Deputy Director, Department of Planning
Anna Foust, Emergency Management Officer, Civil Defense Agency
Jeffrey T. Ueoka, Deputy Corporation Counsel, Department of the Corporation Counsel

PRESS: Akaku: Maui Community Television, Inc.

CHAIR WHITE: . . .(gavel). . . The Budget and Finance Committee will come to order. We can proceed this morning with our review of the departments. I'd like to note that Committee

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Vice-Chair Riki Hokama is excused, along with Council Vice-Chair Bob Carroll, and joining us here in the Chambers this morning are Council Chair Gladys Baisa.

COUNCILMEMBER BAISA: Good morning, Chair.

CHAIR WHITE: Good morning. And Member Stacy Crivello.

COUNCILMEMBER CRIVELLO: Good morning, Chair.

CHAIR WHITE: Good morning. Elle Cochran.

COUNCILMEMBER COCHRAN: Aloha, good morning, Chair.

CHAIR WHITE: Aloha. Don Couch.

COUNCILMEMBER COUCH: Good morning and aloha, Chair.

CHAIR WHITE: Aloha. And Don Guzman.

COUNCILMEMBER GUZMAN: Good morning, Chair.

CHAIR WHITE: Good morning. And Mike Victorino.

COUNCILMEMBER VICTORINO: Aloha and good morning, Chair.

CHAIR WHITE: Good morning. Members, just a reminder that we have on the agenda today reviewing the Planning Department and then we will be also reviewing Civil Defense, and then we go to Hannibal Tavares Center this evening for our first district public meeting, which will begin at 6 o'clock. So please be there a little ahead of time. And with that, we'll start with our public testimony. Do we have any testifiers signed up for this morning? I notice, I don't see. . .there's a gentleman in the gallery, but he does not appear to be one of our normal testifiers so. Although, we'd be happy to hear what you think.

COUNCILMEMBER BAISA: Mistake. That would be a mistake.

COUNCILMEMBER VICTORINO: No. No. I think it would be a wonderful change, Mr. Chair. Please ask him up, I'd be happy to hear.

CHAIR WHITE: Just to eliminate the mystery, it's the Chair's husband seating in the gallery. So welcome, Sherman. And since there are no testifiers here in the Chambers, we'll check in with our District Offices beginning with Hana. Dawn, do you have any testifiers this morning?

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MS. LONO: Good morning, Chair. This is Dawn Lono at the Hana Office, and there's no one waiting to testify.

CHAIR WHITE: Thank you very much. We'll go on to Lanai. Denise, any testifiers?

MS. FERNANDEZ: Good morning, Chair. This is Denise Fernandez on Lanai, and there is no one waiting to testify.

CHAIR WHITE: Thank you. And we'll go lastly to Ella on Molokai.

MS. ALCON: Good morning, Chair. This is Ella Alcon on Molokai, and there is no one here waiting to testify.

CHAIR WHITE: Thank you very much, ladies. We'll. . .without objections, the Chair will like to close public testimony.

COUNCIL MEMBERS: No objections.

CHAIR WHITE: Public testimony is closed. Thank you, ladies. Aloha.

**ITEM BF-1: PROPOSED FISCAL YEAR 2015 BUDGET FOR THE
 COUNTY OF MAUI (CC 14-31)**

CHAIR WHITE: Okay. Members, we'll move right into the presentation by Planning, but before we do that, we do have one handout today. It's not from a written request, but a request in the meeting yesterday with the Parks Department. This is the parks inventory, which shows the number of acres and the types of facilities, I believe, by district. I haven't looked at it but that's my recollection from before. So I believe this came from some of the documents presented by the Parks Department to EAR during their review. So please put that in your response folder. And with that. . .

COUNCILMEMBER COUCH: Mr. Chair.

CHAIR WHITE: Mr. Couch, yes?

COUNCILMEMBER COUCH: Regarding this.

CHAIR WHITE: Yes.

COUNCILMEMBER COUCH: Just want to correct something on the South Maui one, that number 25 is no longer 150 acres. A significant amount has been removed, not a significant amount, but a large portion has been removed for the police station. And the other is quite passive, I don't even know if it's accessible at this time.

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CHAIR WHITE: Okay.

COUNCILMEMBER VICTORINO: And, Mr. Chair, my community has many passive parks that are inclusive of this so, you know, again I think I look at the active or participatory athletic fields is what I really would like to focus in on.

CHAIR WHITE: Yeah. I . . .

COUNCILMEMBER VICTORINO: The rest is nice but not accessible to the public or more for neighborhood usage, yeah.

CHAIR WHITE: Well it's clear from the work Mr. Guzman has done, his committee, that the real pressure is on the ball fields and active parks, not the others so. Okay. Thank you. And if each of you would please make the changes that Mr. Couch suggested on your copies, we'd appreciate it.

DEPARTMENT OF PLANNING

CHAIR WHITE: And with that, I would like to welcome Will Spence and Michele McLean.

MR. SPENCE: Good morning, Chair.

CHAIR WHITE: And whichever one of you wishes to begin the process, please feel free.

MR. SPENCE: Good morning, Committee. The budget we're presenting to you this morning is not much a different than it was last year. It's, I mean, pretty basic, it reflects an 8 percent increase for personnel, you know, due to collective bargaining agreements. And there's a . . .we're presenting a couple of . . .one expansion position and one special project. The expansion position is for the Zoning and Enforcement Division where they have 18 people, excuse me, 19 in that Division, but there's only one clerical to staff all those people. So we're proposing to have one person help in that respect, and I can give it additional information if you want on that. The special project that we're proposing is to start a complete overhaul of our Zoning Code. So whereas we've had a Euclidean zoning code since like 1960, which is your really basic . . .the kind of the very first concept of a zoning code, where it's very old kind of code. It just gives basic uses, there's a big emphasis on what's allowed, what's not allowed, setbacks, height, all that stuff. And it's easy to understand, but as, you know, as this Committee or in the Planning Committee and Land Use as you hear different things, you're hearing things like Form-based Codes, you're hearing about other requests from like Kihei Community Association, we want to see design guidelines or something like that, or we're . . .so what we're talking about is having a, overhauling our Code and maybe including a Form-kind of based thing in there, an element so things are more predictable. You know we talk about more predictable how things are

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gonna be built, how properties are gonna be developed, but also there's a big emphasis with, you know, in the Maui Island Plan and just with testimony that you hear from the community that, you know, we want walkable, livable communities. So that kind of zoning code including a form element in it and reexamining the whole thing in its entirety, it's gonna include a lot of that Form-based stuff. Stuff. . .pardon me, for all the planners listening out there, you know, and I would also say that because you have a lot of project districts that come before this Council for zoning and includes a lot of the walkable, bikeable paths, and all that, instead of having to smash, excuse me, pass special ordinances for those kinds of things and Council having to require them, let's just make our zoning code so it includes the things that we want in it. So. . .I think, Council, that's pretty much a summary what we're requesting and we're proposing to do.

CHAIR WHITE: Maybe. . .since the Form-based zoning is one of the significant increases in the budget, maybe you could explain a little bit more what that looks like to those of us who have a little more difficulty understanding what you're talking about.

MR. SPENCE: You're wanting an explanation on Form-based Codes or. . .

CHAIR WHITE: How would it. . .for the person who wants to do something with their property, how is that going to change what they need to do when they come to the Planning Department, Planning Commission, or here to Council for changes in zoning or for project approvals?

MR. SPENCE: With the Form-based Code, there's much less emphasis on the use of a property, and I'm talking a strict based code here, there's a strict Form-based Code, it kind of swings the pendulum entirely to the other side from what we have now. I expect with community input and, you know, landowner input, and input from the Council, and all the interested parties, we're gonna end up somewhere sort of in the middle, but I can just describe what the form part of it is. We all go places like Makawao or Paia, and we see how, and I'm trying to think of places that I know, Pasadena, some parts of West L.A., where it's just conducive. There's a form that's conducive to human interaction. The buildings are more forward on the street, there's certain design requirements that are inviting rather than your standard shopping mall, which is a sea of parking and, you know, you have all your stuff in, you have all your shops and everything inside, let's make our streetscapes more like that, so the entire shopping experience of the. . .it's a little bit harder to describe than it is to. . .

CHAIR WHITE: See if it's hard for you to explain, it's gonna be even harder for us to understand.

MR. SPENCE: Let me give. . .I think everybody's familiar with A&B's proposed Kahului Town Center, okay, with the shopping on the bottom and the living above, that's much more the kind of thing that we're talking about with Form-based. The buildings are more approached to the street, the. . .it's meant to be a walkable kind of environment, where you go from shop to shop, where you're not walking too far to get your basic goods and services. It's. . .as

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opposed to say the Safeway down the street, where again you enter that sea of parking to get into one store where you must drive someplace, you have more of a mixed use environment.

CHAIR WHITE: So when you refer to the term form, relating to the focus being more on what is built on the property rather than what it's used for, so you can allow for multiple uses.

MR. SPENCE: Yes. You can allow for multiple uses. Generally, you put parking behind. . .I know that this Council, earlier this year, had a presentation by the R&T Park within South Maui and they're very much described a Form-based kind of code. It's to create a human environment within the city rather than an auto based.

CHAIR WHITE: Okay. Mr. Couch, you had a question?

COUNCILMEMBER COUCH: Oh.

MS. McLEAN: Chair, if I could add on?

CHAIR WHITE: Sure.

MS. McLEAN: I'm not a professional planner so I have to understand things in layman's term --

CHAIR WHITE: So you can give us the layman's form?

MS. McLEAN: --a little bit more. I'll try and Will can correct any errors in what I might say. Right now our Zoning Code is a list of permitted uses and building heights and setbacks and lot sizes. A Form-based Code looks more at impacts and design, and we see right now with our Zoning Code that one thing is allowed and something else is not allowed when their impacts might be the same, when their demand on the property might be the same. A Form-based Code gets away from that disparity, and it looks at, you know, what's an appropriate scale, what's the right design, and these mixture of uses are compatible with each other, and, you know, appropriate for the infrastructure in the roads that serve that area. And so it gets away from a strict, this is ag, this is commercial and allows more flexibility. It's beneficial to applicants and landowners again because of that flexibility, but writing the Code is a really complicated thing, because you want some level of definition and specificity so that property owners know what they can do, so that the County knows how to administer it. So it's. . .and that's why, you know, money is budgeted for a consultant to do this, 'cause it's a huge, huge task to make that change. It's a big change in thinking and have to be really careful with how it's written so that it accomplishes what we, you know, what's intended.

COUNCILMEMBER VICTORINO: Well, that's a lot clearer, Mr. Chair.

MR. SPENCE: From the layperson.

COUNCILMEMBER VICTORINO: Well most of us are laypersons.

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MR. SPENCE: And I would just. . .and I think that's a good description. The. . .and I'll tell you part of the reason we need to do this. You think about how much time we spend with the Planning Committee going over district by district by district, the permitted uses, the heights, and we're not gonna eliminate that altogether, but we, I mean, if you spend that much time in Committee going over what's permitted and, you know, what's a, I don't know, a skateboard park and does that skateboard park allow rollerblades or does it not or does it, you know, are the long skateboards okay, I mean, we're just, you know, we go through gyrations on, you know, on the nuances of discussing how we're gonna change these Zoning Codes, we do this ten times the amount inside the Planning Department, because our Zoning Code is so old that we just. . .we. . .and people are constantly coming to us with new things as technology changes, as business changes, we don't have the flexibility to just put something in each little puka and see where it fits in, there's things that are outside the box that we're faced with all the time and we would like to accommodate those things, you know, for small business, for large business, whatever. And so we're trying to build some flexibility into it that we don't have now, but also provide, you know, as the name implies, the form predictability on how properties are gonna be developed and what they're gonna look like.

CHAIR WHITE: Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. And to add to that just a little bit, we had a Planning Committee meeting regarding with the R&T Park and they put on a presentation, a whole presentation on Form Code. I'll get the date of that meeting and then let you guys know, and then you can go through the presentations that we got a big handout on that as well if you have any further questions, but it was something that we have to deal with and decide if we want to do it as a policy, this whole body, and that's why they're doing the. . .I think it was at our request that they're doing the Form-based Code study, to see if that works.

CHAIR WHITE: I was gonna ask the Department, but do you recall whether that study provided examples of where this is, has been in use for a number of years and the degree of success?

COUNCILMEMBER COUCH: The presentation, they did mention a few places, I don't remember where, and, but they did mention a few places where that is happening now.

CHAIR WHITE: Yeah, I don't recall how long they've been in place, whether they really had a lot of --

COUNCILMEMBER COUCH: Right.

CHAIR WHITE: --experience under their belts or not.

COUNCILMEMBER COUCH: Right.

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CHAIR WHITE: But since this is your Committee's area, I think the Committee would like to, at least speaking on behalf of the Chair, I'd like to place the responsibility on your shoulders to follow up with that and make what you feel is a recommendation that we should move forward with.

COUNCILMEMBER COUCH: Okay. Thank you, sir.

MR. SPENCE: I would just note that this is a growing trend across the mainland. I'm not saying that we should just follow everything the mainland is doing, but I think that as a reflection of the things that I hear in the different committees and going to different community groups and listening to what they want and what they think's lacking in the Code or complaints about certain, you know, parts of our Code. I think something tailored to Maui in a way of a Form Code or a modified Form-based Code could be something really good for us.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: And if I recall correctly, wasn't there a gentleman came from the mainland and spoke specifically about this issue, and I cannot remember the name, but, I mean, I sit through a lot of meetings and I remember the context, you know --

MR. SPENCE: Right.

COUNCILMEMBER VICTORINO: --and I remember that being, you know, very interesting, something that. . .and he's pointed our certain parts of our community that could, you know, like he said, right here Kehalani or, you know, that could be doing these changes and it wouldn't have a major impact, so I think, Mr. Chair, you know, I think that the Planning Department is on the right track. I mean we've got to look at it 'cause zoning has been a pill for more years than we can think of. Between water and zoning, that is probably the two most stumbling blocks people have in front of them to do anything with their land, whether it's commercial, residential, I don't care what it might be, and I think, you know, both Departments have made tremendous strides in trying to make those, what I call, substantial changes so we can move on. So I'm glad you gave Mr. Couch the task, and if he doesn't then we'll keep reminding him to get that to us.

CHAIR WHITE: I'm sure...

COUNCILMEMBER VICTORINO: I think we have it already, you know, I got to go through my files.

CHAIR WHITE: I'm sure you'll be on his case every morning.

COUNCILMEMBER VICTORINO: Huh?

CHAIR WHITE: I'm sure you'll be on his case every morning.

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COUNCILMEMBER VICTORINO: Absolutely, sir, I got your back.

MR. SPENCE: One more comment, Mr. Chair.

CHAIR WHITE: Yeah, let me just. . .

MR. SPENCE: Okay.

CHAIR WHITE: One of the things you use the term predictable and to Mr. Victorino's point, the. . .I think we all appreciate the direction that your Department has moved under the Administration's leadership as well as Public Works and DSA to try do what you can under the existing structure to move things forward more rapidly. You used the word predictable, and I think that's a key word from an investor's perspective, because the last thing that they want to deal with is unpredictability in the process or the likely outcome. So what can you share with us as far as the Form-based zoning making, you know, keeping the inclusiveness of community input, but also providing higher level of predictability and understandability to people who are, who we look to to invest in our futures?

MR. SPENCE: I look at predictability in two different areas. One, I look at it and I'm not putting one over another. I look at it from a community point of view. They want to know, community wants to know what's going to be built on that vacant lot over there. What's it gonna look like and all that, so hopefully what it'll do, it will. . .if we get a Code together that everybody can buy into or to the degree possible we can buy into, you know what that new Walgreens is gonna look like down on the corner, where it's gonna be placed on the lot, how it's gonna be oriented towards the pedestrian environment, and the community knows, okay, this is pretty much what it's gonna be. Instead of, okay, community, here's my plans, what do you think, well, we don't like that go back and redraw it again, and they go. . .instead of the developer going back forth and back and forth, they pretty much have parameters. This is what we agreed on with this Code, this is what I'm gonna build, it meets all of these things, and so when the community takes a look at it and goes, okay, it meets what we have, you know, it meets this design element that we certainly had a part of. For the developer, instead of it takes away a lot of delay, because he pretty much knows, the ground rules are a lot clearer, I can do this on this lot, but not this other thing. So it's predictable for the community, they know more or less what's gonna be built there, and the developer knows what he can and cannot do as well. So it eliminates just one whole time factor in that.

CHAIR WHITE: So how thick a document is this, is the zoning code gonna become?

MR. SPENCE: Hopefully not much thicker than what it already is. I mean, it's gonna add some things, that's for sure.

UNIDENTIFIED SPEAKER: This?

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MR. SPENCE: I'm gonna. . .no, that's the whole County Code, that's not zoning.

UNIDENTIFIED SPEAKER: Nice try.

MR. SPENCE: Zoning's only half of that book. The. . .I would say is also part of the. . .part of this. . .when you adopt a new Code, you have to revisit all of your permitting as well, all your discretionary permits, what's a conditional permit, what's a special use permit, what's. . .how are these things gonna be processed, public notification, all those things would be a part of this as well. So we're gonna, you know, we'll go out and we're right now, Land Use Commission Special Use Permits say notify the adjacent neighbor, County Special Use Permits, you'd notify everybody in 500 feet, and noticed a couple times in the, I mean, all those things will be brought down to more of a uniform processing, making sure that there's public input but also just clarifying some of the silly things that we have in the Code.

CHAIR WHITE: Okay. Mr. Couch.

COUNCILMEMBER COUCH: Thank you, Mr. Chair. Just for the Members information, the September 5th Planning Committee meeting is where we had that discussion, so if you want to go back into the archives and pull that out, that information is there.

CHAIR WHITE: Okay. Thank you.

COUNCILMEMBER COUCH: Thank you.

CHAIR WHITE: Members, other questions on the Administration portion of the budget?

COUNCILMEMBER COCHRAN: Chair?

CHAIR WHITE: Yes, Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. And so I'm glad that you touched upon, you know, not excluding the public or community input in, within all this. So that was kind of what in your opening comments it wasn't hinted towards that aspect, but I mean as the dialogue kept going, so that kind of allayed my fears as to, you know, we're gonna revamp this and there will be no need to sort of let everyone know exactly what's going on 'cause it'll all be all in this prepackaged new Form-based Code and people will know what's gonna be. So anyways, and then I think Mr. Couch touched upon, you know, policy changes. We were discussing, is it gonna be. . .and I guess he said a study, so this 150 is towards hiring a contractor 'cause in your explanation, it's for review and revising of our County Codes. So, but then Mr. Couch mentioned a study, so is that basically what it is, this person or group of people will come in to look through everything and create, you know, conform it to a Form-based Code, I guess per se, and then that thereby run it through this body or to see, you know, we vote on it, we, I mean, that's kind of where I wanted to know when do we come into play on deciding do we like what this looks like, how is it gonna fit with our, you know,

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way of how this community is looking to build out our islands? And another thing, you know, Countywide, I mean, Maui Nui as a whole is very different. Me, I don't believe it as, you know, we all understand this, but, I mean, look at the ahupuaa based way of building, you know, is this going to be incorporated because I believe, you know, not to take away from mainland expertise and how people utilize, you know, their codes and what have you or ways of building, but to make sure that is highly, is highlighted, I guess, in this whole discussion and dialogue, which for me is important and to bring up on the record especially to make sure that it's been said. So, you know, I guess, so a study or is it clearly gonna be changed out and then we're all gonna sit happily ever after and build out our islands with the Form-based Code?

CHAIR WHITE: Go ahead.

MR. SPENCE: Just a comment first and I apologize I didn't make it clear at the beginning of my comments on this. To me, zoning should be people oriented. It's not, I mean, you want to accommodate business, of course, because then, you know, that means jobs and all that kind of stuff and it means a living environment for the rest of us, but that's. . .when I refer to the need to change our Codes and all that stuff, I'm not thinking so much accommodating the development community as much as I'm thinking what's the end result and that's the place where we live and the environment in which we live, both the built environment and the natural environment, and so that's where my orientation is, so I apologize if I didn't make that clear. I see the end result of adopting a new Code or modifying our existing Code as one being a more livable, desirable community to live in for the residents and the visitors, but in and in the midst of that making it predictable for all, but it's much more about people than it is about development, does that make sense? Okay. So that's my orientation. It's towards our residents. At this. . .the project itself would be multi-year, this isn't just gonna be a study and then that's gonna be the end of it. It's. . .what it would be. . .I see the request for these funds in this coming year as the beginning of this project, part of it will, a big part of it will be information gathering, 'cause if we contract with somebody, it'll be information gathering from the Department, from the different agencies, possibly from the things that the Council hears what's good, what's bad from the Planning Commissions, from the different community associations, I mean, it's gonna be. . .a lot of it's information gathering, okay, what do you. . .does Maui need as far as changes in their Code, but what's, you know, and we can say Form-based, note the idea is not to take something off the shelf from the mainland and insert it here, it's like, okay, here we have this concept of Form-based Codes, how would this work on Maui, what. . .how can it be tailored to unique Maui, Molokai, Lanai needs. Lanai, I mean, and not just different islands but different parts of this island, things that work on the West Side are not gonna over here in Central Maui or Upcountry or whatever, so all that information is gonna be gathered, what are the different needs for the different parts of the island, what works, what doesn't work, what are the desires of the community as far as the Zoning Code goes. And so the first part would be information gathering, the second part is then starting to write the Code itself, and I expect that would probably be at least next year, and we'll have some kind of report for the Council at that time on how we progressed. So it's going to be a multi-year project, and I would say possibly

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even three. The things that I've heard were communities are deciding to change the way they do their zoning. It's not a, it's not just a easy process, you have to take into account all different viewpoints so.

COUNCILMEMBER COCHRAN: Thank you, Director. Yeah, I mean, I didn't. . .I thought you were gonna cram all this in this year.

MR. SPENCE: Oh, no. No, no, no. I don't think that's possible.

COUNCILMEMBER COCHRAN: So I was like, whoa, that's a tall order and how are you gonna do that. So, okay, multi-year --

MR. SPENCE: Oh, yeah.

COUNCILMEMBER COCHRAN: --long project.

MR. SPENCE: And then ultimately, you know, the Code is going to be adopted by Council. It has to go to Planning Commissions first and then to back to this body for approval, so Council will be involved from, you know, the beginning to the end.

COUNCILMEMBER COCHRAN: Excellent. Thank you, Chair. Yeah, a lot clearer. Thank you.

CHAIR WHITE: Ms. Crivello, were you raising your hand? Okay. Director, I guess the question is initially Ms. Cochran's question was this, is this a study or is this the Code that we're paying for, and it sounds like this may be the study portion and then the Code portion may be coming next year and extending into the year after that. So once we embark on this, what is your anticipated total cost?

MR. SPENCE: I would. . .I'm not sure. I think we'll have to see how this goes this first year and how much progress is made. After that, I. . .possibly another 150, perhaps more, I'm not sure. It's not an inexpensive process but this is pretty. . .from the people I've talked to, it's not unusual to be a multi-year project with a lot of expertise involved, you know, and because it's. . .our Zoning Code is legal, we're gonna be involving attorneys with it, et cetera, et cetera. It's not cheap but I think a, you know, 50-year Zoning Code is worthy to be put up in the shelf someplace and retired. The citizens of this County be given something new that benefits them more than what we have now.

CHAIR WHITE: Okay.

COUNCILMEMBER BAISA: Chair?

CHAIR WHITE: Ms. Cochran?

COUNCILMEMBER COCHRAN: Sorry, go ahead. No. Ms. Baisa.

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COUNCILMEMBER BAISA: No, no, go ahead.

COUNCILMEMBER COCHRAN: No, no. Well, you didn't have a chance to speak yet, so you can go. Go ahead.

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: It's okay. I've been enjoying the discussion. And I want to thank the Chair for bringing us back to the meat of it, which is the budgetary aspect of this money. And obviously we're being asked to, you know, provide \$150,000, and I think that discussion that relates to it is are we in support of spending money to go in the direction that you want to go, and so if we fund it, we're kind of saying, yeah, okay, this is what we think. I'm kind of concerned about the 150,000, because unfortunately, I've had a lot of experience with Planning and I know how long things take and I know how they grow and they just morph into amazing projects. Particularly when Director Spence reminded us that this would involve legal issues, and so I think the 150,000 is really a very small down payment as to where we're going. And I think, Chair, your admonition is good, that we need to realize that we're embarking on a very costly undertaking and a very time consuming undertaking. This is just a very, very first step. And so while I totally know that we've got to do something about what we have, we just cannot continue the way we are. It's not efficient and it doesn't respond to the needs of our community. I would support it with the idea that we understand that this is going to be some, a number that we're gonna see year after year for a while and that it's probably going to grow substantially, thank you.

CHAIR WHITE: Yeah, I think that, the Chair's concern is that not only do we have the 150,000 this year, but as you say, it's gonna be showing up again for at least a couple years and that doesn't include the staff commitment of time.

COUNCILMEMBER BAISA: Right, right.

CHAIR WHITE: And so it's a huge project, so that's why I'm looking to both the Department and Mr. Couch to vet this to make sure we're heading in a direction that we need to go in. And I believe it is the right thing to do, but look how little time it took us to get the Maui Island Plan done.

COUNCILMEMBER BAISA: Yeah, it was a snap.

CHAIR WHITE: And this has. . .

MR. SPENCE: Hopefully not that long.

CHAIR WHITE: This has some of the same levels of complexity. So it's nothing simple and hopefully it's not terribly controversial, because --

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COUNCILMEMBER VICTORINO: Chair?

CHAIR WHITE: --we'll have a real tough getting it through. So, Mr. Couch, one of the things that I would ask you to do is to check with some of the communities where this is in place and see how it's working and see how controversial it's been, because we've heard the good part of it, but we need to hear the other side of it as well.

COUNCILMEMBER COUCH: You bet.

CHAIR WHITE: Ms. Cochran?

COUNCILMEMBER COCHRAN: Sorry, so well, can I. . .I wanted to talk about this monies from the small town planning, but --

CHAIR WHITE: Let me just. . .

COUNCILMEMBER COCHRAN: --we're over. . .done. . .

CHAIR WHITE: I know Mr. Spence, I think, was about to say something, so let me let him --

COUNCILMEMBER COCHRAN: Okay.

CHAIR WHITE: --complete that and then we'll move on.

COUNCILMEMBER COCHRAN: Alright, that's fine, yeah.

MR. SPENCE: Oh, I was just gonna say, part of putting it in this year's budget and then, you know, we'll bring a report to the Council next year, and I'll definitely be working with the Planning Chair on this, but, you know, if at the end of this fiscal year, if the Council thinks, you know, Director Spence, you're just going down the wrong road, you know, I mean, you just. . .if the Council decides not to put any more money in it then that's the end of the project, so there's some checks and balances, there's some safety within that project. So you know that it's going to be up to the Council, it's not just my embarking down this road or the County going down this road. It certainly. . .the Council will have oversight with it.

CHAIR WHITE: Okay. Any further questions on this item?

COUNCILMEMBER VICTORINO: Chair?

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Since you not looking this way, you gotta. . .

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CHAIR WHITE: Oh, come on.

COUNCILMEMBER VICTORINO: Even he said we got to get a flag on this end of the world.

CHAIR WHITE: Wait, wait, wait, let's be. . . wait, before you. . .

COUNCILMEMBER VICTORINO: Even Mr. Guzman said we need a flag so.

CHAIR WHITE: Before you. . .

COUNCILMEMBER BAISA: Now you know how it feels.

COUNCILMEMBER VICTORINO: Yeah, no, no, the boot ends always like that.

CHAIR WHITE: Wait, the Chair, the Chair. . .

COUNCILMEMBER VICTORINO: Oh, here now, here is the defense, okay, go ahead.

CHAIR WHITE: The Chair's gonna take some privilege here --

COUNCILMEMBER VICTORINO: Because time out.

CHAIR WHITE: --because for you to suggest that we haven't given you more airtime --

COUNCILMEMBER BAISA: Yeah, yeah, yeah.

CHAIR WHITE: --is a little bit. . .

COUNCILMEMBER VICTORINO: Sir, that was not my request. My request is Mr. Guzman feels he needs a flag 'cause you don't see this way.

CHAIR WHITE: No, but you were doing the waving of hands.

COUNCILMEMBER VICTORINO: Okay. I got to use somebody else, you know. I'm good, I'm good. Hey, you said that, I'm not repeating what you haven't said.

CHAIR WHITE: Okay.

COUNCILMEMBER VICTORINO: Anyhow, can I get to the question? I'm sorry.

CHAIR WHITE: Okay. Let's get back to work. Please...

COUNCILMEMBER VICTORINO: Will you be, in this process, will you be taking this to various communities to make sure they understand and participate. Because I think that's one of the

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problems we always have is we come up with these grand ideas, we put them together, and then the communities look at 'em and say, no, we don't like this, or to form it, like my colleagues have mentioned, to more what we need here in Hawaii, like you mentioned on Maui that not just what somebody does on the mainland, but what we need to do based upon that model and kind of lining it up to Maui and some of our, excuse me, some of our communities which will be directly impacted: South, West, Upcountry, Central, you know.

MR. SPENCE: Yeah.

COUNCILMEMBER VICTORINO: So.

MR. SPENCE: I think it's crucial to go out to the communities. You know, one, every community is different and their particular desires for their communities are different from region to region, but also some of that's reflected in the community plans, but when you get down to actually writing the Code, that's a little bit different. I expect reaching out to the small businesses 'cause they're affected, small landowners, large landowners, I mean, the Maui community is small but it, you know, it's pretty tight and you need input from all the different sectors, it's not, you know, so that's sort of the long answer to yes, we're most definitely, in a project like this it's crucial to go out to the communities.

COUNCILMEMBER VICTORINO: And thank you, Mr. Spence. And again, the rationale for that is, Mr. Chair, is you read in the paper yesterday, you know, we get a regional park almost ready to start and then you get the neighbors who say nobody told me so, and that, this always bothers me, you know, that and yet we all know many of us participated in many of the meetings that went by, myself, Mr. Guzman, others, we went to these meetings and the public was invited. All being said, there are those who somehow every time say, I didn't know about it and I don't like it, but I think if you've reached out to them and you've done your due diligence, I can defend it by saying they came out, where were you at that moment in time. Thank you, Mr. Chair.

CHAIR WHITE: Mr. Guzman.

COUNCILMEMBER GUZMAN: Thank you, Chair. I thought I'd pipe in since my name's being used so many times today.

COUNCILMEMBER VICTORINO: Only positive matters, only positive things.

COUNCILMEMBER GUZMAN: Yes, thank you so much. But anyways, Chair, on the . . . regarding the Form-based Codes, actually when we had that Committee meeting in Planning and we had that, I forget, also the specialist that came in and gave us the PowerPoint. He actually gave us a link to a Form-based Code Association, there's a national, and I had an opportunity to actually look at some of those Form-based Codes. It's very interesting, and in fact that I believe that we should be going down this road in terms of efficiency, and the money that we spend upfront is going to save us a lot more in the future,

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and I think that's what we're all here sitting in office for to basically, you know, work for our children, our grandchildren so that they have a better life. But in any case, did, Mr. Spence, I didn't get a chance to really look into which jurisdictions were more comparable to Maui and whether those jurisdictions had the same type of studies or something that they, that we could, not necessarily have to pay for, but they've already done the studies that are, you know, their community is somewhat comparable to our communities and if we could. . . I know Mr. Victorino probably has some contacts with NACo and all that and maybe we could try to do our own research in terms of at least, you know, looking into the matter and maybe deflating some of that 150,000.

MR. SPENCE: I think when we do an RFP, when we want to hire a consultant to do this, that probably gonna be one of the things they look at as what experience do they have. Are they doing a Form-based Code in Nome, Alaska or are they doing one in a more of a resort, more a warmer climate, a rural setting, those kinds of things. So we're gonna be looking for that comparable experience, something that, you know, again we don't want them to pull something off the shelf, but they're gonna know, say rural communities better than downtown L.A., they're gonna know, you know, warmer climates, they're gonna know perhaps, I don't know, perhaps they have somebody has experience on other island communities. I know that there's a Form-based Code on part of Kona, so, you know, we'll be looking at experience definitely, see what would be applicable here. And we'll, you know we'll do some research on the website that you noted as well.

CHAIR WHITE: Mr. Baz?

MR. BAZ: Mr. Chair, since this is completely new me as well, I have been doing some research as you guys we discussing it. Formbasedcodes.org is the Form-based Codes Institute and they have a significant amount of information in there and sample codes and they have even awardees for different years of people that have won their award for their Form-based Codes and one of them is the island, community of Cuba, that might be interesting to look at. But anyway, just thought I would share that for the Members and public if you're interested more about Form-based Codes then take a look at formbasedcodes.org.

CHAIR WHITE: Cuba's got a booming economy, I think we got to follow them.

COUNCILMEMBER GUZMAN: That's pretty exciting. I wish I could be part of the drafting team.

CHAIR WHITE: Well, to your point, Mr. Guzman, I think if there is a significant amount of code already written and available through that organization, I'd like, if you don't mind, I'd like you to join Mr. Couch's assignment to take a look at what's out there, because I think all of us respect the need for studies, but we've also been through a lot that haven't resulted in much in the way of new perspectives, you know that Kenny Brown had a description of consultants that I think is particularly appropriate. It's someone who borrows your watch in order to tell you what time it is, and I think we've got a level of expertise in our Department that can separate the wheat from the chaff in whatever documents you and Mr. Couch might

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find. If this is the right direction in which to head, I'd like to see if we can go from where we are now to actually taking a current code from somewhere else and taking that out to the community and seeing what they think about it rather than going through a study phase, because this is a long process and if it is the direction we want to move in then let's see if there are ways that we can facilitate it.

COUNCILMEMBER GUZMAN: Thank you, Chair. I look forward to working with Mr. Couch.

CHAIR WHITE: Okay. Thank you. Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you, Chair. And so are we done with Form-based Codes?

CHAIR WHITE: Yes, we are ready to move on.

COUNCILMEMBER COCHRAN: Okay. But I guess looking at the services, just the budget amounts under services and let's say Page 516, and I see the change amount is 150, so I'm figuring this contract is for, that 150 is for this contract about the Form-based Code, but I'm looking at the rest of the dollar amount of 413,000 that has been adopted. What. . .so what are those, what were those services for or what kind of services are those that we pay for?

MS. McLEAN: In FY '14, the majority of that will go toward the layout and new components needed for our new offices in One Main Plaza. When we moved from Kalana Pakui to One Main, we also moved an existing office in One Main from one suite to another just to make the most use of the space that we had, and we did move all of the cubicles, all of the office furniture, all of the components over there, but we need to install some more panels and cubicles for some, to create some private offices for supervisors and to complete the layout, a conference room in one of the new suites. So that contract was encumbered in FY '14 and we're in the design process, and it hasn't all been installed yet but we're pretty close to that.

COUNCILMEMBER COCHRAN: Okay. Thank you. And also, I think the travel expenses, too. I was looking at those numbers and talking about the, you know, reaching out to all the communities, to Mr. Victorino's point in regard to this Form-based Code, you know, study and review and outreach, that's gonna tax on more, 'cause I think at this point we spend around \$369,000 on travel just for our normal, you know, Planning Commission meetings and our, you know, just regular annual stuff. So that obviously gonna tax on that much more once this project rolls out, which isn't factored in yet.

MS. McLEAN: Where did the \$369,000 come from?

COUNCILMEMBER COCHRAN: Well, I'm kind of adding up or am I doubling adding? I'm just going through the travel line at \$178,000, is that right or are my eyes off? One-ninety-five thousand for travel expenses, is that?

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MS. McLEAN: One-seventy-eight is what was adopted in FY '14 and that's, that same amount is being proposed for FY '15.

COUNCILMEMBER COCHRAN: Right, but I mean as to Chair White's point, this is a, you know, it's gonna be just jumping back on this whole proposal for this contract, it's also gonna include in the future additional travel expenses, and we're already, you know, budgeting for that kind of amount, now we're gonna probably tack on another similar, you know, amount maybe.

MS. McLEAN: The . . .

MR. SPENCE: I wouldn't . . .

COUNCILMEMBER COCHRAN: Hard to say but . . .

MS. McLEAN: The travel for the consultant and the consultant team would be part of their contract.

MR. SPENCE: Right.

MS. McLEAN: So that would be part of the 150. Certainly staff would accompany the consultant to . . .*(clears throat)*. . . excuse me, Lanai and Molokai, but I don't anticipate those being going so far above that that we would need to budget more money for it. We do have a . . .I'll admit to having a bit of a cushion in our travel budget simply because we can't anticipate exactly how many times we're gonna have to travel to Lanai and Molokai. It . . .the budget has been a little higher in the past few years because we're doing the community plan updates and that is definitely an increase in our regular travel, but we have other boards and commissions that typically meet on Maui but that will go to Lanai and Molokai when they have items there to take up, and so that's sort of a variable that we can't anticipate so we budget for it in case it happens. And then if there are big issues on Lanai and Molokai where we need extra meetings and so forth, you know, we have money set aside for that. So we...there is a little bit that can go towards staff accompanying the consultants in FY '15.

COUNCILMEMBER COCHRAN: Okay. Thank you. And one last question, Chair.

CHAIR WHITE: Go ahead.

COUNCILMEMBER COCHRAN: Thank you. And so now for the . . .well, are we here, the grant, County grant subsidy, it was in regards to the small town planning, which has been omitted, I guess, for this year. It previously it was at 175,000, so . . .but this year . . .so did that . . .is this being, I guess, offset for the contract maybe the 175 or is it rolled into something else or . . .where did that figure go or that particular . . .

MS. McLEAN: Actually, the Small Town Grant money was budgeted in FY '13 and in that column it has FY '13 actual. There's still some encumbered funds that have yet to be spent so that

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figure when all of those grants have finally been paid out will be closer to two, a little over two 'cause 243 was budgeted. In the current fiscal year in FY '14, no funds were budgeted for the Small Town Grants. It was just the one year in FY '13.

COUNCILMEMBER COCHRAN: Okay. So it's no longer there, I mean, in a sense for particular. . .

MS. McLEAN: We're not proposing --

COUNCILMEMBER COCHRAN: Right.

MS. McLEAN: --to resume it in FY '15.

COUNCILMEMBER COCHRAN: Okay. Okay. Thank you, Chair.

COUNCILMEMBER VICTORINO: Mr. Chair.

CHAIR WHITE: Mr. Victorino.

COUNCILMEMBER VICTORINO: Well, you know, and can you explain, I know we've discussed it in the past, but just so the public understands why you eliminated the small town because of a lot of difficulty and. . .you explain it what was transpiring and why the move to eliminate that and really why that was started in the first place and how it was. . .so kind of give a quick overview on the history, 'cause it's important, people want to know why things are eliminated and I really feel it's important for the public to understand, so if you would, Michele, please, with your permission, Mr. Chair.

MS. McLEAN: With my boss's permission.

MR. SPENCE: Yes, please go ahead.

MS. McLEAN: In FY '13, we proposed trying to target our small towns directly for planning assistance that they needed and, you know, may have received in the past, but we wanted to see if the town themselves could have established associations and look for projects that they proposed to us. We identified 11 towns in that process and did outreach to all of them and said these grant funds are available. We ended up awarding eight grants. There were a few applications from some of the towns that we didn't award because they just didn't have the capacity to implement the grant, they didn't have complete applications, and we worked, we really spent a lot of time working with them, trying to make these projects fly. The eight that were awarded, I think four of them are essentially complete and four are still in the process, and so we have designated staff working with each of the grantees, you know, big variety of projects are going on, but they're ones that those communities proposed and took little while for some of those associations to really get on their feet and implement their projects, but like I said about half of them are completed and the others are on their way.

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COUNCILMEMBER VICTORINO: So why didn't you not continue it, that was my question along with the history? Why was the decision made not to continue?

MS. McLEAN: Because the . . .for the most part, the grantees and the town associations just really, as a whole, you know, collectively throughout the County weren't ready to take on projects themselves. For them to be the grantor, for them to or, excuse me, for them to be grantees, for them to administer funds, for them to propose a project and a budget and administer it and see it through, they just didn't have the capacity to do that on their own, and I think it was frustrating for them to try and not get there, and it was frustrating for us to have to tell some of them no, we, you know, you're not quite ready to do it and there really wasn't much of an outcry that, oh, this is a great thing, let's continue it. They appreciated, you know, the projects that were awarded were good projects and those are gonna be beneficial, but there really isn't a demonstrated need that, for those funds to be spent in that targeted way.

COUNCILMEMBER VICTORINO: Thank you, Ms. McLean. Thank you, Chair, for that explanation.

CHAIR WHITE: I think just to add to that, the Chair's thought is that some of the projects that came up could very easily be those that qualify for grants through OED more easily than going through Planning, so that would be something that we will take under consideration when OED comes before us, but I think there are some very important projects that can assist our small towns in many ways that don't. . .as Ms. McLean said they have to work really hard to have a planning focus. There's, I think, less work for them to have an economic development focus.

COUNCILMEMBER VICTORINO: So when OED comes before us, that would be one of my questions with our various programs that they have available, you know, we just gave them a million dollars to economic revitalization, help companies, but would small towns somehow fall in that category and, you know, be interesting to hear their perspective in that respect, yeah so.

CHAIR WHITE: We'll look forward to that discussion.

COUNCILMEMBER VICTORINO: Yeah, yeah. Thank you, Mr. Chair.

CHAIR WHITE: But I think the Department is probably accurate in the saying that it may not be the right place.

MR. SPENCE: Right. And, Mr. Chairman, I would also just comment that someone like OED, they're entirely geared to administering grants, they have expertise in that, et cetera. The . . .this small program has just been, the Deputy did not really go into detail on how much time it took to administer. It was a lot of time and not just for her but other staff members, like she talked about working with the different community groups and whatnot. It took a lot

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more staff time than I think what the program actually would accomplish. I think there's other departments that are better geared towards doing this kind of thing than the Planning Department directly as in this capacity.

COUNCILMEMBER VICTORINO: Thank you, Mr. Spence. Thank you, Chair.

CHAIR WHITE: Any other questions? Mr. Guzman.

COUNCILMEMBER GUZMAN: It's kind of maybe kind of irrelevant, but to the subject matter, but I was looking through the finances and I had a question that was lingering in my mind about designation of important ag lands, and that was a bill that was passed by the State Leg a few years ago --

MR. SPENCE: Right.

COUNCILMEMBER GUZMAN: --and it required the counties to formulate a list or designate these important ag lands, and I was wondering what the status was or whether we were going to use our own County monies to implement that designation or just your opinion on where it sits at this very moment.

MR. SPENCE: Okay. The important ag lands, IAL, is a very important project and no, we haven't started that yet. The State is supposed to provide some funding for that. We're hopeful that we may get some money out of this legislative session, but if not, we will make a concerted effort next year in the legislative session to secure funds for that. Yeah, it's really at the forefront of a lot of people's thinking as far as planning efforts.

COUNCILMEMBER GUZMAN: Thank you. Yeah, I guess it's another ordinance, I mean, excuse me, another bill, another law that dictates to the County to do something without any appropriations from the State so understood.

MR. SPENCE: You know, I will note that the money that was already appropriated for IAL was swallowed up by Kauai, so they're pretty far along, it sort of turned into a sort of unusual kind of project, but, you know, they're the one that are furthest along with it.

COUNCILMEMBER GUZMAN: So there are funds available for. . .

MR. SPENCE: No, it. . .there's. . .

COUNCILMEMBER GUZMAN: Or were funds available?

MR. SPENCE: Right, in a prior year.

COUNCILMEMBER GUZMAN: Okay.

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MR. SPENCE: And Kauai basically snagged it all.

COUNCILMEMBER GUZMAN: Do you have to go through like an application process or. . .

MR. SPENCE: No, it's just part of the legislative process.

COUNCILMEMBER GUZMAN: Right, right, right. So the. . .since. . .

MR. SPENCE: We'll make a specific request next time --

COUNCILMEMBER GUZMAN: Okay. Okay. Alright, thank you.

MR. SPENCE: --if we don't get it this year.

COUNCILMEMBER GUZMAN: Thank you.

CHAIR WHITE: You have an estimate of what you anticipate the cost to be to follow through with the mandate?

MR. SPENCE: I figure it'd probably be about 250,000, and if we don't spend it all, we don't spend it all. We. . .I think we're probably a little bit farther ahead as far as our GIS than Kauai started out with, so we have a lot of data already that we'll be able to utilize.

COUNCILMEMBER GUZMAN: Thank you.

CHAIR WHITE: Members, other questions? To Ms. Cochran's point, she was questioning where the, where all the other expenses were under services. I was having a hard time figuring out where that number came from. So I ask Staff to look at it. If you go to details, Page 14-10 and 14-11, the services total of 563,500 proposed this year is the total of the following index codes on starting about halfway down 14-10, item 6130, Printing & Binding, 3,000 is part of that Professional Services and R & M - Services/Contracts on the next two lines are part of the total and then it drops down to, Page 14-11, just above Cultural Resource Management, the Computer Software line for 37,000 is part of that and Professional Services on the next number down, the 25,000 is a part of that, and then the last portion of it is Professional Services under 6132 under Maui Redevelopment Agency. So it's. . .that's why this review is sometimes is much easier when you're just looking at the details because to try to match the two up is not terribly easy at times. So thank you for that question, Ms. Cochran, 'cause I was trying to add it up and think, I can't tell where this number came from. Any further questions for the Department on their expenses on Pages 14-10 and -11? There being none, okay, with that we have Grant Revenue. Any questions under the expenditures under Grant Revenue? Seeing none, any questions anywhere for the remainder of Planning?

COUNCILMEMBER VICTORINO: No.

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CHAIR WHITE: Okay. Just before I let them go. We're gonna bring them back this afternoon. So let me just take a look and see if we can . . . *(pause)* . . .

COUNCILMEMBER CRIVELLO: Chair, just one --

CHAIR WHITE: Yes.

COUNCILMEMBER CRIVELLO: --question.

CHAIR WHITE: Ms. Crivello.

COUNCILMEMBER CRIVELLO: In regards to the CZC [*sic*] Program, Coastal Zone, page 520, is and it says a 50/50 match. Is it a cost reimbursable grant or . . .

MS. McLEAN: This is a grant that's administered by the State. The original source of the funding is Federal funds and that pays for four of our fulltime staff, as well as some of their related expenses, and we match that with the work that our other nongrant funded staff perform in advance of the Coastal Zone Management Program. So in other words, we don't just have four staff people who do SMA permits and shoreline reviews. They're our experts, the ones that we refer to as our Coastal Planners, but we have many other staff that also process SMA permits, and so they keep track of their time sheets and their time is the match.

COUNCILMEMBER CRIVELLO: Thank you.

CHAIR WHITE: Okay. One of the questions, just to clarify that on pages 14-6 and 14-7, that the noted changes are all part of your reorganization and that development of the new Plan Implementation Division, is that correct?

MS. McLEAN: And there . . .

CHAIR WHITE: Anything to share with the Committee on how that is going?

MS. McLEAN: Our understanding is that it's in the final stages of personnel approval, and our understanding is that that's the last step is for personnel to complete their review of all the new job descriptions. There aren't any costs associated with that change, but you will see in the narrative that the reorg is contemplated to be in place in FY '15.

CHAIR WHITE: Okay.

COUNCILMEMBER COCHRAN: Chair?

CHAIR WHITE: Ms. Cochran.

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COUNCILMEMBER COCHRAN: The . . .and under grant award descriptions, the Certified Local Government Program, CLG, we have a person in place that works in direct relation to this or several people, can you just expound on what that program is?

MS. McLEAN: Sure. The CLG Program is administered by the State Department of Land and Natural Resources, Historic Preservation Division, and it relates mostly to architecture, and we do have a position in our Long Range Division, the title of that position is a Cultural Resources Planner, and the staff person in that position has expertise in architecture and in historic preservation, and so that person works with local projects to find ones that are eligible for this CLG funding from the State. I think the next one we have coming up is a community training session on historic preservation concepts on preserving and restoring and reusing historic buildings and the Federal tax credits that are available to do that, so that's one thing coming up that the CLG Program is funding.

MR. BAZ: And just to clarify, there's no staffing that's paid for out of that, this grant. It goes to Professional Services for outside consultants.

COUNCILMEMBER COCHRAN: Okay. Did . . .so, I mean, not to drop names, but is this what Mr. Solomillo did when he was with us?

MS. McLEAN: Yeah, Stanley was previously our Cultural Resources Planner, and he administered these funds, I shouldn't say administered, he helped find projects eligible for this funding, and we have a new person in that position, her name is Annalise Kehler, who's also born and raised on Maui, has her Master's from Tulane, did a lot of historic preservation work in New Orleans before moving back home to Maui.

COUNCILMEMBER COCHRAN: Okay. And it looks like the funding has been, I mean, haven't had any increases here, it'd be nice to have, doesn't sound like a whole lot here but for something it's pretty important.

MS. McLEAN: It's not a lot. . .what often happens is SHPD only gets a limited amount of funding from the Federal Government through the National Park Service, and they try to allocate that proportionately throughout the State. We're one of the only counties that really does have a CLG Program, and so toward the end of the fiscal year, which is usually the Federal fiscal year, they sometimes contact us and say we have unspent money, you know, do you have other projects in mind, and then, you know, we'll see at that time if we can direct those funds to Maui projects, so this is a small amount but oftentimes we do get more than that if they're unspent funds.

COUNCILMEMBER COCHRAN: Oh, very good. Well, thank you, Department, for keeping an eye on this and utilizing a great resource, it sounds like. Thank you, Chair.

CHAIR WHITE: One question, you had mentioned that there wasn't much of a cost increase, but the . . .part of the reorganization was taking a GIS Analyst position and changing that to a

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Planning Program Administrator, at least on our sheets, and I'm not sure if this is correct, but it shows a 43 percent or \$43,000 increase in salary for that.

MS. McLEAN: Right.

CHAIR WHITE: Is that offset by other things?

MS. McLEAN: Exactly, yeah. There are a number of positions. The Department over the years has become a little bit top heavy with Planner IVs and Vs, and so when positions become vacant, we're looking at opportunities to reallocate those down to maybe two's or three's. We can get more entry level Planners, it opens up the pool a lot more for local people to apply. Some of our best Planners have been with the Department for a long time. They started out as Planner Is or IIs, and so we also had the retirement of two long-standing employees who had very high salaries and replacing them with people who are at lower step levels also had quite a notable offset in salary so those things all collectively, it comes out to be. . .I think the difference, the total altogether was maybe around \$10,000 so.

CHAIR WHITE: Yeah, I recall it being relatively small --

MS. McLEAN: Yeah.

CHAIR WHITE: --but wanted to clarify that. The other question is the Sea Grant and the Coastal Zone Management Grants, do you foresee any kind of changes in those numbers going forward?

MS. McLEAN: Sea Grant is very, very appreciative of the County's support for that program and they haven't asked for any increase in our share contributing to that. The CZM Program is going up a little bit in FY '15.

CHAIR WHITE: The funding?

MS. McLEAN: Yeah, the funding available to us is going up a bit.

CHAIR WHITE: Okay. Members, other questions for the Department? The Chair has quite a number of questions, but they are mostly questions as to actual expenditures to date just for, you know, validation of the numbers that are being requested, and I can do that with Mr. Baz and save the Department coming back this afternoon unless. . .anyway if Mr. Baz and I run into questions that we need, we'll give you a call. I don't think we need to ask you to come back this afternoon.

MS. McLEAN: Well, we have it on our calendar, so if we're needed, we can be here.

CHAIR WHITE: We'll let you know. Any. . .you guys sure this is your last shot at 'em? All right.

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COUNCILMEMBER VICTORINO: We're cool.

CHAIR WHITE: With that we will take our morning break and please back here at 10:35 to start with Civil Defense. Thank you for being here so early, Anna. We're in recess. . . .(gavel). . .

RECESS: 10:21 a.m.
RECONVENE: 10:43 a.m.

DEPARTMENT OF CIVIL DEFENSE

CHAIR WHITE: . . .(gavel). . . Budget and Finance Committee will reconvene. And we'll begin our review of Civil Defense. Welcome, Anna Foust.

MS. FOUST: Good morning, Chair --

CHAIR WHITE: Good morning.

MS. FOUST: --and Council members.

CHAIR WHITE: If you'd like to please just jump right into it.

MS. FOUST: Sure. Just as a review, the Maui County Civil Defense Agency, of course, is tasked with utilizing emergency management principles of preparedness, response, recovery, and mitigation to protect life and property of our citizens and our visitors here in Maui County. And as an agency, we really strive to have a professional, well-trained staff that is responsive and collaborative, and also that we can go out into the community and work with our community in a collaborative fashion so that they also can be responsive and trained in order to be prepared at the community level so that what we need to do at the County level and then at the State and Federal level, of course, is mitigated by some actions that they've been trained to take prior to that. Our agency, I'm so happy to say is finally at full staff. In January of this year, we hired two new personnel and we also hired a new secretary, so we're at six staff and that's the first time that we've had full staff since probably September of 2012, so I'm very pleased with the makeup of our staff right now. We have a lot of people who are energetic and they're bringing a lot to the table from previous experience and are just ready to take us to that next level and we have some good momentum going right now. With our new staff, some other things that we've been working on the last year or so, one is the siren modernization program, which you've heard about at least once or twice in the Chambers, and it's been a long process. It's been a two-phased process, the first part was to retrofit all of the sirens in terms to how we actually activate the sirens. Previously, we had used the 800 radio system and now we're using a satellite and a cellphone combination in order to activate sirens, so that was the first phase and that was completed in October. And then now we're working on the actual modernization part, which is moving from mechanical

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to digital sirens, and this is a project that is really headed up by State Civil Defense because it's a State siren system in conjunction with us as partners. In that project, we have identified the sirens that either need to be upgraded or retrofitted as well as a list of sirens that will be added specifically in the tsunami zone. The contract for that was signed and the parts for the first ten sirens are here on island. Staff has gone and out with State Civil Defense to do the inventory of that, so those are moving along as well. We've continued our community outreach with the CERT Program. I'm very happy to say that we finished our first CERT class on the island of Lanai and we graduated 12 people last weekend. We will be going to Molokai on, in May, excuse me, and in the meantime we'll also have classes in Kihei and Pukalani. The CERT Program, again is Community Emergency Response Team and that is the training that we offer to our citizen volunteers, and they take 30 hours of training so that they can help their communities to be prepared in the event that first responders are unavailable to come. It's been a really good flagship program for our agency, and it's been a great way to get the community involved as I had mentioned earlier this year. We continue to work on our updating our plans, and last year we completed our hurricane response framework, response to a Category 4 hurricane. This year for our annual hurricane exercise in June, we'll be actually exercising that plan. The partners who are with us in the Emergency Operation Center, both at the State, Federal, and County levels, as well as our nongovernment organization partners are very active in the exercise planning and will be participating in that exercise in June. So going forward, I just am looking forward to our agency following up with the momentum that we have. You'll see our budget is pretty flat, there's a slight increase there, and the main changes for our budget for this year. The first one is really to . . . an increase in Professional Services. We have an update to our Hazard Mitigation Plan that's due in 2015 and that's a FEMA requirement. And then the other increase that you'll see in our budget is a grant awarded to the American Red Cross and it's in the amount of 25,000, and that is moving to our Department from Department of Housing and Human Concerns. Previously, they were getting 10,000 from Housing and Human Concerns and now they'll . . . we've proposed 25. They requested 50 but we saw the increase from 10 to 25 as a prudent way to spend funds with being able to help them with their needs, but we didn't want to overcommit on that level, but with the 25,000, we're also asking for them. . . it's not as restrictive as what the grant would have been out of the Housing and Human Concerns, it's more to help us as a partner because they are named in our emergency operations plan as the lead for ESF, Emergency Support Function Number 6, Mass Care, and so that's the other increase that you'll see in our budget. Other than that, it's relatively flat and we don't have any increases in personnel. Just like I said, glad to fill the open things that we had previously had. And I'm open for any questions you have about our budget.

CHAIR WHITE: Thank you very much.

COUNCILMEMBER VICTORINO: Chair.

CHAIR WHITE: Members. . . Mr. Victorino?

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COUNCILMEMBER VICTORINO: Thank you. And thank you for the overview, Anna. And again, you're one of those Departments that really much of the time is out of site and out of mind. And when we do call upon you as a community, it's generally imminent or high probability of some major disaster what it's like last night with a tsunami warning or tsunami --

MS. FOUST: Advisory.

COUNCILMEMBER VICTORINO: --advisory. Yeah, you're trying to teach me all of this different terminologies and I thank you very much. And the training you do now and those responses like your Category 4 hurricane, you know, our State has been very blessed through the years not to have something like that hit us. Last one was about '93 on Kauai.

MS. FOUST: Yes, sir.

COUNCILMEMBER VICTORINO: And so, I think we start to forget. The longer we get away from a disaster, the quicker we forget. And I know the public at times can be very, what is the word I want to use, unreliable, you know, in the sense of they don't want to believe something's coming, and complacency is another part of it, you know, but when I say unreliable they don't want to believe what you're telling them and they don't want to take the necessary actions, and so I think that's the dangerous part about what we live with, yeah. But I think the exercises, the training, the development of your emergency personnel, volunteers, the Red Cross, and others puts us in a good position, so I want to thank you for that. And I guess the last thing I'm hoping that in the not-too-distant future, all of our sirens will be operational and not have any of them down, you know, and that's been. . .whether you talking West Maui and South Maui, even East Maui, there have been complaints that we didn't hear no siren. Now sometimes it's maybe them, you know, and there had been enough cases throughout the state to prove that the unreliability of our warning system, yeah, and that's truly the only real true. . .then unless you turn on your TV or your radio and all that, the other things that is available, until you hear that siren, you don't really pay much attention. And so but the other thing I wanted to ask you is or point out in your budget of the \$1,188,835 budget that you operate under the proposed 2015, of that, 600,000 comes from that Grant Revenue, right?

MS. FOUST: Yes, sir.

COUNCILMEMBER VICTORINO: And you get 100,000 from the. . .I was reading it and I turned the page. . .oh, here. You get a 100,000 for the Emergency Management Performance Grant.

MS. FOUST: Yes.

COUNCILMEMBER VICTORINO: And that's been pretty steady, I mean, I see 70, 83, and then you proposed 100 for '14 and 100 for '15. Is that a pretty stable amount of funding for that particular issue?

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MS. FOUST: For the Emergency Management Performance Grant, yes, that one has been pretty steady and as you can see in the last couple of years has had a slight increase, that has offset slightly the decrease in the other Federal funding through the State --

COUNCILMEMBER VICTORINO: Homeland Security.

MS. FOUST: --Homeland Security Grant Program, but it is specifically for emergency management operations and usually is used within our own staff. The other 600 is for emergency or for projects that we do with our County partners and doesn't normally. . .

COUNCILMEMBER VICTORINO: Would that be like sirens and. . .

MS. FOUST: Actually would be like with the Fire Department and other County --

COUNCILMEMBER VICTORINO: I see.

MS. FOUST: --departments, the All Hazard Incident Management Team training, radio caches in the past, we've used it for training the CERT Program, et cetera, so not a lot of that funding actually stays within our agency but the Emergency Management Performance Grant.

COUNCILMEMBER VICTORINO: And do you have a good cross training and good working relationship with the various like Police, Fire, other emergency personnel?

MS. FOUST: Yes, with our first responder community, we work very closely with them. We come together to prioritize what we want to utilize our grant funding for, and as a community, it's been really heartening for us in Civil Defense because each agency in each department, you could see that they might want to promote their own projects and things like that, but when we come together in the room, everybody is thinking of the whole County. I mean, even though they would like the funding for their department, once we've gone around and each agency has identified their projects and the importance of their projects, collectively we come to a prioritization that we will ask for funding from State Civil Defense, or if we have limited funding, we've come to an agreement as a first responder community as to what is. . .we can let go and what we have to really hold on to and fight for, for our County. So as a whole, our community, first responders. . .and I have to give a shout to the Public Works Department and Water Supply. We always think of our Police and Fire, obviously is our first responders, but in all of, a lot of the events that we're dealing with, with flooding and a tsunami or hurricane, the other departments are also out there on the first lines and doing things like debris clearance and repairing roads and things like that, and sometimes they're overlooked as far as the entire emergency management community and I just wanted to acknowledge them as well.

COUNCILMEMBER VICTORINO: Well, thank you. And I think that's something that's important for the public at large and for us here to understand. And finally, I will say that

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you're not only with flooding and tsunamis and hurricanes, but major brush fires and other major events that occur, other major events that happens in this County, you folks do get involved with it and I thank you guys very much. Thank you, Mr. Chair. I think Anna has done a pretty good job covering almost everything, and whatever she doesn't, I'll let the others ask for.

MS. FOUST: Thank you, sir.

COUNCILMEMBER VICTORINO: Thank you, Chair.

CHAIR WHITE: I think we're all appreciative of you keeping that tsunami over closer to the coast of Chile.

COUNCILMEMBER BAISA: Chair?

CHAIR WHITE: Ms. Baisa.

COUNCILMEMBER BAISA: Thank you very much, Chair. And I'd like to thank Ms. Foust, again you were the woman of the hour last night, and thank you for being there for us. It's really reassuring when one of these things happens to know that people are watching and that they know what they're doing and we can kind of sit at home and watch our TV and they'll tell us what to do next. So again thank you.

MS. FOUST: Thank you.

COUNCILMEMBER BAISA: But I want to thank you this morning for addressing directly the grant for American Red Cross. You know, they've been making visits and we were. . . I was aware of the \$50,000 request. And so I want to thank you for addressing that so that we understand that the recommendation is 25,000.

MS. FOUST: It is.

COUNCILMEMBER BAISA: 'Cause I'm sure it's going to be talked about as we move on here. So if you want to say anything more.

MS. FOUST: And again, we put the 25,000 in because it was an increase, a substantial increase from the 10 that they were receiving previously. The ten that they were receiving from the Department of Housing and Human Concerns though, had a stipulation that it was going to be directly for client assistance, and that kind of hand strung them in terms of how they could spend those monies, and because we do name them as the lead agency for our mass care, which is sheltering and feeding --

COUNCILMEMBER BAISA: Right.

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MS. FOUST: --we understand that there are other things that need to happen, and so the 25,000 can go a long way in helping them in terms of training, even if it's just supporting their office space, et cetera, without the restrictions that it had previously had. And we were trying to be prudent and fiscally responsible in not having a large increase within our budget. Obviously, if it goes to 50,000, we would be more than happy to support our Red Cross partners if that's the recommendation from the Council, but as this side of the budget, we wanted to acknowledge that they are an important partner for us and that we do want to support them as best we can, so we put the 25,000.

COUNCILMEMBER BAISA: Now, just again, thank you very much for addressing it. Thank you, Chair.

CHAIR WHITE: Thank you. Along those lines, it's my understanding that the Red Cross receives no Federal funding and yet they're the, as you just mentioned, the lead agency for disaster response.

MS. FOUST: Yes, Chair, that's correct. So the Red Cross has a congressional mandate actually to be a lead responder for that ESF, Emergency Support Function 6, which I just mentioned. They don't receive Federal or State funding. For the most part, they're relying on the donations of the American public, and the American public is very generous when it comes to the Red Cross, but at the same time, what happens is there's a large disaster that's getting a lot of media play and people will make donations that are directed to that specific response. And there's a lot that has to happen, as we all know, on the day-to-day basis in terms of training volunteers, maintaining a state of readiness, because this 25,000 or if it goes to 50, that we would be awarding to the Red Cross is to support one paid staff person in the office here on Maui, and that one person, though, we leverage that one person who can get a core of volunteers between 150 to 200 volunteers, and then obviously tap into the State and National level of volunteers if something really large were to go down. So it's a large increase in terms of what we had given them before, but as far as the responsibility that they have and the way again that we can leverage that one person to access a larger pool of volunteers and people who would come to respond and to assist us, I think that the payoff there is really great.

CHAIR WHITE: Yeah, thank you for mentioning, they don't get any State funding either.

COUNCILMEMBER BAISA: Yes.

CHAIR WHITE: Yeah. I was talking to a person whose house burned down in January, and he and his wife were basically just in total shock and his comment was these angels appeared out of nowhere from the Red Cross, helped set them up with housing for several days and with food and clothing and everything else, and I don't think any of us can imagine losing our homes and the state of confusion and upset that we would be in, so this is something that obviously is a very, very important function that they provide along with a bunch of others, and I'm

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sure they'll be here to testify at some point. So thank you. Members, questions? Ms. Crivello?

COUNCILMEMBER CRIVELLO: Thank you, Chair. Thank you for being here and thank you for the work you do. And I too appreciate the efforts to support our, the Red Cross here. I have just couple concerns if I may, Chair, or not concerns but just questions. So you have here the EMPG Grant. So is that just applied when you have emergencies and if there. . .or are you able to use that for other purposes?

MS. FOUST: We can use that for other purposes. It can be used for our utilities, it can be used for operational things, to buy equipment. In the past, we've used it to make upgrades to the EOC, the Emergency Operation Center. This year, we're looking at it to purchase a, sometimes people call it reverse 911, but it's a mass notification system where we'll be able to, you know, draw a polygon on the map and it will dial everybody that's within that polygon, if they've registered for that service either on their landline or their cell. It is also something that would be able to be utilized by County departments to do their callback, to automate callback and also we'd use that system to do our siren callouts. We do out siren tests each month and we also call somebody, I think you've heard me say this before, in the area that should have heard the siren and it takes, we get a quite a few people to come and help us, but, you know, we're manually dialing and waiting for a response but this automated system is something that we would be able to use for that as well.

COUNCILMEMBER CRIVELLO: Good. I guess likewise, too, with the State Homeland Security Grant, is that also used for other purposes other than. . .did you use it for operations?

MS. FOUST: Yes. There. . .the way the State Homeland Security Grant Program works is they call it POETE, it can either be used for plans, operations, equipment training, or exercises, and again as I mentioned earlier, we partner with our first responder and other agencies within our County and within our jurisdiction actually, not just Maui County, it can be State or nongovernment agencies as well to identify what those priorities are, and this year, for example, we're doing things like hardening our infrastructure for network infrastructure. We're proposing some generators to harden communications and also training for our Incident Management Team.

COUNCILMEMBER CRIVELLO: Thank you. Chair, may I continue?

CHAIR WHITE: Please.

COUNCILMEMBER CRIVELLO: Okay. So thank you for working with our community effort respond team on our island, Molokai.

MS. FOUST: Yes.

COUNCILMEMBER CRIVELLO: We appreciate that.

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MS. FOUST: We're looking forward to being there in May.

COUNCILMEMBER CRIVELLO: And so it appears as though our contact is our Public Works supervisor there on Molokai. I mean, he's our all around, whether it's fire or what have you, and we can't clone him, that's without saying.

MS. FOUST: Unfortunately, yeah.

COUNCILMEMBER CRIVELLO: Yeah. But in the event of his retirement when that should come about, is there any kind of consideration to have maybe a part-time point person for the island and would that, no doubt that would increase some cost, or some oversight or does that come from your first responders or. . . I mean, even now you have your first responders there, but he's really the lead person everyone looks to.

MS. FOUST: Yes, Mr. Arce has been identified as the Civil Defense liaison for the island of Molokai, and yes, he may, we understand that he won't be around forever. He has been grooming some folks within his own Department but also within the structure that we were, that I mentioned earlier, this Incident Management Team, previously on Molokai and Lanai, they had set up a separate EOC, they were calling it, Emergency Operation Center, but with the structure that we're trying to use with the National Incident Management System, we would still just have our one Emergency Operation Center here and then we would try to set up an incident command post over there with the first responders, and we've, previously on Molokai, they've been going to the hospital and using a conference room there and we've been working with our IT Department to establish connectivity through video teleconferencing as well as web conferencing so that during an event, we have that direct contact with them. And so that's what we would be looking as far as the structure now is whoever's the incident commander for those particular districts would be our main point person. So we still rely heavily though on Mr. Arce because he has done it for us in the past and he has a reputation in the community that people are respectful to him and responsive when he makes requests on our behalf.

COUNCILMEMBER CRIVELLO: And the other thing is having full knowledge of the island.

MS. FOUST: Exactly.

COUNCILMEMBER CRIVELLO: Yeah, you know, even the back roads --

MS. FOUST: That, like you said, just that knowledge.

COUNCILMEMBER CRIVELLO: --or the, you know, the kuahives you would say, you know.

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MS. FOUST: And helping on all aspects, a lot of things that are done ahead time, the island of Molokai was very instrumental with their Wildland Fire Task Force, they have been very proactive.

COUNCILMEMBER CRIVELLO: Right.

MS. FOUST: And you've seen that the acreage in terms of wildland fires on your island has decreased substantially, and we've actually taken that and the Fire Department has spearheaded that, but through many partner agencies, they are doing the same thing on West Maui as well so.

COUNCILMEMBER CRIVELLO: Yeah, I understand that. They're taking the lead from the Wildfire Task Force --

MS. FOUST: Yes.

COUNCILMEMBER CRIVELLO: --which includes DOFA as well --

MS. FOUST: Yes.

COUNCILMEMBER CRIVELLO: --as the first responders, and the property owners --

MS. FOUST: And Nature Conservancy and a lot of others too.

COUNCILMEMBER CRIVELLO: --and the utilities, yeah. Well, thank you. Thank you very much --

MS. FOUST: Thank you.

COUNCILMEMBER CRIVELLO: --for your work. We appreciate you.

CHAIR WHITE: Members, other questions? Ms. Cochran?

COUNCILMEMBER COCHRAN: Thank you, Chair. And thank you, Anna, for yeah, all the work you do and being definitely, you got our, the public and communities' confidence behind you so hearing the radio and that people didn't freak out and I think because we're, you know, we've been through several incidents with no incidence and so thereby our communities rest assured that things are taken care of and no one's freaks out and panics about things, so which is nice. So my question, I'm looking at goals, Chair, we, can I address wherever? Okay.

CHAIR WHITE: You can address any page of the budget.

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COUNCILMEMBER COCHRAN: So Page 114, Goal 4, just in regards to 1 and 2, in regards to the Emergency Operation Centers, it looks like your Lahaina by June 2015. So that's, you know, a ways from now, I should hope there's something. . .so what does this saying, your goal is right now? I mean, obviously, you are, you have established connection to Lahaina.

MS. FOUST: But we're concerned about losing connectivity, you know, we have issues with the road being blocked and sometimes we've had with fires and things where the phone lines have gone down to that side, so this similar to what we're doing with Lanai and Molokai in terms of determining who is that point person and if they. . .where are they going to set up their incident management team and how are we going to communicate with them, either it's a little easier for Lanai than the other two that we're, we've prioritized because the radio system should give us coverage through there, and we also have Transportable Repeater packages that we would be able to set up to establish that communication, but also, as I mentioned, the video conferencing and the webinar capability if we were unable to physically access that area so same with Hana and the other two.

COUNCILMEMBER COCHRAN: And who is the point person in Lahaina or where?

MS. FOUST: As I mentioned, we're trying to establish or we've been working on the training for these incident management teams, so it would depend on what the incident is who would be the incident commander for that particular district, most likely a police captain or fire captain or battalion chief.

COUNCILMEMBER COCHRAN: Okay. And as I understand there's new towers. A new tower did go up or is going up in Honokohau for further, or is this for. . .

MS. FOUST: Yes, for radio communication with Police Department.

COUNCILMEMBER COCHRAN: Is that what that's mainly to connect everyone and to be, have a, I guess, yeah, communication for 911s and. . .

MS. FOUST: For the radios and that's primarily for the radios with Police.

COUNCILMEMBER COCHRAN: Okay. And again, my concern is that these valleys, we don't get the siren calls.

MS. FOUST: I know.

COUNCILMEMBER COCHRAN: 'Cause we're that remote in a sense that we don't get that connection, so I was hoping that tower would help assist in creating a better coverage system or something.

MS. FOUST: As I mentioned, we're not using the 800 system anymore to activate sirens, so we're using a satellite cellphone activation method right now. I did want to address the siren,

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because Councilmember Victorino also kind of brought it up. As far as the outdoor warning system, that's one thing that we have to recognize. There are limitations to the siren system in terms of how far they can be heard and because of the geographics of the island and the blocking of the mountains and sometimes even onshore winds or if they're near the ocean, it will drown out some of the sound and it doesn't go through walls, so if you're inside and the siren is sounding, I mean, we're in this building, we don't hear it and it's just over on Well Street, you know, so we have to recognize that the siren system is an outdoor warning system and it's one of several things that we use to communicate with the public. We encourage folks to sign up through the website to receive the text or e-mails directly to their personal devices if possible because that is going to come from our agency and we're going to be pushing those out. We had some, there's always the question of balancing information. So a lot of times folks were feeling a little bit inundated with the notifications that were coming from us so it's been divided into just a notification level, so that would be for watches or advisories, but if something were to go to a warning level, we have a separate subscription that they could just subscribe to the emergency alert so that means it's at a warning level and it would push it again to their personal device. So that's another way that we would recommend for folks to sign up on the County website to receive those and then in the event that these siren, because there are troubles as you mentioned with the siren not always working, which is why we do our test the first of the month and we call and find out where the sirens are not, didn't sound for that particular test and then State Civil Defense will send some technicians to work on that, but in the meantime, like last night for instance, we did the siren test yesterday, and so I had the siren report with me as we were waiting for the information about whether this was going to escalate to something beyond an advisory and if we had to provide notification, we look specifically at where the sirens did not sound for that siren test and then we would coordinate as you know with the Civil Air Patrol to fly into those areas and they fly relatively low and with their PA system are announcing whatever the message would be, an evacuation for example. And then we also make sure that the Police concentrate on those particular neighborhoods in terms of going through the neighborhoods with their public address systems as part of the notification as well.

COUNCILMEMBER COCHRAN: Okay. And a follow-up, Chair?

CHAIR WHITE: Sure.

COUNCILMEMBER COCHRAN: Thank you for those comments. And so, yeah, for me it's people like myself who live completely off the grid, you know, at least I do have the Dish Network, I can flip on and get TV, but for some they have zero, you know, no cable, no phone, no electric, no, no, none. So I know you just mentioned a Civil Air Patrol and I recall the last tsunami, people in Honokohau commented to me that they didn't hear any flybys at all. So again, you know, but so this Civil Air Patrol is funded through us or is this in our budget?

MS. FOUST: Their funded through, they're State, they're State funded. It's an asset that we request through State Civil Defense. They have aircraft here and pilots here, but it's a request that

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we go through State Civil Defense. In the past, we had a line item to help fund their training and that was if their training had been cut or wasn't provided at an adequate level by the State. In the years that I've been here, we hadn't had to use that funding, so we've reallocated it to our Professional Services for the things like we had, I mentioned earlier, like the updated Hazard Mitigation Plan.

COUNCILMEMBER COCHRAN: Okay. And, yeah, just so there's a backup for people who are totally, as Ms. Crivello in the kuahives, where you are just out in the boonies with no contact, but obviously should be alerted of what is going on in the outside world that may be, you know, life and death threatening situations, so thank you. Thank you, Chair.

CHAIR WHITE: Members, other questions? Mr. Guzman?

COUNCILMEMBER GUZMAN: Oh, thank you, Chair. I also wanted to give my accolades to the Civil Defense. You guys do an outstanding job, it's just like a triage, it's plan after plan, plan within a plan, and a protocol within a protocol, I don't know how you guys keep up with all of it but very well organized. I just wanted to clarify on the services and following up with Councilmember -- I think it was one of my colleagues, maybe it was Crivello -- was the 52,000, was that in addition for the digital programs that you're talking about?

MS. FOUST: Give me one second to make sure.

COUNCILMEMBER GUZMAN: That's on page 115, other costs. Oh, no, I'm sorry, I guess it was services, sorry. You went from 74,000 to 127,000.

MS. FOUST: Yeah, that was the increase to get assistance for the update of our Hazard Mitigation Plan. So our mitigation plan was last updated in 2010 and we have our requirement to update every five years.

MR. BAZ: If you look on page 116, there's a negative \$25,000 in the continuation budget changes, that was for that one-time services for Lanai, and then the increase is for 77,200 for the County of Maui Hazard Mitigation Plan.

COUNCILMEMBER GUZMAN: Oh, yeah, okay, I see that now. Okay.

MR. BAZ: And so that nets out to 52,000.

COUNCILMEMBER GUZMAN: Okay. Very good, thank you for that clarification. Also one more, Chair. On the other costs on page 116, where it's talking about the American Red Cross for 15,730.

MS. FOUST: Right.

COUNCILMEMBER GUZMAN: That was, I guess, appropriated in 2014.

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MS. FOUST: No, that would be a new, an increase in the appropriation to the previously amount, the previous amount of nine-thousand-something to bring it to a total of 25.

COUNCILMEMBER GUZMAN: Oh, okay. Okay. Thank you. Thank you, Chair.

CHAIR WHITE: Okay. Members, other questions?

COUNCILMEMBER COCHRAN: Sorry. Chair?

CHAIR WHITE: Ms. Cochran.

COUNCILMEMBER COCHRAN: Thank you. In reference to the Maui Hazard Mitigation Plan, that's a Federal requirement you stated?

MS. FOUST: Yes.

COUNCILMEMBER COCHRAN: But Federal monies doesn't come with this update?

MS. FOUST: In the past, we've been able to use various, like a Hazard Mitigation Grant Program to fund some of that. The Hazard Mitigation funding is interesting because you only get it after a disaster and then they allot a certain amount that had been spent on the disaster, they'll give you that amount to go forward for mitigation planning. So in the past, we'd had disasters that had kind of filled up the pool of Hazard Mitigation funds and there weren't any this year so we don't want to have to rely on funds that are unavailable.

COUNCILMEMBER COCHRAN: Right, okay. And, sorry, Chair, follow-up.

CHAIR WHITE: Go ahead.

COUNCILMEMBER COCHRAN: And then, so it says, you mentioned updates every five years.

MS. FOUST: Yes.

COUNCILMEMBER COCHRAN: Okay. Thank you, Chair. So it's not truly a one-time appropriation 'cause every five years it will come back again for an appropriation.

CHAIR WHITE: Right.

MS. FOUST: Unless we have a disaster and there's mitigation funds, so yeah.

COUNCILMEMBER COCHRAN: Right, which we don't. . .yeah.

MS. FOUST: Yeah.

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COUNCILMEMBER COCHRAN: Disaster money. . .

MS. FOUST: Exactly.

CHAIR WHITE: So, Ms. Foust, on the under Grant Revenue, on, Members, in the detail page 1-14, we have a all-hazards emergency management capabilities grant and a DH...Department of Homeland Security Grant. One is 100,000, the other was 500,000, is there any ability for those grant monies to be utilized for the purposes of this update?

MS. FOUST: No, those are already spoken for in terms of. . .well, those are what we're putting in as placeholders, too. We haven't been allocated those funds either. So we don't have those funds allocated, but as far as the prioritization of what we had as a County, that was not included in that for the Homeland Security Grant Program.

CHAIR WHITE: Okay. And then the other question I had was in, I believe, you have balances from previous funding years from '09, '10, and '11, and it looks like there's approximately \$800,000 from Homeland Security Grants in previous years. Is any of that money available to use for this study?

MS. FOUST: At this point, no. And is that County Fiscal '09, '10, and '11 that you're looking at? I always. . .

CHAIR WHITE: I believe so.

MS. FOUST: The Federal Fiscal?

CHAIR WHITE: I believe it's County.

MS. FOUST: So the way the Federal grant funding works is that in the previous years '09, '10, and '11, we had a three-year performance period so those had been allocated for specific projects and it's on a reimbursement basis, so those would be closing out this year and again already spoken for.

CHAIR WHITE: Okay. Do you have a. . .could you provide us with an update of the use of those funds?

MS. FOUST: Sure. So just a grant report?

CHAIR WHITE: And when and how much. what's remaining and, you probably know this off the top of your head, do any of these funds lapse at a certain point or not?

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MS. FOUST: Yes, all of our funds have a lapse on them. There had been extensions on a couple of the grant years on '09 and '10, '11 will be lapsing this year 'cause that's the three-year performance period.

CHAIR WHITE: If you could just add that to the outline, it'd be helpful.

MS. FOUST: Okay.

CHAIR WHITE: It's interesting that the Feds provide mandates and then they provide funding for something else but not the things that are mandated.

MS. FOUST: And you have to have this plan in order to get the Federal funding.

CHAIR WHITE: And the other question I had on the development of the plan was whether or not that something that the staff is capable of doing a portion of or all of or whether this is something that's critical to outsource?

MS. FOUST: We do assign staff to that, but it is a large project and so they would be the staff point of contact and the project manager, but they would need the assistance to actually do the leg work and the research and the compilation of that report.

CHAIR WHITE: Okay. And so who actually does. . .

MS. FOUST: For us?

CHAIR WHITE: Who are we funding with the 77,000?

MS. FOUST: We would have to go out to bid for that.

CHAIR WHITE: Okay.

MS. FOUST: We would do a RFP.

CHAIR WHITE: And those resources are here in the State or. . .*(inaudible)*. . .

MS. FOUST: In the past, we've had a firm in the State to do that, and they've done most of the mitigation plans for other jurisdictions as well. I assume that they will bid on the project again this year, but we found that there are others that are, been bidding on some of these projects that are local.

CHAIR WHITE: Okay. Good. Members, other questions for the Department? Okay. Just a couple of items, the. . . I know no one's brought up the premium pay number but I'm assuming that that is the premium pay that's budgeted in case of emergencies.

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MS. FOUST: In addition to the. . .well, yes, in case, but we also. . .

CHAIR WHITE: . . .*(inaudible)*. . .

MS. FOUST: Yeah, we're only staffed 7:45 to 4:30, regular County hours, and our disasters don't cooperate with that schedule, so we don't fund a full-time position to run a warning point. We rely on our County warning point, which is the dispatch on 911 to receive the initial call from State Civil Defense or whoever might be letting us know, but we then have a staff member who's on standby and we rotate that through the staff, and then if they have to come in to issue advisories or actually we're fortunate that we can do it from home now, but if they're tasked to actually issue advisories or start making phone calls, et cetera, then that is the overtime that would be incurred.

CHAIR WHITE: Okay. Thank you. And with respect to the \$100,000 and \$500,000 grants, could you provide us with a, we don't need it now, you may be able to give it to us now, but if not, you can send it to us, specifically what do those grants pay for, are they standby grants that are there in case we need it for an emergency or. . .

MS. FOUST: For those grants, we actually have to submit what we call an investment justification to the Department of Defense, who manages it at the State level, and the other counties will be submitting for the same funds, so there's a smaller pool of funds and we all put in our investments for the projects that we have again deemed for our County, after looking at our threat and hazard risk analysis and other things that we've done as a County in order to identify which of their Federal core capabilities that we're required to try to meet and to adhere to. So looking at where our gaps are in those capabilities, that kind of drives what we would put in for our investments, and then at this point in time, as I mentioned before, those are placeholders. We actually are going to be going to Oahu at the end of this month, putting in our request but we can share what the projects are that we've, that we'll be requesting.

CHAIR WHITE: That'll be helpful.

MS. FOUST: Okay.

CHAIR WHITE: And then under on Page 1-6, you have under registration and training fees, there was a 2012 amount of \$365, then nothing in 2013, and then we adopted a level of 6,500 last year and we have the same amount being requested for this year. Do you, can you tell us how much you've been able to utilize with that 6,500?

MS. FOUST: I'll be attending a, the National Hurricane Conference in a couple of weeks, so we haven't incurred the cost for that yet. We use some of that for attendance at the State, I'm trying to remember what it was called, it was a very big long name, it was a preparedness workshop that they held back in October. They paid for quite a few fund or quite a few personnel from the County to go, but we also sponsored some of our own personnel to go. A lot of that we do get reimbursed so that's why the amount is relatively small.

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CHAIR WHITE: Okay. Members, other questions? I think that's all I've got. I want to thank you --

MS. FOUST: Thank you.

CHAIR WHITE: --for being early today and helping us get through it in timely fashion. Members, you have at this point no responsibilities until 6 o'clock this evening. So please use your time wisely getting prepared for either Public Works tomorrow or . . .what's coming up on Monday?

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR WHITE: Mayor's Office on Managing Director on Monday and so forth, so please take a look at your schedule and spend the appropriate amount of time getting ready for the upcoming discussions. And with that, thank you, Mr. Baz and Ms. Foust.

MR. BAZ: Thank you.

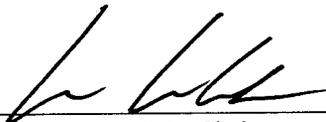
MS. FOUST: Thank you.

CHAIR WHITE: And we will adjourn this meeting and we'll see you at Hannibal Tavares Center in Pukalani at 6 o'clock tonight. We're adjourned. . . .*(gavel)*. . .

ACTION: DEFER pending further discussion.

ADJOURN: 11:26 a.m.

APPROVED:



MIKE WHITE, Chair
Budget and Finance Committee

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CERTIFICATE

I, Michelle Balala, 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 the 24th of April, 2014, in Kahului, Hawaii.

Michelle Balala

Michelle Balala