

# HEALTHY FAMILIES AND COMMUNITIES COMMITTEE

Council of the County of Maui

## MINUTES

January 23, 2020

Council Chamber, 8<sup>th</sup> Floor

**CONVENE:** 1:34 p.m.

**PRESENT:** Councilmember Riki Hokama, Chair  
Councilmember Yuki Lei K. Sugimura, Vice-Chair  
Councilmember Tasha Kama (out 4:06 p.m.)  
Councilmember Kelly Takaya King (in 1:37 p.m., out 3:13 p.m.)  
Councilmember Michael J. Molina  
Councilmember Tamara Paltin  
Councilmember Keani N.W. Rawlins-Fernandez

**STAFF:** Lesley Milner, Legislative Analyst  
Shelly Espeleta, Legislative Analyst  
Rayna Yap, Committee Secretary  
Zhanell Lindo, Council Aide, Molokai Council Office (via telephone conference bridge)  
Denise Fernandez, Council Aide, Lanai Council Office (via telephone conference bridge)  
Mavis Oliveira-Medeiros, Council Aide, Hana Council Office (via telephone conference bridge)

**ADMIN.:** Josiah Nishita, County Clerk, Office of the County Clerk (HFC-31)  
Margaret Clark, Deputy County Clerk, Office of the County Clerk (HFC-31)  
Bill Snipes, Community Liaison, Office of the Mayor (HFC-31)  
John Buck, Deputy Director, Department of Parks and Recreation (HFC-1)  
Robert Halvorson, Chief of Planning and Development, Department of Parks and Recreation (HFC-1)  
May-Anne Alibin, Deputy Director, Department of Finance (HFC-1)  
Marcy Martin, County Real Property Tax Administrator, Department of Finance (HFC-1)  
Sananda Baz, Managing Director, Office of the Mayor (HFC-11)  
Jennifer Oana, First Deputy Corporation Counsel, Department of the Corporation Counsel

**OTHERS:** (6) Additional Attendees

**PRESS:** *Akaku: Maui Community Television, Inc.*

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CHAIR HOKAMA: . . .*(gavel)*. . . The Council's Committee on Healthy Families and Communities will come to order. This is the regular meeting of 23 January 2020. This afternoon we have our Vice-Chair Ms. Sugimura.

VICE-CHAIR SUGIMURA: Good afternoon, Chair.

CHAIR HOKAMA: And we have Members, Mr. Molina.

COUNCILMEMBER MOLINA: Good afternoon, Mr. Chairman.

CHAIR HOKAMA: Ms. Paltin.

COUNCILMEMBER PALTIN: Aloha auinala, Chair.

CHAIR HOKAMA: And Ms. Kama.

COUNCILMEMBER KAMA: Aloha auinala, Chair.

CHAIR HOKAMA: We excuse Ms. King and Ms. Rawlins-Fernandez of the Committee. Oh, we do have Ms. Rawlins-Fernandez. Okay, so, yeah, we have six Members present, so thank you. We have a concise agenda, things that I believe is important for us to get a status on or a better understanding, so at this time, the Chair will offer our opportunity for public testimony where by each member or individual may speak up to three minutes per item. If you represent an entity or organization, we request your statement regarding that, as well as all comments are to be addressed to the Chair and not to anyone else. Thank you. We assist your time of three minutes at the rostrum with green light means you have your full time, yellow means 30 seconds, and unlike the intersections, you do not run past red. So, do we have any requests for testimony at this time?

MS. MILNER: No more.

CHAIR HOKAMA: Okay, we have no requests in Chambers for testimony at this time. We welcome Ms. King to our proceedings. All Members present. We'll go to our District Offices and ask Molokai, Ms. Lindo, is there anyone wishing to provide testimony this afternoon?

MS. MILNER: . . .*(inaudible)*. . .

CHAIR HOKAMA: Okay, we'll make the assumption Molokai has no one. East Maui, is there anyone wishing to provide testimony please?

MS. OLIVEIRA-MEDEIROS: Aloha, Chair, this is Mavis from Hana, Hana Office and there's no one here to testify.

CHAIR HOKAMA: Thank you, Ms. Medeiros. Lanai, is there anyone wishing to provide testimony?

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MS. FERNANDEZ: Good afternoon, Chair, it's Denise Fernandez at the Lanai Office and there are no testifiers.

CHAIR HOKAMA: Thank you, Ms. Fernandez. Obviously, our people don't want to be in a closed meeting room today, I'd be outside too. With no further requests for testimony, any objections, Members, we close today's meeting for testimony?

COUNCILMEMBERS: No objections.

CHAIR HOKAMA: Thank you very much. So ordered.

**ITEM HFC-31: ELECTION BY MAIL SYSTEM (MISC)**

CHAIR HOKAMA: We'll now proceed to our number one item that we've posted under HFC-31. This is under the heading of Election by Mail System. We have a communication dated October 7, 2019, from the Deputy County Clerk, relating to Election by Mail System. And this afternoon we have Mr. Nishita, Clerk for the County of Maui as well as our Deputy, Maggie, next to him, so at this time, Clerk's Office, if you'd please give us some comments of this item please.

MR. NISHITA (*PowerPoint Presentation*): Thank you, Mr. Chair and Members of the Committee, for having us here today. We're here to present to you on the switch to elections by mail through legislation, entitled Act 136 Session Laws of Hawaii 2019. And we'll be providing some brief comments on the switch to all-mail and kind of a high-level overview and we'd be happy to meet with you all individually following or if you have questions following this presentation on any of the specifics. Just a brief history on kind of how we got here. From at least the early 2000's, the Hawaii State Legislature has considered bills relating to vote by mail elections, Oregon was the first to pass statewide vote by mail elections in 2000 followed by Washington in 2011 and Colorado in 2013. In 2018 the Hawaii State Legislature passed a pilot project to conduct all-mail elections for Kauai in 2020, and in 2019 the Hawaii State Legislature passed HB 1248, which enacted voting by mail uniformly across all Counties for all elections. June 25, 2019, Governor Ige signed the bill into law and there are many other states and counties that also have similar provisions that we do to various extents. So, all that to say, that starting in 2020, the entire State of Hawaii but primarily our focus is on Maui County will vote by mail. In your packets that was distributed to you, you have a brief overview of the election process, some of the key points that we'll have to hit. I'm not going to go over each of these today, but I'd be happy to answer any questions if you have related to that, but it's primarily to give you kind of a sense of where we're heading. So, some of the biggest questions that we get is, when will voters receive their ballots? According to State law, we have to have it, we have to try to have it in their mailboxes approximately 18 days before the election, so the entire State of Hawaii, all the counties, that's what we're shooting for, is 18 days prior to the primary and 18 days prior to the general that we'll have a mail ballot in their mailbox. They'll receive the ballot, the secrecy sleeve, instructions and a

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return envelope in the mail and prepaid return postage is provided. That is a key because in a lot of other states or counties that do elections by mail, they don't provide prepaid return postage, so there has been concern in other areas about people who can't afford or didn't have a stamp on a certain day, or maybe didn't have time to run down to go pick some up, we provide all of that, we'll pay for that in addition to the State, and people just simply have to drop it in a mailbox to return it to us. I did want to highlight one thing that we are trying to do, we're trying to spread the word that it's either a vote by mail elections process or a elections by mail. In many years past, the terminology has been all-mail elections and believe it or not, there are some members of the community that hear that and believe that that means that females won't be allowed to vote because they hear all-mail elections and so we are trying to shift the terminology being used to elections by mail or vote by mail elections so that it just kind of makes it clear for everybody. But, just to confirm for everybody, females will be allowed to vote in 2020, that is not being proposed to be taken anyway or anything like that, it's simply a different process in the election. Individuals who are already registered and update their voter registration information will receive a ballot package by mail no earlier than 18 days before the election and no later than 14 days prior to the election. As part of Act 136 that establishes what we call voter service centers, the closest thing I can relate a voter service center to that members of the public and all of you may know is similar to our early voting sites. In the past, Molokai has had one at Mitchell Pauole Conference Room and in Maui County we've had it either at our office or in 2018 we had it at the Velma McWayne Santos Community Center. So, it will function relatively similarly to that, there are a few differences, but that's a pretty close comparison for people's reference. They will be open ten business days prior to the election, from 8:00 a.m. to 4:30 p.m., Monday through Saturday, and they'll operate from 7:00 a.m. to 7:00 p.m. on Election Day. At...voter service center activities, voters can deliver mail-in ballots in person, they can accommodate voters with special needs and provide same-day registration and voting opportunities. These are the primary purposes that voter service centers are established pursuant to Act 136. These are the places we currently have established; we are looking at and have contacted a few other places to see what may be possible. We have established so far three voter service centers, one at the Velma McWayne Santos Community Center on Maui, one at the Mitchell Pauole Community Center's Conference Room on Molokai and one at the Lanai Police Station Conference Room on Lanai. And I'll get back in a little further point in the presentation about Lanai. Our places of deposit, we've established five different locations, and we are looking at trying to cover each of the residency areas with places of deposit, so these are what we have established so far. In terms of the voter service centers, we have received a few comments that we've heard from community meetings and other individuals about coverage for the west side, and I suspect that when we finally have a chance to meet the Hana community, they may raise some concerns there as well. But we are currently in talks with finding a location in Lahaina if that's possible or not. For places of deposit, this is a draft mockup of what the ballot drop boxes may look like. It's not finalized yet, but this is most likely what you can anticipate. Drop boxes will open no earlier than five days prior to the election. Earlier I had mentioned about the prepaid return postage, so essentially any USPS mailbox is a ballot drop box and it can come back to our office. Primarily the purpose of the ballot drop boxes from our

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office, is on like the last day of the election or the two days before the election, if people are concerned about, I waited this long and will the US Postal Service bring it back in time, they can come to our office or find one of these drop box locations and we'll have markers for it and I'll talk about that in a little while. Circling back to Lanai, in our FY '21 Budget, we have proposed a mobile voting unit for Lanai. We do have secured the location for the voter service center on Lanai for 2020, but there are some issues with its usage for future elections and so we are proposing a pilot use of a mobile voting unit on Lanai that could be used as a, kind of a sample of what the rest of the State and our County could view as what's being possible. There are alternative uses to it as well when it's not an election time, the Emergency Management Agency could have some usage for it, Fire Department, Police Department, even, you know, homeless applications or providing other services to the community in rural areas. There's a lot of different ways that a mobile voting unit can be used in a non-election year. But, primarily on Lanai, we have had trouble finding suitable locations and locations that are available due to the limited amount of facilities there, and the usage of the community over there. So, we are proposing that in our FY '21 Budget and if you guys have any questions on that, I'd be happy to speak to you later about that. The models range from about 75,000 to \$95,000, obviously, it depends on what type you go for, the size, whether it has ADA accessibility or power, AC to the facility, things of that nature. But, that's a rough range to look at. I mentioned about the multipurpose uses and we would anticipate modifying it for ADA accessibility to allow residents who utilize it and have disabilities to be able to vote there. Just some additional information, voters will have five business days after the date of election to cure a deficient return envelope. So, if an individual forgot to sign it, they signed the wrong one, they signed their husband's one, or they signed their kid's one, or whatever the case is, and sent it back in, our office will contact them by either mail or telephone and we will ask them to correct the deficiency and as long as they come in and correct it within five business days of the election, then those can be included in the final results. That's according to Act 136. Ballot processing can begin from the tenth day prior to the election, although results won't be disclosed until after the election is closed, and Act 136 also incorporates some recount provisions. Some of the technology that we'll be using in 2020, we have got funding from the State, about \$106,000 in FY '20 and we'll get another \$106,000 in FY '21. In the photos that are shown, this is equipment used by the City and County of Honolulu, and the County of Maui did go through a procurement process and selected the same vendor, and all counties in the State of Hawaii will be utilizing similar equipment. I'll show you a video in a second, it's very short, this is a mail ballot scanner and sorter. And due to the increase in mail that our office will receive, especially as it gets closer to election day, in order to get the election results out in time, all this was done manually previously and then these machines will assist in that process. As you can see in the video that's being played right now, the blue that's kind of streaking across the screen is all of the mail ballots that have been returned, and it can process about 13 to 18,000 an hour. And, what this machine will do is provide, it will look up the voter's record, compare it to the voter's record to make sure that each of the mail ballots that have been returned somebody hasn't already cast a ballot. And then it will notify us of any issues, and it will, it can sort down to good, bad, you know, questionable, by district precinct, various other issues, maybe tears in the envelope, all kinds of other

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capabilities that it has. But we'll be having that in for 2020 and that will be delivered probably in about March of this year. We will have electronic poll books at our voter service centers, I do have a demo equipment back here if anyone wants to check it out later. It is fake data on here, so don't try to look yourself up or anything 'cause you won't be in there, it's all fake voters and everything that we have inside there, but I'd be happy to walk through if you guys that are interested later to see that process. It will replace paper poll books, it allows for cross checks between the service centers and the Office of the County Clerk and primarily it'll speed up the process for voters to be able to get into and, into the voter service center and actually vote. In addition, in our rural areas like Lanai and Molokai, it requires much less training than having to access the Statewide Voter Registration System. According...

CHAIR HOKAMA: Does that have a video or a picture as part of the ID system, visual ID component besides the name and a, you have like a photo ID connected to that registration?

MR. NISHITA: Yes, Mr. Chair, I'd be happy to when Deputy County Clerk Clark is going through her part of the presentation, I'd be happy to just bring it up here and scan my ID into it and just kind of show you guys how it works, but people will present their Hawaii State identification card or a driver's license and it would recognize the voter based on that and pull up their record. And, I can show you how that process works.

CHAIR HOKAMA: Okay, thank you.

MR. NISHITA: According to Act 136, responsibilities of the counties is voter registration, absentee voting, voter service centers, places of deposit and the mailing and receipt of ballots, and the State is primarily responsible for printing ballots and counting of ballots. And in general, election related costs are divided in half between the State and the County. We are recruiting for temporary election clerks, so feel free if you know of anybody to refer them to our office, but we're currently on schedule with recruitment and we do have a few other individuals waiting in the pipeline to be interviewed, but in 2020 there are a lot of needs for temporary election clerks, especially as it gets closer to the election, and we'll be asking our FY '21 Budget for a continuation of that in our budget request.

CHAIR HOKAMA: You can put in an ad now so what is your minimum requirements, high school graduate, college degree, what's your minimums, 21 or older?

MR. NISHITA: Right here if you, I don't know if you guys can see it on the slide, but we did list the minimum qualifications which is a combination of education experience substantially equivalent to graduation from high school, and general clerical work experience. And then we do train those individuals and whatnot, they do have to pass a drug test and a background check to be even considered and then of course our office will evaluate them on an interview process as well.

CHAIR HOKAMA: Okay, driver's license not required?

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MR. NISHITA: We don't require that for the temporary election clerks, although for at least some of the positions, yeah, we do have to have them drive, taking things from here to there, but we've never had an issue with that previously, 'cause we do get some really good workers who for one reason or another just haven't taken the test or, you know, are scared to or whatever their case is. But yeah, we've never had a problem with having enough people that can drive, but that's not a requirement.

CHAIR HOKAMA: Okay, and this is one of the issues for me, what's your pay scale, pay range you're offering?

MR. NISHITA: Everything is set by collective bargaining, so temporary election clerks are SR-9's. I think in the past collective bargaining agreement they got rid of step A, so I think they all start at step B, which is roughly 2,000 something dollars a month.

CHAIR HOKAMA: Okay, so it's not much, it's not much, okay. Is it your turn, Ms. Clark?

MS. CLARK (*PowerPoint Presentation*): It is, thank you, Mr. Chair. Public information is obviously a critical component of this switch to vote by mail, and statewide there are three main voter education priorities, the first being to encourage people to ensure that their voter registration is up to date so that your ballot can get to you in your mailbox. To raise awareness of elections by mail so that people are aware that their polling place will not be open on Election Day. And, the third is to encourage new voter registration. To support the education priorities, the State Office of Elections and the counties are coordinating outreach and education efforts, so informational mailings began as a component of this around July of this past year. And there's three major informational mailings that includes the notification card mailing which everybody should have received in July in your mailboxes. The election information card mailing which we'll talk about a little bit later on in the presentation, and the signature capture card. So, details on the dates and content of these mailers is in upcoming slides. In terms of comprehensive outreach, for community meetings and events, in 2019 participants from our office attended Friday town parties so this included Wailuku First Friday, Makawao Third Friday, and Lanai Fifth Friday. And, we plan to have staff from the office attend others in this upcoming year as well. We're also doing outreach with community associations, so on January 8<sup>th</sup>, we presented at the Pukalani Community Association, we have plans to present on Molokai on January 28<sup>th</sup> and scheduled in the upcoming months are Haiku on March 25<sup>th</sup>, Kula on May 20<sup>th</sup>, Waikapu on June 8<sup>th</sup>, Lahaina Honolua Senior Citizen Club on February 20<sup>th</sup>, and we're working with other individuals and community groups in Lahaina to schedule more outreach as well. So, we're also working to continue to secure dates in Kihei, Paia, and Hana as well. We will have drive-through voter registration events, similar to previous years and those are to take place in Lahaina and Kahului locations, so July 8<sup>th</sup> and October 2<sup>nd</sup> will be Lahaina and July 9<sup>th</sup> and October 5<sup>th</sup> will be Kahului. We've also signed up to attend the Haiku Hoolaulea and Flower Festival on April 25<sup>th</sup>, and in terms of other groups throughout the State and throughout the County, we have attended meetings of the State Disability and Communication Access Board and have also met with the Department of Housing and Human Concerns to help assist us in reaching targeted populations such as senior

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citizens and houseless individuals. We also have radio and television commercials, both from us on the County level and the State level. Press releases, advertisements, we're going to have a short video, it'll be less than five minutes to educate voters and that will be easily shareable on many different platforms. And then the signature capture card, which will be optional, but individuals can update their signatures which can change over time, so this is an important opportunity for us to make sure that we have everybody's up-to-date signature for when they return their ballot.

COUNCILMEMBER KING: Chair, can I?

MS. CLARK: So, this was the first mailer in 2019.

CHAIR HOKAMA: Yes, Ms. King?

COUNCILMEMBER KING: Thank you. I just wanted to quickly, because I didn't hear too much about Kihei for the outreach, but I just wanted to let you know that Whale Day is coming up February 8<sup>th</sup> and that should be a big community event if you guys want to try to get some outreach into Kihei. Thank you.

CHAIR HOKAMA: Thank you for that. Ms. Clark?

MS. CLARK: Yes, thank you very much. So, this was the first postcard that went out in July 2019, and it was the first of the series of mailings which was meant to not only raise awareness but also help to maintain the voter registration rolls, so if you did not receive one of these at your house, please check on your voter registration and update that. This is the second informational mailer and it was mailed to voters on January 15<sup>th</sup>, so it was expected to arrive within seven to ten days, so you should be receiving them now. If you didn't receive a card, again, especially by the end of the month, update your voter registration. I just received mine yesterday, so everyone should be getting them soon. This is the other side of that, so this would have your address where the return service requested piece is, and then you can see the return address is sent to our office to help with the cleanup of the voter rolls. This is an informational brochure, it has a lot of the same important dates and contact information that the mailer has as well, but this is also available on the State Office of Elections website and this can be really helpful to share for people, so they can look up the dates that are going to be important to them and then who they can contact in their respective counties if they have questions. On the inside of this brochure it breaks down for individuals what your mail ballot packet is going to include, how to make sure you're properly registered, returning your voted ballot, and then when you need to return your ballot by, so by 7:00 p.m. on Election Day. This is one of the signs that we created for the County busses, so they'll be around 32 fixed route displays and 34 cutaway or paratransit displays, so it'll be on all of the different bus routes. The State Office of Elections is also planning on having information provided on busses, but these have actually been produced and people should start seeing them when they ride the County busses shortly.

CHAIR HOKAMA: Yes, Ms. Kama?

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COUNCILMEMBER KAMA: Oh I just want to know, how come we didn't put the voting dates on this, so people know, okay we all know it's 2020, but what's the date?

CHAIR HOKAMA: Ms. Clark? Mr. Nishita?

MR. NISHITA: Okay, so to address your question, I would say in 99 percent of the materials that we provide, it includes those two dates, the primary election date and the general election date. The, kind of the issue with the bus advertisements is, and I would actually skip to the next slide where Deputy Clerk can proceed further later but this is kind of a mockup of what it would look like and it's really limited in the amount of information that we can provide. And we want people to go to the website to find out more information, so we want to push people to that, that website and the limited space that we have of visibility from the site, we want them to update their registration and things like that, but it's not to say that we can't add it and have those updated as well.

COUNCILMEMBER KAMA: I don't know how many people ride the bus actually have what, can go to a website, that was my concern, that if you have the date up there, at least they'll be paying attention. Thank you.

CHAIR HOKAMA: Okay, Mr. Molina, did you have a question, sir?

COUNCILMEMBER MOLINA: No, Mr. Chairman, I just wanted to advise or correct Mr. Nishita, that I think we should add it 'cause some people may not have computers and I understand the intent to get people to the website, but, you know, we have some non-technical people who don't have computers, and I guess I'm old school too, I like seeing that date as a constant reminder in the advertisement.

CHAIR HOKAMA: Right, right, right.

COUNCILMEMBER MOLINA: So, I don't think it would hurt. Thank you.

CHAIR HOKAMA: Right, right. So we'll, I guess, we'll take all your recommendations and comments and advice and the Clerks, we'll pass it on with Clerks, work with them and then we'll also use the nonprofit community to help get communication out whether it be the senior club program or whatnot. Because I would agree, we need little stick'ems next to their regular landline phones 'cause they grab it every day, so right by the telephone is a great place to put reminders and right on the ice box where they go every day. So yeah, we'll make use of people's tendencies to help get the education across, so thank you, Members. Ms. Clark?

MS. CLARK: Thank you very much, Mr. Chair. Looking at the next slide, we have an example of one of our flyers for community meetings, so these are items that we're hoping to widely distribute. This one is for the upcoming meeting that we have on Molokai on January 28<sup>th</sup> at 4:15 p.m., just kind of to let people know that we're coming, to have consistent messaging with the State, so we all kind of have this theme

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of like the colors and information that we're providing to voters so that it becomes familiar to them over time.

CHAIR HOKAMA: Attractive, catches my eye.

MS. CLARK: Also available in our office, we have these small register-to-vote flyers, so they're just about the size of a postcard. We take them with us to various events and we typically have them available along with on the spot hardcopy voter registration so that people can be reminded to register to vote. They're super brightly colored so the idea is that if you take one, you take it home and you toss it in a pile of like junk mail or something, that it's going to catch you eye later on and you'll be reminded and on the back of this in our next slide, it tells you where you can go to register. This is also really useful because sometimes when we're out at events, people don't want to update their register right then and there, and so they can kind of find out where they can do that later on.

CHAIR HOKAMA: Aren't we going to do district offerings too, and again yeah, each community is different, so I'll let Ms. Rawlins-Fernandez talk for her community, but Lanai, the guys come to the Council Services Office asking our staff for assistance, okay. They're not the Clerk's Office, they're not within the department, but our people are asked to do a lot of administrative things, so my thing is we either find ways to support them, train them, or put in for, ask us for additional temporary position, halftime positions so that, you know, for Lanai that's where they're going to go, they're going to bother Ms. Fernandez, do you have the form, do you have this, can you show me how to do it? I mean, I know what she's going to be asked to do, so I just ask that we give them the support that we can help make it successful.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

CHAIR HOKAMA: Yes, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: I agree, it's the same on Molokai. Ms. Lindo is kept very busy by the community, so I support those ideas that you just mentioned.

CHAIR HOKAMA: Yeah. Just again, and for Hana, I'm sure Ms. Medeiros will get those requests personally and on the phone.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair.

CHAIR HOKAMA: Yeah, thank you. Mr. Nishita?

MR. NISHITA: Thank you very much. Just wrapping up our presentation, just a few more slides. We are in the process of working to develop a Election Day Emergency Response Guide for employees and election workers. A big issue that we're working through is cyber security and infrastructure security, we are working with Department of Homeland Security, the Hawaii State Fusion Center, the FBI, and other organizations to ensure the integrity of electoral process. And as part of those efforts,

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developing these emergency response guides and elections security planning checklist for people to follow, just to make sure that we have our bases covered. And then just to kind of wrap everything up, we are in coordination with the State to develop an online ballot tracking system for voters, so it's in the draft phase right now. We are kind of going through the terminology and stuff that will be used on there, but people can always call our office to ask us the status of their ballot or whether we've received it or not, but we are creating an online ballot tracking system where people can enter in some of their information and then be able to readily get that information available to them, whether it's been mailed to them already, whether we've received it, whether there was an issue with it, whatever the case is they can monitor that on a daily basis if they wish. We did as part of your handouts that you guys have received, towards the end of it, we did provide some information on the selection of the new election vendor and technology for 2022, so we're under the old agreement until the ending of 2020 and a new system has been procured by the State and counties for 2022 and that's some information about what your constituents could expect to see at the polling or at the voter service centers in 2022.

CHAIR HOKAMA: And that's only for that cycle, Mr. Clerk?

MR. NISHITA: No, it's for 2022 to 2026 and then a new procurement will have to be done. I'll pull up real quick, we are working on a, some GIS mapping and geocoding of addresses. The geocoding of addresses primarily for reapportionment in 2021 to assist with that. And we are near finalizing this application which is a GIS application to help people establish where they live in regards to council residency areas, so it's a question that we receive from time to time, especially if you live along a border or anything like that. And what this application does is they can pinpoint on a map and find it or they can type in their address, and in this case, I typed in 200 South High Street which is in Wailuku and you can see the map will pull it up and provide information on how they can contact their Councilmember that represents that area. So, we're near finalizing that, but that's in the works right now. We have been, had a few discussions with Department of Transportation, some other jurisdictions on the mainland have either reduced or given free bus transportation on election days, especially for places that transition to different types of electoral processes and so we are kind of in discussions with them and trying to find out what the impact to the County's budget may be if we were to propose something like that, but that would come down in the upcoming budget cycle for you guys to deliberate on. And we are establishing a signature verification manual primarily for residents as a means of transparency so that they can fully understand how we verify signatures that are put before us. I know there are concerns from time to time raised about whether my signature is valid, or how are you guys evaluating that or things of that nature and plan to make that public so that people will have that information available and can kind of understand the process better. That's all we had for our presentation, I'll just kind of demonstrate real quick since it was asked earlier - the poll worker would just check in the voter that way, I've put in my driver's license in the back, it's pulled up my record, we just verify their address and date of birth that, that's correct with the voter, we'd accept it and the voter would sign into it and then there's some options available to the poll workers to be able to use. But it can be as simple as that process

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to speed up the time people have to wait at the polling places, or the voter service centers, excuse me. And that's pretty much it for our presentation, Mr. Chair, and we'd be happy to answer any questions or provide further information if needed.

CHAIR HOKAMA: Okay, so, the one thing I want very clear to our community is for this upcoming election, this calendar year in what, seven, eight months, the requirement of total mail-in ballot will be implemented, is that accurate?

MR. NISHITA: Yes, Mr. Chair, the entire State of Hawaii will vote by mail in 2020 so all properly registered voters will receive a ballot in the mail. And they do have the option, some people will wish to vote in person, and they can go to a voter service center if they wish to do that. But, yes, everyone will vote by mail in 2020.

CHAIR HOKAMA: Okay. And the service center opens through Election Day?

MR. NISHITA: Yes, it will be open ten business days prior, and it'll be open up to and including election days.

CHAIR HOKAMA: Okay. Let's see, I'll ask Mr. Molina, one question, one follow-up and then we go to the next Member, yeah, and then we'll do multiple if we need to, so one question, one follow-up.

COUNCILMEMBER MOLINA: Okay.

CHAIR HOKAMA: Mr. Molina?

COUNCILMEMBER MOLINA: All right, thank you, Chair. Mr. Nishita, do you have the estimated cost savings with the implementation of this new system at this point, any estimates?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. The State of Hawaii estimates, and I can't recall the exact number, but about a few hundred thousand dollars in savings in the upcoming cycle for the entire State of Hawaii, including the counties. And going forward, additional cost savings especially in the new procurement of the election vendor, we do have some cost savings there as to currently what we pay now. I would say that in the upcoming budget cycle, we did include the normal amount of temporary election clerks that we typically have to use and I think it's kind of more primarily as a precautionary measure 'cause we don't know essentially how the community is going to respond to vote by mail elections and whether people will actually vote by mail or more people may want to, you know, come into our office or go to a voter service center or whatever the case is. But I do anticipate going forward from 2020, that we'll need a significantly less amount of people which will save the County also in salaries and fringe benefits.

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COUNCILMEMBER MOLINA: And, Chair, my quick, last follow-up question, any additional equipment you're going to need versus what you currently have?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. Other than the equipment we kind of already went over in the presentation, I believe that we're ready for the election process, yeah. Thanks.

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

CHAIR HOKAMA: Okay, thank you. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. So, I'm just, I'm concerned with the date that the ballot has to be into you by, so, we have these drop boxes and then we have the mail box, if you drop your ballot in the mailbox on the day of election, will it still be counted?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. It has, the mail-in ballots have to be received by our office by 7:00 p.m. on Election Day. I don't want to recommend to anybody if you're on the day of election and you haven't mailed in your ballot, to drop it in your mailbox, 'cause you really either should have done that previously or you should take it to a voter service center or place of deposit or whatnot. But we do work with the Postmasters from all the different post offices and they are very good about whatever they collect, they congregate and then will send to a central processing facility for us like Kahului Post Office or Wailuku Post Office. So, we do actually get a lot from a lot of the different post offices on the day before the election or the day of the election that postmen or women have gone out and collected. But people shouldn't rely on that, they do their best to help us out, but don't rely on that at all.

COUNCILMEMBER KING: Okay. So, if I can just follow up, Chair, so it doesn't matter, so you're not looking at the postmark, you're actually, you have to have received it. I'm just curious because now, but then you also have this five day grace period for any problems and if somebody says well one of my issues is that I mailed it three days ahead of time and it didn't get to you the day after, does that count as part of that five day post-election, you know, issues, being able to work out the issues?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. In regards to the five days that voters have to cure a deficient return, identification envelopes, I just want to note that that's spelled out explicitly in Act 136 about what constitutes that, and it includes a return identification envelope that's returned with an unsigned affirmation. An affirmation signature does not match the reference image we have on file or the return identification envelope contains another condition that allows...that wouldn't allow the

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counting of the ballot which would include items like there might be like significant tears on it, sometimes people spill coffee all over it, sometimes kids like draw pictures and all that kind of stuff that may inhibit it being read by certain machines. So, that's really the conditions in which they would have a chance to cure the deficiency and the law is explicit about the receipt of it by 7:00 p.m., it has to be in our custody by 7:00 p.m. on Election Day.

COUNCILMEMBER KING: Okay.

MR. NISHITA: And in 2019, City and County of Honolulu had to do a special election, primarily because the ballots weren't in their custody, although they were with the post office by 6:00 p.m., but they weren't in the clerk's custody by 6:00 p.m., and so there's already case law regarding that.

COUNCILMEMBER KING: So, those didn't count?

MR. NISHITA: Well, they actually had to do a special election to kind of fix the issue, because you can't really, since everything is anonymous, it's not tied to specific voters, we can't essentially back it out, you know, once they've counted them, they're counted, and we can't say that, you know, individual A and individual B and individual C, their ballots shouldn't have been counted, 'cause we don't know at that point, it's all anonymous.

COUNCILMEMBER KING: Okay.

MR. NISHITA: So, they had to conduct a special election to cure that.

COUNCILMEMBER KING: So, drop boxes are safer? Okay.

CHAIR HOKAMA: Okay, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay, so will the drop boxes have hours of operation or will it be available 24 hours?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. That's a determination that's made by the Clerk. I don't want to commit the next Clerk to anything, so there's some flexibility in the State law regarding like operational hours of the facility that the ballot drop boxes are in, like whether it can be securely maintained and things of that nature. I think, generally statewide, most of the ballot drop boxes are going to be located in like physical facilities so the operational hours of when people could drop those off might be limited to the times and hours of when that place is open. I know City and County was looking at consideration of maybe placing a couple in like parks or stuff like that, but there is all kinds of security concerns, whether like somebody's going to pour some gasoline down it and like burn everything up in there and things of that nature, so . . .

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COUNCILMEMBER RAWLINS-FERNANDEZ: Don't give anyone ideas.

MR. NISHITA: So, you know, there's a lot of different considerations that have to be made in determining the hours of operation for that. So, State law gives a little bit of flexibility in that regard, and yeah, I would hesitate to kind of commit to the next Clerk to until that time, yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, mahalo. Mahalo, Chair.

CHAIR HOKAMA: Thank you. Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you for the presentation, I was wondering how this affects same-day registration. Do they just, is that still available at the service centers and at a service center possibly in Lahaina?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. Addressing your first point, same day, if people wanted to register past the voter registration deadline, they would have no other option but to show up at a voter service center. So, according to state law, if you miss the voter registration deadline, which is I think is about 30 days out of the election, then your only opportunity in that election is going to be to show up at a voter service center and you'd have to register and vote at that time. And yes, if we had a voter service center in Lahaina, the voter service center would be required pursuant to state law to provide same-day registration and voting opportunities.

COUNCILMEMBER PALTIN: And the requirements for that would be driver's license and mail?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. So, if you're talking about new registrations, yes, we always ask for State of Hawaii driver's license or state identification. Pursuant to Federal law, there's other requirements that they can use like utility bills, bank statements, things trying to establish the residence of that individual. There's various things that they can do with regards to that, following the Help America Vote Act or the National Voter Registration Act. The, Hawaii is what is called essentially a self-affirmation state, so we do ask for all that information and whatnot and we do have different databases like DMV, we have access to their files and that kind of stuff, as well as like the Criminal Justice Information Center and like Social Security Administration, various agencies like that, that we can probably identify individuals through that, but we always do ask for state ID or a driver's license.

COUNCILMEMBER PALTIN: So, someone could just come with that and register to vote and vote on that day?

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CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. Yes, they could.

COUNCILMEMBER PALTIN: Okay, thank you.

CHAIR HOKAMA: Ms. Sugimura?

VICE-CHAIR SUGIMURA: I have to say this, sitting here listening to both of you and I want to tell you, I want to thank you for your years of service to the County of Maui as our Clerk and Deputy Clerk and we will definitely miss you. I think the ending of this month is, sounds like your departure, but I did see you do presentations in Pukalani, so thank you very much. Our community center, I mean our community association there, and I look forward to Kula which will be the next one and all the help that you have given my office over through the years so thank you very much. Regarding the cure of deficient return envelopes, so how do you certify, you must know if that's a big problem or not, but how do you certify the elections?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. I would say a common misunderstanding about deficient return envelopes is that a lot of people believe that there's a lot of them, that we're disqualifying a ton of ballots or things of that nature. I don't remember the exact numbers offhand, but I believe in the 2018 General, there was about maybe 120 that either didn't have a signature or didn't match the reference image or we may have thought that it, they signed their husband or wife's one or things of that nature, and I want to say, about 98 of them were corrected prior to Election Day. People would come in and, you know, refill it out or show us their ID or whatever the case is. Whatever was needed to cure the deficiency, so the numbers aren't huge, you know, we're not throwing out all these ballots and everything, we do make a lot of effort to contact the individual to correct it.

VICE-CHAIR SUGIMURA: Thank you.

CHAIR HOKAMA: Thank you. Ms. Kama?

COUNCILMEMBER KAMA: I was trying to jan-ken-po with myself which one of my questions is priority. So, okay, so on the elections by mail, when will voters receive their ballots, in the first paragraph, says approximately 18 days before the election, and that's when you're going to start mailing it out. And then on the next page it says, the voter service centers are going to be open ten business days prior to the election and I think there's someplace else around here that talks about ten business days, so is that deliberate that, there is a reason why it's just approximately 18 days and then the business days in the other sections of the PowerPoint?

CHAIR HOKAMA: Mr. Clerk?

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MR. NISHITA: Thank you, Mr. Chair. Yeah all that is pursuant to Act 136.

COUNCILMEMBER KAMA: Okay.

MR. NISHITA: There are various reasons why they established days versus business days for different provisions. In terms of the mailing, it's impossible for us to guarantee that we'll get it in your mailbox --

COUNCILMEMBER KAMA: Right.

MR. NISHITA: --18 days out, although due to the timing of things we kind of know what to shoot for and can, we'll probably hit up most voters about 18 days out, but that's primarily the purpose for that to end up, the word approximately, just that's what we should shoot for and, you know, a mail carrier may miss a post office box one day and then have to return back the next day or whatever. And then, yeah, all the other specifications as to business days is what's provided by law.

COUNCILMEMBER KAMA: As a follow-up, Chair, so a lot them, though our mail goes to Oahu for sorting and then if they come back here, where they have to go, so are they going to be sorting all of this or do they just automatically get sorted by the post office at Kahului?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. That's a very good question that gets raised from time to time from members of the public so I'm glad you brought that up. I want to say maybe a couple years back, the, I guess it's a sorting machine or something that the Maui Post Office would use, I guess broke down --

COUNCILMEMBER KAMA: Yeah.

MR. NISHITA: --or something happened with it and they started diverting everything to Oahu immediately and then Oahu will sort it there and then send it back to us. So, generally up until about the last week of the election and as I mentioned earlier, we work with all the different postmasters, but up until about the last week, they continue to do that. So, you know, they'll try to grab whatever they can, 'cause our return identification envelopes are pretty unique and they know what to look for so they'll try to kind of sort that out and give it to us directly but some may go to Oahu and come back, but that last week they do pay extra attention to pulling those things out of the stream and then providing that to us and we do pick-ups every day and sometimes twice a day to make sure we get everybody's ballot in.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you.

CHAIR HOKAMA: Okay, at this time and to make it even, add more to our discussion, I'm going to ask Bill Snipes to come down. Mr. Snipes is Office of the Mayor and I've asked him to come down because part of his, I guess, duties is to assist Maui in

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making sure that we get the maximum count for Census and how possibly this next election and potentially voting by mail may be able to assist our County with its Census results. Mr. Snipes, if you would introduce yourself and share some comments.

MR. SNIPES: Yes, thank you, Chair, Members. My name is Bill Snipes, I'm a Community Liaison for the Mayor. We're deep into preparation for the 2020 Census, similar to the County Clerk's Office and the Office of Elections, outreach has been a major part of our effort. The enumerator side of the Census is quite separate, and I'm not really involved in that personally, nor is the County. They are recruiting people and having a hard time with the unemployment rate being as low as it is in our state, they're having a hard time, there are probably at least 300 jobs still available and the pay is \$20 an hour. So, they are still trying to recruit and in fact, Monday evening the head of that recruitment effort on Maui and I will be at the Alliance of Community Associations in an effort to try and recruit some people. That is one type of organization that we've appealed to as part of our outreach along with Chamber of Commerce, County Bar Association, Native Hawaiian Chamber of Commerce, MVB, MEO. What the Mayor did was form a complete count committee modeled after the one at the State level, I'm his representative to the State. And we recruited about 20 business and community leaders to serve on that committee. And they've been very helpful in allowing us access to various channels of communication that they have, mainly newsletters. We've also been on *AKAKU*, we've been on the radio KAOI. One of the most successful channels has been PSA's both at the Federal level and at the local level. The Federal Census Bureau has launched a thousand ads some of which feature local personalities for us like Kealii Reichel and Nainoa Thompson. And then at the County level we've had great success with Kathy Collins' PSA which you may have seen on the County of Maui website. It's had about a hundred or sorry 8,500 views so far, so we're very pleased with that. And I just had an e-mail this morning from the State and they would like to borrow that for their own use, it's been widely seen there as well. We put a banner on Work Day, we will, we were in the Employment Retirement System Newsletter, *High Street Journal* will be coming out any day now and we'll have a write-up in there, so the idea is that we prepare drop in content and then anyone who has a newsletter can feel free to use that content in their publication.

CHAIR HOKAMA: Have you had chance to work with either the Clerk's Office or our Transportation Department regarding venues within the County itself? We send out Real Property Tax notices twice a year.

MR. SNIPES: We've done...I'm in conversation with Jeff Pearson to add –

CHAIR HOKAMA: Water bills.

MR. SNIPES: --an insert to the water bills. You're right as to the other department...

CHAIR HOKAMA: Driver Registration

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MR. SNIPES: Yeah, and the buses we're lagging a little bit behind, I think MEO will do it, but I haven't had a discussion with Marc Takamori yet, I need to do that. We've put flyers in the elevators here, we posted a flyer at the Business Resource Council [sic] and I think turned over a few leaves anyway within the County department or County organization. There's always more to do, we have probably a list of about 160 organizations that we've reached out to, but there are more. The real problem is reaching hard to count, hard-to-reach communities and populations, Native Hawaiians, Pacific Islanders, the Latino community, some of whom have real concerns about privacy and confidentiality that go beyond the normal, because they feel particularly exposed. So, we've, I met with about a dozen leaders of the Latino community for example and we find that going through existing channels that those people have already dealt with, like their churches is the most effective, for me or for Leo Caires at the Federal level to go in and have a chat with them, really doesn't have much of an effect. But to meet with their pastors and priests --

CHAIR HOKAMA: Right.

MR. SNIPES: --that makes a big difference.

CHAIR HOKAMA: Well we appreciate you go through all venues available, but one thing I do know, and they've worked with us in the past, financial institutions. Everybody got to either get cash or put away cash.

MR. SNIPES: Good point.

CHAIR HOKAMA: Okay, so everybody goes to a credit union or a bank or a someplace and I would target, we target those things.

MR. SNIPES: Chamber of Commerce is supposed to be taking care of that for us, I haven't seen any collateral or posters yet to demonstrate that, but that's one of the areas the Chamber was supposed to help us out on. But very good point, unions also, would be helpful.

CHAIR HOKAMA: Healthcare clinics and emergency room, everybody goes there.

MR. SNIPES: Thank you.

CHAIR HOKAMA: So, we offer our suggestions but part of what I'm allowing you to do today is how we can use part of our election educational component to assist you to again ensure that we get a good count, resident count because our resident benefits will depend on our numbers regarding a lot of formula grants from the Federal or State government.

MR. SNIPES: Excellent.

CHAIR HOKAMA: So, if our numbers are wrong and skewed, we're going to get a skewed amount of potential funds.

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MR. SNIPES: The participation rate in our County, has been unfortunately quite low, mid 50 percent. State level mid 60 percent, nationally 74 percent, but in Hawaii if a person doesn't fill out the form, it costs about \$1,500 minimum per person per year for ten years. It is a major amount of money left on the table, so we're hoping to fix that to some extent.

CHAIR HOKAMA: We appreciate your presence today --

MR. SNIPES: Thank you.

CHAIR HOKAMA: --and any thoughts you could share with us, we again leave it open for your communication to us. I plan to defer this; we're going to bring back statuses for our community to know where we are as we move to elections. Ms. Kama, one question, anything for the gentleman at this time?

COUNCILMEMBER KAMA: Yes, yes. I understand the importance of being counted and I think our immigrant population does too, but I think their great concern is the deportation issue and how do you protect them from that if you're saying, why don't you just stand up to be counted, but they're not only just being counted, you're asking information that could be used against them. So, what do we give them to ensure them that they're only going to be counted and the information's not going to be used for deportation?

MR. SNIPES: There's no guarantee, given the current climate in the nation's capital. What I can say is that on the election side they're gravitating to mail-in, all-mail, M-A-I-L system and at the federal level, we're gravitating to an online system. And with that, one major advantage is that the responses are automatically encrypted. Can I or anyone in the Census organization at the Department of Commerce guarantee that someone can't break that code and use that information against someone, no. On the other hand, it's probably a fair statement that anyone who is paying taxes or getting a driver's license has a lot of personal information already out there and they may not be adding much more to it. Fortunately the citizenship question which was very controversial at the Federal level was not allowed to be included so that's of some help. So, that plus encryption is some solace; is it a guarantee, no.

CHAIR HOKAMA: Okay, thank you. Ms. Sugimura, one question? Okay, Ms. Paltin?

COUNCILMEMBER PALTIN: Are we allowed to ask any of them questions, I have more questions...

CHAIR HOKAMA: Just meant for Mr. Snipes now at this point in time.

COUNCILMEMBER PALTIN: Oh, I had more questions about the...

CHAIR HOKAMA: After we get done with Mr. Snipes.

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COUNCILMEMBER PALTIN: Okay, nothing for Mr. Snipes.

CHAIR HOKAMA: Thank you. Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So you said that you are still looking for 300 or people to fill 300 positions, how many of those are on Molokai, Lanai, and Hana?

MR. SNIPES: The 300 is for the County, I'm not sure the breakdown between islands. I can find out Monday night, or I'll try to find out sooner than that, but no later than Monday night for you and have an answer for you.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, mahalo, and will you please send that information to the Chair and Committee?

MR. SNIPES: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Snipes, for being here. Mahalo, Chair.

CHAIR HOKAMA: Thank you. We'll follow up with a communication so that Mr. Snipes can be respond. Thank you. Ms. King?

COUNCILMEMBER KING: Mahalo and thank you for being here, Bill, and thank you for all your work as the Community Liaison to South Maui, you've been a great partner from the Mayor's Office.

MR. SNIPES: My pleasure.

COUNCILMEMBER KING: So, on the, I wanted to follow up on the, because we heard this at the KCA meeting too. Someone came and was talking about the 300 positions, how, I know it's \$20 an hour, but how many hours are, you know, are they, are you looking at per week and how, what's the longevity of this position if people are actually looking?

MR. SNIPES: Very flexible hours. People can put in as much time as they like I'm told.

COUNCILMEMBER KING: Up to 40?

MR. SNIPES: Sorry?

COUNCILMEMBER KING: Up to 40?

MR. SNIPES: Can be 40, they're particularly appealing to high school students, college students, and senior citizens. It doesn't have to be someone who goes around knocking on doors. It can be a desk job collating information, et cetera. So, there's a, my understanding is, and I'm not directly involved in that process, but my

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understanding is there are a variety of jobs and very flexible as far as the number of hours that can be worked.

COUNCILMEMBER KING: Okay, and then it goes till the end of April?

MR. SNIPES: The official Census dates, the kickoff is April 1<sup>st</sup>, it runs for eight weeks, but there may well be at least for some enumerators, jobs that lasts beyond that, till say the end of the summer as they collate the information and put together the report.

COUNCILMEMBER KING: Okay, so it would start in April and then go for eight or ten weeks or something.

MR. SNIPES: Yes, yeah.

COUNCILMEMBER KING: Okay, great, thank you.

CHAIR HOKAMA: Thank you. Mr. Molina?

COUNCILMEMBER MOLINA: No, Chair, no questions for this, I want to thank Mr. Snipes for his work and willingness to collaborate with the Council to assist us with getting the word out. Thank you.

CHAIR HOKAMA: And as we continue our discussions, whenever appropriate, we'll contact you for you to give us some updates on how we may further assist you in getting the complete count --

MR. SNIPES: Thank you, Chair.

CHAIR HOKAMA: --done as best as we can. So, thank you. Okay, we're going to go back to, back to our Clerk's Office, Members, we'll go through one more round. Again the Chair intends to defer this because I would like us to get updates as the Clerk's Office goes through their transition and we can find out how we can assist them in ensuring that we have a successful, uneventful, upcoming election. So, with that, I'll start with Ms. Paltin this round, one question, one follow-up please.

COUNCILMEMBER PALTIN: Thank you. My question was for like our residents that are home or address challenged, can general delivery be a area for ballots to be delivered to?

CHAIR HOKAMA: Mr. Clerk?

COUNCILMEMBER PALTIN: And then, I mean, a follow up with that would be how our district issues, is it the mail or the post office location that they used, counted as the district location that their area residency is?

CHAIR HOKAMA: Thank you for bringing that up, 'cause that is a concern, Countywide, is a mailbox a sufficient residential address. Mr. Clerk?

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MR. NISHITA: Thank you, Mr. Chair. Thank you for that question, I guess questions. But yeah, in response to kind of the first part, yes, the post offices will hold, yeah and we actually do have some previous elections that want to receive theirs by mail and they may be homeless or houseless and it is pick up for general delivery and all the postmasters at the various post offices know, you know, to hold those for those individuals, and then for those individuals to pick it up. The Deputy Clark had mentioned previously that we're in discussions with Department of Housing and Human Concerns and part of that is to be working with some of the agencies that deal with homeless or houseless and better getting the word out to those individuals about whether if they're not registered, how to get registered, walking through the process of, some of them may not even be aware of like general delivery service and things of that nature, but we do have some already that occurs. And their, for our homeless individuals, their place of residence is essentially what they're declaring it to be, so it doesn't, it's not the post office viewed as their residence. We do have, and actually it goes into not just homeless individuals, but people living in rural areas. A lot of people don't have like a physical address so their residence address may literally be like go two miles past the big monkeypod tree, you know, turn left at the house with the blue roof, and, you know, it's three doors down, or something like that. There are addresses like that because they don't have a physical address in the system or, you know, on the streets or anything like that, and it would apply to homeless individuals as well. We do have people registered at like Kanaha, other places like that, and that's their right if they choose to register at that location, yeah.

COUNCILMEMBER PALTIN: So, I think I'll just thank you.

CHAIR HOKAMA: Okay, so, we won't count this as part of your question, Ms. Paltin, but let's kind of get one understanding, yeah, Mr. Clerk. So, someone puts Kanaha Park, we all know that is not a residence, so how does that qualify if they put Kanaha?

MR. NISHITA: Thank you, Mr. Chair. The, and I know where you're kind of going with that, in terms of establishing residency, we don't have the authority in state law and federal law to determine that a residence, that a residence address that a individual is claiming, that we cannot accept that or disqualify them from because of that. Like in the case of Kanaha, for example like, you know, they close the gates, like you need a camping permit, things of that nature, but I think we all are aware of homeless individuals down there or other locations that may not be a legal location for individuals to reside. But, yeah, it's not within our purview to determine that their residence address is not valid or that we can't accept it. Pursuant to law we have to plot them on a map according to where they're indicating that their residence address is and then...

CHAIR HOKAMA: So, if there's a challenge of their residency though, what do you do, Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. In terms of historical challenges, I don't recall a situation in which a challenge was made on a homeless individual, although we would

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treat it the same as a challenge on anyone's residency, including a candidate for elective office or a properly registered voter. We would have a certain timeframe pursuant to state law to conduct an investigation based on the challenge. It would consist of, you know, information that they could provide, documentation, interviews with people in the area. We've had situations in the past where we've had to speak with different agencies that assist the individuals, so they may be like, they may meet with like a mental health professional, or they may meet with, to get food stamp benefits, or things like that, and those individuals can certify that yes, I've, you know, I meet with this individual in these locations, or I know that they're a resident of Maui or various things of that nature. But we would conduct an investigation that's similar to any other residency challenge that we would have.

CHAIR HOKAMA: Thank you, Mr. Clerk. Ms. Sugimura, any questions?

VICE-CHAIR SUGIMURA: I wonder if the voter list gets purified? There's a lot of people registered that are no longer voting I guess, but wait --

UNIDENTIFIED SPEAKER: Purged too.

VICE-CHAIR SUGIMURA: --doesn't...or well I think you purge the list based upon deaths as you did for my mother, but how do you --

CHAIR HOKAMA: Mr. Clerk?

VICE-CHAIR SUGIMURA: --will this mail-in system help your final list?

MR. NISHITA: Thank you, Mr. Chair. I guess to give a full and complete explanation would be a really long discussion, but to try to simplify it, there are processes that we're authorized by law to take on to keep our registration rolls up to date. There are instances that we're aware of that legally we cannot remove individuals. One thing that I think is good for the community and for even elected officials, you may see a state law in Hawaii Revised Statutes that indicates the Clerk can remove individuals for not voting in two election cycles. That's actually contrary to federal law, it's something that the State Legislature hasn't changed yet, but because we have federal elections on all of our, we've had federal races on all of our elections, we can't clean up our rolls in the way that the State Legislature has determined, so we do have to follow federal law for that. And, federal law's pretty strict in regards to what type of evidence we need, what kind of verification can be done. We can't remove people simply for not voting, whether that means that they, you know, don't reside here anymore or if they're just choosing not to vote, we have to leave them on the voter rolls. We do, do different election mailings and checking with different agencies and things of that nature to do our best to keep that up to date. And we also have portions of our roll that we classified as active and inactive, so inactive voters are questionable, voters with questionable addresses that we've determined pursuant to federal law, those individuals will have to contact our office to update their registration to get a ballot my mail. They won't be mailed one, only people who are

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properly registered and have met all the qualifications that is pursuant to federal law will get a ballot in the mail.

CHAIR HOKAMA: Okay, and that is what you use to determine the percentage of voting versus not voting?

MR. NISHITA: Thank you, Mr. Chair. Yeah, you know, in relation to that, the total voter registration count that you see on the election results, you know, they'll divide the turn out by this mass number and that comes out to what our turnout is. It's a little skewed in a certain respect because that's the total amount of people that we have registered in there, although we do have a portion of them that we believe that there's questionable, we have questions about it, and so those files are marked and can be pursuant to federal law, purged at some point in the future. After, you know, we try to do multiple contacts to the individual and to their address and things of that nature, but that number that you see on the election results includes all those people who we can't purge at the time pursuant to federal law. So, the numbers actually, the percentage turnout is actually higher and a lot of the national statistics that you'll see in regards to throwing Hawaii like last in terms of turnout or whatever the case is, they take most of those statistics that you'll see, we'll take the turnout divided by, and I forget the acronym that they use, but it's voting eligible age population or something like that. Basically they're not taking the people who are like registered, actually registered, they're taking what they determine to be as people who live in Maui County or in the State of Hawaii who they anticipate could vote or would be qualified to vote, but have chosen not to even though they may be registered or not, and so that number even skews it down further because of individuals who for whatever reason have just chosen not to register to vote.

CHAIR HOKAMA: Okay, thank you for telling us not to trust the numbers. Ms. Kama, any question?

COUNCILMEMBER KAMA: Yes, thank you, Chair. You know, before when you had to go to your polling place, if you were the first voter in, you got to check out to make sure that you are the first ballot in the box and then you have to sign off on that.

CHAIR HOKAMA: You're going back in time.

COUNCILMEMBER KAMA: Well, they still do it right? So, I was just wondering do they...

CHAIR HOKAMA: Mr. Clerk, is that the current practice?

COUNCILMEMBER KAMA: And if in fact that does occur, will the ballot box remain in the voter center overnight or do you take it, secure it someplace and then take it back the next day?

CHAIR HOKAMA: Mr. Clerk?

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MR. NISHITA: Thank you, Mr. Chair. In regards to your first question, in terms of the polling places, yes, at, in 2018, as recently as 2018 I should say, when an individual showed up the polling place, the first in line, a ticket will print out from the equipment indicating, it's called a zero tape report, indicating that nothing has been cast as of this point in time and that the voter can certify that there's zero individuals who have come through here. And they'll sign their name on it and stuff like that and then the last voter in line additionally will witness the closing of the polls, so ensuring that, and we do have a lot of individuals that really like to be the last person or the first person and so they'll stand there in the back of the line or in the facility and just wait 'cause they want to be that last person. But and then they will view the closing of the polls and, you know, the finalizing of everything that has come through at that point and they can sign off on that. And to answer your second part of it, about whether that will continue, yes at the voter service center, similar to our early walk in voting facilities, the first voter will have the opportunity to view that and the last voter will have the opportunity to do that. The only difference is that on, for polling places that would happen in one day, at the voter service centers, they'll open the tenth business day prior and it will close at 7:00 p.m. on Election Day. So, the first voter may come in on that Monday, ten business days prior and then the last voter will be on that, you know, Saturday for the primary election at 7:00 p.m. But the time frame is longer between the first voter and the last voter, but the process is roughly similar, yeah.

COUNCILMEMBER KAMA: And then, will the polling, will the ballot box remain in the center or will it be taken away every evening?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. We, so, it's kind of a multi-tiered answer to it because in the, like in 2018 with our early walk in voting facilities, so I'll just use Velma McWayne Santos as a, Community Center as the example, but like at that facility we have what we call official observers of our election and due to some of the like vandalism that has occurred down there in the past or even concerns over like the jalousie windows and things like that, we did establish some additional security measures at the facility, and I won't detail those publicly but I'd be happy to talk to you privately about that. But those are locked away, kept at the facility for the most part, as things kind of fill up, so in the beginning those will be left there and then as it kind of fills up we start transporting that stuff back to our office.

COUNCILMEMBER KAMA: Thank you, Chair. Thank you.

CHAIR HOKAMA: Okay, thank you. Yeah, if we can electrify them and sizzle those guys. Mr. Molina?

COUNCILMEMBER MOLINA: Yeah, thank you, Chair. You know the one good thing about this new process is, now we don't have to wait for the results to come in because of two polling places late on Oahu and whatnot, so hoping at least that issue would be resolved. Staying on the subject of the ballot drop boxes, so my understanding is

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these ballot drop boxes will not be out there 24/7 like a United States Post Office bin right or box, or will they?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. The locations of those things are determined by the Clerk. So, as I kind of mentioned earlier, I don't really want to commit the next Clerk to anything. My feeling is I want it at a secured location and someplace that people can have eyes on it --

COUNCILMEMBER MOLINA: Yeah.

MR. NISHITA: --or there's security cameras present or things of that nature. But as I mentioned some other counties have considered them in more open areas like a park or something like that. I hadn't kind of gone down that route, I was kind of looking for more, you know, either state or county agencies primarily and then if we feel like non-profit agencies or things of that nature, where those things could be located and open during their operational hours so that there'd be some level of eyes on it and security related to that, the drawback being that while the facility's not open, it's not accessible, but, you know, it's a give and take in terms of security, yeah.

COUNCILMEMBER MOLINA: I totally agree you. I think it should be placed in either a state or a county government building available for dropping off your ballots whatever 8:00 a.m. to 4:30 p.m. and if you cannot make those time parameters, then there's the United States Post Office, you know, or box drop, drop it in those. 'Cause yeah, once I heard you make those comments about somebody in throwing in liquid and lighting a match, and, you know, all it takes is one incident and that could affect a race or two, especially if the races are close, yeah, so certainly don't want that disaster to occur. And just real quick, one last follow-up, any incidents from other communities with this type of, you know, all-mail-in system, any from other municipalities that you heard of?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. If I could just get clarification on kind of what you mean by incidents?

COUNCILMEMBER MOLINA: Yeah, I mean something where there may have been ballots lost or vandalized.

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. I'm not aware of, yeah, not to say that there isn't but I'm not aware of other jurisdictions where people have like vandalized drop boxes or tried to kind of mess with the election in that sense. Some people don't trust the US Postal Service to get the mail to them or get the mail back.

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COUNCILMEMBER MOLINA: Yeah.

MR. NISHITA: And in that case, we are providing additional opportunities or avenues for them to get it back to us. But I'm not aware of any kind of like widespread issues or things of that nature from other jurisdictions, but I may not be aware.

COUNCILMEMBER MOLINA: Yeah, so maybe best word of advice for people not confident with the US Post Office, just go to the voting center then, prior to the election, yeah, do it face to face with someone. Okay, thank you, Chairman.

CHAIR HOKAMA: Thank you. Ms. King?

COUNCILMEMBER KING: Thank you, Chair. I didn't hear you say, are you going to have a drop box in Kihei as well --

CHAIR HOKAMA: Mr. Clerk?

COUNCILMEMBER KING: --. . .*(inaudible)*. . .

MR. NISHITA: Thank you, Mr. Chair, yeah, we, the five locations that we identified on the slide is kind of what we've established so far, but we are ordering enough drop boxes for at least one for each residency area.

COUNCILMEMBER KING: Oh okay.

MR. NISHITA: You know, we basically had since about July of 2019 that we found out we're doing this, so we're trying to work through things as quickly as possible and knock them down one by one, but yes, the, I don't want to commit the new Clerk to anything, but our anticipation is that we potentially could have one in each residency area. And, you know, I'm really grateful for the opportunities we've had at the community associations so far, part of the whole effort is not only to provide them information but to get feedback from constituents and some of the feedback that we've gotten have kind of given us the indication that I think, you know, residents would want at least one drop box in each residency area, and, you know, as we talked about earlier, about the voter service center, some of the locations being identified for that.

COUNCILMEMBER KING: Okay, and then, a follow-up, Chair, if I can. Thank you for that, and I hope you can get to one of the sites in South Maui soon. One of the questions I had when they were talking about locations, is are you allowed to put it in to a private entity like an all, you know, a 24/7 grocery store or something like that, that would be open and would have eyes it through 7 o'clock?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair.

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COUNCILMEMBER KING: Without using any brand names.

MR. NISHITA: Thank you, Mr. Chair. Yeah, actually in, I think our first choices would be state or county facilities and I think that's pretty clear why, but no, to answer question, I'm not aware of any limitations on like facilities that we can use other than making it's sure it's secure and we can trust the people there and that kind of stuff. And that, you know, they can help maintain, you know, you keeping it away from the weather and vandalism, and things like that. In other counties that I've had the opportunity to speak to in the Mainland, some of the most popular places are like the fire stations, grocery stores, things of that nature, where people are just going to be anyway, or like with the fire stations for example, it becomes like this whole family affair and the firemen kind of take them around and show them, you know, kind of the equipment and whatnot. And that's in Texas, it's really popular there. But, yeah, I'm not aware of any limitations on the facilities that can be used, but our first choice is --

COUNCILMEMBER KING: Okay.

MR. NISHITA: --state and county facilities.

COUNCILMEMBER KING: Great, thank you. Thank you, Chair.

CHAIR HOKAMA: Okay, Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I wanted to quickly clarify one of the statements Member Molina made about the drop box. So, on Election Day, so when it's not Election Day, it'll be open from 8:00 to 4:30, but on Election Day it'll be open from 7:00 a.m. to 7:00 p.m.?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. So, for the voter service centers that's been established 'cause that's kind of pursuant to state law. The voter service centers will be open Monday through Saturday 8:00 a.m. to 4:30 p.m. and 7:00 a.m. to 7:00 p.m. on Election Day. There's discretion in state law for the Clerk to establish the hours of operation for ballot drop boxes so it's no, they can't be open no earlier than five days before the election so there's a limitation there, we can't have it like two weeks out or anything like that. But in terms of within that five-day timeframe, the hours that people can access it and the amount of days that it's open to the public and things of that nature is kind of at the discretion of the Clerk, based on operational hours of the facilities, security, things of that nature.

COUNCILMEMBER RAWLINS-FERNANDEZ: Right, I get that part. But just Election Day.

MR. NISHITA: Yes, our anticipation is 7:00 a.m. to 7:00 p.m. for the ballot drop boxes on Election Day.

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COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, mahalo. Okay, so I wanted to ask my question. Okay. So, you provided testimony in support of a vote by mail system. How were you able to get that authority to lobby at the Legislature?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. And I'm guessing you're talking about the HB 1248, when it was going through the Legislature, is that?

COUNCILMEMBER RAWLINS-FERNANDEZ: That's correct.

MR. NISHITA: Yeah, so on behalf of our office, we've offered testimony not just in 2018 or 2019 when it was passed, but in previous years, but in our capacity as the County Clerk or previous County Clerks on behalf of our office. The Legislature does ask for time to time for information on us operationally, how things work, or whether we would be able to make things work or things of that nature, but yeah, it's been in the capacity of our office.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, it was a request from the Legislature to provide feedback, it wasn't something like a directive by the Council to provide testimony in support of it?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. Yeah it's not a directive from the Council in response to the second part of your question, although, and I think from depending on the term and whatnot, there's been some Members in support or some Members against or some in the middle or whatnot. In terms of providing responses to the Legislature, they do ask us for that from time to time and in terms of the testimony that we submit, I guess I don't know exactly which one you're referencing, it could have been generated from our office unsolicited or it could have been based on calls from various legislators or whatever to provide our feedback as to like logistically, or operationally, like would it save the County money or would it provide, you know, like when Colorado, or California, or Washington or whenever switched to it, we see certain things happen like with changes to voter turnout or things like that, like what's your anticipation or as someone who tries...

COUNCILMEMBER RAWLINS-FERNANDEZ: So, you didn't take a position?

MR. NISHITA: I'm sorry what?

COUNCILMEMBER RAWLINS-FERNANDEZ: You didn't take a position in your testimony? I thought it was...

MR. NISHITA: Oh no, no, yeah, yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: You support it?

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MR. NISHITA: But I guess I'm not sure exactly which testimony you're referencing, 'cause we've had to either present before the Leg. or we've had to provide written comments or testimony, either on bills or in relation to meetings. But as I said, sometimes it's unsolicited and sometimes it is solicited, so I'm not sure which part you're referencing.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay, so there's a, the reason I'm asking is there's a bill in this session that will potentially do away with Election Day as a state holiday. And initially I didn't think it would be problematic but as I thought about it, it could be, especially since this is the first year we're going to be doing vote by mail. And so, if this Council, you know, took a position on that bill or I don't know, would the Clerk's Office take a position on Election Day not being a holiday anymore and automatic voter registration?

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. I can't speak for the next Clerk, I guess that's something that maybe you guys should all, you know, inquire about in your interviews or whatnot. I'll just say that historically we don't provide unsolicited comments on very many things at all related to elections. I would just say that, if this came up during my tenure, in terms of the automatic voter registration and the doing away with the holiday, we wouldn't provide any unsolicited comments on the holiday part. There's lots of bills that are similar to that, that really have nothing to do with our operation, it's kind of more impacting the public or candidates or things of that nature. The, in terms of automatic voter registration, we have supported that in the past either behind the scenes or on the record or anything, yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, for clarification, you supported automatic voter registration on your own accord, or did that have anything to do with the Council? And the reason I'm asking you is because we're going to have a new Clerk, so I want to know whether it's at that Clerk's discretion or if the Council directs the Clerk to, you know, what position.

CHAIR HOKAMA: Mr. Clerk?

MR. NISHITA: Thank you, Mr. Chair. In terms of our support for automatic voter registration, that's been our own personal or professional take on it, yeah. So, if the new Clerk did not agree with that and the Council wants the Office to take that position or to take a contrary position in general to any position that the Office would have, that's something definitely that you guys should talk about or bring to their attention. In, yeah, in terms of automatic voter registration, personally I do think that that is a benefit to keeping our voter registration rolls up to date and providing more opportunities for people to get registered and stay registered. And historically we've...because of the dual hats that you all wear as candidates and as elected officials, primarily election related things we've kind of handled internally with our office to make sure that, you know, the public doesn't believe that candidates are

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influencing kind of how elections will be conducted or anything of that nature. But your role as elected officials is really important in that regard, and so setting clear expectations as to the positions that the County Clerk's Office should take would be very beneficial, I think to the next Clerk too. Thanks.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Mr. Nishita. Mahalo, Chair --

CHAIR HOKAMA: No, I appreciate --

COUNCILMEMBER RAWLINS-FERNANDEZ: --for that flexibility.

CHAIR HOKAMA: --that question, yeah. And again how much authority do the Members want on the Clerk that they hire and fire? But I thought your question was more interesting on whether or not the Clerk serves the public interest or the Clerk's interest, right, 'cause people question why the Council of this County did not support moving forward a State property tax proposal, right, and they told us we cannot lobby 'cause we have interest. We represent this County, of course we're going to have this County's interest, that's who we represent. So, I find it interesting, the State how they look at input, if it serves their need it's not an issue and if it isn't then it's an issue. So, again, I'm glad you bring it up because it again shows me the State is not consistent in application. Okay, we not going to again move, do any decision making, I'm going to defer this 'cause I would like us to have more discussion as the time goes. More than likely will have a new Clerk who would need to pick up the ball and give us any revisions or adjustments to the upcoming election. Again, you have any questions, forward it to the Chair, and I'm happy to send that forward for responses in time for the Committee posting. So, Mr. Clerk, Ms. Clark, any closing comments you wish to make regarding this subject?

MR. NISHITA: No, just thank you very much for having us here and we definitely welcome any feedback you guys have or anything you hear from the community we'd be glad to take that into consideration. Thank you, Mr. Chair.

CHAIR HOKAMA: Yeah, I would say, I would, and again, we know, we'll work with Ms. Rawlins-Fernandez, but I would like that Lanai mobile thing to move forward, okay. We don't have that many services, I don't really ask or demand for a lot from this County, but this is one thing I would like us to be a leader in, regarding our outreach to rural communities for voter participation, as well as Census counting or anything else. And if it makes sense, I'm happy to support Molokai and East Maui for same type of facility and opportunities. Okay, with no objection, we'll defer this item, Members.

COUNCILMEMBERS: No objections.

CHAIR HOKAMA: Okay, this item is deferred.

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**COUNCILMEMBERS VOICED NO OBJECTIONS.**

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

CHAIR HOKAMA: We'll take a recess till 3:20 and we can finish up with Parks. We want to hit the in lieu component quickly as well as the Internet status. Okay, recess till 3:20. . . .*(gavel)*. . .

**RECESS: 3:13 p.m.**

**RECONVENE: 3:27 p.m.**

CHAIR HOKAMA: . . .*(gavel)*. . . We're back into order. Members, we deferred our first item, HFC-31, and again, we'll have future discussions.

**ITEM HFC-11: PUBLIC INTERNET ACCESS AT COUNTY FACILITIES** (CC 17-221)

CHAIR HOKAMA: We're now at, on, we're going to make one quick adjustment for the Managing Director and his time, I'm going to bring up HFC-11 which is the Public Internet Access at County Facilities and then roll right into then HFC-1 which is the park assessment component. So, I'll ask Mr. Baz our Director if he would give us some comments regarding where we are with Internet public access.

MR. BAZ: Thank you, Mr. Chair, and thank you for the consideration of adjusting your agenda. With Mayor gone out of town, my schedule's incredibly busy, so I do wanted to provide with you an update on the public Wi-Fi systems. We did enter into a contract with Spectrum in October of 2019, late in October, they were able to scramble to get the Wi-Fi installed at the Lahaina Civic Center before the Maui Invitational tournament, so we did have that up and running from there. We haven't gotten the report yet of the usage of it, but something we can get as a part of the process here. Today they were down at the War Memorial Complex doing a preconstruction meeting with Parks Department to install at the gym, the baseball stadium, and at the football stadium, so that's going to be the next step there. After that, we'll probably move to Kihei Community Center and South Maui Gym and then because Pukalani, the Hannibal Tavares Community Center is being renovated, it'll be after they're completed with the renovations or right before they open again, we'll be able to install that there. So, it has been going, once it got going, it has been going fairly smooth, and things are working out. As you know, the public is afforded a two-hour usage free as a part of the system. The County did not have to invest any money in it, and it's something that I think is beneficial to our residents with a little effort from our part, basically just providing that electricity and space so when people are at our facilities they can access the Internet and live stream Facebook and all kinds of stuff I've seen happening with those kind of things. So, Mr. Chair, I hope that's a, just a brief update and I can answer questions if anybody has?

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CHAIR HOKAMA: Great, yeah thank you, and we appreciate it 'cause I cannot believe how many people ask me, is this County stuff Wi-Fi'd? Yeah, our people definitely...and connectivity is one and joined together. Mr. Buck, we appreciate you from Parks Department, as our Deputy, you have any comments regarding the Internet component at Parks facilities, especially with the new South Maui facility, is that already constructed and completed with full Wi-Fi use?

MR. BUCK: The facility, I think has Wi-Fi right now. They were adjusted and there has been a little bit of some issues with it. I will say that they put in a system for the Lahaina Invitational and we heard nothing but good comments about what they were able to do. They had high usage count over at there, so it'll be, that was just kind of a temporary install, now they're going to put a permanent install, so it was quite successful. I would say that the common trend in most Parks and Recreation facilities nowadays with the technology is now, parents can go down there watch their kids play soccer and then they can do business with using Wi-Fi. So, you know, especially if there's somebody who's in business for themselves or can do work on a computer, it allows them to be able to spend a little bit more time watching their kids play soccer or basketball, whatever and be able to do what they need to do on their computers, so, we're really excited 'cause nowadays with technology, everybody's on their cell phones and everything.

CHAIR HOKAMA: Thank you, Mr. Buck. One question for Mr. Baz, and again we appreciate you working out the best agreement you could with Spectrum. That two hours you just shared about the so-called either free use or agreement use. That two hours is determined by the Department, by your office, Mr. Baz, is that a floating two hour per day or it's a set, only between this time and this time, those usage?

MR. BAZ: Right, so, thank you for your question. Actually so what happens is that when you connect to the Spectrum hotspot it tracks your device -

CHAIR HOKAMA: Right.

MR. BAZ: --basically and only the time that you're connected to it, actively using it, is counted towards the two hours. So you could spend eight hours at a facility and, you only check, you know, check your e-mail or do things back and forth and have, you know, basically eight hours of free use, but you're only actively using it for...so the active use is what's being tracked, that two hours.

CHAIR HOKAMA: Thank you, okay got it.

MR. BAZ: It's not a set window, like if you start at this time, you got to end at this time.

CHAIR HOKAMA: Okay, it's per individual that connects through our facility.

MR. BAZ: Correct, yeah, so and each individual device too, so if you have a computer and a laptop then you get four hours.

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CHAIR HOKAMA: Got it, yeah. No, thank you for that clarification. Just want it clear. Mr. Molina, a question?

COUNCILMEMBER MOLINA: Yeah, thank you, Mr. Chairman. And, you know, it's quite a timely topic 'cause last night I was at a Haiku Community Association meeting and several members of the community asked about the possibility of having it Wi-Fi'd and, you know, as I looked at the list of the selected I guess areas for a trial, on a trial basis, there are no North Shore community centers considered. I guess maybe this was a vendor's decision or was this a policy of the Parks Department, the preference was to go... 'cause I don't see anything where Paia Community Center or Haiku Community Center or Helene Hall out in Hana.

CHAIR HOKAMA: Right.

COUNCILMEMBER MOLINA: Any reason why the North Shore, was it 'cause maybe the reception, reception kind of activity or whatever was at, those were issues in that area?

MR. BAZ: Yeah, actually, those were defined before we came into office, before I took over this position, so I'm not sure what the actual reasoning was. I've heard, you know, looking at some of the notes that it was based on traffic volume, you know, things like that, and so they wanted to do the high-volume areas first. We do definitely want to get it to all of our community centers, so, you know, as Spectrum rolls out there, and I'll take that comment and work with our project manager to see if we can get out there sooner than later.

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

CHAIR HOKAMA: Okay, yeah thank you, Mr. Baz. If you could maybe help us prior to our Budget Chair taking us into session, then people like this Committee may be able to vet enough to make recommendations 'cause I would agree with like the rest of our facilities throughout the county to have the service, so we're happy to take, support your request, Mr. Molina. And we'll support Hana and all the other -

MR. BAZ: Right.

CHAIR HOKAMA: --Members' districts, we'll ask for countywide. So we'll work with Mr. Baz on that, thank you. Ms. Rawlins-Fernandez, any question?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I support the comments that you just made. Aloha, Mr. Baz -

MR. BAZ: Aloha.

COUNCILMEMBER RAWLINS-FERNANDEZ: --and everyone from the Administration. The Internet on, at Mitchell Pauole is working great, mahalo, and I'd love to see the other

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community centers benefit the same way. Is it a cost issue, is it a budgetary issue, or there's a plan for expanding the service, yeah?

CHAIR HOKAMA: Mr. Baz?

MR. BAZ: Yes, Mr. Chair, from, it's not a cost issue, I mean Spectrum is the one that's covering all the costs, it's not a County cost issue. And it's a matter of just getting it scheduled, working with the, 'cause we have to schedule, you know, with the Parks Department, you know, doing all the preconstruction meetings and figuring out where they're going to go, and then they have to schedule the installers and things like that. So, it's, it takes some time, but it's not a significant amount of time, so that's why we should be able to roll them out within months, not years, yeah.

COUNCILMEMBER RAWLINS-FERNANDEZ: Got it, mahalo.

CHAIR HOKAMA: So, I'll focus on community centers as one of the bigger public use facilities, Chair, if you don't mind.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah.

CHAIR HOKAMA: To help out all the other districts.

COUNCILMEMBER RAWLINS-FERNANDEZ: Awesome. Mahalo, Mr. Baz. Mahalo, Chair.

CHAIR HOKAMA: Ms. Paltin?

COUNCILMEMBER PALTIN: Thank you, Chair. Thank you, Mr. Baz. I just was wondering if there was any, if having the Wi-Fi is interfering with other folks, you know, if they have Internet on their phone and they don't need the Wi-Fi, is it a block that they have to then turn on their Wi-Fi, if there's been any reports of that?

CHAIR HOKAMA: Mr. Baz?

MR. BAZ: So, just to like you are going to Starbucks or any place that there's a hotspot, you have the option of connecting to that hotspot or not, and, you know, so yeah somebody will have the option. Most phones are automatically set to pop up and say hey there's a hotspot here, do you want to connect, and so you have to positively acknowledge and connect to it. If you don't then you're just still using your data on your phone.

COUNCILMEMBER PALTIN: And is there any concern about security of using the public Wi-Fi or have they given assurances that...

MR. BAZ: So, it would be like any hotspot, you're connecting to a public network, you should, probably shouldn't be doing banking facilities and things like that. The connection between your computer and the Wi-Fi routers is secure and Spectrum has, you know, security levels. As far as, you know, if you're going to a secured socket

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layer, you know, website right, a secured website, there's going to be some security there, automatically built in, but there's no guarantees, right, you know, so, but even, you know, with your own home computer, things can get hacked and stuff, so yeah.

CHAIR HOKAMA: Ms. Paltin? Yeah, thank you. So, we understand you're saying, Mr. Baz, yeah, this is like when you connect to Maui County Public, we give you the notice before you connect of the sector you entering and a domain and the benefits and disadvantages, so we appreciate those comments. Ms. Sugimura?

VICE-CHAIR SUGIMURA: Thank you. I love hearing all of this, I will tell you that this came under your watch doing budget, and we were actually at Mr. Molina's site in a budget deliberation, or a budget, you know, listening to the community, a district meeting, and this came up as a question from one of the community members, how come we don't have Wi-Fi? And so that's why I put this in at 2017, it has been kind of long, appreciate the Managing Director's Office taking this over and moving it forward with Spectrum, 'cause it was a little bit stuck for a while, just figuring out how to make this happen, 'cause it was so different, but I think it's perfect happening in your Committee for all the different, you know, park facilities. And I, my question is that are we going to tie this also to the needs for emergency management, so when it's, you know, when there's a hurricane or whatever, and we have different sites that we use, are we going to also extend this? 'Cause I did hear at King Kekaulike High School which is not a County facility, but during, you know, one of the episodes, that they were wondering how come there wasn't any access to Internet.

CHAIR HOKAMA: Mr. Baz?

MR. BAZ: Yeah, so at this point, the Wi-Fi hotspots are on, you know, so whether there's a event going on or not, you know, that those hotspots are active. There's been some discussion about shutting them down, you know, at certain periods of time, prevent loitering and things like that, but at this point they're, from what I understand, they're active all the time. So, if there was an event and we had a community center as a shelter, as long as there's Internet access, theoretically, the hot spot should still be working there, yeah but there's no specific --

VICE-CHAIR SUGIMURA: There's no coordination?

MR. BAZ: --acknowledgement, coordination --

VICE-CHAIR SUGIMURA: Okay.

MR. BAZ: -- between Emergency Management, yeah.

VICE-CHAIR SUGIMURA: Okay, and I'd like to add Kula Community Center to that list, right.

MR. BAZ: Sure.

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CHAIR HOKAMA: Sure, like I said, we'll add --

VICE-CHAIR SUGIMURA: All of them.

CHAIR HOKAMA: --all the districts --

MR. BAZ: Yeah.

CHAIR HOKAMA: --and for assessment and --

VICE-CHAIR SUGIMURA: Thank you, Keani.

CHAIR HOKAMA: --yeah, we'll check all districts and work with Mr. Baz for all districts to get benefits, and again, we can work with the appropriate agencies because we didn't sign up but I tell you, once the Amber Alert goes on nationally, it goes on, everybody, right, we all get the Amber Alerts. So, there's ways we can deal with emergency management as well.

VICE-CHAIR SUGIMURA: Okay, good. Thank you.

CHAIR HOKAMA: Ms. Kama?

COUNCILMEMBER KAMA: Thank you, Chair. So, is it possible, so we're just concerned of, I mean ensuring that Wi-Fi is in County facilities, the opportunity for them to be, to have Wi-Fi in County parks, is that possible?

CHAIR HOKAMA: Mr. Baz?

MR. BAZ: So, Mr. Chair, so our, right now what we're focused on is community centers, you know, where people are gathering significantly and, you know, of course the stadium, gym, things like that, where there's a lot of people that would be utilizing that. An open park, not necessarily a priority at this point and if you have any suggestions, we could talk about that specifically, but, you know, there is a push to create Wi-Fi basically access in a community itself. And actually Spectrum has a number of hotspots that are just sitting on telephone poles right now, so you can, you know, if you're close to it, you can get access for free.

COUNCILMEMBER KAMA: I was just thinking about Paukukalo, Hawaiian Homes community center.

MR. BAZ: Oh okay.

COUNCILMEMBER KAMA: Okay, thank you.

CHAIR HOKAMA: Okay, we're open to all your recommendations, Members, any potential site, we'll open, make assessments, and help prioritize as we approach the budget.

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MR. BAZ: Yeah, since it's not a County facility, right?

COUNCILMEMBER KAMA: No, it's Hawaiian Homes.

MR. BAZ: Yeah, we may have to work with DHHL, but we can encourage Spectrum to outreach to that, yeah.

COUNCILMEMBER KAMA: Okay, did you know all your homesteaders –

MR. BAZ: Yeah.

COUNCILMEMBER KAMA: --are not on Spectrum, right, they're all on...never mind.

MR. BAZ: Yeah, yeah, right, right. But . . .

CHAIR HOKAMA: Yeah, but they may have their own system, so we understand. Yeah. Okay, but also besides the Wi-Fi, Members, you will find whether it's your vehicle, your child, or your, the minor's gadgets, the Bluetooth requirements now. So, if I knew this, I'd be the battery manufacturer man, 'cause everybody needs batteries for all these Bluetooth things and Wi-Fi connectivities. The system is driving the market, yeah, so what we just providing is the ability of the resident to stay in communications, whether it be with a child that's at another location, the kupuna that is waiting for a ride to a facility, yeah, we are assisting in the ability to communicate timely for resident benefits, and that's how I'm approaching this, Ms. Kama, as a community benefit for a service providers as well.

COUNCILMEMBER KAMA: Thank you, Chair.

CHAIR HOKAMA: Okay, any specific questions you'd like to get for a response before I defer. Ms. Paltin?

COUNCILMEMBER PALTIN: I just wanted to clarify, you know, for those watching on television, this isn't going to be rolling out 5G without consent.

CHAIR HOKAMA: Okay, no, this is nothing to do with 5G, okay, I going tell you right now, Members, yeah, that if we do, will be posted appropriately so everyone knows and we can have the right discussion. This has nothing to do with 5G.

MR. BAZ: Yes, this is 802.11, you know, your Wi-Fi router you have in your house kind of situation, yeah.

COUNCILMEMBER PALTIN: Thank you.

CHAIR HOKAMA: Okay, no, that was a good point to get clarified.

MR. BAZ: Yes.

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CHAIR HOKAMA: We're not dealing with that, yeah, if we will, we'll make it specific, so that people can give appropriate comments. Anything else that you'd like for Mr. Baz to report back, if not, Mr. Baz, thank you for your time.

MR. BAZ: Sure. Thank you. Thank you, Committee.

CHAIR HOKAMA: Members, with no objection, we'll defer this for another update.

COUNCILMEMBERS: No objections.

CHAIR HOKAMA: Thank you, this item is deferred.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: KK)

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

**ITEM HFC-1: PARK ASSESSMENT FEES IN LIEU OF LAND** (MISC)

CHAIR HOKAMA: Let me take you to our final item, Members, that is under HFC-1, Park Assessment Fees in Lieu of Land. We appreciate the Parks Department, we have our Deputy, Mr. Buck, we have Mr. Halvorson from Planning, Finance we have Ms. Martin our Property Administrator as well as our Deputy, Ms. Alibin. And so, well since the public, I mean, Real Property and Finance, is there any comments you want to give for your Department at this time as regards to this subject matter, and then we'll ask Parks for their comments.

MS. ALIBIN: Chair, good afternoon, and Members, thank you for this opportunity. The Department of Finance is open to any recommendations by this Committee. Ms. Martin and I are here to answer any technical questions regarding the current calculations and any other questions that you may have. Thank you.

CHAIR HOKAMA: Thank you. Okay, Parks, Mr. Buck or Mr. Halvorson, any comments you wish to share at this time?

MR. BUCK: Yes, Chair. As far as the fees or the amounts that are paid off, that's all determined by the Finance Department, so on a technical side and if it comes down to how, when there's a need to have a park assessment, I have Mr. Halvorson who can probably explain better than I can.

CHAIR HOKAMA: Okay, thank you. Mr. Halvorson, any comments you care to share at this time?

MR. HALVORSON: No, Chair, no comments at this time. I'm here to answer any questions you may have.

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CHAIR HOKAMA: Okay, thank you. Members, one is, I think it's timely that we have, start this discussion, I'm not asking for any decision or any move to any conclusion yet, we're here to review it, see if it is something that works for community benefit from the Council's perspective of something that has been ongoing for a while. Does it need to be tweaked, do we need to eliminate it, serves a purpose, doesn't serve a purpose, and again how we may want to approach additional passive or active park requirements for the future. And again, timely because, you know, Planning is going to ask you to consider upgrades to the Zoning Code, it is timely as Budget Chair takes us through a review of taxation categories and potential tier approaches. It also makes sense for us to consider where this component of potential revenue would fit in that picture as a special source of revenue. So, again at this time, if, does the Committee need any review on how Finance calculates what is owed to the County upon a project proposal?

VICE-CHAIR SUGIMURA: We'd appreciate that information.

CHAIR HOKAMA: Okay. Finance, if you'll please give us your understanding of the process on how we make calculations on what would be at the appropriate funding for a in lieu.

MS. ALIBIN: Chair, we do have a handout that we would like to provide the Committee.

CHAIR HOKAMA: Thank you very much. Okay and, Members, you see broken down by community plan areas, you're going to wonder why certain areas have a lot more money than others, well that's where development was occurring. So, those districts with the developments, developers were given options by law. Those that chose the in lieu made payments to the County to satisfy requirements of zoning or subdivision or Land Use Commission, and again, you see the balances as I believe Finance currently has. And basically, they are for new or capital improve projects, nothing for maintenance or existing was the intent. Okay, Ms. Alibin?

MS. ALIBIN: Thank you, Chair. So, each year we provide three different rates to the Department of Public Works and as well as Department of Parks and Recreation. The park assessment fees are actually calculated depending on when the subdivision was granted with preliminary approval. So, on Page 3 of the handout provided to you, gives you the calculation for each lot or unit in excess of three, this is for the current fiscal year and it's by community plan area, and as you can see, the way that we calculated the park assessment fee is based on the average value multiplied to the 500 square foot which is based on the current Maui County Code provisions. And we do take the total for each land classification for the Residential and for the Apartment total gross value of land and then the total area per square feet and then from that we derive at the average value per square feet for each classification. Based on that, we then take the average value of the two classes and that's how we determine the park assessment fee for that community plan area. Now, moving on to the next page, which provides the assessment fee for each lot or unit in excess of three, for the current fiscal year for subdivisions granted preliminary approval on or after January 1, 1996. The calculation is similar to the prior one I discussed earlier, except that after taking the average value of the two classes, we use a multiplier of 45 percent again

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determined by the Code and then we use that as a factor square footage value which then is multiplied by the square foot per lot, subdivision approved on or after January 1<sup>st</sup> of 1996 which is based on the ordinance number 2442. So, that's how we determine the calculation for each lot in excess of three, approved on or after January 1<sup>st</sup> of 1996. Now, moving on to those subdivision granted preliminary approval prior to January 1, 1996, it's pretty much the same calculation as the above, the only difference is that we use, the multiplication that we used for this square foot per lot is 245 which is based on ordinance number 2442 as well. That's all that I have, Mr. Chair, and if you have any further questions, we're here to answer.

CHAIR HOKAMA: Okay, no, thank you, Director, I appreciate that. And again, Members, know we've made adjustments years ago to this, yeah. And so, some of it you will see is the benchmark is January '96 that we've set for a certain deadlines and considerations. So, any questions, Members, you may have for what Ms. Alibin did on the how we calculate? Ms. Sugimura, any questions on how we calculate? Ms. Paltin?

COUNCILMEMBER PALTIN: Yeah, just going off the subdivision section where it says that, you know, the average value per square foot of lands classified as Improved Residential, Unimproved Residential and Apartment. I was wondering if you update those assessments annually, like at a certain time per year, or is it, has it been updated or when and then do you then coordinate that with the Parks Department?

CHAIR HOKAMA: Department?

MS. ALIBIN: Chair, yes, so the, how we derive at the gross value of land is actually based on the certified value for each year.

COUNCILMEMBER PALTIN: So, every year it gets updated, and then given that and plug it in to the formula?

MS. ALIBIN: Yes, Chair.

CHAIR HOKAMA: Okay. Ms. Rawlins-Fernandez, you have a question at this time? Thank you. Mr. Molina?

COUNCILMEMBER MOLINA: No questions for Finance.

CHAIR HOKAMA: Thank you. Ms. Kama?

COUNCILMEMBER KAMA: Yes, so, where does all the funding go? What department or how do we in the end expend it back out when you bring it in?

CHAIR HOKAMA: Finance Department?

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MS. ALIBIN: Chair? That's a really good question. So, the park assessment fees that's collected goes into Park Assessment Fund, which is treated similar to General Fund, but it's used only for capital improvement, for each district.

CHAIR HOKAMA: Yeah, it's restricted by the district that generates the revenue. So, if it's from West Maui, it only can be spent in West Maui.

COUNCILMEMBER KAMA: Okay, good, yeah.

CHAIR HOKAMA: Yeah, we don't, yeah, it doesn't cross the district line of generation.

COUNCILMEMBER KAMA: Okay, great, thank you.

CHAIR HOKAMA: Okay, Ms. Paltin, another question?

COUNCILMEMBER PALTIN: Oh yes please, I was wondering if there's a place where Councilmembers or people can go to see a breakdown, like I mean I know there's this breakdown, but like maybe a historical breakdown of the subdivisions and the amounts they paid or what, you know, just for the transparency sake that, you know, I mean, maybe there are rumors in the past that fees continually get waived.

CHAIR HOKAMA: How far back would you like the Department to consider going back, Ms. Paltin?

COUNCILMEMBER PALTIN: Me personally, '96, but whatever they think is prudent.

CHAIR HOKAMA: No, 'cause they're going to need some guidance on how much they need to, you know, retrospect back into the files, so, you know, if you can give them a target, then, you know, at least they can.

COUNCILMEMBER PALTIN: Yeah, maybe just this century then, 2000.

CHAIR HOKAMA: Okay.

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

CHAIR HOKAMA: If can, maybe back to that '96 since we used that as the benchmark for a --

COUNCILMEMBER PALTIN: Yeah.

CHAIR HOKAMA: --if possible, yeah, and we'll follow up with correspondence to request if that's...

COUNCILMEMBER PALTIN: Just to see like, you know, some people feel like --

UNIDENTIFIED SPEAKER: Yes.

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COUNCILMEMBER PALTIN: --there was a period of time when --

CHAIR HOKAMA: Okay.

COUNCILMEMBER PALTIN: --park fees were getting waived and waived and waived and, you know, so just...

CHAIR HOKAMA: Okay, you know what, we'll do that for all the districts since they're going to do the dive, we'll ask them to do the whole dive for all the districts.

COUNCILMEMBER PALTIN: Yeah, just to, so people can see, you know.

CHAIR HOKAMA: That's fine, that's fine, yeah.

COUNCILMEMBER PALTIN: Thank you.

CHAIR HOKAMA: And again, because it will make a difference once our Budget Chair takes us into session, because some of you may want to consider that as one of the ways to help fund a certain CIP projects in your district.

COUNCILMEMBER PALTIN: And just to follow up, when you talk about CIP's, is that beyond maintenance as well?

CHAIR HOKAMA: It has to be brand new, yeah, nothing ongoing for the use of park assessment.

COUNCILMEMBER PALTIN: Not maintenance, then?

CHAIR HOKAMA: That's right, not maintenance. Yes, Ms. Kama?

COUNCILMEMBER KAMA: So, I wanted to, so this is a County-owned parks or County...

CHAIR HOKAMA: This is parks that was required by either a zoning ordinance, subdivision compliance requirement, or a Land Use Commission requirement upon reclassification. Most of these are by government requirements that they chose this option to satisfy the law. Instead of building the park, they gave us the money --

COUNCILMEMBER KAMA: The money, yeah.

CHAIR HOKAMA: --in lieu of the park itself.

COUNCILMEMBER KAMA: Yeah, okay, thank you.

CHAIR HOKAMA: Yeah, thank you. Ms. Sugimura, you had a question?

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VICE-CHAIR SUGIMURA: So, yeah, I wonder, so when you're talking about calculations right, and why did we use the factor to multiply by 45 or 46 percent? I wonder if that's something that, you know, if you're looking for a policy change, if that would help in some way.

CHAIR HOKAMA: Yeah, Department, you have a comment at this time?

MS. ALIBIN: Chair, yes, and that is actually based on Ordinance number 2442, Bill number 49, that was adopted in 1995.

VICE-CHAIR SUGIMURA: So, it hasn't, I mean, I guess we have to read the Committee report to figure out why they used that calculation.

CHAIR HOKAMA: Yeah, that was again yeah, Members, Mayor Lingle era, Mayor Lingle's --

VICE-CHAIR SUGIMURA: A lot of parks were built.

CHAIR HOKAMA: --Administration and as you know they were doing, she was a big advocate of the swimming program, aquatics, so, you know, we moved, aquatics was moved forward with South Maui, the West Maui facilities. That was the era, and again, does it make sense for us to keep that ratio. That's part of the discussion we'll have and whether or not we revise it, we keep it, or we delete it. So, that's part of the, I'm glad you brought it up because that is something we need to discuss, Ms. Sugimura.

VICE-CHAIR SUGIMURA: So, just for information, because of this fund --

CHAIR HOKAMA: Yes.

VICE-CHAIR SUGIMURA: --that's what helped pay for the playground equipment...no, the...yeah, the playground equipment, which needed a little bit more money because of the topography of the Kula park that it was going in, so we used this as a excess. I don't have...

CHAIR HOKAMA: The assessment funds for the new, yeah, the new park, that's correct.

VICE-CHAIR SUGIMURA: Yeah, 'cause I don't have that much, not like some other districts, smile, Tamara.

CHAIR HOKAMA: That's why, South Maui got developed a lot, West Maui, they have the biggest pots, 'cause they took the brunt of development pressure.

VICE-CHAIR SUGIMURA: They should share, just kidding. No, I know Lanai has lots.

CHAIR HOKAMA: Then she'd...yeah be happy to, they'll send up the traffic to you and they'll send up the sewer to you, and they'll send up...be careful what you want to share now.

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VICE-CHAIR SUGIMURA: Thank you. Yeah.

CHAIR HOKAMA: Okay. So, that's how it's calculated yeah, Members, general use. Mr. Buck, Mr. Halvorson, any comments you want to share regarding the formula or how we do the calculations component as far as Parks is concerned? We're open to any of your comments.

MR. BUCK: In some cases with small...thank you, Chair for the question. In some cases when there's a small development and if we were to go with a square footage, and Mr. Halvorson can explain a little bit more about that, that the size of the park would almost be not cost effective for us to maintain. So, in, unless they were going to do it privately owned, privately maintained and open to the public, we would request if the park assessment fee, 'cause there'd just be more beneficial to the County than taking on a real small, like a postage sized stamp park.

CHAIR HOKAMA: Well, thank, yeah, thank you for sharing that comment. Mr. Halvorson, anything you might want to add?

MR. HALVORSON: I'll just confirm that, but also when you asked for historical data, Parks has only been keeping that for maybe 10 or 12 years and before that, it was under Public Works, so we don't have that information.

CHAIR HOKAMA: Okay. We'll contact Public Works as well so thank you for that comment and yeah, we'll bring things under one house, so tracking and accountability will be much easier for our Council as well. So, we appreciate that comment and we'll contact the appropriate past agency and current agencies for comments. So, regarding the small ones yeah, Members, you know, my understanding, but one thing I can tell you that we can also consider, Oahu does it, the big one is at Moanalua, that big park below Tripler is owned and maintained by Damon Estate on behalf of the public. Okay, it comes on the City and County jurisdiction, but the estate chose to retain ownership because they were concerned the City and County could not maintain it in the manner the family expects their lands to be maintained. So, they maintained it, the ownership to protect the maintenance quality that is provided to the community, okay. So, we can do things various ways, yeah, besides us always absorbing the title and the expenses. Or the community will say...well take Aiea for example, it's a State ball field, but who takes care of it, not the State, the community residents whose kids play on it, 'cause they're too proud to let it go down the toilet. So, the community maintains the State park, yeah, so community pride. So, there's many ways we can approach it. But, I'm here to ask you to be open so if Molokai needs parks, obviously, they're not going to get it through park assessment program, but we still have our fellow neighbors that need services and facilities, so we look to your comments on how this may be modified to be more of a benefit for Molokai and all your other district, Members. Lanai, I get mixed feelings on this, I wish some things we required the developer to actually build, 'cause while we hold the money, the price of doing the project keeps going up, but it doesn't keep pace with the growth of the money, so more than likely now, General Fund is going to subsidize the balance to get it completed and constructed. I don't think that's fair on the General Fund base.

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Yeah, so, it's just about who you feel is, should bear the responsibility, how much General Fund should bear, if any, to subsidize other private requirements or commitments. So, again, I leave that to you. Any comments at this time, Ms. Sugimura?

VICE-CHAIR SUGIMURA: So, Chair, you're going to take this up again?

CHAIR HOKAMA: Oh, yeah, yeah --

VICE-CHAIR SUGIMURA: After we...okay good.

CHAIR HOKAMA: --this is just the start of the discussion, Ms. Sugimura.

VICE-CHAIR SUGIMURA: Yeah, okay good.

CHAIR HOKAMA: Yeah. We not here to even discuss any recommendations yet.

VICE-CHAIR SUGIMURA: Okay, good. Thank you for taking this up.

CHAIR HOKAMA: Yeah, okay. Ms. Paltin, anything?

COUNCILMEMBER PALTIN: Yeah, I just had couple questions. The process, does Parks keep track of the subdividers or they just get automatically notified from Public Works that a subdivision is going to take place and is park credits also a part of the conversation?

CHAIR HOKAMA: Everything, park credits will all be part of the . . .*(inaudible)*. . . but, Mr. Buck, Mr. Halvorson, any comments to Ms. Paltin?

MR. HALVORSON: Chair, we respond to documents given to us by Public Works on subdivisions and on building permits. And park credits are pretty rare. If it's a big development and they're overbuilding a park, I mean if they owe us three acres of park and they build six, they can get credits for that additional six, but it has to be to the same developer --

COUNCILMEMBER PALTIN: Not transferrable.

MR. HALVORSON: --in that same community plan.

COUNCILMEMBER PALTIN: And then, just wondering about the criteria for waivers, is it mostly like a 100 percent affordable or 201H, or is it like on a case-by-case basis that waivers are given?

MR. HALVORSON: It's only by Code, by law, like you said, a 100 percent workforce housing development is exempt and a 201H is exempt by law. Partially workforce housing, the workforce housing elements of a development pay half the normal fee and up to a year later they can defer it, I believe it is. It's all in the Code, 18.16.320. That's, we just

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follow that, we don't have any discretionary capabilities other than asking for land or in lieu fees.

COUNCILMEMBER PALTIN: What about Part E of 18.16.320 where the Director of Parks and Recreation determines that the park or playground fulfills the conditions, is that not discretionary or they have to follow those set criterias [sic]?

MR. HALVORSON: That's the whole statement there, or does it go on?

COUNCILMEMBER PALTIN: Oh yeah, you know, setbacks and other areas required by law shall not be included in the computation of the credit. Size, shape, topography, geology, access use, and location of the site shall be suitable for park and playground purposes as determined after consultation with the Director of Parks and Recreation. Goes on about eight, but some of it seems a little bit subjective.

MR. HALVORSON: I believe in the end, the Council still has to accept the Parks agreement, it's not...

CHAIR HOKAMA: Park dedication, yeah.

MR. HALVORSON: The Director can have recommendations and the Council has to accept it. I mean it has to be accepted by Council.

COUNCILMEMBER PALTIN: Oh okay, I just read the E part where they'll receive credit of 100 percent if the Director of Park and Recreation makes the determination that the park or playground fulfills the conditions set before, so I, so you're saying that it, they can make the determination, but the Council does have the final say, whether that determination is correct or not?

MR. HALVORSON: Correct.

COUNCILMEMBER PALTIN: Okay, thank you.

CHAIR HOKAMA: And that's again, Ms. Paltin, we'll review all of the procedures and see if, again, we'll ask Parks for comments and Public Works, Finance, if we need to make adjustments. In the past, the Parks made certain decisions and when they came to Council, this is how we did this basin and whatnot, and then we had the pushback, 'cause that's not, wasn't the Council's intent to eliminate that. Now, Parks comes to us prior to final approval of --

COUNCILMEMBER PALTIN: Oh okay, so it already kind of got addressed then?

CHAIR HOKAMA: --the park. Yeah, yeah.

COUNCILMEMBER PALTIN: Thank you.

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CHAIR HOKAMA: So, we'll be working on that, Members. And again, you brought up park credits and so we'll discuss that whole subject matter again on how to approach it, 'cause again when you look at, like Lanai, we have project districts, that in itself is specific zoning ordinances that stand alone from all other County zoning categories and sets its own standards, density, setbacks, through the project district ordinance. So, again, you know, take that into account when we look at what Parks is talking about on the dedications and the requirements. There may be separate zoning ordinances impacting a project area that we'll also take into consideration. Mr. Molina, any questions you wish?

COUNCILMEMBER MOLINA: Just a quick question for Parks --

CHAIR HOKAMA: Sure.

COUNCILMEMBER MOLINA: --either Mr. Buck or Mr. Halvorson. You know, you've had situations where a developer was not required to build a park because there was already an existing park near the subdivision, and if so what happens there, do you just take money, or yeah, the developer can still build a park at another site and how far would it have to be, is there any parameters with regards to that?

CHAIR HOKAMA: Parks?

COUNCILMEMBER MOLINA: Like if the developer had lands farther away from the subdivision, would the Department still accept that where they could build a park? But I would think you would like, ideally, you'd want the park as near to the subdivision as possible, right?

MR. HALVORSON: That is the intent for the fees paid by that development to be, benefit the residents of that development. But it is to have the latitude to build it in the same community plan, in the same community plan area. And I don't...in either case, they still need to satisfy the 18.16.320, whether it is cash or land.

COUNCILMEMBER MOLINA: Okay.

MR. HALVORSON: And it is, I guess that is the Director's discretion to choose cash or land, according to the ordinance, the current ordinance.

COUNCILMEMBER MOLINA: Okay, yeah, so I guess as long as the park is still within a community plan area. And it kind of dovetails into my last question here, you know, you have that option of either taking money or land, so, you know, so if you're going to forego taking the park, the land, and I guess you're not going to look for, Department's going to expect good land, yeah, not retention basin type lands or gulches or anything like that? 'Cause it's funny, Mr. Chairman, the other day somebody was driving along Waiale and they thought that retention basin with all the goats was a County goat farm. So, I don't know, and that's not ideally the kind of land we would want in exchange for our subdivisions being approved, yeah.

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CHAIR HOKAMA: I'm dealing with that, I get calls a lot that you cannot believe how much goat calls I get.

COUNCILMEMBER MOLINA: Yeah, yeah, so. But anyway, so yeah, that was kind of my, you know, I guess your, the process of, you know, getting refreshed on that process, so it's basically the discretion from the Director when in negotiations with the developer as well as input from Finance, yeah?

MR. BUCK: Yeah, yes, Chair. We're, as a Department, we're in the process of making some changes to the Code, just so that when we do accept a parcel that it's something that it's what the community wants. And, like I mentioned earlier, you know, with the way it's kind of written right now, we're having some issues as far as, you know, bathrooms, you know, so we're in the process of rewriting it. So, it becomes more definite that if you're going to give land, this is the expectations, instead of saying just, you know, grass it, parking lot. You know, if it's a certain size park it's going to have, we're going to make it so it what...certain amount of stalls, you know, certain type of bathroom, do we want a bathroom in that area or not in an area. A lot of places, you know, they don't build bathrooms and the Parks Department ends up having to, because the demand on the park, we have to put in Porta Potties, and, you know, everybody loved Porta Potties, and then there's a cost to it too. We are in the process of rewriting the Code, so we should, that will be probably presented later on.

COUNCILMEMBER MOLINA: Okay, thank you. And, you know, Chair, I'm with you, we should make the, if we can, make the, have the private sector build the parks. It would probably be done faster and maybe with less hurdles, yeah.

CHAIR HOKAMA: Right, right, right.

COUNCILMEMBER MOLINA: Yeah.

CHAIR HOKAMA: So, I wanted, yeah, before I ask Ms. Rawlins-Fernandez for a question, I visited Maryland, okay, so maybe we want to do something, adjust our program, but they have a 125-acre park. Huge, okay. But it is the home of so much things like their semi-pro soccer female team, whatnot, they have a whole radio-controlled area for boats and airplanes and whatnot. They have their archery area and they got their baseball area. So, maybe part of this we transform that part of the choice is if we don't want the little small subdivision passive park, 'cause half or two blocks away there's already another one. Maybe we make it so that that fee is whatever we say it is, can be maybe then deposited into the development fund of the regional park. Let's think a little bigger --

COUNCILMEMBER MOLINA: Rec complex yeah.

CHAIR HOKAMA: --right, where we can fund a complex and provide our youth, our seniors, or whoever wants, our adult leagues, the type of facilities and competitive facilities that can then hold a countywide tournament or potential because we have a developed site. And I can tell you the one in Maryland is first class, just couple of miles away

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from Senator Sparky M. Matsunaga School. Okay, Maryland has honored our Senator by naming a public school after him.

COUNCILMEMBER MOLINA: Wow, interesting.

CHAIR HOKAMA: Interesting yeah.

COUNCILMEMBER MOLINA: Thanks for that history lesson.

CHAIR HOKAMA: But again, so that was part of the benefit of going to see the Senator's school. I got to see this hundred plus acre county park, Montgomery County, Maryland. Unbelievable.

COUNCILMEMBER MOLINA: Wow.

CHAIR HOKAMA: But that's how they approach, they all agree we willing to drive to this one beautiful regional park that has all the amenities and all the facilities. So, maybe that's something we can think since we already bought the land, right, Parks, what we have, 200 acres next door?

MR. BUCK: If I may comment, I've been to that facility and that is the county actually owns the land so in the agreement, it's a public, a public-private partnership. The Maryland Soccer Association, I think, runs the soccer fields and all that and part of the agreement is they gotta allow so many fields to be open to the public, you know, at that county, with whatever the county rate is, and also that's the location that the Discovery Channel building which has, if I remember right, eight full-size basketball courts.

CHAIR HOKAMA: Yeah. It generates revenue, Members. Okay they're not an expenditure loss, they're a revenue generator. So, we can do things just as smart and just as good.

COUNCILMEMBER MOLINA: Yeah, maybe we should consider a site visit in the future maybe. Just kidding. Thank you, Chair.

CHAIR HOKAMA: Yeah, thank you. Ms. Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. No questions at this time, but I like the ideas that you're providing the Committee to think about, especially for that, you know, wildly popular pickleball.

CHAIR HOKAMA: Yes, I'm a, I've received calls about pickles, yes.

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

CHAIR HOKAMA: Yeah, yeah, no, again it's, if those are things that help keeps our community healthy and active, that's a better cost to pay than having our people in institution and facilities when they cannot move anymore or they're incapacitated, so

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my thing, yeah, we looking at the right things for community health benefits.  
Ms. Paltin?

COUNCILMEMBER PALTIN: I just was wondering, you know, like I, on the holiday I met Ms. Wakida at the Wakida Tennis Courts and at one time there was a restroom there, but it's no longer and, you know, the state of the courts and everything, there's all grass growing on the thing and the backboards, so I just was wondering like if restrooms in that area would be a CIP not considered maintenance or repair 'cause there aren't any right now or?

CHAIR HOKAMA: We'll work with the Parks Department and Mr. Buck for them to make a determination how they would view it. And if it's brand new it'd be CIP so we could consider park assessment money.

COUNCILMEMBER PALTIN: And then also, with the clean and safe funds that we got last Council meeting, that area falls within the thing and maybe is there plans to coordinate with Ms. Morrison, 'cause, you know, there's, I mean, I'm thankful the Parks Department did do a lot of work with the homeless in the back courts closer to Waiola side, but there's still a need for more, and I think Macario Pascual, he runs the junior tennis program there, they have like 35 kids. So, the two front courts is really not enough for their program and they'd like to use that backside, but with, you know, the homeless situation and all of that, just, you know, I wonder if maybe in the future we can look and see, like have it be a discussion whether it can be used also to revitalize some of our treasured places. Especially, you know, given that the namesake, Mr. Wakida and all he did for the community and the tennis program, and stuff like that. It was kind of just, just a little bit embarrassing to meet with her and just all the beer cans around, and the grass growing on the courts and stuff like that, so I mean it might be up to the discretion of the community or what, if we have so much money just sitting there and then we have these places that could be a major recreation center, like the pick-up courts at the basketball is heavily used at night, but there used to be lights and now there's no lights. And then, I understand that, you know, it was kind of halted because of what was going on at Mokuula and all of that, but now with all the uncertainty to just leave it in disrepair, and knowing that it's a sacred area, it kind of feels disrespectful a little bit.

CHAIR HOKAMA: Okay, we'll, I will put out a communication from this Committee under my signature requesting the Parks to give us one assessment and we'll see what we can do prior to budget, Ms. Paltin, to assist you on at least making determinations what would be under CIP or ongoing expenses for your district, so yeah, we'll work with you and through the Department. Okay, any other requests? Ms. Sugimura?

VICE-CHAIR SUGIMURA: Yeah, just one comment.

CHAIR HOKAMA: Sure.

VICE-CHAIR SUGIMURA: So, Parks Department, I mean thank you, 'cause you end up with a lot of additional parks that are, you know, or additional work that comes through

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these kinds of things and when a development project comes up and you receive like a, you know, like a gift of all this land, and then you have to take and it make it safe and everything, it is a lot for the Department, and we always are going to be, you know, worried about safety and concerns. I always wonder, the other part of that I wonder, once we get the land and it becomes us, do we get any help for maintenance of it, or once it becomes our land, it becomes our land?

CHAIR HOKAMA: You can always tax the landowners and that developer appropriate taxes to help pay our bill. I have no problem with that. Second, I believe the Administration and from what I understand from our Mayor, Mr. Victorino is he is looking at putting forward, I don't think he has anything finalized, but I believe he's ready to, very near future put forward a proposal regarding a land management plan --

VICE-CHAIR SUGIMURA: Good.

CHAIR HOKAMA: --of how to approach it with County lands and whether or not we look at a division or a branch of a current department and who would take responsibility to, you know, make sure that we, like the other property owners, maintain our land in an appropriate manner. We cannot be derelict in our responsibility to lands we own, and yet force other private property owners cut your grass, remove the fire hazard, you know, we need to do the same responsible things we expect others, so I look forward to the Mayor's proposal. I know we've looked at . . . Mr. Teruya has already looked at City and County's land management program as an example. I know he's looked at Hong Kong, we looked at how Hong Kong does land management, of course there's different scale, but the principles of how they approach land management, so, yeah, it's something we, we're going to need to move forward and establish sooner than later, so thank you for that.

VICE-CHAIR SUGIMURA: Yeah, I'm glad. Thank you.

CHAIR HOKAMA: Okay, anything else, Mr. Molina? Anything else, Ms. Rawlins-Fernandez? Okay, no objection, we'll defer this.

COUNCILMEMBERS: No objections.

**COUNCILMEMBERS VOICED NO OBJECTIONS.** (Excused: TK, KK)

**ACTION: DEFER PENDING FURTHER DISCUSSION.**

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CHAIR HOKAMA: Thank you very much. We appreciate Parks and Finance for being here. And thank you, Members, for staying this long. I expected it shorter so I bachi myself. But we are adjourned. . . .(gavel). . .

**ADJOURN:** 4:24 p.m.

APPROVED:



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RIKI HOKAMA, Chair  
Healthy Families and Communities  
Committee

hfc:min:200123:kk

Transcribed by: Kimi Kusumoto

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CERTIFICATE

I, Kimi Kusumoto, 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 18<sup>th</sup> day of February, 2020, in Wailuku, Hawaii



A handwritten signature in cursive script, reading "Kimi Kusumoto", is written over a horizontal line.

Kimi Kusumoto