

BUDGET AND FINANCE COMMITTEE
Council of the County of Maui

MINUTES

January 29, 2007

CONVENE: 1:35 p.m.

PRESENT: Councilmember Joseph Pontanilla, Chair
Councilmember G. Riki Hokama, Vice-Chair
Councilmember Gladys C. Baisa, Member
Councilmember Jo Anne Johnson, Member
Councilmember Danny A. Mateo, Member
Councilmember Bill Kauakea Medeiros, Member
Councilmember Michael J. Molina, Member
Councilmember Michael P. Victorino, Member

EXCUSED: Councilmember Michelle Anderson, Member

STAFF: Lance Taguchi, Legislative Analyst
Yvette Bantilan, Committee Secretary

Leinaala Kihm , Executive Assistant to Councilmember Medeiros

ADMIN.: Fred Pablo, Budget Director, Office of the Mayor
Kalbert Young, Director, Department of Finance
Thomas Phillips, Chief, Department of Police (BF-16)
Milton Arakawa, Director, Department of Public Works and Environmental
Management (BF-17)
Tracy Takamine, Chief, Solid Waste Division, Department of Public Works and
Environmental Management (BF-17)
Traci Villarosa, First Deputy Corporation, Department of the Corporation Counsel

CHAIR PONTANILLA: . . .(*gavel*). . . Good afternoon, Members. The Budget and Finance Committee meeting is now in session. Today's January 29th. The time is 1:35. Members, in attendance this afternoon is our Vice-Chair Riki Hokama, Member Danny Mateo, Member Gladys Baisa, Member Jo Anne Johnson, Member Bill Medeiros, Member Michael J. Molina, and Michael Victorino. Excused this afternoon is Michelle Anderson. Here with us this morning also is the Administration personnel. We do have the Budget Director, Federico Pablo or Frederick Pablo, as well as the Finance Director Kalbert Young, First Deputy Corporation Counsel Traci Villarosa, as well as Chief Tom Phillips. Staff, do we have anyone sign up for public testimony?

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MS. BANTILAN: No.

CHAIR PONTANILLA: Thank you. Members, I'll leave public testimony open for a little while if there's no objections.

COUNCIL MEMBERS: Voiced no objections.

ITEM NO. 16: GRANT FUNDS FROM THE STATE DEPARTMENT OF ATTORNEY GENERAL CRIME PREVENTION & JUSTICE AWARENESS DIVISION; AND AMENDING FY 2007, DEPARTMENT OF POLICE (HAWAII ANTI-TRAFFICKING TASK FORCE) (C.C. No. 07-16)

CHAIR PONTANILLA: Thank you. Members, today we have two items on the agenda. The first item is BF-16, grant funds from the State Department of Attorney General Crime Prevention and Justice Awareness Division, and amending Fiscal Year 2007, Department of Police (Hawaii Anti-Trafficking Task Force). This is a result of County Communication No. 07-16, transmitting a proposed resolution entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF POLICE". The proposed . . . purpose of the proposed bill is to add the Hawaii Anti-Trafficking Task Force grant in the amount of \$15,000. The Committee is also in receipt of a revised proposed resolution entitled "AUTHORIZING THE APPLICATION FOR AND ACCEPTANCE OF A GRANT FUNDS FROM STATE OF HAWAII, DEPARTMENT OF ATTORNEY GENERAL CRIME PREVENTION & JUSTICE AWARENESS DIVISION RELATING TO HAWAII ANTI-TRAFFICKING TASK FORCE". The purpose of the revised resolution is to authorize the application for and acceptance of grant funds totaling \$15,000 to the County of Maui, Department of Police, for a Hawaii Anti-Trafficking Task Force. This time I'd like to call on Mr. Kalbert Young to introduce our Budget Director. Mr. Young.

MR. YOUNG: Thank you, Mr. Chair. Happy 2007 to you and the Members. Congratulations on your selection as the new Chair for the Budget and Finance Committee. And congratulations to all the Members of the 2007 Council. It's a pleasure to be sitting here before you as the Director of Finance and to see familiar faces from last year and the new faces for the upcoming term.

At this time, on behalf of Mayor Charmaine Tavares and the Administration, I'd like to introduce Mr. Fred Pablo as the new Budget Director. Mr. Pablo and I have had the opportunity to work with each

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other for about the last three weeks, and I would say that Mr. Pablo is a very capable, intelligent individual and looking forward to many long evenings with you folks in the upcoming budget session. At this time I'd like to present Mr. Pablo.

MR. PABLO: Thank you, Mr. Young. Thank you, Mr. Chair. Thank you, Members of the Council. I echo my congratulations to all of you, and I am honored to be here today, and looking forward to working with you on the budget for Fiscal Year '08 and any budget amendments stemming there from.

Today, the first item of business that the Chairman has mentioned is Bill No..., Ordinance No. 3390, Bill No. 37. It deals with our communication from the Budget Office, my predecessor, No. 16. It deals with accepting a grant of \$15,000 on the Anti-Trafficking Task Force. Here today is Police Chief Thomas Phillips who is available to answer any questions on this item. Thank you.

CHAIR PONTANILLA: Thank you, Mr. Pablo. Members, any questions for the Budget Director this time? Thank you. Chief Phillips, any comments?

MR. PHILLIPS: No. Just good afternoon everyone, Chair, and Members, and thank you for the support. This is a new task force that were members of... through the Attorney General's Office, and it's looking at the problem... it might be misleading. You might think it's drug trafficking, but it's actually looking at a new problem, growing problem around the country and that's human trafficking. That's why it's kind of a small grant for us. We haven't had quite the problem that Honolulu has had in this area, but we're hoping to train our personnel and this would pay for some training and some overtime for us to kind of identify whether or not there is a problem here, and then train people how to identify it if it does come here to Maui, but thank you very much.

CHAIR PONTANILLA: Thank you. Members, any questions for the Police Chief at this time? Member Hokama.

VICE-CHAIR HOKAMA: Chairman, thank you. Chief, just so we can have a good understanding of this budget consideration, I guess in common, common terms would this be like white slavery?

MR. PHILLIPS: Yes, exactly. The smuggling typically of foreigners to the country for a variety of illegal reasons and that's exactly what it is.

VICE-CHAIR HOKAMA: Okay. Can you share with us what is your understanding of your Department's experience with this type of issue for

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Maui County. Is it something that has been under the radar? You know we haven't read about it a lot in Maui County. We're aware of it happening in bigger cities with our counterparts in the main 48 states. Can you share with us what's happening in Maui County, and if at this point in time it's still something that fortunate we haven't been touched by.

MR. PHILLIPS: I, well, I don't believe we've had any cases yet in Maui County, and so this is one of those things that I think we're seeing around the country kind of a trend, and so we're trying to stay ahead of it a little. And again that's probably why our portion of the grant is so small. We couldn't really identify yet a big problem here, but what this will do is help us train some people to recognize that even sometimes a patrolman might respond to a case and may not recognize that it could be this issue. So we'll try and train people to be able to recognize it and then know where, where to go to get the help, where to get help for the victims of this and . . . so that's kind of basically where the task force is right now. I think they've had some cases in Honolulu and that's kind of why the task force was put together. There is some Federal money available around the country for this, this issue and so in Hawaii we've been fortunate enough to receive some of that Federal funding here and, and it's gonna be coordinated through the Attorney General's Office the grant.

VICE-CHAIR HOKAMA: From what you could share with us in your transmittal letter, I'm making the assumption that the Federal Bureau of Investigation or FBI is also part of a Federal agency that your Department would be working with.

MR. PHILLIPS: Yes, there are a number of agencies in, you know, including the State and local, but also some Federal agencies including FBI, and there's Immigration Customs, and even, could be even Customs and Border Patrol, but the task force is kind of broad. There's even a lot of social services on the task force to look at that side of it, providing assistance to the victims and things like that.

VICE-CHAIR HOKAMA: My last question to you, Chief, is you did mention the alien population that I guess would be the primary target. This program would also be able to encompass local situations whereby underage minors within our own community would be either solicited or forced into illegal activities that would come under this type of trafficking program--

MR. PHILLIPS: Yeah, it could come under that the human trafficking bill.

VICE-CHAIR HOKAMA: Thank you very much, Chairman.

CHAIR PONTANILLA: Thank you, Mr. Hokama. Mr. Molina.

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COUNCILMEMBER MOLINA: Thank you, Mr. Chairman. Good afternoon, Chief.

MR. PHILLIPS: Good afternoon.

COUNCILMEMBER MOLINA: Just for the record as far as through your knowledge there hasn't been any evidence or any types of, you know, incidents of this nature on Maui County?

MR. PHILLIPS: Yeah, not that I know of at this point. We haven't had, we haven't had any cases yet. You know and not to say there haven't been. It may be that we didn't recognize them as, as this issue too, but the one's I know about would be more in Honolulu those type of cases.

COUNCILMEMBER MOLINA: I hope we never experience that in Maui County. In terms of the training and the amount of money who . . . are you looking at training every single police officer, or is this money initially just allocated for a certain department--

MR. PHILLIPS: Yeah, right now it's gonna, it pays, pay for some overtime, and then I think what we're trying to do is maybe train some trainers and then have them train the rest of our . . . I don't think the training is real extensive. So hopefully you know we can eventually train all of the street people, patrol officers, and detectives and you know that might run into these issues. Certainly our vice and narcotic division, those type of guys.

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

CHAIR PONTANILLA: Thank you, Mr. Molina. Ms. Johnson followed by Mr. Mateo.

COUNCILMEMBER JOHNSON: Thank you, Chief Phillips. Because I've read you know and seen programs about human trafficking, trafficking goes both ways. There's people that are actually kidnapped from this country and then taken to Indonesia or you know other foreign countries, and then there are other people that are brought into this country, is this going to be looked at from both sides, particularly when we have disappearance of young people?

MR. PHILLIPS: Yeah, I, I think there are programs that . . . and mostly through Federal agencies that look at the ongoing issue. Our, this, this would be more particular just to problems here on Maui our, our, at least our participation in the task force.

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COUNCILMEMBER JOHNSON: Of course so it would only be covering those people that are brought here and then the illegal activity is actually going on here as opposed to people that are put into situations where they're either kidnapped or they're I guess taken overseas under false pretenses and then they're not allowed to return to the---

MR. PHILLIPS: Yeah, this, this particular grant for us wouldn't cover that side of it. There, there are other agencies that . . . and we could be involved with those agencies, but typically it'd be Federal agencies involved in that.

COUNCILMEMBER JOHNSON: Okay, thank you very much.

CHAIR PONTANILLA: Thank you, Ms. Johnson. Mr. Mateo.

COUNCILMEMBER MATEO: Chairman, thank you very much. Chief, good afternoon.

MR. PHILLIPS: Good afternoon.

COUNCILMEMBER MATEO: The grant of \$15,000 identifies a period from January 1st, '07 to December 31st, '07. To continue beyond that period of time there is no reference or funds identified especially when the same document identifies this as a two-year project. So is it expected to get the Federal funds for the second year, or is this something that the County's gonna have to look at funding until the project term is over?

CHAIR PONTANILLA: Chief.

MR. PHILLIPS: I don't think we'd be looking at funding it through County funds. I think we kind of expect it to continue the task force and the, and the funding . . . and this is a Federal grant and they usually run it for a one-year period. So you know you can never know. Actually we have several, you know, like the HIDTA grant they're kind of year-to-year but typically they do continue, and then of course we may find that we don't need any funding beyond this year if we, if we, if we're able to do the training in that one year period and we don't do anything more we may not apply for funds. Again we apply for a very small portion of the grant because the majority of the problem was not on Maui. It's a small grant.

COUNCILMEMBER MATEO: Would you have an idea of the extent of that grant in terms of what was available?

MR. PHILLIPS: I'm sorry. I could find that out, but I don't . . . off the top of my head I don't know that part.

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COUNCILMEMBER MATEO: Thank you. Thank you, Chairman.

CHAIR PONTANILLA: Thank you, Mr. Mateo. Members, any more questions?
Thank you very much, Chief Phillips.

Members, for BF item . . . item BF-16, at this time the Chair move to
adopt the revised resolution.

COUNCILMEMBER VICTORINO: Second.

COUNCILMEMBER MOLINA: So move.

COUNCILMEMBER VICTORINO: So move and second (inaudible)

CHAIR PONTANILLA: It's been moved by Member Molina, seconded by
Member Victorino. Any discussions, Members? If not, all in favor say
aye.

COUNCIL MEMBERS: Aye.

CHAIR PONTANILLA: Thank you very much.

VOTE:	AYES:	Councilmember Baisa, Johnson, Mateo, Medeiros, Molina, Victorino, Vice-Chair Hokama, and Chair Pontanilla.
	NOES:	None.
	ABSTAIN:	None.
	ABSENT:	None.
	EXC.:	Councilmember Anderson.

MOTION CARRIED.

ACTION: ADOPTION of revised proposed resolution.

CHAIR PONTANILLA: The second item in regards to BF-16 is approving the
"A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE
FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT
PERTAINS TO THE DEPARTMENT OF POLICE".

VICE-CHAIR HOKAMA: So move.

COUNCILMEMBER VICTORINO: Second.

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CHAIR PONTANILLA: Moved by Member Hokama, second by Member Victorino. Members, any discussion?

VICE-CHAIR HOKAMA: Chairman.

CHAIR PONTANILLA: Mr. Hokama.

VICE-CHAIR HOKAMA: I'm including the filing of the item.

CHAIR PONTANILLA: Thank you very much. And the filing of the communication. Thank you. All in favor say aye.

COUNCIL MEMBERS: Aye.

CHAIR PONTANILLA: Thank you very much.

VOTE: **AYES:** **Councilmember Baisa, Johnson, Mateo, Medeiros, Molina, Victorino, Vice-Chair Hokama, and Chair Pontanilla.**
 NOES: **None.**
 ABSTAIN: **None.**
 ABSENT: **None.**
 EXC.: **Councilmember Anderson.**

MOTION CARRIED.

ACTION: FIRST READING of proposed bill; and FILING of communication by C.R.

ITEM NO. 17 AMENDING FY 2007 BUDGET (DEPOSIT BEVERAGE CONTAINER PROGRAM) (C.C. No. 07-17)

CHAIR PONTANILLA: Members, the second item on our agenda, our last item actually, is BF-17, amending Fiscal Year 2007 Budget. This pertains to Deposit Beverage Container Program. This is a result of County Communication No. 07-17, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT". The purpose of the proposed bill is to increase the appropriation for the Deposit Beverage Container Program from \$770,736 to \$1,200,000. And at this time the Chair would like to call on the Budget Director for some comments.

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MR. PABLO: Thank you, Mr. Chairman. At this time we will cover County Communication 07-17, which was introduced by my predecessor. Here today we have Mr. Milton Arakawa who is the Director of the Public Works and he'll be available.

CHAIR PONTANILLA: Thank you. Members, I'd like to introduce the Public Works and Environmental Management Director Mr. Arakawa, as well as the Solid Waste Division Manager, Mr. Tracy Takamine. Mr. Arakawa.

MR. ARAKAWA: Thank you, Mr. Chair. The State Department of Health is providing an additional \$350,000 in the Fiscal Year '07 contract for the Deposit Beverage Container Program with our Department, and these funds are intended to be used to build the HI-5 redemption center of the new Kihei Recycling and Redemption Center. The funds for the Kihei Project were included in the original Fiscal Year '06 contract, but because of delays in the construction timetable for that project, we were not able to encumber these funds in Fiscal Year '06. Therefore the State is proposing to add these funds to the Fiscal Year '07 contract to be used for the same intended purpose.

CHAIR PONTANILLA: Thank you, Mr. Arakawa. Members, any questions for the Director? Mr. Molina.

COUNCILMEMBER MOLINA: Thank you, Chairman. Good afternoon, Director Arakawa. What was the cause of the delay? Can you elaborate on that a little bit, and what is the projected start and completion date for the redemption center.

MR. ARAKAWA: I'm gonna have our Solid Waste Chief go over some of the details of the construction of the project.

CHAIR PONTANILLA: Thank you. Mr. Takamine.

MR. TAKAMINE: Thank you, Chair. Councilmember Molina, the, basically the delay was due to cost. The project right now is running about \$1.2 million, in excess of 1.2. Additionally the, when we first went in for this project it was budgeted under our O and M side. We went back and since then we need more funding and it's now a capital improvement project for FY '07.

COUNCILMEMBER MOLINA: So the increase in cost was due to more higher labor cost, and materials and . . .

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MR. TAKAMINE: I think it was just basically we underestimated the cost to build this center. It's basically similar to the one at the Maui Community College. However, because it's being constructed in Kihei, you know, the rock strata underneath it the, we had to put in a very costly drainage system. In addition I believe the community wanted solar lighting, reclaim water use, certain type of vegetation. So all that added up to a cost, and like I said it's about 1.2 right now.

COUNCILMEMBER MOLINA: All of our other redemption centers have those . . . I don't believe they had those types of luxuries for our redemption centers elsewhere on the island, right? This is just specifically the community in Kihei wanted all these amenities added to it.

MR. TAKAMINE: That's correct. The other centers I believe when we built them we didn't have . . . we didn't go through the process we did for the Kihei center in terms of the EA requirements. I think the SMA too in that case, and it went through a, you know, community review and that's what came out of that review.

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

CHAIR PONTANILLA: Thank you, Mr. Molina. Mr. Victorino.

COUNCILMEMBER VICTORINO: Well, I, I guess the question I have is would this present timetable will this be completed by the year, the end of this year 2007? Will you guys be able to get this completed?

MR. TAKAMINE: That should be no problem. I think we already issued a NTP to the, a Notice to Proceed to the contractor . . . I believe we did. And once he gets started it shouldn't, it shouldn't . . . should be done before the end of the year, well before the end of the year.

COUNCILMEMBER VICTORINO: And do you foresee any more cost overruns? Because again you're coming back and grant you're fortunate in encumbering the money, but do you foresee any other cost overruns with this project?

MR. TAKAMINE: Right now we don't, but you can never tell once it gets into construction, you know, and starts excavating, but hopefully we have everything covered. We don't . . . you know again it's not a structure or anything. It's just basically a parking, parking space with these bins but the . . . like I said we have to put in this a very costly drainage system now. When they start digging and trying to install the drainage system, you know, there might be some change orders, but I don't foresee any at this time.

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COUNCILMEMBER VICTORINO: Thank you.

CHAIR PONTANILLA: Thank you, Mr. Victorino. Members, any more questions for the Department? If not, thank you very much. At this time the . . . before I make my recommendation, if there's no objections the Chair would like to close public testimony.

COUNCIL MEMBERS: No objections.

CHAIR PONTANILLA: Thank you very much. At this time, the Chair would like to recommend the approval and the filing of the communication for item BF-17.

VICE-CHAIR HOKAMA: So move.

COUNCILMEMBER MOLINA: Second.

CHAIR PONTANILLA: Moved by Member Hokama, second by Member Molina. Any discussion? All in favor say aye.

COUNCIL MEMBERS: Aye.

VOTE:	AYES:	Councilmember Baisa, Johnson, Mateo, Medeiros, Molina, Victorino, Vice-Chair Hokama, and Chair Pontanilla.
	NOES:	None.
	ABSTAIN:	None.
	ABSENT:	None.
	EXC.:	Councilmember Anderson.

MOTION CARRIED.

ACTION: FIRST READING of proposed bill; and FILING of communication by C.R.

CHAIR PONTANILLA: Thank you very much. BF-17 was our last item on the agenda. Members, this was a quick meeting. So be prepared from March 15 to May 31st. Thank you very much. This meeting is now adjourned. . . .
(gavel). . .

ADJOURN: 2:01 p.m.

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APPROVED:



JOSEPH PONTANILLA, Chair
Budget and Finance Committee

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Transcribed by: Yvette Bantilan