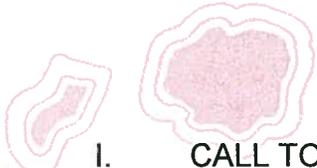


# Hawaii State Association of Counties

Counties of Kauai, Maui and Hawaii, City & County of Honolulu



MINUTES  
HSAC EXECUTIVE COMMITTEE MEETING  
February 10, 2012  
Honolulu Hale, Council Committee Room  
Honolulu, Hawaii



I. CALL TO ORDER

The HSAC Executive Committee was called to order by President Mel Rapozo at 10:06 a.m. The following members comprised a quorum:

County of Kauai:	President Mel Rapozo
County of Hawaii:	Alternate Brittany Smart
City and County of Honolulu:	Secretary Stanley Chang
County of Maui:	Treasurer Joseph Pontanilla
Others Present:	Honolulu staff Kekoa McClellan Honolulu staff Mark Segami Honolulu staff Gavin Kennedy Maui staff Kirstin Hamman Kauai staff Ashley Bunda

II. APPROVAL OF AGENDA

The Committee approved the agenda with amendments to add four items to New Business:

- 1) Proposed bylaws amendment regarding travel;
- 2) NACo representatives attendance at HSAC conference;
- 3) Proposed bylaws amendment regarding county assignments to Executive Committee; and
- 4) Discussion of HSAC sponsorship of hospitality suite at NACo conference in support of 2<sup>nd</sup> Vice President candidate Hokama.



### III. MINUTES

The Committee approved the minutes of the January 13, 2012, Executive Committee meeting.

### IV. REPORTS

#### A. Treasurer's Reports.

The following items were approved by the Executive Committee:

1. Treasurer's Report for January 2012, as submitted by the HSAC Treasurer.
2. Fiscal Year 2013 Proposed Annual Operating Budget, as submitted by the HSAC Treasurer.

#### B. County Reports.

1. Maui County Report. Treasurer Pontanilla reported that Maui County Council currently has a delegation visiting the Philippines for the purpose of economic development. The Council continues to work on the Maui island plan and will next review the urban growth boundaries. Water resources continue to be an issue for Maui County. He stated that the County continues to work on regulation of short-term rentals.
2. Hawaii County Report. Alternate Smart reported that the Hawaii County building code had been adopted by the Hawaii County Council and was now being considered by the Hawaii Mayor. The Hawaii Council is also looking at regulation of plastic bags similar to programs in Seattle, Washington.
3. City and County of Honolulu Report. Secretary Chang reported that the City Council is considering limiting the Sister-City summit to once every five years. The City Council is also considering moving the Board of Water Supply into the City administration. He reported that the City Council was also considering proposals to create a flat fee for taxi service between the airport and Waikiki, development of a reverse 911 system, and requiring minimum standards for road maintenance.

Honolulu staff Kekoa McClellan provided a review and update of the HSAC legislative package and other state legislation of interest to the counties. He informed members that Secretary Chang's office would be providing weekly updates to HSAC on state legislation.

Honolulu staff Mark Segami provided an update on state legislation regarding public access television organizations, specifically the government programming.

4. Kauai County Report. President Rapozo reported that the Kauai Mayor has been involved in a dispute with the suspension of the Police Chief and stated that the Kauai County Council was concerned over legal costs to the County. The Council is proposing a charter amendment to allow the Council to appoint its own attorney.

President Rapozo called for a recess at 10:50 a.m.

President Rapozo reconvened the meeting at 10:54 a.m.

#### V. UNFINISHED BUSINESS

- A. Discussion regarding the hiring of an HSAC Executive Director, modification to membership structure, and corporate sponsorships.

Kekoa McClellan informed the members that he and Councilmember Nestor Garcia made a presentation to the Hawaii County Council and answered questions they had. He reported that Hawaii Councilmembers demonstrated general support for the proposal, including suggesting modifications and solutions to issues over corporate sponsorships. He said he will next make a presentation to Kauai County Council.

President Rapozo thanked Councilmember Garcia and Mr. McClellan for their work and willingness to visit neighbor island counties to make their presentations.

The item was filed.

- B. Discussion regarding amendments to the HSAC bylaws.

President Rapozo reminded members that any new bylaws amendments should be proposed before the HSAC annual conference.

The item was filed.

## VI. NEW BUSINESS

### A. Presentation by the State Procurement Officer Aaron Fujioka.

President Rapozo requested that Aaron Fujioka, State Procurement Officer, explain state procurement law regarding cooperative purchasing agreements. He asked that Mr. Fujioka explain the issues preventing counties from utilizing NACo's U.S. Communities cooperative purchasing program.

Mr. Fujioka reviewed state procurement law and rules. He informed members that the Hawaii Revised Statutes includes a section on cooperative purchasing and that the State Procurement Board has further rules governing cooperative purchasing. He explained that under state law, cooperative purchasing applies only to governmental cooperative purchasing and would not permit a government agency to utilize a non-governmental cooperative purchasing agreement without following state procurement laws. In Mr. Fujioka's evaluation of the U.S. Communities program, he stated that the program does not meet the legal requirements for state or county governments to utilize. As an alternative, he suggested the counties consider purchasing through the Western States Contracting Alliance, of which Hawaii is a member. Mr. Fujioka explained that "piggy-backing" on cooperative purchasing is prohibited as well; the participants must be a part of the contract development. Allowing "piggy-backing" would create a loophole from procurement law.

President Rapozo asked what requirements, if any, HSAC is subject to in procurement. Mr. Fujioka stated that his understanding of HSAC as a non-governmental body allowed it to utilize the U.S. Communities program and would not subject it to state procurement law. However, HSAC would only be able to utilize U.S. Communities for its own needs and not those of the individual counties.

Mr. Fujioka also explained that state procurement law has certain provisions to allow for promotion of local businesses.

President Rapozo thanked Mr. Fujioka for his presentation and stated that he would look further into counties' participation in the Western States Contracting Alliance.

The following item was received and filed:

Communication dated January 23, 2012, from HSAC President Mel Rapozo, requesting the presence of the State Chief Procurement Officer to discuss cooperative purchasing agreements.

- B. Reimbursement of air and ground travel for Councilmember Garcia and staff to present to the county councils the proposals for hiring an HSAC director, modification of membership structure, and corporate sponsorships.

Treasurer Pontanilla made a motion seconded by Secretary Chang to reimburse Honolulu Councilmember Garcia and a staff member for air and ground transportation for the purpose of presenting to the Hawaii County Council a proposal for hiring an HSAC executive director, modification of membership, and corporate sponsorships. The motion was approved.

The following item was received and filed:

Communication dated February 3, 2012, from HSAC President Mel Rapozo, requesting agenda time to discuss the approval of travel expenses for presentations relating to the proposed HSAC State Director position.

- C. Proposed bylaws amendment regarding travel.

Treasurer Pontanilla explained a proposal to amend the bylaws to allow for broader travel reimbursement of persons traveling on behalf of HSAC but not necessarily an Executive Committee member. The amendment would be intended to allow for reimbursement of travel for HSAC related travel without requiring Executive Committee approval. After discussion of the proposal and alternatives the proposed amendment was withdrawn.

The item was received and filed.

- D. NACo representatives attendance at HSAC conference.

Alternate Smart asked for clarification on whether the HSAC conference host may invite NACo representatives to the conference and if so, would HSAC be obligated to reimburse them for travel expenses. President Rapozo responded that an invitation to NACo representatives would be welcomed and that HSAC reimbursement for their travel would not be necessary.

The item was received and filed.

- E. Proposed bylaws amendment regarding county assignments to Executive Committee.

Alternate Smart asked for discussion on the proposal to rotate county assignments to the offices of the HSAC Executive Committee. She updated the committee that the proposal would likely be amended to take effect starting in 2013. President Rapozo responded that the proposal should be considered and discussed at the HSAC general membership meeting.

The item was received and filed.

- F. Discussion of HSAC sponsorship of hospitality suite at NACo conference in support of 2<sup>nd</sup> Vice President candidate Hokama.

Secretary Chang asked if it would be appropriate for HSAC to fund a hospitality suite in support of 2<sup>nd</sup> Vice President candidate Riki Hokama at the NACo legislative conference in Washington, D.C. President Rapozo commented that hosting a hospitality suite may be more appropriate at the annual conference. Members agreed to continue to lobby state delegations in support of Mr. Hokama's candidacy at the legislative conference.

Treasurer Pontanilla made a motion seconded by Alternate Smart to endorse G. Riki Hokama for National Association of Counties 2<sup>nd</sup> Vice President for the coming NACo term. The motion was approved.

## VII. ANNOUNCEMENTS

- A. Schedule next meeting.

The Executive Committee meeting was scheduled for March 19, 2012 at Honolulu Hale.

- B. Other Announcements.

None.

## VIII. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:46 p.m.

Very truly yours,



STANLEY CHANG

Secretary

Hawaii State Association of Counties