

Hawai'i State Association of Counties (HSAC)

Counties of Kaua'i, Maui, Hawai'i and City & County of Honolulu

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MINUTES
HSAC EXECUTIVE COMMITTEE MEETING
January 17, 2017
Honolulu Hale, Committee Meeting Room
530 South King Street
Honolulu, Hawai'i 96813

I. CALL TO ORDER

The HSAC Executive Committee was called to order by HSAC President and County of Maui Councilmember Stacy Crivello at 10:10 a.m. The following members comprising a quorum were present:

County of Maui:

President Stacy Crivello,
County of Maui Councilmember

County of Hawai'i:

Vice President Dru Kanuha,
County of Hawai'i Councilmember

County of Kaua'i:

Secretary Mel Rapozo,
County of Kaua'i Council Chair

City and County of Honolulu: Treasurer Ron Menor (Alternate),
City and County of Honolulu Council Chair

Others Present:

Alika Atay, County of Maui Councilmember
Kelly T. King, County of Maui Councilmember
Yuki Lei Sugimura, County of Maui Councilmember
Mike White, County of Maui Council Chair

Honolulu staff Brandon Mitsuda, Council Liaison,
Honolulu City Council Administrative Support
Services;
Honolulu staff Kamakana Watanabe, Office of
Council Services
Honolulu staff Francisco Figueiredo, Legislative
Aide, Office of Councilmember Ikaika Anderson;
Honolulu staff Alan Texeira, Office of
Councilmember Ikaika Anderson;
County of Maui staff Kit Zulueta, Communication
Director, Office of Council Services;



Maui staff Brian Bardolini, Office of
Councilmember Alika Atay
Maui staff Lyn Ampolos, Office of Councilmember
Alika Atay
Maui staff Trinette Furtado, Office of
Councilmember Alika Atay
Kaua'i staff Aida Kawamura, Legislative Assistant,
Office of Council Services;
Scott Ishikawa, Becker Communications, Inc.
Michael Victorino, past HSAC President

II. APPROVAL OF AGENDA

Secretary Rapozo moved for approval of the Agenda as circulated, seconded by Vice President Kanuha, and unanimously carried.

III. MINUTES

- A. Minutes of the December 22, 2016 HSAC Executive Committee meeting, as submitted by the HSAC Secretary.

Secretary Rapozo moved for approval of the Minutes of the December 22, 2016 HSAC Executive Committee Meeting, seconded by Vice President Kanuha, and unanimously carried.

IV. REPORTS

- A. Treasurer's Report

1. Treasurer's Report for December 2016.

President Crivello recommended that this matter be deferred due to the absence of Treasurer Ikaika Anderson.

There being no objections, the Treasurer's Report for December 2016 was deferred.

- B. County Reports

1. City and County of Honolulu Report. Treasurer Menor reported that Honolulu City Council's Public Safety & Welfare Committee



received an update on the implementation plan for moped safety checks, and an update on the Police Commission's goals and objectives. The Committee on Executive Matters reported out Resolution 16-323, naming a city entertainment venue in honor of Tom Moffat. The Committee also heard numerous resolutions with respect to the mayor's cabinet appointments. The Parks Committee discussed issues, priorities, and plans for park improvements throughout the island. The Budget Committee discussed the Honolulu Zoo Working Group Final Report, and stated its commitment towards implementing future improvements. The Committee on Transportation & Planning conducted a hearing on Bill 8, commercial activities at certain city beach parks, and received a monthly update on the Sustainable Communities Plans. The Committee on Business, Economic Development and Tourism (BET) received an update from the Mayor's Office on Economic Development, which focused on future accomplishments and goals. The BET Committee discussed critical issues affecting Waikīkī, homelessness, street vendors, traffic congestion, parking, and concerns with the tourism industry professionals, which included exploring possible solutions to ensure a better experience in Waikīkī. The BET Committee also discussed policy enforcement concerns from Honolulu Police Department, Department of Planning & Permitting, Department of Transportation Service, and the Department of Facility Maintenance. The legislative branch hosted many school children tours during the holidays, and celebrated the Council's inauguration on January 3, 2017. Treasurer Menor stated that the City Council looks forward to a very productive year and a positive and productive working relationship with HSAC.

2. County of Hawai'i Report. Vice President Kanuha reported that the Hawai'i County Council confirmed Mayor Harry Kim's cabinet appointments, except for Corporation Counsel nominee Joe Kamelamela, which will be considered at the next Council meeting. Despite recent history, the Council is considering a proposal to allow certain purchases of alcoholic beverages with the Council Chair's approval. The introducer of the bill is currently working with Corporation Counsel and others to address what is appropriate for use of county funds. Vice President Kanuha also looked forward to a great legislative session and working with the HSAC executive committee.



3. County of Kaua'i Report. Secretary Rapozo reported that the Kaua'i County Council approved a bill that allows multifamily dwellings to be constructed on properties that qualify for additional dwelling units (ADUs). In the past, only separate, detached buildings were allowed, but the costs of constructing attached multifamily dwellings are less, and this process allows for units to come on line much sooner. On Thursday, January 19, 2017, the Council's Committee of the Whole will deliberate the repeal of Ord. No. 960, which received no public participation during the public hearing process. Most recently, the Council approved a measure that allows the golf course concessionaire to sell alcoholic beverages on the course, similar to private courses. The Mayor vetoed the bill, which was laid on the table last week. Finally, county budget preparations has commenced, with the knowledge that decisions made by the Legislature will have a huge impact. Secretary Rapozo also looked forward to a successful and productive legislative session.

Regarding the upcoming HSAC Annual Conference on Kaua'i, Secretary Rapozo requested assistance for soliciting of sponsorships, door prizes, and conference attendance. The location of the conference is the Kaua'i Beach Resort, a golf tournament and welcome banquet is scheduled for Monday, and the conference meeting is on Tuesday. The format for the conference will include a general session, two breakout sessions each for the morning and afternoon, and a closing session. Secretary Rapozo is hopeful on scheduling a legislative forum as one of the sessions. He welcomed suggestions for speakers, topics, and other ideas.

Secretary Rapozo moved to approve Mel Rapozo and Aida Kawamura as signatories on the checking account for the 2017 HSAC Annual Conference to be held on Kaua'i, seconded by Vice President Kanuha, and unanimously carried.

4. County of Maui Report. President Crivello reported that Maui County Council's inauguration was held on January 2, 2017, with keynote speaker Senate President Ron Kouchi, who reaffirmed his support for all counties and the need to work together. The Council's Organizational Meeting, which began at 2 p.m., ended at 3:30 a.m. the following day. At its conclusion, the members approved Mike White as Council Chair. On Martin Luther King, Jr., Day, the Council held a public hearing, as requested by three



Councilmembers, regarding the committee assignments, which was resolved at 9 p.m. that same day. Business will begin rolling at the first council meeting scheduled for January 20, 2017.

There being no objections, the County reports were received for the record.

C. National Association of Counties (NACo) Report

There being no objections, the NACo report was deferred.

The 2017 NACo Legislative Conference is scheduled for February 25 through March 1 in Washington, D.C. The following Councilmembers are confirmed to attend: Valerie Poindexter, Karen Eoff, and Jenn Ruggles from Hawai'i County; Riki Hokama, Yuki Lei Sugimura, and Mike White from Maui County; and Honolulu staff Brandon Mitsuda. Secretary Rapozo recommended that newly elected councilmembers attend a "First Timers Orientation" to learn about NACo and the services available, many of which are free to the counties. Vice President Kanuha requested a discussion regarding setting priorities and topics for discussion with federal representatives during the NACo Legislative Conference. President Crivello noted that an agenda item for that discussion will be placed on the February HSAC meeting agenda.

The NACo Annual Meeting is scheduled for July 21-24, 2017 in Ohio. Secretary Rapozo stated the importance for HSAC (the Hawai'i delegation) to be well represented at the NACo Annual Meeting. HSAC will soon be making its endorsement of a candidate for the office of NACo Second Vice President, and the election of that seat takes place during the NACo Annual Meeting.

D. Western Interstate Region (WIR) Report

President Crivello announced that the WIR Annual Conference is scheduled for May 24-26, 2017 in Deschutes County, Sun River, Oregon. Secretary Rapozo noted his intention to attend.

There being no objections, the NACo and WIR reports were received for the record.



V. NEW BUSINESS

- A. Maui County Council Resolution 17-10, adopted on January 2, 2017, appointing Stacy Helm Crivello as HSAC representative and Riki Hokama as alternate.

Secretary Rapozo moved to receive the communication for the record, seconded by Treasurer Menor, and unanimously carried.

President Crivello noted the following pending actions to solidify HSAC's board nominations: Dru Kanuha as WIR Board Member - Maui County on January 20, 2017, and both Honolulu City & County and Hawai'i County on January 25, 2017; Arryl Kaneshiro as NACo Board Member - Maui County on January 20, 2017, and Hawai'i County on February 8, 2017.

VI. OLD BUSINESS

- A. Vacancy on the Board of Advisors of the Center for Alternative Dispute Resolution

President Crivello noted that Councilmember JoAnn A. Yukimura, County of Kaua'i, declined to serve on this board. HSAC needs to fill the seat vacated by Councilmember Don Couch, Maui County. The second representative currently serving on this board is City Councilmember Brandon Elefante. Councilmembers in the audience requested information regarding the duties and purpose of this Board for a better understanding of what is involved should they decide to volunteer.

There being no objections, this matter was deferred.

- B. Discussion and consideration of hiring a Legislative Coordinator.

President Crivello noted that action on this matter was deferred at the December 22, 2016 meeting at the request of then HSAC President Michael Victorino to have the matter be considered by the new members of the HSAC Executive Committee. President Crivello requested a motion to establish a position of Legislative Coordinator, which Mr. Victorino has stated interest in serving.

Vice President Kanuha moved to approve establishing the position of Legislative Coordinator and contracting with Michael Victorino to serve as the Legislative Coordinator, seconded by Secretary Rapozo.



President Crivello reviewed the proposed budget submitted by Mr. Victorino for Legislative Coordinator services. Secretary Rapozo shared questions brought up by Kaua'i Councilmembers: 1. Will HSAC be required to file lobbyist reports if this position is established? 2. Will HSAC allow others to apply for this position? Secretary Rapozo believed it important to get feedback from fellow Councilmembers prior to making a decision on this matter. Vice President Kanuha also questioned the lobbyist aspect of the position, and stated that he would like the opportunity to discuss this issue further with Hawai'i County Council Chair Valerie Poindexter. Treasurer Menor stated his belief in Mr. Victorino's capability of doing an effective job in this position, but requested that the matter be deferred to allow Councilmember Anderson the opportunity to provide input and make a decision on this matter. President Crivello concurred with the request to defer, as well as providing an opportunity to obtain feedback from fellow Councilmembers.

Mr. Victorino understood that the concerns noted are legitimate, and stated he had no objection to Councilmembers obtaining the appropriate opinions, etc., to be comfortable with whatever decision is made. Mr. Victorino did his own research regarding the lobbyist question, and believed that the duties entail coordinating events with federal, state, and other organizations, not to lobby for HSAC issues. The legislative coordinator position allows for someone to be available on a moment's notice basis and can be present at the Legislature, as well as to meet with other groups as needed, especially during the month of April when Councilmembers have busy schedules dealing with the respective county budgets. Mr. Victorino noted that the position request is for six months, and the position will be assessed for effectiveness and need thereafter. Mr. Victorino reported that Maui Corporation Counsel informed him that there was no problem as long as the position did not perform any active lobbying. Mr. Victorino explained that this proposal for a legislative coordinator position will help keep the momentum going, using his knowledge, experience, and background.

President Crivello stated the need to define HSAC's desired objective with this position and whether others will be allowed to apply for the position. President Crivello stated that she will seek a legal interpretation regarding whether the legislative coordinator position is governed by the lobbyist laws, as well as researching the possibility of defining the position to preclude its classification as a lobbyist.



Secretary Rapozo spoke of the difficulty with trying to find a qualified, knowledgeable candidate at this point in time, especially due to the Legislature having a set timeline. Mr. Victorino possesses sufficient knowledge to perform the duties of legislative coordinator. The lobbying question creates a cloud of uncertainty. Hawai'i Revised Statutes Chapter 97 defines lobbying as "communicating directly or to an agent, or soliciting others to communicate with any official in the legislative or executive branch for the purpose of attempting to influence any legislative or administrative action or a ballot issue." It also defines who needs to register as lobbyists as "anyone that spends more than \$750 in any reporting period, or spends more than 5 hours in every month of any reporting period lobbying." Mr. Victorino confirmed the restriction on former councilmembers lobbying the county on any matter for a period of one year following departure from county service. Mr. Victorino asserted that as legislative coordinator, it allows him to work with the counties. Mr. Victorino recommended that members consider renaming the position as "HSAC Coordinator."

Secretary Rapozo moved to defer action on this matter, seconded by Vice President Kanuha, and unanimously carried.

C. 2017 State Legislative Session update and discussion on lobbying efforts.

Scott Ishikawa, Becker Communications, Inc., reported that HSAC's initial press release received coverage from *Hawai'i Tribune Herald* and *West Hawai'i Today* on the Big Island, *The Garden Island* newspaper on Kaua'i, as well as *Maui News* and *Maui Now*. During the HSAC Legislative luncheon scheduled for today, January 17, 2017, the following will be available to receive commentary from Councilmembers regarding HSAC's legislative package: Kevin Dayton of the *Star Advertiser*, Wayne Yoshioka with Hawai'i Public Radio, as well as a reporter from Channel 4 and Hawai'i News Now will also stop by for comments from Councilmembers. Members discussed strategy, priorities, and assigning a key speaker to present on certain measures included in the 2017 HSAC Legislative Package during the briefing. Secretary Rapozo stated that what was missing from the newspaper articles is the most important fact that the public needs to be aware of—that HSAC is supporting the TAT Report submitted by the Task Force established by the Legislature in 2014, but the Task Force Report was ignored by the Legislature.



Secretary Rapozo moved to approve a contract extension to May 2017 for Becker Communications, Inc. (Scott Ishikawa), seconded by Vice President Kanuha, and unanimously carried.

VI. ANNOUNCEMENTS

A. Scheduling of the next meeting.

The next Executive Committee meeting is scheduled for Friday, February 10, 2017, at 10 a.m. on O'ahu.

B. Other announcements.

Secretary Rapozo expressed his appreciation and thanks to the staff members responsible for putting together an impressive 2017 Legislative Package booklet.

Council Chair Mike White, Maui County, asked for HSAC's position on the collective bargaining raises requested by the Hawai'i Fire Fighters Association. Council Chair White mentioned that ERS (Employees Retirement System) has proposed an increase to get to full funding in 25 years. The Legislature will determine and set the rate for ERS, but it is a significant dollar increase for all the counties. This discussion is related to the TAT, because without increased revenue, sincere consideration must be given to minimize any increase in expenses.

VIII. ADJOURNMENT

The meeting was adjourned at 11:25 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mel Rapozo", is written over a horizontal line.

MEL RAPOZO, Secretary
Hawai'i State Association of Counties