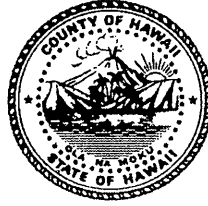


From the office of -
Council Member
District 3 - Hilo and Puna



Office: (808) 961-8396
Fax: (808) 961-8912
Email: sue.leeloy@hawaiicounty.gov

SUSAN L.K. LEE LOY
25 Aupuni Street, Hilo, Hawai'i 96720

2020 SEP 10 AM 10:47
COUNTY CLERK
COUNTY OF HAWAII

TO: Aaron S.Y. Chung, Chair
and Members of the Hawai'i County Council

FROM: Susan L.K. Lee Loy, Council Member

DATE: September 10, 2020

SUBJECT: Proposed Amendment to Resolution No. 716-20; A Resolution urging the Mayor's Office to authorize Google and/or Apple to release Sustain Hawai'i's "Safe Travels contact tracing application" for voluntary use by County constituents to augment existing safety protocols currently in place in the State of Hawai'i in response to the COVID-19 pandemic.

Please find attached proposed amendments to Resolution No. 716-20. These amendments update the resolution based on the most recent information available, and expand the scope of the resolution to grant a statement of comprehensive support for similar mobile applications, provided that personal data protections are in place.

The proposed amendments are illustrated below in Ramseyer format as applied to the current contents of Resolution No. 716-20. Material to be deleted is bracketed and stricken; material to be added is underscored.

1. Resolution No. 716-20 is amended by amending the title to read as follows:

"A RESOLUTION URGING THE ~~[MAYOR'S OFFICE]~~ MAYOR TO ~~[AUTHORIZE GOOGLE AND/OR APPLE TO]~~ SUPPORT THE RELEASE OF [SUSTAIN HAWAII'S "SAFE TRAVELS CONTACT TRACING APPLICATION"] MOBILE APPLICATIONS FOR VOLUNTARY USE BY COUNTY CONSTITUENTS TO AUGMENT EXISTING SAFETY PROTOCOLS CURRENTLY IN PLACE IN THE STATE OF HAWAII ~~[IN RESPONSE TO THE COVID-19 PANDEMIC.]~~"

2. Resolution No. 716-20 is amended by amending the first through the ninth WHEREAS clauses, and by deleting the tenth such clause to read as follows:

"WHEREAS, on March 4, 2020, Governor David Ige issued the first in a series of proclamations declaring a state of emergency to support ongoing State and County responses to COVID-19; and

Comm. No. 1050.1
Ref. To: PICOU
Ref. Date SEP 10 2020

~~WHEREAS, [alongside Governor Ige's proclamations,] on February 28, 2020, [Hawai'i County] Mayor Harry Kim [has also] issued the first COVID-19 emergency proclamation for Hawai'i County, followed by a series of emergency rules, supplementary proclamations, and policies pertaining to the current pandemic; and~~

~~WHEREAS, [according to a Civil Beat article, dated August 12, 2020, by Yoohyn Jung, the State of Hawai'i has recorded more than 1,300 new cases since the beginning of August. Currently, the seven-day average of new cases is at 166.71, compared with 1.71 two months ago; and] on September 8, 2020, the Disease Outbreak Control Division of the Department of Health reported the 10,000th case of COVID-19 in Hawai'i; and~~

~~WHEREAS, [all current statistical models show Hawai'i as having one of the highest effective reproduction rates or infection rates (RT)] Hawai'i fluctuates between having one of the lowest COVID-19 reproductive transmission rates (Rt) in the country[;] to one of the highest; and~~

~~[]WHEREAS, Hawai'i County's hospital [bed] beds, Intensive [care unit (ICU),] Care Unit, and ventilator resources are limited, thereby putting our residents at serious risk [if the need for increased hospitalization arises;] as a result of a recent increase in cases on Hawai'i Island; and~~

~~[]WHEREAS, contact tracing, along with isolation, physical distancing, and testing, have been shown to minimize and contain the spread of the COVID-19 virus; and~~

~~[]WHEREAS, [currently the Department of Health (DOH) contact tracing application is still under development and as yet, is not ready for public use;] the State of Hawai'i launched its Safe Travels app on September 1, 2020, without contact tracing enabled; and~~

~~WHEREAS, [Sustain Hawai'i's Safe Travels contact tracing application is ready to go public;] multiple contact tracing mobile applications are in development in the private sector for public release; and~~

~~WHEREAS, [the Safe Travels contact tracing application needs approval by the Mayor's Office to go public via Apple and Google;] the County Council has been notified by Kevin Vaccarello of Sustain Hawai'i that Android and iOS mobile application platforms require an endorsement from an official source, such as the Mayor, prior to public release; and~~

~~[WHEREAS, the Safe Travels contact tracing application is currently approved by Apple for a pilot with Kaua'i Island and Sustain Hawai'i is independently running a Safe Travels application pilot on O'ahu; and]"~~

3. Resolution No. 716-20 is amended by amending the enacting clauses to read as follows:

“BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that [it urges the Mayor's Office to approve Sustain Hawai'i's Safe Travels contact tracing application] the Mayor is urged to support the release of mobile applications that may include contact tracing features for voluntary public use [via Google or Apple.] on the Android or iOS platforms.

BE IT FURTHER RESOLVED that [~~Sustain Hawai'i's Safe Travels contact tracing application be approved.~~] the Council's support for the widespread voluntary use of mobile applications as an adjunct to existing State and County testing and tracing protocols for containing the spread of COVID-19 is contingent on the use of strong protections against the unauthorized use, release, or sale of personal data.

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to the Honorable David Ige, Governor; the Honorable Harry Kim, Mayor; Roy Takemoto, Managing Director; Deanna Sako, Finance Director; the Honorable Josh Green, MD, Lieutenant Governor; [~~Bruce Anderson, Director DOH; Kevin Vaccarello, Executive Director Sustain Hawai'i, liaison with Google and Apple.~~] and Libby Char, MD, interim director of the Department of Health."

A draft copy of the draft 2 of this resolution that would result if this proposed amendment is adopted is attached.

SL/ps

A RESOLUTION URGING THE MAYOR TO SUPPORT THE RELEASE OF MOBILE APPLICATIONS FOR VOLUNTARY USE BY COUNTY CONSTITUENTS TO AUGMENT EXISTING SAFETY PROTOCOLS CURRENTLY IN PLACE IN THE STATE OF HAWAI'I IN RESPONSE TO THE COVID-19 PANDEMIC.

WHEREAS, on March 4, 2020, Governor David Ige issued the first in a series of proclamations declaring a state of emergency to support ongoing State and County responses to COVID-19; and

WHEREAS, on February 28, 2020, Mayor Harry Kim issued the first COVID-19 emergency proclamation for Hawai'i County, followed by a series of emergency rules, supplementary proclamations, and policies pertaining to the current pandemic; and

WHEREAS, on September 8, 2020, the Disease Outbreak Control Division of the Department of Health reported the 10,000th case of COVID-19 in Hawai'i; and

WHEREAS, Hawai'i fluctuates between having one of the lowest COVID-19 reproductive transmission rates (R_t) in the country to one of the highest; and

WHEREAS, Hawai'i County's hospital beds, Intensive Care Unit, and ventilator resources are limited, thereby putting our residents at serious risk as a result of a recent increase in cases on Hawai'i Island; and

WHEREAS, contact tracing, along with isolation, physical distancing, and testing, have been shown to minimize and contain the spread of the COVID-19 virus; and

WHEREAS, the State of Hawai'i launched its Safe Travels app on September 1, 2020, without contact tracing enabled; and

WHEREAS, multiple contact tracing mobile applications are in development in the private sector for public release; and

WHEREAS, the County Council has been notified by Kevin Vaccarello of Sustain Hawai'i that Android and iOS mobile application platforms require an endorsement from an official source, such as the Mayor, prior to public release; and

WHEREAS, increasing access to contact tracing and testing in response to Hawai'i's recent COVID-19 spike is imperative to the health, safety, and economic well-being of our community; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that the Mayor is urged to support the release of mobile applications that may include contact tracing features for voluntary public use on the Android or iOS platforms.

BE IT FURTHER RESOLVED that the Council's support for the widespread voluntary use of mobile applications as an adjunct to existing State and County testing and tracing

protocols for containing the spread of COVID-19 is contingent on the use of strong protections against the unauthorized use, release, or sale of personal data.

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to the Honorable David Ige, Governor; the Honorable Harry Kim, Mayor; Roy Takemoto, Managing Director; Deanna Sako, Finance Director; the Honorable Josh Green, MD, Lieutenant Governor; and Libby Char, MD, interim director of the Department of Health.