

**2011
HAWAI‘I COUNTY
REDISTRICTING COMMISSION**

2nd Session

Thursday, May 12, 2011

County Council Chambers
25 Aupuni Street
Hilo, Hawai‘i 96720

CALL TO ORDER:

CHR. SIRACUSA: Good afternoon everybody, I will call the second meeting of the Hawai‘i County Redistricting Commission to order. I will call the roll now.

ATTENDANCE:

Present: Mr. Joseph Carvalho, Commissioner (*Waimea Office*)
Mr. Patrick Kahawaiolaa, Commissioner
Mr. Craig “Bo” Kahui, Commissioner (*3:30 p.m. Kona Office*)
Mr. Dru Mamo Kanuha, Commissioner (*Kona Office*)
Mr. Jeffrey Melrose, Commissioner
Mr. Mike Middlesworth, Commissioner
Ms. René Siracusa, Chair
Ms. Valerie Poindexter, Commissioner
Ms. Linda Ugalde, Commissioner

Also Present: Michael Udovic, Deputy Corporation Counsel
Jamae K. K. Kawauchi, County Clerk
Rodney Oshiro, Deputy County Clerk
Charmaine Shigemura, Exec. Assist. to Mayor
Pat Nakamoto, Elections Program Administrator
Cori Saiki, Elections Assistant
Shyla Ayau, Senior Elections Clerk
Glen Shikuma, Warehouse Supervisor
Dwayne Yoshina, Former Chief Election Officer, State of Hawai‘i
Nora Avenue, Admin. Assist. to Clerk
Maile David, Legislative Specialist
Manu Hanano, Council Aide in Waimea
Leslie “Lali” Robinson, Council Aide in Kona
Karen Eoff, Secretary

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

CHR. SIRACUSA: Our next step is Statements From The Public On Agenda Items. I have two slips here and the first is from Richard Bidleman; subject matter is computer and other resource. Richard is representing himself.

RICHARD BIDLEMAN

(At this time Richard Bidleman came forward to address members of the Commission.)

MR. BIDLEMAN: I am Richard Bidleman, I am a resident of Puna; and just for the record, I taught Computer Science for 35 years. I taught a lot of you folks in those 35 years. I think that it is very important that you not only have the resources available to you in terms of hardware and software, but it's very important that you have the people resources available to you as well. I hope that the Secretary has passed out my testimony to you so that you have a hard copy in front of you.

CHR. SIRACUSA: Yes she has.

MR. BIDLEMAN: I would like to read it for the audience if I may. In terms of computer and software resources, it would seem that the following minimum should apply. Number 1; if the public can prepare their own plan, they should have reasonable access to the same resources as the committee. This includes maps, population statistics, computer software and whatever other resources that can be brought to bear on the process. If the committee will be looking at stuff, like maps and redistricting information on a computer; a projection system should be supplied for open meetings and working sessions, so that you can all view it and you are not crowded around a single screen. The State has software to support the Redistricting process. The following should apply to the implementation, training, and access to this resource including, but not limited to the following: (a) 24/7 access from any location; home, work or county offices. I think this is terribly important since you folks got off to such a late start in this process. René told me today that you folks are doubling up on your meetings to try to play catch up. So, I think you ought to have the convenience of those resources whether you are at home or at work.

Training sessions for users should be done by a professional trainer; not by an IT (Information Technology) person. IT people are lousy trainers. You need somebody who does training. For at least eight hours a day, technical support people should be readily available for phone support and have the ability to log in to a user session and assist with any issues in using that software. What I mean by that is you might be using the computer and you can't get from A to B because you are stuck. You ought to be able to pick up the telephone, call somebody, they log in to your computer session and they get you out of trouble. I do it all the time from my home. It is not a big deal. Frequently Asked Questions (FAQ) (d) should be published on a web site. You folks are going to have problems, the IT people are going to have answers, and those answers ought to be published on the web so that you can at least go look at the FAQ's before you start asking other kinds of questions. It's easier for you to do it and you don't have to impact the resource people quite so much. Finally, (e) should resources not be available, all users should be notified by email. I would hate to see you folks coming in to the County offices to use resources only to find out that they are down or not available. That is my testimony, thank you very much.

CHR. SIRACUSA: Thank you very much. Does anyone on the commission have any questions for Mr. Bidleman?

MR. KAHAWAIOLA‘A: Madam Chair, I do. Mr. Bidleman, do you have, in your experience, any idea of the cost---

MR. UDOVIC: Madam Chair, this is not the time for questions, it is the time for public comment only, not for dialog between the person making his statement and the commission members.

CHR. SIRACUSA: So are you recommending that the question be held until we discuss the agenda item relating to our technical resources?

MR. UDOVIC: Yes.

CHR. SIRACUSA: Patrick, would you be willing to hold that question?

MR. KAHAWAIOLA‘A: Yes.

MR. BIDLEMAN: So I should stick around until you get to that item?

CHR. SIRACUSA: You are welcome to stick around. Until they lock us all out of the room, you are welcome to stick around.

MR. BIDLEMAN: Thank you.

CHR. SIRACUSA: The next testifier is Barbara Kahn-Langer, representing herself.

BARBARA KAHN-LANGER

(At this time Barbara Kahn-Langer came forward to address members of the Commission.)

MS. KAHN-LANGER: First of all, thank you all; each of you, every one of you for the service that you are giving to our County. It is so needed and it is so important that each and every citizen understands that this is a one person, one vote process; it is critical. I can't think of how many Redistricting sessions I have been in, in my life since that law was passed in my lifetime. I followed each one in every place that I have lived. Secondly, I want to thank whoever put together this agenda. It is a wonderful teaching tool. Instead of having to wonder what happened when, and why did this occur at a prior time--I moved here in 2003, so I wasn't here with Redistricting the last time--so the history is really important, and I want to thank you for understanding that the progression of what has occurred in Hawai'i is important to each of us. It is clearly written and clearly displayed. I looked at the agenda and I went, "Oh, this is great." Thank you, it is a great education.

Next, I want to second what Richard Bidleman said. I would love to be able to have the opportunity to be an active participant in this process. I would like to be able to see what is happening. I have a computer at home, and if I'm not able to access visually what the discussion is, and what the maps and particular changes might occur, I would like to have the opportunity to see it at least at a central location. I live in Hawaiian Paradise Park, so I just put that forth to you for your consideration, and I thank you very much for the service you are giving our County. Mahalo.

CHR. SIRACUSA: Thank you. For everyone's information, that agenda was sort of put together by the Commission. The various Commissioners were saying what they wanted to see, what information they felt they needed, and it was put on the agenda. So it was a group effort.

MR. KANUHA: Madam Chair, we have a testifier from Kona. We have Council person, Brenda Ford.

CHR. SIRACUSA: Welcome Brenda

BRENDA FORD

(At this time Brenda Ford came forward to address members of the Commission.)

MS. FORD: Thank you, and good afternoon to all the Commissioners. I am going to make this very short. I submitted some testimony; several pages of questions and answers. I observed at the last meeting that there were some 12 to 14 questions that Commissioners asked that did not receive any answers. I made the best attempt possible to answer those questions from my knowledge. I have submitted that as testimony. I don't mind doing that in the future, but I would recommend--and I'm just a member of the public, I'm not here as a Councilperson--that Corporation Counsel should be getting the answers to those questions if you don't have the expertise on the Commission yourself; or should be able to contact an appropriate person to get that information.

I am very grateful that you have put the "How to Draw Redistricting Plans That Will Stand Up in Court" on the agenda. It is absolutely a fabulous training manual. You will know everything you need to know about Redistricting after you read that manual. This is the revised 2010 version. It was written by Peter Watson, who was originally the counsel to the Minnesota Senate, and he is now counsel to the Minnesota governor. I recommend highly that you do not put that aside, that you actually take it home and spend a couple of hours reading and understanding it. If you have questions, then you can ask Corporation Counsel for the information.

You might also want to consider ordering the approximately 75 - three foot by three foot maps from the Census Bureau. It will show you every single census block on the island and you will be able to tell from the map much easier where a particular census block is located. You can also order the zip code maps so you can see what zip code things are in. I don't think it is a horrifically expensive process, but you may need the maps, and the sooner you order them the better. The Commission will need to make a motion to do that and then instruct the Clerk to make that purchase.

I support what Mr. Bidleman said about the software and the hardware. I absolutely support each one of you having at minimum a subset of the software so you can do this on your own. You will quickly see how the domino effect takes place when you move a block of people around the island. That's basically all I have, I will be in the building, but I'll be in a different room, if you have a question for me, I'll be happy to come in and answer. If not, good luck, and have fun. Thanks.

CHR. SIRACUSA: Thank you very much; and thank you for all your efforts. Is there anyone else in Kona or Waimea that would like to testify?

MS. HANANO: Yes, madam chair, from Waimea we have one testifier here this afternoon. The testifier here is Jo Jo Tanimoto. She is here representing herself and wanting to comment.

JO JO TANIMOTO

(At this time Jo Jo Tanimoto came forward to address members of the Commission.)

MS. TANIMOTO: Good afternoon, my name is Jo Jo Tanimoto and I live in Kawaihae Hawaiian Homestead. I have a question as well as a testimony. The question first is whether the decision of the Council, which we actually, down there, don't have a problem with voting for the Councilman; which would be the same as North Kohala. If it goes to the Legislature, because our representative is in North Kohala, we live in South Kohala according to the County map. Our homestead was split, so we want to be put together again. We want to be mended together again; our interests are in South Kohala, especially at the Harbor. That would be ten people that are in South Kohala Homestead and the other couple hundred would be in North Kohala. So the vote that would impact us would be that split. So as County, we have the same Councilman, but if we go to Representative, then we want to be put together. So my question would be is if the decision of this County Redistricting would go to the Legislature level and be considered at that level? Thank you.

CHR. SIRACUSA: Thank you. As Corporation Counsel told us before, we cannot answer questions. But we do hear your concerns. Are there any other testifiers? Since there are none, we will get on with the next item on the agenda which is Approval of the Minutes.

APPROVAL OF MINUTES

CHR. SIRACUSA: I will assume that everybody has had a chance to look over the minutes.

Mr. Melrose moved to approve the minutes of
the April 25, 2011 Hawai'i County Redistricting
Commission meeting. Seconded by Mr. Middlesworth.

CHR. SIRACUSA: Any discussion?

MR. MELROSE: I just want to raise the question, and this may be a good time to do that, we have 50 pages of verbatim minutes that probably took one person four hours per one hour of meeting testimony. I am just wondering if that is as valuable at this point in our conversations to be doing verbatim minutes. I believe the State Reapportionment Commission uses a different format. I believe their meeting minutes are about four pages long and simply document actions taken. As a taxpayer, I'm concerned that we are spending probably ten hours out of our last meeting and for each subsequent meeting for a lot of learning curve; is really what it is documenting. We are not in the process of yet identifying specific issues or making decisions in significant ways. So I'm just going to ask the question; is there a reason why we're spending that kind of time doing those kind of minutes at this point in the game?

CHR. SIRACUSA: Okay, we have somebody here to answer that question.

MR. OSHIRO: My name is Rodney Oshiro, Deputy County Clerk. It is, for the Commissions that the Council has been in charge of to do verbatim minutes. This Commission, being what it is, we would continue to do verbatim minutes. We appreciate Karen's work in doing this and I don't have to pay her overtime. But, we will assist her with other things. If she needs help, we have other staff members who are willing to assist; like Maile and Lali. So we have other staff members who can assist Karen with this duty.

CHR. SIRACUSA: Thank you for explaining. I know there has been a concern that this is not the only job that she has; that she has other things on her plate, and with us doubling up on the meetings for the next four months; that is going to put an additional strain on her resources. So I'm glad to hear that she will be having some help. Is there any legal reason why it is better to have the transcript rather than just a simple stating of what the motions were and whether they passed or failed?

MR. OSHIRO: Well, verbatim is always better. Karen would not have to put everything into a concise manner. It's what it is. It's what you stated, and what you said. There is no if, ands, or buts. Karen just types what she hears on the audio. To me it's set. She doesn't have to make it concise; and if we have to go to court, this is what we will be using.

CHR. SIRACUSA: Okay, thank you. Mr. Melrose, does that answer your question?

MR. MELROSE: I think I'm still going to raise the concern that I think the cost of that is a little unnecessary, but this is your guy's ball game in that regard, but it just seems to me unnecessary, but I'll let that go.

CHR. SIRACUSA: Thank you. So we have a motion on the floor and the motion was to approve the minutes as presented. We are still in discussion; does any body else have any thing to discuss regarding the minutes?

MR. CARVALHO: I have a comment. This is Joe in Waimea. I sort of agree with Jeff about doing verbatim minutes. The reason being is this is voluminous minutes to be reading through for the work that we have; and for Karen to be putting out minutes like this. If we have a summary of our meetings, I think that would serve us better; just my thoughts.

CHR. SIRACUSA: Thank you.

MS. POINDEXTER: I agree.

MR. MIDDLESWORTH: It seems to me that if this is all recorded, and preserved in an electronic form; if we are ever sued and have to go to court, you can go back and retrieve the verbatim transcript. I'm with Jeff; this time we've got 50 pages of minutes, and that is ridiculous. There is no reason on earth that we need to have a 50 page document for each meeting that we have.

MR. MELROSE: Can I make the suggestion that we approve the minutes today, right now, and when we have a chance to talk to Clerk about technical support, we reintroduce the conversation.

CHR. SIRACUSA: There is a motion on the floor, and that can be discussed at another time. Mr. Oshiro has certainly made it clear that the County has a special interest in verbatim transcripts. So, if no one else wants to say anything about the matter I'll take the vote.

The motion to approve the minutes of the
April 25, 2011 Hawai'i County Redistricting
Commission meeting was carried by the
following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa,
Kanuha, Melrose, Middlesworth,
Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui.

COMMUNICATIONS

COMM. 7: SUPREME COURT OPINION REGARDING CHALLENGE TO 2001 REAPPORTIONMENT COMMISSION'S PLAN

Memo from Commission Attorney, Michael Udovic, dated May 3, 2011, transmitting a copy of the Opinion of the Supreme Court of Hawai'i in the case of Citizens for Equitable Government v County of Hawai'i, 2005.

and

COMM. 7.1 COSTS ASSOCIATED WITH LAWSUIT REGARDING 2001 REAPPORTIONMENT COMMISSION'S FINAL PLAN

Memo from Commission Attorney, Michael Udovic, dated May 4, 2011, providing information regarding the cost associated with two separate lawsuits regarding the Reapportionment Plan adopted by the 2001 Commission.

CHR. SIRACUSA: I should mention that these were items that members of the Commission had requested. That has come in and I believe that it is available on the web.

Mr. Melrose moved to accept the information provided by Commission attorney, Mr. Michael Udovic, and contained in Communication 7.0 and 7.1. Seconded by Ms. Ugalde.

CHR. SIRACUSA: Is there any discussion?

MR. MIDDLESWORTH: I don't know if it's discussion, but I do have a comment to make. In Mr. Udovic's letter it says that the costs were roughly \$6,000 because they used County attorneys to defend the lawsuit. If you wanted to have a legitimate response, you would have to include the cost for the time for those attorneys, which I think was probably a lot more than the \$6,000.

CHR. SIRACUSA: Okay, are there any other comments or discussion?

MR. MELROSE: I would just ask Mr. Udovic to think about that. I thought that was a pretty poor response relative to the cost to the County. We were looking for a specific sense to the County, not just airfare and paper costs. We can talk to you later about it, but I think we should accept the Communication.

CHR. SIRACUSA: Thank you, Mr. Melrose. So, are we ready to vote?

The motion to accept Communications 7.0 and 7.1 was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui.

COMM. 8: 2001 REAPPORTIONMENT COMMISSION'S FINAL PLAN

Memo from Elections Program Administrator, Patricia Nakamoto, dated April 28, 2011 transmitting the 2001 Reapportionment Commission's Final Plan.

CHR. SIRACUSA: Do I have a motion?

Mr. Melrose moved to accept Comm. 8, The 2001 Reapportionment Commission's Final Plan, provided by Election Program Administrator, Pat Nakamoto. Seconded by Ms. Ugalde.

CHR. SIRACUSA: Is there any discussion?

MR. MELROSE: I talked to Pat earlier about this, that this was the report at the end of the last Commission, and it wasn't clear whether this would be the same format for the next report. I just want to clarify that a little bit. I have a sense that maybe it's because of the Bill that the Council passed, that it may require additions to the report. This is a very thick report, but it is primarily legal descriptions of the boundaries, and a summary of the numbers. I think we would expect our report to be a little bit different because we will be addressing some of the issues that were already applied for in the Bill.

CHR. SIRACUSA: When I looked at that Final Report it struck me that this reads like a deed; so many degrees in this direction until you get to this point and then so many degrees in the other direction. The rules that we passed require more. They require a narrative discussion on why we made the decisions that we do. I think that is a good thing. So, yes, ours will look a little bit different if we are doing our job correctly.

The motion to accept Communication 8 was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui.

COMM. 9: HOW TO DRAW REDISTRICTING PLANS THAT WILL STAND UP IN COURT
Memo from René Siracusa, Chair, Hawai'i County Redistricting Commission, dated April 28, 2011, transmitting a manual, at the request of Brenda Ford, entitled "How to Draw Redistricting Plans That Will Stand Up in Court," written by attorney, Peter S. Wattson, State Counsel, State of Minnesota.

CHR. SIRACUSA: Do I have a motion?

Mr. Middlesworth moved to accept the manual provided by Ms. Ford and transmitted by Chair Siracusa via Communication 9. Seconded by Ms. Ugalde and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui.

COMM. 10: 2010 HAWAI‘I COUNTY CENSUS NUMBERS

Memo from Elections Program Administrator, Patricia Nakamoto, dated May 2, 2011 transmitting the 2010 Hawai‘i County Population by Census Tract and the Resident Population, by Census Designated Places.

Mr. Middlesworth moved to accept Communication 10, the 2010 Hawai‘i County Census Numbers. Seconded
By Mr. Middlesworth and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui.

COMM. 11: MAP OF CENSUS TRACTS AND CENSUS BLOCKS

Memo from Redistricting Commissioner, Jeffrey Melrose, dated May 3, 2011, transmitting a Map of the Current Census Tracts and Census Blocks for Hawai‘i County.

CHR. SIRACUSA: Do we have a motion to accept Communication 11?

Ms. Poindexter moved to accept Communication 11, the Map of the Current Census Tracts and Census Blocks provided by Mr. Melrose. Seconded by Ms. Ugalde.

CHR. SIRACUSA: Mr. Melrose, did you want to say something about these?

MR. MELROSE: Just a quick note; this is just a map off of the GIS system. The red lines are the individual blocks. Interestingly, there are far more blocks than there are units with numbers in them. There are a lot of blocks that don't have any numbers that were identified by the Census as units of rural land. I think they picked a lot of old plantation roads and made circles out of them; and have zero population in them. Anyways, this is kind of the bread and butter of what we are going to deal with. That was the purpose of sharing the map.

CHR. SIRACUSA: Thank you, is there any other discussion? Seeing none, let's take the vote.

The motion to accept Communication 10 was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui.

ORDER OF THE DAY / NEW BUSINESS

CHR. SIRACUSA: We will now go on to Order of the Day, also known as New Business.

COMM. 12: DISCUSSION ON TECHNICAL SUPPORT

Memo from County Clerk, Jamae K. K. Kawauchi, County Clerk, dated May 2, 2011, requesting a discussion on Technical Support for the Redistricting Commission.

RODNEY OSHIRO

(At this time Rodney Oshiro, Deputy County Clerk came forward to address members of the Commission.)

CHR. SIRACUSA: We have Mr. Oshiro up at the table.

MR. OSHIRO: Yes, my name is Rodney Oshiro, Deputy County Clerk. Ms. Kawauchi apologizes for not being here today; she had an emergency, so she asked me to jump in. Basically, our task is to assist you in your efforts to do your job. Our “go to” person is Karen, through the Chair. If you need anything, Karen is our person. She will be assisted by Maile, myself, Jamae; of course you have Pat and the Elections staff and also Mike and the Corporation Counsel staff.

As far as software and related items required; we do the purchasing, if necessary. We assist you in the purchasing of this equipment. We do the logistics for your meetings and we also assist you in your training. All of this falls under the Office of the County Clerk. If you need the technical questions answered, software is in Honolulu, so we would be contacting Honolulu for assistance with that software.

CHR. SIRACUSA: I have a question. Has that software contract been signed?

MR. OSHIRO: We haven’t heard anything from them yet.

CHR. SIRACUSA: Have you had a chance to look at the testimony, or did you listen to the testimony that was provided by Mr. Bidleman?

MR. OSHIRO: Yes, I have.

CHR. SIRACUSA: Would you like to address some of those?

MR. OSHIRO: We would be deferring to our IT division to assist us in helping solve these problems that we have; so IT (Information Technology) and also the State Elections Office.

CHR. SIRACUSA: I needed a motion to open up discussion on this agenda item.

Mr. Melrose moved to open up discussion on
Communication 12. Seconded by Mr. Middlesworth.

CHR. SIRACUSA: I believe Patrick has a question, and Mike has a question after that.

MR. KAHAWAIOLA‘A: Alluding back to Mr. Bidleman’s question, I wanted to find out what the costs would be. Obviously, you wouldn’t have it, but I already heard you say you are going to have to use the IT people from the County to help. I’m talking about the five bullets on Mr. Bidleman’s testimony. The IT and from the State Elections Office; and I don’t want to keep assuming, but would that be the individual that was here for our first meeting?

CHR. SIRACUSA: Mr. Rosenbrock.

MR. KAHAWAIOLA‘A: My concern about the cost is if all of this comes to fruition with Mr. Rosenbrock, the cost, I wanted to find out; but you couldn’t answer the cost thing because no one would know. But then again, would that be part of the technical information I need. The discussion was with the State Elections office; the people we were going to identify. Who would be the residents? Has that decision been made yet?

MR. OSHIRO: I don’t know the answer to that question. We will be also training with you folks on the system.

CHR. SIRACUSA: I’m going to ask Patricia Nakamoto from Elections to come up, because she might be able to answer some of these questions.

PATRICIA NAKAMOTO

(At this time Pat Nakamoto, Elections Supervisor came forward to address members of the Commission.)

MS. NAKAMOTO: I am Patricia Nakamoto, the Elections Program Administrator for the County of Hawai‘i. As far as the software; we have not received it yet, but I have been in contact with Mr. Rosenbrock from the State Office of Elections. As he said at our previous meeting, we are still expecting to receive it by the end of the month. We have also talked about training; and what is in the plan right now is for Mr. Rosenbrock, and for Mr. Royce Jones, from ESRI, to come to the Big Island and do the training. So, we would all get trained at the same time.

CHR. SIRACUSA: I have a question. This is our second meeting; we are required by the rules to accept an alternate plan from any member of the public by the fourth meeting. If we don’t even have---

MR. MIDDLESWORTH: That is not correct.

MS. NAKAMOTO: I believe that is on the agenda and is coming up next.

CHR. SIRACUSA: Yes, on the timeline. I am just wondering if we are going to have time if all these delays before we can get the software; are we going to have time to do what we are supposed to be doing within the timeline that is laid out.

MR. UDOVIC: The rules require that the date for the alternate be set by the fourth meeting, not that the alternate plan be submitted.

CHR. SIRACUSA: Ah, okay, thank you for clearing that up for me. I was starting to panic.

MR. MIDDLESWORTH: I downloaded the demo version of the ESRI redistricting software, which any body can do from their web site and you can play with it using the 2000 census numbers. You cannot use the 2010 numbers because we haven't paid for it. In the course of this, then they started sending me emails about do you want to buy it and all this kind of stuff. Once they found out that I was a Redistricting Commissioner, I got an email yesterday from the ESRI guy in Honolulu saying--Royce Jones--saying they are still in negotiations with the State about the purchase of the software. He did not give any indication in that email as to when that might be completed. The software itself seems to be reasonably to use; it overlays in their GIS software, and so on. Actually I've been using computers for the last 35 years and have taught computer use and all that. I think it's going to require quite a bit of ramping up before other people are going to be able to use it; particularly the general public, just learning that software is going to take a considerable amount of time.

CHR. SIRACUSA: Not all of us are equally talented in that department either.

MR. MELROSE: You know, in that regard, I have a suggestion; and we can talk about it a little bit, and make a motion if we need to. I think, having been a user of GIS systems for the last 15-20 years, I understand the background of them. I have also used a little bit of web based GIS systems and I am aware that we, as a group, and maybe as a broader community need a little bit better orientation to Geographical Information Systems (GIS) generally. So rather than jump right into the web based system which is a manifestation of GIS, I think that it might be useful that our next meeting we actually have a little workshop with our IT. We have good GIS staff at Hawai'i County. Separate from the web based system, but simply just to try and understand and let everybody gain a common understanding of what the system can do, use the census data as an example that we can work up. I would suggest that while we are waiting for the State to bring their web based system, we continue to build our capacity going forward and being able to deal with this. In this discussion I would suggest that: 1. we have that on our agenda next time and we work with it, and, 2. we might think about creating a technical sub committee of this group to help work that up so it doesn't just come from left field, and we actually work at it a little bit together. I'm glad to do that. It's just something I know more about than maybe others at the desk, and I would like to help rise all boats in that process. That would just be a suggestion.

MS. NAKAMOTO: Following up on that, Jeff; I did talk with our IT Department. We have just one GIS person here in Hilo and there is one person in Kona. For that training, if we could get someone from the U.H. to come in and provide us with that information, that would be helpful. I don't know how soon we are looking at conducting the training, they may not be available.

MR. MELROSE: I think that is an option. The University is an ESRI certified educator; they do train on that, and I work there and I do see a fair amount of that. I'm not looking for a full training yet; it's more a matter of a taste and a smattering of that. It doesn't have to be a full training, but like an example of how the system works. Whether it's the U.H. or whether it's the County, I think both have good options. If we could have a conversation preparing for the next meeting; who does it is probably less important than the fact that we really need that training. I

think it would be good for any body in the public who is going to watch it as well. That would be my suggestion, and I'm glad to take on a task with some body else to create a technical committee to help bring that communication here and help prep for a presentation at our next meeting if you think that is something that we should do.

CHR. SIRACUSA: Do you want to put that in the form of a motion; that we should agendaize it.

Mr. Melrose moved to have a training on Geographical Information Systems (GIS) at the next meeting of the Redistricting Commission. Seconded by Mr. Middlesworth.

CHR. SIRACUSA: Do we have any discussion on that? Kona? Waimea?

MR. KAHAWAIOLA'A: Excuse me, Madam Chair. I do; I would like to discuss just a portion of it. The anticipated training for this--and trust me, I'm one of the guys that cannot spell computer--I need to be sure that this is the process that we are going to use, and that we all get used to, ma'a, to the process of having to use this software to do the work that we are going to do in redistricting. If that is what this thing is going to lead up to, then I would be in support of that. We just passed a motion to accept "How to Draw Redistricting Lines That Will Stand Up in Court" so I feel like I'm bound to that book; I also am going to be bound to something else to look at and then that Ordinance that was passed by the County. So I'd be in support of it.

CHR. SIRACUSA: I do assume, Jeff, that that was your intent.

MR. MELROSE: I understand that there is a little bit of a difference between the interface of a web based system and a PC based system; but the concepts of bringing in layers, and analyzing layers, and data within layers, is the meat and potatoes of Geographical Information Systems. I think we could put together a 15-20 minute presentation that projected on the screen and just kind of show you some things that would, when we got to the next step, we would be up a couple of steps in the process. That's all I'm really looking to do, I'm not going to try to train you in GIS; that would put us all to sleep.

CHR. SIRACUSA: If we have no more discussion on that, I will call for the vote.

The motion to have a training on Geographical Information Systems (GIS) at the next meeting was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui.

MR. MELROSE: I think that the other side to that is the technical process of me getting out and working on this topic that probably requires the creation of a technical committee. I'm glad to

do that with any body else, but I don't think we just say, "Jeff go off and do this." I think there ought to be an appointed committee that we should have on that topic.

CHR. SIRACUSA: I was going to ask Mike, since he has a lot of experience, to serve on that committee. Would any one else like to?

MR. CARVALHO: I would like to help.

MR. OSHIRO: Madam Chair, I think you are talking about an Ad Hoc Committee, which, under the Sunshine Law has all these things that you have got to follow. You need to agendize it at your next meeting. The Chair would agendize the formation of the Ad Hoc Committee. So, just be careful, that's all I'm saying. You are running close to the Sunshine Law.

CHR. SIRACUSA: Okay, we don't want to do that.

MR. OSHIRO: On your next agenda, you have a right to just agendize it. You don't have to make a motion.

CHR. SIRACUSA: Please make a note that we will put organizing a technical committee on the agenda for the next meeting.

MR. UDOVIC: Then we need to discuss what the scope of that responsibility is, they have to be able to come back and report to the board; it's all part of the Sunshine Law.

MR. MELROSE: Are there other options, other than an Ad Hoc Committee to have a conversation where two of us have a conversation with the Elections Office to help prepare? There is a number issue, and I think there is some kind of a technical committee that doesn't have to go through the Sunshine Law process.

MR. UDOVIC: Two members can discuss board business. You cannot have more than two members discussing board business, and you cannot agree on anything. Without going any further than that, you should be okay as long as you don't make any agreement as to what would be done there. But if you are creating an Ad Hoc Committee, you have got to set the parameters of the Ad Hoc Committee; it's 92-2.5 of the Hawai'i Revised Statutes (HRS) which talks about that.

MR. MELROSE: If we don't set an Ad Hoc Committee we can have this conversation with two or more---

MR. UDOVIC: Two or less.

MR. MELROSE: Excuse me, two or less, and we can have a conversation with Pat to help prepare the presentation for next time. Is that possible?

MR. UDOVIC: Maybe it would be wise at this point in time to have one person discuss with her what the nature of the---

MR. MELROSE: I don't want to cross that line; I just want to be able to help that process. If the County can't do it, then I need to find some way to get the University to help do it. We will need to go out and do that pretty quickly. So, what I'm taking is that rather than creating an Ad Hoc group, we are just going to try to have a conversation about that in the interim to help prepare for our presentation. Is that fair?

MR. UDOVIC: That's fine.

CHR. SIRACUSA: Does anyone else have anything to discuss?

MR. MIDDLESWORTH: I have a couple of questions about the technical support aspects of this as far as the public is concerned. Are there going to be computers available for people to come to the County offices and do this sort of thing? Or, those of us who don't have computers; are we going to have computers available? In terms of the logistics of it, what sort of physical support is the County going to supply?

MR. OSHIRO: If we can fit it into our budget, we will have a computer for them.

MR. MIDDLESWORTH: In other words, we would have to spend some of our \$75,000 to buy the computer.

MR. OSHIRO: Correct.

MR. MIDDLESWORTH: That's fine, because that kind of computer is not that costly.

MR. OSHIRO: Currently, what's on the table for the Council is \$75,000 for this coming year's budget. We have \$7,000 up through June 30, 2011. So hopefully, Council passes the budget, and we will have \$75,000.

CHR. SIRACUSA: I have a question. We are going to be buying the software anyway; that has to happen.

MR. MELROSE: No, we're not, it's the State.

CHR. SIRACUSA: Who buys the software that we are going to be using?

MS. NAKAMOTO: Mr. Rosenbrock, when he was here doing his presentation told us the State has a contract to purchase the software and get support from ESRI. The State has given the County two licenses for our office to use to draw the plan; so we will have access for two licenses. Mr. Rosenbrock, at the last meeting, mentioned that at any given time there could be 20 users. Those 20 users would need to get "log in" so that they could sign on to the program if you want to draw your plan.

CHR. SIRACUSA: Is there any way that any member of the public could just get the program sent to them so they could work at home on their own computers and use that kind of software to develop an alternate plan?

MR. MIDDLESWORTH: It isn't an issue of downloading the software to your computer. ESRI has an online version of the software and all you have to do is get a password and a log-in. I assume that the 20 that we are going to get would be available for people to use from home, whether it is us or the general public. I noticed on their web site that there are several jurisdictions across the Country that have really gone in to promoting public input into the Redistricting. I think Santa Clara County in California and the whole State of Florida has purchased enough licenses for the ESRI software that people can sign on and draw up plans. I have no idea what the State of Hawai'i is going to do. My guess is they are not going to go that far because we are not that inclined to do so. But, the software is available on line so that you don't have to download software into your computer; it's a matter of getting the license to use it. And, if we have 20, sure, I assume that we could have public sign-ins. If they were all in use, you would just have to wait until somebody else signed off, and then you could use it. That is how it's set up.

CHR. SIRACUSA: Would you like to comment on that suggestion?

MS. NAKAMOTO: The only thing that I would reiterate is that we have two licenses for the County of Hawai'i. The 20 that Mr. Rosenbrock mentioned, that's 20 users who could sign in to that program. And, you could do that from home, like you have heard people talk about wanting to.

MR. MELROSE: That would be 20 at any one time.

MS. NAKAMOTO: Yes, 20 at any one time, that's correct.

CHR. SIRACUSA: So the public would be able to get their own passwords and log in and access that.

MS. NAKAMOTO: At this point in time, that would be my understanding that they could.

CHR. SIRACUSA: Okay, good, because I do believe there are a lot members of the public out here watching us and the fact that they are here, and some of them are here more than once, and this is only our second meeting, shows that they have an interest. I would like see the public be able to---and maybe they will present a better plan than we do. If it's better, it's better; we want what is best for our County. But I don't want to draw up obstacles and put obstacles in anyone's path. Do we have any more discussion on this matter?

MR. MELROSE: I have another technical question.

CHR. SIRACUSA: And then Linda.

MR. MELROSE: I'm sorry, Linda, please go ahead.

MS. UGALDE: I just wanted to know if there was any update as to when we were going to get that software. They said the end of the month, and then possibly before the end of the month. Is there an update on that?

MS. NAKAMOTO: My understanding is that we would get it before the end of the month and the training would also take place before the end of the month.

CHR. SIRACUSA: Good. Okay, Jeff.

MR. MELROSE: Two things; one, just to clarify that, if we actually get trained, will we have to come back here and schedule a training? Is that the idea? Would it be separate process?

MS. NAKAMOTO: Yes.

MR. MELROSE: Not a regular meeting, but a training?

MS. NAKAMOTO: That is correct.

MR. MELROSE: The other question I have has to do with Census data itself. We currently have, from the Census data, all of the numbers for all of the blocks and all of the tracts on the island. Is that already available?

MS. NAKAMOTO: We don't have it, no.

MR. MELROSE: You don't have it, so it will be attached to the software that's coming?

MS. NAKAMOTO: Yes.

MR. MELROSE: The State's decision on the final adjusted number; is the State taking a position on the adjusted number again? I think 10 years ago they used the number the Census gave them and then we used those numbers, and then that was challenged. Are we going to repeat this process again?

MS. NAKAMOTO: I believe that in 2001, the State used an adjusted population base. They excluded the military. I'm not sure if military dependents. We used total population.

MR. MELROSE: We used total population, and the State used an adjusted number?

MS. NAKAMOTO: That is correct.

MR. MELROSE: But did the State adjust--I think the military is a number you can pull out because there is data associated with it--the non resident student number is probably the larger one but I can't imagine Honolulu doesn't have that problem with the East West Center and all the other circumstances of non resident. Are we going to have to wrestle with that issue of

whether we use the student or non student or come up with our own number now; or is that going to come out of what comes from the State?

MS. NAKAMOTO: The Commissioners will need to decide on what population base is going to be used for the County of Hawai'i. That is your decision. But what was mentioned at the first meeting, was that if it is a different population base that is going to be used than what the State is going to use, then we would need to go out and find someone to go out and adjust that population base to what we want it to be.

MR. MELROSE: Do we expect that the number from the State will be again an adjusted number? Or is there a time frame when that adjusted number will be available to us; the military adjustment?

MS. NAKAMOTO: At this point in time I have no idea what population base the State is going to be using.

MR. MELROSE: And how will we know, and when will we know that, so we can plan to move forward according?

MS. NAKAMOTO: My guess would be that by the time we get the software we would know.

CHR. SIRACUSA: We were informed last meeting that the State Redistricting Commission would be meeting the next day. Then I found out later that that was delayed. Do you know if they have met since our last meeting?

MS. NAKAMOTO: Yes, they have met.

CHR. SIRACUSA: Do you know if they discussed this matter of the population base, and exclusions?

MS. NAKAMOTO: No, I do not know that information.

CHR. SIRACUSA: Mr. Middlesworth.

MR. MIDDLESWORTH: It seems to me that based on our discussion the last time, that yes, we have to decide on what numbers we want to use, and we really have to do it in the face of whether or not we think we are going to get sued over the end result. It really is up to us. Nobody is going to tell us which numbers to use. The University cannot tell us where their students live, so we have no way to adjust for those. It may end up being just a question of the over and under percentage stuff. I don't know. I have puzzled about this ever since we got into this thing after reading the law suit and everything else that went on. There is no single source to tell us what number to use, as far as I can see. Everybody is nodding their heads, so I assume that that seems to be the general agreement.

CHR. SIRACUSA: Any more discussion?

MR. KAHAWAIOLA‘A: I do, madam Chair. I would tend to--this is how I read last month's meeting also, the first meet that we had--and that's why my question to Mr. Rosenbrock was just that--all I wanted to be sure is what we did here would not run afoul of what the State was going to do. If the State excluded just military, I had a problem with military and its dependents. Not everybody in the military is married to somebody who live outside of Hawai'i; who is born and raised outside of Hawai'i. So I had a problem with dependents. But, based on what Mr. Rosenbrock represented; was just that we couldn't say we wanted to include the military, but the State said they wasn't going to do it. But after that, we couldn't get the student body population, so that's why they were included the last time.

CHR. SIRACUSA: It was my understanding by reading what we would be provided by the County Clerk's office was that among other things, we would be provided with the population numbers. And I would hope that they will provide us with the population numbers that are the right numbers that we are supposed to be taking into consideration.

JAMAE KAWAUCHI

(At this time Jamae Kawauchi, County Clerk, came forward to address members of the Commission.)

CHR. SIRACUSA: I see that Jamae has come up to the table and I assume that she has something to contribute to this discussion.

MS. KAWAUCHI: Good afternoon Chair and Commissioners; Jamae Kawauchi, County Clerk. I apologize for the delay in attending. I just wanted to make sure that per the communication that I submitted, that all of you are aware of all of your options in terms of the provision of technical assistance; and if you are all clear in formulating a plan or trying to at least come to an idea of the way in which you would like to proceed to utilize software and other tools that are available to you. I do apologize for the delay in terms of the State providing the software to us, and some of the information that you are asking for. I know that you are very anxious on proceeding, but because of the cost factor and the way it was done in the past, the Counties have relied on the State to provide us with the information after they have gone through and looked at the Census and information, then work with the software developers to come up with the appropriate programming tool to help you draw your maps.

Now, your question--I don't want to lose sight of what your question is--which is are we going to help you and give you information so that you can identify your populations; we can do that. If you give us questions that you have, the Clerk's office can then transmit that to the State. What we can also do for you during your meetings is ask if the State, David Rosenbrock, who was here, can be made available for you during your Commission meetings. Perhaps he can answer some of your questions as you ask them. In fact, I'm not sure if it was explained earlier, David Rosenbrock, who was here the last time, is available today if you would like to give him a telephone call. We can do that for you, to answer any questions that you have that concern technical assistance. I'm not quite sure where to go from here; my offer in terms of the communication was just to try and help you come up with some ideas on the process that you will be using, using the diagnostic tools, the drawing software; and then get feedback from you on how you might want to proceed.

One example--and this is not to lead you in any direction, but just to offer an idea--is if you want to use the programming software at home, as you discussed in your last meeting, that we should really be clear on what Mr. Rosenbrock was talking about when he said that 20 licenses would be available. I, myself, after reviewing the minutes was not clear on that. I wasn't sure how, mechanically, you would take advantage of one of those licenses as an option. So that might be a question you would want to consider discussing with Mr. Rosenbrock. I am happy to have us help you make that telephone call if you need that.

Another question that I had was the exact date that the information could be provided to you. I think we better get that clear too, so you are aware. If you can use the software immediately, or let's say you can't--let's say one of the options you wanted to employ was using a computer here at our offices. We need to discuss how, mechanically, you would do that. So, my idea on technical assistance was just to get an idea from you on how you wanted to proceed and then let us know the kinds of questions you would have to help you get there to formulating a plan.

The last idea was one that came up at the last meeting; Mr. Rosenbrock brought it up. He had said that at one point an ad-hoc committee was formed to discuss the drawing of the plans. If you formulate an ad-hoc committee I would encourage you to discuss what restrictions that might place on your Commission with your Counsel, so that you know if you do formulate an ad-hoc committee at any time what the implications of that might be on you as a body. But that is another idea. You could formulate a small group just to discuss the plan that might be put forward for technical assistance and then come back with your plan. I think there are a lot of options that are available to you and we just need to get direction from you as to what you want to do and how we can best serve you. I don't know if that made that more confusing; I hope it didn't.

CHR. SIRACUSA: It's not like we have a menu or a list of all of our options; pick one from side A and one from column B.

MS. KAWAUCHI: One thing to start with might be to get clarity on what those 20 licenses were. Would that be helpful?

CHR. SIRACUSA: Ms. Nakamoto.

MS. NAKAMOTO: Those are 20 users, or log-ons.

MS. KAWAUCHI: Pat is wanting to make sure that I am clear. I should not use the word license; it is 20 log-ons. Would you like to know how to utilize the log-ons? Would that help you?

MR. MELROSE: All this training is going to happen later. We are going to get trained on this. It will happen the next time when we get trained, so I don't think we need to answer that question now. I have two questions for you. One is, I would like the Clerk's office--because the number of non resident students was an issue last year--I think we need to have you research for us at U.H. Hilo, H.C.C., West Hawai'i, and East Hawai'i, the number of non resident students in

those classrooms so we at least have that number. How we pull it apart, what ever we do with it, we need that number, and if you folks could help put that number together, that would be helpful. Is that possible?

MS. KAWAUCHI: It's possible.

MR. MIDDLESWORTH: I want to get back to the number thing and the legal aspects of it. I would like to ask our attorney to do a little research in terms of the State Supreme Court's decision about the last plan in which they said that some of that number stuff was not very material; give us an idea of what that really meant.

MR. UDOVIC: We can talk about the opinion, but the opinion really said that the 10.89% wasn't a significant deviation. Even though the non-resident student population was not appropriate, it was pretty much a fair representation. We are really confronted with an awful lot of very, very differing viewpoints, and I couldn't agree with you more. The only thing that I can tell you, is that when I read a number of the opinions--and I went through most of the Supreme Court opinions regarding these cases--they look on a case by case basis to determine what the intent of the persons were, how they intended to get to their goal and things. So, I think that our real goal at this point in time is to see where we are, to get to the goal that we can, to get the information. I know that some inquiries have been made already to the University of Hawai'i at Hilo to try to find out what the non-resident student population is, so we have those numbers. Then we can choose to modify them somehow, but to try to get to get to as equal population base in each of the districts as we possibly can. So, I think that is really what our goal is, and if we keep that as the goal, I think we are okay. But we are working towards those other issues as well.

MR. MIDDLESWORTH: The Ordinance also says that we should try not to have an equal population base, because we should take into account growth.

MR. UDOVIC: There are an awful lot of things we have to talk about. But when we do the Final Report, when we prepare the Final Report, we have to identify what factors we use and quite frankly, with the group of people I see here, I think in all honesty, that you are going to be able to tell this is why we did what we did; and not just say we decided to throw the dice and see where it ended up. I think, really, they are going to make some very considered decisions, so I think we are going to be in good shape, quite frankly. I have confidence.

CHR. SIRACUSA: Thank you for your confidence, Mike. I feel that there are all these criteria that we have to look at, and we have to balance them. Where some of them may bump into each other, we are going to have to give some weight to some of them also and decide what is more important. Obviously in that Supreme Court decision, what they gave weight to was the fact that the attempt was to be inclusive, and not exclusive. That is where the Supreme Court gave its weight.

MR. UDOVIC: If you look at some cases; there were some cases in other states like in New Jersey, for example. There was only a .6 deviation, and they found that was improper because

they were using it for racial reasons. So, it just depends. It really is on a case by case basis. So that is pretty much all I can tell you at this point in time.

CHR. SIRACUSA: It appears to me that even if a plan appeared where the numbers were exactly spot on, but there was an obviously gerrymandered district in there, we could not accept it because the decision not to have gerrymandering far outweighs the requirements to have the numbers within a certain range.

MR. UDOVIC: Those are all decisions that you, as members of this Commission, would have to reach

CHR. SIRACUSA: Yes, we would have to make that. Does anyone else want to ask questions of Michael, or Jamae?

MR. MELROSE: I have again two; and one is a technical question. I am not clear what a 10% deviation is. I understand where in one district you can't have more than a 4.9% deviation, is the ten the rollup of all of those districts and all of those deviations? What is the definition of that 10% marker? I'm not sure what that represents.

MR. UDOVIC: My best understanding of it is that it has to be no more than 5% in either direction; you know one way or the other. So, 5% higher on one group and 5% on another area. It looks like it's on both sides.

MR. MELROSE: What I just counted up, was I looked at last year's count, at the back of what you gave us earlier, and it looks like they were 11% up and 13%---12% down and 13% up if you add up all the pluses and minuses of the deviations, you came up with a sum total of one. Can anyone help me on what that 10% really means?

MR. MIDDLESWORTH: In one of the court decisions they talk about the difference between the one that is over and the one that is low. So it is the spread. You've got one that is 5% over, and one that is 5% low, that is the 10%; you are okay.

CHR. SIRACUSA: So they're not taking all the figures, all the deviations, and then averaging them?

MR. UDOVIC: No, it doesn't appear to be.

MR. MELROSE: In the ongoing process of training us, can you provide some better insight on what that means, and give us some examples of where we get that number so we can be aware of that?

MR. UDOVIC: Yes.

MR. MELROSE: My last request is; respond to Councilwoman Ford's concept about getting the big maps. I've looked at those maps on line, and they are pretty big, and full of lots of little numbers; But, I'm not sure--and I want to honor her question, and it's the second time she has

suggested this to us--if we got them they become a useful tool if you are standing in a place at your home, and you are walking around kind of pointing at maps and you put them all up on a wall somewhere, but I'm not quite sure how we would use them. Did you use them last time? What would you think the value to us of that hard paper map would be?

MS. NAKAMOTO: We did not use the paper map with the census blocks on them. What we used was the software. The software program had all of the information we needed in block and population information.

CHR. SIRACUSA: Excuse me, for Karen's reference that is Patricia Nakamoto speaking.

MS. NAKAMOTO: Also, what we used were the topo maps. We referred a lot back to topo maps just to find identifiable landmarks and things like that; but that was the only hard copy maps we used were the topo maps.

MR. MELROSE: I would just suggest to the group that I understand what she is talking about. I know in my work with maps, I like to have big things that I can walk up against, but I don't know that it would be functional in our meeting, or how we would do it. Maybe we can defer that conversation to later.

MR. MIDDLESWORTH: I would like to find out the cost. If they are not terribly costly, maybe we could use them; put them on a flip chart. We can stand them up over in a corner of the room and if somebody wants to see the detail, they can go over and flip one up.

MS. NAKAMOTO: We can look into what the costs of those maps are, and get the information to you at the next meeting.

MR. MIDDLESWORTH: Thank you.

MR. MELROSE: That would be good; that would be our request thank you.

MR. MIDDLESWORTH: That's good, thank you.

CHR. SIRACUSA: Okay, if we have completed this discussion on Technical Support, then we need to vote on filing Communication 12. Do I have a motion to file Communication 12? Oh, I see; we don't need a motion; we just need to take a vote.

The motion to file Communication 12
was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa,
Kanuha, Melrose, Middlesworth,
Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: Commissioner Kahui.

COMM. 13: TIMELINE FOR SUBMISSION OF REDISTRICTING PLANS

Memo from Elections Program Administrator, Patricia Nakamoto, dated April 28, 2011 transmitting a Suggested Timeline for the Submission of a Draft Plan, Alternate Plan, and Final Plan, for consideration by the Hawai'i County Redistricting Commission

CHR. SIRACUSA: We probably want to do some discussing here; or do we just want to file? Let's take a break. I'm going to call for a short recess.

RECESS: At 3:00 p.m. the Chair called for a short recess.

RECONVENE: The meeting was reconvened at 3:10 p.m.

CHR. SIRACUSA: I would like to call this meeting back to order. This is the meeting of the Hawai'i County Redistricting Commission. We are on Communication 13, Timeline for Submission of Redistricting Plans. We have a draft of a suggested timeline that was presented to us by Patricia Nakamoto of Elections. Somebody guide me; we have a question that came up, but it is not on that, it is on something we already dealt with that we were talking about. How do we back track? Valerie had a question.

MR. UDOVIC: Just recognize Valerie, she has a question and ask her what it is.

CHR. SIRACUSA: Okay, Valerie you want to put your question on the record?

MS. POINDEXTER: We were just having a side conversation--two people, not more--however we were talking about the military and the non-resident students. I had a question about non-citizens, or non-residents. I know saying alien population doesn't sound right. What is the proper term to use? Are they considered residents though? The people like the Marshallese population, or the Hispanic population?

CHR. SIRACUSA: People who are residents, but are not American citizens, and therefore do not vote, is that what you are referring to?

MS. POINDEXTER: Right. And they are here temporarily, like the military. But we are including them all in this count, because they are included in the census? Or--

MS. NAKAMOTO: As far as in the Charter, we do not have a definition for "resident." I am not an attorney, but I think the State Constitution defines a resident.

MR. UDOVIC: I don't have that information specifically at this time; If you pose a question, I'll find out exactly what you want me to. I'll give you a legal analysis of it. Pose your question then.

MS. POINDEXTER: How do we define the non-resident population? Would those who are coming here temporarily on their Green Cards or Visas, or non-resident alien? I hate to use the word alien, but---

MR. UDOVIC: We will find out.

MS. POINDEXTER: That may be a big population in some areas that will make a difference in the redistricting.

MR. KANUHA: I have a question. Were they included in the Census?

MS. POINDEXTER: I believe that they were.

MS. NAKAMOTO: Well, just based on our previous discussion, we know that non-residents were included in the Census because we are looking at non-resident students and also non-resident military. So based on that---

CHR. SIRACUSA: However, there could be people who are residents but are not American citizens.

MS. NAKAMOTO: Yes.

CHR. SIRACUSA: So, we assume then, that they were counted in the Census?

MR. UDOVIC: We can't do much of anything else; we have to deal with the figures that we are given. We can't keep guessing, we are going to get the Census figures and the numbers and the tracts and everything. When all this comes down from ESRI, I guess it is, when the contract is made. Once we have that information, I can answer your other question. I think we should be in a position to start making some decisions then.

CHR. SIRACUSA: Okay, so we are going to hold that until we have more data to work with.

MR. MELROSE: Just a question. We do have another resource in the audience that might be able to answer, that is Dwayne Yoshina, who was the Director of Elections for the State for 20 plus years. Would it be okay to have Dwayne address that issue? Dwayne, is that an issue you can address for us?

CHR. SIRACUSA: Please come up and sit at the microphone and state your name. We appreciate your assistance.

DWAYNE YOSHINA

(At this time Dwayne Yoshina, former Chief Election Officer for the State of Hawai'i came forward to address members of the Commission.)

MR. YOSHINA: I am Dwayne Yoshina, I used to be the Chief Election Officer for the State of Hawai'i. I have been through three Reapportionments; two in the position of being the Chief

Election Officer and one as a staff member. My understanding of the census data that comes to you is that it contains the defacto population of the State on the day of the Census. That means everybody who is on the island at that time. So there might be residents, non-residents; there might be citizens, non-citizens. Whoever is in the State on that day, at the time of the Census is in the Census.

CHR. SIRACUSA: Thank you. Okay, can we go back to our agenda now? We are on Timeline and as I said earlier, we have a draft timeline that was presented to us as a suggestion by Patricia Nakamoto at our request because we had wanted to start when our Final Plan was due and then work our timeline backwards to find out what our landmarks are and what we have to achieve by what dates. Do we have a motion to open discussion?

Mr. Melrose moved to accept Communication 13,
and open discussion on Timelines for Submitting
the Final Plan Seconded by Mr. Middlesworth.

CHR. SIRACUSA: Is there any discussion? We don't need to vote yet, we just need the presentation. Patricia, please.

MS. NAKAMOTO: This was a suggested timeline that we worked on, based on the Final Plan being submitted to the County Clerk on the December 31st deadline, and working backwards. I think we could probably come up with a more realistic timeline; this is just a suggested timeline. At the time I was working on this, I did not know when the deadlines were going to be to submit the Alternate Plan or the Draft Plan. Those are dates that you need to decide on. If those dates differ, then of course I need to go back and re-do the timeline.

CHR. SIRACUSA: Some things here are firm dates, like when to file the plan with the County Clerk on December 31st, right?

MS. NAKAMOTO: Yes.

CHR. SIRACUSA: Which are the dates that are not firm, that we would have to determine?

MS. NAKAMOTO: All of the above; all of the other dates.

CHR. SIRACUSA: All of the rest?

MR. MELROSE: Pat, can I ask a question?

MS. NAKAMOTO: Yes.

MR. MELROSE: I noticed that you left about 45 days from the time the Final was adopted to the time a Plan was actually finally filed. Is there anything in that, other than the preparation of this Final Report that---Do we need to present this anywhere or do anything about it other than just you finish the plan and submit it?

MS. NAKAMOTO: No.

MR. MELROSE: That's just a question; and 45 days is good, and I know you were doing this to hopefully give yourself a Christmas vacation this year. Or at least be allowed to take one as opposed to forcing you into doing this. And I think we all said at our last meeting we would like to do that too. The public hearing processes; there are two hearing periods, and I think we are supposed to one, hold a hearing in every district, and that would be the first sequence of hearings. Then the second series of hearings, which is where now we would be reviewing the Draft Plan specifically, that's when there are two; and East and a West. So for the multiple ones, for the nine Commission hearings; the last time this was done, did all Commissioners go to each of these individual area meetings? How does this differ from the last one?

MS. NAKAMOTO: I don't recall if all Commissioners went to every Public Hearing, but the Commissioners did attend the Public Hearings.

MR. MELROSE: Is there a lag time for support for the Department to create a---I guess we are going to do this at the Civic Center, so it's not a question of having space to do it; but the logistics of getting them done. I think August, September, October; we have about two and a half months to do nine meetings.

MR. MIDDLESWORTH: In the last go-around, I remember from reading it, they did, in some cases, two or three hearings in one day. Patrick would know better.

MR. KAHAWAIOLA'A: If I may; absolutely, we did, and the staff had to do it; remember, the staff was the logistics people. They had to take the maps, the books, whatever we needed to get there. We accomplished it. Sometimes it was twice a week. You went during the weekday, and then went on the weekend to do it. Especially the places in Kaū, and when we got to Kohala and Waimea and Kona, we were there, and Puna. So it was just something that needed to be done. We just needed to get out there.

MR. MIDDLESWORTH: How well attended were the meetings?

MR. KAHAWAIOLA'A: I must say, we were not overflowing with people; but people of that district was concerned. I would have to say, Puna showed the greatest concern. But everywhere else, we had---We didn't run out of refreshments, how about that. We didn't run out of refreshments with the rest of the places. But, that being said, that's the process that was used.

MS. NAKAMOTO: And the August 16th to October 7th deadline; that was really put in there so that you folks could look at your schedule and see how you could fit this time frame into your schedule.

MR. MIDDLESWORTH: The only one that I might be concerned about is if we say August 16th to October 7th for the Public Hearings, and then the deadline is three days later. I might say August 16th to September 20th or something like that for the Public Hearings, so we have a couple of weeks between the hearings and the submission of the Draft Plan.

MR. MELROSE: Yes, the same is true for the next one too, for the difference between the last Final Hearing and then the Final Plan coming on the last day of that period. That could move back a little bit too. Anyways this is a tentative plan. This is a targeted plan; I don't know that we need to adopt it and make it part of our public specifics, we are not ready yet to do the Alternative Plan, that's a hit, right? We have to do that by the fourth meeting. I think this is a good working target for me, and I don't know that I would nit pick it a lot, but we may change it over time.

CHR. SIRACUSA: I don't think we have to carve it in stone at this point.

MR. MIDDLESWORTH: My concern is that we have enough time for them to do all the stuff that they are legally required to do.

CHR. SIRACUSA: One thing that I did notice though is that here we are allowing a full month for two Public Hearings. That is the second batch. Yet, we only have a month and a half for nine meetings. I'm wondering if we could sort of give a little more time to the nine meetings and a little less time to the two meetings so that we could sort of shift things around a bit that way.

MS. NAKAMOTO: This is just a guideline. I think what's important is that you look at your calendars and see within a certain time frame, we may not need all of this time if you can coordinate your calendars and make the meetings in two weeks or three weeks.

CHR. SIRACUSA: I also have a concern with the delay in the software and the public's ability to access and to devise their own alternate plans and if August 15th would be a hardship, or if it would be a goal that could be met. I would just as soon be happy if we are looking at this as a general tentative guide and not a carved in stone thing and see how we progress as we move along; see when we get our software and the training and all of that stuff. How does everybody else feel about it?

MR. MELROSE: I think you're right.

MR. KANUHA: Sounds good to me.

CHR. SIRACUSA: So, in that case all we have to do at this point is file. Is that correct?

MR. KAHAWAIOLA'A: Madam Chair, just food for thought for the Commission. Probably the most important part of this other than meeting the deadlines for submitting the Alternate Plan, and the other two, the Final Plan adoption and file the Plan with the County Clerk, would be that this body should look at the schedule seriously and consider those public hearings. Those public hearings were important. I didn't mean to make fun of the public hearings. The public hearings were important. That I believe would then give us the guidance as to what needs to be done. We can sit here and tell people go on the computer and learn to use this, and make an alternate plan, but that's why I believe the biggest part of it was to go out to public hearings to get their input there, and see how it was. They will probably enhance it now. They will probably come to the public hearing with--based on the new software that we have--to say, "Hey look, I have something already, so consider that for my district." Thank you.

MR. MIDDLESWORTH: When you did the hearing last time, you took plans around with you as I recall. They had several plans.

MR. KAHAWAIOLA‘A: There were several plans put up on the wall, we took different scenarios, and kudos again, to the staff because they had to do that. We the Commission, made those decisions. The lines should be here, this should be there. The public hearings had great interaction because it was based on numbers; when we took the numbers. Again, once we get those numbers down, we are fully behind those numbers. Then, it really becomes a matter of inserting those numbers inside the lines, within the tolerance of the 4.99%.

CHR. SIRACUSA: And now it’s also within the tolerance of the other criteria that we have been given in the recent County Ordinance.

MR. KAHAWAIOLA‘A: Those other criteria are man made; you can do it. I think for today’s meeting, we heard the attorney’s explanation of the opinion that was rendered in the lawsuit and the tolerance was 10.87%. So now, we are bound by Ordinance to stay within a tolerance of 4.99%, either way, up or down. So, the numbers and then the tolerance.

CHR. SIRACUSA: Okay, motion to file.

MR. MELROSE: We already have a motion to accept the communication. It was moved and seconded.

CHR. SIRACUSA: Okay. We have a motion on the table already to accept this Communication, so you’re saying we don’t have to do anything else at this point. We vote.

The motion to file Communication 13,
discussion on Timelines for Submitting
the Final Plan was carried by the following
vote:

Ayes: Commissioners Carvalho, Kahawaiolaa,
Kanuha, Melrose, Middlesworth,
Poindexter, Ugalde, and Chair Siracusa.
Noes: None.
Absent: Commissioner Kahui.

COMM. 14: DISCUSSION ON GEOGRAPHICAL STARTING POINTS

Memo from René Siracusa, Chair, Hawai‘i County Redistricting Commission, dated May 5, 2011 requesting a discussion on Geographical starting points.

Mr. Middlesworth moved to open discussion on
Communication 14, Geographical Starting Points.
Seconded by Mr. Melrose.

CHR. SIRACUSA: Is there any discussion? Mike.

MR. MIDDLESWORTH: I think, because of the one provision in the Ordinance about taking into account growth and so forth, that this time around, we should start with the northern boundary of Paradise Park and the northern boundary of Hawaiian Acres, and draw two districts in Puna on either side of Highway 130. The population is there to create two districts and work around the island clockwise from those two.

CHR. SIRACUSA: Okay, that is one way that we could do it that is interesting. Does any one else have any other ideas about geographical starting points?

MR. KAHAWAIOLA'A: Just a point of clarification on Mike's point. Are we starting at the Puna border? Is that what I'm hearing, the Puna border, between Puna and Hilo, and moving clockwise? We are going to start in Puna, so the Puna border?

MR. MIDDLESWORTH: Not the Puna border, because the Puna border is in the middle of where there are no people. In terms of the census, the people really start at Paradise Park and Hawaiian Acres.

MR. MELROSE: Just a point of conversation. I don't know what you had in mind when you brought up--put this on the agenda--because we are really not making a decision on this topic today. I think as it happened ten years ago, was you lay out a series of different potential starting points, and you do the map accordingly. From that, we get input as to what the implications of those are. So, discussing a specific one today---I think we should be talking about starting points, and having that conversation about when we actually get the data in front of us. And then, come up with a target number. I think you guys had nine, or so, the first time you went out ten years ago, or, I don't know what the number was.

MR. KAHAWAIOLA'A: Nine Council Districts, so you had nine holes to fill.

MR. MELROSE: Right, but the number of maps is what I was thinking of. How many maps did you produce when you went the first circle?

MR. KAHAWAIOLA'A: It was like five maps; we started with nine maps, picking several starting points within the nine maps. So that's what I thought this thing would be, just for the Commission to discuss potential starting points. And, I would think today we would discuss nine starting points.

CHR. SIRACUSA: And that is exactly what I had in mind when I asked for it to be put on the agenda. I wanted to find out if anyone had any ideas about geographical starting points; suggestions for those. I certainly have my suggestions, and I'm sure that the other Commissioners have theirs. I thought we would start out by throwing our ideas out on the table. That is the first step to having a discussion.

MR. CARVALHO: Madam Chair. This is Joe in Waimea. We are unclear about the number of districts. Is it by Ordinance that we are limited to nine districts? But if we find out--We can form another district, is that possible?

CHR. SIRACUSA: No. What we would do is we would divide the total census numbers by nine. The population number that we would aim for would aim for that resulting sum. We are not looking to add more districts. The County Charter, I believe, says that we are limited to nine districts. But we can have, as population grows, of course, we have more people in each district. And population moves also, and so some districts may lose population and others may gain. But we still keep it within the nine.

MR. CARVALHO: Thank you.

CHR. SIRACUSA: You are welcome. So, we were throwing out some ideas and I would like maybe for each Commissioner to throw out an idea about where they feel would be an appropriate starting point, and then we could see about looking at various scenarios utilizing those starting points. And everyone, if they want to play with it on the computer, they can play with their favorite starting point and take it from there. Then we will see how it goes. I'm just opening up the discussion at this point. So, Kona, do you have any ideas?

MR. KANUHA: Sure, I mean the first thought I had was start at the northern most point; start at North Kohala and work your way down clockwise. To me that's an option. There are so many other options that we can play with, but that seems pretty simple to me; the border between North Kohala and Hāmākua.

CHR. SIRACUSA: Okay, that is one idea. So, we are using the clock as a template so to speak.

MR. KANUHA: Sure.

CHR. SIRACUSA: Okay, Waimea?

MR. CARVALHO: I think it's a great idea starting from North Kohala.

CHR. SIRACUSA: I can't imagine why. *(Laughter)*

MS. POINDEXTER: I agree with North Kohala and moving clockwise.

MS. UGALDE: It seems to me that it is a real clean starting point; not starting in the middle of a district, so I agree. I like North Kohala too.

MR. KAHAWAIOLA'A: I would start anywhere this body would want us to start and then based on the numbers; for me, it's always going to be about the numbers. If I can't get 25,000 people from Kaū to South Kona, or Kaū to part of Puna and back to Hilo, it's not going to work. We will be way outside of the tolerance. District 6 is going to be an animal. It's an animal now; it's going to be an animal. The Representative there is going to drive forever. The census says there are less than 4,000 people in Kaū. So we have got to put 20,000 people in that hole.

Where are you going to get the 16,000 people from? You've got to go grab some from Kona. We can grab some from Puna, We can even try to reach back as far as Hilo, but that's where it's going to go. Either way you in Kaū, it's the desert. That is something for us to contemplate. I don't have a problem with starting over in Kohala and moving, but somebody is going to be very upset in Kona when they got to move into Kaū. But, that's the way it is. Or somebody in Hamakua that is going to come back into Hilo; Hilo moving over to Puna. It doesn't matter, we just going to have to be wise people; look at the districts that are out there now. Maybe not the configuration that we want, but I'd like to remind all of the Commissioners that the island of Hawai'i is, from a genealogical standpoint, and for me as a native Hawaiian, the make up of the island is as such. The Kumulipo, the beginning part of our ancestors, speak about the top of Mauna Kea being the sacred place. I could argue that we should go on the top of Mauna Kea and go out nine ways from there. But, I don't want to go into the ahupua'a, because I've got more than nine ahupua'a, and I can't do that. So somebody's part of the ili of somebody's ahupua'a is going to be in someone else's. And that's one thing that Hawaiians don't do, is we going to talk about ahupua'a, then we don't like go into that.

But, I would rather do it the way how the islands have been set up. There are six judicial districts on the island of Hawai'i. Those districts are Kohala, Hamakua, Hilo, Puna, Kaū and Kona. Those are the judicial districts of this island; that's the makeup of this island. It was back that way in the Kingdom. So, I may just be expressing my thing about being a Hawaiian and being the host culture, being part of it. But, the representation should be just that too. Regardless of the fact that there is an area that grows by the biggest margin; Puna, by all stretch of the imagination needs some representation. But I don't mean to demean it by saying they are not being represented. If it's one man, one vote, they are voting. Obviously they are voting, and they are voting loud and clear. So we just need to, as Commissioners, need to find out, reach the best medium that we can get. Someone always is going to be unhappy, as Commissioners, when we get through dividing 185,000 people by nine. That's basically what our job is going to be. If we extrapolate, then maybe those people that that they say, non-residents that we can identify, shouldn't be counted. If we do, that's going to be our task; 185,000 people divided by nine.

At the first suggestion that Mike made, I think it's a wonderful thing, to take Puna; Puna is the biggest place. I think we can get, if it's only a matter of 25,000 people in one district, I think Puna will have a district where 25,000 of them will be all in Puna, but there will be 22,000 in someone else's district. There is not going to be the 10th Councilman; it's going to be the 9th Councilman. There is going to be a district called the 5th and 6th District. The 5th District of Puna, that's going to be out there, it's not going to change. It's going to have 25,000 people in it. For me, I'm getting a little bit more excited to get the software so we can then move with the numbers. Once we get the numbers, you, and all of us, probably we will be clicking forever. Mike has already put some things into our minds. He is saying that he went on it and fooled with it. So, you know, it's going to be something. That's basically what it is, so I would defer to any body, because eventually I'll come back to what I need to do.

CHR. SIRACUSA: Okay, thank you for your mana'o. Jeff, you haven't given us yours yet.

MR. MELROSE: I would just suggest that there are a variety of---I think that this is an alternative generation process, and so we should look at a couple of different alternatives and a

couple of different rationales for why, and just have our logic kind of laid out for each of those things. There is logic for doing Puna, there is a logic for doing North Kona. Those are the fastest growing regions and there is a certain accommodation for that growth and for starting there. There are a variety of ways, and until we see what the implications are and how they cut up communities of interest, or existing communities, to me, I am equally concerned about maintaining some community cohesion in this process; so the numbers are important, but I think I am very interested in how it affects communities. I'm open to---I would expect us to have four or five different choices to start with and use the numbers. This is all just basically planning; start with a bunch of alternatives and then analyze them and think about them.

CHR. SIRACUSA: Thank you. Mike.

MR. MIDDLESWORTH: I would just point out that given the notion of representation for the faster growing areas, if we divide 185,000 by nine, we get 20,500 people roughly, which means that we could be above or below that for any given district by say 800 or 900 people and still fall within the 10% number. So when we consider districts, like Jeff says, North Kohala and Puna are the two fastest growing.

MR. MELROSE: North Kona.

MR. MIDDLESWORTH: I mean North Kona, not North Kohala. They would be the districts you would think about having fewer people in the district as opposed to more. So that enters into it too.

CHR. SIRACUSA: Okay, now it's my turn. I have been thinking about this also. When we were reading the Supreme Court transcript of the decision and there was some discussion there about the fracturing of Puna, and how that happened there because Kaū is so sparsely populated. So, I started pulling up the maps from the County Data Book and the County web site. I was trying to get a feel for---I pulled out the 2000 Census tract maps, I pulled out the Council District plan map from the 2001 Reapportionment, I pulled out the zone maps, and then I pulled out the Federal government map showing Federal lands on the Big Island. When I compared all these maps together--and I wish that I had had it sort of like in the form of a overlay so that all of them would be the same size and I could overlay and see where things lined up--but it struck me that between Volcano and Upper Puna, and Pahala and the rest of Kaū, there is the National Park. The National Park, as far as I know--and I really would like Elections to get me some data on this--does anybody live within the boundaries of Hawai'i Volcano National Park? Do we have any permanent residents at Kilauea Military Camp? Because, if there are no people living there, then Kaū and Upper Puna are not contiguous and therefore do not meet that criteria. Furthermore, we know that Pahala and Volcano are not communities of interest.

Bearing that in mind, I had two possible scenarios. One would be that we start at the National Park boundary with Kaū and start working our way clockwise, up the coast, up the leeward coast. And then also start from Volcano and work our way counter-clockwise and see what kind of numbers we can generate and how those two pan out from there. One of the things that would happen was that of course we wouldn't have this problem of a whole chunk of Upper Puna being attached to Kaū. Because if Kaū gets tied in with South Kona, they are more of a community of

interest because they all generate towards Kona to go to Costco and that sort of thing; whereas the other way around, between Volcano and Pahala you have got thousands and thousands of acres of wilderness, and there is no contiguity and there is certainly no community of interest. That is why I would like to try, as two starting points, from the Volcano border on each side, and work our way around and see what happens with the numbers that way.

Does any body else have any other ideas that they want to throw out on the table. And Patrick, by the way, I am still looking at numbers. I'm just thinking that we would avoid running afoul of one of those criteria, or two of those criteria; the community of interest criteria, and the contiguity criteria. So---

MR. KANUHA: Madam, Chair.

CHR. SIRACUSA: Yes.

MR. KANUHA: From Kona, Commissioner Kahui just showed up.

CHR. SIRACUSA: Welcome, welcome. We are almost at the end; you will have to wait for the transcript to find out happened. This is going to go back to where we were talking about the benefits of a transcript as opposed to just minutes. But, welcome anyway. Did you want to throw some ideas onto the table? Please.

MR. KAHUI: Well, I first want to apologize to the Commission. I made a commitment to be here and serve as a Commissioner for our District 8 and I know that my prior commitment and---

CHR. SIRACUSA: I'm sorry; I'm having trouble hearing you. Could you get closer in to the mic? Or use the other mic?

MR. KAHUI: Can you hear me now?

CHR. SIRACUSA: Yes, that's better now.

MR. KAHUI: I any event, again, I do want to apologize to this Commission for being late. Unfortunately I had a prior commitment and at the time when we voted to have this meeting I had realized the conflict. With that said, I have read all of the Communications; I don't have any further comments. I am looking forward to the starting points. If you are recommending that we proceed going from the Southern end north on both sides, I'm agreeable with that.

CHR. SIRACUSA: Thank you. And we did know in advance that you had a conflict and that you would be late, so there is no need to apologize. Does any body else have anything to contribute to the discussion on geographical starting points? If not, then I think what is in order would be a motion to adjourn.

MR. MELROSE: No, there is a motion on the floor for your Communication that needs to be accepted. We have had our discussion.

CHR. SIRACUSA: So, we need to close file.

The motion to file Communication 14,
discussion on Geographical Starting Points
was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa,
Kahui, Kanuha, Melrose, Middlesworth,
Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: None

ANNOUNCEMENTS

MR. MELROSE: I have a question of the group, and it has to do with how we---The agenda for next time; we need to be clear about that and I think there were some things put on the agenda this time from just communicating with Pat or other things. And that's great; I just want to know what the protocol is for getting something on the agenda. Do we need to do it now at this meeting? Or as things evolve? What is our direction on the process of creating the agenda for next time?

CHR. SIRACUSA: Mike Udovic is going to answer that.

MR. UDOVIC: Well, you can make recommendations at this meeting for matters that you wish to consider at the next meeting. You can also communicate with the Chairperson who will place it on the agenda. Other than that, that would seem to be appropriate, or if there are any specific questions you want answered, we can do those too.

CHR. SIRACUSA: Okay, I would suggest then, that if anyone has any agenda items they submit them to Karen and she will route them to me. That way she will be in the loop.

MS. UGALDE: Our next meeting, if I am not mistaken, is scheduled for May 26, 2011.

CHR. SIRACUSA: I have to look at my calendar.

MS. UGALDE: Yes, two weeks. Do we think we might have the software by then? I don't mean to belay the point, but I just think we would get a lot more done if we had the software. There are so many questions that are pending; I don't see the sense in meeting if we are not doing something.

CHR. SIRACUSA: Patricia Nakamoto.

MS. NAKAMOTO: The only information that I can give you, again, is by the end of the month. We should have the software, and we should have training by the end of the month. I don't have an exact date.

MS. UGALDE: Okay, the 26th is four working days before the end of the month.

MR. KANUHA: Madam Chair, could we possibly just tentatively schedule the next meeting for a week later?

CHR. SIRACUSA: We could do that, if we want to. Would there be a problem getting the room?

MR. KANUHA: To me, it almost seems pointless to keep on coming back to these meetings and keep talking about the numbers and everything, without us even having the numbers or all the information available. For everybody to come out and have a meeting without it, seems almost pointless.

CHR. SIRACUSA: I'm looking at this calendar for the Council Room, here. It is available on June 2, 2011. I'm wondering what would happen in Kona and Waimea; whether the facilities would be available on that day over there.

MR. KAHUI: Madam Chair, if I might. This is Bo from Kona. Our facility is open at this time for a meeting on the 2nd.

CHR. SIRACUSA: Okay then, why don't we take a five minute recess, because Karen is checking on that and we'll have some information and we can get back on it.

MR. MELROSE: I wouldn't take a break on that, can we come back to that topic on scheduling the meeting? I think it's a good idea, and I appreciate Dru, what you said about the reason for meeting. So, if we did set it in June, I think we talked earlier about having some kind of a training on GIS. Whether it is either a specific conversation on the actual training, or something that we work up; there should be that on the agenda; some kind of a training.

MR. UDOVIC: I would also make a recommendation that we--and it's really kind of tragic that we don't know when everything is going to be available. We should do the training for the Commissioners at a meeting, as well, so we don't have any issues about Sunshine Law. I don't know what to say, maybe even after the 2nd of June, maybe in four weeks. I don't like to belabor things, but then we might be in a better position. But that's for you to decide, not me.

CHR. SIRACUSA: Karen has just given me the word that the facilities would be available on June 2, 2011.

MR. MIDDLESWORTH: We have got two things at work here with the training issue. One is, the orientation on GIS, which has nothing to do with training on the specific software. It would seem to me that we should schedule that as soon as we can, whether we know when we are going to have the software or not. If we wait until we know that the software is available, then we have to have the GIS orientation, and then we have to have the training, and by that time we are going to be in July.

MR. UDOVIC: The problem is, is that by the fourth meeting you have to set the date for the Alternate Plan. So that's the only thing that I would just make sure you keep that in mind as well.

CHR. SIRACUSA: If we keep our next scheduled meeting date, can we get the GIS training as part of that meeting? Can we set aside part of that meeting for the GIS training?

MR. MELROSE: I think I am going to have to arrange that. What I was hearing was that the County was less able to do that than---You know, working with the University, the University is on summer break, and the like. So, I would have to start that conversation when I leave this meeting to see whether or not I could get something done. I wouldn't want to say absolutely that it would happen in two weeks, and not be able to deliver it.

MS. NAKAMOTO: And I can check with the County again, but it was my understanding after speaking with them, that they may not be available. Since we have a date of May 26th, I'll check to see if someone might be available, but I'm not sure.

MR. MELROSE: And we do have some other questions pending. There were some population questions. It's not clear to me the role of the Reapportionment process at the State level, and how it affects us, and when these numbers are going to come through. I don't really want to sit in these meetings and go around in circles; I would much rather have traction underneath us; and I think we all would rather be there. So, although we set aside a very ambitious two week schedule, I am also more than willing to say let's make good use of our time when there is real material here to work with. Is that subject to the call of when we start to know more, or do we just have a meeting and then complain about it when it doesn't show up?

MR. MIDDLESWORTH: One of the things I know from reading the ESRI web site, is that their software is set up to use the numbers that are in that chart that we have in hand already. There is a Public Law that defines the Census numbers, and that is what their software is set up to use. So we are not going to have a whole lot of flexibility, if we are going to use that software. I would just throw that out.

MS. NAKAMOTO: The Census data is total population. We are looking, based on the Charter, not including non-resident military and non-resident students. So that is something the software program is not going to provide us with that information. We need to go outside and get that information. And just in previous discussion, just as an FYI to all of you, that may not be that easy. My understanding is that when the State wanted to get some of that information, they had to contact certain influential people to help them to get that information. We just can't go directly to the agency and get that information. So, beginning tomorrow, we are going to start working on that.

MR. MIDDLESWORTH: As I say, the software is set up to work with that specific batch of tables. It is going to be real hard for us to adjust the software, adjust the maps after the software has drawn them. We've got a real problem with that.

MR. KAHAWAIOLA‘A: Just to that point; that is what happened ten years ago. After throwing numbers, putting lines, and doing this; and still being unclear of what numbers we are going to use. That is why every one was included, because those numbers were firm. The Census numbers were firm. It showed the total population on this island and it was a matter of putting 16,500 people in every slot; or trying to do it within that tolerance that was given to us. So I would tend to agree with you Mike, we may be spinning our wheels doing this, but if we are going to do it--I just want to defer back to Jeff--a training can be done. So am I to understand the training is on May 26th if it does happen, and then we are still shooting for the 26th meeting date also?

MR. MELROSE: What we talked about was the idea of doing some kind of--I wouldn't call it a training--I would call it an orientation or a kind of a groundbreaker into the GIS process, so the people get a feel for that. How useful that is going to be, I wish I had more time to work it out with Pat and with staff to figure out what that's going to be. It isn't a long process to work up. The system is very active, but knowing that people would be available and doing that. It is different than the training on the web based software that we are going to use. But you raise an interesting question right now; and that is that the data that is in the web, that we are using, isn't going to necessarily be the numbers that we are going to need to drive with. Is that what you just said?

MS. NAKAMOTO: Yes. That all depends on what population base the Commission decides to use.

MR. MELROSE: But the population base that we are most likely to have in the software is the existing Census data, full load, unadjusted number?

MS. NAKAMOTO: That is correct.

MR. MELROSE: So the adjustment ultimately needs to be some kind of an after the fact adjustment, after we have done some bulk allocations.

MS. NAKAMOTO: Yes.

MR. MELROSE: So, just as we will do, you know, adjusting for that growth population or for moving communities of interest; so there is a bulk of conversation, which I think would really help us a lot with starting points. We could see the general flow of things; that would be an interesting first step. Then the refinement is what you are talking about; making those kinds of adjustments.

CHR. SIRACUSA: I was thinking along those lines too. Even if we didn't have the numbers that we are supposed to be extracting, we could get the general movements and then if we have to tweak a mile here or a half mile there, or something like that; it would be pretty minor, but we would have our general picture.

MR. MIDDLESWORTH: My reading of it is that people who are to be excluded, generally fall into the districts with the least growth. Most of them are in the Hilo districts; college students---

MS. NAKAMOTO: I don't know; that is an assumption you are making.

CHR. SIRACUSA: I don't know that for sure either.

MR. MIDDLESWORTH: My reading from the last time around; and Patrick is nodding his head.

MR. KAHAWAIOLA'A: That was a hypothetical reading, because we couldn't again place it. Students may be living in Puna and coming to school here. Students may be living someplace else. It wasn't necessarily in Hilo. Because the University was here, the assumption was just that, that everybody lived in the student housing, but we didn't have---Student housing couldn't accommodate all the students that were there, so they were all over East Hawai'i.

CHR. SIRACUSA: Well, that's right, because the dormitory only holds so much, and where you are going to get your cheapest housing is in Puna, if you are a student.

MR. KAHAWAIOLA'A: That is where many of them were living.

MS. NAKAMOTO: And there are many out of Hilo town; students that come and live in the dorms also. So it's not only non-resident students living in the dorms at the University.

CHR. SIRACUSA: So let's get back to what we were discussing, which is our next meeting. Let's get to our focus again and find out, ultimately, do you guys want to stick with our schedule for the time being, or do you want to move one week the way it was suggested.

MR. MELROSE: My recommendation is that we move one week, to June 2nd. That gives us a little bit of time; one, to see whether or not data comes in and we have got a better feel for the training cycle, and two, give us a little bit more time to come up with an introductory training that would get us off the ground. So, if I'm going to be responsible for doing that, I'm going to get nervous about doing it in a two week period of time. I want to deliver a useful conversation, so let's do that; and on June 2nd we will know more. Time works in our favor in this regard.

MR. KAHUI: René, this is Kona. The consensus here is that we support June 2nd, allowing us enough time to receive information so we can have a fruitful meeting.

Mr. Kahui moved to change the next meeting of the 2011 Redistricting Commission from May 26, 2011 to June 2, 2011. Seconded by Mr. Middlesworth.

CHR. SIRACUSA: Do we have more discussion?

MR. MIDDLESWORTH: Yes. If we meet on June 2nd, and Jeff could arrange the GIS orientation for a date, say, a week later, or even several days later. Does the orientation have to qualify as a regular meeting of the Commission, or can it qualify as something else legally?

MR. UDOVIC: It's not a good idea to start making all the Commissioners getting together for non-meetings. It just doesn't work.

CHR. SIRACUSA: I would prefer to be in a meeting venue because then the members of the public who are interested could also benefit from that orientation. So, are we ready for a vote?

MR. KAHAWAIOLA'A: Madam Chair, just for a point of information, and it's for me. It's not putting Ms. Nakamoto under any gun; with the exception of you were assured that we're going to get it by the end of the month. You were assured. It's not that you said it, but you were assured they were going to give it to you by the end of the month.

MS. NAKAMOTO: Yes.

MR. KAHAWAIOLA'A: So, I just want the Commission to understand that she was assured---

CHR. SIRACUSA: Right.

MR. KAHAWAIOLA'A: It should be here by the end of the month so that when we have our meeting on June 2nd, if it's not here on June 2nd, I want us not to go after her and say, "You said...." That's all I needed to make clear.

CHR. SIRACUSA: So, Patricia, maybe we are also giving you incentive to do a little nagging on the other end there, to try to hasten things along.

MR. UDOVIC: Ms. Nakamoto made a comment to me that if the materials are available and the contract is signed and that kind of thing, maybe we can even have the training on the web based software on June 2nd as well. That would be something that we are going to push for.

CHR. SIRACUSA: We could put that on the agenda.

MR. MELROSE: I see my conversation as a back-up to that conversation; only really as a filler to try and get something done. So let's start working on that and if you actually--because it's going to require Royce and the trainers to be in the room and that's a whole other scheduling issue. So let's aim at June 2nd and we'll have a back up plan so we keep moving our conversation but it's kind of a back up to the training. Is that fair?

The motion to change the next meeting date to June 2, 2011 was carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa, Kahui, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: None.

ADJOURNMENT

CHR. SIRACUSA: I will now accept a motion to adjourn.

There being no further business, at 4:10 p.m.,
Ms. Ugalde moved to adjourn the meeting.
Seconded by Ms. Poindexter and carried
by the following vote:

Ayes: Commissioners Carvalho, Kahawaiolaa,
Kahui, Kanuha, Melrose, Middlesworth,
Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: None.

CHR. SIRACUSA: Motion carries, we are adjourned.

Respectfully Submitted,

Karen Eoff, Secretary

Approved on June 23, 2011:

Ms. René Siracusa, Chair
Hawai'i County Redistricting Commission