

**2011
HAWAI‘I COUNTY
REDISTRICTING COMMISSION**

4th Session

Thursday, July 28, 2011

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

CALL TO ORDER:

CHR. SIRACUSA: It is 1:30 p.m. so I will call the Hawai‘i County Redistricting Commission meeting of July 28, 2011 to order. We will start with the roll call.

ATTENDANCE:

Present: Mr. Joseph Carvalho, Commissioner (*Waimea Office*)
Mr. Patrick Kahawaiolaa, Commissioner (*1:40 p.m.*)
Mr. Craig “Bo” Kahui, Commissioner (*2:00 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
Pat Nakamoto, Elections Program Administrator
Cori Saiki, Elections Assistant
Shyla Ayau, Senior Elections Clerk
Nora Avenue, Administrative Assistant to County 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: The first thing we have on the agenda is statements from the public on agenda items. The first person I have is Yen Chin, representing Friends of Puna's Future.

YEN CHIN

(At this time Yen Chin came forward to address members of the Commission.)

YEN CHIN: Good afternoon Commissioners. I am so glad that we have finally gotten to the point where there is some real work to do for this Commission. Thank you for your patience. I want to make an observation about public accessibility to this redistricting process. Though I claim only modest computer skills, a level of expertise that would embarrass your average fifth grader, I believe that I am the equal of a normal adult when it comes to navigating around the internet. Unfortunately, my skills failed me when I searched for the web-based software tool that one needs to make a redistricting plan of one's own. I failed because I attempted to gain access through the County's web site; not really an unusual method. You are probably familiar with the path; County of Hawai'i, Redistricting, then there is no link. That has got to be corrected. I was only able to reach the proper page because a colleague sent me the link yesterday. Consequently, I'm still trying to learn to use the Redistricting software, so more later. Thank you.

CHR. SIRACUSA: Thank you, Yen. You are not the only one having problems.

MR. MELROSE: Can I ask Yen a question? What you said was you tried to get in through the Election's Office web site?

YEN CHIN: No, I went to the County of Hawai'i web site, then to Elections, then to Redistricting.

MR. MELROSE: Then there is a link on there, but no way to get into it from there?

YEN CHIN: Well, it takes you to a page, gives you a user ID and a password to use, it tells you to enable the "cookies" but then there is a dead end. There is no link to the actual software tool.

MR. MELROSE: Okay, thank you.

CHR. SIRACUSA: The next person who wishes to speak is Arthur Varady.

ARTHUR VARADY

(At this time Arthur Varady came forward to address members of the Commission.)

MR. VARADY: Thank you. My name is Arthur Varady. I have been living in Puna now for several years. I read the newspaper everyday, I read at least one newspaper everyday; sometimes four, sometimes five. In addition to the local paper and Nancy's wonderful articles, I read the New York Times, I read the Wall Street Journal. If I'm traveling, it just depends on where I am as to what I'm going to read. But, when I read in the local paper about Redistricting, what comes to mind is what I and many other people may fear, which is, what is going to happen

to the island? You have a map of the island over there; I have a map of the island on my arm right here. What is going to happen to the island when you guys decide to redistrict? Now, what I read in the newspaper was that eight of you folks were from Oahu, one from Maui. What I'm saying to myself is, "What do eight people and one person from Maui know about what is going on on the Big Island?" I could be wrong; I see that you are looking at me, but I read a whole lot of things and I also have just above a fifth grade education as far as computer skills.

CHR. SIRACUSA: I can correct your mis-apprehensions very quickly. That is, that the newspaper was totally wrong. They used the terms Redistricting and Reapportionment interchangeably; and they are not interchangeable. The newspaper was reporting about the State Reapportionment Commission. We are the County Redistricting Commission and we are all residents of Hawai'i County and each one comes from a different district on this island.

MR VARADY: I was just telling you what I was reading.

CHR. SIRACUSA: I know; I tried to write a letter to them to correct it, and they haven't printed it. Just to let you know; and I wanted everyone else to know that too, because a lot of other people are confused about that and that's going to make it harder for us to do our job.

MR VARADY: If you look at my card, what you are going to see here is naturalized Hawaiian. I wasn't born here, some of you folks were born here; I was not born here. I was born in New York City. I have been in Hawai'i for almost twenty-five years. I consider myself to be a Hawaiian; a Hawaiian and an American. When I think about what the average person thinks about politicians, which is not that good. It's like Pavlov, the name Pavlov rings a bell. When I think about what the average person thinks about politicians, I'm wondering to myself as I'm preparing for this, what are you guys planning on doing? If you guys are planning on including Puna as part of South Hilo, that affects me directly because of another issue which is not relevant at this time. It might be relevant in the future and I'm hoping it will be relevant in the future, but it is not relevant for right now.

As a naturalized Hawaiian a lot things go through my head. Freud said, "Sometimes a pickle is just a pickle," which it is. Not everything has an alternate meaning out in the stratosphere someplace. To look at me you might think that I was some kind of old surfer with a great tan. The fact of the matter is I do have a reasonably good tan; I'm not a surfer, I'm a paddler and I like to think of myself as an educated citizen who does responsible things in the community. Some of those responsible things are to help my neighbors, and to talk to my neighbors, and to try to lighten things up. I just don't want to see the people of this County get screwed.

CHR. SIRACUSA: Thank you; and neither do we. Let the record reflect that Commissioner Patrick Kahawaiola'a has just arrived. Welcome.

MS. POINDEXTER: I would just like to say one thing, and I think you are being very responsible to your community because you are participating in the efforts of Redistricting. You will have other opportunities to do so in continued efforts, and we appreciate hearing from you.

CHR. SIRACUSA: Thank you.

MR. KANUHA: Madam Chair, we have a statement from the public in Kona.

CHR. SIRACUSA: Thank you, go ahead.

MR. KANUHA: On agenda item, Comm. 22, it is Margaret Wille.

MARGARET WILLE

(At this time Margaret Wille came forward to address members of the Commission.)

MS WILLE: Hello Madam Chair and members of the Commission. I just have a few quick comments; and one just generally in terms of including non-resident military and non-resident students. This seems totally contrary to a common sense reading of the law. I would hope that after the Super Ferry case, people start reading the law for what it says and not how it can be manipulated. Second, with respect to drawing the lines, I think to the extent that it is possible to give consideration to the ahupua'a; the watersheds, the historical concepts for the island of Hawai'i from the mountain to the sea. I am from Waimea, so the watershed there would stretch down to the ocean in Puako or Kawaihae. But I think that concept is one that is very valuable in many contexts; whether it is map-making, which is really the specific use of that term, as well as the cultural identity and the natural resources within the County. Thank you very much.

CHR. SIRACUSA: Thank you. Are there any other testifiers in either Kona or Waimea? Okay, then we will go back to Hilo here. We have Dwight Vicente.

DWIGHT VICENTE

(At this time Dwight Vicente came forward to address members of the Commission.)

MR. VICENTE: Good afternoon, my name is Dwight Vicente. I am making a special appearance representing the Hawaiian Kingdom. I hope you guys read some of the copies I left you; that's why there is a lot of confusion going on. It even gets more confused because they are trying to colonize the Hawaiian Kingdom by claiming Hawaiians are Indians, they are native, they are aboriginal, and they are indigenous. There is a law revue that the University of Hawai'i put out, Volume 32, Number 2, Summer of 2010; Indigenous, Ancestral Lands and Customary International Law. They are demoting the Hawaiian Kingdom to pre Kingdom, to where Hawaiians don't have any rights, not even political rights, no right to complain, no rights to do anything. So, Abercrombie, that illegal alien, just hit three out of four. He is trying to demote Hawaiians from a Kingdom to pre Kingdom. There is a purpose why they are doing that. But then everyone around the world is indigenous to some land. It's all part of colonization which the United States Constitution never authorized the use of military for that purpose. That's why, when I mentioned the Northwest Ordinance, everything from 1787 to now is based on that.

United State citizens of the several states were sent over to what was called the Indian reserves to occupy homesteads. In Hawai'i we have the Hawaiian Homes Commission Act, which is not authorized by the U.S. Constitution. They define Native by 50% blood quantum or more. Hawaiian Kingdom is not that. You are born of Kanaka blood, it didn't matter the blood quantum. If you didn't have, you were a foreigner, you had to be naturalized. Most people were

never naturalized. After the overthrow, you will see, there were no laws of naturalization; even in the state of Hawai'i today. It's a fake State, that's why. If you were actually a state, state means nation, you would have had those laws of naturalization. That's what nations do. If you look at that flag behind you, you can see the defect in it. Fifty stars, thirteen stripes. Let me remind you; everyone thinks the thirteen stripes represent colonies. I tell them that the word territory also means colony. Whenever they talk about immigration, they are referring to slaves now. Slavery goes on today, as it has forever in the United States. They are called employees today. Read the American Jurisprudence, Section Edition, Workers Compensation, Section 121. They define employee as common law master and servant. So there is a big bunch of confusion going on. When you guys talk about people, I don't know who you are talking about. Are you talking about only Hawaiians? If you read Blount's report, whenever they talk about Hawaiians they refer to them as Native. And whenever they talk about foreigners, they were called Residents, because they were here by treaty. Except that the United States didn't have a valid treaty, so there was no law authorizing them to be here.

There is a lot of confusion because one has to look at the history and look at the law. There is no law supporting the history; in other words, the history is bogus. And that is where the confusion is. That's why everybody is going to be divided. It is not one nation under God; there is a mass confusion under man's law. That needs to be corrected. I was watching the Reapportionment Commission, and they are confused. They are adding in the Military people. The United States has no full time military; other than the Navy on high seas, not on land. They cannot be active 24/7 forever. Army can be only for two year terms. The Army stops at the end of they two years, and everything is gotten rid of. So I am going to go on to the Queen's protest of January 7, 1893 against U.S. Minister Stevens and I'm going to reserve all the rights of the Kingdom. It still exists today as it has for quite awhile.

CHR. SIRACUSA: Is there anyone else who wants to testify? In that case we will move on.

APPROVAL OF MINUTES

CHR. SIRACUSA: Do I have a motion to approve the minutes?

Mr. Melrose moved to approve the minutes of the June 23, 2011 Hawai'i County Redistricting Commission meeting. Seconded by Mr. Middlesworth and carried by the following vote:

Ayes: Commissioners Carvalho, Kahawaiola'a, Kahui, Kanuha, Melrose, Middlesworth, Poindexter, Ugalde, and Chair Siracusa.

Noes: None.

Absent: None.

COMMUNICATIONS

COMM. 22: POPULATION ADJUSTMENTS 2011

Memo from Elections Program Administrator Patricia Nakamoto, dated July 14, 2011, regarding information from State Reapportionment Project Manager, David Rosenbrock, as to the extraction of non-resident military and non-resident students from the online software population base.

CHR. SIRACUSA: Pat will you come up, please?

PATRICIA NAKAMOTO

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

CHR. SIRACUSA: There seems to be some confusion in the room; confusing Reapportionment with Redistricting, and people saying that we are going to count the military. I know that we had already decided that we are not going to do that, but there is a question that has come up, and that is, we wrote to all the Colleges asking about their non-resident student population and at the last meeting we still had not heard back from all of them. Have we heard back from U.H.?

MS. NAKAMOTO: Yes, we did get information from the University of Hawai'i Hilo.

CHR. SIRACUSA: Is all of this information, all of the extractions, are they now reflected in the web site that we are working with?

MS. NAKAMOTO: No, they are not.

CHR. SIRACUSA: So we are still not working with accurate web site software.

MS. NAKAMOTO: We are still working with total population.

MR. MELROSE: I think in our minutes from the last meeting, we did get the information from Hilo Hawai'i Community College, but I haven't seen the numbers from the University of Hawai'i. So that should be circulated to us.

MS. NAKAMOTO: I'll go back and check my information. I may have it in my folder back there.

MR. MELROSE: When I looked at the HCC numbers again, I think there was something like 261 students that were non-residents. They were spread around; maybe 160 of them on the Hilo side, which would be resident in District 2 or 3. Then they were spread to Puna and other parts of the island. That same general understanding would be really useful from U.H.

MS. NAKAMOTO: At present, the only other information--and Mike Udovic may be able to correct me if I'm wrong--but the only information we were waiting on was the military

information for the County of Hawai'i. I spoke with David Rosenbrock from the State Reapportionment Project, and he informed me that they are in the process of getting the same information that we have obtained. The reason they are getting that information is that they will be doing two plans. One, their plans will include total population, and the other plan, they are going to create one just in case they need it, with the extraction numbers. At this time, they got information from the University of Hawai'i and they did receive information from the military. The only problem with the military information is that they provided them with active military members and dependents by zip codes, but they did not tell them who were residents or non-residents. That is the problem they are faced with right now and they are waiting to correct that information.

MR. MIDDLESWORTH: How many U.H. students are there?

MS. NAKAMOTO: I believe it was a little over 1200.

CHR. SIRACUSA: This is getting so frustrating. I tried to get on the website the other day and I got a blank screen with just a few words on it that said, "Maps cannot be displayed." I'm wondering if that's because David Rosenbrock is still trying to de-populate.

MS. NAKAMOTO: I'm not certain, but the staff has been working on some plans. We've initiated them on our own, just to kind of get familiar with the software and try to create some different plans. And they've created five plans already with different starting points. We haven't experienced any problem using the software. I don't know if any of the other Commissioners have.

CHR. SIRACUSA: If any others have experienced problems, please speak up. This is the time while we are discussing it.

MR. CARVALHO: Hi, this is Joe in Waimea.

CHR. SIRACUSA: Yes, Joseph.

MR. CARVALHO: It's a loading problem with the software. Sometimes you get "access denied," but then I do it again and get back in. When I'm trying to load a map, I get an error message; then it clears up itself. I don't know if it's a response time issue, or if too many people are using it. It's probably just a software navigation problem, and it's not us, the users. But, you have got to be patient. That's the problem with working with software that is not as fast as we want it to be.

CHR. SIRACUSA: Does anyone else have anything to say about this?

MR. MIDDLESWORTH: There is also an issue about computer speed. A lot of what will go on will depend on you internet connection, the speed of your internet connection and the speed of your processor in your computer. So the results will vary depending on what equipment you are using and how you are connected to the internet.

CHR. SIRACUSA: Thank you, anybody else?

MR. MELROSE: We are tasked at this meeting with setting a deadline for community's contribution to the mapping. We are still without the data base that we will ultimately use. So, I have a couple of questions; one, do we know when David will be ready, when the State Elections office will have done that extraction? Is there any way for us to estimate a time in which that might be available?

MS. NAKAMOTO: I spoke with David this morning and he told me that he has been engaged with the military and they understand the urgency in providing the information to them. As soon as he gets the information he is going to re-populate the data base.

MR. MELROSE: That being the case; and military not being our issue--there may only be four or five or six military--it's not an issue relative to our numbers. But, the student population is; and at 1400, being able to allocate that in some way. I see two ways to approach this. One is that we instruct the community to use the existing data base at this point in time, and make some adjustments. I wish we could be a little bit more accurate about it, but at least make some accommodations. The process of bringing numbers into a district is never going to be exact. It's a chunk kind of agreement. One thousand votes is a 5% variation within one district. So if you are a little over 1460 votes, we are still within the variation there. So, we could say that within these districts we wish to see that number higher and in the other districts, for growth purposes or other things we would see those lower as part of instruction to the community; to help them understand what we are going to use as guides. Or, we could just sit back and wait until these numbers show up and say we aren't going to do anything until the numbers show up, which I think frankly, puts us all behind the eight ball and it wouldn't be a very good way to go. So, maybe David could be helpful. We are just looking for some advice in how we might proceed. This issue is at the core of what we have to do today and we need to figure out what is the method. We have to have a conversation about the method that we advise the community to follow in this process.

CHR. SIRACUSA: I might mention that it is also going to affect our other job today, and that is establishing the time line for submission. We have to allow people and commissioners a decent amount of time to do this work. Thank you.

MR. UDOVIC: I don't disagree with anything that you have said, and I wish that there was some way for us to have the information. We did what we could to get the extractions for our county very early on. We have, with the University and the Community College, not even 1200 people; maybe 11 hundred something. I think it is 874 and 261; that is what I recall, I don't know if that is exact. But it's not a whole lot of people that we are talking about. I think that we could probably be safe to start drawing plans with the population base that we have now, quite frankly. Then we may have to make some adjustments based on each individual census tract; but we might be able to do that. I don't think we should not press forward. That is just my opinion. You have to set a date now for the alternate plans to be submitted.

CHR. SIRACUSA: Is that your personal opinion, or is that a legal opinion?

MR. UDOVIC: It's not a legal opinion because legally we have to set the date today. I have some ideas, but that's just maybe my idea.

MR. MELROSE: Let me follow up just a little bit to see if I can focus that conversation a little bit. The instructions we give to the community need to be clear. We have to set the date; that is one thing we are statutorily required to do today. But to do so without a package of information to give them about what we are trying to get, to me is kind of a worthless exercise. We should provide them some clear advice as to how to do that today; guidelines as to how to do that. If we do that using the existing base, with some advice that suggests that in---We will find that number, and I would like Pat to get us that number. You said 1200; I counted 1400 based on Pat's numbers. I want to know what that number is of the students at HCC and UH. We say that there is some kind of a percentage allocation of those numbers, by district. You can do it by zip codes; you can pull it out by zip codes even. We give a package to the community that says, "Think about it in this way." Then when we get the regular numbers, we are going to look at it again, and communities are going to need to understand that. Then there may be some tweaking of that. I don't want to head them off and then change the game on them two months from now when we get the numbers. That is just not right or productive.

MR. UDOVIC: I wouldn't think it would take that long to get the numbers, quite frankly. But realistically, looking, perhaps at the most 150 people per district, maybe.

MR. MELROSE: If you spread them around like that, then perhaps; but I think they are not spread around and that is why the problem came up last time. Whichever district includes Kawili Street to Lanahuli Street, where many students live, then outside of that is where you are going to assume most of that student population happens.

CHR. SIRACUSA: Within easy commuting distance from the University.

MR. UDOVIC: We may have that information now, I'm just not certain.

MR. MELROSE: Yes, we do have some; we can look at it by zip code, for instance. But it also breaks down the number that are in Kea'au, and the folks who live in Papaikou. So if we could do a little math about that and provide some instructions to the community, understanding that there still is this glitch?

CHR. SIRACUSA: Jeff, you know staff is working on a form that people who are doing their own plans are submitting. It is, to some extent, a guideline. It asks what is being considered. Does the plan consider communities of interest? Does it consider compactness? So, we might discuss that when we get to that part of the agenda and talk about maybe adding some of your thoughts to that form as well. But, it's not really part of this agenda item.

MR. MIDDLESWORTH: If people are going to use the Esri software to do redistricting, they have to use the numbers that are in the data base. I think we should tell people to go ahead and do it using the numbers in the data base, then if we have to, later on, make minor adjustments; then we will make those minor adjustments when we decide on a plan that we want to present.

I don't see how there is any other way around it. If people are going to do plans, they are going to have to use the numbers that are there; and we cannot alter those numbers. We could probably get Esri to do it for a fee, but we are not going to be able to change those numbers.

CHR. SIRACUSA: Is there any other discussion? Seeing none, we have a motion on the floor to close file.

MR. UDOVIC: If I may comment; I think Pat left to perhaps get those numbers. If you want to just adjourn this particular discussion until she returns, it might be worthwhile.

CHR. SIRACUSA: We could take a five minute recess.

MR. UDOVIC: Or, you could go on to the next item, and revisit this.

CHR. SIRACUSA: So, we will postpone that question, and we will come back to it then.

MR. UDOVIC: She may be involved in the next matter too. Maybe we should take a five minute recess so she can deal with it.

CHR. SIRACUSA: Okay, let's take the recess and give her time to come back.

RECESS: At 2:05 p.m. the Chair called for a short recess.

RECONVENE: The meeting was reconvened at 2:12 p.m.

CHR. SIRACUSA: The meeting is called back to order. Pat, it was brought to my attention that when we started Communication 22, I had a slip of the tongue and I spoke about opening file, instead of closing file. So I would like to correct that right now for the record. We were going to vote on that, unless somebody else had something to say about that.

MR. KANUHA: Madam Chair, this is Dru, from Kona. Commissioner Kahui just showed up, so I would like to put that on record.

MR. UDOVIC: I think we have the numbers for the University and the Community College, so if you want to take those numbers, we can provide them to you right now.

CHR. SIRACUSA: Thank you.

MS. NAKAMOTO: The combined numbers for both University of Hawai'i, Hilo and the Hawai'i Community College is 1,388.

CHR. SIRACUSA: Thank you.

MR. MELROSE: Pat, in the U.H. Hilo numbers, do they have the address or zip code, or both?

MS. NAKAMOTO: It has both.

MR. MELROSE: Since the biggest hit of these are going to be in the Hilo district, can you estimate what numbers of those are in the Hilo districts? Is that something you could estimate from that? Say, 96720's and 96721 maybe?

MS. NAKAMOTO: The non-resident students. I guess, to answer your question, it would probably be easier, if we look at the report that provides us with the zip codes.

MR. MELROSE: I think it would be very useful; and whether you give it to us and we do it, or you run it through the GIS by address and pin them down. There is a number of ways to do it.

MR. MIDDLESWORTH: You could do it with Google Maps. Somebody could sit down with the list and go through Google Maps and find every address precisely.

MS. NAKAMOTO: If you want to wait for awhile, or move on, and then come back to this, I can ask the staff to count for us.

MR. MELROSE: Can I suggest that we postpone this item until we can get the numbers tied down a little bit?

MR. UDOVIC: Just to make sure; is the staff extracting 96720 and 96721?

MR. MELROSE: I think those two would be helpful, but it's not the only two, because there is a cluster of them that would be in District 9, and in the Hāmākua, Pepeekeo area. We have to understand that these are not hard numbers that we are looking at, but they will give us a general sense, a percentage that might be useful for us to know. I'm thinking there are some in Kona, for instance; some in Pahoa, the Puna district. They don't all live in the Hilo districts; that's the point. Maybe 25% or 30% live outside the Hilo districts. I think that was true of the HCC. So again, I recommend that we postpone this issue for a little bit of staff counting and go to work on that number, and come back to us.

CHR. SIRACUSA: That is all right with me, and everyone is nodding their heads. However, Pat can't go running back there right now, because of the next item on the agenda.

MR. UDOVIC: I can just advise you as to item 22, I counted the first page, and 75% of them were 96720 and 96721 zip codes. I don't know if that is significant, but that is just the first page.

MR. MELROSE: That is interesting, but when I looked at the HCC, they were set up by that, and then in the later pages, they went to different zip codes.

MR. MIDDLESWORTH: Zip codes don't cut it. They don't tell you the census tract. We have a 96720 address and we are in Council District 3. You have a 96720 and you are in Council District 2. Zip codes don't cut it; we have got to find out where they are in the census tracts if we are going to do this the way you guys want to do it.

CHR. SIRACUSA: There is another reason why zip codes don't cut it; and that is because a lot of people's addresses are a P.O. Box, and you can have P.O. Box anywhere and have your primary residence somewhere else. So, it's the street address that is going to be accurate.

MR. MIDDLESWORTH: That's why I said Google Maps, if somebody is going to have to sit down and do it. I'll volunteer to do it, I've got a lot of time; I sit home by myself an awful lot. I can take that list of 1200 names and go to Google Maps and pin point them.

MR. UDOVIC: Maybe you should talk to Ms. Nakamoto, or ask Mr. Middlesworth to do that.

MR. MIDDLESWORTH: I can do that, easily.

CHR. SIRACUSA: That's great, thank you.

MR. UDOVIC: Do you want to revisit this later on, this section, after they have gotten done with their portion?

CHR. SIRACUSA: Okay, so while we are waiting for some of that information to come back to us, we are not going to vote on the motion that is on floor. We are going to move on. We need a motion to postpone, okay.

Mr. Melrose moved to postpone discussion on Communication 22 to give staff time to count the number of non resident students living in 96720 and 96721 zip codes. Seconded by Mr. Middlesworth 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 and we will move on.

COMM. 23: QUOTE FOR ESRI REDISTRICTING CONSULTING SERVICES

Memo from Elections Program Administrator Patricia Nakamoto, dated July 14, 2011, transmitting Esri Professional Services Quote for Redistricting Consulting Services for Commissioners, Staff, and the General Public.

CHR. SIRACUSA: These guys want a lot of money. And it's only 20 hours, and it's close to \$6,000 that they want.

MR. MIDDLESWORTH: They are getting \$250 an hour and that is not unreasonable for consulting services.

MR. KANUHA: We need a motion to open discussion.

CHR. SIRACUSA: Yes, we need a motion.

Mr. Kanuha moved to close file on COMM.23
regarding quote for Esri consulting services.
Seconded by Mr. Middlesworth.

CHR. SIRACUSA: I couldn't believe how little they wanted to give for how much, and my personal opinion is that they know they have us between a rock and a hard place. They figure that if we say, "no" we are stuck and we can't do our job; so what are our options?

MR. MIDDLESWORTH: I'll be a little more rational now. I've been in the consulting business for almost 20 years; Jeff does consulting work; \$250 for consulting work by a company the size of Esri is not outrageous because you take off their overhead, you've got him being paid, that's not an outrageous amount of money for consulting these days. I do the books for my wife's business. They are in a business where they charge by the hour for various things. I've got to tell you that this is not terribly out of line with what they get, for what lawyers get, what accountants get.

MS. POINDEXTER: I do have a comment though. With that being said, I do agree that \$250 may be reasonable for what consultants and attorneys get, but depending on what type of consulting or what type of services we will get from them. Are they outsourcing, or are we going to be calling in to somebody who is answering from I don't know where? We are not getting a "hands on" type of consulting with somebody coming here. From what I read, it's a call in; correct? So, to me, paying this kind of money is a lot of money if we don't know what kind of services are we receiving and from whom.

MR. MELROSE: When you asked Royce at Esri, what services you thought you might want that prompted this? What were we asking for, so I understand what he was trying to aim at when he prepared his proposal?

MS. NAKAMOTO: I did not ask Royce to provide us with a quote. Just based on Royce being here and hearing the discussions that went on while he was here and hearing that people wanted to get support, he went ahead on his own and provided this. He mailed us this quote.

MR. MELROSE: Thank you. So, what he was really saying--and there was a lot of participation at that point wondering how they would go to get a support; if there was an online way to get support, if there was an online way to get an answer, if you have a problem where do you go to

get an answer--so the question was, whether or not we were going to provide that support or would we provide some type of Q & A, would they call the elections office? And the question is, is this a service that you think would be useful, so the community could have access to somebody who could help address the issues that they had in doing this? Isn't that what this was really about? This was money we were going to spend on community accessibility and for answering questions from the community. Or, was this for the Elections offices being able to access Esri to help produce maps, or do something else?

MS. NAKAMOTO: No, it was not for the Elections office, it was mainly for the Commissioners and the public.

MR. MELROSE: So the reason why we would ask; he offered his company's ongoing support to help make this a successful venture. That is what I heard him telling us. The price is irrelevant to me it's whether or not the support for the community's engagement in this conversation would be adequate to meet their needs. So, I'm more prone to say I would rather spend this money so the community cannot later say, "There was nobody to help us," which is an important place not to be.

MS. POINDEXTER: But what about the original contract, then, the contract that bought the licenses for us. Where is that contract, is something included in that for support? I haven't seen that contract; it's a big contract they have with the State, I'm assuming. Is that correct?

MS. NAKAMOTO: Yes. The contract is with the State, and the State has provided the County with the software and with the license. The County has not expended any money for the software or the license.

CHR. SIRACUSA: In that contract, was there an agreement that their company would provide certain services to the County?

MS. NAKAMOTO: No, I don't believe so.

MS. POINDEXTER: You don't believe so, or there wasn't?

MS. NAKAMOTO: No, there wasn't. So, with Mr. Rosenbrock and Royce Jones coming and providing the services that they provided, they did it on their own.

CHR. SIRACUSA: I'm wondering here, and I'm looking at this, and they are talking about having a GIS Consultant Project Manager, a Senior Consultant Project Manager, a Principal GIS Consultant Project Manager, a GIS Technical Specialist Engineer, a GIS System Software Developer, a Senior GIS System Software Architect, and a GIS Data Base Specialist Analyst. Do we need all of that just to answer some questions we may be having a little problem online?

MR. MIDDLESWORTH: René that is just what is available.

CHR. SIRACUSA: I'm trying to get a handle on this. I don't understand.

MR. MIDDLESWORTH: Well, did you read the scope of services? The scope of services indicates that they would work with County personnel; it doesn't say anything about working with the public. So it appears that this is aimed at providing support to your office or to us, and not to the general public.

MS. NAKAMOTO: I was under the impression that the public would have access, like a line that they could call.

MR. MIDDLESWORTH: That is not in their scope of service proposal.

CHR. SIRACUSA: It says, "Esri will provide up to 20 hours of consulting services to assist the County with technology transfer topics related to using the features provided with the Esri Redistricting solution. Examples of topics include creating and designing district plans, editing or modifying districts, reviewing plans, and sharing and publishing plans."

MR. MIDDLESWORTH: Go down to where it says, "County responsibility."

CHR. SIRACUSA: "The County responsibilities are to communicate consulting needs and priorities to the Esri consultant, and to provide appropriate County staff to work with the Esri consultant."

MS. UGALDE: It seems to me you wouldn't want the general public using up our 20 hours; it would have to run through County otherwise they could say, "How do I turn on my computer," and they would have to answer.

CHR. SIRACUSA: Then, how does the general public get help?

MS. UGALDE: It has to go through County to make sure the questions being asked of the consultant are relevant.

CHR. SIRACUSA: Then, the question is, is 20 hours enough? That's another one we have got to look at.

MS. POINDEXTER: It also says it can be extended; so 20 hours and then it says it can be extended.

CHR. SIRACUSA: Patricia, do you have a recommendation?

MS. NAKAMOTO: The only thing that I would say is that I've gone through Redistricting twice; when it was called Reapportionment, in 1991 and also in 2001, and we did not need a contract for this type of service.

MR. MELROSE: Then maybe, when he wrote his proposal he was writing it as if he was trying to help you guys; thinking that was the target. What I hear from you is that you don't see that as an important thing at this moment for your staff. I think the question the Commission should be asking is, "How will the public, when we set the date and people

start to do it, how will they be able to get some advice or support for using the software that is going to be complicated for some folks?" The idea of sending people out with a date and software and no access to response, either the County decides you are going to be the helper for everybody that calls up, or we ask them to set up a call system for County residents and they are going to charge us; based on, not Royce Jones number, but their technology person to help people come through that. But, I would like to get the public a resource if they are having trouble with the system. We have money to do it; this is an important part of what we are doing, and we ought to ask him for an estimate to provide that service, unless you want to provide it; unless the Office of Elections wants to provide it.

MS. NAKAMOTO: The Office of Elections, like the public, and like the Commissioners, got trained on the software. We are users. I have no GIS personnel in my office. We are not technical people, so the concern I have is if the public thinks we are the one to give information, that may cause some frustration on the part of the public because we may not be able to answer their questions, or help them solve their problems.

MR. MIDDLESWORTH: I have a suggestion. This proposal is based on an hourly rate and it says it is estimated on prior experience. They are charging us essentially \$250 an hour. How much money do we have allocated, isn't it \$75,000?

MS. NAKAMOTO: Yes.

MR. MIDDLESWORTH: We are not going to buy computers, right? So we have the \$75,000 to do with as we want.

CHR. SIRACUSA: We have to set some aside for the cost of the public hearings when we go around the island.

MR. MIDDLESWORTH: I'm not suggesting that we spend the \$75,000 on this. What I am suggesting is that we go ahead and discuss with Esri, some support on an hourly rate, and that somebody keep track of its use by us and the public and so on, and that at regular intervals we decide if this is getting to be too expensive or overused and then we could cut it off. I think that solves both issues. That takes care of your concerns about the public being frustrated, and it takes care of her concerns because you surely don't have the staff to deal with those questions. So, if they can provide us with a HELP line, and charge us X number of dollars per hour, we ought to be able to go ahead and keep track of how much we are spending, and say if this has gone too far.

MS. POINDEXTER: I like your idea, but the one thing is also keeping track of what type of technical assistance they are calling in for. If they are calling in because their computer is going slow and asking to be walked through this or that, we need to monitor what type of calls are coming in, because we could spend the \$75,000 really easy, in a heart beat. So it's monitoring the type of technical assistance calls that are coming in.

MR. UDOVIC: I suggest that perhaps you ask the Elections Office as well as myself to have a telephone conference with the Esri people to find out if there is some way we can do

this, and we can report back to you at the next meeting, and see if there is some way to do this with general support type of questions. The scope of the contract that they called for, calls for the Esri consultant to work with direction from the County's technical staff and management, not with the public. There might be a real different base of fee or personnel for that kind of thing too, so perhaps we can do that and have a telephone conference with Esri.

MR. MIDDLESWORTH: See if they can do a metering on it.

MR. UDOVIC: I would be glad to work with Ms. Nakamoto to do this.

CHR. SIRACUSA: Thank you. So, I'm going to ask Karen to make a note of that so it will be agendaized for the next meeting. Do we have any more discussion on this topic?

MR. MELROSE: I like the direction of this. I think it is important for us to make a commitment out of our effort to help the community understand how to use the software and to support it and us, I hope. I think that if Esri knew what that specifically was, they would write a different proposal. I like Valerie's specific question about monitoring and metering the kinds of questions and I would imagine that there would be a "not to exceed" that we could come to. If the community is really struggling with it and it takes a lot of time, that is just the name of the game, we have got to keep helping the public to do it. I'm all for spending money if it is for that purpose. So if you will bring back a better proposal next time; I mean a different proposal. Let's put that on the agenda next time.

MR. UDOVIC: We can look at the scope of the work.

MR. MELROSE: Yes, exactly, but be clear that the purpose is to provide the public, the County, and the Commissioners a recourse if you run into problems, and that's all.

CHR. SIRACUSA: Do we have any more discussion on this topic? Okay, we had a motion on the floor to close file, so I'll take the vote now.

The motion to close file on COMM. 23 regarding Esri quote for consulting service was carried by the following vote:

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

Noes: None.

Absent: None.

CHR. SIRACUSA: Now we will go back to Communication 22, which we postponed. Oh, they are not done yet, so they are still working on it. We'll move along to Communication 24.

COMM. 24: RESPONSE TO REQUEST FROM COMMISSIONER MELROSE

Memo from County Clerk Jamae K. Kawauchi, and Elections Program Administrator Patricia Nakamoto, dated July 18, 2011, responding to a request made by Commissioner Jeffrey Melrose for copies of historical Council district boundaries from 1970 through 2001; and transmitting maps depicting historical judicial districts and Council districts.

CHR. SIRACUSA: Do I have a motion to close file?

Ms. Poindexter moved to close file on COMM. 24
Regarding Commissioner Melrose's request for
Council district maps. Seconded by Mr. Middlesworth.

CHR. SIRACUSA: Is there any discussion?

MR. MELROSE: Let me just add a little bit of background to this. It just struck me that as we look at creating new boundaries we ought to have in our mind whatever traditions or background there was in the old districts. Not that they necessarily bind us, but they do start to tell us certain things. So, I wanted those things in front of us. I have learned a couple of things in this process. One is that until the 1991, the 1990 census, we were elected at-large; Council members were elected at-large, so there wasn't this exercise. Prior to that time, everybody had to live---They had to have a residency within a judicial district. Then in 1991, there must have been a change in the Charter that made us single member districts. So we have had two exercises after that, and those two districts generally prescribe District 1 to the Hāmākua Coast, District 2 and 3 to the Hilo area, Districts 3, 4, and 5---District 4 into kind of a mix, Puna into the 6th District. So, I just want for us to all kind of look at that and look at the drift as population has grown and keep that in mind when we think about moving forward. I'm not sure how important numbering is relative to that, but I just thought it would be a useful tool for us all to have in our heads when we take the next step. That was the reason for the communication.

MR. MIDDLESWORTH: Maybe we should change to letters this year.

CHR. SIRACUSA: Okay, and we do have those maps posted up on the wall. Commissioners have smaller versions, eight and a half by eleven inch versions in our packet. How are these maps available to the public? Would someone please announce that so that members of the public who are listening will know where to find these same maps.

MR. UDOVIC: I understand that the staff has prepared a CD for each of the Commissioners and perhaps they can post that on the web site as well.

CHR. SIRACUSA: Okay, so it will be on the County web site. Thank you very much. Is there any more discussion on Communication 24? Seeing none, let's take the vote on closing file.

The motion to close file on COMM. 24 regarding historical Council District maps was carried by the following vote:

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

Noes: None.

Absent: None.

COMM. 25: REQUEST FROM KAWAIHAE LOCAL RESOURCE COUNCIL

Memo from Commission Secretary Karen Eoff, dated July 18, 2011, transmitting invitation from Kawaihae Local Resource Council to have a member of the Hawai'i County Redistricting Commission speak at their monthly meeting on August 7, 2011.

CHR. SIRACUSA: Do I have a motion to close file?

Mr. Middlesworth moved to close file on COMM. 25. Seconded by Ms. Ugalde.

CHR. SIRACUSA: I want to say that this is our second request to have somebody attend a meeting. I understand that Mr. Udovic has already attended three meetings and so it not only behooves us to look at this request, but I think we might want to discuss process so that other community groups that may want to have a meeting and may want to invite commissioners should know how to go about doing it. Bearing in mind, they cannot have more than two commissioners at a time attending because of the Sunshine Law. Which would you like to discuss first, the process or this particular request?

MR. MELROSE: Let me just add a couple of thoughts here. One is, I attended this particular meeting, the Kawaihae Resource Council meeting. Their last meeting was the end of July. I did it as a private consultant on another topic entirely. Somehow the issue came up about Redistricting and Marni Herkes and others were there and they immediately turned around and asked me to comment on the topic. All I really said was, "Stay tuned, there will be public hearings in your community. Those things are going to happen." I think us attending individual meetings, when we really don't have anything to talk about except the process that we are going through; we just have to be really careful about doing that. We will be out into these communities actively, so my tendency would be to say rather than to try to respond to lots of these little examples---We've got a lot of these meetings to do; we have eleven of them. Mike can you just brief us a little. You went to some of the meetings that Brittany was doing.

MR. UDOVIC: Brittany had what they called "Talk Story" meetings and I was at all three of them. The last one, I got home after 9:00 p.m. last night. Dru was with me. He came to the one at Yano Hall. They were just basically telling them the process of what Redistricting is; that the Commissioners will look at the total population base, excluding the students and military and they will make the districts as even as they possibly can taking into consideration the cultural

aspects and not breaking up communities, and no weird designs. So, it wasn't anything real exotic in that regard. It was okay; unfortunately there were only two people at the Yano Hall meeting and three last night at the Na'alehu meeting and ten, I think it was at the Cooper Center meeting. Representative Herkes was at the Cooper Center meeting as well so I was able to consult with him about the State's issues and things. We talked about what our opinion was, the opinion I rendered for the County. But, they were very nice people and they had some not very complex questions, quite frankly. It was worthwhile and a good community resource.

I am kind of reluctant to have Commissioners attend these meetings on their own, quite frankly. I honestly don't want you to get into an argument with some of the people about the process, or people threatening you to you got to do this or that. If at all possible I will be attending these meetings, but it is just very difficult. I am going to be gone all next week in Chicago with depositions and won't be able to make a Sunday meeting.

CHR. SIRACUSA: I have noticed, not only from testimony that we have had here from the public, but from comments I've heard and from newspaper articles from writers who should know better, there is a lot of mis-information going around; confusion, confusing the State process with the County process; confusing what exactly the definition is and the distinction between Reapportionment and Redistricting. Most people don't seem to have a clue about that Bill or Ordinance No. 11-29 where the County decided on all the criteria that we are supposed to take into consideration, nor do they understand when they talk about why the guy across the street from me lives in a different district; how we cannot break up a census block, and we have to keep within those census blocks, and all those little distinctions. I think I would like to see some kind of outreach, educational outreach to the general public. If we cannot do it by going to these little meetings and doing it to ten people at a time, then I'm wondering if maybe we need to ask Mike or somebody to do a viewpoint article for the newspaper that would get all that information out there. You can't expect people to take part in the process if they have mis-information or if they have only a very small amount of the information. What do you think?

MR. UDOVIC: These meetings are open to anybody and we have handfuls of people at all of them. You are going to have your hands full with 11 public hearings my friends. It's a lot of work now, and it's going to be even an awful lot more work to be quite frank with you.

MR. KAHAWAIOLA'A: Just based on what was already spoken about, and because we have 11 public hearings yet to be scheduled, I would want to be sure that we are able to get to the Kawaihae area and these people would be one of them. Yano Hall would definitely be the other one, Nā'ālehu would definitely be the other one, and the others are yet to be determined. But because they are interested in it now, yes, it is incumbent on this commission to at least get out into that community. If the same three people come there, or the same two people come here, that's basically what we are about. I would truly love to get a packed house, but if it doesn't happen---My experience on the last Commission was just that; we didn't get a packed house, but there were enough people interested, asked enough questions, that made us do what we needed to do. I would not want those that have already asked for a meeting---On the recommendation of our attorney, we shouldn't be there as individuals, however, we should make sure that those that have requested, in this case the Kawaihae Local Resource Council, and those that Mr. Udovic

already mentioned, they definitely deserve that we be there when the public hearing part of this exercise begins.

MR. CARVALHO: Can I say something from Waimea?

CHR. SIRACUSA: Yes, please.

MR. CARVALHO: Seeing this request, I am all for it. I think we have a duty to report what we know about Redistricting to our constituents. The only reservation I have is like Mr. Udovic says, if we would get into some kind of arguments with people, which we shouldn't even approach anything like that. As Commissioners, I believe that we should be educating the public as much as we can until we get to the public hearings. I have already had many comments from our Waimea people who are in District 1 and they want to be back in District 9. I am talking to people now; I hope it's not wrong. At least they have an ear to talk to and I think that is part of our duty as Commissioners.

CHR. SIRACUSA: Thank you.

MR. MIDDLESWORTH: Each of us represents a Council district and I would suggest that these requests be channeled to the Commissioner whose districts in which these meetings are being held and leave it up to them to decide whether they want to respond and do, as Joe says, do the right thing, or ignore them.

CHR. SIRACUSA: I would tend to agree with that, I also feel that if we did some meetings and then stopped doing it, then the other people would say, "What about us, are we chopped liver, how come you did it for them but you won't do it for us?" So we need to have a level playing field for everybody. Having the Commissioner whose district the meeting is in agree to attend that meeting means one Commissioner, and that addresses the whole Sunshine Law issues, and it means that Commissioner is dealing with people in his own district and can respond most knowledgeably to the concerns that might be raised, and still not make any commitments to anything but let people know what the process is and clarify any misunderstandings. It is basically public education that we are talking about. Does everybody feel comfortable with a process like that?

MR. MELROSE: I would tend to agree. I think when we get formal action, it shouldn't be a formal action of the Commission. My suggestion is that we get into the habit of channeling them to the people in those districts, because obviously there is an interest. If they are able to attend that meeting, then so be it. If not, then later on. If Joe is willing to go to the Kawaihae meeting, that is good. I agree with that. I would just add that part of this process is not just teaching, but listening. So, the question to ask is, "What concerns to you have? What are the things that I can help you understand better?" The fact is, the numbers are going to dictate this process. This is not something we can just say, "This is something that I am going to deliver for you guys." The numbers are going to tell us how to do that. It would be really good to go to that meeting with the web site and with some encouragement or some insight on how to do that software and show them how to go get information and go get involved. There were several people at that meeting; I think there were ten at that Resource meeting when I went to it last month. There were several

people there who were really interested in this and wanted the website. I couldn't deliver that at that point but they were intending to draw their own maps. Before the end of this meeting we need to be really clear about what the web site is and make sure everybody knows it. I really want to see us put out an ad that talks to the public about what this date we set is and what it means to prepare a map. That's all I have to say about it, and great Joe if you will go down and talk to those folks, that's good. If we get other invitations, so be it. But until we have maps those meetings are going to be somewhat general in nature.

CHR. SIRACUSA: So, we will just suggest that if some group wants to have a meeting, they contact Karen about it, she would contact the Commissioner whose district it is and take it from there. Now Joseph, are you willing to attend that Kawaihae meeting?

MR. CARVALHO: Yes I am. I was planning to.

CHR. SIRACUSA: Very good. I don't think we have anything else to discuss on this agenda item.

MR. KANUHA: If there is a group that requests a meeting and Karen gives me a call and says this group wants to have a meeting, personally, I would like to have Mr. Udovic there representing the County. That is just my opinion. Mr. Udovic, if you would be available to go to certain meetings, would that be okay with you; if we called you to as if you would be available to go to this particular meeting?

MR. UDOVIC: Obviously, it will depend on my schedule. I have three or four trips out of the county in the next months and I've got depositions on the mainland and I'm up at 2:00 a.m. doing depositions from New York, and so it just depends on the scheduling.

MR. KANUHA: Okay, thank you.

MR. MELROSE: Let me just clarify that Mike. You shared a concern that said perhaps you were less comfortable with individuals doing that. Now, I don't necessarily know why that is true, but I would like to hear your thoughts on it. Because if there is a reason why we should have an attorney present and not do it ourselves, then let's hear it.

MR. UDOVIC: I don't have any problem with that, I just don't want somebody to try to hold you ransom; that you've got to this for me and you've got to do that. They have got to understand that you are individuals, and you are here to represent the interests of not only your district but also the entire County. That's all, just a very general kind of a thing. If people are comfortable doing the meetings, then fine, do the meetings. But, some people are not comfortable.

MS. POINDEXTER: Part of your concern too, is will somebody say, "Joe was down in Kawaihae and he said this, and he promised this," and that could lead into---You know the paper, they want to print things that people will read and stories that may or may not be true. So I understand what your concern is. We just have to be general and give basic general information.

MR. MIDDLESWORTH: What do you do for a living? I just have to defend my profession. Newspapers are committed to the truth. Now, we don't always get it.

MS. POINDEXTER: That's what I'm saying; you don't always get the truth. That's what I meant.

MR. MIDDLESWORTH: Well, I hope so.

MS. POINDEXTER: I know you are the main newspaper guy here, but lately how it's been going---But, anyways, it may or may not be the truth. Sorry, Mike.

CHR. SIRACUSA: Another possible rejoinder to someone who tries to tie you to a certain position is, "Hey, I'm only one vote out of nine." I think we are ready now to take a vote on this motion to close file.

The motion to close file on COMM. 25 regarding
Commissioners attending community meetings
was carried by the following vote:

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

Noes: None.

Absent: None.

RECESS: At 2:55 p.m. the Chair called for a short recess.

RECONVENE: The meeting was reconvened at 3:05 p.m.

Back to Communication 22, Population Adjustments

CHR. SIRACUSA: We are going back to Communication 22, Population Adjustments 2011. Are we ready for this now?

MR. UDOVIC: The numbers have been extracted, and I think she can read them to you, but we can make a xerox copy that you can have with all of the different zip codes.

MRS. NAKAMOTO: The largest number was from the 96720 zip code, which is 761. Then there are P.O. Boxes in 96721, which is the downtown Hilo Post Office; there were 25. Kea'au, 96749, there is 14. Pāhoa, 96778 has 15. Mountain View, 96771 has 3. There are some really small numbers. Would you like me to go through all of the real small numbers?

MR. MELROSE: What about West Hawai'i?

MS. NAKAMOTO: In West Hawai'i, Captain Cook, 96794, there was 1. In 96725, there was 1. In 96740, there were 2. In 96745, which is a P.O. Box, there were 4.

CHR. SIRACUSA: Pat, would you please email this to the Commissioners so we could have a record of it? And maybe even you might want to post it on the Redistricting web site.

MS. NAKAMOTO: I'll email the information to Karen, and then Karen can email to you.

MR. MELROSE: I have a question, Pat. The numbers you just read were for the University of Hawai'i at Hilo.

CHR. SIRACUSA: Yes, they were just for the University of Hawai'i at Hilo.

MR. MELROSE: So that same effort should be done for HCC; and did we get separate numbers from the West Hawai'i Campus?

MS. NAKAMOTO: When I spoke with the person at the University of Hawai'i Hilo, I was told that the information in their data base was combined with the West Hawai'i campus.

MR. MELROSE: Is the West Hawai'i campus currently associated with HCC or UHH?

MS. NAKAMOTO: Both.

MR. MELROSE: So those numbers will be a combination of both of those. Are there other schools that we are not thinking about?

CHR. SIRACUSA: University of the Pacific?

MR. MELROSE: That's on Oahu.

MR. UDOVIC: That's University of the Nations that you are thinking about. I tried to find out some information about them. It has a religious affiliation of some sort, they just run classes.

MR. MIDDLESWORTH: Before we walk off the end of the dock on this, we have to remember that the census itself is a snapshot of one day. Everything has changed since then, so let's not cut too fine a point on this. My offer still stands, if you give me the list of addresses, I'll pin point where they are and we can try to match them up to census blocks if that's what we want to do. But it sounds like these numbers are small enough that it really doesn't matter a whole lot.

MR. UDOVIC: If you are willing to do that, and the Commission would have to ask you to do that; I don't see that there is any problem with that.

MR. MELROSE: I'd like to ask him to do that.

MR. UDOVIC: Make a motion.

Mr. Melrose moved to have Mr. Middlesworth calculate the number of non-resident students living on the island and determine which census blocks they should be extracted from. Seconded by Mr. Kahawaiola'a 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: Now, we had a motion to close file on Communication 22 and we can vote on that.

The motion to close file on Communication 22 regarding population numbers was carried by the following vote:

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

CHR. SIRACUSA: Moving on to Order of the Day

ORDER OF THE DAY

COMM. 26: PROCESS FOR SUBMITTING REDISTRICTING PLANS

Memo from Commission Chair René Siracusa, dated July 18, 2011, requesting discussion on how the 2011 Hawai'i County Redistricting Commission will receive and consider Redistricting Plans submitted by both Commissioners and the General Public.

CHR. SIRACUSA: I had asked Karen to look into this and she has started to draw up a submittal form which would give the date of submission and who it was submitted by. Then number one, criteria, does the proposed redistricting plan/map adhere with the criteria set forth in Section 3-17(g) of the Hawai'i County Charter and Ordinance 11-29? A person could check yes or no on that one. The plan consideration must include computerized map of proposed Council districts, state the total population number used to devise the plan, state the total plan deviation using two decimal points, state the deviation indicating plus or minus for each Council district using two decimal places, and then the Districts are listed. I noticed that District 9 is not there. Karen, please note that you left out a district. Then there is a check list attached to that which states the criteria that are in 11-29 so that the public and the Commissioners can be reminded or informed as the case may be. No district shall be drawn to unduly favor or penalize a person or

political faction. For all of these you can check yes or no and give an explanation. Number two would be, insofar as possible districts should be contiguous and compact. Number three, district lines shall, where possible, follow permanent and easily recognizable features. Four, districts shall have approximately equal resident populations as required by applicable constitutional provisions to prevent a vote dilution to the maximum degree possible. Non resident military personnel and non resident military dependents, non resident students and foreign nationals or aliens shall be excluded from the permanent resident population base used to calculate each proposed Council district's population and its deviation from an ideal council district population if practicable. An ideal Council district's population number shall be used to determine by what percentage each Council district's population deviates from the population of an ideal Council district. The number of Council districts to which a region is entitled, shall be determined by adding together the permanent resident population according to the United States Census for the applicable United States Census year within each region and dividing that number by an ideal Council district's population. There is a lot of things to take into consideration here, folks.

MR. MELROSE: You know, excuse me. You know, rather than to read something none of us have had time to review, I feel uncomfortable you reading that to us when we haven't had a chance to review it. I would rather have us delegate to the Clerk's office the preparation of a form that addresses that however they choose to make that happen. I would like to see perhaps on that form a link to the original legislation, to the most recent Bill and to anything that might help inform us of the process. I don't want to go over the details of the form. But it is important that we have one, and there is a form to do that. On the agenda today, the key thing is setting a date.

CHR. SIRACUSA: That is next. This is the process one.

MR. MELROSE: Oh, this is the process one?

CHR. SIRACUSA: Yes.

MR. MIDDLESWORTH: Can I follow up with this? Why don't we ask Pat's office to create a form, send it to us electronically, and put it on the next agenda for us to adopt or reject the form, and we can end the discussion today.

CHR. SIRACUSA: We don't have to ask her to create the form, because she has created it already. We can ask her to send us what she has created for feedback.

MR. MIDDLESWORTH: You may want to include what Jeff was suggesting about citations to the statutes and the constitution.

CHR. SIRACUSA: Patricia wants to say something.

MS. NAKAMOTO: I want to give credit where credit is due. Karen Eoff created the form and Maile. They worked together and created the form, so I believe Karen has it in electronic format.

CHR. SIRACUSA: I guess we didn't have time, between the time she finished it to send it out to the Commissioners. Is that the case, Karen?

MR. MELROSE: Here is the thing. I think we have to set a date today, and when we set the date, it has to be publically announced and the communications need to be clear and distinct to the community when we do them.

CHR. SIRACUSA: That's the next agenda item.

MR. MELROSE: I understand that is true, but we are talking about process now. So, it's unfortunate that process is not prepared for us at this moment. It could have perhaps been on this agenda, had we been really ready to make the decision we have to make. Setting a date, when we get to that, is going to be quite tight. We may have to think about our meeting schedule as a result of that so that we can be more ready for that process. One thing is the form, and then two is how do they go about submitting it. Is there an electronic submission process? Is that the intention? Is it submitted electronically?

CHR. SIRACUSA: Karen, will you answer that, please?

MR. MELROSE: Or, Pat, please.

MS. NAKAMOTO: I would think that something that is your preference. How would you want them? Do you want them to do this electronically? Maybe you could get this information ahead of time before them meeting so that you know which plans are going to be submitted.

MR. MELROSE: The web site is designed for people to submit their plans electronically. If they submit a paper map, we will never know what it is. I think what we need is that electronic download from the web site to your place, and ultimately that is going to need to be printed up in enough detail so we can tell what streets were involved in the decision making. So it will have to be in a form that you guys can turn into a map of that scale or something even bigger so that we really understand what it is saying. I'm assuming that you are going to use the software that is intended for that purpose and they will submit it. There is actually a button to submit on the web site.

MS. NAKAMOTO: Well I wanted to---Karen and I sort of discussed this over the phone and, Karen do you want to come up and talk about what we discussed and how we had envisioned maybe receiving the plans.

CHR. SIRACUSA: There are really two parts; there is the map and then there is addressing the concerns on this survey form.

MR. MELROSE: But the survey form was to accompany the map.

MS. EOFF: I am pretty clear that when you hit the submit button, the map is submitted. I'm not clear on exactly where it goes, or how I would receive it. But, I think the question that I need to be clear on, is; all the maps that are submitted; do they then become an agenda item, and do we

consider them as they come in, up until the deadline? These are the alternate plans. Do we wait until after the deadline, when all the plans are in, and then we look at them on that particular agenda? That's another question. And then, we did talk about a way to view them here. We could project it so that you guys could see an enlarged version. We could zoom in on areas to discuss the maps. So, once they are submitted electronically, I think we would go online and look at those maps, or we could get them on a jump drive and we could project them. I guess we can cross that road when we come to it, but I what I needed to hear in the discussion was; how do the maps end up coming to me, and then would I be giving them a new number so that they could remain anonymous and we would look at them as map number 1 through whatever, or A,B,C, whatever we decide to call them, and present them as agenda items.

CHR. SIRACUSA: I should think we would want to give them numbers to avoid confusion and keep track of them, and especially take them in order. Then we could agendize. I'm wondering if we would need a separate section on the agenda for review of submitted maps.

MS. EOFF: Yes, and then that could come up at several meetings, if necessary, until we are hitting the deadline and then we are done reviewing maps and we would have either rejected those that are not meeting the criteria or for whatever reason we would officially reject them, and we would be left with a set of maps that then become part of our public hearing discussion maps, that we take with us and continue to discuss.

MR. MELROSE: My suggestion is that these are submitted to the Office of Elections. That is the appropriate place to send them. The Elections Office needs to know what they are going to get when somebody hits "submit." That is between you and Esri, so that they can be clear about what that is going to be. I think a lot of the questions that you ask in that format; some of those are already addressed in the analysis that is attached to that submitted map. So my assumption is that when you submit, you are going to get that specific body of analysis that will be part of the file that gets dropped to the County. It is not just a map, it is that evaluation. You should use that evaluation to the extent possible and then you can ask some additional questions about some of the other County considerations. But, the point is to understand what is going to come to you electronically; that is the only form you are going to take a map is electronically. So that is one. Two, is what gets delivered by the software, and what additional questions you need to ask of them.

MS. EOFF: Then when someone hits submit, would it be the State that directs it to Office of Elections?

MR. MELROSE: Absolutely, but that is between Elections and the State, because they need to know how it's going to happen. So we will assume that is going to go to Pat, and you need to know what that is. So when we get them, I think we should wait until the deadline to review them, rather than to take them all individually. I think that between now and then, I'd rather see us exercise our own thinking about the maps; making maps and talking about the implications of them. Then when the community sends their maps in, then we have a review of those, and I think we are supposed to make some cut on those; decide which ones make it into the public hearing or not. Not every one of them will go into the public hearing, I'm presuming.

MS. EOFF: But before we can reject them, they would have to come up for a discussion.

MR. MELROSE: Right, certainly. We would have to have a meeting at the end. Whatever date we set on the next agenda item, at that meeting, we would have a chance to review them. And I think we should set our meeting a little after that deadline.

MS. EOFF: Then after we see exactly what we receive from a submission, it would be easier to make a form. Because as you said, maybe some of these items don't need to be on the form, if they are already a part of the submitted plan.

MR. MIDDLESWORTH: I don't think it is up to the submitter to make that decision. I think that is Mike's job to say okay, this meets the criterion or it doesn't. Many of these people, even I don't feel comfortable saying I met all the criterion. Again, as I pointed out earlier, there is a conflict in the Ordinance and you can't say that it meets all of the criteria, because the two are conflicting.

MS. EOFF: That's where you would want to give that justification or that explanation.

CHR. SIRACUSA: I felt that it's there more as a reminder to people, this is one of the criteria that you have to address, this is another one, and this is a third. And to make sure that for their own clarification of thinking that they don't leave anything out; that nothing falls through the cracks. So, basically when they are checking yes or no, they are checking their own opinion, but we are asking them to provide a little explanation. In some cases the way they reply to that might be very telling about their thought processes. So, I thought it was good to leave that in because it is also part of the educational tool and making sure that what we get is complete and hasn't left anything important out.

MR. KAHAWAIOLA'A: Madam Chair, a point of clarification; I too, am perplexed about this submittal. Is that now going to be within the Commission's purview to say, if someone checks no say to "No district shall be drawn to unduly favor or penalize a person or political faction." Yes, it's not or no, you can do it. Then you are asking for an explanation. Is that going to be within the purview of the Commission to sit here and look at everybody's submittal? And that is only one question. There is a whole bunch of them here. There is a citation, Hawai'i County Charter, Section 3-17(g) and I think it would be incumbent on that individual to go see what it is, this is all of it, and did you submit the map according to the provisions of Hawai'i County Charter, Section 3-17(g)?

MR. MIDDLESWORTH: The fact is, that in the end, we as a Commission have to decide that the plan we agree on, does, or does not meet all of the provisions. And even if it doesn't, we still can submit it because among other things, there is no penalty provision in any of these statutes, or in the Charter. So, it is up to us to decide what it is going to be.

MS. EOFF: It's also up to us to, where we don't meet the criteria, or where we deviate more or less, we just have to explain it.

MR. MIDDLESWORTH: Exactly.

MS. EOFF: I've been through two sets of thinking. At first I was just thinking of a very simple form, like you said, just to ask, "Have you addressed the criteria in these two provisions, and if not, what is your justification for your map?" And that would be it. But then after thinking about it again, we thought---And the language on there is exact language from the law, it's nothing we just dreamed up. We put it all there thinking people would make sure they have addressed as much possible, and where they didn't they give us an explanation, so it would make our review of the map a little bit simpler; although we would have to check that it is not mis-information.

CHR. SIRACUSA: Are both citations of the law on the Redistricting web site?

MS. EOFF: Yes. I can make them more clearly, right on the front. We can make it real easy to access the laws on the web site. Maybe I was a little bit blurry, because I haven't seen what a map looks like when we receive it. I have never seen what Pat would receive; I didn't even know exactly where it goes when someone pushes "submit." I don't know what happens to the map.

MR. MIDDLESWORTH: Can we get a form so that we can vote on it at our next meeting?

MS. EOFF: This conversation helped, just to see that you would like submissions to go to the Office of Elections, from there they will get on to our agenda through me and we will consider some sort of a form.

MR. MIDDLESWORTH: I think we should have on all our agenda going forward, consideration of maps. We are going to start making maps. I've got some already that I would like to start discussing. So we need to have that on our agenda. Then we can take whoever's map they are. Now, we will know whose maps our own maps are, but I think your idea of keeping them anonymous, the publicly submitted maps, is fine.

MS. EOFF: And if you would prefer yours remain anonymous, we can do that too. We can just give them a number.

MR. MELROSE: I think they should all be anonymous.

MR. MIDDLESWORTH: I'm not so sure; I think you ought to defend it.

MR. MELROSE: You are welcome to defend it, but it doesn't have to become the Middlesworth plan. I don't want the Melrose plan. I think the challenge here is---I feel like these are answers the Elections office should have given us already; about what does a submitted plan look like. You have had the web site for a while; you know that is going to come. So, people are going to be on the web site, and then there would be an additional form for them to submit? I would rather see a form that gets attached to these maps that we then review and do a check off of. Just practically speaking, if they re on the web site, they hit "submit," where does this other form come from? Is it going to be attached to this somehow for submittal? Frankly, I really don't care who they come from, and I notice already you are going to assign them a number and not a

name; I think that is very important. I'm going to say this to the Commission; I think it's very important that we not attach our name to any of our ideas. We submit to the Clerk's office, let them come back. You are welcome to defend whatever ideas you have in them, but you want them to come as a numbered plan, and not as "Jeff's Plan" or Valerie's Plan."

CHR. SIRACUSA: You want the plans to be judged on their own merit.

MR. MELROSE: Absolutely.

MS. EOFF: Then maybe this form should just be something that we create. After we receive plans, Pat and I put our heads together before we agendize these maps, we give them a number and we use that form as our transmittal of the map.

MR. MIDDLESWORTH: Right.

MR. MELROSE: Yes.

MS. EOFF: And whatever information is available with that submission, with the software, we would just give you that as a summary page on top?

MR. MIDDLESWORTH: Right.

MS. EOFF: Then there is nothing else that the submitter would need to fill out?

CHR. SIRACUSA: Okay, everybody in Hilo is nodding their head, but I cannot see Kona and Waimea.

MR. KANUHA: I agree with that.

MR. CARVALHO: I agree.

MR. KAHUI: I think Karen hit it right on the nose. They get the map, assign it a number, and then use the form as a transmittal, and as a way to track these maps and its origination; because, in the course of our discussions, we may use that map, but we may alter it to some degree. So I think it's a good idea, it's in Karen's hands; it's a way to process those maps, and I would like to call a point of order so we can move on.

MR. MELROSE: I understand the need to move on and I wouldn't disagree with that; let's keep moving.

MR. MIDDLESWORTH: Can somebody summarize what is going to happen with this issue?

CHR. SIRACUSA: Okay, let's clarify that. Karen, did you want to do that for us?

MS. EOFF: In summary, I believe what we have agreed to do, and I think part of this is that we need to have an administrative meeting so that we are all on the same page that when maps are

submitted, what form they then come to me to place on the agenda. So, we'll clear that up between the staff. Then, once they are submitted for placement on the agenda, and I'll bring this back or send it by email to you, just to get something to use as a transmittal. It would be our form to use as a way to transmit the map to you to review. It would be some type of a numbered form and would include the number of the map, the date it was submitted, whatever criteria is summarized by the software for us; we will add that on the top, so it is just a snapshot of what it is.

MR. KAHAWAIOLA'A: There you go.

MS. EOFF: Then from there, hopefully we can project it at the meeting. We will give it to you in hard copy, but it will be too small to show the details. So we will present it and be able to zoom in on areas and you guys can discuss what it looks like.

CHR. SIRACUSA: Is that agreeable to everyone?

MR. MIDDLESWORTH: Let me ask this. Is there any reason why we could not get these maps transmitted to us electronically as they come in so we can see them and come to the meeting with some notion of what we are talking about rather than sit here and have to start from scratch to go through them?

MR. UDOVIC: I think it could be transmitted to you, but don't discuss these with other Commissioners at all.

MR. MIDDLESWORTH: That's not what I'm talking about.

MR. UDOVIC: I just have to caution you not to get involved in discussions with one another about that. Those maps and business should just be discussed here; that's all.

MR. MIDDLESWORTH: Right.

MS. EOFF: If it's treated like an agenda item, my understanding is that once I number it, and it becomes an official agenda item, I can transmit it to you as soon as I get it. I don't have to wait.

MR. MIDDLESWORTH: This process is going to go on for a long time anyways, and that would make it go a whole lot quicker if we can get them ahead of time.

MS. EOFF: You can individually study Map 1, Map 2 etc. and come prepared to discuss it.

CHR. SIRACUSA: Okay, is that process okay with everybody now?

MR. MELROSE: That process makes sense. I have another question that is related to this though. That is, are we accepting---I want to go back to the number. Because if there are 185,256, or whatever that number is, total population, and we have now determined that there are 1,368 University students; are we now obligated to remove that number from the total and

therefore aim the total district divided by nine to that number? I realize it is not in the software that way, but isn't that what we are really talking about doing?

MS. EOFF: My understanding is that at some point in time, and I think we need to find out the date when this is going to happen, the State is going to extract the non resident students and the non resident military from our Hawai'i island software, so that while you are moving your blocks around, those numbers are going to be out. I don't know when that is supposed to happen though.

MR. MIDDLESWORTH: It has to happen soon, because their deadline is rapidly approaching.

MS. EOFF: So we should let everybody know as soon as possible that we are now seeing software that is accurate, and has these numbers extracted. For now, I think the exercise you went through today may be useful if you are already drawing maps and those things are not repopulated into the software, you can kind of use that just mentally to move your lines. That was a question I needed to ask, and I haven't gotten the chance, but if maps have already been created, and then the new numbers are embedded in the software, how does the previously created map get changed?

MR. MIDDLESWORTH: Good question.

MS. EOFF: I haven't asked anybody yet, but I know that is something we need to find out.

CHR. SIRACUSA: Okay, we had a suggestion about the process for submitting maps, so everyone seemed to like Karen's suggested process and I want to know if everybody agrees.

MS. EOFF: I think the suggestion came from the Commission, but I think by combining what I submitted as a proposed idea, and what I've learned in this discussion, I think we can come up with a better transmittal form. We'll have a staff meeting to find out exactly what happens if people have already created maps. Pat is telling me there are different ways to submit a map.

CHR. SIRACUSA: Have we lost video?

MR. CARVALHO: We can't see you. We can't see you, but we can hear you.

MR. MIDDLESWORTH: As long as they can hear us, we are alright.

CHR. SIRACUSA: Yes, hearing is the important part.

MR. KAHAWAIOLA'A: Madam Chair. Since Mr. Melrose asked a second question, I would be interested to know, because that exchange brought the hairs up on my neck because Mr. Middlesworth reached forward towards his mic. I would like to hear Mr. Middlesworth's explanation on the exchange that happened just now between Mr. Melrose and himself.

MR. MIDDLESWORTH: We can't just subtract the 1,300 people and spread it evenly across the island. We have to know which census blocks they fall in. So, either I can go ahead and do

the numbers, or we can wait for the State to do the numbers. If we are sure they are going to do it, then that's---Well, at least we can blame it on them instead of blaming it on me.

CHR. SIRACUSA: We already voted on letting you do it.

MR. MIDDLESWORTH: I know, and I'm perfectly willing to do it. But if they are going to have that done within the next week or two, then there is no point in me doing it.

CHR. SIRACUSA: I would say don't hold your breath, considering their track record.

MR. MIDDLESWORTH: Yes, but they have a much shorter deadline for being done than we do. So they have to make that decision right away and get to it, because they've only got a sixty day window.

MS. EOFF: When I leave the microphone here, I can try and call David Rosenbrock and ask him if we can get a time frame.

MR. MIDDLESWORTH: See what they say, that would be good, thank you.

MR. KAHAWAIOLA'A: Thank you, Madam Chair, that's the only reason I wanted to get it clear, because we had just voted for Mike to go ahead and do that and then now---

CHR. SIRACUSA: Right, but Joseph had made a motion that we accept Karen's procedural recommendations, so I wanted us to vote on that so we can move on to that really important item.

MR. CARVALHO: Madam Chair, I think it was Dru who made that motion.

MR. KANUHA: It was actually Bo who made that motion.

CHR. SIRACUSA: I can't see the screen from here.

MR. MELROSE: What you were really doing was calling the question on the existing motion, is that right?

MR. KAHUI: That's true.

MR. MELROSE: So what we should do is just take the vote.

MR. CARVALHO: Madam Chair, before we vote, I have one more question for Mr. Udovic. Did you say that we couldn't get the maps ahead of time because of the Sunshine Law?

MR. UDOVIC: No, I said you could get the maps, just don't discuss them with one another.

MR. CARVALHO: Okay, very good.

MR. UDOVIC: Also, I want to remind you that you authorized Mr. Middlesworth to look at the software, you didn't give him a time limit when to submit the information. So you don't have to do anything with that motion.

The motion to file Communication 26,
regarding the process for submitting and
reviewing plans was carried by the following vote:

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

Noes: None.

Absent: None

CHR. SIRACUSA: Now, before we move on to the final Communication, I want to announce that the CDs with the Council District Maps have been handed to the Commissioners here in Hilo, and Bo, Dru, and Joe check your mailboxes because they are going to be coming to you.

**COMM. 27: SETTING DATE FOR SUBMISSION OF ALTERNATE PLAN AND
COMMISSION DEADLINES**

Memo from Commission Chair René Siracusa, dated July 18, 2011, regarding setting the date for submission of Alternate Redistricting Plans by members of the general public and other Commission deadlines.

CHR. SIRACUSA: What was attached for us was the original deadline plan that Patricia had drawn up, that we had accepted tentatively because we didn't have our software and there is still a lot of problems with it. So, we want to look at that and work our way backwards, I assume from December 31st. Considering all the problems we are having with the software, I would really feel more comfortable if we could set that deadline as late as we possibly could. However, I had asked Karen to take a look at the venues where those hearings will be held and find out when we could have those venues available for us. Planning those hearings is going to depend in part if those meeting places are available.

Mr. Middlesworth moved to close file on
Communication 27. Seconded by Ms. Ugalde.

CHR. SIRACUSA: Karen is not here.

MR. MELROSE: Madam Chair, I think venues are the second question. I think we have to talk about the time it takes to do this, and to set the schedule. We are not on the public hearing schedule. I understand the relation between them, but I think we need to be on the question on when is the deadline set. I would suggest that we need at least a month for the community to do that. I'm a little uncomfortable about setting that now, given the lack of a clear number, but I think we are required by statute to do so.

MR. MIDDLESWORTH: I have a question for Pat. We have this December 31st deadline. What is the absolute last time that you guys have to have a plan in order to get ready for the next election?

MS. NAKAMOTO: Once the Plan is adopted; if we can get the plan before the end of November.

MR. MIDDLESWORTH: That wasn't my question. My question is what would be the last date you could get it in order to be ready for the next election? In other words, what if we were delayed and we don't get finished by December 31st.

CHR. SIRACUSA: 2012 is an election year, so when do candidates have to file? Is that set by law?

MS. NAKAMOTO: Yes.

CHR. SIRACUSA: They can't file if they don't know what district they are in. I think the filing deadline might be---

MS. NAKAMOTO: We start issuing nomination papers beginning February 1st. So, it would be nice for candidates to know where the district lines are by then.

MR. MIDDLESWORTH: I'm not asking what would be nice, I'm trying to find out, if we get delayed---When you look at this timetable, Jeff's concern, and my concern is about giving people enough time to submit their plans and then we also have the 11 public hearings and all of that stuff. Now, if we try to shorten the front end of this, we are going to make a lot of people unhappy. If we run past our deadline, we are going to make you unhappy.

MS. NAKAMOTO: If we go beyond December 31st we are going to run into problems. So December 31st would definitely be the final date for us.

CHR. SIRACUSA: The previous suggested date as a deadline for submission for an alternate plan was August 15th. But if we set August 15th now, and carve it in stone, people will have less than a month to do this. I don't think that is fair at all. I think we need at least a month, if not a month and a half to give people; so that would put it to somewhere between September 1st and September 15th. Then we would have to squeeze in the public hearings. I'd like to hear people's thoughts on this.

MR. MELROSE: There are a couple of other gaps in this. When we set a date for the submission, there must be a period in time afterwards in which we have a meeting and a chance to review them. Because we are not going to hold public hearings on every plan that comes out. We are going to need to cut down the public hearing to a range of plans; six or eight options that seem to be the best of those options. So, it isn't a matter of saying on the 15th we start public hearings. We need to have a meeting after that deadline and then we will determine which plans go out to public hearing, prepare those plans, prepare the material that is necessary to go to public hearing, and then initiate the public hearings. So we can set the dates for the public

hearings, but there needs to be time in there for us to consider what is submitted to us. If we way September 1st is the day, and we make that announcement today that September 1st is that deadline; there is a month to do that. If, come two weeks from now, we are still not operating with the right deadline, we may have to meet two weeks from now and say we are going to have to move that deadline for the lack of good data.

CHR. SIRACUSA: Can we do that legally?

MR. UDOVIC: It just says the date has to be set.

MR. MELROSE: It doesn't say we can't un-set it.

MR. UDOVIC: No, it doesn't say anything about that.

MR. MELROSE: And if we are doing it for the purpose of encouraging---

MR. UDOVIC: It's a little bit tenuous there, but---

MR. MELROSE: But then we would have the ability to move it for the purpose of enhancing the public's participation in this. We are not doing it for any other special interest purpose. So if we set it for the 1st that gives us some time to meet a week or so after that so we can review those. My sense is that we, as a group, need to meet two weeks from now to look at some of our own plans and options that the Clerk is doing so we have a sense of what the options are. We can submit our own plans and get a number and have those kinds of conversations so we can be much more tuned to the conversation that we are going to have later. So that's a separate issue of when we are going to meet next but if we set it now for September 1st and we provide that information to the public, that would be my suggestion. Also, that we accompany that with a public ad that we purchase with the funds that we have to go in both newspapers at least once that is maybe a quarter or an eighth of a page that is from the Clerk's office, that specifically tells the public how to do this and the web site and all of the information necessary to convey to the public what this means to do; how you do it. Those things need to be done as soon after this meeting as we can. If we end up going back to this data question again, we'll send another one out and we will extend it.

MS. NAKAMOTO: The ad you were referring to was for the public to know how to go about submitting a plan?

MR. MELROSE: And the notice of the deadline, the link, reference to the laws we are dealing with, the Bill, with links to them, and to the Charter; so that people are at least made aware of all of those things and the process for submitting it. Rather than us having to review it, if you want to send it around and have us ask questions when you prep it, that's fine. But otherwise, I think that is something the Clerk's office can be responsible for. And it should come from the Clerk's office rather than specifically from us. Is that reasonable?

CHR. SIRACUSA: I like your suggestions, and I like your reason for them. Does anybody want to offer an alternative to what Jeff is suggesting?

MR. KAHUI: I like Jeff's idea because it offers the public an opportunity to engage itself in this process. I think in addition to that, but I'm not sure if we can act on it because it's not on the agenda, but I would support the payment for an ad for the Clerks office to process that information. And we should do that right away. Secondly, in addition to that, because we are talking about a timeline, we should notice the public and give them sufficient time to come to our districts regarding these alternative plans. So, I think preliminarily, when we discuss when and where each of the districts are going to meet---We could submit to Karen a date and a time for a public hearing to occur in our districts within this time frame, we could hit a couple of birds with one stone.

CHR. SIRACUSA: I think that Karen is already looking at various venues in the different districts and trying to find out when they are available for those meetings. Is that correct?

MR. UDOVIC: Just a reminder, the public hearing is held by the Commission, not by the Commissioner in each district.

MR. MELROSE: What you are asking for is that when we get into the public hearing process you may have some suggestions as to when the public hearing will take place. It won't take place until after we have reviewed and determined which specific sets of plans are going out to that hearing process. Am I hearing you the right way?

MR. KAHUI: If we are going to follow this process for establishing the 3 or 4 or 6 alternate plans to review through the public hearing process, we have eleven hearings, nine of which are in each district and then the two public hearings at the end. Maybe I'm a little confused, but I essentially thought that---Is the Commission going to hold all these hearings as a body at all of these different districts? Or are we going to do our own public sort of review with our own constituency?

MR. MELROSE: My understanding is as it was done last year is once we have decided what alternatives we wish to present to the public; and they will be ones that we have considered and the ones of the public's that we think conform closest to the goals that we are trying to meet. Once that is done, we will take those to the public hearing as a Commission and we all then hear everybody's comments about each of those options that are on the table. So we do screen, but then we hold nine collective meetings.

MR. KAHUI: Okay, thank you. I appreciate the clarification, and on that note, I would support the ad, once we figure out when we are going to hold those meetings, where the place is to be inclusive. If we are able to meet that publication deadline to be inclusive to give people time to process this information.

CHR. SIRACUSA: I believe Karen is going to be looking at the possibility of doing more than one meeting in one day², like a morning meeting and an afternoon meeting. That will help to speed things up a little bit also. I've also asked her to look into the possibility that some of the Commissioners might want to do carpooling when they have to go to the other side of the island for those meetings.

MR. MIDDLESWORTH: I've got a 15 passenger van that everybody can ride in if they want. That's neither here nor there.

MS. EOFF: I just wanted to let Bo know that the Public Hearings will have to be noticed legally in the newspaper. So that would be a separate ad from the other ad we were discussing earlier about how to submit plans.

MR. KAHUI: Thank you.

MS. EOFF: While I'm here, I'll let you know that I just talked to David Rosenbrock, and he said that he has all the numbers now of the non resident students for the entire State of Hawai'i. He does not have the non resident military as yet; he is hounding two different agencies for those numbers. He can't give us a date, but he said to let you know that they are up against a shorter time deadline than we are, so he is really trying. Once he does get the numbers, he said it won't take too much longer after for them to repopulate the software with the proper numbers. I asked him what happens to maps that are already drawn with the existing numbers, and he said that when those maps are reopened with the software it will automatically change the number in each of those districts that you have already drawn. Say, the district that you had drawn had 20,000 people last week, but when he repopulates the software and you open that map again, it's going to say a different number. So you will have to either think that number is still good or you might have to make some adjustments to that map. But he said that's how it's going to work.

CHR. SIRACUSA: We were looking at Jeff's suggestion of the deadline for submission of the alternate plans to be September 1st.

MR. MIDDLESWORTH: I was just looking at my calendar and I want to talk about that. If we set September 1st for the deadline, and we are going to meet every other Thursday, that will give us two meetings in September to look at those maps and then we will have to start having public hearings about the 1st of October. We are going to have the nine district public hearings in October; get them in between the 10th and 20th of October, say. That would give us ten days to decide on a plan to submit; a draft plan. We are going to have to shorten the period for the two big public hearings and have them probably in the same week in November; like between November 7th and 14th.

CHR. SIRACUSA: We don't need a whole month for two hearings.

MR. MIDDLESWORTH: And those are one here and one in the County building on the other side of the island. Those are simple. So we can do them both in one week which would then, after those public hearings, give us six weeks to get the plan into Pat. It really isn't six weeks because it includes Thanksgiving and Christmas and all that stuff.

MR. UDOVIC: As long as the plan is given to the Elections office sometime before late November, because we have other documents we have to prepare as well.

MR. MIDDLESWORTH: I guess what I am suggesting is that schedule. September 1st for the deadline for the submission of the alternate plans, hold the public hearings between the 1st and the 20th of October, have the deadline for our draft plan as November 1st and then hold the two big public hearings in the week of November 7th to the 14th, and then adopt the Final Plan sometime around Thanksgiving. Then we are essentially done.

CHR. SIRACUSA: If we look at that, then we will have to decide on our next regular meeting dates.

MR. MIDDLESWORTH: The other thing about the meetings; if we are going to start submitting our plans and we are going to start looking at the plans that people submit, we are going to have to do that at every meeting from now on.

CHR. SIRACUSA: Yes.

MR. MIDDLESWORTH: There is a question, is twice a month often enough? Or do we have to look at once a week starting in September?

CHR. SIRACUSA: Previously, in the very beginning, because of the delay in getting started, we had all agreed that we would be willing to double up in a month.

MR. KAHUI: I know we have a job to do. It may require coming together once a week or at minimum, twice a month. We may revisit our schedules, because, I do work during the day time and every week is difficult for me. I just share that with our colleagues, but I want to offer as much as I can throughout this process.

CHR. SIRACUSA: We can't have meetings in the evenings, because of the staff overtime.

MR. MELROSE: Let's hold the question of how often we meet for down the road. I'm more interested in when we meet next. I think we have work in the next couple of months, in our next two meetings really. Because we have given a deadline for the community's consideration, I think we, ourselves, have to start now to work on a series of ideas on alternatives. My suggestion is that we plan our next meeting in two weeks, and we decide at the end of that meeting if we need to meet two weeks after that. But we give ourselves some time to look at maps.

MR. UDOVIC: I just confirmed with the Elections Office that they already have completed five different plans, and perhaps we can just start by looking at the ones they have completed. Just so we get used to looking at the plans and things at the next meeting; if that is satisfactory with you.

MR. MELROSE: I think that is a good idea and I think we should do it two weeks from now and I would also say that if there are Commissioners who wish to throw a plan into that mix, they should do so. Not in a specific naming of it, but put it into the file.

CHR. SIRACUSA: And by the way, I look at my calendar and I see that two weeks from now is August 11th, which was the date we had already set for our regular meeting. Two weeks after

that was set as well when we were talking about having two a month. So, we are already set for the 11th and the 25th.

MR. MIDDLESWORTH: Probably by the 25th we will have some maps from the public.

MR. MELROSE: So, I think we have on the table that question of the setting of the date for the public to submit.

CHR. SIRACUSA: Yes, because we don't have to re-set the date for our next two meetings, because they are the dates we had set previously.

MR. MELROSE: We need to confirm them.

CHR. SIRACUSA: Okay, I'm going to reiterate that so we know what the motion is.

MR. UDOVIC: All that has to be set is the deadline for the submission of the Alternate Plan. Nothing else has to be set at this time.

CHR. SIRACUSA: So we are looking at September 1st for the deadline. That would mean that the public meetings would be between October 1st and 20th. The deadline to submit a draft plan would be November 1st and Public Hearings in East and West Hawai'i would be November 7th-14th.

MR. UDOVIC: The only thing we are setting at this time is the deadline for the submission of the Alternate Plan and the next meeting. The other ones are fluid.

CHR. SIRACUSA: Okay, so do we have motion?

Mr. Melrose moved to set the deadline to submit an Alternate Plan for September 1, 2011. Seconded by Ms. Ugalde and carried by the following vote:

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

Noes: None.

Absent: None

ANNOUNCEMENTS

CHR. SIRACUSA: So, our next meeting is August 11, 2011, same time, same place. We also want to discuss what will be on the agenda. We want to have a little discussion not only about starting points, but about issues that each Commissioner hopes will be addressed in the plans that are submitted relative to their own districts. Is that a fair statement of what you had in mind?

MR. MELROSE: I think that is the outcome of what I'd like to see happen. I would like us to get in the habit of creating agenda items that are very general so we can have a range of conversations about them and not feel constrained about what we have to talk about. We will be reviewing maps and conditions of what makes for a good map. I think that conversation is going to come out as we review maps. I also want us to get into the habit of circulating the agenda to the Commissioners in advance so that if there are concerns about things like how it was worded that we can have a chance to amend it so we don't have to live with just whatever was handed to us at the very end. That's a timing issue; I know it's going to get short, but I'd like us to have the agenda circulated so we can make sure that things are not left off of it.

CHR. SIRACUSA: Karen passes it along to me for comment, but I would be very happy if she would pass it along to everyone else for their comments as well.

MR. MIDDLESWORTH: I just want to say that I think we should have three or four things standing on the agenda; like the discussion of maps, meeting dates scheduled, public hearing dates schedules. They ought to be on every agenda so that if we want to discuss them we can.

CHR. SIRACUSA: I agree. Is there anything else any one would like to see on the agenda? If you come up with any great thoughts after you leave here, please contact Karen.

MR. MELROSE: I would just suggest that if we wish to have Elections bring a particular plan we should send it by the end of next week so they have a chance to prepare it for this process. We should try to send the plan a week before the meeting so there is a chance to bring it up at the meeting. I think the next set of conversations will be exciting and much more "meaty" than this stuff. This is where the rubber starts to hit the road.

MR. MIDDLESWORTH: And you are going to send us the maps that you already have so we can look at those.

MR. KANUHA: For the next Commission meeting, do you think we could have a discussion about the public's questions about the software; how they get in touch and to continue that conversation?

MRS. NAKAMOTO: I just wanted to mention about the address; if we are all using the same url address. It should be www.redistricting.hawaii.gov.

MR. MELROSE: And that is linked on the County website. So you can go on the County web site and hit that and go there that way.

MRS. NAKAMOTO: No it is not.

MR. MELROSE: Can we put the link on the County web site?

MRS. NAKAMOTO: Yes.

CHR. SIRACUSA: Is there anything else?

ADJOURNMENT

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

There being no further business, at 4:16 p.m.,
Mr. Middlesworth moved to adjourn the
meeting. Seconded by Ms. Ugalde 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 August 11, 2011:

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