

From: tawn@honokaapeople.com
To: [Kimball, Heather](#); [Kagiwada, Jennifer](#); [Lee Loy, Sue](#); [Kierkiewicz, Ashley](#); [Kanealii-Kleinfelder, Matt](#); [Galimba, Michelle M.](#); [Villegas, Rebecca](#); [Inaba, Holeka](#); [Evans, Cynthia F.W.](#)
Cc: [Planning CDP](#); [Surprenant, April](#); [Roth, Mitch D](#)
Subject: Removal of CDP Action Committee member email addresses from the District CDP websites
Date: Monday, August 21, 2023 2:14:24 PM

Dear County Council members,

The following communication is a revision of the note which I sent to you on Friday, August 18. It differs only in the addition of item 8) below:

8. Standard IT response to ensuring privacy of personal email addresses of group members is to set up an email forwarding domain which encompasses each group member and forwards mail addressed to the names on that domain to the personal email address of the member. For instance, mail sent to the CDP website listed email address of < tawn.keeney@cdp.actioncommittee.com > would automatically be forwarded to my personal email address. An estimate of cost to the County of domain forwarding service might be \$15 per month. The fact that Planning neglected this option raises the question that the motive for the address removal might actually be less apparent than the stated 'privacy'. It is of little interest to me what those motives might be so long as the Public access to communicate directly with me and my Action Committee colleagues is restored.

The only other change is that note is taken that the Planning Department has also removed the identification of the current Chair of the Action Committees on their website in addition to removal of the member email addresses.

The completed communication is as follows:

Council member Heather Kimball
Council member Jennifer Kagiwada
Council member Sue Lee Loy
Council member Ashley Kierkiewicz
Council member Kanealii-Kleinfelder
Council member Michelle Galimba
Council member Rebecca Villegas
Council member Dr. Holeka Inaba
Council member Cindy Evans

Dear trusted representatives of the Citizens of Hawaii County,

I am writing this note in response to two events which have disturbed me deeply as Chair of the Hamakua Community Development Plan Action Committee. I believe these events reflect a broken relationship between the Planning Department and the five district Community Development Plan Action Committees which the department is tasked to administer.

Event #1: The Planning Department has removed the email addresses of the Action Committee members from each of the five District Community Development Plan websites. Identification of the chairperson of the committee was also removed. The reason given by

Planning to my inquiry why this action had been taken is the following:

"We are looking for ways to better protect AC member's **privacy** and avoid **unsolicited communications** (bold print mine). Individuals looking to reach out to CDP AC members can fill out the green contact form at the bottom of the CDP websites and we can forward the inquiry to the respective Action Committee."

I respond with the following comments:

1. Communication access between the Action Committee members and the Community is at the center of the process that was envisioned in the six District Community Development Plans. This removal of email addresses of committee members, addresses which have been present for the 4 years of existence of the Hamakua CDP AC, and probably throughout the more than 10 year history of CDP Action Committees of other districts, **significantly cripples** that communication channel, and the 'heart' of the CDP process.
2. When someone applies for Action Committee membership they understand that they are being asked to be an intermediary between the communities and the county government. They should, and do, understand that some element of their 'privacy' is being relinquished. They should, and do, understand that accepting 'unsolicited communications' is part of what service in this regard is about.
3. We, the Action Committee members have never been asked in my 4 years of AC membership or as Hamakua chair over the past year, whether we wished, for the reasons expressed, "privacy" or "avoidance of unsolicited communication", to have our email addresses removed. I am confident that, if asked, we would desire our emails to be available to the public.
4. County Council members have email addresses available to the public. Action Committee members serve a similar function, liaison with the public, but on a district level.
5. The other County with district level public representation is Honolulu with its Neighborhood Boards. The email addresses of these many hundreds of Neighborhood Board members, almost without exception, are available on the Neighborhood Board website.
6. The Planning Dept. points to a messaging mechanism, directed to their department, (the 'green contact form' mentioned above) available to the public on the District CDP website. Over my four years of service, during which time the above contact form has been present, I have never had Planning forward a 'comment or question' from that form to me, or heard from other Hamakua AC members of receipt of such 'comments'. On the other hand I have had multiple 'comments, requests or questions' presented by the public to me via email. It is unknown if these were subsequent to discovery of my email address from the CDP website. I do not wish to have the public's communication with me 'curated' by the Planning Department. I would be hesitant to trust that a communication such as this one would reach each of the Committee members.

7. These email addresses have been removed at a time of the greatest need of the public's access to representatives in the County governmental process. The Governor's Housing Proclamation has just been announced, the impacts of which will be felt deeply within our communities and will elicit vigorous response, whether supportive or resistant. The Hawaii County General Plan revision is to be released to the public for comment this summer. The Zoning and Subdivision Plan revision will be released shortly after that. This timing of removal of the Action Committee email addresses raises questions of subversion of the Action Committee's role. This coincidence in timing arouses questioning of the Planning Department's motives, though their stated intent was protection of our 'privacy' and shielding us from 'unsolicited communication'.

8. Standard IT response to ensuring privacy of personal email addresses of group members is to set up an email forwarding domain which encompasses each group member and forwards mail addressed to the names on that domain to the personal email address of the member. For instance, mail sent to the CDP website listed email address of < tawn.keeney@cdp.actioncommittee.com > would automatically be forwarded to my personal email address. An estimate of cost to the County of domain forwarding service might be \$15 per month. The fact that Planning neglected this option raises the question that the motive for the address removal might actually be less apparent than the stated 'privacy'. It is of little interest to me what those motives might be so long as the Public access to communicate directly with me and my Action Committee colleagues is restored.

9. I have requested Heather Kimball, Council representative from Hamakua District, my home, on two occasions over three weeks to introduce a bill or resolution into Council to require the Planning Department to restore the email addresses of AC members to the CDP website, and have had no response. I therefore take this request to each member of the Council as this removal of addresses has occurred to each District's websites. Please introduce a measure into Council, a Bill or Resolution, to require the Planning Department to restore email addresses of Action Committee members to the District CDP websites.

Event #2: The Planning Department has refused to inform me, following my request as Chair of the Hamakua CDP Action Committee, of the email addresses of the three new Hamakua Action Committee members installed through Council ratification two weeks ago. Previously, the Action Committee member phone numbers and email addresses were presented in the Resource Guide given with installation. It has been my duty, over the year of my chairmanship, to arrange and adjust as necessary, the meeting schedule. It is my duty to request agenda items from other members and set the agenda. Fulfillment of these duties requires at least monthly communication with the AC members. The reason cited for denial of my request for the new members's email addresses was "in order to help committee members stay in accordance with Sunshine Law." (See brief email exchange below.)

Over my four years of AC membership I have heard occasional reference to, and

experienced directly, what was termed 'weaponization of Sunshine Law'. The above cited reason for denial of my request appears to me to be a most blatant example of that. The Planning Department knows very well that board or commission member communication enabling scheduling and setting of agenda is exempt from Sunshine Law restrictions. It has been a requirement of my chairmanship over this year. The Hamakua AC has had its past three meetings cancelled due to lack of quorum. The congestion of potential agenda items and new request from Sierra Club for presentation regarding the Governor's Housing Proclamation (in conjunction with my effort to find a co-presenter representing the Governors Housing Office) suggests need of a reschedule of the cancelled August meeting, for which I need the email addresses and have been denied.

A later communication will describe in detail what I refer to as a 'broken relationship' between Planning and the CDP Action Committees, a fracture going far beyond Planning's acknowledged and understood lack of personnel resources for comprehensive CDP AC administration. The intent of this letter is introduction of a resolution or motion into County Council which results in restoration of the email addresses of the members of the district Action Committees on their respective CDP websites. Reasons 1) through 8) above should be sufficient to justify this request.

Thank you for consideration of introduction of this measure,

Tawn Keeney MD

Chair, Hamakua Community Development Plan Action Committee

Email exchange with Planner (Aug. 14):

TK: Hi Maryam. I understand that the Orientation of new members to the Hamakua CDP AC will be on August 22. I would like to send email to the complete group inquiring about scheduling an August meeting for a date early after the 22nd. Could you give to me the email addresses of the new members. Thanks, Tawn

MP: Mahalo for the reminder, Tawn! I will reach out to the committee regarding the next scheduled meeting in order to help committee members stay in accordance with Sunshine Law. According to the established cadence, the next meeting is September 13. Mahalo nui, Maryam

TK: Maryam, I need the email addresses of the three new members for scheduling. I am not relinquishing that responsibility to you. Thank you for your help with this.
Tawn

— No further reply forthcoming.

