

CHARTER COMMISSION

Monday, NOVEMBER 14, 2011

10:00 a.m.

Planning Conference Room
KALANA PAKUI BUILDING
WAILUKU, MAUI, HAWAII

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OFFICE OF THE
COUNTY CLERK

AGENDA

COMMISSION MEMBERS

Joshua A. Stone, Chair

Wayne N. Hedani, Vice Chair

Artemio C. Baxa

Stephanie S. Crivello

David P. DeLeon

Frank R. De Rego, Jr.

Clifford P. Hashimoto

Susan A. Moikeha

Linda Kay Okamoto

Yuki Lei Sugimura

Flo V. Wiger

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for scheduling of agenda items, please contact Supervising Law Technician, (Lisa A. Kahuhu), at: Department of the Corporation Counsel, 200 S. High Street, 3rd Floor, Wailuku, Hawaii 96793, 808-270-7742, 1-800-272-0117 (toll-free from Molokai and Lanai), 808-270-7152 (fax).

ORAL OR WRITTEN TESTIMONY Oral testimony shall be received in the order which testimony forms are submitted. Each testifier shall be allowed to speak for a total of five (5) minutes on all agenda items. Written testimony should be submitted to the Charter Commission, c/o the Department of the Corporation Counsel, 200 S. High Street, 3rd Floor, Wailuku, Hawaii, or via email to charter.commission@co.mauhi.us and should be submitted at least 24 hours in advance of the meeting so that copies can be provided to the commissioners in a timely manner. If written testimony is to be submitted at the meeting, 16 copies are required.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Department of the Corporation Counsel at least three days in advance.

REGULAR SESSION

I. CALL TO ORDER

A. Attendance

B. Minutes - October 24, 2011 Regular Meeting

C. Public Testimony

II. COMMUNICATIONS

- A. Communication dated October 16, 2011 from James Wagoner regarding Division of Sustainability and Environmental Protection.
- B. Communication dated October 19, 2011 from George Peabody regarding proposal to have Mayor appoint Police Chief and delete the Police Commission.
- C. Communication dated October 20, 2011 from Kenneth Taira - Testimony in support of certain charter amendments.
- D. Communication dated October 23, 2011 from Greg Stratton regarding comments on Council District elections.
- E. Communication dated October 25, 2011 from Bruce Erfer regarding County Manager.
- F. Communication dated October 25, 2011 from Laura Marie Herrmann regarding input on Mayor's proposal to add the function of sustainability to the Department of Environmental Management.
- G. Communication dated October 27, 2011 from Sally Raisbeck regarding Request to add information to list of active proposals.
- H. Communication dated October 28, 2011 from Sally Raisbeck regarding District Voting.
- I. Communication dated November 3, 2011 from Jerry Piller regarding District Voting.

III. PROPOSED CHARTER AMENDMENTS MATRIX

Note: No new proposals were received as of the October 24, 2011 meeting. Therefore, the current Matrix remains the same, updated as of October 17, 2011.

IV. PROPOSED CHARTER AMENDMENTS ACTIVE PROPOSAL LIST

- A. PowerPoint presentation by Bill Medeiros, Geographic Services Manager.
- B. Appearance (via telephone) by Barbara Ankersmit of QMark Research with regard to the survey taken in April, 2010 regarding single member district voting.
- C. Review and discussion on letter dated November 4, 2011 from Commission Analysts Sherry P. Broder and Jon M. Van Dyke regarding the applicability of Brown v. Thompson, 462 U.S. 835 (1983), to the manner in which districts could be structured for the Maui County Council.

- D. Review and discussion on letter dated November 7, 2011 from Commission Analysts Sherry P. Broder and Jon M. Van Dyke.
- E. Review, discussion, and action on Active Proposals For Substantive Changes to the Maui County Charter List updated as of November 7, 2011.
- F. Review of draft amendment language, Article 3, County Council Term Limits. (Deferred from 10/24/11 meeting)
- G. Review of draft amendment language, Article 8, Chapter 9, Department of Personnel Services. (Deferred from 10/24/11 meeting)
- H. Review of draft amendment language, Article 3, Chapter 8, Department of the Prosecuting Attorney. (Deferred from 10/24/11 meeting)
- I. Review of draft amendment language, Article 3, Election of Council, and Article 7, Election of Mayor; from nonpartisan to partisan. (Deferred from 10/24/11 meeting)
- J. Review of draft amendment language, Article 8, Section 7, Department of Fire and Public Safety - Adopt New Name for the Department of Fire and Public Safety, and the Department of Fire and Public Safety Commission.
- K. Review of draft amendment language, Article 8, Section 7, Department of Fire and Public Safety - Assign Ocean Safety and Rescue to Department of Fire and Public Safety.
- L. Review of draft amendment language, Article 9, Financial Procedures - Adopt Biennial Budget and Capital Program in Non-election Years.
- M. Review of draft amendment language, Article 8, Chapter 16, Cost of Government Commission - To Create an Office of the County Auditor, with the Cost of Government as Part of the Organization of that Office.

V. OLD BUSINESS

None

VI. NEW BUSINESS

- A. Discussion on communication items.

VII. ANNOUNCEMENTS

A. Next Meeting Date and Discussion on Next Meeting Agenda Items

B. Calendaring.

C. NEXT REGULAR MEETING (subject to change):

Date: Monday, November 28, 2011

Time : 10:00 a.m.

Place: Planning Conference Room, Kalana Pakui Building

D. UPCOMING PUBLIC MEETING SCHEDULE (subject to change):

Day of the Week	Date	Time	Place
Thursday	12/1/2011	6:30 p.m.	Helene Hall, 150 Keawa Place, Hana, Hawaii
Tuesday	12/6/2011	6:30 p.m.	Kihei Community Center, 303 E. Lipoa Street Kihei, Hawaii
Wednesday	12/7/2011	6:30 p.m.	Mitchell Pau`ole Center, 90 Ainoa Street Kaunakakai, Hawaii
Monday	12/12/2011	6:30 p.m.	Lahaina Civic Center 1840 Honoapiilani Hwy Lahaina, Hawaii
Monday	01/09/2012	6:30 p.m.	Paia Community Center, Hana Highway, Paia, Hawaii
Wednesday	01/11/2012	6:30 p.m.	Lanai Community Center, Eighth Street and Lanai Ave. Lanai City, Lanai, Hawaii
Wednesday	01/18/2012	6:30 p.m.	Wailuku Community Center 395 Waena Place Wailuku, Hawaii
Wednesday	01/25/2012	6:30 p.m.	Mayor Hannibal Tavares Community Center, 91 Pukalani Street, Pukalani, Hawaii

VIII. ADJOURNMENT