

CHARTER COMMISSION

Monday, NOVEMBER 28, 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.maui.hi.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 - November 14, 2011 Regular Meeting

C. Public Testimony

II. COMMUNICATIONS

- A. Communication dated November 16, 2011 from Al Rabold regarding Tax Hike on Farm Homes.
- B. Communication dated November 16, 2011 from Greg Jenkins regarding Priority Based Updated and Restated Proposed Charter Language Pertaining to: November 14, 2011 Testimony; Active or Deferred Matrix #8.7.5 and #8.7.7; Reform of Article 8, Chapter 7, of the County of Maui Charter: Analysis Report-August 2011
- C. Communication dated November 17, 2011 from County Clerk, Jeffrey Kuwada, regarding Response to Questions from the Charter Commission.

III. PROPOSED CHARTER AMENDMENTS MATRIX

Note: No new proposals were received as of the November 14, 2011 meeting. Therefore, the current Matrix remains the same, updated as of October 17, 2011.

IV. PROPOSED CHARTER AMENDMENTS ACTIVE PROPOSAL LIST

- A. Appearance by Bill Medeiros, Geographic Services Manager, with regard to Scenario Nos. 5 and 6 regarding District Voting.
- B. Review and discussion on letter dated November 21, 2011 from Commission Analysts Sherry P. Broder and Jon M. Van Dyke.
- C. Review, discussion, and action on Active Proposals For Substantive Changes to the Maui County Charter List updated as of November 21, 2011.
- D. Review of draft amendment language, Article 3, County Council Term Limits. (Deferred from 10/24/11 and 11/14/11 meeting)
- E. Review of draft amendment language, Article 8, Chapter 9, Department of Personnel Services. (Deferred from 10/24/11 and 11/14/11 meeting)
- F. Review of draft amendment language, Article 3, Chapter 8, Department of the Prosecuting Attorney. (Deferred from 10/24/11 and 11/14/11 meeting)
- G. 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 and 11/14/11 meeting)
- H. 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. (Deferred from 11/14/11 meeting)

- I. 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. (Deferred from 11/14/11 meeting)
- J. Review of draft amendment language, Article 9, Financial Procedures - Adopt Biennial Budget and Capital Program in Non-election Years. (Deferred from 11/14/11 meeting)
- K. 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. (Deferred from 11/14/11 meeting)
- L. Review of draft amendment language, Article 13, General Provisions, Section 13-2, Boards and Commissions, Subsection 2 - Non Partisan Boards and Commissions.
- M. Review of draft amendment language, Article 13, General Provisions, Section 13-2, Boards and Commissions, Subsection 17 - To require Interactive Communications Access for the Public to All County Council and County Council Committee Meetings.
- N. Review of draft amendment language, Article 13, General Provisions, Section 13-2, Boards and Commissions, Subsection 17 - to increase the number of days the Mayor has to submit to Council the name of Mayor's nominee to fill a vacancy.
- O. Review of draft amendment language, Article 14, ,Section 14-1, Initiation of Amendments - Remove Authority of County Council to Propose Charter Amendments During the General or Special Election Cycle that the Charter Commission is Conducting its Mandatory Review.
- P. Review of draft amendment language, Article 14 - To Add a New Section to Require that the Charter be Revised and Published it Include All New Significant Amendments Adopted.
- Q. Review of draft amendment language, Article 14, Section 14-3, Mandatory Review - To Conform the Term of Appointment of Charter Commissioners to the Terms of Other Maui County Boards and Commissions.
- R. Review of draft amendment language, Article 13, General Provisions, Section 13-2, Boards and Commissions, Subsection 17 - Require the County of Maui to Fund the Defense of Members of All County of Maui Boards and Commissions and to Indemnify Said Members.

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, December 12, 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 rescheduled to 1/19/2012	6:30 p.m.	Helene Hall, 150 Keawa Place, Hana, Hawaii
Tuesday	12/6/2011 rescheduled to 12/13/2011	6:30 p.m.	Kihei Community Center, 303 E. Lipoa Street Kihei, Hawaii
Wednesday	12/7/2011 rescheduled to 12/14/2011	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
Tuesday	12/13/2011	6:30 p.m.	Kihei Community Center, 303 E. Lipoa Street Kihei, Hawaii
Wednesday	12/14/2011	6:30 p.m.	Mitchell Pau`ole Center, 90 Ainoa Street Kaunakakai, 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
Thursday	1/19/2012	6:30 p.m.	Helene Hall, 150 Keawa Place, Hana, Hawaii
Wednesday	01/25/2012	6:30 p.m.	Mayor Hannibal Tavares Community Center, 91 Pukalani Street, Pukalani, Hawaii

VIII. ADJOURNMENT