

CHARTER COMMISSION

Monday, MARCH 19, 2012

10:00 a.m.

Planning Conference Room  
KALANA PAKUI BUILDING  
WAILUKU, MAUI, HAWAII

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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, 3<sup>rd</sup> 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, 3<sup>rd</sup> Floor, Wailuku, Hawaii, or via email to [charter.commission@co.maui.hi.us](mailto: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 - February 27, 2012

C. Public Testimony

II. COMMUNICATIONS

- A. Communication dated March 2, 2012 from Dr. Kristen Freeman regarding Charter Amendment 19, Section 8-15.3.
- B. Communication dated March 2, 2012 from Mark White regarding Charter Amendment 19, Section 8-15.3.
- C. Communication dated March 5, 2012 from Sally Kaye regarding Potential Charter Amendments.
- D. Communication from Clifford Hashimoto regarding Follow Up to Previous Communications Regarding Chapter 12 Department of Police.
- E. Communication dated March 5, 2012 from Chris Brosius regarding Testimony in Support of Sustainability.

III. PROPOSED CHARTER AMENDMENTS MATRIX

**Note:** A new proposal was received on March 5, 2012. Please see Proposal #11 below.

IV. PROPOSED CHARTER AMENDMENTS ACTIVE PROPOSAL LIST

- A. Open discussion with resource people from County of Maui's Office of the Mayor, Budget Office, with regard to Proposal #3 - Article 8, Chapter 16, Cost of Government Commission - Create an Office of the County Auditor, with the Cost of Government as Part of the Organization of that Office.
- B. Proposals as approved at the March 5, 2012 meeting:
  - 1. **Proposal #1** - Article 3, County Council Term Limits.
  - 2. **Proposal #2** - Article 8, Section 7, Department of Fire and Public Safety - Assign Ocean Safety and Rescue to Department of Fire and Public Safety.  
**(Review of amended draft language).**
  - 3. **Proposal #3** - Article 8, Chapter 16, Cost of Government Commission - Create an Office of the County Auditor, with the Cost of Government as Part of the Organization of that Office.
  - 4. **Proposal #4** - Article 13, General Provisions, Section 13-2, Boards and Commissions, Subsection 17 - Require Interactive Communications Access for the Public to All County Council and County Council Committee Meetings.
  - 5. **Proposal #5** - Article 14 - Add a New Section to Require that the Charter be Revised and Published to Include All New Significant Amendments Adopted.

6. **Proposal #6** - 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. **(Review of amended draft language).**
  7. **Proposal #7** - Article 3, Section 3-3, Qualifications - Require Council candidates to be a resident of the County for a period of one year, and a resident in the area for a period of one year.
  8. **Proposal #8** - Article 7, Section 7-3, Qualifications - Require candidates for Mayor to be a resident of the County for a period of one year.
  9. **Proposal #9** - Article 8, Chapter 15, Department of Environmental Management, Section 8-15.3 - To add sustainability to the Powers, Duties, and Functions of the Department of Environmental Management. **(Review of amended draft language).**
  10. **Proposal #10** - Article 8, Chapter 7, Department of Fire and Public Safety, Section 8-7.2; Article 8, Chapter 9, Department of Personnel Services, Section 8-9.4; Article 8, Chapter 12, Department of Police, Section 8-12.2; Article 8, Chapter 13, Department of Liquor Control, Section 8-13.2, to provide consistency in the process in which the various commissions of the listed departments that appoint its directors or chiefs handle the evaluation and removal of its directors or chiefs. **(Review of amended draft language).**
- C. Proposal received at the meeting of March 5, 2012:
1. **Proposal #11** - Preamble - Recognition of Native Hawaiian History, Culture, Custom and Traditions and Uniqueness of Maui County. **(Review of draft language).**
- D. Additional proposal for discussion:
1. **Proposal #12** - Modification of various articles of the Maui County Charter by non-substantive "housekeeping changes". **(Review of draft language).**

V. CHARTER COMMISSION DRAFT FINAL REPORT

- A. Review, discussion, and action on draft 2011-2012 Maui County Charter Commission Final Report.

VI. OLD BUSINESS

None

VII. NEW BUSINESS

- A. Discussion on communication items.

VIII. ANNOUNCEMENTS

- A. Next Meeting Date and Discussion on Next Meeting Agenda Items
- B. Calendaring
- C. NEXT REGULAR MEETING (subject to change):
  - Date: March 28, 2012 (tentative additional meeting)
  - Time : 10:00 a.m.
  - Place: Planning Conference Room, Kalana Pakui Building

IX. ADJOURNMENT