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1
2 COUNTY OF MAUI, STATE OF HAWAII
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5 **Approved 5/7/2012**
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7 CHARTER COMMISSION
8 REGULAR MEETING
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14 Held at the Planning Department Conference Room,
15 250 South High Street, Wailuku, Maui, Hawaii, commencing
16 at 10:05 a.m., on Monday, April 9, 2012.
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19
20 Reported by: Tonya McDade, CSR, CRR
21 Certified Shorthand Reporters Maui
22 Wells Street Professional Center
23 2145 Wells Street, Suite 302
24 Wailuku, Hawaii 96793
25 (808)244-3376
reporters@csrmaui.com

Page 2

1 ATTENDANCE
2 BOARD MEMBERS PRESENT:
3 Joshua A. Stone, Chair
4 Wayne N. Hedani, Vice-Chair
5 Artemio C. Baxa, Member, (In, 10:12 a.m.; out 12:16
6 p.m.)
7 Stephanie S. Crivello, Member
8 David P. DeLeon, Member
9 Frank R. De Rego, Jr., Member
10 Clifford P. Hashimoto, Member
11 Susan A. Moikeha, Member
12 Linda Kay Okamoto, Member
13 Yuki Lei Sugimura, Member
14
15 STAFF PRESENT:
16 Sherry P. Broder, Commission Analyst
17 Lisa Kahuhu, Supervising Law Technician
18
19 ADMINISTRATION PRESENT:
20 Rob Parsons, Executive Assistant to the Mayor
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23
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Page 3

1 (Monday, April 9, 2012, 10:05 a.m.)
2 * * *
3 CHAIR STONE: First, I would like to say aloha
4 to everyone for attending this public meeting of the
5 Charter Commission. My name is Josh Stone, and I am the
6 Chairman of the Commission. If you need, there are
7 copies of our agenda for today's meeting available for
8 everyone with Lisa Kahuhu. Lisa, please raise your hand
9 to the vast crowd out there.
10 (Laughter.)
11 CHAIR STONE: Before we begin public
12 testimony, we have a few items of business to address.
13 Firstly, I would like to call this meeting as of -- to
14 order as of 10:00 a.m. We'll just ignore that it's
15 actually 10:06.
16 Also, I would like to recognize all of the
17 Commissioners that are present or excused. Lisa, do we
18 have any excused Commissioners today?
19 MS. KAHUHU: Yes, Chair. Flo Wiger and
20 Artemio Baxa are excused.
21 CHAIR STONE: Very good. Thank you.
22 I would like to present our staff today,
23 starting with Lisa Kahuhu. Thank you for being here
24 today, Lisa. She is our Deputy Corporation Counsel
25 [sic]. Also, as our Executive Assistant to the Mayor's

Page 4

1 Office, Rob Parsons. Oh, excuse me.
2 Lisa, congratulations on your promotion.
3 MS. KAHUHU: Yes.
4 CHAIR STONE: Let me go back and restate that.
5 Lisa Kahuhu, Mayor of Maui County.
6 (Laughter.)
7 CHAIR STONE: Oh, once again. This is fast
8 track, Lisa.
9 (Laughter.)
10 CHAIR STONE: Okay. Let me go back again.
11 Lisa Kahuhu, Supervising Law Technician, promoted from
12 garbage disposal. Very good. Also, Executive Assistant
13 to the Mayor, Rob Parsons. It's been a very good
14 weekend. Rob, thank you for being here. Very good.
15 And, of course, a special thank you and welcome to
16 Sherry Broder.
17 MS. BRODER: Aloha.
18 CHAIR STONE: Aloha, Sherry. She is our
19 Commission Analyst. And, also, last, but definitely not
20 least, Tonya McDade, our never-failing court reporter.
21 Tonya, thank you for being here.
22 And happy belated Easter to everybody.
23 I would like to take this time to approve the
24 minutes from March 5th, 2012, and March 19th, 2012.
25 VICE-CHAIR HEDANI: So moved.

Page 5

1 COMMISSIONER DELEON: Second.
 2 CHAIR STONE: It's been moved and seconded.
 3 And that was moved -- for your benefit, Tonya, Wayne
 4 made a motion to accept the minutes, it was seconded by
 5 Commissioner DeLeon.
 6 Any discussion on our minutes?
 7 (No Response.)
 8 CHAIR STONE: Very good. Without objection,
 9 we shall approve the minutes. Thank you very much.
 10 And now we shall move to public testimony. I
 11 would go ahead and give public testimony rules, but I
 12 don't think I am going to need to today.
 13 Lisa, do we have our first public testifier?
 14 MS. KAHUHU: Chair, no one has signed up for
 15 public testimony this morning.
 16 CHAIR STONE: Whoo. Okay. Well, before I
 17 close public testimony, I would like to put it out to
 18 any members of the public that if they would like to
 19 testify, they're welcome to come forward at this time.
 20 Going once, going twice. Very good. I will close
 21 public testimony, without objection.
 22 And if there are no objections -- I will not
 23 record anything into the record because we have no
 24 public testimony; however, we do need to record into the
 25 record -- Lisa, did we have any written testimony?

Page 6

1 MS. KAHUHU: No, Chair. There is no
 2 communications.
 3 CHAIR STONE: Okay. Just to be safe, Chair
 4 will accept and file all public communications for the
 5 record, if there happen to be any, by chance. Very
 6 good. Thank you.
 7 Okay. Moving on down our agenda. We have no
 8 Communications.
 9 Moving on to Historical Informational
 10 Material. We have Resolution No. 02-63, dated May 21st,
 11 2002. And that is in reference to proposing an
 12 alternative amendment to the Revised Charter of the
 13 County of Maui (1983), as amended, relating to citizen
 14 advisory committees. Can somebody please refresh my
 15 memory and remind me which Commissioner thought we
 16 should bring this forward as a review?
 17 MS. KAHUHU: Chair, Dave DeLeon mentioned
 18 that --
 19 CHAIR STONE: Oh, busted.
 20 MS. KAHUHU: -- we should review the committee
 21 report from the previous.
 22 COMMISSIONER DELEON: Oh.
 23 MS. KAHUHU: So this is what was provided to
 24 you folks to give you an idea of how they do their
 25 alternatives.

Page 7

1 CHAIR STONE: Oh, thank you very much. Yeah,
 2 okay. Now I remember. Thanks, Lisa. So this is
 3 provided to us in reference to looking at the pros and
 4 cons, Lisa? Is that what we're in discussion about?
 5 MS. KAHUHU: I believe for that, and just,
 6 also, to give you an idea of how Council handled it the
 7 last session, with how the alternatives are proposed.
 8 COMMISSIONER DE REGO: Oh, okay.
 9 CHAIR STONE: Okay. Thank you.
 10 MS. KAHUHU: For information.
 11 CHAIR STONE: Thank you. Thank you. I
 12 understand. So this is what came back from the Council
 13 Members to the Charter Commission as -- as proposals,
 14 alternatives to their --
 15 MS. KAHUHU: Yes, the last round.
 16 CHAIR STONE: Very good.
 17 COMMISSIONER DE REGO: With no pros and cons.
 18 CHAIR STONE: Do we have any discussion on
 19 this?
 20 Frank noted that there's no pros and cons.
 21 That's a good point, Frank.
 22 Yes, Kay.
 23 COMMISSIONER OKAMOTO: Well, I looked through
 24 it. And I just thought it would have been nice to have
 25 this kind of stuff early on. It kind of was -- you

Page 8

1 know, it was interesting to go through and see what they
 2 were saying. And, obviously, they thought there were
 3 too many 10 years ago. And it would have just been -- I
 4 would like to -- you know, if we make a packet of
 5 recommendations for the next one, that they get all that
 6 as -- sort of early on.
 7 CHAIR STONE: Very good. Good recommendation,
 8 Kay.
 9 Any further discussion? And go ahead, Dave.
 10 COMMISSIONER DELEON: It's just oddly timed
 11 because, you know, the Council's meeting on this right
 12 now, at this moment. So -- so we'll see how they handle
 13 it, you know, as a matter of fact. And probably have a
 14 chance to go up and watch some of it because they
 15 started public testimony at 9:00 this morning.
 16 CHAIR STONE: Very good. And just to point
 17 out, this meeting was not strategically planned at the
 18 same time as the Council's review of our proposed
 19 amendments.
 20 We would like also to recognize Commissioner
 21 Baxa has entered the building.
 22 COMMISSIONER BAXA: Thank you, sir.
 23 CHAIR STONE: Good to see you. Thank you for
 24 coming today.
 25 COMMISSIONER BAXA: I am late.

Page 9	Page 11
<p>1 CHAIR STONE: Not late. That's just Hawaiian 2 time. 3 Okay. Any further discussion on this -- this 4 Historical Information? 5 (No Response.) 6 CHAIR STONE: Okay. Very good. We'll be 7 moving on down the agenda. 8 Moving to Agenda Item Number IV, Charter 9 Commission Final Report. And you guys have all gotten a 10 nice beautiful Final Report packet. It looks so much 11 prettier like this. I got to say, it looks really, 12 really pro. Good job, Lisa. Good job, Sherry. 13 MS. BRODER: Thank you. 14 CHAIR STONE: Good job, everybody. 15 Okay. So you guys have that there. Any -- 16 any discussion on just look layout? You guys happy with 17 that? 18 COMMISSIONER SUGIMURA: Good job. 19 CHAIR STONE: Everybody is very happy. 20 COMMISSIONER DELEON: Mr. Chair? 21 CHAIR STONE: Yes. Go ahead, Mr. DeLeon. 22 COMMISSIONER DELEON: It's mistitled. If the 23 Council's reviewing it and we have a chance to -- to 24 adjust it, it's not final. 25 CHAIR STONE: Commissioner DeLeon.</p>	<p>1 necessary to include pros and cons with our public 2 outreach? Go ahead, Dave. 3 COMMISSIONER DELEON: I actually don't. I 4 mean, there's some of them that, you know, like how can 5 you argue -- what's the pro of, say, having a shorter 6 term for the mayor -- I mean, shorter residency 7 requirement for the mayor? I mean, maybe if George 8 Clooney moves here, you know, for 90 days and we decide 9 to make him mayor. I don't know. You know, I don't -- 10 I personally don't imagine this County electing anybody 11 that hasn't lived here for a year. And I just don't see 12 what the downside of that would be. I mean, so -- some 13 of these that just don't seem to be downsides to me. 14 CHAIR STONE: Okay. In going through the pros 15 and cons list, I found there were a number of proposals 16 I simply couldn't come up with a con on. And so that 17 made it a little irregular that, some of them, we just 18 have pros, and some of them, we have pros and cons. So 19 -- but go ahead, Yuki. 20 COMMISSIONER SUGIMURA: Probably if you look 21 at the education that we need to do for the general 22 public -- 23 CHAIR STONE: Yuki. 24 COMMISSIONER SUGIMURA: Oh. 25 CHAIR STONE: Thank you.</p>
Page 10	Page 12
<p>1 COMMISSIONER DELEON: Final, okay. 2 CHAIR STONE: That is a very valid point. We 3 have to wait and see whether or not they're stomping 4 upstairs, pounding the tables. It's a little late to 5 change it now, though. 6 COMMISSIONER DELEON: Yeah, I guess. Okay. 7 CHAIR STONE: Should we give Lisa a frowny 8 face? 9 COMMISSIONER DELEON: No. 10 CHAIR STONE: There's Lisa. Go ahead. 11 MS. KAHUHU: I, actually, brought that up to 12 Ed, it could be the initial report to the Council, but 13 he said that's the way we should do it. So -- and they 14 did it the same way last time. The next report will be 15 either the Revised Final Report or something of that 16 nature, just like they did it last -- 17 COMMISSIONER DELEON: Okay. 18 CHAIR STONE: So you get a big smiley face. 19 Congratulations, Lisa. Very good. Good to know. 20 Okay. So moving on to review discussion and 21 action on possible pros and cons of the 11 Charter 22 Amendment Proposals listed in our Final Report. I sent 23 out a list of -- sample list of pros and cons just to 24 start the discussion. I think where I would like to 25 start the discussion, really, is, do we feel it's</p>	<p>1 COMMISSIONER SUGIMURA: Okay. So probably 2 what we need to do is just explain it in some way. But 3 not necessarily say what's good or bad about it. And I 4 think -- I think, from what I -- what I gathered is that 5 it would be something that we come up with and then the 6 Corp Counsel and Sherry has to -- has to approve what we 7 come up with as far as what the proposal is about, but 8 not necessarily good or bad. 9 CHAIR STONE: Very good. Go ahead, Cliff. 10 COMMISSIONER HASHIMOTO: Chair, as I recall 11 the last election, there were some explanations, some 12 sheets of information. I don't know whether anybody 13 remembers this, but there was someone there that handed 14 you this sheet, in the event the voter wanted to look at 15 it, to get some understanding of what he was going to 16 vote on, in addition to electing different officials of 17 office. And I took the time to -- to read it to see 18 what was on it, did it help me understand what I was 19 going to vote on. And it did, it made it a lot easier 20 when I went into the box. So perhaps something like 21 that would be sufficient. I'm not sure. I'm just -- 22 maybe we can get an example of it to look at so 23 everybody can recall what that looked like, if we can do 24 that. 25 CHAIR STONE: Very good. That's a good --</p>

<p style="text-align: right;">Page 13</p> <p>1 good idea, Cliff. And that would help me, too. If I 2 were coming into some of these proposals, I would have 3 absolutely no idea what we're talking about. I think 4 what you're saying is reasons for. And I think that's 5 what we should probably be targeting, is why, reasons 6 for, such as why would you do this, why would you 7 consider voting for this proposal. I don't know if it's 8 necessarily correct to tell people why you wouldn't vote 9 for this proposal. Because as a group, we've moved 10 these proposals forward, and now, as a group, we should 11 be supporting these proposals. 12 So, Stacy. 13 COMMISSIONER CRIVELLO: I am just wondering if 14 the ballot question is maybe sufficient, or do we want 15 to expand from the questions. Because when I read the 16 questions is when, okay, I get it. 17 CHAIR STONE: Uh-huh. 18 COMMISSIONER CRIVELLO: But that's me. So how 19 do we take the question to educate the public? 20 CHAIR STONE: Good point. 21 COMMISSIONER SUGIMURA: Josh? 22 CHAIR STONE: Yes. Go ahead, Yuki. 23 COMMISSIONER SUGIMURA: So this is from the 24 brochure from last Charter Commission. It's Question 25 Number 11, Salary Commission, should the terms of the</p>	<p style="text-align: right;">Page 15</p> <p>1 sense in the world. So maybe what we should do, because 2 we're talking about just very simple explanations, maybe 3 what we should do is put together a special committee -- 4 is it a subcommittee or a special committee? 5 MS. BRODER: Whatever you want to call it. 6 CHAIR STONE: A special subcommittee? 7 MS. BRODER: Special subcommittee. 8 (Laughter.) 9 MS. BRODER: It should just be a committee 10 since you don't -- I mean, you only have one other 11 committee, right? Just PR Committee. 12 CHAIR STONE: So what we could do is put 13 together a committee, say, of three of us, that would 14 make the simple explanation, and bring it back to us to 15 discuss. Because it doesn't make sense for all 11 of us 16 to come up with simple explanations. Or it can be 17 three -- it can be as many as we like, but -- and then 18 come back, instead of doing the pros and cons. I prefer 19 the why. That's why I like the special -- like as Stacy 20 said, a nice special -- or easy explanation. 21 Yes. Go ahead, Cliff. 22 COMMISSIONER HASHIMOTO: Suggestion, Chair. 23 Why don't each Member choose the one that he perhaps has 24 some problems trying to understand it by reading it as 25 it's written, and -- and then try to make it more</p>
<p style="text-align: right;">Page 14</p> <p>1 members of the Salary Commission be staggered so that 2 two of the nine members would be appointed to -- or 3 reappointed each year except the only one would be 4 appointed or reappointed every fifth year. And then 5 after that, it says, this change is designed to provide 6 greater continuity to the Salary Commission. And 7 another point is, this change will reduce authority of 8 an incoming member. So it tells you kind of background 9 information, but not necessarily pros and cons per se. 10 CHAIR STONE: Yeah, I understand. 11 COMMISSIONER SUGIMURA: It explains it so that 12 the voter can get some -- 13 CHAIR STONE: Keeps it -- some of the items 14 are very, very obvious. And then some of the items, 15 such as the changes, where I had questions from people 16 in the public, were about what we were doing with the -- 17 with the commissions and chiefs. You know, our -- 18 COMMISSIONER DELEON: Number Ten. 19 CHAIR STONE: Our Number Ten proposal where 20 we're -- where we're amending all of them to be 21 linear -- consistent. Excuse me. And so some of -- 22 some of the people completely did not understand what we 23 were going on -- what was going on with that. And I 24 think like maybe a simple explanation. Once I explained 25 why we were doing it, they go, oh, yeah, makes all the</p>	<p style="text-align: right;">Page 16</p> <p>1 understandable by writing something out, changing -- 2 writing a narrative, trying to clear that -- make it 3 easier to understand for someone who has no background 4 in this particular subject, because a lot of it is going 5 to be new for the voter. Perhaps one of the Members 6 here can pick one of these out, whichever one gives them 7 the most trouble, and try to figure out the best way to 8 explain it to somebody. 9 CHAIR STONE: That's a -- 10 COMMISSIONER HASHIMOTO: And then just submit 11 it. And that way, you're not doing -- doing all of it, 12 you know. 13 CHAIR STONE: That's a -- that's a very good 14 proposal in the sense that there's 11 proposals and 11 15 Members, Commissioners, but -- but the only issue I 16 worry about there is consistency because we want the 17 explanations, the simple explanations, to be very 18 consistent. And I think that we're talking only about 19 11 proposals, and we're talking about simple 20 explanations, not detailed explanations. So I think it 21 should not be difficult for a small group to put 22 together very quickly. 23 Go ahead, Kay. 24 COMMISSIONER OKAMOTO: Well, two things. 25 I noticed in the flyer that they mailed out,</p>

Page 17

1 the previous, I think it was very specific pros and
 2 cons. I think that's probably where we came with the
 3 pros and cons. And I think, on some of them, there are
 4 pros and cons, but, you're right, on a lot of them,
 5 they're not. I kind of like Cliff's idea. Then the
 6 committee would at least have a starting point,
 7 everybody's put in, and then the committee could put it
 8 together in consistent -- consistent wording. But I
 9 think, yeah, that way -- we want some consistency. But
 10 I think some of them, there are pros and cons. And so I
 11 don't know how you maybe get that into an explanation.
 12 CHAIR STONE: I'm sorry. Go ahead, Frank.
 13 Thank you, Kay.
 14 COMMISSIONER DE REGO: I don't think it's our
 15 job to list the pros and cons, myself. I think we voted
 16 for these proposals. No matter what the vote was, I
 17 think now that we're going forward that we should
 18 explain why the proposals are the way they are and leave
 19 it at that.
 20 People can develop their own ideas about what
 21 the pros and cons are. People will go out and campaign,
 22 I think, about what the cons are. So -- in fact, that
 23 might be happening right now. So I think we should just
 24 go ahead and do a rationale or explanation of why the
 25 Commission decided the way it did and leave it at that.

Page 18

1 CHAIR STONE: Thank you, Frank.
 2 Go ahead, Susan.
 3 COMMISSIONER MOIKEHA: I am in agreement that
 4 it's not necessary for us to list the pros and cons. I
 5 would be okay with a committee putting together a list
 6 of an explanation, briefly, as it's been proposed in
 7 previous literature on Charter Amendments. I would like
 8 to take the time today to go through each one, because I
 9 have some very specific things that I would like to make
 10 sure that's included as an explanation, since we're
 11 already here, and not to feel like this day has been
 12 wasted.
 13 It's unfortunate we didn't plan better for
 14 what we were going to do today. And we could have had a
 15 subcommittee already formed and done and ready to
 16 review. I just don't want to have to come back again
 17 and review a list.
 18 So if there's an agreement, I would like to go
 19 through this quickly, put out a few key points, at least
 20 I have some things suggested as an explanation, and move
 21 forward from that.
 22 Thank you.
 23 CHAIR STONE: Thank you, Susan.
 24 Dave, go ahead.
 25 COMMISSIONER DELEON: Just keep in mind the

Page 19

1 Council is going to be reviewing it. It might change
 2 some of the parameters of some of the stuff. So -- you
 3 know, I wouldn't want to get too detailed until after
 4 that process is pau.
 5 COMMISSIONER BAXA: Mr. Chair?
 6 CHAIR STONE: Yes. Please, go ahead,
 7 Commissioner Baxa.
 8 COMMISSIONER BAXA: I just want to make a
 9 record, my preference is that I would prefer that we
 10 just state the rationale, the justification,
 11 explanation. By putting our rationale and explanation,
 12 it will, in some way, indicate points on the other side.
 13 But the more important thing is the rationale.
 14 CHAIR STONE: Thank you.
 15 COMMISSIONER DELEON: Thank you, Mr. Chair.
 16 CHAIR STONE: Thank you very much,
 17 Commissioner.
 18 Wayne, please go ahead.
 19 VICE-CHAIR HEDANI: Basically, I think we can
 20 find a con for every item that's on this list. And I
 21 think, to some degree, it's important to digest several
 22 hundred hours of testimony that we've received from a
 23 lot of people into something concise enough so that
 24 people can say, "This is one reason why it should be
 25 done." "This is a reason why we should maybe not

Page 20

1 consider doing this."
 2 I don't think the 11 proposals that we put
 3 forward were unanimous. I don't have -- there may be a
 4 few that were unanimous, but not all of them. And I
 5 think many of the Commissioners felt that the question
 6 was broad or significant enough to go out to the voters
 7 for them to decide, not necessarily being in favor of
 8 the proposals themselves. I personally took that
 9 position in several of the proposals.
 10 So from my perspective, if you do a rationale
 11 for the proposal, it should be a balanced presentation.
 12 If you're not going to do pros and cons, then it needs
 13 to be balanced to the point where it's not skewed like
 14 telling the public that we anointed it with holy oil and
 15 this is something that you should rubber stamp.
 16 CHAIR STONE: Thank you, Wayne.
 17 Any further input?
 18 COMMISSIONER DELEON: Mr. Chair?
 19 CHAIR STONE: Yes. Go ahead, Dave.
 20 COMMISSIONER DELEON: Perhaps what we want to
 21 do is just wander through each one of them right now and
 22 then -- and note along the way what we think is, you
 23 know, viable for having a pro -- have a positive and
 24 negative, you know, discussion in the presentation.
 25 You know, like the term limits, obviously,

Page 21

1 there's --
 2 CHAIR STONE: Sure.
 3 COMMISSIONER DELEON: -- on both sides of
 4 that. The term -- I mean, the residency requirement for
 5 the mayor? I mean, really? You know, so -- I mean --
 6 so, you know, maybe we -- maybe -- I am personally not
 7 that big on consistency as being that important. I mean
 8 -- so maybe there are some points where we need to say
 9 both sides of the issue, and some of them we can just
 10 slide by. Let's take a look. We're here, let's take a
 11 look.
 12 CHAIR STONE: Okay. Very good.
 13 What I -- what I would like to do is, it seems
 14 like we're all happy to go through the list right now,
 15 and start putting together a bit of the rationale. It
 16 would be kind of nice to form, I think, the special
 17 committee at this time that can take that information
 18 from the group and then assimilate it and come back to
 19 us at the next meeting with the explanation on all the
 20 proposals.
 21 So without objection, I'm going to take this
 22 time to form a special committee of three Commissioners
 23 to -- we'll call it the Explanation Special Committee,
 24 Special Committee of Explanations.
 25 COMMISSIONER DE REGO: Explanations.

Page 22

1 CHAIR STONE: Explanations. Thanks, Frank. I
 2 saw you over there starting to fume and --
 3 COMMISSIONER DE REGO: Not fume. I was
 4 like --
 5 CHAIR STONE: -- I didn't want Frank to
 6 explode.
 7 COMMISSIONER DE REGO: That was hilarious.
 8 CHAIR STONE: Special Committee of
 9 Explanations.
 10 COMMISSIONER DE REGO: It's the absurdity.
 11 CHAIR STONE: Can I get three volunteers?
 12 Cliff.
 13 COMMISSIONER HASHIMOTO: If I may, Chair,
 14 let's take Section 3-2. Oh.
 15 CHAIR STONE: One second. One second. Let's
 16 go ahead and finish forming this special committee.
 17 COMMISSIONER HASHIMOTO: Excuse me. I'm
 18 sorry.
 19 COMMISSIONER DELEON: The Explanatory
 20 Committee.
 21 CHAIR STONE: There you go. Explanatory
 22 Committee.
 23 COMMISSIONER CRIVELLO: Exploratory.
 24 CHAIR STONE: I like Special Committee of
 25 Explanations.

Page 23

1 COMMISSIONER DE REGO: I love that.
 2 CHAIR STONE: Do I have anybody --
 3 COMMISSIONER DELEON: Justification.
 4 CHAIR STONE: Dave, would you like to be a
 5 member of this committee? Okay. So Commissioner DeLeon
 6 would like to be a member of this committee. Anybody
 7 else, please? Commissioner Baxa. Okay, very good. So
 8 that's two. I need one more Commissioner. Cliff, would
 9 you like to be a member of this committee?
 10 COMMISSIONER HASHIMOTO: Yes.
 11 CHAIR STONE: Okay. Very good. So those are
 12 our Special Committee of Explanation members,
 13 Commissioner DeLeon, Commissioner Baxa and Commissioner
 14 Hashimoto. Thanks, guys, for putting in on that.
 15 Okay. So what I would like to do is go down
 16 each proposal, we'll go in order, and just see if
 17 anybody has any input for special committee. Go ahead,
 18 Susan.
 19 COMMISSIONER MOIKEHA: Proposal Number One.
 20 The reason why I supported this decision to allow this
 21 to go to the voters was to allow for continuity in
 22 legislative decision-making. I believe that those
 23 extended years, where they can focus on their work in a
 24 consistent continual manner, is important to legislative
 25 decision-making.

Page 24

1 CHAIR STONE: Very good. Thank you.
 2 Kay.
 3 COMMISSIONER OKAMOTO: I am just trying to be
 4 clear what we're doing. We're just going to go through
 5 things that we specifically, the three people who are
 6 the committee are, going to be then putting it together?
 7 CHAIR STONE: Yes.
 8 COMMISSIONER OKAMOTO: Okay. Thank you.
 9 CHAIR STONE: I have a point on Proposal One.
 10 The reason why I supported Proposal One was efficiency.
 11 And that being that I've noticed -- I don't know how you
 12 guys want to word this, but I noticed that, with
 13 two-year terms, we find that the -- the Council Members
 14 are often politicking. So they get one year of work
 15 done and then one year of running for election. So the
 16 reason I saw benefit in four years is that they would
 17 have three years of work done in one year of election.
 18 Kay, go ahead.
 19 COMMISSIONER OKAMOTO: Well, I supported this,
 20 but one of the problems I see with it is you don't have
 21 continuity. Because you're going to have two new
 22 people -- or half of them are new every -- could be
 23 every two years. So the staggered part, I had a little
 24 bit of trouble with.
 25 I don't know that we even want to mention

Page 25

1 that, but I supported the four-year, but the staggered,
 2 it does give less people running at any given time. And
 3 I think you had that down, that only half would have to
 4 run on any -- and I think that's a benefit. I think we
 5 need to bring that up.
 6 CHAIR STONE: Thank you, Kay.
 7 Cliff, go ahead. Oh, Cliff, I'm sorry. One
 8 second.
 9 I would like to recognize that Deputy
 10 Corporation Counsel, Ed Kushi has joined us. Ed, thank
 11 you for being here. I guess we're more important than
 12 Council. Is that what you're saying?
 13 MR. KUSHI: No. The Council is on recess.
 14 (Laughter.)
 15 MR. KUSHI: I just missed you guys.
 16 CHAIR STONE: Ed is here as a spectator. Ed,
 17 we would like to wish you a happy belated Easter.
 18 MR. KUSHI: Same to you.
 19 CHAIR STONE: Thanks to coming to watch the
 20 show.
 21 Okay, Ed. So you're not in an official
 22 capacity, then. Ed is here just to enjoy the show.
 23 Cliff, go ahead, please.
 24 COMMISSIONER HASHIMOTO: Okay. I just want to
 25 make this point. That Section 3-2 -- I mean, Section

Page 26

1 3-2(5), I guess it is, "The term of office of Council
 2 Members shall be for" -- and then brackets -- "[two (2)]
 3 years," which means that's eliminated in the final
 4 wording. And then -- right?
 5 CHAIR STONE: Yes. Yes.
 6 COMMISSIONER HASHIMOTO: And then -- so it
 7 changes to four years beginning at the -- 12:00 meridian
 8 of the second day of January. What in the hell is so
 9 important about that, you know? I mean, really? I
 10 mean, all this thing is going to do is change from
 11 two-year term to four-year term. That's -- that -- you
 12 know, that's all we need to say about it. I mean, this
 13 is for the voter, right, that simplifies the thing for
 14 them? By saying this is going to change from two-year
 15 term, existing two-year terms to four-year terms,
 16 period, that's it. That's all we have to say.
 17 CHAIR STONE: Well, in the --
 18 COMMISSIONER HASHIMOTO: And that clarifies
 19 it.
 20 CHAIR STONE: Thank you, Cliff. And I agree
 21 that that's the simple -- the simple version that the
 22 committee -- special committee have been working
 23 towards. But, also, why, like the reasoning, maybe.
 24 No?
 25 COMMISSIONER HASHIMOTO: No.

Page 27

1 CHAIR STONE: Well, you're on the special
 2 committee, so your input is going to be invaluable.
 3 Okay?
 4 Any further discussion? Go ahead, Wayne.
 5 VICE-CHAIR HEDANI: On Proposal Number One,
 6 the reason I opposed this particular proposal is because
 7 it had come before the voters on two or three separate
 8 occasions in the past, and it was defeated every time in
 9 the past. On the con side, where we're saying removal
 10 of a bad councilmember by election would be a longer
 11 wait, I think the good thing about having --
 12 CHAIR STONE: Guys. Guys.
 13 VICE-CHAIR HEDANI: -- two years is it
 14 allows -- it requires the Members of the Council to be
 15 in contact with their constituents by campaigning again
 16 and again and again. And that's the only time that they
 17 do have contact with their constituents.
 18 And so, you know, from that -- from that
 19 perspective, you know, I oppose this proposal,
 20 particular proposal. If Members of the House of
 21 Representatives can handle the two-year term, the
 22 Council should be able to handle the two-year term.
 23 CHAIR STONE: Okay. Thank you.
 24 Any further rationale discussion on Proposal
 25 One? No. Oh, Kay. Go ahead.

Page 28

1 COMMISSIONER OKAMOTO: No. I just -- on your
 2 -- looking at your pros and cons -- because I used those
 3 kind of to start with -- I don't think we should say
 4 remove a bad councilmember.
 5 CHAIR STONE: By the way, please don't --
 6 COMMISSIONER OKAMOTO: But in effect --
 7 CHAIR STONE: That was just suggestion.
 8 COMMISSIONER OKAMOTO: That's just a
 9 suggestion.
 10 CHAIR STONE: Just to get us -- our brains
 11 working.
 12 Okay. Good. Moving on to Proposal Two.
 13 Discussion of rationale on assigning Ocean Safety and
 14 Rescue from the Department of Parks and Recreation to
 15 Department of Fire and Public Safety.
 16 Go ahead, Susan.
 17 COMMISSIONER MOIKEHA: I think of the ones
 18 that were listed here for purposes of discussion, I -- I
 19 like the part that addresses increasing the efficiency
 20 and coordination between the associated lifesaving
 21 departments such as Ocean Safety and the fire emergency
 22 situations. For me, this was very clearly the place
 23 where Ocean Safety should be. It should have been a
 24 long time ago. And it is for that reason, the
 25 efficiency and the coordination and the end mission of

Page 29

1 what both entities are working towards. And that's
 2 saving more lives. And so that would be my main reason
 3 for wanting to justify for moving this.
 4 CHAIR STONE: Thank you.
 5 Kay.
 6 COMMISSIONER OKAMOTO: I very much agree on
 7 the efficiency and the coordination, the necessary
 8 funding. I would hate to see saving more lives being
 9 part. We don't know that that will. I mean, we would
 10 hope so. But then somebody who votes against it, are
 11 you saying you're voting against saving lives? I just
 12 don't think that that's -- it's not a given that it is
 13 going to do that. Hopefully, in the long run, it will.
 14 But I think your -- your middle ones definitely I would
 15 go with.
 16 CHAIR STONE: Okay. Thank you.
 17 Any further discussion? Oh, go ahead, Wayne.
 18 VICE-CHAIR HEDANI: I agreed with Kay. I
 19 struck -- I struck the pro line that said save more
 20 lives because I couldn't see that necessarily. I also
 21 struck the line that says allows for the necessary
 22 funding for required lifesaving equipment for Ocean
 23 Safety. Because while they were competing with
 24 lawnmowers for jet skis, you know, as it was stated by
 25 the Chief of the Fire Department, they're going to be

Page 30

1 competing with fire engines.
 2 COMMISSIONER OKAMOTO: Right.
 3 CHAIR STONE: Okay. Very good. Thank you.
 4 Anyone else?
 5 (No Response.)
 6 CHAIR STONE: Okay. Moving on to Proposal
 7 Three. County Council, Office of the County Auditor,
 8 New Section 3-8.
 9 Go ahead, Susan.
 10 COMMISSIONER MOIKEHA: I think the most
 11 important thing here for me was having an independent
 12 perspective in financial, but, also, management
 13 oversight. Auditor would perform not only financial
 14 audits, but, also, management. And -- and I think
 15 that's extremely important to me. And not only
 16 oversight on all the departments, but, also, the
 17 legislative body. Because it's been pointed out,
 18 currently, the Charter only allows the legislative body
 19 to have oversight of the Administration and all
 20 departments. There is no, currently, any venue by which
 21 there's oversight over the Council. And I think the
 22 most important thing about this auditing, establishing
 23 it independently, would give that oversight to look over
 24 and see financially and management-wise the legislative
 25 body and how it works in the County.

Page 31

1 CHAIR STONE: Thank you, Susan.
 2 Go ahead, Dave.
 3 COMMISSIONER DELEON: I can see this as an
 4 administrative oversight. I don't see how it's
 5 oversight to the Council. When the Council hires and
 6 fires the Auditor, I don't really see any heavy -- heavy
 7 handed effect. I mean, I've watched that in Honolulu as
 8 well. Marion Higa is real hard on the administrative
 9 bodies, but she's not -- she doesn't go after the
 10 legislature.
 11 CHAIR STONE: But it's not eliminated from the
 12 -- from the scope.
 13 COMMISSIONER DELEON: I wouldn't emphasize it
 14 because I don't think it's going to happen.
 15 COMMISSIONER CRIVELLO: Mr. Chair?
 16 CHAIR STONE: Yes, Stacy.
 17 COMMISSIONER CRIVELLO: Because it's hired and
 18 fired, actually, by the Council, County Council, I think
 19 the independence would just be for oversight over
 20 administration and management, not the legislative
 21 portion.
 22 CHAIR STONE: Let me just check on that.
 23 Sherry, because it's hired and fired by Council, and
 24 you've been hearing what we've been discussing, does
 25 that pull the scope of the auditor out? Like

Page 32

1 legislature is off limits to the Auditor?
 2 MS. BRODER: No. I think it just -- no, not
 3 at all. I mean, it seemed like, the way this is
 4 written, it would include the power and duty to audit
 5 the legislature and the executive department. I don't
 6 think there's any prohibition against it. And, you
 7 know, I guess you're just saying that, you know, if the
 8 auditor does that, the auditor might fear that he or she
 9 might get fired, but that, of course, is speculation.
 10 Perhaps it's based on experience, but it's still
 11 speculation.
 12 CHAIR STONE: Okay. Thank you for the
 13 clarification.
 14 Go ahead, Susan.
 15 COMMISSIONER MOIKEHA: And I think that's why,
 16 at first, I totally wanted it to be completely
 17 independent as far as hiring and firing the auditor.
 18 And my willingness to -- to be more in a compromisal
 19 situation was to go ahead and allow the legislative body
 20 to go ahead and hire and fire.
 21 You have to remember the Council Chair
 22 approves a lot of things that come through there, you
 23 know, financially. And so they should be deemed as a
 24 entity that also needs to be looked at. And why
 25 politically it may not be the correct thing to do, for

<p style="text-align: right;">Page 33</p> <p>1 fear of ones -- losing ones job, it's the right thing to 2 do for the people. And, you know, I am going to leave 3 it there with the hopes that this auditing thing will 4 pass and it will achieve the things that we had hoped it 5 would do. And, again, financially, management oversight 6 of the entire entity of the government here in Maui 7 County. 8 CHAIR STONE: Okay. Thank you. 9 Further discussion on Proposal Three, County 10 Auditor? Go ahead, Frank. 11 COMMISSIONER DE REGO: I saw this as 12 essentially a middle position taken, finally, by the 13 Commission. The recommendation to have a -- as the 14 discussion continued, the recommendation to have a 15 commission hire and fire the auditor was generating a 16 lot more heat than light. And I think doing it this way 17 allowed the essential functions for what an auditor 18 needs to do to move forward. So I was perfectly 19 willing, from my vantage point, just speaking for 20 myself, to -- to let go of that issue of how to make the 21 position completely independent. You're not going to 22 make it completely independent of politics. It's going 23 to be involved and wedged in there somehow. It was a 24 way of trying to find a way of making it the most 25 effective way possible.</p>	<p style="text-align: right;">Page 35</p> <p>1 favor of the proposal necessarily, or not; just that we 2 considered all of the views that were presented to us, 3 felt it was worthy of going forward and presented it to 4 the public. 5 On this particular proposal, I was 6 disappointed that we folded, essentially, on the idea of 7 the Cost of Government Commission appointing the 8 auditor. From my perspective, that would have been the 9 most independent form of protection that we could have 10 afforded to the auditor, giving him true independence of 11 both Council as well as the Mayor. And allowing them to 12 leave no stone unturned. 13 CHAIR STONE: Thanks, Wayne. 14 Go ahead, Frank. 15 COMMISSIONER DE REGO: I just wanted to say I 16 agree with Commissioner Hedani on that point. 17 CHAIR STONE: Okay. Thank you. 18 Any further discussion on Proposal Three? 19 (No Response.) 20 CHAIR STONE: No. Good. Moving on to 21 Proposal Four. Article 3, County Council, Section 3-5, 22 Procedure; Meetings; Rules and Journal; Voting; Require 23 Interactive Communications Access for Public Testimony 24 at all County Council Committee Meetings. And I just 25 want to point out, I am very happy that I didn't waste</p>
<p style="text-align: right;">Page 34</p> <p>1 And, at this point, I think this is the most 2 effective thing that we have. We do still have -- 3 bringing up the legislative issue, we still do have a 4 citizen committee involved. If the auditor is too 5 afraid to bring up an issue that might tread on the toes 6 of the Legislative Branch, then maybe it's up to the 7 citizens of the Cost of Government Commission, which 8 would be under the auditor, to -- to do that as well and 9 make those -- those findings public, you know, and 10 present those to the -- to the County Auditor, the Mayor 11 and the Council. So, you know, I think there is a sort 12 of -- the way we've arranged it, there is a safeguard in 13 such by keeping citizen participation involved in the 14 auditor's office. But that's my view of it. 15 CHAIR STONE: Thanks, Frank. 16 Go ahead, Wayne. 17 VICE-CHAIR HEDANI: Yeah. I concurred with 18 Susan's position on this particular proposal. I 19 actually struck the last two pro items and retained the 20 first one about independent perspective and financial 21 oversight. As a general comment on all of the 22 proposals, you know, what I was hoping for was that the 23 pros and cons would be balanced so that we have one pro 24 or one con or one con for every pro. So that it doesn't 25 convey the impression that the Commission was biased in</p>	<p style="text-align: right;">Page 36</p> <p>1 my time on that pros and cons sheet because it seems 2 like there's good discussion. When I finished it, I 3 thought for sure I am wasting my time. Okay. Good. 4 And by the way, it took five minutes. So bash it all 5 you want. 6 (Laughter.) 7 CHAIR STONE: Any discussion on Proposal Four? 8 Go ahead, Dave. 9 COMMISSIONER DELEON: Well, it's, obviously, 10 going to provide the more remote areas of our community 11 the possibility of communicating without overly 12 burdensome costs of spending a whole day just getting to 13 give three minutes of testimony. Or -- or, you know, 14 having to drive like -- like Cliff does, you know, for 15 two or three hours, just to get to a meeting. So, yeah, 16 I mean this is long overdue, actually, so -- 17 I did have a conversation with a Councilmember 18 who asked me, "Well, why is this here?" My answer was, 19 "Because you guys never did it." And -- and -- and he 20 said, "Well, maybe we'll do it and we can just drop 21 this." So interesting. 22 CHAIR STONE: Very interesting. Thanks, Dave. 23 Frank, go ahead. 24 COMMISSIONER DE REGO: The operative word 25 there is "maybe."</p>

Page 37	<p>1 COMMISSIONER OKAMOTO: Sometime.</p> <p>2 CHAIR STONE: Thank you.</p> <p>3 Cliff.</p> <p>4 COMMISSIONER HASHIMOTO: I think we heard from</p> <p>5 several Council Members, at least three, who agreed that</p> <p>6 it should happen.</p> <p>7 CHAIR STONE: Thank you.</p> <p>8 COMMISSIONER HASHIMOTO: At least three.</p> <p>9 CHAIR STONE: Good point.</p> <p>10 COMMISSIONER DELEON: Mr. Chair, when I was</p> <p>11 reviewing the '02 proposals, I noted that the Council</p> <p>12 came out against having the Department of Transportation</p> <p>13 on the list. They asked that to be removed. You can</p> <p>14 ask the many thousands of people who use the bus service</p> <p>15 every day whether that was a good thing or a bad thing</p> <p>16 to do, to leave that on the list. So until we really</p> <p>17 hear something really firm; otherwise, I think</p> <p>18 everything stays on the list and we proceed.</p> <p>19 CHAIR STONE: This thing's definitely staying</p> <p>20 on the list.</p> <p>21 COMMISSIONER DELEON: Right. Yeah.</p> <p>22 CHAIR STONE: Okay. Thank you, Dave.</p> <p>23 Further discussion on Proposal Four? Cons are</p> <p>24 pretty obvious; expense. Thank you, Wayne.</p> <p>25 VICE-CHAIR HEDANI: One item that I had on</p>	Page 39	<p>1 So that people don't think, oh, we got to have a studio</p> <p>2 in every location. And it explains a little bit --</p> <p>3 CHAIR STONE: Very good.</p> <p>4 COMMISSIONER OKAMOTO: Down to the nitty</p> <p>5 gritty.</p> <p>6 CHAIR STONE: Thanks, Kay.</p> <p>7 COMMISSIONER DELEON: (Inaudible.)</p> <p>8 COMMISSIONER OKAMOTO: Yes.</p> <p>9 CHAIR STONE: Very good. Any further</p> <p>10 discussion on Proposal Four?</p> <p>11 (No Response.)</p> <p>12 CHAIR STONE: Good. Moving on to Proposal</p> <p>13 Five. Amend Article 14, Charter Amendment, To Add a New</p> <p>14 Section to Require that the Charter be Revised and</p> <p>15 Published to Include All New Significant Amendments</p> <p>16 Adopted."</p> <p>17 Go ahead, Susan.</p> <p>18 COMMISSIONER MOIKEHA: Is this listed as a new</p> <p>19 proposal?</p> <p>20 CHAIR STONE: Sorry?</p> <p>21 COMMISSIONER MOIKEHA: Is this listed as a new</p> <p>22 proposal, and where it forms in the formatting of the</p> <p>23 Charter, or does it come under someone's function and</p> <p>24 duty?</p> <p>25 CHAIR STONE: I believe, as I recall, this was</p>
Page 38	<p>1 Proposal Number 4 was the concern -- well, the concern</p> <p>2 that I had was that technical glitches would cause</p> <p>3 meetings to get delayed or postponed or deferred. And</p> <p>4 where County Government already moves like slow</p> <p>5 molasses, this will only make it colder and harder and</p> <p>6 much less inclined to move in any direction at all.</p> <p>7 CHAIR STONE: Thanks, Wayne. That's a very</p> <p>8 valid point.</p> <p>9 But I do -- in this proposal, as you guys do</p> <p>10 recall, this is for public testimony only. And the</p> <p>11 reason why was because if it wasn't -- if it was</p> <p>12 interactive back and forth, that if there was not</p> <p>13 visual, then the meeting would have to stop. So we did</p> <p>14 public testimony only because it can go all the way down</p> <p>15 to phone. It can be done over the phone. So I think</p> <p>16 that's why I recall the majority of us were comfortable</p> <p>17 because if -- public testimony can come over a cell</p> <p>18 phone to the Council. And I don't think we could hit --</p> <p>19 I mean, it would have to be some kind of heck of a major</p> <p>20 disaster to not have that level of communication.</p> <p>21 Kay.</p> <p>22 COMMISSIONER OKAMOTO: I was kind of the same</p> <p>23 with Wayne, but I -- that's why I -- I think I did find</p> <p>24 this. And maybe we need to mention in the explanation</p> <p>25 that it could be simply a phone hookup, where necessary.</p>	Page 40	<p>1 the duty of the County Clerk.</p> <p>2 COMMISSIONER DE REGO: County Clerk.</p> <p>3 COMMISSIONER MOIKEHA: So that's where it's</p> <p>4 going to fall in the formatting of --</p> <p>5 CHAIR STONE: It will be Section 14-4. The</p> <p>6 realities of it will be that the County Clerk's</p> <p>7 responsible for republishing. And I recall it was</p> <p>8 defined. And that's why the County Clerk came out</p> <p>9 against it.</p> <p>10 (Laughter.)</p> <p>11 CHAIR STONE: I mean, all these pros are that</p> <p>12 it makes the -- when somebody picks up a new copy of</p> <p>13 their Charter, it makes it clear and concise as to what</p> <p>14 the Charter says, without a bunch of amendment -- eight</p> <p>15 and-a-half by elevens, which confused me when we first</p> <p>16 received the Charter. We're the Commission.</p> <p>17 Go ahead, Kay.</p> <p>18 COMMISSIONER OKAMOTO: Well, I was surprised,</p> <p>19 I think it was Dave's statement, that even if you go on</p> <p>20 the internet to pull up the Charter, you get it in</p> <p>21 separate bits. Even on the internet, it's not put</p> <p>22 together. So I think that's even more important. I</p> <p>23 think you need to change the word "purchase" to</p> <p>24 "receive." We don't purchase it, right? But I -- we</p> <p>25 should all -- anybody should be able to receive an</p>

Page 41

1 accurate copy. I just think that's -- I don't think the
 2 cost is hardly anything. But certainly on the whim, I
 3 mean, that -- I was surprised when that came out, that
 4 even there you could only get it in pieces.
 5 COMMISSIONER DE REGO: Pieces, yeah.
 6 CHAIR STONE: Thank you.
 7 Stacy, go ahead.
 8 COMMISSIONER CRIVELLO: No. I just wanted to
 9 ditto that, somehow, on the website, that needs to be
 10 updated, maintained and updated by the respective --
 11 CHAIR STONE: Department.
 12 COMMISSIONER CRIVELLO: Yeah.
 13 CHAIR STONE: Thank you.
 14 Go ahead, Kay.
 15 COMMISSIONER OKAMOTO: That may need to be
 16 added into the proposal. No?
 17 MS. BRODER: I mean, I would say that the way
 18 the proposal is written, however the Maui County Charter
 19 is published, be it on paper, be it electronically, it
 20 has to be updated. Okay. I mean, it's clear. It
 21 doesn't say -- it doesn't say print or electronic.
 22 And then, also, I think that although it
 23 doesn't say who has the duty to do this, right now, the
 24 duty is with the County Clerk, but even if the duty were
 25 to change, whosever duty -- I mean, somebody -- it's

Page 42

1 going to be somebody's duty. And the -- and if it's
 2 not, and it's not done, then the County can get sued.
 3 So I think it's -- it's ready to move ahead.
 4 CHAIR STONE: Thank you, Sherry.
 5 Go ahead, Susan.
 6 COMMISSIONER MOIKEHA: I guess that's why I am
 7 questioning it, since it is its duties, why didn't we
 8 just add it to the powers, duties and functions of the
 9 County Clerk on Article 5-3? Or are we not sure that
 10 will always be that person's -- that entity's duty?
 11 MS. BRODER: I guess that was the thinking.
 12 COMMISSIONER MOIKEHA: Okay.
 13 MS. BRODER: Just whoever's duty it is has to
 14 do it. Okay.
 15 CHAIR STONE: Thank you.
 16 Commissioner Baxa.
 17 COMMISSIONER BAXA: Yeah. Mr. Chair, I don't
 18 think it's a question of duty. The question is whether
 19 we do it or not. If we do it, then there will be
 20 somebody who is going to do it. The idea of this, as I
 21 understand it -- and I remember very well, this idea
 22 came from Mr. Smith. Mr. Smith, although I disagree
 23 with him very often, in this case I think he had a very
 24 good point, that the public ought to know exactly what
 25 the new proposals where and where the new Charter will

Page 43

1 be. And that it goes -- it should go to department.
 2 They should have at all times available the copy -- the
 3 Charter that we have proposed. And I would strongly
 4 support that be in print as well; not only electronic
 5 filing.
 6 CHAIR STONE: Thank you, Commissioner Baxa.
 7 Go ahead, Frank.
 8 COMMISSIONER DE REGO: If you remember the --
 9 sort of the evolution of this, it was because we had
 10 several testifiers that had come in with the pink
 11 version without the added papers and, you know, without
 12 the revisions from 2006 and 2010. And there was some
 13 confusion even among us as they were quoting the
 14 Charter, you know, in our discussions. And, you know,
 15 immediately, the week after, Mr. Smith brought up the
 16 fact that, you know, this is part of the problem, is we
 17 don't have an up-to-date version every time we have a
 18 Charter Amendment done for the County, which I agree
 19 totally. So I think we've already had practical
 20 experience with this.
 21 CHAIR STONE: Thank you, Frank.
 22 Any further discussion on Proposal Five?
 23 (No Response.)
 24 CHAIR STONE: Good. Moving on to Proposal
 25 Six, "Article 13, General Provisions, Section 13-2,

Page 44

1 Boards and Commissions, Require the County of Maui to
 2 Fund the Defense of Members of All County of Maui Boards
 3 and Commission and Indemnify Said Members."
 4 Go ahead, Susan.
 5 COMMISSIONER MOIKEHA: As far as the proposal
 6 that's been -- or pro that was listed here, I am not in
 7 agreement as to that's the reason why this should go
 8 forth to the voters and, hopefully, be passed. There is
 9 law that does provide indemnification for volunteers on
 10 County Boards and Commissions.
 11 I did not propose this, even though it was
 12 through my own personal experience that seems to have
 13 kept this going and moving forward. And my main reason
 14 for supporting it was to alleviate personal biases from
 15 legislative representatives when determining a situation
 16 of indemnification. I think that's the key and most
 17 important thing to me.
 18 And I've listened to the public come and speak
 19 and talk about wanting to -- and especially
 20 Administration wanting to codify something. I know we
 21 can do it without a Charter Amendment, but we want to
 22 codify this, we want to validate it. And I think if
 23 there's anything to me that is most important to
 24 validate is the volunteers that serve on commissions and
 25 boards, and assure them, assure them that as they act

Page 45

1 within their duties, as prescribed by the stewardship
 2 that they have in these boards and commissions, whether
 3 it be rules or laws, or whatever it is, as they act
 4 within those duties, they will be protected personally
 5 and professionally. And, unfortunately, it has occurred
 6 in this County where personal biases took the foreground
 7 to question whether individuals that were in lawsuits
 8 serving on these boards and commissions would be
 9 indemnified or not. And that is the key thing for me on
 10 this issue.

11 I am not asking that the process be changed by
 12 which Corp Counsel has to seek approval. I am not
 13 asking for that at all. And I think this does. But
 14 what it does, it helps to send a clear message to
 15 representatives within the legislative body and
 16 administration that we should be protected as
 17 volunteers.

18 And this was not -- and I had to step back
 19 from all of this, as this conversation started to begin
 20 way back when, and make sure that it wasn't my personal
 21 bias that was pushing it forward. And as it has gone
 22 over time, it's -- it's bigger than just my personal
 23 experience. Because I think volunteers give so much of
 24 their time in the way that they serve the County through
 25 boards and commissions and other ways, at the very

Page 46

1 least, they should be protected.

2 I would also say there's very little
 3 conversation during appointments to these boards and
 4 commissions during time of becoming familiar with what
 5 the process is within their board and commission. And
 6 it's never talked about; if you get sued, this might
 7 happen, are you prepared for that. No one has ever
 8 discussed that with me when they've come to me, asked me
 9 to be on a board or commission. And I think maybe that
 10 needs to be talked about a little bit more. Because I
 11 think people realize that they're subject to when they
 12 do serve as a volunteer in this County.

13 And I'll leave it at that.

14 CHAIR STONE: Thank you, Susan.

15 Go ahead, Frank.

16 COMMISSIONER DE REGO: I remember when we
 17 first had this discussion, I think it was at the Kihei
 18 meeting, the first public hearing we had, and I was
 19 aghast, actually, when the story was told. I was the
 20 one who actually put forward this proposal after hearing
 21 that story, not only for protection of citizen
 22 volunteers, but as a way of at least putting in writing
 23 what those protections are in the Charter and making
 24 sure that people know, you know, especially those who do
 25 volunteer for Commissions that, you know, I think we've

Page 47

1 had the opinions about the State, you know, covering
 2 this and the County covering this, but there have to be,
 3 for me, some way of putting this in the Charter so
 4 people know.

5 And getting to Susan's point about what I
 6 would call -- this is a conversation that maybe needs to
 7 happen with later commissions, or recommendations, I
 8 don't think there's an adequate, how can I say,
 9 orientation process for Commissioners who do serve on
 10 boards and commissions. And part of that orientation
 11 process is not only the Sunshine Law, but, also, the
 12 financial -- I mean, the potential liabilities involved
 13 in being a board and commissioner, also, you know, what
 14 your obligations are in terms of attending meetings and
 15 all those things. So it's not only your rights, but
 16 it's also your obligations.

17 And -- but I -- you know, this is becoming a
 18 longer thing than I wanted it to be. All I -- all I am
 19 going to say is I agree with Commissioner Moikeha that
 20 this, at least, expresses in the Charter, I think,
 21 something that needs to be expressed.

22 CHAIR STONE: Thank you very much.

23 COMMISSIONER DE REGO: Excuse me for going on
 24 so long.

25 CHAIR STONE: Further discussion on the -- oh,

Page 48

1 go ahead, Kay.

2 COMMISSIONER OKAMOTO: Well, just in looking
 3 at what you had written, the way that we explain it, I
 4 think we -- this says it sounds like you're going to be
 5 protected from lawsuits. You can't --

6 COMMISSIONER DE REGO: You can't --

7 COMMISSIONER OKAMOTO: -- protect people from
 8 the lawsuits. You can offer them proper counsel and so
 9 forth, but I think we just need to watch the way the
 10 wording in the explanation is.

11 CHAIR STONE: Very good. Thank you.

12 Wayne, go ahead.

13 Commissioner Baxa, go ahead.

14 COMMISSIONER BAXA: Mr. Chair, I am actually
 15 very glad that the end proposal came the way it did.
 16 The original proposal was much looser. We had a lot of
 17 discussion as to that. And we have to thank Susan on
 18 this one because, although, normally, one was involved
 19 in a case, they say that there is no -- there can be no
 20 objective analysis from the specific person. But from
 21 what we have seen, there's some justification for what
 22 we ultimately did. I know that even the way it is
 23 worded, under the law, there are still limits, there are
 24 still limits, as our counsel, Sherry, Professor Broder,
 25 has told us. Because looks like we will be protected

Page 49

1 all the way, but there -- we have to be aware there are
 2 limits. The fact that we are board members here does
 3 not allow us to do whatever is illegal under the law to
 4 pursue our job. But (inaudible) we are within the
 5 specific job duties that we do hear, the proposal that
 6 we had made, I think, is very excellent.
 7 CHAIR STONE: Thank you, Commissioner. Wayne,
 8 go ahead, please.
 9 VICE-CHAIR HEDANI: Well, on this item, the
 10 only -- because there was nothing listed under the cons
 11 section for this proposal, the only comment that I had
 12 was, there is a potential for increased costs of defense
 13 in settlements of -- as a result of the proposal. I am
 14 not sure -- to this day, I am not sure exactly how it
 15 changes the way things -- the way things operate or the
 16 way things work in court because I'm not an attorney.
 17 But it seemed like the cost of defense in some cases
 18 would go up. And the settlements may go up as a result
 19 of the change.
 20 CHAIR STONE: Thank you, Wayne. Dave, go
 21 ahead.
 22 COMMISSIONER DELEON: In a way, what we're
 23 doing here is an affirmation process. We're asking the
 24 voters to confirm this is what we want to see happen,
 25 you know, with the -- with the Council thing for -- for

Page 50

1 communications, for the Charter, and it's using more of
 2 a -- of a actual -- and -- and, particularly, in this
 3 case because it's kind of interesting that Corporation
 4 Counsel feels like this is already being done. But then
 5 there's the sense of what happens if five political
 6 persons don't like your politics and you get caught in
 7 the crosshairs.
 8 But I have seen -- I have seen boards actually
 9 be cowed by the threat -- by the threat of suits.
 10 Personally, I mean, when they're told by a couple
 11 attorneys they're going to be sued personally, it makes
 12 them think twice. And it should make them think twice,
 13 anyway, but -- but the potential for actually altering
 14 what they do in the way they approach it is serious.
 15 And -- and these bodies are like Board of Ethics, the
 16 Planning Commissions, the boards that have actual
 17 impacts on -- on your ability to use your land or your
 18 ability to function within the government, can -- you
 19 know, it's pretty strong powers. But they're set out
 20 for a purpose. So this allows people more freedom to
 21 act within the powers, when they have the assurance that
 22 Corporation Counsel is actually going to support them.
 23 And I think that's one of the elements here, is that it
 24 gives the boards and commission more freedom to act.
 25 CHAIR STONE: Thank you, Dave. Any further

Page 51

1 discussion on Proposal Six? No. Okay. Without further
 2 -- oh. Commissioner Baxa, please.
 3 COMMISSIONER BAXA: Mr. Chair, I'll just
 4 reiterate what I said, but I think it's important, we
 5 must all have read the papers not too long ago. This is
 6 in a different context. You know the board of -- the
 7 board that acted in that case in the -- this is a
 8 private entity, though, not as a public board that we
 9 are. And it went to jury trial. And the jury, in fact,
 10 awarded so much money to the plaintiffs against the
 11 board, against the board of directors.
 12 COMMISSIONER DELEON: Molokai, yeah, case,
 13 Molokai condo case.
 14 CHAIR STONE: Oh, yes.
 15 COMMISSIONER BAXA: What I said, it is in a
 16 different context because this is a private entity. But
 17 there is some similarities there.
 18 CHAIR STONE: Thank you very much. Okay.
 19 Without further discussion on Proposal Six, I am going
 20 to have us take a brief recess, 10 minutes. And I'll
 21 see you guys back here. Was that celebratory, Cliff?
 22 I'll see you guys back here at 11:15.
 23 (Recess, 11:06 a.m. to 11:18 a.m.)
 24 CHAIR STONE: I would like to call this
 25 meeting back to order as of 11:15. Moving back to our

Page 52

1 list, we're on Proposal Number Seven. And please give
 2 me a second to get there. Where did my list go? Ah,
 3 stolen by my Analyst.
 4 MS. BRODER: That's mine. That's mine. I am
 5 sharing it with you.
 6 CHAIR STONE: Okay. Going on to Proposal
 7 Number Seven, County Council Residency Requirements.
 8 Pros and cons, discussion. Go ahead.
 9 COMMISSIONER BAXA: Mr. Chair?
 10 CHAIR STONE: One second. Go ahead, Susan.
 11 COMMISSIONER MOIKEHA: I don't -- I remember
 12 Gladys giving testimony at Pukalani, and she raised the
 13 negative to this. And I don't recall what it was. So I
 14 -- unless somebody else recalls why she had proposed it
 15 as a negative side or a con side to this issue, if we
 16 could just maybe have someone look that up if the don't
 17 remember.
 18 CHAIR STONE: Kay seems to have response. Go
 19 ahead, Kay.
 20 COMMISSIONER OKAMOTO: I kind of think it had
 21 to do with, say, if you lived Upcountry and you just
 22 happened to move a house three houses away and it puts
 23 you in a different district, you know, that was -- that
 24 kind of might be the issue. It didn't have so much to
 25 do with Molokai versus Hana, but it was more just moving

<p style="text-align: right;">Page 53</p> <p>1 within Central Maui, even, because you might move into a 2 different -- I think that was -- 3 CHAIR STONE: Thank you. Dave. Thanks, Kay. 4 COMMISSIONER DELEON: And follow-up on Kay's 5 thought. That's was the first part of it. The second 6 part of it, now you're going to have to wait a year to 7 be able to make that jump. So it's not as simple as it 8 had been to be able to bounce around to different 9 districts as easy. So that's the con side. Not buying 10 into it, but it's the con side. 11 CHAIR STONE: Okay. Good. Go ahead, Cliff. 12 COMMISSIONER HASHIMOTO: Just a question, 13 Chair. 14 CHAIR STONE: Sure. 15 COMMISSIONER HASHIMOTO: When we were having 16 discussions about the residency, we were talking about 17 the length of time a person has to reside, and then we 18 extended that, for some reason or other. You know, at 19 about the same time, there was a case, I believe, that 20 was referred to by the Corporate Counsel on the Big 21 Island, I believe, where this -- where this lady had 22 filed to -- to run for a seat or something, and then -- 23 and then she moved or something within that time period. 24 So they said she didn't qualify, but she filed a suit, 25 and -- and she won. Because the judge said, I think,</p>	<p style="text-align: right;">Page 55</p> <p>1 with that. Maybe we should give that some thought 2 before we moved on. 3 CHAIR STONE: Good. Thank you, Cliff. 4 Go ahead, Wayne. 5 COMMISSIONER DELEON: Lisa is trying to get -- 6 CHAIR STONE: Oh, sorry. Lisa. 7 MS. KAHUHU: Chair, I just wanted to mention 8 the letter was dated October 3rd, and it was presented 9 to you at your October 10th meeting. 10 CHAIR STONE: Thank you, Lisa. Just a 11 encyclopedia of knowledge back there. 12 Go ahead, Wayne. 13 VICE-CHAIR HEDANI: The negative comment that 14 I had on this was that -- the con that I have with this 15 was that it disqualifies candidates of less than 16 one-year residency. So you might have a qualified 17 candidate that would be excellent that would be 18 disqualified because they're listed. 19 CHAIR STONE: Nice and simple, Wayne. Very 20 nice. Okay. Thank you. 21 Any further discussion on Proposal Seven? 22 (No Response.) 23 CHAIR STONE: Okay. Moving on to Proposal 24 Eight. Very similar, Mayor residency requirements. 25 Same pros and cons, or can anybody think of anything</p>
<p style="text-align: right;">Page 54</p> <p>1 that just because she just moved a couple of blocks, you 2 know, that -- and which took her outside of that 3 district, apparently, that filing district, that -- that 4 it was okay because it wasn't something that she did on 5 purpose. 6 CHAIR STONE: Very good. I think that -- 7 COMMISSIONER HASHIMOTO: I wonder, yeah, how 8 is this going to hold up to some challenge like that. 9 CHAIR STONE: I believe that Sherry had 10 pointed out to us, when we were looking at timeframes 11 and everything, that everything is challengeable, that 12 there is always the situation -- well, the only way to 13 -- to verify that this is going to stand is for it to be 14 challenged and go to court, but we did our best in 15 reviewing the cases that had gone on previously to and 16 find a good compromise on time. And I think that's how 17 we finally came up with this language. 18 Am I correct, Sherry? 19 MS. BRODER: Yes. And I did write you a 20 letter, back in October, I believe it was -- anyways, 21 maybe it was in November. I did write you a letter 22 specifically addressing that -- those issues. And I 23 think that we did our best to draft the language to meet 24 the legal standards. 25 COMMISSIONER HASHIMOTO: No. I am satisfied</p>	<p style="text-align: right;">Page 56</p> <p>1 different. Go ahead. 2 COMMISSIONER OKAMOTO: Well, I just have to -- 3 because Dave had said can you imagine anybody who didn't 4 live -- and, yeah, I could. If Linda Lingle decided to 5 move back and wanted to run for Mayor again, she 6 couldn't under this. So, I mean, there are people who 7 may not be on the island for a year that still could and 8 could do the job. So, yeah, that is a con. I mean, 9 it's the same as what you said. But there could 10 possibly be people who are more at a State level that 11 say, well, I am going to move over to Maui and run for 12 Mayor. So, I mean, it's possible. Maybe not probable, 13 but possible. 14 CHAIR STONE: Thank you, Kay. 15 Further discussion? Dave, go ahead. 16 COMMISSIONER DELEON: I keep on thinking of 17 Council Chair Mateo's statement about his slippers. 18 COMMISSIONER HASHIMOTO: What? 19 COMMISSIONER DELEON: Council Chair Mateo's 20 comment about having slippers that are older than a year 21 old. Meaning that a year is not that much for this kind 22 of requirement. 23 COMMISSIONER DE REGO: It's not. 24 CHAIR STONE: Good. Thank you, Dave. 25 Any further discussion?</p>

Page 57

1 (No Response.)
 2 CHAIR STONE: No. Moving on to Proposal Nine,
 3 Article 8, Chapter 15, Department of Environmental
 4 Management, to add environmental protection and
 5 sustainability to the powers, duties and functions of
 6 the Department of Environmental Management. Pros and
 7 cons, please? Any discussion?
 8 COMMISSIONER SUGIMURA: I think the way that
 9 this --
 10 CHAIR STONE: Go ahead, Yuki.
 11 COMMISSIONER SUGIMURA: I think the way this
 12 came together, the Committee -- the Commission put a lot
 13 of thought and in the substance of the added language.
 14 And I think Rob is here. Maybe Rob can give us some
 15 more input if he wants to add to that.
 16 MR. PARSONS: You haven't heard --
 17 CHAIR STONE: Hang on. I think I am going to
 18 step in here and say, Rob, we appreciate you being here,
 19 but, again, the discussion is pros and cons and
 20 rationale.
 21 COMMISSIONER OKAMOTO: Well, I think one of
 22 the cons is still we're not sure it should be in that
 23 department. I just -- that's where I never felt
 24 comfortable with that. I don't know how you list that
 25 in the explanation. I don't think people objected to

Page 58

1 what you -- we wanted to do, but is that where it
 2 belongs. That's a -- I don't know how you put that in
 3 the explanation.
 4 CHAIR STONE: Thank you, Kay. I am a little
 5 nervous about that form of con because that questions
 6 the entire integrity of the proposal. And I understand
 7 what you're saying, yes, that was a major discussion
 8 point, however, we did decide to go this direction. So
 9 I'll leave it to the Special Committee to -- to take
 10 that in and see how that could be worded without
 11 throwing the entire proposal under the bus. Thank you.
 12 Go ahead, Stacy.
 13 COMMISSIONER CRIVELLO: I think I've come from
 14 where Kay's coming from as if it's the right department.
 15 Because, in my opinion -- and we have done a lot of work
 16 in this and had a lot of discussion on it -- there's
 17 more than just environment, the environment. What you
 18 want to sustain is your -- your economic base. You want
 19 to sustain your culture and social as well. They are
 20 interdependent on one another and -- you know, so
 21 sustainability, as much as the buzzword it is, I would
 22 like for -- and this is -- this is as best as we've come
 23 up with, but the waste management or the environmental
 24 protection management people are -- hopefully, they
 25 won't limit it to just that. But there is -- there's a

Page 59

1 lot more to sustainability. Environment, economics, and
 2 the culture and social needs, too. And that's just my
 3 opinion.
 4 CHAIR STONE: Thank you, Stacy. Go ahead,
 5 Susan.
 6 COMMISSIONER MOIKEHA: I had a hard time with
 7 this, too, as it being the appropriate place along with
 8 Kay and Stacy. And it's not that I don't support
 9 sustainability, but I think it's a much broader thing
 10 than just taking care of the environment. And I wasn't
 11 so sure. And I did not think that it belonged within
 12 the scope of this department. I think what we did as a
 13 compromise is we made it fit by taking out the other
 14 component of sustainability. And maybe what we're doing
 15 is just giving it the foundation where we hope that will
 16 grow to be more balanced economically, culturally, and
 17 incorporate all of it. And so if it's a beginning
 18 start, then that's good.
 19 I wouldn't want to see it thrown under the
 20 bus, but I still feel that it -- something needs to be
 21 said about that. So however you craft it, maybe that
 22 this is just the beginning or the foundation in hopes it
 23 will grow into bigger, you know, broader scope. I don't
 24 know.
 25 CHAIR STONE: Okay. Thank you. We'll leave

Page 60

1 that up to the word masters to -- to look into that.
 2 Again, we gotta be careful about our -- our explanations
 3 going outside the scope of the language of the proposal.
 4 So we'll see -- let's -- it's a great -- this is one
 5 we're definitely looking at, yeah. Great discussion.
 6 Frank, go ahead.
 7 COMMISSIONER DE REGO: I remember how we
 8 struggled with this in regards to does it apply here,
 9 what does Environmental Management mean, does this go
 10 under that umbrella. I think what we did was two
 11 things. I think, first of all, we narrowed the scope of
 12 what was proposed at the beginning. So what we've
 13 done -- and I agree what's being said here, that we've
 14 laid a foundation. I think it's like Public Works and
 15 Environmental Management, right? That used to be two --
 16 one integrated department, massive department. And
 17 eventually, Environmental Management got teased out of
 18 it. And now what we've done, possibly, is lay the
 19 foundation, once it evolves to that point, where there
 20 might be a possibility of fitting it in a -- in a better
 21 area, whether it be a department or whatever. But I
 22 think the thing that we wanted to do was to give it some
 23 stability, to give it some support, to pull it out of
 24 just the Mayor's Office, or whatever Mayor comes in,
 25 just a whim of economic development, or whatever other

<p style="text-align: right;">Page 61</p> <p>1 office you wanted to put it under the Mayor's Office, 2 but now it has a foundation in the Charter. 3 As we know, this is an evolutionary document, 4 as we've seen over the years, has -- things change. 5 There's basic principles that say the same, but, 6 oftentimes, departments and other things get created. 7 So I think this lays a foundation. At least it puts it 8 somewhere, you know, which was, I think, a necessary 9 thing for us to do, at least from my vantage point. 10 CHAIR STONE: Thank you very much, Frank. 11 Judge Baxa. 12 COMMISSIONER BAXA: Mr. Chair, I am not going 13 to regurgitate the arguments that have been made 14 already. And I do agree that, in the beginning, we came 15 to the word sustainability, which was very general and 16 very broad. And one of the main objections then was 17 about budget, how can we afford to have sustainability 18 in everything. It is -- it is this way in the world. 19 And so because there was an intent to have this some 20 more permanent part of the County operation rather than 21 dependent upon political -- 22 COMMISSIONER SUGIMURA: Will. 23 COMMISSIONER BAXA: Political realities and 24 unrealities. We wanted to have that as a part of the 25 department, but then we did a (inaudible) that anything</p>	<p style="text-align: right;">Page 63</p> <p>1 tape, I think, is basically getting the County involved 2 in a kuleana that somebody else's kuleana. 3 CHAIR STONE: Thank you, Wayne. Good points. 4 Further discussion on Proposal Nine? 5 (No Response.) 6 CHAIR STONE: Very good. Moving on to 7 Proposal Ten. And this proposal is in reference to 8 bringing conformity amongst commissions that appoint 9 directors or chiefs. So discussion on that Proposal 10 Ten? Just -- just my experience right now, in the 11 public, for people who are keeping abreast of our 12 proposals, this one seems to create the most confusion 13 because it is long and lengthy. 14 Go ahead, Kay. 15 COMMISSIONER OKAMOTO: Just a question, I 16 can't remember. Did we actually add any -- was the -- 17 the meat of what's in here already in one of them and we 18 just put it in all, or did we add it and then add it to 19 all? 20 CHAIR STONE: There were bits and pieces of 21 each one, or of some of them, that we -- we made all of 22 them conform. So now, basically, when you read each 23 board and commission that had -- that hires and fires a 24 director or Chief, it will list the same -- 25 COMMISSIONER OKAMOTO: Right.</p>
<p style="text-align: right;">Page 62</p> <p>1 sustainable pertaining to the environment would have to 2 be made. 3 I think that -- and I have to agree with the 4 Chair that we have to be careful about the comments that 5 we make in terms of the rationale. We should try to 6 focus on the title and the object of the proposal we 7 have already made. Thank you, Mr. Chair. 8 CHAIR STONE: Thank you, Judge Baxa. Go 9 ahead, Wayne. 10 VICE-CHAIR HEDANI: My comments on Proposal 11 Number Nine was -- I actually struck the first portion 12 of the pros, "assure that the County of Maui has the 13 mechanism to fund." And I just started the sentence 14 with, "Supports the ability to protect the environment 15 and nurture and promote sustainability resources." 16 And on the -- and I struck the second one, 17 "Save money in the long-term by protecting Maui's 18 environment and natural resources," because that's not a 19 given. It hasn't been proven. And I don't think it 20 applies in all cases. Something may be good to do, but 21 very expensive. 22 On the con side, the comment that I had was it 23 expands the cost of government and the bureaucracy of 24 government and red tape in setting out a program to 25 accomplish that task. And that bureaucracy and red</p>	<p style="text-align: right;">Page 64</p> <p>1 CHAIR STONE: -- language. 2 COMMISSIONER OKAMOTO: So it was already in at 3 least one of -- 4 CHAIR STONE: The majority of it was in one of 5 them. 6 COMMISSIONER DE REGO: Fire. 7 CHAIR STONE: Fire, right. Thank you very 8 much. So, yes. So I believe that the pros are fairly 9 obvious, that it brings conformity and -- and the level 10 of review that you want to see, you know, amongst your 11 chiefs and directors, from the commissions. So I guess 12 it's this -- in this situation, it's that simple worded 13 explanation that's going to be very important. 14 COMMISSIONER DELEON: Yeah. 15 CHAIR STONE: So, go ahead, Susan. 16 COMMISSIONER MOIKEHA: I think what you said 17 earlier is really what needs to be said in the 18 explanation. And that these are commissions that have 19 the authority to hire and fire their directors. 20 CHAIR STONE: And chiefs. 21 COMMISSIONER MOIKEHA: And to create 22 consistency of the function and duties of these 23 commissions, we elected to make them all the same. I 24 mean, there's such a diverse opinion on whether a mayor 25 should have that power or whether a commission does.</p>

<p style="text-align: right;">Page 65</p> <p>1 And while that's not the question here, I think it needs 2 to be clear all we're doing is just making it 3 consistent, the functions and duties of these types of 4 commissions and boards. 5 CHAIR STONE: Thank you. Can anybody come up 6 with a con? Sorry, Frank. 7 COMMISSIONER DE REGO: Oh, I don't have a con. 8 CHAIR STONE: Go ahead, Frank. 9 COMMISSIONER DE REGO: I agree with what's 10 been said so far. I mean, the mechanics of getting the 11 consistency are what is difficult, I understand, because 12 there were some boards and commissions that had some 13 things plainly stated, whereas others, we still had, up 14 until the end, I think, questions about the Liquor 15 Commission, right, of whether or not, you know, the 16 Liquor Commissioner comes under special, you know, HRS 17 law and personnel services. So whether or not the 18 Commission even had a right to evaluate the commissioner 19 every year. I think that was something that was still 20 an open question until the end. 21 But the -- although the mechanics are 22 difficult, the -- the rationale is fairly simple, I 23 think. It's just to make these kinds of functions 24 consistent across the board. And as the committee does 25 -- seeks to find wording for that, I think it -- it</p>	<p style="text-align: right;">Page 67</p> <p>1 The one question that I have is that if there 2 is a specific HRS law about the Liquor, I don't know if 3 the language exempts that because if there is already a 4 specific provision, we should not be dealing in that. 5 But as to the rest, we should make a uniform provision 6 for all the commissioners except for what is governed 7 already by existing law. 8 CHAIR STONE: Thank you, Judge Baxa. Yes. 9 And we did check with Liquor about -- to make sure. 10 Remember, we clarified that we weren't stepping outside 11 of our bounds. And we found out that -- Ed had the 12 discussion, and we were not -- this is -- this works for 13 Liquor Commission as well. So we're safe on that end. 14 COMMISSIONER BAXA: Well, thank you, sir. 15 CHAIR STONE: Yeah. And if we're not, we have 16 a proposal to indemnify ourselves. 17 COMMISSIONER OKAMOTO: To the Liquor 18 Commission. 19 COMMISSIONER DELEON: Just to clarify -- just 20 to clarify, what Ed said was that the director had 21 return rights under HRS. And he's been the director for 22 25 years. He's probably not going to return back to 23 civil service at this point. So -- so it's not really 24 relevant. It's not to the point that we're addressing 25 here. So I just vaguely remembered some sort of civil</p>
<p style="text-align: right;">Page 66</p> <p>1 shouldn't be that difficult to -- to make that clear. 2 CHAIR STONE: Okay. Very good. Dave, go 3 ahead. 4 COMMISSIONER DELEON: To take the devil's 5 advocate position for the negative, the question would 6 be is this really necessary. I mean, we're going 7 through this contortion to bring these four commissions 8 into alignment. Is that necessary? I mean, given all 9 the quirks in our Charter, there's a lot of places where 10 we need to do fixes. Seems odd that we're fixing this 11 one particular set without any -- any real cause. 12 CHAIR STONE: Thanks, Dave. I guess that 13 could be a con. I just worry that that con could be 14 effective for every single proposal we put forward. 15 COMMISSIONER DE REGO: Yeah. 16 CHAIR STONE: That's the only problem, we 17 would have to say is this necessary -- I mean, that's -- 18 that's the primary question to the voter is this 19 necessary. But it's a good con if you don't have a con. 20 COMMISSIONER DELEON: If you need one. 21 CHAIR STONE: If you need con, it's a great 22 con. 23 Go ahead, Judge Baxa. 24 COMMISSIONER BAXA: I think that it is still 25 necessary to have these in the Charter, in a Charter.</p>	<p style="text-align: right;">Page 68</p> <p>1 service issue related to that particular director, and 2 -- and that's what drove that whole controversy, but 3 we're not outside the bounds of the HRS. 4 CHAIR STONE: Thanks, Dave. 5 Go ahead, Frank. 6 COMMISSIONER DE REGO: Yeah, part of this 7 discussion concerns me because I am hoping we're not 8 going to create cons for the sake of creating cons or 9 try to come up with, you know, alternative language for 10 the sake of creating alternative language. So I, 11 actually, put a caution out there if -- if it doesn't 12 seem right, if it's -- if it doesn't fit, if it becomes 13 sort of like the nuclear pill, right, that -- some of 14 these arguments, I mean, the question becomes why change 15 the Charter at all, right? So that would be just a 16 caution I would put out there. 17 CHAIR STONE: Thank you, Frank. 18 Again, also, I'll remind our Charter 19 Commission that we voted not unanimously on many of 20 these, but we did have a majority vote to push these 21 proposals forward and that's what's going through. So 22 although we may have disagreed or agreed, I think that 23 we do have to support our proposals as a group. 24 Go ahead, Wayne. 25 VICE-CHAIR HEDANI: Taking the opposing</p>

Page 69	Page 71
<p>1 position --</p> <p>2 (Laughter.)</p> <p>3 CHAIR STONE: Of course. Pessimistic Hedani.</p> <p>4 VICE-CHAIR HEDANI: Because the departments --</p> <p>5 because the departments that we're looking at are so</p> <p>6 different in their function, you know, Personnel</p> <p>7 Services versus the Police Department versus Liquor</p> <p>8 Control versus the Fire Department, to get a</p> <p>9 one-size-fits-all for all of the above, I think, you</p> <p>10 know, to some degree, is concerning to some degree</p> <p>11 because it -- unless we check each individual department</p> <p>12 and ensure that the scope of each particular</p> <p>13 commission's responsibilities is identical to the one</p> <p>14 that's next to it, we may be expanding the scope of the</p> <p>15 Commission's responsibility.</p> <p>16 I've only served on the Police Commission and</p> <p>17 the Planning Commission prior to this Commission. But</p> <p>18 in the case of the Police Commission, because it's a</p> <p>19 professional department, civilian oversight over the</p> <p>20 department doesn't necessarily cross over into the</p> <p>21 technical aspects of being a policeman or understanding</p> <p>22 the law. And some of the things, receive, review and</p> <p>23 investigate charges is what they do, review the</p> <p>24 operation of the Department of the Police in this</p> <p>25 particular case and make recommendations for changes. I</p>	<p>1 -- we've been told he's evaluated monthly, you know. So</p> <p>2 great. Why don't we just establish a floor where the</p> <p>3 Commission evaluates him annually so it's not at the</p> <p>4 discretion of the Commission?</p> <p>5 So, I mean, without getting into a debate</p> <p>6 about this, I think a lot of these, you know, they're</p> <p>7 already in there, they're really not changing, from my</p> <p>8 vantage point, the -- the direction or the -- the -- the</p> <p>9 substance of the commissions, of what they do. Most of</p> <p>10 that stuff was already in there in the Police</p> <p>11 Commission's respect.</p> <p>12 Again, coming back to my point, this is how I</p> <p>13 am going to end it, you know, we shouldn't be doing</p> <p>14 gymnastics over trying to find cons for certain things.</p> <p>15 So --</p> <p>16 CHAIR STONE: Thank you, Frank.</p> <p>17 Go ahead, Stacy.</p> <p>18 COMMISSIONER CRIVELLO: I just wanted to, I</p> <p>19 guess, be in support of what we're saying here to make</p> <p>20 it all consistent on behalf of the Commission. It's</p> <p>21 part of their responsibility to come up with the</p> <p>22 performance appraisal, if you want to call it, for the</p> <p>23 Chief or -- or the Director. So I think the consistency</p> <p>24 for us to have this, and have them submit it to the</p> <p>25 Mayor, and the Council, I think is -- is a value because</p>
Page 70	Page 72
<p>1 don't know that they are necessarily capable of making</p> <p>2 informed recommendations in that respect. I think their</p> <p>3 primary function was just to serve as a neutral civilian</p> <p>4 oversight body that says yea or nay when a judgmental</p> <p>5 question comes to them as to whether or not the police</p> <p>6 have overstepped their bounds or exceeded their</p> <p>7 authority. So to some degree, you know, are we</p> <p>8 expanding -- are we expanding the scope of the</p> <p>9 Commission's duties.</p> <p>10 CHAIR STONE: Thank you, Wayne.</p> <p>11 And just -- just reviewing that added</p> <p>12 language, Police Commission, the only language I see</p> <p>13 being added is, "Annually review and evaluate the</p> <p>14 performance of the Chief of Police and submit a report</p> <p>15 to the Mayor and the Council." So I don't see that -- I</p> <p>16 mean, as a taxpayer, pretty happy about that. But would</p> <p>17 that -- I mean, we shouldn't be getting back and</p> <p>18 debating the proposals, but, okay, good con. Thank you.</p> <p>19 Frank, go ahead.</p> <p>20 COMMISSIONER DE REGO: Yeah. Looking at each</p> <p>21 of these, they're actually, from my vantage point,</p> <p>22 sufficiently benign enough. I mean -- I mean, if we</p> <p>23 look at what Wayne just said, actually, most of the</p> <p>24 stuff was already in there. We're just saying establish</p> <p>25 the floor that the Police Chief should be evaluated and</p>	<p>1 if it's not done, who evaluates to keep the chief or --</p> <p>2 or the director? It's the commissioners. So I can</p> <p>3 appreciate us having this all consistent since that's</p> <p>4 their responsibility.</p> <p>5 CHAIR STONE: Thank you, Stacy.</p> <p>6 COMMISSIONER BAXA: Mr. Chair?</p> <p>7 CHAIR STONE: Please, Judge Baxa.</p> <p>8 COMMISSIONER BAXA: Sir, I also agree that the</p> <p>9 way how we ended up is very good. It may -- I want</p> <p>10 uniformity of what is to be required of the different</p> <p>11 departments. There may be some variations in the job,</p> <p>12 but as far as the overall oversight of the commission is</p> <p>13 concerned, I think it should be done almost the same</p> <p>14 way. It may be that we maybe -- I don't know. I don't</p> <p>15 want to use overstepping, but it -- if they're already</p> <p>16 doing something and (inaudible) already, we're just</p> <p>17 giving them the floor from which to start.</p> <p>18 And as an analogy, under the Federal --</p> <p>19 because I am not a constitutionalist as Sherry is, but,</p> <p>20 under the Federal Constitution, there are certain</p> <p>21 guidelines, but I also know that, under the State</p> <p>22 Constitution, the State Constitution can broaden the</p> <p>23 rights given by the Federal Government. And if we can</p> <p>24 broaden it so much so it is for the good of the</p> <p>25 (inaudible). And that is my comment on this one. I</p>

Page 73

1 would like to maintain it the way it is, the language.
 2 Thank you.
 3 CHAIR STONE: Thank you, Judge Baxa.
 4 Susan, go ahead.
 5 COMMISSIONER MOIKEHA: Another positive I see,
 6 though, this may be viewed as a housekeeping
 7 consistency, is that it does include the Mayor, you
 8 know, and -- and making sure that he receives an annual
 9 review and evaluation. And maybe it solidifies that
 10 relationship even more. Even though he's not directly
 11 responsible for hiring and firing, it creates a unity of
 12 working together with the Administration. So --
 13 And like Frank said, these are so -- these --
 14 all of these have basis already in the current functions
 15 or description of their duties. It's not like we are
 16 far reaching out there for creating things that have no
 17 basis. So I think that's just another positive to be
 18 reinforced.
 19 CHAIR STONE: Thank you, Susan.
 20 Further discussion on Proposal Ten? Kay, go
 21 ahead.
 22 COMMISSIONER OKAMOTO: This is a question, not
 23 a -- but this came -- started -- the first one here is
 24 the Fire. And I missed one meeting. And did we do --
 25 nothing else we did as far as the Fire except for this?

Page 74

1 CHAIR STONE: Yes.
 2 COMMISSIONER OKAMOTO: Okay. That's all.
 3 CHAIR STONE: Okay. Thank you. No further
 4 discussion on Proposal Ten?
 5 (No Response.)
 6 CHAIR STONE: Okay. Chair just wants to note,
 7 also, in our -- in our -- when we were looking at this,
 8 we also looked at the Honolulu Charter. And they had
 9 consistency throughout in similar departments, which
 10 kind of gave us direction on going for the consistency.
 11 Okay, moving forward. Proposal Eleven,
 12 Preamble, pros and cons.
 13 COMMISSIONER CRIVELLO: There's only pros.
 14 CHAIR STONE: Thank you. Wait, let me check
 15 with Commissioner Hedani.
 16 (Laughter.)
 17 CHAIR STONE: How come there's no con, man?
 18 COMMISSIONER DE REGO: He has. He's ready.
 19 COMMISSIONER HASHIMOTO: Was he scratching
 20 your leg or what?
 21 COMMISSIONER DELEON: New language.
 22 CHAIR STONE: Go ahead, please, Commissioner
 23 Hedani.
 24 VICE-CHAIR HEDANI: I'm sorry. Are we on
 25 Number Eleven?

Page 75

1 CHAIR STONE: Yeah, we're on Number Eleven.
 2 VICE-CHAIR HEDANI: The only comment that I
 3 had on this one was -- you know, I was quite proud of
 4 what the Commission did from the perspective of when you
 5 think about it, after all of the trials and tribulations
 6 that this Commission went through, all of the gyrations
 7 that we went through with 100-some-odd proposals, this
 8 is one where I think it actually is something, from my
 9 perspective, of significance where it's never been done
 10 before. The con is it's never been done before. When
 11 you're pioneering, when you're out there, you know,
 12 you're like the nail sticking up that's asking to be
 13 beat down, you know. That is a con.
 14 But I think it's significant from the
 15 standpoint of identifying something that we feel is
 16 important and giving it the importance where -- where we
 17 feel it's deserved. And I was quite happy that it was
 18 done so skillfully.
 19 CHAIR STONE: Thank you, Wayne.
 20 With that said, I want to point out to the
 21 special committee that in reviewing -- in giving -- in
 22 giving us the recommendations for -- it's not pros and
 23 cons we're talking about. We're talking about something
 24 else -- explanation -- thank you -- because it's called
 25 the explanation committee.

Page 76

1 COMMISSIONER DE REGO: Special.
 2 CHAIR STONE: I don't know if it's absolutely
 3 necessary to have a con with each one. If the con -- if
 4 we have to make up a con that's not -- doesn't -- you
 5 know, just to have a con, I don't think it's absolutely
 6 necessary. But let's bring that language back and we
 7 can discuss it when the language comes back. Okay. Any
 8 further discussion on Proposal Eleven? Please. Oh, go
 9 ahead, Susan. I'm sorry.
 10 COMMISSIONER MOIKEHA: I think, during
 11 discussion, it was brought up, why is only the Hawaiian
 12 history and heritage and culture being looked at and
 13 stated in this. And so while that could be something
 14 that other cultures may look at or other individuals may
 15 look at, I think what needs to be -- that we need to
 16 address here is that there was a beginning. And it
 17 began with the Hawaiian history and heritage and
 18 culture. And from that came the uniqueness of our
 19 four-island County. And what brings all people together
 20 is the decree of our Hawaiian state motto.
 21 So I think you do have to look at how are
 22 people going to view, why not my culture, but we're
 23 talking about where we all began. And these islands
 24 began with the Hawaiian people. And from that, it has
 25 grown and is identified to incorporate everyone that

<p style="text-align: right;">Page 77</p> <p>1 comes in these islands, no matter what their culture is, 2 through the State motto. 3 I really am impressed with what we did. And I 4 think it's good. 5 CHAIR STONE: Thank you, Susan. 6 Judge Baxa. 7 COMMISSIONER BAXA: Yeah, Mr. Chair. Yeah. 8 Although we cannot change the language now, because it 9 is too late, but I think, in the rationale, as pointed 10 out, it is very important to recognize that beyond 11 history, I would talk about roots and connection, you 12 know. People who came to Hawaii, who were not 13 originally Hawaiians, they had -- they began to have 14 that connection, not necessarily the roots, but I would 15 emphasize that in the -- in the rationale, we should 16 also talk about Hawaiian roots, you know. Because as 17 had been pointed out, the foundation of what is Hawaii 18 today is the Hawaii then, the Hawaii before. Yeah. 19 And I must add here that I do not know if some 20 of you attended that Poet Laureate who came here on 21 Maui, it was one of the most exciting poetry reading 22 that I had, Poet Laureate Merwin. He spoke about the 23 Hawaiian heritage, he spoke about the Hawaiian language, 24 how the Hawaiian language was lost in the meantime when 25 some people came to these islands. And he's not</p>	<p style="text-align: right;">Page 79</p> <p>1 so much strength to who we are. Whether it's the 2 Filipinos I grew up in the plantation or the Japanese, 3 we always embraces one another because it's a teaching 4 of our host culture. There is a lot of sharing and 5 caring. 6 And what this does is to remind us of who we 7 are, who we really are, no matter -- no matter what our 8 ethnicity. We're a special group of people that live -- 9 who live -- born and raised here, and who choose to live 10 here. And -- and what this reminds us, that, you know, 11 the life of the land is perpetuated in righteousness. 12 And the land -- the balance is the people and the land 13 because our ancestors valued their people. And -- and 14 the land and the people go together. And you can't 15 separate that, you know. 16 So that's just my appreciation. 17 CHAIR STONE: Thank you very much, Stacy. 18 Frank. 19 COMMISSIONER DE REGO: I don't think I have 20 anything to add to what's been said, but I think I want 21 to just commend Commissioner Hashimoto's persistence in 22 this. I remember when we first started touching the 23 Preamble, and everybody went, "No!" It was just like I 24 was kind of surprised, actually. But -- but I also want 25 to commend the flexibility of the Commission, that even</p>
<p style="text-align: right;">Page 78</p> <p>1 Hawaiian, but I think he's much more Hawaiian than most 2 of us. 3 (Laughter.) 4 COMMISSIONER BAXA: And that's why he started 5 to live in Haiku more than (inaudible). And his poetry 6 was, basically, about the significance of valuing our 7 roots in Hawaii and not any destruction overshadow us, 8 the modern culture, let us have it. 9 And I am very happy about the language we have 10 adopted here. And I know that in the -- in the 11 beginning, we said -- we -- we had some hesitancy to put 12 this Preamble, but I am very glad that, even for this 13 achievement alone, we have done so much for the Charter 14 Amendments. 15 Thank you, Mr. Chair. 16 CHAIR STONE: Thank you, Judge Baxa. 17 Stacy, please. 18 COMMISSIONER CRIVELLO: I think, too, that in 19 our explanation, if we can be mindful, as Judge shared, 20 on the roots, it's the host culture. We -- Hawaiian 21 have been the host culture, from the very beginning, 22 that embraced all of the cultures that have come to 23 Hawaii Nei. And from there, we have the beauty what we 24 have today of Hawaii. So I -- I truly appreciate that 25 we've come up with this Preamble. And I think it adds</p>	<p style="text-align: right;">Page 80</p> <p>1 toward that late date, that we were willing to be open 2 to listen, to -- to craft, to discuss, you know. So -- 3 but, yeah, this is -- this is a -- as Wayne says, this 4 is a very important step because it is unique in the -- 5 but we're a unique County. You know, we're a very 6 unique County. We're the only multi-island County in 7 the state. Think about that, you know. And -- and 8 because of that uniqueness, I think we should have a 9 unique introduction to who we are. 10 CHAIR STONE: Thank you, Frank. 11 Cliff, please. 12 COMMISSIONER HASHIMOTO: Yeah. In reading 13 that Preamble again today, at first, I was kind of -- I 14 felt put off at first because of what I had written 15 originally. And I've given this much thought ever since 16 this Preamble was written the way it is now in its 17 present form. And up until this morning, I still felt 18 put off by that. But then when I read it again this 19 morning, when I came in, I read it again -- because I 20 wanted to be able to say something about it at some 21 point -- I have to say that, you know, I am perfectly 22 fine the way it is now. And because it does really 23 fulfill what -- what I -- what I wanted -- what I 24 thought about. It does fulfill that. So -- so I am 25 glad that it's there and -- and the way it's written.</p>

<p style="text-align: right;">Page 81</p> <p>1 Thank you, everybody, for -- for supporting that. 2 CHAIR STONE: Thank you very much, Cliff. 3 Thank you. 4 Further discussion on Proposal Eleven? 5 (No Response.) 6 CHAIR STONE: Okay. Very good. Special 7 committee take it away. 8 Go ahead, Susan. 9 COMMISSIONER MOIKEHA: Dave had asked about 10 this during the break, so I just wanted to make sure it 11 was clear. He asked me, in relationship to Proposal 12 Six, what personal biases, whose personal biases. And I 13 wanted it to be clear that I was speaking of the Council 14 or the legislative body that makes the decision on 15 indemnification. 16 CHAIR STONE: Okay. 17 COMMISSIONER MOIKEHA: So if that was a 18 question in everybody's mind, that's who that was 19 referencing. And that certainly doesn't change, once 20 again, the process by which indemnification has to go. 21 But, again, it was relating to Council representatives. 22 CHAIR STONE: Thank you very much, Susan, for 23 the clarification. 24 Moving down to agenda Item IV-C, review, 25 discussion and action on possible recommendations to be</p>	<p style="text-align: right;">Page 83</p> <p>1 recommendations to the next commission on maybe the way 2 they operate and the way they set up? 3 CHAIR STONE: That is going to be -- that's 4 the one that I would like to send in myself because 5 could you imagine if you could gain a month or two more 6 time by having a bit of understanding of where you 7 should start. So items such as that. That's a good 8 one, Kay. Okay. Good. So at our next meeting, we'll 9 definitely be discussing those recommendations. 10 Lisa, just clarification. What is the date 11 that our Final Draft Report goes to County Clerk for 12 filing? I know we already received that, I just don't 13 have it in front of me. 14 MS. KAHUHU: I believe it's August 1st. 15 CHAIR STONE: August 1st. Okay. Very good. 16 So we do have time to work on those recommendations. 17 Was it -- what date did you have? 18 COMMISSIONER DELEON: I thought it was August 19 23rd. 20 CHAIR STONE: Dave has August 23rd. 21 MS. KAHUHU: No. County Clerk's deadline to 22 get ballot questions to the State Elections Office is 23 August 23rd. 24 COMMISSIONER DELEON: Okay. 25 CHAIR STONE: So Final Report is due August</p>
<p style="text-align: right;">Page 82</p> <p>1 included in the final 2011-2012 Maui County Charter 2 Commission Final Report. This item we had put out a 3 request to our Commissioners to send in recommendations 4 to Dave. 5 Lisa, we haven't received anything yet? 6 Recommendations in the final reporting, I 7 believe what we were discussing, is suggestions to the 8 -- Sherry, what -- what specifically were we 9 referencing, just so I don't misstate here? 10 MS. BRODER: Things that didn't rise to the 11 level of being a proposal, to change the Charter itself, 12 the governing document for the County of Maui. So 13 things that you learn during the course of all the 14 public testimony, that you thought the Council might 15 consider as an ordinance or having a study or something 16 like that. So anything outside of rising to the level 17 of the proposal. 18 CHAIR STONE: Thank you. 19 So what I would like to recommend for our 20 Commissioners is that if there is something, an item 21 that they feel should go in there as a recommendation in 22 our Final Report, please, please send it in via email to 23 Lisa. 24 Yes, go ahead, Kay. 25 COMMISSIONER OKAMOTO: Would that also be</p>	<p style="text-align: right;">Page 84</p> <p>1 1st. 2 MS. KAHUHU: Yes. 3 CHAIR STONE: Very good. So we do have time. 4 Good. 5 Moving on to New Business, discussion with 6 regard to publication of the amendments as mandated by 7 Section 14-3 of the Charter, and voter education 8 advertising. Yuki and Dave have been going really 9 hardcore on this, Yuki especially. 10 So, Yuki, why don't we open up the discussion 11 there? 12 And Lisa is going to be handing out some 13 information for us. Okay. Thank you. 14 Yuki, why don't you take us through this? 15 COMMISSIONER SUGIMURA: Okay. So the task is 16 -- the question is, how do we communicate or educate the 17 public or the voter on our different Charter proposals 18 for the ballot. And so where I started off is to look 19 at our calendar of important dates coming up, and just 20 to look at that, look at the law, and then look at 21 different methods that we could -- how to get the word 22 out on the different Charter questions. 23 So primary election voter registration 24 deadline is July 21st. Probably the important day we 25 just talked about is the Charter Commission Final Report</p>

Page 85	Page 87
<p>1 to County Clerk is August 1. Then we have primary 2 election, which our questions will not be on. August 3 23rd is County Clerk deadline to get ballot questions to 4 the State Office of Elections, which Dave was just 5 talking about. And then this is the date, the target 6 date in our minds, if we could keep this in mind for if 7 we want to educate the community, is September 22nd is 8 when the first absentee ballots gets mailed overseas. 9 And so before that date, if we think that we would like 10 to have -- this is for general election, if we would 11 like to have our questions understood, our ballot 12 questions understood that we should try to get 13 communication, which would maybe look something like 14 this, you know, with a brochure out to the -- to the -- 15 to the voters. Then after that, of course, is -- the 16 other thing is November 6th is general election day. So 17 that's our target date for when the actual election is 18 that we're concerned about, because that's general 19 election. 20 I took a look at what are we talking about in 21 terms of numbers. Registered voters in 2010, which was 22 the last election according to the Clerk's Office, there 23 were 85,000 registered voters of which 72,000 were 24 active. And right now, according to the County Clerk, 25 which the number will go up, go up, is that there's</p>	<p>1 voting starts and then there's the actual at the polls 2 election. So that's just a requirement, about 30 3 percent of the voters or more are absentee ballot. And 4 so -- so we need to be in front of that deadline. 5 CHAIR STONE: Quick question for that -- for 6 the special committee. We work really well, it seems, 7 with a cut-off date. What -- as far as mailing out, 8 say, pamphlets, what would be the optimum date to get 9 those pamphlets out considering we give it a week for 10 mailing? So what would be the best date, September 1st? 11 Before that? 12 COMMISSIONER SUGIMURA: I've heard discussion, 13 but I think it's like September 1st, something like 14 that. Or -- 15 COMMISSIONER DELEON: Yeah. 16 COMMISSIONER SUGIMURA: -- late August. But 17 -- 18 COMMISSIONER DELEON: I think coupled with 19 what Cliff was talking about, which was having something 20 at the polls that everybody shows up at the polls, or 21 shows up at the Clerk's Office, to be able to read as 22 they go into -- or before they go into the voting booth 23 so they have a clue what they are -- they can mark it up 24 and -- 25 CHAIR STONE: Okay. Good. Very good. Okay.</p>
Page 86	Page 88
<p>1 70,000 registered voters. The -- the legislative -- or 2 the -- the Clerk's Office said, of course, as we get 3 closer to elections and the registration deadline, those 4 numbers will go up. 5 The other date that we should be concerned 6 about, I guess, is for us to check as to the number of 7 registered voters, July 12th is the date of registering 8 to vote. 9 Then what are we going to do? According to 10 the law, we are required -- Dave, if you want to go 11 through that. 12 COMMISSIONER DELEON: Yeah. Well, the Charter 13 requires us to have at least one publication of the -- 14 of the proposal in a newspaper of general circulation. 15 So we call that The Maui News. And that's the minimum. 16 So if we meet the -- to meet the requirement of the 17 Charter, we have to have one -- one publication. And -- 18 and I think this September 22nd deadline is perfect 19 because we need to be before that. Because once the 20 ballots go out, that's when the voting starts. So we 21 need to be in front of that. 22 Basically, people think of, you know, like 23 November whatever as the election date. Well, we used 24 -- that used to be the case. Now, it's, you know, those 25 two basic election days, when the -- when absentee</p>	<p>1 So I like -- I like having that date September -- let's 2 say, right now, tentatively September 1st, we'll look 3 into it and see if there's a reason why we couldn't do 4 those mailings by September 1st. 5 And those mailings should probably be -- in 6 order for the greatest impact, I believe those mailings 7 should go out with at least one notification in the 8 paper hitting about the same time those mailings would 9 hit people's houses. So we'd say three to five business 10 days -- three business days after the mailings go out to 11 hit the newspapers. 12 COMMISSIONER SUGIMURA: That will work really 13 good. If you look at just a calendar, September 1st is 14 a Saturday, and Sunday, which is the most widely read 15 Maui News, is -- is September 2nd. So if we can target 16 for the questions or just the information like one page 17 Maui News. I like color because everything will stand 18 out more, but it's probably more expensive. But if we 19 can target, also. So by September 1, this gets mailed 20 out, then, September 2nd, The Maui News full page. And 21 then we have actually fulfilled the requirements of -- 22 of the law, but I think we should go further than that. 23 I think it's our responsibility to educate on this 24 complicated -- whatever way, you know, that people 25 communicate, you know, how complicated nowadays with</p>

Page 89	Page 91
<p>1 email and everything else, but as far as we can go. So</p> <p>2 --</p> <p>3 CHAIR STONE: Yuki, what is the Sunday before</p> <p>4 the general election?</p> <p>5 COMMISSIONER SUGIMURA: The Sunday before the</p> <p>6 general election is on the 4th of November.</p> <p>7 CHAIR STONE: That -- maybe it would be good</p> <p>8 to do a second run in The Maui News on the 4th.</p> <p>9 COMMISSIONER SUGIMURA: Right.</p> <p>10 COMMISSIONER DELEON: Well, Mr. Chair, if</p> <p>11 you're going to do a second run, then I would put it in</p> <p>12 the election tab. Because they actually have a Maui</p> <p>13 News election tab. And that would be probably the best</p> <p>14 place to be for -- you know, because that's where voters</p> <p>15 will go for general information.</p> <p>16 CHAIR STONE: Uh-huh.</p> <p>17 COMMISSIONER SUGIMURA: But we could probably</p> <p>18 maybe have a reference in there like we do a news</p> <p>19 release to say, you know, check the -- but Maui News</p> <p>20 hasn't determined when the voter election tabloid is</p> <p>21 coming out yet, so I am not sure the timetable.</p> <p>22 CHAIR STONE: Sorry. Go ahead, Stacy.</p> <p>23 COMMISSIONER CRIVELLO: I know we're meeting</p> <p>24 the minimum requirements, but we don't get The Maui News</p> <p>25 on Molokai until like a one week -- one week after, or</p>	<p>1 CHAIR STONE: That's fine. Good point. I</p> <p>2 know, on Lanai, you guys get The Maui News daily, right?</p> <p>3 COMMISSIONER OKAMOTO: We do get it. I don't</p> <p>4 know how many people read it. If you're going to put</p> <p>5 something, the Lanai, I don't know, Today, whatever it's</p> <p>6 called, is only once a month. But, you know, putting</p> <p>7 something in there, that is widely read by Lanai people.</p> <p>8 My concern is September 1st. If you're on a long</p> <p>9 weekend, I don't know if newspapers have as much impact</p> <p>10 over a long weekend. But I think maybe we should go</p> <p>11 with a --</p> <p>12 COMMISSIONER SUGIMURA: The week before?</p> <p>13 COMMISSIONER OKAMOTO: The week after or the</p> <p>14 week before. Just long weekends --</p> <p>15 CHAIR STONE: That's a long weekend.</p> <p>16 COMMISSIONER OKAMOTO: September 1st is,</p> <p>17 normally, Labor Day weekend.</p> <p>18 COMMISSIONER DELEON: Mr. Chair?</p> <p>19 CHAIR STONE: Yeah. Go ahead, Dave DeLeon.</p> <p>20 COMMISSIONER DELEON: In reality, September</p> <p>21 1st is way too early. It's just way too early. But if</p> <p>22 we have this deadline set by law, then we'll work out</p> <p>23 with that deadline set by law. We should be</p> <p>24 concentrating on the last two weeks. And -- and I am</p> <p>25 thinking -- finding a way to drive people to the</p>
Page 90	Page 92
<p>1 what-have-you. And then if we do, it's just a few. I</p> <p>2 don't know about Lanai, but we have our own hometown</p> <p>3 publication. I think likewise, with Lanai -- they</p> <p>4 don't?</p> <p>5 COMMISSIONER OKAMOTO: No. You don't want to</p> <p>6 get me started.</p> <p>7 (Laughter.)</p> <p>8 COMMISSIONER CRIVELLO: So whatever</p> <p>9 publication that would be, you know.</p> <p>10 CHAIR STONE: Of course. What's your guys'</p> <p>11 publication?</p> <p>12 COMMISSIONER CRIVELLO: We just have one.</p> <p>13 CHAIR STONE: What's the name?</p> <p>14 COMMISSIONER CRIVELLO: Molokai Dispatch.</p> <p>15 CHAIR STONE: Sorry. Sorry. One at a time,</p> <p>16 speaking one at a time.</p> <p>17 COMMISSIONER SUGIMURA: So Molokai Dispatch is</p> <p>18 a weekly --</p> <p>19 COMMISSIONER CRIVELLO: Yeah.</p> <p>20 COMMISSIONER SUGIMURA: Is that right? So</p> <p>21 probably you need to submit your one page or whatever by</p> <p>22 Wednesday, and it will be --</p> <p>23 COMMISSIONER CRIVELLO: I will inquire and get</p> <p>24 that information to you. Is that okay?</p> <p>25 COMMISSIONER SUGIMURA: Yeah.</p>	<p>1 website, put this stuff up on the website. And,</p> <p>2 clearly, on the website people can find it so they</p> <p>3 know -- if anybody is really, really interested, they</p> <p>4 know they can go there and get it rather than depend on</p> <p>5 paper publication. It's probably the most effective.</p> <p>6 But the other part is effective, I believe, is what</p> <p>7 Cliff was saying, was have something at the ballot that</p> <p>8 people can actually -- because that's when they are</p> <p>9 actually going to start thinking about it.</p> <p>10 COMMISSIONER HASHIMOTO: Make a big chart.</p> <p>11 COMMISSIONER DELEON: Right when they walk</p> <p>12 into the -- into the -- into the polling place is when</p> <p>13 they start thinking about it.</p> <p>14 COMMISSIONER SUGIMURA: So, basically, then --</p> <p>15 CHAIR STONE: Go ahead, Yuki.</p> <p>16 COMMISSIONER SUGIMURA: Can I finish?</p> <p>17 CHAIR STONE: Yeah. Yeah.</p> <p>18 COMMISSIONER SUGIMURA: So what -- just from</p> <p>19 listening to this discussion, then, with Molokai,</p> <p>20 Lanai's concerns, and the Labor Day weekend thought, so</p> <p>21 to just comply with what we want to do -- in doing this</p> <p>22 brochure, because we want people to know the brochure is</p> <p>23 coming. Do we just do like a small ad in The Maui News</p> <p>24 saying the brochure is coming and then go full blast</p> <p>25 later, and put in Molokai and Lanai, to be more</p>

Page 93	<p>1 effective and closer to general election?</p> <p>2 CHAIR STONE: Let's -- okay. Wait. Hang on</p> <p>3 one second. Let's -- before we move to that, let's talk</p> <p>4 about these deadline dates. I want to nail that down</p> <p>5 first. We have to start there. So, Dave, you were</p> <p>6 saying that you feel September 1st is too early?</p> <p>7 COMMISSIONER DELEON: Well, September 22nd is</p> <p>8 too early, I mean, to be really effective. That's what</p> <p>9 the law requires. So --</p> <p>10 CHAIR STONE: But that's for the news; not for</p> <p>11 the mail-outs.</p> <p>12 COMMISSIONER DELEON: Right.</p> <p>13 CHAIR STONE: See, the mail-outs can go out of</p> <p>14 whenever we like; however, absentee ballots are</p> <p>15 September 22nd.</p> <p>16 COMMISSIONER SUGIMURA: So we would like to be</p> <p>17 before that.</p> <p>18 CHAIR STONE: Shouldn't we try and target</p> <p>19 before the absentee ballots?</p> <p>20 COMMISSIONER SUGIMURA: For the brochure.</p> <p>21 CHAIR STONE: Can brochures be mailed out with</p> <p>22 the absentee ballots?</p> <p>23 COMMISSIONER DELEON: No.</p> <p>24 CHAIR STONE: Okay.</p> <p>25 COMMISSIONER DELEON: We'll have to ask the</p>
Page 94	<p>1 clerk that.</p> <p>2 CHAIR STONE: But probably not. Let's assume</p> <p>3 no, just to be safe. In that case, will these brochures</p> <p>4 going out even benefit people who are being mailed</p> <p>5 absentee ballots? Yes?</p> <p>6 COMMISSIONER SUGIMURA: I think so.</p> <p>7 CHAIR STONE: They would.</p> <p>8 COMMISSIONER SUGIMURA: I think we need to.</p> <p>9 COMMISSIONER DE REGO: I think you need to.</p> <p>10 CHAIR STONE: So they need to go out before</p> <p>11 that September 22nd period.</p> <p>12 COMMISSIONER DELEON: Well, I think what we</p> <p>13 need to get clarity on is, as I see it, on -- important</p> <p>14 criteria here is to overseas voters, overseas registered</p> <p>15 voters. This might be only going out to the people</p> <p>16 overseas and in the military as required by federal law.</p> <p>17 And that's the reason why the whole dates were pushed</p> <p>18 back and changed since the last election, this election,</p> <p>19 because the federal law changed to require that. This</p> <p>20 might not be to Maui residents who are living here.</p> <p>21 They might be going out later.</p> <p>22 COMMISSIONER SUGIMURA: It didn't --</p> <p>23 COMMISSIONER DELEON: Okay.</p> <p>24 CHAIR STONE: Yuki, do you have a response to</p> <p>25 that?</p>
Page 95	<p>1 COMMISSIONER SUGIMURA: Yeah. So I did ask</p> <p>2 that question. And what they said was they don't have a</p> <p>3 date yet when they would mail to Maui County.</p> <p>4 COMMISSIONER DELEON: It's gonna be a separate</p> <p>5 date?</p> <p>6 COMMISSIONER SUGIMURA: It's a separate date.</p> <p>7 This is a first --</p> <p>8 CHAIR STONE: Okay. So in order to -- to have</p> <p>9 a better impact, what is the Sunday before September</p> <p>10 22nd?</p> <p>11 COMMISSIONER SUGIMURA: Sunday before</p> <p>12 September 22nd is September 9th.</p> <p>13 CHAIR STONE: No.</p> <p>14 COMMISSIONER DELEON: 22nd?</p> <p>15 CHAIR STONE: The Sunday before September</p> <p>16 22nd?</p> <p>17 COMMISSIONER SUGIMURA: Oh, I'm sorry. 16th.</p> <p>18 Sorry.</p> <p>19 CHAIR STONE: September 16th. Okay. Sunday</p> <p>20 before, okay. I think that's probably our best target</p> <p>21 date for the newspaper, the first run of the newspaper.</p> <p>22 Then I look the second run of the newspaper coming</p> <p>23 November 4, just before the election.</p> <p>24 COMMISSIONER DELEON: The election --</p> <p>25 CHAIR STONE: The election --</p>
Page 96	<p>1 COMMISSIONER DELEON: Yeah.</p> <p>2 CHAIR STONE: So that takes care of our</p> <p>3 newspaper. So the question now is on the brochure.</p> <p>4 COMMISSIONER DELEON: Well, with the</p> <p>5 recognition we have to have special consideration for</p> <p>6 Lanai and Molokai.</p> <p>7 CHAIR STONE: Of course. Of course. Of</p> <p>8 course. That's already taken care of. That's going to</p> <p>9 be built in.</p> <p>10 Go ahead, Judge Baxa.</p> <p>11 COMMISSIONER BAXA: Yeah. Also, Lanai and</p> <p>12 Molokai already taken care of, yeah?</p> <p>13 CHAIR STONE: They're going to be, that will</p> <p>14 for sure --</p> <p>15 COMMISSIONER BAXA: Yeah. I would really</p> <p>16 strongly support that. But I was wondering maybe it is</p> <p>17 -- this is not something that we can do, but as far as</p> <p>18 the Filipino community's concerned, there is a Filipino</p> <p>19 newspaper that is being circulated freely throughout the</p> <p>20 county. I don't know if it goes to Molokai and Lanai,</p> <p>21 but it is known as the Filipino Server. It is widely</p> <p>22 put and read in all the Filipino stores. And they take</p> <p>23 it. I don't know how much you have to pay for the ad,</p> <p>24 but I am not sure whether you can consider that or not.</p> <p>25 That's just a suggestion, Mr. Chair.</p>

Page 97

1 CHAIR STONE: That's very good.
 2 COMMISSIONER BAXA: After this, I would like
 3 to ask to be excused. I have to go someplace.
 4 CHAIR STONE: Of course, Judge Baxa. Thank
 5 you for your input and you are excused.
 6 COMMISSIONER BAXA: Thank you, sir.
 7 CHAIR STONE: Very good. Any other -- any
 8 other publications that could be beneficial? Frank, go
 9 ahead.
 10 COMMISSIONER DE REGO: I say this at my
 11 trepidation. A lot of people go to Maui Now for their
 12 news on Maui, for online news. I know Maui News does
 13 have an online version as well. So, you know, I am
 14 guessing that whatever they publish, hopefully,
 15 paper-wise, would also find its way online in terms of
 16 an election tab. Maybe we might have a discussion with
 17 them in -- because we don't even know if there are going
 18 to be any State ballot initiatives as well at this
 19 point, do we? So we might not only have County issues
 20 to deal with, but we might also have state issues to
 21 deal with.
 22 But, you know, for people with websites, you
 23 know, like Maui now, I am trying to guess whatever else,
 24 you know, is out there, we might try to -- to use that
 25 advantage as well. Because I know I go there a lot for

Page 98

1 -- for news and stuff and Maui now, too.
 2 CHAIR STONE: Thank you, Frank. Good input.
 3 Go ahead, Yuki.
 4 COMMISSIONER SUGIMURA: So those things that
 5 get published like on Maui Now are, basically, news
 6 releases which hopefully -- I don't know in this regard,
 7 we have Dave DeLeon, he's so good at that. So a news
 8 release would be written about, you know, what we're
 9 doing with the Charter and then that would get posted on
 10 Maui Now. And then Maui Now can refer it to the County
 11 website or wherever the -- all the different ballot
 12 questions are going to be. So -- but there's like a
 13 whole nother effort that goes on.
 14 In marketing, there's the paid stuff, which
 15 we're talking about, the brochure we buy, the mailing
 16 which we're going to have to pay for, and then the ads
 17 that are going to hit The Maui News and, hopefully, the
 18 Lanai today and the Molokai Dispatch, those would be
 19 things we buy. And then, hopefully, that we can target
 20 specifically for certain date, but the news releases and
 21 things like that, which -- which may be Rod Antone, the
 22 Mayor's Office can help us with, because we're
 23 definitely part of that whole effort. He's very
 24 successful at it, that we have a huge reach, a huge
 25 reach.

Page 99

1 CHAIR STONE: Good point. So we'll coordinate
 2 our efforts.
 3 COMMISSIONER SUGIMURA: Yeah.
 4 CHAIR STONE: Probably try to get the -- you
 5 guys know marketing better than I do, so you keep the
 6 news releases kind of coming out at the same time the
 7 paid stuff so you could really blast it, or would you
 8 try to spread it out?
 9 COMMISSIONER DELEON: Later the better for the
 10 news releases.
 11 CHAIR STONE: Very good.
 12 COMMISSIONER DELEON: You know, there's also
 13 the weekly papers. Believe it or not people actually go
 14 to weekly papers for their news, so -- Lahaina, South
 15 Maui --
 16 CHAIR STONE: What we'll do is as our -- our
 17 special committee on -- on public outreach, we should
 18 come up with a list. And then, obviously, it's going to
 19 be budget constraints. So we will come up with the best
 20 possible list. There's certain things we should
 21 definitely do, like Molokai, Lanai figure that out. If
 22 we can do like Filipino newspaper, great. The more
 23 output -- the more community outreach we can do. And
 24 there must be others as well. So we'll come up with
 25 that.

Page 100

1 Go ahead, Wayne.
 2 VICE-CHAIR HEDANI: Just a question. You
 3 know, I think there's a lot of people that don't take
 4 The Maui News, that take the Advertiser. And so the
 5 question is whether or not you want to put something in
 6 the Advertiser that not just reaches the Maui residents,
 7 but goes to the people in the State.
 8 COMMISSIONER DELEON: Mr. Chair?
 9 CHAIR STONE: Yeah, we'll look at that. Go
 10 ahead.
 11 COMMISSIONER DELEON: That can be done with a
 12 press release rather than buying. What's required by
 13 the Charter is something in general circulation. And I
 14 think The Maui News is the best shot. You're not -- as
 15 far as local circulation. I agree that some people do
 16 get the Advertiser instead, but --
 17 CHAIR STONE: Okay. Very good.
 18 COMMISSIONER DELEON: You know, there's also a
 19 concern that Mr. De Rego points out, is there might be
 20 something else out there that could be actually stuff --
 21 there will be stuff the Council generates as well. Any
 22 confusion, we're not responsible for that, we won't be
 23 selling that, but -- but it's going to be out there and
 24 they're going to want to know about that as well. So --
 25 CHAIR STONE: Good.

Page 101

1 COMMISSIONER DELEON: That's probably going to
 2 be resolved today.
 3 CHAIR STONE: Okay. Thank you. So we have
 4 our -- we have our newspaper release dates, we will
 5 discuss press release dates and coordinate with the
 6 Mayor's Office on that, we'll see how many newspapers we
 7 can do and take them in order of importance. Or, let's
 8 say, paid publications in order of importance. Of
 9 course, we'll -- we'll do as much of a blitz as we can,
 10 you know, on Akaku and other, like radio stations and
 11 stuff.
 12 The question I have now is, what should be the
 13 target date for sending out the pamphlet?
 14 COMMISSIONER SUGIMURA: Well, if we're still
 15 trying to target getting the maximum amount of voters,
 16 if the absentee ballots are going to go out to the
 17 military on September 22nd, I still agree with the
 18 September 1st information. You think not?
 19 CHAIR STONE: Let's discuss that. Kay, go
 20 ahead.
 21 COMMISSIONER OKAMOTO: I would go closer to
 22 September 15th. They're out there before, maybe a week
 23 before you run your ads. So people may have them in
 24 hand. You run your ads, maybe keep them a little closer
 25 to -- to that.

Page 102

1 CHAIR STONE: Okay. So, Yuki, any thoughts on
 2 that?
 3 COMMISSIONER SUGIMURA: I was just thinking.
 4 COMMISSIONER DE REGO: Military.
 5 COMMISSIONER SUGIMURA: They're kind of far
 6 away.
 7 COMMISSIONER DE REGO: Afghanistan.
 8 CHAIR STONE: That's why. Let's target the
 9 mailing date, is what I want to do. So if we have a
 10 newspaper ad coming out on September 16th, which is the
 11 date that we're going to go for, let's say that you want
 12 it out there a few days before that newspaper comes out,
 13 so the pamphlets -- that's a Sunday. So say the
 14 pamphlets mailed out on the Monday of the week previous?
 15 You got a two to three-day delay before they reach
 16 people.
 17 COMMISSIONER SUGIMURA: So you're talking
 18 about the 10th?
 19 CHAIR STONE: That would be the 10th.
 20 COMMISSIONER SUGIMURA: Which is a Monday,
 21 okay.
 22 CHAIR STONE: So that could be a good target
 23 date. Then, that way, the pamphlets are in hand as our
 24 campaign comes out.
 25 COMMISSIONER DELEON: Mr. Chair?

Page 103

1 CHAIR STONE: Go ahead, Dave.
 2 COMMISSIONER DELEON: I think we do need to
 3 talk to the clerk and see whether he would include the
 4 pamphlets with the mail-outs.
 5 CHAIR STONE: Sure. We will definitely --
 6 Lisa, can we ask that question? Thank you.
 7 COMMISSIONER DELEON: He's going to have to
 8 see that it's a neutral publication. I mean, he's got
 9 to be comfortable with it. It can't be something that
 10 sells.
 11 CHAIR STONE: Yeah.
 12 COMMISSIONER DELEON: But it's something that
 13 just gives explanation, that saves everybody some money
 14 and time and effort, whether it fits in his envelope and
 15 he has the capacity to do it. We might aim the
 16 publication to be able to do that.
 17 CHAIR STONE: Okay. Very good.
 18 Also, if we can -- if that were the case, if
 19 those pamphlets could go out, September 10th in the --
 20 as absentee mail-out -- well, you know, let's not get
 21 ahead of ourselves. Let's set the target date. And
 22 then if we -- at least we have them done and ready to
 23 go. And then if we want to move back the vast majority
 24 of mail-out, we can do so, whereas we couldn't move
 25 forward if we're not there.

Page 104

1 Go ahead, Stacy.
 2 COMMISSIONER CRIVELLO: So we're talking about
 3 the mail-outs for the first week of September to reach
 4 -- is that the only mail-out we're going to be doing?
 5 COMMISSIONER SUGIMURA: I think just -- you
 6 want to change that to the 10th, right?
 7 CHAIR STONE: Yes, September 10th.
 8 COMMISSIONER CRIVELLO: Because the general --
 9 the absentee -- the absentee voters -- let's see. The
 10 walk-in voting absentee starts October 23rd, and the
 11 request for the mail-out absentee ballot, we start
 12 requesting it October 3rd. So I think if we go like in
 13 the middle of September, you'll be reaching those
 14 voters, also, which we do have a high absentee voting.
 15 CHAIR STONE: So would you say September 10th
 16 sounds sufficient?
 17 COMMISSIONER CRIVELLO: Did somebody say the
 18 16th?
 19 CHAIR STONE: 16th.
 20 COMMISSIONER SUGIMURA: That's The Maui News.
 21 COMMISSIONER CRIVELLO: Oh, okay.
 22 COMMISSIONER SUGIMURA: Maui News ad.
 23 CHAIR STONE: What we were hoping, Stacy,
 24 is -- to have a real strong impact is that people are
 25 holding those pamphlets while the impact is coming out

Page 105

1 in The Maui News, that could be doubling up. I think it
 2 would definitely encourage the discussion. But Dave's
 3 suggestion is that we may be preemptively sending out
 4 those pamphlets, because, as we get into the general,
 5 people might be -- already have forgotten.
 6 COMMISSIONER OKAMOTO: Yes.
 7 CHAIR STONE: Which is very much possible,
 8 too. So -- but let's -- how about we do this? At the
 9 moment, let's just say we're targeting that we can -- we
 10 have the ability to send these pamphlets out September
 11 10th, and then we will discuss further and everybody
 12 should think about this, when we should send them out.
 13 But as long as we have that cutoff deadline, we're able
 14 to do either. Okay?
 15 COMMISSIONER SUGIMURA: Can I ask Stacy --
 16 COMMISSIONER HASHIMOTO: Just one point,
 17 Chair.
 18 CHAIR STONE: Yes.
 19 COMMISSIONER HASHIMOTO: You know, one of the
 20 reasons for -- I believe, for putting out a pamphlet of
 21 some kind to -- to help the voter understand what's on
 22 the ballot as far as the Charter Amendments are
 23 concerned, you know, the advantage that the absentee
 24 ballot -- yeah, the portion that pulls the absentee
 25 ballot, the advantage he has is he has more time in

Page 106

1 which to make a decision. In other words, he can
 2 actually sit down and read his ballot where -- whereas
 3 those walking to the polls don't have that because they
 4 always feel pressured because it might be a line. So
 5 people hurry when -- when they're at the polls. But not
 6 as much so -- I take several days -- when I do absentee
 7 ballot, I -- I take several days to read over it because
 8 I have the time to do it. So I -- I like voting that
 9 way, I mean, for that reason. So -- and most of the
 10 information we're trying to get to them is -- should be
 11 on the ballot, right?
 12 CHAIR STONE: Yeah. And the question is when,
 13 timing. Timing.
 14 COMMISSIONER HASHIMOTO: Well, you know, the
 15 ballot -- that ballot is going to get to them early.
 16 It's going to get there -- that's why they give them 45
 17 days in which to give it back.
 18 CHAIR STONE: Okay.
 19 COMMISSIONER HASHIMOTO: That's primarily
 20 military.
 21 CHAIR STONE: Thank you, Cliff. Good input.
 22 Lisa, did you have something to say?
 23 MS. KAHUHU: I guess --
 24 CHAIR STONE: You had a question for Lisa?
 25 COMMISSIONER SUGIMURA: No, no.

Page 107

1 MS. KAHUHU: I guess, Chair, in the scheme of
 2 all this, and the dates in September and stuff, that's
 3 -- you know, I think those are great, but I just want to
 4 keep you aware that these funds need to be encumbered by
 5 June 30th. So invoices for services need to have go
 6 through by then.
 7 CHAIR STONE: Okay. That's good to know. I
 8 think that we can nail down the -- the pamphlet look,
 9 the pamphlet -- I think the pamphlet, for example, we
 10 can have nailed down because I don't believe we're going
 11 to be removing any proposals. So we'll know what the
 12 bulk of our proposals are. So we can probably eve do a
 13 draft layout and get bids going on that now. We need
 14 bids for procurement, is that true, three bids?
 15 MS. KAHUHU: Yes.
 16 CHAIR STONE: So that's going to be coming
 17 from -- now, Yuki, are we doing a full-service, a
 18 printer and mailer?
 19 COMMISSIONER SUGIMURA: I think what we're
 20 going to end up doing, just because if you look at
 21 services, we'll probably get a graphic designer because
 22 they're not necessarily part of a printing company. So
 23 that's probably something you want to split apart. So
 24 you want somebody to design the pieces, the ad in The
 25 Maui News, as well as the brochure. Then you want to

Page 108

1 get a bid for the printer as to how much that would be,
 2 in another segment. Another part would be, I think we
 3 would have to secure a company like Voter Contact and --
 4 what Voter Contact would be able to do is they would be
 5 able to take the clerks's numbers, which are, right now,
 6 70,000 registered voters and -- and break it down to
 7 households.
 8 The Clerk's Office said they don't give it to
 9 us by households. Last election, there were 35,000
 10 households. Yet, when I talk to the Clerk, they don't
 11 have households. So that's -- a body like that will --
 12 will take it down to the household number, which would
 13 save us in terms of number of brochures in the long run.
 14 CHAIR STONE: My only -- my only question is
 15 procurement. If we have three different entities
 16 working here, do we need to get three different bids
 17 from a designer, three different bids from a printer and
 18 three different bids from Voter Contact?
 19 COMMISSIONER SUGIMURA: And I think that if --
 20 what we don't want to do is go over the \$25,000 mark
 21 because, if we do, then we have to be like a contractor
 22 and get sealed bids and do this whole --
 23 CHAIR STONE: Then that's beneficial to have
 24 them split up into three.
 25 COMMISSIONER SUGIMURA: Yeah. So somehow to

Page 109	Page 111
<p>1 get us to where our end goal, but be within the --</p> <p>2 CHAIR STONE: Yuki, in looking at this,</p> <p>3 working backwards, we should probably have Voter</p> <p>4 Contact, a company like that, first so we know how many</p> <p>5 ballots -- or how many pamphlets we are sending out.</p> <p>6 COMMISSIONER SUGIMURA: We won't really know</p> <p>7 the number of voters until you get closer to the day</p> <p>8 that's going to be our cut-off date, because people are</p> <p>9 going to continue registering.</p> <p>10 CHAIR STONE: So the printer and the -- the</p> <p>11 printer will be bid per --</p> <p>12 COMMISSIONER SUGIMURA: Bid per, what we say.</p> <p>13 So I'm looking at three entities, I think. You need a</p> <p>14 design portion.</p> <p>15 CHAIR STONE: Yeah.</p> <p>16 COMMISSIONER SUGIMURA: Then you need the</p> <p>17 printing portion, and then the mailing portion.</p> <p>18 Anything else, Dave.</p> <p>19 COMMISSIONER DELEON: I am wondering whether</p> <p>20 there's anything -- if you can take the postage out of</p> <p>21 the mailing so that the -- you're not actually --</p> <p>22 there's only one service to provide the actual postage.</p> <p>23 COMMISSIONER SUGIMURA: Voter.</p> <p>24 COMMISSIONER DELEON: No. I mean, U.S. Mail.</p> <p>25 So, I mean, so that -- maybe that portion of the bid</p>	<p>1 printers and graphic designers and stuff.</p> <p>2 COMMISSIONER DE REGO: But I am thinking about</p> <p>3 the voter contact thing.</p> <p>4 MS. KAHUHU: That's a possibility. I don't</p> <p>5 know how many companies.</p> <p>6 COMMISSIONER DE REGO: Others in the State</p> <p>7 that will do that.</p> <p>8 COMMISSIONER SUGIMURA: The other option is</p> <p>9 you can do it yourself, you know, which --</p> <p>10 CHAIR STONE: Huh?</p> <p>11 COMMISSIONER DE REGO: Exactly.</p> <p>12 COMMISSIONER HASHIMOTO: Don't have to get</p> <p>13 fancy.</p> <p>14 CHAIR STONE: We want to save money and all,</p> <p>15 but, Yuki.</p> <p>16 COMMISSIONER DELEON: Really.</p> <p>17 COMMISSIONER DE REGO: Printers and the --</p> <p>18 COMMISSIONER HASHIMOTO: It's --</p> <p>19 CHAIR STONE: One at a time. One at a time.</p> <p>20 Frank, go ahead.</p> <p>21 COMMISSIONER DE REGO: Printers and the --</p> <p>22 COMMISSIONER SUGIMURA: Design.</p> <p>23 COMMISSIONER DE REGO: -- design, I can</p> <p>24 understand. But maybe for the voter contact, maybe we</p> <p>25 could investigate using sole source for that.</p>
Page 110	Page 112
<p>1 should not be included.</p> <p>2 COMMISSIONER SUGIMURA: I think what happens</p> <p>3 on that is -- and I got to still call them, but I think</p> <p>4 Voter Contact can take you through that whole realm</p> <p>5 where you give them the brochures and they can mail it</p> <p>6 out for you. I think that's their total service.</p> <p>7 COMMISSIONER DELEON: Okay.</p> <p>8 CHAIR STONE: So that --</p> <p>9 COMMISSIONER SUGIMURA: You got to give them</p> <p>10 the printed brochure. I have experience a long time</p> <p>11 ago, so --</p> <p>12 CHAIR STONE: We'll figure that one out. That</p> <p>13 means we -- wow. Our special committee has some work</p> <p>14 ahead. Okay. Good.</p> <p>15 Okay. The one item that's -- that's kind of</p> <p>16 left up in the air right now, which we need -- sorry,</p> <p>17 Frank. Go ahead.</p> <p>18 COMMISSIONER DE REGO: It's just a question</p> <p>19 about procurement. Isn't there a possibility, because</p> <p>20 there's only maybe one company or something that</p> <p>21 provides a service in the State of Hawaii, whatever,</p> <p>22 that you could do some sort of sole source operation?</p> <p>23 MS. KAHUHU: Yes. You can do sole source, but</p> <p>24 you have to justify why that company is the only one.</p> <p>25 But that is a possibility. And there's a lot of</p>	<p>1 CHAIR STONE: Very good. Presently, I like</p> <p>2 the look of the -- as a general look, I like the look of</p> <p>3 the pamphlet that we received from the last -- it's very</p> <p>4 -- it's powerful, it's simple, very easy to read. So</p> <p>5 anybody has any -- any input on that general look. But,</p> <p>6 of course, we're going to have a designer do it. So I</p> <p>7 don't want to get into a deep discussion about it until</p> <p>8 we have a draft in front of you guys. Okay?</p> <p>9 Okay. Any other -- any further discussion</p> <p>10 here on, basically, timeline is what we're really</p> <p>11 discussing?</p> <p>12 Okay. Frank, go ahead.</p> <p>13 COMMISSIONER DE REGO: So in terms of</p> <p>14 timeline, the Council returns their reaction to us when?</p> <p>15 MS. KAHUHU: June 1st. If Council does not</p> <p>16 respond to alternatives to Charter Commission by May</p> <p>17 2nd -- I'm sorry --</p> <p>18 CHAIR STONE: May 2nd.</p> <p>19 MS. KAHUHU: -- the Charter Commission submits</p> <p>20 Final Report with proposed amendments to the County</p> <p>21 Clerk.</p> <p>22 COMMISSIONER DE REGO: So then we have another</p> <p>23 meeting after May 2nd to discuss what the Council</p> <p>24 proposes to us. So we either make changes, or they just</p> <p>25 put alternatives on the ballot. Is that my</p>

Page 113	Page 115
<p>1 understanding is? Sherry?</p> <p>2 MS. BRODER: They -- they can put their</p> <p>3 alternatives on the ballot as long as they meet their</p> <p>4 own rules for proposing a Charter Amendment. So you can</p> <p>5 reject their alternative, anyways.</p> <p>6 COMMISSIONER DE REGO: Okay.</p> <p>7 MS. BRODER: You don't have to provide</p> <p>8 information about theirs.</p> <p>9 COMMISSIONER DE REGO: Which, actually, this</p> <p>10 brochure did.</p> <p>11 MS. BRODER: It did.</p> <p>12 COMMISSIONER DE REGO: From what I gather,</p> <p>13 they also put the Council's, only the Council's ones</p> <p>14 didn't have any rationales attached to them. They just</p> <p>15 had the bare provision put on -- put on the brochure.</p> <p>16 So --</p> <p>17 MS. BRODER: Okay. Well --</p> <p>18 COMMISSIONER OKAMOTO: There was an</p> <p>19 alternative.</p> <p>20 COMMISSIONER DE REGO: To the Water Board, I</p> <p>21 think it was.</p> <p>22 MS. BRODER: Who did this brochure? The</p> <p>23 Charter Review Commission did do the brochure. So maybe</p> <p>24 you do have to. I'll have to double-check.</p> <p>25 COMMISSIONER DE REGO: Yeah, I would</p>	<p>1 Council's on the Water Department.</p> <p>2 COMMISSIONER HASHIMOTO: Okay. Thank you.</p> <p>3 CHAIR STONE: Thank you.</p> <p>4 Kay, one second. Lisa, did you have something</p> <p>5 to say?</p> <p>6 MS. KAHUHU: No, Chair.</p> <p>7 CHAIR STONE: Okay. Thank you. Just raising</p> <p>8 your hand for fun of it?</p> <p>9 MS. KAHUHU: Did I raise my hand?</p> <p>10 CHAIR STONE: You're going -- is that how you</p> <p>11 yawn, one-handed?</p> <p>12 MS. KAHUHU: No.</p> <p>13 CHAIR STONE: Kay, go ahead.</p> <p>14 COMMISSIONER OKAMOTO: I think you were</p> <p>15 talking about Council proposals that may have been mid</p> <p>16 -- not during the same term that Charter. Where,</p> <p>17 sometimes, they will make a proposal that's not in a</p> <p>18 ten-year cycle and that those tended to pass at a much</p> <p>19 higher rate, maybe because there were fewer of them.</p> <p>20 COMMISSIONER SUGIMURA: Talking about Water.</p> <p>21 COMMISSIONER DELEON: I don't -- I really</p> <p>22 don't know about that, yeah.</p> <p>23 COMMISSIONER HASHIMOTO: Dave said that,</p> <p>24 right?</p> <p>25 CHAIR STONE: We're trying to corner Dave.</p>
Page 114	Page 116
<p>1 double-check on that.</p> <p>2 MS. BRODER: Yeah.</p> <p>3 CHAIR STONE: Good point, Frank.</p> <p>4 Cliff, go ahead.</p> <p>5 COMMISSIONER HASHIMOTO: Yeah, I would like to</p> <p>6 ask Dave a question, if it's --</p> <p>7 CHAIR STONE: Sure, one second. Dave. Dave.</p> <p>8 COMMISSIONER DELEON: Yes, sir.</p> <p>9 CHAIR STONE: Sorry, Cliff has a question for</p> <p>10 you.</p> <p>11 COMMISSIONER DELEON: I didn't do it.</p> <p>12 COMMISSIONER HASHIMOTO: Dave, somewhere along</p> <p>13 the way, I thought I heard you say once somewhere that</p> <p>14 the -- the -- a number of proposal -- proposed</p> <p>15 amendments were placed on the last ballot or on the</p> <p>16 ballot in the past. And all of the -- the proposals</p> <p>17 made by the Council were passed or something, and the</p> <p>18 ones that came up from the -- from the Commission did</p> <p>19 not or something like that. Didn't you say that one</p> <p>20 time? You made that statement once, I think.</p> <p>21 COMMISSIONER DELEON: In reference to the</p> <p>22 Water Department, the -- there was at least one Council</p> <p>23 proposal that succeeded that -- and the -- and it was</p> <p>24 either/or. So you either took the Council's or you took</p> <p>25 the Charter Commission's. And the public took the</p>	<p>1 "Yes, you did, Dave."</p> <p>2 Go ahead, Frank.</p> <p>3 COMMISSIONER DE REGO: I am not going to</p> <p>4 corner Dave. There was a general statement made early</p> <p>5 on in the process that those ballot initiatives that</p> <p>6 usually come in, in off years usually have a good chance</p> <p>7 of passing. Usually, because they're narrowly focused.</p> <p>8 COMMISSIONER DELEON: Oh, that's right, yeah.</p> <p>9 COMMISSIONER DE REGO: And the ones that come</p> <p>10 on the Charter are usually very broad and big changes.</p> <p>11 CHAIR STONE: Thank you, Frank. Thank you.</p> <p>12 Okay.</p> <p>13 COMMISSIONER DE REGO: I still have one more</p> <p>14 question in regards to a follow-up.</p> <p>15 CHAIR STONE: Sure. Go ahead, Frank.</p> <p>16 COMMISSIONER DE REGO: To what my line of</p> <p>17 questioning was in regards to this.</p> <p>18 CHAIR STONE: Sure.</p> <p>19 COMMISSIONER DE REGO: So my understanding is,</p> <p>20 because I am still on this whole idea that you're on in</p> <p>21 terms of calendar, so that would mean, by mid-May, we</p> <p>22 would have our final idea of what's going to be</p> <p>23 published, correct, for the newspaper or -- because we</p> <p>24 would have decided what our reaction to the Council is</p> <p>25 going to be and how we're going to rewrite our</p>

Page 117

1 proposals. Is that what -- is that what I am -- is that
 2 what we're looking at here? I am just asking the
 3 question.
 4 CHAIR STONE: So this is -- this is -- and
 5 this is moving us forward into our calendaring for our
 6 next regular meeting, which, presently, we have
 7 scheduled for April 23rd. But I don't know if we have
 8 any use of meeting before we're getting -- before we
 9 receive the Council response back. Because we have our
 10 special committees working on the items that, you know,
 11 are before us, which are the explanations and the -- and
 12 the publication stuff. So we'll talk about that. But
 13 the meeting that's very significant following May 2nd is
 14 May 7th.
 15 COMMISSIONER DE REGO: May 7th.
 16 CHAIR STONE: Okay. So May 7th is the meeting
 17 in which we have received back from Council the
 18 proposals and their recommendations. Understood, Frank?
 19 COMMISSIONER DE REGO: Okay. So --
 20 CHAIR STONE: So May 2nd is back, May 7th is
 21 our next very, very -- what I call our very vital
 22 meeting because we're going to review what Council has
 23 proposed upon our proposals.
 24 COMMISSIONER DE REGO: Right.
 25 CHAIR STONE: So if anybody has -- if anybody

Page 118

1 can think of a good reason to meet before that April
 2 23rd, can anybody think of a reason to meet before that?
 3 COMMISSIONER HASHIMOTO: I was hoping we were
 4 going to have a meeting on my birthday.
 5 (Laughter.)
 6 COMMISSIONER HASHIMOTO: Remember, this came
 7 up a long time ago.
 8 CHAIR STONE: Why don't we go to Hana and
 9 celebrate your birthday?
 10 COMMISSIONER HASHIMOTO: Little early on. She
 11 handed me a card and it said happy birthday --
 12 COMMISSIONER DE REGO: We need a public
 13 hearing --
 14 COMMISSIONER HASHIMOTO: -- on the 23rd. I
 15 said, wow, we're going to have a meeting on that day.
 16 CHAIR STONE: Well, Cliff, I would rather
 17 coming to Hana and have -- have the birthday party.
 18 COMMISSIONER HASHIMOTO: Okay. Come to --
 19 CHAIR STONE: That's awesome. Well, happy --
 20 happy birthday, early.
 21 Yeah, but I do -- because I recall I was going
 22 to cancel this meeting, and it was required, so it was
 23 because you guys put out the word. So can anybody see
 24 the need for an April 23rd meeting previous to the May
 25 7th meeting?

Page 119

1 (No Response.)
 2 CHAIR STONE: No. Okay. So, Lisa, I am going
 3 to go ahead and -- and call our next meeting for May
 4 7th. All right? It will be 10:00 a.m. here at the
 5 Planning Conference Room, Kalana Pakui Building.
 6 Before we sign off, I want to just say, is
 7 there any further discussion? Frank, go ahead.
 8 COMMISSIONER DE REGO: Yeah. Just getting
 9 back to this, because I want to kind of nail this down,
 10 so May 7th, we're assuming from 10 to 4, we're going to
 11 nail down all our responses to the Council? I mean, is
 12 that what we're --
 13 CHAIR STONE: Sorry, Frank. I have a
 14 clarification.
 15 COMMISSIONER DE REGO: Yeah.
 16 CHAIR STONE: Lisa, how -- are we meant to
 17 write a formal letter back to the Council or are we just
 18 meant to take their recommendations and do our thing?
 19 MS. KAHUHU: Chair, I just can go from the
 20 Charter Commission deadlines that was provided to you.
 21 And it says, again, that, upon receipt, if Council does
 22 respond with proposed alternatives to the Charter
 23 Commission by May 2nd, 2012, Charter Commission shall
 24 review, accept or reject the Council proposed
 25 alternative and report back to the Council any proposed

Page 120

1 alternatives rejected within 30 days.
 2 CHAIR STONE: So all we need to do is send a
 3 letter of rejection? That's it.
 4 COMMISSIONER DE REGO: Or acceptance.
 5 CHAIR STONE: Just kidding. Of course, I
 6 meant rejection or acceptance. But a list of rejection
 7 or -- or accept -- I don't think we have any time to go
 8 back and forth on -- on discussion of their why or -- so
 9 it's a simple list, basically, is what we're discussing.
 10 So it's not like we're breaking their proposals down to
 11 send back a list of, well, why not like this. We're not
 12 debating. Okay. Got it. Very good. I don't think
 13 that's going to be tough to do in one meeting, Frank.
 14 All right.
 15 Go ahead, Kay.
 16 COMMISSIONER OKAMOTO: Are you also then
 17 continuing with the meeting of May -- two weeks after
 18 that?
 19 CHAIR STONE: I think at that time, once we
 20 have -- because we -- and May 7th, what I would like to
 21 see is that we have our understanding of what our final
 22 proposals are. So the next meeting would be a very good
 23 time to discuss publication, like looking at our draft
 24 publications, looking at -- looking at our timeframe on
 25 our publications and our advertising, and, also, the

<p style="text-align: right;">Page 121</p> <p>1 time to look at recommendations, which I am hoping to 2 get from you guys. That's going to be a pretty long 3 discussion in recommendation. 4 COMMISSIONER OKAMOTO: So if we cancel the -- 5 the next April one, we can still do two, though, in May? 6 CHAIR STONE: Yes. Yes. See, what I am 7 saying is we're not going to be so busy until we get 8 that stuff back from Council. And we don't have -- we 9 don't have the draft pamphlets and that kind of stuff 10 until we're done on May 7th making sure that we're good 11 with what we're going with. Right? So we'll have a 12 draft pamphlet by then, but I probably don't want to 13 bring that up at May 7th. I would like to bring that up 14 at the next -- 15 COMMISSIONER OKAMOTO: Okay. 16 CHAIR STONE: Awesome. Frank, go ahead. 17 COMMISSIONER DE REGO: Just another question. 18 So, therefore, there's nothing, I think, preventing the 19 -- I want to thank them, by the way, for doing this 20 great job, our -- our Public Relations Committee. 21 There's nothing preventing them from going out and 22 getting bids now for designer or a -- 23 CHAIR STONE: Absolutely not. 24 COMMISSIONER DE REGO: Okay. 25 CHAIR STONE: I think in fact --</p>	<p style="text-align: right;">Page 123</p> <p>1 CHAIR STONE: Okay. Good. That would be 2 helpful. Good. And then Maui News, obviously, we'll 3 get -- 4 COMMISSIONER SUGIMURA: I think other 5 suggestions for Maui, Lahaina news and the Filipino 6 publication. 7 CHAIR STONE: Okay. 8 COMMISSIONER SUGIMURA: Maui News. Okay. 9 CHAIR STONE: Very good, any further -- go 10 ahead, Susan. 11 COMMISSIONER MOIKEHA: I think what also 12 complicates the procurement is not just the time factor, 13 but the fact that they -- these vendors, if it's an 14 amount over \$2,500, that they have to be able to produce 15 a Hawaii compliance, and that includes -- what that 16 means is are they compliant on their GET, you know, all 17 of that. So -- 18 CHAIR STONE: I think what we need to do is go 19 with bigger guys, the bigger companies definitely are 20 usually -- 21 COMMISSIONER MOIKEHA: You would hope so. 22 Don't be so sure. 23 CHAIR STONE: I mean, I don't think we should 24 just go to three in order to avoid this problem. I 25 think we should go to five, six printers, you know,</p>
<p style="text-align: right;">Page 122</p> <p>1 COMMISSIONER DE REGO: Printer? 2 CHAIR STONE: In fact, because we've seen the 3 disaster of procurement right before our eyes, and it's 4 fallen on Lisa's poor shoulders, because we couldn't 5 nail down a secretary in time. Right? So that special 6 committee, working on the public relations, is 7 definitely going to be starting that process. We 8 have -- we -- we should fit a pamphlet draft which we're 9 confident with that, you know, and start the bidding off 10 with that. Because we really need to get that going. 11 The designer, we can get -- everything we can get bid. 12 We should start the process soon as possible. 13 COMMISSIONER SUGIMURA: So what -- 14 CHAIR STONE: Go ahead. Go ahead, Yuki. 15 COMMISSIONER SUGIMURA: So what I'll do, then, 16 is also find out prices to advertise. If you could find 17 out for me on Molokai and Lanai and what the ad 18 deadlines are and the specs. Usually, they want it 19 camera ready. I really like color because if you don't 20 do color, you kind of blend this in with everything else 21 without costing -- also get prices for color and black 22 and white. 23 CHAIR STONE: Is that all right, Kay and 24 Stacy? 25 COMMISSIONER OKAMOTO: Yes.</p>	<p style="text-align: right;">Page 124</p> <p>1 five, six different -- if we have the possibility. That 2 way, if they can't fulfill, at least we have three left. 3 COMMISSIONER MOIKEHA: Well, the thing I am 4 saying, too, if she's going out for bids, you want to 5 know that you up front. So if they can produce them, 6 it's very easy for them just to print it out off and 7 hand it to you with a proposal. 8 CHAIR STONE: Thank you. 9 COMMISSIONER MOIKEHA: Then you don't have to 10 worry about it at the end of the day. 11 CHAIR STONE: Good point. Thank you. 12 MS. BRODER: It's very easy these days to show 13 proof of conformity. It's all electronic, it's all 14 online. So, you know, I think anybody small or large 15 can immediately provide whether or not they can comply. 16 CHAIR STONE: Good point, Sherry. I should 17 not have said big, you guys, especially in this economic 18 climate. 19 COMMISSIONER DE REGO: You're a small 20 businessman. 21 CHAIR STONE: There goes my chance for Mayor. 22 Shucks. Go ahead. 23 COMMISSIONER DELEON: A long time ago. 24 (Laughter.) 25 CHAIR STONE: Go ahead, Yuki. What am I going</p>

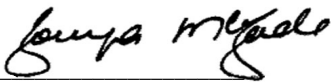
Page 125	Page 127
<p>1 to do with myself now?</p> <p>2 COMMISSIONER SUGIMURA: The question,</p> <p>3 because -- I guess I have to ask Lisa all the different</p> <p>4 requirements, but, because it's County funding, there</p> <p>5 must be -- or County money or public money, there must</p> <p>6 be some verbiage that has to be included in any kind of</p> <p>7 written request for a quote. And does this have to be</p> <p>8 -- do we have to put out something in the newspaper to</p> <p>9 say we're looking for quotes for and what it is?</p> <p>10 There's no requirement?</p> <p>11 MS. KAHUHU: From past experience doing</p> <p>12 different things, it was just a matter of actually</p> <p>13 picking companies randomly from a phone book or anything</p> <p>14 else.</p> <p>15 CHAIR STONE: Okay.</p> <p>16 MS. KAHUHU: No special verbiage for the scope</p> <p>17 is what we call it. And I would only suggest that as</p> <p>18 part of the scope, registering with Hawaii Compliance</p> <p>19 Express is required.</p> <p>20 CHAIR STONE: So, Yuki.</p> <p>21 MS. KAHUHU: At a minimum, one of the --</p> <p>22 CHAIR STONE: I authorize you to just send out</p> <p>23 those bid requests with Dave and I just reviewing.</p> <p>24 COMMISSIONER SUGIMURA: Okay.</p> <p>25 CHAIR STONE: Then we get that procurement</p>	<p>1 from Ed on what's happened at Council?</p> <p>2 CHAIR STONE: Why don't we do that off the</p> <p>3 record? All right.</p> <p>4 Okay. Without further discussion, I would</p> <p>5 like to adjourn this meeting.</p> <p>6 COMMISSIONER DE REGO: Can we do that?</p> <p>7 CHAIR STONE: At --</p> <p>8 COMMISSIONER DE REGO: Do it on the record.</p> <p>9 CHAIR STONE: You want Ed on the record?</p> <p>10 MS. BRODER: We have too many people here, so</p> <p>11 I would recommend that we stay on the record.</p> <p>12 COMMISSIONER DELEON: Okay.</p> <p>13 COMMISSIONER DE REGO: That's what I was going</p> <p>14 to say.</p> <p>15 CHAIR STONE: Very good. Sorry.</p> <p>16 COMMISSIONER DE REGO: Without everybody</p> <p>17 here --</p> <p>18 CHAIR STONE: I preemptively was about --</p> <p>19 COMMISSIONER DE REGO: Exactly.</p> <p>20 CHAIR STONE: Without objection, I would like</p> <p>21 to call Ed Kushi, Jr. to the witness stand.</p> <p>22 MR. KUSHI: What is the question again?</p> <p>23 CHAIR STONE: We just wanted a quick update as</p> <p>24 to the highlights of the Council discussion on our --</p> <p>25 are they bashing us or not?</p>
Page 126	Page 128
<p>1 going.</p> <p>2 Dave, you good with that?</p> <p>3 COMMISSIONER DELEON: Yeah.</p> <p>4 CHAIR STONE: Okay, good.</p> <p>5 COMMISSIONER DELEON: As long as Yuki's going</p> <p>6 to do the work.</p> <p>7 CHAIR STONE: She's already done all of the</p> <p>8 work.</p> <p>9 MS. KAHUHU: Chair, can I --</p> <p>10 CHAIR STONE: There goes Dave's chance for</p> <p>11 Mayor. Okay. Go ahead.</p> <p>12 COMMISSIONER DELEON: That was long gone, too.</p> <p>13 MS. KAHUHU: Yuki, if you need any assistance</p> <p>14 with drafting the scopes, I am happy to help. And then</p> <p>15 I also will take responsibility for sending them out and</p> <p>16 keeping track of the responses and so forth. So you</p> <p>17 guys don't have to worry about that.</p> <p>18 CHAIR STONE: Wow. I vote Lisa for Mayor.</p> <p>19 COMMISSIONER DE REGO: You already promoted</p> <p>20 her.</p> <p>21 COMMISSIONER HASHIMOTO: She's the power of</p> <p>22 the County.</p> <p>23 CHAIR STONE: Okay. Without further</p> <p>24 discussion -- oh, Susan.</p> <p>25 COMMISSIONER MOIKEHA: Can I get an update</p>	<p>1 MR. KUSHI: Not yet. They're in lunch break</p> <p>2 right now. They reconvene at 1:00. They had public</p> <p>3 testimony from various Commission Members, Fire, Police,</p> <p>4 and the Personnel Director, and the Liquor, about the</p> <p>5 evaluation, et cetera. They had questions of the Fire</p> <p>6 Commissioner, the Fire Chairman about the rescue</p> <p>7 operations. And he answered very gingerly. They will</p> <p>8 be going into your proposals right after lunch.</p> <p>9 COMMISSIONER DELEON: Good timing.</p> <p>10 MR. KUSHI: There was discussion about -- we</p> <p>11 had also discussed this at this body -- what does voting</p> <p>12 mean, yes versus no versus spoiled ballots. They had</p> <p>13 the County Clerk up there explaining the deadlines. And</p> <p>14 that's about it. They had some other issues with the</p> <p>15 nominations to Lanai Planning Commission, so they're</p> <p>16 going to get into it in the afternoon. They plan to go</p> <p>17 possibly until 5:00, 6:00 today.</p> <p>18 CHAIR STONE: Wow.</p> <p>19 MR. KUSHI: They are going to review all of</p> <p>20 your proposals, they have alternate proposals to your</p> <p>21 proposals, then they have their own proposals. So it's</p> <p>22 going to be a long day.</p> <p>23 CHAIR STONE: Okay.</p> <p>24 MR. KUSHI: If they can't finish by 5:00 or</p> <p>25 6:00 tonight, today, they have a meeting, public meeting</p>

1 tonight, they plan to reconvene Friday.
 2 CHAIR STONE: Very good. Thanks for the
 3 update, Ed. That was good play by play.
 4 Okay. Without objection, I will adjourn this
 5 meeting as of 12:50 p.m. Thank you, everybody, for
 6 being here. Aloha. Thank you Akaku, very much. Thank
 7 you, Tonya.
 8 (Meeting adjourned at 12:49 p.m.)

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CERTIFICATE

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4 I, TONYA MCDADE, Certified Court Reporter of
 5 the State of Hawaii, do hereby certify that the
 6 proceedings contained herein were taken by me in machine
 7 shorthand and thereafter was reduced to print by means
 8 of computer-aided transcription; and that the foregoing
 9 represents, to the best of my ability, a true and
 10 accurate transcript of the proceedings had in the
 11 foregoing matter.
 12 I further certify that I am not an attorney
 13 nor an employee of any of the parties hereto, nor in any
 14 way concerned with the cause.
 15 DATED this 4th day of May, 2012.

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 19 Tonya McDade
 20 Certified Shorthand Reporter #447
 21 Registered Professional Reporter
 22 Certified Realtime Reporter
 23 Certified Broadcast Reporter
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