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3 COUNTY OF MAUI, STATE OF HAWAII
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5 APPROVED 6/25/12
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8 CHARTER COMMISSION
9 REGULAR MEETING
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15 Held at the Planning Department Conference Room,
16 250 South High Street, Wailuku, Maui, Hawaii, commencing
17 at 10:04 a.m., on Monday, June 4, 2012.
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21 Reported by: Tonya McDade, CSR, CRR
22 Certified Shorthand Reporters Maui
23 Wells Street Professional Center
24 2145 Wells Street, Suite 302
25 Wailuku, Hawaii 96793
(808)244-3376
reporters@csrmaui.com

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1 ATTENDANCE
2 BOARD MEMBERS PRESENT:
3 Joshua A. Stone, Chair
4 Wayne N. Hedani, Vice-Chair
5 Artemio C. Baxa, Member
6 Stephanie S. Crivello, Member
7 David P. DeLeon, Member
8 Frank R. De Rego, Jr., Member
9 Clifford P. Hashimoto, Member
10 Susan A. Moikeha, Member
11 Yuki Lei Sugimura, Member
12
13 EXCUSED:
14 Linda Kay Okamoto, Member
15 STAFF PRESENT:
16 Edward S. Kushi, Jr., First Deputy Corporation Counsel
17 Lisa Kahuhu, Supervising Law Technician
18 ADMINISTRATION PRESENT:
19 Michael Molina, Executive Assistant to the Mayor
20 Bill Medeiros, Executive Assistant to the Mayor
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1 (Monday, June 4, 2012, 10:04 a.m.)
2 * * *
3 CHAIR STONE: I would like to say hello to
4 everybody and thank everybody for attending this meeting
5 of the Charter Commission. My name is Josh Stone. I am
6 the Chairman of the Commission. If you need, there are
7 copies of our agenda for today's meeting available with
8 Lisa Kahuhu, who is sitting over there. Thank you,
9 Lisa.
10 Before beginning public testimony, we have a
11 few items of business to address. Firstly, I would like
12 to call this meeting to order as of 10:00 a.m., and
13 recognize our Commissioners that are present or excused.
14 Lisa, do we have any excused Commissioners?
15 MS. KAHUHU: Chair, Kay Okamoto is excused.
16 CHAIR STONE: Okay. Thank you very much.
17 Other Commissioners haven't called in?
18 MS. KAHUHU: No.
19 CHAIR STONE: Okay. Very good. And -- one
20 second. Lisa, quick question -- oh, I was just going to
21 say, do we need Corporation Counsel. There he is,
22 sitting right there. So with Ed showing up -- thank you
23 very much, Ed -- I would like to present our staff. We
24 have Ed Kushi, Jr., Deputy Corporation Counsel. We have
25 Lisa Kahuhu, our Supervising Law Technician. Thank you,

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1 Lisa.
2 MS. KAHUHU: Mahalo.
3 CHAIR STONE: We have Bill Medeiros, our EA
4 from the Mayor's Office. Thank you for being here
5 today, Bill.
6 MR. MEDEIROS: Good morning, Chair.
7 CHAIR STONE: And, also, we have Tonya McDade,
8 our fearless court reporter. Thank you, Tonya.
9 And special thanks out to Akaku for being here
10 to film this today.
11 And last, but not least, our Commission
12 Analyst Sherry Broder. Thank you for being here,
13 Sherry.
14 I would like to take this time to approve the
15 minutes from our last meeting, which you guys received
16 in your packet.
17 VICE-CHAIR HEDANI: Move to approve.
18 CHAIR STONE: I've got a motion to approve by
19 Commissioner Hedani. Do I have a second?
20 COMMISSIONER DE REGO: Second.
21 CHAIR STONE: Motion has been seconded by
22 Frank. Thank you very much. Any discussion on the
23 minutes? Frank, do you have something?
24 COMMISSIONER DE REGO: No.
25 CHAIR STONE: Very good. All right. All in

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<p>1 favor of approving the minutes, please raise your hand 2 and say "aye." 3 (Response.) 4 CHAIR STONE: All opposed? 5 (No response.) 6 CHAIR STONE: Very good. Motion passes. 7 Very good. Let's see here. Lisa, has anybody 8 signed up for public testimony? 9 MS. KAHUHU: Chair, no one has signed up for 10 testimony. 11 CHAIR STONE: Okay. I'll put it out there. 12 If anybody would like to sign up for public testimony, 13 or come forward, please do so at this time. (Humming 14 tune from game show Jeopardy.) No. Okay. Thank you 15 very much. Chair will close public testimony at this 16 time. 17 COMMISSIONER DELEON: Change your name to 18 (inaudible). 19 CHAIR STONE: Thank you, Dave. Is that your 20 public testimony for the day, Dave? 21 COMMISSIONER DELEON: That's it. That's it. 22 I am pau. 23 CHAIR STONE: Without objection, the Chair 24 will accept and file all public communications for the 25 record.</p>	<p>1 ballot from this Commission is your proposal. 2 CHAIR STONE: Uh-huh. 3 MR. KUSHI: The Council still has an 4 opportunity on its own to create a Charter Amendment 5 Proposal. And if they proceed on the two issues, they 6 will send that directly up to the Clerk. And then the 7 situation will then happen, it is for the Clerk to 8 structure the ballot question so that the voters are 9 clear that there are alternatives. But, again, it's 10 nothing to prohibit the Council from doing it on its 11 own. What happened is just they're not submitting their 12 alternatives to this Commission. 13 CHAIR STONE: Very good. So as far as our 14 process is concerned, it's off of our books? 15 MR. KUSHI: Correct. 16 CHAIR STONE: So when we go to -- just to 17 clarify, because we're about to do our public education 18 of the -- of our proposals, what happens in the instance 19 that they do push through alternative proposals on their 20 own? Do we then have to include it in our media 21 packets? 22 MR. KUSHI: To my understanding, no, because 23 it didn't come from this Commission. 24 CHAIR STONE: Okay. 25 MR. KUSHI: If and when the Council does</p>
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<p>1 Now, moving on down our agenda. Looking at 2 Communication Items, you'll see we just got -- well, 3 first of all, you guys all have a copy of my letter -- 4 or our letter to Chair Mateo, which was what we had 5 worked on at our last meeting. And we had a response, 6 as you can see, in this Recalling Council's Alternative 7 Charter Amendments, dated May 25th, 2012. Any 8 discussion on that? 9 COMMISSIONER MOIKEHA: I'm sorry. Where is 10 that? 11 CHAIR STONE: It was in our -- 12 COMMISSIONER MOIKEHA: I didn't get my packet. 13 CHAIR STONE: Our mailed-out packet. But, 14 Susan, more significantly, we've received this today, 15 the June 1st letter, from Council Chair Mateo. And 16 within that June 1st letter, it's letting us know that 17 they've recalled -- they've recalled their proposals. 18 So they've recalled the Council's proposals or 19 alternatives, meaning that it will just be our Charter 20 proposals going forward. Ed, that's the case, correct? 21 MR. KUSHI: Mr. Chair, yes, no, and maybe. 22 CHAIR STONE: That's very clear, Ed. Thank 23 you. 24 MR. KUSHI: And let me explain. As far as 25 this Commission is concerned, what's going to be on the</p>	<p>1 propose a ballot question on the same subject, as far as 2 publication and the public education thereof, I am not 3 sure what happens, but it's not coming from this 4 Commission. 5 CHAIR STONE: Okay. Very good. Thank you. 6 Also, just a quick question. When do they 7 have to get -- if they were to do this on their own, 8 when would they have to get that to the County Clerk? 9 MR. KUSHI: I believe the Clerk's Office has a 10 timetable -- 11 CHAIR STONE: Got it. 12 MR. KUSHI: -- similar to ours because of the 13 State elections law. 14 CHAIR STONE: So time is short? 15 MR. KUSHI: Well, I believe it was July 16 23rd -- 17 CHAIR STONE: Right. Got it. 18 MR. KUSHI: -- or August, I am not sure. 19 CHAIR STONE: So feasibility isn't great that 20 there's going to be alternative proposals going forward? 21 MR. KUSHI: I can't be certain. 22 CHAIR STONE: Dave, do you have something to 23 say? Do you have something to add on that? Go ahead, 24 Judge Baxa. 25 COMMISSIONER DELEON: Judge Baxa.</p>

<p style="text-align: right;">Page 9</p> <p>1 COMMISSIONER BAXA: So, Mr. Chair, it is my 2 understanding, then, that the Council, by recalling of 3 the alternative proposal, that, in effect, saying we are 4 recalling our alternative proposal, but we may still 5 submit our own? Okay. 6 CHAIR STONE: And what we understood from Ed 7 is that if they submit their own, they are under a 8 similar deadline as we face to submit it to the County 9 Clerk in time for it to make it to the ballot, which is 10 soon. Okay. 11 COMMISSIONER DELEON: Month and-a-half. 12 CHAIR STONE: Dave, microphone. 13 COMMISSIONER DELEON: Chair, I believe it's a 14 month and-a-half. 15 CHAIR STONE: Right. Okay. 16 COMMISSIONER DELEON: That's plenty of time 17 for them to do that if they want to, considering they 18 already have an active proposal that they suggested. So 19 they're not working from scratch, not inventing it out 20 of whole cloth, they got material to work with. And 21 there's no reason why they couldn't physically do it. 22 It's just I believe there were three Council counters to 23 the last Charter initiative, and one of them succeeded, 24 and the Water, the Water Board item, it failed, if my 25 history serves. There's going to be confusion for the</p>	<p style="text-align: right;">Page 11</p> <p>1 we should just move ahead with our plans to educate the 2 public in regards to our proposals, and not have to 3 second guess what the Council is going to do. The 4 Council is going to do what it's going to do. And I 5 think we should just move ahead now, and we can have 6 discussion later on, hopefully, in the agenda as how 7 we're going to educate the public. 8 CHAIR STONE: Thank you, Frank. And that's 9 exactly what we are going to do. So is there any 10 further discussion on the communication items before we 11 move on? 12 COMMISSIONER DELEON: Well, on that thought -- 13 CHAIR STONE: Yes. 14 COMMISSIONER DELEON: -- I believe that, yeah, 15 we need to move ahead because we can't tell what the 16 Council's going to do, but, at the same thought, I 17 believe, if they do come up with proposals, 18 counterproposals, that are going to be on the ballot, 19 and we're going to be going out to educate the public, 20 then we need to be prepared about how to educate the 21 public about everything on the table and not just ours. 22 And I believe that's what the former Charter Commission 23 did in 2002, they -- they educated on every item and -- 24 and the Commission's proposal and the Council's counter, 25 as a service to the public, so it's not absolutely</p>
<p style="text-align: right;">Page 10</p> <p>1 voters because ours -- these are really nuances are 2 different, not really significant proposed changes. 3 One's like 12 years versus 14 years, the other one is -- 4 the other one is, you know, allow the Council to write 5 the rules and create the -- create the control over the 6 auditor versus a more independent auditor. 7 CHAIR STONE: Well, I mean, we can't second 8 guess whether they will push through or not, so as far 9 as our process goes, we're moving forward with our 10 proposals. 11 And it would seem to me that they would have 12 just simply -- if it was really that important, they 13 would have simply used this process. It's much easier 14 than having to do the other method. And it would have 15 gone on as confusing as it would go on if they do it 16 themselves. So I would hope that the intent is that 17 they're just going to move forward with our proposals, 18 hopefully. 19 COMMISSIONER DELEON: Yet to be seen. 20 CHAIR STONE: Okay. Okay. Thank you, Dave. 21 And you're quite soft-spoken today, Dave. Are you 22 feeling all right? 23 COMMISSIONER DELEON: Not too energized. 24 CHAIR STONE: Okay. Frank, you had something? 25 COMMISSIONER DE REGO: At this point, I think</p>	<p style="text-align: right;">Page 12</p> <p>1 confusing and turned around. 2 CHAIR STONE: Very good. I agree. You know, 3 if -- if -- let's just see what happens because we can't 4 second guess that. If that were to happen, of course, 5 we would do our best to educate between the differences. 6 Go ahead, Frank. 7 COMMISSIONER DE REGO: Let me ask -- point of 8 clarification for the Deputy -- I mean the Corporation 9 Counsel. In this process, from the last Charter 10 Commission, the alternative was put on the ballot 11 through the Charter Commission? In other words, they 12 voted on their proposals and then their alternative 13 proposals and then it was put on the ballot, or did they 14 do this separate process that they're proposing to do 15 now, or maybe, maybe proposing to do now. We don't 16 know. 17 MR. KUSHI: Mr. Chair, of course, I wasn't 18 here at that time, but I believe it was Council 19 alternative back to the Charter Commission, and they did 20 not recall it, so then the Charter Commission submitted 21 both questions. 22 CHAIR STONE: Thank you. 23 COMMISSIONER DE REGO: Why I asked that 24 question is we have certain deadlines in terms of having 25 to get things to graphic designers and printers. And,</p>

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<p>1 you know, depending on when they're going to -- if they</p> <p>2 do anything with this, there may not be time for us to</p> <p>3 get their materials into ours at this particular point.</p> <p>4 So I understand Commissioner DeLeon's concern, but we're</p> <p>5 working on a time schedule. And we shouldn't assume</p> <p>6 that -- you know, always looking over our shoulder with</p> <p>7 regards to what Council is doing at this point.</p> <p>8 CHAIR STONE: Okay. Thank you, Frank. Dave,</p> <p>9 you had something?</p> <p>10 COMMISSIONER DELEON: Yeah. You know, I think</p> <p>11 the whole education thing is a little bit premature. I</p> <p>12 think the question on this item is, does this Commission</p> <p>13 want to go to the next meeting of the Council and tell</p> <p>14 them why we're taking the position we're taking, and</p> <p>15 getting it clearly stated on the verbal record in the</p> <p>16 form of testimony? Because we were unrepresented the</p> <p>17 last time, except for, well, Susan's appearance. And I</p> <p>18 think it would be good to clearly state why we took the</p> <p>19 position we did, so that's on the record for the public</p> <p>20 to hear. Because when the Council handles it, they</p> <p>21 address it the way they want to address it, and it's not</p> <p>22 necessarily the same what we're saying. So my thought</p> <p>23 is, my question is, actually, does this Commission</p> <p>24 really want -- are we just going to let it go without</p> <p>25 comment, or are we going to go there and explain why</p>	<p>1 review and discussion on ballot questions. So that is</p> <p>2 looking at our ballot questions.</p> <p>3 COMMISSIONER MOIKEHA: Chair?</p> <p>4 CHAIR STONE: Yes, go ahead.</p> <p>5 COMMISSIONER MOIKEHA: Are we looking at a</p> <p>6 draft or something?</p> <p>7 CHAIR STONE: No, it's not a draft. It's our</p> <p>8 actual ballot questions. And I believe, correct me if I</p> <p>9 am wrong, the discussion here is looking at this towards</p> <p>10 a media perspective, as our educational perspective,</p> <p>11 yes?</p> <p>12 MS. KAHUHU: Yes.</p> <p>13 CHAIR STONE: So, for example, if you look at</p> <p>14 our sample from the last Commission's mail-out, if you</p> <p>15 go to their proposals, they add points of support, I</p> <p>16 guess you would call it, for each question. So what</p> <p>17 we're looking at here is the why is this an important</p> <p>18 proposal and what positive impact does it have to the</p> <p>19 voter.</p> <p>20 MR. KUSHI: Mr. Chair?</p> <p>21 CHAIR STONE: Yes, go ahead.</p> <p>22 MR. KUSHI: If I may clarify, to assist the</p> <p>23 Commission. Your initial ballot questions came out on</p> <p>24 your Final Report dated May -- March 30th, 2012, which</p> <p>25 was submitted to Council. And in that, you had various</p>
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<p>1 we're taking the position we're taking?</p> <p>2 CHAIR STONE: I think -- I think that's been</p> <p>3 resolved, actually. I mean, we're just following our</p> <p>4 process. And the process gave them the ability to</p> <p>5 either recall or not recall, and they recalled. So what</p> <p>6 they decide to do from here is out of our hands.</p> <p>7 COMMISSIONER DELEON: There's going to be a</p> <p>8 public process. There's going to be a -- you know, at</p> <p>9 some point, they're going to have a formal meeting which</p> <p>10 will allow for testimony.</p> <p>11 CHAIR STONE: If they decide to move forward</p> <p>12 on their proposals.</p> <p>13 COMMISSIONER DELEON: That will be decided in</p> <p>14 that public process, the same one where you can give</p> <p>15 testimony, which would back the decision, to see how</p> <p>16 they --</p> <p>17 CHAIR STONE: Sure.</p> <p>18 COMMISSIONER DELEON: -- could change the</p> <p>19 opinion of members of the -- of the panel making the</p> <p>20 decision.</p> <p>21 CHAIR STONE: There's a lot of ifs and could.</p> <p>22 Let's let it play out. We'll see how it plays. Thank</p> <p>23 you, Dave.</p> <p>24 COMMISSIONER DELEON: You're welcome.</p> <p>25 CHAIR STONE: The next item on the agenda is</p>	<p>1 proposals as well as the ballot questions.</p> <p>2 Now, moving forward, in your letter to Chair</p> <p>3 Mateo, dated May 25th, 2012, you again summarized the</p> <p>4 ballot -- I mean, the proposals as well as the ballot</p> <p>5 questions for each proposal. They, basically, are the</p> <p>6 same except for one, which I believe was --</p> <p>7 COMMISSIONER DELEON: The first one.</p> <p>8 MR. KUSHI: -- on the Council term limits.</p> <p>9 Instead of a three-part question, it was just one</p> <p>10 paragraph.</p> <p>11 CHAIR STONE: Right.</p> <p>12 MR. KUSHI: And, also, you took out the</p> <p>13 proposal about the indemnity. So I believe what you</p> <p>14 have right now is your May 25th, 2012 ballot questions.</p> <p>15 Now, moving forward, what you need to do is to</p> <p>16 come up with a revised Final Report which would,</p> <p>17 basically, summarize what you stated in the May 25th,</p> <p>18 2012 letter, and which will be addressed to the County</p> <p>19 Clerk. And that would satisfy your deadline pursuant to</p> <p>20 Chapter 50, HRS.</p> <p>21 CHAIR STONE: Very good. So, basically, the</p> <p>22 only revision is that one particular ballot question?</p> <p>23 MR. KUSHI: Two areas.</p> <p>24 CHAIR STONE: Two areas.</p> <p>25 MR. KUSHI: One on the ballot question on the</p>

<p style="text-align: right;">Page 17</p> <p>1 Council term limits, and deletion of the indemnity 2 proposal. 3 CHAIR STONE: Correct. So that's -- yes, go 4 ahead, Susan. 5 COMMISSIONER MOIKEHA: So, basically, if we 6 just gave them our letter of the 25th, that would 7 satisfy what the Clerk needs? 8 MR. KUSHI: Yeah. But, you know, I would 9 rather do like a Revised Final Report. 10 CHAIR STONE: So, basically, we're just going 11 to take action on the Revised Final Report -- 12 MR. KUSHI: Right. 13 CHAIR STONE: -- including those amendments? 14 MR. KUSHI: Right. 15 CHAIR STONE: Okay. So, Ed, in this 16 particular agenda item, that's what we're really 17 discussing, is ratifying that Revised Final Report? 18 MR. KUSHI: Right. And, you know, of course, 19 we don't have a draft for you -- to approve, but you can 20 just -- if the Commission would want to change anything 21 that's stated in the May 25th, 2012 letter, let us know. 22 Maybe at the next meeting, you can approve the Revised 23 Final Report. 24 CHAIR STONE: Huh-uh. Huh-uh, I don't agree 25 with that. I think we could -- yeah, I think we can</p>	<p style="text-align: right;">Page 19</p> <p>1 MR. KUSHI: You know, I tend to agree with 2 Commissioner De Rego. I think everybody knows what 3 we're trying to do, but so that we cross our "T"s and 4 dot our "I"s, I believe we should have a draft in front 5 of you in case -- you know, for Sunshine Law purposes. 6 So I know you don't want to meet anymore, but I think 7 you need to see something in a hard copy and put it on 8 the agenda so that the public could look at it. Again, 9 it's -- it will be, basically, a combination of these 10 two documents. 11 CHAIR STONE: Okay. Okay. Thank you, Ed. 12 Sherry, you had something? 13 MS. BRODER: I am not exactly sure what it is, 14 but I'll defer to Corporation Counsel. 15 CHAIR STONE: Okay. Go ahead, Wayne. 16 VICE-CHAIR HEDANI: Just a question for Ed. 17 Does that start the clock again? Does that start the 18 review clock again? 19 MR. KUSHI: Pardon me? 20 VICE-CHAIR HEDANI: Does that start the clock 21 again for the Council's review? 22 MR. KUSHI: No. No. That -- that has -- is 23 finished. 24 COMMISSIONER DELEON: Chair? 25 CHAIR STONE: Yes, go ahead, Dave.</p>
<p style="text-align: right;">Page 18</p> <p>1 approve with those revisions. 2 MS. BRODER: Because you're not -- what you're 3 suggesting is the exact same letter, basically, just 4 addressed to somebody else. So why come to a meeting to 5 approve something that you know exactly what it is? I 6 think you can certainly go ahead and approve it, Josh 7 can sign it, the Chair can sign it. 8 CHAIR STONE: Very good. Everybody understand 9 that? 10 COMMISSIONER DELEON: So move. 11 CHAIR STONE: Okay. We got a motion to -- 12 COMMISSIONER MOIKEHA: Second. 13 CHAIR STONE: We got a motion by Commissioner 14 DeLeon to approve the Revised Final Report with 15 amendments as discussed by amendments as reflected in 16 the May 25th, 2012 letter, and it has been seconded by 17 Susan. Any further discussion to approve the Revised 18 Final Report? Frank, you look confused. 19 COMMISSIONER DE REGO: No, I am not confused. 20 I am just wondering if we shouldn't take some care in 21 terms of what we're doing and exercise some caution in 22 terms of producing an actual draft of a Final Report. 23 And I understand what we're doing here. I am just -- I 24 am just cautious about the process. 25 CHAIR STONE: Ed, go ahead.</p>	<p style="text-align: right;">Page 20</p> <p>1 COMMISSIONER DELEON: Is this final -- this is 2 a Final Report to the Clerk? 3 MR. KUSHI: Correct. 4 COMMISSIONER DELEON: Is this where we would 5 make any kind of additional comments or additional 6 opinions about what went on, what still needs to be done 7 in the Charter that wasn't addressed? Minority reports 8 or second thoughts or additional thoughts? We had a lot 9 of discussion about that in this Commission. For 10 instance, we never even began to talk about the city 11 manager kind of approach to government because it's so 12 broad and deep, but there was some interest in it. And 13 the Mayor actually raised it himself. So this is where 14 we do that kind of additional cogitation? Couldn't help 15 it. 16 MR. KUSHI: Well, Mr. Chair, Members, you can 17 put in whatever you want. I just caution you not to do 18 any substantive changes. You went through the process, 19 Council looked at your proposals and reacted, they 20 submitted alternatives and recalled the same. I caution 21 you not to do anything more, you know, discuss any other 22 proposals, because -- anyway, I leave it at that. As 23 far as minority reports, as long as it's not a 24 conclusion or as far as affecting an adopted proposal. 25 CHAIR STONE: Very good. What would you</p>

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1 title, say, recommendations that are left for the next
 2 Charter Commission? Would that be completely separate?
 3 MR. KUSHI: Looking at the 2002 and '3 Final
 4 Revised Report, I believe they did have some commentary.
 5 But, again, it's just commentary.
 6 CHAIR STONE: Okay. Very good. So we can
 7 label it as such.
 8 MR. KUSHI: Correct.
 9 CHAIR STONE: And -- but that does need to be
 10 in that Revised Final Report that goes to the Clerk?
 11 MR. KUSHI: Correct.
 12 COMMISSIONER MOIKEHA: It does?
 13 CHAIR STONE: Yeah.
 14 MR. KUSHI: Well, what other document would
 15 you transmit to the Clerk?
 16 COMMISSIONER DELEON: That's what we're
 17 checking on.
 18 CHAIR STONE: True. Go ahead, Susan.
 19 COMMISSIONER MOIKEHA: So, basically, if I
 20 look at what we sent as a draft to Council, we can
 21 pretty much follow that format, anything additional,
 22 like what you just talked about, what we would give as
 23 advice would be in an appendix to follow as part of
 24 this? Or would it be in the actual body of this?
 25 Because I see background, organization, the meetings we

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1 met, how many meetings we held, all of that. Where
 2 would that fall? It was to be a part of this report.
 3 CHAIR STONE: That's a good question.
 4 MR. KUSHI: As far as what -- it's contained
 5 in your report already how many meetings you had.
 6 CHAIR STONE: What Susan is asking is say we
 7 wanted to leave recommendations for future Charter
 8 Commissions, how would that be labeled in the body of
 9 our report? As --
 10 MR. KUSHI: Future recommendations.
 11 CHAIR STONE: Okay.
 12 MR. KUSHI: I would suggest the main -- main
 13 idea is, in your Revised Final Report, what had happened
 14 from the date you submitted this.
 15 CHAIR STONE: Okay.
 16 MR. KUSHI: The process you went through, the
 17 Council process, they reacted back to you and then the
 18 recall.
 19 CHAIR STONE: Okay. Got it.
 20 COMMISSIONER MOIKEHA: Chair?
 21 CHAIR STONE: Yes. Go ahead, Susan.
 22 COMMISSIONER MOIKEHA: So if it's just more
 23 structure and process, I understand that, and then
 24 anything in addition would find someplace in here. One
 25 thing I would want to make clear, since we are taking it

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1 all the way up to the timeframe of submitting it again
 2 and then the recall response, when I looked at the May
 3 25th letter, it just cited the Section 50-9, which I
 4 think references our procedure and how we could not make
 5 any substantive changes. Is that correct? Is that what
 6 50-9 is referencing in the letter of May 25th to the
 7 Council?
 8 CHAIR STONE: Sherry? Ed?
 9 COMMISSIONER MOIKEHA: Or is it just the
 10 process of the alternative?
 11 MR. KUSHI: Section 50-9, HRS, references the
 12 procedure wherein the Council submitted their
 13 alternatives and recommendations to the Commission and
 14 the Commission responded back.
 15 COMMISSIONER MOIKEHA: Okay. That's what I
 16 thought. And, you know, we went through a lot of
 17 discussion, a lot of discussion, that one thing that the
 18 first draft didn't have was to let them know that we
 19 could not make any changes. And if 50-9 doesn't
 20 reference that, then there was a big error in this
 21 letter that was sent.
 22 I really don't care about that at this point
 23 since it's sort of moot, and they did do the recall, but
 24 nowhere in here did it mention that we had no control of
 25 an amendment to anything that we had put out. We could

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1 have easily incorporated a couple of their
 2 recommendations that could have eliminated at least one
 3 alternative that they put forth, and we couldn't even do
 4 that. And nowhere in here does that mention it.
 5 So if this final draft is going to occur, then
 6 I would want to say that in there, since it got left out
 7 of the letter. We had a lengthy discussion on that.
 8 And I was surprised to see nowhere in our letter did it
 9 mention that we could not make amendments or incorporate
 10 any alternatives or change anything substantially. We
 11 had to deal with what we originally sent.
 12 CHAIR STONE: Thank you, Susan. So what we're
 13 really -- we need to amend that motion?
 14 COMMISSIONER DELEON: I'm amenable to just
 15 withdraw the motion.
 16 COMMISSIONER MOIKEHA: I'll withdraw my
 17 second.
 18 COMMISSIONER DELEON: Thank you for reminding
 19 me.
 20 CHAIR STONE: Very good. And what we're
 21 trying to accomplish here is we're going to approve
 22 the -- don't laugh. It's early. We're going to approve
 23 the Revised Final Report revision -- or Revised Final
 24 Report to draft stage which we will review at our next
 25 meeting. So we're doing further revision -- once again,

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1 further revision -- we're trying to get to the final
 2 revised -- Revised Final Report draft, so that we can
 3 approve the final Final Revised Final Report. All
 4 right. Okay.
 5 So go ahead, Frank.
 6 COMMISSIONER DE REGO: Yeah. I know it seems
 7 like nitpicking at this point, but I think it's a very
 8 important process. The Final Report should reflect all
 9 the give and take that has gone on and the due diligence
 10 that the Council has done, the due diligence that the
 11 Commission has done in looking at these issues. What's
 12 in the letter should be incorporated in the Final
 13 Report. I thought one of the things that we all agreed
 14 on was that our original report of March 30th did not
 15 contain as much of the rationale, I thought, that we
 16 needed, in the beginning, to explain our position. I
 17 think having a Final Report that reflects not only the
 18 Charter Amendments as recommended and the changes that
 19 would happen to the Charter itself would also include
 20 what's in the letter to Chair Mateo as part of the
 21 rationale for the Final Report. I think it's very
 22 important for the public. I think it's important for
 23 the record. And I think it's important for the Sunshine
 24 Law.
 25 COMMISSIONER BAXA: Mr. Chair?

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1 CHAIR STONE: Go ahead. Thank you. Judge
 2 Baxa.
 3 COMMISSIONER BAXA: Mr. Chair, I think that is
 4 a very important point. The only question that I have
 5 is since, as we said, we were not in a position to
 6 change the proposals that we had made, and we were not
 7 able to articulate what other alternatives to put there,
 8 and so that means, then, that when the Council will --
 9 should they decide to make the ultimate decision, if
 10 they do so, to still make their own, then that will be a
 11 rationale for them to say that, oh, perhaps we are
 12 incorporating what they incorporated had they changed
 13 theirs.
 14 CHAIR STONE: Very good.
 15 COMMISSIONER BAXA: Yes. I am done.
 16 CHAIR STONE: Okay. Thank you. Susan,
 17 looking back on my notes from our last meeting, I see
 18 what you're referencing.
 19 COMMISSIONER MOIKEHA: Yes, Chair. The whole
 20 thing was left out, like the conversation didn't happen.
 21 CHAIR STONE: Very good.
 22 COMMISSIONER MOIKEHA: So if it's going to be
 23 a Final Report, then include that at least. In fact, I
 24 would reference that there was a legal opinion given.
 25 That's what we got.

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1 CHAIR STONE: Thank you.
 2 COMMISSIONER MOIKEHA: That's important. And
 3 it's very important for the next body that comes along
 4 10 years from now because that really threw us for a
 5 loop.
 6 CHAIR STONE: Very good. Thank you. What I
 7 would like to propose, then -- let's do this. If I can
 8 get somebody -- let's get started on -- on going to
 9 draft -- final draft of the Revised Final Report.
 10 COMMISSIONER DELEON: So moved.
 11 CHAIR STONE: Okay. What I would like to do,
 12 before you go to changing that language, if possible, to
 13 accept the changes in the May 25th, 2012 letter. So
 14 that would -- that would effectively accept the ballot
 15 question change for Ballot Question 1.
 16 And, Ed, what was the other change we made?
 17 MR. KUSHI: You eliminated the proposal about
 18 indemnification.
 19 CHAIR STONE: And eliminating that particular
 20 proposal. And then we'll go and modify or amend in the
 21 -- in the letter, because, also, there's -- if you think
 22 about it, if we have to put it all in now, we have to
 23 discuss, also, our possible recommendations for future
 24 Charter Commissions. So that's a pretty hefty one that
 25 we're going to have to need to discuss today. So I

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1 would like to start with that, if that's okay.
 2 COMMISSIONER DELEON: Well, Mr. Chair, I made
 3 a motion. There was no second, so -- you kept on
 4 talking through my motion, so that made it hard.
 5 CHAIR STONE: Okay. Go ahead.
 6 COMMISSIONER DELEON: I don't know if anybody
 7 wants to second the motion or not. If not, then I'll
 8 withdraw.
 9 COMMISSIONER MOIKEHA: State it.
 10 CHAIR STONE: Go ahead.
 11 COMMISSIONER DE REGO: Restate the motion.
 12 COMMISSIONER DELEON: That we start the draft
 13 process using that last letter.
 14 COMMISSIONER DE REGO: I second the motion.
 15 CHAIR STONE: Very good. So at this stage,
 16 what we're going to do is this: Accept to the draft
 17 stage the Revised Final Report, including the changes
 18 that are reflected in the May 25th, 2012 letter. Okay?
 19 And then we'll work on revising further. All right?
 20 Okay.
 21 Everybody in favor, raise your hand and say
 22 "aye."
 23 (Response.)
 24 CHAIR STONE: Very good. All opposed?
 25 (No response.)

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1 CHAIR STONE: No. Okay. Very good. So those
 2 changes -- just to be clear, the changes that are
 3 reflected in the May 25th, 2012 letter are now part of
 4 the draft Revised Final Report. This job's getting
 5 confusing.
 6 Okay. So let's go ahead, Susan, now, and
 7 discuss language to be added.
 8 COMMISSIONER MOIKEHA: Are we talking about
 9 the process?
 10 CHAIR STONE: We're talking about the process
 11 because that is the primary issue you have.
 12 COMMISSIONER MOIKEHA: Okay. Yeah. Just,
 13 basically, please include reference to that we received
 14 a legal opinion from Mr. Kushi in regards to the fact,
 15 and state what that was, it has to do with the fact that
 16 we couldn't change anything or make any substantial
 17 changes once we received back a response from the
 18 Council on our proposals. Thereby, we had to work just
 19 strictly with our original final draft.
 20 CHAIR STONE: Okay. One second. One second.
 21 MS. BRODER: Legal opinion was given by
 22 Mr. Kushi. As a result, the Commission could not make
 23 any changes.
 24 CHAIR STONE: Commission was -- it was
 25 clarified to the Commission.

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1 COMMISSIONER DELEON: The Commission was
 2 advised.
 3 COMMISSIONER DE REGO: Advised.
 4 CHAIR STONE: Or the Commission was advised.
 5 COMMISSIONER MOIKEHA: Yeah. You can reword
 6 that, but that's the gist of it. I don't care how you
 7 word it.
 8 CHAIR STONE: Go ahead.
 9 MS. BRODER: Okay. So, basically, you want to
 10 include that the Commission requested and received an
 11 opinion from the Deputy Corporation Counsel, Corporation
 12 Counsel, First Corporation Counsel, and that that
 13 opinion was that no changes could be made to any of the
 14 proposals that were sent to the Council.
 15 COMMISSIONER MOIKEHA: You can quote right
 16 from Mr. Kushi's written legal opinion. I mean, I think
 17 he may have used the word "substantial changes." We did
 18 do one housekeeping, but whatever he stated in his legal
 19 opinion should be referenced.
 20 MS. BRODER: Do you want to attach his
 21 opinion?
 22 COMMISSIONER MOIKEHA: Sure.
 23 MR. KUSHI: What opinion? What opinion?
 24 MS. BRODER: You didn't issue a written
 25 opinion? So it was oral.

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1 COMMISSIONER DELEON: It will be in the
 2 minutes.
 3 MS. BRODER: Okay. So --
 4 COMMISSIONER MOIKEHA: I think we requested
 5 something in writing, but if it's part of the minutes,
 6 the reference, that's fine.
 7 MS. BRODER: Okay.
 8 COMMISSIONER MOIKEHA: That was a very, very
 9 significant event that occurred.
 10 COMMISSIONER DELEON: Chair?
 11 COMMISSIONER MOIKEHA: A lot of us were told
 12 that we could make changes to it prior to sending it to
 13 Council. That was unfortunate.
 14 CHAIR STONE: Thank you, Susan. Go ahead,
 15 Dave.
 16 COMMISSIONER DELEON: Again, it's just for --
 17 object lesson for future commissions, so that the rules
 18 of the road are clear, so we don't end up taking
 19 (inaudible).
 20 CHAIR STONE: Very good. So you understand
 21 the primary focus of that paragraph or language is to
 22 spell out that, in that stage of the process, you
 23 couldn't take recommendations from the Council, that it
 24 was --
 25 MS. BRODER: Too late.

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1 CHAIR STONE: -- too late.
 2 MS. BRODER: Okay.
 3 CHAIR STONE: Okay. Good.
 4 MS. BRODER: I think I got it.
 5 CHAIR STONE: Okay.
 6 COMMISSIONER DELEON: We count on you.
 7 CHAIR STONE: Without objection, we'll have
 8 Sherry add that language to the report. Okay. Good.
 9 MS. BRODER: You know, just one other thing.
 10 I am looking at the report from 10 years ago. And at
 11 the end of the report, it has a section called
 12 Commission Policy Recommendations. So I think that's
 13 the thing that you were trying to get at that you wanted
 14 to do. That's the title of that section, when you were
 15 asking before to put the things at the end that aren't
 16 related specifically to the ballot questions themselves.
 17 CHAIR STONE: Very good. So go ahead, Ed.
 18 MR. KUSHI: Yeah. Mr. Chair, so that we're
 19 clear about this, rather than getting more confusion, in
 20 the 2001 and '02 Final Revised Report, the Commission
 21 then listed pros and cons for each proposal. Your
 22 report is void of that. I believe you discussed that.
 23 And maybe it was a timing issue. So you need to decide
 24 if you're going to even think about it right now.
 25 CHAIR STONE: Well, that is out there right

Page 33	<p>1 now. The reason why it's kind of interesting is because</p> <p>2 we have to -- I believe we should put our pros -- I like</p> <p>3 how they did it on their -- on the last round of -- last</p> <p>4 round of mail-out and educational information that was</p> <p>5 sent to the public, is they -- they added points of</p> <p>6 support for the proposals.</p> <p>7 Go ahead, Susan.</p> <p>8 COMMISSIONER MOIKEHA: I am just kind of</p> <p>9 reviewing it. It seems like they're more of a point of</p> <p>10 clarification or explanation. I don't really see the</p> <p>11 pros and cons on here.</p> <p>12 COMMISSIONER DELEON: They are.</p> <p>13 COMMISSIONER MOIKEHA: Just the effect of it,</p> <p>14 what it is intended to do.</p> <p>15 CHAIR STONE: I recall we did have the</p> <p>16 discussion of whether or not we should include pros and</p> <p>17 cons. And I had put out a very basic pros and cons</p> <p>18 list, as you guys recall. And I don't think we moved</p> <p>19 forward on that.</p> <p>20 COMMISSIONER DELEON: Mr. Chair?</p> <p>21 CHAIR STONE: Yes, go ahead, Dave.</p> <p>22 COMMISSIONER DELEON: These are not listed as</p> <p>23 pros and cons, but they are, in effect. Look at Number</p> <p>24 6, the first bolded item says, if proposal (inaudible)</p> <p>25 changes were clarified, then the second bolded item,</p>
Page 34	<p>1 (inaudible) greater workload responsibility. So that's</p> <p>2 the negative. 5, it's the same thing, you know, talks</p> <p>3 about how it's going to enhance the hiring and firing of</p> <p>4 the Police Chief, or Fire Chief, but then it talks about</p> <p>5 reducing power of the Mayor. So there's kind of --</p> <p>6 they're not labeled pros and cons per se, but they're</p> <p>7 kind of, you know, looking at both -- trying to look at</p> <p>8 both sides of the proposal. And without getting hung up</p> <p>9 on what's a pro and a con. It's kind of, actually, a</p> <p>10 nuanced way of doing it, a way to do that. I think what</p> <p>11 our problem is, what's the con of, you know, requiring</p> <p>12 the Council to have interactive communication? I mean,</p> <p>13 you know --</p> <p>14 VICE-CHAIR HEDANI: Cost.</p> <p>15 MS. BRODER: Cost. Well, I know during the --</p> <p>16 just for your information, the 2002 report, in the</p> <p>17 Commission recommendations, they recommend that the</p> <p>18 Council look into interactive communications.</p> <p>19 COMMISSIONER DELEON: Okay.</p> <p>20 MS. BRODER: So --</p> <p>21 COMMISSIONER DELEON: But the point is, you</p> <p>22 know, what's the pros and cons. The cost would be the</p> <p>23 item we put on, you know. We could do that, it's just a</p> <p>24 matter of drafting it. But I don't think (inaudible)</p> <p>25 somebody to go do it and come back.</p>
Page 35	<p>1 I think I wrote out a scenario, yeah.</p> <p>2 Mr. Chair, don't you have a scenario there?</p> <p>3 CHAIR STONE: Yeah, I believe so. You got</p> <p>4 that -- you weren't at the next meeting.</p> <p>5 COMMISSIONER DELEON: Huh?</p> <p>6 CHAIR STONE: I think we received that, and</p> <p>7 you weren't here. Correct.</p> <p>8 COMMISSIONER DELEON: Right. So you threw it</p> <p>9 away?</p> <p>10 CHAIR STONE: No, no. We looked at it. We</p> <p>11 definitely reviewed it. We were polite enough to go,</p> <p>12 "Oh, this is from Dave."</p> <p>13 COMMISSIONER MOIKEHA: Which one?</p> <p>14 CHAIR STONE: That was two meetings ago, I</p> <p>15 believe, Dave.</p> <p>16 COMMISSIONER DELEON: No, I wasn't missing two</p> <p>17 meetings ago.</p> <p>18 CHAIR STONE: Three, okay. Don't try to catch</p> <p>19 me on the record. You just tell me when you were</p> <p>20 missing.</p> <p>21 COMMISSIONER DELEON: Last meeting.</p> <p>22 CHAIR STONE: Okay.</p> <p>23 COMMISSIONER MOIKEHA: Chair, could you</p> <p>24 reference what was from Dave?</p> <p>25 CHAIR STONE: It's in a letter. Dave sent us</p>
Page 36	<p>1 a letter. And it was actually -- as I recall, it</p> <p>2 included housekeeping --</p> <p>3 COMMISSIONER MOIKEHA: Oh, yeah.</p> <p>4 CHAIR STONE: -- items.</p> <p>5 COMMISSIONER DELEON: Uh-huh.</p> <p>6 CHAIR STONE: I read it.</p> <p>7 COMMISSIONER DELEON: Okay. I mean, that was</p> <p>8 meant to be this kind of language. That's what I was</p> <p>9 aiming at.</p> <p>10 CHAIR STONE: I have a copy of it. Okay.</p> <p>11 So --</p> <p>12 COMMISSIONER DELEON: Did it just go away?</p> <p>13 CHAIR STONE: It's not going away, Dave. It's</p> <p>14 -- we got it.</p> <p>15 COMMISSIONER DELEON: I spent hours on that</p> <p>16 thing.</p> <p>17 CHAIR STONE: Okay. So what we're looking at</p> <p>18 here, guys, is we -- as a group, we want to move forward</p> <p>19 with Commission Policy Recommendations. Is that</p> <p>20 correct? Yes? Yes? Okay. Very good. Okay. So</p> <p>21 that's what we're going to be working on now is our</p> <p>22 Commission Policy Recommendations as well as determining</p> <p>23 if we should include -- so, Sherry, just to be clear,</p> <p>24 there was -- in the report, there was -- there was --</p> <p>25 from the last Commission, there was pros and cons for</p>

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<p>1 each ballot question?</p> <p>2 MS. BRODER: Right.</p> <p>3 CHAIR STONE: Okay.</p> <p>4 MS. BRODER: I don't think there's any</p> <p>5 requirement to do that; it's just the style the</p> <p>6 Commission chose.</p> <p>7 CHAIR STONE: Okay. Very good. So,</p> <p>8 basically, our Commission needs to decide whether or not</p> <p>9 that is the style that we are going to emulate.</p> <p>10 Frank, go ahead.</p> <p>11 COMMISSIONER DE REGO: I would think that that</p> <p>12 style would be more important for the education phase</p> <p>13 than it would be for the inclusion in our report at this</p> <p>14 point, considering the limitations we have on time and</p> <p>15 the ability to get something like that out and done in,</p> <p>16 what, two weeks, before our next meeting, or whenever</p> <p>17 we're supposed to meet. And that would give the -- I</p> <p>18 don't know what we're calling them, our media and</p> <p>19 education committee much more time to be able to maybe</p> <p>20 come up with something and show it to us.</p> <p>21 CHAIR STONE: Very good. Okay.</p> <p>22 COMMISSIONER DE REGO: I'm sorry for pushing</p> <p>23 this. I noticed Dave is laughing over there. I think</p> <p>24 that might be an appropriate place to start.</p> <p>25 CHAIR STONE: Thank you, Frank. Dave, go</p>	<p>1 include it in the Revised Final Report. And if -- so</p> <p>2 without objection, we're going to put that pros and cons</p> <p>3 list to the education material. All right? So now</p> <p>4 we're discussing Commission Policy Recommendations that</p> <p>5 would be part of Revised Final Report. And we do need</p> <p>6 to work on that now if we're going to get it in the</p> <p>7 draft for our next meeting to approve.</p> <p>8 COMMISSIONER DE REGO: Yeah.</p> <p>9 CHAIR STONE: So that's what we should be</p> <p>10 working on right now. All right.</p> <p>11 So Commission Policy Recommendations. You</p> <p>12 know what could be helpful? Sherry, you just reviewed</p> <p>13 what the last Commission had done. Could you just give</p> <p>14 us a brief overview of the items that they included in</p> <p>15 that report?</p> <p>16 MS. BRODER: Okay. And I counted them up,</p> <p>17 there's seven. Okay. The Commission recommends the</p> <p>18 Council act promptly to give investigator's working with</p> <p>19 the Department of Prosecuting Attorney the same powers</p> <p>20 as police officers, and it goes on at great length</p> <p>21 describing it. But, basically, that must have been an</p> <p>22 item that the Commission considered, but didn't make</p> <p>23 into a ballot question.</p> <p>24 Two: The Commission recommends that notices</p> <p>25 of public hearings and the meetings of boards and</p>
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<p>1 ahead.</p> <p>2 COMMISSIONER DELEON: I'm just going to rename</p> <p>3 the committee "The Yuki."</p> <p>4 CHAIR STONE: The Yuki Committee. I believe</p> <p>5 it's called the Public Relations Special Committee,</p> <p>6 which is Yuki, Yuki, Yuki and Yuki. No. It's Dave,</p> <p>7 myself and Yuki. Okay.</p> <p>8 COMMISSIONER BAXA: Mr. Chair, can I --</p> <p>9 CHAIR STONE: Yes. Go ahead, Judge Baxa.</p> <p>10 COMMISSIONER BAXA: I know very well that it</p> <p>11 is important to have the pros and cons, but, if we do</p> <p>12 that, shall we then make a suggestion that one -- one</p> <p>13 suggestion is greater than the other? No.</p> <p>14 COMMISSIONER DELEON: Mr. Chair? Point of</p> <p>15 order. Are we talking about the item we're sending to</p> <p>16 the Clerk, or are we talking about education?</p> <p>17 CHAIR STONE: What we're discussing at this</p> <p>18 moment is what we will include in our Revised Final</p> <p>19 Report. And what I am hearing from the Commission is</p> <p>20 that we do not want to include pros and cons in our</p> <p>21 Revised Final Report, but we do want to include pros and</p> <p>22 cons with our educational information.</p> <p>23 COMMISSIONER DELEON: Correct.</p> <p>24 CHAIR STONE: With that said, let's put the</p> <p>25 pros and cons aside, unless somebody does want to</p>	<p>1 commissions be conveyed to the public through accessible</p> <p>2 technology, and be widespread posting of notices at</p> <p>3 appropriate locations. Then it goes on further</p> <p>4 explanation.</p> <p>5 The Mayor should appoint and utilize the</p> <p>6 geographically diverse nominating committee to generate</p> <p>7 names of individuals for appointments to County boards</p> <p>8 and commissions. That's three.</p> <p>9 Four: The provisions of the Charter should be</p> <p>10 followed and enforced more vigorously, in particular</p> <p>11 Sections 10-5 and 13-10 should be paid particular</p> <p>12 attention to by the Mayor and the Council.</p> <p>13 Okay. Five: The Council, Administration</p> <p>14 should review the non Charter boards and commissions and</p> <p>15 consider consolidating them, (inaudible) their</p> <p>16 responsibilities.</p> <p>17 Six: When available, addresses as well as TMK</p> <p>18 references should be included in the public notices.</p> <p>19 And, seven: The Council should continue to</p> <p>20 review and revise the planning process through ordinance</p> <p>21 to (inaudible).</p> <p>22 So I haven't read them all completely, but</p> <p>23 just enough to give you an idea of the subject matters</p> <p>24 that they addressed.</p> <p>25 COMMISSIONER CRIVELLO: Chair?</p>

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1 CHAIR STONE: You know, that sounds
 2 suspiciously like proposals that just didn't make it.
 3 MS. BRODER: Right. Yeah.
 4 CHAIR STONE: And I don't know if that's the
 5 direction that we want to go here, with recommending.
 6 Because, now, we have to go through and make a
 7 determination as a Commission and vote on which
 8 proposals should have made it but didn't make it. I
 9 mean, we do have our 11 proposals -- 10 -- excuse me.
 10 10, correct? Yeah. We do have our proposals that are
 11 already approved moving forward. Do we really want to
 12 go back and rehash all the almost proposals?
 13 Go ahead, Susan.
 14 COMMISSIONER MOIKEHA: I just think there's
 15 some proposals that came forth that just didn't have the
 16 time needed to do a thorough public process with as part
 17 of our jurisdiction or purview. And I just think some
 18 of the things should be put out there. And if we do it
 19 by vote, and whether the rest of the entire group feels
 20 that way, that's fine with me, too. But I just think
 21 there's some things, for me, city manager, there was no
 22 way to tackle something like that because that would
 23 need a complete change of the Charter. And I would like
 24 to see the County, either administratively or
 25 legislatively, together, put together a task force and

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1 start looking into something like that. If they hope to
 2 have any -- if they think it's important enough to
 3 change.
 4 I mean, there's no binding commitment by
 5 anybody to do anything with this, you know. And I just
 6 think there are some things that were very, very
 7 important. And maybe I'm the only one that thinks that
 8 about a city manager, but, I don't know, I think -- I
 9 think it's worth the time to open it up.
 10 CHAIR STONE: Okay. Why don't we take a quick
 11 break here, take a quick recess, now that Yuki's here --
 12 welcome Yuki -- and think on -- because what I need to
 13 do is get a handle around how many of these possible
 14 recommendations we're discussing here. So everybody
 15 think about what recommendations they are considering.
 16 And when we get back from our 10-minute recess, which
 17 will be at 12:05, we'll begin discussing those
 18 Commission Policy Recommendations. All right? Okay.
 19 Thank you very much. I'm sorry. 11:05. Thank you very
 20 much, Sherry.
 21 (Recess, 10:58 a.m. to 11:10 a.m.)
 22 CHAIR STONE: I'll call this meeting back to
 23 order as of 11 --
 24 COMMISSIONER BAXA: Put the name in black.
 25 CHAIR STONE: -- 10 a.m. Thank you very much,

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1 Commissioner Baxa, for that invaluable insight.
 2 COMMISSIONER BAXA: Thank you, Mr. Chair.
 3 CHAIR STONE: And before we move forward, what
 4 would you call this color, Yuki?
 5 COMMISSIONER SUGIMURA: Red.
 6 CHAIR STONE: It's red, straight red?
 7 COMMISSIONER SUGIMURA: It's supposed to be
 8 red.
 9 CHAIR STONE: Commissioner Baxa completely
 10 disagrees and believes that it's more of a orangy
 11 pastelly red.
 12 COMMISSIONER SUGIMURA: We color-coded.
 13 CHAIR STONE: Okay. Very good. Look. Just
 14 alike. You could be a ballot.
 15 COMMISSIONER DELEON: Chair, I recommend we
 16 change the name of the Commission to the Commission on
 17 Graphic Arts.
 18 CHAIR STONE: So noted. Let's do it.
 19 All right. Moving back to business,
 20 Commission Policy Recommendations. We had a very good
 21 suggestion from Sherry during the break that we should
 22 come up with Commission Policy Recommendations to the
 23 Mayor, Council and other government bodies, which would
 24 be, for example, the idea that Susan discussed just
 25 before the break, and then a second Commission Policy

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1 Recommendations to future Charter Commissions, meaning
 2 recommendations that could make it more efficient for
 3 the future Charter Commissions. All right?
 4 So let's start with recommendations, if any,
 5 to the Mayor or Council and other government bodies.
 6 Susan, would you like to start with your recommendation?
 7 COMMISSIONER MOIKEHA: So will we just vote on
 8 these things?
 9 CHAIR STONE: Yeah. Put forward a
 10 recommendation, if the Commission agrees, then we'll put
 11 it in the --
 12 COMMISSIONER MOIKEHA: My recommendation would
 13 be that the administrative and/or legislative body of
 14 the County look into a task force on city manager.
 15 CHAIR STONE: Okay.
 16 COMMISSIONER DELEON: Second.
 17 CHAIR STONE: Okay. A motion's been put
 18 forward to include language under a Commission policy
 19 recommendation that a task force on city manager be
 20 included. Any discussion?
 21 COMMISSIONER DELEON: Mr. Chair?
 22 CHAIR STONE: Yes. Go ahead, Dave.
 23 COMMISSIONER DELEON: Where it happens, county
 24 governments and city governments in the United States
 25 are run by county managers or city managers. The effort

<p style="text-align: right;">Page 45</p> <p>1 to create -- a reform effort about 100 years ago, and 2 pretty much swept through a lot of the districts. 3 Before, there used to be -- small town governments were 4 little fiefdoms and had a lot of political issues, lot 5 of corruption issues. And this was a way to bring more 6 professional levels of control. And so, basically, you 7 end up with a County Council that are -- we would end up 8 with a County Council that would be purely legislative 9 with the chair being the mayor and the -- and the -- 10 that's one scenario. And then you have a professional 11 city manager who is not by term, but by appointment. 12 That's going to require a wholesale change. I 13 mean, that kind of form of government is not done in 14 Hawaii. It would have to be a rethink of the whole 15 Charter to make up for it. So that's why it needs a 16 more broader review. 17 I would also to also point out that our 18 current Mayor made his recommendation, we actually had 19 the discussion and that -- and that the -- it's much 20 broader than just Susan and me thinking about this. A 21 lot of the folks in our community come from other 22 communities that had this form of the government, prefer 23 it because it is -- it has to be more professional. We 24 don't have the ins and outs with the administrative 25 cycles.</p>	<p style="text-align: right;">Page 47</p> <p>1 actually take this Charter apart and try to analyze it 2 and try to create a better Charter. We were nickeling 3 and diming, because that's what we had the time and 4 energy and the capacity to review. So that means 5 something more like the Cost of Government Commission is 6 now, where you actually sit and chew on it for like a 7 five-year period and maybe work out a recommendation 8 from there. 9 CHAIR STONE: Thank you, Dave. Go ahead, 10 Frank. 11 COMMISSIONER DE REGO: Yeah. I was going to 12 say this: That probably wording it in such a way is 13 probably a bit narrow in terms of looking at the city 14 manager form of government. But I think there needs to 15 be a wholesale look at the structure of County 16 government. And that would include looking at other 17 models of County government that we didn't have time to 18 explore that were suggested. I think we tried to talk 19 about that by trying to -- I mean, we kind of danced 20 around the issue when we say, well, maybe we should give 21 the Charter Commission more time to, you know, have its 22 deliberations and recommendations and those kinds of 23 things. But I think this -- the idea of a task force 24 would allow the people who are on it the time and, as 25 Commissioner DeLeon refers to, the leisure to be able to</p>
<p style="text-align: right;">Page 46</p> <p>1 CHAIR STONE: Thank you. 2 COMMISSIONER BAXA: Mr. Chair? 3 CHAIR STONE: Go ahead, Commissioner Baxa. 4 COMMISSIONER BAXA: Can I ask Commissioner 5 DeLeon, Mr. Chair? Under your proposal, you said that 6 the Council will be headed by the Mayor? 7 COMMISSIONER DELEON: Chair of the Council. 8 COMMISSIONER BAXA: The Chair of the Council. 9 COMMISSIONER DELEON: Well, that's one 10 scenario. 11 COMMISSIONER BAXA: That's one scenario. In 12 terms of the power of the Mayor or the Council, will it 13 be minor power? I mean -- 14 COMMISSIONER DELEON: That would be decided in 15 the structure. I mean, we can't have the -- 16 CHAIR STONE: Commissioners, one second. 17 These must be very broad policy recommendations, 18 extremely broad. So I like -- let's just primarily 19 focus on that very broad task force recommendation. 20 COMMISSIONER DELEON: Mr. Chair, I would see 21 this proposal not so much just city government, but a 22 total review of the Charter with such items as city 23 government -- city manager form of government be one of 24 the -- one of the discussion points. We did not have 25 nearly enough time, energy or resources to be able to</p>	<p style="text-align: right;">Page 48</p> <p>1 look at this issue in depth over time, come up with a 2 report, and then whoever would do it, whether it be the 3 Charter Commission or the Council, would be able to make 4 recommendations for the wholesale changes to the 5 Charter. Because this would be a major change of 6 government for the County of Maui no matter what this 7 task force comes up with. But I think, you know -- and 8 we wouldn't want to sort of guess what they're going to 9 do at this point, but I -- I think what we're saying is 10 we didn't have enough time to look at all the things 11 that needed to be looked at. We didn't need -- have a 12 time to look at the overall process and structure of 13 County government. All we can do in a sense with the 14 time that we have is sort of cherrypick. And it would 15 be valuable to have somebody who is looking at the large 16 picture issues. And I would agree with that, but maybe 17 not the way it's stated right now. 18 CHAIR STONE: Okay. Very good. So my 19 understanding is that what we're -- what your motion is 20 evolving into, if you're allowing it to evolve there, is 21 a recommendation that a task force be assembled to 22 seriously view structure, the present structure of our 23 County government and find possible recommendations for 24 future Charter Amendments such as city manager form of 25 government, et cetera, et cetera. Am I on track with</p>

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1 that?

2 COMMISSIONER DELEON: Mr. Chair? I'll let the

3 Judge go first.

4 CHAIR STONE: Go ahead, Commissioner Baxa.

5 COMMISSIONER BAXA: Yeah. Mr. Chair, I really

6 do not have much in terms of an objection with the

7 proposal. I am just -- I just wanted to ask a question.

8 By making this proposal, are we, in a way, suggesting

9 that the present system of the mayor/council government

10 that we have is, in a way, ineffective in terms of

11 accountability to the people?

12 CHAIR STONE: Thank you.

13 COMMISSIONER BAXA: Because the way -- because

14 the way I am seeing it is that -- of course, it is not

15 the time to discuss the pros and cons of the city

16 government -- city manage -- managed government as

17 contrasted to the mayor/council government, but in terms

18 of the manager system of government, I see that there is

19 much erosion of responsibility to the public here.

20 While you have the Mayor to call, the Council to hold

21 responsible, you will have the people down there,

22 probably like civil servants down there, who will just

23 be doing their things. It may be good in a sense, but,

24 to me, this is a political government.

25 CHAIR STONE: Very good. Thank -- I believe

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1 that the intent would just be -- what I am hearing from

2 our Commissioners is that we clearly do not have enough

3 time to look into deeper -- deeper, more serious changes

4 to our Charter or form of County government, and that

5 this task force, whether or not they find that --

6 COMMISSIONER BAXA: Yes.

7 CHAIR STONE: -- it may or may not be the

8 right way to go. It could be that our present system is

9 the best.

10 Commissioner DeLeon, I wanted -- before you --

11 before -- can I read you just quickly what Sherry has as

12 -- as language for this? So the Commission recommends

13 that a task force be established to seriously review the

14 structure of the County of Maui government and to

15 research other models of county governments and to

16 prepare a report. I think --

17 COMMISSIONER DELEON: Simple enough.

18 CHAIR STONE: I think that's simple, eloquent,

19 and exactly what we're discussing. All right.

20 COMMISSIONER CRIVELLO: I just --

21 CHAIR STONE: Go ahead, Stacy.

22 COMMISSIONER CRIVELLO: Mr. Chair, so we

23 recommend a task force. Who appoints this task force?

24 And, I mean, if we're making this recommendation, how

25 does it get implemented with -- who determines who's the

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1 task force? And just trying to think, you know, we want

2 this to happen, but who's going to follow through to

3 make it happen and who's the recommendation going to?

4 Council?

5 CHAIR STONE: It's just a part of our final

6 report. So it goes, basically, to everybody, public,

7 all government, Mayor, Council. I mean, again, these

8 are just recommendations, so we have to keep it fairly

9 broad. I understand what you're saying.

10 COMMISSIONER CRIVELLO: Okay.

11 CHAIR STONE: And -- go ahead, Dave.

12 COMMISSIONER DELEON: Just one other little

13 item that was, to me, left hanging. And I brought it

14 up, and it didn't really get traction. The whole topic

15 of Department of Water Supply and the Board of Water

16 Supply --

17 CHAIR STONE: Dave, hang on one second.

18 Before we move on to that, and that's something we

19 should discuss.

20 COMMISSIONER DELEON: No. I'm talking in

21 terms of this item.

22 CHAIR STONE: Okay. Go ahead.

23 COMMISSIONER DELEON: This is one of those

24 issues, I mean, beyond city government. And it's

25 another kind of -- we've bounced back and forth six

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1 times now on our Water Department. And there's still

2 discussion about it going back and forth. And -- and

3 this Commission's leaving the Board of Water Supply in a

4 position like it is now, as a whole advisory body,

5 where, in fact, it's not. It's just kind of hanging

6 there. And they're going to do the same thing to the

7 Fire Commission, they're going to lobby and lobby and

8 lobby until they get the power back. And we'll go with

9 number seven and we'll go around it again. So it needs

10 to have more -- a chance to really be really chewed on

11 and decided once and for all, and then just lock it.

12 Because, otherwise, our history is six times now we've

13 changed it. And we're leaving it hanging. With this

14 Commission, we are leaving it hanging. So it's going to

15 -- I will give it 10 years, we'll be back again doing

16 the same thing.

17 CHAIR STONE: Dave, how does that relate to

18 this?

19 COMMISSIONER DELEON: Because that's a

20 structural issue.

21 CHAIR STONE: Okay.

22 COMMISSIONER DELEON: It's a structural issue,

23 a broad structural issue that needs to be decided once

24 and for all and pretty much left, you know, just come to

25 a conclusion on it. Maybe in 10 years time, when we

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1 have the Council doing it for 10 years, we'll reach a
 2 point where we're satisfied with that and it works, or
 3 maybe we'll be fed up with it again. But, I mean, six
 4 times we've changed and we're leaving it hanging. That
 5 Commission said, we're sitting there without anything to
 6 do. So what they're going to do is lobby for the
 7 powers.
 8 CHAIR STONE: Thanks, Dave. Okay. Go ahead,
 9 Frank.
 10 COMMISSIONER DE REGO: So -- oh, I'm sorry.
 11 Sorry.
 12 CHAIR STONE: Sorry.
 13 COMMISSIONER DE REGO: Go ahead, Cliff.
 14 CHAIR STONE: Go ahead.
 15 COMMISSIONER DE REGO: No. Go for it.
 16 CHAIR STONE: He's been waiting patiently.
 17 COMMISSIONER DE REGO: Yes. Go ahead, Cliff.
 18 I'm sorry.
 19 COMMISSIONER HASHIMOTO: Chair, the United
 20 States Government has been in place now for over 200
 21 years by now, and not much has changed. The
 22 Constitution's only -- what, only a few amendments, when
 23 you consider the fact that it's been around for 200
 24 years. And we still have the same system in place. Is
 25 it good? Not necessarily. It never has been imperfect.

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1 And it will probably continue to be imperfect. And the
 2 County has changed a number of times. And we still
 3 don't find it perfect yet. And, of course, you know, we
 4 keep getting in more and more new people here, and
 5 everybody thinks they have the right answer for this
 6 place. You know, if we go back in history some, we'll
 7 find that before we became a modern country, talking
 8 about Hawaii, things probably lasted for who knows,
 9 1,000 years without change. Now, whether it was good or
 10 bad, I am not really sure. I wasn't there. But -- but
 11 it didn't change right up until we came along. Not our
 12 present generation, but the generation forth, or several
 13 generations forth.
 14 Of course, I speak for myself, and perhaps the
 15 Judge, because of our age, but -- so, you know, we can
 16 keep recommending changes, you know, and in a form of
 17 government, but the problem is, it's not so much the
 18 form of government, but I think it's more how -- how and
 19 who we allow to -- to control the government and make
 20 changes. Right now, not many changes are being done
 21 from -- from the community because we only get to do
 22 this once every 10 years. So, you know, it's really
 23 left up to our -- our elected Council to do that.
 24 CHAIR STONE: Thank you. Thanks for that
 25 input. Very good. Okay. Go ahead, Frank.

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1 COMMISSIONER DE REGO: So I wonder if the
 2 maker of the motion would be willing to amend her --
 3 CHAIR STONE: I have a friendly amendment?
 4 COMMISSIONER MOIKEHA: Yes.
 5 CHAIR STONE: With the Sherry language? Very
 6 good. Okay.
 7 COMMISSIONER DELEON: Second.
 8 CHAIR STONE: Second, okay. Good. All right.
 9 So let's take a vote to include that language under
 10 Commission Policy Recommendations.
 11 COMMISSIONER SUGIMURA: Can you read the whole
 12 thing?
 13 CHAIR STONE: Sure. The language is, "The
 14 Commission recommends that a task force be established
 15 to seriously review the structure of the County of Maui
 16 government to research other models of county
 17 governments and to prepare --
 18 COMMISSIONER DELEON: Mr. Chair? "Seriously?"
 19 How about "thoroughly?" I mean --
 20 CHAIR STONE: There you go.
 21 COMMISSIONER DELEON: I think we just spent a
 22 serious year and-a-half, so, I mean, it's not like we
 23 weren't doing it seriously. It's just we weren't able
 24 to do it thoroughly.
 25 CHAIR STONE: Very good. Okay. So that

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1 change, thoroughly review. Okay. All in favor, raise
 2 your hand and say "aye."
 3 (Response.)
 4 CHAIR STONE: All opposed, raise your hand and
 5 say "nay."
 6 (No response.)
 7 CHAIR STONE: Did you vote?
 8 VICE-CHAIR HEDANI: No.
 9 CHAIR STONE: You got to vote.
 10 VICE-CHAIR HEDANI: I abstain.
 11 CHAIR STONE: You can't abstain, Wayne.
 12 COMMISSIONER DE REGO: That's a "yes" vote.
 13 CHAIR STONE: Okay. So that was motion passes
 14 by one, two, three, four, five, six -- you were a "no,"
 15 right? Six to three. Six to three. Six years, three
 16 nays. Very good. Okay. Any other recommendations,
 17 policy recommendations for Mayor, Council or other
 18 government bodies?
 19 COMMISSIONER DELEON: I think, Mr. Chair, your
 20 last vote was five to three.
 21 COMMISSIONER DE REGO: It doesn't pass.
 22 CHAIR STONE: Six.
 23 COMMISSIONER DELEON: I am not counting
 24 myself. Oh, bad.
 25 CHAIR STONE: Any further recommendations to

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1 the -- go ahead. Anybody?
 2 (No response.)
 3 CHAIR STONE: No. Okay. So moving on to any
 4 Commission Policy Recommendations to future Charter
 5 Commissions. Go ahead, Susan.
 6 COMMISSIONER MOIKEHA: Was there a reason why
 7 we started May 1st and not April 1st? Was there a delay
 8 or something that occurred?
 9 CHAIR STONE: Good question. Let's ask Ed.
 10 Ed?
 11 MR. KUSHI: What was the question?
 12 CHAIR STONE: Is there a reason why we started
 13 our Commission effectively May 1st and not April 1st?
 14 MR. KUSHI: The Commission was officially
 15 formed April 1st.
 16 COMMISSIONER MOIKEHA: Yeah, but our first
 17 meeting wasn't until May, so we lost a whole month right
 18 there. So I just want to see if there was a procedural
 19 reason why that happened, would that be an issue the
 20 next time around.
 21 CHAIR STONE: Ed.
 22 MR. KUSHI: Probably legislative, sending out
 23 the agenda.
 24 CHAIR STONE: Thank you.
 25 MR. KUSHI: Council did take its time in

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1 appointing you, if you all recall.
 2 CHAIR STONE: And we can't change that. For
 3 example, I think a recommendation the Chair would like
 4 to see to the future Commission is referencing the fact
 5 that after Council sends their recommendations, we are
 6 not allowed to change substantively our proposals or use
 7 any of the recommendations in our proposals, that we can
 8 only accept their recommendation or not.
 9 COMMISSIONER DELEON: Mr. Chair?
 10 CHAIR STONE: So I think that -- that needs to
 11 be clarified for the next Commission. Go ahead, Dave.
 12 COMMISSIONER DELEON: I believe that needs to
 13 be broader. I think there needs to be a thorough SOP
 14 for the next commission so, you know, they can actually
 15 see the whole roadmap of where they're going and how
 16 they're going to go, and use this particular -- I mean,
 17 this would be a good opportunity for Ed or Lisa, or
 18 whoever in Corporation Counsel, or Sherry, to write it
 19 out now so that -- so that -- you know, two pages or
 20 something, you know, just real basic stuff. So that you
 21 know where you're going to go and when you're going to
 22 go there and when you have to have it done, rather than,
 23 10 years from now, somebody in Corporation Counsel has
 24 to rediscover this thing.
 25 CHAIR STONE: Okay. Thank you. Go ahead,

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1 Susan.
 2 COMMISSIONER MOIKEHA: I think that's kind of
 3 what happened to us. We lost a lot of time trying to
 4 figure out stuff, how we're going to approach the public
 5 in our outreach. If all of that could have been spelled
 6 out, you're going to need two months or a month, you're
 7 going to need to set reservations so many -- so far in
 8 advance. Usually, you know, we ran into the fact a lot
 9 of community places were booked already and due to
 10 graduations or whatever. The far -- as far out as you
 11 can go with knowing that you're going to -- here's a
 12 tentative timeframe and have that part of this written
 13 document of orientation to the next Charter Commission.
 14 So that someone can start -- and the same thing with
 15 securing an analyst and a secretary.
 16 CHAIR STONE: Right.
 17 COMMISSIONER MOIKEHA: I don't know why that
 18 process couldn't have been started way before we got
 19 here. We're going to need an analyst and we're going to
 20 need a secretary, and just start RFPing for it. You
 21 know, that delayed us, too. And it caused our Analyst
 22 to have to go back and play catch-up on many meetings
 23 and review all those minutes.
 24 So I truly believe in a written document, A to
 25 B, the whole process spelled out, tentative timeframes

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1 that you're going to need for the public process and the
 2 outreach, all of that just out there, and go over that
 3 the first time you meet. You know, we used some of our
 4 time to become familiar with the government process
 5 here, but there was a lot of wasted time waiting. In
 6 January, we did nothing, you know, because we were still
 7 going through the second go-around, you know. And
 8 trying to book the second go-around, even tentatively,
 9 six months out is wise, too, so that you're not falling
 10 between holidays, which I think was a great disservice
 11 to those that we went out to see, the outer islands,
 12 particularly. Who is going to show up around Christmas
 13 to testify about government structure? No one. I
 14 mean -- and that's not to discredit those that did make
 15 that commitment, but I just thought that was terrible,
 16 that we ended up in that kind of predicament. And so as
 17 much planning as you can see ahead of time, even if it's
 18 a tentative date, then do it, you know, set it. Make
 19 the reservations.
 20 But I agree, there needs to be a document
 21 written out exactly explaining every detail of our
 22 process.
 23 CHAIR STONE: As you guys may not recall, one
 24 of the issues that held us up, too, were just ratifying
 25 our own rules. That took a meeting and-a-half, two

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<p>1 meetings. So --</p> <p>2 COMMISSIONER MOIKEHA: But give them a draft</p> <p>3 of ours and say, this is what we used, amend it or --</p> <p>4 CHAIR STONE: That's what we ended up doing.</p> <p>5 COMMISSIONER MOIKEHA: Yeah.</p> <p>6 CHAIR STONE: We took the last Charter</p> <p>7 Commission's draft and, basically, ratified those rules.</p> <p>8 So maybe as a recommendation, obviously, it needs to be</p> <p>9 open to that Charter Commission to make their own rules,</p> <p>10 but maybe say this is what we used and this was -- I</p> <p>11 understand what you're saying.</p> <p>12 This -- so this process document that we want</p> <p>13 to -- that we're discussing including in the final</p> <p>14 draft, I understand what you guys are going for. Would</p> <p>15 it be okay with the Commission if, along with the</p> <p>16 Analyst, Corp Counsel and myself, the Chair, to put</p> <p>17 together this document for the next meeting and,</p> <p>18 hopefully, it's spot on? In other words, we work on</p> <p>19 this, because to work on this process document now as a</p> <p>20 Commission would be very difficult.</p> <p>21 COMMISSIONER DELEON: Mr. Chair?</p> <p>22 CHAIR STONE: Okay. Go ahead.</p> <p>23 COMMISSIONER DELEON: I don't think we need to</p> <p>24 do it now. I think the Corporation Counsel staff could</p> <p>25 do it after the clock stops. This is a recommendation</p>	<p>1 be tough.</p> <p>2 Go ahead, Commissioner Baxa.</p> <p>3 COMMISSIONER BAXA: Mr. Chair, I just want to</p> <p>4 make this comment. I am not so much interested in the</p> <p>5 timetable. Of course, it is important, but, of course,</p> <p>6 you know, that there were times it was beyond the Chair</p> <p>7 and the Commission's power to do that. We had to adjust</p> <p>8 our time. To me, the most important thing is about the</p> <p>9 suggestion that the most important things like, for</p> <p>10 example, the things that we cannot do, (inaudible) the</p> <p>11 process, that should really be spelled out so that, from</p> <p>12 the very beginning, we know what we can and what we</p> <p>13 cannot change at a certain time of the process. Because</p> <p>14 here, right now, there was something that we did not</p> <p>15 (inaudible) that we could not change. And that was</p> <p>16 unfortunate, but that is what we're talking right now.</p> <p>17 We should not really be spinning wheels on that.</p> <p>18 CHAIR STONE: Thank you, Judge Baxa. I am in</p> <p>19 agreement with you. I think that a specific incident</p> <p>20 like that --</p> <p>21 COMMISSIONER BAXA: That is the most important</p> <p>22 to me.</p> <p>23 CHAIR STONE: -- should be clearly stated as</p> <p>24 something to watch for. So let's -- if -- if I could</p> <p>25 get a motion firstly, on this proposal recommending a</p>
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<p>1 that they do it.</p> <p>2 CHAIR STONE: Except that this is our Revised</p> <p>3 Final Report. And I believe that all of the information</p> <p>4 needs to be included in the Revised Final Report, is</p> <p>5 that correct, or am I incorrect?</p> <p>6 MS. BRODER: I mean, I think that this would</p> <p>7 be the same thing like the task force, you are</p> <p>8 recommending that a written process document be prepared</p> <p>9 for the next Charter Commission, and the number one most</p> <p>10 important thing is the timetable. And so, you know,</p> <p>11 like when the 1978 Constitutional Convention met, in</p> <p>12 advance of their meeting, you know, the six months in</p> <p>13 advance, the Legislative Reference Bureau prepared, you</p> <p>14 know, volumes on each section of the Constitution and on</p> <p>15 the timetable and stuff like that.</p> <p>16 So it would seem like before the next Charter</p> <p>17 Commission that the written -- you know, that would be</p> <p>18 your recommendation, that a written document be</p> <p>19 prepared. Then maybe you can --</p> <p>20 COMMISSIONER DELEON: That's my thought.</p> <p>21 MS. BRODER: -- by Corporation Counsel --</p> <p>22 COMMISSIONER DELEON: Not that we invent that</p> <p>23 document now.</p> <p>24 CHAIR STONE: Got it. Thank goodness. Okay.</p> <p>25 Good. That makes more sense because that was going to</p>	<p>1 written process document.</p> <p>2 COMMISSIONER DE REGO: I so move.</p> <p>3 CHAIR STONE: Okay.</p> <p>4 COMMISSIONER DELEON: Second.</p> <p>5 CHAIR STONE: So we have a motion by Frank,</p> <p>6 seconded by Dave, on the following language that Sherry</p> <p>7 has come up with: "The Commission recommends that a</p> <p>8 written process document be prepared for the first</p> <p>9 meeting of the Charter Commission that sets forth the</p> <p>10 timetable, advises that the Christmastime be avoided for</p> <p>11 public hearings, provides the rules that were adopted by</p> <p>12 the 2012 Charter Commission (which was based on the 2002</p> <p>13 Charter Commission) and it commences the RFP process for</p> <p>14 hiring a legislative analyst and commission secretary."</p> <p>15 Go ahead, Susan.</p> <p>16 COMMISSIONER MOIKEHA: That's where I would</p> <p>17 add what you just said regarding, you know, the review</p> <p>18 process. That means once you go from this Step A to B</p> <p>19 to C to D, so -- and D is the end where we ran into this</p> <p>20 issue with not being able to make changes to our draft</p> <p>21 to the Council. So that -- part of that should be in</p> <p>22 there, too.</p> <p>23 CHAIR STONE: Hang on one second.</p> <p>24 COMMISSIONER MOIKEHA: Review process itself.</p> <p>25 So you go out to public testimony, you come back, you</p>

<p style="text-align: right;">Page 65</p> <p>1 create a draft, you take your draft, you finalize it, 2 you take it out for a second outreach and comment, for 3 comment to the public, and then you come back, then you 4 prepare it for the Council. Understand very clearly 5 that you will not be able to make any changes, so make 6 sure you -- you know, you have the time to do that. 7 Then it comes back, then there's subject to a recall. 8 You know, that kind of thing. 9 COMMISSIONER BAXA: Mr. Chair? 10 CHAIR STONE: Yes. Thank you. Go ahead, 11 Commissioner Baxa. 12 COMMISSIONER BAXA: In other words, in short, 13 at what point in the process can we not make any 14 changes. I think that should be clear. 15 CHAIR STONE: Agreed. Go ahead, Frank. 16 COMMISSIONER DE REGO: I think what you're 17 doing here is two things, actually. It's user manual 18 for the -- for the Commission, but it's also a 19 instruction to Corporation Counsel, whoever, of 20 developing the infrastructure and support structure even 21 before the Commission meets, in a certain sense. In 22 other words, we know this is going to happen, there 23 should be some groundwork done before it happens so the 24 Commission is -- hits the ground running. 25 Not to belabor a point, but, I mean -- it will</p>	<p style="text-align: right;">Page 67</p> <p>1 So Sherry has some updated scratch in an attempt to 2 follow what everybody is saying quickly. Sherry's 3 language. 4 MS. BRODER: I hope this is okay. 5 CHAIR STONE: As a proposal to -- 6 MS. BRODER: (Inaudible). 7 COMMISSIONER DELEON: (Inaudible). 8 CHAIR STONE: Commission Policy 9 Recommendations to future Charter Commissions. 10 Commission recommends that the Charter Commission first 11 meeting should be on or before April 1; that a user 12 manual be prepared for the first meeting of the Charter 13 Commission that sets forth the timetable and the actual 14 process of developing the ballot questions; the 15 schedules of meetings and communications of the Council 16 and submission to the Clerk; advises that Christmastime 17 be avoided for Christmastime for public hearings; 18 provides the rules that were adopted by the 2012 Charter 19 Commission, which was based on the 2002 Charter 20 Commission; and commences the RFP process for hiring a 21 legislative analyst and commission secretary. 22 Go ahead. 23 COMMISSIONER SUGIMURA: So I would like to add 24 into that a copy of the brochure that we're going to -- 25 we're going to print for this year, so that the</p>
<p style="text-align: right;">Page 66</p> <p>1 probably fall on deaf ears 10 years from now, and I am 2 looking back at what we did before -- it would be nice 3 to have made a recommendation to the Council and the 4 Mayor that they have, for whatever reasons, this thing 5 up and running when they have their first meeting in 6 April. And I think we missed the boat on that one 7 that -- I think we talked about it, but, you know, 8 whatever the political whims at that particular point, 9 you know, we know they're in the middle of budget, also, 10 around that time. But that's just a comment. But on 11 this one, I think you're talking about two things; 12 developing infrastructure to support the Commission and 13 then, also, sort of a user manual. 14 CHAIR STONE: Okay. Thank you, Frank. Go 15 ahead, Susan. 16 COMMISSIONER MOIKEHA: I don't know if some of 17 the delay was that we all had to meet with the Mayor to 18 do a personal orientation. I thought that was not 19 necessary. The Mayor can come here with all of us here, 20 get that done right away on one of your first meetings. 21 And I don't know if that was why we were delayed, but I 22 recall that I had to schedule an appointment to meet 23 with the Mayor, along with fellow Commissioners, and do 24 a personal orientation. I find that valuable. 25 CHAIR STONE: Okay. Thank you, Susan. Okay.</p>	<p style="text-align: right;">Page 68</p> <p>1 Commissioners can see what the questions are, the 2 proposals. I would also like to see, because we always 3 talked about it, referred and had to get it from Jeff 4 Kuwada, is the -- all the Charter questions that came 5 up. 6 CHAIR STONE: The voting record. 7 COMMISSIONER SUGIMURA: And the voting record 8 and what it was. Because then -- that was really 9 helpful. Then we can know what was good to take up and 10 what we shouldn't have, or we took it up, anyways. 11 CHAIR STONE: Okay. Thank you. Go ahead. 12 COMMISSIONER HASHIMOTO: Chair, I think some 13 of the recommendations are really, really great. I'd 14 just like to add, you know that we -- nearly everything 15 was documented that took place in our proceeding. And 16 most of us collected up a whole bunch of information. 17 And they're in binders now. One of those sets should be 18 turned over to -- to the next chair so that they have 19 some reference. 20 CHAIR STONE: That's a great idea, Cliff. A 21 sample of what to expect. I don't know if that's a good 22 idea. Nobody might want to be chair. 23 COMMISSIONER HASHIMOTO: (Inaudible) a lot of 24 times. 25 CHAIR STONE: That's true. Thank you. Go</p>

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1 ahead, Dave.
 2 COMMISSIONER DELEON: With reference to the
 3 language that was read, on or before April 1st, I don't
 4 think that's possible, I don't think the term of office
 5 starts until April 1st.
 6 MS. BRODER: (Inaudible).
 7 COMMISSIONER DELEON: April 1st or as soon
 8 thereafter as possible.
 9 MS. BRODER: Okay.
 10 CHAIR STONE: Or soon thereafter.
 11 COMMISSIONER DELEON: And I might have missed
 12 it, but do we have -- is there language in there about
 13 the problem we ran into (inaudible) limitations of
 14 powers are at the end of the process?
 15 CHAIR STONE: Sorry. Dave, I wasn't paying
 16 attention. Please restate.
 17 COMMISSIONER DELEON: Did I miss the language
 18 in reference to limitations of power at the end of the
 19 process, where once we release our Final Report to the
 20 Council and (inaudible).
 21 CHAIR STONE: It's going in now. Okay.
 22 Anything else in this very comprehensive
 23 run-on sentence.
 24 COMMISSIONER DELEON: This is going to result
 25 in an SOP being written, or is it just that and that's

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1 going to be what is going on? Because I -- my
 2 recommendation is that, you know, somebody take a day to
 3 make sure it's written out, you know, the whole process
 4 written out clearly, and not just, you know -- that's a
 5 snapshot. A little bit broader.
 6 CHAIR STONE: Would it be -- now, this -- the
 7 SOP, for example -- just checking with Ed -- that
 8 wouldn't be an official part of this document, but it
 9 would be available for the next Charter Commission? For
 10 example, say we made a special committee to put that SOP
 11 together, just so it's -- the material's done.
 12 COMMISSIONER DELEON: Okay.
 13 CHAIR STONE: Does that sound good?
 14 COMMISSIONER DELEON: All right. I am talking
 15 myself into a job, aren't I?
 16 CHAIR STONE: I think you are.
 17 COMMISSIONER SUGIMURA: I was just going to
 18 say that next.
 19 COMMISSIONER DELEON: Jeez Louise.
 20 CHAIR STONE: SOP or -- SOP. Dave, you're one
 21 hell of an SOP.
 22 COMMISSIONER DE REGO: Can we add Dave's name
 23 to that --
 24 COMMISSIONER DELEON: I don't want that job.
 25 CHAIR STONE: I don't think that necessarily

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1 is Charter duties, so I think that's outside of the
 2 Charter. So, yeah, you're our favorite SOP.
 3 COMMISSIONER DELEON: Thank you very much.
 4 CHAIR STONE: Okay. To read Sherry's latest
 5 version of the recommendation, the Charter Commission
 6 recommends that the Charter Commission -- wait. The
 7 Commission recommends that the Charter Commission's
 8 first meeting should be on April 1 or soon thereafter --
 9 or as soon as possible.
 10 MS. BRODER: Or soon thereafter as possible.
 11 CHAIR STONE: That a user manual be prepared
 12 for the first meeting of the Charter Commission that
 13 sets forth the timetable and the actual process of
 14 developing the ballot questions. The schedule of
 15 meetings and communications with the Council and
 16 submission to the Clerk, the limitations of Charter
 17 Commission powers at the end of the process, advises
 18 that the Christmastime -- that Christmastime be avoided
 19 for public hearings, provides the rules that were
 20 adopted by the 2012 Charter Commission, which was based
 21 on the 2002 Charter Commission, and commences the RFP
 22 process for hiring a legislative analyst and commission
 23 secretary, a copy of the 2002 and 2012 brochures be
 24 provided, the Charter questions that were posed in prior
 25 elections and the votes cast; and cleaning that language

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1 up. Do I have a motion on that?
 2 COMMISSIONER DELEON: So moved.
 3 COMMISSIONER SUGIMURA: So moved. So
 4 seconded.
 5 CHAIR STONE: Okay.
 6 COMMISSIONER DE REGO: I think you already had
 7 a motion.
 8 CHAIR STONE: I'm sorry. We did have a
 9 motion. Excuse me. Yeah. I'm sorry.
 10 COMMISSIONER DE REGO: It's already been moved
 11 and seconded.
 12 CHAIR STONE: Thank you, Frank. Okay. So --
 13 yeah, very good. All in favor of adding this Commission
 14 policy recommendation, please raise your hand and say
 15 "aye."
 16 (Response.)
 17 CHAIR STONE: Very good. Unanimous.
 18 Okay. Any other policy recommendations? No?
 19 COMMISSIONER BAXA: Mr. Chair?
 20 CHAIR STONE: Yes, go ahead.
 21 COMMISSIONER BAXA: I don't know if this is a
 22 policy, but I remember that Commissioner DeLeon sent you
 23 a -- how many pages is that?
 24 COMMISSIONER DELEON: I don't know. How many
 25 pages was that? Well, anyway --

Page 73	<p>1 CHAIR STONE: It was a lot.</p> <p>2 COMMISSIONER BAXA: It was a lot. There were</p> <p>3 very important points that he put in there. And I was</p> <p>4 wondering if there is a way by which we could</p> <p>5 incorporate the substance of what was in there. And</p> <p>6 Mr. -- Commissioner DeLeon can inform us further.</p> <p>7 CHAIR STONE: Commissioner Baxa, I think that</p> <p>8 would really work well in the SOP. Wouldn't you say,</p> <p>9 Dave?</p> <p>10 COMMISSIONER DELEON: I thought I was writing</p> <p>11 it for the brochure or for public information.</p> <p>12 CHAIR STONE: Oh, for public information.</p> <p>13 COMMISSIONER DELEON: It was general language.</p> <p>14 It's not legal or --</p> <p>15 CHAIR STONE: Okay.</p> <p>16 COMMISSIONER DELEON: I am not an attorney. I</p> <p>17 was just trying to explain the items as they went. So</p> <p>18 this is supposed to be for education.</p> <p>19 CHAIR STONE: Okay.</p> <p>20 COMMISSIONER DELEON: We had some pretty</p> <p>21 elaborate proposals. So it's not like it's -- you know,</p> <p>22 that was the purpose that I was writing to.</p> <p>23 CHAIR STONE: Got it. Very good. And that is</p> <p>24 what we are going to be discussing next on our agenda.</p> <p>25 Okay.</p>
Page 74	<p>1 So under Old Business, we have discussion with</p> <p>2 regard to publication of the amendments as mandated by</p> <p>3 Section 14-3 of the Charter and voter education</p> <p>4 advertising. So I think that's the most appropriate</p> <p>5 place to discuss Dave's work on that. So to get</p> <p>6 started, you know what, let's --</p> <p>7 COMMISSIONER DELEON: I'm sorry. What I am</p> <p>8 looking at here is the response of Council's proposals.</p> <p>9 I sent you -- didn't I send you an item by item graph,</p> <p>10 educational piece?</p> <p>11 COMMISSIONER MOIKEHA: I don't remember</p> <p>12 getting it.</p> <p>13 CHAIR STONE: I don't remember that. I</p> <p>14 remember this.</p> <p>15 COMMISSIONER DELEON: Lisa, do you have that?</p> <p>16 MS. KAHUHU: I don't remember that, either.</p> <p>17 COMMISSIONER DELEON: Oh, my God.</p> <p>18 COMMISSIONER SUGIMURA: I thought you were --</p> <p>19 CHAIR STONE: See, Dave, you're on our case</p> <p>20 for not looking at your stuff, but you got to send it.</p> <p>21 COMMISSIONER MOIKEHA: That's the only thing</p> <p>22 we had.</p> <p>23 COMMISSIONER DELEON: I wrote out --</p> <p>24 COMMISSIONER HASHIMOTO: How long ago was</p> <p>25 this, Dave?</p>
Page 75	<p>1 COMMISSIONER DELEON: About a month ago.</p> <p>2 MS. KAHUHU: Everything you've provided me has</p> <p>3 been provided to --</p> <p>4 COMMISSIONER DELEON: We had computer issues</p> <p>5 there for a while, though, remember? Remember I was</p> <p>6 sending stuff --</p> <p>7 MS. KAHUHU: Only you receiving our email; not</p> <p>8 me receiving your email.</p> <p>9 COMMISSIONER DELEON: Okay.</p> <p>10 CHAIR STONE: Well, Dave, that sounds like it</p> <p>11 would be a very useful tool.</p> <p>12 COMMISSIONER DELEON: For --</p> <p>13 CHAIR STONE: For now.</p> <p>14 COMMISSIONER DELEON: Yeah. Well, mr. Chair,</p> <p>15 do you want to give me five minutes to run to my office</p> <p>16 to see if I can get it off my machine?</p> <p>17 CHAIR STONE: You know, we need to take a</p> <p>18 break for Tonya, anyway.</p> <p>19 COMMISSIONER HASHIMOTO: (Inaudible).</p> <p>20 COMMISSIONER DELEON: No, it was supposed to</p> <p>21 be draft language for educational purposes.</p> <p>22 MS. BRODER: Did you email it to somebody?</p> <p>23 COMMISSIONER DELEON: I thought I emailed it</p> <p>24 to the Commission.</p> <p>25 CHAIR STONE: I didn't get it.</p>
Page 76	<p>1 COMMISSIONER DELEON: This could be Dave's</p> <p>2 blank hole in his head, but I remember doing it. I</p> <p>3 don't know why you guys didn't get it.</p> <p>4 COMMISSIONER DE REGO: I suggest a recess,</p> <p>5 then.</p> <p>6 CHAIR STONE: Yeah, I am going to take a</p> <p>7 recess. Thank you, Frank. In 10 years, Frank, you can</p> <p>8 have this job.</p> <p>9 Take a recess. We'll be back here at high</p> <p>10 noon. Thank you.</p> <p>11 (Recess, 11:51 a.m. to 12:03 p.m.)</p> <p>12 CHAIR STONE: I would like to take this time</p> <p>13 to call the Commission back to order as of 12:00. And</p> <p>14 we are discussing publication of the amendments as</p> <p>15 mandated by Section 14-3 of the Charter and voter</p> <p>16 education advertising. So, with that, I would like to</p> <p>17 hand it off to Yuki for a quick report.</p> <p>18 COMMISSIONER SUGIMURA: Okay. So Lisa and I</p> <p>19 have been working on stuff. Thanks. Lisa Kahuhu is</p> <p>20 just awesome.</p> <p>21 So based upon the publications that the</p> <p>22 Charter Commissioners agreed and voted to have the</p> <p>23 proposals published in, we sent out an RFP out to</p> <p>24 certain graphic designers, so that we could get a</p> <p>25 proposal back by June the 6th, for how much it would</p>

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1 cost for their services. And we sent out this whole
 2 schedule of all the publications and the different
 3 newspapers, with the ad specs and whatever, as well as
 4 the brochure. And so we're waiting for that to come
 5 back.
 6 Then we also said in the RFP that, by August
 7 the 15th, the final brochure of the document would be
 8 ready. So within -- from June 6th to August 15th, we
 9 have to have the proposal questions detailed and given
 10 to them exactly. They will be published as well as
 11 printed.
 12 And then, over and beyond that, what I've also
 13 done is talked to Akaku. And Akaku has -- is going to
 14 be communicating back to us, but to work on a 30-minute
 15 show, basically. Josh, you would be probably directing
 16 it -- or be the main personality, along with other
 17 Commissioners, but just to talk about the proposals for
 18 education. And then Akaku came up with this really good
 19 idea. And from that 30-minute spot, we would pull out
 20 30 seconds to make Akaku TV like ads, I guess, or just
 21 about the different proposals, just kind of a quick
 22 information about the many different proposals. And we
 23 can always refer people, I think, because it's a visual,
 24 to our website.
 25 And from that, I would like to use that same

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1 30-second to use radio spots, so that we could direct
 2 people to understand that there's these different
 3 Charter proposals coming up that you're going to vote on
 4 during general election, and check on www dot, you know,
 5 whatever.
 6 Dave is going to recommend, when he gets back,
 7 that we should have our own website because it -- I
 8 mean, the County website is great, and it really has
 9 been the basis for -- Junior is frowning, so maybe I
 10 can't do that, but the County website's great because it
 11 has all the basis for all the legal and whatever we've
 12 been doing in all the meetings, but just someplace that
 13 we could just refer people and have, basically, the same
 14 proposals in there so people would know, you know, what
 15 the different proposals are.
 16 CHAIR STONE: So laid out similar to our --
 17 our brochure?
 18 COMMISSIONER SUGIMURA: Yeah. Can we do that?
 19 MR. KUSHI: I am not sure. You're part of the
 20 County board or commission, if you contract out your own
 21 website -- I'll have to get back to you.
 22 COMMISSIONER SUGIMURA: Okay.
 23 MR. KUSHI: I would much rather you have it
 24 done with the County.
 25 COMMISSIONER SUGIMURA: Okay. So if we do

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1 have it with the County, then, I wonder if, when people
 2 go on to the County website, it will be really easy to
 3 see what we're directing them to.
 4 MR. KUSHI: Well, I thought it was. You did
 5 have your own section under the County website.
 6 CHAIR STONE: Is the County website still --
 7 still having issues? Hey, Mike, how are you? Mike, do
 8 you know, because I know our button wasn't working.
 9 MR. MOLINA: I could follow up with you,
 10 Mr. Chairman.
 11 MS. BRODER: I think it looks like it's
 12 working just fine right now. I've just been using it.
 13 I read you the report from last time. And -- I mean,
 14 when you go to the County website, you go Maui County
 15 Charter Commission, and you guys come up and, you know,
 16 everything is on there that relates to --
 17 COMMISSIONER SUGIMURA: Okay.
 18 MS. BRODER: -- the Charter Commission. I was
 19 just using it today and I didn't have any troubles.
 20 CHAIR STONE: The only problem is, when -- I
 21 see what Yuki is saying is, when you're putting out a
 22 website with a specific address, if it's like WWW dot
 23 Maui dot gov dot County backslash, blahbuddie, blah,
 24 blah, blah, blah, blah, it's a little bit difficult for
 25 people to get to that website based on, say, a verbal

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1 ad. Where it would be much easier to go to
 2 www.mauicountycharter.com, something like that, correct?
 3 Is that what we're talking about?
 4 COMMISSIONER SUGIMURA: I don't know what is
 5 easiest.
 6 CHAIR STONE: What if we had something that we
 7 had a site that linked? So -- you know, how you can
 8 redirect? So if we got a simplified web address and
 9 linked it. Is that possible, Ed?
 10 MR. KUSHI: Again, I am not sure.
 11 CHAIR STONE: Because then you could say, go
 12 to mauicountycharter.com.
 13 MR. KUSHI: My concern is, one, maybe a
 14 procurement issue involved; secondly, interacting with a
 15 private website would not be following County policy.
 16 CHAIR STONE: Okay.
 17 MR. KUSHI: Those kind of issues.
 18 CHAIR STONE: Let's find out so we have a
 19 definitive. Thank you, Ed.
 20 Go ahead, Frank.
 21 COMMISSIONER DE REGO: I think Lisa is here,
 22 she can kind of give us an insight. Because I am
 23 looking at the home page, which used to have a button
 24 that took you directly to the Commission website. And
 25 that's not there anymore.

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<p>1 MS. KAHUHU: Frank, I think I explained that a 2 couple meetings ago. 3 COMMISSIONER DE REGO: Exactly. 4 MS. KAHUHU: That there was trouble with the 5 website, so the Budget, Charter Commission was removed. 6 So they gave us the www.mauicountychartercommission.com. 7 And you can also go For Residents, there's a direct link 8 to the Charter Commission. Most people go under For 9 Residents. 10 CHAIR STONE: Got it. So we have 11 www.mauicountychartercommission.com. 12 MS. KAHUHU: Maui Charter Commission -- I 13 don't know exactly what it is. If you click on For 14 Residents and go to Charter Commission, it will tell you 15 right there. Also, on that main page, they have a 16 sign-up for email notifications right on that page now 17 rather than -- because you can -- emailers can sign up 18 for any notification through the County, but this is 19 specific to Charter Commission. 20 CHAIR STONE: Okay. Thank you, Lisa. So Maui 21 County -- one of those is we have a nice simplified 22 link. 23 MS. KAHUHU: Yes, a nice simplified link. 24 CHAIR STONE: Okay. Perfect. Great. 25 MS. KAHUHU: So they can either go directly,</p>	<p>1 COMMISSIONER SUGIMURA: Yeah. 2 CHAIR STONE: -- as far as verbiage goes. 3 COMMISSIONER SUGIMURA: Yeah. 4 CHAIR STONE: Which will include the 5 explanations. 6 COMMISSIONER SUGIMURA: Right. And then when 7 is the next meeting? 8 CHAIR STONE: Next meeting is showing June 9 25th. 10 COMMISSIONER SUGIMURA: Okay. So by June 11 25th, we're also going to have the graphic artist 12 determined. 13 CHAIR STONE: Okay. 14 COMMISSIONER SUGIMURA: Because the RFP, you 15 know, return date is June 6th. Anything else, Lisa? 16 MS. KAHUHU: Not that I can think of, Yuki. 17 The graphic designers' bids are due by this Wednesday, 18 June 6th. 19 CHAIR STONE: Okay. 20 MS. KAHUHU: From their bid, it can be 21 determined, you know, what -- from the scope, what 22 they're going to charge. 23 CHAIR STONE: Okay. 24 MS. KAHUHU: So even though the design and so 25 forth probably won't be officially ready until, you</p>
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<p>1 without even going through the County website, or they 2 can go to the County website, For Residents, and click 3 on Charter Commission. 4 CHAIR STONE: Got it. So, Ed, that's 5 answered. Great. Okay. So we'll make sure we know 6 exactly what the link name is, but that helps. Make 7 sure you pass it on, in case I do any educational stuff, 8 or any of us do. 9 COMMISSIONER SUGIMURA: Okay. So Dave is 10 going to return with what he was working on, but that 11 would be the proposal language that we're going to be 12 using for all of -- you know, going forward. So at some 13 point, we just got to put on our calendar that we have 14 to review it as a Commission and approve it so that it 15 then goes to Lisa, and then Lisa gives it to the graphic 16 artist. 17 CHAIR STONE: Okay. So should we come up with 18 a draft -- not in format, but draft language with our -- 19 with our explanations? Because I am going to work on 20 the explanations with -- 21 COMMISSIONER SUGIMURA: Yes. So the verbiage 22 part is what the graphic artist will put it into -- 23 CHAIR STONE: Got it. And then we -- at the 24 next meeting, we'll have something for the Commissioners 25 to approve --</p>	<p>1 know, mid-July, although we're asking for finals, final 2 proofs by August 15th. However, we can encumber from 3 their bid the funds in this fiscal. That's why the due 4 date is the 6th, which gives you guys time, or we can 5 still move forward. 6 CHAIR STONE: Okay. So looking at our -- 7 assuming that it's going to be similar to this, Yuki, 8 it'd, basically, be a one, two, three, four, five-page 9 -- five-page brochure. 10 COMMISSIONER SUGIMURA: So this brochure can 11 be both back and front, yeah. So it goes -- yeah. 12 CHAIR STONE: So a similar size brochure? 13 COMMISSIONER SUGIMURA: I think so. 14 MS. KAHUHU: Chair? 15 CHAIR STONE: Yes. 16 MS. KAHUHU: I have actual copies of the bid 17 request, if you would be interested in seeing that. 18 CHAIR STONE: I think I looked at it earlier. 19 One second. There we are. No. That's my claim for 20 County mileage. 21 MS. KAHUHU: I haven't passed it out yet. 22 CHAIR STONE: Okay. Then I haven't looked at 23 it. So, Yuki, anything else? 24 COMMISSIONER SUGIMURA: By the next meeting, I 25 guess I'll have the schedule for Akaku.</p>

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<p>1 CHAIR STONE: Great. Then --</p> <p>2 COMMISSIONER SUGIMURA: And the other</p> <p>3 community outreach. So the things that are radio</p> <p>4 interviews and all of that. So, by June 25th meeting,</p> <p>5 I'll have that on the schedule.</p> <p>6 CHAIR STONE: Okay. Excellent.</p> <p>7 COMMISSIONER SUGIMURA: And I don't know if</p> <p>8 there's Sunshine requirements that we have to follow, so</p> <p>9 that we cannot have Josh and two other Commissioners on</p> <p>10 the Akaku show or -- is that a problem? Or has it --</p> <p>11 CHAIR STONE: That's a good question.</p> <p>12 MR. KUSHI: Why do you need more than two?</p> <p>13 COMMISSIONER SUGIMURA: I don't know. Just in</p> <p>14 case.</p> <p>15 CHAIR STONE: So two is safe?</p> <p>16 COMMISSIONER SUGIMURA: Two is safe.</p> <p>17 CHAIR STONE: What I would like to do is see</p> <p>18 if we can mix it up and get different Commissioners</p> <p>19 involved in the media stuff.</p> <p>20 COMMISSIONER SUGIMURA: Okay.</p> <p>21 CHAIR STONE: So why don't we -- why don't we</p> <p>22 see what we have upcoming? And we'll ask which</p> <p>23 Commissioners are interested in working on that side.</p> <p>24 And then we can put a schedule together for them as</p> <p>25 well.</p>	<p>1 So, Yuki, with that said -- with that said,</p> <p>2 we're looking all right if we approve by June 25th the</p> <p>3 verbiage? Or do we need to approve it before June 25th?</p> <p>4 COMMISSIONER SUGIMURA: No. That's really --</p> <p>5 CHAIR STONE: It's perfect?</p> <p>6 COMMISSIONER SUGIMURA: Yeah. Lisa?</p> <p>7 CHAIR STONE: If we approve the language</p> <p>8 that's going to go into this brochure by June 25th,</p> <p>9 we're okay?</p> <p>10 MS. KAHUHU: Yes.</p> <p>11 CHAIR STONE: Okay. Good. Good. The</p> <p>12 newspaper stuff we're going to need our graphic</p> <p>13 designer -- we're going to have to hire a graphic</p> <p>14 designer then do our ads. Okay.</p> <p>15 COMMISSIONER SUGIMURA: So once we get, you</p> <p>16 know, this document done, which is just the verbiage and</p> <p>17 proposal, it's going to drive everything else. So --</p> <p>18 CHAIR STONE: Okay. Very good. All right.</p> <p>19 Thank you so much, Yuki.</p> <p>20 I am just going to point out to Dave that one</p> <p>21 of the issues came up about a simplified website, you</p> <p>22 know, especially when we're looking at marketing. It</p> <p>23 turns out we do have www.mauichartercommission.com.</p> <p>24 COMMISSIONER DELEON: Okay.</p> <p>25 CHAIR STONE: So that's a nice simplified --</p>
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<p>1 COMMISSIONER SUGIMURA: And then the other --</p> <p>2 other areas that I don't know, because I am not on their</p> <p>3 islands, would be Lanai and Molokai. So when you have</p> <p>4 radio shows or whatever that -- you know, like</p> <p>5 especially if you can go on it, and maybe get Josh to go</p> <p>6 on with you, if you think that's necessary. But like</p> <p>7 for Molokai and Lanai, I think it would be important to</p> <p>8 have the Commissioners from the island, basically, be on</p> <p>9 there talking about the proposals.</p> <p>10 And then I am not sure if Hana -- I know Hana</p> <p>11 has their own newspaper, like a monthly, but does Hana</p> <p>12 have a radio show?</p> <p>13 COMMISSIONER HASHIMOTO: We have to go through</p> <p>14 NPR in Honolulu.</p> <p>15 COMMISSIONER SUGIMURA: Oh.</p> <p>16 COMMISSIONER HASHIMOTO: That's pretty --</p> <p>17 sometimes it's good, sometimes it's not.</p> <p>18 COMMISSIONER SUGIMURA: Thank you.</p> <p>19 COMMISSIONER HASHIMOTO: But we can do it</p> <p>20 because I checked with it once before.</p> <p>21 CHAIR STONE: Okay. Cool. Very good, Yuki.</p> <p>22 COMMISSIONER SUGIMURA: So I'll have the</p> <p>23 schedule. I'll have the schedule.</p> <p>24 CHAIR STONE: Amazing. Thank you so much for</p> <p>25 all that hard work. Okay, great.</p>	<p>1 COMMISSIONER DELEON: I don't know if Yuki was</p> <p>2 talking about 30-second ads, quick ads on --</p> <p>3 CHAIR STONE: She already mentioned it.</p> <p>4 COMMISSIONER DELEON: Or even on Akaku. We</p> <p>5 need to use them to drive people to the website because</p> <p>6 there's no way you can discuss this stuff in any kind of</p> <p>7 detail on the radio. I mean, people would go to sleep</p> <p>8 and (inaudible).</p> <p>9 CHAIR STONE: Right, of course.</p> <p>10 COMMISSIONER DELEON: You need to drive it,</p> <p>11 too. Drive it someplace where you can sit and read it.</p> <p>12 CHAIR STONE: A very simplified web name is</p> <p>13 important. So I am glad we have that, it already</p> <p>14 exists.</p> <p>15 COMMISSIONER DELEON: That's a good first</p> <p>16 step.</p> <p>17 CHAIR STONE: Okay. Good. And then, Lisa,</p> <p>18 once we have our brochure, maybe it would be nice to</p> <p>19 have on the website like a PDF version of our brochure,</p> <p>20 our educational brochure.</p> <p>21 MS. KAHUHU: Yes, we would put it on. And</p> <p>22 there's also, for a fee, of course, you can put it on</p> <p>23 The Maui News website as well. So that's just another</p> <p>24 thought, but there is cost to that.</p> <p>25 CHAIR STONE: Okay. Great. That's good to</p>

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<p>1 know. Thank you. All right. Thank you again, Yuki, 2 for all the hard work. I'm really impressed. 3 COMMISSIONER SUGIMURA: Yeah. I love doing 4 it. 5 CHAIR STONE: Labor of love. Okay. 6 Dave just handed out something you wrote up 7 which is educational explanation of what -- from what I 8 am reading, educational explanation of -- 9 COMMISSIONER DELEON: Possible language for a 10 brochure or for whatever, whatever you want to use it. 11 It's more detailed than what you put in the newspaper 12 ad, necessarily, I think. A little bit too heavy for a 13 newspaper ad, but maybe for brochure. The idea was to 14 start -- at least to start the process of trying to 15 describe these individual topics. And, of course, the 16 ballot questions would be the actual whatever that is. 17 I used the language as close as I had it. I'm just 18 trying to explain it in straightforward language that 19 won't trip up the voter. 20 CHAIR STONE: Some of the Commissioners -- 21 COMMISSIONER DELEON: I am at a loss to know 22 why it didn't get to you guys. I thought I sent it, but 23 I was having serious computer problems for a while. And 24 this might have been during that period. 25 CHAIR STONE: You know, now that I am looking</p>	<p>1 COMMISSIONER DELEON: I tried -- my purpose in 2 writing this was to really explain it as quickly as I 3 could, but not leaving out the detail so that you 4 wouldn't get it. So everything is supposed to be in 5 there without no extra -- extra extraneous stuff. I 6 mean, no extra thoughts about, you know, anything else, 7 just bare basics. But if you go smaller, then you're 8 not having a full discussion. 9 CHAIR STONE: All right. Well, special 10 committee will take this into account when we -- when we 11 do our draft language which we're going to bring back by 12 June 25th. 13 COMMISSIONER DELEON: Okay. So I didn't need 14 to run to my office? 15 CHAIR STONE: Well, no. Actually, it's good 16 because these guys need to see it because they might 17 have some input. 18 COMMISSIONER DE REGO: This is the first time 19 I've seen this. 20 CHAIR STONE: Okay. Good. So it was worth 21 running over to your office. 22 COMMISSIONER DELEON: Ran out of staples, then 23 I ran out of paperclips. 24 COMMISSIONER SUGIMURA: You need a secretary. 25 COMMISSIONER DELEON: One of those deals.</p>
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<p>1 at it, I do recall seeing this. 2 COMMISSIONER DELEON: I wish you hadn't told 3 me that. 4 CHAIR STONE: I do. But I think it might have 5 just -- I think it was c.c.'d to me as the Chair and 6 Yuki as -- I think we got it as the committee. 7 COMMISSIONER DELEON: Okay. 8 CHAIR STONE: So -- okay. Anyways -- 9 COMMISSIONER DELEON: You're going to find 10 typos. Yeah, there are typos because nobody proofed 11 this. So have at it. 12 CHAIR STONE: Also, some of the Commissioners 13 wanted to -- what's that? 14 COMMISSIONER DELEON: Typos. 15 CHAIR STONE: Wanted discussion, for example, 16 in the explanation, the other side of the debate. So 17 the special committee will work on that, come back with 18 -- well, our number one issue right now is making sure 19 that we have the draft language prepared for this, for 20 June 25th, for our brochure, so that it can go out. 21 Some of these explanations, obviously, would be way too 22 long for brochure. 23 COMMISSIONER DELEON: Some of those are fairly 24 long. 25 CHAIR STONE: On the explanation side?</p>	<p>1 Yeah, I need a secretary. If you saw my office, you'd 2 know (inaudible). 3 CHAIR STONE: Okay. All right. So there's no 4 further discussion on voter education. Advertising, I 5 think it's pretty clear what we need to do. We got a 6 good direction and our timetable set. 7 Lisa, you did mention something in reference 8 to the bids. Was that just -- was that you and I 9 discussing? 10 MS. KAHUHU: I just -- I passed out the bid 11 scope. 12 CHAIR STONE: Got it. Okay. Thank you. Just 13 wanted to make sure. Okay. Moving on. Next meeting, 14 our next meeting is scheduled for June 25th, 2012, 10:00 15 a.m., here in the Planning Conference Room, Kalana Pakui 16 Building. All right? 17 And before we adjourn, is there any further 18 discussion? Okay. Thanks so much everybody for being 19 here. Thank you, Akaku. And without objection, I will 20 adjourn this meeting. 21 COMMISSIONER DELEON: Chair, I would like 22 to -- before we close, I would like to take my hat off 23 to the staff for the hard work they put in, especially 24 Lisa. 25 CHAIR STONE: Thank you, Dave. Great. Let's</p>

1 give them a hand, rounds of applause. Lisa, Mike, Ed,
 2 you guys, thank you so much.
 3 COMMISSIONER SUGIMURA: Tonya.
 4 COMMISSIONER DELEON: Tonya.
 5 CHAIR STONE: Drinks on us, guys. Drinks on
 6 us, Tonya, Sherry. Thank you guys so much. So much
 7 hard work has gone into this in an amazing amount of
 8 time. Thank you. All right.
 9 So, without objection, I would like to adjourn
 10 this meeting at 12:25 p.m. Thanks so much, everybody.
 11 Have a great day.
 12 (Meeting adjourned, 12:24 p.m.)

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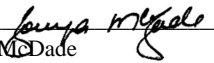
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I, TONYA MCDADE, Certified Court Reporter of
 the State of Hawaii, do hereby certify that the
 proceedings contained herein were taken by me in machine
 shorthand and thereafter was reduced to print by means
 of computer-aided transcription; and that the foregoing
 represents, to the best of my ability, a true and
 accurate transcript of the proceedings had in the
 foregoing matter.

I further certify that I am not an attorney
 nor an employee of any of the parties hereto, nor in any
 way concerned with the cause.

DATED this 20th day of June, 2012.



 Tonya McDade
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