

Council Chairperson
Goro Hokama

Council Vice-Chairperson
Howard S. Kihune

Council Members
Linda Crockett Lingle
Pat S. Kawano
Alice L. Lee
Rick Medina
Wayne K. Nishiki
Velma M. Santos
Joe S. Tanaka



Gwen Yoshimi-Ohashi
Director of Council Services

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793

NOTE: The recommendations contained in this county communication were amended by the Council at its meeting on June 1, 1990, by deleting the bracketed material and underscoring the new material. This county communication was then adopted as amended.

June 1, 1990

Honorable Members of the Council
County of Maui
Wailuku, Hawaii 96793

Members of the Council:

Your Committee of the Whole, having met on May 17, 1990, makes reference to the following:

1. County Communication No. 89-509, from the Cost of Government Commission, transmitting RECOMMENDATION NO. 1, NUMBER OF VOTES NECESSARY TO AMEND COUNTY CHARTER;
2. County Communication No. 89-510, from the Cost of Government Commission, transmitting RECOMMENDATION NO. 4, FOUR YEAR TERMS FOR COUNCILMEMBERS; and
3. Miscellaneous Communication, from the County Clerk, dated May 11, 1990, recommitting the following proposed resolutions for charter amendments along with the minutes of the public hearings.
 - a. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE COUNTY COUNCIL".

The purpose of the proposed resolution is to change the term of office for Council members from two (2) years to four (4) years.

- b. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF FINANCE".

The purpose of the proposed resolution is to provide for the appointment by the Mayor with Council approval, and removal by the Mayor with Council approval, of the Director of Finance.

- c. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF PLANNING".

The purpose of the proposed resolution is to provide for the appointment by the Mayor with Council approval, and removal by the Mayor with Council approval, of the Director of Planning.

- d. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF PUBLIC WORKS".

The purpose of the proposed resolution is to provide for the appointment by the Mayor with Council approval, and removal by the Mayor with Council approval, of the Director of Public Works.

- e. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO ORDINANCES AND RESOLUTIONS".

The purpose of the proposed resolution is to change the number of councilmembers who may request a public hearing on any proposed ordinance or resolution from three (3) members to five (5) members.

- f. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE APPROVAL OF RULES OF THE DEPARTMENT OF WATER SUPPLY".

The purpose of the proposed resolution is to change the number of councilmembers who must vote to adopt a resolution disapproving a proposed rule by the Department of Water Supply from a vote of six members of the Council to five members.

- g. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO VOTING REQUIREMENTS FOR BOARDS AND COMMISSIONS".

The purpose of the proposed resolution is to allow a majority vote of a board or commission to take action on a matter when the vote is expressed in either the affirmative or negative.

- h. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO THE ESTABLISHMENT OF A DEPARTMENT OF WASTE MANAGEMENT AND TO THE TRANSFER THERETO OF THE SOLID AND LIQUID WASTE FUNCTION FROM THE DEPARTMENT OF PUBLIC WORKS".

The purpose of the resolution is to establish a department of waste management consisting of a director of waste management and the necessary staff.

- i. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE ELECTION-AT-LARGE OF MEMBERS OF THE MAUI AND MOLOKAI PLANNING COMMISSIONS".

The purpose of the proposed resolution is to provide at-large elections of members of the Maui and Molokai Planning Commissions.

- j. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO ESTABLISHING A DEPARTMENT OF HOUSING".

The purpose of the proposed resolution is to establish a department of housing consisting of a director of housing and the necessary staff.

- k. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE COUNTY COUNCIL".

The purpose of the proposed resolution is to change the term of office for councilmembers from two (2) years to four (4) year-staggered terms.

- l. "PROPOSING AMENDMENTS TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) AUTHORIZING THE CHIEF OF POLICE TO INVESTIGATE VIOLATIONS OF LIQUOR CONTROL LAWS AND LIQUOR COMMISSION RULES AND REGULATIONS".

The purpose of the proposed resolution is to provide for the Department of Police to investigate violations of the liquor control laws of the State and the rules established by the Liquor Control Commission.

- m. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO CHARTER AMENDMENTS".

The purpose of the proposed resolution is to require a majority of voters drawing ballots to approve an amendment to the Charter.

- n. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE BOARD OF LAND USE AND CODE ENFORCEMENT OF THE DEPARTMENT OF PUBLIC WORKS".

The purpose of the proposed resolution is to establish a quasi-judicial board to hear and consider violations of the fire, housing, electrical, plumbing and building codes, subdivision ordinances, and other land use ordinances, rules and regulations.

- o. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO LAPSING OF CAPITAL IMPROVEMENT APPROPRIATIONS".

The purpose of the proposed resolution is to provide for appropriations of less than \$100,000 to lapse eighteen (18) months after the date of the appropriation. For those capital improvements over \$100,000 the lapsing date would be thirty (30) months following the date of the appropriation.

- p. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO A SOUTH MAUI MEMBER FOR THE MAUI COUNTY COUNCIL".

The purpose of the proposed resolution is to reduce the number of members of the Council with no district residency from two (2) to one (1), and to add one (1) member of the Council who shall be a resident of the district of South Maui.

Your Committee notes that public hearings were held on the proposed resolutions on April 16, 17, 18 and 19, 1990, pursuant to County Communication No. 90-136.

Your Committee is in receipt of the following:

1. A letter from Joseph Souza, Director, Department of Liquor Control, dated April 16, 1990, commenting on the Charter amendment, relating to the Liquor Commission's rules and regulations;
2. A memorandum to the Council Chair, from five members of the Council, dated April 20, 1990, recommending that proposed Charter amendments and public testimony be referred to the Charter Commission; and

3. A letter from William F. Crockett, dated April 26, 1990, commenting on the proposed Charter amendment relating to the election of the members of the Maui and Molokai Planning Commissions.

At its meeting, your Committee met with a Deputy Corporation Counsel. Your Committee accepted testimony from six persons speaking in support of the Charter amendment establishing a South Maui Council seat, and one person speaking in support of the Charter amendment proposing the election of members of the Maui and Molokai Planning Commissions.

Your Committee received a copy of a memorandum to Councilmember Wayne K. Nishiki, from Deputy Corporation Counsel Howard M. Fukushima, dated May 17, 1990, advising that the apportionment plan proposed in connection with the Charter amendment relating to the election of members of the Maui and Molokai Planning Commission presents a constitutionally impermissible scheme.

Your Committee noted that Section 14-3 of the Charter of the County of Maui provides for the appointment of a Charter Commission by the Mayor, with the approval of the Council, prior to March 30, 1991, but not earlier than January 1, 1991, composed of eleven members to study and review the operation of the government of the County under the Charter.

After considerable discussion, your Committee voted to refer all proposed Charter amendments to the Charter Commission for study and review, with the exception of the proposed Charter amendment authorizing the chief of police to investigate violations of liquor control laws and liquor commission rules and regulations which was deleted from the package.

Your Committee made nonsubstantive revisions to six (6) proposed resolutions.

Your Committee is in receipt of six (6) revised resolutions.

Your Committee of the Whole RECOMMENDS the following:

1. That the following proposed resolutions be REFERRED to the Charter Commission for study and review:
 - a. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE COUNTY COUNCIL";

- b. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF FINANCE";
- c. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF PLANNING";
- d. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF PUBLIC WORKS";
- e. A proposed resolution, as revised herein and attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO ORDINANCES AND RESOLUTIONS";
- f. A proposed resolution, as revised herein and attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE APPROVAL OF RULES OF THE DEPARTMENT OF WATER SUPPLY";
- g. A proposed resolution, as revised herein and attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO VOTING REQUIREMENTS FOR BOARDS AND COMMISSIONS";
- h. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO THE ESTABLISHMENT OF A DEPARTMENT OF WASTE MANAGEMENT AND TO THE TRANSFER THERETO OF THE SOLID AND LIQUID WASTE FUNCTION FROM THE DEPARTMENT OF PUBLIC WORKS";

- i. A proposed resolution, as revised herein and attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE ELECTION-AT-LARGE OF MEMBERS OF THE MAUI AND MOLOKAI PLANNING COMMISSIONS";
 - j. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO ESTABLISHING A DEPARTMENT OF HOUSING";
 - k. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE COUNTY COUNCIL";
 - l. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO CHARTER AMENDMENTS";
 - m. A proposed resolution, as revised herein and attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE BOARD OF LAND USE AND CODE ENFORCEMENT OF THE DEPARTMENT OF PUBLIC WORKS";
 - n. A proposed resolution, attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO LAPSING OF CAPITAL IMPROVEMENT APPROPRIATIONS";
 - [o. A proposed resolution, as revised herein and attached hereto, entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO A SOUTH MAUI MEMBER FOR THE MAUI COUNTY COUNCIL";]
2. That County Communication No. 89-509 be FILED; [and]

3. That County Communication No. 89-510 be FILED[.];
and
4. That Resolution No. 90-57, attached hereto,
entitled "PROPOSING AN AMENDMENT TO THE REVISED
CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO
A SOUTH MAUI MEMBER FOR THE MAUI COUNTY COUNCIL"
PASS FIRST READING.

Respectfully submitted,



GORO HOKAMA
Council Chair

CR4a:COW1:ds

Resolution

No 88-57

Introduced By

GORO HOKAMA

Councilmember

PROPOSING AN AMENDMENT TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
RELATING TO COASTAL ZONE MANAGEMENT

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Section 8-8.4 of the Revised Charter of the County of Maui be amended to delete the Planning Commission to act as the authority in all matters relating to the Coastal Zone Management law, to read as follows:

"Section 8-8.4. Planning Commission. The planning commission shall consist of nine members appointed by the mayor with the approval of the council. The director of the department of public works and the director of the department of water supply shall be non-voting ex-officio members of the commission.

The planning commission shall:

1. Advise the mayor, council and the planning director in matters concerning planning programs.
2. Review the general plan and revisions thereof prepared by the planning director or at the request of the council. The commission shall hold public hearings on such plans and revisions thereof and shall transmit them with its findings and recommendations to the council for consideration and action.
3. Review other proposed land use ordinances and amendments thereto prepared by the director or the council and, after public hearings, transmit such ordinances with its findings and recommendations thereon to the council for consideration and action.

COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

WAILUKU, HAWAII 96793

Resolution No. 88-57

[4. Act as the authority in all matters relating to the Coastal Zone Management law.]

[5.] 4. Adopt rules pursuant to land use ordinances or law.

[6.] 5. Have such other powers and duties as may be provided by law."

2. That this resolution be submitted to the voters of the County of Maui at the next general election.

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1988 General Election.

4. That upon approval by the majority of the voters in favor of amending the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Mayor.

61:COW1:gyo

COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the _____ day of _____, 19 ____ by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Vice-Chairman	Patrick S. KAWANO	Howard S. KIHUNE	Thomas P. MORROW	Robert H. NAKASONE Chairman	Wayne K. NISHIKI	Velma M. SANTOS	Joe S. TANAKA
ROLL CALL									

/3/88 - Recommitted to COW.

COUNTY CLERK

Resolution

No 88-58

Introduced By

GORO HOKAMA

Councilmember

PROPOSING AN AMENDMENT TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983) RELATING TO
VOTING REQUIREMENTS FOR BOARDS AND COMMISSIONS

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Subsection 8 of Section 13-2 of the Revised Charter of the County of Maui be amended to change the number of affirmative votes of a board or commission necessary to take any action, to read as follows:

"8. A majority of the entire membership of a board or commission shall constitute a quorum to do business, and the affirmative vote of a majority of [those members present] the entire membership of a board or commission shall be necessary to take any action."

2. That this resolution be submitted to the voters of the County of Maui at the next general election.

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1988 General election.

COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

WAILUKU, HAWAII 96793

Resolution No. 88-58

4. That upon approval by a majority of the voters in favor of amending the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Mayor.

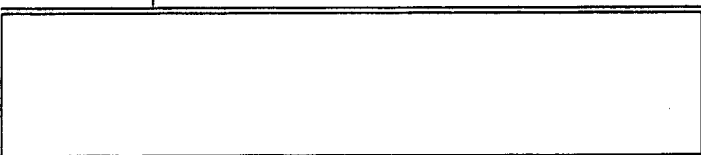
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COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the 17th day of June, 19 88 by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Vice-Chairman	Patrick S. KAWANO	Howard S. KIHUNE	Thomas P. MORROW	Robert H. NAKASONE Chairman	Wayne K. NISHIKI	Velma M. SANTOS	Joe S. TANAKA
ROLL CALL	Aye	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye



L. Doyle Lemaire
 COUNTY CLERK

Resolution

No 88-59

Introduced By

GORO HOKAMA

Councilmember

PROPOSING AN AMENDMENT TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
RELATING TO APPROPRIATION OF REVENUES

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Subsection 1 of Section 9-9 of the Revised Charter of the County of Maui be amended to allow the Mayor to certify grant revenues which are not actually received, but which are to be reimbursed after the County advances the program costs, to read as follows:

"1. If any during any fiscal year the mayor certifies that there are available for appropriation (a) revenues received from sources not anticipated in the budget for that year, or (b) revenues received from anticipated sources but in excess of the budget estimates therefor, or (c) estimated revenues to be reimbursed by federal or state agencies to the county, the county may by ordinance make supplemental appropriations for that year up to the amount of the additional revenues so certified."

2. That this resolution be submitted to the voters of the County of Maui at the next general election.

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STATE OF HAWAII

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3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1988 General Election.

4. That upon approval by a majority of the voters in favor of amending the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Mayor.

58:COW1:gyo

COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the 17th day of June, 19 88 by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Vice-Chairman	Patrick S. KAWANO	Howard S. KIHUNE	Thomas P. MORROW	Robert H. NAKASONE Chairman	Wayne K. NISHIKI	Velma M. SANTOS	Joe S. TANAKA
ROLL CALL	Aye	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye

Daryl T. Yamamoto
COUNTY CLERK

Resolution

No 88-60

Introduced By

GORO HOKAMA

Councilmember

PROPOSING AN AMENDMENT TO THE REVISED CHARTER
OF THE COUNTY OF MAUI (1983)
RELATING TO AUDIT OF ACCOUNTS

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Section 9-13 of the Revised Charter of the County of Maui be amended to improve the procedures in the selection of an independent auditor for the County of Maui by changing the deadline for the designation of an independent auditor, to read as follows:

"Section 9-13. Audit of Accounts. Within [thirty (30) days] six (6) months after the beginning of each fiscal year, the county council shall provide for an independent audit of the accounts and other evidences of financial transactions of the county and of all operations for which the county is responsible. The audit shall be made by a certified public accountant or firm of certified public accountants, designated by the council, who have no personal interest, direct or indirect, in the fiscal affairs of the county or any of its operations. The audit shall include both financial accountability and adequacy of the financial and accounting system. If the State makes such an audit, the council may accept it as satisfying the requirements of this section. The scope of the audit shall be in accordance with the terms of a written contract to be signed by the council

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chairman, which contract shall encourage recommendations for better financial controls and procedures and shall provide for the completion of the audit within a reasonable time after the close of the previous fiscal year. A copy of the audit reports shall be filed with the county clerk and shall be a public record.

In case of the death, resignation or removal of the director of finance, the council shall cause an independent audit to be made of the finance director's accounts."

2. That this resolution be submitted to the voters of the County of Maui at the next general election.

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1988 General Election.

4. That upon approval by the majority of the voters in favor of amending the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect.

COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

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Resolution No. 88-60

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Mayor.

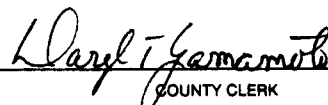
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COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the 17th day of June, 19 88 by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Vice-Chairman	Patrick S. KAWANO	Howard S. KIHUNE	Thomas P. MORROW	Robert H. NAKASONE Chairman	Wayne K. NISHIKI	Velma M. SANTOS	Joe S. TANAKA
ROLL CALL	Aye	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye


COUNTY CLERK

Resolution

No 88-61

Introduced By

GORO HOKAMA

Councilmember

PROPOSING AN AMENDMENT TO SECTION 7-6.2
OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983)

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Section 7-6.2 of the Revised Charter of the County of Maui be amended to read as follows:

"2. Pending the election of a mayor in the case of a vacancy or in the temporary absence of the mayor from the State, or a temporary disability of the mayor, the managing director shall act as mayor. If there is no managing director or if the managing director is unable to act, the finance director shall act as mayor. In the event of the temporary absence of the mayor from the county, or temporary leave, the mayor may designate the managing director or, in the managing director's absence or unavailability, the finance director to act as mayor."

2. That this resolution be submitted to the voters of the County of Maui at the next general election.

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1988 General Election.

4. That upon approval by a majority of the voters in favor of amending the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official

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certification of such result, the amendment proposed herein shall take effect.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Mayor.

COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the 17th day of June, 19 88 by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Vice-Chairman	Patrick S. KAWANO	Howard S. KIHUNE	Thomas P. MORROW	Robert H. NAKASONE Chairman	Wayne K. NISHIKI	Veima M. SANTOS	Joe S. TANAKA
ROLL CALL	Aye	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye

Daryl Yamamoto
COUNTY CLERK

Resolution

No 88-62

Introduced By

GORO HOKAMA

Councilmember

PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE REVIEW OF SALARIES OF ELECTED OFFICIALS BY THE COST OF GOVERNMENT COMMISSION

WHEREAS, by Charter Amendment adopted in 1984, the Salary Commission has been vested with the responsibility to review and set the salaries of elected officials; and

WHEREAS, review of elected officials' salaries by the Cost of Government Commission is no longer necessary; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Section 8-14.2 of the Revised Charter of the County of Maui, be amended to repeal the provision requiring that the Cost of Government Commission review the salaries of the mayor and council members, as follows:

"Section 8-14.2. Cost of Government Commission. For the purpose of carrying out the policy set forth herein the mayor with the approval of the council shall biennially appoint a cost of government commission consisting of nine members.

Each such commission shall:

1. Prepare and submit to the mayor a request for an appropriation for the operation of the commission.
2. Study and investigate the organizations and methods of operations of all departments, commissions, boards, offices and other instrumentality of all branches of the county government and determine what changes, if any, may be desirable to accomplish the policy set forth herein.

COUNCIL OF THE COUNTY OF MAUI

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3. Be authorized to secure directly from any department, commission, board, office, or any other instrumentalities of all branches of the county government or from any individual officer or employee of the county, information, suggestions, estimates, and statistics necessary to carry out its duties.

4. [Review the salaries of the mayor and the council members and submit its recommendations thereon to the mayor and the council.

5.] Submit a report of its findings and recommendations to the mayor and council not later than eleven months after its appointment."

2. That this resolution be submitted to the voters of the County of Maui at the next general election.

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1988 General Election.

4. That upon approval by a majority of the voters in favor of repealing the above-cited section of the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Mayor.

COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the 17th day of June, 19 88 by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Vice-Chairman	Patrick S. KAWANO	Howard S. KIHUNE	Thomas P. MORROW	Robert H. NAKASONE Chairman	Wayne K. NISHIKI	Velma M. SANTOS	Joe S. TANAKA
ROLL CALL	Aye	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye

L. Daryl T. Gamamoto
COUNTY CLERK

Resolution

No 88-63

Introduced By

GORO HOKAMA

Councilmember

PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO APPEALS CONCERNING THE USE OF NEW OR ALTERNATE MATERIALS, TYPES OF CONSTRUCTION, EQUIPMENT, DEVICES OR APPLIANCES

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Article 8 of the Revised Charter of the County of Maui be amended by amending Section 8-5.4 to read as follows:

"Section 8-5.4. Board of Variances and Appeals. The board of variances and appeals shall consist of nine members appointed by the mayor with the approval of the council.

In accordance with such principles, conditions and procedures prescribed by the council, the board of variances and appeals shall:

1. Hear and determine applications for variances from the strict application of any general plan, zoning, subdivision or building ordinances. The board shall hold a public hearing prior to ruling on a variance application and shall issue findings of fact and conclusions of law on decisions granting or denying variance applications.

2. Hear and determine appeals alleging error from any person aggrieved by a decision or order of any department charged with the enforcement of zoning, subdivision and building ordinances[.]; provided, that the council may by ordinance confer to another county agency the authority to hear and determine appeals from the decisions of the building official in the

COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

WAILUKU, HAWAII 96793

Resolution No 88-63

administration of the county of Maui building code, plumbing code, electrical code, and housing code, and from any order made by the county fire chief in the administration of applicable state law and the county of Maui fire code, and the director of water supply in the administration of the rules and regulations of the department of water supply, relating to matters involving any denial of the use of new or alternate materials, types of construction, equipment, devices or appliances.

3. Hear and determine all other matters which the board may be required to pass on pursuant to ordinances.

4. Adopt rules of procedure for the conduct of the board's business."

2. That this resolution be submitted to the voters of the County of Maui at the next general election.

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the voters at the 1988 General Election.

COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

WAILUKU, HAWAII 96793

Resolution No. 88-63

4. That upon approval by the majority of the voters in favor of amending Article 8 of the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Mayor.

COUNCIL OF THE COUNTY OF MAUI
WAILUKU, HAWAII 96793

CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the 17th day of June, 19 88 by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Vice-Chairman	Patrick S. KAWANO	Howard S. KIHUNE	Thomas P. MORROW	Robert H. NAKASONE Chairman	Wayne K. NISHIKI	Velma M. SANTOS	Joe S. TANAKA
ROLL CALL	Aye	Aye	Aye	Excused	Aye	Aye	Aye	Aye	Aye

L. Darrell Gammon
COUNTY CLERK