

Approved 5/13/11 Page 1

COUNTY OF MAUI, STATE OF HAWAII

CHARTER COMMISSION
REGULAR MEETING

Held at the Planning Department Conference Room,
250 South High Street, Wailuku, Maui, Hawaii, commencing
at 12:00 p.m., on Wednesday, May 9, 2011.

Reported by: Tonya McDade, CSR, CRR
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052311 - Item No. I.B. pages 1-22

<p style="text-align: right;">Page 2</p> <p>1 ATTENDANCE</p> <p>2 BOARD MEMBERS PRESENT:</p> <p>3 Joshua A. Stone, Chair</p> <p>4 Artemio C. Baxa, Member</p> <p>5 Stephanie S. Crivello, Member (In 12:02 p.m.)</p> <p>6 Frank R. DeRego, Jr., Member</p> <p>7 Clifford P. Hashimoto, Member</p> <p>8 Wayne N. Hedani, Member</p> <p>9 Susan A. Moikeha, Member</p> <p>10 Linda Kay Okamoto, Member</p> <p>11 Yuki Lei Sugimura, Member</p> <p>12 Flo V. Wiger, Member</p> <p>13 STAFF PRESENT:</p> <p>14 Edward S. Kushi, Jr., First Deputy Corporation Counsel</p> <p>15 Lisa Kahuhu, Executive Secretary</p> <p>16 ADMINISTRATION PRESENT:</p> <p>17 Mayor Alan M. Arakawa</p> <p>18 OTHERS PRESENT:</p> <p>19 Alan Kaufman</p> <p>20 Dick Mayer</p> <p>21 Sally Raisbeck</p> <p>22 Jim Smith</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 MAYOR ARAKAWA: Okay. From Molokai, so that's</p> <p>2 the excuse this time.</p> <p>3 (Laughter.)</p> <p>4 MAYOR ARAKAWA: So what I'm going to ask all</p> <p>5 of you to do is, why don't we start with Frank, and why</p> <p>6 don't you go around, everybody explain a little bit</p> <p>7 about themselves and their backgrounds? You're going to</p> <p>8 be working with each other for a long time, so, going</p> <p>9 over the Charter, you may as well get to know each other</p> <p>10 better and your backgrounds. Frank.</p> <p>11 MEMBER DEREGO: Okay. My name is Frank</p> <p>12 DeRego, Jr. I am Program Manager with Maui Economic</p> <p>13 Development Board, born and raised on Maui. I won't</p> <p>14 start the rivalries, but a graduate of St. Anthony High</p> <p>15 School. Might as well get that started.</p> <p>16 MAYOR ARAKAWA: Forgiven.</p> <p>17 MEMBER DEREGO: And I'm very happy to be here</p> <p>18 with everyone. I'm sure we'll learn to know more about</p> <p>19 each other as time goes. So that's it for me. Thank</p> <p>20 you.</p> <p>21 MAYOR ARAKAWA: Yuki.</p> <p>22 MEMBER SUGIMURA: My name is Yuki Lei</p> <p>23 Sugimura. I'm a small business owner.</p> <p>24 MAYOR ARAKAWA: Just as protocol, talk into</p> <p>25 the mic.</p>
<p style="text-align: right;">Page 3</p> <p>1 (Monday, May 9, 2011, 12:00 p.m.)</p> <p>2 * * *</p> <p>3 MAYOR ARAKAWA: We will call the meeting to</p> <p>4 order. Good afternoon, everyone.</p> <p>5 COMMISSION MEMBERS: Good afternoon.</p> <p>6 MAYOR ARAKAWA: And welcome to the first</p> <p>7 meeting of the Charter Commission. As all of you know,</p> <p>8 you were selected to be on the Charter Commission by</p> <p>9 myself and approved by the Council because I consider</p> <p>10 you probably the most talented group that we could put</p> <p>11 together to do this work. And I know that all of you</p> <p>12 come from varying backgrounds, which is what we wanted</p> <p>13 to have, a very diverse background, because the work</p> <p>14 that you are going to be doing is very critical and very</p> <p>15 important.</p> <p>16 I guess, before I do anything else, what I'd</p> <p>17 like all of you to do is introduce yourselves and tell</p> <p>18 each other a little bit about yourselves. And Stacy can</p> <p>19 be the first.</p> <p>20 (Laughter.)</p> <p>21 MAYOR ARAKAWA: Right up here. We started 20</p> <p>22 seconds ago.</p> <p>23 MEMBER CRIVELLO: Okay, good. Hi. Good</p> <p>24 morning -- or good afternoon. I get lost all the time.</p> <p>25 Thank you.</p>	<p style="text-align: right;">Page 5</p> <p>1 MEMBER SUGIMURA: Okay.</p> <p>2 MAYOR ARAKAWA: Because everything is being</p> <p>3 recorded.</p> <p>4 MEMBER SUGIMURA: So you can hear.</p> <p>5 MAYOR ARAKAWA: You guys are official now, so</p> <p>6 we have to keep everything on record.</p> <p>7 MEMBER SUGIMURA: So my name is Yuki Lei</p> <p>8 Sugimura. I am a small business owner. My business is</p> <p>9 called Connec, LLC. I do marketing promotions. And one</p> <p>10 of my things I have the most fun with is Wailuku First</p> <p>11 Friday. We are going into our fourth year now. But</p> <p>12 other things: I do cultural events, Hawaiian, Japanese,</p> <p>13 Chinese. And I love the community. That's where I</p> <p>14 play.</p> <p>15 MAYOR ARAKAWA: Clifford.</p> <p>16 MEMBER HASHIMOTO: I'm Clifford Hashimoto from</p> <p>17 Hana. What more can I say about that? It's a long</p> <p>18 drive over here, anyway. Beautiful drive. And it's</p> <p>19 also a long drive for me. And, hopefully, like Frank</p> <p>20 here, hopefully, I'll have a chance to meet everybody</p> <p>21 here. So I'll tell you a little bit more about myself</p> <p>22 as we get there. Okay. Thank you.</p> <p>23 MAYOR ARAKAWA: Susan.</p> <p>24 MEMBER MOIKEHA: Susan Moikeha. And,</p> <p>25 actually, I'm a resident of Kula for the last year, but,</p>

2 (Pages 2 to 5)

<p style="text-align: right;">Page 6</p> <p>1 up to that point in time, I was a resident of Kihei for 2 34 years. I am employed by Na Hale O Maui, a community 3 land trust, the first and only one in the state. And we 4 are providing affordable housing. And I oversee the 5 rehab of the homes, so they're put back together, and 6 provide a home for families that live and work here. 7 As far as family, I have four children, seven 8 grandchildren. I'm very fortunate that they were born, 9 raised and still live here. 10 Thank you. 11 MAYOR ARAKAWA: Okay, Susan. Judge Baxa. 12 MEMBER BAXA: My name is Artemio C. Baxa. I 13 was born in the Philippines, but I have been a resident 14 of Maui for the last 44 years, about 44 years. I 15 currently live in Makawao. I am a graduate of the MEO, 16 Maui Economic Opportunity, Inc. I have been a Deputy 17 Prosecuting Attorney for a number of years. I'm a 18 retired Circuit Court judge, and I am back in my former 19 job as a deputy prosecutor. 20 Thank you. I am so happy to serve in this 21 board. 22 MAYOR ARAKAWA: Thank you very much. 23 MEMBER CRIVELLO: Aloha. I'm Stacy Crivello, 24 keiki o ka aina o Molokai. I'm born and raised on 25 Molokai. And I'm very happy to be part of this process,</p>	<p style="text-align: right;">Page 8</p> <p>1 20 years, raised a family. I have two children, boy and 2 girl. And I'm a small business owner in the 3 Paia-Makawao area. 4 I am very excited to be a part of this 5 Commission. I have been looking into some of the things 6 that the previous commissions have done. And it's quite 7 amazing what can be done with this Commission here. So 8 I'm excited to be a part of it and I hope we make some 9 positive changes. 10 MAYOR ARAKAWA: Thank you. Wayne. 11 MEMBER HEDANI: Good morning. I'm Wayne 12 Hedani. I'm President and General Manager of Kaanapali 13 Operations Association in Kaanapali, which is a very 14 long title for chief cook and bottle washer. I'm in 15 charge of the common areas, basically, of the resort. 16 So I'm the official janitor of Kaanapali. And we also 17 do security, transportation services, architectural 18 review for the resort and administer the resort's CC&Rs. 19 I was born in Puunene, lived Maui all my life. 20 I'm a graduate of Baldwin High School. And I have two 21 sons, Sterling and Brent. And my wife is Kay. And we 22 live in Wailuku. 23 MAYOR ARAKAWA: Linda Kay. 24 MEMBER OKAMOTO: Typically, I will answer to 25 either Linda or Kay, but most people call me Kay. I am</p>
<p style="text-align: right;">Page 7</p> <p>1 to serve all of our communities, Molokai, Maui and 2 Lanai. 3 I'm a graduate of Molokai High School. I'm 4 retired from Verizon Hawaii. I forget the year it was, 5 but we're never retired. And, right now, I'm serving as 6 Executive Director for Hale Ho'okupa'a, a substance 7 abuse treatment center which is a nonprofit organization 8 on the Island of Molokai. 9 MAYOR ARAKAWA: Thank you. Flo. 10 MEMBER WIGER: Aloha. My name is Flo Wiger. 11 I live Lahaina. And I'm retired from the University of 12 Hawaii, I worked with them for 10 years, but I retired 13 only to do other things. So this is one of the other 14 things that I do. I'm also a tutor at Lahaina 15 Intermediate School for sixth graders. I taught college 16 for 35 years on the mainland before we moved here. And 17 I can tell you that being a tutor for sixth graders is a 18 lot more difficult than teaching college, lots more. 19 I'm a member of -- I'm Lakota, member of the 20 Standing Rock Sioux Nation in North Dakota. 21 MAYOR ARAKAWA: Thank you. Josh. 22 MEMBER STONE: Aloha, everybody. I'm Josh 23 Stone. I'm born and raised on the island of Oahu. 24 Graduated from Kamehameha Schools, Class of '89. I have 25 been lucky enough to be living here on Maui for the last</p>	<p style="text-align: right;">Page 9</p> <p>1 from the Island of Lanai. I have lived there for 44 2 years. My husband was born and raised there. We raised 3 three children there, graduated all from Lanai High 4 School. And, unfortunately, ours did not stay. They 5 all went to college on the mainland and all live on the 6 mainland now. 7 I am a former school teacher. Currently, I 8 have my own real estate company, and so still very 9 active, active in the community. I'm currently 10 president of our community association, which is like 11 the United Way. It's not a political association. 12 MAYOR ARAKAWA: Thank you very much. And I 13 wanted you all to introduce yourselves so that everyone 14 could see just how diverse this group is and just how 15 much talent we have within this group. 16 As Charter Committee members, you're going to 17 be going over the County Charter. And you're going to 18 be overlooking all of the different rules, requirements 19 that we have within our Charter. Not only are you 20 charged with looking at what's in the Charter, you're 21 also charged with having discussions with our community 22 and being able to present things to the community that 23 you may want to add in the Charter. You may want to 24 change the very structure which we do government 25 business. The potentials are really in your hands.</p>

3 (Pages 6 to 9)

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<p style="text-align: right;">Page 10</p> <p>1 I have had the opportunity to talk to most of 2 you on an individual basis, or in pairs, to give you a 3 brief understanding of the brevity in which you can make 4 decisions. 5 The County Council and the Administration 6 works under the auspices of the Charter. You may, in 7 your wisdom, visit what the duties and obligations of 8 all of the principals within our government system are 9 and the jobs that you may want or feel that need to be 10 changed to set the direction for Maui County. Your 11 group is probably the most important group that we're 12 going to be able to have with a single purpose in mind 13 as far as the County government and structure is 14 concerned. 15 I will be popping by occasionally from your 16 meetings to be able to have some discussion with you 17 during the next 16 months. And I would expect that all 18 of you are committed to be attending at least 95 percent 19 of the meetings because it's going to be very critical 20 that you follow through and understand what everybody 21 else is discussing. 22 When you're going through this book and 23 literally looking at what we can and cannot do within 24 the County, I would ask all of you to keep in mind what 25 the goals you want to set for the community are. And</p>	<p style="text-align: right;">Page 12</p> <p>1 be very positive and there are going to be things that 2 are going to be takeaways from the community. It's your 3 job to be able to balance what everyone can do. 4 If, for instance, you were to add powers to 5 various departments, you would then be taking away 6 powers from the Administration or the Council. If you 7 add powers to any of the other branches, you would be 8 doing the same thing. 9 When you're looking at a lot of the boards and 10 commission members and the powers that they have, 11 adjusting those boards and commissions will also adjust 12 how we do things within our community. 13 It's critical to understand the cause and 14 effect of what occurs. And, also, I would ask all of 15 you to truly use the common sense component. You know, 16 many times we get very theoretical in how we make 17 decisions and we try and become overly wise. And we 18 forget that common sense must apply. 19 In many things that we do within our 20 government, we outpace our citizens' ability to keep up 21 with the rules and regulations and to pay for a lot of 22 these applications. So when you're dealing with a 23 community and you're trying to be able to see what it is 24 to make the quality of life better for people in our 25 community, take into account some of the economic</p>
<p style="text-align: right;">Page 11</p> <p>1 once you understand what the goals are, then you can 2 clearly establish what we need to be able to create from 3 a County standpoint to be able to address those goals. 4 If you look at the geographical limitations of 5 our County, you know that we have four islands within 6 our jurisdiction. And there have been many, many 7 discussion points about what to do with the governing 8 bodies and how we should be managing each of the 9 islands. And all are very, very unique, areas within 10 our community are very unique, and have very diverse 11 needs and very diverse assets. 12 So in your wisdom, as you're going through and 13 looking at the Charter, to be able to put together a set 14 of rules that are gonna govern how we work as a 15 community that is as diverse as we are is going to be 16 very difficult, at best. You're going to be torn by a 17 lot of sentimental arguments. You're going to be given 18 a lot of statistics. You're going to be told a lot of 19 things by your friends and people within the community. 20 All I ask is that you apply logic, understanding, 21 patience and compassion. Listen to everyone, evaluate 22 what they have to say, think it through, and think 23 through the ramifications of what you actually create. 24 Because for everything that you do, there is a plus and 25 a minus. There's going to be things that are going to</p>	<p style="text-align: right;">Page 13</p> <p>1 realities, not the theories, the economic realities, in 2 which our community must exist. And how we want to be 3 able to make sure that even though we have these rules 4 and we have the departments and we have goals and laws, 5 we still have to be able to follow those rules from a 6 practical standpoint. 7 Your task is going to be very, very arduous. 8 You're going to be going through a lot of material. 9 Even though this book seems small, every sentence has 10 something that's important to consider. 11 And you have a time period. Ed Kushi, 12 Corporation Counsel, will be able to guide you through 13 it. And, again, we'll come down from our office and 14 have some discussions with you from time to time. 15 And I wish you the very best. And I 16 congratulate each one of you for your patience and 17 consideration and thank you all for the time you're 18 going to commit in doing this work. And trust me, it's 19 going to take you a lot of time and energy. 20 So with that, one of my duties is to be able 21 to appoint the Chair. And I have taken a lot of time 22 and gone through each one of your resumes. And everyone 23 here has been a leader in their own lifetime. Each one 24 of you have been in very critical leadership positions. 25 So it was a very difficult decision to come up with</p>

4 (Pages 10 to 13)

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<p style="text-align: right;">Page 14</p> <p>1 someone who can lead this group and, hopefully, be able 2 to take all of your, I'm going to say, very independent 3 personalities and get them to work as a group, because 4 each of you have demonstrated very clearly you have very 5 independent personalities. So I have decided to appoint 6 Josh Stone as Chairman of the Committee. 7 So, with that, I'm going to stop talking so we 8 can take the oaths and then we can get to public 9 testimony. Josh, you'll be sitting up here and running 10 the Committee. 11 CHAIR STONE: Thank you very much, Mayor. 12 (Applause.) 13 CHAIR STONE: Should I bow? 14 MAYOR ARAKAWA: You should work with the rest 15 of the group in getting a Vice-Chair. 16 CHAIR STONE: That makes sense. 17 MAYOR ARAKAWA: So if all of you will -- I 18 guess we should all stand. Raise your right hands and 19 repeat after me. Okay. I do solemnly swear -- 20 COMMISSION MEMBERS: I do solemnly swear -- 21 MAYOR ARAKAWA: -- or affirm -- 22 COMMISSION MEMBERS: -- or affirm -- 23 MAYOR ARAKAWA: -- that I will support -- 24 COMMISSION MEMBERS: -- that I will support -- 25 MAYOR ARAKAWA: -- and defend --</p>	<p style="text-align: right;">Page 16</p> <p>1 MAYOR ARAKAWA: -- to the best of my ability. 2 COMMISSION MEMBERS: -- to the best of my 3 ability. 4 MAYOR ARAKAWA: Thank you. You're all 5 formally Charter Commission Members. 6 Now, Josh, one of the things that you're 7 required at every meeting is to take public testimony. 8 So -- 9 CHAIR STONE: You got it. 10 MAYOR ARAKAWA: The next thing on the agenda 11 is public testimony. 12 Oh. And, also, Dave DeLeon is on the 13 mainland, he's also a member of the Commission. So 14 we'll do the oath of office with Dave when he gets back. 15 CHAIR STONE: Aloha, everybody. Thank you 16 very much. And congratulations to the Charter 17 Commission Members. I'm really looking forward to 18 working with all of you. I think we're going to do some 19 really good things here. So let's get started. 20 I was -- before we get going here, I was 21 taking a look at some of the past Charter Commission 22 agendas and minutes. And it is -- last -- the last 23 round was extreme. I mean, they -- they did a lot of 24 work. So I think we're going to be a lot busier than we 25 actually thought.</p>
<p style="text-align: right;">Page 15</p> <p>1 COMMISSION MEMBERS: -- and defend -- 2 MAYOR ARAKAWA: -- the Constitution of the 3 United States -- 4 COMMISSION MEMBERS: -- the Constitution of 5 the United States -- 6 MAYOR ARAKAWA: -- and the Constitution of the 7 State of Hawaii -- 8 COMMISSION MEMBERS: -- and the Constitution 9 of the State of Hawaii -- 10 MAYOR ARAKAWA: -- and that I will faithfully 11 discharge -- 12 COMMISSION MEMBERS: -- and that I will 13 faithfully discharge -- 14 MAYOR ARAKAWA: -- my duties as a member -- 15 COMMISSION MEMBERS: -- my duties as a 16 member -- 17 MAYOR ARAKAWA: -- on the Charter 18 Commission -- 19 COMMISSION MEMBERS: -- on the Charter 20 Commission -- 21 MAYOR ARAKAWA: -- for the County of Maui -- 22 COMMISSION MEMBERS: -- for the County of 23 Maui -- 24 MAYOR ARAKAWA: -- State of Hawaii -- 25 COMMISSION MEMBERS: -- State of Hawaii --</p>	<p style="text-align: right;">Page 17</p> <p>1 So, with that said, I think we -- our next 2 order of business is to take public testimony. 3 MS. KAHUHU: Chair? Chair, we have two 4 members of the public who have signed up. And I did 5 pass around written testimony earlier. The first person 6 signed up is Alan Kaufman. 7 CHAIR STONE: Welcome, Alan. 8 MR. KAUFMAN: Thank you. My name's Alan 9 Kaufman, I'm a veterinarian, I live Upcountry, in Kula. 10 And I'd like to be the first after the Mayor to 11 congratulate you on your appointment. I hope that each 12 of you will get to have as many rewarding hours spent in 13 this room as I have had. 14 I only wanted to speak very briefly today a 15 little bit about the process. There are a number of 16 issues that are going to come before you in the course 17 of your deliberations. 18 It's obvious to me, and I'm certain to you as 19 well, that a huge issue that should not be decided by 20 those who we elect is how those individuals should be 21 elected and how long they should serve. In fact, that 22 issue is so huge, the only parties who can really 23 determine it are the voters. That is the very essence 24 of democracy. And there are certain to be controversial 25 issues that will come before you regarding how we elect</p>

5 (Pages 14 to 17)

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Page 18

1 the individuals who represent us and how long they would
2 serve.

3 And all I ask of you today is that you simply
4 forget your own opinion when those issues come before
5 you and appreciate that issues of that nature are so
6 vital to how our government functions that, of
7 necessity, it needs to be presented to the voters.

8 And that's all I have got to say today. Thank
9 you very much.

10 CHAIR STONE: Thank you. Any questions from
11 the Commission? Thanks for your time.

12 MS. KAHUHU: Jim Smith.

13 CHAIR STONE: Aloha, Jim. Welcome.

14 MR. SMITH: Chair, Members of the Charter
15 Commission, my name is Jim Smith.

16 I am so grateful for each of you being willing
17 to spend your time here amongst us, helping us through
18 what is probably the most difficult period in the
19 history that I know of, of our Charter.

20 I would ask you to consider deeply the
21 incorporation and article of incorporation, Section 1-1.
22 It points to this Charter as being a social contract.
23 It's a social contract. There are no goals of
24 efficiency, there's just one thing, confirm equal
25 dignity, equal dignity.

Page 19

1 And I ask you that before you go to request
2 proposed amendments from the directors, that you
3 establish a core, a core principle upon which you go
4 forward.

5 For example, specifically ask a director to
6 identify the limits posed upon his duties by our
7 Charter. I have experienced an unwillingness to consent
8 to be governed by those who have public (inaudible). I
9 think our news is fraught with it. We have policemen,
10 in February, leafletting Walmart to support or oppose a
11 particular piece of legislation. The duties in our
12 Charter do not provide for that. How did they get
13 permission and not me? They are government; I'm not. I
14 cannot petition at Walmart because of my status.

15 This Charter says equal dignity. And I come
16 to you and ask that you protect that, guard that. If
17 that's the only duty you have, please embrace that.

18 I have before me -- there is a concern. In
19 March, the issue of the Molokai Veterans problem came
20 up, and there was an Executive Session. And the
21 Corporation Counsel went in with our councilmembers and
22 they came out with a law that took the power from the
23 Department of Water Supply and transferred it to the
24 Department of Fire so that this lawsuit would go away.

25 Now, our Legislative Branch should not be

Page 20

1 making special laws.

2 Now, this law applies to everyone, but it's a
3 special law to a contract to resolve a legal issue,
4 which destroys the separation of powers, it destroys my
5 dignity as a voter who am assured that there will not be
6 special laws.

7 This is a copy of that article. I leave it
8 for the secretary, if you would like to read it.

9 More recently, we have, in the "The Maui
10 News," on May 1st, "Project height bill, 'slap in the
11 face.'" The County slapped a voter in the face. How
12 did this person get that idea? Okay. Well, it got that
13 idea because the Council went into Executive Session and
14 came out with another resolution to a lawsuit which then
15 created a height exemption for a specific project. Now
16 that is a slap in the face of all of us.

17 Not just that person: In 2006, the Mayor
18 then, Mayor Arakawa, came forward with a bill. He left
19 office specific to this instance. The court took the
20 matter up and found he did not have the power to do what
21 he did. He comes back into office. Corporation Counsel
22 brings to the Council a bill that changes the height of
23 the particular requirement that he was found to have
24 violated, to put it into context of his failure, and it
25 a passed on first reading and it is now before the

Page 21

1 Council for second reading.

2 This is where you, I hope, will stand strong
3 and together and protect us from the indignity suffered
4 by those who will not consent to be governed, by those
5 who would rather be proactive, would rather -- you go to
6 Paia and you look at the fire station and you see, in
7 front, a sign, T-shirts for sale. T-shirts for sale?
8 It's the fire company. It's our County. And they're
9 competing with T-shirts USA or whoever. What is that?
10 What is that? Well, this is proactivity. This makes
11 our Charter irrelevant when you have power that can be
12 assumed.

13 Where did the power come to appoint the chair?
14 I read the Charter. You are a commission. The Council
15 is elected, the Mayor serves as presiding officer until
16 the rules are created, and then it elects a chair. How
17 does the Mayor now come and have a power? I searched
18 the Code. There's no code that says he can appoint the
19 Chair. Shouldn't you be electing your Chair? Where
20 does that -- well, that power is not articulated, so
21 it's mine. Self power. Seize that power. Individual
22 power, more important than me, it's just survival of the
23 economy. But this is a social contract. And you have
24 to protect us from the entrepreneurship of those who
25 would put themselves first.

<p style="text-align: right;">Page 22</p> <p>1 I ask you, please, I know you were flattered, 2 but sit down first your driving moral principle and then 3 go to your request for provisions that will help conform 4 our government and entrepreneurial leaders to this 5 document, the organic document, the one that's in 6 ordinary language that I can read and come to you and 7 say, hey, doesn't make sense. 8 I will leave with you a copy of the bill which 9 is a copy of the Planning Committee report on this issue 10 of the height and the bill that is now before the 11 Council and show you that, indeed, we need some help 12 from you to protect us. 13 I look at your agenda. I cannot believe that 14 it was actually serious. It's so large. If you can 15 possibly get through it, I'd be amazed. But I would ask 16 you to consider that the Budget should be last, okay, 17 that you should really have your rules first. You 18 should really be adopting your rules first, not after 19 you decide on a proposed budget. Because how are you 20 going to conduct your business? You need rules to 21 conduct business. It should be first. 22 When you consider this G, which is H-G, which 23 is the proposed Charter amendments, you shouldn't even 24 formulate a letter until you've got your core, until 25 you've got your core and you can have these people</p>	<p style="text-align: right;">Page 24</p> <p>1 And the other thing is when district voting 2 comes up, which will be your chief problem about 3 district voting, it's very hard to be fair to Molokai 4 and Lanai and, yet, have one vote one person. We all 5 know that's the problem. 6 My own personal preference at this moment, 7 before I have heard all the testimony you're going to 8 hear, would be to have three districts with three 9 representatives in each district. That would give the 10 opportunity to have a variety of people from a district 11 and the smaller units might be able to elect a person, 12 even if we have true district voting. 13 I guess that's all I need to say. Thank you 14 very much. 15 CHAIR STONE: Thank you very much. Any 16 questions, Commissioners? 17 (Silence.) 18 CHAIR STONE: Thank you. I think some key 19 points came up. And from what I understand is, 20 primarily, transparency is a very important goal here. 21 And I think having the diversity of this group will help 22 us keep things transparent and in line. 23 So let's move on with the agenda. So new 24 business, selection of a Vice-Chairperson. So, Lisa, 25 can you give me some input on that? Shall we --</p>
<p style="text-align: right;">Page 23</p> <p>1 respond, what are your limits to your duties and how do 2 they interfere and how do they support incorporation 3 principle. Then I think there will be something 4 meaningful happen. 5 Thank you very much for your time. 6 CHAIR STONE: Thanks for your passionate 7 testimony there. Commissioners, you guys have any 8 comments or any questions? 9 (Silence.) 10 CHAIR STONE: No. All right. Thank you very 11 much. 12 MS. KAHUHU: Chair, we have one additional 13 person who signed up, Sally Raisbeck. 14 CHAIR STONE: Hello, Sally. 15 MS. RAISBECK: Good afternoon. Can you hear 16 me? Okay. I hadn't planned to testify, but something 17 Jim said struck a nerve; that I had debated whether to 18 ask you. Please, do not go into Executive Session. I 19 have seen this power abused a lot. And I can't see any 20 reason you would be asked to go into Executive Session, 21 but often it's simply to avoid the embarrassment of 22 having an argument in public or to avoid the attorney 23 who's giving you advice having to be accountable for 24 that advice. So avoid Executive Session, if at all 25 possible.</p>	<p style="text-align: right;">Page 25</p> <p>1 MS. KAHUHU: I would ask your Deputy 2 Corporation Counsel, your First Deputy. 3 CHAIR STONE: All right. 4 MR. KUSHI: Yes, Mr. Chair, Members of the 5 Commission, the statute does provide for the Commission 6 to select a Vice-Chair. 7 In response to public testimony, the Hawaii 8 state statute specifically authorizes the Mayor to 9 appoint the Chair. So I'm telling you right now. But, 10 again, you need a Vice-Chair in case the Chair's not 11 available. So I guess at this point in time, I would 12 recommend that the Chair open the floor for nominations. 13 If you feel uncomfortable about it, we can always defer 14 the matter to the next meeting. And you need six votes 15 to do any actions on an 11-member board. 16 CHAIR STONE: Just to verify, you mean if we 17 feel comfortable about the appointment of the Chair 18 or -- 19 MR. KUSHI: No. Vice-Chair. 20 CHAIR STONE: I think we feel ready to do it, 21 right, guys? So let's open the floor for nominations. 22 MEMBER MOIKEHA: Chair, I'd like to nominate 23 Wayne Hedani as Vice-Chair. 24 CHAIR STONE: Okay. 25 MEMBER SUGIMURA: I second.</p>

7 (Pages 22 to 25)

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<p style="text-align: right;">Page 26</p> <p>1 MEMBER OKAMOTO: I was going to second.</p> <p>2 CHAIR STONE: Okay.</p> <p>3 MEMBER HEDANI: Mr. Chair, I would like to</p> <p>4 nominate Artemio Baxa.</p> <p>5 CHAIR STONE: Second on that?</p> <p>6 MEMBER OKAMOTO: Second.</p> <p>7 CHAIR STONE: Okay. So we have those members.</p> <p>8 Any other members?</p> <p>9 MEMBER DEREGO: I would like to nominate Yuki</p> <p>10 Lei Sugimura for Vice-Chair.</p> <p>11 MEMBER HEDANI: Second.</p> <p>12 CHAIR STONE: Okay. Any other nominations?</p> <p>13 No? Going once, going twice.</p> <p>14 (Silence.)</p> <p>15 CHAIR STONE: Okay. All right. Discussion?</p> <p>16 Let's have discussion, then.</p> <p>17 MEMBER SUGIMURA: So I would like -- the</p> <p>18 reason I wanted to support Wayne Hedani, also, is</p> <p>19 because of his experience with working with</p> <p>20 organizations like this. Because I think it's important</p> <p>21 to have your enthusiasm and your level of commitment and</p> <p>22 to have someone who can be -- who can step in, in case</p> <p>23 you can't be there, who can really move this group</p> <p>24 forward. It's important because we're going to go</p> <p>25 through 18 months of what we need to do and get the job</p>	<p style="text-align: right;">Page 28</p> <p>1 some experience in chairing. And I don't know a lot of</p> <p>2 other people and I haven't seen them chair meetings, but</p> <p>3 I have seen Wayne and so I support that.</p> <p>4 As far as balancing the female-male thing,</p> <p>5 Mayor could have selected a female, too. So, I mean, I</p> <p>6 don't think we should be worrying about that too much.</p> <p>7 I think Wayne will do a good job.</p> <p>8 CHAIR STONE: Any further comments? Wayne.</p> <p>9 MEMBER HEDANI: Mr. Chairman, I'd like to</p> <p>10 speak in favor of my nomination of Artemio Baxa. I</p> <p>11 believe that he has integrity, knowledge of</p> <p>12 constitutional aspects of our Constitution, State</p> <p>13 Constitution, as well as the existing Charter of the</p> <p>14 County of Maui. I'd like to see someone serve as</p> <p>15 Vice-Chairman that is not necessarily directly connected</p> <p>16 to the visitor industry since it is such a large</p> <p>17 industry on the island, someone who is neutral, who can</p> <p>18 represent everyone on the island and all aspects and all</p> <p>19 perspectives. And I respect anybody that can control a</p> <p>20 courtroom, can control a Commission.</p> <p>21 MEMBER OKAMOTO: Yeah.</p> <p>22 CHAIR STONE: Ed, thank you very much. Any</p> <p>23 other comments? No?</p> <p>24 MR. KUSHI: Mr. Chair, I suggest you vote on</p> <p>25 each one, one by one --</p>
<p style="text-align: right;">Page 27</p> <p>1 done, we need to have that kind of strength.</p> <p>2 CHAIR STONE: Okay.</p> <p>3 MEMBER BAXA: Mr. Chair, I would like to</p> <p>4 second Ms. Sugimura.</p> <p>5 CHAIR STONE: Okay. That's a double-whammy</p> <p>6 there. Go ahead.</p> <p>7 MEMBER DEREGO: I would like to -- Yuki Lei is</p> <p>8 dynamic. She's also, as we can see with the number of</p> <p>9 things that she's involved in, very organized. And I</p> <p>10 can't help -- and I don't want to be ideological logical</p> <p>11 about this, but I think there should be some gender</p> <p>12 balance in terms of who is Chair and who is Vice-Chair.</p> <p>13 If it was the opposite direction, I would be nominating,</p> <p>14 you know, somebody of the opposite gender at this point.</p> <p>15 But I think gender balance is an important issue. And I</p> <p>16 would be -- and I think she's very qualified. So --</p> <p>17 CHAIR STONE: Any more comments?</p> <p>18 MEMBER MOIKEHA: As the maker of the motion to</p> <p>19 nominate Wayne, I totally support that. I have seen him</p> <p>20 chair a meeting before. I think what's important is to</p> <p>21 keep on task with your agendas, control the</p> <p>22 editorializing from the public as well as from this</p> <p>23 committee. It's very, very important to meet the goals</p> <p>24 of why we're here. And I have seen too many meetings</p> <p>25 where that gets out of hand. I think you need to have</p>	<p style="text-align: right;">Page 29</p> <p>1 CHAIR STONE: Okay.</p> <p>2 MR. KUSHI: -- in the order of nominations.</p> <p>3 CHAIR STONE: Sure. Let's go ahead and take</p> <p>4 the vote in the order of the nomination. So I believe</p> <p>5 it was Wayne Hedani who was first nominated. So do all</p> <p>6 in favor?</p> <p>7 MR. KUSHI: If need be, you can do a roll</p> <p>8 call.</p> <p>9 CHAIR STONE: What is roll call?</p> <p>10 MR. KUSHI: All in favor, raise your hands.</p> <p>11 CHAIR STONE: All in favor, raise your hand</p> <p>12 for Wayne Hedani.</p> <p>13 MR. KUSHI: Lisa, what's the count?</p> <p>14 MS. KAHUHU: Five.</p> <p>15 CHAIR STONE: Okay, five. That's majority?</p> <p>16 MR. KUSHI: Motion fails. You need six.</p> <p>17 CHAIR STONE: Okay. On the votes, is the</p> <p>18 Chair allowed to vote?</p> <p>19 MR. KUSHI: On a tie.</p> <p>20 CHAIR STONE: Okay. Okay. So next was Yuki.</p> <p>21 So all in favor, please raise your hands for Yuki. So</p> <p>22 we have a count of three.</p> <p>23 MR. KUSHI: Three. Motion fails.</p> <p>24 CHAIR STONE: And all in favor of Judge Baxa?</p> <p>25 That looks like one.</p>

8 (Pages 26 to 29)

<p style="text-align: right;">Page 30</p> <p>1 MR. KUSHI: Mr. Chair, I suggest you defer 2 this matter to the next meeting. 3 CHAIR STONE: Looks like I will defer this 4 matter to the next meeting. Okay. 5 So if there's no objections, I'm going to 6 close public testimony at this time. 7 And the next order of business is presentation 8 by County Clerk Jeffrey Kuwada on election procedures 9 and deadlines. 10 MS. KAHUHU: Chair, I apologize. Just in 11 following up with where he was, I understand he is out 12 sick today. So this will also have to go to the next 13 agenda. 14 CHAIR STONE: Okay. Moving along. 15 MEMBER OKAMOTO: Moving right along. 16 CHAIR STONE: So next order of business, 17 orientation by First Deputy Corporation Counsel. 18 MR. KUSHI: Yes, Mr. Chair. Members of the 19 Commission, in your packets, you should have something 20 that looks like -- 21 MS. KAHUHU: I'm passing them out. 22 MR. KUSHI: Open meetings guide to the 23 Sunshine Law dated August 2008, which should be in your 24 binders. And Lisa Kahuhu, who will be staffing this 25 Commission, is now passing out a blue sheet for all the</p>	<p style="text-align: right;">Page 32</p> <p>1 that 91 does not apply. It doesn't mean you have no 2 guidelines, you can't just go willy-nilly, but, 3 apparently, the strict provisions do not apply. 4 Chapter 92, the Hawaii Sunshine Law, does 5 apply. So all meetings should be conducted in open 6 public, agendas should be published, Executive Session 7 should be properly called for, if needed, et cetera. 8 Again, what is in your packet, as well as what 9 is being passed out, this gives you a brief summary. 10 A couple special things to mention. The 11 ethics rules of the County, as set forth in the 12 Charter -- which, by the way, you can change, you 13 know -- as set forth in the current Charter applies to 14 this Board. All of you, as board members, are 15 considered officers of the County. So, you know, again, 16 the rules about accepting gifts, stuff like that, 17 appearance of impropriety, conflicts of interest, those 18 rules apply to each and every one of you. 19 Aside from that, my office, as well as -- by 20 the way, the Commission is also entitled to appoint 21 staff. And we'll get into that later. But so far, up 22 to that point in time, my office, myself and Lisa, will 23 be assisting you administratively, in conjunction with 24 the Chairperson. 25 That's all I need to say at this point in</p>
<p style="text-align: right;">Page 31</p> <p>1 boards and commissions orientations. 2 In essence -- I won't go point by point -- 3 most of you, not all, have had experience on County 4 boards and commissions. If there are any specific 5 questions, you can ask me now or ask me later. You have 6 my phone number, I'm in the book. But in essence, take 7 this home and read it. It applies -- Sunshine Law, 8 Chapter 92, Hawaii Revised Statutes, applies to this 9 Commission regarding Commission decisions, actions, 10 interactions, et cetera. 11 I need to point out that Chapter 91 of Hawaii 12 Revised Statutes regarding hearings, regarding 13 promulgation of rules and all other administrative 14 proceedings does not apply to this Commission. So there 15 is a distinction in the law itself. 16 MEMBER SUGIMURA: Does not apply? 17 MEMBER HASHIMOTO: Can you repeat that again? 18 MR. KUSHI: Yes. Basically, boards and 19 commissions are governed by, usually, Chapter 91 and 20 Chapter 92 of the Hawaii Revised Statutes. 91 is 21 basically Hawaii Administrative Law, it governs how you 22 conduct the meeting, how you conduct district case 23 hearings like the Planning Commission, how you adopt 24 rules of procedure, appeals from commissions in Circuit 25 Court. The law for this Commission specifically states</p>	<p style="text-align: right;">Page 33</p> <p>1 time. Again, most of you have been on boards and 2 commissions. Look it up, I mean, look at the materials, 3 and give me a call if you have any questions. 4 CHAIR STONE: Any questions from any of the 5 Commissioners? 6 MEMBER SUGIMURA: What is -- 7 CHAIR STONE: Yuki, you look like you have a 8 question. 9 MEMBER SUGIMURA: What is in HRS Chapter 91 10 that then we have our own rules then that will apply? 11 MR. KUSHI: Yeah. We'll get to that. 12 MEMBER SUGIMURA: Okay. That's that next -- 13 okay. I got it now. 14 CHAIR STONE: All right. We'll move on. 15 Schedule of proposed Charter Commission meetings. I 16 think we have a schedule in our packets here. 17 MR. KUSHI: Mr. Chair, if I may, this is just 18 proposed by our staff, myself. As you note, we are kind 19 of scheduling two meetings right now, as of right now, 20 two meetings per month. And for whatever reason, it's 21 on a Monday. Again, this is proposed from our staff to 22 the Commission. Look at it and check your calendars. 23 If you wanna change it, we're willing to do it. It's 24 just a matter of arranging a meeting place. 25 In addition to the proposed regular meetings</p>

Page 34

1 of the Commission, as we get into it, you will need to
 2 schedule public hearings, probably at night, and
 3 district meetings all over the jurisdiction. And
 4 probably one, at least, on Molokai and Lanai and in
 5 Hana. The last Commission had two series of public
 6 hearings, I mean two times. And right now, it's
 7 scheduled up to December of 2011.

8 For the Commission's information -- and
 9 Mr. Kuwada is going to cover this, and he will -- the
 10 state law says that you have one year from the date
 11 you're appointed to conclude your work and produce a
 12 final report. The Maui County Charter says 16 months.
 13 I am here to advise you, abide by the state law, so your
 14 time period is shortened. So, in essence, you have
 15 until April of 2012. That would give us enough time to
 16 get your report to the Council and then visit back and
 17 forth between the Council and this Commission.

18 And once that time period has -- and Jeff
 19 Kuwada will explain this -- but once there's a back and
 20 forth, a final report with the Council's recommendations
 21 need to go to the County Clerk for the general election.
 22 It says a general election, but it doesn't say what
 23 year. Okay. And if it's not on the general election,
 24 this Commission can appoint a special election just for
 25 Charter amendments. That's never happened. The

Page 35

1 previous Charter commissions have always tried to get on
 2 schedule. And if it does happen, imagine the cost to
 3 conduct an election.

4 But, again, that's what the state law says,
 5 that's what the Maui County Charter implies. Again,
 6 you're the Charter Commission, you can change that. I'm
 7 not saying that you should, but you can.

8 So that covers the proposed schedule. I leave
 9 it up to the Chair and the Commission Members.

10 MEMBER DEREBO: Point of information.
 11 MR. KUSHI: Yes.
 12 MEMBER DEREBO: Why the discrepancy between
 13 the state law and the Charter? What's the history
 14 behind that, would you know?

15 MR. KUSHI: The State law is passed long
 16 before the Charter Commission. Charter provisions in the
 17 Maui County Charter. So the last Charter Commission --
 18 can you hear?

19 CHAIR STONE: Lisa, is there any way to turn
 20 that off?

21 MS. KAHUHU: It's because we had a power
 22 outage on Friday and it's damaged the system. So I was
 23 told that all can I do is turn it off and turn it back
 24 on.

25 MR. KUSHI: You know, Mr. Chair, if I may, so

Page 36

1 long as the court reporter can hear and the people in
 2 the back can hear, I would recommend just turn this
 3 thing off.

4 CHAIR STONE: I'd say let's turn the thing
 5 off. There we go. We're good. Just speak up so
 6 everybody can hear.

7 MR. KUSHI: I don't want to speak too loud.
 8 I'm losing my voice.

9 Mr. DeRego, there is a difference. And the
 10 last Charter Commission tried to get an opinion from the
 11 Attorney General's Office, State attorney. It never
 12 happened, so, therefore, it was the position of our
 13 office to follow the stricter time limits. Don't get
 14 into violations situation with the State. Again, the
 15 County Charter says 16 months, the State says one year.

16 CHAIR STONE: I have a quick question. About
 17 how much time will it take going back and forth with the
 18 Council?

19 MR. KUSHI: There's a set period set forth in
 20 the State statute. I don't exactly, but I think it's
 21 like 60 days, 30 days here, 10 days back, 15 days back
 22 and so on. But Mr. Kuwada, as the County Clerk, needs
 23 to get the ballot question in time for his election.
 24 And I understand that the State Elections Office has
 25 pushed the deadline up further. So if you want to meet

Page 37

1 the next general election, I think we need to stay
 2 within the one-year period..

3 MEMBER DEREBO: So is that one year for the
 4 production of the final report or does that begin the
 5 give and take with the Council?

6 MR. KUSHI: Final report to the Council.
 7 MEMBER DEREBO: To the Council.
 8 MEMBER SUGIMURA: So are you saying, then, 60
 9 days before that, we should submit to the Council first.

10 MR. KUSHI: You get your final report, submit
 11 it to the Council, then the back and forth.

12 CHAIR STONE: So we need -- but we need to
 13 submit that final report 60 days prior to April 2012?

14 MR. KUSHI: No.

15 CHAIR STONE: As long as we submit it by April
 16 2012, we should be in line?

17 MEMBER DEREBO: Okay. And have enough time
 18 for it to be on the next ballot?

19 MR. KUSHI: Should be.
 20 MEMBER DEREBO: Okay.
 21 MR. KUSHI: Again, you know, Mr. Kuwada, I
 22 leave it up to him to tell you what his deadlines will
 23 be.

24 CHAIR STONE: So we'll have Mr. Kuwada at the
 25 next meeting, obviously. Okay.

10 (Pages 34 to 37)

Page 38

1 MS. KAHUHU: Yes.
 2 CHAIR STONE: Any questions?
 3 MEMBER OKAMOTO: I have a question. If there
 4 are meetings we know we will not to believe attend, do
 5 we need to notify? Because then if you find five people
 6 can't attend the meeting --
 7 CHAIR STONE: I think that --
 8 MEMBER OKAMOTO: -- probably --
 9 MR. KUSHI: Mr. Chair, staff from our office,
 10 specifically Lisa, will be calling all of you to make
 11 sure -- email all of you to make sure about your
 12 attendance at least two weeks in advance.
 13 MEMBER OKAMOTO: But if there --
 14 MR. KUSHI: Lisa will be --
 15 MEMBER OKAMOTO: If there's ones we know, like
 16 we have a mainland convention, we know we're going to be
 17 gone --
 18 MR. KUSHI: Of course.
 19 MEMBER OKAMOTO: -- we should go ahead and
 20 notify her?
 21 MR. KUSHI: Please.
 22 MEMBER OKAMOTO: Thank you.
 23 CHAIR STONE: So, also, I guess, one of the
 24 things is we have to -- within these timeframes, which
 25 are suggested, we also have to set up our public

Page 39

1 testimony period?
 2 MR. KUSHI: At each meeting, public can
 3 testify on any agenda item.
 4 CHAIR STONE: Okay.
 5 MR. KUSHI: I mean, you can't disallow
 6 testimony.
 7 CHAIR STONE: From past Charter commissions,
 8 at what stage did they set up going to the different
 9 districts?
 10 MR. KUSHI: I believe --
 11 CHAIR STONE: Is that right off the bat or --
 12 MR. KUSHI: No. I believe -- I believe, if I
 13 recall correctly, once they had some solid proposed
 14 amendments on the table.
 15 CHAIR STONE: Okay.
 16 MR. KUSHI: No sense in just going out and
 17 just asking --
 18 CHAIR STONE: Right. Any further questions?
 19 MEMBER MOIKEHA: Chair?
 20 CHAIR STONE: Yes.
 21 MEMBER MOIKEHA: This particular schedule that
 22 was handed to us, subject to change, I know it was
 23 represented to me by Mr. Molina that we would have a
 24 chance to sit down and discuss what days were the best
 25 for this group. We have not heard back from him on

Page 40

1 that. And I believe this is why we have some kind of
 2 schedule at this point in time. So I'd like to know,
 3 one, what was the best day that everyone could be
 4 available. And I know, Lisa mentioned to me, that this
 5 was the only time that this room was available. So if
 6 there's no other days, then I would like to also know
 7 that, too.
 8 MS. KAHUHU: Yes. There is no other days for
 9 the use of this room except for a few hours on Thursday
 10 morning.
 11 CHAIR STONE: Is every other Monday a issue
 12 for anybody?
 13 MEMBER MOIKEHA: Well, it's become an issue
 14 for me because I thought there would be some more
 15 flexibility in this, only because my work schedule is
 16 Monday through Thursday. And I do 10-hour days. So
 17 that means I have to make arrangements with my employer
 18 to work something out.
 19 CHAIR STONE: I understand.
 20 MEMBER MOIKEHA: I have to cover my time.
 21 MEMBER DEREGO: I'd like to echo in on this.
 22 I thought there was going to be some sort of outreach in
 23 regards to the day and the time. Because Mondays,
 24 actually, are staff meetings for us where I work. And
 25 that means a lot of information gets passed around. And

Page 41

1 even in the regular business workweek, I think you're
 2 catching up from the weekend on a Monday.
 3 CHAIR STONE: Well, I --
 4 MEMBER DEREGO: I mean --
 5 CHAIR STONE: I think that we should take care
 6 of this now because it's a pretty important issue. So
 7 with that said, why don't we try and see if we can come
 8 up with a common weekday that make the most sense?
 9 MEMBER OKAMOTO: Well, is there some other
 10 place to meet?
 11 MEMBER DEREGO: Yeah, that's the problem.
 12 MEMBER SUGIMURA: That's the problem.
 13 CHAIR STONE: Any suggestions, Lisa?
 14 MS. KAHUHU: This is the only County room with
 15 these -- that's set up in such a fashion. You know,
 16 there is access to this type of technology as well as
 17 for speaker phones. Other rooms do not have the size
 18 for public to join, they don't have any type of sound
 19 system. You know, I looked at HGEA, the Liquor
 20 Department, I have tried everywhere. And this is really
 21 the best room for you. It's just, unfortunately, only
 22 Mondays the day's actually clear, the whole day. So as
 23 time goes on -- and sometime your meetings will go all
 24 day -- Monday is the only day that they can do it. And
 25 like I said, the only other day would be Thursday

<p style="text-align: right;">Page 42</p> <p>1 mornings from 9:00 to 12:00.</p> <p>2 CHAIR STONE: Would it be limited to 12:00,</p> <p>3 Lisa?</p> <p>4 MS. KAHUHU: Yes, it would be limited to 12</p> <p>5 because there's other things scheduled. This is the</p> <p>6 main commission room, that's the problem. So a lot of</p> <p>7 boards and commissions meet in here because of the</p> <p>8 functionality of it.</p> <p>9 CHAIR STONE: Got it.</p> <p>10 MEMBER SUGIMURA: So could I ask if, possibly,</p> <p>11 the Council Chamber is available since they -- this may</p> <p>12 be a really dumb question, but I know they meet every</p> <p>13 other week, basically, with their formal committee</p> <p>14 meetings.</p> <p>15 MS. KAHUHU: Yes.</p> <p>16 MEMBER SUGIMURA: Is that a --</p> <p>17 MS. KAHUHU: I could check on that for you. I</p> <p>18 could check on that.</p> <p>19 MR. KUSHI: There's also the conference room</p> <p>20 on the 7th Floor, the Clerk's Office, but I'm not too</p> <p>21 sure.</p> <p>22 CHAIR STONE: Is that a possibility as well?</p> <p>23 MS. KAHUHU: The 7th Floor room is no longer</p> <p>24 available.</p> <p>25 MR. KUSHI: Strike that, then.</p>	<p style="text-align: right;">Page 44</p> <p>1 preferred that the meetings start during the workday.</p> <p>2 CHAIR STONE: So quick question: Is there a</p> <p>3 better time on Mondays to meet if it has to be Mondays,</p> <p>4 or is it just Monday is a bummer all the way around?</p> <p>5 MEMBER MOIKEHA: I'd like to know first what</p> <p>6 days are flexible for people here. I mean, we can</p> <p>7 narrow the day and then --</p> <p>8 CHAIR STONE: The issue --</p> <p>9 MEMBER MOIKEHA: If you're going to ask about</p> <p>10 the Council room, you need to know what day that's going</p> <p>11 to work for everybody. So that should be the first</p> <p>12 thing.</p> <p>13 MS. KAHUHU: That would be helpful, yes. I</p> <p>14 don't know that they allow the use, but you are the</p> <p>15 Charter Commission, so I do have to check with them. I</p> <p>16 wouldn't be able to say.</p> <p>17 MEMBER MOIKEHA: When we were on the Planning</p> <p>18 Commission, because this building was closed down,</p> <p>19 that's where we met.</p> <p>20 MS. KAHUHU: Okay.</p> <p>21 MEMBER MOIKEHA: For a period of time. So I</p> <p>22 know it's possible.</p> <p>23 MS. KAHUHU: Okay.</p> <p>24 MEMBER MOIKEHA: It's just whether or not it's</p> <p>25 doable. That would be the first thing, is to find out</p>
<p style="text-align: right;">Page 43</p> <p>1 MEMBER OKAMOTO: My question would be time as</p> <p>2 well as the date. I hate going home on the last boat.</p> <p>3 It's rough.</p> <p>4 CHAIR STONE: I think this is a toughy for 11</p> <p>5 people to put down a solid time here. So go ahead,</p> <p>6 Wayne.</p> <p>7 MEMBER HEDANI: The question that I had,</p> <p>8 basically, was that, you know, are we restricted to meet</p> <p>9 only from 12:00 to 4:00, that makes it a four-hour day,</p> <p>10 as opposed to -- again, in the case of the Planning</p> <p>11 Commission, we got into the groove of doing it in an</p> <p>12 eight-hour day starting at 8:00 in the morning or 9:00</p> <p>13 in the morning and running until 4:00 or 5:00 in the</p> <p>14 afternoon.</p> <p>15 CHAIR STONE: Is the room available sooner?</p> <p>16 MS. KAHUHU: This room is available on Mondays</p> <p>17 from 8:00 until beyond. I mean, even if it goes past</p> <p>18 4:30, it's still open.</p> <p>19 CHAIR STONE: Is there just a -- just to throw</p> <p>20 the question out there, is there an evening possibility</p> <p>21 or does that run us into extra expense for overtime?</p> <p>22 MS. KAHUHU: Evenings is not -- it's not</p> <p>23 prohibited. They prefer not to. But to start it in the</p> <p>24 evening -- if it starts in the afternoon and goes on</p> <p>25 into the evening, you know, that just happens. But it's</p>	<p style="text-align: right;">Page 45</p> <p>1 which day works for everybody.</p> <p>2 And then, second, a block of time, giving</p> <p>3 consideration for those who have to come from outer</p> <p>4 islands.</p> <p>5 I like this four-hour rather than giving up a</p> <p>6 whole day, especially if I'm doing it during my</p> <p>7 workweek. Monday through Thursday, it's easier for me to</p> <p>8 make up that time, but I'm willing to go with whatever</p> <p>9 the majority is. I don't wanna hold back the group</p> <p>10 because of my situation. But I'd like that</p> <p>11 consideration at least.</p> <p>12 CHAIR STONE: Let's put that to discussion.</p> <p>13 So, specifically, I'll start for me, any day of the week</p> <p>14 works. So why don't we just -- anybody here</p> <p>15 specifically has an issue with a specific day?</p> <p>16 MEMBER OKAMOTO: Well, Monday is a difficult</p> <p>17 day when you're in business, but I could do -- you know,</p> <p>18 and I -- I would not mind seeing starting, say, at 3:00</p> <p>19 in the afternoon and going until 7:00 or 8:00. I would</p> <p>20 have to stay over, but at least you've got part of that</p> <p>21 time out of the workday. I don't know how that would</p> <p>22 work for some of you.</p> <p>23 CHAIR STONE: Wayne, what about you, any days</p> <p>24 that are issues?</p> <p>25 MEMBER HEDANI: Any day is open for me. What</p>

12 (Pages 42 to 45)

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Page 46

1 I would suggest is like for the people coming from Lanai
 2 and Molokai, you know, allow provisions in the budget,
 3 or whatever, so that they can come in the day before,
 4 leave the day after, or stay overnight, if they need to,
 5 to accommodate the schedules.
 6 CHAIR STONE: Okay.
 7 MEMBER DEREBO: The only limitation for me
 8 would be like Mondays. That's really tough because the
 9 staff meeting, so I feel like I'm out of the loop twice
 10 a month. But second Thursday of every month, I'm chair
 11 of the Cost of Government Commission, so that would be
 12 out.
 13 CHAIR STONE: Okay. Clifford
 14 MEMBER HASHIMOTO: Mondays are fine for me. I
 15 have one day, the fourth Friday of every month, I have a
 16 meeting in the middle of the day. So that would be
 17 my -- only inconvenience I have.
 18 CHAIR STONE: I just think --
 19 MEMBER BAXA: Excuse me.
 20 MEMBER HASHIMOTO: One more thing. Excuse me.
 21 Just one more thing.
 22 CHAIR STONE: Yes.
 23 MEMBER HASHIMOTO: If we stop late in the
 24 day -- just remember I drive to Hana. So if we start
 25 late in the day and we go late into the evening, that

Page 47

1 means I can't go home or -- or I -- I can go home if I
 2 want to, but --
 3 CHAIR STONE: Okay. Thanks.
 4 MEMBER HASHIMOTO: It's just not fun driving
 5 late at night.
 6 MEMBER OKAMOTO: Yes.
 7 MEMBER DEREBO: Especially on that road.
 8 MEMBER BAXA: If we have some difficulty with
 9 Monday, I would be -- Monday would be a good day for me,
 10 but if we can find another day -- except I would like to
 11 request that we do not set it on a Thursday. I sit on
 12 the Board of Regents of the University of Hawaii and our
 13 meetings normally happen on a Thursday. And we hold
 14 meetings at least once a month -- twice a month.
 15 CHAIR STONE: Okay.
 16 MEMBER BAXA: Sometimes the meetings go two
 17 days, from Thursday to Friday. But if you could just
 18 exclude Thursday. If there's a next day -- the next
 19 meeting for the next day, I probably would excuse myself
 20 for the second.
 21 CHAIR STONE: Okay. I have a proposal to do
 22 first and third Fridays if -- first and third Fridays,
 23 does anybody have issues with that?
 24 MEMBER CRIVELLO: I have an issue with
 25 Fridays, yeah.

Page 48

1 MEMBER OKAMOTO: How about Wednesdays?
 2 CHAIR STONE: All right.
 3 MEMBER CRIVELLO: I have just one flight in
 4 and one flight out.
 5 CHAIR STONE: Okay.
 6 MEMBER DEREBO: Yeah.
 7 MEMBER CRIVELLO: So our flight, for now,
 8 anyway, it's running like -- leaving, for now, 8:30, and
 9 leaves at 7:00 at night.
 10 CHAIR STONE: So 8:30 a.m. Okay.
 11 MEMBER CRIVELLO: 9:00, I arrive.
 12 CHAIR STONE: 9:00 arrival. Okay. So we have
 13 Monday is out, Friday is out, Thursdays seem to be out.
 14 So by process of elimination, we're with Tuesdays, it
 15 looks like, if we can find space.
 16 MEMBER WIGER: Wednesdays don't work for me.
 17 MEMBER OKAMOTO: I just have -- the second
 18 Tuesday, I have Urban Design Committee. But I think
 19 it's the second Tuesday of every months.
 20 CHAIR STONE: So let's just -- in order to
 21 check first and third Tuesday, it has to be after,
 22 probably, 10:00 a.m. Otherwise, you won't be able to
 23 make it.
 24 MEMBER OKAMOTO: 10:00 is the earliest I can
 25 be here.

Page 49

1 CHAIR STONE: First and third Tuesday --
 2 MEMBER OKAMOTO: I believe mine is the first
 3 Tuesday, not the second.
 4 CHAIR STONE: Your meetings are the first
 5 Tuesday?
 6 MEMBER OKAMOTO: But I can change that, if has
 7 to be.
 8 CHAIR STONE: Okay. So any issues with first
 9 and third Tuesdays? And, again, you know, we're going
 10 to -- it's good to have the schedule laid out so we're
 11 not making plans during that time period. I just think
 12 it's the smart thing to do. Otherwise, trying to get 11
 13 people to decide on a date every time we meet is going
 14 to be impossible. So let's aim for first and third
 15 Tuesdays. And I'm going to --
 16 MEMBER DEREBO: Mr. Chair?
 17 MEMBER MOIKEHA: Can we also do the time?
 18 CHAIR STONE: Yes, that's where we're going to
 19 go.
 20 MEMBER MOIKEHA: The earliest they can be here
 21 is 10:00?
 22 CHAIR STONE: 10:00.
 23 MEMBER MOIKEHA: I hate to have them wait
 24 around, but I prefer not to do in the middle of day.
 25 Either we start at 12:00 and go, if we necessarily have

13 (Pages 46 to 49)

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<p style="text-align: right;">Page 50</p> <p>1 to, to the evening, or we start early in the morning. 2 which doesn't seem we're going to be able to make that. 3 MEMBER OKAMOTO: No. I mean, I can come in 4 the night before. And that's -- I think it's already 5 been accommodated that I can do that. But I don't know 6 about Hana and Molokai. 7 MEMBER CRIVELLO: If I have to, but I wouldn't 8 want that on a regular basis. I need to fly in the 9 night before. 10 CHAIR STONE: I think -- I think compromise 11 and say first and third Tuesday, 12:00 p.m. Everybody 12 okay with that? 13 MEMBER OKAMOTO: Okay. 14 CHAIR STONE: Everybody okay with that? So if 15 the space is available, we'll go for first and third 16 Tuesdays. You got that, Lisa? 17 MS. KAHUHU: At noon? 18 CHAIR STONE: Good luck. 19 MEMBER CRIVELLO: And it still will be at 20 12:00? 21 CHAIR STONE: 12:00 p.m. 12:00 to 4:00. Just 22 a question. Is it fairly standard for these meetings to 23 run past time in your experience? 24 MR. KUSHI: Yeah, Planning Commission. 25 MEMBER MOIKEHA: It's up to you.</p>	<p style="text-align: right;">Page 52</p> <p>1 possibility is if maybe one of the Kahului hotels have a 2 setup that we could lease, if we can't get a room, in 3 order to stick with -- seems like Tuesdays are going to 4 be the best possible day. 5 MEMBER BAXA: Mr. Chair, I would recommend we 6 meet -- we set a definite place where we hold the 7 meetings almost all the time. We do not want to mislead 8 the public to have -- I know that there will be notices, 9 but to have a meeting here and then meeting at another 10 place, meeting at another place the next time, it would 11 be confusing to the public. 12 CHAIR STONE: Agreed. If we were to do the 13 leased idea, I think, or if we had to, if we were forced 14 in the situation -- 15 MEMBER BAXA: As much as possible, we should 16 stay in the government facility. 17 MEMBER SUGIMURA: You know, I have a -- I have 18 a concern about having to rent or lease or spend money. 19 Because I think we're in a situation as a County or as a 20 nation, we're so fiscally concerned, I don't want us to 21 -- I don't wanna do that. I would really like to vote 22 on that, against doing something like that. 23 CHAIR STONE: I don't think we're there yet. 24 Let's find out if we -- just looking at the scenarios -- 25 because one thing for sure is we need to make sure we</p>
<p style="text-align: right;">Page 51</p> <p>1 MR. KUSHI: I mean, you have the authority to 2 set the agenda. So -- 3 CHAIR STONE: Got it. All right. Okay. I 4 think we're resolved there. 5 MS. KAHUHU: Can I ask a question, Chair? I'm 6 sorry. I will check on this right away. In the event 7 that it's not available, am I going to assume we'll 8 continue on with the Monday schedule? 9 CHAIR STONE: I have a question. Is it 10 possible to meet in a non-public location? Is the issue 11 that we just can't set up the speakerphone setup? 12 MR. KUSHI: Mr. Chair, the answer's kind of 13 yes and no. Basically, it should be 14 government-controlled County-controlled facilities. If 15 we rent a place, we control, so we rent the private 16 facility. But you just can't go to like, you know, A&B 17 headquarters or -- 18 CHAIR STONE: They're my friends. Strike 19 that. 20 (Laughter.) 21 MR. KUSHI: Some people think they're in 22 control. 23 CHAIR STONE: That was a joke. All right? 24 Chair makes no jokes. 25 So, Lisa, that could be an alternate</p>	<p style="text-align: right;">Page 53</p> <p>1 have our set meetings. And we have so much to do, we 2 got to nail this down quickly. All right. So we'll 3 leave it at that. Lisa's going to check on first and 4 third Tuesdays, 12:00 to 4:00 p.m. every single place 5 she can. 6 MR. KUSHI: Mr. Chair -- if we can, you know, 7 if it's hard for us to find administrative setup like 8 this, the other alternative is, I guess, if available, 9 parks, community centers. Again, it's open, hopefully 10 it's not being used, it's accessible, it's County 11 property. The only problem is microphones. 12 MEMBER OKAMOTO: They don't work, anyway, so 13 that's -- 14 MR. KUSHI: I mean, for the Commission's 15 purposes, all we need is the court reporter here. The 16 audience should know what everybody is saying, too. 17 CHAIR STONE: How is it going back there? Can 18 you guys hear? 19 MS. RAISBECK: Not everybody. It's hard to 20 hear Ed. 21 CHAIR STONE: All right. Sorry about the 22 technical difficulties. All right. 23 MR. KUSHI: So if that's an alternative, Lisa 24 will check. So can we say -- for our purposes, can we 25 leave the next meeting as scheduled?</p>

14 (Pages 50 to 53)

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<p style="text-align: right;">Page 54</p> <p>1 MEMBER OKAMOTO: Yes.</p> <p>2 MEMBER DEREGO: Yes.</p> <p>3 CHAIR STONE: For the moment.</p> <p>4 MR. KUSHI: That will be the 23rd, Monday,</p> <p>5 12:00 to 4:00 here. Okay? And then we'll get the</p> <p>6 information for the June meetings.</p> <p>7 CHAIR STONE: Good plan. Okay. Let's move</p> <p>8 on. Proposed budget for Charter Commission.</p> <p>9 MR. KUSHI: Mr. Chair, Members, I think you</p> <p>10 have a handout.</p> <p>11 CHAIR STONE: Handout on that.</p> <p>12 MS. KAHUHU: Coming.</p> <p>13 CHAIR STONE: Lisa's bringing it around.</p> <p>14 MR. KUSHI: Mr. Chair, what Lisa's passed out</p> <p>15 is the proposed budget for Fiscal Year '12. It's</p> <p>16 pending before the County Council as of now. We have</p> <p>17 had no indications that they won't pass, so this is what</p> <p>18 we've come up with from our office. This Commission is</p> <p>19 staffed by our office, Corporation Counsel, also funded</p> <p>20 through our office. So the monies come out of our</p> <p>21 budget. But we have proposed for Fiscal Year '12, at</p> <p>22 least.</p> <p>23 MEMBER DEREGO: So how are we funding for May</p> <p>24 and June?</p> <p>25 MR. KUSHI: Well, that's a good question. It</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. KUSHI: Right.</p> <p>2 MEMBER DEREGO: So if we hire somebody soon to</p> <p>3 do this, then we're going to have to figure out, you</p> <p>4 know, how to pay that person between whenever we start</p> <p>5 them and then into the next fiscal year. Because this</p> <p>6 doesn't get started until July 1st. That's just a</p> <p>7 question.</p> <p>8 MR. KUSHI: Yeah, you're correct. But I would</p> <p>9 suggest and recommend that you don't start before July</p> <p>10 1.</p> <p>11 MEMBER DEREGO: Okay.</p> <p>12 MR. KUSHI: We'll carry it over up to that</p> <p>13 point.</p> <p>14 MEMBER DEREGO: Okay.</p> <p>15 MR. KUSHI: And you guys won't get paid until</p> <p>16 probably Fiscal Year '13. Oh, no. We have it in there.</p> <p>17 We won't pay you all at once. Maybe half July 1 and</p> <p>18 half when we finish the job. You're entitled to \$1,000</p> <p>19 per term. Okay.</p> <p>20 MEMBER DEREGO: So you're suggesting we don't</p> <p>21 hire any of these positions until July 1st.</p> <p>22 MR. KUSHI: Right. Because it's really not in</p> <p>23 the budget. What we can carry over up to June 30th is</p> <p>24 probably the court reporter and your travel expenses and</p> <p>25 per diem.</p>
<p style="text-align: right;">Page 55</p> <p>1 probably comes out of Lisa Kahuhu's salary. No. We</p> <p>2 have some carryover.</p> <p>3 MEMBER OKAMOTO: Is this pretty much the</p> <p>4 budget that you used in the -- or that was used in the</p> <p>5 previous?</p> <p>6 MR. KUSHI: I believe there was a previous</p> <p>7 Commission was less and we expanded it.</p> <p>8 MEMBER OKAMOTO: For this year?</p> <p>9 MR. KUSHI: For this year, aside from the --</p> <p>10 MEMBER DEREGO: Would it be possible to get</p> <p>11 May and June estimations or figures of what's available</p> <p>12 as well so we have a full idea of what the full budget</p> <p>13 is?</p> <p>14 MS. KAHUHU: I mean --</p> <p>15 MEMBER DEREGO: Other than working --</p> <p>16 CHAIR STONE: Lisa.</p> <p>17 MS. KAHUHU: I'm not sure what you are trying</p> <p>18 to estimate. Basically, May and June are coming out of</p> <p>19 our departmental budget, just for things like</p> <p>20 transportation, stuff like that. So, I mean --</p> <p>21 MEMBER DEREGO: If we hire an analyst right</p> <p>22 away, before the Fiscal 12 comes in, then that would</p> <p>23 have to come from somewhere as well. That's just my</p> <p>24 question. Because this is -- this is estimating based</p> <p>25 on the July 1st.</p>	<p style="text-align: right;">Page 57</p> <p>1 CHAIR STONE: So Commission secretary is off</p> <p>2 the list for now?</p> <p>3 MR. KUSHI: I would suggest you hold up until</p> <p>4 July, July 1. It will take you at least maybe two or</p> <p>5 three weeks to get your bids in. We will recommend,</p> <p>6 like the Commission did last term, solicit at least</p> <p>7 three quotes for the Commission secretary and the</p> <p>8 analyst.</p> <p>9 MEMBER DEREGO: Okay.</p> <p>10 MR. KUSHI: It's not a full-on procurement</p> <p>11 issue because the amount is lower than \$25,000. But</p> <p>12 this is what we came up with, this is what is before the</p> <p>13 Council, and we hope that it passes.</p> <p>14 CHAIR STONE: Okay. Any further questions?</p> <p>15 MEMBER BAXA: Mr. Chair, I would like to have</p> <p>16 a question to Mr. Kushi, if I may.</p> <p>17 CHAIR STONE: Please.</p> <p>18 MEMBER BAXA: Concerning the Commission</p> <p>19 Analyst, will he be employed on a monthly basis or an</p> <p>20 hourly basis?</p> <p>21 MR. KUSHI: Our thinking, and what had</p> <p>22 happened last time, was -- by the way, Professor John</p> <p>23 Van Dyke was the analyst before, 10 years ago.</p> <p>24 Independent contractor, and it's just a lump sum,</p> <p>25 probably pay on an invoice basis. And I don't care what</p>

15 (Pages 54 to 57)

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<p style="text-align: right;">Page 58</p> <p>1 he charges, that's the limit.</p> <p>2 CHAIR STONE: Okay.</p> <p>3 MR. KUSHI: Likewise for the secretary.</p> <p>4 CHAIR STONE: Any more questions on the</p> <p>5 budget? Okay. Let's move on.</p> <p>6 MEMBER OKAMOTO: Do we need to approve the</p> <p>7 budget?</p> <p>8 CHAIR STONE: I was told no.</p> <p>9 MEMBER OKAMOTO: Okay. Thank you.</p> <p>10 CHAIR STONE: Proposed rules of the Maui</p> <p>11 County Charter Commission.</p> <p>12 It's Lisa. You're the next contestant.</p> <p>13 MEMBER OKAMOTO: Is this the same as what was</p> <p>14 in our packet?</p> <p>15 MS. KAHUHU: Yes. So you did have it already.</p> <p>16 Good.</p> <p>17 MR. KUSHI: Yeah, you've had it. Sorry about</p> <p>18 the repetition.</p> <p>19 Mr. Chair, Members, what Lisa's passed out and</p> <p>20 what you have had -- and we won't -- I don't expect you</p> <p>21 to adopt it today, but what the Commission 10 years ago</p> <p>22 reviewed and adopted. These are so-called</p> <p>23 administrative rules, rules of conduct and how you</p> <p>24 conduct your business. Again, like I said to</p> <p>25 Mr. Hashimoto previously, these things are usually</p>	<p style="text-align: right;">Page 60</p> <p>1 MEMBER WIGER: Wonderful.</p> <p>2 MEMBER OKAMOTO: And if we have any things we</p> <p>3 see that might be in conflict, we could just notify you?</p> <p>4 MR. KUSHI: Of course.</p> <p>5 MEMBER OKAMOTO: Okay. Thank you.</p> <p>6 CHAIR STONE: Any further questions?</p> <p>7 Proposed Charter Amendments. So at this time</p> <p>8 I think we're going to review the draft memorandum of</p> <p>9 Mayor Alan Arakawa, Department Directors, Chief of</p> <p>10 Police, and Chief of Fire Requesting Submittal of</p> <p>11 Proposed Charter Amendments.</p> <p>12 Is that another Lisa?</p> <p>13 MEMBER OKAMOTO: No. We have this. That was</p> <p>14 in our packet.</p> <p>15 MR. KUSHI: Mr. Chair, Lisa drafted up</p> <p>16 proposed letters that you would sign on behalf of the</p> <p>17 Commission, one to the Mayor and all the department</p> <p>18 heads, one to Chair Mateo and the Council people, the</p> <p>19 County Clerk and the Council Services, and another one</p> <p>20 to all boards and commissions. It's, basically,</p> <p>21 announcing your existence and summarizing what you're</p> <p>22 tasked to do and asking for their input.</p> <p>23 The last line says, you know, the deadline for</p> <p>24 submittal is blank, 2011. That's just a recommendation.</p> <p>25 Nothing in the law says a deadline. But, you know, to</p>
<p style="text-align: right;">Page 59</p> <p>1 covered by Chapter 91, HRS, rule-making procedures. The</p> <p>2 general theory or process is that you publish in the</p> <p>3 newspaper, you have a public hearing, it comes back, you</p> <p>4 get comments, then, finally, the Mayor signs off.</p> <p>5 That's Chapter 91. You guys are not subject to Chapter</p> <p>6 91.</p> <p>7 Chapter 50, which governs the Charter</p> <p>8 Commission, says the Commission shall adopt its own</p> <p>9 rules of procedure. So it's really up to you whether</p> <p>10 you want to adopt. What we have here is what was</p> <p>11 adopted 10 years ago, so some of the dates might be</p> <p>12 outdated. Just for your information, what I will do for</p> <p>13 the next meeting is update and revise it as I would see</p> <p>14 and hope that you adopt. So just food for thought at</p> <p>15 this point in time.</p> <p>16 In lieu of no adopted rules, you're governed</p> <p>17 by Robert's Rules of Order like other boards and</p> <p>18 commissions.</p> <p>19 CHAIR STONE: From past experience, were these</p> <p>20 rules effective? Did they run into issues with them?</p> <p>21 MR. KUSHI: Not that I know of.</p> <p>22 CHAIR STONE: Any questions?</p> <p>23 MEMBER WIGER: So at the next meeting, you'll</p> <p>24 have something --</p> <p>25 MR. KUSHI: I'll have a final recommendation.</p>	<p style="text-align: right;">Page 61</p> <p>1 enable you guys to start going out to the public, you</p> <p>2 should have at least an internal deadline. So we left</p> <p>3 that blank. And it's up to you to kind of say.</p> <p>4 MEMBER DEREBO: The last Commission --</p> <p>5 Mr. Chair? The last Commission, what was the deadline?</p> <p>6 Did they set a deadline? And how far out was it from --</p> <p>7 MS. KAHUHU: I believe it was around the</p> <p>8 middle of June, towards the end of June. It was</p> <p>9 definitely in June.</p> <p>10 MEMBER DEREBO: Okay.</p> <p>11 CHAIR STONE: Okay.</p> <p>12 MEMBER OKAMOTO: If we adopt, these letters</p> <p>13 would go out immediately?</p> <p>14 MR. KUSHI: Right.</p> <p>15 MEMBER DEREBO: Yeah.</p> <p>16 MR. KUSHI: Let me tell you something.</p> <p>17 Drafting Charter amendments is not easy. Not anybody</p> <p>18 can do it.</p> <p>19 MEMBER DEREBO: Yeah.</p> <p>20 MR. KUSHI: But I guess a letter to the</p> <p>21 Commission saying I propose to -- you should look at so</p> <p>22 and so, then the Commission can study it, at least. I</p> <p>23 don't think you should expect a format approved as to</p> <p>24 form Charter amendment. At least some ideas that you</p> <p>25 can digest.</p>

16 (Pages 58 to 61)

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<p style="text-align: right;">Page 62</p> <p>1 CHAIR STONE: I think that we should probably</p> <p>2 push forward with this as soon as possible, obviously.</p> <p>3 Any questions on the language? Wayne?</p> <p>4 MEMBER HEDANI: Move to approve.</p> <p>5 MEMBER DEREGO: Second.</p> <p>6 CHAIR STONE: All in favor?</p> <p>7 (A chorus of ayes.)</p> <p>8 MR. KUSHI: Mr. Chair, with your approval, set</p> <p>9 a deadline. I would just maybe say any submittals are</p> <p>10 requested to be -- I mean anything submitted should be</p> <p>11 submitted by July 1, June 30.</p> <p>12 MEMBER OKAMOTO: June 30, yeah.</p> <p>13 CHAIR STONE: Yeah. Let's say -- I mean, the</p> <p>14 sooner the better, obviously.</p> <p>15 MR. KUSHI: I'll tone down the language about</p> <p>16 the deadline.</p> <p>17 CHAIR STONE: You get some grumpy people on</p> <p>18 that one?</p> <p>19 MR. KUSHI: Well, you'll get some people.</p> <p>20 CHAIR STONE: Okay.</p> <p>21 MEMBER WIGER: Question?</p> <p>22 CHAIR STONE: Sure.</p> <p>23 MEMBER WIGER: In the previous experience,</p> <p>24 given that we're meeting in the middle of May, this will</p> <p>25 be going -- this is going to take a bit to go out, I'm</p>	<p style="text-align: right;">Page 64</p> <p>1 their staff. It's kind of like a bullet point, but, in</p> <p>2 essence, duties and responsibilities. Like I said,</p> <p>3 they're going to be independent contractors; they're not</p> <p>4 County employees. They're not subject to furlough, they</p> <p>5 don't get sick leave, vacation, et cetera. And they're</p> <p>6 on a lump sum basis. Payment would be worked out</p> <p>7 through probably invoice.</p> <p>8 And, again, our office will work with your</p> <p>9 Chair to start the small, not full-on, procurement</p> <p>10 process, at least get three bids.</p> <p>11 CHAIR STONE: Any questions on the draft?</p> <p>12 MEMBER OKAMOTO: I have a bit of a problem</p> <p>13 with the analyst. I think it needs to be spelled out a</p> <p>14 little more. For instance, on Number 6, "Prepares</p> <p>15 reports and recommendations." You know, I think that</p> <p>16 they prepare the report and give us all the feedback,</p> <p>17 but we're the ones that make the recommendation. And</p> <p>18 even with writing the final report, I think it needs to</p> <p>19 be a little more specific that it is dictated by this</p> <p>20 group, they are simply putting it together. That's just</p> <p>21 my feeling.</p> <p>22 CHAIR STONE: Any input on that?</p> <p>23 MEMBER SUGIMURA: What does Corp Counsel say?</p> <p>24 MR. KUSHI: Good point, but I think it's</p> <p>25 clearly implied.</p>
<p style="text-align: right;">Page 63</p> <p>1 just thinking, is that an appropriate amount of time? I</p> <p>2 want it to be done as soon as possible. I don't want</p> <p>3 everybody to go, God, they're only giving us dah, dah,</p> <p>4 dah, dah, dah. So your advice, your best advice on</p> <p>5 that?</p> <p>6 MR. KUSHI: Well, my advice is that you cannot</p> <p>7 prevent somebody from coming to the Commission and</p> <p>8 requesting you consider this.</p> <p>9 MEMBER WIGER: Right. Right. Oh, absolutely.</p> <p>10 MR. KUSHI: It's, basically, just a notice to</p> <p>11 internal County people.</p> <p>12 MEMBER WIGER: So it's more of a good</p> <p>13 guideline?</p> <p>14 MR. KUSHI: Right. And what we will probably</p> <p>15 do is publish a notice in the paper, too, to the general</p> <p>16 public, saying that submittals to the Charter Commission</p> <p>17 is recommended by this date.</p> <p>18 MEMBER WIGER: All right.</p> <p>19 CHAIR STONE: Okay. Next item, review draft</p> <p>20 memorandum to -- oh, we just did that, those drafts.</p> <p>21 Good. Good.</p> <p>22 Down to Section H, Charter Commission Staff,</p> <p>23 Review of draft scope for Charter Commission Analyst.</p> <p>24 MR. KUSHI: Yeah. We just kind of summarized</p> <p>25 what the previous Charter Commission did in selecting</p>	<p style="text-align: right;">Page 65</p> <p>1 MEMBER OKAMOTO: It's what?</p> <p>2 MR. KUSHI: It's clearly implied that they are</p> <p>3 at the will of the Commission. They don't just go out</p> <p>4 and do their own thing.</p> <p>5 CHAIR STONE: Any other --</p> <p>6 MR. KUSHI: But, you know, I can --</p> <p>7 MEMBER BAXA: Sir? Mr. Chair?</p> <p>8 CHAIR STONE: Yes.</p> <p>9 MEMBER BAXA: The most important thing about</p> <p>10 the analyst is about the selection of the analyst. I</p> <p>11 know that Mr. Kushi mentioned that the last analyst was</p> <p>12 Professor Van Dyke. And I'm not saying that he will be</p> <p>13 selected again, but from my point of view, my experience</p> <p>14 with him, he is an extraordinary person. If we will</p> <p>15 hire this type of person, any kind of description will</p> <p>16 be -- I mean what we ultimately select will be the</p> <p>17 deciding factor, not so much about the job description.</p> <p>18 CHAIR STONE: All right. So we should put a</p> <p>19 motion forward to accept that draft.</p> <p>20 MEMBER WIGER: So moved.</p> <p>21 MEMBER SUGIMURA: Second.</p> <p>22 CHAIR STONE: All in favor?</p> <p>23 (A chorus of ayes.)</p> <p>24 CHAIR STONE: Motion passes. Okay. Next</p> <p>25 item, review of draft scope for Charter Commission</p>

17 (Pages 62 to 65)

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Page 66

1 Secretary.
 2 MEMBER HEDANI: Move to approve.
 3 MEMBER SUGIMURA: Second.
 4 CHAIR STONE: All in favor?
 5 (A chorus of ayes.)
 6 CHAIR STONE: Motion passes.
 7 MR. KUSHI: Excuse me, Mr. Chair. Okay. You
 8 look at Item 6 and 11 of the analyst.
 9 MEMBER OKAMOTO: Right.
 10 CHAIR STONE: Communication Items, we have
 11 none.
 12 Old Business, we have none. Yet.
 13 Announcements. All right. Wow. Next meeting
 14 date and discussion on next meeting agenda items. So
 15 we're agreed that the next meeting date is going to be
 16 the 23rd, that Monday. All right. And discussion on
 17 next meeting agenda. I think that we have -- Vice-Chair
 18 should be on the agenda, of course
 19 MEMBER OKAMOTO: And the rules.
 20 CHAIR STONE: And the rules, right, which will
 21 be prepared first by Corp Counsel.
 22 MEMBER SUGIMURA: And meeting place.
 23 MEMBER DEREGO: Meeting place and time.
 24 CHAIR STONE: Which will be prepared by Lisa.
 25 MR. KUSHI: Mr. Chair, if I may?

Page 67

1 CHAIR STONE: Sure.
 2 MR. KUSHI: I would like to also put on, maybe
 3 just for the Commission's information at this point,
 4 Councilman Mike White has prepared a resolution before
 5 the Council to amend the Charter. The Council can do it
 6 on its own, regardless of this Commission, but he's
 7 proposing the resolution to amend the Charter to create
 8 an Office of County Auditor. That's coming up,
 9 tomorrow's Council meeting, and will be referred to the
 10 appropriate special committee, probably Policy
 11 Committee. For this Commission's information, I would
 12 like to put that on the agenda to show you what they're
 13 going through the process.
 14 CHAIR STONE: Let's do that. Anything else
 15 for next meeting?
 16 MEMBER MOIKEHA: Chair?
 17 CHAIR STONE: Yes.
 18 MEMBER MOIKEHA: There's a lot of housekeeping
 19 that we're dealing with, and I understand that, but what
 20 is going to be the meat of the meetings? What exactly
 21 will we delve into? What do we need to come prepared
 22 for? What do we need to ask staff to prepare for
 23 resources? If someone could please --
 24 CHAIR STONE: Yeah, I agree with you. I'm
 25 unclear about that myself. So, basically, I guess what

Page 68

1 we have is the historical procedures of the last charter
 2 commissions. At what point do we jump into the meat and
 3 potatoes?
 4 MR. KUSHI: Again, what I was going to
 5 recommend -- with your permission, of course --
 6 CHAIR STONE: Sure.
 7 MR. KUSHI: -- would be some historical
 8 background about the previous commissions' work, maybe
 9 highlight some items of what they did. And especially
 10 like the final report of the 2003 Charter Commission.
 11 They went through 17 proposed amendments and went back
 12 and forth. And all of them -- I don't think all of them
 13 made it to the ballot. And they had a back and forth
 14 with the Council, highlighted by the Board of Water
 15 Supply, as you will remember. So I would get into that
 16 in historical perspective, what the Charter Commission
 17 did before.
 18 CHAIR STONE: Why don't we put that on the
 19 agenda, then?
 20 MR. KUSHI: Also, your rules will provide for
 21 establishing committees of the Commission. So maybe you
 22 want to consider that. Maybe like Planning Committee of
 23 the Charter Commission, take care of all planning
 24 issues; Water Committee; Infrastructure Committee;
 25 Public Works Committee. So when all of these things

Page 69

1 come up, then we can just have the committee work on it.
 2 MEMBER DEREGO: Can I ask a question, then, on
 3 that as well, in terms of what, at least, I would like
 4 to hear as a part of that history? You said that some
 5 of the committees' -- I mean the commissions'
 6 recommendations did not make it to the ballot. I would
 7 be interested to find out how that process does or does
 8 not take place. Does the Commission voluntarily take it
 9 off the ballot or the recommendation? Because I know,
 10 according to the present definition in the Charter, that
 11 the Commission can make a recommendation and then the
 12 Council can actually put an alternative on the ballot
 13 and have people vote for either one. So is it usually
 14 on the consensus basis that we work with the Council in
 15 some way, shape or form so there's not so many
 16 alternatives on the ballot that it's confusing for the
 17 voters? I would like to hear a little bit about that
 18 process in terms of how recommendations that are in the
 19 final report either make it or do not make it to the
 20 ballot.
 21 CHAIR STONE: Actually, a good point there,
 22 when they say "alternative", how vague is that,
 23 alternative?
 24 MR. KUSHI: As I understand the alternative
 25 provisions, I think that Charter Amendment 12A and 12B

18 (Pages 66 to 69)

<p style="text-align: right;">Page 70</p> <p>1 are one issue, specifically the Water Department issue. 2 It's got to be kind of a clear yes or no issue. You 3 cannot say, "yes, with provisions." And then the one 4 that gets the most votes -- there was some -- not 5 in-fighting -- I shouldn't say in-fighting -- 6 disagreements between the Charter Commission and the 7 Council. They went back and forth. And it does provide 8 a provision called recall. Submit it to the Council, it 9 gets to reject it or they can recall it. It comes back 10 to this Commission, you can say, "I don't care what you 11 do, I'm going to put it back," and you send it back to 12 the Council. And then eventually, it goes to the Clerk. 13 But there is some -- 14 CHAIR STONE: What happens at that stage, when 15 it goes back to the -- 16 MR. KUSHI: I think it's the Commission's -- 17 Commission has the last call on this. 18 MEMBER DEREBO: Then the Council has the 19 ability, then, to put an alternative on the ballot as 20 well, correct? 21 MR. KUSHI: On a separate process. 22 MEMBER DEREBO: On a separate process, yeah. 23 MEMBER SUGIMURA: So that's what Mike White is 24 doing? 25 MR. KUSHI: He is doing it on his own. And</p>	<p style="text-align: right;">Page 72</p> <p>1 MEMBER MOIKEHA: So that would be another 2 meeting, another meeting place and agendizing it, 3 notifying the public as well? 4 MR. KUSHI: Right. 5 MEMBER MOIKEHA: Had the past commissions 6 chosen to do it that way? 7 MR. KUSHI: I've got to look at it. They 8 provide for it. 9 MEMBER HASHIMOTO: Chair? 10 CHAIR STONE: Yeah. 11 MEMBER HASHIMOTO: I read an article that I 12 got off the internet about the charter commissions and 13 their work. And one of the things that was recommended 14 by this organization was that -- it's a national 15 organization, by the way. I can't think of the name of 16 it at this moment. And it suggested that having the 17 commission -- you know, having a committee on a charter 18 commission can be a very troublesome thing to have 19 because the committees can stay in their own little 20 world, working on whatever they're working on, and while 21 the commission just sits and waits for that thing to get 22 back. Then you have this big disagreement between -- 23 between the committees. And it's oftentimes the 24 committees are fighting each other on the commission. 25 So it's not a good idea to break up this Commission into</p>
<p style="text-align: right;">Page 71</p> <p>1 the law doesn't prevent him from doing it, 2 notwithstanding the establishment of this Commission. 3 But it's going to be in the same election -- 4 MEMBER DEREBO: Yes. 5 MR. KUSHI: -- hopefully. 6 CHAIR STONE: So would it be a good idea to 7 also include on the agenda organizing our committees? 8 MR. KUSHI: Yeah. 9 CHAIR STONE: So let's make sure that's on the 10 agenda as well. 11 MR. KUSHI: Committees and subcommittees. I 12 would say don't get into subcommittees too much. Your 13 committees -- again, whatever your committee would do 14 has to come back to the full Commission for approval. 15 MEMBER DEREBO: It has to be less than a 16 quorum. 17 CHAIR STONE: All right. 18 MEMBER MOIKEHA: Are not the committees or 19 subcommittees subject to Sunshine Law, so they would 20 have to be meeting in open as well? 21 MR. KUSHI: Correct. 22 MEMBER MOIKEHA: So would these subcommittees 23 or committees be working during the time that we slot 24 each time, breaking off? How would that work? 25 MR. KUSHI: They can make their own agenda.</p>	<p style="text-align: right;">Page 73</p> <p>1 smaller groups for that reason. It takes longer to 2 resolve. So my suggestion is, or my recommendation 3 would be, Mr. Chair, that we don't work break into 4 committees unless we have to. 5 CHAIR STONE: That's a good idea. 6 MEMBER HASHIMOTO: When something is very, 7 very difficult to handle and we don't want it to be 8 handled here by this -- the whole Commission, then have 9 a committee to do that, where it's a very difficult 10 subject issue. 11 CHAIR STONE: I think if we keep all of our 12 comments very concise and keep things rolling, then we 13 shouldn't -- 14 MEMBER HASHIMOTO: Because we're not repeating 15 ourselves all the time. When you go to committees, you 16 end up doing a lot of repeats. 17 CHAIR STONE: Good thought. 18 MEMBER HASHIMOTO: I think the Planning 19 Commission finds that out, right? I don't know. From 20 watching it, I see that happens sometimes. 21 MEMBER WIGER: And, really, in support of 22 that, if we were -- if we were a group that had a longer 23 timeframe, then something like that, in my mind, works 24 well. But when we got a very tight timeframe, that 25 means that in order to -- if you start breaking off,</p>

19 (Pages 70 to 73)

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<p style="text-align: right;">Page 74</p> <p>1 then they have to meet, they have to come back, the 2 process -- I mean, it -- I think it's going to really 3 put us into a bind in terms of being able to get our 4 business done in a timely fashion. 5 And I think as well the idea of the 6 interdependency of a lot of the issues that we're going 7 to have to consider. They're not going to be separate 8 silos in many ways, they're going to be very 9 interdependent with another, I'm thinking. I may be off 10 on that, but that would be my -- my -- 11 CHAIR STONE: Those are good arguments. Does 12 anybody see a reason why we should have committees 13 immediately? 14 MEMBER MOIKEHA: I would only say that they 15 probably were designed to provide more specific 16 information in an expedited manner. And I take this 17 from my experience on the GPAC, when you're working with 18 25 people, we ended up breaking up into committees. And 19 that's why I asked the question about the Sunshine Law, 20 because they are subject to that. 21 CHAIR STONE: I think -- I think that we're 22 probably best served by not going to any committees 23 until we find the need. That's a great suggestion. 24 Thank you. 25 MEMBER MOIKEHA: So may I suggest that we look</p>	<p style="text-align: right;">Page 76</p> <p>1 that point in time. But anything that will expedite, 2 you know, making decisions. 3 CHAIR STONE: I think that's a good idea. I 4 think everybody should be doing their homework bigtime 5 before we get back because there's so much to go 6 through. So, yeah. Obviously, that's going to have to 7 happen. If people come unprepared, it's going to be a 8 disaster. 9 MEMBER OKAMOTO: I have one question, just how 10 it works. We're sending letters out to, basically, all 11 of the County people saying come back with what you want 12 us to look at. Do we as a group, individually, at some 13 time at the beginning -- you know, we've gone through 14 the Charter and say, wow, this just doesn't seem right 15 or this looks like -- do we have a time for ourselves 16 that we want to put -- 17 CHAIR STONE: Good point. 18 MEMBER OKAMOTO: How does that work? 19 CHAIR STONE: Does the -- 20 MR. KUSHI: Yeah, of course. 21 CHAIR STONE: That's, basically, what we're 22 here for, right? So why don't we -- why don't we -- 23 also, on the next meeting, let's bring those forward. 24 MEMBER OKAMOTO: Okay. 25 CHAIR STONE: So let's include the Commission</p>
<p style="text-align: right;">Page 75</p> <p>1 at the rules and then, as we read through that, we send 2 this information as to what we would feel is appropriate 3 or not to Lisa? And that way, when we get back here to 4 look at it, we can just go right into a voting manner 5 instead of having a lot of deciding going on, 6 decision-making? 7 MEMBER DEREBO: Right. Exactly. 8 MEMBER MOIKEHA: I am so for doing as much as 9 we can on our own and then coming back and being ready 10 and prepared to work on the work. 11 CHAIR STONE: Agreed. 12 MEMBER MOIKEHA: I can't emphasize that 13 enough. 14 CHAIR STONE: Agreed. 15 MEMBER MOIKEHA: So I would appreciate 16 whatever comments we have or decisions we're making, 17 like our rules, that we do our job, do our homework, 18 send that information on, and then we get here, we can 19 just get through it and vote. 20 CHAIR STONE: That sounds goods. 21 MEMBER MOIKEHA: I wouldn't exactly -- and as 22 was indicated, there is a section on committees and 23 subcommittees in the proposed rules. I'm not so sure we 24 want to totally eliminate that in case we would want to, 25 but I guess you can do an amendment to your rules at</p>	<p style="text-align: right;">Page 77</p> <p>1 Members bringing forward their proposals and get right 2 to it. 3 MEMBER OKAMOTO: Does it have to be 4 necessarily proposals or just where we say this section, 5 you know, just doesn't seem to match? 6 CHAIR STONE: Topic of discussion, proposals. 7 MEMBER WIGER: Topics of discussion. 8 MEMBER DEREBO: Can I go back to one issue in 9 regards to the letters? Once the -- being on a board 10 and commission myself, once the deadline has passed for 11 the submission of ideas, they're still able to come 12 back -- 13 CHAIR STONE: Right. 14 MEMBER DEREBO: -- and put in further 15 information, correct, in terms of recommendations? This 16 is just a guideline and a suggestion? 17 CHAIR STONE: He's removing the word deadline. 18 MEMBER DEREBO: Deadline. Oh, okay. 19 CHAIR STONE: He's going suggest a date. So, 20 yeah, I think all the -- 21 MEMBER DEREBO: The Cost of Government 22 Commission will be working on this as well. 23 MEMBER OKAMOTO: Yes. Definitely. 24 MR. KUSHI: Mr. Chair, what we'll do is Lisa 25 will call you before the agenda is finalized to make</p>

20 (Pages 74 to 77)

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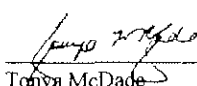
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<p style="text-align: right;">Page 78</p> <p>1 sure that all the matters will be on the agenda and then</p> <p>2 send it out. And for the Commission's purposes, also,</p> <p>3 more homework, we'll send you a copy of the -- I don't</p> <p>4 know if you have it, report of the previous Charter</p> <p>5 Commission.</p> <p>6 CHAIR STONE: It's online.</p> <p>7 MEMBER OKAMOTO: It's online.</p> <p>8 MR. KUSHI: Is it? Fine.</p> <p>9 CHAIR STONE: It's only 46 pages.</p> <p>10 MR. KUSHI: Yes.</p> <p>11 CHAIR STONE: And, you know, interestingly,</p> <p>12 too, maybe the first like few minutes are pretty good</p> <p>13 reading because it gives you -- it answers a few of the</p> <p>14 questions that we're asking. You see what a previous</p> <p>15 commission worked on right off the bat. So probably</p> <p>16 read those.</p> <p>17 MEMBER OKAMOTO: Is there, in that -- I looked</p> <p>18 through the report -- the actual vote when it went to</p> <p>19 the public? I mean, I know some passed or they didn't.</p> <p>20 CHAIR STONE: I lined it up, the book, to see</p> <p>21 what actually went through and what didn't. And it</p> <p>22 seems like it was -- it seemed kind of 50-50, actually.</p> <p>23 MEMBER OKAMOTO: Okay.</p> <p>24 CHAIR STONE: Half the stuff got through and</p> <p>25 half the stuff didn't.</p>	<p style="text-align: right;">Page 80</p> <p>1 MEMBER BAXA: Mr. Chair?</p> <p>2 CHAIR STONE: Yes.</p> <p>3 MEMBER BAXA: I like to ask, will there be</p> <p>4 some notices to the public for the submission of some</p> <p>5 specific proposals for the --</p> <p>6 CHAIR STONE: I believe we do advertisements,</p> <p>7 solicit for proposals, is that correct, with the public?</p> <p>8 MR. KUSHI: Correct. What I would hope to do</p> <p>9 is make just a general notice in the classifieds or</p> <p>10 whatever. As long as we have got a budget to pay for</p> <p>11 it, advertise Commission's existence together with the</p> <p>12 general meeting date and time and requesting the public</p> <p>13 submit proposals to the Commission through our office.</p> <p>14 MEMBER BAXA: Yeah. Mr. Chair, the reason I</p> <p>15 asked that is I know very well that each of us can make</p> <p>16 proposals for the changes to the Charter, but, for me, I</p> <p>17 would first like to hear from what the public wants to</p> <p>18 do instead of coming forthright away and make proposals.</p> <p>19 CHAIR STONE: In reading some of the previous</p> <p>20 minutes, it seemed, a lot of times, in the public</p> <p>21 testimony period, a lot of the issues weren't even</p> <p>22 really Charter Commission issues that were coming</p> <p>23 forward. I think you have to have a bit of a base to</p> <p>24 put forward because many people confuse the Charter --</p> <p>25 before being a part of this Commission, myself</p>
<p style="text-align: right;">Page 79</p> <p>1 MEMBER DEREGO: But it is possible to get that</p> <p>2 information from the County Clerk?</p> <p>3 MEMBER WIGER: Uh-huh.</p> <p>4 MEMBER OKAMOTO: I think that would be</p> <p>5 helpful.</p> <p>6 MEMBER DEREGO: That would be helpful.</p> <p>7 MEMBER HASHIMOTO: So many amendments. Didn't</p> <p>8 that appear in the last election?</p> <p>9 CHAIR STONE: 2010 amendments.</p> <p>10 MEMBER DEREGO: Amendments, yeah.</p> <p>11 MEMBER HASHIMOTO: They passed, right, as I</p> <p>12 recall?</p> <p>13 MEMBER OKAMOTO: No, it didn't.</p> <p>14 CHAIR STONE: These amendments are -- these</p> <p>15 passed.</p> <p>16 MR. KUSHI: Yeah.</p> <p>17 MEMBER DEREGO: Those passed, yeah.</p> <p>18 CHAIR STONE: You got that, right?</p> <p>19 MEMBER DEREGO: That was changing the dates --</p> <p>20 CHAIR STONE: 2010 amendments.</p> <p>21 MEMBER DEREGO: -- when the budget was</p> <p>22 submitted and then approved. So -- and that was just</p> <p>23 changing chapters, I think, because they divided up</p> <p>24 Department of Environmental and Public Works.</p> <p>25 CHAIR STONE: Anything else?</p>	<p style="text-align: right;">Page 81</p> <p>1 included -- with ordinances. And I think that it's</p> <p>2 important to define kind of what we're looking at. Of</p> <p>3 course, we have to -- anything that somebody brings</p> <p>4 forward has to be listened to and discussed, but I think</p> <p>5 we should have some ideas going out to the public as</p> <p>6 well because it's kind of what we're already thinking.</p> <p>7 And why not give them a base to be able to respond to</p> <p>8 over there?</p> <p>9 MEMBER BAXA: But that is the reason why I</p> <p>10 asked, is there will be some specific notices for the</p> <p>11 public to come forward with specific proposals.</p> <p>12 CHAIR STONE: I think the best method would be</p> <p>13 to do the classifieds advertising that we exist, that</p> <p>14 we're coming on these dates to these locations, or we're</p> <p>15 in this location every, you know, Tuesday. And then,</p> <p>16 that way, those people can always come forward.</p> <p>17 MEMBER CRIVELLO: Or they may submit written</p> <p>18 testimony.</p> <p>19 CHAIR STONE: Of course.</p> <p>20 MR. KUSHI: Also, Mr. Chair, Mike Molina of</p> <p>21 the Mayor's Office was going to do a press release about</p> <p>22 your appointment and the Charter meeting times and</p> <p>23 dates, et cetera.</p> <p>24 CHAIR STONE: Okay. Any more issues or</p> <p>25 discussion?</p>

21 (Pages 78 to 81)

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<p style="text-align: right;">Page 82</p> <p>1 MS. KAHUHU: Question. Did you want a draft 2 of this publication to be brought to the next meeting or 3 can we just go ahead with getting it put in the 4 newspaper, if Ed drafts it? 5 MR. KUSHI: We can start doing a draft and 6 have the Commission approve the draft -- 7 MS. KAHUHU: Okay. 8 MR. KUSHI: -- once you get your time and 9 place and your meetings set. 10 CHAIR STONE: Right. I think that's very 11 important. All right. So anything -- 12 MS. RAISBECK: May I make a suggestion? A lot 13 of people watch Akaku, a lot of people. And if you were 14 to be interviewed on Akaku, on any of their news 15 programs or so on, that would probably get to a lot of 16 people better than something in the classified section 17 of the newspaper. 18 CHAIR STONE: Thank you for your input. Thank 19 you. Okay. Anything else? 20 MEMBER MOIKEHA: Chair? Public testimony was 21 closed. 22 CHAIR STONE: I'm sorry. Public testimony is 23 closed. 24 MEMBER MOIKEHA: I'm sorry. If we start 25 making exceptions --</p>	<p style="text-align: right;">Page 84</p> <p style="text-align: center;">CERTIFICATE</p> <p>1 2 3 4 I, TONYA MCDADE, Certified Court Reporter of 5 the State of Hawaii, do hereby certify that the 6 proceedings contained herein were taken by me in machine 7 shorthand and thereafter was reduced to print by means 8 of computer-aided transcription; and that the foregoing 9 represents, to the best of my ability, a true and 10 accurate transcript of the proceedings had in the 11 foregoing matter. 12 I further certify that I am not an attorney 13 nor an employee of any of the parties hereto, nor in any 14 way concerned with the cause. 15 DATED this 18th day of May, 2011. 16 17  18 Tonya McDade 19 Certified Shorthand Reporter #447 20 Registered Professional Reporter 21 Certified Realtime Reporter 22 Certified Broadcast Reporter 23 24 25</p>
<p style="text-align: right;">Page 83</p> <p>1 CHAIR STONE: I'm sorry. We can discuss -- we 2 can discuss that. 3 MR. MAYER: Just one sentence? 4 CHAIR STONE: All right. So I think we're 5 good here. And we shall adjourn this meeting. Meeting 6 adjourned. 7 (Meeting adjourned at 1:45 p.m.) 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	

22 (Pages 82 to 84)

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