

Approved 7/11/11

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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 12:05 p.m., on Monday, June 13, 2011.

Reported by: Tonya McDade, CSR, CRR  
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(Monday, June 13, 2011, 12:05 p.m.)

\* \* \*

CHAIR STONE: I'd like to say hello to everyone for attending this public meeting of the Charter Commission. My name is Josh Stone and I'm the Chairman of the Commission. If you need, there are copies of our agenda for today's meeting available for everyone over there with Lisa Kahuhu. (Sound system feedback.) Wow, that Kahuhu had some mana in it.

(Laughter.)

CHAIR STONE: And as per our rules, all discussions today shall be pertaining to these agenda items only.

(Sound system feedback.)

MEMBER SUGIMURA: Conch shell.

CHAIR STONE: That's just my -- that's my conch voice.

MEMBER SUGIMURA: They're calling us into order.

CHAIR STONE: Let me see if I can do it again.

(Sound system feedback.)

CHAIR STONE: How's that?

TECHNICIAN: Keep talking.

CHAIR STONE: We're doing pretty good?

TECHNICIAN: We're gonna try to find the one.

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ATTENDANCE

BOARD MEMBERS PRESENT:

Joshua A. Stone, Chair  
Wayne N. Hedani, Vice-Chair  
Artemio C. Baxa, Member  
Stephanie S. Crivello, Member  
David P. DeLeon, Member  
Frank R. DeRego, Jr., Member  
Clifford P. Hashimoto, Member  
Wayne N. Hedani, Member  
Susan A. Moikeha, Member  
Linda Kay Okamoto, Member  
Yuki Lei Sugimura, Member

STAFF PRESENT:

Edward S. Kushi, Jr., First Deputy Corporation Counsel  
Lisa Kahuhu, Supervising Law Technician

ADMINISTRATION PRESENT:

Michael Molina, Executive Assistant to the Mayor  
Rod Antone, Communications Director  
Bill Medeiros, Geographic Services Manager

OTHERS PRESENT:

Jim Smith  
Sally Raisbeck

PRESS:

Akaku, Maui Community Television, Inc.

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CHAIR STONE: Let's get back to it. Before beginning public testimony, we have a few items of business to address. First off, I'd like to call this meeting to order as of 12:05 p.m., and recognize our Commissioners that are present or excused.

Lisa, can you do roll call at this time, please?

MS. KAHUHU: Thank you, Chair. All members are present except for Clifford Hashimoto, who is on his way, and Flo is -- will not be attending.

CHAIR STONE: Thank you very much.

I'd also like to present our staff, Ed Kushi, Deputy Corporation Counsel; Lisa Kahuhu, Supervising Law Technician; Tonya McDade, our court reporter; Mike Molina, EA to the Mayor's Office; and, also, we have today Rod Antone. Thank you very much for being here.

The first item -- the next item on the agenda, I'd like to take this time to approve the minutes from our last meeting, which is this bible set in front of you, from 6-13-2011 [sic]. Is there a motion? Yes, Commissioner Hedani.

VICE-CHAIR HEDANI: Move to approve.

MEMBER SUGIMURA: Second.

MEMBER DEREGO: I second.

CHAIR STONE: There's been a motion to

1 (Pages 1 to 4)

1 approve, and seconded, the minutes from June 13, 2011  
 2 [sic]. Is there any discussion?  
 3 (Silence.)  
 4 CHAIR STONE: No. Let's take action on that  
 5 motion. All in favor approving the minutes, say "aye."  
 6 (A chorus of ayes.)  
 7 CHAIR STONE: All opposed?  
 8 (Silence.)  
 9 CHAIR STONE: The minutes are approved.  
 10 We will move on to oral testimony. Before I  
 11 begin, I would like to go over our oral testimony rules.  
 12 We'll call up each public testifier in the order that  
 13 they registered to testify. Each person will have three  
 14 minutes to testify on items on our agenda today. If the  
 15 testifier requires more time, I will grant them an  
 16 additional minute to complete their testimony. At the  
 17 end of this additional minute, the testifier will be  
 18 asked to stop their testimony. And if more time is  
 19 required on an item, the testifier will be allowed an  
 20 additional three minutes to complete their testimony  
 21 following the testimony of all registered testifiers.  
 22 Following a testifier's testimony, I will ask  
 23 Commissioners if they need clarification of the  
 24 presented testimony.  
 25 Lisa, please introduce our first testifier.

1 MS. KAHUHU: Thank you, Chair. Our first  
 2 testifier is Jim Smith.  
 3 ...BEGIN PUBLIC TESTIMONY...  
 4 CHAIR STONE: Mr. Smith, thank you for coming.  
 5 MR. SMITH: Chairperson Stone, Members of the  
 6 Charter Commission, thank you once again for your  
 7 willingness to serve.  
 8 I have a point of order I'd like to bring to  
 9 your attention, Mr. Chair. On your agenda, at the first  
 10 meeting, there was an oath of office item. And all  
 11 members present took the oath of office on the record.  
 12 One member was not present. I didn't see in the minutes  
 13 for that member taking an oath. I'd like for that to be  
 14 at least noted, that the person who did not take an oath  
 15 did, in fact, take an oath, and that the oath was taken  
 16 on a specific time, date and given by a specific person.  
 17 I just would ask that that be made a part of the public  
 18 record.  
 19 CHAIR STONE: Okay. So noted.  
 20 MR. SMITH: This is very important to me.  
 21 There was an editorial in "The Maui News" which I hope  
 22 you read, because what that does is show how significant  
 23 you are to this process. And I found it quite telling  
 24 that in the Charter Commission, on -- presented to the  
 25 Board of Supervisors on February 19th, 1967, its report,

1 and on Page 3 of that report, it's Communication 33, is  
 2 a description of why they changed from a Board of  
 3 Supervisors to, in fact, a check and balance system.  
 4 And it was the arbitrariness of decision-making and the  
 5 effects upon the citizens that caused this separation of  
 6 legislative and executive branch. All right. And it  
 7 was our Charter Commission that took that and made that  
 8 happen.  
 9 And it's one thing that you know that it's  
 10 necessary, okay, that this be preserved, or we go back  
 11 to the Board of Supervisors in which there is no check  
 12 or balance. So I hope you will proceed with that.  
 13 That was presented to the Board of Supervisors  
 14 on February 9th, 1967. And that is Page 3. Please,  
 15 it's important to note.  
 16 What we are facing now is you will be barraged  
 17 by other things. The most important thing is diverting  
 18 you from the focus you, hopefully, will hold on to, and  
 19 that is to recognize the check and balance is the most  
 20 important issue than not.  
 21 District representation, because that goes to  
 22 the core. And if you're saying it's arbitrary because  
 23 there's no district representation, well, then you may  
 24 be missing the fundamental point. And that is you've  
 25 got to have a check and balance. That's the point we're

1 missing.  
 2 That's addressing the structural -- the  
 3 structural item on your agenda, which has to do with  
 4 arbitrariness, from my perspective. How you approach --  
 5 MS. KAHUHU: One minute.  
 6 CHAIR STONE: Go ahead.  
 7 MR. SMITH: How you approach the Council with  
 8 your letter, which is another item, would be how they  
 9 intend to preserve. I would hope that this Commission  
 10 in its rules would adopt the rule that only amendments  
 11 that are unanimously approved by this Commission will  
 12 appear on the -- on the ballot.  
 13 Right now, the Charter is -- amendment can be  
 14 approved by two-thirds majority. From my perspective,  
 15 that's not good enough.  
 16 If we go to Descartes, in 1543, he says, in  
 17 respect to truths which are not readily discoverable,  
 18 plurality of supporting votes is of no value as proof.  
 19 So, to me, this is so critical that the only thing that  
 20 should emerge from this Charter is something you  
 21 unanimously know to be true. So there will be no  
 22 dispute because you will arrive at it unanimously. So I  
 23 would ask you to do that.  
 24 I have a handout for you, which I --  
 25 MS. KAHUHU: Time.

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1 MR. SMITH: -- feel is significant.

2 CHAIR STONE: Sorry, Mr. Smith. Would you

3 mind coming back after the other public testifiers to

4 continue your testimony?

5 MR. SMITH: Yes, I will.

6 CHAIR STONE: Thank you very much.

7 MS. KAHUHU: Chair, our next testifier, and

8 last testifier signed up as of right now, is Sally

9 Raisbeck.

10 CHAIR STONE: Ms. Raisbeck, thank you for

11 coming.

12 MS. RAISBECK: Thank you, Mr. Chair and

13 Members. I made a copy of that editorial. I thought

14 you would like to have a copy in your files. And you

15 can get a good laugh out of it, too.

16 Okay. I am testifying on Items II-A, B and C,

17 which are things I sent in to the -- to the Commission.

18 My first one is, I think, important, which is you could

19 have a rule in your rules that the Chair participates

20 fully and votes on everything rather than using the

21 default Robert's Rule, rule that Chair only votes on a

22 tie. Your very first meeting, that was inconvenient in

23 that Mr. Kushi said, "Oh, the Chair only votes on a

24 tie," and there were five votes for Mr. Hedani, and you

25 couldn't proceed. You had to defer it. So it's

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1 important to let the Chair have a vote. I would suggest

2 you make that change to your rules.

3 My second communication was that the

4 Commission needs an outside attorney. The Corp

5 Counsel's Office has a conflict. They try to represent

6 the mayor, they try to represent the council, they try

7 to represent you, they try to represent every

8 commission. I think this creates a structural conflict.

9 And when the -- when the council has a hassle with the

10 mayor, they hire outside counsel. I think you would be

11 well advised to have advice from an outside counsel.

12 And not to make it personal, but the Supreme

13 Court last term, I believe, had nine five-to-four

14 decisions. So that just proves that attorneys can argue

15 on either side of a great many questions, depending on

16 -- well, whatever their reasons are. But you can't take

17 one person's idea, especially one person with a

18 conflict, their idea of what the law is as necessarily

19 definitive.

20 My third communication just was a letter to

21 the editor trying to publicize your meetings.

22 And then, as I say, I passed out the

23 editorial.

24 Under Old Business, III-A, you have the rules.

25 And I wanted to ask you if it would be possible for --

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1 to post the draft minutes on the website as soon as they

2 come in. I was not able to come to your meeting May

3 23rd. I would very much have wanted to see the minutes

4 as soon as they could be available.

5 And, of course, there's, again, a custom.

6 It's customary, it's not written in stone, that you

7 won't pass -- post draft minutes, you have to wait until

8 after this meeting when you approve the minutes and then

9 they can go on the website.

10 For me, of course, but, also, for people in

11 the far reaches of the county, Molokai, Lanai, Hana, the

12 quicker they can get minutes and see what you people are

13 doing in your meetings, the more informed they will be.

14 And I would say the same argument applies to the backup

15 material that's passed out to the Commission in

16 preparation --

17 MS. KAHUHU: One minute.

18 MS. RAISBECK: -- for your -- for your

19 meetings. If those could be posted on the website, that

20 would be a great convenience for people who aren't able

21 to come over here to see what you're doing to follow

22 your work and to have informed opinions about it.

23 I guess that's all I need to say today. Thank

24 you.

25 CHAIR STONE: Thank you, Ms. Raisbeck.

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1 Commissioners, any clarification on that testimony?

2 (Silence.)

3 MS. RAISBECK: Thank you.

4 CHAIR STONE: No. Thank you for your time.

5 Okay. Prior to going to the second round of testimony

6 and inviting Mr. Smith back up, I just want to make sure

7 there's no one else who would like to testify for the

8 first time.

9 (Silence.)

10 CHAIR STONE: No, okay. Mr. Smith, please.

11 Three minutes.

12 MR. SMITH: Thank you, Mr. Chair, Members of

13 the Commission.

14 I have something I'd like to hand out to you.

15 And it's in the context of your review of these under

16 the structure. This is a letter -- actually, it's two

17 letters. And what I'm trying to do is to show you where

18 -- where we most need your reflection and your study and

19 your -- your effort. Okay. And this is a letter --

20 I've given you, in the past, newspaper articles that

21 have referenced the changes in permitting processes and

22 where they go.

23 Now, there was a letter in "The Maui News" on

24 June 10th, 2011, by a man named Mike Perry. Mike

25 Perry's the guy who keeps the wetlands so beautiful. In

1 2002, I was working at Baldwin as a substitute, we took  
 2 kids there to help work. Okay. And he writes this  
 3 compelling letter. Now, why is it that he has to take  
 4 this to "The Maui News"? I mean, what is this? This is  
 5 our Charter Commission and these are the real problems,  
 6 I think, that need to be addressed.

7 And I think it has a great deal to do, okay,  
 8 with an unwillingness to check and balance, and the  
 9 notion that the Board of Supervisors anointing a mayor  
 10 is so much better for all of us. And we need to refute  
 11 that, I think, because our Charter really is moving back  
 12 to that without -- without a Charter amendment. Because  
 13 that's how they are behaving.

14 And that's why I think you may have 20 Charter  
 15 amendments coming to you from the Council at the same  
 16 time yours. And the only thing that will contrast yours  
 17 is your reflection and your notion that this is true and  
 18 this is why we decided that ours is based on judgment,  
 19 not number of votes, not number of people who come out  
 20 to a specific meeting. The idea that you should let the  
 21 voter decide defeats the purpose of this Commission.  
 22 You're charged to reflect --

23 MS. KAHUHU: One minute.

24 MR. SMITH: -- and study. And that's what I  
 25 hope you will do.

1 Thank you for your patience and your time.

2 CHAIR STONE: Thank you, Mr. Smith.

3 Commissioners, any clarification on the testimony?

4 MEMBER BAXA: Mr. Chair?

5 CHAIR STONE: Yes, Commissioner Baxa.

6 MEMBER BAXA: Mr. Smith, I'm trying to digest,  
 7 to find out what exactly you want to convey to the  
 8 Commission. I still cannot figure out. What exactly do  
 9 you want?

10 MR. SMITH: One of the things that happened  
 11 with that editorial was your credibility was put into  
 12 question, the notion that you were appointed simply to  
 13 adopt a provision that would give the voter the choice  
 14 for district representation. Okay. That tries to  
 15 define how you approach each item on your agenda as it  
 16 relates to amendments. That's putting you in a role.  
 17 Okay.

18 I'm trying to counter that by saying, please  
 19 do not accept the notion that you're here to -- to do  
 20 anything other than reflect upon and vote upon, okay,  
 21 the goodness of your judgment, the goodness of an idea,  
 22 not the popularity of an idea.

23 And that's why I asked and requested that you  
 24 require that any amendment be adopted unanimously.  
 25 Because if you have the facts, you know -- if the truth

1 is there, you will be looked foolish upon if you go  
 2 against. So the man who knows all the evidence, he  
 3 knows all the evident truth, is not gonna lose an  
 4 argument because it's obvious. He knows his subjects.  
 5 So if you know your subject, is we're getting arbitrary  
 6 government and we need to stop that government.

7 And one of the ways to stop it from the  
 8 perspective of the council is to require a unanimous  
 9 vote by the council on any amendments they propose.  
 10 Well, then I think that would put the argument in the  
 11 right arena, not in a -- in a lottery or raffle or a  
 12 popularity contest.

13 So I'm urging that you all, with your eminent  
 14 qualifications, apply judgment as to good and bad, not  
 15 as to popular.

16 That was my testimony today.

17 MEMBER BAXA: Thank you.

18 MR. SMITH: Is it clear?

19 CHAIR STONE: Thank you. Any more  
 20 clarification from the Commissioners?

21 (Silence.)

22 CHAIR STONE: Mr. Smith, thank you very much  
 23 for your testimony.

24 MR. SMITH: Thank you.

25 CHAIR STONE: If there are no objections, I

1 will close the oral testimony at this time.

2 ...END OF PUBLIC TESTIMONY...

3 CHAIR STONE: Moving on to our next item,  
 4 Communications.

5 Item II-A, a communication from Sally  
 6 Raisbeck, dated May 20th, 2011, regarding "Chair should  
 7 vote regularly, not just on ties." Commissioners, do we  
 8 have any discussion on that item?

9 MEMBER DELEON: Mr. Chair?

10 CHAIR STONE: Yeah.

11 MEMBER DELEON: Can we take this up during the  
 12 section on rules? I think we were going to be adopting  
 13 the rules today.

14 CHAIR STONE: Okay. Well, we'll defer that to  
 15 that section.

16 MR. KUSHI: Mr. Chair?

17 CHAIR STONE: Yes.

18 MR. KUSHI: For housekeeping purposes, the  
 19 communications, you should announce it and then accept  
 20 it for the record.

21 CHAIR STONE: Okay.

22 MR. KUSHI: What is contained in the  
 23 communications, as Member DeLeon says, you can fully  
 24 discuss it at that time. Just so the communication is  
 25 part of the record.

<p style="text-align: right;">Page 17</p> <p>1 CHAIR STONE: Okay. So without objection, the</p> <p>2 Chair will accept and file all public -- or all written</p> <p>3 communications for the record.</p> <p>4 MEMBER DELEON: So moved.</p> <p>5 MR. KUSHI: Mr. Chair, in addition, I think</p> <p>6 Mr. Smith handed out a copy of a letter that should be</p> <p>7 included, also, a copy of an editorial.</p> <p>8 CHAIR STONE: Including the editorial letter</p> <p>9 handed out.</p> <p>10 MR. KUSHI: Including in your packets, also,</p> <p>11 there's a various letters from -- one from Mr. Taira</p> <p>12 dated June 5th, another one from Joseph Blackburn dated</p> <p>13 June 5th. Those should also be disclosed and accepted</p> <p>14 into the record, if you Commissioners have copies of it.</p> <p>15 CHAIR STONE: Did all the Commissioners get</p> <p>16 copies of that?</p> <p>17 MEMBER CRIVELLO: I have Blackburn, but not --</p> <p>18 MS. KAHUHU: Blackburn's was located in the</p> <p>19 green packet.</p> <p>20 MEMBER CRIVELLO: I have Blackburn's. I don't</p> <p>21 have Taira's.</p> <p>22 MS. KAHUHU: Taira's was in your packet that</p> <p>23 was mailed to you. You didn't get it? Okay.</p> <p>24 CHAIR STONE: Without objection, I would like</p> <p>25 to include those items.</p>	<p style="text-align: right;">Page 19</p> <p>1 CHAIR STONE: Yes.</p> <p>2 MEMBER DELEON: While we're on the subject,</p> <p>3 I'm kind of perplexed, we're getting like a volume of</p> <p>4 material and we're getting a volume of ideas. And I'm</p> <p>5 wondering how are we going to wrestle with categorizing</p> <p>6 and reviewing them as they come, or just how we're going</p> <p>7 to store 'em.</p> <p>8 CHAIR STONE: In our New Business, IV-D,</p> <p>9 there's Amendment Proposal Review Structure, which</p> <p>10 today, I think, would be a really good day to really</p> <p>11 nail down how we're going to deal with that. So we'll</p> <p>12 get on to that in New Business, if that's okay.</p> <p>13 MEMBER DELEON: Okay.</p> <p>14 CHAIR STONE: Okay. So we'll move on to Old</p> <p>15 Business, III-A, Adopted Rules of the Maui County</p> <p>16 Charter Commission. At our last business meeting, we</p> <p>17 voted to accept the rules as they have been edited, I'd</p> <p>18 say. Are there any discussion on the rules?</p> <p>19 MEMBER OKAMOTO: Excuse me. We did accept</p> <p>20 them at the last meeting?</p> <p>21 CHAIR STONE: I believe we voted and accepted</p> <p>22 the rules, yes.</p> <p>23 MEMBER SUGIMURA: The amended version.</p> <p>24 CHAIR STONE: This is the amended version,</p> <p>25 that's right.</p>
<p style="text-align: right;">Page 18</p> <p>1 MR. KUSHI: Also, Mr. Chair, at the public</p> <p>2 hearing in Pukalani the other night, there was some</p> <p>3 written testimony from Alan Kaufman, John Wilson and Ron</p> <p>4 Montgomery.</p> <p>5 CHAIR STONE: Do all Commissioners have that?</p> <p>6 MEMBER SUGIMURA: That's Dick Mayer, right?</p> <p>7 MR. KUSHI: He didn't submit anything in</p> <p>8 writing.</p> <p>9 MEMBER SUGIMURA: He --</p> <p>10 MR. KUSHI: Maybe he did --</p> <p>11 MEMBER SUGIMURA: He passed it out.</p> <p>12 MR. KUSHI: Actually, Mr. Chair, for</p> <p>13 housekeeping purposes, what I've passed out is the blank</p> <p>14 sheets of what we call summary of public testimony.</p> <p>15 Your staff, myself and Lisa Kahuhu, kind of worked on</p> <p>16 that. And anybody who wants to testify before this</p> <p>17 Commission, it's strictly voluntary if they fill this</p> <p>18 form out. It will help staff and the Commission</p> <p>19 understand the testimony, identify the various Charter</p> <p>20 provisions that the testifier is trying to discuss. And</p> <p>21 they don't -- they don't know we're staffing them. So</p> <p>22 to just assist the Commission, it's just a form, it's</p> <p>23 strictly voluntary. Just for your information.</p> <p>24 CHAIR STONE: Thank you.</p> <p>25 MEMBER DELEON: Chair?</p>	<p style="text-align: right;">Page 20</p> <p>1 MEMBER OKAMOTO: Okay.</p> <p>2 MEMBER HASHIMOTO: Chair, this copy we</p> <p>3 received today is the --</p> <p>4 CHAIR STONE: That is our official amended</p> <p>5 rules, yes.</p> <p>6 MEMBER HASHIMOTO: It should say it on there</p> <p>7 somewhere.</p> <p>8 CHAIR STONE: So we have adopted -- rules were</p> <p>9 adopted May 23rd, 2011, and our effective date is June</p> <p>10 1st, 2011.</p> <p>11 MEMBER SUGIMURA: You need a motion? It's</p> <p>12 done?</p> <p>13 CHAIR STONE: No. I believe we're done with</p> <p>14 that. Commissioner DeLeon.</p> <p>15 MEMBER DELEON: We have -- we have the item of</p> <p>16 whether the Chair should -- this is where we can discuss</p> <p>17 that, whether the Chair should participate in a vote or</p> <p>18 not?</p> <p>19 CHAIR STONE: I believe we can discuss it. I</p> <p>20 think -- let me -- let me defer to Corp Counsel on that</p> <p>21 for a second.</p> <p>22 MR. KUSHI: Yeah. Mr. Chair, you can discuss</p> <p>23 it however you want to because you -- this body can</p> <p>24 amend the rules at any time. But you have before you</p> <p>25 the rules that are finalized and voted on. You can</p>

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1 amend it.  
 2 Again, as far as the Chair's involvement in  
 3 voting, I, again, advise the Commission to just stay  
 4 with Robert's Rules. If the Chair needs to vote, he  
 5 should vote; if he doesn't need to vote, he shouldn't  
 6 vote, if the action is passed. That shows his  
 7 impartiality. That's one reason behind Robert's Rules.  
 8 Right? There's six people here including the Chair and  
 9 the vote is -- is five one way, you need six to bring an  
 10 action. At that point in time, I would advise the Chair  
 11 to act.  
 12 Again, you know, you can -- you can amend it  
 13 and say that Chair must vote every action. If it's  
 14 eight to zero, you get nine to zero, same result.  
 15 CHAIR STONE: Commissioner.  
 16 MEMBER OKAMOTO: Chair, I believe, according  
 17 to the new Robert's Rules of Order, it does not say only  
 18 for a tie. It says chair shall vote if it some way  
 19 makes a difference. So I think if we're going by  
 20 Robert's Rules of Order, we're covered. The newer  
 21 version does not say specifically for a tie.  
 22 MEMBER SUGIMURA: I think that we should be  
 23 consistent and not try to divert from what our rules say  
 24 after we just passed it. So I think we should stick to  
 25 our Robert's Rules and -- and that's the rule.

1 CHAIR STONE: Okay. Any further discussion?  
 2 Commissioner DeLeon.  
 3 MEMBER DELEON: Is the Chair fine? You're  
 4 okay with that?  
 5 CHAIR STONE: I believe in respect to moving  
 6 forward on this meeting right now, we can discuss this.  
 7 We have a huge agenda, plus we have a meeting tonight.  
 8 So we'll -- right now, the Chair is fine. Thank you.  
 9 MEMBER DELEON: Mr. Chair, I also have one  
 10 question in reference to testimony that was raised that  
 11 seemed relevant to the rules. And that is whether we'll  
 12 post our draft minutes or not. It was a request made  
 13 during testimony a few moments ago. I'm kind of leery  
 14 about that because it's not approved minutes. We might  
 15 have a goof in here. No -- no --  
 16 CHAIR STONE: I would have to agree with you.  
 17 I think I'm nervous about putting draft minutes out  
 18 because if there is a -- is a mistake and we don't catch  
 19 it and the draft minutes go out, and we have to go back  
 20 and try to explain the mistake, that could be an issue.  
 21 So I think we'll stick with the -- I understand the need  
 22 for information and the desire for information, and  
 23 that's wonderful, but I think we have to stick with the  
 24 process and make sure that the information going out is  
 25 correct and valid and approved.

1 MEMBER SUGIMURA: I agree.  
 2 CHAIR STONE: Any further discussion? Are you  
 3 sure? Feel free. Okay.  
 4 MEMBER OKAMOTO: Wait. Wait, Chair. Just  
 5 because I had a recent action on a board where the word  
 6 "not" was left out, it changed the whole meaning. So,  
 7 you know, that is very important that we go with the  
 8 approved versions.  
 9 CHAIR STONE: Thank you. Okay. Glad we agree  
 10 on that.  
 11 Next item of business, guest speaker Rod  
 12 Antone, Public Information Officer, coming from the  
 13 Office of the Mayor regarding press releases. Yes,  
 14 please. We'll be hearing from him now.  
 15 MR. ANTONE: Aloha, Commissioners. I was led  
 16 to believe that there was some questions, but I can  
 17 start off by offering my services and saying that  
 18 Charter Commission has been in the news a couple of  
 19 times recently. And as Josh pointed out earlier, even  
 20 if they are criticizing you, that's a good thing,  
 21 because more people than Sally and Jim need to show up  
 22 to the meetings. And so this way, we keep the dialogue  
 23 going. And just gotta keep pounding in there that we've  
 24 got these meetings and that you folks only meet every 10  
 25 years, and if they really want a chance to have a hand

1 in government that this is the time to take advantage of  
 2 this opportunity.  
 3 Josh wrote a good Viewpoint. We have a  
 4 response ready to go to -- to some of the editor Joe  
 5 Bradley's insights. I'm not going to say criticisms.  
 6 Dave was kind enough to help with that. And that will  
 7 be ready to go.  
 8 And if my office can be of any use to you  
 9 folks, if you want to address a letter to the editor,  
 10 you know, feel free to contact me. You folks aren't an  
 11 official part of the -- most of the County communication  
 12 goes through my office, but you guys are more autonomous  
 13 than that. So I believe you folks can use me as you see  
 14 fit. How about that? If you guys want to run things  
 15 past me, feel free. Otherwise, I think you guys have  
 16 the authority to submit things to the editor yourself as  
 17 you folks have done.  
 18 Any questions?  
 19 CHAIR STONE: Actually, I have a question,  
 20 Rod. I'm just curious. Do you guys take care of the  
 21 County website?  
 22 MR. ANTONE: The website has a vendor. We  
 23 have a vendor. And if we need to make changes, we have  
 24 to contact them. And sometimes the changes that we want  
 25 are going to cost the County more to -- for example, we

<p style="text-align: right;">Page 25</p> <p>1 want to implement a blog for both the Mayor and Council</p> <p>2 Chairman Danny Mateo. And in order to do that, we have</p> <p>3 to go to the vendor. So it's not as easy as I'm just</p> <p>4 clicking a button and, all of a sudden, changes can</p> <p>5 appear. But, yes, you can get the process started</p> <p>6 through us.</p> <p>7 CHAIR STONE: So, for example, Ms. Raisbeck</p> <p>8 brought up the desire to have backup material posted on</p> <p>9 website as well. Is that a possibility for us?</p> <p>10 MR. ANTONE: Backup material? I mean, right</p> <p>11 now, we have the minutes archived on the County Council</p> <p>12 page. If you go to the Charter Commission website, you</p> <p>13 can look up old minutes back -- what year, Mike?</p> <p>14 MR. MOLINA: Charter Commission, from --</p> <p>15 MEMBER DEREGO: '64.</p> <p>16 MR. ANTONE: I think '64.</p> <p>17 MR. MOLINA: Back in the sixties.</p> <p>18 CHAIR STONE: I'll get clarification from</p> <p>19 Ms. Raisbeck after the meeting what she means by that.</p> <p>20 But I believe that -- I think what people are looking</p> <p>21 for is general -- you know, all the communication items</p> <p>22 and stuff like that on the website. I don't know if</p> <p>23 it's a possibility, but it seems something that would be</p> <p>24 interesting for people to see.</p> <p>25 MR. ANTONE: See, I'm pretty sure we're doing</p>	<p style="text-align: right;">Page 27</p> <p>1 MR. ANTONE: I could have sworn we have</p> <p>2 something. It's the same green color as our County</p> <p>3 website, so --</p> <p>4 MEMBER DELEON: Oh, you have your own?</p> <p>5 MR. ANTONE: Yeah, we do.</p> <p>6 MEMBER DELEON: Okay. All right.</p> <p>7 MEMBER DEREGO: They have all the Commission</p> <p>8 reports going back to '64.</p> <p>9 MEMBER DELEON: But is it going active in</p> <p>10 ours?</p> <p>11 MEMBER DEREGO: No. They have it on their own</p> <p>12 website.</p> <p>13 MEMBER DELEON: Yeah, but then you have to go</p> <p>14 like three layers in to get --</p> <p>15 MEMBER DEREGO: Oh, yeah.</p> <p>16 MEMBER DELEON: That's kind of a problem, Rod.</p> <p>17 because trying to lead somebody there, it would be</p> <p>18 better if it had its own face rather than have to go</p> <p>19 through layers of the County. You have to go to Corp</p> <p>20 Counsel and then find your way through it from there.</p> <p>21 MR. ANTONE: So you'd like to make it more</p> <p>22 efficient and more, you know --</p> <p>23 MEMBER DELEON: Have its own page, you know,</p> <p>24 so that it has its own address and its own page, and</p> <p>25 people just go right to it.</p>
<p style="text-align: right;">Page 26</p> <p>1 it. I don't know what the -- how quickly. Do you</p> <p>2 notice, Sally?</p> <p>3 MS. RAISBECK: It's not a question of the</p> <p>4 minutes or the agenda; it's a question of -- of the</p> <p>5 material that is handed --</p> <p>6 CHAIR STONE: Sorry. Guys, we --</p> <p>7 MR. ANTONE: Oh, I'm sorry. I'm out -- I'm</p> <p>8 out of order. I'm out of order.</p> <p>9 CHAIR STONE: Sally, we will clarify this.</p> <p>10 I'll discuss this with Ms. Raisbeck after the meeting.</p> <p>11 MR. ANTONE: Okay. Okay.</p> <p>12 CHAIR STONE: Sorry.</p> <p>13 MR. ANTONE: No problem. No problem.</p> <p>14 MEMBER DELEON: Mr. Chair?</p> <p>15 CHAIR STONE: Yes, please, Commissioner</p> <p>16 DeLeon.</p> <p>17 MEMBER DELEON: Rod, I think the website</p> <p>18 you're referring to is something that was created by a</p> <p>19 private entity, the one that has all the histories and</p> <p>20 then the minutes of all the --</p> <p>21 MR. ANTONE: No. No, there's -- there is a --</p> <p>22 MEMBER DELEON: It's called Maui Charter --</p> <p>23 Maui Charter -- what is it?</p> <p>24 MS. RAISBECK: Archive.</p> <p>25 MEMBER DEREGO: -- archive dot com or dot org</p>	<p style="text-align: right;">Page 28</p> <p>1 MR. ANTONE: It's own -- what about just part</p> <p>2 of the Charter Commission page? You go to the Charter</p> <p>3 Commission website page and there will be a button that</p> <p>4 says --</p> <p>5 MEMBER DELEON: Okay. If you have a site</p> <p>6 already.</p> <p>7 MR. ANTONE: Yeah. You guys have a site on</p> <p>8 the --</p> <p>9 MEMBER DELEON: We do have a site, okay.</p> <p>10 MR. ANTONE: If you guys to Maui County</p> <p>11 Council -- I'm sorry. You go to mauicounty.gov, and</p> <p>12 Charter Commission is -- it's under Boards and</p> <p>13 Commissions, which is a long list.</p> <p>14 MEMBER DEREGO: I think what he is asking for,</p> <p>15 if there could be a button on the home page.</p> <p>16 MR. ANTONE: On the home page?</p> <p>17 MEMBER DEREGO: Yes.</p> <p>18 MEMBER SUGIMURA: Easily accessible.</p> <p>19 MEMBER DEREGO: Easily accessible to the</p> <p>20 public. And then as soon as you click that button on</p> <p>21 the home page, it would take you directly to the</p> <p>22 website.</p> <p>23 MEMBER DELEON: Actually, ideally, it would be</p> <p>24 an independent page. And it would be -- so it wouldn't</p> <p>25 be housed directly on the County website, you would go</p>

7 (Pages 25 to 28)

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1 right to the Maui County Charter Commission.  
 2 MR. ANTONE: And that's fine. You guys -- is  
 3 that part of the budget, the Charter Commission budget?  
 4 We could -- it's a -- it's an added cost to the vendor.  
 5 MEMBER DELEON: Yeah.  
 6 CHAIR STONE: Well, that's a question --  
 7 MEMBER DELEON: We can have this  
 8 conversation --  
 9 CHAIR STONE: Lisa, did you want to make a  
 10 comment?  
 11 MS. KAHUHU: Chair, if I might just add to  
 12 this, there is a Charter Commission page already. And  
 13 on that page -- you can get it through the Mayor's  
 14 Office, Boards and Commissions, or you can get it  
 15 through our department, Charter Commission. If you  
 16 click on "minutes and agendas", you will have the  
 17 current minutes and agendas all the way through 1964.  
 18 Everything is right there. It's identical information  
 19 to mauicharterarchive.org.  
 20 MEMBER DELEON: Okay.  
 21 MS. KAHUHU: So, you know, really, all that I  
 22 can see that needs to be done right now is maybe getting  
 23 a button or something to click on right from the  
 24 County's main page.  
 25 MEMBER DELEON: Right. Okay.

1 CHAIR STONE: What I think we'll do --  
 2 MS. KAHUHU: Which is something I can talk to  
 3 MIS about.  
 4 MEMBER DEREGO: That would be a lot cheaper.  
 5 CHAIR STONE: Rod, so these are issues that we  
 6 can discuss with you, correct?  
 7 MR. ANTONE: Sure. Sure.  
 8 CHAIR STONE: Yes, Commissioner.  
 9 MEMBER SUGIMURA: At the last Commission  
 10 meeting -- and I'm sorry I wasn't here --  
 11 MR. ANTONE: Uh-huh.  
 12 MEMBER SUGIMURA: But I did read that there  
 13 was talk about doing Twitter and, you know, kind of  
 14 bringing us up to current social media standards. And  
 15 the questions that ran through my mind -- and might have  
 16 been discussed, you know, more completely -- or you may  
 17 understand it -- is how do you do that with a -- with a  
 18 body that we're basically sunshine. So how do you take  
 19 that kind of information that will come to you, like in  
 20 a blog or something, or like a Twitter account, or like  
 21 brief statements that people, you know, want to present,  
 22 and how do you take that and bring it into exactly what  
 23 --  
 24 CHAIR STONE: Commissioner Sugimura, could you  
 25 please speak into the microphone?

1 MEMBER SUGIMURA: Oh, sorry.  
 2 MR. ANTONE: I heard you, though.  
 3 CHAIR STONE: We put it there for you special.  
 4 MR. ANTONE: Am I speaking into it? Okay.  
 5 So the County has an official Facebook and  
 6 Twitter page. And we're already Facebooking and  
 7 tweeting the fact that you guys are having meetings.  
 8 It's not going into any more detail, like today Sally  
 9 came up and talked about this. It's just saying these  
 10 are the meetings, click on to this link for more  
 11 information about where it is and all that. If you guys  
 12 want to --  
 13 MEMBER SUGIMURA: Not the other way around  
 14 where somebody would send a comment to us?  
 15 MR. ANTONE: Not yet. We've gotten -- we've  
 16 gotten comments on our Facebook page, but it's not much.  
 17 It's -- you know, sometimes it's to say, "hey, how come  
 18 the landfill was closed today," stuff like that.  
 19 Certainly they can post. And then what I  
 20 would do is make sure that this body is aware that we're  
 21 getting comments. You know, just like we're doing for  
 22 other departments, like, "Hey, we got this comment about  
 23 this road and why is it, you know, not fixed," or  
 24 whatever.  
 25 CHAIR STONE: That's helpful. Any other

1 questions for Mr. Antone?  
 2 MR. ANTONE: Dave.  
 3 CHAIR STONE: Commissioner DeLeon.  
 4 MEMBER DELEON: What can we do to get better  
 5 word out on our public hearings? I thought there was  
 6 going to be a full-page placement ad at some point. Is  
 7 that still alive or --  
 8 MR. ANTONE: That, I'm not -- I'm just in  
 9 charge of free publicity.  
 10 MEMBER DELEON: Okay. Who's in charge of paid  
 11 publicity?  
 12 MR. ANTONE: Mike, is that you? Lisa? Okay.  
 13 Full-page ad, you know anything about a full-page ad?  
 14 MS. KAHUHU: No.  
 15 MR. ANTONE: I will investigate that.  
 16 MEMBER DELEON: Maybe I misheard. Okay.  
 17 MR. ANTONE: Okay. You know, just drawing  
 18 upon my experience with the media, you know, it's just  
 19 one of these things that the government does, having a  
 20 -- having a charter commission. A lot of people just --  
 21 they just don't understand it. You can repeat it, say,  
 22 hey, there's this body of government that -- that you  
 23 guys can come in and testify and make changes, you know.  
 24 And just it's not grasping. They don't, you know -- and  
 25 then, plus, it's -- also, I think, they're busy with



<p style="text-align: right;">Page 33</p> <p>1 their everyday lives.</p> <p>2 MEMBER DELEON: So we'd be doing better if we</p> <p>3 were talking about the dump schedule?</p> <p>4 MR. ANTONE: You know, I don't know. I was</p> <p>5 thinking about a way to do it. Maybe -- maybe get</p> <p>6 people from the -- if we do, do these ads, you know,</p> <p>7 like a guy from the community, if somebody that owns a</p> <p>8 restaurant says, "I really wish I could change Liquor</p> <p>9 Commission laws, I know, I'll go to the Charter</p> <p>10 Commission," and have a -- feature someone, an everyday</p> <p>11 person like that, every Sunday. I don't know. But, I</p> <p>12 mean, a different -- a different tact needs to be taken</p> <p>13 because, you know, we put out the schedule, we've got</p> <p>14 Akaku here, and, you know, the turnout's -- thank you,</p> <p>15 Sally, for coming and, Jim, but, you know, we definitely</p> <p>16 want more people to be here.</p> <p>17 CHAIR STONE: As a PR guy, you're supposed</p> <p>18 say, "The turnout is fantastic."</p> <p>19 (Laughter.)</p> <p>20 MR. ANTONE: We'd like -- we'd like -- we'd</p> <p>21 like to fill the room with people, but -- but it is</p> <p>22 definitely on my mind how to promote you folks, because</p> <p>23 this is a very important -- we're not going to be around</p> <p>24 again for another 10 years. And after you leave, people</p> <p>25 are like, "God, I wish I could change things." Well,</p>	<p style="text-align: right;">Page 35</p> <p>1 MEMBER DELEON: He's a double-dipper.</p> <p>2 MEMBER SUGIMURA: He wants three minutes.</p> <p>3 CHAIR STONE: You're setting a terrible</p> <p>4 precedent.</p> <p>5 MR. ANTONE: I'm sorry. I'm sorry. So we did</p> <p>6 have a press release. And I think the format that I was</p> <p>7 asked was you guys wanted to approve it and then we</p> <p>8 would send it out. Yes? Correct?</p> <p>9 CHAIR STONE: I believe that was the case. It</p> <p>10 was -- I believe we asked the Commissioners to just</p> <p>11 review it and Commissioner DeLeon took the initiative</p> <p>12 and really put some time into it.</p> <p>13 MR. ANTONE: That's, actually, the question.</p> <p>14 Can we -- can you guys appoint someone to be the point</p> <p>15 person to review? Because what happens is --</p> <p>16 MEMBER SUGIMURA: It takes time.</p> <p>17 MR. ANTONE: It takes time, exactly. And we</p> <p>18 were trying to get a press release out on a meeting and</p> <p>19 you guys were going to review it on the day of the</p> <p>20 meeting, which kind of defeats the purpose. So --</p> <p>21 CHAIR STONE: I think we can discuss that,</p> <p>22 definitely.</p> <p>23 MR. ANTONE: Thank you.</p> <p>24 CHAIR STONE: We'll put that on as an agenda</p> <p>25 item.</p>
<p style="text-align: right;">Page 34</p> <p>1 you should have shown up. But, anyway --</p> <p>2 CHAIR STONE: Information.</p> <p>3 MR. ANTONE: It's on our mind. We're trying</p> <p>4 to improve things. We got some ideas in the works. And</p> <p>5 anytime you guys want to call me up and say, "I got this</p> <p>6 idea," I'm here. We got Akaku here today.</p> <p>7 CHAIR STONE: Thank you very much for Akaku</p> <p>8 showing. That's a big help.</p> <p>9 MR. ANTONE: Yes.</p> <p>10 CHAIR STONE: Thank you very much, Mr. Antone.</p> <p>11 Any other questions from the Commissioners?</p> <p>12 (Silence.)</p> <p>13 CHAIR STONE: All good. All right. Thank you</p> <p>14 very much for coming today. That was very</p> <p>15 informational.</p> <p>16 The next item on our agenda, public hearing</p> <p>17 schedule and, I believe, related travel. Is that what</p> <p>18 we're discussing, Lisa?</p> <p>19 MS. KAHUHU: Yes, Chair. Just to update you</p> <p>20 all, I have invited you via email all with a public</p> <p>21 hearing schedule.</p> <p>22 MR. ANTONE: Actually, can I go back?</p> <p>23 CHAIR STONE: One more minute, Mr. Antone. Go</p> <p>24 for it.</p> <p>25 (Laughter.)</p>	<p style="text-align: right;">Page 36</p> <p>1 MR. ANTONE: Okay. Thank you.</p> <p>2 CHAIR STONE: Thank you very much. Thank you.</p> <p>3 Go ahead, Lisa.</p> <p>4 MS. KAHUHU: Thank you, Chair. So you all</p> <p>5 have a copy of the list of public hearings. We have</p> <p>6 gone ahead and chartered flights to all of the meetings.</p> <p>7 And I did email everyone. There was two people -- Linda</p> <p>8 Kay, I needed your response and one other person. Let's</p> <p>9 see.</p> <p>10 MEMBER DEREGO: Me. I think it was me.</p> <p>11 MS. KAHUHU: Yes.</p> <p>12 MEMBER DEREGO: I can let you know by</p> <p>13 Wednesday. Is that too late?</p> <p>14 MS. KAHUHU: No. That's fine. Other than</p> <p>15 that, ground transportation has been scheduled and the</p> <p>16 chartered flights. So I think we're okay for the public</p> <p>17 hearings scheduled.</p> <p>18 CHAIR STONE: All right. That's good news.</p> <p>19 Thank you. Commissioners?</p> <p>20 MEMBER HASHIMOTO: Chair? Yeah. When I</p> <p>21 received this schedule, for the people who are going to</p> <p>22 be traveling, I was left out on Molokai.</p> <p>23 MS. KAHUHU: Noted, Clifford. I got your</p> <p>24 email and I did make that change.</p> <p>25 MEMBER HASHIMOTO: You did? Oh, okay.</p>

9 (Pages 33 to 36)

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1 MS. KAHUHU: Yes. Thank you.  
 2 CHAIR STONE: Good to know. There you go.  
 3 Okay. Commissioners.  
 4 MEMBER SUGIMURA: Can I also update mine? I  
 5 will go to Hana. I didn't want to drive. Sorry. So  
 6 since you're flying, I will.  
 7 MEMBER HASHIMOTO: I do have a personal  
 8 question, though --  
 9 CHAIR STONE: Sure.  
 10 MEMBER HASHIMOTO: -- about your trip to Hana.  
 11 CHAIR STONE: Please.  
 12 MEMBER HASHIMOTO: You know, I know this will  
 13 be very difficult for all of you who live on this side  
 14 to drive up there and come back 10:30 at night. I know  
 15 because I drive that. Okay. But at the same time, I  
 16 drive over here; I don't fly here. I'm not complaining;  
 17 I'm just making a point.  
 18 CHAIR STONE: Point taken. Thank you. We  
 19 respect your service.  
 20 MEMBER MOIKEHA: Would you like to fly?  
 21 MEMBER HASHIMOTO: Would I like to fly? Of  
 22 course.  
 23 CHAIR STONE: Commissioner Moikeha spending  
 24 our budget right now. Why don't we --  
 25 MEMBER HASHIMOTO: Not -- not to increase the

1 cost, though.  
 2 MEMBER MOIKEHA: I think somebody should  
 3 consider that.  
 4 CHAIR STONE: We can discuss that after the  
 5 meeting, Clifford. Okay.  
 6 Moving on, New Business, GIS Redistricting  
 7 Presentation by Geographic Services Manager, Bill  
 8 Medeiros.  
 9 MS. KAHUHU: Chair, can I ask for a short  
 10 recess so that Bill -- I can call him so he can come on  
 11 over? He's right across the street.  
 12 CHAIR STONE: Okay. That sounds good. Why  
 13 don't we take a -- how long do you think we'll need?  
 14 MS. KAHUHU: 10 minutes.  
 15 CHAIR STONE: Okay. We'll take a -- we'll  
 16 take a 10-minute recess. Everybody, we'll come back at  
 17 -- at --  
 18 (Recess, 12:49 p.m. to 1:00 p.m.)  
 19 CHAIR STONE: I'd like to call the meeting  
 20 back in order, please, and introduce Mr. Medeiros.  
 21 Thank you very much for coming today.  
 22 MR. MEDEIROS: No problem. Yeah, my name is  
 23 Bill Medeiros, I'm a Geographic Services Manager for the  
 24 County of Maui.  
 25 If I can get somebody to hit the lights, it

1 will make the PowerPoint a little bit easier to see.  
 2 CHAIR STONE: Hang on one sec. Commissioners  
 3 on this side of the table, are you able to read that  
 4 screen?  
 5 MEMBER CRIVELLO: Sure.  
 6 CHAIR STONE: Please go ahead.  
 7 MR. MEDEIROS: There we go. And my  
 8 presentation today is going to be on census geography  
 9 and GIS-based redistricting. And this is what I'm going  
 10 to cover today.  
 11 First of all, Maui and Kalawao Counties, the  
 12 basics of census geography, how to aggregate data into  
 13 new geographies and some of the next steps. The reason  
 14 we're gonna start with census geography is for -- well,  
 15 the main reason is that all redistricting or  
 16 apportionment is based on the census data. So it comes  
 17 out every 10 years when they do the decennial census.  
 18 And as you'll see, everything is based on census blocks.  
 19 The first thing I want to cover is, we're all  
 20 one County. The answer is no. There's a portion of  
 21 Molokai, which is primarily the Kalaupapa area, which is  
 22 Kalawao County. In some cases -- therefore, it's not  
 23 part of Maui County, but, in some cases, it shows up in  
 24 the data that we work with. So in the case of  
 25 precincts, because Maui County does service the voters

1 on the Kalaupapa Peninsula, it does show up as a Maui  
 2 County precinct even though it's not Maui County.  
 3 And then -- and let me go -- and second thing  
 4 is when people ask you about what's the population of  
 5 Maui, there's actually three answers. Right? So  
 6 there's Maui Nui, which is all the -- all the islands;  
 7 there's Maui County, which is about 90 people short  
 8 because of Kalaupapa; and then Maui Island. And so  
 9 that's one of the things that you have to be careful  
 10 when you're dealing with the census.  
 11 Census data is all aggregated by blocks, the  
 12 smallest geographic unit. That's what SGU stands for.  
 13 So you can't get any smaller than a block without losing  
 14 a direct relationship to the actual census count. So if  
 15 you split a block, you have to estimate population. And  
 16 so -- and you can't do that in redistricting. So the  
 17 smallest geographic unit is always the block.  
 18 Blocks combine into what are called block  
 19 groups. And then everything combines into census  
 20 tracts. And so, again, everything is aggregated from  
 21 blocks being the smallest part.  
 22 There are other geographies that come out in  
 23 the census:  
 24 So there's census designated places, called  
 25 CDPs, which are like towns;

1 Census subdivisions, which are called CCDs,  
2 but they're more like regions. There's a Lahaina CDP  
3 which is Lahaina Town, because Lahaina's CCD, which is  
4 the Lahaina region, all of West Maui;

5 In addition, the election districts, because  
6 it tends to get used for that, also shows up as voter  
7 districts, what are called VTDs. Congressional  
8 districts and State -- State House, State Senate;

9 And then do it yourself. That's part of what  
10 we're going to be talking about here is that if you  
11 wanted to create a district of your own, then how would  
12 you do that.

13 And then these are the Council Residency  
14 Districts as we have right now. Okay. And this shows  
15 the population of each of the Council Districts. So in  
16 the case of building these districts, I went, took the  
17 block data, assigned them in Council Districts,  
18 aggregated them and then summed up the population. And  
19 so that shows you the Council Districts.

20 One thing I'll note, and it's something that  
21 comes up in the Charter, is that when I did the Council  
22 Districts, Kalaupapa, the Kalawao County does not show  
23 up, but, in the Charter, it says the Council Residency  
24 District shall be the Island of Molokai. But it also  
25 says that you can't be a member of the Council unless

1 you're a resident of Maui County. So there's a little  
2 bit of a thing. So you might want to take a look at  
3 that.

4 So our interpretation, based on -- we've been  
5 working with the Office of the County Clerk on this.  
6 And so based on our discussions, they said leave it out,  
7 technically, you cannot be a resident of Kalaupapa and  
8 be a councilmember. So as you notice, we do not show  
9 Kalawao County on that.

10 Now a little -- I want to do a couple slides  
11 just so you understand how this is done. One of the  
12 things that happened is, as I mentioned, voter  
13 districts, when the data came out, aggregated voter  
14 districts, showed it to the folks at the Clerk's Office,  
15 and, basically, they said, well, there's some changes to  
16 that. Because, in the last election, they consolidated  
17 precincts. And so I got a list of the consolidations.

18 So what we're going to look at is -- what they  
19 did was they took 905, which is right over here in  
20 Kahului, and 906, and they added all of these blocks in  
21 906 into 905. And so the first thing we do is we  
22 highlight them all, so we select them all, so we know  
23 which ones we're working on, we create a new field,  
24 which in this case will be called new precinct number,  
25 and then we go ahead and add the numbers in. And so

1 that's what it looks like on our system.

2 So we have voter district, which is VTD. And  
3 then the ones that are in 906, we turned -- changed them  
4 to 905. When we save that, now 905, which used to be  
5 out in here, also includes all of this over here. We  
6 then dissolve them into one district, so into one  
7 precinct. And then we can sum the population, or any  
8 numeric field. So if you wanted housing units or  
9 vacancies or anything that -- that comes out, population  
10 over 18, voter age people, whatever you want to sum by,  
11 you can do that. And that's the do it yourself.

12 And that's the same process to aggregate any  
13 geography. So if you're doing service areas or anything  
14 you would need to do. We're working on -- some folks  
15 from Hana, on reaggregating some of the -- the areas in  
16 Hana by what they define as communities, not by what the  
17 Census Bureau defines.

18 And so -- but this would be the same process  
19 in GIS-based redistricting. You know, you would come up  
20 with some scenarios, some policies. And then we would  
21 aggregate them, and we would show you the maps and show  
22 you the population.

23 And there's, also, a specially-designed  
24 application that makes the process a lot easier. And so  
25 we are, at some point, going to go and purchase that so

1 we can use that. Even if the Commission doesn't ask us  
2 to help, we've been already asked by Clerk's Office. So  
3 if any kind of districts come out of the process, then  
4 we would be helping Clerk's Office, anyway. So we're  
5 probably going to get that software.

6 The keys to defining scenarios. And this is  
7 partly some stuff that we got from Royce Jones, who  
8 helped the State Apportionment Commission last time they  
9 went through on how to define this up.

10 So the first thing is you have to have your  
11 population target which, you know, the assumption is  
12 total population divided by nine. So if you have nine  
13 councilmembers, you would get 17,300-plus people per  
14 district. And then you need a deviation, because  
15 there's no way you're going to hit that number exactly.  
16 So you can do, you know, plus or minus one percent, plus  
17 or minus two percent, plus or minus five percent.

18 My understanding of the federal requirement is  
19 plus or minus one percent. But what the State did,  
20 because there was difficulties in their process, that  
21 they went to plus or minus five percent.

22 And, again, that's something that Royce can  
23 talk about, why they did that and how they came up with  
24 those things when they're doing the State House  
25 Districts, I guess it was.

1 The second thing is define the policy for  
2 canoe districts. So in this case, because we're a  
3 multi-island county, if you have district voting, you  
4 have to have a canoe district. And the question, that  
5 is how do you define it. And so that's a policy you  
6 would have to come up with. And you can do it by  
7 geographic proximity, who is closest, or you can do it  
8 by socioeconomic. That's the way the State House  
9 district and the State Senate districts are. So Lanai,  
10 Molokai and Hana are -- are chosen as the canoe  
11 district. So you would have to define some policy for  
12 the canoe district.

13 Then the next step is to define either  
14 preferred starting points or specific hard and fast  
15 boundaries. So this thing here is -- there's specific  
16 areas that we say, you know, we cannot split these guys  
17 at all, they have to be in one district, for whatever  
18 reason, or we want historic, at the northernmost point,  
19 like Nakalele Point, or the southernmost point, say,  
20 Ahihi-Kinau, and work our way rotating around the  
21 island. Those things will help in building the  
22 scenarios because then we can -- you know, we know where  
23 to start aggregating and then we'll see where everything  
24 lays out.

25 As I mentioned, districts need to follow block

1 boundaries. And that's because you want the population  
2 to be actual counts, not splits of blocks. That creates  
3 an issue because 80 percent of block boundaries are  
4 streets. And that's the number I got from Royce Jones.

5 And so this is the issue where you run into  
6 people on one side of the street are in one district and  
7 people on the other side of the street are in another  
8 district. It's just because that issue. Since some of  
9 the boundaries -- most of them are streets, but some of  
10 the boundaries are streams, you may end up with that  
11 kind of a thing in the rural areas where the division is  
12 a split on the stream. And you know the Hawaiian  
13 concept of ahupuaa, that's against that concept. You  
14 know, their thing is the entire watershed, you know,  
15 from the highest point to the highest point, down to the  
16 ocean. Anyway -- so it has to follow block boundaries.

17 And then what's the next step? And this is  
18 just to let you know, if you need our services, what  
19 needs to be done. And so the first thing is, obviously,  
20 a request to the Managing Director, who is our boss. We  
21 come under the Department of Management. And so it's  
22 just a matter of saying, okay, we need the support of  
23 Geographic Services and then -- so, obviously, the  
24 Director has to be involved.

25 We would look for a finite set of scenarios of

1 draft policies. So we would expect that we'd get some  
2 -- you're probably going to get this through  
3 testimony -- what people want in terms of the districts,  
4 and give us some direction so that we are not just  
5 flying on our own. So a finite set of scenarios.

6 We'd probably need about two weeks to set up  
7 the scenarios. Depending how many scenarios and how  
8 complicated they are, that it will probably take us  
9 about two weeks to do it. And then we estimate it will  
10 probably take at least two meetings to review and adjust  
11 them. So, you know, you might come up with a policy and  
12 say, "We're going to do it this way," and it sounds good  
13 on paper, and when we draft up the map, you look and  
14 say, "Oh, no, we cannot split these guys," or, "We want  
15 to add those guys to these guys." And so you want to at  
16 least give a couple meetings to review 'em, adjust 'em,  
17 before you get whatever the final would be.

18 And that's pretty much it. That's my contact  
19 information.

20 And then let me, real quick -- this is the  
21 software we use. It is called ArcMap. Right now,  
22 that's all the blocks for Maui County. What we normally  
23 do, the first thing is we get rid of all the ocean. We  
24 did double-check to see if there's any population in the  
25 ocean. There isn't any. On occasion, it does show up

1 because they do count people on their boats. Some of  
2 the other data we already have, as I showed you earlier.

3 These are existing Council Districts and their  
4 population. And, again, you know, Kalaupapa, or the  
5 Kalawao County area, is missing. These are the new  
6 precincts, when I mentioned about we built new precincts  
7 for the Clerk's Office. And, again, because they --  
8 they do vote, we do support them, they show up as a  
9 precinct. These are the State House Districts.

10 And just to show -- one of the good things  
11 about GIS is you can overlay stuff -- the green  
12 boundaries are the Senate Districts. And these colors  
13 are the various House Districts. So you can kind of see  
14 how Senate District 6 and House District 13, right,  
15 Lanai, Molokai, Kahoolawe and Hana, in addition, House  
16 District 12, which is Upcountry. And this gives you an  
17 idea of what the House Districts look like and the  
18 Senate Districts look like overlaid, to see how the  
19 State originally apportioned that.

20 And I have population as well for 2010. So in  
21 the case of District 4, which is Wailuku, Kahului,  
22 55,599; District 5, which is West Maui and South Maui,  
23 49,501; and East Maui, Lanai, Molokai, is 49,824.  
24 Right?

25 And so one more thing I should show you, too.

<p style="text-align: right;">Page 49</p> <p>1 One of the things we looked at was what is the  2 population change by Council Districts. And the darker  3 green, the more the change over the 10-year period. And  4 so 34 percent -- in fact, I should bring up the table.  5 It's probably easier to read from the table. And so if  6 I go and (inaudible). And so the Kahului residential  7 area changed percentage about 34 percent. So you can  8 see the population in 2000, population in 2010, and the  9 amount of change. Wailuku, Waihee, Waikapu is 29  10 percent; West Maui is 23 percent; South Maui is 19  11 percent; Upcountry is 17 percent; Makawao, Pukalani --  12 or Makawao, Haiku and Paia, 15 percent; East Maui, seven  13 percent; Molokai stayed relatively close, it was just  14 off slightly; and then Lanai was about minus two  15 percent, but, basically, zero, not a lot of change. So  16 that gives you an idea of what areas within the current  17 Council Districts changed.  18 And, like I said, this will be the software  19 we'll be doing whatever presentation you need to do.  20 And then, of course, we can bring up things like parcel  21 data. So that's all parcels. And we can bring up  22 County roads and so forth.  23 And that's pretty much my presentation. So if  24 you have any questions, just let me know.  25 CHAIR STONE: Thank you very much,</p>	<p style="text-align: right;">Page 51</p> <p>1 it and got my hands on it. And so -- and then it  2 depends where you want to work with it. A lot of folks  3 prefer to work it in tables in, say, Microsoft Excel.  4 And so, yeah, you can get it that way.  5 If -- if it gets daunting in terms of getting  6 your hands on the data -- because the tables will have  7 everything, and it will probably have all of the state  8 of Hawaii, so you have to break -- break it down by  9 whatever your district -- you could get in touch with  10 us. And we can always give it to you in whatever format  11 you want. That's not really our expertise, you know,  12 but we can -- we can do that.  13 MEMBER SUGIMURA: Thank you.  14 CHAIR STONE: Commissioner.  15 MEMBER DEREGO: I'd like, for the Commission,  16 for you to clarify something. Basically what I heard  17 you say is if we request from the Managing Director the  18 services of Maui GIS that it wouldn't be coming out of  19 the Commission's budget to license the software that  20 would make this process of redistricting a lot easier?  21 Is that -- is that correct?  22 MR. MEDEIROS: Yeah. We would -- we would pay  23 it ourselves because it will be something that we would  24 use internally and produce the -- the product. It's  25 something we're already looking at because we're doing</p>
<p style="text-align: right;">Page 50</p> <p>1 Mr. Medeiros. That was very informational.  2 Commissioners, do we have questions? Commissioner  3 Moikeha.  4 MEMBER MOIKEHA: What is your source for the  5 population projections and changes?  6 MR. MEDEIROS: Okay. The 2010 data is  7 directly from the Census Bureau.  8 MEMBER MOIKEHA: Census, okay.  9 MR. MEDEIROS: Yeah. Then the 2000 --  10 luckily, I was able to find 2000 census data and the  11 2000 districts. And so, yeah. So all the population  12 data comes from the Census Bureau.  13 MEMBER MOIKEHA: Okay.  14 CHAIR STONE: Yes, Commissioner.  15 MEMBER SUGIMURA: So, Bill, if we wanted that  16 information, it's -- we have to get in touch with you,  17 or it's on the website somewhere?  18 MR. MEDEIROS: You can -- you can get your  19 hands on information any way. It's public data. It's  20 downloadable. All we do is we put it into the GIS  21 format so you can see it geographically. And there's a  22 couple other places you can get the GIS data. Most  23 people will go straight to the State website. So the  24 State House and State Senate Districts, that's what I  25 did, I just went to the State website, just downloaded</p>	<p style="text-align: right;">Page 52</p> <p>1 the work for the Clerk's Office. So in -- in terms of  2 re-precincting, because they may have to do precincting,  3 as well as districting, is that we're thinking that  4 might be a lot easier for us to use something that's  5 more interactive than to do it the manual way. And it's  6 like 4,500 bucks. And our budget can handle that, but  7 we can't go ahead and buy it unless we know we're going  8 to use it. And so that's one of the things that, if the  9 Commission was to request it, then we would move ahead.  10 We would probably still have to wait until  11 July 1, anyway, just because of the change in fiscal  12 years. But, yeah, we're pretty much resigned to the  13 fact that, yeah, we probably going to have to buy it,  14 anyway. And we would use it internally. And, you know,  15 the more -- the more agencies or folks that get stuff  16 out of the product, right, the best -- the better the  17 cost benefit ratio is. Right? So the more people can  18 get stuff out of it. It's \$4,500 spread over a broader  19 group than just for us and Clerk's Office, or something  20 along those lines.  21 CHAIR STONE: Commissioner Baxa. I'm sorry,  22 go ahead.  23 MEMBER DEREGO: Can I have a follow-up to that  24 just to clarify? Thank you, Chair.  25 So would that include the services of Esri and</p>

13 (Pages 49 to 52)

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1 Royce Jones involved in that or would you be doing the  
2 presentations, running the scenarios, and the other  
3 things that come with that particular software package?  
4 MR. MEDEIROS: It would mean that we would be  
5 doing the work. Most likely, I would be the doing the  
6 work.

7 MEMBER DEREGO: Okay.

8 MR. MEDEIROS: If you wanted to get Royce more  
9 involved directly, you might have to do a contract. I  
10 recommended earlier that it would be a good idea to have  
11 him come out and do the presentation based on what he  
12 did in terms of the geographic site during the last  
13 apportionment, to see what things occurred and what  
14 things -- and why -- and like in the case of changing  
15 that plus or minus one percent or plus or minus five  
16 percent, well, that was -- that was something that the  
17 State had to look at. And it's possible, I don't know,  
18 depending how the districts work out, you may have to do  
19 that as well. And so it might be useful to see 'em.

20 If -- if getting him out here is an issue,  
21 then, you know, we can -- we'll always be willing to  
22 help in terms of, you know, effort or something like  
23 that. But I don't want to promise too much in terms of  
24 funding, but --

25 MEMBER DEREGO: Uh-huh.

1 MR. MEDEIROS: But, yeah, if you don't  
2 contract directly with him, the actual work would be  
3 done by my division.

4 MEMBER DEREGO: Thank you.

5 CHAIR STONE: Commissioner Baxa.

6 MEMBER BAXA: Yeah, Mr. Chair. This is just  
7 for statistics. I was trying to get some numbers. If  
8 you could just get me the number for Maui County.

9 MR. MEDEIROS: Okay. It's -- let me get the  
10 -- my presentation back up here. If I remember, it's  
11 154,834, but let me double-check to make sure. Yeah,  
12 154,834. So that's Maui County.

13 MEMBER BAXA: What about Lanai?

14 MR. MEDEIROS: Oh, Lanai Island by itself?  
15 I'll have to -- okay. I don't have that in the  
16 PowerPoint.

17 MEMBER DELEON: 3,136.

18 MR. MEDEIROS: Yeah. 31 and change, yeah.

19 MEMBER BAXA: What about Molokai?

20 MEMBER DELEON: 3,135.

21 MEMBER CRIVELLO: No.

22 MEMBER DELEON: Oh, that was Hana. That was  
23 Hana. I'm sorry. Yeah.

24 MEMBER CRIVELLO: 7,255.

25 MEMBER MOIKEHA: 7,255.

1 MEMBER CRIVELLO: Yeah.

2 CHAIR STONE: Molokai was -- what was that?

3 MR. MEDEIROS: Actually, Lanai was 3,135.

4 MEMBER OKAMOTO: You were off.

5 MEMBER DELEON: I was off, yeah, by one.

6 MEMBER BAXA: Molokai, how much?

7 MEMBER DELEON: 3,136.

8 MR. MEDEIROS: Molokai was 7,255.

9 MEMBER CRIVELLO: And Hana?

10 MR. MEDEIROS: And Hana was 3,126.

11 MEMBER DELEON: 26. Oh, I misread.

12 MEMBER OKAMOTO: One less.

13 CHAIR STONE: Commissioners, any further  
14 questions?

15 MEMBER SUGIMURA: So you're saying Maui Island  
16 is 144,444?

17 MR. MEDEIROS: What is that again?

18 MEMBER SUGIMURA: Maui Island by itself, yeah,  
19 is 144,444?

20 MR. MEDEIROS: Yeah, that's Maui Island. And  
21 then the one thing to remember in Hana is that that  
22 number is the Hana Residency District, it's not the Hana  
23 Community Plan District, because that's -- that's  
24 slightly different boundary. It's also not -- it's  
25 Track 301, because that's also slightly different. So,

1 again, when we get into issues like that, if you decide,  
2 well, Hana's important, we need to take a look at how to  
3 define Hana, well, there's three different boundaries.  
4 So there is -- in fact, I can bring up the Community  
5 Plan. And so these are the Community Plan boundaries.  
6 So you can see that in the case of Hana, the Hana  
7 residency district goes out to Huelo, but in the case of  
8 Makawao, Pukalani -- I mean Makawao, Haiku and Paia --  
9 oh, wait. That's -- that's the voting district. In the  
10 case of Paia-Haiku District, Huelo is in the Haiku  
11 District and Community Plan. So this boundary is the  
12 Community Plan boundary.

13 Similarly, it's different in Kahikinui. So  
14 the Community Plan goes farther out to Kahikinui,  
15 whereas the voter district -- or, I mean, the residency  
16 district does not go as far as -- as --

17 MEMBER BAXA: The source is the U.S. Census?  
18 The source?

19 CHAIR STONE: I'm sorry. What was the source  
20 of the information?

21 MR. MEDEIROS: Okay. So the Community Plan  
22 boundaries are the actual Community Plan data from the  
23 County Planning Department, and the population data is  
24 aggregated from the U.S. Census. So this is -- we're  
25 looking at all 2010 population right now, total

1 population.

2 MEMBER SUGIMURA: Interesting.

3 MEMBER BAXA: Okay.

4 CHAIR STONE: Very interesting. Please,  
5 Commissioner.

6 MEMBER OKAMOTO: Two questions. Do you have  
7 statistics on registered voters in each district, or is  
8 that just the County Clerk?

9 MR. MEDEIROS: Okay. The Census Bureau and  
10 the data that they have right now has total population,  
11 population 18 and over, and population 17 and under.  
12 Okay. So in terms of 2010 population, that's all  
13 available. There's going to be more detailed  
14 information coming out in the summer, but, for  
15 redistricting, we look at those things, total population  
16 and, basically, voter age population.

17 In terms of the residency, one is you have to  
18 go actually to the Clerk's Office and then they will  
19 have it and they will have it by precinct. I don't know  
20 how much smaller they can break down the voter  
21 information from precinct, but if that's something that  
22 you want to look at, we can -- we can get that  
23 information from Clerk's Office and then put it in and  
24 then be able to take a look at it this way, too.

25 MEMBER OKAMOTO: The second would be, on the

1 won't accept you if you filled one for Alaska.

2 MEMBER OKAMOTO: So for areas, though, that  
3 have a large, say, winter population, we don't really  
4 now how that works out?

5 MR. MEDEIROS: Okay. What happens -- I  
6 haven't shown that, but it's something that it's -- that  
7 might be interesting if you're looking at that. What  
8 you find is the areas that have large winter populations  
9 have huge vacancy rates. And the reason for that is  
10 that there are people that come out primarily during the  
11 winter and they're not there on April 1st. So the unit  
12 shows up as a vacant unit, right? Or in the case -- so  
13 that -- that happens in the north shore of Oahu because  
14 the surfers are out and then they keep those -- those  
15 units available for them when they come back. And so it  
16 shows as abnormally large vacancy rate on the north  
17 shore, which is not vacant residential units. It shows  
18 up as housing units, but it's actually for the surfers  
19 who come out, seasonal people.

20 You'll find the same thing if you had B&Bs,  
21 TVRs. B&B, if it's a legal B&B, you may not because you  
22 would have somebody living there. But a TVR, for sure,  
23 will show up as a vacant residential unit or vacant  
24 housing unit. And if it -- again, if the person had two  
25 houses, two different states, and claimed one state

1 residents, the population, how do -- how are they  
2 defining people who live here maybe three months out of  
3 the year?

4 MR. MEDEIROS: Okay. That's -- that's an  
5 interesting question for lots of different reasons.  
6 Now, it's -- the census is self-reporting based on April  
7 1st, 2010. So if you were on island on April 1st, 2010,  
8 and you filled out a census form for Hawaii, you would  
9 show up in this population. Now, are you a resident,  
10 permanent resident, are you a temporary resident. That  
11 -- that won't come out until much later when they get  
12 into the actual detailed data. But even that, you won't  
13 be able to tell individuals, right, because that's  
14 against the law. So it's all going to be aggregated by  
15 block.

16 And so -- so I know there's an issue with  
17 military. From the data we have now, there's no way to  
18 tell military. In the future release of census data,  
19 then, when they get into detailed information, we will  
20 be able to track that down. But right now, that's --  
21 that's -- that's something that is based on  
22 self-reporting. And so the idea is that you're not  
23 supposed to be claiming two states. Right? So if you  
24 said you lived in Hawaii, but you're a part-time  
25 resident of Alaska, if you filled out for Hawaii, they

1 as -- you know, in terms of census, the other would show  
2 up as vacant. So you see large vacancy numbers in West  
3 Maui and South Maui. And the assumption we get is that  
4 it's because of those kind of units, that they're not  
5 permanent in the short-term -- the long-term rental  
6 market, but more likely on the short-term rental market.

7 It does not include hotel, though. So hotel  
8 units are not supposed to count unless it's a resident  
9 manager or somebody living in the hotel premises.

10 MEMBER OKAMOTO: Thank you.

11 CHAIR STONE: Thank you. Commissioner,  
12 please, go ahead. Clifford.

13 MEMBER HASHIMOTO: Yeah. Did I understand you  
14 to say that people --

15 CHAIR STONE: I'm sorry, Clifford. Excuse me.  
16 Do you mind speaking in the microphone?

17 MEMBER HASHIMOTO: I'm sorry. Did I  
18 understand you to say that the people who are here on  
19 April 1st are counted? What's that count for?

20 MR. MEDEIROS: Okay. The census is based on  
21 April 1st of every 10 years, so the 10th year. So on  
22 April 1st, 2010, that's where these numbers come from.

23 MEMBER HASHIMOTO: But --

24 MR. MEDEIROS: And so when you get that paper  
25 in the mail, or if they come to your house, knock on the

1 door and give you that thing, it's up to you to say  
2 what's your -- what's your "primary residence" as of  
3 April 1st. And so you get -- the individual citizen  
4 gets to decide where they -- where they get counted on  
5 that April 1st. Right? Not -- it's not -- there's no  
6 other standard, I think, beyond that. It's just that  
7 you can't be counted twice in the census.

8 So if you live part-time on Maui, part-time in  
9 Detroit, if you -- and if you were in Detroit on April  
10 1st, you might put in Detroit, you would be a resident  
11 of Michigan, that kind of a thing.

12 And so we don't get into that; we just use the  
13 data. But that's -- that's my understanding in terms of  
14 the census, it's self-reporting.

15 MEMBER HASHIMOTO: So -- so the population  
16 number really means nothing as far as district  
17 apportioning?

18 MR. MEDEIROS: Well, that -- that -- the  
19 number in the census -- the census data is the official  
20 numbers. So all states. So the congressional districts  
21 and the senate and house districts in the states are all  
22 done by the population numbers. So if you say you're a  
23 citizen of Maui when you fill out that form, right, for  
24 -- and then you're a citizen.

25 Now, the question comes in terms of

1 undercounting, what about prisoners, you know, what  
2 about military. There's all these other groups that get  
3 involved in that. And so, yeah, you know, you have to  
4 talk to someone specifically in terms of the census of  
5 who qualifies, who doesn't. But that's one of the  
6 decisions I know the State Apportionment Commission is  
7 going to have to decide in terms of military.

8 Now, if you're at Schofield Barracks on April  
9 1st, and if you get that form and you say, "Oh, no, I'm  
10 actually a resident of New Jersey," and fill it out at  
11 your permanent residence in New Jersey, well, then you  
12 get counted in New Jersey, even if you're not physically  
13 there on April 1st. Now, how they enforce that, I'm not  
14 sure. That's -- that's -- but in terms of the counts,  
15 that's how the counts go.

16 And there are some populations, groups of  
17 people, that, you know, may not be there on April 1st,  
18 but their permanent residence might be Hawaii, say  
19 college students or something along those lines. And so  
20 from our point of view, we just use the official data.

21 There are processes by which you can report  
22 undercounts. Nobody reports overcounts because you get  
23 more money if you get overcounts. But for processing,  
24 you know, to have a process for undercounts. But from  
25 our side, we just use whatever the -- the feds say

1 that's the population.

2 CHAIR STONE: Thank you, Mr. Medeiros. Any  
3 other questions, Commissioners? Commissioner DeLeon.

4 MEMBER DELEON: Just two thoughts. One is,  
5 you ought to be thinking about an apportionment  
6 commission rather than me trying to -- this Commission  
7 trying to wrestle this out. I don't think we have the  
8 time and energy is going to be required to try to figure  
9 this thing out and actually create districts for the  
10 next election. I think the voters, if we were to change  
11 the system -- and there has to be some agreement of this  
12 body -- to -- to take it to the voters, then the voters  
13 will have to decide. It would be kind of presumptuous  
14 to take the time and energy to create districts before  
15 we have that decision by the voters that we are actually  
16 going to change the way we vote.

17 The second thought is that I think it's high  
18 time that we get rid of the anachronism of Kalawao  
19 County and incorporate those 94 souls into the rest of  
20 the County of Maui and make it a total. And I've  
21 actually had people from Molokai make that suggestion to  
22 me, that that should be a part of the whole county. And  
23 by the time this -- this 10-year period is over, there  
24 won't be any more Hansen's patients left there. I mean,  
25 they're hitting their eighties now. Unless they have

1 better genes than the rest of us, I think -- I think  
2 that, you know, they're going to not be there anymore.  
3 And the reason for that separate identity is going to be  
4 gone. So we should be thinking about actually moving  
5 that portion of Molokai into the rest of the County.

6 CHAIR STONE: Commissioner Sugimura.

7 MEMBER SUGIMURA: Isn't that a State  
8 determination; not us? The reason why it's separate is  
9 because it's under -- the State of Hawaii has a special  
10 jurisdiction. So even if we say we're going to claim  
11 them, the State doesn't allow us to claim them, or  
12 even -- that's under the State's budget, and I don't  
13 think that --

14 MEMBER DELEON: Well --

15 CHAIR STONE: Yeah, please, Commissioner  
16 DeLeon.

17 MEMBER DELEON: Kahoolawe is technically under  
18 the State, but Maui County claims it part of Maui  
19 County. So we might not have the authority, we might  
20 have to be, you know, making a request to the State to  
21 consider. It is an anachronism and it's time for that  
22 anachronism to go away.

23 CHAIR STONE: So, Commissioner DeLeon, what I  
24 suggest, potentially put a proposal forward that --

25 MEMBER DELEON: Well, I'm not going to make a



<p style="text-align: right;">Page 65</p> <p>1 recommendation at this moment.</p> <p>2 CHAIR STONE: Not at this moment, but down the</p> <p>3 road.</p> <p>4 MEMBER DELEON: I think the member from</p> <p>5 Molokai should have her two cents in before we do</p> <p>6 anything else.</p> <p>7 MEMBER CRIVELLO: I would put that on hold</p> <p>8 right now, defer that discussion, because I don't think</p> <p>9 that is something that we should start addressing.</p> <p>10 CHAIR STONE: We're not going to discuss it</p> <p>11 now. I'm just saying that I think that when these</p> <p>12 things come up, the best way for Commissioners to deal</p> <p>13 with it is put in a written proposal and it will end up</p> <p>14 on the next agenda to discuss. So --</p> <p>15 MEMBER DELEON: So you're looking for having</p> <p>16 that as a marker?</p> <p>17 CHAIR STONE: Yes, please.</p> <p>18 MEMBER DELEON: Okay.</p> <p>19 CHAIR STONE: Any further questions for</p> <p>20 Mr. Medeiros?</p> <p>21 (Silence.)</p> <p>22 CHAIR STONE: No. Thank you very much. That</p> <p>23 was very informative. And we -- we really do appreciate</p> <p>24 your time, Mr. Medeiros.</p> <p>25 MR. MEDEIROS: Okay. Thank you.</p>	<p style="text-align: right;">Page 67</p> <p>1 have to work a little harder on that. So,</p> <p>2 Commissioners, any discussion on that item? Any</p> <p>3 recommendations? Yes, Clifford, please.</p> <p>4 MEMBER HASHIMOTO: Does this person who may be</p> <p>5 interested in this position, the position of analyst,</p> <p>6 does that person have to be from Hawaii or resident of</p> <p>7 Maui? I didn't see that.</p> <p>8 CHAIR STONE: I don't know about that. I'll</p> <p>9 hand it over to Corporation Counsel.</p> <p>10 MR. KUSHI: The question is a resident of</p> <p>11 Hawaii?</p> <p>12 MEMBER HASHIMOTO: Yes.</p> <p>13 MR. KUSHI: No. But we require him to get a</p> <p>14 GE, General Excise, tax license. So I'm not sure what</p> <p>15 the Department's -- because it will be an independent</p> <p>16 contractor basis.</p> <p>17 MEMBER HASHIMOTO: Okay.</p> <p>18 MR. KUSHI: Not a County employee. For both</p> <p>19 positions. It's part-time.</p> <p>20 MEMBER HASHIMOTO: Right.</p> <p>21 CHAIR STONE: Have we put out a ad for the</p> <p>22 analyst as well? We have. No response on that ad so</p> <p>23 far?</p> <p>24 MS. KAHUHU: We've had one response. Two</p> <p>25 inquiries, one response, actual mailed-in response.</p>
<p style="text-align: right;">Page 66</p> <p>1 CHAIR STONE: Moving on to the next item of</p> <p>2 business, status of hiring Commission staff. Lisa,</p> <p>3 where are we with that?</p> <p>4 MS. KAHUHU: Thank you, Chair. The ad was</p> <p>5 placed in the newspaper, in the classified ads, both on</p> <p>6 June 3rd and June 10th. I've also asked Members to let</p> <p>7 me know if there's anybody they want the duties and</p> <p>8 responsibilities to go to and the information for</p> <p>9 applying. And I'll pass these around right now. These</p> <p>10 are just the final revised duties and responsibilities</p> <p>11 for each position that we've been sending out to those</p> <p>12 who have inquired.</p> <p>13 CHAIR STONE: How many -- have we had a pretty</p> <p>14 good inquiry level?</p> <p>15 MS. KAHUHU: No, not very good at all.</p> <p>16 MEMBER OKAMOTO: Can we ask, was the person</p> <p>17 who did it 10 years ago, was he contacted?</p> <p>18 CHAIR STONE: Let me check on that. Lisa, was</p> <p>19 the previous person who had done that work contacted?</p> <p>20 MS. KAHUHU: I believe our Corporation Counsel</p> <p>21 was going to make contact with him, Jon Van Dyke.</p> <p>22 CHAIR STONE: Ed, was he contacted?</p> <p>23 MR. KUSHI: Like Lisa said, I've also</p> <p>24 contacted him. I don't know.</p> <p>25 CHAIR STONE: It seems the Chair is going to</p>	<p style="text-align: right;">Page 68</p> <p>1 CHAIR STONE: Okay. All right. Okay. Any</p> <p>2 -- any discussion on that?</p> <p>3 MEMBER CRIVELLO: What's the contracts cost?</p> <p>4 CHAIR STONE: I believe that's negotiated.</p> <p>5 MEMBER CRIVELLO: Oh.</p> <p>6 MR. KUSHI: We have -- we budgeted for both</p> <p>7 positions.</p> <p>8 CHAIR STONE: Yeah. But if we're hiring them</p> <p>9 as a independent contractor, obviously, there's</p> <p>10 negotiation.</p> <p>11 MR. KUSHI: Right.</p> <p>12 CHAIR STONE: Is that correct?</p> <p>13 MR. KUSHI: Mr. Chair, Members, what our</p> <p>14 office plans to do is, after the notice -- application</p> <p>15 period is closed, not to just lock the door, but we</p> <p>16 wanted to do it -- by the 18th?</p> <p>17 MS. KAHUHU: 17th.</p> <p>18 MR. KUSHI: 17th, next week. If there's not a</p> <p>19 sufficient response, with your -- with your discussion</p> <p>20 and permission, what we will plan to do is look at our</p> <p>21 -- every year, the County sends out requests for</p> <p>22 proposals for attorneys to do outside legal work. Look</p> <p>23 at that list and perhaps call the ones that we feel</p> <p>24 would satisfy that position. There might be a list of</p> <p>25 clerical, secretary types, also. But, again, because of</p>

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1 the amount and the -- it is -- it's what they call a  
 2 small purchase, it's under 25,000, each position, all  
 3 you need pursuant to procurement law is three written  
 4 quotes. And, basically, those are the requirements.  
 5 Once you select at least three candidates, we would ask  
 6 them to submit bids. And then let the Commission  
 7 decide. The discussion about candidates,  
 8 qualifications, selection, should be in Executive  
 9 Session because we're talking personnel, talking about  
 10 your personal staff. But, again, we're not at that  
 11 point yet.  
 12 MEMBER OKAMOTO: Chair?  
 13 CHAIR STONE: Commissioner.  
 14 MEMBER OKAMOTO: So if I understand correctly,  
 15 the cut-off date is this week, and if we only have one  
 16 person, we would have to say to you, yes, go to these  
 17 other lists, or would you automatically do that?  
 18 MR. KUSHI: I would -- I will take the  
 19 initiative, with the Chair's permission, to look at  
 20 these various lists. Now, again, if any of you know of  
 21 a person who might qualify to be able to do these  
 22 things, please let us know.  
 23 MEMBER OKAMOTO: Thank you.  
 24 CHAIR STONE: Clifford.  
 25 MEMBER HASHIMOTO: I did speak to someone who

1 has had something like 30 years experience in doing  
 2 nothing but that. He's an attorney, but he's not  
 3 licensed in Hawaii.  
 4 MR. KUSHI: It doesn't have to be an attorney.  
 5 CHAIR STONE: Nor licensed in Hawaii. He  
 6 just -- he needs to have his GE license. Right?  
 7 MR. KUSHI: We request a GE license.  
 8 CHAIR STONE: But maybe propose to bring him  
 9 forward.  
 10 MEMBER HASHIMOTO: Can I give you the person's  
 11 name or a card?  
 12 CHAIR STONE: Yeah.  
 13 MEMBER HASHIMOTO: And you contact him?  
 14 CHAIR STONE: Yeah. Hand it off to Lisa with  
 15 the contact. That would be excellent. Thank you.  
 16 Any further discussion? No?  
 17 (Silence.)  
 18 CHAIR STONE: Okay, great. Next item, draft  
 19 letter to Council Chair Danny A. Mateo regarding Charter  
 20 amendment process. Quick overview.  
 21 Yuki Lei was kind enough to set up a meeting  
 22 between ourselves and Chair Mateo after our last  
 23 business meeting where we discussed the idea of handing  
 24 out the olive branch and working in coordination with  
 25 Council. And Mr. Mateo was -- was very much for that

1 process. In fact, in the discussion, he actually said,  
 2 well, maybe during the Charter term, we shouldn't be  
 3 putting any amendments forward in Council, so --  
 4 resolutions. So it was kind -- it was a very  
 5 interesting discussion and -- and very friendly.  
 6 So this is a draft letter that I would like to  
 7 send out. And so if there's any discussion on that  
 8 letter --  
 9 MEMBER MOIKEHA: Do you need a formal motion?  
 10 CHAIR STONE: Yeah. We should take action on  
 11 this.  
 12 MEMBER MOIKEHA: Okay. Move to approve the  
 13 draft letter of June 13th from the Chair to --  
 14 CHAIR STONE: Thank you.  
 15 MEMBER MOIKEHA: -- Council Chair Mateo.  
 16 MEMBER RAXA: I second the motion  
 17 CHAIR STONE: We have a second from  
 18 Commissioner Baxa. Discussion?  
 19 (Silence.)  
 20 CHAIR STONE: No. There's a motion on the  
 21 table. All in favor of the motion, "aye."  
 22 (A chorus of ayes.)  
 23 CHAIR STONE: All opposed?  
 24 (Silence.)  
 25 CHAIR STONE: Motion passes.

1 MEMBER DELEON: Well done, Mr. Chairman.  
 2 CHAIR STONE: Thank you very much, Mr. DeLeon.  
 3 And with that said, we already had some  
 4 positive reaction, again, from Council Chair Mateo. And  
 5 in a, what I would say, act of good faith, he sent down  
 6 his resolutions presently at Council as our first  
 7 amendment proposals. So the process has begun.  
 8 And that leads us to our next item of  
 9 business, which is proposed Charter amendments by -- oh,  
 10 excuse me, let me back up there. Our next item of  
 11 business is Amendment Proposal Review Structure, which  
 12 we should discuss before we go to the proposed  
 13 amendments. Yes, Commissioner.  
 14 MEMBER OKAMOTO: Just a point, if we could  
 15 maybe have the first 10 minutes of every meeting to be  
 16 sure we all have all the papers in order from now on?  
 17 Because, you know, they get in different places and it's  
 18 really difficult sometimes to follow.  
 19 CHAIR STONE: If you need any time to get  
 20 yourself organized, just please request it and we will  
 21 wait.  
 22 So quickly, before we tear this thing apart,  
 23 before, I came to this meeting, in our previous business  
 24 meeting, I said that I would bring a proposal on how we  
 25 should review our amendment proposals. So this was

1 quickly done as a starting point, a jumping off point,  
2 on how we were going to move forward with taking in the  
3 proposal amendments, how we're going to classify them  
4 and how we're going to deal with them. And I think  
5 that's a very important thing that we -- we get through  
6 before we move forward to really taking in all the  
7 amendment proposals.

8 So with that said, I will go through this  
9 Amendment Proposal Review Structure, which is  
10 extraordinarily simple, in fact too simple. And I  
11 expect some very good input on this.

12 So the first thing that happens, we have  
13 proposals that are presented to us. What I suggest is  
14 that during the time of the presentation, the proposal  
15 is not debated. Obviously, there must be communication  
16 and clarification on the proposal. So that is a must  
17 have, especially if it's oral communication. But what  
18 we don't want to get into is actually debating the  
19 proposal that's been put in front of us in the -- in the  
20 middle of a meeting. Again, we have the Sunshine Law  
21 which requires that anything we discuss is on the agenda  
22 prior to discussion. So that is the issue. That  
23 proposal has to go to the next agenda so that people can  
24 come and testify on it, written or oral, before we  
25 actually lay into debate on the proposal.

1 So I think that we can all agree that's  
2 probably the best thing to do, step one.

3 Commissioner DeLeon.

4 MEMBER DELEON: So what would we do with the  
5 -- the input we got from the public hearing last week?  
6 And we got like maybe 10, 12 different ideas thrown at  
7 us. And they weren't written proposals, but they were  
8 proposals. And they're not on our agenda today. So how  
9 will we -- how would we start to digest that, that  
10 input?

11 CHAIR STONE: I agree. I would say that we  
12 had actual proposals put forward at that meeting. I  
13 think we would all agree on that, that people said, this  
14 is my proposal, this is my amendment proposal. The  
15 reason why it's not on the agenda today is I wanted to  
16 discuss how we're going to -- how we're going to work  
17 with these proposals before we get to that, because  
18 there were a number of proposals that I -- I counted 10  
19 proposals that were put forward. Those proposals should  
20 and will get on our agenda. So let's figure this step  
21 out and then they will get on our agenda, most likely,  
22 at our next business meeting. Thank you.

23 Commissioner.

24 MEMBER DEREGO: Just a clarification. Once we  
25 have hired our secretary and our legislative analyst --

1 I mean our analyst, Commission Analyst, it's my  
2 understanding, and correct me if I'm wrong, that they  
3 would be the ones, say, combing the minutes from the  
4 hearings as well as this meeting, classifying, possibly,  
5 the input that is coming in, with direction from the  
6 Commission, or coming up with a suggestion of how to  
7 organize that themselves as well.

8 I think this is great, what you've done here  
9 as a start. And I want to thank you for that.

10 I think that we -- as soon as we get that  
11 person, we need to come up with a structure of how we  
12 would like to classify, as you put in here, the  
13 proposals. First of all, just, basically, on  
14 organization according to the Charter, and, also,  
15 according to a way, as we have discussed before, that  
16 the public can understand. So I think Commissioner --  
17 Sakamoto -- Okamoto -- I'm sorry, I'm tired today -- had  
18 suggested that we keep a running spreadsheet based on  
19 some sort of classification system. And I think that  
20 would be a helpful way of doing it. But it's my hunch  
21 that once we get the legislative analyst and the  
22 secretary, it will be much easier keeping track of all  
23 of this instead of trying to rely on our own powers  
24 right now.

25 CHAIR STONE: I agree. I would definitely

1 agree with that. It's a matter of making sure we have  
2 those people on staff and not wait too long. We are  
3 against a time restraint.

4 MEMBER DEREGO: Exactly.

5 CHAIR STONE: So, Commissioner Baxa.

6 MEMBER BAXA: Mr. Chair, just a point of  
7 clarification. I know that from time to time we have  
8 hearings, public hearings, and other proposals come from  
9 each hearing. Do I understand that the next meeting, or  
10 at some specific time in the future, when we have heard  
11 all the people making proposals -- because it should --  
12 it may happen that, at a meeting, there is one proposal  
13 which also will be duplicated in another meeting and in  
14 another meeting. So shall we make -- shall we wait  
15 until such time when we have taken all these proposals,  
16 classify them, and then discuss and take action on them?

17 CHAIR STONE: That is what we -- that's what  
18 we're discussing today. That's a very good point. At  
19 what stage do we --

20 MEMBER BAXA: I would prefer that because,  
21 otherwise, we will be duplicating efforts from our side.

22 CHAIR STONE: I think when we have the  
23 analyst, the analyst would be able to recognize a  
24 duplication in a proposal, and that proposal would  
25 probably not get to our agendas because we're already

1 discussing a similar, if not identical, proposal. So I  
2 think -- I understand what you're saying because we will  
3 get proposals that are duplicated all the time, most  
4 likely.

5 MEMBER DEREGO: I suggest that we have to do  
6 some calendaring on this. In other words, you have to  
7 have -- excuse the phrase -- a drop dead date by which  
8 all proposals will be closed at a certain point so that  
9 kind of classification can occur.

10 And another way of doing it, is what I've  
11 said, is called a backward mapping. We need to find out  
12 from Corporation Counsel how long it's going to take us  
13 to put together a report, right, and then we're going to  
14 need time to be able to get that report. I mean,  
15 there's a whole -- we need to brainstorm a task list,  
16 basically, of what needs to be done and stick it on a  
17 calendar and see how it fits, basically, to have a Gantt  
18 chart of where all these things are going to occur, when  
19 they're going to occur, and to give us enough time to be  
20 able to do it.

21 I know I was supposed to help you do that this  
22 past weekend, but I wasn't able to get to that.

23 CHAIR STONE: Thanks for the email, though.

24 MEMBER DEREGO: I know.

25 CHAIR STONE: Commissioner Crivello.

1 MEMBER CRIVELLO: I agree with Judge Baxa. I  
2 mean, if we're going to be addressing each -- all the  
3 proposals after each hearing, there will be constant  
4 duplication. So I'm trying to understand where you're  
5 saying we're going to have to have a calendar of all the  
6 tasks. But if we have what's been proposed by the  
7 public, and then, for instance, if it's district voting,  
8 it all goes into this one bucket, and then, at the right  
9 time, then we can have the serious discussion on how we  
10 will address the different proposals.

11 CHAIR STONE: I think we're talking about the  
12 same thing. I think what --

13 MEMBER DEREGO: Exactly.

14 CHAIR STONE: What Frank's point is, at some  
15 point we have a drop dead date where you must begin  
16 debating the proposals. What you guys are saying is  
17 that we must allow all of the input before we start  
18 getting into the debate of the proposals. Is that what  
19 I'm hearing?

20 MEMBER CRIVELLO: Mr. Chair, we have a  
21 calendar of public hearings. So we know when we're  
22 going to end, the first round, anyway. So by then,  
23 we're done with public hearing, unless there's more  
24 testimonies at our meetings. But then we have to start  
25 addressing it, I would think, right after the first

1 round.

2 CHAIR STONE: My only concern with that is --  
3 is are we already getting into a dangerous timeline as  
4 we get past the last public meeting. So if we feel  
5 comfortable that we are -- that this last public meeting  
6 isn't going to put us in a dangerous time zone to -- to  
7 get the work done, which is what Commissioner DeRego's  
8 saying, is we have to be very careful that we don't miss  
9 that period to get the work done.

10 MEMBER DEREGO: Because I -- excuse me, Chair  
11 Because we have to remember, there's another, a second  
12 round of hearings that have to occur on the report that  
13 goes around even before it goes to the Council.

14 CHAIR STONE: So there's -- there's -- we will  
15 have a time restraint at some point. So the question  
16 right now is, what we're trying to decide initially  
17 is -- from what I understand, is do we discuss the  
18 proposals before we get all of the input from the  
19 public. And some of the Commissioners are thinking  
20 that's -- obviously, that would be the optimum. Of  
21 course, we want all the public input before we begin  
22 discussion. But I think what we need to do to make sure  
23 -- as a rule, that would be a great thing. So if that  
24 could be done time-wise, then I would say why don't we  
25 go with that method, we get the proposals, they come in,

1 we accept them. We have our analyst and secretary pull  
2 all of the oral testimony proposals out of the minutes,  
3 because that is going to be a very time-consuming  
4 endeavor. And the list is put together by the analyst,  
5 the secretary pulls the proposals out, the analyst  
6 determines the list, and we call it our active proposal  
7 list. And if that is the case, then we wouldn't be  
8 discussing any actual proposals until the end of the  
9 public meetings. But we have all of these business  
10 meetings where we have a lot of time that we're together  
11 that we could be doing that work.

12 So, Commissioner.

13 MEMBER OKAMOTO: When I first saw this, my  
14 thought was after one public meeting, we discuss. But  
15 now that I'm hearing the other side, I think it is  
16 better. For one thing, I know at our last public  
17 meeting, we heard conflicting -- you should have less  
18 commissions and somebody else proposed more. Well, as  
19 -- you know, we could discuss it and come up with  
20 something, and, two public meetings later, we might get  
21 something that would be, oh, wait, that conflicts with  
22 that. I think to discuss it in the way that we say we  
23 need more information, we need statistics, those kinds  
24 of discussions, I think, we could do in the next month.  
25 But to actually start formulating proposals, I think we

1 should wait now until we get through -- I believe the  
2 last one is at Kihei. Because there are going to be  
3 real conflicts and I think we need to have all those out  
4 on the table before we get into the heated --

5 CHAIR STONE: Again, that is the optimum, the  
6 optimum way we could move forward. Commissioner Baxa.

7 MEMBER BAXA: Yeah. I recognize the merits to  
8 the other side. On one hand, though, I understand that,  
9 at some point, we will go back to that and discuss it  
10 again. My point is that it may in fact double the time  
11 that we be involved. But if we had heard already, and  
12 we know the timeline when we will have the last meeting.  
13 I know that when the timeline was set, there was some  
14 anticipation of how much time we will be needing to  
15 transform that into a viable document. To make initial  
16 proposals, discussion and action now, and then to return  
17 on them later on, I really think that it will double the  
18 time.

19 CHAIR STONE: Good input. Okay.  
20 Commissioners?

21 MEMBER SUGIMURA: So looking at the minutes  
22 from the last, I think -- I always called Ed -- Ed Kushi  
23 "Junior". Sorry. Ed Kushi.

24 CHAIR STONE: Junior.

25 MEMBER SUGIMURA: Yeah. He talked about the

1 schedule that we have to abide by. So can we ask Ed  
2 Kushi to -- to look into this and tell us what the drop  
3 dead schedule is? Because, yeah, I think we're all  
4 saying the same thing, but we need to follow the  
5 guidelines specified by you earlier.

6 MR. KUSHI: Well, the way I would answer that  
7 is adopting Mr. DeRego's scheme or plan. Your deadline  
8 for the final report is April 2012. So work back from  
9 there. So you have already set the schedule of public  
10 hearings by the end of July. Then I think the plan was  
11 to have working Commission meetings, come up with  
12 proposals, then go back to the public in a series of  
13 public hearings and tell them this is what the  
14 Commission proposes, get their input, then come back for  
15 your final round of decision-making. So working  
16 backwards -- I'm not sure how the previous Charter  
17 Commission did, but I think -- I believe they did have  
18 some internal deadlines.

19 MEMBER DEREGO: Right.

20 MR. KUSHI: And they knew that they had to get  
21 the draft report by X date. Again, I think it's -- at  
22 this point, it might be too early to even make a  
23 suggestion. All I can tell you, you gotta do it by  
24 April of 2012. Then it goes to the Council and it goes  
25 back and forth.

1 CHAIR STONE: Commissioner, did you have  
2 input?

3 MEMBER HASHIMOTO: Yeah. Chair, I was just  
4 counting the number of meetings that are scheduled.  
5 Now, if all those meetings take place, then these  
6 numbers would be correct by my count. But, you know,  
7 we're scheduled to have 24 meetings here in Kahului,  
8 Wailuku, right? Probably right in this room. But we're  
9 only going out to the outlying places once.

10 CHAIR STONE: No. Within this process, it  
11 will be twice. So what we'll do is, after this first  
12 round, we'll take all the input, make our draft  
13 proposals as -- as the Commission, and then go back to  
14 the -- go back to the community for their input on the  
15 draft proposals that the Commission had put forward. So  
16 that's -- that's where we're going to run into the time  
17 constraint is this is a two-month -- took us two months,  
18 basically, to get our public input. All right. So  
19 that's two months. If we don't deal with any proposals,  
20 as of right now, that puts us into effectively August.  
21 Okay. So now we're dealing with August. We have -- we  
22 need another two months somewhere to go back out to the  
23 community and reach the community with our Charter  
24 Commission amendment proposals. So -- and then we hit  
25 that absolute deadline of April 2012. So that's where

1 we -- you know, this is four months of -- of -- you  
2 know, we got to be very careful.

3 I think we have the ability to step up our  
4 normal meetings if time crunch becomes a major issue.  
5 And we will -- we will learn a very valuable lesson in  
6 this round, I believe, that if we aren't able to get  
7 things done as quickly as we like, then we better step  
8 it up on the next round.

9 So I think what we -- what I'm hearing from  
10 the group is everybody would prefer to get all the  
11 public input before we start dealing with proposals  
12 directly. But there was suggestion that we review the  
13 proposals -- is that what you're suggesting,  
14 Commissioner -- and determine if more information would  
15 be needed on that proposal?

16 MEMBER OKAMOTO: I don't know that we need to  
17 renew -- review them. I think the Board Members, as  
18 they've heard something, say, from the previous meeting,  
19 if they come back with questions about, well, how many  
20 times does this happen, or, you know, facts that we need  
21 either our analyst to pull up or that we need the County  
22 Clerk, or someone else -- for instance, like the Board  
23 of Water Supply, I may not have the best understanding  
24 of that, so I might come back and say we need more  
25 information, or I need more information on that. And

1 individuals could do that so then, come August, we would  
2 sort of have at least a way to start. But I -- my  
3 thought is August would be the time.

4 CHAIR STONE: Commissioners, what are your  
5 thoughts on that? I'd like you guys' input? How do you  
6 feel about holding off until the end of public testimony  
7 period? Commissioner DeLeon.

8 MEMBER DELEON: I think it's a pretty good  
9 opportunity to do some learning and some figuring out  
10 what the problems are. For instance, the board of --  
11 the boards and commissions limitation, as somebody  
12 brought up, the Cost of Government Commission actually  
13 did some work on that, and, you know, what boards are  
14 working, what boards aren't. And not all of them are in  
15 the Charter. I mean, about half of them are in the  
16 Charter, but the ones that are in the Charter, are they  
17 appropriate. And there's the whole government thing  
18 about where the mayor -- where the line of power for the  
19 mayor cuts off and would take over. We need to have  
20 that information digested before we get the decision.

21 CHAIR STONE: Agreed. What I would ask from  
22 our Commissioners, from our Charter Commission, is to  
23 put forward requests for information, because the Chair  
24 doesn't know everything that everybody wants to know.  
25 So please put forward requests for information, what you

1 need clarification on. As we move through the public  
2 meetings, we're clearly going to see a direction being  
3 pointed and we're going to know we need input on that  
4 direction. So we have great sources, even here in our  
5 Commission group. And I can give them the time to make  
6 a presentation for us. And I think that's what we will  
7 call this period, then, is our learning period and  
8 listening period.

9 MEMBER DEREGO: Can I make a point, too, about  
10 the boards and commissions in a different sense? When  
11 that letter went out, I received it from the Commission.  
12 Most boards and commissions only meet once a month. And  
13 whereas the Cost of Government Commission is attempting  
14 to actually craft a serious response to the Charter  
15 Commission on draft recommendations for the Charter.  
16 We're taking suggestions from Commissioners. And the  
17 problem is, because you meet once a month, you know, you  
18 have to develop a proposal, every -- all the -- all the  
19 guidelines and the limitations that we have here, we  
20 also have, because of the Sunshine Law, that everything  
21 has to be posted, the agenda has to be posted. So, you  
22 know, we're hoping by the next meeting, instead of the  
23 June 30th date, by the next July meeting, that we would  
24 have something voted on and sent out to the Charter  
25 Commission. But I just want to let you know that the

1 process of gathering that kind of information from  
2 boards and commissions is very limited just because of  
3 the time constraints.

4 CHAIR STONE: Good input.

5 MEMBER OKAMOTO: With the whole idea of  
6 putting things on the agenda, so let's say, as an  
7 individual member, I say I need more information on just  
8 Board of Water Supply. I would have to give you that,  
9 say, at the end of this meeting, you could then put it  
10 -- or would we need to have it on an agenda if we're  
11 discussing for our own -- just our own information?

12 CHAIR STONE: My understanding is that I have  
13 the ability to -- to call people forward to make a  
14 presentation. We just have to make sure that that  
15 presenter is on our agenda for the meeting, which means  
16 we could talk about it, you could send me email, I can  
17 -- I can talk to Lisa or Ed and say I want the board of  
18 director for this meeting, if you can organize it. And  
19 if we can, then it has to be on the agenda that the  
20 board of director will be here. So that's really the  
21 only constraint we have as far as gathering information.  
22 So this should be a great period for us -- if we are not  
23 going to get into the debate of -- of our -- of  
24 proposals, be a great period for learning. So, please,  
25 ask away. And what -- what can be accomplished will be

1 accomplished.

2 So I think I have an understanding, I have a  
3 direction. And we will -- we will move forward with  
4 taking the public input and using this period as  
5 gathering information and learning, all right.

6 Now, before we move forward with that, since  
7 we don't have much left on the agenda -- I know, I'm not  
8 going to move from this point.

9 MEMBER DEREGO: Oh, okay.

10 CHAIR STONE: I was just going to say, if you  
11 guys don't mind, I would like to go down and -- and  
12 let's assume now that we're past this period and we're  
13 moving into the period of discussing proposals. All  
14 right? Our -- our analyst has put together a great list  
15 in which we can decide where the proposals belong in the  
16 Charter, first of all, and then a name for the proposal  
17 so the public has an understanding of what the  
18 proposal's for. And then it comes to us as a list.

19 Now, we're going to be dealing with active  
20 proposals which aren't necessarily going to be the  
21 Commission's proposals. We're going to -- we're going  
22 to divulge the information in these proposals and come  
23 up with our own Commission proposals. So what's going  
24 to have to happen is what I -- what I -- what I was  
25 talking about was that once we have them classified, we

<p style="text-align: right;">Page 89</p> <p>1 start the review process. And what I suggested is that  2 as we look at each proposal, we either determined it as  3 a priority proposal or a proposal maybe that, at the  4 moment, the Commission just doesn't -- isn't interested  5 in discussing. Because that could eliminate -- not  6 eliminate, I don't want to say eliminate because no  7 proposal will be eliminated. But that would definitely  8 put the priority proposals on the table for us to deal  9 with. And those are the big, big issues that we need to  10 resolve and put forward to the voters.</p> <p>11 So what I am suggesting is that we -- we give  12 certain proposals a priority proposal level. All  13 proposals are -- are discussed, debated. And we keep a  14 list of the priority proposals because -- this is where  15 I'm having a bit of issue, is that we need to be able to  16 tell the public what we're going to discuss at every  17 meeting, but we also don't want to continually put  18 30-plus proposals on the agenda. So what I was  19 considering is that we keep a list of proposals,  20 priority proposal list, and an all proposal list, an  21 all-encompassing proposal list, and we keep them as Old  22 Business on our agendas. That way, those lists are  23 active on our agendas. So if something must be referred  24 to back to the list, they can be referred to. And,  25 again, I'm sure the public will still -- if they have a</p>	<p style="text-align: right;">Page 91</p> <p>1 think -- I think -- at a certain stage, I think this  2 process is going to go a lot faster than we're  3 anticipating because we're going to be really under the  4 gun. And I would say they will fall to the wayside. I  5 don't think we need to actually just pull them off.  6 They'll stay on an all proposal list because there could  7 be a point down the road where we're working on  8 something and, all of a sudden, that proposal we said  9 off the list is valid and necessary. So I don't want to  10 throw it away. So this is a way to keep everything  11 alive, but keep our priorities focused.</p> <p>12 And so what I -- what I believe I'm going to  13 need to do is determine what are the maximum number of  14 proposals we can, as a Commission, deal with in our  15 timeframe for a meeting. So once I -- once we get into  16 it, we'll know. Our first meeting, we'll clearly know  17 if we've bit off more than we can chew at a meeting. So  18 -- so that's that.</p> <p>19 Any more discussion on that right now? And,  20 again, it's very loose at the moment, but this is the  21 way -- direction I'm going -- I'm thinking of going.</p> <p>22 MEMBER SUGIMURA: I agree with that system  23 because as -- as we go forward, public input is  24 important. So if somebody does come up and testify, we  25 can say, oh, it is priority number three on our list, so</p>
<p style="text-align: right;">Page 90</p> <p>1 proposal on that list, they're going to still come in  2 and want to discuss it.</p> <p>3 So does everybody agree that could be a good  4 method to work off of, so it is a part of our agenda  5 every meeting? Yeah?</p> <p>6 MEMBER DELEON: Mr. Chair, that would be --  7 but you would have an -- your active target for that  8 meeting --</p> <p>9 CHAIR STONE: Right.</p> <p>10 MEMBER DELEON: -- under New Business.</p> <p>11 CHAIR STONE: Absolutely. Absolutely. What  12 -- what I'm trying to accomplish is that we can go back  13 to look at other proposals that we have on our list, if  14 need be, that they are a part of our agenda without  15 having -- you see what I'm saying? We have the priority  16 proposal list, and it's out to the public, and we have  17 all proposal list, and it's out to the public, and it's  18 in Old Business on our agenda. That should satisfy the  19 Sunshine Law, correct, Ed? Yeah. So that's how I'd  20 like to do it.</p> <p>21 MEMBER OKAMOTO: Will there be a point when we  22 absolutely cross ones off the list?</p> <p>23 CHAIR STONE: I would say --</p> <p>24 MEMBER SUGIMURA: Probably will.</p> <p>25 CHAIR STONE: -- we can discuss that. I</p>	<p style="text-align: right;">Page 92</p> <p>1 that we can sort of -- things will -- things will fall  2 into place, I believe.</p> <p>3 CHAIR STONE: Uh-huh.</p> <p>4 MEMBER SUGIMURA: So I like that system.</p> <p>5 CHAIR STONE: Thank you. Commissioner  6 Moikeha.</p> <p>7 MEMBER MOIKEHA: Yeah. I'm okay with that,  8 too. I'm still in agreement that we should start and  9 calendar working backwards. And I'm sorry, what was  10 that date that we had to have the --</p> <p>11 CHAIR STONE: April 2012.</p> <p>12 MEMBER MOIKEHA: April.</p> <p>13 MEMBER DEREGO: I think it's April 2nd.</p> <p>14 CHAIR STONE: April 2nd is the specific actual  15 date.</p> <p>16 MEMBER MOIKEHA: So why can't we start  17 scheduling the next round of public meetings in  18 February? In other words, we got to be done with our  19 work by February?</p> <p>20 CHAIR STONE: We're going to need a little bit  21 of time. So if that's February, March, that would put  22 us in April. So we wouldn't be able to have a report  23 done in time.</p> <p>24 MEMBER MOIKEHA: Okay. So you have one, two,  25 three, four, five, six, seven, eight. If you did one a</p>

1 week, you would be finished with that middle of March.  
2 Otherwise, start it in February and calendar it now. I  
3 mean --

4 CHAIR STONE: Why don't we work backwards?  
5 How much time are we going to need for the final  
6 report -- or the draft report. Okay. So let's say --  
7 yes, please.

8 MEMBER OKAMOTO: Well, also, if we've already  
9 sort of got our proposals together, do we need to have  
10 regular meetings during that time? Maybe we can do two  
11 a week? I mean, if you do Paia one night and Makawao  
12 another night, because if you're not doing the regular  
13 meetings, maybe we could get through all of them in  
14 maybe five, six weeks.

15 CHAIR STONE: That's a valid point. We could  
16 cut down the public outreach period to, say, a month.

17 MEMBER OKAMOTO: Yeah, time period, they would  
18 still all be covered.

19 CHAIR STONE: Again, why don't we defer that  
20 -- that discussion, Commissioner Moikeha, until we have  
21 our consultant to discuss how much time this process  
22 should take us working backwards. And, again, we can go  
23 back to the minutes, but I agree with you, as soon as we  
24 possibly could, we should --

25 MEMBER MOIKEHA: I think you should --

1 of candidates that have come up for the analyst  
2 position, maybe we should do some tentative calendaring,  
3 at least, and then have the discussion with the  
4 administrative -- I mean, the Commission Analyst then.  
5 But I would agree, the sooner we can get at least some  
6 tentative dates on the calendar, I think the better off  
7 we'd be so we can gauge at least what would be involved.

8 MEMBER OKAMOTO: I would agree with that, too.

9 CHAIR STONE: Okay. Good. So we'll have that  
10 discussion and set -- we'll set a -- let's call it our  
11 tentative deadline for the next meeting. Is that all  
12 right? We can go back and forth and discuss that a  
13 little bit. Commissioner DeLeon.

14 MEMBER DELEON: This is not on this actual  
15 structure you have here, but the other thing I think the  
16 Commission -- I mean, I've been -- kind of already begun  
17 to wrestle with this, is -- and it's going to depend on  
18 what we decide in our decision-making, however. But you  
19 should keep in mind how you're going to present this to  
20 the public. Is it going to be a new Charter, is it  
21 going to be a series of blocks of what we're going to do  
22 with finances, or this is what we're going to do to  
23 council, or is it going to be just is a series of -- a  
24 laundry list of questions. So not -- not make any kind  
25 of decision today or even begin to think about making a

1 CHAIR STONE: -- start setting our deadline  
2 dates.

3 MEMBER MOIKEHA: Because that's really your  
4 deadline --

5 CHAIR STONE: Right.

6 MEMBER DEREGO: Exactly.

7 MEMBER MOIKEHA: -- to have the report.

8 CHAIR STONE: Exactly.

9 MEMBER MOIKEHA: When you take it out.

10 CHAIR STONE: Exactly. And I believe you're  
11 right. It's going to be --

12 MEMBER MOIKEHA: And then how much time you  
13 need after to go back.

14 MEMBER DEREGO: Exactly.

15 MEMBER MOIKEHA: You shouldn't need that much  
16 more time. How drastically could it change? You've had  
17 public input through this entire year.

18 CHAIR STONE: Uh-huh.

19 MEMBER MOIKEHA: So -- and I would totally  
20 agree with doing two a week and getting it done in a  
21 month. So either January or February tentatively should  
22 be when we should be ready to go.

23 MEMBER DEREGO: I would agree with  
24 Commissioner Moikeha, that, even before, since we do  
25 have some time, because it may -- considering the number

1 decision today, but just keep in mind where is this  
2 going to end up and how you're going to deliver it at  
3 the end.

4 CHAIR STONE: Good point. Very good point.  
5 And we shall. Commissioners, any more discussion on  
6 this right now?

7 MEMBER OKAMOTO: Yeah, I have one more. I  
8 think everybody would -- will agree that there is one  
9 real major issue on the table and that's going to come  
10 up. Is it best to discuss that first or is it best to  
11 do some of the things that we kind of all agree on? I  
12 think that's a procedural one that we may need to look  
13 at. I think there's also -- from earlier testimony,  
14 there's a philosophical one that we need to -- in  
15 talking about checks and balances and so forth. I don't  
16 know if it's easier to get the big ones out of the way  
17 or you get the small ones out of the way first. I'm --  
18 I would open that to other people.

19 CHAIR STONE: I think what we're going to need  
20 to do is, at each meeting, we're going to need to limit  
21 the time of discussion on a specific proposal as we go  
22 through them. A proposal that clearly needs more  
23 discussion will come up on following agendas, because  
24 some of the discussions -- some of the proposals may  
25 need very short discussion.



1 MEMBER OKAMOTO: Right.  
 2 CHAIR STONE: And some of them will need  
 3 huge -- hopefully, not huge, but long debate,  
 4 discussion. So what we should do is -- is at least  
 5 award every proposal a bit of time to discuss, and  
 6 initially limit that discussion period until we've  
 7 targeted the main primary proposals, and at that time we  
 8 really dig in on those proposals that are going to take  
 9 the time. Because the number of proposals will, most  
 10 likely, fall to the wayside, you know, just limited  
 11 time. So as we get into it, we'll see the -- we'll let  
 12 it grow organically at first, and then we'll make a  
 13 decision on how we should work with it.  
 14 Any other discussion? Commissioner DeRego.  
 15 MEMBER DEREGO: Yeah. Because I think there  
 16 are going to be proposals that, besides the one big one,  
 17 I think -- I think there's actually more than one big  
 18 one involved. I know from the Cost of Government  
 19 Commission's point of view -- and this is something  
 20 we're working on -- is that we need to look how we --  
 21 how we deal with budgeting. That is a big issue. And  
 22 how, from my perspective -- and I'll say it -- how, in  
 23 some instances, County government comes to a standstill  
 24 during the process of a yearly budget. Permitting, I  
 25 mean, you name it, you know, you go down to a County

1 department, and they're saying, well, it's going to take  
 2 some time because we're working on the budget, you know  
 3 So I think there's more than one big issue. And if we  
 4 notice, we're going to need this administrative analyst  
 5 because you start changing things here, it's going to  
 6 start weaving its way through other articles and other  
 7 chapters in the Charter. So I just wanted to make that  
 8 comment.  
 9 CHAIR STONE: Thank you. Commissioner.  
 10 MEMBER SUGIMURA: You know, during this  
 11 period, we're talking about information gathering. One  
 12 of the questions that keep on coming up in my mind is --  
 13 is when does an item become a constitutional or charter  
 14 concern or an ordinance concern, or when does it become  
 15 like we're getting too detailed, it should be like a  
 16 departmental concern? Just when do we draw the line?  
 17 Because I think what we're hearing is a little bit  
 18 mixing of all of that.  
 19 CHAIR STONE: Within the oral testimony?  
 20 MEMBER SUGIMURA: Yeah.  
 21 CHAIR STONE: You know, it's -- I don't want  
 22 to -- I don't want to turn anybody away from coming out  
 23 to give oral testimony because I want them to feel as  
 24 comfortable as they can. Sometimes the oral testimony  
 25 will not be relevant to the Charter, but it's important

1 to get those -- to get people there to say what they  
 2 have to say so they feel that they are part of the  
 3 process, which they deeply are.  
 4 I don't know if you've noticed, in my ramble  
 5 at the beginning of our oral testimony, I say that we  
 6 are discussing issues that are only involved with the  
 7 Maui County Charter, which is like a constitution, and  
 8 the Charter is available for anybody to review at the  
 9 meetings. Once they begin speaking, I find it difficult  
 10 to tell them, "Oh, just stop, because you're not talking  
 11 about the Charter." So I agree, those issues will come  
 12 up. And then this -- our consultant will be the one --  
 13 or -- sorry -- our analyst will be the one that  
 14 determines whether the issue is Charter or not when  
 15 reviewing the minutes and putting it forward to us. So,  
 16 agreed, it --  
 17 MEMBER SUGIMURA: Yeah.  
 18 CHAIR STONE: -- is a bit of -- it is  
 19 time-consuming in certain circumstances, but I'm very  
 20 happy just to have the people show up and speak.  
 21 Any further discussion?  
 22 MEMBER DEREGO: I have something that's out of  
 23 order.  
 24 CHAIR STONE: Before we get to -- Commissioner  
 25 DeRego, I will allow you to bring your out of order --

1 MEMBER DEREGO: I should have requested from  
 2 the Chair that I could bring it out of order, but --  
 3 CHAIR STONE: Can you do it in just a second?  
 4 MEMBER DEREGO: Okay.  
 5 CHAIR STONE: After -- we're going to take a  
 6 five-minute recess; otherwise, we're going to lose the  
 7 court reporter.  
 8 MEMBER DEREGO: Okay. Okay.  
 9 CHAIR STONE: That has to go in the minutes,  
 10 which is funny.  
 11 (Laughter.)  
 12 CHAIR STONE: Anyway, so we'll take a  
 13 five-minute recess and be back. And, Commissioner  
 14 DeRego, you have the floor when we're back.  
 15 MEMBER DEREGO: Thank you.  
 16 (Recess, 2:19 p.m. to 2:32 p.m.)  
 17 CHAIR STONE: Let's go ahead and call the  
 18 meeting back to order, please.  
 19 And is our court reporter prepared? Good.  
 20 Good break? Very good.  
 21 So with that, Commissioner DeRego, you had  
 22 something?  
 23 MEMBER DEREGO: Yeah. I beg the indulgence of  
 24 the Commissioners. I'd like to go back to New Business,  
 25 Item A.

1 I think we got offered something practically  
 2 for free today.  
 3 MEMBER OKAMOTO: Yes, we did.  
 4 CHAIR STONE: I believe you're right.  
 5 MEMBER DEREGO: And all it means is, I think,  
 6 making a motion that the Chair would write a letter to  
 7 the Managing Director, Keith Regan, to ask for the  
 8 services of Maui GIS, and that would get the ball  
 9 rolling. So --  
 10 CHAIR STONE: Do we have a second on that  
 11 motion?  
 12 MEMBER MOIKEHA: Second.  
 13 MEMBER OKAMOTO: Second.  
 14 CHAIR STONE: Okay, Commissioner Moikeha  
 15 seconded the motion. Discussion on the motion? Let's  
 16 -- Commissioner.  
 17 MEMBER SUGIMURA: I agree because it will save  
 18 us money. But, also, can we also include in that letter  
 19 that we would like him to give us a copy of the  
 20 PowerPoint presentation? It was so informational -- oh,  
 21 sorry.  
 22 MEMBER DEREGO: No, no. That's all right.  
 23 CHAIR STONE: Lisa, are you getting this?  
 24 MS. KAHUHU: Yes.  
 25 CHAIR STONE: Okay. So the amended motion.

1 MEMBER DEREGO: Yes.  
 2 CHAIR STONE: Okay. Let's take a vote on it.  
 3 All in favor?  
 4 (A chorus of ayes.)  
 5 CHAIR STONE: All opposed?  
 6 (Silence.)  
 7 CHAIR STONE: The Chair gets more homework.  
 8 Okay. Motion passes.  
 9 MEMBER SUGIMURA: You need a secretary.  
 10 MEMBER DEREGO: Hire yourself a secretary.  
 11 CHAIR STONE: All righty. Okay. So that was  
 12 all you had, right, Commissioner DeRego?  
 13 MEMBER DEREGO: That's all I had.  
 14 CHAIR STONE: Moving forward, we have proposed  
 15 Charter amendments by Commissioners. Now, we just  
 16 discussed the fact that we will not be looking at  
 17 Charter amendments until after our public outreach, so  
 18 what I would like to do with these amendments at this  
 19 time is go ahead and start our list of amendments, put  
 20 these on the proposed amendment list, and we will come  
 21 back to them once we are done with our public outreach  
 22 period. Everybody okay with that? Any discussion?  
 23 MEMBER SUGIMURA: This is what you're talking  
 24 about, right?  
 25 CHAIR STONE: Yes.

1 MEMBER SUGIMURA: All this? What we received?  
 2 CHAIR STONE: Yes, yes and yes.  
 3 MEMBER SUGIMURA: Okay.  
 4 CHAIR STONE: Commissioner DeLeon.  
 5 MEMBER DELEON: For the record, I  
 6 misunderstood the item. I thought you were looking for  
 7 proposals. So I -- so I gave you a proposal. It's in  
 8 your packet.  
 9 CHAIR STONE: Oh.  
 10 MEMBER DELEON: It was the district issue.  
 11 CHAIR STONE: Well --  
 12 MEMBER DELEON: And it also deals with the  
 13 concept of creating island boards for Molokai and -- and  
 14 Lanai to deal with isolation and to deal with the fact  
 15 that they don't actually elect anybody. This will give  
 16 them a chance to actually elect representatives. I  
 17 don't want to discuss it now; I just wanted to say -- to  
 18 tell you it's there. So read it at your leisure. And  
 19 --  
 20 CHAIR STONE: Very good.  
 21 MEMBER DELEON: You got it. It's at the  
 22 bottom of your green packet.  
 23 MEMBER DEREGO: Green packet.  
 24 MEMBER DELEON: Yeah. It got thoroughly  
 25 buried.

1 CHAIR STONE: Very good. So --  
 2 MEMBER DELEON: Yeah.  
 3 CHAIR STONE: That is our first proposal from  
 4 one of our Commissioners. Thank you very much,  
 5 Commissioner DeLeon.  
 6 There it is.  
 7 MEMBER OKAMOTO: What is it?  
 8 CHAIR STONE: It's a proposed amendment.  
 9 MEMBER DEREGO: It's in the green packet.  
 10 CHAIR STONE: Very, very last item. And,  
 11 also, I believe in our package as well we had two  
 12 proposals from Chair Mateo, is that correct? Two or  
 13 one? No? I'm incorrect.  
 14 MR. KUSHI: Chair, we don't have them.  
 15 CHAIR STONE: Okay. Thank you. Sorry. My  
 16 mistake. Okay.  
 17 MEMBER OKAMOTO: We didn't -- the bottom of  
 18 ours was this one.  
 19 MEMBER SUGIMURA: I don't have this.  
 20 MEMBER OKAMOTO: I don't think I have --  
 21 CHAIR STONE: It looks like this. Well, we'll  
 22 make sure -- Lisa, if we could make sure everybody gets  
 23 a copy of that, please.  
 24 MS. KAHUHU: I don't have another copy. I'm  
 25 sorry. I did provide it in your green --

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1 MEMBER DELEON: Who else doesn't have one?

2 CHAIR STONE: Yuki Lei doesn't have one.

3 MEMBER DELEON: I wrote it down, what it says.

4 Here's mine.

5 MEMBER HASHIMOTO: Here's another one. Here's

6 an extra one. I found it. Thank you.

7 MS. KAHUHU: Thank you.

8 CHAIR STONE: Thank you, again, Commissioner

9 DeLeon.

10 MEMBER OKAMOTO: Maybe I just didn't want to

11 find it, is that it? But I honestly didn't.

12 CHAIR STONE: You never know, you may have

13 wanted to.

14 MEMBER CRIVELLO: Linda, find it, find it.

15 Interesting reading.

16 CHAIR STONE: All right.

17 MEMBER DELEON: It's a different approach from

18 what you guys are going to be hearing.

19 CHAIR STONE: So next item is our next

20 meeting. Well, that will be this evening at the Kahului

21 Community Center, 6:30, and that will be oral testimony

22 only. And then our next regular meeting -- let's see

23 here -- is on June 27th, 12:00 here. So let me dig

24 through all of my paperwork sitting on my desk.

25 MEMBER DELEON: Can I ask for clarification?

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1 Do we have the document from Chair Mateo or don't we?

2 CHAIR STONE: We do not. I'm sorry, that was

3 my mistake.

4 MEMBER DELEON: All right. Thank you.

5 CHAIR STONE: I believe I saw a copy and I

6 just believed it was on the agenda.

7 MEMBER DELEON: I'll stop digging.

8 CHAIR STONE: I apologize. Yeah, stop

9 digging.

10 MEMBER MOIKEHA: Clarification, Chair. What

11 is this from, Planning Committee? They look like

12 ordinances. Planning Committee, March 18th, 2011, from

13 Don Couch, regarding an ordinance.

14 CHAIR STONE: What was the date on that?

15 Sorry.

16 MEMBER MOIKEHA: March 18th. Looks like this.

17 It was in my packet.

18 MEMBER OKAMOTO: I don't have that.

19 MEMBER MOIKEHA: Then there's another one,

20 Bill Number 12.

21 CHAIR STONE: I do not have that in my packet

22 as well.

23 MS. KAHUHU: That wasn't in your packet today.

24 I believe that was from the previous meeting where Ed

25 just brought, for information purposes, Mike White's.

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1 Those were attachments to Mike White's --

2 MEMBER DELEON: They were?

3 MS. KAHUHU: -- Charter proposal.

4 MEMBER MOIKEHA: I got this today. It came in

5 the mail. Bill Number 12, ordinance from Michael J.

6 Hopper, Deputy Corporation Counsel. The other one is a

7 Planning Committee from Don Couch, March 18th, and it's

8 a Bill for an Ordinance Amending Section 19.04.040, Maui

9 County Code.

10 MR. KUSHI: Mr. Chair?

11 CHAIR STONE: Yes.

12 MR. KUSHI: If I recall, Commissioner Moikeha,

13 that was part of attachments to Mr. Jim Smith's

14 testimony.

15 MEMBER MOIKEHA: Oh.

16 CHAIR STONE: Oh. Got it. Thank you. Thanks

17 for the -- thank you for the clarification.

18 Okay. With that said, I'd like to thank

19 everybody for coming today.

20 MEMBER MOIKEHA: Chair, I have a comment.

21 CHAIR STONE: Yes, Commissioner Moikeha.

22 MEMBER MOIKEHA: And this is just an

23 observation based on our first public meeting, a couple

24 of things happened that I think just to be aware of.

25 There's a reason you have people sign up. And they

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1 should be presented in the order that they sign up. And

2 I don't think it's appropriate to allow testifiers to

3 determine if they would rather go last. I think we

4 should take them as they sign up unless they're out of

5 the room for a particular reason, you know, went to the

6 bathroom, whatever.

7 You know, this was a very small group that

8 showed up. And I hope that's not what we're going to

9 see in the future meetings, but, if it is, it kind of

10 lends itself to be a little less informal. And with

11 that, we tend to get away from rules.

12 Now, Mr. Mayor was given additional time for

13 testimony that was beyond our rules. If we're going to

14 do that, I think we should just suspend the rules, if

15 that's the wish of the Commission, but allowing him to

16 speak more -- having more time was, to me, not fair to

17 the other testifiers, particularly to the ones that left

18 early.

19 So we do have rules, we have adopted them. I

20 understand these settings, when they're small, we want

21 to welcome them, we want to make it as comfortable as

22 possible, we're there for information. But it's not

23 really fair to some of the others that were there

24 earlier, that spoke in their time, that left knowing

25 that they weren't going to get any more time. So -- and

1 if we do feel the need to do that, then let's just call  
2 for a motion to suspend the rules. But I think --  
3 CHAIR STONE: Point well taken, Commissioner  
4 Moikeha. Point well taken. I believe it was -- the  
5 Chair was acting on the moment, very, very tiny group of  
6 people there.

7 MEMBER MOIKEHA: And I understand --

8 CHAIR STONE: But I do respect what you're  
9 saying. And, obviously, when we have larger groups,  
10 it's just not even plausible. So thank you very much.  
11 Point well taken.

12 MEMBER DEREGO: One final clarification,  
13 Chair. On Chairman Mateo's letter, is this going to be  
14 circulated to the other councilmembers? Is this  
15 something that they're taking as a policy for the rest  
16 of the Council, or is it something that Chairman Mateo  
17 is doing on his own, removing his own amendments?

18 CHAIR STONE: No. The understanding is that  
19 this will be presented to the entire Council and the  
20 request will be put forward by Chair Mateo to the other  
21 councilmembers. Now, remember, they -- they do not have  
22 to --

23 MEMBER DEREGO: I know.

24 CHAIR STONE: -- follow that request, but --

25 MEMBER DEREGO: I understand.

1 CHAIR STONE: -- in acting in good faith, we  
2 hope that they do. So thank you very much. So any  
3 other discussion?

4 MEMBER OKAMOTO: Are we going to make an  
5 agenda for the next meeting?

6 CHAIR STONE: For the --

7 MEMBER OKAMOTO: Are we putting forth things  
8 we want to see on the next agenda?

9 CHAIR STONE: Well, if you would like to, we  
10 could, actually. Let's --

11 MEMBER OKAMOTO: I thought we had to.

12 CHAIR STONE: Let's put some items forward.

13 MEMBER OKAMOTO: Well, I, for one, just am not  
14 real clear on how the Board of Water works. I don't  
15 know that you want the person coming, I don't know, but  
16 I know it's changed. Almost every Charter, they've  
17 changed it. And I think that's coming up again. And so  
18 if there's somebody who can give us a good historical on  
19 how it works currently and how it's changed, I would  
20 like to --

21 CHAIR STONE: Okay. Chair will work with Lisa  
22 Kahuhu on bringing in a specialist to discuss our Board  
23 of Water Supply. Potentially even -- would you like to  
24 see the Director of Water?

25 MEMBER OKAMOTO: I don't -- I don't

1 necessarily know who we need to -- need to have, but I  
2 just know that that's one that keeps coming up. And I  
3 think it's been changed almost every Charter. As I  
4 understand, every Charter, it comes up to change it  
5 again. And so I would like to see that somebody who  
6 might know that history of how it's gone and how it's  
7 operating now, and is it operating.

8 CHAIR STONE: Okay. We'll look for somebody  
9 unbiased with a specialty on it.

10 MEMBER OKAMOTO: That would be helpful.

11 CHAIR STONE: We'll attempt to accomplish that  
12 for the next agenda. Commissioner DeLeon.

13 MEMBER DELEON: Finding of somebody that's  
14 non-biased, possibly bring the chair and the director  
15 simultaneously.

16 CHAIR STONE: That is a very good point,  
17 Commissioner.

18 MEMBER DELEON: The chair would speak for the  
19 whole body and the director, of course, has  
20 administrative perspective.

21 CHAIR STONE: Very good.

22 MEMBER DELEON: The other person who might be  
23 able to share a perspective on it would be Mike  
24 Victorino, he's the Council's specialist in water. He  
25 was chair of the Board of Water Supply, so he has -- he

1 has also followed the history. A very interesting  
2 gentleman to listen to, but I think he has something to  
3 share as well.

4 CHAIR STONE: Thank you. Commissioner.

5 MEMBER SUGIMURA: I'm not sure how to fit this  
6 in, but I think it's an important report because I think  
7 everything we do has a financial or budget impact. I  
8 want to hear what Cost of Government had to say on  
9 different items that they came up with recommendations  
10 that would affect the Charter.

11 CHAIR STONE: Uh-huh. Very good. Will --  
12 will Cost of Government be able to have that prepared  
13 for the next meeting?

14 MEMBER DEREGO: I can get copies of the  
15 report, full report, if --

16 CHAIR STONE: How many pages is the full  
17 report?

18 MEMBER DEREGO: Well, actually, if I remember,  
19 I'm trying to sift through my mind right now, a lot of  
20 the boards and commissions we dealt with were by  
21 ordinance. You have to understand that there's boards  
22 and commissions that are by Maui County Code, there's  
23 boards and commissions, councils and committees --  
24 actually, that's the full name -- that are by Charter.  
25 And there's ones that are mandated by HRS, so -- Hawaii

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1 Revised Statutes, so --

2 CHAIR STONE: Commissioner DeRego, do you

3 think you could give us a summary --

4 MEMBER DEREGO: Sure, I could do that.

5 CHAIR STONE: -- at our next meeting --

6 MEMBER DEREGO: Yes.

7 CHAIR STONE: -- as a presentation?

8 MEMBER DEREGO: Sure.

9 CHAIR STONE: Thank you very much.

10 MEMBER OKAMOTO: The report is how many pages?

11 MEMBER DEREGO: The report itself is only

12 about 35, but I think the meat of the matter is in the

13 exhibits and the --

14 MEMBER SUGIMURA: Summary, yeah.

15 MEMBER DEREGO: Well, no, in the exhibits in

16 the back. Because if we -- in the front of the report,

17 we dealt mostly with commissions that -- and boards that

18 were constituted by Maui County Code. So a lot of the

19 things we did, we actually came up with sample

20 ordinances, the ones that you might be wanting to look

21 at for sort of comparisons for those that were

22 established by Charter.

23 MEMBER OKAMOTO: But the report deals with

24 more than just boards and commissions, correct?

25 MEMBER DEREGO: Yes. Yeah.

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1 MEMBER OKAMOTO: Okay.

2 CHAIR STONE: Commissioner DeRego.

3 MEMBER DELEON: It's also interesting to note

4 that the Cost of Government Commission itself is

5 established by the Charter.

6 MEMBER DEREGO: Chapter --

7 MEMBER DELEON: And -- and it -- it's an

8 oddity. Most of our boards and commission run --

9 appointments run five years. The members on the Cost of

10 Government Commission only get two. They get 24

11 meetings to make their decision and then they're off the

12 board. And they only meet like once a year. And I -- I

13 have -- as I told you before, I have a history with the

14 boards and commissions system in Maui County. And I

15 used to tell people to stay away from that, it's a waste

16 of time until -- until this particular Cost of

17 Government Commission proved me wrong. But -- but I

18 think there's something more to be done there. I think

19 they -- it could be enhanced. And I also think that we

20 ought to be looking at it in reference to the auditor's

21 position. Not -- not by itself, but, also, working as a

22 whole new way of looking at this whole way -- new way of

23 slicing the bread.

24 CHAIR STONE: Very good. Thank you. And it

25 seems like another proposal is formalizing.

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1 MEMBER DEREGO: Yeah, yeah.

2 CHAIR STONE: Keep 'em coming.

3 Commissioners, anything else? Anything else

4 anybody would like to see on next agenda as far as

5 informational?

6 (Silence.)

7 CHAIR STONE: We'll discuss it further, too,

8 via email to Lisa. All right?

9 I'm going to adjourn the meeting.

10 MS. KAHUHU: Oh, Chair, I'm sorry. I just

11 need, for myself, a couple matters of clarification.

12 I'm just concerned because some of our Members aren't

13 getting their packets. And having the stuff on the

14 table, it seems to be a lot of paper and kind of

15 confusing for you folks. Unfortunately, a lot of items

16 aren't available at the time of the mailing of the

17 packets. So what I'd like to propose, if it's all right

18 with all of you, is that I will scan everything that I

19 have when the agenda is filed and email it to you. And

20 as we get things, I'll email it to you. And at the

21 meeting, I'll have your full packets on the table. So

22 at least you get to review things via email prior to the

23 meeting, make you familiar with it, and then you'll have

24 the hard copies available at the meeting. That way --

25 you're getting so much, you know, you're getting

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1 packets, you're getting stuff on your table, it just

2 seems kind of, from what I've seen, difficult right now.

3 So, I mean, I'm just putting that out there if anybody

4 is interested in that.

5 CHAIR STONE: I think from a organizational

6 standpoint sense --

7 MS. KAHUHU: I can mail out the hard copies if

8 you want.

9 CHAIR STONE: Is everybody okay with accepting

10 email of the --

11 MEMBER DEREGO: I would love PDFs. I just put

12 them on my stick and bring my computer.

13 CHAIR STONE: But also remember that they will

14 be available here, but all organized, which would be

15 nice instead of --

16 MEMBER OKAMOTO: My only problem is the

17 minutes. I hate to read that much on the computer.

18 That's just me. If -- you know, if we got the minutes

19 ahead and everything else at the meeting, maybe that

20 would -- but I do not like trying to read the minutes on

21 the computer.

22 CHAIR STONE: What I would like to propose is

23 that who wants to they remain on the mailing list for

24 those items should tell Lisa, "I would like mailed as

25 well as PDF."

29 (Pages 113 to 116)

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1 MS. KAHUHU: Just one comment with regard --  
2 the minutes aren't usually available in mailing time, so  
3 that's why. I emailed it to you only because they  
4 weren't available as I believe -- the previous meeting  
5 minutes were available, but we can -- you know what I  
6 did, I printed it out. That's what I did. I printed it  
7 out for you guys, and then I did get it to you. But the  
8 word index wasn't available at that time, so I gave you  
9 a new hard copy. So --

10 MEMBER OKAMOTO: But typically the minutes  
11 would be available. Because, otherwise, how can we  
12 review them, if they're not available?

13 CHAIR STONE: They, obviously, have to be  
14 reviewed. So what I'm suggesting is that everybody gets  
15 PDF'd, if they can accept -- if they don't mind reading  
16 it on the computer. People who need the mailing, please  
17 just let Lisa know to continue the mailing to them.

18 MEMBER HASHIMOTO: Yeah.

19 CHAIR STONE: Commissioner.

20 MEMBER HASHIMOTO: I just want to point out  
21 that most of you around in this area, you have good  
22 access to internet. Now, we do, too, in Maui [sic], the  
23 problem is it isn't always working, you know. We're on  
24 cable. At least I have access by cable. But I also  
25 have access by broadband. And yesterday, nothing

1 worked. First of all, we lost electricity, you know,  
2 and then the cable was kind of fuzzy. So I think things  
3 kept dropping out. So I could never read all of the  
4 minutes that I wanted to.

5 CHAIR STONE: You seem like a candidate who  
6 will stay on the mailing list.

7 MEMBER HASHIMOTO: Right.

8 CHAIR STONE: Any other discussion here?

9 MS. KAHUHU: Anybody else for the mailing  
10 list?

11 MEMBER CRIVELLO: Leave me on.

12 CHAIR STONE: Okay. There we go. So we  
13 have --

14 MEMBER DEREGO: Dave.

15 CHAIR STONE: We have four Commissioners that  
16 want to stay on the mailing list. Dave --

17 MEMBER DELEON: No, no, I don't want be on. I  
18 don't want to be on. It was a new thought. Is there  
19 any other way of organizing this bulky -- this is a bit  
20 much. I was looking at what Wayne's -- he's got this  
21 little guy. He's folded it down, too, and he's got it  
22 more organized. This is like impossible. Functionally,  
23 it's impossible.

24 MEMBER OKAMOTO: I have a smaller one, but we  
25 need more dividers. I need to put in more dividers.

1 MEMBER DELEON: Yeah, the dividers.

2 MEMBER OKAMOTO: Because you need -- you know,  
3 there's nothing for minutes, there's nothing for -- so  
4 we just need to add --

5 MS. KAHUHU: That was another question. You  
6 want to organize it -- like if you look at our public  
7 review binder, it's by meeting date. So you have the  
8 agenda, you have all the items from that meeting all  
9 under one dated tab. I mean, I'm happy to make enough  
10 tabs for all of you for each meeting that comes up.

11 MEMBER SUGIMURA: I just have stickums, same  
12 thing.

13 CHAIR STONE: I think we can -- let's discuss  
14 this later. All right. We'll make sure that we're all  
15 organized, very important thing. All righty. If  
16 there's no objections, I'm going to adjourn the meeting  
17 and I will see everybody at 6:30. Thank you. And we're  
18 adjourned at -- oh, my eyes are getting bad -- 2:50 p.m.  
19 Thank you very much, everybody. Thanks so much for  
20 coming.

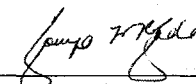
(Meeting adjourned at 2:51 p.m.)

# CERTIFICATE

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 25th day of June, 2011.

16  
17  
18 

19 Tonya McDade  
20 Certified Shorthand Reporter #447  
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