

Approved 08/15/11

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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, July 11, 2011.

Reported by: Tonya McDade, CSR, CRR
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(Monday, July 11, 2011, 12:05 p.m.)

CHAIR STONE: Hello, everyone, and thank you
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 of
today's meeting available for everyone with Lisa Kahuhu.
And as per our rules, all discussions today shall be
pertaining to these agenda items only.

Before we begin public testimony, we have a
few items of business to discuss. First of all, I would
like to call this meeting to order as of 12:07, and
recognize our Commissioners that are present or excused.

Lisa, do you have roll call for me?

MS. KAHUHU: Chair, Member Frank DeRego is
excused. And Artemio Baxa may not be able to attend.
He wasn't able to confirm that with me.

CHAIR STONE: Thank you very much. I would
also like to present our staff. Sitting next to me is
Ed Kushi Jr., Deputy Corporation Counsel; Lisa Kahuhu,
Supervising Law technician; Tonya McDade, our court
reporter. And, also, from the Mayor's Office, Executive
Assistant Mike Molina. Thank you very much for being
here.

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ATTENDANCE

BOARD MEMBERS PRESENT:

Joshua A. Stone, Chair
Wayne N. Hedani, Vice-Chair
Stephanie S. Crivello, Member
David P. DeLeon, Member
Clifford P. Hashimoto, Member
Wayne N. Hedani, Member
Susan A. Moikeha, Member
Linda Kay Okamoto, Member
Yuki Lei Sugimura, Member
Flo V. Wiger, 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

OTHERS PRESENT:

Jim Smith
Joseph Blackburn
Sally Raisbeck

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We received some last -- or minutes. And I
believe we just received these this morning, these
latest minutes. So I don't -- I think we're going to
need to defer these because it takes me a while to read
through them. All right?

So let me move to my agenda. One second.

So with that said, I would like to approve the
minutes from the following meetings: June 8, 2011,
Public Hearing; June 13th, 2011, Regular Meeting; June
13th, 2011, Public Hearing. The June 21st and June
27th, since we received this, this morning, I would like
to give everybody more time to review. So any
discussion on those minutes?

(Silence.)

CHAIR STONE: No discussion. Do I have a
motion to approve minutes?

VICE-CHAIR HEDANI: Move to approve.

CHAIR STONE: I have a motion. Second?

MEMBER OKAMOTO: Second.

CHAIR STONE: Seconded. All in favor -- or
discussion on that?

(Silence.)

CHAIR STONE: No discussion. All in favor of
approving the minutes, say "aye."

(A chorus of ayes.)

1 (Pages 1 to 4)

<p style="text-align: right;">Page 5</p> <p>1 CHAIR STONE: All opposed?</p> <p>2 (Silence.)</p> <p>3 CHAIR STONE: The minutes are passed.</p> <p>4 So, Lisa, you got that? We're deferring June</p> <p>5 21st and June 27th, okay?</p> <p>6 MS. KAHUHU: Yes.</p> <p>7 CHAIR STONE: We'll now move on to the oral</p> <p>8 testimony. Before we begin, I would like to go over our</p> <p>9 oral testimony rules. We'll call up each public</p> <p>10 testifier in the order that they registered to testify.</p> <p>11 Each person will have three minutes to testify on each</p> <p>12 item in our agenda today. If the testifier requires</p> <p>13 more time on that item, I will grant them an additional</p> <p>14 minute to complete their testimony. At the end of this</p> <p>15 additional minute, the testifier will be asked to stop</p> <p>16 their testimony. And if more time is required on an</p> <p>17 item, the testifier will be allowed an additional three</p> <p>18 minutes to complete their testimony following the</p> <p>19 testimony of all registered testifiers. Following a</p> <p>20 testifier's testimony, I will ask Commissioners if they</p> <p>21 need clarification of the presented testimony.</p> <p>22 Lisa, first testifier, please.</p> <p>23 MS. KAHUHU: Chair, our first testifier is Jim</p> <p>24 Smith, and he has two items.</p> <p>25 CHAIR STONE: Mr. Smith, thank you for coming</p>	<p style="text-align: right;">Page 7</p> <p>1 Chair, okay, as a sanction, recuse him from</p> <p>2 participating in matters because he now is a public</p> <p>3 advocate. You have to choose. He has chosen to serve</p> <p>4 as an impartial decision-maker, he can't take the other</p> <p>5 chair now. I would ask you to consider that, please.</p> <p>6 It's very, very important.</p> <p>7 The second aspect of this testimony has to do</p> <p>8 with some of the issues that -- that one considers. I</p> <p>9 worked for 10 consecutive, or more, okay, election</p> <p>10 seasons at the Haiku Community Center, okay, as a public</p> <p>11 official -- precinct official. Okay. We don't question</p> <p>12 the voters why they vote, who they vote or when they</p> <p>13 vote. That's not our business. Nobody knows. If I</p> <p>14 don't vote for any particular reason, nobody knows. And</p> <p>15 that protects my secrecy. And that's the way it should</p> <p>16 be.</p> <p>17 So if you make judgments upon the assumption</p> <p>18 that you know that a person is not voting because, one,</p> <p>19 he doesn't know the candidates, all of those types of</p> <p>20 things, that's a fiction. That's not a fact. And that</p> <p>21 should not even be considered as a reason for doing any</p> <p>22 of the above. It's the secrecy of the ballot.</p> <p>23 You got two months to study the candidates, if</p> <p>24 you're interested. You can find out who they are, if</p> <p>25 you're -- and that's always been a part of our system.</p>
<p style="text-align: right;">Page 6</p> <p>1 ...BEGIN PUBLIC TESTIMONY...</p> <p>2 MR. SMITH: Mr. Chair, Members of the Charter</p> <p>3 Commission, thank you very much for serving.</p> <p>4 This is an important testimony for me because</p> <p>5 I think what's -- what's happening is our Charter</p> <p>6 requires that you study, study the operation of</p> <p>7 government. And it is implicit that your</p> <p>8 decision-making is going to be impartial. And it's</p> <p>9 going to be based upon an accumulation of knowledge that</p> <p>10 you'll get from your study. Okay. So your integrity is</p> <p>11 based, I believe, that position pointed, you're going to</p> <p>12 study, and, then again, you're going to make decisions</p> <p>13 that are impartial.</p> <p>14 A member of this Charter Commission now is a</p> <p>15 public advocate of a specific agenda, an item that you</p> <p>16 will be deliberating upon and studying. And I would ask</p> <p>17 the Chair, or the member specifically, to recuse</p> <p>18 themselves from participation on any discussion of this</p> <p>19 particular item. Because, to me, that brings into</p> <p>20 question the integrity of your work. And any one person</p> <p>21 should not bring, by its actions or its passion, or any</p> <p>22 other thing, into question the integrity of the work of</p> <p>23 this Commission.</p> <p>24 So I would ask that the member recuse himself.</p> <p>25 And I would ask, if he does not recuse himself, that the</p>	<p style="text-align: right;">Page 8</p> <p>1 It's good there's nothing broken with that system.</p> <p>2 We have two senators in the United States</p> <p>3 Congress. California has two senators in the United</p> <p>4 States Congress. No problem. System is good. Maui's</p> <p>5 system is good until you show me it's not. And you</p> <p>6 can't show me it's not with fiction. And that's all you</p> <p>7 have to go on so far.</p> <p>8 The better question is why aren't people</p> <p>9 voting. Since 1991, we've had a new government,</p> <p>10 entrepreneurial model of government, everybody</p> <p>11 recognizes, constantly change. Bring it in. The</p> <p>12 architects are here, bring it in. How many people have</p> <p>13 increased and voted, population, since that time? Has</p> <p>14 that new political model increased public confidence?</p> <p>15 Study the question. That's the big question.</p> <p>16 Not whether or not I know whom the candidates are and</p> <p>17 why I go to vote. Please, I'd ask that you do that.</p> <p>18 And it's important because your integrity is at stake.</p> <p>19 It means something to all of us.</p> <p>20 Finally, there is an item on this minutes -- I</p> <p>21 mean -- not minutes -- testimony. Okay. And it would</p> <p>22 appear to me, one of the problems that I've experienced</p> <p>23 over the years is -- is the reluctance of a chair or --</p> <p>24 or a body to take charge of public testimony. Okay.</p> <p>25 Because when someone is commenting on the same issue</p>

2 (Pages 5 to 8)

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<p style="text-align: right;">Page 9</p> <p>1 more than once, you're only allowed by rule to comment 2 once. So why can't that continue on to another meeting? 3 If you want to testify on five items, there's no reason 4 why you should have not one specific time. For example, 5 you have one minute for each of your other items and 6 three and -- or you have five minutes for all three. I 7 mean, that would do it.</p> <p>8 And it's not the time; it's the validity of 9 participation that's the important thing, and the 10 argument or the position in fact that they give you. So 11 that a board can continue a testimony or restrict it. 12 It's not a formality; it's (inaudible), it's that 13 connection that you preserve by accepting our 14 testimonies and then suspecting there may be something 15 meaningful. And if there is, don't lock it down to 16 three minutes. My goodness. Chair has that option of 17 doing that, of getting the Board's approval to continue 18 to get testimony.</p> <p>19 Thank you very much for your time.</p> <p>20 CHAIR STONE: Thank you, Mr. Smith. 21 Commissioners, clarification or questions on the 22 testimony?</p> <p>23 MEMBER OKAMOTO: I have one question. Are 24 you -- specific parts of the Charter that you are 25 talking about, or are you just in general?</p>	<p style="text-align: right;">Page 11</p> <p>1 MR. BLACKBURN: Anyway, my testimony is going 2 to be on the Public Safety Commission. And the need 3 that -- I, actually, helped put together some of the 4 first testimony and pushed and advocated for that. Now, 5 having retired from the fire service as a captain, 6 having worked for Maui Electric as a safety director, 7 retired there, gotten a couple degrees, I kind of think 8 that a commission of that situation is not necessary.</p> <p>9 And the reason is, number one, it's hard to 10 have accountability without responsibility. And if 11 you're going to tell the mayor that you're in charge of 12 all these departments, and then put a commission in 13 between, it's difficult because now you've got another 14 layer of bureaucracy to deal with.</p> <p>15 The other part of it is cost. That 16 commissions cost money. They cost time. I mean -- and 17 it's not really -- and the volunteers are great. I 18 mean, you know, you volunteer on a commission, you're 19 giving up your time and energy. But it also costs the 20 County time and energy.</p> <p>21 So I really think, unless it's a law 22 enforcement situation -- and I was a police officer, 23 too -- that it really should be placed, you know, Public 24 Safety as far as the Fire Department, Civil Defense, 25 should be placed back under the mayor. Because, in the</p>
<p style="text-align: right;">Page 10</p> <p>1 MR. SMITH: Specifically, I'm talking about 2 Section 14-3. Okay. And that is, I believe, Mandatory 3 Review. And I believe that that provision regarding the 4 Commission is that -- it's not numbered. It's the first 5 thing. It says the mayor may appoint a Charter 6 Commission composed of 11 members to study and review 7 the operation. That is 14-3, Mandatory Review.</p> <p>8 MEMBER OKAMOTO: Thank you.</p> <p>9 MR. SMITH: You're welcome.</p> <p>10 CHAIR STONE: Commissioners, any further 11 clarification?</p> <p>12 (Silence.)</p> <p>13 CHAIR STONE: No. Thank you very much, 14 Mr. Smith.</p> <p>15 MR. SMITH: You're welcome.</p> <p>16 CHAIR STONE: Lisa, next testifier, please.</p> <p>17 MS. KAHUHU: Joseph Blackburn, one item.</p> <p>18 CHAIR STONE: Was that Lackburn? I'm sorry. 19 Excuse me. Let's get it straight.</p> <p>20 MR. BLACKBURN: Don't get me going. It's 21 Blackburn.</p> <p>22 CHAIR STONE: Blackburn, thank you.</p> <p>23 MR. BLACKBURN: But I've been called various 24 other names. 25 (Laughter.)</p>	<p style="text-align: right;">Page 12</p> <p>1 end, if things don't go right, he will be ultimately 2 blamed.</p> <p>3 And, again, it's a two-fold reason, right? 4 Cost and accountability.</p> <p>5 And -- and I was a very -- when I was in the 6 Fire Department, I was so strong that we needed a 7 commission. And now that I've watched it operate and 8 seen what really goes on, and then now, as a small 9 businessman, I'm like, boy, we've got to reduce costs, 10 we've got to make it easier for people to make decisions 11 and get decisions done. And that's the reason for my 12 testimony today.</p> <p>13 CHAIR STONE: Mr. Blackburn, thank you very 14 much. Commissioners, clarification on the testimony, 15 questions?</p> <p>16 MEMBER SUGIMURA: Hi. Thank you, 17 Mr. Blackburn. So I'm Yuki Sugimura. And I'm here at 18 the Commission meeting. Sorry I came in late. But I 19 wanted to ask you, so what do you see that the Public 20 Safety Commission is not doing or that they can do 21 better, or why are they a hinderance, based upon your 22 testimony?</p> <p>23 MR. BLACKBURN: Well, I think it's more -- 24 it's just another layer that makes it difficult for 25 decisions to be made in a timely manner. That,</p>

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1 ultimately, now, the commission is firing and hiring the
2 chief, which, if you're the mayor, may or may not be a
3 situation that's -- you know, if you can work with the
4 chief, but, I mean, I -- I've seen situations where
5 people did not get along, that, in this situation, if
6 you've got a problem with the chief and you're the
7 mayor, you fire the chief. Right now, if you've got a
8 problem, you can't do anything about it. And vice
9 versa. The chief wants to be able to work with the
10 mayor. So you would want to have two people on the same
11 page. I think that's really, really, really important.

12 CHAIR STONE: Sure. Please, Commissioner
13 Crivello.

14 MEMBER CRIVELLO: Hi. How do you see the
15 Public Safety, Fire Commission differ from the Police
16 Commission as far as when you say there's a
17 bureaucracy --

18 MR. BLACKBURN: Uh-huh.

19 MEMBER CRIVELLO: -- in actually reporting to
20 the mayor?

21 MR. BLACKBURN: That's an excellent question.
22 The reason I believe you need a Police Commission is
23 because of law enforcement, that it could get a little
24 dicey if there was a situation involving higher-ups,
25 that the mayor, if they were directly in charge of the

1 formed?

2 MR. BLACKBURN: They wanted to see increased
3 professionalism within the department. They wanted a
4 situation where if you were young in the department that
5 you could look ahead and say this is what I need to do
6 to become a fire chief. That's why it was formed.

7 And in reality, that really hasn't occurred.
8 Nothing against anybody in any position right now, but,
9 as far as qualifications go, there really are none. I
10 mean, you can -- you can be a captain for five years,
11 that does not qualify you to be a chief. You really
12 need to understand that.

13 And, again, I didn't understand all of this
14 when I was in the department because you have a limited
15 perspective. Getting out of the department and running
16 my own business, I'm now like, wow, you really need to
17 be good at spreadsheets, you need to know personnel
18 matters, you better know workers' comp laws. Maui
19 Electric, I did a lot of workers' comp investigation.
20 You -- there's so much more than just being in a
21 firehouse and putting out a fire. And -- and that level
22 of position needs that expertise.

23 And a lot of the people now, who are in the
24 upper levels, aren't really happy because they're now
25 thrust in this very difficult situation that, really, I

1 Police Department, might have undue influence on a legal
2 situation. Right? Whereas, in a Fire Commission
3 situation, you're really not doing law enforcement;
4 you're just -- you're, basically, responding to issues
5 and -- and crises within the community. But you're not
6 going to be a -- you know, I've never, in my career, saw
7 anybody arrested by anybody in the Fire Department. And
8 I think that's the reason why a commission for the
9 police is that buffer, that you don't get undue
10 influence over something that could end up as a criminal
11 matter.

12 MEMBER CRIVELLO: Thank you. Can I say
13 something else?

14 CHAIR STONE: Sure. Please, another question.

15 MEMBER CRIVELLO: In your opinion, as a
16 past -- retired firefighter, is that --

17 MR. BLACKBURN: Retired fire rescue captain.

18 MEMBER CRIVELLO: Okay. The commission was
19 formed through the encouragement or lot of the campaign,
20 if you want to say, by firefighters, by the firefighters
21 themselves.

22 MR. BLACKBURN: Yes.

23 MEMBER CRIVELLO: Would you kind of have some
24 impression -- what was your perspective as to why the
25 firefighters themselves wanted to see the commission

1 don't think they expected because the firehouse and --
2 and administration are just two -- two totally different
3 things.

4 MEMBER CRIVELLO: So --

5 CHAIR STONE: Another question.

6 MEMBER CRIVELLO: In your opinion, just what
7 you're saying, the mayor would appoint, perhaps,
8 somebody who is not part of the Fire Department? I
9 mean, if it goes back to the mayor's appointee. I mean,
10 in the past, when the mayor or the administration was in
11 charge, or had the directive to appoint the chief, did
12 it come from within the ranks, or --

13 MR. BLACKBURN: It -- it --

14 MEMBER CRIVELLO: -- did it come from outside,
15 who would have all the spreadsheet information or
16 what-have-you?

17 MR. BLACKBURN: It came from within the ranks.
18 And -- and I think what we're looking for, at least my
19 personal situation, would be a process that takes a lot
20 of these situations into account. Where, you know, the
21 -- I'll look at it this way: When we -- I interviewed
22 at Maui Electric, the interview was three hours long and
23 completely numerically scored, very difficult questions.
24 My interview for chief was probably 45 minutes, and
25 there was no second or third interview. And so I think

<p style="text-align: right;">Page 17</p> <p>1 because of a commission situation, trying to get all 2 these people in the same room to make personnel 3 decisions is difficult. I think personnel decisions 4 should be left to the -- to the mayor. 5 CHAIR STONE: Commissioner DeLeon. 6 MEMBER DELEON: Do you believe -- Joe, do you 7 believe that the commission -- the Police Commission -- 8 I mean, the Fire Commission took the politics out of the 9 selection of the fire chief? 10 MR. BLACKBURN: No, it did not. 11 MEMBER DELEON: Following up, do you -- can 12 you give a concrete example of how having a commission 13 kind of slows things down? 14 MR. BLACKBURN: Well, I think it's become a 15 little bit more of a popularity contest because 16 firefighters will like the person who says and is really 17 nice. And sometimes you may want somebody who really 18 isn't nice or will do and make the difficult decisions. 19 And so I really don't want to give concrete examples, 20 but I think, in the last two situations, the process, 21 again, wasn't, I think, geared for running a 22 multi-million-dollar organization. And that's what we 23 have to have. 24 And like I say, everybody who is in department 25 I love. My two sons are in the department, so I would</p>	<p style="text-align: right;">Page 19</p> <p>1 distinguish it from the pile of paper you have to go 2 through. 3 I'll just hit the highlights. 4 The most important thing you'll do today is 5 choose, hopefully, an analyst and a secretary. That is 6 crucial to your -- to your effectiveness. Getting the 7 right one, on both of them, is really crucial. And I 8 hope you will not allow any factors except who is the 9 best person to determine your -- your decision. 10 The second thing I will just touch on very 11 briefly is I think some of you still feel that you're -- 12 that you are not independent of the Council. And I 13 think for you to do good work, you have to understand 14 that you're independent of the Council. And that is 15 your strength. And every 10 years, we get a chance to 16 have decisions made that are independent of the Council. 17 When it involves the power of the Council, that's very 18 important. 19 I have given you some -- if you will read the 20 green thing, when you have time. For example, Mr. Kushi 21 has told you, you have to spend two months at the end of 22 your tenure in going back and forth between the Council. 23 But I think an independent attorney could tell you this 24 is not necessary and is going to be a mere waste of 25 your -- of your very valuable time. But you can check</p>
<p style="text-align: right;">Page 18</p> <p>1 not want to make something worse for them. But I 2 think -- as they sit in the fire station, I want them to 3 think to themselves, if I want to be chief one day or a 4 battalion chief or assistant chief, what do I have to do 5 above and beyond coming to work. And that's what I want 6 them to start thinking about. And I'm not sure that has 7 been ingrained yet. And I can tell you that because I 8 -- I harp on that. 9 CHAIR STONE: Commissioners, any further 10 clarification from Mr. Blackburn? 11 (Silence.) 12 CHAIR STONE: No. Thank you very much for 13 your time and testimony. 14 MR. BLACKBURN: Thank you. 15 CHAIR STONE: Thank you. Lisa, do we have 16 another testifier? 17 MS. KAHUHU: Yes, Chair. Sally Raisbeck. She 18 listed nine items. 19 MS. RAISBECK: It's a joke. 20 (Laughter.) 21 CHAIR STONE: Thank you for letting me off the 22 hook there, Sally. Ms. Raisbeck. 23 MS. RAISBECK: I do want Lisa to pass out the 24 testimony that I would have given if I had all nine 25 items to testify on. It's on green so that you can</p>	<p style="text-align: right;">Page 20</p> <p>1 that out and see what you think about that. 2 As far as communication with the public is 3 concerned, I did send in a testimony, on July 3rd, that 4 didn't make it onto the agenda. And I'm not sure why 5 that happened, but it was essentially concerned with 6 your rules. And I know that you have a rules item on 7 your agenda. But my -- my testimony I sent in July 3rd 8 didn't make it. But it -- you'll get it eventually. 9 Summary minutes. Summary minutes are going to 10 be crucial for your communication with the public and 11 even when members miss a meeting. If you had summary 12 minutes, they could be ready the next day. And they 13 could be approved by the Chair or the Vice-Chair and 14 posted as draft minutes on the website. Everybody would 15 know what had happened at your meeting. 16 For example, you went to Hana recently. I 17 would love to know what happened at Hana. I have no way 18 of knowing what happened at Hana for a month when -- 19 when the transcript is done and it's approved. 20 So your communication with the public is very 21 flawed. If you had summary minutes -- they're perfectly 22 legal -- and they can be done by -- a qualified person 23 can do excellent summary minutes that get the essence of 24 your meeting without having it be 40 pages long. 25 You also need the transcript. I am -- I am</p>

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<p style="text-align: right;">Page 21</p> <p>1 not saying that Tonya is not necessary. She's an 2 absolutely remarkable court reporter. And it's 3 wonderful for future reference to have the full 4 transcript. But for working purposes, you really need 5 the summary minutes. 6 I did want to just say something about the 7 Water Board. One of your communications today is about 8 the Board of Water Supply. I was on the Board of Water 9 Supply for three years, after it had become advisory. 10 And I agree with the gentleman who sent you a letter, 11 it's totally useless. Better to get rid of it. 12 For the same reason that the previous 13 testifier thought a Fire and Safety Commission 14 interfered with efficiency, I think the Water Commission 15 interferes with efficiency. It has no useful role, no 16 necessary role, and should be eliminated. 17 Mainly, if you -- again, if you read my green 18 testimony, I would say that you may feel that a semi -- 19 a strong semiautonomous board, as described by 20 Mr. Taylor, would be a good change. I don't think so. 21 I think it would get into a power struggle with the 22 Council. And the Council is the one who determines 23 where development takes place and how much development 24 takes place. And the water is crucial to development. 25 So just the same way Mr. Taylor said certain financial</p>	<p style="text-align: right;">Page 23</p> <p>1 testifiers signed up. 2 CHAIR STONE: Thank you. If there are no 3 objections, I would like to close oral testimony at this 4 time. 5 (Silence.) 6 ...END PUBLIC TESTIMONY... 7 CHAIR STONE: And without objections, the 8 Chair will accept and file all public communications for 9 the record. 10 (Silence.) 11 CHAIR STONE: Let's move on down our agenda. 12 Moving on to Communications, we have Items A through E 13 Commissioners, any discussions on Communication items? 14 Commissioner DeLeon. 15 MEMBER DELEON: I would like to ask the Board, 16 how do you guys want to take these items when they come 17 in? They're Charter proposals, ideas here for changing 18 things. How are we going to incorporate this in our 19 conversation and in our -- I mean, if this is all we 20 get. I mean, we've got a County board saying we 21 shouldn't exist anymore. We got another two members of 22 another board saying there's a problem with, you know, 23 the way it's structured, that's the Water Department 24 board. These things are in here, but, I mean, how do we 25 get them out and make them functional?</p>
<p style="text-align: right;">Page 22</p> <p>1 aspects have to be in one -- in one pocket, I think the 2 water has to go with the financial decisions on the 3 Water Board. With the financial decisions for the Water 4 Board, the use of the water is part of development and 5 it has to stay with the body that has the final decision 6 on development. 7 Oh. List of proposed amendments. This is 8 something that's very important. I don't know if the 9 Commission yet has a list of proposed amendments. If 10 you don't, obviously, you should. And if anybody has a 11 private list, I would love them to email it to me. If 12 anybody is keeping a list of the proposed amendments, 13 please email it to me. I would love to see it. 14 My last item was, what are the big three 15 topics. So far, the big three are district voting and 16 Office of County Auditor, and the Board of Water Supply. 17 And you'll be hearing more from me in the future on all 18 of those subjects. 19 Thank you. 20 CHAIR STONE: Thank you, Ms. Raisbeck. 21 Commissioners, any clarification on the testimony? 22 MS. RAISBECK: Thank you. 23 CHAIR STONE: Thank you so much. 24 Lisa, do we have any further testifiers? 25 MS. KAHUHU: Chair, there are no further</p>	<p style="text-align: right;">Page 24</p> <p>1 I mean, I would like to have a conversation 2 about the Board of Variances. I would like to get 3 somebody to come in and explain to us whether the Board 4 of Variances could take over variances from -- or the 5 appeals from the Water Department and the Board of Code 6 Appeals and not be -- not be load -- overloaded. 7 Because I know the Board of Code Appeals hardly ever 8 meets. 9 Conversely, the Board of Water Supply has a 10 long list of appeals that they can't work their way 11 through. Heaping that on an already crowded agenda of 12 the Board of Variances could be a problem, I would 13 think. But we're going to need to hear from somebody 14 about this. So -- and I know that, as we heard from Joe 15 earlier, I think the status of boards and commissions is 16 going to be something that we're going to review. So 17 here, we have items on the agendas, I don't want to see 18 them get lost and I don't want to go without a 19 conversation about them. 20 CHAIR STONE: Agreed. I think, as we 21 discussed, Commissioner DeLeon, we need to put all these 22 proposals, list them appropriately, and then move on to 23 discussion of the items. I think if we start 24 piecemealing the discussions, it's going to get very 25 sloppy and we're going to lose time.</p>

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<p style="text-align: right;">Page 25</p> <p>1 Commissioner.</p> <p>2 MEMBER SUGIMURA: So I think -- are we going</p> <p>3 to stick to our plan that we're going to, basically, go</p> <p>4 through all of our first round of public hearing and</p> <p>5 hear from everybody and then, hopefully by then, we've</p> <p>6 hired our analyst and secretary, and maybe we can</p> <p>7 proceed? So we get all the input from the community</p> <p>8 first for the first round?</p> <p>9 MEMBER DELEON: Okay.</p> <p>10 CHAIR STONE: That's the way I would like to</p> <p>11 proceed.</p> <p>12 Commissioner Okamoto.</p> <p>13 MEMBER OKAMOTO: I started this weekend</p> <p>14 putting together just sort of a spreadsheet, which I</p> <p>15 think I passed over to Josh. And all I did was take the</p> <p>16 very first public meeting and list some of the items.</p> <p>17 To me, if we can get them on some sort of a list and</p> <p>18 then group them by the part of the Charter and we then</p> <p>19 go through the Charter, okay, we've got a lot of people</p> <p>20 saying about Section 3 or Section 4. And because there</p> <p>21 are so many of them that are duplicating, or that are</p> <p>22 opposing, that if we have them all in one and if they're</p> <p>23 coded properly, we can sort by the part of the Charter</p> <p>24 that we need to look at.</p> <p>25 We also have a lot of comments that probably</p>	<p style="text-align: right;">Page 27</p> <p>1 don't think it's fair to put one or two or three out</p> <p>2 there when there are probably 50 to 100 right now.</p> <p>3 MEMBER OKAMOTO: And I would want the -- even</p> <p>4 if a secretary or analyst puts that list together, I</p> <p>5 think we have to approve it before it goes out. Because</p> <p>6 maybe when they are reading minutes, we may have been</p> <p>7 there and heard what was said, and there might be a</p> <p>8 difference.</p> <p>9 CHAIR STONE: Point noted.</p> <p>10 MEMBER OKAMOTO: Yeah.</p> <p>11 CHAIR STONE: Good. Any further discussion?</p> <p>12 MEMBER DELEON: Yeah, Mr. Chair.</p> <p>13 CHAIR STONE: One second.</p> <p>14 MEMBER DELEON: Sorry.</p> <p>15 CHAIR STONE: Commissioner Wiger.</p> <p>16 MEMBER WIGER: So just -- I want to make sure</p> <p>17 that I'm tracking and getting all of it. So the intent,</p> <p>18 then, is we hire the analyst and the secretary, we</p> <p>19 conclude our public meetings -- which will be done by,</p> <p>20 if my calendar is correct, the end of this month, in</p> <p>21 Kihei.</p> <p>22 CHAIR STONE: Correct.</p> <p>23 MEMBER WIGER: Shortly thereafter, we should</p> <p>24 have some kind of a spreadsheet which will have all of</p> <p>25 that information available. And then, as quickly as</p>
<p style="text-align: right;">Page 26</p> <p>1 don't have a very specific part of the Charter that</p> <p>2 we're looking at. But that can be separated out. But</p> <p>3 it does, I think, require getting that person -- I mean,</p> <p>4 I went through --</p> <p>5 MEMBER SUGIMURA: It's hard.</p> <p>6 MEMBER OKAMOTO: -- one meeting. And I know</p> <p>7 didn't get it all because I just put highlights of that</p> <p>8 very first meeting. And I think I ended up with eight</p> <p>9 or 10 items. But I realize that if you put the exact</p> <p>10 section in the Charter, then we can sort that way quite</p> <p>11 easily.</p> <p>12 CHAIR STONE: Right. And I think this is why</p> <p>13 it's critical that we -- we get a analyst hired, get the</p> <p>14 list together and out to the public as soon as possible.</p> <p>15 And, again, it's an organic list, so that list should be</p> <p>16 updated.</p> <p>17 I like Ms. Raisbeck's idea having it posted on</p> <p>18 the website as it updates. And that way, people can see</p> <p>19 what the proposals are. And that generates interest</p> <p>20 from our public. Just because we're not going to be</p> <p>21 discussing proposals doesn't mean that the public</p> <p>22 shouldn't see what the proposals are to date.</p> <p>23 But you can see how much -- look at our bibles</p> <p>24 we are holding and how much information needs to be</p> <p>25 sorted through to get all the proposals out there. I</p>	<p style="text-align: right;">Page 28</p> <p>1 possible, that gets placed on a website.</p> <p>2 CHAIR STONE: That's what I would like to see.</p> <p>3 That's my intent. I think that it's important for the</p> <p>4 public to see what our proposals are because --</p> <p>5 MEMBER WIGER: Yes.</p> <p>6 CHAIR STONE: -- in the time that we're</p> <p>7 discussing, we still want public input on those items.</p> <p>8 MEMBER WIGER: Yes. So is there any way of --</p> <p>9 okay. So the rest of it, then, I'm tracking on. Is</p> <p>10 there any way of short-circuiting the piece about</p> <p>11 getting it out on the website? I guess I think that the</p> <p>12 longer we go without people in the public having</p> <p>13 something, whatever it is, to just know that it's there,</p> <p>14 I think the more frustrated people become. It's, well,</p> <p>15 there's this commission and they're meeting and okay.</p> <p>16 But in terms of the rest of it, hiring the analyst,</p> <p>17 hiring the secretary, having the public meetings,</p> <p>18 getting the spreadsheet, I'm there.</p> <p>19 The issue -- I guess one of my big issues is</p> <p>20 how are we communicating with the public? Because</p> <p>21 there's stuff that goes out that says, okay, there's a</p> <p>22 public meeting, people know that, and then it's, okay,</p> <p>23 well --</p> <p>24 MEMBER DELEON: So what?</p> <p>25 MEMBER WIGER: Yeah. And so I think -- I</p>

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1 don't think that there's -- I don't think that there's a
2 huge outcry in the public, but I think all of us know
3 people that are saying, what's going on, and there's --
4 there's a certain amount of hesitancy to say anything
5 because we haven't come to any kind of closure on any --
6 well, we're meeting. Well, what are you talking about,
7 what's going on, what's happening. So I think -- and I
8 think anytime there's a new group formed, that's a
9 response people have. That's just --

10 CHAIR STONE: I think one of the items on our
11 agendas coming up is our -- our subcommittee on public
12 outreach or public --

13 MEMBER WIGER: Relations.

14 CHAIR STONE: -- relations.

15 MEMBER WIGER: Yeah.

16 CHAIR STONE: So that could be a good idea.

17 MEMBER WIGER: Okay.

18 CHAIR STONE: Just so you guys know, every
19 opportunity the Chair has, I get on a radio station or a
20 TV show to discuss the Charter and -- and get as much
21 interest as we can. And all of us should. I think
22 that's part of our job, is getting the public interested
23 in the Charter Commission. So we're going to do our
24 best at it.

25 We have to be very cautious, again, about

1 piecemealing the process, though; otherwise, we're going
2 to run into trouble. Because if we hire an analyst and
3 we have this -- this setup -- which is fantastic, thank
4 you so much for doing that, by the way -- but it could
5 muddy the waters. And I think we're almost there. You
6 know, we're getting there. Our public outreach period
7 is almost over, and the public will still have the
8 ability to discuss the proposals before we're making
9 decisions. So I think we're -- I think we're on track.
10 I understand the concern.

11 Commissioner DeLeon.

12 MEMBER DELEON: I think Flo and I are on the
13 same wavelength and -- and if I hearing right. I'm kind
14 of concerned about us having to come back and digest the
15 list before it can go out. I think the list is the
16 list, whatever -- whatever is out there. And we can
17 amend it. I mean, if it's -- if we don't agree, that,
18 no, nobody ever said that. I don't think items are
19 going to find their way on this list arbitrarily, I
20 mean, by themselves. They're going to be either in the
21 record or not in the record.

22 My concern is waiting another month or so to
23 get us to approve a list telling people what's up. I
24 mean -- and then we can come back at it and clean it up
25 and -- and make adjustments necessary for the record.

1 But, I mean, just a simple list saying what's been
2 proposed should get out as soon as possible.

3 CHAIR STONE: Commissioner Okamoto.

4 MEMBER OKAMOTO: Well, I don't think there's
5 such a thing as a simple list. You know, that's just
6 me. As I read back through just the first meeting --
7 and, you know, I read -- in my mind, I was thinking one
8 thing, and I read, you know, then the minutes, and I
9 went, oh, that's right, he said -- and that was really
10 different than what I had come up with. I don't think
11 there is a simple list. If there were, then, yes, I
12 would be all for it.

13 And it may only be the first time the list is
14 produced, because after you get the way the list -- and
15 we all agree that's -- that should go out, then adding
16 on to it may be easy. But I would not want to see a
17 first list go on a website that we had not seen.

18 MEMBER SUGIMURA: Me, too.

19 CHAIR STONE: Point taken. Commissioner
20 DeLeon.

21 MEMBER DELEON: So you're talking about the
22 Kula -- I mean, the Pukalani meeting?

23 MEMBER OKAMOTO: Yes. That was the first
24 public --

25 MEMBER DELEON: That was really rich.

1 MEMBER OKAMOTO: Yeah.

2 MEMBER DELEON: It was a real rich --

3 MEMBER OKAMOTO: There was a lot of --

4 MEMBER DELEON: Load of stuff, yeah.

5 MEMBER OKAMOTO: And that's why it was really
6 difficult, because some of the testifiers had three or
7 four totally different subjects. And I don't think you
8 can get a real simple list.

9 MEMBER DELEON: Okay.

10 CHAIR STONE: Commissioner Sugimura.

11 MEMBER SUGIMURA: I just want to add that I --
12 as a Commissioner, I've attended five years or so of
13 Maui Redevelopment Agency meetings, happens every
14 Thursday, third Thursday of the month. And it's the
15 Wailuku things. That's -- that's kind of my kuleana.
16 But, actually, there's probably more people that come to
17 this than come to the MRA meeting. They handle --
18 they're handling volatile stuff. So the information is
19 partly, you know, it -- it will get out in the community
20 in a way that it gets out in the community. Sometimes
21 we get The Maui News. We hardly ever had Akaku. This
22 is a great way of getting the news out, the word out.

23 I think all of us are feeling this -- just a
24 little bit of anxiety that we want to get information
25 out there. But I think the most responsible thing we

<p style="text-align: right;">Page 33</p> <p>1 can do is to let the community come to all these 2 community meetings and present what they need to say, 3 and then we can come out with our list. Because we need 4 to be fair to all the people that we -- you know, to 5 hear from the greater community if we could. I kind of 6 feel like that. Because not enough people are just 7 going to show up, you know, at our regular meetings. 8 So sorry, Dave. 9 CHAIR STONE: Commissioner Moikeha. 10 Thank you. Point taken. 11 MEMBER MOIKEHA: Are we still on Item A, New 12 Business? 13 MEMBER DELEON: No. 14 CHAIR STONE: No, we're discussing 15 Communications. 16 MEMBER MOIKEHA: Yeah. Which is New Business, 17 A? 18 CHAIR STONE: Oh, excuse me. Yes. 19 MEMBER MOIKEHA: Discussion on communication. 20 I do have some requests as a result of some of the 21 communications, but I can wait until we get to 22 discussing our agenda items, if you would prefer. 23 CHAIR STONE: Let's go to -- actually, we can 24 discuss it now. Go ahead. 25 MEMBER MOIKEHA: Okay. So I would like to</p>	<p style="text-align: right;">Page 35</p> <p>1 departments actually function, and is there really a 2 need for change. And I would like to hear it from both 3 sides of those issues. 4 I think that's it on the requests for 5 further -- 6 In regards to this process, we keep talking 7 about it every single time. And I know Dave is anxious 8 to get something out there, but there is so much to do 9 right now just to learn, the learning curve. I mean -- 10 and I just gave you a few examples. And maybe I'm the 11 only one that is a little behind here, but I think that 12 we have one more regular meeting this month, and we have 13 a couple more public meetings, and then we're into it. 14 CHAIR STONE: Uh-huh. 15 MEMBER MOIKEHA: And, hopefully, we'll get 16 someone hired today and they'll have the next three 17 weeks to put this wonderful list together and then we 18 can move on. And that's how I feel about it. But in 19 the meantime, there's stuff to be done. And I'm more 20 than willing to ask and request for resource people to 21 be here so that we can get some stuff that we need. 22 CHAIR STONE: Very good. Thank you. Those 23 requests will all go out. 24 Commissioner Wiger. 25 MEMBER WIGER: In addition to -- and I agree</p>
<p style="text-align: right;">Page 34</p> <p>1 request to have the Chair of the Board of Code Appeals, 2 if he could be present and scheduled. They are making a 3 recommendation there. Also, since that recommendation 4 involves the Board of Variance and Appeals, if we could 5 have their chair there. And then if someone could be 6 there from the department that these boards fall under 7 to just give me a more background overview of exactly 8 what this department -- well, what these commissions do, 9 what kind of authority they have, in their opinion, are 10 they serving the department to the best they can, 11 inefficiency, et cetera, et cetera. So those would be 12 the three requests on that communication. I would also 13 like to hear from the chair of the Fire and -- 14 CHAIR STONE: Commissioner Moikeha, let me 15 just make sure Lisa has got that. Lisa, did you get 16 those? 17 MS. KAHUHU: Yes. 18 CHAIR STONE: Okay. Continue. 19 MEMBER MOIKEHA: Then I would also like to see 20 if we can have the chair of the Fire and Public Safety 21 Commission come, and then an appropriate person from the 22 Fire Department to do the same thing. Looking at 23 structure and how it's worded within the Charter, I 24 mean, it really means nothing to me. I need more 25 background and more information as to how these</p>	<p style="text-align: right;">Page 36</p> <p>1 with Susan, getting -- getting more information on both 2 sides, I think, is very important. In addition to that, 3 I'm referring back to the conversation we had with 4 public testimony at Hana. And there were a couple of 5 the folks who brought up the issue of the Liquor 6 Commission. I would like someone -- 7 MEMBER SUGIMURA: That's a good one. 8 MEMBER WIGER: Not a clue who, but someone 9 needs to come and explain that whole process, at least 10 to me, because I don't get it at all. 11 CHAIR STONE: Very good. We'll organize 12 somebody to come and discuss the process. 13 MEMBER WIGER: Thank you. Well, what they do 14 and why and all that. 15 CHAIR STONE: Commissioner Sugimura. 16 MEMBER SUGIMURA: So if we're talking about 17 those commissions, then, how about also for Police? So 18 we have Police, Fire and Liquor? 19 CHAIR STONE: Okay. Yes? 20 MS. KAHUHU: Clarification, Chair. I'm sorry. 21 So is that the Liquor Commission and the Liquor 22 Adjudication Board? 23 MEMBER SUGIMURA: Yeah. 24 CHAIR STONE: Yes. We need to understand that 25 process. I think most of us are completely in the dark</p>

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1 on how that works. But we heard a lot of testimony
 2 concerning those commission, so --
 3 MS. KAHUHU: Thank you.
 4 CHAIR STONE: Then, also, request for --
 5 MS. KAHUHU: Police?
 6 CHAIR STONE: -- Police.
 7 Yes?
 8 MR. MOLINA: Yes. Thank you, Mr. Chairman.
 9 As I'm listening and certainly understanding the anxiety
 10 some of the commissioners may have with regards to the
 11 process and the time deadlines you're facing and wanting
 12 to get additional information, might I suggest possibly
 13 bringing in the former chair of the prior Charter
 14 Commission, Terry! Venc! She could probably lend some
 15 insight as to how they proceeded with their own process
 16 in getting out the Charter amendments as well. So just
 17 some food for thought, if that is something the
 18 Commission would like to consider as well.
 19 CHAIR STONE: That's good input. Thank you
 20 very much. We shall do that.
 21 Commissioner DeLeon.
 22 MEMBER DELEON: While we're in the process of
 23 requesting, we have not heard the Mayor's proposal yet.
 24 And I think the Mayor's proposal has got to -- will be
 25 balancing some of these boards and commissions,

1 particularly on the Mayor's rights and abilities and
 2 powers. So if we're going to have that conversation,
 3 hopefully, the Mayor's Office would be represented and
 4 present, either -- not necessarily the Mayor, but maybe
 5 the Managing Director or somebody higher up in the staff
 6 that can speak for the Mayor.
 7 CHAIR STONE: The Mayor's Office has -- has
 8 put out that they will contact us before August 1st, and
 9 we will be able to get somebody here to speak on their
 10 behalf.
 11 MEMBER DELEON: Okay. And in reference to the
 12 boards and commissions, I'm thinking of.
 13 CHAIR STONE: Yeah. I believe there's a --
 14 Mr. Molina, there's a large packet coming from the
 15 Mayor's Office?
 16 MR. MOLINA: Yes. That is -- you're correct,
 17 Mr. Chairman. And I believe the -- it will either be
 18 the Managing Director -- I'm sure the Mayor may make an
 19 appearance as well. And I will certainly try to meet
 20 your deadline. And the Administration is confident in
 21 getting the information to you as soon as possible in
 22 light of the amount of information you will be
 23 receiving, not only from the Administration, but the
 24 general public as well.
 25 CHAIR STONE: Thank you.

1 Does that answer your question, Commissioner
 2 DeLeon?
 3 MEMBER DELEON: Yeah.
 4 MS. KAHUHU: Chair, I apologize for
 5 interrupting.
 6 CHAIR STONE: No problem.
 7 MS. KAHUHU: I need clarification. Are you
 8 wanting these people all to appear on the July 25th
 9 meeting?
 10 CHAIR STONE: No. That won't be possible.
 11 MS. KAHUHU: Okay.
 12 CHAIR STONE: So what we need to do is, let's
 13 get a list together, and we'll split it up amongst the
 14 normal meetings.
 15 MS. KAHUHU: Okay.
 16 CHAIR STONE: All right. Of course, I think,
 17 also, Lisa, we're going to have to work around their
 18 schedules. So --
 19 MS. KAHUHU: Yes.
 20 CHAIR STONE: More work. Good. Okay.
 21 MEMBER HASHIMOTO: Chair?
 22 CHAIR STONE: Yes, Commissioner.
 23 MEMBER HASHIMOTO: I was just thinking about
 24 something that Sally Raisbeck said today. I was
 25 thinking about the same thing this weekend, also.

1 Because I went through, I believe, Article 15 or
 2 something -- anyway, one of the articles that -- that --
 3 that was -- I guess there were instructions to the
 4 Charter Commission, and that was to review and -- what
 5 was the other word she used?
 6 CHAIR STONE: Review and study.
 7 MEMBER HASHIMOTO: Reviewed, yeah, and study,
 8 which is something we haven't yet done on -- on any of
 9 the articles yet. What we've done here is just
 10 listening to what -- what the testifiers are saying
 11 about whatever article that they -- they think of. I
 12 just wondered -- and my suggestion was going to be that
 13 perhaps we should really do that. We should -- this
 14 Commission should set each one of the articles together.
 15 And then from -- by doing so, going over each one of
 16 them, we are going to find that a lot of the testimony
 17 that we hear is -- is gonna fit into one of those
 18 articles, because people have that subject at issue.
 19 And -- and, in fact, if we -- I think if we continue to
 20 just listen to -- to the public testimony and not,
 21 actually, study it ourselves, we're going to leave
 22 something out, something that's important. Some part
 23 of -- any number of the articles have something in there
 24 that -- that needs to be looked at and examined and --
 25 and see if it's important or unimportant. I think we

1 have just as much input to the Charter, because that's
 2 what we're here to do, as the public does.
 3 CHAIR STONE: Good point, Commissioner
 4 Hashimoto. Very good point. I think what I would like
 5 to see is when we have our analyst hired and on board,
 6 it's -- it would be a good reference to have the analyst
 7 here as we -- as we do study and go through the Charter.
 8 I think that's a very good idea. I'm going to -- we're
 9 going to -- I'll look into how we can fit that in
 10 time-wise, going through the Charter. If it's possible
 11 to go through the entire Charter, that would be
 12 interesting. And I think it would be good to study
 13 together. There may be portions of the Charter that --
 14 I mean, I don't want to -- I don't want to say there's
 15 any part of the Charter that wouldn't be important. So
 16 let's look into the possibility time-wise of making that
 17 happen. That's a very good recommendation.
 18 Thank you.
 19 MEMBER HASHIMOTO: I have something else.
 20 CHAIR STONE: Continue, if you like. Anything
 21 else?
 22 MEMBER HASHIMOTO: No. I can't --
 23 CHAIR STONE: Commissioner?
 24 MEMBER HASHIMOTO: No, it just slipped away
 25 from me.

1 MEMBER OKAMOTO: I think --
 2 MEMBER HASHIMOTO: When you get old, you get
 3 forgetful.
 4 MEMBER OKAMOTO: In the agenda, we could
 5 simply put, okay, Articles 1 through whatever for that
 6 meeting, because it needs to be systematic, you know.
 7 CHAIR STONE: Uh-huh.
 8 MEMBER OKAMOTO: And I think -- I know we've
 9 all gone through it, but there are things that you might
 10 pick out, and everybody else, no, that's not -- you
 11 know, that's nothing. Or everybody else might say,
 12 yeah, that struck me as odd, too. So if we just, on the
 13 agenda each time, said, okay, this many sections we'll
 14 go through purely -- and it doesn't have to be a
 15 word-for-word kind of thing, but if we all know that
 16 we're going through Sections 1 through 5 or Chapters,
 17 then we come, we've read those, we've prepared our
 18 questions on those alone, and then we go through.
 19 CHAIR STONE: I think that's a really good
 20 recommendation, very good recommendation. And,
 21 Commissioner Okamoto, it just boils down to fitting it
 22 in on our agendas --
 23 MEMBER OKAMOTO: Yes.
 24 CHAIR STONE: -- as we work through. I mean,
 25 right now, we do have the time, we have -- we'll get

1 input from specialists. And I like this educational
 2 idea because we could all use it. Having the analyst
 3 here will make a big significant impact because we can
 4 ask questions directly to our analyst. So great ideas.
 5 Very good.
 6 Commissioner DeLeon.
 7 MEMBER DELEON: Having had a Catholic
 8 education, this reminds me a lot like a catechism class.
 9 As long as we don't have to memorize it, I'm good.
 10 (Laughter.)
 11 CHAIR STONE: I'm sorry. I think I read
 12 somewhere in our rules that it was required that all
 13 Commissioners remember the entire -- memorize the entire
 14 Charter --
 15 MEMBER DELEON: Line by line.
 16 CHAIR STONE: -- word for word.
 17 (Laughter.)
 18 CHAIR STONE: Okay. Let's move on to New
 19 Business, Item B, establish and define role of Public
 20 Relations Committee. Or should I say Subcommittee?
 21 Commissioners, discussion on that item?
 22 MEMBER SUGIMURA: I guess this was one of my
 23 proposals, but I think that as all of us are talking
 24 about, there's a need to communicate. And my discussion
 25 at our last meeting was -- and that I would like to

1 nominate somebody who could probably do some writing for
 2 us because of his background in writing for media. And
 3 he can be factual and he won't throw in his -- his
 4 personal views because it would then not be a factual
 5 newspaper article. But --
 6 MEMBER DELEON: No pressure.
 7 MEMBER SUGIMURA: No. But I would like to --
 8 I think that all of us are hearing from the community
 9 that they're wondering what we're doing. And that I
 10 don't know how you would summarize a meeting like what
 11 we heard in Hana, or even like, you know -- I'm not
 12 sure, but I think that, you know, somebody like Dave
 13 could possibly do it in a factual manner. And that
 14 there should be additional members of this group who
 15 could also review and look at it, besides the Chair, so
 16 that it could be like another eye. And probably throw
 17 in Junior Kushi so we don't do something illegal, or
 18 something like that. But it needs to have some layers
 19 of eyes before it gets released. And just working with
 20 media, if you wait too long, like until our next Charter
 21 meeting, to decide if we should release a news release,
 22 it's going to be too long. So, you know, we need to be
 23 responsive as --
 24 CHAIR STONE: Commissioners, maybe just a
 25 suggestion. We have a subcommittee made up of three

1 members plus Deputy Corporation Counsel. I would like
2 to discuss, along those lines, if anybody thinks that
3 there needs to be more than three members. No?

4 (Silence.)

5 CHAIR STONE: Okay. So let's say three
6 members, the fourth member being Deputy Corporation
7 Counsel. So for --

8 MEMBER SUGIMURA: Is it okay, Dave?

9 MEMBER DELEON: Can I share my thoughts?

10 CHAIR STONE: Yes, please, Commissioner
11 DeLeon.

12 MEMBER DELEON: One thing: The thing would
13 have to work with email. If it doesn't work with email,
14 then you're taking too much time.

15 Two: I don't know about me summarizing actual
16 meetings because I'm a member. And I'll be taking my
17 notes. And I could do it, but I have my own particular
18 perspective and I have -- I'm -- you know I have a big
19 mouth, I'm always engaged. So it's hard to be getting
20 it -- getting the factual information while you're
21 engaged. Because I do that a lot in other meetings, and
22 it's tricky. I can do it, but I really agree with Sally
23 that I think expedited minutes, brief minutes, one or
24 two pages, needs to happen as a way -- I mean, even for
25 us to know what the heck happened. Because I'm not

1 be discussed, but we just -- that's the issue, we need
2 this -- we need to -- I believe we need to create this
3 subcommittee so that they have the time to discuss it
4 amongst themselves. And then they're going to be our
5 experts on it. So it alleviates our issues of taking
6 the time to worry about it.

7 MEMBER DELEON: Is this going to be a formal
8 committee or is it going to be sort of like an ad hoc
9 entity? If it's ad hoc, maybe we can get away with the
10 email quicker.

11 CHAIR STONE: Let's hand that over to
12 Corporation Counsel. Ed, how is the best way that we
13 can organize this subcommittee so that it's --
14 basically, what we're -- what we want to be able to do
15 is put information to the public as quickly as possible
16 and put out information about things -- happenings of
17 the Charter Commission to drum up public interest.

18 MR. KUSHI: Your rules provide you can
19 establish standing committees, special committees or
20 subcommittees. Standing committees and special
21 committees are made up of only Commission Members.
22 Subcommittee, theoretically, could be made up of
23 Commission Members as well as nonmembers. The duration
24 of the standing committee or special committee's really
25 up to -- up to this Commission.

1 going to go back to 40 pages of every meeting just to
2 find out what happened. I just don't have the time to
3 do that. If they can be summarized, that would be
4 great. But that summary should be done by an objective
5 person and not a member of the Commission.

6 The -- but as far as getting -- driving the
7 people to the room or driving the -- at least getting
8 out the thought as to what we're up to and what we're
9 going against, yeah. And that was part of the reason
10 why I stuck that article in the paper, was just to start
11 stirring the pot. I mean, because if we don't stir the
12 pot, we don't get people interested. If we don't, you
13 know, light a fire, then ho-hum, who cares about the
14 Fire Commission. I mean -- really, I mean, the average
15 Joe does not care. I mean, a couple firemen do, but not
16 too many other folks. So it would be interesting to get
17 it out there.

18 CHAIR STONE: Again, this is the Public
19 Relations Committee, so the idea is drumming up that
20 interest. That's the focus and should be the goal.

21 Also, Akaku has been kind enough to offer us
22 airtime. So the Public Relations Committee could use
23 that airtime as well to put out -- maybe a good idea
24 would be to put out proposals that are coming through
25 that have been identified or -- you know, this needs to

1 So, again, depending what the purpose is, the
2 duration, how long you want these committees or
3 subcommittees to last or sunset, depending on its
4 purpose, you need to establish by a majority vote of
5 this Commission. And anything that the subcommittee or
6 the committee does needs to be approved by this
7 Commission. Forming a group to go out, get information
8 or make proposals, that needs to come back to the full
9 board. You can't just run --

10 MEMBER SUGIMURA: So even before it gets
11 released?

12 MR. KUSHI: Pardon me?

13 MEMBER SUGIMURA: Sorry, Josh.

14 CHAIR STONE: No. Please go ahead.

15 MEMBER SUGIMURA: Even before a press release
16 gets released? Like if Dave was to write it today, we
17 would have to wait until our next Commission meeting
18 before it can be released?

19 MR. KUSHI: Unless you authorize it in
20 advance, which I would not advise you to do.

21 MEMBER SUGIMURA: Oh.

22 MEMBER DELEON: Don't trust me, either.

23 (Laughter.)

24 MEMBER OKAMOTO: We wouldn't.

25 (Laughter.)

<p style="text-align: right;">Page 49</p> <p>1 MEMBER SUGIMURA: That's not the issue.</p> <p>2 CHAIR STONE: Yes, Commissioner Crivello.</p> <p>3 MEMBER CRIVELLO: So when we have our</p> <p>4 secretary, likewise, the summarized minutes will have --</p> <p>5 cannot be posted until we approve it?</p> <p>6 MR. KUSHI: Generally, we post approved</p> <p>7 verbatim minutes. You can -- you can do what you want.</p> <p>8 If you want your secretary to summarize minutes and</p> <p>9 approve them for posting, it's up to you.</p> <p>10 MEMBER OKAMOTO: But we would have to approve</p> <p>11 them at the next meeting?</p> <p>12 MR. KUSHI: I would hope so.</p> <p>13 MEMBER CRIVELLO: Yeah.</p> <p>14 MEMBER SUGIMURA: It won't get posted any</p> <p>15 faster than it is now.</p> <p>16 MEMBER OKAMOTO: Yeah.</p> <p>17 MEMBER DELEON: Still, I mean, it's going to</p> <p>18 be a lot.</p> <p>19 CHAIR STONE: I still think that summary</p> <p>20 minutes is worthwhile, because 25 pages of verbatim,</p> <p>21 although very good for record keeping, is difficult for</p> <p>22 a lot of people to get through.</p> <p>23 Commissioner Hashimoto.</p> <p>24 MEMBER HASHIMOTO: Chair, you know, I don't</p> <p>25 think anybody who writes the news -- I -- I don't know</p>	<p style="text-align: right;">Page 51</p> <p>1 not having three people talk to each other or discuss</p> <p>2 things, would that be a -- so let's say there's three on</p> <p>3 the committee and we're doing it email back and forth.</p> <p>4 Is that an issue there?</p> <p>5 MR. KUSHI: No.</p> <p>6 MEMBER OKAMOTO: Oh.</p> <p>7 MR. KUSHI: It's a standing committee so that</p> <p>8 it's not subject to the Sunshine Law. Whatever they do,</p> <p>9 they can meet privately, but they need to report back to</p> <p>10 you.</p> <p>11 MEMBER OKAMOTO: Because they're not making</p> <p>12 decisions as such.</p> <p>13 CHAIR STONE: So just to clarify the best</p> <p>14 possible --</p> <p>15 MR. KUSHI: They can't hold public meetings.</p> <p>16 MEMBER OKAMOTO: Right.</p> <p>17 CHAIR STONE: The standing committee would be</p> <p>18 the best possible option for this --</p> <p>19 MR. KUSHI: Standing or special.</p> <p>20 CHAIR STONE: Or special. Now, you mentioned</p> <p>21 that you have to be a part of the Charter Commission to</p> <p>22 be on a standing or special. So if Corporation Counsel</p> <p>23 was requested to be on that committee, that could not be</p> <p>24 a standing or special committee?</p> <p>25 MR. KUSHI: You would just have to direct me</p>
<p style="text-align: right;">Page 50</p> <p>1 whether that he has -- everything that he puts on that</p> <p>2 paper into his article that is published gets approval</p> <p>3 of some legal --</p> <p>4 CHAIR STONE: Understood.</p> <p>5 MEMBER HASHIMOTO: -- whatever you want to</p> <p>6 call it, before it's published. I mean, you know, it's</p> <p>7 getting to the point that we can hardly open our mouths</p> <p>8 anymore without, you know, somebody putting a legal</p> <p>9 stamp on it.</p> <p>10 CHAIR STONE: Good point. Question for</p> <p>11 Corporation Counsel. If we preapprove the Public</p> <p>12 Relations Committee, that they have the authority to put</p> <p>13 out publications for us without review, if we authorize</p> <p>14 that as a group, will that be allowed? Are we running</p> <p>15 into trouble?</p> <p>16 MR. KUSHI: Technically, you can, you have the</p> <p>17 authority to do it, but then whatever is published is</p> <p>18 coming from as if from all of you.</p> <p>19 CHAIR STONE: Understood.</p> <p>20 MR. KUSHI: If it causes a problem, you're all</p> <p>21 in it.</p> <p>22 MEMBER SUGIMURA: Yeah.</p> <p>23 CHAIR STONE: Commissioners, do you have issue</p> <p>24 with that?</p> <p>25 MEMBER OKAMOTO: Well, I'm -- this business of</p>	<p style="text-align: right;">Page 52</p> <p>1 to advise them. I won't vote. I don't want to vote.</p> <p>2 CHAIR STONE: Okay.</p> <p>3 MR. KUSHI: I wouldn't vote.</p> <p>4 CHAIR STONE: Thank you for the clarification.</p> <p>5 Commissioners, any discussion on that?</p> <p>6 Commissioner Moikeha.</p> <p>7 MEMBER MOIKEHA: I'm just unclear as to what</p> <p>8 this committee is going to do. Have we decided that</p> <p>9 yet?</p> <p>10 CHAIR STONE: No, we haven't.</p> <p>11 MEMBER MOIKEHA: Okay. And in my mind, all</p> <p>12 they need to be doing is saying we're holding this</p> <p>13 meeting. If there is specific items that are on the</p> <p>14 agendas that need to be publicized more, then that's</p> <p>15 what they would do. I don't see the need for anyone to</p> <p>16 have to summarize what is going on here and what our</p> <p>17 opinions are about that. It's just purely to get it</p> <p>18 publicized that we are having this meeting in your area,</p> <p>19 please participate. And you may participate in person,</p> <p>20 email, fax, however we have chosen to do that.</p> <p>21 There are so many avenues by which we can do</p> <p>22 that. The public service announcements can be taped</p> <p>23 ahead of time and run periodically, especially before a</p> <p>24 meeting. So radio, Akaku, TV, wherever they need to do</p> <p>25 this.</p>

13 (Pages 49 to 52)

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1 But, you know -- and I just have to say, I've
2 been on a lot of boards and commissions, some very
3 controversial, highly-publicized. People's interest in
4 things is when it affects them directly. And, first,
5 they need to understand if it's going to direct them
6 effectively. So maybe part of this will be also an
7 education, a little bit of education each time, on what
8 is the Charter, what can it do for you, how will it
9 affect you. And keep it as simple as that, we don't
10 need our opinions, we don't need to analyze anything,
11 and put it out there. It's just keep it simple.

12 We ran in the same thing with the GPAC. I
13 mean, unless it was something highly controversial, you
14 know, we got the same people coming. This is no
15 disrespect to those who participated as often as they
16 did. But until people understand that this is going to
17 impact their lives, they're not going to come out and
18 they're not going to get involved. They're way too busy
19 just living their life. And that's just my opinion on
20 that.

21 CHAIR STONE: Thank you. Point noted, I
22 think.

23 So as a definition of role for this possible
24 standing committee, it would be informational as well as
25 educational on the Charter and how the Charter affects

1 the public in order for the public to have a clear
2 understanding of the importance of the Charter. Is that
3 correct, Commissioner?

4 MEMBER MOIKEHA: Yes.

5 CHAIR STONE: Commissioner DeLeon.

6 MEMBER DELEON: I would add to that upcoming
7 topics on the agenda. So like Fire Commission, Police
8 Commission, Water Board. Are you interested in this
9 topic, this is the topic that the commission is going to
10 be taking up. So that -- you know, just, again, try to
11 objectively drive people in the room rather than try to
12 get them here without offering opinions.

13 CHAIR STONE: Right. So opinion-less,
14 informational.

15 Commissioner Sugimura.

16 MEMBER SUGIMURA: So I just want clarification
17 that Rod Antone -- Mike, is he doing this already? Is
18 he sending out news releases or press releases before
19 all of our meetings, anyway, or are we duplicating?

20 MR. MOLINA: Well, to my understanding, I know
21 he's supposed to be working with Corp Counsel's Office
22 in getting the press releases out, or information. And
23 I think -- based on his last presentation to you, I
24 guess, it seemed more like the proposal was he wants the
25 Commission to, basically, give him direction. That's

1 what -- that's how I interpret it. And anything you can
2 add or give his department some guidance as to how you
3 want the information dispersed. I can ask Mr. Antone to
4 maybe communicate again with the Commission so he can
5 offer additional suggestions, if that's the will of the
6 body.

7 CHAIR STONE: I think, at this time,
8 Mr. Molina, we'll hold off on that. Because I think the
9 direction we're going is that the standing committee
10 will, basically, take over on that end.

11 Commissioner Moikeha first. Sorry.

12 MEMBER MOIKEHA: You know, as part of the
13 County, I don't see why he's not publicizing date, time
14 and place. And, in my opinion, he should continue to do
15 that. And if he hasn't been doing it, he should do it.
16 Use the website, the County website, use all
17 publications that the County uses. I don't think he
18 needs our permission to do that. And then anything we
19 do in addition to that, I mean, is just in addition to
20 that. But I'm kind of surprised if he hasn't been
21 already doing that.

22 MEMBER SUGIMURA: I thought he was.

23 CHAIR STONE: How's this, for additional
24 definition of role, that the standing committee
25 references to Mr. Antone to make sure that all of the

1 County resources are being used to publicize, as well as
2 from our direction? Does that make sense, Commissioner
3 Moikeha?

4 MEMBER MOIKEHA: I don't know why he needs
5 someone to tell him that. Sorry.

6 CHAIR STONE: I believe that they're probably
7 just busy. And why not just --

8 MEMBER MOIKEHA: I don't know.

9 CHAIR STONE: Why not just --

10 MEMBER DELEON: (Inaudible.)

11 MEMBER MOIKEHA: Maybe I have a --

12 MEMBER DELEON: (Inaudible.)

13 MEMBER MOIKEHA: -- lack of understanding
14 what --

15 MEMBER DELEON: (Inaudible.)

16 MEMBER MOIKEHA: -- his job is. I don't know.

17 CHAIR STONE: Commissioner DeLeon.

18 MEMBER DELEON: I did speak -- I took the
19 initiative to speak to Rod about this. And Rod was
20 happy to pass it off to a committee of the Commission.
21 Okay. And I really don't think we should be doing two
22 different sources. Then you'll be tripping over each
23 other. You need to have one simple source. We're
24 closer to it, we have more of a personal connection to
25 it, so we'll be more likely to see it done.

<p style="text-align: right;">Page 57</p> <p>1 Why it's not happening now, I can't speak to 2 that. But the fact is, it was this whole -- whole song 3 and dance about -- about, you know, we'll create -- or 4 he'll create a press release and it will come down to us 5 and we'll stamp approve it and stick it out. I mean, 6 you know, it was (inaudible). You know, we weren't 7 going to get by the Sunshine Law easily. And rather 8 than play that game -- and he's not really our PR man, 9 he's the Mayor's PR man -- that we can just do this 10 internally and get it done quicker and better. 11 CHAIR STONE: Okay. Thank you, Commissioner 12 Commissioner Sugimura, you had something? 13 MEMBER SUGIMURA: So I just -- just because of 14 the work that I do and knowing the effectiveness of the 15 County email news releases, I think they have like a 16 list of media they send out to, which is like about in 17 the thousands, of which I would only know Maui News, or 18 very small. So I think they have a huge reach. And 19 something that comes from the Mayor's Office, which 20 represents the County, looks more official for media, it 21 might get printed faster than something that came from 22 me. Maybe not you, Dave. But I think that there's 23 something to be said about if we can coordinate this 24 just to get them to -- even if Dave wrote the email and 25 then it was all the factual things that we want, it gets</p>	<p style="text-align: right;">Page 59</p> <p>1 the standing committee? As the chair of the standing 2 committee. 3 MEMBER DELEON: You give me a lot of work and 4 then give me a title. Okay. 5 MEMBER SUGIMURA: And no pay. 6 CHAIR STONE: And no chair. 7 (Laughter.) 8 CHAIR STONE: Commissioners, discussion on 9 Commissioner DeLeon as being chair of this particular 10 standing committee? 11 (Silence.) 12 CHAIR STONE: No discussion. We'll take 13 action on it. Let's take a vote. All in favor of 14 Commissioner DeLeon chairing the Public Relations 15 Standing -- or Public Relations -- Standing Public 16 Relations Committee, say "aye." 17 (A chorus of ayes.) 18 CHAIR STONE: All opposed? 19 (Silence.) 20 CHAIR STONE: Okay. So now let's add the 21 other two members. Chair would like to nominate 22 Commissioner Sugimura. 23 VICE-CHAIR HEDANI: Second. 24 CHAIR STONE: Got a second from Commissioner 25 Hedani. Commissioners, any discussion on Commissioner</p>
<p style="text-align: right;">Page 58</p> <p>1 approved by this committee, and then gets sent to Rod 2 Antone, he reviews it, he sends it out. I mean, that 3 could happen within a couple of days, I think. I don't 4 know. And that might help. But I think they have a 5 really huge reach and very effective. 6 Right, Mike? 7 MR. MOLINA: I'll go ahead and pass it on to 8 Mr. Antone. That way, we can -- you know, again, my 9 understanding is that we do have something on the 10 website as far as upcoming dates, but I guess the body 11 would prefer more printed media. 12 CHAIR STONE: Why don't we -- just to move the 13 discussion forward -- thank you so much, Mr. Molina. 14 Just to move the discussion forward, is there anyone in 15 the group that thinks that this standing Public 16 Relations Committee is a bad idea? I would like to hear 17 if anybody has any negative thoughts on it? 18 (Silence.) 19 CHAIR STONE: No. Okay. So why don't we go 20 ahead and see if we can't define the role, decide how 21 many members and elect those members quickly so we can 22 put this behind us and get them working? 23 As I -- as I had suggested, three members. So 24 I think, right now, Yuki Lei had suggested Commissioner 25 DeLeon as the -- is it a chair? Are we talking chair of</p>	<p style="text-align: right;">Page 60</p> <p>1 Sugimura? 2 (Silence.) 3 CHAIR STONE: No. Let's take action. All in 4 favor of Commissioner Sugimura being on the Standing 5 Public Relations Committee, say "aye." 6 (A chorus of ayes.) 7 MEMBER SUGIMURA: Thank you. 8 CHAIR STONE: All opposed? 9 (Silence.) 10 CHAIR STONE: No. Okay. Third Commissioner 11 Do you guys think that it's important that it be the 12 Chair? Is that a vital part of this? 13 MEMBER SUGIMURA: I do, but -- 14 CHAIR STONE: Commissioners, discussion? 15 VICE-CHAIR HEDANI: Nominate the Chair. 16 MEMBER OKAMOTO: Second. 17 MEMBER WIGER: Second. 18 CHAIR STONE: Oh, boy. Okay. Commissioners, 19 any issues with the Chair on this committee? 20 (Silence.) 21 CHAIR STONE: Let's take action. All in favor 22 of the Chair being on the Standing Public Relations 23 Committee, say "aye." 24 (A chorus of ayes.) 25 CHAIR STONE: All opposed?</p>

15 (Pages 57 to 60)

1 (Silence.)
 2 CHAIR STONE: Okay. So our Standing Relations
 3 -- our Standing Public Relations Committee is formed.
 4 Their role will be informational, getting out upcoming
 5 dates, upcoming topics, as well as educational on
 6 Charter Commission issues and how it affects the public.
 7 Okay.
 8 MEMBER OKAMOTO: Chair?
 9 CHAIR STONE: Yes, Commissioner Okamoto.
 10 MEMBER OKAMOTO: Well, since Dave brought it
 11 up, I feel like I have to say something. I kind of had
 12 to agree with Jim Smith. I thought that as a member --
 13 I've written letters to the editor before. But I felt
 14 like I shouldn't now that I'm a member of the
 15 Commission. So I need to know, I mean, what the rest of
 16 us are thinking on that. And, I mean, Dave and I have
 17 worked together so we know that we are opposed views on
 18 lots of things. And that's okay. But I think we all
 19 need a direction because it's not just one item. There
 20 will be other things that, you know, different ones of
 21 us have opinions. And because it did say he was a
 22 member of the Charter Commission, and was speaking on
 23 his own, but people see that, that's the Charter
 24 Commission.
 25 CHAIR STONE: I think under this -- in this

1 standing committee, there will be no opinions, no
 2 discussion upon opinions of --
 3 MEMBER OKAMOTO: No, I'm not -- I waited until
 4 that part was over. I'm saying, in general, as far as
 5 the rest of us.
 6 CHAIR STONE: I see. Commissioner Moikeha, do
 7 you have something to add on that?
 8 MEMBER MOIKEHA: You know, this discussion
 9 came up the last time, and we all gave him his blessing
 10 to go ahead. There was no objection from this body. So
 11 what Dave did was inquire as to procedure, legality,
 12 advice on how to do it properly. And that's what he was
 13 told to do. And so I don't see it as a problem.
 14 On a personal level, I probably wouldn't have
 15 done it because I do believe that that compromises your
 16 position, in my personal opinion. And -- and likewise,
 17 even during the interviews at Council, Dave was very
 18 forthright with his comments on where he stood on that
 19 issue.
 20 CHAIR STONE: Uh-huh.
 21 MEMBER MOIKEHA: And he was appointed based --
 22 I mean, there were questions to him about that. So, you
 23 know, it's been out there. He's been doing that for a
 24 while, way before he became a Commissioner. It's -- I
 25 don't see a problem. I don't think he should have to

1 recuse himself. He's one of, what, nine of us -- 11 of
 2 us. Is Dave going to control the vote? No. I think
 3 we're all independent thinkers and we will vote for what
 4 we think is appropriate. I don't see the reason why he
 5 needs to recuse himself or -- or not have ability to
 6 have discussion on whatever he proposes. Likewise,
 7 anybody else that puts anything out there.
 8 I think, in the future, you might want to
 9 think twice about publicizing our personal views on
 10 issues in publications out there. What we discuss here
 11 on the floor is different to me, but that's either --
 12 unless we make a rule, it will be up to each individual
 13 person. So that's my feeling on it.
 14 CHAIR STONE: Thank you.
 15 Commissioner.
 16 MEMBER CRIVELLO: I believe Dave -- also, we
 17 cleared that with Corp Counsel. And we are -- we wear
 18 many hats. And I think we choose what hat we want to
 19 wear or not, because we are on the Commission, we're
 20 going to choke ourselves out, and we should be allowed,
 21 if we choose to, you know. I mean, personally, I think
 22 we sort of have put it out there, what we stand for, but
 23 I don't think we should be gagged as an individual
 24 unless there's major conflicts on their part.
 25 CHAIR STONE: I think the primary thing is

1 that the person is not speaking on behalf of the
 2 Commission. Everybody's allowed their own personal
 3 opinion, I believe. So --
 4 Yes, Commissioner Wiger.
 5 MEMBER WIGER: Two -- two very quick comments
 6 One --
 7 CHAIR STONE: Commissioner Wiger, could you --
 8 MEMBER WIGER: Oh, I'm sorry. Two very quick
 9 comments. I'm so used to my voice, you know, in a
 10 classroom going, (indicating). That I think that there
 11 were -- there were people who were interviewed to be on
 12 the Commission who have a variety of perspectives on a
 13 variety of issues. And -- and people on the Council
 14 asked a variety of questions about people's varying
 15 points of view. And so even though it didn't come out
 16 in the paper, necessarily, of someone saying something,
 17 before Dave put his in, people knew what people thought.
 18 I mean, it was real clear.
 19 Secondly, there is a long tradition, not only
 20 in commissions and boards, in politics, in education,
 21 there are people who have particular viewpoints. And
 22 the important thing -- and it's been upheld in court
 23 hearing after court hearing after court hearing --
 24 people have the right to say what they wish to say as
 25 long as they maintain, as you've indicated, as Corp

1 Counsel has indicated, these are my personal views and I
2 do not represent. I mean, if everybody was shuttered on
3 saying that, nobody would ever say anything because, as
4 you say, people are involved in all kinds of stuff.

5 So I think -- I think it would be good if
6 people were going to put something out, as Dave did, I
7 think coming to the board and saying, I want to let
8 folks know I'm thinking of doing something like this, is
9 there a real problem that anybody has, let's talk about
10 it. I think that that would simply be respectful to the
11 other members of the Commission.

12 MEMBER OKAMOTO: And I don't --

13 CHAIR STONE: Commissioner Okamoto.

14 MEMBER OKAMOTO: I think people should, you
15 know, say their opinion. I think that one of the
16 reasons I brought it up is, typically, we have not
17 responded when Mr. Smith has brought out things. And I
18 think it's good that there was a discussion so that it's
19 not like, wow, this came out and they didn't say a word.
20 I think, you know, it was good that we have that
21 discussion. So that's kind of why I brought it up.
22 Because I didn't want it to just be that, wow, it came
23 up and nothing was said.

24 CHAIR STONE: Very good. I think it's not as
25 a stiff rule, but great suggestion, Commissioner Wiger,

1 that if people are looking to put their opinion out
2 there, they bring it to the Commission as a respectful
3 thought process.

4 So any further discussion on that?
5 (Silence.)

6 CHAIR STONE: No. Okay. Let's see. We'll
7 take a quick break here and be back at -- a 10-minute
8 break, so at -- my eyes are getting pretty bad -- 1:35.
9 Thank you very much.

10 (Recess, 1:20 p.m. to 1:37 p.m.)

11 CHAIR STONE: Let's get the meeting back in
12 order, please. Okay? Good. Thank you for coming back
13 from our extended break.

14 So we'll be moving on to New Business, Item C,
15 discussion on formulating press release for outreach to
16 organizations and to increase citizen participation. I
17 wonder if this should be deferred to our Standing Public
18 Relations Committee. Commissioner? Without --

19 MEMBER OKAMOTO: Well, I have a -- the -- if
20 you're getting the information out to organizations,
21 we've already pretty well finished the first round. I
22 mean, it needs to be on maybe a little different type of
23 thing that's going out.

24 CHAIR STONE: Good point.

25 MEMBER OKAMOTO: We only have two more

1 meetings after that, two more public.

2 CHAIR STONE: You know, actually, I believe
3 that this topic came up from -- our last meeting, we had
4 a request from a number of local organizations that said
5 they didn't even know we were having meetings, et
6 cetera. So they wanted time -- they wanted the ability
7 for input before we're done with our public outreach.
8 Which, by the way, we are never really done with our
9 public outreach. So if everybody is okay with it, I'm
10 going to defer that issue off to the newly-formed
11 Standing Public Relations Committee.

12 MEMBER DELEON: Mr. Chair?

13 CHAIR STONE: Commissioner DeLeon.

14 MEMBER DELEON: In the context of that
15 committee, it was brought to my attention that --
16 re-brought to my attention that the concept of a
17 website, independent of the regular County website, be
18 able to get -- you know, so you can have an address that
19 you can grab easily so you don't have to go like three
20 layers into the County website to get there.

21 CHAIR STONE: Commissioner Sugimura.

22 MEMBER SUGIMURA: Do we have budget for things
23 like that?

24 CHAIR STONE: We'll --

25 MEMBER CRIVELLO: Our budget calls for --

1 CHAIR STONE: Advertising.

2 MEMBER CRIVELLO: -- advertisement. I don't
3 know what's the cost.

4 CHAIR STONE: Fine. Why don't we, Standing
5 Public Relations Committee, look into that? I think if
6 we can do it and we can get Corporation Counsel not to
7 get too upset about it, we could do it.

8 MS. KAHUHU: Chair?

9 CHAIR STONE: Yes.

10 MS. KAHUHU: Can I make one comment?

11 CHAIR STONE: Yes.

12 MS. KAHUHU: The Charter Commission has a
13 button now on the Home Page, so there's no layers to go
14 through.

15 MEMBER DELEON: Oh, okay.

16 MS. KAHUHU: It's big and bold, right on the
17 Home Page.

18 MEMBER DELEON: I went looking for it the
19 other day when I was writing a thing and I couldn't find
20 it.

21 MS. KAHUHU: Just go on the Home Page,
22 mauicounty.gov, there's Charter Commission. It's right
23 there.

24 MEMBER DELEON: When you look at the page,
25 where are you finding it?

1 MS. KAHUHU: Right under the waterfall, under
 2 the search button, it says Charter Commission and --
 3 MEMBER DELEON: That's the problem, it's
 4 underwater.
 5 (Laughter.)
 6 MEMBER HASHIMOTO: Maybe you should put your
 7 --
 8 MEMBER WIGER: We'll look at it, anyway.
 9 CHAIR STONE: As a suggestion -- as a
 10 suggestion -- no, no suggestion.
 11 (Laughter.)
 12 CHAIR STONE: Okay. Any further discussion on
 13 that?
 14 MEMBER SUGIMURA: No.
 15 CHAIR STONE: Okay, good.
 16 Moving on to New Business, Item D, discussion
 17 on proposed timeline for Commission's amendment
 18 proposals and second round of public meetings to the
 19 communities. Let's start with Corporation Counsel on
 20 that one. Ed.
 21 MR. KUSHI: Yes, Mr. Chair, Members. I think
 22 Lisa passed out sort of like a calendar chart, it's
 23 color-coded. And it's kind of, basically, summarizing
 24 what I suggested -- suggested to the Commission several
 25 meetings ago.

1 It starts in August, for all practical
 2 purposes. You have one regular meeting and then you
 3 wrap up community meetings. So, in August, we allow
 4 ourselves enough time, working backwards from April, the
 5 second week of April 2012. You know, this is for your
 6 consideration. I would say maybe the next four months,
 7 from August, you meet at least twice a month, be it
 8 Mondays or whatever other date that you choose. That
 9 will give you sufficient time, in my mind, to create
 10 proposals. Then in December and January, go back to the
 11 community for community meetings, and then you have
 12 concrete proposals that they can comment on. I believe
 13 you have nine meetings, nine community meetings. You
 14 can double up or just go every week. Then thereafter,
 15 from starting in February, all of March and maybe first
 16 week in April, you will have about nine weeks to wrap it
 17 up, to have the analyst do the Commission's report. And
 18 then, you know, by the deadline, submit it to the
 19 Council by April 14th, I think the day was, or the 15th,
 20 or 16th. And then it will take its course through the
 21 Council and come back to you, this Commission, again.
 22 So these are just the timeline proposals based
 23 working backwards as Mr. DeRego had suggested.
 24 CHAIR STONE: Very good. Thank you very much.
 25 So just for clarification, when you have additional

1 proposed meetings, are those additional proposed
 2 outreach meetings?
 3 MR. KUSHI: Yes. Yes.
 4 CHAIR STONE: I see that runs through April.
 5 Shouldn't that be stacked all in December and January?
 6 MR. KUSHI: It should be, or, at the latest,
 7 middle of February. Because then you need some time
 8 just to wrap it up.
 9 CHAIR STONE: I think. And, also, just does
 10 anybody know offhand how many public outreaches we had?
 11 Six total? How many are we going to have?
 12 MS. KAHUHU: Eight.
 13 CHAIR STONE: Eight?
 14 MR. KUSHI: Eight.
 15 CHAIR STONE: Eight.
 16 MEMBER OKAMOTO: Mr. Chair, what about if --
 17 if we have pretty well put things together, that, in
 18 December, we would use less regular meetings and use
 19 some of that time to do public outreach?
 20 CHAIR STONE: I have a feeling we are still
 21 going to need to discuss. I don't think that -- I think
 22 we will maybe -- maybe we'll have our proposals defined,
 23 but then the heavy discussion will start to hit, I
 24 believe. And, plus, we have to really -- at that point,
 25 we're going to need to take public input back to every

1 regular meeting. So let's --
 2 MR. KUSHI: Mr. Chair, with that in mind, you
 3 know, when you go your second round of public community
 4 meetings, there's nothing to prevent you from also
 5 scheduling a regular meeting at the same time.
 6 CHAIR STONE: Uh-huh.
 7 MR. KUSHI: To knock off two birds with one
 8 stone.
 9 MEMBER OKAMOTO: Yeah, I think that's a good
 10 idea.
 11 CHAIR STONE: Good point.
 12 MR. KUSHI: "One stone."
 13 CHAIR STONE: One stone, okay. Let's see. So
 14 I guess at this time this is a -- this is a good -- what
 15 we're seeing here is December-January is going to be our
 16 second public outreach period. Obviously, holidays are
 17 in there. We have eight meetings we're gonna have to
 18 get into that timeframe. So any discussion on that?
 19 Any discussion on time periods that just won't work?
 20 How's about that? Let's start there.
 21 Commissioner Sugimura.
 22 MEMBER SUGIMURA: Well, I think the week of
 23 Christmas is going to be hard to handle.
 24 CHAIR STONE: I was thinking of scheduling one
 25 of them on December 25th.

<p style="text-align: right;">Page 73</p> <p>1 (Laughter.)</p> <p>2 MEMBER OKAMOTO: Why not?</p> <p>3 MEMBER DELEON: That's a Sunday.</p> <p>4 MEMBER OKAMOTO: Please schedule them all on</p> <p>5 Sundays.</p> <p>6 CHAIR STONE: Okay. Why don't we --</p> <p>7 MEMBER DELEON: (Inaudible.)</p> <p>8 CHAIR STONE: Why don't we put, let's say,</p> <p>9 23rd through the 26th out of range, off the table?</p> <p>10 MEMBER DELEON: We got the 27th.</p> <p>11 CHAIR STONE: From the 18th? We have a</p> <p>12 regular meeting on the 19th, though.</p> <p>13 MEMBER SUGIMURA: It's a County holiday. No,</p> <p>14 no, no.</p> <p>15 MEMBER DELEON: Those are additional.</p> <p>16 MEMBER MOIKEHA: County holidays.</p> <p>17 CHAIR STONE: I'm sorry.</p> <p>18 MEMBER DELEON: We got a regular meeting on</p> <p>19 the 27th.</p> <p>20 MEMBER OKAMOTO: I think you'll have a very</p> <p>21 difficult time getting people out even on the 19th.</p> <p>22 CHAIR STONE: All right.</p> <p>23 MEMBER OKAMOTO: That whole week.</p> <p>24 MEMBER DELEON: Yeah.</p> <p>25 MEMBER OKAMOTO: I think --</p>	<p style="text-align: right;">Page 75</p> <p>1 accommodate that.</p> <p>2 MEMBER CRIVELLO: Saves some traveling --</p> <p>3 MEMBER DELEON: Try to double up on the 12th,</p> <p>4 then.</p> <p>5 CHAIR STONE: Yeah.</p> <p>6 MEMBER OKAMOTO: And the 5th</p> <p>7 CHAIR STONE: We could double up on the 5th,</p> <p>8 double up on the 12th.</p> <p>9 MEMBER OKAMOTO: And maybe --</p> <p>10 CHAIR STONE: Maybe double up on the 27th.</p> <p>11 (Multiple speakers.)</p> <p>12 CHAIR STONE: You mean you guys don't like</p> <p>13 sitting eight hours with me?</p> <p>14 (Laughter.)</p> <p>15 MEMBER DELEON: No. Just, you know, why have</p> <p>16 a public hearing and nobody is going to come?</p> <p>17 CHAIR STONE: Sorry. Commissioner DeLeon.</p> <p>18 MEMBER DELEON: Only professionals.</p> <p>19 CHAIR STONE: All right. So let me sit down</p> <p>20 with Lisa. And it's going to also have to do a</p> <p>21 scheduling with the locations. So we'll sit down and --</p> <p>22 so the only kapu dates we're having is 19th through the</p> <p>23 26th. Those are off limits. Okay. Good.</p> <p>24 Any more discussion on that item?</p> <p>25 (Silence.)</p>
<p style="text-align: right;">Page 74</p> <p>1 CHAIR STONE: Right.</p> <p>2 MEMBER OKAMOTO: -- if we could stack them</p> <p>3 more in the first week of December, if possible, you</p> <p>4 know. This time we've had -- is it this week we have</p> <p>5 two? So, you know, we can do two.</p> <p>6 CHAIR STONE: Let's say 19th through 26th is</p> <p>7 off.</p> <p>8 MEMBER DELEON: I would agree.</p> <p>9 MEMBER SUGIMURA: 26th is a holiday.</p> <p>10 MEMBER DELEON: There's no sense going to</p> <p>11 public hearing. You'll have a hard enough time getting</p> <p>12 quorum.</p> <p>13 CHAIR STONE: I would like to keep that</p> <p>14 regular meeting on the 27th, though. All right. So</p> <p>15 those dates are off.</p> <p>16 Anything else specific?</p> <p>17 MEMBER OKAMOTO: Well, for those -- I don't</p> <p>18 know about the others who travel from off island, but if</p> <p>19 you do a Monday meeting and a Monday night, it's a lot</p> <p>20 easier for me, I don't know about them, because it's</p> <p>21 just one less trip I have to come.</p> <p>22 MEMBER CRIVELLO: I agree.</p> <p>23 MEMBER OKAMOTO: You get tired by the end of</p> <p>24 the day, but -- but -- yeah, it's one less trip.</p> <p>25 CHAIR STONE: Okay. So we'll try to</p>	<p style="text-align: right;">Page 76</p> <p>1 CHAIR STONE: No. Okay. Moving on to New</p> <p>2 Business --</p> <p>3 MEMBER OKAMOTO: Wait. I do. I'm sorry.</p> <p>4 CHAIR STONE: Sorry.</p> <p>5 MEMBER OKAMOTO: Now I'm looking at January.</p> <p>6 So because the two Mondays are holidays doesn't mean</p> <p>7 that we couldn't have something like on a Tuesday or</p> <p>8 Wednesday that month, right?</p> <p>9 CHAIR STONE: We could.</p> <p>10 MEMBER OKAMOTO: Okay.</p> <p>11 CHAIR STONE: For sure. And, again, you know,</p> <p>12 I'm going to put in another kapu, 31st and 1st. I will</p> <p>13 probably not be functional on the 1st.</p> <p>14 MS. KAHUHU: Chair, if I can just make a</p> <p>15 comment, please?</p> <p>16 CHAIR STONE: Yes.</p> <p>17 MS. KAHUHU: There are -- this room would not</p> <p>18 be available on any other day besides Mondays, so --</p> <p>19 just we would have to find another location altogether</p> <p>20 for the regular meeting.</p> <p>21 MEMBER DELEON: Mr. Chair?</p> <p>22 CHAIR STONE: Yes.</p> <p>23 MEMBER DELEON: Go back to September --</p> <p>24 December. I think from the 19th through the 31st,</p> <p>25 except for our public -- our regular meeting, I'd say</p>

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1 forget it. I mean, really, I mean, I've been around
2 this enough.

3 CHAIR STONE: Yeah.

4 MEMBER DELEON: (Inaudible.)

5 CHAIR STONE: Yeah. All right. Being a
6 little too aggressive. Okay. That's fine. We'll work
7 around those dates and do the very best we can to get
8 all of our meetings in December and January for the
9 public.

10 Any further discussion?

11 (Silence.)

12 CHAIR STONE: Good. Moving on to New
13 Business, Item E, proposed change to Commission Rules
14 Section 11.2.A, order and duration of testimony.

15 Thank you, Ms. Raisbeck, for bringing this to
16 our attention.

17 (Laughter.)

18 CHAIR STONE: I believe Commissioner Moikeha
19 brought this to the agenda. Would you like to start the
20 discussion?

21 MEMBER MOIKEHA: First of all, I'm not opposed
22 to public input. And I'm not about trying to restrict
23 that, either. So I would like to dispel that myth, if
24 that's lingering out there.

25 I would also say that I like order. And --

1 but I'm not opposed to saying we can suspend our rules,
2 either, if we feel the need to do that. So I can go
3 both sides of this issue.

4 However, when it was brought to our attention
5 as how it was interpreted -- and I'm not opposed to
6 that, either -- if you want three minutes for each
7 agenda item, I'm totally supportive of that. It's this
8 additional three minutes that I'm feeling is not
9 necessary. That was something I think we gave in
10 addition to what is normal procedure in these public
11 meetings.

12 I have been on both sides of this fence; as a
13 participating commissioner on various commissions and
14 boards with time limits, I've also been in the public
15 and had to concise my testimony to three minutes. So I
16 know what it's like to be on both sides. And while it's
17 been pointed out sometimes that three minutes is not
18 enough, from my experience, particularly on this
19 Commission, we have given a lot of latitude to have
20 discussion with the testifiers, to ask appropriate
21 questions of clarification and sometimes even more
22 information.

23 And I appreciate the testifiers that have come
24 and all those who will come in the future.

25 I also would say that what I find interesting,

1 something I read once, it's -- when you give people time
2 limits, they're going to talk about the most important
3 things they need to. And there's nothing prohibiting
4 anybody from coming back to this Commission every single
5 time we meet, either.

6 And I'll go a little bit further. I'm not in
7 to having dialogue and discussion once we've closed
8 public testimony. You will never get your work done if
9 we have to go back and say, well, public, what do you
10 think about what we just discussed. They have that
11 freedom to address it in the next meeting through
12 testimony, either in person or through other means.

13 So that's kind of my feeling about it. I just
14 don't think we need this additional three minutes. Go
15 for the three minutes per as interpreted by the rules
16 for each agenda item, I'm okay with that. And that's
17 pretty much all I have to say on that.

18 CHAIR STONE: Commissioners -- Commissioner
19 Okamoto.

20 MEMBER OKAMOTO: Well, I was the one,
21 originally, that thought three minutes was too
22 restrictive. After sitting through, I think that if we
23 give three minutes on each agenda item, and if we have
24 10 things, I mean, you've got 30 minutes that someone
25 can -- and I do think that there needs to be a better

1 limit. Maybe it's five minutes, period, and nothing --
2 no additional time. I'm not sure. But I don't think --
3 I'm one that I don't think we want to go three minutes
4 on every agenda item unless it's -- you know, we have
5 two items, but you -- as the meetings go on, there's
6 more and more on the agenda. And so it could get longer
7 and longer.

8 CHAIR STONE: Thank you.
9 Commissioner Sugimura.

10 MEMBER SUGIMURA: I agree with that, also.
11 And I think that, as we've seen testimony come before us
12 or people who have presented public testimony, they're
13 pretty organized. And so what they're talking about,
14 they give it to us in writing, then they say it again
15 and then -- so I don't think there's really a need to
16 keep on having the same item talked about and talked
17 about and talked about, you know, for each additional
18 minute. And I think that the form that we gave out on
19 the early meetings -- and I think probably Lisa has it
20 for everyone who comes and testify -- if you follow the
21 format, then it's pretty organized. What are you
22 talking about, what are you saying, and, you know, it's
23 just the standard information. And we don't need to go
24 to overkill, I think.

25 CHAIR STONE: Thank you.

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1 Commissioners, further discussion?

2 Commissioner Crivello.

3 MEMBER CRIVELLO: I think, too -- I agree with

4 Susan and Yuki. I think that we also give the testifier

5 additional time when we question for more clarification

6 on their testimony. So, to me, that expands their --

7 their opportunity to provide more. I think we need to

8 -- to just be sure that when we're asking for

9 clarification, we are just talking about the --

10 MEMBER SUGIMURA: Agenda.

11 MEMBER CRIVELLO: -- exact testimony and the

12 agenda. There have been time where the testifier goes

13 into another subject, so -- and as we move on -- and if

14 we're looking at the calendar to try and crunch our

15 days, we need to crunch our time, you know, in trying to

16 get down to the business.

17 CHAIR STONE: Understood.

18 MEMBER CRIVELLO: I believe we -- I truly

19 support the process of public testimony, because that's

20 who we're here for.

21 CHAIR STONE: Thank you.

22 Commissioner Okamoto.

23 MEMBER OKAMOTO: At the public meetings,

24 there's only one item on the agenda, is that correct?

25 CHAIR STONE: Correct.

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1 MEMBER OKAMOTO: So if I'm going to a public

2 meeting, I really only have the three minutes. If I'm

3 coming to one --

4 CHAIR STONE: Well, actually, that's six.

5 Four plus three -- seven minutes, actually, right now.

6 MEMBER OKAMOTO: But if I'm coming to one of

7 our meetings, it might be seven things on the agenda.

8 So, again, you know, if we go with that interpretation

9 of per agenda item, it kind of gives an unbalance from

10 the public meetings to our meetings.

11 CHAIR STONE: Commissioner DeLeon.

12 MEMBER DELEON: Just another thing that's been

13 happening, where we cut people off in mid-sentence,

14 that's very awkward. I mean, we need to work around

15 that, but I like the idea of -- Kay's idea of five

16 minutes. I think five minutes -- if you can't do it in

17 five minutes, then you just like the sound of your

18 voice.

19 CHAIR STONE: Well, the way the rules read to

20 me is that you can -- the Chair can decide to do this

21 two ways, either take oral testimony up front, at the

22 beginning of the meeting, or, as each agenda item comes

23 through, we could take oral testimony on each agenda

24 item. So without question, if we were to give the three

25 minutes per agenda item, as Ms. Raisbeck today showed

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1 and signed up for nine agenda items, that would be

2 unrealistic, especially as we move into a period when we

3 need our time. So I believe that we do have to set a

4 defined amount of time. I do think that, unfortunately,

5 we have to cut off the testifier at a certain point,

6 when their time is up. We have to. Otherwise, we've

7 had situations where testifiers would just continually

8 go on and on and on. So we have to have these set of

9 rules in place.

10 And what we should do right now is define the

11 set amount of time that we're comfortable with per

12 testifier commenting, total. Whether it be allow them

13 an extra three minutes or not, take it to five minutes,

14 whatever our group is happy with. Oral testimony is

15 critical.

16 I noticed in Hana, also, that when the oral

17 testifier gave us written testimony, we were able to ask

18 questions about the written testimony. So it seems like

19 that was a very smart thing to do, was to bring written

20 testimony along with oral testimony.

21 So let's talk about the duration. What do you

22 guys think is enough time for the testifier to get their

23 point across, or points, on all agendas items, and not

24 to make them feel overly rushed, but, also, to keep in a

25 realistic timeframe?

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1 MEMBER OKAMOTO: One question. Is there some

2 other way to call time? Because even for us, if the

3 person's talking and, you know, the three minutes, it

4 kind of -- is there some other way to --

5 CHAIR STONE: We're going to eliminate the one

6 minute -- the three minutes -- what I would like to

7 propose is that we do not have three minutes plus one

8 minute, because the testifiers are going to talk

9 through, and we waste 30 seconds telling them time. So

10 I would like to see, when we discuss this, maybe remove

11 that -- the extra minute idea. Just give them four

12 minutes total, so that we don't have to say "time" right

13 in the middle of their testimony, and then they stop for

14 30 seconds to figure out what's going on.

15 MEMBER OKAMOTO: Dave was good last time to

16 say he wanted to hear the person finish. And, I mean, I

17 think if there -- if we are feeling we didn't understand

18 what they were trying to get at, I mean, is that

19 something we can do or do we say to the Chair, will you

20 please give them a -- I don't --

21 CHAIR STONE: I don't know how comfortable I

22 feel with that. I think that it could seem unfair to

23 other testifiers if I let one testifier continue to

24 speak. And we did do that -- I did do that in one of

25 the meetings, and the other testifiers weren't exactly

<p style="text-align: right;">Page 85</p> <p>1 happy about it.</p> <p>2 So, go ahead, Commissioner DeLeon.</p> <p>3 MEMBER DELEON: What County Council does is</p> <p>4 they have like a light system. And they get a green</p> <p>5 light, a yellow light and a red light. The red light,</p> <p>6 you're supposed to sit down. And they -- actually, they</p> <p>7 run the red light at three minutes and then they give</p> <p>8 you time to finish up, if people kind of stagger into</p> <p>9 that period. I would suggest we do four minutes with</p> <p>10 one minute to finish up. And --</p> <p>11 MEMBER SUGIMURA: Talking about five?</p> <p>12 MEMBER DELEON: -- you chase them out at that</p> <p>13 point.</p> <p>14 CHAIR STONE: Now, would you have additional</p> <p>15 --</p> <p>16 MEMBER DELEON: No.</p> <p>17 CHAIR STONE: -- minutes after the testimony?</p> <p>18 MEMBER DELEON: No. No. Total five.</p> <p>19 CHAIR STONE: No second round of oral</p> <p>20 testimony, we're talking a total of five minutes?</p> <p>21 MEMBER DELEON: Right.</p> <p>22 CHAIR STONE: You give them a signal at four.</p> <p>23 MEMBER DELEON: You got a total of five, you</p> <p>24 get a signal at four, be ready to get that signal, and</p> <p>25 then you know you got to wrap up at that point.</p>	<p style="text-align: right;">Page 87</p> <p>1 Commissioner Hashimoto.</p> <p>2 MEMBER HASHIMOTO: I think, Mr. Chair,</p> <p>3 depending on how you see what's in the audience, if</p> <p>4 there are a lot of people there, then perhaps you could</p> <p>5 change the rules or something, we can change the rules,</p> <p>6 and either give more time or less time. In a case where</p> <p>7 we have a full house, then maybe you need to cut the</p> <p>8 time down --</p> <p>9 CHAIR STONE: Commissioner.</p> <p>10 MEMBER HASHIMOTO: -- before you begin.</p> <p>11 MEMBER SUGIMURA: I think that's very kind,</p> <p>12 but I think that we need to set a rule and stick to it.</p> <p>13 Because, otherwise, it'll be so confusing, you know.</p> <p>14 And I think what we're up against is we know what we</p> <p>15 have coming before us. I mean, now is very different</p> <p>16 because we have such a small audience, but, hopefully,</p> <p>17 one day, we are going to have 50 people in the audience.</p> <p>18 And I hope we say that, you know what, three minutes is</p> <p>19 up, you have one minute to close, pau. So it's not like</p> <p>20 -- I hope what we're trying to get to.</p> <p>21 CHAIR STONE: Thank you.</p> <p>22 Commissioner Moikeha.</p> <p>23 MEMBER MOIKEHA: I was just going to say we do</p> <p>24 need to establish a specific rule and have that as our</p> <p>25 rule. We always have the opportunity to suspend our</p>
<p style="text-align: right;">Page 86</p> <p>1 CHAIR STONE: Discussion on that?</p> <p>2 MEMBER DELEON: That's very generous for Maui</p> <p>3 County. Maui County is usually three minutes. That's</p> <p>4 been the history. If we're going to give them an extra</p> <p>5 two minutes, that's very generous. And we don't have</p> <p>6 this whole dance with two times around. And, you know,</p> <p>7 actually, we're giving them seven minutes now.</p> <p>8 CHAIR STONE: I believe maybe a little more</p> <p>9 time would be nice than five. Because at the moment,</p> <p>10 they have seven minutes to testify and -- and --</p> <p>11 MEMBER OKAMOTO: But most people don't -- most</p> <p>12 people don't realize or don't stay for a second -- the</p> <p>13 majority of them -- maybe a handful stay for the second</p> <p>14 round, so the majority feel like they have three</p> <p>15 minutes.</p> <p>16 MEMBER DELEON: Mr. Chair?</p> <p>17 CHAIR STONE: Yes, Commissioner DeLeon.</p> <p>18 MEMBER DELEON: We also have to be very</p> <p>19 cognizant of the fact we might have some exciting</p> <p>20 meetings where we'll have 50 people in the room. And</p> <p>21 you don't want to be doing seven-minute testimonies when</p> <p>22 you got 50 people.</p> <p>23 CHAIR STONE: That's a good point, too.</p> <p>24 That's what -- that's what we're trying to balance here,</p> <p>25 right?</p>	<p style="text-align: right;">Page 88</p> <p>1 rules, but that is a motion and a second and an</p> <p>2 agreement that that's what we want to do. So I would</p> <p>3 definitely say we need to have a specific rule.</p> <p>4 CHAIR STONE: You guys pointed out as well</p> <p>5 that we have -- I've been giving a lot of leeway on the</p> <p>6 questioning period to the testifiers. And I think that</p> <p>7 is really the time when the testifier gets to clarify</p> <p>8 their points. I know when I go to a public testimony, I</p> <p>9 have a written speech, and I check it and I make sure it</p> <p>10 fits within the time of the testimony period. And then,</p> <p>11 afterwards, hopefully, I'm asked questions because then</p> <p>12 I really get to get it out there, you know. So -- so I</p> <p>13 think I'm comfortable with us defining a set time,</p> <p>14 sticking to it, but this is the last time I'd like to do</p> <p>15 it.</p> <p>16 Yes, Commissioner.</p> <p>17 MEMBER CRIVELLO: Saying that, I would like to</p> <p>18 move that our time limit be three minutes and maybe an</p> <p>19 additional minute to finish up.</p> <p>20 MEMBER DELEON: Second.</p> <p>21 VICE-CHAIR HEDANI: That's what we have now.</p> <p>22 CHAIR STONE: Without --</p> <p>23 MEMBER DELEON: The continuation.</p> <p>24 CHAIR STONE: You mean without the --</p> <p>25 MEMBER CRIVELLO: Without the continuation.</p>

22 (Pages 85 to 88)

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<p style="text-align: right;">Page 89</p> <p>1 I'm sorry.</p> <p>2 MEMBER DELEON: No three minutes afterwards.</p> <p>3 MEMBER CRIVELLO: No three minutes after.</p> <p>4 CHAIR STONE: Commissioners, discussion?</p> <p>5 MEMBER OKAMOTO: Yes. Are we clarifying the</p> <p>6 per agenda item or per speaker?</p> <p>7 CHAIR STONE: Is this -- Commissioner</p> <p>8 Crivello, could you --</p> <p>9 MEMBER CRIVELLO: I'm looking at per speaker.</p> <p>10 Is there a second?</p> <p>11 MEMBER OKAMOTO: Second.</p> <p>12 CHAIR STONE: There's a second. We've already</p> <p>13 been seconded, so this is on the floor. I would like to</p> <p>14 see maybe a little additional time, four minutes plus</p> <p>15 one minute. Is there -- is there issue with Corporation</p> <p>16 Counsel on that?</p> <p>17 MR. KUSHI: Yeah, Mr. Chair. If it's a limit</p> <p>18 per speaker, you may have a problem because Sunshine Law</p> <p>19 says oral testimony can be had on each or any agenda</p> <p>20 item.</p> <p>21 MEMBER CRIVELLO: Okay. In compliance with</p> <p>22 Corp Counsel's advice --</p> <p>23 MEMBER DELEON: Mr. Chair?</p> <p>24 CHAIR STONE: Yes.</p> <p>25 MEMBER DELEON: Is that -- it doesn't say how</p>	<p style="text-align: right;">Page 91</p> <p>1 CHAIR STONE: Sorry. Hedani. Excuse me.</p> <p>2 (Laughter.)</p> <p>3 VICE-CHAIR HEDANI: Generally, you know, I</p> <p>4 thought that the rules, you know, as they're stated over</p> <p>5 here works. If you open public testimony at the</p> <p>6 beginning of the meeting on all agendas items, allow</p> <p>7 each person to speak for three minutes on all agenda</p> <p>8 items, and then close it after the end of the three</p> <p>9 minutes, with an additional minute given to the Chair</p> <p>10 for leeway -- this is the first time that I've -- this</p> <p>11 is the first time that I've seen a situation where each</p> <p>12 person has three minutes per item on the agenda. If you</p> <p>13 have 25 items on the agenda, it's uncontrollable.</p> <p>14 MEMBER OKAMOTO: But is that -- Ed is saying</p> <p>15 -- Ed, could you clarify?</p> <p>16 VICE-CHAIR HEDANI: Let me finish. I've had</p> <p>17 meetings where we ran the meeting, we had 75 people</p> <p>18 testifying in the course of the -- in the course of the</p> <p>19 meeting, and we managed to hear everybody, giving</p> <p>20 everybody three minutes, with the opportunity for</p> <p>21 questions from the commission members if there was a</p> <p>22 burning issue that they needed to have answered. So as</p> <p>23 not to just allow them an additional five minutes or 10</p> <p>24 minutes of free-flowing speech.</p> <p>25 CHAIR STONE: I believe -- I believe these</p>
<p style="text-align: right;">Page 90</p> <p>1 long it is per item, though, yeah?</p> <p>2 CHAIR STONE: No, it doesn't. We can specify</p> <p>3 the duration, is that correct?</p> <p>4 MR. KUSHI: It's just a reasonable -- it's a</p> <p>5 reasonable standard.</p> <p>6 MEMBER DELEON: Because like in Honolulu, for</p> <p>7 instance, they give one minute per item and you have to</p> <p>8 be done one minute each item. I'm for this, this is</p> <p>9 why, I'm for that, or I'm against that, this is why, and</p> <p>10 you're done. You only get one minute.</p> <p>11 CHAIR STONE: My fear --</p> <p>12 MEMBER DELEON: Multiple choices like that.</p> <p>13 CHAIR STONE: Commissioners, my fear is to</p> <p>14 scare off public testimony. We want to keep this a very</p> <p>15 open --</p> <p>16 MEMBER OKAMOTO: As I'm looking just at</p> <p>17 Sally's, the one she gave us today of the seven items,</p> <p>18 if I'm looking at it right, the last two items would not</p> <p>19 -- weren't really on our agenda. So if you were to say</p> <p>20 testify after each agenda item, let's just say if you</p> <p>21 really went that way, would those last two have come up?</p> <p>22 I'm not sure. Because if it is for every agenda item, I</p> <p>23 think we really -- it does get opened up a lot.</p> <p>24 CHAIR STONE: Commissioner Hashimoto.</p> <p>25 MEMBER HASHIMOTO: No. Hashimoto over here.</p>	<p style="text-align: right;">Page 92</p> <p>1 rules came from the last Charter Commission, right? We</p> <p>2 pretty much -- that's correct, isn't it?</p> <p>3 MR. KUSHI: Correct.</p> <p>4 CHAIR STONE: Okay. So that was -- that's why</p> <p>5 we adopted that, because it seemed like that was working</p> <p>6 for the last Charter Commission, I think. So what</p> <p>7 you're saying, just clarification, Commissioner Hedani,</p> <p>8 in -- it was the Planning Commission you're referring</p> <p>9 to?</p> <p>10 VICE-CHAIR HEDANI: Well, yeah. In the case</p> <p>11 of the Planning Commission, we would take oral testimony</p> <p>12 at the beginning of the meeting on any item that was on</p> <p>13 the agenda, not open up testimony as each item on the</p> <p>14 agenda.</p> <p>15 MEMBER MOIKEHA: Actually --</p> <p>16 CHAIR STONE: Obviously, if that works for the</p> <p>17 Planning Commission, you'd think it could --</p> <p>18 MEMBER MOIKEHA: Chair?</p> <p>19 CHAIR STONE: -- work for the Charter</p> <p>20 Commission.</p> <p>21 MEMBER MOIKEHA: Actually, the way that worked</p> <p>22 was those who couldn't be there could testify up front</p> <p>23 before the meeting began. Those that wanted to wait for</p> <p>24 their specific agenda item then testified.</p> <p>25 VICE-CHAIR HEDANI: That's right.</p>

23 (Pages 89 to 92)

1 MEMBER MOIKEHA: That's right, yeah.
 2 CHAIR STONE: So it was per agenda item.
 3 MEMBER MOIKEHA: So I don't know if that's
 4 something you want to travel down with these. Because,
 5 I'll tell you what, once we start putting proposals on
 6 here --
 7 CHAIR STONE: Yeah.
 8 MEMBER MOIKEHA: I mean --
 9 CHAIR STONE: This is an issue, we need to
 10 resolve this.
 11 Commissioner DeLeon.
 12 MEMBER DELEON: Just for your information, the
 13 Planning Commission is very different than this.
 14 There's no unity to the agenda. I mean, each item is
 15 independent of itself and there's like maybe 10 items on
 16 there. And the current chair of the Planning Commission
 17 allows three minutes, done. I mean, you're done in
 18 three minutes, no extra minute, don't even try.
 19 CHAIR STONE: But you can come back as agenda
 20 items appear?
 21 MEMBER DELEON: Well, you can only speak on
 22 the item once.
 23 CHAIR STONE: But could you speak on multiple
 24 items more than three minutes?
 25 MEMBER DELEON: Yes, you could, but you would

1 have to wait for a long time.
 2 MEMBER MOIKEHA: Chair, actually, you could
 3 speak on an item again if you didn't already speak about
 4 the issue of it. I mean, if you had talked about one
 5 thing of that applicant, it was new testimony -- and
 6 this is stated in the rules, like what you read ahead of
 7 time -- then you could come back and have another
 8 opportunity to testify. I don't think very many people
 9 challenge that or test that. But --
 10 CHAIR STONE: So with Corporation Counsel's
 11 input, we need to -- we need to define something here.
 12 So just to clarify from Corporation Counsel, you are
 13 telling me that we must allow, according to Sunshine
 14 Law, testimony on each agenda item for all public
 15 testifiers, but the amount of -- the duration per --
 16 MR. KUSHI: It's up to you.
 17 CHAIR STONE: So, for example, as an example,
 18 one minute per item on the agenda.
 19 MEMBER CRIVELLO: What about three minutes?
 20 CHAIR STONE: With -- with a -- with a -- if
 21 it's a single item, three-minute max? Oh, you guys need
 22 to help me out here.
 23 MEMBER CRIVELLO: The way I -- I read it,
 24 maybe the way our rules do it, is, within three minutes,
 25 you try and deal with all the agenda items with your

1 testimony. We don't want to deprive the testifier from
 2 talking about the agenda items.
 3 CHAIR STONE: Uh-huh.
 4 MEMBER CRIVELLO: So can they do that in three
 5 minutes and an additional minute to wrap it up, like you
 6 do in Council meetings?
 7 CHAIR STONE: Uh-huh. Again, I think,
 8 Council -- now that I have an understanding better of
 9 Council, you come testify per agenda item, is that
 10 correct?
 11 MR. KUSHI: But they have a time limitation,
 12 Chair.
 13 CHAIR STONE: But per item.
 14 MR. KUSHI: Per item? No, no, no. Your
 15 testimony.
 16 CHAIR STONE: Got it.
 17 MR. KUSHI: If you can't finish in three
 18 minutes, then they allow you one minute to conclude.
 19 And then they will also allow you to come back after
 20 everybody's testified.
 21 CHAIR STONE: So I guess what --
 22 MR. KUSHI: I believe for an additional
 23 minute.
 24 MEMBER CRIVELLO: Yeah, you can come back for
 25 an additional minute.

1 CHAIR STONE: So, Commissioner Crivello, what
 2 you're suggesting is they have a set amount of time to
 3 discuss all the issues on the agenda with one additional
 4 minute. Is that going to be an issue?
 5 MR. KUSHI: Your rules read just what you're
 6 saying right now. But on the second round, you're
 7 allowing three minutes.
 8 MEMBER CRIVELLO: But -- excuse me -- can we
 9 allow one minute instead of an additional three minutes,
 10 you know?
 11 MR. KUSHI: You can do what you want. You can
 12 do what you want.
 13 CHAIR STONE: Was there -- just out of
 14 curiosity, was there -- was there a purpose for the
 15 second round of oral testimony? Because they weren't
 16 meant to -- was there a purpose that anybody understands
 17 why it was second round and not just a set amount of
 18 time up front? Can anybody understand why that was?
 19 MEMBER HASHIMOTO: We have a motion, don't we?
 20 MR. KUSHI: Mr. Chair --
 21 CHAIR STONE: We have a motion. We're
 22 discussing it.
 23 MEMBER HASHIMOTO: We're getting far away from
 24 that motion.
 25 CHAIR STONE: No. We're discussing. We're

<p style="text-align: right;">Page 97</p> <p>1 discussing the time duration right now. The motion on 2 the table is three minutes for all agenda items, plus 3 one additional minute. And it's been seconded and 4 that's what we're in discussion on. Corporation Counsel 5 pointed out that, that may be -- 6 MR. KUSHI: Yeah. If you limit yourself -- if 7 you limit a person to testify only on one agenda item 8 that's -- 9 CHAIR STONE: Understood. 10 MR. KUSHI: If you limit a person to 11 testify -- 12 CHAIR STONE: On all agenda items. 13 MR. KUSHI: -- based on time, on a time limit, 14 you need to say we have five agenda items, you must wrap 15 it up in five minutes on any and all items. And then at 16 the expiration of that initial time period, you ask can 17 they conclude in an additional one minute. Or if you 18 want to have them come back on second round because they 19 can't conclude their entire testimony, then that's up to 20 you, also. You should set a time limit on the second 21 round, also. 22 CHAIR STONE: Or no second round. Would that 23 be a -- 24 MR. KUSHI: Or no second round, yes. 25 MEMBER WIGER: Okay. So, for clarification,</p>	<p style="text-align: right;">Page 99</p> <p>1 CHAIR STONE: Correct. The difference now is 2 that it could be three minutes per agenda item. Okay. 3 Commissioner -- 4 MEMBER MOIKEHA: No. That's not her motion, 5 though. 6 MEMBER CRIVELLO: That's not the motion. 7 CHAIR STONE: No, no. I know. But the 8 present rules are reading -- so that would be the change 9 in the rule, that it would be for all agendas items. 10 MEMBER CRIVELLO: Right. 11 CHAIR STONE: Commissioner Moikeha. 12 MEMBER MOIKEHA: It makes a difference on how 13 I'm going to vote on this if there's additional minutes. 14 I do not want additional minutes. 15 MEMBER OKAMOTO: A minute. 16 MEMBER MOIKEHA: I'm not sure if you're 17 willing to put that in as part of your amended -- as an 18 amendment. So if you are, I'll go ahead and make a 19 friendly amendment; if not, we'll take it separate. But 20 I'm not -- I'm not in support of additional minutes. 21 And I would give -- you know, I would give them five 22 minutes total, that's it, you're done, and no additional 23 minutes. 24 MEMBER CRIVELLO: For the discussion, 25 Commissioner Moikeha, does that mean, also, with that</p>
<p style="text-align: right;">Page 98</p> <p>1 with Corp Counsel, if we were to say, you have three 2 minutes to testify, you can testify on one item or you 3 can testify on 25, we don't care, but you've got three 4 minutes, and, at the end of that three minutes, you get 5 an additional? That is perfectly acceptable -- 6 MR. KUSHI: Correct. 7 MEMBER WIGER: -- to do that? Okay. And then 8 -- okay. So we're clear on that. Then the next piece 9 is whether or not you would decide that we want to do 10 something at the end or not do something at the end. 11 Okay. 12 MEMBER OKAMOTO: So can we hear the actual 13 motion again? 14 CHAIR STONE: The actual motion on the floor 15 is three minutes of testimony on all agenda items with 16 one additional minute, and no second round of oral 17 testimony. 18 MEMBER CRIVELLO: I didn't say that in my 19 motion, though, about no second round. 20 CHAIR STONE: You didn't, okay. So, in other 21 words, leave it the same? 22 MEMBER CRIVELLO: That's open for discussion. 23 For right now, I'm just -- I just addressed with my 24 motion three minutes, all agendas items, and wrap it up 25 in one minute.</p>	<p style="text-align: right;">Page 100</p> <p>1 five minutes, no second round? 2 MEMBER MOIKEHA: No second round on the whole 3 agenda, not per agenda item. 4 MEMBER CRIVELLO: I can amend. 5 MEMBER MOIKEHA: Okay. 6 MEMBER CRIVELLO: I can amend it as such. Are 7 you willing to -- 8 MEMBER DELEON: I'm fine. 9 MEMBER CRIVELLO: Okay. 10 CHAIR STONE: Actually, I think that we should 11 reword that motion. That's a little confusing, to amend 12 it that way. Don't you think? Because the time 13 duration just changed as well. 14 MEMBER CRIVELLO: Yeah. Okay. 15 MEMBER MOIKEHA: You want to change the time 16 to five minutes? 17 MEMBER CRIVELLO: Five minutes. 18 CHAIR STONE: Five minutes total. 19 MEMBER CRIVELLO: Total. 20 CHAIR STONE: Total. 21 MEMBER MOIKEHA: Because you already just said 22 you don't want to interrupt them at three minutes. 23 CHAIR STONE: Exactly. 24 MEMBER MOIKEHA: Just give them five minutes. 25 CHAIR STONE: I agree. I agree. I'm just</p>

25 (Pages 97 to 100)

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1 saying the motion is basically --
 2 MEMBER WIGER: Withdraw the --
 3 CHAIR STONE: Withdraw the first motion.
 4 MEMBER CRIVELLO: I'm going to withdraw --
 5 CHAIR STONE: Thank you.
 6 MEMBER CRIVELLO: -- the first motion.
 7 MEMBER DELEON: I also withdraw.
 8 MEMBER CRIVELLO: Okay.
 9 CHAIR STONE: Okay. So please make the new
 10 motion, Commissioner Crivello.
 11 MEMBER CRIVELLO: Commissioner Moikeha, go
 12 ahead.
 13 MEMBER MOIKEHA: I would like to amend Rule
 14 11.2, and where it's applicable to (A) -- where is the
 15 additional minutes, in (A)? It's all in (A), is that
 16 correct? Okay. My motion is to amend 11.2, Oral
 17 Testimony, Section (A), and --
 18 CHAIR STONE: No, no. I'm sorry. It's
 19 Section (B).
 20 MEMBER MOIKEHA: Is it Section (B)?
 21 CHAIR STONE: Uh-huh.
 22 MEMBER MOIKEHA: Okay. Well, also, (A) has
 23 about the three minutes. So (A) and (B) that need to be
 24 amended to reflect that all testifiers shall be allowed
 25 to speak for a total of five minutes on -- and I want it

1 to be worded so that it incorporates the whole agenda --
 2 with no additional minutes. That's it.
 3 CHAIR STONE: So, clarification, amending Rule
 4 11.2, Oral Testimony, Sections (A) and (B), that public
 5 testifiers shall receive five minutes to testify on all
 6 agenda items.
 7 MEMBER WIGER: In total.
 8 MEMBER OKAMOTO: In total.
 9 CHAIR STONE: In total.
 10 MEMBER CRIVELLO: I second.
 11 CHAIR STONE: Seconded by Commissioner
 12 Crivello.
 13 MEMBER CRIVELLO: Can I have discussion?
 14 CHAIR STONE: Yes, please. Discussion.
 15 MEMBER CRIVELLO: Just for clarification, are
 16 we going to allow an additional, or is that it?
 17 MEMBER MOIKEHA: That's it.
 18 MEMBER CRIVELLO: Okay. Okay.
 19 MEMBER DELEON: It can be organized so they'd
 20 do four minutes and then -- and then --
 21 MEMBER CRIVELLO: Okay.
 22 MEMBER DELEON: -- you got to wrap up.
 23 CHAIR STONE: Okay. So -- without the
 24 additional. So, Commissioner Wiger.
 25 MEMBER CRIVELLO: No second round.

1 MEMBER WIGER: And that, then, will not
 2 include questions that Commissioners may have of --
 3 CHAIR STONE: No. The question period will
 4 continue as -- as -- as it has been.
 5 MEMBER WIGER: Thank you.
 6 CHAIR STONE: Any further discussion or
 7 clarification?
 8 MR. KUSHI: Mr. Chair, for practical matters,
 9 staff should at least time the testifier and give
 10 them -- maybe say, you know, 4.5 minutes, you have 30
 11 seconds to conclude.
 12 CHAIR STONE: We will make like a sign
 13 because --
 14 MR. KUSHI: Get an egg timer or something.
 15 MEMBER DELEON: No. Seriously, that's common
 16 practice. Or even a little light, you know, whatever,
 17 yeah. Something they can see.
 18 MEMBER WIGER: Because I think -- excuse me.
 19 I think that it's difficult when people are speaking,
 20 unless they know where the time clock is coming from --
 21 you know, if Lisa is sitting on the side, they're
 22 speaking to us, Lisa's there, and then she says, "time,"
 23 it's really sort of a -- it would be better if we could
 24 figure out some way of it happening with them looking at
 25 us, either a flag goes up or -- or something goes up.

1 MEMBER CRIVELLO: The light thing.
 2 MEMBER WIGER: However you do it. Does that
 3 need to be -- that doesn't need to be specified --
 4 MEMBER OKAMOTO: No.
 5 MEMBER WIGER: No.
 6 CHAIR STONE: -- in our rules, though? Okay.
 7 MEMBER DELEON: Because it has to be
 8 staff-driven, because we're going to be --
 9 MEMBER WIGER: Right.
 10 MEMBER DELEON: -- engaged with the person.
 11 MEMBER WIGER: Right.
 12 MEMBER DELEON: We're not going be sitting
 13 around doing the --
 14 MEMBER WIGER: Exactly. So -- exactly.
 15 That's why I say, we may have to change where people are
 16 seated --
 17 MEMBER DELEON: Ready, go.
 18 MEMBER WIGER: -- so that they --
 19 CHAIR STONE: Okay. Further discussion?
 20 Sorry, guys. The court reporter can't handle
 21 multiple voices.
 22 Commissioner.
 23 MEMBER SUGIMURA: So I think that the
 24 community who comes to speak to us is sort of used to
 25 going to Council. And I think for Lisa to say, you have

<p style="text-align: right;">Page 105</p> <p>1 one minute, I don't think it's so disruptive. I mean, I</p> <p>2 think it's still fine. We don't need to change our</p> <p>3 whole structure just because you think that we're</p> <p>4 interrupting them. I think people are kind of used to</p> <p>5 it and will wrap up in one minute. I'll be glad to know</p> <p>6 that I'll be done in one minute, you know.</p> <p>7 CHAIR STONE: We'll figure -- we'll figure a</p> <p>8 system. We'll figure a good system. All right. So</p> <p>9 there's the motion on the floor and seconded. Any</p> <p>10 further discussion on the motion?</p> <p>11 MEMBER SUGIMURA: No.</p> <p>12 CHAIR STONE: Yes, Commissioner Hedani.</p> <p>13 VICE-CHAIR HEDANI: If you -- if you check</p> <p>14 Section 11.2(C) --</p> <p>15 MEMBER MOIKEHA: Of our rules?</p> <p>16 VICE-CHAIR HEDANI: Of our rules. It says,</p> <p>17 the Chair may -- Chair decides when all -- whether all</p> <p>18 testimony shall be accepted at the beginning of the</p> <p>19 meeting. The Chair may, may, either (A) accept</p> <p>20 testimony on all items prior to the discussion period or</p> <p>21 any of the items; or, (B), accept testimony for each --</p> <p>22 on each item immediately prior to the discussion period</p> <p>23 of the item. So it's at the discretion of the Chair</p> <p>24 whether you want to restrict everybody at three minutes</p> <p>25 for all agenda items or three minutes per item.</p>	<p style="text-align: right;">Page 107</p> <p>1 MEMBER CRIVELLO: -- are discussing?</p> <p>2 CHAIR STONE: No, it does not.</p> <p>3 MEMBER CRIVELLO: I just needed to clarify.</p> <p>4 CHAIR STONE: It does not. Okay. So a motion</p> <p>5 is on -- on the floor, and it's been seconded. Any</p> <p>6 further discussion on the motion?</p> <p>7 (Silence.)</p> <p>8 CHAIR STONE: Okay. Let's take action. All</p> <p>9 in favor of the motion, say "aye."</p> <p>10 (A chorus of ayes.)</p> <p>11 CHAIR STONE: All opposed?</p> <p>12 (Silence.)</p> <p>13 CHAIR STONE: Okay. Motion carries.</p> <p>14 MEMBER CRIVELLO: Does that apply to tonight?</p> <p>15 CHAIR STONE: You know, that is a very good</p> <p>16 question, actually. Our agenda item already -- our</p> <p>17 agenda already went out, though. And our agenda</p> <p>18 specified the time. So it does affect tonight, but I</p> <p>19 think that we can vote there to --</p> <p>20 MEMBER CRIVELLO: Okay. Just needed to</p> <p>21 clarify.</p> <p>22 CHAIR STONE: -- suspend the rule and go back</p> <p>23 to the old rule. It's a very good point, actually.</p> <p>24 MEMBER CRIVELLO: Just to clarify, but what's</p> <p>25 on the agendas will have to be --</p>
<p style="text-align: right;">Page 106</p> <p>1 CHAIR STONE: Okay. Thank you. Good to know.</p> <p>2 (Laughter.)</p> <p>3 MEMBER CRIVELLO: Is that --</p> <p>4 CHAIR STONE: Actually -- actually, the way I</p> <p>5 read this -- the way I read this is that --</p> <p>6 MEMBER CRIVELLO: Just the item?</p> <p>7 CHAIR STONE: I read -- it doesn't change the</p> <p>8 fact that the wording allows the testifier, even if I</p> <p>9 say, as we're doing now, all the testimony is at the</p> <p>10 beginning on all agenda items, the testifier can still</p> <p>11 go and say there's nine items they would like to testify</p> <p>12 on.</p> <p>13 MEMBER CRIVELLO: Within that.</p> <p>14 CHAIR STONE: Right now. So, now --</p> <p>15 (Multiple speakers.)</p> <p>16 CHAIR STONE: Now, this is cleaning -- this is</p> <p>17 cleaning this up and -- and if things get really crazy,</p> <p>18 at some point, on a very, very hot topic, we may go to a</p> <p>19 specific item for discussion. Let's leave that in</p> <p>20 there. I don't -- I don't think we should remove that.</p> <p>21 Something could come up that we need to use that -- or I</p> <p>22 need to use that.</p> <p>23 MEMBER CRIVELLO: But that doesn't do anything</p> <p>24 about the time limit that we --</p> <p>25 CHAIR STONE: No.</p>	<p style="text-align: right;">Page 108</p> <p>1 CHAIR STONE: Have to take precedence.</p> <p>2 MEMBER CRIVELLO: Take precedent.</p> <p>3 MEMBER MOIKEHA: Just follow it up.</p> <p>4 CHAIR STONE: Okay. With reference to the</p> <p>5 agenda items listed below, one or more executive</p> <p>6 meetings are anticipated. In particular, the Charter</p> <p>7 Commission anticipates it will consider</p> <p>8 personnel-related matters where personnel privacy may be</p> <p>9 involved. The Charter Commission may also consult the</p> <p>10 Commission's attorney on questions and issues pertaining</p> <p>11 to the Commission's powers, duties, privileges,</p> <p>12 immunities and liabilities. Therefore, pursuant to</p> <p>13 Hawaii Revised Statutes ("HRS") Sections 92-5(a)(2) and</p> <p>14 (4), the following items may be considered in Executive</p> <p>15 Session.</p> <p>16 So we shall clear the room. And,</p> <p>17 unfortunately, you guys, too.</p> <p>18 MR. KUSHI: You need a motion.</p> <p>19 CHAIR STONE: Oh. Sorry. Can I get a motion?</p> <p>20 MEMBER WIGER: So moved.</p> <p>21 MEMBER CRIVELLO: Second.</p> <p>22 MEMBER DELEON: Second.</p> <p>23 CHAIR STONE: Commissioner Wiger, motion to go</p> <p>24 to executive order [sic], seconded by Commissioner</p> <p>25 DeLeon. All in favor of going into Executive Session,</p>

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1 say "aye."
 2 (A chorus of ayes.)
 3 CHAIR STONE: All opposed?
 4 (Silence.)
 5 (Recess to Executive Session, 2:21 p.m. to
 6 2:43 p.m.)
 7 CHAIR STONE: Commissioners, let's reconvene
 8 the Regular Session.
 9 In Executive Session, we discussed the analyst
 10 and secretarial positions.
 11 Our next item is Announcements. Our next
 12 meeting date -- our discussion on next meeting date --
 13 our next -- well, our next public hearing is this
 14 evening, on Molokai, 6:30 p.m. I'm sorry. What is the
 15 center?
 16 MEMBER CRIVELLO: Mitchell Pau'ole.
 17 CHAIR STONE: Mitchell Pau'ole Center. Next
 18 Regular Meeting is Monday, July 25th, 2011, 12:00 p.m.,
 19 in this room, the Planning Conference Room, in the
 20 Kalana Pakui Building. And the following Public
 21 Hearing, Wednesday, July 20th, 2011, 7:00 p.m., Lanai
 22 Community Center, Eighth Street and Lanai Avenue, Lanai
 23 City, Lanai.
 24 MEMBER DELEON: Mr. Chair?
 25 CHAIR STONE: Yes.

1 MEMBER DELEON: I think you missed one.
 2 Lahaina, Wednesday.
 3 MEMBER SUGIMURA: Wednesday.
 4 MEMBER WIGER: This Wednesday.
 5 CHAIR STONE: You know, I'm reading off of my
 6 agenda. So thank you very much. This is what happens
 7 when you have an overworked, underpaid --
 8 MS. KAHUHU: I provided you with a new one,
 9 Chair.
 10 (Laughter.)
 11 MS. KAHUHU: An agenda?
 12 CHAIR STONE: I'm reading straight off of the
 13 agenda.
 14 MEMBER SUGIMURA: Our next meeting is the
 15 13th, right?
 16 MS. KAHUHU: Oh, all right. Okay. Sorry.
 17 CHAIR STONE: You know, if we weren't on
 18 Akaku, I would say, "Face."
 19 (Laughter.)
 20 CHAIR STONE: Woops. Okay. So, I'm sorry,
 21 could somebody help me with that Lahaina date, please?
 22 MS. KAHUHU: Lahaina date, Chair, is July
 23 13th, at 6:30, at the Lahaina Civic Center.
 24 CHAIR STONE: Okay. Wednesday night. Thank
 25 you so much, Lisa. Thank you.

1 MEMBER OKAMOTO: Wednesday, 6:30.
 2 CHAIR STONE: So discussion on any of the --
 3 on next meeting agenda items? I know we touched base on
 4 that previously. Is there any further discussion? We
 5 have another 20 minutes.
 6 MEMBER OKAMOTO: I have a question, which may
 7 not be a discussion. Since we've met three and-a-half
 8 hours today, when we finish tonight in Molokai, can we
 9 not do further discussion?
 10 CHAIR STONE: I don't think we'll have the
 11 time, actually.
 12 MEMBER OKAMOTO: Okay.
 13 CHAIR STONE: I believe that we're going to be
 14 -- Lisa, just a clarification, what time is the flight
 15 meant to leave Molokai?
 16 MS. KAHUHU: Chair, the staff and yourself
 17 will be departing the airport at 4:30; Commissioners
 18 will be departing at 4:45. The reason for this is
 19 staff -- we're renting vans today. So it will allow me
 20 the time to get the vans before the Commissioners
 21 arrive. And then when they do arrive, we can just drive
 22 out through the --
 23 CHAIR STONE: Where at the airport are we
 24 meant to meet?
 25 MS. KAHUHU: At Alamo, I guess.

1 MEMBER OKAMOTO: Josh, there's just --
 2 CHAIR STONE: No. I'm sorry. Here. Here,
 3 this airport.
 4 (Multiple speakers.)
 5 MS. KAHUHU: And you need to park in the
 6 Kahului Airport parking lot and pull a ticket. And
 7 please keep your receipts. Please, also, bring a bottle
 8 of water with you, or something to drink.
 9 MEMBER DELEON: I was trying to find Stacy's
 10 brother, to talk to him, a couple months ago. And I
 11 called him up on the phone, trying to get instructions.
 12 He says, "If you can get lost on Molokai, you can get
 13 lost in okole."
 14 (Laughter.)
 15 MEMBER CRIVELLO: If you can get lost in
 16 Molokai --
 17 MEMBER DELEON: You can get lost in okole.
 18 (Laughter.)
 19 MEMBER DELEON: You can't find your way out of
 20 (inaudible).
 21 CHAIR STONE: Okay. Any further discussion on
 22 next meeting agenda items?
 23 MEMBER CRIVELLO: So what time will you be
 24 ending your meeting on Molokai?
 25 MEMBER DELEON: Last testifier.

1 CHAIR STONE: That's a good question.
 2 MS. KAHUHU: I think we try to do it by 9:15,
 3 Chair, in time to clean up and get back to the airport.
 4 The Charter needs to depart by 10:00 a.m. -- 10:00 p.m.
 5 CHAIR STONE: It's going to be a long flight.
 6 (Laughter.)
 7 CHAIR STONE: 9:15 p.m.
 8 MEMBER SUGIMURA: So we need to be ready to
 9 leave at the airport, from the airport, to be there by
 10 5:00?
 11 MEMBER WIGER: 4:45.
 12 CHAIR STONE. No. 4:45.
 13 (Multiple speakers.)
 14 MEMBER OKAMOTO: We'll wave to you.
 15 MS. KAHUHU: Yuki, be there by 4:30 because
 16 your flight is going to depart at 4:45.
 17 CHAIR STONE: Okay. Very good. If there's no
 18 further discussion -- Commissioner, please.
 19 MEMBER OKAMOTO: The items that we had talked
 20 about earlier are the ones that you're putting on the
 21 next agenda, is that correct?
 22 CHAIR STONE: Yes, correct. If there's any
 23 further items, we have time to discuss them.
 24 (Silence.)
 25 CHAIR STONE: No, okay. So if there's no

1 objections, I am going to adjourn this meeting at 2:50.
 2 Meeting adjourned.
 3 (Meeting adjourned at 2:50 p.m.)
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CERTIFICATE

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 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 21st day of July, 2011.

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