

### COMMUNICATIONS:

The following were received and are on file for interested members to read:

1. Minutes of the Hawaii County Charter Commission.
2. Two volumes of report dealing with "Flood Control and Flood Water Conservation in Hawaii" from the Department of Land and Natural Resources.
3. County of Maui Fact Book from the Department of Economic Development.

### GENERAL DISCUSSION:

The Chair explained to the members that since they have concluded their interviews with the various departments in the County and have met with the supervisors and legislators and have held a public hearing, the first order of business should be a discussion on whether or not this county needs a charter. However, since all of the members were not present at this time, the Chair went on further to explain some of the proposed "Further Rules of Procedure of the Maui County Charter Commission", to supplement the existing Rules of Procedure.

Mr. Balthazar: Is it the recommendation of the Chairman that we hold public hearings in all major districts on Maui?

Mr. Yokouchi: I suggest we hold a series of public hearings - probably one in East Maui and one in West Maui, in addition to hearings on Lanai and Molokai on the first draft. We can have the same series of public hearings on our second draft.

Mr. Yagi: I am quite confused as to the public hearings which we will have. Are the people going to tell the commissioners what form of government the commissioners will draft or are we going to provide leadership and inform the people that this is the form of government we think is right? Knowing the feelings of the people, I don't think anyone who speaks up can rightfully say "I am for a strong mayor form of government or council-manager form of government". The reason why is that the people do not know the types of government. That is why we are given this duty.

Mr. Yokouchi: At a public hearing a person might come up with an idea for a problem we never came across. It is a chance for the public to participate with you. That does not mean that the sentiment is such so you have to go along with them.

Mr. Yagi: Too many public hearings, too much confusion. I feel very strongly that we should make up our own minds.

Mr. Yokouchi: At all of our meetings with the various departments, and at the public hearing we have had some sentiments. Even though the sentiments are strong against what we recommend, we should go back and explain to the public. If 95% of the public say they disagree with us, maybe we are wrong because the public is not ready for it. Public hearings play an important part in that we have a chance to propose something.



- Mr. Caldito: When we come to the final decision, why can't we go to the service clubs and educate them as to what kind of government we are proposing?
- Mr. Yagi: Do we need the guidance of the people to do our job? I think the delegation of the powers is upon us. We should provide the people leadership and educate the people that this is the best form of government we are proposing.
- Mr. Higa: The enabling act states that "the commission shall hold public hearings and sponsor public forums and in general provide for the widest possible public information and discussion respecting the purpose and progress of its work".
- Mr. Caldito: We have discovered the weaknesses and difficulties of our government. We are trying to compile all that with a charter that is better for the county in the years to come. We go to public hearings and educate the people even though only one per cent study the forms of government. Maybe one of them might come up with a good suggestion. We have to provide leadership by coming up with a form of government.
- Mr. Crockett: We are going to exercise leadership by making decisions.
- Mr. Balthazar: I move that this commission go on record favoring a charter for the County of Maui. Seconded by Mr. Tester.
- Mr. Yokouchi: I think it is only proper that we submit a report to the Board informing them what we are contemplating.
- Mr. Crockett: I am personally in favor of adopting a charter. I think the question is worthy of discussion. Irrespective of the fact that some people are opposed to proposing a charter, I think it is only fair that we vote on it. Since the enabling act does not provide for a referendum on the question of whether there should or should not be a charter, it is only fair that we draft a charter and give the people a chance to vote on it. It is our responsibility to go ahead and take further action in this direction. I personally think we need a charter.
- The motion that this commission go on record favoring a charter for the County of Maui was carried unanimously.
- Rep. Trask: I want to congratulate you for taking a stand. I think you have taken tremendous strides. You have studied enough not to be confused. I applaud your study to come up with this decision and I would like to say, as you go into the "home stretch", you need not be afraid of making decisions because you must make a decision. You have the last say. Let us not worry about what you put up because what you put up you will have studied. Another thing is that you are the ones who are supposed to provide the leadership. I think now that you will form a charter, you will inform the public. I think the public will study the charter and will have lots to offer. Ultimately the public is going to say whether they agree or not. I want to commend you very much for your forthright stand.



- Mr. Kobayashi: We need a skeleton to work on. The form we choose is a guideline.
- Mr. Crockett: We should have some direction to approach these other problems.
- Mr. Kobayashi: I make a motion to use the strong mayor form of government as our guideline. Seconded by Mr. Caldito.
- Mr. Friel: I don't think I am ready to vote for strong or weak mayor type of government at this point.
- Mr. Kobayashi: The reason why I believe in a strong mayor form of government as a guideline is because of efficiency and responsiveness. The most important factor we must have in our minds is efficiency. Responsiveness will follow. There is no doubt that politicians who are elected in office make political decisions because of small groups coming before them. In efficiency there is a lot of laxity when you can't put blame on someone directly. Someone is always passing the blame on someone else. I would like to see something more efficient than what it is today. I think this form of government would be the best for our community.
- Mr. Tester: I am very much in favor of a strong mayor type of government. We are going to have as few commissions as possible. Appointments are going to be made by the mayor which do not necessarily have to be passed on by the council members. You have someone to point the finger to if things don't go right.
- Mr. Yagi: In view of the comment made by Mr. Friel, although we have in our minds whether we are for strong mayor or such other type of government, I think we should try to go on the basis of the questions (referring to Rule #2 - The Commission shall next make a determination of a series of important questions, such as the number of officers, of the council, terms of office, etc.) to clear the minds of the commissioners so that when we take action on the form of government, no one will have any doubt.

The Chair called for a recess at 8:25 P.M. Meeting was reconvened at 8:35 P.M.

The Chair requested that the mover of motion to use strong mayor type of government as guideline withdraw his motion temporarily so that he could explain the Rules of Procedure further.

Mr. Kobayashi withdrew his motion. (There were no objections.)

The Chair explained the Further Rules of Procedure to the members of the Charter Commission, stressing the fact that "This shall be a tentative decision and subject to change after public hearings have been held on the proposed charter". (Further Rules attached.)

- Mr. Burnett: If this commission recognizes that the public is brought in this picture, I will go along with you. I will work with you right straight through. I will work to get what I think is the best in the strong mayor type of government. I am not going to say, under any circumstances, that this is the type of government.



Mr. Yagi: Would you as a charter commission member educate the people, to your own knowledge, as to this type of government?

Mr. Burnett: I would be perfectly willing to go along. I am not telling you or anybody else what I think is best for you. I will be perfectly willing to go along with the type of government which we think is best under the circumstances. I think it should be in the motion on that basis.

Mr. Kobayashi: I move that we add the Further Rules of Procedure - Items 1 to 5 - to the existing Rules of Procedure. Seconded by Mr. Yagi.

The motion to add Further Rules of Procedure to the existing rules was carried unanimously.

Mr. Kobayashi: I move in favor of a strong mayor form of government. Seconded by Mr. Caldito.

Mr. Crockett: I would like to express my opinion for the strong mayor type of government for two principle reasons. First, I feel that the only alternative is the council-manager type of government. I thought it over and think it is not appropriate for this particular type of community because it is not going to get a strong, effective type of leadership. Second, I simply don't think we could get people in the county to adopt a charter which would provide council-manager type of government.

Mr. Caldito: I am very much in favor of a strong mayor type of government. We have a Chairman but he is not solely the administrative head. We have 8 Board members who participate in administrative matters. We also have the Attorney, Clerk, Auditor and Treasurer, so that the actual conduct of the county affairs is scattered through the long list of boards and commissions which make in ineffective as far as running a county government. If we have one man responsible, the people will not be confused as to the long list of administrative heads in the county. I am very much in favor of the strong mayor form of government.

Mr. Kobayashi: I have another comment in opposition to the council-manager type of government. In choosing a city manager the two most important factors you have to take into consideration are his qualifications and ability. If a person has a lot of qualifications - his background and training - that does not mean he is able to deal with the public. The prime factor in choosing a person is his qualifications. If we are going to choose a city manager, the person should run for election. Let the people elect. Let us put the responsibility on the people. I think the choice of the people will be better. A person seeking election will have to have ability and must have qualifications. If the responsibility lies with the people, there won't be too many criticisms.

Mr. Friel: Since Mr. Kobayashi is making a motion for tentative decision, I am ready to vote.



Mr. Balthazar: I believe one of the main reasons why the Citizen's Association for Good Government has proposed the council-manager form of government is based on the idea that a professional non-political man will provide responsiveness to the people. I do feel that government cannot exist without politics. Although I respect the aims and goals of this group that is the reason why I am against it.

The motion in favor of a strong mayor form of government as a tentative decision was carried unanimously.

The Chair read the draft of the "Preliminary Report by the Maui County Charter Commission to the Board of Supervisors" to the members of the Charter Commission.

Mr. Tester: I move that we adopt the report with the inclusion of the tentative position taken on the strong mayor type of government. Seconded by Mr. Crockett.

Motion to adopt the report of the Charter Commission to the Board of Supervisors was carried unanimously.

Mr. Tester: I suggest that our Research Assistant submit to the newspaper a good outline of the strong mayor form of government. I think it is important that the general public should have a good idea of the stand we took.

ADJOURNMENT:

Since there was no further business, the meeting was adjourned at 9:10 P.M.

NEXT MEETING:

December 5, 1963 at 7:30 P.M., in the Board Chambers. (The Chair informed the members that December 12, 1963 will probably be the date of our last meeting for this year.)

Respectfully submitted,

Harriette E. Miyamoto  
HARRIETTE E. MIYAMOTO  
Secretary

FURTHER RULES OF PROCEDURE  
OF THE  
MAUI COUNTY CHARTER COMMISSION

1. The Commission shall determine the basic form of government for the County. This shall be a tentative decision and subject to change after public hearings have been held on the proposed charter.

2. The Commission shall next make a determination of a series of important questions, such as the number of officers of the council, terms of office, etc. Such questions will be posed by the Chairman, but other questions may be posed by members of the Commission. During the period, if requested by a member, the county department or commission involved may be called in for additional hearings. These decisions shall also be tentative decisions subject to change after public hearings have been held on the proposed charter.

3. Thereafter, the County Attorney's Office shall be requested to make a tentative draft of the proposed charter, based on the above decisions of the Commission.

4. The tentative draft of the proposed charter shall then be voted on section by section.

5. After the tentative draft of the proposed charter has been approved by a majority of the members of the Charter Commission, it shall be printed in a newspaper and public hearings held thereon.