

MINUTES OF THE
MAUI COUNTY CHARTER COMMISSION

DATE: February 6, 1964
PLACE: Board Chambers, Wailuku, Maui, Hawaii
CALL TO ORDER: 1:50 P.M.
PRESIDING: Masaru Yokouchi, Chairman
MEMBERS PRESENT: Masaru Yokouchi, Chairman
Emil Balthazar
C. H. Burnett, Jr.
Richard Caldito
William F. Crockett
Cornwell Friel
Shiro Hokama
Nadao Honda
Harry Kobayashi
Keith Tester
Thomas Yagi
Charles C. Young, Research Assistant
OTHERS PRESENT: Kase Higa, County Attorney
Mrs. Jay Van Zwalenburg
Mrs. Ann Gillin
Mr. Nathan Ambrose

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ROLL CALL:

There were 11 members present at the regular meeting of the Maui County Charter Commission on February 6, 1964.

DISCUSSION ON PROPOSED CHARTER:

Planning Department:

- Mr. Balthazar: I feel that the council should set the policies now set by the Planning Commission. The staff members of the Department of Planning and Economic Development can make the proper investigations for the council, can advise the council, and can draw up maps for the county under the direction of the mayor.
- Mr. Caldito: In other words, no Planning Commission?
- Mr. Balthazar: I don't think it is necessary.
- Mr. Caldito: We are not spending money on the commission members. We have a rather good balance of men serving on this commission. They have done a good job so far. What is wrong in having men who are willing to serve and give their ideas for the betterment of our community?
- Mr. Crockett: We should try to eliminate as many commissions as we think are unnecessary in the strong mayor type of government.

- Mr. Yagi: The Planning Commission has no power; their recommendations are always referred to the Board of Supervisors for final action.
- Mr. Yokouchi: I am wondering whether the council will be able to decide these various areas without the help of the commission.
- Mr. Crockett: We must realize that when we set up the strong mayor form of government, a lot of the responsibilities will be handled by the mayor. I think that the council will have more time to look into these things. One of the reasons for setting up these boards and commissions was because the Board of Supervisors was too busy.
- Mr. Yagi: Does the Planning Commission act in an advisory capacity to the planning director?
- Mr. Yokouchi: The commission directs the planning director.
- Mr. Balthazar: What good will the council be if it doesn't decide policies of the various departments?
- Mr. Yokouchi: Basically the Planning Commission is an advisory commission. If a person appeals for variance, the Planning Commission decides, but it still has to have the approval of the Board of Supervisors.
- Mr. Yagi: I think some of us have the idea that strong mayor form of government means that there shall be no commission at all. I think it is wrong to have a strong mayor appointing department heads without any commission or board advising, and referring everything directly to the council.
- Mr. Balthazar: The council itself should seek advice.
- Mr. Yagi: It will be the responsibility of the council not only to seek the advice of the commission, but to go beyond that and find out for themselves. For the actual participation on the part of the people and the actual setup of the county, I think it is important that we have commissions acting in an advisory capacity. I think that is the strong mayor-council form of government.
- Mr. Crockett: I agree with you in that Section 6-4 provides for the creation of advisory committees. If the Planning Commission is necessary as an advisory commission, the mayor can go ahead and create one as provided in the administrative code. Under this provision the mayor can appoint advisory committees for the term of his office.
- Mr. Yagi: Moved that the Planning Commission be retained with their present powers. Seconded by Mr. Caldito. 5 ayes and 5 noes.
- Mr. Crockett: Moved that in the Report of the Charter Commission we indicate that the mayor may create an advisory planning committee pursuant to Section 6-4 of this charter. This commission shall have such advisory functions as the mayor may decide. Seconded by Mr. Yagi and carried--1 no (Mr. Caldito).

Chapter 12. Urban Redevelopment and Urban Renewal Agencies:

- Mr. Balthazar: This could be partly under the Planning Department,

- Mr. Higa: Except that when you do have urban redevelopment agencies, it is a full-time job for a full-time staff.
- Mr. Balthazar: Why?
- Mr. Higa: It involves land acquisition, planning, etc. Urban redevelopment projects are tied in with federal funds. The organization of the urban redevelopment agencies is provided by law in the Revised Laws of Hawaii.
- Mr. Crockett: Section 6-3 provides for the creation of other executive agencies by two-thirds vote of the council. I think it would apply to Section 8-12.1 unless we want to change it to a majority vote.
- Mr. Yokouchi: I think a simple majority is enough. We should leave the door as wide open as possible for this type of agency.
- Mr. Balthazar: I am not for stretching out new departments.
- Mr. Higa: The Federal Housing and Finance Act calls for these independent agencies.
- Mr. Balthazar: Moved that Section 8-12.1 provides for a majority vote of the council. Seconded by Mr. Caldito and carried.

A recess was called by the Chair at 2:40 P.M. The meeting resumed at 2:50 P.M.

- Mr. Burnett: Moved that the Civil Service Commission be retained. Seconded by Mr. Yagi.
- Mr. Balthazar: Moved that the mayor shall appoint the members of the Civil Service Commission subject to the approval of the council. The Personnel Director shall be appointed by the mayor.
- Mr. Yagi: I believe that the Civil Service Commission should work with the other counties and with the State to develop the same type of regulations. It takes a commission to do that instead of just the director. In view of that, I am for the motion.
- Motion was carried unanimously.
- Mr. Crockett: Moved that Section 5-612 of the Honolulu Charter pertaining to political activities be included in this chapter. Seconded by Mr. Caldito and carried.

This would be one way to reassure the people that the mayor is not as strong as they feel.

Chapter 10. Liquor Commission:

- Mr. Balthazar: Moved that this commission be abolished.
- This motion was laid on the table.

Chapter 13. Civil Defense Agency:

- Mr. Balthazar: Moved that the Civil Defense Agency shall be a part of the Police Department.

Mr. Yokouchi: That agency is involved in federal funds.

(At this point Mr. Oishi, Civil Defense Administrator was called in).

Mr. Oishi: There are certain qualifications which must be met in order to qualify for federal matching funds. One hundred percent of the employee's time must be in civil defense work.

If this agency is consolidated with the Police Department, there might be some complications. At the present time the policy of the State is that the County Chairman is the deputy director of civil defense. Then we are definitely under the County Chairman's Office. If we do get together with the Police Department, actually the immediate superior would be the police chief, but still the deputy director will be the county Chairman.

Mr. Higa: Whenever there is an emergency, the chairman can quickly call the Board to approve funds for such emergency.

Mr. Oishi: The Civil Defense Agency has the overall responsibility for the warning system--sounding of sirens--but the operation of the warning system is with the Police Department because the Police Department is the only department that has the personnel for that service.

When you discuss it from that viewpoint, you also do relate the work with many other government agencies. The Police Department is one agency that handles the warning system for us. We also work for the State Department of Transportation as far as engineering services are concerned.

Under the federal matching funds, we are qualified only for salaries and administrative expenses. The maintenance of sirens are considered operational funds and we do not qualify for that.

Although we do not get any State funds, the State handles the disbursement of the federal funds, and in that way we do a lot of work with the State.

Mr. Kobayashi: Moved that the Civil Defense Agency be retained in its present status. Seconded by Mr. Friel and carried unanimously.

Chapter 14. Other Boards and Commissions:

It was agreed that the boards and commissions mentioned under this chapter be placed under the transitional provisions of this charter.

ARTICLE VII. MAYOR

Section 7-4. Powers, duties and functions:

Mr. Balthazar: Under subsection (3) there should be some safeguard to that provision.

Mr. Crockett: The mayor should be able to create or abolish positions.

Mr. Higa: Should the Department of Public Works need five or six laborers for the coming fiscal year, these positions can only be created after the council has appropriated the funds.

Mr. Tester: If the council will determine that, there will be so many government employees.

(It was agreed that this subsection read "Create or abolish positions authorized by the council and for which appropriations have been made.")

Mr. Balthazar: Why the word transfer in subsection 4?

Mr. Higa: Generally the council would like to know how many people each department will have and if they are going to make any permanent transfers, that would mean an additional personnel or more in one department; that should come to the attention of the council first.

(Add "except that council shall be notified.")

Mr. Balthazar: Moved that subsection 6 on page 17 be stricken out. Seconded by Mr. Friel and carried.

ADJOURNMENT:

The meeting was adjourned at 4:05 P.M.

Respectfully submitted,

Harriette E. Miyamoto

HARRIETTE E. MIYAMOTO
Secretary