

MINUTES

The ninth meeting of the Maui County Charter Commission was held at the Cameron Center on May 12, 1975.

Commissioners present: Msgr. Kekumano, Joe Souki, Edwina Bright, Ralph Murakami, Stephen Petro, Catalino Agliam, Hideo Abe and Lloyd Sodetani. Absent: Allan Sparks, Margaret Cameron. Staff: Paul Mancini, Attorney, Leonora Balido, Secretary. Guest speaker: Mayor Elmer Cravalho and others Mr. C. Borne, Mr. Slocum and Mr. Tanji.

A quorum present the Chairman called the meeting to order at 4:00 p.m.

The minutes of the May 5, 1975 meeting having been circulated, the Chairman entertained a motion of approval. Mr. Sodetani requested that the minutes include a provision indicating a transmission of the Commission's budget by Mr. Mancini to the Director of the Department of Finance. Mr. Mancini suggested the addition of the official rules of procedures in the minutes to reflect the formal action of the Commission. By motion duly made and seconded the minutes were adopted pending the inclusion of the suggested amendments.

Msgr. Kekumano requested a report from the committee on County Government. Mr. Souki presented a prepared draft of comparative summaries of Article 8, Chapter 11, through Article 9 of the Maui County Charter with that of the other Counties within the State of Hawaii. Mr. Souki related that one further report would be provided to the Commission on the comparative aspects of Charter provisions and this would be followed by a detailed analysis of the major differences in the provisions.

Msgr. Kekumano thanked Mayor Cravalho for giving his time to the Commission.

Mayor Cravalho reflected upon his past presentation to the Charter Review Committee and stated that his position on the various issues has not changed in substance since that time.

City Manager: The Mayor indicated that he finds the City Manager form of government more appealing for a governmental unit such as Maui County than the present or other forms. He explained his position by relating his belief that on a County level it would be wise to remove the County's chief executive officer from the political process. He stated that elected officials should be policy makers and should hire professionals to implement that policy. The adoption of the City Manager form of government would ensure high quality talent for the chief executive position within the County as well as removing the position from undue political influence.

Term of Office: With regard to the term of office for the Council and the Mayor, Mayor Cravalho stated his advocacy for the current two year term. He indicated that the current term provided greater accountability to the people. Because of the danger of prolonged elected officials in office and the constant need for new blood in politics, Mayor Cravalho advocated a limitation to the number of terms to be served by any elected official. He suggested that consideration be given to a limitation of five terms of two years for the Council and three terms of two years for the Mayor. The Mayor stated that his suggestion was conceptual in nature and that the suggested terms and years should not be viewed as absolutes.

Boards and Commissions: Mayor Cravalho suggested that all Boards and Commissions should be advisory. He gave his opinion that the basis for semi-autonomous and quasi-legislative Boards and Commissions no longer exists. Conditions have changed and the independent status of the various Boards and Commissions is no longer justified. However, the Mayor did advise that the Commission should proceed with caution with regard to the Police Commission and its status.

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Non-Partisan Election: Mayor Cravalho reiterated his advocacy for non-partisan elections within Maui County. He stated that during his term and within the scope of his experience he has never seen a decision made on the County level on a partisan basis.

Districting: With regard to the issue of district representation, the Mayor stated that he advocates at-large representation. The basis for his position is the traditional "log rolling" that is associated with and emanates from district representation. The Mayor stated that districting could also lead to a minority rule system as well as a system which may foster voter apathy. The Mayor indicated his feeling that single number districts would provide for a Council too large in number to be effective.

Office of County Attorney: Mayor Cravalho requested that the Commission consider the functional separation of the office of the County Attorney into an office of Corporation Counsel and an office of Prosecuting Attorney. Although the Mayor expressed reservations concerning the issue as to whether the work load of the County Attorneys' office could justify the separation, he did state that an investigation on the separation was desirable. The concern of the Mayor was whether the benefits of the functional separation outweighed the costs caused by it. He felt this should be the Commission's decision.

Parks and Recreation: Mayor Cravalho suggested that the Commission amend the Charter to provide that park maintenance and development duties become the sole responsibility of the Department of Public Works. The Mayor stressed the efficiency inherent in consolidating this function within Public Works, rather than maintaining the responsibilities within the Parks Department. He emphasized the importance in having the Department of Parks program related to the leisure, cultural and human needs of the citizens of Maui. He felt that the maintenance function detracted from these more obvious program responsibilities.

Annual Audit: Mayor Cravalho stated that he felt that it was imperative that a mandatory audit be provided yearly at the request of either the legislative or executive branch of Government. He indicated that this was required in order for the County to sell its bonds on the New York bond market-but was not required by the Charter.

Compensation: On the issue of compensation, the Mayor stated that it was his opinion that all elected officials are overpaid. He stressed that he was referring to policy makers and not employees of the County. He indicated that if the County was to employ a City Manager form of government the operational aspects of government, non policy making aspects, would be in the hands of a career employee and the salary would have been consistent with obtaining the necessary skills from the labor market. He felt that this was reasonable in light of the size of the County of Maui.

Managing Director: The Mayor reiterated his position that a Managing Director, a middle management position, was an obvious need in County government. He related various problems in supervision that would be rectified by the Managing Director's position. The formality of adding the position in the Charter would provide for its legitimacy.

In response to a question regarding the Board of Appeals, the Mayor stated that it was important that local government take the initiative regarding local problems. He stressed the importance of the Board of Adjustment and Appeals but expressed reservations with regard to the Board of Appeals. A discussion followed concerning the overlapping of the State's office of Ombudsman and the Board of Appeals and the general question of overlapping state and local functions.

In commenting on some negative implications of at-large electoral systems, Mayor Cravalho stated that each system had its positive attributes and its deficiencies but a compromise had to take place. He expressed his favorable attitude toward considering a number of alternatives including districts with legislators elected at large.

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In response to a question on the City Manager form of government and its tendency to limit necessary checks and balances, the Mayor indicated that he may prefer the true strong-Mayor form of government but in the final analysis, the City Manager form seemed most consistent for a County the size of Maui.

A question was asked as to the necessity to consolidate the human resources programs within Maui County. Identifying the various human resources services that are currently provided by the County, Mayor Cravalho suggested that the County Charter could provide some direction in this area. By establishing a department of Human Resources or by integrating this into the Parks Department, the Commission could identify a certain philosophy of government within the Charter. He stated that human resources warrant real coordination and were essential to the role of government.

In concluding his remarks the Mayor suggested that the Commission focus upon a philosophy of government in its deliberation and to use such as a basis for Charter modification. He stated that the County of Maui is at a cross-road and that the Commission had an opportunity to provide fresh needed leadership in a most crucial area. He wished the Commission well in its efforts.

Msgr. Kekumano thanked Mayor Cravalho for his most stimulating and provocative presentation.

There being no further business before the Commission, the meeting adjourned at 6:15 p.m.

Next meeting will be on May 19, 1975.

Respectfully submitted,

Leonora Balidoy, Secretary