

MAUI COUNTY CHARTER COMMISSION
KIHEI PUBLIC MEETING

DATE: October 28, 1975
PLACE: Kihei School, Kihei, Maui
CALL TO ORDER: 7:00 p.m.
PRESIDING: Chairman Monsignor Charles A. Kekumano
COMMISSIONERS PRESENT: Mrs. Edwina Bright, Vice Chairman
Hideo Abe
Catalino Agliam
Dr. Sanae Moikeha
Stephen Petro
Lloyd Sodetani
Allan Sparks
Joseph Souki
ABSENT & EXCUSED:
Mrs. Margaret Cameron
Ralph Murakami
STAFF PRESENT: Mrs. Cecilia T. Marciel

The 7th scheduled public meeting of the Maui County Charter Commission was called to order by Chairman Kekumano at 7:00 p.m. at Kihei School, October 28, 1975. Nine Commissioners were present; 19 residents signed the attendance sheet although head count showed 22. Refer to attendance sheet attached.

Chairman Kekumano in his opening remarks asked if audience had any specific questions in mind which they wished to discuss at this time, otherwise the Commission would follow the agenda in the usual manner. It was the consensus that the matter of prime importance right now is Council Composition or "true district representation". He introduced Commissioner Allan Sparks who in turn spoke on Council Composition and different electoral systems. He elaborated on the Supreme Court Decision and the matter of substantially equal representation as required by law. (Refer to Issues). He explained the difference between un-natural districts and equal population districts (he explained he used registered voters lists) - an un-natural balance would have to have approximately 4300 voters in each district - this would be impossible at the present time because of Lanai and Molokai. He said the basic point is...."there is no perfect way to do it with our geographical makeup and still keep within the equal population criteria." Most people feel that candidates from specific districts tend to care for the needs of their districts only; consequently, this is one of the advantages of the at-large system. I believe this is the thinking of the Supreme Court because in that scheme everybody votes for everybody.

Discussion:

Chairman Kekumano recognized Joe Ball who said he represented the Kihei Community Association. He said that the Association had mailed out 1,000 questionnaires; that one of the main questions asked was....."Are you in favor of district representation in Maui County?....."That Kihei may or may not be linked with some other area". The results were as follows:

1. 204 RESPONSES RECEIVED
2. 171 YES
3. 14 NOES
4. 19 NO RESPONSE

Mr. Ball stated that when the Charter is presented there should be some options.

Chairman: Yes, we are thinking along those lines.

John Walker felt that there should be a resident of Kihei within the at-large system. If there is an option, we will have to take the compromises that go with it.

T. Romson said he has been a resident of Maui for 17 years....."That I look at the Council that represents us. My vote is to keep it as it is - that is the at-large system. Until the time comes that we can have equal representation, then we should keep it as it is or we will be creating a lot of problems, and to share the representation with some other area would be fragmentation".

Chairman Kekumano recognized Joseph Pontanilla, President, Young Democrats of Maui, who read written testimony. (Copy attached hereto and made a part of these Minutes).

Comments and Discussion:

1. Whether Councilman is elected at-large or by districts does not relieve him of his obligations to the entire county;
2. Question: Are you going to have the whole Council stop every four years?
3. Not necessarily - you need not have new Councilmen every four years - this is an option for the voters to decide, but theoretically you could if the terms are not staggered.
4. The position of Managing Director - will become a department head - not necessarily a tremendous increase cost in government - the Mayor's administrative aides are now doing that. Yes, the position would be an appointive one.
5. The County Attorney and the Office of Public Prosecutor was discussed. Chairman explained the difference between the two; and whether or not they should be elected or appointed. (No opposition).
6. On the transfer of the Department of Parks and Recreation to Public Works, it was the unanimous feeling of the Kihei Community Association that this not be done.

7. There was no opposition to the consideration of instituting the Department of Human Concerns.

8. The Chairman emphasized the possibility of the Department of Water Supply becoming more accountable to the Council and the public if they did not continue their semi-autonomous status and become a regular department of the County instead. He also said this same situation exists in the Planning Department; and the public should consider whether or not the Director should be appointed by the Mayor and confirmed by the Council.

9. Chairman Kekumano asked if public wanted representation on every Board and Commission; that this may not be feasible in every case - there was no immediate response.

10. The Charter Commission has been working on the revision of the Ethics Code and to institute a Commission to implement the code. (No opposition).

It was the consensus that the Council should be allowed to hire its own counsel if and when the need arises without consent from the County Attorney.

Chairman Kekumano asked for other questions - "We have spent almost 7 months looking over all these little details - what is important - what is purely verbal, etc., in order that the present County Charter, which is a fairly good document can be updated adequately and perhaps make it a little better for the future.

Question: Mr. Chairman, how will these issues be presented on the ballot? Are you going to make the decisions - one choice or no choice at all? Will we be able to choose whether we want 9 unequal districts - or 8 - or all at-large?

Chairman: It is a little difficult at this stage to say exactly how it will be, but very likely the various controversial issues will have some options. We don't want to happen on Maui what happened in the County of Kauai - there were so many options, nothing was passed. (Laughter).

Commissioner Petro to Mr. Pontanillo: Did you poll the Young Democrats of Maui - how did you come up with these recommendations and how many people?

Answer by Pontanello: Yes, at a regularly scheduled meeting - approximately 40 members.

Ron Vaught to Chairman: How did you handle the other hearings - what were their concerns regarding the issues, like the length of term for the Mayor and that sort of thing?

Chairman: All the other meetings were identical with this - the same issues came up and were discussed, the same concerns, so it is pretty obvious what the key issues are....

Further discussions with Kihei residents revealed some would like limitations to terms of office. A lady said she had lived here for nearly 36 years and had only seen two mayors.

Question to Chairman: What is the deadline for further in-put letters?

Answer: As soon as possible - this is our last scheduled public meeting.

Question by R. Vaught to Commissioner Sparks: What is the possibility of combination of two types of Council - perhaps 5 districts and four at-large - rather than either or as you have it up there?

Commissioner Sparks: I think you're forgetting the 8 equal districts that's up there on the board - that calls for only three at-large and make a total of 11 Councilmen. Even with 9 unequal districts, that is everybody elected by residency in 9 districts - or you could have two elected at large with no residency requirements.

Vaught: What was the criteria used on the 8 districts?

Sparks: I wanted to show you some examples of what it would look like if you started thinking carefully how the numbers would work out. Eight seemed to work out more naturally for several different places, but it could be done with 9 - the areas would be a little more natural.

A lady wanted to know the difference between the County Attorney and the Public Prosecutor.

Chairman Kekumano explained and asked how many attorneys would be willing to leave their legal practice to work for the County, for say - two years, elected or appointed.

Sodetani: And if elected, would he really prosecute those who elected him?

Question: Are we paying enough for good talent in this field?

Chairman: Maui has the highest paid County Attorney.

A lady said she did not fully understand the matter of changing the present system of Board of Water Supply.

Commissioner Souki: Stated that under present set up which is quasi-autonomous, the Board makes the decisions; if it were under the Mayor's office, the Council would make decisions, set rates, decide problems in eminent domain and other risky things. You must weigh all these things - do you think the Council would give you an answer right away, or would the Council be inclined to wait till after the elections?

There were no further questions - meeting adjourned 8:10 p.m.

FOR THE COMMISSION:

Respectfully submitted,



Mrs. Cecilia T. Marciel

CHARTER COMMISSION

KIHEI PUBLIC MEETING, 10/28/75

KIHEI SCHOOL

NAME

ADDRESS and/or ORGANIZATION

- | NAME | ADDRESS and/or ORGANIZATION |
|---------------------------------|----------------------------------|
| 1. <i>Joseph Pittman</i> | <i>Young Democrats of Hawaii</i> |
| 2. <i>Ronald Tomastich</i> | <i>Young Democrats of Hawaii</i> |
| 3. <i>[unclear]</i> | <i>1276 Uleniu - Kihei</i> |
| 4. <i>Tannie Remson</i> | <i>1670 Holoma ST.</i> |
| 5. <i>JOE BAIL</i> | <i>628 MILITARY</i> |
| 6. <i>Jim Van Zandt</i> | <i>Spuchulsville</i> |
| 7. <i>Jan Marie</i> | <i>AHAW</i> |
| 8. <i>Florence Brown</i> | <i>Kihei</i> |
| 9. <i>Florence Brown</i> | <i>Wakapu</i> |
| 10. <i>Thomas J. Marra</i> | <i>Kihei</i> |
| 11. <i>Healdine Marra</i> | <i>Kihei</i> |
| 12. <i>Jan [unclear]</i> | <i>P.O. # 1924 Kihei Hawaii</i> |
| 13. <i>Gazzano Stella Betty</i> | <i>Wailuku</i> |
| 14. <i>Joe Donaghy - KICA</i> | <i>162 HALOMA ST. Kihei</i> |
| 15. <i>Gerald S. Matsui</i> | <i>1059 Mahanani St. Wailuku</i> |
| 16. <i>Ricky K. Kimata</i> | <i>444 Oulua St. Kahului</i> |
| 17. <i>Ron Vaught</i> | <i>170 Ohukai St. Kihei</i> |
| 18. | |
| 19. | |
| 20. | |
| 21. | |

NOTE: Head count of attendance - 22 -

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10/28/75

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