

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

December 16, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

William F. Crockett, Esquire  
Crockett & Nakamura Attorneys  
38 South Market Street  
Wailuku, Maui, Hawaii 96793

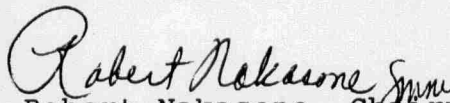
Dear Bill:

Thank you for accepting our invitation to speak to the Maui Charter Commission. As you requested, enclosed you will find a list of questions submitted by commissioners.

The meeting will be held in the Council Committee Room, 7th Floor Kalana O Maui Building at 4:00 p.m. on December 19, 1991.

We look forward to meeting with you.

Sincerely,

  
Robert Nakasone, Chairman  
Maui Charter Commission

enclosure



Questions for William Crockett

to be addressed at the Maui Charter Commission 12/19/91 Meeting  
4:00 p.m. Council Committee Room, 7th Floor, Kalana O Maui Building

1. What do you feel should be done about the "semi-autonomous" water board? Do you feel it is working as it is?
  2. What is your reaction to the recent decision on Goro Hokama and the Code of Ethics?
  3. Any input you can give us on the Board of Variance and Appeal.
  4. ((LIST ALL COMMUNICATIONS RECEIVED FROM COUNCIL AND THEIR REQUESTS FOR AMENDMENTS)) Have you dealt with any of these in past commissions and what conclusions were reached?
  5. What are your feelings about going from the At-Large system to Districts? From 9 to 11 council representatives to accommodate Lanai and Molokai in an equal district situation?
  6. Can you give us any input on reorganizing some of the departments with an eye to economizing?
  7. How do you feel about a planning commission for Lanai?
  8. Were you approached in the past with the ideas of going to townships? What are your feelings on this subject?
  9. How do you feel about ALL departments coming under the jurisdiction of the Mayor?
  10. What are your feelings on 2 or 4 year terms for council members? Limited terms for council members?
-

41-38

December 9, 1991

Mr. Robert Nakasone and Members of  
the Maui County Charter Commission  
County of Maui  
Wailuku, Maui, HI 96793

Dear Mr. Nakasone, and Members of the Commission,

Thank you for your patience and willingness to consider by concerns regarding the survival of our democratic form of government, namely, my requests that the scope of Chapter 10 be extended to include actions taken by Boards and Commissions.

Again, I implore you to amend Article 10. The political dogma that asserts that where there is mass there is truth, has been an underlying premise of succeeding administrations of the County for more than a decade. Perhaps, the distrust and lack of faith in government's integrity can be traced to this idea.

My hope is that by amending the Article 10, the decision of a majority will in face be judged for its moral impact. It will be measured by standards articulated in this article for the purpose of preserving our democratic form of governance.

I have enclosed with this letter a copy of the Resolution I read to the Commission at it's December 5, 1991 meeting. I have revised it as you will note.

Respectfully submitted,

A handwritten signature in dark ink, appearing to be "J. Smith", written over a horizontal line.

RESOLUTION

Introduced by JIM SMITH registered voter

WHERE AS, for the survival of government it is necessary that citizens justifiably have trust and confidence in the integrity of government;

WHERE AS, actions of the Board of Variance and Appeals, Maui Planning Commission, Board of Water Supply or any regulatory Board or Commission of the County of Maui may not justify trust and confidence in the integrity of government;

BE IT RESOLVED, that the Maui County Charter Commission amend Article 10, Code of Ethic, Section 10 - 1, Declaration of Policy, to read: : Elected and appointed officers and employees, the Board of Variance and Appeals; Board of Water Supply; Maui Planning Commission; Liquor Control Adjudication Board and Police Commission shall demonstrate by their actions the highest standards of ethical conduct to the end that the public may justifiably have trust and confidence in the integrity of government."

FURTHER, be it resolved that Section 10 -4 (2) be amended to include: "No board or commission by its action shall cause a prudent registered voter to lose trust and confidence in the integrity of government.";

FURTHER, that Section 10 - 4 (2) be amended to include: "No agent of the Office of Corporation Counsel shall permit a Board or Commission to take action upon an incomplete application, upon a misrepresentation of material fact, or the intention or content of legislative directive, nor shall proceedings be held without the presence of a representative of the Office of Corporation Counsel.";

FURTHERMORE, that section 10 - 5 be amended to read: " Any Board or Commission of the County determined to have violated provisions of this article shall publish a description of its violation and an apology in all local daily, weekly and month newspapers, address to citizens of this community, and any other administrative remedy the Board of Ethics deems appropriate."

RICHARD S. H. WONG  
PRESIDENT

JAMES AKI  
VICE-PRESIDENT

GERALD T. HAGINO  
MAJORITY LEADER  
CHAIR, LEADERSHIP COMMITTEE  
ON LEGISLATIVE MANAGEMENT

MALAMA SOLOMON  
MAJORITY FLOOR LEADER

BERTRAND KOBAYASHI  
MAJORITY POLICY LEADER

ANDREW LEVIN  
MAJORITY CAUCUS LEADER

RANDY IWASE  
MAJORITY WHIP

ANN KOBAYASHI  
CHAIR, LEADERSHIP COMMITTEE  
ON EXECUTIVE APPOINTMENTS

MARY GEORGE  
MINORITY LEADER

RICK REED  
MINORITY FLOOR LEADER

FIRST DISTRICT  
ANDREW LEVIN

SECOND DISTRICT  
RICHARD M. MATSUURA

THIRD DISTRICT  
MALAMA SOLOMON

FOURTH DISTRICT  
MAMORU YAMASAKI

FIFTH DISTRICT  
RICK REED

SIXTH DISTRICT  
RANDY IWASE

SEVENTH DISTRICT  
GERALD T. HAGINO

EIGHTH DISTRICT  
MIKE MCCARTNEY

NINTH DISTRICT  
STANLEY T. KOKI

TENTH DISTRICT  
MARY GEORGE

ELEVENTH DISTRICT  
DONNA R. IKEDA

TWELFTH DISTRICT  
STEVE COBB

THIRTEENTH DISTRICT  
BERTRAND KOBAYASHI

FOURTEENTH DISTRICT  
ANN KOBAYASHI

FIFTEENTH DISTRICT  
MARY-JANE McMURDO

SIXTEENTH DISTRICT  
RUSSELL BLAIR

SEVENTEENTH DISTRICT  
ANTHONY K. U. CHANG

EIGHTEENTH DISTRICT  
MILTON HOLT

NINETEENTH DISTRICT  
DENNIS M. NAKASATO

TWENTIETH DISTRICT  
RICHARD S. H. WONG

TWENTY-FIRST DISTRICT  
NORMAN MIZUGUCHI

TWENTY-SECOND DISTRICT  
ELOISE YAMASHITA TUNGPALAN

TWENTY-THIRD DISTRICT  
MIKE CROZIER

TWENTY-FOURTH DISTRICT  
JAMES AKI

TWENTY-FIFTH DISTRICT  
LEHUA FERNANDES SALLING

CHIEF CLERK  
T. DAVID WOO, JR.

The Senate  
The Sixteenth Legislature  
of the  
State of Hawaii

STATE CAPITOL  
HONOLULU, HAWAII 96813



December 5, 1991

Paul R. Mancini, Esq.  
Case & Lynch  
Suite 470  
33 Lono Avenue  
Kahului, Hawaii 96732

Re: Maui County Charter

Dear Paul:

Guy Haywood told me you are counsel for the Maui Charter Review Commission. I probably shouldn't get involved in County matters, because people may read too much into it. However, I have a couple of questions about the charter. I thought I'd bring them to your attention, so that you and the commissioners can consider them and do whatever seems warranted.

First Question: Geographic Residency Requirement

Q. Does the geographic residency requirement for eight of the nine council seats violate the requirements of Section 12-41, Haw. Rev. Stat.?

Example: the case of William Kinaka

In the 1990 primary election, William Kinaka received 7,990 votes in the primary election. This resulted in a fourth place finish among six candidates running for the three Central Maui seats, but was the ninth highest total of all council candidates in the Democratic Party Primary.

From the same electorate, Tom Morrow received 7,444 votes. This was enough to finish second among the six candidates running for the two "no residency" seats, but was only tenth in the overall Democratic Party Primary. Despite receiving more votes from the same electorate, Mr. Kinaka was eliminated and Mr. Morrow went on to the general election.

Paul R. Mancini, Esq.  
December 5, 1991  
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Mr. Kinaka's failure to advance to the general election despite receiving more votes than Mr. Morrow, appears to violate a strict reading of Section 12-41, Haw. Rev. Stat. which reads:

"(a) The person or persons receiving the greatest number of votes at the primary or special primary as a candidate of a party for an office shall be the candidate of the party at the following general or special general election...."

If Mr. Kinaka had protested, the County would surely have asserted that Mr. Morrow and Mr. Kinaka were running in different races. However, in doing so the County must take the position that each of the subdistricts is a separate election district.

The assertion that the subdistricts are "separate" is contradicted by the fact that all of Maui's voters vote for all nine council members. Thus, Section 12-41, which embodies the principal that the person with the most votes wins, may have been violated.

I reviewed the reports of the past charter review commissions. They were aware of the Equal Protection issue which has been resolved in favor of subdistrict residency requirements (Fortson v Dorsey, Dusch v Davis and Dallas County v Reese). However, they don't appear to have considered Section 12-41, Haw. Rev. Stat.

If you and the Commissioners feel it would be helpful to amend Section 12-41 to explicitly authorize Maui's election subdistricts, please let me know. I'd like to be sure that someone will testify in favor of such a bill before introducing it.

Second Question: Subdistrict Durational Residency Requirement

Q. Does the 90 day subdistrict durational residency requirement violate the Equal Protection Clause?

Candidates are restricted, in choosing a subdistrict, by a further requirement that a candidate must have lived in the subdistrict for 90 days immediately prior to the filing of the nominations papers. There is another

Paul R. Mancini, Esq.  
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Page Three

requirement that all candidates must have been residents of Maui County for 90 days preceding the filing of nomination papers. I am not concerned about the "countywide" durational residency requirement.

#### Analysis

In determining whether a duration residency requirement violates the equal protection clause, courts "consider the facts and circumstances behind the law, the interests which the State claims to be protecting and the interests of those who are disadvantaged by the classification." Williams v Rhodes, 393 U.S. 23, 89 S. Ct. 5, 21 L. Ed. 2d 24 (1968). See also Dunn v Blumstein, 405 U.S. 330, 335, 92 S. Ct. 995, 999, 31 L. Ed. 2d 274 (1972).

The usual "state interests" supporting durational residency requirements for candidates are: "first, to ensure that the candidate is familiar with his (or her) constituency; second, to ensure that the voters have been thoroughly exposed to the candidate; and third, to prevent political carpetbagging." (emphasis added) Sununu v Stark, 383 F. Supp. 1287 (1974). See also Chimento v Stark, supra. Perhaps a parallel interest would be found in a non-electoral subdistrict residency requirement, but it might be given even less weight than an electoral district residency requirement.

In Chimento, supra. at 1215, the Court upheld a seven year gubernatorial electoral district residency requirement. However, the Court noted that there were "lesser but nonetheless important offices that a putative Governor might well fill during the waiting period with benefit to his own political career and the people of the state...." and that the "rationale asserted by the state for such a residency requirement carries greater weight than if it applied to candidacies for lesser public offices." The Court put great emphasis on the fact that the residency requirement was a constitutional requirement of long standing and applied to only the high offices of Governor and Senator.

Paul R. Mancini, Esq.  
December 5, 1991  
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More analogous to the Maui situation is Billington v Hayduk 439 F. Supp. 975 (1977) which concerned a five year residency requirement for candidates seeking the equivalent of Maui's mayoral office. The Court in Billington distinguished Chimento by noting the absence of a constitutional foundation and the fact that the limit was being applied to a "lesser public office."

The Billington Court acknowledged a compelling interest, but using a strict scrutiny analysis, found the breath of the requirement was not tailored to government's legitimate objective. The Court, at 979, found that: "A purported candidate clearly could accomplish these ends not only in a shorter period of time but also without county residence." (emphasis added)

In a pertinent parallel to the situation on Maui, the Billington Court noted "...the County of Westchester is part of the megalopolis surrounding New York City. Plaintiff was a resident of the City of New York for a period prior to the time he moved to Westchester. The problems of Westchester have been displayed and discussed in the media so much that an individual, such as plaintiff, not residing within the county for the overly-broad period of five years, but residing within New York City, would have knowledge thereof."

The Billington reasoning could apply in the case of Maui's pre-filing subdistrict residency requirement. A lifetime Maui resident is still required to establish residency in a non-electoral subdistrict, three month before filing. Even if the county's interest were compelling, it may be satisfied by the parallel 90 day county residency requirement, which applies to all candidates, and a requirement of residence from the date of the election.

A second concern is with the fundamental right to relocate within the county of Maui without suffering undue burdens. This right to travel/relocate is always enough to strike down voter residency requirements, see Dunn v Blumstein, supra. and has also been used to require strict scrutiny for durational residency requirements for candidates. In Wellford v Battaglia, 343 F. Supp. 143, 148 (1972) a five year residency requirement for mayoral candidates was found to "penalize those persons and only those persons who have recently exercised their constitutional right of migration. For this reason alone it must meet the compelling interest test."

Paul R. Mancini, Esq.  
December 5, 1991  
Page Five

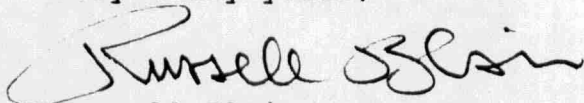
A third aspect is the separate interest of the voters to have the widest possible number of candidates to chose from. In Chimento, supra. at 1216, the Court found that his burden on the voter was "more hypothetical than real." However, in Wellford, supra., it was given more weight.

Citing Harper v Virginia Board of Elections, 383 U.S. 663, 86 S. Ct. 1079, 16 L. Ed. 2d 169 (1966), Harper v Union School District, 395 U.S. 621, 89 S. Ct. 1886, 23 L. Ed. 2d 583 (1969) and Dunn, supra., the Court in Wellford noted that a "direct burden, however small, on the right to vote must clearly be subjected to the 'close scrutiny' of the compelling interest test." It found that the law was "an absolute barrier to the candidacy of a not insubstantial segment of the community" and struck it, inter alia, on that ground under the strict scrutiny standard. It is not clear, factually, what percentage of the population of Maui moves interstate, intrastate and intracounty during a 90 day period. However, it could easily be a legally substantial percentage.

Either candidate interests or voter interests could challenge the county's interest in a pre-filing subdistrict residency requirement. This is especially true where the subdistrict residency requirement is in addition to an equal duration "countywide" residency requirement and pertains to a non-electoral subdistrict.

My research hasn't been exhaustive, but there seems to be enough to warrant this letter to you. I discussed this with Guy Haywood on Monday, so as a courtesy I'm sending him a copy of this letter.

Very truly yours,

  
Russell Blair

cc: Guy Haywood

Sarah E. Sykes

November 30, 1991

91-37

Maui County Charter Commission  
ATTN: Mr. Robert Nakasone  
P.O. Box 307  
Kahului, Maui  
Hawaii 96732

Dear Mr. Nakasone and Members of the Commission,

I read with great interest recent newspaper articles about your review of Maui County's Charter. While there are certainly many innovative suggestions being considered, I should like to offer an old idea.

Sub-units of government within a county are not uncommon on the Mainland and in other countries. Townships, in particular, have much to offer in terms of solving some of the problems Moloka'i encounters. Township units could also resolve some of the problems inherent in unique lifestyles island-to-island within Maui County, and even on the Island of Maui alone.

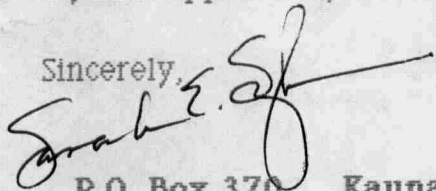
Hana, Lahaina, Lanai, Moloka'i each as their own township within the county could be eligible for separate and additional federal, state and private funds, primarily because of their unique make-up. This sort of solution could reduce the revenue distribution burden for county-wide programs, absorbing some of the CIP costs as well as training and manpower development costs.

Maui County faces a tremendous financial burden in the next few years as remedial infra-structure needs are met. Establishing some of the poorest areas, the most needy areas, and the most politically sensitive areas as townships in their own right could greatly reduce that burden for the County as a whole.

Much information about townships has been researched and applications for Moloka'i already explored. If you have any interest in pursuing this solution, please let me know, and I'll help if I can.

Sorry this is a bit late in the process, but we live half the year in Wailau Valley on Moloka'i's north shore: no phone, no paper, no mail, etc. This is my first opportunity to comment. Thanks for your time.

Sincerely,



P.O. Box 370

Kaunakakai, Hawaii 96748

808-553-3831

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR

COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

December 2, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Travis Thompson, Director of Finance  
County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

RE: EMPLOYMENT OF PAUL R. MANCINI AS COUNSEL FOR THE  
MAUI CHARTER COMMISSION

Mayor Linda Crockett Lingle:

For your information, enclosed is the copy of the original letter transmitted to Paul Mancini for his signature. He has signed this copy and it should now be forwarded to the Director of Finance along with the enclosed Case & Lynch client contract letter.

Should you have any questions please call me at 871-7734.

Sincerely,

*Robert Nakasone, Chairman*  
Robert Nakasone, Chairman  
Maui Charter Commission

RN:smnr

Enclosures



# CASE & LYNCH

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FOUNDED 1888

W. O. SMITH (1848-1929)  
C. DUDLEY PRATT (1900-1970)

November 21, 1991

DANIEL H. CASE \*  
PAUL A. LYNCH \*  
GARY L. WIXOM \*  
ROBERT E. BETHEA  
VALTA A. COOK  
JAMES M. CRIBLEY \*  
WESLEY W. ICHIDA \*  
JOHN R. MYRDAL \*  
MICHAEL L. BIEHL \*  
ROBERT E. ROWLAND \*  
DAVID W. PROUDFOOT \*  
BRUCE C. BIGELOW \*  
PAUL R. MANCINI \*  
JEFFREY CHOI  
ROBERT F. SCHNEIDER  
STEPHEN D. WHITTAKER  
S. V. BUD QUITQUIT

MICHAEL R. MARSH  
DENNIS M. LOMBARDI  
C. GEORGE SPHKAS  
DIANA L. VAN DE CAR  
GREGORY M. HANSEN \*  
RAY K. KAMIKAWA  
DANTON S. WONG  
TOD Z. TANAKA  
CATHY LEE SERIGUCHI  
VINCENT J. LUGANI  
DAVID ALLEN FELLER  
STEVEN S. C. LIM  
CAROLINE PETERS EGLI  
MATTHEW G. JEWELL  
NENAD KREK  
SCOTT D. RADOVICH  
CATHERINE H. LESICA

J. GREGORY TURNBULL  
DAVID C. FARMER  
FREDERICK R. TRONCONE  
IVAN M. TORIGOE  
SUSAN A. BENDER  
R. CLAY SUTHERLAND  
LYLE M. ISHIDA  
GLENN N. TAGA  
GREGORY N. DOLTON  
STEVEN J. KIM  
KELLY H. HUGHES

DAVID R. SPEE  
PETER K. KUBOTA  
STACEY W. E. CHONG  
GLENN K. C. CHING  
CHARLES B. DWIGHT IV  
CATHY L. TAKASE  
SCOTT D. WHITING  
MARGARET HANSON  
SUSAN H. HABERBERGER  
DAVID K. TANQUE  
STEPHEN M. TEVES

HARTWELL H. K. BLAKE  
ALAN S. KONISHI  
CANDACE MCASLIN  
THOMAS D. WELCH, JR.

COUNSEL  
MICHAEL J. BELLES  
MALVIN D. DOHRMAN  
ROBERT A. RICHARDSON

OF COUNSEL  
WARREN J. SENDA

\*A LAW CORPORATION

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HILO OFFICE:  
CASE & LYNCH BUSINESS CENTER  
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75-5706 KUAKINI HIGHWAY, SUITE 101  
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FACSIMILE: (808) 329-4508

KILAUEA OFFICE:  
KONG LUNG CENTER  
KILAUEA LIGHTHOUSE ROAD  
KILAUEA, KAUAI, HAWAII 96754  
TELEPHONE: (808) 828-2890  
FACSIMILE: (808) 828-2114

RECEIVED

NOV 22 1991

WRIGHT & KIRSCHBRAUN

Deborah K. Wright, Esq.  
Wright & Kirschbraun  
6 Central Ave.  
Wailuku, HI 96793

Re: Maui County Charter Commission

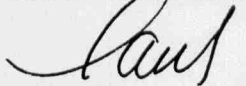
Dear Debbie:

Enclosed is the executed employment letter and a Case & Lynch client contract letter to be completed. Please have both executed and returned to me for our files. Note that I have asked that any costs be reimbursed to Case & Lynch.

I look forward to working with the Charter Commission as legal counsel and if you have any questions, please call me.

Very truly yours,

CASE & LYNCH



PAUL R. MANCINI

PRM:scg/3813j

RECEIVED  
NOV 14 1991

November 12, 1991

Paul R. Mancini, Esquire  
CASE & LYNCH  
33 Lono Avenue, Suite 470  
Kahului, HI 96732

RE: **EMPLOYMENT LETTER FOR PAUL R. MANCINI AS  
COUNSEL FOR THE MAUI COUNTY CHARTER COMMISSION**

Dear Paul:

Thank you very much for your attendance at our Charter Commission meeting in October. The Charter Commission has reviewed your qualifications and has decided to extend an offer of employment to you to be our independent legal counsel. As we understand it, you would provide legal services as requested, consistent with your schedule, to help the Charter on organization for the formulating of issues to be presented to the public, for preparation of the Commission's report and the drafting and presentation of the questions to be presented to the voters on the ballot. Additionally, you would provide drafts of the proposed Charter amendments and research any legal issues as appropriate.

The salary paid to you for this position would be an hourly rate of \$80 up to a maximum cap of \$1,000 per month, plus reimbursement of costs.

If the above is your understanding and you consent to the terms of employment, please sign a copy of this letter and return it to us at your earliest convenience. We will forward it, as appropriate, to the Finance Director for his signature and/or provide you with the appropriate contract from the County of Maui at the earliest possible time.

Paul R. Mancini, Esquire  
November 12, 1991  
Page Two

We look forward to working with you. If you have any questions or comments, please feel free to contact me.

Respectfully,

*Robert Nakasone, Chair*  
ROBERT NAKASONE, Chairman *gmr*  
Maui County Charter Commission

AGREED AND ACCEPTED

*Paul R. Mancini*  
\_\_\_\_\_  
PAUL R. MANCINI, Attorney at Law

APPROVED:

\_\_\_\_\_  
FINANCE DIRECTOR, COUNTY OF MAUI

# CASE & LYNCH

ATTORNEYS AT LAW

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THE KAHULUI BUILDING

33 LONO AVENUE, SUITE 470

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November 21, 1991

FOUNDED 1888

W. O. SMITH (1848-1929)  
C. DUDLEY PRATT (1900-1970)

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75-5722 KUAKINI HIGHWAY, SUITE 108  
KAILUA-KONA, HAWAII 96740-1733  
TELEPHONE: (808) 329-4421  
FACSIMILE: (808) 329-4808

**CLIENT NAME:** COUNTY OF MAUI

**BUSINESS/RESIDENT ADDRESS:** Finance Dept., 200 So. High St., Wailuku, HI 96793

**NATURE OF**

**WORK REQUESTED:** Charter Commission Counsel

Dear Charter Commission:

It is our pleasure to serve you as your attorneys. The following information is intended to clear in advance the various questions that arise from the business side of the attorney-client relationship.

By engaging us, you authorize us to take such actions as we believe are reasonably necessary to complete all tasks which you or your companies or other related entities have asked or ask us in the future to undertake. Our firm consists of a number of attorneys and legal assistants whose areas of interest and experience vary, and in carrying out your assignments we will assign all or portions of the work to the member of our firm and to our staff as seems appropriate to us.

Our fee for our services will be based on the guidelines specified by the Supreme Court of the State of Hawaii in its Rules. In this regard, the time devoted to legal representation is an important factor which we consider in our charges. The hourly rates for legal assistants, associates, and members of this firm currently range from \$40.00 per hour upwards. The current hourly rate of PAUL R. MANCINI, as the attorney principally responsible for this matter, is \$225.00 per hour. These hourly rates, however, may be adjusted from time to time. Fees on this case will be \$80 per hour up to a maximum cap of \$1000 per month. Costs will be reimbursed to Case & Lynch.

In addition to our fees for services rendered, you have also agreed that you will be responsible for all costs and expenses incurred by Case & Lynch in representing you. Such costs and expenses include, but are not limited to, long distance telephone calls, photocopying charges, and travel expenses. In litigation situations, additional costs and expenses include all court costs, filing fees, service fees, fees for witnesses, expert witnesses, and investigators, as well as expenses for discovery proceedings, if necessary. State of Hawaii General Excise Tax (currently 4.16 percent) will be added to our fees and any taxable service.

Our payment terms are that all invoices, for both costs and fees, are payable upon receipt. A late charge of 1% per month on the unpaid portion of each invoice will be added to your account if the invoice should remain unpaid for more than 60 days after its date. We reserve the right to suspend work on any matter for a client with charges remaining unpaid for more than 180 days.

Retainers will be applied against the invoices upon presentation. Please forward an initial retainer in the amount of \$ \_\_\_\_\_ to us.

If the terms and conditions of this agreement meet with your approval, please sign in the space provided below and return the original to this office and retain one copy for your record.

Signature \_\_\_\_\_ Date \_\_\_\_\_

1941}-4/9/90

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



**OFFICE OF THE MAYOR**  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

November 14, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Honorable Howard Kihune, Chairman  
and Members  
Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

Dear Chairman Kihune and Members:

Attached for your information are the minutes of the Charter Committee A meeting held on November 2, 1991 and approved at the November 14, 1991 Charter Committee A meeting, and the minutes of the Charter Commission meeting held on November 7, 1991 and approved at the November 14, 1991 Charter Commission meeting.

Should you have any questions please call me at 871-7734.

Sincerely,

Robert Nakasone, Chairman  
Maui Charter Commission

RN:smnr

Attachments

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

November 14, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Georgina Kawamura  
Budget Director, County of Maui  
Wailuku, Maui, Hawaii 96793

RE: CHARTER COMMISSION REVIEW OF ARTICLE 9

Dear Mrs. Kawamura:

The Maui Charter Commission would appreciate your attendance at its meeting on Thursday, December 5, 1991, to review and discuss the provisions of Article 9 relating to financial/budget procedures.

The meeting will be held in the Council Committee Room, Seventh Floor, Kalana O Maui Building. We are tentatively scheduling the review and discussion of Article 9 at 3:00 p.m.

We look forward to seeing you December 5.

Sincerely,

Robert Nakasone, Chairman  
Maui Charter Commission

AT:RN:smnr

Please call Sue Nakano-Ruidas at 879-5272/879-8273 to confirm your attendance.

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

November 14, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Reverend Paul Kaneshiro  
Chairman, Board of Ethics  
County of Maui  
Wailuku, Maui, Hawaii 96793

RE: CHARTER COMMISSION REVIEW OF ARTICLE 10

Dear Reverend Kaneshiro:

The Maui Charter Commission would appreciate your attendance at its meeting on Thursday, December 5, 1991, to review and discuss the provisions of Article 10 relating to the Code of Ethics. Your input on possible changes and clarifications to the Code of Ethics will be valuable to the Commission.

The meeting will be held in the Council Committee Room, Seventh Floor, Kalana O Maui Building. We are tentatively scheduling the review and discussion of Article 10 at 2:00 p.m.

We look forward to seeing you on December 5.

Sincerely,

Robert Nakasone, Chairman  
Maui Charter Commission

AT:RN:smnr

Please call Sue Nakano-Ruidas at 879-5272/879-8273 to confirm your attendance.



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

November 14, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Maile Luuwai  
Deputy Corporation Counsel  
County of Maui  
Wailuku, Maui, Hawaii 96793

RE: CHARTER COMMISSION REVIEW OF ARTICLE 10

Dear Ms. Luuwai:

The Maui Charter Commission would appreciate your attendance at its meeting on Thursday, December 5, 1991, to review and discuss the provisions of Article 10 relating to the Code of Ethics. As the attorney assigned to the Board of Ethics, we would welcome a short presentation and discussion regarding some of the issues and concerns which the Board has faced in interpreting the Code.

The meeting will be held in the Council Committee Room, Seventh Floor, Kalana O Maui Building. We are tentatively scheduling the review and discussion of Article 10 at 2:00 p.m.

We look forward to seeing you on December 5.

Sincerely,

Robert Nakasone, Chairman  
Maui Charter Commission

AT:RN:smnr

Please call Sue Nakano-Ruidas at 879-5272/879-8273 to confirm your attendance.

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



**OFFICE OF THE MAYOR**  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

November 14, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

George Kaya  
Director of Public Works, County of Maui  
Wailuku, Maui, Hawaii 96793

RE: CHARTER COMMISSION REVIEW OF ARTICLE 8, CHAPTER 5

Dear Mr. Kaya:

The Maui Charter Commission would appreciate your attendance at its meeting on Thursday, December 5, 1991, to review and discuss the provisions of Article 8 relating to Department of Public Works procedures.

The meeting will be held in the Council Committee Room, Seventh Floor, Kalana O Maui Building. We are tentatively scheduling the review and discussion of Article 8, Chapter 5 at 4:45 p.m.

We look forward to seeing you December 5.

Sincerely,

Robert Nakasone, Chairman  
Maui Charter Commission

JC:RN:smnr

Please call Sue Nakano-Ruidas at 879-5272/879-8273 to confirm your attendance.

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

November 14, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Richard Haake  
Managing Director, County of Maui  
Wailuku, Maui, Hawaii 96793

RE: CHARTER COMMISSION REVIEW OF ARTICLE 8, CHAPTER 1

Dear Mr. Haake:

The Maui Charter Commission would appreciate your attendance at its meeting on Thursday, December 5, 1991, to review and discuss the provisions of Article 8 relating to Department of Management procedures.

The meeting will be held in the Council Committee Room, Seventh Floor, Kalana O Maui Building. We are tentatively scheduling the review and discussion of Article 8, Chapter 1 at 4:00 p.m.

We look forward to seeing you December 5.

Sincerely,

Robert Nakasone, Chairman  
Maui Charter Commission

JC:RN:smnr

Please call Sue Nakano-Ruidas at 879-5272/879-8273 to confirm your attendance.

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

RECEIVED  
1991 NOV 20 PM 3:06  
OFFICE OF THE MAYOR

November 14, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

FOR TRANSMITTAL TO:

*Linda Crockett Lingle* 11/25/91  
Mayor Date

Paul R. Mancini, Esquire  
Case & Lynch  
33 Lono Avenue, Suite 470  
Kahului, Maui, Hawaii 96732

RE: EMPLOYMENT LETTER FOR PAUL R. MANCINI AS COUNSEL  
FOR THE MAUI COUNTY CHARTER COMMISSION

Mayor Linda Crockett Lingle:

For your information, enclosed is the original letter to  
be transmitted to Paul Mancini at your earliest convenience.

Should you have any questions please call me at 871-7734.

Sincerely,

*Robert Nakasone, Chairman*  
Robert Nakasone, Chairman  
Maui Charter Commission

RN:smnr

Enclosure



November 12, 1991

Paul R. Mancini, Esquire  
CASE & LYNCH  
33 Lono Avenue, Suite 470  
Kahului, HI 96732

RE: EMPLOYMENT LETTER FOR PAUL R. MANCINI AS  
COUNSEL FOR THE MAUI COUNTY CHARTER COMMISSION

Dear Paul:

Thank you very much for your attendance at our Charter Commission meeting in October. The Charter Commission has reviewed your qualifications and has decided to extend an offer of employment to you to be our independent legal counsel. As we understand it, you would provide legal services as requested, consistent with your schedule, to help the Charter on organization for the formulating of issues to be presented to the public, for preparation of the Commission's report and the drafting and presentation of the questions to be presented to the voters on the ballot. Additionally, you would provide drafts of the proposed Charter amendments and research any legal issues as appropriate.

The salary paid to you for this position would be an hourly rate of \$80 up to a maximum cap of \$1,000 per month.

If the above is your understanding and you consent to the terms of employment, please sign a copy of this letter and return it to us at your earliest convenience. We will forward it, as appropriate, to the Finance Director for his signature and/or provide you with the appropriate contract from the County of Maui at the earliest possible time.

Paul R. Mancini, Esquire  
November 12, 1991  
Page Two

We look forward to working with you. If you have any questions or comments, please feel free to contact me.

Respectfully,

ROBERT NAKASONE, Chairman  
Maui County Charter Commission

AGREED AND ACCEPTED

PAUL R. MANCINI, Attorney at Law

APPROVED:

FINANCE DIRECTOR, COUNTY OF MAUI

Paul R. Mancini, Esquire  
November 12, 1991  
Page Two

We look forward to working with you. If you have any questions or comments, please feel free to contact me.

Respectfully,

ROBERT NAKASONE, Chairman  
Maui County Charter Commission

AGREED AND ACCEPTED

PAUL R. MANCINI, Attorney at Law

APPROVED:

FINANCE DIRECTOR, COUNTY OF MAUI

November 12, 1991

Paul R. Mancini, Esquire  
CASE & LYNCH  
33 Lono Avenue, Suite 470  
Kahului, HI 96732

RE: EMPLOYMENT LETTER FOR PAUL R. MANCINI AS  
COUNSEL FOR THE MAUI COUNTY CHARTER COMMISSION

Dear Paul:

Thank you very much for your attendance at our Charter Commission meeting in October. The Charter Commission has reviewed your qualifications and has decided to extend an offer of employment to you to be our independent legal counsel. As we understand it, you would provide legal services as requested, consistent with your schedule, to help the Charter on organization for the formulating of issues to be presented to the public, for preparation of the Commission's report and the drafting and presentation of the questions to be presented to the voters on the ballot. Additionally, you would provide drafts of the proposed Charter amendments and research any legal issues as appropriate.

The salary paid to you for this position would be an hourly rate of \$80 up to a maximum cap of \$1,000 per month.

If the above is your understanding and you consent to the terms of employment, please sign a copy of this letter and return it to us at your earliest convenience. We will forward it, as appropriate, to the Finance Director for his signature and/or provide you with the appropriate contract from the County of Maui at the earliest possible time.

**D R A F T**

Paul R. Mancini  
Attorney At Law  
33 Lono Avenue, Suite 470  
Kahului, Maui, Hawaii 96732

October 17, 1991

Dear Paul:

Thank you very much for your attendance at our Charter Commission meeting. The Charter Commission has reviewed your qualifications and have decided to extend an offer of employment to you for our legal expert. This position would entail gathering, selecting and summarizing pertinent information, to the drafting first sections of the proposed Charter, and finally the complete integrated document; and researching any legal issues that may arise in the deliberations and/or drafting of the Charter amendments.

The salary for this position would be a cap of \$1000 per month, with an hourly rate of \$80 per hour for anything under the \$1000 limit.

If the above is your understanding and you consent to the terms of employment, please sign a copy of this letter and return it to us at your earliest convenience.

We look forward to working with you. If you have any questions or comments, please feel free to contact the undersigned.

Respectfully yours,

Sherrilee K. Dodson  
Co-Chairman  
Charter Commission

Accepted:

---

Paul R. Mancini, Attorney At Law

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



RECEIVED

1991 NOV 13 PM 2:02

OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

November 8, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Honorable Howard Kihune, Chairman  
and Members  
Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle* 11/18/91  
Mayor Date

Dear Chairman Kihune and Members:

Attached for your information are the minutes of the Charter Commission meetings held on October 10, October 17 and October 24, 1991 and approved at the November 7, 1991 Charter Commission meeting.

Should you have any questions please call me at 871-7734.

Sincerely,

*Robert Nakasone*

Robert Nakasone, Chairman  
Maui Charter Commission

RN:smnr

Attachments



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

1991 OCT -4 PM 1:31

OFFICE OF THE MAYOR

October 31, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

DeGray Vanderbilt  
Box 1348  
Kaunakakai, Molokai, Hawaii 96848

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle*  
Mayor Date

Dear Mr. Vanderbilt:

Enclosed you will find copies of the Maui Charter Commission agendas and meeting minutes as you requested in your letter of October 10, 1991.

Also enclosed is a listing by log number of all documents received by the Commission to date. Due to the bulk of materials received by the Commission, it is difficult to transmit all documents to everyone who requests them. However, they are available for public review here on Maui.

The standard fee for copying public records is .25/per page. If you wish to have copies of specific documents, we will be more than happy to supply them to you at this cost.

Thank you for your interest in the Charter Commission. Your name has been added to our mailing list and we will do our best to keep you informed about Commission deliberations.

Sincerely,

*Robert Nakasone*

Robert Nakasone, Chairman  
Maui Charter Commission

enclosures



**DRAFT**

DeGray Vanderbilt  
Box 1348  
Kaunakakai, Molokai, Hawaii 96848

October 17, 1991

Dear Mr. Vanderbilt:

Thank you very much for your letter dated October 10, 1991. The Charter Commission had an occasion to read and discuss your letter at our October 10 meeting. In response to your request to be placed on our mailing list, we will certainly send you all our agendas and minutes. With regard to the other documents that we are reviewing, these documents are technical in nature and compose an extreme amount of paperwork. These documents are intended to assist us in the understanding of the Charter and in any possible amendments proposed by the public. It would be extremely difficult to transmit all these documents to everyone who would like to see them. We would be more than willing, though, to have these documents available for your review here on Maui.

We would also appreciate any suggestions you may have for amendments to the Charter, to be in written form and transmitted to the Commission, and we will include these in our list of issues and/or amendments to be brought up and discussed. We are also taking your suggestion to take our meetings out into the community. It may be sometime before we can logistically arrange for a meeting in Molokai or Lanai, but we will be having our first meeting in Kihei on October 24, 1991.

We thank you for your interest in the Charter Commission and we will do our best to keep you abreast of our deliberations. Your name has been placed on the mailing list and you should receive our agendas and minutes of every meeting. If there is something in addition that you request we will do our best to accommodate you.

Respectfully yours,

Sherrilee K. Dodson  
Co-Chairman  
Charter Commission

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

October 31, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Honorable Howard Kihune, Chairman  
and Members  
Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

Dear Chairman Kihune and Members:

Attached for your information are the minutes of the Charter Commission meeting held on September 26, 1991 and approved at the October 10, 1991 Charter Commission meeting.

Should you have any questions please call me at 871-7734.

Sincerely,

A handwritten signature in cursive script that reads "Robert Nakasone" followed by a small flourish.

Robert Nakasone, Chairman  
Maui Charter Commission

RN:smnr

Attachment



10/30/91

TENTATIVE MAUI CHARTER COMMISSION MEETING SCHEDULE

All meetings will be held in the Council Meeting Room, 7th Floor, Kalana O Maui Building at 4:00 p.m. on the following dates, unless otherwise notified:

November 7, 1991	January 9, 1992	March 5, 1992
November 14, 1991	January 16, 1992	March 12, 1992
November 21, 1991	January 23, 1992	March 19, 1992
December 5, 1991	January 30, 1992	March 26, 1992
December 12, 1991	February 6, 1992	April 2, 1992
December 19, 1991	February 13, 1992	April 9, 1992
	February 20, 1992	April 16, 1992
	February 27, 1992	April 23, 1992
		April 30, 1992

If you cannot attend a meeting, please call Sue Nakano-Ruidas at 879-5272 (8 a.m.-12 noon) or 879-8273.

Committee Chairs were appointed at the 10/24/91 meeting and will be holding their own committee meetings to cover their specific 91-0 Articles. All Charter Commission members will be sent an agenda for these meetings and are encouraged to attend with input.

Allan Sparks	Articles I-VII	242-1222(B)878-6083(H)
James Cockett	Article VIII	661-0031(B)
Anne Takabuki	Articles IX-XV	879-4471(B)242-4175(H)

Tentative meetings for Lanai and Molokai to gather information are being scheduled for November. Commission representatives attending will be the three Committee Chairs listed above, along with the respective island Commission representative (who will be asked to chair the information meeting).

cc: Allan DeLima  
Gwen/Council Services

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793  
October 7, 1991

MTG-  
10/10  
11:30

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Guy Haywood  
Corporation Counsel  
200 South High Street  
Wailuku, Maui, Hawaii 96793

Dear Mr. Haywood:

The Charter Commission will be leasing office space shortly.

Please advise the Commission as to the appropriate procedures the Commission should follow regarding this, and in particular, who should sign the lease agreement.

I would request that Maile Luuwai give us the requested information at our next Charter Commission meeting on Thursday, October 10, 1991.

Thank you for your anticipated cooperation.

Sincerely,

*Robert Nakasone* (mlg)

Robert Nakasone  
Chairman, Charter Commission

:mlg

APPROVED FOR TRANSMITTAL

Mayor

Date



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793  
October 7, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Honorable Howard S. Kihune  
Chairman, Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle* 10/8/91  
Mayor Date

Dear Mr. Kihune:

The Charter Commission's next meeting will be on Thursday, October 10, 1991, at 4:00 p.m. As per our conversation of October 3, 1991, I would request that you attend the meeting to discuss Articles III and IV of the Maui County Charter.

I would also ask that you notify all council members about this meeting and invite them to attend if they wish to address these two articles.

Please confirm your attendance with Marylou Green of the Mayor's office. She will be able to give you a more definite time to appear.

Sincerely,

*Robert Nakasone* (mlg)  
Robert Nakasone  
Chairman, Charter Commission

:mlg



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793  
October 7, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

Dear Mayor Linda Crockett Lingle:

The Charter Commission will be meeting every Thursday at 4:00 p.m., beginning October 10, 1991, and through the month of November. At this time we expect to review Article 7, Office of the Mayor, and Article 8, County Departments.

Please let me know if you, or any of your department heads would like to appear before the Commission during this time to give us any input or comments you/they might have.

In order for this to be orderly, I would request that the Charter Commission's secretary, Susan Nakano-Ruidas be notified as to who will attend what meeting. She can be reached at 879-5272 in the mornings, and 879-8273 in the afternoons.

If you have any questions regarding this matter please contact me at 871-7734.

Sincerely,

*Robert Nakasone* (mlg)

Robert Nakasone  
Chairman, Charter Commission

:mlg



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

SEP 27 PM 4:31

OFFICE OF THE MAYOR

September 27, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Honorable Howard Kihune, Chairman  
and Members  
Maui County Council  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle* 9/30/91  
Mayor  

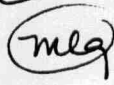
Dear Chairman Kihune and Members:

Attached for your information are the minutes of the  
Charter Commission meeting held on September 12, 1991.

Should you have any questions please call me at 871-  
7734.

Sincerely,

*Robert Nakasone*

Robert Nakasone   
Chairman  
Charter Commission

RN:mlg

Attachment



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

September 20, 1991

Ms. Lokelani Lindsey  
Department of Education  
54 High Street  
Fourth Floor  
Wailuku, Maui, Hawaii 96793

Dear Ms. Lindsey:

Thank you for agreeing to attend the next Charter Commission meeting on September 26, 1991, at 5:00 p.m. For your convenience I have enclosed a copy of the proposal of the Reapportionment Commission in 1984.

If you have any questions prior to September 26, 1991, please feel free to contact me at 871-7734. Otherwise I will look forward to seeing you on the 26th.

Very sincerely,

*Robert Nakasone*  
Robert Nakasone  
Chairman  
Charter Commission

*(mlg)*

:mlg

Enclosure

*Marylou*

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

September 19, 1991

RECEIVED  
1991 SEP 20 PM 1:16  
OFFICE OF THE MAYOR

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Honorable Howard S. Kihune  
Chairman, Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle* 9/23/91  
Mayor Date

Dear Mr. Kihune:

Attached please find a copy of my September 5, 1991, letter to you. As you may or may not know, we were told that no one would be available to attend the meeting on September 12, 1991. At this time we are again making the same request.

The Charter Commission's next meeting will be on Thursday, September 26, 1991, at 4:00 p.m. On the agenda will be Item #5, of Mr. Daryl Yamamoto's July 9, 1991, letter to the Commission. We would prefer that the introducer of that resolution attend.

In addition, the Commission will be discussing Articles III and IV of the Charter in general. We would ask that you send a representative of your choice to discuss these two articles.

Please confirm you or your representative's attendance with Marylou Green of the Mayor's office. She will be able to give you a more definite time to appear.

Sincerely,

*Robert Nakasone*

Robert Nakasone  
Chairman, Charter Commission

*(mlg)*

:mlg

Attachment



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



RECEIVED

1991 SEP -5 PM 12:18

OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

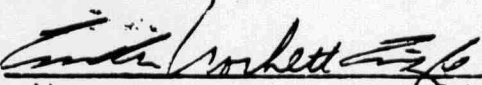
September 5, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Honorable Howard S. Kihune  
Chairman, Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

 9/5/91  
Mayor Date

Dear Mr. Kihune:


The Charter Commission will be meeting on Thursday, September 12, 1991, at 4:00 p.m., in the Council committee room. On the agenda to be discussed are Articles IV and V of the County Charter.

I would like to request your, or a representative's, attendance at the meeting to discuss these two Articles.

In particular, Item #5, of Mr. Daryl Yamamoto's July 9, 1991, letter to the commission will be discussed (attached).

Please confirm your or your representative's attendance with Marylou Green of the Mayor's office.

Sincerely,

  
Robert Nakasone  
Chairman, Charter Commission

Attachment





95-10

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, HAWAII 96793

July 9, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle* 7/12/91  
Mayor Date

For transmittal to:

Chairman Robert H. Nakasone and  
Members of the Charter Commission  
County of Maui  
Wailuku, Hawaii 96793

Dear Chairman Nakasone and Members:

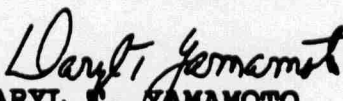
At its meeting of June 1, 1990, the former County Council approved County Communication No. 90-260, As Amended, which contained recommendations of the Committee of the Whole relative to the County Charter. Pursuant to Recommendation No. 1 of the communication, transmitted herewith are copies of the following proposed resolutions which were referred for study and review:

1. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE COUNTY COUNCIL";
2. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF FINANCE";
3. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF PLANNING";
4. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE DIRECTOR OF PUBLIC WORKS";
5. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO ORDINANCES AND RESOLUTIONS";

6. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE APPROVAL OF RULES OF THE DEPARTMENT OF WATER SUPPLY";
7. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO VOTING REQUIREMENTS FOR BOARDS AND COMMISSIONS";
8. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO THE ESTABLISHMENT OF A DEPARTMENT OF WASTE MANAGEMENT AND TO THE TRANSFER THERETO OF THE SOLID AND LIQUID WASTE FUNCTION FROM THE DEPARTMENT OF PUBLIC WORKS";
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12. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO CHARTER AMENDMENTS";
13. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), RELATING TO THE BOARD OF LAND USE AND CODE ENFORCEMENT OF THE DEPARTMENT OF PUBLIC WORKS"; and
14. "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983) RELATING TO LAPSING OF CAPITAL IMPROVEMENT APPROPRIATIONS".

A copy of County Communication No. 90-260, As Amended, is also transmitted for your information and use.

Very truly yours,

  
DARYL T. YAMAMOTO  
County Clerk

DTY/jym

Enclosures

# Resolution

No. \_\_\_\_\_ Introduced By \_\_\_\_\_ Councilmember

PROPOSING AN AMENDMENT TO THE REVISED  
CHARTER OF THE COUNTY OF MAUI (1983),  
RELATING TO ORDINANCES AND RESOLUTIONS

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby propose that Article 4 of the Revised Charter of the County of Maui be amended by amending Section 4-2 to read as follows:

"Section 4-2. Introduction, Consideration and Passage of Ordinances and Resolutions. 1. Every proposed ordinance shall be initiated as a bill and shall be passed after two readings on separate days.

2. Except as otherwise provided by law, resolutions may be adopted on one reading.

3. Upon the request of [three] five members of the council, a public hearing shall be held on any proposed ordinance or resolution.

4. Digests of all bills which pass first reading and the votes thereon shall be published once in a newspaper of general circulation in the county at least three days before final reading.

5. After passage all bills shall be promptly advertised once by title only in a newspaper of general circulation in the county, with the ayes and noes.

6. Should the council find by a two-thirds vote of its entire membership the existence of an emergency threatening life health, or property due to a public calamity, the council may waive all of the requirements of this section pertaining to procedure, except all votes shall be recorded. Every emergency ordinance, including any amendments made therein after its adoption, shall automatically stand repealed on the ninety-first day following the date on which it became effective. The council may prescribe by rule

COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

WAILUKU, HAWAII 96793

## Resolution No \_\_\_\_\_

procedures for emergency meetings of its membership to be held by conference telephone or similar communication equipment in the event of public calamity.

7. Resolutions authorizing proceedings in eminent domain shall be adopted as provided by law.

8. Bills and resolutions may be passed on first reading by council members and passed on second reading by their successors."

2. That this resolution be submitted to the electors of the County of Maui at the next general election.

3. That the County Clerk is hereby requested to prepare the necessary ballot for presentation to the electors at the 1990 General Election.

4. That upon approval by a majority of the voters in favor of amending the above-cited section of the Revised Charter of the County of Maui as indicated by the number of votes cast and upon official certification of such result, the amendment proposed herein shall take effect.

5. That charter material to be repealed is bracketed. New charter material is underscored.

COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

WAILUKU, HAWAII 96793

Resolution No. \_\_\_\_\_

6. That a certified copy of this resolution be transmitted to the Mayor.

**APPROVED AS TO FORM AND LEGALITY:**

HOWARD M. FUKUSHIMA  
Deputy Corporation Counsel  
COUNTY OF MAUI  
resosord/resos/epg

**COUNCIL OF THE COUNTY OF MAUI**

WAILUKU, HAWAII 96799

## CERTIFICATION OF ADOPTION

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_ by the following vote:

[illegible]

**COUNTY CLERK**

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

September 18, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

FOR TRANSMITTAL TO:

Honorable Howard Kihune, Chairman  
and Members  
Maui County Council  
Wailuku, Maui, Hawaii 96793

*Linda Crockett Lingle*  
Mayor  
Date

9/18/91

Dear Chairman Kihune and Members:

Attached for your information are the minutes of the  
Charter Commission meeting held on August 15, 1991.

Should you have any questions please call me at 871-  
7734.

Sincerely,

*Robert Nakasone*  
Robert Nakasone  
Chairman  
Charter Commission

RN:mlg

Attachment



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

September 18, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Maui, Hawaii 96793

Dear Mayor Linda Crockett Lingle:

Attached for your information are the minutes of the Charter Commission meeting held on August 15, 1991.

I will also be transmitting the minutes to the Council Chairman and members. Should you have any questions please call me at 871-7734.

Sincerely,

*Robert Nakasone*

Robert Nakasone  
Chairman  
Charter Commission

A handwritten signature "mlg" is written inside a circle.

RN:mlg

Attachment

cc: Dave DeLeon  
Guy Haywood



LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



RECEIVED

1991 SEP -5 PM 12:18

OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

September 5, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

FOR TRANSMITTAL TO:

Honorable Howard S. Kihune  
Chairman, Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

  
Mayor Date 9/5/91

Dear Mr. Kihune:

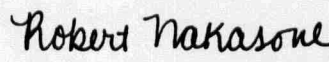
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In particular, Item #5, of Mr. Daryl Yamamoto's July 9, 1991, letter to the commission will be discussed (attached).

Please confirm your or your representative's attendance with Marylou Green of the Mayor's office.

Sincerely,

  
Robert Nakasone  
Chairman, Charter Commission

Attachment



DARYL T. YAMAMOTO  
County Clerk



91-10

MYLES H. INOKUMA  
Deputy County Clerk

**OFFICE OF THE COUNTY CLERK**

COUNTY OF MAUI  
200 SOUTH HIGH STREET  
WAILUKU, HAWAII 96793

July 9, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle* 7/12/91  
Mayor Date

For transmittal to:

Chairman Robert H. Nakasone and  
Members of the Charter Commission  
County of Maui  
Wailuku, Hawaii 96793

Dear Chairman Nakasone and Members:

At its meeting of June 1, 1990, the former County Council approved County Communication No. 90-260, As Amended, which contained recommendations of the Committee of the Whole relative to the County Charter. Pursuant to Recommendation No. 1 of the communication, transmitted herewith are copies of the following proposed resolutions which were referred for study and review:

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Chairman Robert H. Nakasone and  
Members of the Charter Commission

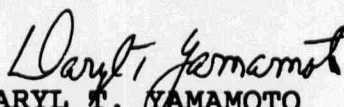
Page 2

July 9, 1991

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A copy of County Communication No. 90-260, As Amended, is also transmitted for your information and use.

Very truly yours,

  
DARYL T. YAMAMOTO  
County Clerk

DTY/jym

Enclosures

# Resolution

No. \_\_\_\_\_ Introduced By \_\_\_\_\_ Councilmember

PROPOSING AN AMENDMENT TO THE REVISED  
CHARTER OF THE COUNTY OF MAUI (1983),  
RELATING TO ORDINANCES AND RESOLUTIONS

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COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

WAILUKU, HAWAII 96793

Resolution No \_\_\_\_\_

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5. That charter material to be repealed is bracketed. New charter material is underscored.

COUNCIL OF THE COUNTY OF MAUI

STATE OF HAWAII

WAILUKU, HAWAII 96793

Resolution No. \_\_\_\_\_

6. That a certified copy of this resolution be transmitted to the Mayor.

APPROVED AS TO FORM AND LEGALITY:

  
HOWARD M. FUKUSHIMA  
Deputy Corporation Counsel  
COUNTY OF MAUI  
resosord/resos/epg

**COUNCIL OF THE COUNTY OF MAUI**  
WAILUKU, HAWAII 96793

**CERTIFICATION OF ADOPTION**

It is HEREBY CERTIFIED that the foregoing resolution was adopted by the Council of the County of Maui, State of Hawaii, on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ by the following vote:

MEMBERS	Linda CROCKETT LINGLE	Goro HOKAMA Chairman	Patrick S. KAWANO	Howard S. KIHUNE Vice-Chairman	Alice L. LEE	Ricardo MEDINA	Wayne K. NISHIKI	Veima M. SANTOS	Joe S. TANAKA
ROLL CALL									

\_\_\_\_\_  
COUNTY CLERK

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

August 22, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

FOR TRANSMITTAL TO:

Honorable Howard Kihune, Chairman  
and Members  
Maui County Council  
Wailuku, Maui, Hawaii 96793

Dear Chairman Kihune and Members:

Attached for your information are the minutes of the  
Charter Commission meeting held on July 18, 1991.

Should you have any questions please call me at 871-  
7734.

Sincerely,

*Robert Nakasone (mlg)*

Robert Nakasone  
Chairman  
Charter Commission

RN:mlg

Attachment

RECEIVED  
071 AUG 22 PM 1:28  
OFFICE OF THE MAYOR  
Date

8/23/91



CHARTER COMMISSION  
MEETING MINUTES  
JULY 18, 1991  
MAYOR'S LOUNGE

Present

James H. Cockett  
Sherrilee K. Dodson (Vice Chair)  
Dolores M. Fabrao  
Robert Nakasone (Chair)  
Victor G. Reyes  
Anne M. Takabuki  
Jamie Woodburn  
Lloyd Yonenaka

Guests

Herman Adalist  
Guy Haywood  
Mark Adams (Maui News)  
Marylou Green (Mayor's office)

Excused

Annette Mondoy  
Allan Sparks  
Debbie Wright

I. Call to Order

Chairman Nakasone called the meeting to order at 4:20 p.m., on July 18, 1991, in the Mayor's Lounge of the County building. He noted a quorum was present.

The Chair amended the agenda to add Communication 91-10, a July 9, 1991, letter from the County Clerk to the Commission and Communication 91-11, the proposal of the 1983 reapportionment committee. Also added was Communication 91-0, the Maui County Charter, 1989 edition.

II. Approval of July 3, 1991, Minutes

The minutes of the July 3, 1991, meeting were approved as circulated.

III. Communications

Communications 91-0 through 91-11 were accepted.

IV. Budget

Communication No. 91-2, 7/11/91 letter from the Mayor regarding the budget of the previous commission, was discussed. As the letter stated, the type of information requested was not

available. Therefore, a subcommittee of three people will be formed, chaired by Anne Takabuki. The subcommittee will submit a proposed budget to the commission at the next meeting.

#### V. Timetable

Corporation Counsel was asked to submit a timetable as to the process of submitting proposed amendments to the Charter. The Chair asked Mr. Haywood to clarify Article 14, Section 14.3, Mandatory Review, of the Maui County Charter, specifically relating to "forty-five days" before any election. The Chair reported he interpreted that as being the primary election.

Mr. Haywood noted that Section 14-3 states "The commission may propose amendments to this charter. . . within fifteen (15) months after such commission has been appointed." He was not sure of how the appointment process went. He will look into the date there was a quorum.

The Chair requested from Corporation Counsel an absolute final date for filing the proposed amendments with the Clerk's office, taking into account the above-mentioned forty-five days. The Chair noted we would not be working with the "fifteen months" because time is already short.

Dates of public hearings and publication dates in the newspapers would also be part of the process and should be included in the timetable.

#### A. Sunshine Law

The Chair then asked Corporation Counsel to briefly give the commission the guidelines of the Sunshine Law (Communication No.91-4, Chapter 92 of the Hawaii Revised Statutes). Mr. Haywood noted the important thing about Chapter 92 is its intention to protect any individual's right to know.

He noted a "chance meeting" is a social, informal grouping of two or more members where business is not discussed; a "meeting" is any gathering of members where business is discussed. All meetings are open to the public and the public is given the opportunity to speak. The board is allowed to limit the time of the public's comments. Executive sessions allow a board to conduct business without the public present.

A board must give six days notice to the Clerk's office of any agenda. Public hearings must be published, according to the law, in a newspaper published at least twice weekly in the County.

After asking if there were any more questions, and there being none, Mr. Haywood excused himself from the meeting.

## VI. Other Business

### A. Public Testimony

It was noted that at all meetings the public will be free to testify. Future agendas will so note this by placing another item on the agenda, "Public Testimony".

### B. Legal/Clerical Support

The Chair noted Allan Sparks' recommendation that the commission obtain an executive secretary with some legal experience. A subcommittee of three people will be formed, chaired by Sherrilee Dodson, to submit guidelines to the commission at the next meeting, about the contracting of these two individuals.

### C. Post Office Box

Sherrilee Dodson did obtain a post office box for the commission. The new box number is 307, Kahului, 96732. Ms. Dodson will ask Pamela Dodson, Information Officer in the office of the Mayor, to do a press release on where the Charter Commission will receive its mail.

[At this time guest Herman Adalist departed from the meeting. Before leaving he commended the commission members for committing to this purpose and wished them well.]

## VII. Next Meeting Date

The Chair advised he had contacted Council Services about the use of its committee room for future meetings. The room has a good sound system with many microphones. Eventually, when more formal matters are acted upon and/or when minutes might be critical, the tapes will be accessible, of good quality and of great help. There were no objections to this suggestion.

The Chair then recommended that the next meeting be subject to the call of the Chair. Ms. Fabrao announced second Thursdays are good days for her. Mr. Cockett advised he would not be able to make a meeting on the last Thursday of the month. There were no objections to the next meeting being on call.

## VIII. Adjournment

The meeting was adjourned at 4:50 p.m.

APPROVED:

Robert Nakasone  
Robert Nakasone, Chairman

Aug. 15, 1991  
Date

August 15, 1991

1991-1992 CHARTER COMMISSION  
COUNTY OF MAUI

FY 1992 PROPOSED BUDGET

Chairman Nakasone and Members:

Commission Members Lloyd Yonenaka, Anne Takabuki and Dolores Fabrao met on July 18, 1991 to review Communication 91-2 from Mayor Linda Crockett Lingle and to discuss and formulate a proposed budget for the 1991-1992 Charter Commission activities.

Mayor Crockett Lingle indicated that no details were available as to the prior Charter Commission's expenditures. However, she did indicate that the prior Commission spent approximately \$58,216 (\$36,300 + \$21,616) of the total of \$70,000 which was appropriated in FY 1982 and FY 1983.

It was our general conclusion that, given the increase in costs over the passage of nearly ten years, the \$50,000 appropriated will not be sufficient for the Commission's operations. However, it is our recommendation that we inform the Mayor and the Council that it is the Commission's intention to stay within the \$50,000 for the current fiscal year period. If additional expenses are incurred, it may be possible to request an additional appropriation for FY 1993, and pay these expenses in July 1992. We should also advise the Mayor and the Council that we will monitor our expenditures and apprise them in advance (e.g., January 1993) of any anticipated need for a supplemental appropriation in FY 1993.

The attachment summarizes our estimates of the funding required for various operating items.

Your review and suggestions regarding the attached proposal are requested.

# 1991-1992 CHARTER COMMISSION

## PROPOSED FY 1992 BUDGET

CATEGORY OF EXPENDITURE		ESTIMATED EXPENSE	
1. TRAVEL/PER DIEM			
a. Regular Meetings			
(1) Airfare (assumes 30 meetings)	4,200		
(30 meetings X \$70 per trip X 2 members)			
(2) Per diem			
(30 meetings X \$80 X 2 members)	4,800		
b. Public Hearings - Two rounds of hearings			
(1st - Take recommendations; 2nd - Present draft)			
(1) Airfare (11 members X \$70 X 3 sites			
(Molokai, Lanai, & Hana X 2 trips)	4,620		
(2) Per diem (11 members X \$80 X 3 sites)	<u>5,280</u>	9,900	
X 2 trips)			
2. SECRETARIAL SERVICES			
a. Regular services - Contract; Parttime,			
20 - 25 hrs per week for six months;			
\$12.50 per hour)			
	7,500		
b. Special services - Public hearings (8)			
(Travel expense; transcribe testimony)			
4 X \$80; 10 hrs X \$15.00 X 8 + copies)	<u>2,000</u>	9,500	
3. LEGAL SERVICES			
Contract (includes meetings as requested; drafting			
Charter language and report 100 hours X \$100/hour)			
		10,000	
4. OFFICE EXPENSES			
a. Rent (6 months X \$1,000 per month)			
	6,000		
b. Equipment rental and Supplies			
(phone; typewriter; furniture; office			
supplies, P. O. Box, etc.			
6 mos. X \$500)	<u>3,000</u>	9,000	
5. PUBLICITY EXPENSES (Newspaper insert; flyers)			
		5,000	
6. MISCELLANEOUS			
		<u>500</u>	
TOTAL		52,900	

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

August 14, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

FOR TRANSMITTAL TO:

Honorable Howard S. Kihune  
Chairman, Maui County Council  
200 South High Street  
Wailuku, Maui, Hawaii 96793

*Linda Crockett Lingle*  
Mayor  
Date 8/14/91

Dear Mr. Kihune:

I am in receipt of Daryl Yamamoto's letter of July 9, 1991, forwarding to the Charter Commission a list of recommendations of the Committee of the Whole relative to the County Charter.

The Charter Commission will be meeting on Thursday, August 15, 1991, at 4:00 p.m. A great amount of time will be spent discussing Article III of the Maui County Charter.

I would request that you send a council representative to attend the meeting, at approximately 5:00 p.m., to discuss, in particular, Items 1 and 11 of the July 9, 1991, letter:

"Proposing an Amendment to the Revised  
Charter of the County of Maui (1983),  
Relating to the County Council"

Please confirm your representative's attendance with Marylou Green of the Mayor's office.

Sincerely,

*Robert Nakasone*

Robert Nakasone  
Chairman, Charter Commission

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

August 6, 1991

Mr. Douglas Sodemani  
Post Office Box 1410  
Wailuku, Maui, Hawaii 96793

Dear Mr. Sodemani:

Thank you for agreeing to attend the next Charter Commission meeting on August 15, 1991, at 4:00 p.m. As you requested, enclosed find the final report of the 1966-1967 commission.

I understand you have a previous commitment later in the afternoon. We are, of course, most grateful of your attendance, and will put you at the beginning of the agenda. I expect the meeting to be very informal. The commission would like to "pick your brain" about the '66-'67 commission's intent of submitting the major change in the power branch.

If you have any questions prior to August 15, 1991, please feel free to contact me at 871-7734. Otherwise I will look forward to seeing you on the 15th.

Very sincerely,

*Robert Nakasone*

Robert Nakasone *mlg*  
Chairman  
Charter Commission

:mlg

Enclosure

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

August 2, 1991

The Honorable Linda Crockett Lingle  
Mayor, County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii

FOR TRANSMITTAL TO:

Guy Haywood  
Corporation Counsel  
County of Maui  
200 South High Street  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle* 8/2/91  
Mayor Date

Dear Mr. Haywood:

The next Charter Commission meeting will be held on August 15, 1991, at 4:00 p.m., in the Council committee room.

We would ask that you prepare and submit a "spreadsheet" prior to that meeting which compares Article III of the Maui County Charter to the other County Charters.

The timeline which the Commission asked you to prepare at the July 18, 1991, meeting will also be placed on the August 15th agenda. I look forward to receiving that also.

If you have any questions please contact me at 871-7734.

Sincerely,

*Robert Nakasone*

Robert Nakasone  
Chairman  
Charter Commission

RN:mlg

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

August 2, 1991

James H. Cockett  
2605 Kaanapali Parkway  
Lahaina, Maui, Hawaii 96761

Sherrilee K. Dodson (**Vice Chair**)  
140 Uwapo Road, #29-101  
Kihei, Maui, Hawaii 96753

Dolores M. Fabrao  
Post Office Box 398  
Lanai City, Lanai, Hawaii 96763

Annette M. Mondoy  
Post Office Box 224  
Kaunakakai, Molokai, Hawaii 96748

Victor G. Reyes  
110 Kalihi Place  
Kula, Maui, Hawaii 96790

Allan R. Sparks  
RR1 Box 522A  
Kula, Maui, Hawaii 96790

Anne M. Takabuki  
707 Maalahi Street  
Wailuku, Hawaii 96793

Jamie Woodburn  
315 Awalau Road  
Haiku, Maui, Hawaii 96708

Debra K. Wright  
242 Holomakani Drive  
Kula, Maui, Hawaii 96790

Lloyd Yonenaka  
526-E Olinda Road  
Makawao, Hawaii 96768

Dear Charter Commission members:

The next Charter Commission meeting will be held on Thursday, August 15, 1991, at 4:00 p.m. The meeting will be held in the Council committee room on the seventh floor of the County building.

A copy of the agenda and any other supporting documents will be mailed to you prior to the meeting. Please call Marylou at 243-7855 if you are unable to attend.

Sincerely,

*Robert Nakasone*

ROBERT NAKASONE  
Chairman, Charter Commission

:mlg

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

July 30, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Maui, Hawaii 96793

APPROVED FOR TRANSMITTAL

*Linda Crockett Lingle* 7/31/91  
Mayor Date

FOR TRANSMITTAL TO:

Honorable Howard Kihune, Chairman  
and Members  
Maui County Council  
Wailuku, Maui, Hawaii 96793

Dear Chairman Kihune and Members:

Attached for your information are the minutes of the  
Charter Commission meeting held on July 3, 1991.

Should you have any questions please call me at 871-  
7734.

Sincerely,

*Robert Nakasone*

Robert Nakasone *mlg*  
Chairman  
Charter Commission

RN:mlg

Attachment

LINDA CROCKETT LINGLE  
Mayor  
TELEPHONE 243-7855



OFFICE OF THE MAYOR  
COUNTY OF MAUI  
WAILUKU, MAUI, HAWAII 96793

July 30, 1991

Honorable Linda Crockett Lingle  
Mayor, County of Maui  
Wailuku, Maui, Hawaii 96793

Dear Mayor Linda Crockett Lingle:

Attached for your information are the minutes of the  
Charter Commission meeting held on July 3, 1991.

I will also be transmitting the minutes to the  
Council Chairman and members. Should you have any  
questions please call me at 871-7734.

Sincerely,

*Robert Nakasone*  
*mlg*

Robert Nakasone  
Chairman  
Charter Commission

RN:mlg

Attachment

cc: Dave DeLeon  
Guy Haywood

CHARTER COMMISSION  
MEETING MINUTES  
JULY 3, 1991  
MAYOR'S LOUNGE

Members Present

James H. Cockett  
Sherrilee K. Dodson  
Dolores M. Fabrao  
Annette M. Mondoy  
Robert Nakasone  
Victor G. Reyes  
Allan R. Sparks  
Anne M. Takabuki  
Jamie Woodburn  
Deborah K. Wright  
Lloyd Yonenaka

Guests

Mayor Linda Crockett Lingle  
Marylou Green (Mayor's Office)  
Ed Tanji (Honolulu Advertiser)  
Lila Fujimoto (Star Bulletin)

I. WELCOME

Mayor Linda Crockett Lingle welcomed the members and thanked them for serving on this important Commission. Press that were present were acknowledged. The Mayor advised Commission members to expect to have press at their meetings. Marylou Green was introduced by the Mayor as the support person until the Commission decides on how they want to handle clerical support.

The Mayor advised members that they have a budget of \$50,000 to be used as they deem necessary; e.g., part-time secretarial support, legal support, public relations support.

The Mayor informed members that she will always be available to them for any questions or concerns they may have during the course of their commission.

Member Al Sparks asked if it would be possible to obtain more than the budgeted \$50,000. The Mayor said it would be possible, with an amended budget, that must be approved by County Council.

A question was raised as to meeting places. The Mayor advised that other than the Mayor's lounge, they are welcome to use any of the other County conference rooms, such as Civil Defense or Planning.

Member Robert Nakasone requested information from the prior Commission, especially relating to its budget. The Mayor will attempt to get this information.

It was brought up that the \$50,000 would also be used for travel/per diem. It was suggested that a budget be worked on soon so it can be presented to County Council as soon as possible.

Financial disclosure statements will be mailed to all members.

Being that there were no further questions or concerns from the members, the Mayor again extended her best wishes, expressed her appreciation, and excused herself.

## II. INTRODUCTION OF MEMBERS

Each member introduced him/herself to the group and gave a brief personal history.

## III. SELECTION OF COMMISSION CHAIRMAN AND VICE CHAIRMAN

After some discussion it was moved by Ms. Dodson that Robert Nakasone be nominated as Chairman. The motion was seconded and carried.

Mr. Nakasone moved that Sherrilee Dodson be nominated as Vice Chairman. The motion was seconded and carried.

## IV. NEW BUSINESS

### A. Distribution of Information to Members

Chairman Nakasone requested the Commission be mailed, prior to their next meeting, former Commission reports, budgets, and other County Charters. Ms. Dodson has the County Charter from San Diego and will distribute it to all members. Mr. Sparks advised he has a model city charter and will distribute it to all members.

### B. Meeting Place, Telephone Number

Discussion was had regarding permanent space and obtaining a telephone number. No decision was made. This may be taken up at a later time.

Discussion was had regarding the meeting place and having it in a County office. The Charter states ". . . shall be held in county building or other publicly owned place." It was therefore decided it would be acceptable to hold meetings at a school or other public facility, even though not County-owned.

C. Charter Revision Suggestions from the Public

Mr. Reyes inquired as to how to handle inquiries from individuals or organizations personally known to each commission member. The Commission agreed it would be acceptable to listen to any suggested revisions and to advise people to submit their ideas in writing.

D. Incoming Mail

It was suggested the Commission obtain a post office box. It was agreed Vice-Chair Dodson would check if the Kahului Post Office had boxes available. She goes there daily and would be able to check the Commission's mail.

V. ANNOUNCEMENT OF NEXT MEETING


The next meeting will be held on Thursday, July 18, 1991, at 4:00 p.m., in the Mayor's lounge.

At the next meeting the budget and a timetable will be prepared.

VI. ADJOURNMENT

The meeting was adjourned at 5:30 p.m.

APPROVED:

<u>Robert Nakasone</u> 	7/18/91
Robert Nakasone, Chairman	Date