

TO: James Cockett  
 FROM: Sue Nakano-Ruidas  
 SUBJECT: Charter - Amendment requests/related discussions

March 25, 1992

ARTICLE #	AMENDMENT REQUEST	DISCUSSION ONLY
8-3(2)	Communication 92-03	
8-3(3)	Communication 91-16	Committee B 1/9/92
8-4(2)	91-10-2	Communication 91-23
8-4(3)		Committee B 1/9/92
8-5(1)	91-10-13	Communication 91-23
8-5(2)	91-10-4	Communication 91-23
8-5(4)	Communication 91-33	Minutes 11/21/91
8-7(2)		Committee B 1/23/92
8-7(3)		Committee B 1/23/92
8-7(4)	92-04	Committee B 1/23/92
8-8(2)	91-10-3 Communicaton 92-03	Communication 91-23
8-8(4)	91-10-9	Communication 91-23 Communication 92-06 Minutes 1/30/92 Makawao Minutes 1/27/92 Hana Committee B 1/29/92 Minutes 12/2/91 Lanai Committee B 1/23/92
8-8(5)		Minutes 1/30/92 Makawao
8-11		Committee B 2/20/92
8-11(8)	91-10-6	Communication 91-23
8-12		Committee B 2/20/92
8-13		Committee B 1/23/92
8-14		Committee B 2/20/92
8-16	91-10-10	Communication 91-23 Committee B 1/9/92
8(NEW)	91-10-8	Communication 91-23

## ARTICLE

- 8-2.2 Appointment of Corporate Counsel. This should be resolved under Article 6-2.
- 8-3/2 Appointment of Prosecuting Attorney. This should be resolved under Article 6-2. However, recommendation that three years practice in the State be rescinded. Discussion was held 4/23/92 regarding the above solutions.
- 8-3 Proposing addition to this section, as requested by Butrick's memo of 8/14/91. The Prosecuting Attorney may appoint deputies and other necessary staff, including investigators who shall have the power and privileges of a Police Officer of the County.
- 8-4.2 A change: The Director of Finance shall be appointed by the Mayor with the approval of the Council, and may be removed by the Mayor with the approval of the Council. Committee recommends no change, 3/5/92.
- 8-4.3 Per minutes of 1/9/92, Paragraph 7. Prepare and issue warrants and checks. Paragraph 13 should be changed to reflect that there is only one bond covering everybody. Mr. Thompson referred to Article 9, Section 9-13, Audit of Accounts, verbage change? (This is referred to Committee C.)
- 8-5.1 Organization of Department of Public Works - creating a new Department of Waste Management and to transfer thereto of the solid and liquid waste function from the Department of Public Works.
- 8-5.2 A change similar to 8-4.2. Committee recommends no change 3/5/92.
- 8-5.4 Reference 91-33, Paragraph 1. Hear and determine applications for variances from the strict application of [any general plan] the provisions contained within any zoning subdivision or [building ordinances] sign ordinance. The board shall, etc.
- 8-7.2 Reference minutes of 1/23/92. Chief Davis recommends qualifications for Fire Chief of five years of experience in fire control in the Maui Fire Department.

- 8-7.3      Add Paragraph 7 to read responsible for providing mitigation and stabilization of hazardous material incident.
- 8-7.4      Reference 92-04. Public Safety Commission recommending an organizational change; a Fire Commission instead.
- 8-8.2      A change similar to 8-4.2. Committee recommends no change 3/5/92.
- 8-8.4      Reference 91-10, Resolution 9. Proposing an amendment to elect at large members of the Maui and Molokai Planning Commission.
- 8-8.5      General Plan reference minutes of 3/5/92. It being discussed, Reyes recommends before Council approves, it should report to the Citizens Advisory Committee.
- 8-11      Department of Water Supply, semi-autonomous. Craddick inferring autonomy, self-supporting like Liquor Control. The big picture would be patterned after Honolulu. Minutes of 3/5/92, recommends no change.
- 8-11.8      Reference 2/20/92, also 91-10.6. An ammendment to approval of rules reads exactly like approved rules (8-11.8) in 1983 booklet.
- 8-12      Reference minutes of 2/20/92, the Chief of Police advising he submits budget to the Commission for approval. He proposes that Chief is appointed from Captain and above instead of Lieutenant and above. Referring to the Fire Chief qualifications, inference was ten years of police experience.
- 8-13      Department of Liquor Control, Silva and Mukai, minutes of 1/23/92. Compensation via Liquor Commission or the Salary Commission. Commented on asking Board of Ethics for ruling (reference Don Takahashi, Salary Commission Chair, conflict of interest? GM Stouffers).
- 8-14      Cost of Government Commission, minutes of 2/20/92. Ted Stanick commented term of Commissioners Office not long enough. Training was proposed, also Risk Management. Stanick will submit recommendation for changes in Charter.

8-16 (New) Reference 91-10-10 and Communication 91-23. Resolution to create a Department of Housing. Averno advises negative, minutes of 1/9/92. From minutes of 3/25/92, question of reviewing all grants, shift of priority, changing titles, etc. Minutes of 3/25/92, Nakasone questions the former Commission of Human Concerns. Reference 91-10-8, creating a new Department of Waste Management. 91-23, Duties and responsibilities need to be established.

Fred Rohlfing proposed a new section to 8-8.6. Prepare a county open space and diversified agricultural preservation plan. He recommends changing the coastal zone management program so that certain items should go to the Council rather than to the Planning Commission. Dollar figure was recommended, this includes SMA permits.

DeLeon advises a bill passed the Senate forcing the whole thing going to the Council. Neighbor Island Mayors oppose it.

Recommend thorough review of 8-8.4 and 8-8.5.