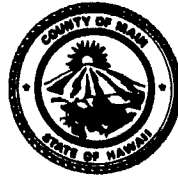


ALAN M. ARAKAWA
Mayor

KEITH A. REGAN
Managing Director



Joshua A. Stone, Chair
Wayne N. Hedani, Vice Chair
Artemio C. Baxa
Stephanie S. Crivello
David P. DeLeon
Frank R. DeRego, Jr.
Clifford P. Hashimoto
Susan A. Moikeha
Linda Kay Okamoto
Yuki Lei Sugimura
Flo V. Wiger

CHARTER COMMISSION
COUNTY OF MAUI
C/O DEPARTMENT OF THE CORPORATION COUNSEL
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
Email: Charter.commission@co.maui.hi.us

June 13, 2011

Honorable Danny A. Mateo, Council Chair
Maui County Council
200 S. High Street
Wailuku, Maui, Hawaii 96793

RE: CHARTER AMENDMENT PROCESS

Dear Council Chair Mateo:

Thank you very much for taking the time to meet with Yuki Lei and myself the other day. It was a pleasure to discuss a coordinated effort between the County Council and the Charter Commission during this exciting period.

I am glad you agree that we should coordinate the Charter amendment process during the Charter Commission period as to avoid confusion with the voters due to potentially ambiguous options. My understanding from our discussion was that you, as Council Chair, would recommend to the Council that all resolutions to the Charter proposed this year would be directed to the Charter Commission as an identical proposal. The Charter Commission would in turn review the proposal in a timely manner and decide either to accept the proposal as an active amendment to be worked on by the Commission, or inform the Council Member that the Charter Commission would not work on the proposed amendment. If the Charter Commission decides to actively work on the proposed amendment, then the Council Member would relinquish the resolution in Council. However, if the Charter Commission decides not to work on the proposed resolution, then the Council Member would continue forward with their resolution in Council. Please let me know if this is not your understanding.

It was also good to put to rest any misunderstandings created by the media concerning the Charter Commission's view on the County

062711 - Item No. II.A. pages 1-2

Honorable Danny A. Mateo
June 13, 2011
Page 2

Council's amendment powers. The Charter Commission members have much respect for the County Council and their duties, and we all appreciate the Council's efforts in working diligently with us during this process. Thank you very much for your time.

Mahalo,

JOSHUA A. STONE

JOSHUA A. STONE, Chair
Chairman, Charter Commission

cc: Charter Commission members

ALAN M. ARAKAWA
Mayor

DAVID C. GOODE
Director

ROWENA M. DAGDAG-ANDAYA
Deputy Director

Telephone: (808) 270-7845
Fax: (808) 270-7955



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
200 SOUTH HIGH STREET, ROOM NO. 434
WAILUKU, MAUI, HAWAII 96793

RALPH NAGAMINE, L.S., P.E.
Development Services Administration

CARY YAMASHITA, P.E.
Engineering Division

BRIAN HASHIRO, P.E.
Highways Division

June 15, 2011

MEMO TO: JOSHUA A. STONE, CHAIR, AND MEMBERS OF THE MAUI COUNTY
CHARTER COMMISSION

V I A: KEITH A. REGAN, MANAGING DIRECTOR *[Signature]*

F R O M: DAVID C. GOODE, DIRECTOR OF PUBLIC WORKS *[Signature]*

SUBJECT: **REQUEST FOR SUBMITTAL OF PROPOSED CHARTER
AMENDMENTS AND/OR RECOMMENDATIONS**

RECEIVED
CORPORATION COUNSEL
2011 JUN 17 10:31

Pursuant to your memo dated May 10, 2011, please be advised that the Department of Public Works does not have any proposed Charter amendments and/or recommendations to offer at this time.

Thank you for the opportunity to propose Charter amendments and/or recommendations.

DCG:jso
s:\david2\jstone_proposed charter amendments and_or recommendations

062711 - Item No. II.B.

Lisa,

Just in case someone
wants copies of the
presentation.

Mahele,
Bill

2011 JUN 17 AM 10:31

Census Geography and GIS-based Redistricting

Bill Medeiros
Maui County Geographic Services

June 13, 2011

What we'll cover in this presentation

- **Maui and Kalawao counties**
- **Basics of Census geography**
- **Aggregating data into new geographies**
- **Next steps**

We're all in one County, right?

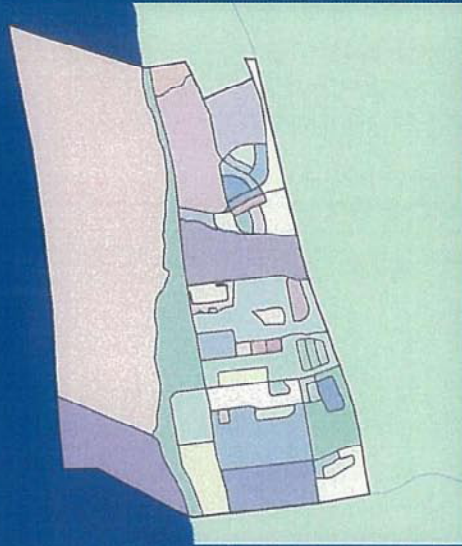


What is the population of Maui?



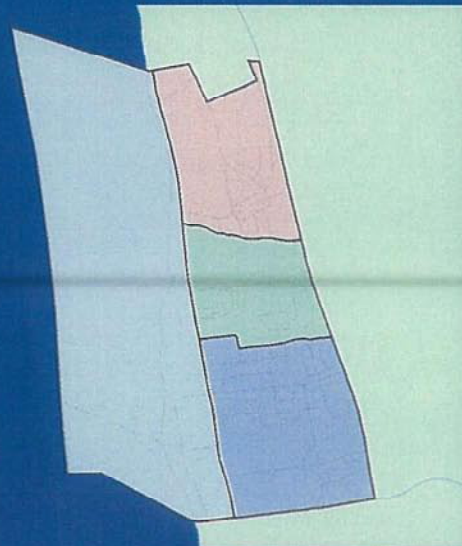
Census basics – playing with blocks

- Blocks (SGU)



Census basics – playing with blocks

- Block groups



Census basics – playing with blocks

- Tracts



Other geographies (aggregated data)

- Census designated places (CDP)
- Census subdivisions (CCD)
- Election districts (Voter districts or VTD, Congressional, State)
- Do it yourself

Current Council Residency Districts

Maui County Council Residency Districts 2010 Total Population

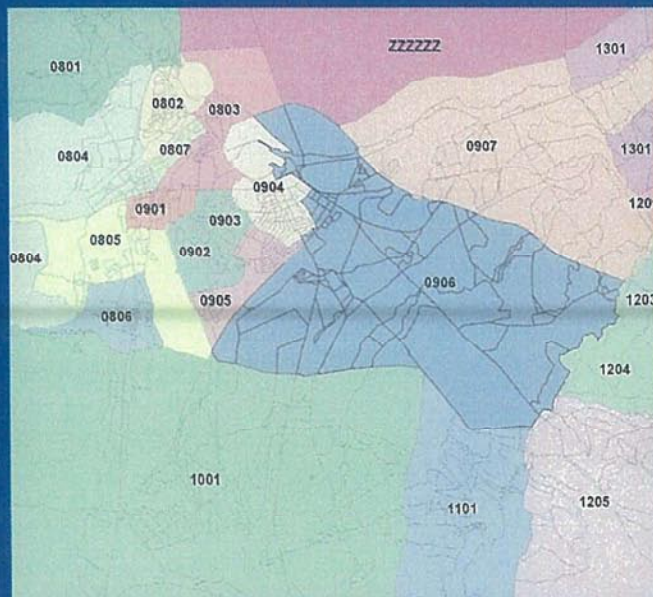
East Maui – 3,136
 Makawao-Haiku-Paia – 21,282
 Upcountry – 16,557
 South Maui – 27,350
 Kahului – 25,437
 Wailuku-Waihee-Waikapu – 28,536
 West Maui – 22,156
 Molokai – 7,255
 Lanai – 3,135



How to DIY – New precinct boundaries

AN EXAMPLE OF AGGREGATING BLOCK DATA INTO NEW GEOGRAPHY:

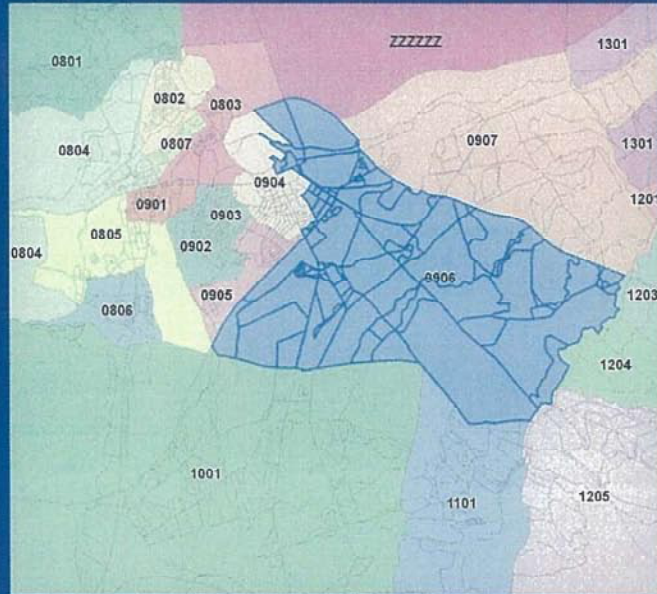
The 2010 Census
 voter district data did
 not reflect recent
 changes to the
 precinct boundaries.
 In this example,
 blocks in precinct
 906 had been added
 to precinct 905.



How to DIY – New precinct boundaries

The first step is to select all the blocks that are affected by the change. These are highlighted on the right.

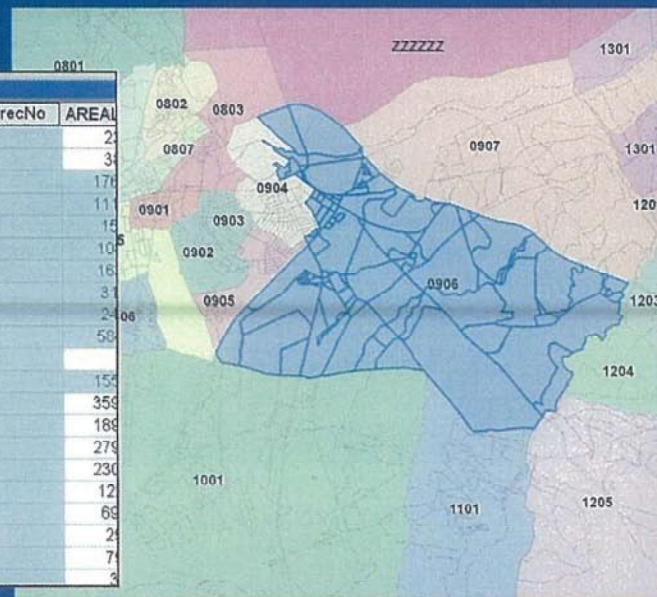
Then a new field is created in the attribute table and the new precinct number is entered into the field (see next slide).



How to DIY – New precinct boundaries

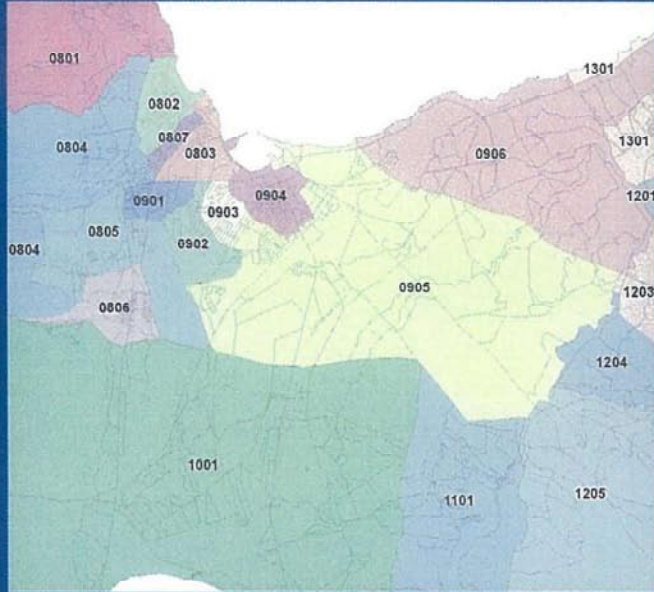
New field

BLOCK	VTD	NewPrecNo	AREAL
002	1202	1202	2
148	1001	1001	3
113	0906	0905	17
114	0906	0905	11
110	0906	0905	15
117	0906	0905	10
106	0906	0905	16
094	0906	0905	3
093	0906	0905	2
127	0906	0905	5
075	0907	0906	
124	0906	0905	15
027	1306	1306	35
101	1305	1305	18
056	1305	1305	27
050	1305	1305	23
039	1305	1305	12
081	1305	1305	6
008	1306	1306	2
020	1306	1306	7
045	1006	1006	3



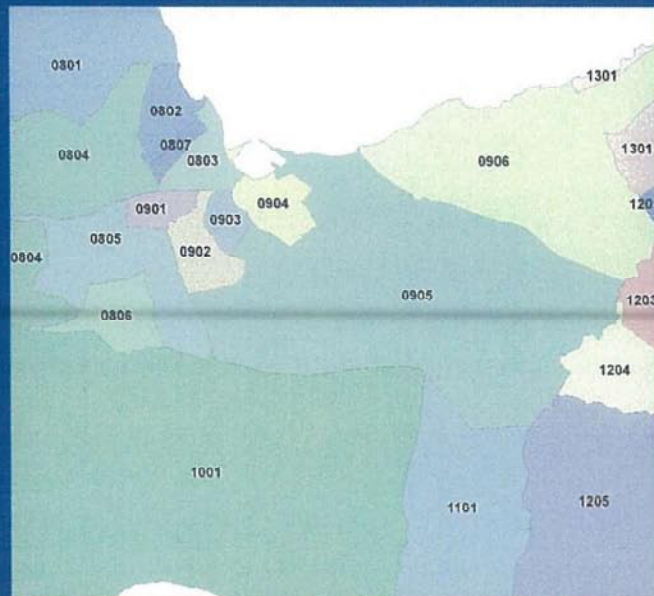
How to DIY – New precinct boundaries

Once the data has been changed then the blocks will then show up as part of precinct 905.



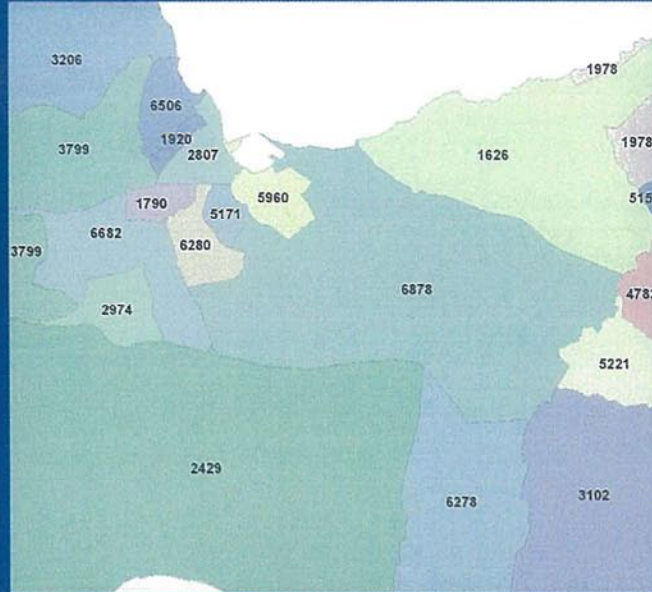
How to DIY – New precinct boundaries

Then the data can be dissolved to reflect the new precinct boundaries...



How to DIY – New precinct boundaries

...and the population data (or any other numeric data in the table) can be summed to show the total population of the new precincts.



That's the basic process

- That's the basic process for using GIS to aggregate Census blocks into new geographic areas.
- This is the same process used in GIS-based redistricting. There is also a specially designed application to make this process more interactive and much less time consuming.

The keys to defining scenarios

- Define the optimum population target (e.g., $154,834/9 = 17,307.8$) and the maximum allowable deviation (e.g. $\pm 1\%$, $\pm 2\%$, $\pm 5\%$, etc).
- Define the policy for canoe district(s). Can be geographic proximity, socio-economic, etc.
- Define preferred “starting points” (e.g. Nakalele Point, Ahihi-Kinau, etc.) or specific hard and fast boundaries.
- Districts need to follow block boundaries (80% of block boundaries are streets).

What's the next step?

What's needed if the Charter Commission decides it wants support from Geographic Services?

- A request sent to Managing Director.
- A finite set of scenarios or draft policies.
- At least two weeks for us to set up the scenarios.
- Estimate two meetings to review, adjust and finalize the scenarios.

Mahalo!

Here's the obligatory contact info:

Bill Medeiros, GISP

Geographic Services Manager

Geographic Analysis and Cartographic
Services Division

Maui County Department of Management

808-270-7518

To: Josh Stone, Chair, Maui County Charter Commission, and Members

From: Sally Raisbeck
427 Liholiho St Wailuku Hi 96793 808-244-9604 sallyraisbeck@earthlink.net

Date: June 17, 2011

Subject: **ONE MAN, ONE VOTE -- AND HOME RULE FOR LANAI AND MOLOKAI**

Dave DeLeon submitted a proposed amendment with the title CREATE SINGLE-MEMBER DISTRICTS AND LANAI AND MOLOKAI ISLAND BOARDS on June 13, 2011. I attach a copy of the proposal.

I think this proposal is a **marvelous** solution to the problem of being fair to most of the voters in Maui County, and at the same time recognizing the special circumstances of the two islands included in the County.

Clearly a great deal of thought will be required by the Commission to evaluate the proposal. A great many questions must be answered, to create a specific amendment.

The proposal is likely to arouse major controversy, and very strong opposition from powerful persons.

I think this proposal, along with other alternative suggestions for district voting, deserves **the highest priority** in your proceedings. I hope you will take it **up immediately after the end of your first round public hearings**.

I think an appropriate bumper sticker for this option is

"ONE MAN, ONE VOTE -- AND HOME RULE FOR LANAI AND MOLOKAI".

Aloha,

Sally Raisbeck

Attachment: Dave DeLeon's proposal of June 13, 2011

file 110617 deleons district voting

062711- Item No. II.D. pages 1-4

Proposed Amendment

CREATE SINGLE-MEMBER DISTRICTS AND LANAI AND MOLOKAI ISLAND BOARDS

Submitted by David DeLeon, June 13, 2011

The current Council election system is broken and needs to be fixed:

- History shows that the process creates an environment in which council incumbents from Lanai and Molokai are nearly invulnerable to challenge, and some Maui incumbents do not face meaningful competition. Each election some seats – and usually the Lanai and Molokai seats – are not challenged.
- Process requires challengers to run Countywide, on three islands. Lanai and Molokai challengers lack the pre-requisite Maui base to have a chance at success, which explains why when incumbents run, Lanai and Molokai challengers rarely materialize.
- Each election many of thousands of votes in Council races are not exercised – some voters don't understand that they are expected to vote in all nine contests. Others believe that it is not pono to vote outside of their district or their island. Many voters don't understand or do not agree with the current elective process. An opinion poll showed a clear majority favored changing the current system.
- When challenged, council incumbents frequently lose in their own residency districts but win countywide, because they have countywide name recognition. Challengers usually don't.
- Maui elects all Council Members. Lanai and Molokai votes amount to a small percentage of the total.
- Lanai and Molokai residents lack any elective leverage over who represents them.
- Extremely disproportional. Lanai, Molokai, and Hana have 33 percent of the Council seats while representing about 7 percent of the County's total population.

How to fix the problem:

1) Equally proportioned, single-member Council Districts.

- Creates manageable, walkable districts, that will allow opportunities for challengers.
- Will give Lanai and Molokai residents true elective leverage, a say in who represents them
- Americans understand single member districts – ends the current confusion
- Council Members have to pay attention to their districts
- Creates balanced representation
- Ideally, Lanai and Molokai would not be assigned to the same Council District because of the difficult logistics involved in representing a "sister" island

2) Create elected Island Boards on Molokai and Lanai

This idea grew out of the statement floriger made at her confirmation hearing: find a way to include the small communities. Looking for examples on the mainland, the obvious answer was townships and village governments. On the mainland these bodies are usually incorporated, meaning that they can raise taxes, operate a budget, hire staff. I also looked to similar island situations, like the Florida Keys (Monroe County) and the San Juan Islands, which are one county in Washington State. The Keys have a number of incorporated towns and cities. Only the main urban center Friday Harbor is incorporated in the San Juans. San Juan County just recently re-organized its elective system into proportionate, equal sized districts.

The idea of creating incorporated townships on Lanai and Molokai seemed a stretch too far economically. They depend on Maui tax dollars to pay for the County services they now receive, so it seems unrealistic to expect them to start raising their own tax revenues. The West Maui Working Group had raised the idea of electing the islands' Planning Commissions. That seemed like a start, but still too short of the goal. The goal is to give those islands greater say over their futures and the ability to elect their island leaders.

Island Boards (for want of a better name) would:

- be elected by the residents of the island
- Could be just five or seven, not necessarily nine members
- Would replace the Planning Commission, and would take up the same responsibilities as the commission, plus zoning and land use variance approvals on their island, taking over an authority that now rests with the County Council.
- Would act as the official voice of their community, at the County, State, and National levels
- Both islands would also continue to be part of council districts. A Council Member elected by their district would represent them at the Council.
- The Island Boards would be part of Maui County, under its charter, in a manner similar to the way Neighborhood Boards on Oahu are incorporated in the City and County's charter. The difference would be these bodies would have actual authority; the Neighborhood Boards are advisory.

Benefits of Island Boards

- Would give meaning to island votes. The people would be able to elect their leaders

- Would give a place for the island's voice. When someone, say, proposes windmills to cover a portion of the island, the Island Board would have a say and would be able to represent the interests of their island at all levels.
- Would meet the one person, one vote test to true representation.
- Would allow for a truly elected representative to present the island's perspective at all levels of government
- Would address Lanai's and Molokai's natural isolation by bringing government home

Charter Commission - May 10, 2011, Request for Submittal of Proposed Charter Amendments and/or Recommendations

From: Lesli Otani
To: Charter Commission
Date: 6/20/2011 9:39 AM
Subject: May 10, 2011, Request for Submittal of Proposed Charter Amendments and/or Recommendations

On their June 3, 2011, Subdivision Engineering Standards Committee (SESC) meeting, the SESC discussed the subject letter and had no comments.

If you have any questions regarding this e-mail, please contact me.

Lesli L. Otani, P.E., L.S.
Civil Engineer IV
Development Services Administration
Department of Public Works
County of Maui
250 South High Street
Wailuku, Hawaii 96793
Phone: (808) 270-7252
Fax: (808) 270-7972

Lesli.Otani@co.maui.hi.us

062711-Item No. II.E. page 1 of 1

From: "Lance D. Collins, Ph.D" <lawyer@maui.net>
To: Charter Commission <charter.commission@co.maui.hi.us>
Date: 6/17/2011 2:55 PM
Subject: Requested Info
Attachments: charter_group_poll_100507.pdf

Aloha Lisa,

If you could forward this on to commissioners as requested by
Commissioner DeRego.

Mahalo,
lance*

--
Law Office of Lance D Collins
A Law Corporation
2070 Vineyard St, Ste 5
Wailuku HI 96793
808.243.9292

This e-mail is intended for the addressee shown. It contains information
that is confidential and protected from disclosure. Any review,
dissemination or use of this transmission or its contents by persons or
unauthorized employees of the intended organisations is strictly prohibited.

Circular 230 Disclosure: In compliance with U.S. Treasury Department
Requirements, we inform you that any federal tax advice contained in
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062711- Item No. IV. B. pages 1-3



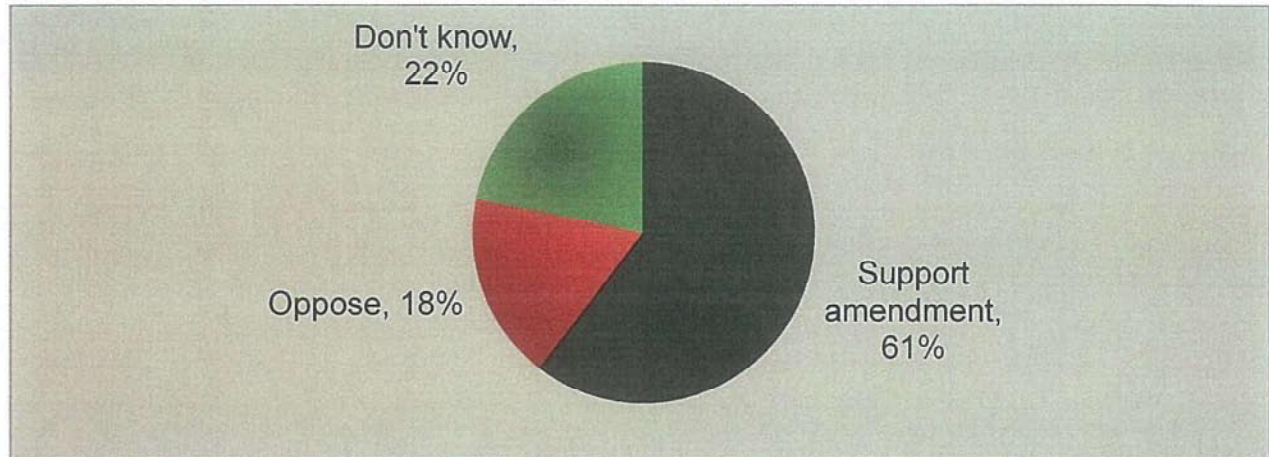
BACKGROUND & METHODOLOGY

The field work began on April 20, 2010 and ended on May 1, 2010. A total of 503 interviews were conducted with the following breakdowns; 50=Lanai, 50=Molokai, 52=Hana, 351=Maui (excl Hana). The data was then weighted to reflect population estimates for adults 18 and over in each area based on U.S. Census data.

A sample of this size (n=503) has a margin of error of +/- 4.38 percentage points with a 95% confidence level.

CHARTER AMENDMENT

Each individual was asked if a charter amendment were proposed to change the current system to single member district voting would they support it.

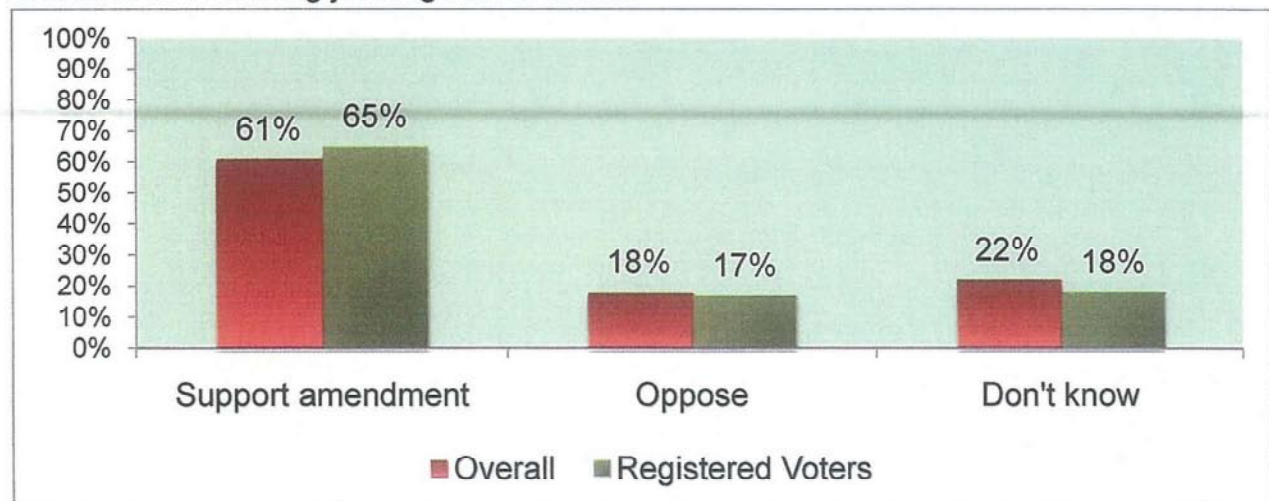


Currently, 61% of those polled indicate they would support an amendment changing the current system to single member districts.

Support for this amendment is prevalent in each of the areas tested.

	Maui (n=351)	Hana (n=52)	Molokai (n=50)	Lanai (n=50)
Support amendment to change system to single member districts	60%	69%	74%	60%
Would not support	18%	19%	14%	8%
Don't know/ Refused	22%	12%	12%	32%

When the results are filtered to show the opinions of just registered voters we find a slight bump for those preferring single member voting districts rising from 61% in the overall to 65% among just registered voters.



A BILL FOR AN ACT

RELATING TO NOMINATION PAPERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. Section 12-3, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
- 3 "(a) No candidate's name shall be printed upon any
4 official ballot to be used at any primary, special primary, or
5 special election unless a nomination paper was filed [~~in~~] on the
6 candidate's behalf and in the name by which the candidate is
7 commonly known. The nomination paper shall be in a form
8 prescribed and provided by the chief election officer containing
9 substantially the following information:
- 10 (1) A statement by the registered voters signing the form
11 that they are eligible to vote for the candidate;
- 12 (2) A statement by the registered voters signing the form
13 that they nominate the candidate for the office
14 identified on the nomination paper issued to the
15 candidate;
- 16 (3) The residence address and county in which the
17 candidate resides;



(4) The legal name of the candidate, the name by which the candidate is commonly known, if different, the office for which the candidate is running, and the candidate's party affiliation or nonpartisanship; all of which are to be placed on the nomination paper by the chief election officer or the clerk prior to releasing the form to the candidate;

(5) Space for the name, signature, date of birth, last four digits of the social security number, and residence address of each registered voter signing the form, and other information as determined by the chief election officer; provided that no more than the last four digits of a voter's social security number shall be required;

(6) A sworn certification by self-subscribing oath by the candidate that the candidate qualifies under the law for the office the candidate is seeking and that the candidate has determined that, except for the information provided by the registered voters signing the nomination papers, all of the information on the nomination papers is true and correct;



(7) A sworn certification by self-subscribing oath by a party candidate that the candidate is a member of the party;

(8) For candidates seeking elective county office, a sworn certification by self-subscribing oath by the candidate that the candidate has complied with the relevant provisions of the applicable county charter and county ordinances pertaining to elected officials;

~~[(8)]~~ (9) A sworn certification by self-subscribing oath, where applicable, by the candidate that the candidate has complied with the provisions of article II, section 7, of the ~~[Constitution of the State of Hawaii;]~~ Hawaii State Constitution;

~~[(9)]~~ (10) A sworn certification by self-subscribing oath by the candidate that the candidate is in compliance with section 831-2, dealing with felons, and is eligible to run for office; and

~~[(10)]~~ (11) The name the candidate wishes to be printed on the ballot and the mailing address of the candidate."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2011.



Report Title:

Nomination Papers; Candidates for County Elective Office

Description:

Requires candidates for county elective office to submit a sworn certification by self-subscribing oath that the candidate has complied with the relevant provisions of the applicable county charter and county ordinances. Effective July 1, 2011. (HB593 CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



Council Chair
Danny A. Mateo

Vice-Chair
Joseph Pontanilla

Council Members
Gladys C. Baisa
Robert Carroll
Elle Cochran
Donald G. Couch, Jr.
G. Riki Hokama
Michael P. Victorino
Mike White



COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/council

Director of Council Services
Ken Fukuoka

OFFICE OF THE
COUNTY CLERK

2011 APR -4 PM 4:26

RECEIVED

April 4, 2011

Honorable Members of the Council
County of Maui
Wailuku, Hawaii 96793

Dear Members of the Council:

**SUBJECT: AMENDMENT TO SECTION 2.56.060, MAUI COUNTY
CODE, FOR CONSISTENCY WITH 2010 CHARTER
AMENDMENT RELATING TO FINANCIAL DISCLOSURE
STATEMENTS (PAF 11-088)**

Please find attached a proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.060, MAUI COUNTY CODE, RELATING TO FINANCIAL DISCLOSURE STATEMENTS". The purpose of the proposed bill is to require candidates for elective County office to file financial disclosure statements concurrently with the filing of nomination papers, instead of allowing financial disclosures to be filed within 15 days of filing nomination papers.

At the 2010 General Election, the voters approved an amendment to Section 10-3 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), to require candidates for elective County office to file financial disclosure statements concurrently with the filing of nomination papers. The attached proposed bill, therefore, seeks to make Section 2.56.060, Maui County Code, consistent with the Charter.

May I request that the attached proposed bill be referred to the appropriate standing committee for discussion and action. Thank you for your consideration.

Sincerely,

DANNY A. MATEO
Council Chair

paf:cmn:11-088c
Attachment

062711 - Item No. IV.C. pages 1-4

COUNTY COMMUNICATION NO. 11-120

ORDINANCE NO. _____

BILL NO. _____ (2011)

A BILL FOR AN ORDINANCE AMENDING SECTION 2.56.060,
MAUI COUNTY CODE,
RELATING TO FINANCIAL DISCLOSURE STATEMENTS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 2.56.060, Maui County Code, is amended to read as follows:

"2.56.060 Financial [Disclosures] Disclosure Statements.

A. Filing Deadlines.

1. Candidates for Elective Office. All candidates for nomination or elective office in County government shall file a public financial disclosure statement [within fifteen days of filing] concurrently with their nomination papers. A new public financial disclosure statement shall be filed each year a person becomes a candidate for office.

2. Appointed Officers. All appointed officers having significant discretionary or fiscal powers shall file a public financial disclosure statement within fifteen days after starting employment. Appointed officers having significant discretionary or fiscal powers shall include executive and legislative department heads and first deputies.

3. Members of Boards and Commissions. All members of boards and commissions having significant discretionary or fiscal powers shall file a confidential financial disclosure statement within fifteen days after taking the oath of office. The following boards and commissions have significant discretionary or fiscal powers:

- a. Board of variances and appeals;
- b. Charter commission;
- c. Civil service commission;
- d. Board of ethics;
- e. Board of code appeals;
- f. Salary commission;
- g. Cultural resources commission;
- h. Liquor control commission;
- i. Liquor control adjudication board;
- j. Maui planning commission;
- k. Police commission;
- l. Cost of government commission;
- m. Maui redevelopment agency;

- n. Board of water supply;
- o. Board of review;
- p. Molokai planning commission;
- q. Lanai planning commission; and
- r. Public safety commission.

4. The board of ethics shall request an annual updating of all financial disclosure statements.

B. Form of Disclosure. The financial disclosure statement shall include the following information:

1. The source and amount of all income received by the person in his or her own name or by any other person for his or her use and benefit during the preceding calendar year;

2. The tax map key number and street address, if any, of all real property [which] that is currently owned in whole or in part by the person in his or her own name or by any other person for his or her use and benefit;

3. The name and mailing address of all business firms [which] that are currently owned in whole or in part by the person in his or her own name or by any other person for his or her use and benefit;

4. Every officership, directorship, trusteeship, or other fiduciary relationship currently held in any organization or business;

5. The total amount of debt currently owed to all creditors;

6. The identity of each creditor interest currently held in an insolvent business; and

7. The name of each person represented before a county agency for the year immediately preceding the date of the financial disclosure statement.

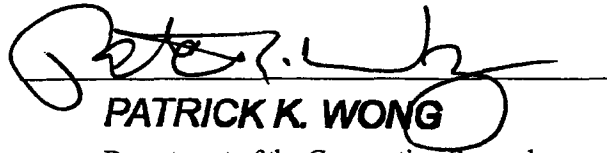
C. Where an amount is required to be reported, the person disclosing may indicate whether the amount is at least one thousand dollars but less than ten thousand dollars; at least ten thousand dollars but less than twenty-five thousand dollars; at least twenty-five thousand dollars but less than fifty thousand dollars; at least fifty thousand dollars but less than one hundred thousand dollars; at least one hundred thousand dollars but less than two hundred thousand dollars; at least two hundred thousand dollars but less than five hundred thousand dollars; or five hundred thousand dollars or more.

D. Filing Requirements. All public financial disclosure statements shall be filed with the county clerk and shall be public records available for inspection. All confidential financial disclosure statements shall be filed with the board of ethics and shall be confidential."

SECTION 2. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 3. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



PATRICK K. WONG

Department of the Corporation Counsel
County of Maui

paf:cmn:11-088a