

COMMITTEE A  
CHARTER COMMISSION  
MEETING MINUTES  
NOVEMBER 2, 1991  
COUNCIL COMMITTEE ROOM

Present

James Cockett  
Dolores Fabrao  
Robert Nakasone (Charter Commission Chair)  
Allan Sparks (Committee Chair)  
Susan Nakano-Ruidas (Staff)

Guest

David DeLeon

I. CALL TO ORDER

Committee Chair Sparks called the meeting to order  
at 9:15 a.m.

II. PUBLIC TESTIMONY

None.

III. OVERVIEW/DISCUSSION OF COMMUNICATION 91-0 - ARTICLES I - VII

Committee Chair Sparks noted that this meeting was to be a  
"study session" to come up with ideas and options for the  
first seven Articles.

A. Articles I and II

No changes anticipated.

B. Article III

1. Section 3-1 - Number of County Council Members

Election At-Large or By District seems to be the  
biggest issue. According to local government  
comparative studies done on the mainland, district  
representation works where the population distribution  
is pretty even. However, none of the wisdom of these  
studies prove very helpful with geographically unique  
communities, which may prove hard to take care of under  
the one-man, one-vote rule.

The studies did indicate that there is not a big  
distinction in actual practice between the AT LARGE  
and DISTRICT representation. A city/county-wide  
view is maintained by representatives no matter  
which election system is used.

Advantages and disadvantages of the two systems are:

a. At-Large - ADVANTAGES

- County-wide view
- Residency Requirement
- Offers citizens more  
people to go to with  
their problems
- Larger pool of candidates

DISADVANTAGES

- Campaign costly

b. District - ADVANTAGES

- Elections are cheaper  
and easier to run
- Increases the variety  
of ethnic groups
- More democracy vs  
less efficiency
- Dollars taken to run  
MAY be less influential

DISADVANTAGES

- Possibly narrower view
- Problem of splitting  
into equal districts
- More likely to provide  
more individual services  
to constituents vs whole  
county
- May give money interest  
opportunity to buy election

B. Article III (Continued)

c. Mixed District/At-Large System

A majority of the Council would be elected by district with the rest elected At-Large. Divisions could be any numbers feasible:

8 District/1 At-Large
7 " 2 "
6 " 3 "
5 " 4 "

A major problem with system would be the "fairness" to all candidates. Although candidates choose the race they run in, it would be more costly to run At-Large than to run by District.

d. Council City Manager Concept

This system would be a major change in the current process, however it would provide a good check and balance system.

Advantages are that the City Manager would be part of the decision-making Council--the 9th member of the Council; there would be a professional administrator to run the County; and the potential for infighting/squabbling between the Council and Administration would be eliminated. Accountability would be more demanding as an individual manager. Disadvantages would include a symbolic "weak mayor" and not being able to go direct to departments if we got a "bad" professional manager.

e. RECAP

There are no major problems with the system as it exists now except that there is no need for an At-Large seat since all Council is currently elected At-Large. Also, given the increase in population in other parts of the island, there could be one less seat in Central district. By maintaining three seats in Central, it discourages direct "record comparison" competition, and brings up the question of community representation (ie. Wailuku/Kahului).

It was suggested that the following options be prepared and presented at public informational meetings:

*In keep check*

*2008*

*Handwritten notes:*  
The Commission will meet  
on November 14, 1991 at 2:00 p.m.  
in the Council Committee Room.

e. RECAP (Continued)

1. Keep the At-Large System we have now but adjust it so that there is no At-Large ~~seat~~, one Central seat is deleted and all candidates must run with residency requirement.
2. Mixed Option - District/At-Large (Committee Chair Sparks will work out feasible numbers).
3. True Districts (Committee Chair Sparks will work up maps with possible divisions).

NOTE: Along with the explanations of each type of system, Committee Chair Sparks is to develop pros and cons of each.

2. Section 3-2 - Terms of office

Committee may want to look into going from 2-year term to 4-year term or into staggered terms.

3. All committee members were asked to think about the various options available and to be ready to brainstorm at the next meeting.

IV. OTHER BUSINESS  
None.

V. NEXT MEETING DATE  
The next meeting of this committee will be on November 14, 1991 at 2:00 p.m. in the Council Committee Room.

VI. ADJOURNMENT  
There being no further business, the meeting was adjourned at 11:52 a.m.

APPROVED:

\_\_\_\_\_  
Allan Sparks, Committee Chair Date

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Robert Nakasone, Commission Chair



- ARTICLE VIII.
1. Elected Managing Director
  2. Elected Corp Counsel
  3. Time in which must approve Corp Counsel
  4. What to do if rejected by Council
  5. Electing Prosecuting Attorney
  6. Time in which must approve Prosecuting Attorney
  7. What to do if rejected by Council
  8. Prosecuting Attorney able to hire detectives
  9. Elected Finance Director
  10. Approval of Council on appointed Finance Director
  11. Elected Public Works Director
  12. Approval of Council for appointed Public Works Director
  13. Creation of Land Use & Code enforcement consisting of nine [9] members appointed by Mayor and approved by Council. Duties would include enforcement of violations of fire, housing, electrical, plumbing and building codes.
  14. Elected Parks & Recreation Director
  15. Elected Fire Chief
  16. Public Safety Committee – abolish or give more power
  17. Elected Director of Planning or approval of Council for appointed Director of Planning

ISSUES FOR THE CHARTER COMMISSION

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18. Elected Planning Commission
19. Separate Molokai Planning Commission (abolish)
20. More power for Planning Commission
21. Elected Director of Personnel Services
22. Elected Director of Human Concerns
23. Separate Housing Department and authority thereof
24. Director of Water elected or appointed by Mayor
25. Take out 2/3 requirement on rules for Water Department
26. Police Chief appointed by Mayor
27. Liquor Director appointed by Mayor
28. Elected Board of Ethics
29. Clarification of duties of Board of Ethics and responsibilities
30. ADD NEW SECTION – Department of Waste Management

ARTICLE IX. Lapse of funds less than \$100,000 after 30 days

ARTICLE X. Clarification – language is ambiguous

ARTICLE XI. No Change

ARTICLE XII. No Change

ARTICLE XIII. Five [5] members shall constitute quorum of all Boards and Commissions