

Uehijima

MAUI COUNTY CHARTER COMMISSION

Wailuku, Maui, Hawaii

May 12, 1966

A G E N D A

1. Roll Call
2. Minutes of prior meeting
3. Communications:
 - a. Minutes of Kauai and Hawaii Charter Commissions
(on file for interested members to read)
4. Literature:
 - a. From Charles C. Young, Research Assistant:
 1. Reprints from the Honolulu Star-Bulletin and Honolulu Advertiser on the activities of the Hawaii and Kauai Charter Commissions and on the Code of Ethics of the Honolulu Charter.
5. Old Business
6. New Business
7. Meeting with the members of the Board of Supervisors.

Ushijima

MINUTES OF THE
MAUI COUNTY CHARTER COMMISSION

DATE: May 12, 1966

PLACE: Board Chambers, Wailuku, Maui

CALL TO ORDER: 7:10 P.M.

PRESIDING: William F. Crockett, Vice-Chairman

MEMBERS PRESENT: William F. Crockett, Vice-Chairman
 Emil Balthazar
 Shiro Hokama
 Nadao Honda
 Harry Kobayashi
 George Kondo
 Keith Tester
 James Ushijima
 Charles C. Young, Research Assistant

MEMBERS EXCUSED: Cornwell Friel
 Paul Pladera
 Douglas Sodetani

OTHERS PRESENT: Board of Supervisors
 Joseph Bulgo
 Richard Caldito
 George Fukuoka
 Soon Oak Lee
 Marco Meyer
 Manuel Molina
 Lanny Morisaki

Others:
 Marjorie Martinez, Board Secretary
 Kase Higa, County Attorney
 Shigeto Murayama, County Treasurer
 Arthur B. Fernandez, Federal Programs
 Coordinator
 William Martin
 Jack Stephens, Maui News Reporter
 Robert Johnson, Advertiser Reporter

ROLL CALL:

There were 8 members present and 3 excused at the regular meeting of the Maui County Charter Commission on May 12, 1966.

MINUTES:

The minutes of the regular meeting held on April 28, 29, and May 5, 1966, were distributed to the members of the Charter Commission. It was moved by James Ushijima and seconded by Shiro Hokama that the minutes of April 21, 1966, be accepted as circulated. Motion was unanimously carried.

OLD AND NEW BUSINESS:

There being no old or new business to be acted on, the Chair called on the Board of Supervisors. The Chair asked that the members of the Board include in their discussion (1) whether we need a charter, (2) what they thought of the provisions of the old charter, (3) what additional provisions they would like to have incorporated, (4) the basic form of government that should be incorporated, and (5) the worst provisions of the old charter.

GENERAL DISCUSSION:

- Sup. Bulgo:
1. Board of Supervisors should be policy determining body.
 2. Board should have power to administer along with the Chairman's power.
 3. More efficient government with nine minds together instead of one man making the decision by himself.
 4. Charter could be of much benefit to the people of the County of Maui if Act 97 were repealed.
 5. If present charter came up with home rule, it will be working in the proper direction.
 6. Board should have control of job specifications and classifications of employees.
 7. At present, we rely solely on civil service. Would like to see more control back to the Board.
 8. Would like to see charter insist on semi-annual physical examination for Fire Department. I think it is mandatory for the protection of taxpayers and for the protection of the people.

9. Would like to see monthly report given to the Board on the capability of every member of the Fire Department.

Sup. Caldito:

1. Suggested the mayor be a strong mayor.
2. Appointment of various commissions with confirmation power of the Board.
3. Very much in favor of having a new charter.
4. By having strong mayor, you have one administrator.
5. Board of Supervisors should be policy making body, and mayor be the administrator.

Sup. Fukuoka:

1. If we come up with right charter, I would go for it.
2. Thought the proposed charter of 1964 was a fine charter. Understand it to be a strong mayor type.
3. The chairman should have more administrative power than he has as an individual board member.
4. Good to place administrative responsibilities on some specific person.
5. Controversial feature in last charter was whether there should be confirmation of the appointees of the mayor. My personal feeling of individuals being immediately under the mayor would just as well have no confirmation.
6. Would have no strong objection to requiring confirmation of these officials.
7. Another controversial feature was the four year term. My personal preference is for the four year term, but if it is the feeling of the people for a two year term, then a two year term is all right.
8. With corrections from the changes of appointments by confirmation and the two year term, charter would be a terrific step toward the government of the County of Maui.
9. Charter should be drawn up without thinking about Eddie Tam being the mayor, or so and so as police chief, but to figure how best we can run the government.

The Chair read a letter from Supervisor Goro Hokama who was unable to be present. A copy of his letter is on file in the office of the Charter Commission. His views are as follows:

- Sup. Hokama:
1. Believes County of Maui should have a charter.
 2. Thought the last charter drafted by the commission was a good charter.
 3. Believes council or board should be strictly a policy making body and the administration should be left to the administrator.
 4. Term of office should be four years, but if this will be used as an argument to defeat the charter, then the present term would be satisfactory.
 5. Would like to have a position of Budget Officer inserted under Chapter 2, Department of Finance, who will be entirely responsible for budgetary matters.
- Sup. Lee:
1. Believes in the four year term.
 2. Don't concur with district representation.
 3. Believes in confirmation of appointees.
 4. Believes confirmation on important boards and commissions.
 5. Board should not interfere with administrative matters.
- Sup. Meyer:
1. Not in favor of charter. Reason is primarily that of the inter-change of governmental responsibilities based on the county relationship.
 2. Not in favor of mayor council type. In favor of city management.
 3. Feels the office of Treasurer, Auditor and Clerk should continue to be elected. If it would be appointed, then I would like to say the value of efficiency based on the ability of the city manager with his knowledge to pick the best man for the job.
- Sup. Molina:
1. Believes in the charter form of government.
 2. Feels last charter was defeated for two reasons: (a) due to one man power, and (b) four year term.

3. Don't believe in strong mayor government. You are taking away from the public proper representation.
4. Appointments should be confirmed.
5. Should have four year term-- opportunity to carry out their program.
6. Don't believe in district representation. District with small representation will be loser.

Sup. Morisaki:

1. Definitely in favor of a charter.
2. Personally in favor of the strong mayor council type of government.
3. Feels that councilmen should not be involved in matters that are administrative, such as personnel. Those things should be left to the administration.
4. Personally feels the four year term should be inserted in the charter. Fairer chance for a long range program. If there is strong opposition from the people, then the present two years is satisfactory.
5. Believes district representation may hurt small districts.
6. We should all run at large.

During the question and answer period, Mr. Kondo asked what the regulations were regarding physical examination as far as the County of Maui is concerned. Mr. Bulgo stated that he does not believe there is any definite policy in force.

Mr. Balthazar asked Mr. Bulgo how he felt about the four year term. Mr. Bulgo stated that he is for the four year term. He felt that the four year term gave them a better chance to do a better job.

In answer to a question by Mr. Tester, Mr. Morisaki said that the County Clerk should be appointed by the council.

Mr. Tester asked whether the County Attorney and Finance Director should be appointed, rather than elected. To that, Mr. Morisaki said that it would be a better form of government if appointed by the mayor.

Mr. Ushijima asked Mr. Bulgo if there was any way to protect those who do not pass the physical examination that he is requesting of the Fire Department. Mr. Bulgo stated that people who are physically handicapped can be placed in other departments for an easier job.

Mr. Ushijima asked whether it was at the same rate of the firemen. To that, Mr. Bulgo stated that that is something for the Board to set up as a policy. He also stated that if the Charter Commission is going to overhaul the County, it should be written into the charter.

Mr. Ushijima stated that the Board should have more control on job specifications and setting up the merit system. Mr. Bulgo stated that the civil service is based on the merit system. He gave an example in the County where the personnel is doing the work of specialized people and yet his classification is nowhere near what it should be. Mr. Tester contended that he has recourse. Mr. Bulgo stated that although he has recourse, it means nothing. There are many instances in the County where the man carries a title, but has no qualification or knows nothing about his job.

There was some discussion on the classification of employees and the powers of the Civil Service Commission.

In answer to a question by Mr. Crockett, Mr. Bulgo stated that the council should appoint the Personnel Director of Civil Service.

Mr. Kondo directed his question to the Board members regarding the four year term. He asked whether the problem could be solved in having staggered terms. To that, Mr. Molina stated that the Board should be on a staggered four year term.

Mr. Caldito felt that the charter was not defeated because of the four year term, but because the people was not educated on the thinking of the Charter Commission. He also felt that the Charter should be given more publicity.

Mr. Balthazar asked Mr. Meyer whether he was for the four year term. To that, Mr. Meyer said he is against the four year term. He felt that projects could be set up within a two year term.

Mr. Tester asked Board members whether they would like to comment on whether or not the manager of the Department of Public Works should necessarily be a licensed engineer. To that, Mr. Bulgo said he should definitely be a licensed engineer. Mr. Fukuoka stated that it is better to have a good administrator in that position than to have a good engineer.

Mr. Crockett asked what, if any, action should the Charter Commission take to bring back to either the Mayor or Board of Supervisors, or to both of them, the responsibility that now lies in the Board of Water Supply and the Police Department. Mr. Lee stated that the Board of Water Supply should be left alone.

As far as the Board of Water Supply is concerned, Mr. Bulgo stated that right now there is not too much coordination between the Water Board and the County. Mr. Crockett asked what recommendation could be made to achieve this coordination. To that, Mr. Bulgo stated that they could possibly incorporate all the engineers. He felt that there should be a closer relationship between the departments.

Mr. Balthazar stated that on the strong mayor concept, if the Charter Commission could bring back to the Board the power to confirm our commissions, but not necessarily the mayor's cabinet, would that meet the objection or fear of more power to the mayor. He asked whether this confirmation would soften that argument. To that, Mr. Bulgo said it will.

Mr. Hokama asked what the Board members thought of the merger of the Police Department and Fire Department into one department of public safety. Mr. Meyer stated that it would be quite practical. It could be interrelated into one administrative area.

In answer to Mr. Balthazar as to what the Board members thought about the proposal in the former charter regarding the interrelation of the Department of Parks and Public Works, Mr. Bulgo stated that the Public Works Department is so vast.

Mr. Balthazar stated that we should set up as efficient a government as we can by amalgamating the right departments.

Mr. Fukuoka stated that there is a definite trend in our nation today to give more emphasis in the area of recreation. He felt that perhaps we shouldn't try to merge Parks Department into another department, but to strengthen that department.

In answer to a question by Mr. Crockett, Mr. Fukuoka stated that if the Charter Commission is going to organize the County by getting the Board of Water Supply's functions in, there is one caution--that the Water Works is a utility function. It would be wise to leave it as it is. With the police department, the County should be concerned with the finances. The mayor or executive should have more of a say in that area. He also stated that he wouldn't abolish the police commission. Likewise, with the Board of Water Supply. But if you are going to have a situation such as the Department of Public Works with the engineer or manager and deputy, we should not make them subject to civil service--purely appointed. The head and deputy of all major departments should be under the mayor.

Mr. Fukuoka stated that if you want to place the responsibility in the executive head, he has to have men under him directly responsible to him.

Mr. Balthazar asked whether any board member favored district representation in the line of the Supreme Court's decision. He asked whether it would be quite impractical for the Island of Maui. To that, Mr. Bulgo stated that it would be impractical for Maui.

Mr. Crockett asked how we could convince the people that we need a charter. Mr. Lee stated that the last time the Star Bulletin started a series of articles. Mr. Caldito suggested that we could go through the use of radio, television, newspaper and public hearings.

ADJOURNMENT:

The meeting was adjourned at 9:55 P.M.

NEXT MEETING:

May 19, 1966, at 7:00 P.M., in the Board Chambers, with the Legislators of the County of Maui.

Respectfully submitted,

Ayako Ishikawa

Ayako Ishikawa, Secretary