

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 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 with...

M...

Handwritten notes:
The Commission will be...
The Commission will be...

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

Robert Nakasone, Commission Chair

ISSUES FOR THE CHARTER COMMISSION

- ARTICLE I No Change
- ARTICLE II No Change
- ARTICLE III
1. Number of members
 2. Elected at large or by district
 3. Reapportionment
 4. Terms of council members (two or four)
 5. Staggered terms
 6. Residency requirements
 7. Clarification of Salary Commission (possible codification under different Articles)
 8. Roll call necessity
- ARTICLE IV.
1. Public hearing at request of three [3] members (five [5] members)
 2. Waive decorum with 2/3 vote for emergencies
 3. Mayor veto within 10 days
- ARTICLE V. Possible elected County Clerk
- ARTICLE VI. Holdover for 60 days or upon appointment of successor
- ARTICLE VII.
1. Term of office
 2. Two [2] consecutive full terms
 3. Residency

- 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