

MATRIX OF CHARTER AMENDMENT PROPOSALS (WRITTEN THROUGH 6/16; ORAL TESTIMONY THROUGH 5/20)

PRE	PREAMBLE	
PRE-01	Replace “decreed” with “adopted”; Correct Hawaiian spelling errors (Cultural Resources Commission 5/13)	
A1	INCORPORATION AND GEOGRAPHICAL LIMITS	
A2	POWERS OF THE COUNTY	
A3	COUNTY COUNCIL	
A3-01	Change requirement of “2 council meetings each month” to “22 a year with at least one meeting each month” (Dick Mayer 3/11)	
A3-02	Move the inauguration date earlier so the new Council and Mayor can take office on the first Tuesday in December. This reduces the lame-duck period and allows new Council members more time in their first year to learn the ropes. (Dick Mayer 3/11)	
A3-03	Change how the Council is elected. 3 Councilmembers representing 3 regions with approximately equal populations, while retaining the existing district residency requirements to support remote districts. (Dick Mayer 3/11)	
A3-04	Allow a Council majority to be represented, not just advised, by attorneys in OCS when the mayor and council disagree on legal strategy, e.g., the injection wells case. (Dick Mayer 3/11) (Sam Small 06/03)	
A3-05	Require that within 3 business days the council and each committee must reissue its agenda posting a short statement indicating the action taken on each agenda item. A format to do this is already available, but is not being utilized. A Charter amendment would make it required. (Dick Mayer 3/11)	
A3-06	Require remote audio and VIDEO conferencing for all Council and Council committee meetings; require video screen use in council chamber. (Dick Mayer 3/11)	
A3-07	Open Meetings for Maui County Council (Brian Black 3/11)	
A3-08	Expand Council membership to 11 single member districts or move Huelo/Kailua residency area to the Haiku-Paia-Makawao residency area (Nikhilananda 3/18 and 5/06 OT)	
A3-09	Create a publicly accessibly legislative voting record (Chad Meyer 5/5)	
A3-10	Require no felony conviction for councilmembers, pass proficiency test or receive basic introductory training in economics, Native Hawaiian law, coastal processes and hazards, real estate law (Maui Planning Commission 5/12)	

A3-11	Allow for remote videoconferencing for meetings (Sally Kaye 5/21)	
A3-12	Hold a Council meeting on the islands of Lana'i, Molokai and in Hana at least once per year (Lana'i Planning Commission 5/26)	
A3-13	Candidates for election should be listed randomly, not alphabetically (Molokai Planning Commission 5/28)	
A3-14	Change Council composition to nine single member districts (Bruce Douglas 6/3 OT)	
A3-15	Modify Council elections so any candidate who obtains absolute majority in first special election is considered elected outright (Commissioner Deleon)	Deleon
A3-16	Allow virtual attendance in accordance with state law (Corp Counsel 6/15)	
A3-17	Describe with specificity the ability of council services to provide legal information and advise to council members and council and the limits of its significance to county (Corp Counsel 6/15)	
A3-18	Establish 3 multi-member districts with three councilmembers in each with equal population using ranked-choice voting system to select top six candidates in primary and top 3 candidates for general, with a reapportionment commission convening every 10 years (Commission Batangan)	Batangan
A3-19	Permit Council Services to serve as chief legal advisor and representative of Council (Commission Batangan)	Batangan
A3-20	Move County Auditor provisions to independent article (Commission Batangan)	Batangan
A3-21	Remove "office of the county clerk" from definition of "Council office" and establish definition (Commission Batangan)	Batangan
A3.9	COST OF GOVERNMENT COMMISSION	
A3.9-01	Stagger terms of Cost of Government Commission consistent with 13-2 (Cost of Government Commission 5/21)	
A3.9-02	Grant Cost of Government Commission power to issue stand-alone reports to Mayor, Council and Auditor (Cost of Government Commission 5/21)	
A3.9-03	Require Cost of Government Commission members to not be employed in government service and more clearly define the scope of Commissions work (Corp Counsel 6/15)	

A4	ORDINANCES AND RESOLUTIONS	
A5	COUNTY CLERK	
A5-01	Administratively attached to County Clerk, establish a county Administrative Law Judge (Hearings Officer) who will conduct all phases of contested case proceedings and make recommendations for final approval to appropriate officer/board/commission for final decision; and will also regularly review administrative rules of each agency (Dick Mayer 3/11)	
A5-02	Allow Clerk to serve as Revisor of the Charter, remove authority regarding record retention/destruction (Corp Counsel 6/15)	
A5-03	Compensation of department heads to be set by Salary Commission (Commission Batangan)	Batangan
A5-04	Clerk to have six year appointment (Commission Batangan)	Batangan
A5-05	Establish sergeant at arms within office of county clerk (Commission Batangan)	Batangan
A5-06	Designate county clerk to serve as council parliamentarian (Commission Batangan)	Batangan
A5-07	Limit Clerk staff from participating in any county election (Commission Batangan)	Batangan
A5-08	Allow Council to add duties to clerk by council rules (Commission Batangan)	Batangan
A6	EXECUTIVE BRANCH	
A6-01	Use a Blue Ribbon Selection Committee to make recommendations for the prosecuting attorney, county auditor, corporation counsel, administrative law judge, ombudsman, ethics administrator, and potentially other positions to be determined by ordinance. (Dick Mayer 3/11)	
A6-02	Department heads. Sever the tie between the tenure of department heads and mayor. Furthermore, require that a department director must present a notarized resignation letter signed no more than 10 days before their intended resignation (Dick Mayer 3/11)	
A6-03	Clarify and make uniform the process for removal of department heads (Dick Mayer 3/11)	
A6-04	Establish an Ombudsman position with enough authority to protect residents against unfair or late administrative decisions (Dick Mayer 3/11)	
A06-05	Require independent and transparent performance reviews of department directors (Sam Small 06/03)	

A7	OFFICE OF THE MAYOR	
A7-01	Move the inauguration date earlier so the new Council and Mayor can take office on the first Tuesday in December. This reduces the lame-duck period and allows new Council members more time in their first year to learn the ropes (Dick Mayer 3/11)	
A7-02	Require no felony conviction for mayor (Maui Planning Commission 5/12)	
A7-03	Impose five year residency requirement on Mayor (Molokai Planning Commission 5/28)	
A7-04	Candidates should be listed randomly on ballot not alphabetically (Molokai Planning Commission 5/28)	
A7-05	Modify mayoral elections so any candidate who obtains absolute majority in first special election is considered elected outright (Commissioner Deleon)	Deleon
A8	COUNTY DEPARTMENTS	
A8-01	Require each director shall be responsible for creating, maintaining and cultivating friendliness, customer service and the spirit of aloha in their staffs and departments (Maui Planning Commission 5/12)	
A8-02	Describe what happens if Council disapproves Prosecuting Attorney or Director of Water Supply nominees and also Council involvement in removal (Sally Kaye 5/26)	
A8-03	Revise provisions in Public Safety, Civil Service, Water Supply, Police and Liquor Control board/commissions from having them approve/submit department budget to mayor to have them review budget before submission (Corp Counsel 6/15)	
A8-04	Add to power of Public Safety, Civil Service, Water Supply, Police and Liquor Control to determine "good standing" for purpose of retirement (Corp Counsel 6/15)	
A8-05	Replace "informed in writing of charges" to "give written statement of reasons for removal" for Fire Chief, Police Chief, Director of Liquor Control (Corp Counsel 6/15)	
A8-06	Change nomination of boards/commissions overseeing departments to council from mayor (Commission Batangan)	
A8.1	Department of Management	
A8.1-01	Empower the managing director to proactively require separate departments to improve cooperation among departments, which are now often "silo"-ed (Dick Mayer 3/11)	

A8.1-02	Establish Managing Director as nonpartisan, professional chief executive of county (Ann Pitcaithley 4/15 OT)	
A8.2	Department of the Corporation Counsel	
A8.2-01	Make Corporation Counsel more truly independent. Corporation Counsel should serve the interests of Maui County and its residents, rather than serving as a Mayor's attorney. Corporation Counsel's selection will be upon the recommendations from the Blue Ribbon Committee, with final selection by the Council. The Corporation Counsel's term will be 5 years and will not coincide with mayoral terms; it may be renewed (Dick Mayer 3/11)	
A8.2-02	safeguards that ensure that the County's legal advisors do not engage in de facto policy making that undermines the goals of the government bodies that they have been charged to support. (Shay Chan Hodges 3/18)	
A8.3	Department of the Prosecuting Attorney	
A8.4	Department of Finance	
A8.4-01	Establish of Board of Review (Real Property Tax) in charter, assign initial burden of proof justifying assessment in taxpayer appeals to county (Thomas Croly 5/21)	
A8.5	Department of Public Works	
A8.6	Department of Parks and Recreation	
A8.7	Department of Fire and Public Safety	
A8.8	Department of Planning	
A8.8-01	Create one Planning Commission for each Community Plan area, except Kahoolawe [OR] Make district advisory committees whose primary kuleana is their community plan district, including all discretionary approvals, other than CZMA/SMA. (Dick Mayer 3/11)	
A8.8-02	Make community plans enforceable by citizens in court. (Dick Mayer 3/11)	
A8.8-03	Create Neighborhood Boards similar to O'ahu (Nikhilananda 3/18 OT and 5/06 OT)	
A8.8-04	Include CZMA regulatory authority over Kalaupapa, Kalawao, Waikolu areas to Molokai Planning Commission (Lori Buchanan 4/15 OT)	
A8.8-05	Establish planning commission for all community plan areas on Maui (Hon. Kelly King 4/22)	
A8.8-06	Add alternate members to Planning Commissions and Board of Variances and Appeals (UDRB 4/22)	
A8.8-07	Replace Planning Director duty to "recommend the order of their priority to the mayor" for proposed capital improvement projects with "verify their consistency with the general plan" (Planning Director 5/03)	

A8.8-08	Remove Kaho'olawe from Maui Planning Commission area of concern and require at least one resident of each community plan area (Planning Director 5/03)	
A8.8-09	Clarify Council may act on land use ordinances when the planning commission fails to make recommendations within a specified time (Planning Director 5/03)	
A8.8-10	Remove "created and revised by the citizen advisory committees" (Planning Director 5/03)	
A8.8-11	Clarify planning commission's part in land use ordinance revisions (Planning Director 5/03)	
A8.8-12	Make approval of general plan revision or zoning/land use ordinances automatic if the Council fails to act with specified time (Planning Director 5/03)	
A8.8-13	Delete Citizen Advisory Committees or make be 6 Council appoints, 7 Mayor appointees (Maui Planning Commission 5/12)	
A8.8-14	Establish Cultural Resources Commission in Charter (Cultural Resources Commission 5/13)	
A8.8-15	Adding duty of maintaining an inventory of cultural and historic properties for lands under County jurisdiction (Cultural Resources Commission 5/13)	
A8.8-16	Refer projects within areas identified by Community Plans as culturally/historically significant or sensitive to the appropriate commission (Cultural Resources Commission 5/13)	
A8.8-17	Remove Planning Commission from General Plan/Community Plan process (Karen Comcowich 5/12)	
A8.8-18	Limited planning commission membership to not more than one member employed in each of the following industries: real estate, construction, and property development. (Karen Comcowich 5/12 OT)	
A8.8-19	Mayor appoints planning commissioners from a public list of nominees (Kihei Community Association 5/20)	
A8.8-20	Citizen Advisory Committee be seven appointed by Council and six appointed by Mayor (Sally Kaye 5/21)	
A8.8-21	Ten year residency requirement for Molokai Planning Commission membership (Molokai Planning Commission 5/28)	

A8.8-22	Establish special zoning district, administered by new Department of Pono Living, creating "successful micro villages" including self-sufficient food production, luxury restrictions, low property taxes, multi-family micro-village housing arrangements (George Chyz 6/2)	
A8.8-23	Impose a fee on applicants/developers to independently vet SMA permit applications and building plans (Sam Small 06/03)	
A8.8-23	Remove time limits on Council action related to land use laws (Hon. Tamara Paltin 6/3 OT)	
A8.8-24	Reduce review redundancy in community plan process, adjust timelines for review, include Maui Island Plan in the Charter (Commissioner Deleon)	Deleon
A8.9	Department of Personnel Services	
A8.10	Department of Housing and Human Concerns	
A8.10-01	Separate Housing and Human Concerns Department into two departments (Dick May 3/11)	
A8.10-02	Make Human Concerns its own department and establish Housing Development department (Commissioner Deleon)	Deleon
A8.11	Department of Water Supply	
A8.11-01	BOARD OF WATER SUPPLY REQUESTED MORE TIME TO RESPOND	
A8.11-02	Add requirement to Water Supply director/deputy director of "licensed" engineer (Corp Counsel 6/15)	
A8.12	Department of Police	
A8.12-01	Make the police commission a truly independent citizen oversight board, independent of the Police Department for meeting locations and operations. Utilize the US Dept. of Justice model to establish this oversight commission. (Dick Mayer 3/11)	
A8.12-02	The Proposed Amendment clarifies that various reports by the Maui Police Commission are open to the public. (Brian Black 3/11)	
A8.12-03	Have mayor appoint Police Chief (Nikhilananda 3/18 OT)	
A8.12-04	Increase minimum requirements for chief of police to fifteen years of experience and a bachelor's degree (Keisa Liu 5/21)	
A8.12-05	All commission to remove chief of police and increase years of experience to fifteen for chief (Police Commission 5/27)	

A8.12-06	Establish independent oversight commission to limit types of matters police deal with and other changes (Robert Fontana 6/02)	
A8.12-07	Establish a civilian oversight board to eliminate conflicts of interest and conduct investigations and make binding determinations in disciplinary action and staff by civilians (Keisa Liu 6/07)	
A8.13	Department of Liquor Control	
A8.13-01	Restructure the Liquor Control Department and its two related boards/commission. Delete the Liquor Control Adjudication Board and give its previous responsibilities to the Liquor Control Commission (Dick Mayer 3/11)	
A8.13-02	Consider making the liquor inspectors members of the police department. (Dick Mayer 3/11)	
A8.13-03	Broaden qualifications for liquor control director (Corp Counsel 6/15)	
A8.14	Department of Transportation	
A8.15	Department of Environmental Management	
A8.15-01	Require Environmental Management director or deputy to be a professional engineer, licensed and registered in Hawai'i. (Corp Counsel 6/15)	
A8.15-02	Have administrative head of Environmental Management appointed by mayor (Commission Batangan)	Batangan
A8.16	Maui County Emergency Management Agency	
A8.17	Salary Commission	
A8.18	Department of Agriculture	
A9	FINANCIAL PROCEDURES	
A9-01	Establish Biennial County Budgets with Operating and Capital Improvement Budgets formulated in alternative years. Both the Mayor and Council may recommend amendments to the budget through the supplemental budget process; amendments must be adopted by the council. (Dick Mayer 3/11) (Hon. Gabe Johnson 6/3)	Canto
A9-02	there is lack of clarity about who can sign documents when the mayor is unable or refuses to act. In order for the Council to pass an ordinance to clarify the order of who can sign documents, it must be authorized to do so in the Charter (Dick Mayer 3/11)	
A9-03	Require Mayor to submit his annual budget proposal to Council no later than 9 am on March 25 (Hon. Alice Lee 4/29 – recalled)	

A9-04	Require consultation with the Cultural Resources Commission prior to purchasing lands using Open Space, Natural Resources, Cultural Resources and Scenic Views Preservation Fund (Cultural Resources Commission 5/13)	
A9-05	Manage property tax burdens to protect affordable resident homeownership (J.Blumer-Buell 5/20)	
A9-06	Require all budget and finance documents be available on County website (Sally Kaye 5/21)	
A9-07	Increase Open Space, Natural Resources, Cultural Resources and Scenic Views Preservation Fund to 2% of real property tax revenue (Molokai Planning Commission 5/28)	
A9-08	Require financial procedures to better align with open meetings requirement of Sunshine Law (Commissioner Batangan)	Batangan
A9-09	Require contracts for County Clerk and County Auditors offices to be signed by Director of Finance (Commissioner Batangan)	Batangan
A10	CODE OF ETHICS	
A10-01	Establish a Board of Ethics Executive Director who will manage the day to day affairs of the Ethics Board, provide informal advice to officers and employees, investigate on behalf of the Board, and make recommendations to the Board regarding decisions (recusal, findings of violations and penalties for violations). This is consistent with best practices in ethics. (Dick Mayer 3/11)	
A10-02	Add “avoid even the appearance of conflict of interest, bias or prejudice” to Section 10-1 (Mark Hyde 3/17)	
A10-03	provide the Board of Ethics with independent staff, including legal counsel. (Hon. Kelly King 4/15)	
A10-04	Add full time residency and two year durational residency requirements and bar participation in political campaigns and bar to running for office one year after service (Madge Schaefer 5/03)	
A10-05	Bar use of county staff, time including Corp Counsel when county official responds to ethics complaint (Madge Schaefer 5/03)	
A10-06	Prohibit participation in discussion/deliberation in any matter in which county employee/official has conflict of interest (Madge Schaefer 5/03)	

A10-07	Independently select ethics board members (Madge Schaefer 5/06 OT)	
A10-08	Lengthen the amount of time in which the Board may render an advisory opinion (Corp Counsel 6/15)	
A10-09	Add specific time requirements in which various officials should file their financial disclosure statements and include particulars to be in disclosure (Corp Counsel 6/15)	
A10-10	Add a "fair and equal treatment" provision to Code of Ethics (Corp Counsel 6/15) (Board of Ethics 6/16)	
A10-11	Limit board or commission members from participating in board or commission meeting when they have missed due date to file disclosure statement until a disclosure statement has been acknowledged and received by the Board of Ethics (Corp Counsel 6/15) (Board of Ethics 6/16)	
A11	INITIATIVE	
A11-01	Modify the thresholds for referenda/initiatives/recall to bring them more into line with the rest of the state. (Dick Mayer 3/11)	
A11-02	[Initiative required signatures] Please change this to 5% from 20% (S.Goldsmith 3/14)	
A11-03	[Initiative required signatures] reduce the percent of the total number of voters sufficient for a citizen initiative to proceed from 20% to 10% (Mark Hyde 3/17)	
A11-04	Lower threshold for [signatures] (Nikhilananda 3/18 OT and 5/06 OT)	
A11-05	Lower Initiative threshold to as low as 10% of voters and consider other models (J.Blumer Buell 5/06 OT)	
A12	RECALL	
A13	GENERAL PROVISIONS	
A13-01	Strengthen the open government + open record provisions by making civil litigation documents readily available. (Dick Mayer 3/11)	
A13-02	Allow greater Council involvement in boards/commissions selection. (Dick Mayer 3/11)	
A13-03	Establish a Blue Ribbon Selection Committee to recruit, vet, and recommend appointees to all boards and commissions. This Committee will list several potential names that will go to the mayor and council for their final selection. (Dick Mayer 3/11)	
A13-04	Encourage the board/commission membership selection process to consider diversity.	

	(Dick Mayer 3/11)	
A13-05	Repeal “political party membership” criteria for all boards and commissions. (Dick Mayer 3/11) (Planning Director 5/03) (Cost of Government Commission 5/21)	
A13-06	Change board and commission member “terms”, so that new appointees to all Boards and commissions get a full (usually 5) year term, no matter how long the member they replace has served. (Dick Mayer 3/11)	
A13-07	The Proposed Amendment would require that county agencies assist individuals seeking access to public records. (Brian Black 3/11)	
A13-08	The Proposed Amendment would prohibit county agencies from charging fees for records when disclosure of the requested information is in the public interest. (Brian Black 3/11)	
A13-09	require departmental reports to be posted immediately to the county's website in addition to being filed with the County Clerk. (Mark Hyde 3/17)	
A13-10	Allow remote videoconferencing for meetings (Dick Mayer 4/15 OT) (Planning Director 5/03) (Sally Kaye 5/26)	
A13-11	Create a limitation on the availability of exemptions under HRS 201H that do not provide a minimum of seventy-five percent affordable dwelling units (Hon. Michael Molina 5/14)	
A13-12	Allow for virtual meetings in Section 13-9 (Donna Clayton 5/20 OT)	
A13-13	Change appointment process for all boards and commission to how Charter Commission is selected (Molokai Planning Commission 5/28)	
A13-14	Prohibit the Council, Mayor or any county agency or official to shut down or restrict in any way any portion of the private sector during a declared state of emergency (Jeff King 06/02)	
A13-15	Establish a smoke-free multi-unit housing ordinance (Kanamu Balinbin 06/03)	
A13-16	Allow for electronic signature on documents requiring signature (Corp Counsel 6/15)	
A13-17	Remove provision establishing penalty ceiling (Corp Counsel 6/15)	
A14	CHARTER AMENDMENT	
A14-01	[Charter amendment required signature] Please also lower to 5% and change from “voters registered” to “total number of voters in the last mayoral election” (Steve Goldsmith 3/14, Mark Hyde 3/17)	

A14-02	Lower the threshold for signatures for charter amendments (Nikhilananda 5/06 OT)	
A14-03	Amend section to clarify Charter Commission's powers/duties in relation to opinion of Corporation Counsel regarding same (Corp Counsel 6/15)	
A14-04	Extend time to verify signatures from 15 to 30 days (Commission Batangan)	Batangan
A14-05	Proposed amendments must have fiscal impact analysis conducted by County Auditor not less than 60 days prior to general election (Commission Batangan)	Batangan
A15	TRANSITIONAL PROVISIONS	
A15-01	Transitional provisions related to establishing bilingual government (Karyn Kanekoa 06/03)	
N	NEW PROVISIONS	
N-01	Allow the County to establish an "Authority" to manage economic activities and utilities (water, energy, housing, cable, etc.). (Dick Mayer 3/11)	
N-02	Establishing Department of Information Technology / Creating a specific department responsible for all technology to respond to the needs of the entire enterprise is deserving of separate departmental identification, structure, duties and accountability for performance. (Mark Hyde 3/17) (Cost of Government Commission 5/20)	
N-03	"Maui County Constitution" and "Bilateral Social Compact" (Mark Allan Corba 5/20)	
N-04	Reduce the affordable housing deficit for residents (J.Blumer-Buell 5/20)	
N-05	Traditional names of beaches should be identified and posted on signage at beach locations (Molokai Planning Commission 5/28)	
N-06	All water sources for the County under the direct management of County and not private entities (Nikhilananda 5/06 OT)	
N-07	Hawaiian Homelands – County liasion (Faith Chase 5/06 OT)	
N-08	Mandate County operate as bilingual government (Karyn Kanekoa 6/3 OT)	
N-09	Adopting Federal Aviation Administration rules (FAA) in its entirety for Maui County (Commissioner Purdy)	Purdy
TECH	Technical Revisions	

TECH-01	Correctly spell all Hawaiian words and place names (Cultural Resources Commission 5/13)	
TECH-02	Revise Section 8-11.3 to include director environmetnal management (Commission Batangan)	Batangan