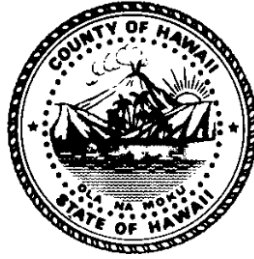


Douglass Shipman Adams
Chairperson

Jennifer Zelko-Schlueter
Vice Chairperson



William Carthage Bergin
Michelle Galimba
Paul K. Hamano
Kevin D. Hopkins
Bobby Jean Leithead Todd
Sarah H. Rice
Christopher John Imiloa Roehrig
Marcia A.K. Saquing
Donna Mae Springer

**2018-2020
HAWAI'I COUNTY
CHARTER COMMISSION**

**MEETING AGENDA
1:30 P.M. October 12, 2018**
25 Aupuni Street, Hilo, Hawai'i 96720
Hawai'i County Building, Room 1401, Council Chambers

4th Session

ORDER OF BUSINESS

ROLL CALL

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

APPROVAL OF MINUTES

[September 14, 2018](#) - Regular Meeting Minutes

COMMUNICATIONS

1. [Comm. No. 1.6](#): Response from Department of Environmental Management Director Bill Kucharski – Regulatory powers and authority to enforce
2. [Comm. No. 5.1](#): Legislative and election history for Section 6-9.3; Game Management Advisory Commission
3. [Comm. No. 5.2](#): Administrative Rules for Police Commission and Fire Commission
4. [Comm. No. 7.1](#): Response to request for proposed amendments/recommendations – Fire Commission
5. [Comm. No. 7.2](#): Response to request for proposed amendments/recommendations – Salary Commission
6. [Comm. No. 7.3](#): Response to request for proposed amendments/recommendations – Merit Appeals Board

7. [Comm. No. 7.4](#): Response to request for proposed amendments/recommendations – Environmental Management Commission
8. [Comm. No. 7.5](#): Response to request for proposed amendments/recommendations – Windward Planning Commission
9. [Comm. No. 8](#): from Council Member Eileen O’Hara, providing suggestions for amendments to the Hawai‘i County Charter

UNFINISHED BUSINESS

1. [Comm. No. 3](#): Formation of Ad Hoc Committees

The Commission may establish one or more Ad Hoc Committees to investigate matters within its prescribed duties that have been disclosed on the agenda, made available for public testimony, and deliberated upon by the commission. Any such formation will require that the scope of the investigation and each member’s authority be clearly defined, and membership be limited to no less than two and no more than five commissioners.

NEW BUSINESS

1. [Comm. No. 9](#): Mayor; Department and Agency Heads – Overview of operations; Impact of County Charter on Operations; Any Proposals to Amend Charter; Discussion
 - a. The Honorable Mayor Harry Kim
 - b. Department of Liquor Control – Director Gerald Takase
 - c. Department of Parks and Recreation – Director Roxcie Waltjen
 - d. Department of Planning – Deputy Director Daryn Arai
 - e. Department of Public Works – Director Allan Simeon
 - f. Department of Water Supply – Manager-Chief Engineer Keith Okamoto
 - g. Hawai‘i Police Department – Deputy Police Chief Kenneth Bugado, Jr.
 - h. Mass Transit Agency – Mass Transit Administrator Maria Aranguiz
2. [Comm. No. 10](#): Review of Hawai‘i County Charter (2016 Edition)
 - a. Article XI – Initiative and Referendum
 - b. Article XII – Removal of Elected Officers
 - c. Article XIII – General Provisions
 - d. Article XIV – Code of Ethics
 - e. Article XV – Charter Amendment or Revision
 - f. Article XVI – Transitional Provisions
3. [Comm. No. 11](#): Discussion - Articles I-X of Hawai‘i County Charter (2016 Edition)
4. [Comm. No. 12](#): Discussion on scheduling of six island-wide public hearings, as required pursuant to Section 15-3, Hawai‘i County Charter (2016 Edition)

5. [Comm. No. 13](#): Transmitting CA-1; Proposal to amend various sections of the Charter to rephrase language related to district residency requirements, as submitted by Chair Adams
6. [Comm. No. 14](#): Transmitting CA-2; Proposal to amend Section 3-7 to provide that the County Council hold an equal number of its regular meetings in East and West Hawai‘i within each calendar year, as submitted by Chair Adams

REPORTS

1. [Comm. No. 3.1.1](#): Ad Hoc Committee Report – Section 10-15 and Section 10-16; Public Access, Open Space, and Natural Resources Preservation Fund and Maintenance Fund; Findings and Recommendations; as submitted by Commissioners Roehrig (Chair), Hamano, Springer, and Zelko-Schlueter

REFERRALS FOR EXECUTIVE SESSION

1. Comm. No. 1.7: Response from Corporation Counsel; Request input on the application of disciplinary action to the Fire Chief and personnel of the Hawai‘i Fire Department
2. Comm. No. 1.8: Response from Corporation Counsel; Request input on potential conflicts of interest that may arise regarding the Corporation Counsel’s role as chief legal adviser and legal representative of both the Executive Branch and Legislative Branch

The Charter Commission anticipates convening an executive meeting regarding the above matters, pursuant to Section 92-5(a)(4) of the Hawai‘i Revised Statutes, for the purpose of consulting with the Commission’s attorney on questions and issues pertaining to the Commission’s powers, duties, privileges, immunities, and liabilities. A two-thirds vote of the members present is necessary to hold an executive meeting; provided the affirmative vote constitutes a majority of the members to which the board is entitled, pursuant to Section 92-4 of the Hawai‘i Revised Statutes, and Rule I(d) of the 2018-2020 Hawai‘i County Charter Commission Rules of Procedure.

AGENDA ITEMS FOR NEXT REGULARLY SCHEDULED MEETING

Suggestions from Commissioners on future agenda items

ANNOUNCEMENTS

1. Next regular meeting (subject to change)
 - DATE: Friday, November 9, 2018
 - TIME: 1:30 p.m.
 - PLACE: Building A (Council Chambers), West Hawai‘i Civic Center, Kailua Kona

ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8255 by October 10, 2018. Relay users please call 711(961-8255) to contact our office.

Public testimony via courtesy site is available at the Kona Council Office, West Hawai'i Civic Center; 75-5044 Ane Keohokālole Highway, Building A, Kailua-Kona, Hawai'i. If for technical or other unanticipated reasons the video connection cannot be made and/or is disrupted, the scheduled meeting will continue.

Submitting Testimony: Those wishing to testify in person must register with the Commission Secretary. Those submitting written testimony at the meeting should bring **fourteen (14)** copies for distribution. Testimony may also be submitted (1) by mail to Shannon Magnuson, Office of the County Clerk, 25 Aupuni Street, Room 1402, Hilo, Hawai'i 96720; or (2) by e-mail to charter.commission@hawaiicounty.gov. **Please submit separate testimony for each item.** Copies will be distributed at the meeting only if they are received **before 12:00 noon on the business day prior to the meeting.** All oral and written testimony will be made a part of the public record.

NOTICE TO LOBBYISTS

If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist (Article 15, Section 2-91.3(b), Hawai'i County Code). A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." (Article 15, Section 2-91.3(a)(6), Hawai'i County Code.)

Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai'i 96720.

BOARD PACKET

Pursuant to Hawai'i Revised Statutes, Section 92-7.5, the board packet provided to members of the Hawai'i County Charter Commission for this meeting is available for public inspection during regular business hours at the Office of the County Clerk, 25 Aupuni St., Room 1402, Hilo, Hawai'i, 96720.