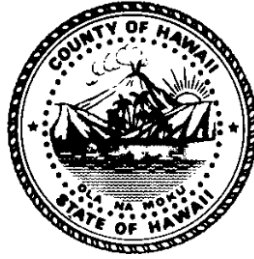


Douglass Shipman Adams  
*Chairperson*

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**

**11:00 A.M. February 8, 2019**

25 Aupuni Street, Hilo, Hawai‘i 96720  
Hawai‘i County Building, Room 1401, Council Chambers

8th Session

**ORDER OF BUSINESS**

**ROLL CALL**

**STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS**

**APPROVAL OF MINUTES**

[January 25, 2019](#) - Regular Meeting Minutes

**COMMUNICATIONS**

1. [Comm. No. 12.3](#): Discussion – Protocols for Public Hearings
2. [Comm. No. 15](#): Discussion - Articles I-XVI of Hawai‘i County Charter (2018 Edition)

**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.

*Hawai‘i County is an Equal Opportunity Provider and Employer*

2. [Comm. No. 21.55](#): Transmitting CA-7, Draft 2, for **First Reading**; Proposal to amend Section 10-15 and Section 10-16, by repealing and replacing provisions for the Public Access, Open Space, and Natural Resources Preservation Fund and Maintenance Fund, respectively; as submitted by Commissioner Hamano.

Postponed: January 25, 2019

**There is a motion on the floor, made by Commissioner Hamano and seconded by Commissioner Adams, to pass CA-7, Draft 2, on First Reading.**

3. [Comm. No. 23.1](#): Transmitting CA-8 for **First Reading**; Proposal to amend Section 3-2 to provide that the terms of Council Members be changed from four consecutive two-year terms to two consecutive four-year terms; as submitted by Commissioner Rice.

Postponed: January 25, 2019

4. [Comm. No. 24.38](#): Transmitting CA-9, Draft 2, for **First Reading**; Proposal to amend Section 10-15 to provide that funds from the Public Access, Open Space, and Natural Resources Preservation Fund be used to fund a staff position dedicated to administering the provisions of Section 10-15 and Section 10-16 (Public Access, Open Space, and Natural Resources Preservation Maintenance Fund); as submitted by Commissioner Galimba.

Postponed: January 25, 2019

5. [Comm. No. 27](#): Transmitting CA-11, for **Initial Approval**; Proposal to amend Section 6-7.2, Relating to the Qualifications for the Planning Director; as submitted by Commissioner Rice.

Postponed: January 25, 2019

6. [Comm. No. 28](#): Transmitting CA-12, for **Initial Approval**; Proposal to amend Section 3-7 by adding disciplinary measures for council members who behave in a disorderly or contemptuous manner at council meetings, or, when a council member fails to attend three or more regular meetings of the council without being excused by the council chair; as submitted by Commissioner Leithead Todd.

Postponed: January 25, 2019

7. [Comm. No. 29](#): Transmitting CA-13, for **Initial Approval**; Proposal to amend Article X by adding a new section that would permit the mayor to use funds in times of a declared emergency from any special fund of the County, unless prohibited by State law, to preserve the peace, life, property, health or safety of the County and its inhabitants; as submitted by Commissioner Leithead Todd.

Postponed: January 25, 2019

## **NEW BUSINESS**

1. [Comm. No. 31](#): Transmitting CA-14 for **Initial Approval**; Proposal to amend Sections 6-4.3 and 6-4.4, to update language for the Qualifications and the Powers, Duties and Functions of the Director of Information Technology; as submitted by Commissioner Adams.
2. [Comm. No. 32](#): Transmitting CA-15 for **Initial Approval**; Proposal to amend Section 6-4.4, Powers, Duties and Functions of the Director of Information Technology, to reflect the current status of operations; as submitted by Commissioner Adams.
3. [Comm. No. 33](#): Transmitting CA-16 for **Initial Approval**; Proposal to merge Sections 10-15 and Section 10-16, the Public Access, Open Space, and Natural Resources Preservation Fund and Maintenance Fund, respectively, into a new Section 10-15 that would include both funds at their current funding levels, remove detailed provisions for the maintenance fund, and allow the use of these funds to hire staff to administer to both funds; as submitted by Commissioner Leithead Todd.
4. [Comm. No. 34](#): Transmitting CA-17 for **Initial Approval**; Proposal to add a new section to Article X, Financial Procedures, to establish a Disaster and Emergency Fund; as submitted by Commissioner Leithead Todd.
5. [Comm. No. 35](#): Transmitting CA-18 for **Initial Approval**; Proposal to amend Section 10-16, Public Access, Open Space, and Natural Resources Preservation Maintenance Fund, to transfer administrative duties to the Department of Finance, add permissible uses of the fund, and establish a base amount that must be reserved for awards to stewardship organizations; as submitted by Commissioner Rice.

**REPORTS**

None

**REFERRALS FOR EXECUTIVE SESSION**

None

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**

1. Suggestions from Commissioners on future agenda items

**ANNOUNCEMENTS**

1. Next regular meeting (subject to change)

DATE: Friday, March 8, 2019

TIME: 1:30 p.m.

PLACE: Building A (Council Chambers), West Hawai‘i Civic Center,  
Kailua Kona

**ADJOURNMENT**

If you need an auxiliary aid/service or other accommodation due to a disability, contact Shannon Magnuson at (808) 961- 8836 or at [charter.commission@hawaiicounty.gov](mailto:charter.commission@hawaiicounty.gov). as soon as possible, preferably by February 6, 2019. If a response is received after February 6, 2019, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled.

Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

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](mailto:charter.commission@hawaiicounty.gov). **Please submit separate testimony for each item.** All oral and written testimony will be made a part of the public record. Written testimony will be presented to Commission members as soon as practicable

### **PROPOSAL STATUS**

To view proposals that have passed first reading that will be held for further action until after the required public hearings are held, please go to:  
<http://records.hawaiicounty.gov/weblink/Browse.aspx?dbid=1&startid=94005>  
and open the folder titled: “Proposals for Public Hearing”

### **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.