

**Report of the
Committee on Style**

April 1, 2016

Members:

Donna R. Ikeda, Chair

Paul T. Oshiro, Vice-Chair

Guy K. Fujimura

Nathan T. Okubo

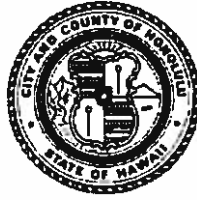
R. Brian Tsujimura

2015-2016
CHARTER COMMISSION
City and County of Honolulu

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Paul T. Oshiro, Vice Chair
Guy K. Fujimura
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R. Brian Tsujimura

NONVOTING MEMBERS
Judge Michael F. Broderick (Ret.)
Reginald V. Castanares, Jr.
Kevin Mulligan
David W. Rae
Cheryl D. Soon
Edlyn S. Taniguchi
Governor John D. Waihee III
Pamela Witty-Oakland

April 1, 2016

Committee on Style Report 1

Re: Proposals No. 2, 33, 34, 35, 36, 42, 43, 48, 77, 79, 80, 82, 87, 89, 90, 91, 104

Chair David Rae,

Your Committee on Style, to which was referred Proposals No. 2, 33, 34, 35, 36, 42, 43, 48, 77, 79, 80, 82, 87, 89, 90, 91, and 104, begs leave to report as follows:

Your Committee:

1. Amended the new language in Proposal 42 by changing "shall" to "may" given the sentence was written in the negative;
2. Deferred Proposals 48, 80, and 104;
3. Held Proposal 82 as the identical language is contained in Proposal 77; and
4. Made nonsubstantive changes to Proposals No. 2, 34, 35, 36, 43, 77, 90, and 91 to reflect the Ramseyer format used by the City and County of Honolulu.

Each of the proposals referred to the Committee on Style, including Notes, are contained in the Attachment.

As affirmed by the record of votes of the members of the Committee in Style, your Committee has approved Proposals No. 2, 33, 34, 35, 36, 42, 43, 77, 79, 87, 89, 90, and 91, amended as needed, and is returning them to the full Commission for further consideration.

Respectfully submitted on behalf of the
members of the Committee on Style,


Donna Ikeda, Chair

**ATTACHMENT FOR THE STYLE COMMITTEE REPORT #1
2015-2016 Honolulu Charter Commission**

PROPOSAL 2 TEXT

Submitter: Glen I. Takahashi, City Clerk

Section 3-105. Vacancy in Office —

1. A vacancy in the office of any councilmember shall be filled in the following manner:

(a) If the unexpired term is less than one year, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. Vacancies shall be filled only at a regular meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill any vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by special election to be called by the council within ten days and to be held within [sixty] eighty days after the occurrence of the vacancy. At such time, the electors of the district shall elect a successor to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election.

Section 5-106. Vacancy in Office —

1. A vacancy in the office of mayor caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the council shall, by a majority vote of all of its members, elect one of its members to be mayor for the unexpired term, and a vacancy shall thereupon exist in the council.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within [sixty] one hundred twenty days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election is to be held in conjunction with such other election.

Section 8-106. Vacancy in Office —

A vacancy in the office of the prosecuting attorney caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the office of the prosecuting attorney shall be filled by the first deputy who shall act as prosecuting attorney, or if the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor with the approval of the council shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within [sixty] one hundred twenty days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. Pending the election of the prosecuting attorney, the first deputy shall act as prosecuting attorney. If the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor, with the approval of the council, shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.

PROPOSAL 2 NOTES:

Formatting change only.

PROPOSAL 33 TEXT
Submitter: Paul Oshiro

Section 3-105. Vacancy in Office –

A vacancy in the office of any councilmember shall be filled in the following manner:

(a) If the unexpired term [is less than one year] ends on the second day of January following the next succeeding general election, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. [Vacancies] The vacancy shall be filled only [at a regular meeting of the council] after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill [any] the vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term.

(b) If the unexpired term [is for one year or more] does not end on the second day of January following the next succeeding general election and occurs not later than 4:30 p.m. on the ninetieth day prior to the next succeeding general election, the vacancy shall be filled by special election [to be called by the council within ten days and to be held within sixty days after the occurrence of the vacancy] held in conjunction with the next succeeding general election. At such time, the electors of the district shall elect a successor to fill the vacancy for the remainder of the term. [If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election.]

The city clerk shall issue a proclamation designating the special election for filling the vacancy. Pending the election, the remaining members of the council shall make a temporary appointment with requisite qualifications to serve until the election and qualification of the person duly elected to fill the vacancy. The temporary appointment shall be made only after reasonable notice of intent to make the temporary appointment has been given to all remaining members of the council by the presiding officer. Should the council fail to make the temporary appointment within thirty days after the vacancy occurs, the mayor shall make the temporary appointment to serve until the election and qualification of the person duly elected to fill the vacancy.

(c) If the unexpired term does not end on the second day of January following the next succeeding general election and occurs later than 4:30 p.m. on the ninetieth day prior to the next succeeding general election, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. The vacancy shall be filled only after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council

fail to fill the vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term.

PROPOSAL 33 NOTES:

No changes.

PROPOSAL 34 TEXT
Submitter: Paul Oshiro

Create new subsection:

Section 15-105. – Mandatory Review.

5. Notwithstanding any provision to the contrary, the corporation counsel, as revisor of the charter, shall prepare a new and updated edition of the charter by July 1 of the year following the general election in the year ending in “6”.

PROPOSAL 34 NOTES:

Formatting changes only.

PROPOSAL 35 TEXT
Submitter: Paul Oshiro

Section 3-103. Reapportionment and Reapportionment Years –

2. A council reapportionment commission shall be constituted on or before the first day of July of each reapportionment year and whenever reapportionment is required by court order. The commission shall consist of nine members. The presiding officer of the council shall, with the approval of the council, select the members of the commission [, no more than a majority of who shall be from the same political party].

The commission shall elect a chair from among its members. Any vacancy in the commission shall be filled in the same manner as for an original appointment. The commission shall act by majority vote of its membership and shall establish its own procedures. The members of this commission shall not, in any manner, be deemed officers of the city. The commission and its members shall be subject only to the provisions of this section, Section 3-114, and Section 3-502 of the charter. Commission members shall be compensated and reimbursed for their necessary expenses as provided by ordinance. No member of the commission shall be eligible to become a candidate for election to the council in the initial election held under any reapportionment plan adopted by the commission.

The city clerk, under the direction of the commission, shall furnish all necessary technical and secretarial services. The council shall appropriate funds to enable the commission to carry out its duties.

PROPOSAL 35 NOTES:

Formatting changes only.

PROPOSAL 36 TEXT
Submitter: Paul Oshiro

Section 15-105. Mandatory Review –

3. The commission may propose amendments to the existing charter or a draft of a revised charter, which shall be submitted to the city clerk at any time prior to [September 1] the eightieth calendar day prior to the general election of the year ending in “6” that immediately follows the appointment of the commission. Upon receipt of the amendments or revised charter, together with ballot language prepared by the commission, the clerk shall provide for the submission of such amendments or revised charter to the electors of the city at the next general election.

PROPOSAL 36 NOTES:

Formatting changes only.

PROPOSAL 42 TEXT
Submitter: Paul Oshiro

Section 13-119. Dual Offices or Positions –

No person shall hold more than one public office or position under the city[, except]; provided that city officers and employees shall not be precluded from membership on a neighborhood board; provided further that no member of the neighborhood board may concurrently serve on the neighborhood commission. No city officer or employee shall be a member of the state civil service commission, nor shall any city officer or employee hold a public office or position under the federal or state government which would be inconsistent or incompatible with or would tend to interfere with the duties of the city office or position. The term "public office," as used in this section of the charter, shall not include notaries public, reserve police officers or officers of emergency organizations for civilian defense or disaster relief.

PROPOSAL 42 NOTES:

Style Committee changed "shall" to "may" in the new language. Formatting changes.

PROPOSAL 43 TEXT
Submitter: Paul Oshiro

Section 3-122. Salary Commission –

2. The commission shall convene annually no later than the first day of February, and shall, after public hearing, establish salaries and salary schedules no later than the first day of May subsequent thereto, said salaries and salary schedules to be effective prospectively from the first day of the fiscal year subsequent to their adoption by the commission. The commission may meet at other times during the year pursuant to its own rules, but may alter salaries and salary schedules no more than once annually. Any action of the commission altering salaries shall be by resolution accompanied by findings of fact. Said resolution shall be forwarded to the mayor and the council [but]. A resolution and accompanying findings of fact altering salaries approved by not less than three-quarters of the entire membership of the commission shall take effect sixty calendar days after its adoption. A resolution and accompanying findings of fact altering salaries approved by less than three-quarters of the entire membership of the commission shall take effect [without their concurrence] sixty calendar days after its adoption unless rejected by a three-quarters vote of the council's entire membership[. The]; provided the council may reject either the entire resolution or any portion of it.

PROPOSAL 43 NOTES:
Formatting changes only.

PROPOSAL 48 TEXT
Submitter: Cheryl Soon

Section 2-102 Purposes

All city powers shall be used to serve and advance the general welfare, health, happiness, safety and aspirations of its inhabitants [,] in a sustainable manner and protecting natural resources for present and future [,] generations. All powers are to be used in a transparent manner, be inclusive and [to] encourage [their] full participation by the citizenry in the process of governance.

PROPOSAL 48 NOTES:

Deferred to next meeting; fixed typographical error by changing "sued" to "used"; made minor formatting changes.

PROPOSAL 77 TEXT

Submitter: City and County of Honolulu, Office of the Managing Director

Section 6-503. Powers, Duties and Functions –

The director of design and construction shall:

- (a) [Direct and perform] In consultation with the respective departments, support their [the] planning[.],
- (b) Perform the engineering, design, and construction [and improvement of public buildings] of city facilities.
- [(b) Direct and perform the] (c) Advise and assist the respective departments on matters related to planning, [engineering, design and construction of public streets, roads, bridges and walkways, and drainage and flood improvements.] repair, renovation, maintenance and construction of city facilities.
- [(c) In consultation with the respective departments, direct and perform the planning, engineering, design and construction of wastewater facilities, parks and recreational facilities, and transportation systems.]
- (d) Manage and develop long-range planning of energy conservation projects at city facilities in cooperation with the respective departments.

Section 6-702. Powers, Duties and Functions –

The director of enterprise services shall:

- (a) Operate and maintain the Neal S. Blaisdell Center and any other auditorium or cultural or entertainment facilities assigned to the department.
- (b) As determined to be within the department's capabilities, direct and perform the repair, renovation, maintenance and construction of the Neal S. Blaisdell Center and other auditorium or cultural or entertainment facilities assigned to the department.
- (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of the Neal S. Blaisdell Center and other auditorium or cultural or entertainment facilities assigned to the department that exceed the department's capabilities.
- [(b)] (d) Perform such other duties as may be required by law.

Section 6-803. Powers, Duties and Functions –

The director of the department of environmental services shall:

- [(a) Advise the director of design and construction concerning the planning and design of wastewater facilities.
- (b) Oversee the operation and maintenance of sewer lines, treatment plants and pumping stations.

- (c) Monitor the collection, treatment and disposal of wastewater.
- (d) Provide chemical treatment and pumping of defective cesspools.
- (e) Develop and administer solid waste collection, processing and disposal systems including a comprehensive curbside recycling system.]
- (a) Operate, maintain, expand and upgrade the wastewater systems of the City and County of Honolulu to include resource recovery programs and disposition of recovered materials.
- (b) Permit connections to the wastewater system and review plans for wastewater facilities, other than City projects, for conformance to City standards.
- (c) Operate, maintain and upgrade the solid waste systems of the City and County of Honolulu to include collection of waste from single family residences, resource recovery programs and disposition of recovered materials.
- (d) Provide for disposition of materials and resources created from wastewater and solid waste resource recovery operations including, but not limited to, recycled water, recycled sewage sludge, and electricity.
- (e) Prepare bills, collect and, by appropriate means including the discontinuance of service and civil action, enforce collection of charges for the furnishing of wastewater and solid waste services.
- (f) As determined to be within the department's capabilities, direct and perform the planning, engineering, design and construction, and repair of sewer lines, treatment plants, pumping stations, and other wastewater and solid waste facilities.
- (g) Coordinate all planning, engineering, design, construction, and repair of sewer lines, treatment plants, pumping stations, and other wastewater and solid waste facilities that exceed the department's capabilities with the director of design and construction.
- [(f)] (h) Promulgate rules and regulations as necessary to administer and enforce requirements established by law.
- [(g)] (i) Perform such other duties as required by law.

To carry out the powers, duties and functions of the department, any member or authorized representative of the department may enter upon any public or private property at any reasonable time without warrant, doing no unnecessary injury thereto.

Section 6-903. Powers, Duties and Functions –

The chief engineer shall:

- (a) Maintain public buildings and their adjoining parking facilities, except as otherwise provided by law.
- (b) Maintain public streets, roads, bridges, traffic medians, triangles, circles, other traffic calming appurtenances and walkways, and drainage and flood control systems.
- (c) As determined to be within the department's capabilities, direct and perform the planning, engineering, design, construction, and repair of public buildings and their adjoining parking facilities, except as otherwise provided by law, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems.

- (d) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of public buildings and their adjoining parking facilities, except as otherwise provided by law, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems that exceed the department's capabilities.
- (e) Direct and perform the acquisition, maintenance and disposal of all City owned vehicles and equipment except those that are operated by the Honolulu board of water supply, Honolulu police and Honolulu fire departments.
- (f) Monitor stormwater and other discharges into drainage systems and receiving waters.
- (g) Promulgate stormwater rules and regulations as necessary to administer and enforce requirements established by law.
- [(c)] (h) Install and maintain street lighting systems.
- [(d)] (i) Perform such other duties as may be required by law.

Section 6-1202. Powers, Duties and Functions –

The director of information technology shall:

- (a) [Operate] Install, operate and maintain information technology and telecommunications systems for the city government, excluding those systems maintained by the board of water supply and any other semi-autonomous agencies created by ordinance.
- (b) Coordinate with the director of design and construction the planning, engineering, design, construction, and repair of electrical, mechanical, structural, and architectural improvements required for information technology and telecommunications systems.
- [(b)] (c) Provide technical expertise and support in information technology and telecommunication technology to the city government.
- [(c)] (d) Assist the managing director in information technology and telecommunications analysis and evaluation.
- [(d)] (e) Advise the mayor on information technology and telecommunications technology matters.
- [(e)] (f) Perform such other duties as may be required by law.

Section 6-1403. Powers, Duties and Functions –

The director of parks and recreation shall:

- (a) Operate and maintain [Advise the director of design and construction on the planning and design of, and maintain and operate all such facilities.] the parks and recreational facilities of the city.
- (b) As determined to be within the department's capabilities, direct and perform the minor repair, renovation, maintenance and construction of the parks and recreational facilities of the city.

- (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of the city's parks and recreational facilities that exceed the department's capabilities.
- [(b)] (d) Develop and implement programs for cultural, recreational and other leisure-time activities for the people of the city, except as otherwise provided by law.
- [(c)] (e) Beautify the public parks, facilities and streets of the city, including, but not limited to, the planting, trimming and maintaining of all shade trees, hedges and shrubs on such city parks, facilities and streets except hedges and shrubs on traffic medians, triangles, circles, and other traffic calming appurtenances.
- [(d)] (f) Process permit applications to use city parks and recreational facilities for free or affordable child day care programs for consideration by the council pursuant to Section 3-123 of this charter, provided that the director finds that such use does not interfere with the public's use of the property for park and recreational purposes.

Section 6-1703. Powers, Duties and Functions –

1. The director of transportation services shall:

- (a) Plan, operate and maintain transportation systems, including bikeways, except for activities relating to the city's fixed guideway mass transit system, to meet public transportation needs, in accordance with the general plan and development [plans, and advise on the design and construction thereof.] plan.
- (b) As determined to be within the department's capabilities, direct and perform the planning, engineering, design, and construction of transportation systems, except for activities relating to the city's fixed guideway mass transit system.
- (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of transportation systems, except for activities relating to the city's fixed guideway mass transit system, that exceed the department's capabilities.
- [(b)] (d) Locate, select, install and maintain traffic control facilities and devices.
- [(c)] (e) Provide educational programs to promote traffic safety.
- [(d)] (f) Establish a steel wheel on steel rail transit system, provided that nothing in this subsection shall preclude the director from utilizing technologies other than steel wheel on steel rail technology to complement or extend the rail transit system.
- [(e)] (g) Promulgate rules and regulations pursuant to standards established by law.

PROPOSAL 77 NOTES:

Formatting changes only.

PROPOSAL 79 TEXT

Submitter: City and County of Honolulu, Office of the Managing Director

Section 7-116. Legal Counsel –

The corporation counsel of the city shall be the legal adviser of the department and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the department. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the department. Before execution, all written contracts to which the department is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the department.

The department may employ an attorney to act as its legal adviser and to represent the department in any litigation to which the department is a party.

Section 17-112. Legal Counsel –

The corporation counsel of the city shall be the legal adviser of the authority and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the authority. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the authority. Before execution, all written contracts to which the authority is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the authority.

The authority may employ an attorney to act as its legal adviser and to represent the authority in any litigation to which the authority is a party.

PROPOSAL 79 NOTES:

No changes.

PROPOSAL 80 TEXT

Submitter: City and County of Honolulu, Office of the Managing Director

Section 5-103. Powers, Duties and Functions –

The mayor shall be the chief executive officer of the city. The mayor shall have the power to:

- (a) Except as otherwise provided, exercise direct supervision over all agencies enumerated in this article of the charter and other agencies as the mayor may deem desirable and through the managing director exercise supervision over all other executive agencies of the city. The mayor shall provide for the coordination of all administrative activities and see that they are honestly, efficiently and lawfully conducted.
- (b) Appoint the necessary staff for which appropriations have been made by the council. This paragraph shall not empower the mayor to appoint the deputy chief and private secretaries to the fire chief and the deputy fire chief.
- (c) Create or abolish positions within the executive branch as provided by law. A monthly report of such creation or abolishment of positions shall be made to the council.
- (d) Make temporary transfers of positions between departments or between subdivisions of departments.
- (e) Except as otherwise provided, recommend to the council a pay plan for all persons employed in the executive branch or any of its boards and commissions, whether as officers or otherwise.
- (f) Appoint a personal representative who shall, subject to the mayor's direction, perform such ceremonial functions of the mayor's office and such other duties as the mayor may designate.
- (g) Submit an operating and capital program and budget and necessary proposed budget ordinances annually to the council for its consideration and necessary action.
- (h) Sign, or designate the managing director, director of an executive department or agency, or other officer to sign, instruments requiring execution by the city, except those which the director of budget and fiscal services or other officer is authorized to sign by this charter, ordinance or resolution.
- (i) Present information or messages to the council which, in the mayor's opinion, are necessary or expedient.
- (j) In addition to the annual report, make periodic reports informing the public as to city policies, programs and operations.
- (k) Call special sessions of the council.

- (l) Veto ordinances, resolutions authorizing proceedings in eminent domain and resolutions adopting or amending the general plan.
- (m) Have a voice, but no vote, in the proceedings of all boards provided for by this charter or by ordinance.
- (n) Enforce the provisions of this charter, the ordinances of the city and all applicable laws.
- (o) Exercise such other powers and perform such other duties as may be prescribed by this charter or by ordinance.

PROPOSAL 80 NOTES:

Deferred; formatting changes only.

PROPOSAL 82 TEXT

Submitter: City and County of Honolulu, Office of the Managing Director

Section 6-903. Powers, Duties and Functions –

The chief engineer shall:

- (a) Maintain public buildings and their adjoining parking facilities, except as otherwise provided by law.
- (b) Maintain public streets, roads, bridges, traffic medians, triangles, circles, other traffic calming appurtenances and walkways, and drainage and flood control systems.
- (c) As determined to be within the department's capabilities, direct and perform the planning, engineering, design, construction, and repair of public buildings and their adjoining parking facilities, except as otherwise provided by law, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems.
- (d) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of public buildings and their adjoining parking facilities, except as otherwise provided by law, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems that exceed the department's capabilities.
- (e) Direct and perform the acquisition, maintenance and disposal of all City owned vehicles and equipment except those that are operated by the Honolulu board of water supply, Honolulu police and Honolulu fire departments.
- (f) Monitor stormwater and other discharges into drainage systems and receiving waters.
- (g) Promulgate stormwater rules and regulations as necessary to administer and enforce requirements established by law.
- [(c)] (h) Install and maintain street lighting systems.
- [(d)] (i) Perform such other duties as may be required by law.

PROPOSAL 82 NOTES:

Held; identical provision included in Proposal 77.

PROPOSAL 87 TEXT

Submitter: City and County of Honolulu, Office of the Managing Director

Section 6-1005. Fire Commission –

There shall be a fire commission which shall consist of [five] seven members. The commission may appoint such staff and engage consultants as necessary for the performance of its duties. The commission shall be governed by the provisions of Section 13-103 of this charter.

PROPOSAL 87 NOTES:

No changes.

PROPOSAL 89 TEXT

Submitter: City and County of Honolulu, Office of the Managing Director

Section 14-105. Executive [Secretary] Director –

There shall be an executive [secretary to the neighborhood commission] director of the neighborhood board system who shall be appointed by the mayor and confirmed by the council, and may be removed by the mayor.

PROPOSAL 89 NOTES:

No changes.

PROPOSAL 90 TEXT

Submitter: City and County of Honolulu, Office of the Managing Director

Section 9-301. Centralized Purchasing –

1. The department of budget and fiscal services shall be responsible for the procurement of all materials, supplies, equipment, construction and services required by any agency of the city.

[2. There shall be a standardization committee composed of five members. The mayor shall appoint four members, each of whom shall be from a separate department. The fifth member shall be a representative for the department of budget and fiscal services who shall serve as chair of the committee. The committee shall classify all materials, supplies, and equipment commonly used by the various agencies of the city and shall prepare and adopt standards and specifications for such materials, supplies and equipment.

3.] 2. All purchases and contracts for materials, supplies, equipment, construction and services shall be made [by advertising, except that such purchases and contracts may be negotiated without advertising if:

(a) The public exigency will not admit of the delay incident to advertising.

(b) The amount involved does not exceed limits specified for various types of contracts in applicable state statutes, as the same may be amended from time to time.

(c) It is impracticable to secure competitive bidding for materials, supplies and equipment, including animals, plants, food and fodder for animals in the zoo, nonprocessed agricultural products, patented or proprietary articles and books and publications.

(d) It is determined that the procurement of equipment determined to be technical equipment is necessary to assure standardization of the equipment and interchangeability of parts and that such standardization and interchangeability are necessary in the interest of economy.

The advertisement for bids shall be made for a sufficient time before the purchase or contract, and specifications and invitations for bids shall permit such full and free competition as is consistent with the procurement of the types of materials, supplies, equipment and services necessary to meet the requirements of the agency concerned.

All bids shall be publicly opened at the time and place stated in the advertisement. Award shall be made with reasonable promptness by written notice to that responsible bidder, whose bid, conforming to the invitation for bids, will be most advantageous to the city, price and other factors considered.] in accordance with the Hawaii Revised Statutes and applicable Hawaii Administrative Rules.

[4.] 3. Purchase orders shall be issued upon the endorsement of the purchasing administrator, and such endorsement shall be made in accordance with rules and regulations promulgated by the director of budget and fiscal services.

[5.] 4. The director of budget and fiscal services shall, from time to time, secure from all agencies estimates of their needs for articles of common use and shall, when practicable, consolidate requisitions in order to secure the benefits of quantity purchases, and to that end, [when authorized by the council,] cooperate with other public agencies.

[6.] 5. The director of budget and fiscal services shall by rules and regulations provide for:

(a) [Emergency purchases which might be required.

(b)]Petty cash funds or blanket purchase orders or both.

[(c) Noncompetitive purchases and contracts provided for under Subsection 9-301.3(c) of this charter.]

[(d)] (b) Approval and signing procedures related to the issuance of purchase orders.

[(e)] (c) Such other matters as the director may reasonably deem necessary for the effective administration and implementation of federal, state and city purchasing and contracting laws.

[7.] 6. The director of budget and fiscal services shall require such guarantees of performance by vendors as in the director's opinion may be necessary or as may be prescribed by ordinance.

PROPOSAL 90 NOTES:

Formatting changes only.

PROPOSAL 91 TEXT
City and County of Honolulu, Office of the Managing Director

Section 6-103. Department of Emergency Management –

There shall be a department of emergency management headed by a director of emergency management who shall be appointed and may be removed by the mayor in accordance with law. The director of emergency management shall:

(a) Develop, prepare and, under disaster or emergency situations, assist in the implementation of [civil defense] emergency management plans and programs to protect and promote the public health, safety and welfare of the people of the city.

(b) Coordinate the [civil defense] emergency management and emergency preparedness activities and functions of the city with those of the state and federal governments and other public or private organizations for [civil defense] emergency management within the state.

Section 6-104. Citizens Advisory Commission on [Civil Defense] Emergency Management –

There shall be a citizens advisory commission on [civil defense] emergency management which shall consist of five members. The commission shall advise the mayor, the council, and the [civil defense administrator] director of emergency management on matters pertaining to [civil defense,] emergency management, and to the promotion of community understanding and interest in such matters. The commission shall be governed by the provisions of Section 13-103 of this charter.

PROPOSAL 91 NOTES:
Formatting changes only.

PROPOSAL 104 TEXT
Proposer: Lynne Matusow

Section 13-103. Boards and Commissions –

Except as otherwise provided by this charter or by law, all boards and commissions established by this charter or by ordinance shall be governed by the following provisions:

(a) To be eligible for appointment to a board or commission, a person shall be a duly registered voter of the city.

(b) All members shall be appointed by the mayor and confirmed by the council[.] with an equal number of male and female members when practicable.

(c) All appointed members shall serve for staggered terms of five years, and they shall serve until their successors have been appointed and qualified. No person shall serve on the same board for more than two consecutive full terms or for more than ten consecutive years, whichever is greater. The initial appointments shall be as follows:

(1) Five members: One member each to serve for five, four, three, two, and one year, respectively.

(2) Seven members: Two members to serve for five years, one member for four years, two members for three years, one member for two years, and one member for one year.

(3) Nine members: Two members each to serve for five, four, three, and two years, respectively, and one member for one year.

Each succeeding appointment shall be for a term ending five years from the date of the expiration of the term for which the predecessor had been appointed.

(d) Any vacancy occurring other than by expiration of the term of office shall be filled for the remainder of such unexpired term in the same manner as for an original appointment.

(e) Temporary vacancies shall be filled by the mayor as provided by ordinance.

(f) A chair shall be elected annually by members from the membership.

(g) A majority of the members shall constitute a quorum.

(h) All meetings shall be held in city hall or other public places.

(i) The affirmative vote of a majority of the entire membership shall be necessary to take any action, and such action shall be made at a meeting open to the public.

(j) All members shall be entitled to be reimbursed for travelling and other necessary expenses incurred by them in the performance of their official duties.

(k) All appointed members may be compensated for their service as provided by ordinance.

(l) Policies and procedures for the removal of members of boards and commissions shall be as provided by ordinance.

PROPOSAL 104 NOTES:

Deferred to next meeting.