

Charter Commission

CITY AND COUNTY OF HONOLULU

Honolulu Hale • 530 South King Street • Honolulu, Hawaii 96813



TUESDAY, NOVEMBER 24, 2015 COUNCIL COMMITTEE MEETING ROOM HONOLULU HALE

MINUTES

Charter Commission Members Present:

David W. Rae, Vice-chair
Judge Michael F. Broderick (Ret.)
Reginald V. Castanares, Jr.
Guy K. Fujimura
Kevin Mulligan

Nathan T. Okubo
Paul T. Oshiro
Cheryl D. Soon
R. Brian Tsujimura
Pamela Witty-Oakland

Charter Commission Members Absent/Excused:

Donna Ikeda
Edlyn S. Taniguchi

Governor John D. Waihee III

Others Present:

Dawn Spurlin, Deputy Corporation Counsel, Department of Corporation Counsel
Linda Luli Nakasone Oamilda, Executive Administrator, Honolulu Charter Commission
Mary James, Research Analyst, Honolulu Charter Commission
Norma Reyes, Secretary, Honolulu Charter Commission

I. CALL TO ORDER

With a quorum present, Vice-Chair Rae called the meeting to order at 3:32 p.m.

Roll Call: Guy K. Fujimura, Kevin Mulligan, Paul T. Oshiro, David W. Rae, Nathan T. Okubo, Judge Michael F. Broderick (Ret.), Cheryl Soon, Pam Witty-Oakland, R. Brian Tsujimura, Reginald V. Castanares, Jr.

II. ELECTION OF OFFICERS

Chair and potentially Vice Chair

Vice-Chair Rae announced that, to avoid any appearance of a conflict of interest, Chair Jesse Souki resigned and took a position with the Honolulu Authority for Rapid Transportation (HART). He then introduced Pamela Witty-Oakland who was appointed by the Mayor to replace Mr. Souki.

Elections were held for a new Chair to replace Chair Souki. Commissioner Tsujimura nominated Commissioner Rae for the position of Chair. The nomination was seconded by Commissioner Soon. There were no other nominations. There was a unanimous voice vote in support of the nomination of Commissioner Rae for Chair.

Chair Rae then called for nominations for the position of Vice-Chair. Commissioner Oshiro nominated Commissioner Mulligan for Vice Chair. The motion was seconded by Commissioner Broderick. There were no other nominations. There was a unanimous voice vote in support of the nomination of Commissioner Mulligan for Vice Chair.

III. EXECUTIVE ADMINISTRATOR'S REPORT

Report of the Executive Administrator (EA):

- *Status of Proposals submitted by the October 31, 2015, deadline*
154 proposals were submitted by the October 31st deadline. After a quick audit, Proposal 150 offers comments only. Proposal 147 lists 6 proposals and all are counted as one. Because proposals 142-146, 148, and 149 were submitted anonymously with the right side cut off, staff was unable to go back to the proposer for better copies. In addition, the proposal submittal button on the website has been disabled. One late proposal was received before the button was disabled, labeled "late" and not numbered but included in Commissioners' packets. Staff prepared two working documents for discussion only. Working Document 1 lists topics and summaries by proposal numbers, and Working Document 2 lists proposals by topics. The EA reminded the Commission about late proposals per Commission Rules.
- *Meeting schedule*
The schedule for December, January, and February notes the availability of the meeting room, subject to reservations. The EA requested the Commissioners' schedules in order to schedule meetings. The EA then listed possible sites for off-site community meetings and requested other possible location suggestions. The EA reviewed the work schedule timeline and deadlines.

IV. DISCUSSION

Discussion of submitted proposals: how to thematically organize the proposals; how to efficiently review the proposals; and planning the process in light of the Charter Commission rules and fixed deadlines.

Chair Rae noted the differences in proposals and what they propose to do. The Commission's first task will be to mark those proposals that don't have enough support or are not worth spending time on. At the next meeting, the Commission will begin to whittle down the list. Commissioners need to go through the final list.

Commissioner Broderick asked whether the Commission would consider any of the proposals that were presented orally by the testifiers. The general consensus response of the Commissioners was that all testifiers were reminded to submit their requested proposals in writing to the Commission.

The Corporation Counsel will also go through the list to determine which are not legally Charter issues.

Commissioner Soon suggested sending acknowledgements and expressing appreciation to all those who sent in proposals.

Commissioner Broderick asked about the number of final proposals to go on the ballot and suggested that the Commissioners should keep a sense of that number while going through the process. Chair Rae felt that the total should not be more than 15.

Commissioner Soon noted that most proposals can be sorted into one of four groups which she described: 1. Any city department; 2. HART, BWS, Ethics and other commissions; 3. Elections, size of the City Council and the legislative process; and 4. Police and Fire Commissions. Chair Rae agreed and suggested that the entire Commission consider each group of proposals subject to Commissioners' availability to meet.

Commissioner Tsujimura asked about going out to the community and the availability of Blaisdell to accommodate increased numbers of testifiers. Commissioner Witty-Oakland noted the Honolulu City Lights event at this time of year resulting in increased crowds and parking. Commissioner Broderick raised the issue of timing of meetings out in the communities and suggested that meetings might be more effective in the evenings when more people will be available to attend. Commissioner Soon suggested allowing the community to testify on all 154 proposals at the community meetings and then later having additional community meetings for testimony on specific proposals. The EA then discussed the various deadlines.

Chair Rae noted that the next meeting is on December 10, 2015, which should give Commissioners sufficient time to go through the list of proposals.

Commissioner Tsujimura suggested that if there are any jurisdictional issues, that Commissioners be notified before the next meeting on December 10th. Corporation Counsel was asked to review each of the proposals and to determine whether each individual proposal was within the City's jurisdiction for inclusion in the Charter. The Deputy Corporation Counsel said she will do what she can to accommodate that request.

Commissioner Soon asked if staff can do the initial screening, then asked the Corporation Counsel if there are legal issues that need to be considered. Chair Rae asked that staff do the first scan for proposals that may not be within the county's jurisdiction.

Commissioner Fujimura said he cannot attend on December 10th but will send his comments to staff on the first cut and suggestions on how to create manageable groupings.

Commissioner Tsujimura asked if the first cut could review which proposals can be done by ordinance and which must be done by Charter. He feels that the Commission should only address those issues which require Charter amendment. Chair Rae agreed as he felt that ordinances should be addressed by elected officials. Commission staff was asked to review each proposal to determine whether it would be more appropriate for the proposal to be effectuated via an ordinance rather than a Charter amendment.

Commissioner Soon requested the format of proposals for the next meeting.

Commissioner Fujimura expressed his sense that this Commission as a whole is not interested in reviewing the Charter overall, but will be dealing with isolated sections.

Commissioner Broderick felt that some proposals may be unreasonable and that could be a determining factor in which proposals to consider and which to cut.

Chair Rae suggested that all Commissioners go through the list and send their comments on each proposal to staff for consolidation in preparation for discussion at the next meeting in open forum.

V. ADJOURNMENT

There being no further business the meeting was adjourned at 4:19 p.m.