



OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

August 20, 2020

Mr. Scott Nago, Chief Election Officer
Office of Elections
802 Lehua Avenue
Pearl City, Hawaii 96782

Dear Mr. Nago:

**SUBJECT: CHARTER AMENDMENTS PROPOSED BY THE MAUI
COUNTY COUNCIL**

During the current 2019-2020 term of the Maui County Council, seven (7) resolutions containing proposed charter amendments were adopted in conformance with the requirements of Section 14-1.1 of the Charter of the County of Maui (1983), as amended, to wit:

- (1) Resolution No. 20-59 entitled "PROPOSING AN AMENDMENT TO SECTION 9-20 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND";
- (2) Resolution No. 20-60, Draft 1 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO REORGANIZE THE EXECUTIVE BRANCH TO ESTABLISH AN OFFICE OF THE MANAGING DIRECTOR AND PROVIDE FOR THE APPOINTMENT OF THE MANAGING DIRECTOR AS THE COUNTY'S CHIEF OPERATING OFFICER";
- (3) Resolution No. 20-98 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO ESTABLISH STRICTER TERM LIMITS FOR COUNCIL MEMBERS";

- (4) Resolution No. 20-99 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO CONFLICTING INTERPRETATIONS OF THE CHARTER";
- (5) Resolution No. 20-100 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO CHARTER COMMISSION";
- (6) Resolution No. 20-101 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO ESTABLISH STRICTER TERM LIMITS FOR THE MAYOR"; and
- (7) Resolution No. 20-102 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO ESTABLISHING A DEPARTMENT OF AGRICULTURE".

The Charter amendment questions with the exact wording as specified in the adopted legislation are as follows:

- (1) Resolution No. 20-59 entitled "PROPOSING AN AMENDMENT TO SECTION 9-20 OF THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND"

BALLOT QUESTION:

MAUI: Affordable Housing Fund

Shall the Charter be amended to require that a minimum percentage of the certified real property tax revenues be appropriated into an affordable housing fund beyond Fiscal Year 2021, to be used for the provision, protection, and expansion of affordable housing and suitable living environments; and to increase the minimum required percentage from 2 percent to 3 percent of the certified real property tax revenues, effective July 1, 2021?

- (2) Resolution No. 20-60, Draft 1 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO REORGANIZE THE EXECUTIVE BRANCH TO ESTABLISH AN OFFICE OF THE MANAGING DIRECTOR AND PROVIDE FOR THE APPOINTMENT OF THE

MANAGING DIRECTOR AS THE COUNTY'S CHIEF OPERATING OFFICER"

BALLOT QUESTION:

MAUI: Office of the Managing Director

Shall the Charter be amended, effective January 2, 2023, to reorganize the executive branch for the County of Maui to establish an Office of the Managing Director, wherein a Managing Director, hired by the Mayor through a recruitment and selection process involving the Mayor, Council Chair, and a three-member citizen group, shall function as the County's chief operating officer responsible for the County's daily operations, the appointment and removal of most department heads, and the implementation of County policy; the Mayor shall be the County's chief executive officer responsible for supervising the managing director's work, representing the County in intergovernmental affairs, having the authority to approve or veto bills, nominating board and commission members, and enforcing provisions of the Charter, County ordinances, and all applicable laws; and authorizing various housekeeping revisions?

- (3) Resolution No. 20-98 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO ESTABLISH STRICTER TERM LIMITS FOR COUNCIL MEMBERS"

BALLOT QUESTION:

MAUI: Term Limits for Council Members

Shall the Charter be amended to establish stricter term limits for Council members by limiting the number of terms a person may serve as a Council member to five full terms?

- (4) Resolution No. 20-99 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO CONFLICTING INTERPRETATIONS OF THE CHARTER"

BALLOT QUESTION:

MAUI: Standards for Charter Interpretation

Shall the Charter be amended, effective January 2, 2021, to establish standards for interpreting and complying with the Charter, including by requiring a viable judicial action to be filed within 30 days to seek clarity when a conflict in the interpretation of the Charter is identified?

- (5) Resolution No. 20-100 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO CHARTER COMMISSION"

BALLOT QUESTION:

MAUI: Charter Commission

Shall the Charter be amended, effective January 2, 2021, to authorize the Council to appoint nine members and the Mayor to appoint two members of the 11-member Charter Commission, which is required to study and review the operation of the County government?

- (6) Resolution No. 20-101 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, TO ESTABLISH STRICTER TERM LIMITS FOR THE MAYOR"

BALLOT QUESTION:

MAUI: Term Limits for Mayor

Shall the Charter be amended to establish stricter term limits for the Mayor by limiting the number of terms a person may serve as Mayor to two full terms?

- (7) Resolution No. 20-102 entitled "PROPOSING AN AMENDMENT TO THE REVISED CHARTER OF THE COUNTY OF MAUI (1983), AS AMENDED, RELATING TO ESTABLISHING A DEPARTMENT OF AGRICULTURE"

BALLOT QUESTION:

MAUI: Department of Agriculture

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Shall the Charter be amended, effective July 1, 2022, to establish a Department of Agriculture to develop a sustainable regional agricultural system for Maui County?

The above-referenced Charter amendment questions are submitted pursuant to Haw. Rev. Stat. § 11-119 for inclusion on the 2020 County of Maui General Election ballot.

Please contact me at (808) 270-7826 should you have any questions.

Sincerely,



KATHY L. KAOHU
County Clerk