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PEA-10(7)

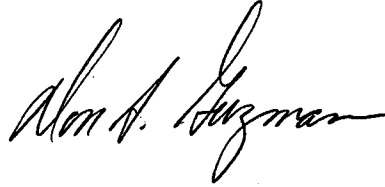
April 27, 2018

2018 APR 27 PM 3:14

OFFICE OF THE
COUNTY COUNCIL

MEMO TO: PEA-10 File

F R O M: Don S. Guzman
Councilmember



SUBJECT: **TRANSMITTAL OF LEGISLATIVE PROPOSAL RELATING TO
PROPOSED CHARTER AMENDMENTS (PEA-10)**

The attached legislative proposal pertains to Item 10 on your Committee's agenda.

paf:cmn:18-153c

Attachment

Resolution

No. _____

PROPOSING AN AMENDMENT TO THE
REVISED CHARTER OF THE COUNTY OF MAUI
(1983), AS AMENDED, TO DELETE THE
REQUIREMENT OF COUNCIL APPROVAL TO
REMOVE THE DIRECTOR OF WATER SUPPLY

WHEREAS, the Charter currently requires the Mayor to appoint and remove the Director of Water Supply with the approval of the Council; and

WHEREAS, the requirement that the Council approve the Mayor's removal of the Director of Water Supply has proven ineffective; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That, pursuant to Section 14-1(1), Revised Charter of the County of Maui (1983), as amended ("Charter"), it hereby proposes that Section 8-11.5 of the Charter, pertaining to the Director and Deputy Director of Water Supply, be amended to read as follows:

"Section 8-11.5. Director and Deputy Director of Water Supply. The director of water supply shall be appointed by the mayor with the approval of the council, and may be removed by the mayor [with the approval of the council]. The director of water supply shall have had a minimum of five years of experience in a management capacity, either in public service or private business, or both. The deputy director of water supply shall be appointed by the mayor and may be removed by the mayor. The director or deputy director of water supply shall be a registered engineer."; and

2. That material to be repealed is bracketed; and

3. That, pursuant to Section 14-2(1) of the Charter, this resolution be submitted to the voters of the County of Maui at the next general election; and

Resolution No. _____

4. That the County Clerk prepare the necessary ballot for presentation to the voters at the next general election; and

5. That, pursuant to Section 14-1(1) of the Charter, it hereby proposes that the following question be placed on the next general election ballot:

“Shall Section 8-11.5 of the Charter be amended, effective January 2, 2019, to delete the requirement of Council approval for the Mayor to remove the Director of Water Supply?”; and

6. That, pursuant to Section 14-2(2) of the Charter, the County Clerk shall publish the proposed amendment as set forth in this resolution in its entirety in a newspaper of general circulation; and

7. That, upon approval by the majority of the voters voting on the proposed amendment, the amendment proposed herein shall take effect as of January 2, 2019; and

8. That certified copies of this resolution be transmitted to the Mayor and the Corporation Counsel.

APPROVED AS TO FORM AND LEGALITY



EDWARD S. KUSHI, JR.
Department of the Corporation Counsel
County of Maui
2018-0499
2018-04-27 Resolution