

COUNCIL OF THE COUNTY OF MAUI
GOVERNANCE, ETHICS, AND
TRANSPARENCY COMMITTEE

October 18, 2019

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Governance, Ethics, and Transparency Committee, having met on October 1, 2019, makes reference to County Communication 19-27, from Council Chair Kelly T. King, relating to amendments to the Rules of the Council.

By correspondence dated September 16, 2019, Councilmember Yuki Lei K. Sugimura, transmitted a proposed resolution entitled "AMENDING THE RULES OF THE COUNCIL RELATING TO THE COUNCIL CHAMBER." The purpose of the proposed resolution is to amend the Rules of the Council by adding a Council Rule 27 relating to structural, decorative, or other nonemergency modifications to the Council Chamber ("Chamber").

Your Committee notes the Council adopted the Rules of the Council for the 2019-2021 Council term at its meeting of January 2, 2019 (Resolution 19-4, Draft 1).

Your Committee discussed its view that Councilmembers should be notified and given an opportunity to express concurrence or disagreement with any structural, decorative, or nonemergency modifications to the Chamber before funds are expended for the modifications.

Your Committee discussed whether the Rule change should focus on larger modifications affecting permanent Chamber fixtures and preclude minor changes such as the addition of a clock on the Chamber wall or seasonal decorations. Mandated changes, however, such as those affecting occupational safety and health, could be implemented without prior Committee discussion or Council approval.

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Your Committee further discussed, awaiting guidance from cultural practitioners, on the appropriate use of Hawaiian cultural decor in the Chamber.

Your Committee amended the proposed resolution to focus on “permanent fixtures” rather than those that are decorative in nature. Your Committee further agreed that any structural, permanent, or nonemergency modifications to the Chamber should be approved in a Chair’s meeting rather than voted on by the Council prior to funds being expended.

Your Committee notes Council Rule 6(A)(14) requires the Council Chair to do the following: “Hold a Chair’s meeting, as needed, to informally discuss matters that are within the decision-making authority of the Chair or a committee chair, and that do not require Council approval.” Thus, the vote required under Rule 27 would be advisory to the Chair.

Your Committee voted 9-0 to recommend adoption of the revised proposed resolution. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Hokama, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted “aye.”

Your Committee is in receipt of a revised proposed resolution, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee’s recommended revisions and nonsubstantive revisions.

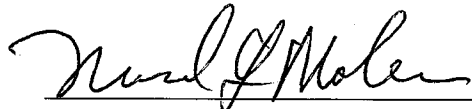
Your Governance, Ethics, and Transparency Committee RECOMMENDS that Resolution _____, attached hereto, entitled “AMENDING THE RULES OF THE COUNCIL RELATING TO THE COUNCIL CHAMBER,” be ADOPTED.

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This report is submitted in accordance with Rule 8 of the Rules of the Council.



MICHAEL J. MOLINA, Chair

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Resolution

No. _____

AMENDING THE RULES OF THE COUNCIL RELATING TO THE COUNCIL CHAMBER

WHEREAS, by Resolution 19-4, Draft 1, the Council adopted the Rules of the Council on January 2, 2019; and

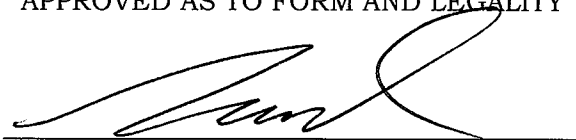
WHEREAS, the Council now wishes to amend the Rules of the Council; now, therefore,

BE IT RESOLVED by the Council of the County of Maui that Rule 27 of the Rules of the Council, relating to the Council Chamber, shall be established as follows:

“Rule 27. Approval of Modifications to the Council Chamber.

Any structural, permanent fixture, or other nonemergency modifications to the Council Chamber shall be approved of in a Chair’s meeting prior to funds expended.”

APPROVED AS TO FORM AND LEGALITY



EDWARD S. KUSHI, JR.
First Deputy Corporation Counsel
County of Maui

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