

GET Committee

From: Jason Schwartz Maui <jasonschwartzmaui@gmail.com>
Sent: Saturday, June 27, 2020 11:34 PM
To: GET Committee
Cc: jason
Subject: Support for a number of GET 10 items for your consideration

GET 10(x) items I would like to support

Some I feel more specifically passionate about, but all these do I support:

10 (1, 4, 7,8,9,10,11,13,14,15,16,17)

There are numbers of very pivotal and important items here

Thank you for your understanding of my support.

I have seen good reason to limit terms and authorize council and mayoral authority as narrated in these items

Aloha,
Jason Schwartz
Kahului
808-874-5900

Sent from my iPhone

GET Committee

From: John Gelert <jgelert@yahoo.com>
Sent: Sunday, June 28, 2020 8:55 PM
To: GET Committee
Subject: Corporation Counsel

Aloha GET Committee,

Most of our Council Members only found out after the fact that Moana Lutey publically lied in her confirmation hearings in order to secure her extremely powerful job as Maui's top lawyer. By then it was too late to protect the citizen's interests as our current charter allows only the Mayor to remove Corporation Counsel.

Corporation Counsel is supposed to represent both the Mayor and the County Council, yet Director Lutey took it upon herself to ignore the Council's legitimate vote to settle the Injection Well case in favor of the Mayor's conflicting choice to continue on to the Supreme Court.

Lutey clearly violated her ethical responsibility to serve her client, the Council, when she personally chose sides without first bothering to have a court determine whether the Mayor has the authority to overrule the County Council's vote.

Lutey's action set a precedent that undermines the Council's authority which will surely be asserted again next time the Council and the Mayor disagree.

Lutey's mishandling of the injection well case is just one example of why Council Member Keani Rawlins Fernandez has thoughtfully proposed a Charter Amendment to give the Council the authority to remove "their lawyer" should the Council see fit to do so.

Please support these changes to correct this problem:

(GET-10(8)) "Establish standards for interpreting and complying with the Charter, including by requiring a judicial action to be filed within 30 days to seek clarity when a conflict in the interpretation of the Charter is identified."

(GET-10(10)) "Allow attorneys within the Office of Council Services to serve as legal representatives of the Council and its members."

(GET-10(14)) "Authorize the Council to appoint and remove a Director of Council Services and a Supervising Legislative Attorney, by resolution, and authorize the Director of Council Services to appoint and remove other necessary staff in the Office of Council Services."

(GET-10(9)) "Authorize the County Council to retain and terminate special counsel by a simple-majority vote of its members." This would make it easier for the Council to get it's own representation by a vote of 5 out of 9 and fixes the 2016 Charter Amendment that even the author of which, Don Guzman, admits was flawed because the threshold is too high requiring a super-majority: 6 out of 9.

(GET-10(1)) "Any person appointed as an acting head of a department should not have been previously denied by the Council as the administrative head for the same department." This is in reaction to when in 2019, after the Council denied David Goode's nomination as Public Works Director, Mayor Victorino immediately reinstated him as interim director.

This one is SUPER IMPORTANT in order to return a measure of control to the Council over future development on Maui through the Planning Commission. Currently, the Planning Commission is entirely appointed by the Mayor and the County Council has zero ability to represent your interests in this vital arena:

(GET-10(16)) "Allow the Council to appoint seven of the nine members of the Maui, Molokai, and Lanai planning commissions, with the Mayor appointing the remaining two members.

And similarly for the Council to appoint members of Charter Commission:

(GET-10(11)) "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."

All of the above serve to enhance and protect the authority to the County Council that has over the years been grossly subverted.

These next offer two options on Council Member terms and limits that voters can choose:

(GET-10(13)) "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." This is so a council member can't serve 4 consecutive terms, then take time off and come back for another 5 terms.

and/or

(GET-10(7)) "Establish shorter lifetime term limits for Council members from five two-year terms to two four-year terms." This would lessen the burden on Council Members to run for reelection every two years, which is arguably a huge time-suck and distraction.

And finally two proposed revisions to the council committee's structure for voters to consider:

(GET-10(4)) "Require the Department of Housing and Human Concerns be divided to form two separate departments, a Department of Housing and a Department of Human Concerns."

and

(GET-10(15)) "Establish a Department of Agriculture to develop a sustainable regional agricultural system for Maui County."

Mahalo nui,

John Gelert
Kihei, Hawaii