

Approved

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Approved as amended 5/18/2020

Board/Commission:	CHARTER REVIEW COMMISSION	Meeting Date	May 11, 2020
Location	Teleconference	Start of Meeting: 3:13 p.m.	End of Meeting: 4:04 p.m.
Present	Chair Marissa Sandblom, Vice Chair Jan TenBruggencate. Members: Virginia Kapali, Lori Koga, Carol Suzawa, Reid Kawane. Also: Teresa Tumbaga, Deputy County Attorney. Boards & Commissions Office Staff: Administrator Ellen Ching, Administrative Specialist Anela Segreti.		
Excused	Patrick Stack		
Absent			

SUBJECT	DISCUSSION	ACTION
Call To Order		Chair Sandblom called the meeting to order at 3:13 p.m.
Roll Call	Chair Sandblom requested a roll call.	Roll Call: Commissioner Kapali-present Commissioner Kawane-here Commissioner Koga-present Commissioner Stack-excused Commissioner Suzawa-present Vice Chair TenBruggencate-here Chair Sandblom-here Quorum -six commissioners present Deputy County Attorney Tumbaga-here Administrator Ching-present

SUBJECT	DISCUSSION	ACTION
Agenda	Chair Sandblom entertained a motion to approve agenda.	<p>Vice Chair TenBruggencate moved to approve the agenda. Commissioner Kapali seconded.</p> <p>Roll Call Vote: Commissioner Kapali-aye Commissioner Kawane-aye Commissioner Koga-aye Commissioner Suzawa-aye Vice Chair TenBruggencate-aye Chair Sandblom-aye</p> <p>Motion carried 6:0</p>
Public Testimony	None	No Action
	<p><u>CRC 2019-06 Discussion and possible action on proposed Charter amendment regarding Ethics Disclosure Statements Requirements, Section 20.04 (A).</u></p> <p>Vice Chair TenBruggencate asked if Ms. Tumbaga had an answer and if not would move to the end of the agenda to get ahold of Mr. Courson.</p> <p>Ellen Ching, B&C Administrator updated commissioners sharing that Mr. Courson drafted a letter which was sent to the Unions via HR informing them of the amendment coming before the Commission. HR has not heard anything from the Union as recent as the start of the meeting.</p> <p>Vice Chair TenBruggencate suggested that the Commission move ahead to approve with vote</p>	<p>Vice Chair TenBruggencate moved to approve CRC 2019-06 language that regulatory employees' filings not be subject to public view. Commissioner Suzawa</p>

SUBJECT	DISCUSSION	ACTION
	<p>and feels that if needed can withdraw before submittal to Council. Ms. Ching clarified that if passed regulatory employees disclosure files will be confidential.</p> <p>Vice Chair TenBruggencate clarified his motion and Commissioner Suzawa seconded.</p> <p>Ms. Ching asked for point of order regarding clarification of motion.</p> <p>Ms. Tumbaga stated that since no vote was taken it is fine.</p>	<p>seconded. Roll Call Vote: Commissioner Kapali-aye Commissioner Kawane-aye Commissioner Koga-aye Commissioner Suzawa-aye Vice Chair TenBruggencate-aye Chair Sandblom-aye</p> <p>Motion carried 6:0</p>
	<p><u>CRC 2019-04 Discussion and possible action on ballot question and purpose for proposal to amend Charter section 23.06 relating to claims.</u></p> <p>Chair Sandblom clarified that they are approving ballot questions and educational materials.</p> <p>Ms. Ching confirmed that they are approving the ballot questions.</p>	<p>Commissioner Kapali moved to approve CRC 2019-04 what was presented, ballot question, charter language and educational material for placement on the November ballot. Commissioner Suzawa seconded.</p> <p>Roll Call Vote: Commissioner Kapali-aye Commissioner Kawane-aye Commissioner Koga-aye Commissioner Suzawa-aye Vice Chair TenBruggencate-aye Chair Sandblom-aye</p>

SUBJECT	DISCUSSION	ACTION
	<p><u>CRC 2019-05 Discussion and possible action on ballot question and purpose for proposal to amend Charter section 11.04 relating to the minimum requirements for the position of Chief of Police.</u></p> <p>No discussion.</p> <p>Chair Sandblom reminded the Commission that the intent is to request the Police Commission assist in the educational efforts, to explain the rationale behind this item.</p>	<p>Motion carried 6:0</p> <p>Commissioner Kawane moved to approve CRC 2019-05 as presented, ballot question, charter language and educational material for placement on the November ballot. Vice Chair TenBruggencate seconded.</p> <p>Roll Call Vote: Commissioner Kapali-aye Commissioner Kawane-aye Commissioner Koga-aye Commissioner Suzawa-aye Vice Chair TenBruggencate-aye Chair Sandblom-aye</p> <p>Motion carried 6:0</p>
	<p><u>CRC 2019-14 Discussion and possible action on ballot question and purpose for proposal to amend Charter section 9A.05 relating to the Prosecuting Attorney Vacancy in Office.</u></p> <p>Commissioner Suzawa commented on the use of the word “slot” in the ballot question and thought that a better word could be used.</p> <p>Ms. Ching said that the word “position” could be used again.</p>	<p>Vice Chair TenBruggencate moved to approve CRC 2019-14 with a change to the ballot question’s last word “slot” to “position”.</p>

SUBJECT	DISCUSSION	ACTION
		Commissioner Suzawa seconded. Roll Call Vote: Commissioner Kapali-aye Commissioner Kawane-aye Commissioner Koga-aye Commissioner Suzawa-aye Vice Chair TenBruggencate-aye Chair Sandblom-aye Motion carried 6:0
	<p><u>CRC 2019-21 A Discussion and possible action on ballot question and purpose for proposal to amend Charter section 13.02 regarding the requirements for the position of County Engineer.</u></p> <p>Chair questioned the ballot question wording in regard to the use of the head of the Department of Public Works when the Charter Language uses County Engineer.</p> <p>Ms. Tumbaga clarified that the question does not change the Charter but may want to explain to make it clearer.</p> <p>Commissioner Suzuwa suggested “County Engineer” instead of “head” of the Department of Public Works.</p> <p>Vice Chair TenBruggencated agreed and also suggested that the use of the work “also” qualified is not needed.</p> <p>Chair Sandblom clarified that the ballot question would be amended to read, “Shall an individual who has extensive work and supervisory experience in an engineering or related field be qualified to serve as the County Engineer of the Department of Public Works?”</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Vice Chair TenBruggencate suggested that the ballot question be amended to read, “Shall an individual who has extensive work and supervisory experience in an engineering or related field be qualified to serve as the head of the Department of Public Works and County Engineer?”</p> <p>Commissioner Kawane suggested that it read, “Shall an individual who has extensive work and supervisory experience in an engineering or related field be qualified to serve as the County Engineer, head of the Department of Public Works?”</p> <p>Commissioner Kapali agreed with Commissioner Kawane’s edit. Stating that the Charter specifically talks about County Engineer so it will bring some clarity that it is still the County Engineer.</p> <p>Chair Sandblom entertained a motion.</p>	<p>Vice Chair TenBruggencate moved to approve CRC 2019-21 A with an amendment to the ballot question to read, “Shall an individual who has extensive work and supervisory experience in an engineering or related field be qualified to serve as the County Engineer, head of the Department of Public Works?”. Commissioner Kawane seconded.</p> <p>Roll Call Vote: Commissioner Kapali-aye Commissioner Kawane-aye Commissioner Koga-aye Commissioner Suzawa-aye Vice Chair TenBruggencate-</p>

SUBJECT	DISCUSSION	ACTION
		aye Chair Sandblom-aye Motion carried 6:0
	<p><u>CRC 2019-21 C Discussion and possible action on ballot question and purpose for proposal to amend Charter section 17.04 regarding the requirements for the position of Manager and Chief Engineer of the Water Department.</u></p> <p>Commissioner Suzawa shared that the word “head” be replaced with “manager”.</p> <p>Vice Chair stated that if use “manager”, should also add Chief Engineer, but head is a generic term.</p> <p>Chair asked about the use of the word “also” in the ballot question.</p> <p>Vice Chair agreed that it should be removed.</p> <p>Commissiner Kapali suggested to be consistent that it should read, “Shall an individual who has extensive work and supervisory experience in an engineering or related field be qualified to serve as manager and chief engineer of the Department of Water?”</p>	<p>Commissioner Kapali moved to approve CRC 2019-21 C with the ballot question amended to read, “Shall an individual who has extensive work and supervisory experience in an engineering or related field be qualified to serve as manager and chief engineer of the Department of Water?” for placement on the ballot. Commissioner Koga seconded.</p> <p>Roll Call Vote: Commissioner Kapali-aye Commissioner Kawane-aye Commissioner Koga-aye Commissioner Suzawa-aye Vice Chair TenBruggencate-aye Chair Sandblom-aye</p> <p>Motion carried 6:0</p>

SUBJECT	DISCUSSION	ACTION
	<i>Commissioner Suzawa left the meeting at 3:51pm</i>	
	<p>Anela Segreti, Administrative Specialist, reviewed with commissioners that the proposed Charter language for CRC 2019-06 was missing the last part of the last sentence; “provided that the lists of regulatory employees shall not be open to public inspection.”</p> <p>Vice Chair TenBruggencate also noted that there was a typo.</p> <p>Commission discussed with Deputy County Attorney if they needed to revisit that and amend the motion.</p> <p>Ms. Ching pointed out that the agenda item was different, it was in regard to the proposed amendment, not to approve the ballot question and educational materials.</p> <p>Ms. Tumbaga stated that what was done is fine, and ballot question and educational materials will be decided at next meeting.</p>	
Announcements	<p>Next meeting: Monday, May 18, 2020, 3:00 p.m., Place TBD</p> <p>Ms. Ching recognized Vice Chair TenBruggencate on the work he did on the ballot questions and educational materials. She also recognized Chair Sandblom on drafting an amendment and leadership to the Commission.</p> <p>Vice Chair TenBruggencate expressed how thrilled he’s been to work with this Charter Commission.</p> <p>Commissioner Kapali also thanked Vice Chair for his work.</p> <p>Ms. Segreti explained to the commissioners that Commissioner Stack did not get his messages and emails in regard to today’s meeting which may be due to his phone being updated and therefore did not make the meeting.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Commissioner Koga asked for clarification on meeting days.</p> <p>Chair Sandblom explained that this was an emergency meeting to get the language settled and that the next meeting is the May meeting and then the next meeting is June 22.</p>	
Adjournment	<p>Chair Sandblom entertained a motion to adjourn.</p>	<p>Vice Chair TenBruggencate moved to adjourn the meeting. Commissioner Kapali seconded.</p> <p>Roll Call Vote: Commissioner Kapali-aye Commissioner Kawane-aye Commissioner Koga-aye Vice Chair TenBruggencate-aye Chair Sandblom-aye Motion carried 5:0</p> <p>Meeting adjourned at 4:04pm.</p>

Submitted by: _____
 Anela Segreti, Administrative Specialist

Reviewed and Approved by: _____
 Marissa Sandblom, Chair

- () Approved as circulated.
- (X) Approved with amendments. See minutes of 5/18/2020 meeting.