

COUNTY OF KAUAI
Minutes of Meeting
OPEN MEETING SESSION

Draft to be Approved

Board/Commission:	CHARTER REVIEW COMMISSION	Meeting Date	February 26, 2024
Location	Microsoft Teams, Boards & Commissions Conference Room, Lihue Civic Center	Start of Meeting: 3:12 p.m.	End of Meeting: 4:08 p.m.
Present	Chair Coty Trugillo (via Microsoft Teams). Commissioners: Reid Kawane (via Microsoft Teams), Lori Koga, Bronson Bautista, and Jan TenBruggencate. Also: Charles Foster, Deputy County Attorney. Boards & Commissions Office Staff: Administrator Ellen Ching, Clerk Arleen Kuwamura.		
Excused	Vice Chair Jaelyn Kaina and Commissioner Marissa Sandblom		
Absent			

SUBJECT	DISCUSSION	ACTION
A. Call To Order		Chair Coty Trugillo called the meeting to order at 3:12 p.m.
B. Roll Call		Roll Call: Commissioner Bautista - present. Commissioner Kawane -present and alone Commissioner Koga – present Commissioner Sandblom - excused Commissioner TenBruggencate-present Vice Chair Kaina - excused Chair Trugillo - present Quorum: 5 Commissioners present
C. Approval of the Agenda		Commissioner TenBruggencate moved to approve the agenda with the correction of the letter “P” that is missing in the word “Public.” Commissioner Koga seconded the motion.

SUBJECT	DISCUSSION	ACTION
		Motion carried 5:0.
D. Minutes	<p><u>None</u></p> <p>Administrator Ching noted for the record that there were no minutes to approve.</p>	
E. Public Testimony	<p><u>None</u></p> <p>Administrator Ching noted for the record that there was no testimony received and that there were no testifiers present to testify on specific items.</p>	
F. Communication	<p><u>None</u></p> <p>Administrator Ching noted for the record that there were no communications.</p>	
G. Business	<p><u>CRC 2024-01 Discussion and possible action on ballot question, purpose, and background on proposed Charter Amendment to Sec. 11.03(C). as proposed by the Police Commission.</u></p> <p>Administrator Ching presented the ballot questions from last month's meeting noting the red redrafting requested by the commission for review and feedback.</p> <p>Commissioner TenBruggencate inquired about the next step. Administrator Ching replied the packet would be sent to the attorney's office for review and the commission will see it again in May or June for final approval.</p>	<p>Commissioner TenBruggencate moved to approve the ballot question proposal as presented with the changes prepared by staff. Commissioner Koga seconded the motion.</p> <p>Motion carried 5:0.</p>
	<p><u>CRC 2024-02 Discussion and possible action on ballot question, purpose, and background on proposed Charter Amendments Section 28.05 as proposed by Cost Control Commission.</u></p>	<p>Commissioner TenBruggencate moved to approve the ballot question proposal with the changes prepared by staff.</p>

SUBJECT	DISCUSSION	ACTION
	<p>Administrator Ching presented the ballot questions from last month's meeting noting the red redrafting requested by the commission and deletions have a black strike running through the language for review and feedback.</p>	<p>Commissioner Koga seconded the motion. Motion carried 5:0.</p>
	<p><u>CRC 2024-03 Discussion and possible action ballot question, purpose, and background on proposed Charter Amendment to Article XIX, Section 19.15(C) as proposed by the Public Access, Open Space and Natural Resources Preservation Fund Commission.</u></p> <p>Administrator Ching presented the ballot questions from last month's meeting noting the red redrafting requested by the commission and deletions have a black strike running through the language for review and feedback.</p> <p>Commissioner TenBruggencate pointed out a change under background the third to the last line “As an example, it could be used” the words “to provide” should be stricken. The new language would read “As an example, it could be used to purchase lumbar or maintenance supplies.” Chair Trugillo reiterated the striking of the words “to provide” from the last sentence of background. There were no other suggestions or discussions.</p>	<p>Commissioner TenBruggencate moved to approve the ballot question proposal with the change of striking the words “to provide” from the last sentence in the background amendment. Commissioner Bautista seconded the motion. Motion carried 5:0.</p>
	<p><u>CRC 2024 – 04 Discussion and possible action on proposed Charter Amendments to Section 24.03 proposed by the public to create an ex-officio position on the Charter Review Commission for youth.</u></p> <p>Administrator Ching provided background started with the possibility of doing a surgical amendment to allow a student member on the Charter Commission. During the last meeting the Commission discussed making</p>	

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	<p>this a global where student members could participate on all Boards and Commissions.</p> <p>Administrator Ching presented two options to review first, option 1) this is the surgical option which just looks at the Charter Commission with some amendments presented at the last meeting. Secondly, option 2) Is the global one. Both option one and two have Charter amendments noting the amendments where in red because the Charter Commission would be creating a new section in 23.02 and a new section “O.”</p> <p>Commissioner Koga asked if the commission was voting for option #1 or option #2. Administrator Ching replied either one or two or neither. She stressed the importance of making sure ample time is provided for the County Attorney to review this proposal to see if we can do this especially for option #2.</p> <p>Commissioner TenBruggencate pointed out the workload would entail recruiting and training of youths which would be a continuous process. He recommended thinking about the pros and cons of both options.</p> <p>Administrator Ching discussed the self-selection process due to students’ time commitments and various meeting times. The Commission had further discussion regarding language such as “may appoint” and times commissions meet throughout the year, and it being set. So, it would be up to the student which commission they could attend.</p> <p>Commissioner Bautista shared his hopes of partnering with the school to find a way to allow students to participate. Chair Trugillo asked about age guidelines for 17 years old and 18 years old and was concerned about some barriers to students who may want to participate who might be a year younger. After thoughtful discussion by the Commission, all agreed they</p>	

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	<p>should remove "ages 17-year-old and 18-year-old from background and change it to say “junior or senior” in all-inclusive Kauai high school student.</p> <p>County Attorney Foster stated it is clear in option #2 that student student will not be voting but not clear with option #2. So, if the intent is for the student to not vote, it does not say that. He also noted it should be written clearly how involved the commission wanted the student to be in the language.</p> <p>Administrator Ching clarified with the commission one point they wanted. Should students be able to make motions or not? Commission referred question to attorney for guidance.</p>	<p>Chair Trugillo called for the commission to decide if they wanted option #1 or option #2.</p> <p>Administrator Ching asked for raised hand for commissioner who wanted option #1? 0.0. A raising of hands for option #2? 5.0.</p> <p>Commissioner Bautista moved to adopt option #2. With the changes in language from 17- and 18-year-olds to junior and senior year. Commissioner TenBruggencate seconded the motion.</p> <p>Motion carried 5:0</p>
	<p><u>CRC 2024-5 Discussion and Possible action on County Attorney’s proposal RE: Removal of Requirement for Surety Bonds in Charter Section 19.7.</u></p> <p>Administrator Ching presented the ballot questions from last month's meeting noting the red redrafting requested by the commission and deletions have a black strike running through the language for review and feedback.</p> <p>She explained her discussion with the County Attorney as she worked on these thinking on the feedback, we heard the last meeting of people being confused thinking we were taking away an insurance benefit to employees. Our focus is to find the simplest way to word the background for the reason why. I suggested using the language “this is just a housekeeping measure” and people would feel okay. However, the attorney felt it better</p>	

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	<p>wording might be “updating.” I have consulted with Jan, and we will work on it but for today, this is what is presented.</p> <p>Jan presented possible language and the commission discussed more suggestions. Administrator Ching stated they would work on amending the language to present at the next meeting.</p>	<p>Commissioner TenBruggencate moved to defer to the new meeting. Commissioner Koga seconded the motion.</p> <p>Motion carried 5:0.</p>
	<p><u>CRC 2023-09 Discussion and possible action on proposed Charter amendments for 2024 ballot.</u></p>	<p>Commissioner TenBruggencate moved to defer to the next meeting. Commissioner Kawane seconded the motion.</p> <p>Motion carried 5:0.</p>
H. Announcements	<p>Next Meeting: March 25, 2024</p>	
I. Adjournment		<p>Commissioner TenBruggencate moved to adjourn the meeting. Commissioner Koga seconded the motion.</p> <p>Motion carried 5:0.</p> <p>Hearing no further business Chair Trugillo adjourned the meeting at 4:08 p.m.</p>

Submitted by: _____
 Arleen Kuwamura, Commission Clerk

Reviewed and Approved by: _____
 Coty Trugillo, Chair

() Approved as circulated.

() Approved with amendments. See minutes of _____