

2009-2010 HAWAI'I COUNTY CHARTER COMMISSION
CHARTER AMENDMENT PROPOSAL FORM

1. GENERAL INFORMATION

Name of Commission Member: Chairman Ed Haitzuka

2. If applicable, list the charter provision(s) to be deleted or amended:

Article VIII (Department of Water Supply), sections 8-1 through 8-3, of the Charter are to be amended to replace all references to "manager" with "manger-chief engineer." Additionally, Article VIII, section 8-2, is to be amended to replace "chief engineer" with "director of public works."

3. Provide a brief description of the purpose of the proposed charter amendment; include a description of the issue the proposal would address:

The change from "manger" to "manger-chief engineer" would make the position's title consistent with the position's qualifications since the manager of the Department of Water Supply must also be a registered engineer.

Regarding the amendment in section 8-2, in 2000 the title of "chief engineer" was amended to the "director of public works." This amendment would make those position titles consistent with each other.

4. If the proposal is based on a provision(s) in the charter or law of another jurisdiction, name the jurisdiction and, if possible, attach a copy of the relevant provision(s).

N/A

5. If the proposal is based on any written materials you have, please attach a copy with a citation to its source.

See reverse side

6. Attach the text of the proposed charter amendment in Ramseyer format (see below).

Ramseyer Format, if proposing:

Amendments to Existing Charter Provisions

Any language being proposed to be added to the Charter shall be underscored.

Any language being proposed to be deleted from the Charter shall be [bracketed].

Replacing Existing Charter Provisions in their Entirety

Clearly indicate the article(s), chapter(s), and/or section(s) of the Charter to be proposed to be deleted, and provide the text of any provisions proposed to replace the deleted material.

New Charter Provisions

Provide the text of the new provision(s) and, if possible, indicate where in the Charter the new material should be inserted.

CHARTER AMENDMENT NO.

BE IT ENACTED BY THE PEOPLE OF THE COUNTY OF HAWAI'I:

Section 1. Article VIII, Hawai'i County Charter, is amended to read as follows, with added language underscored and deleted language bracketed:

“ARTICLE VIII DEPARTMENT OF WATER SUPPLY

Section 8-1. Organization.

There shall be a semi-autonomous department of water supply consisting of a water board, a manager-chief engineer and the necessary staff.

Section 8-2. Water Board.

The water board shall consist of nine members who shall be appointed by the mayor with the approval of the council in the manner prescribed in Section 13-4. One member shall be a resident of each council district. The manager-chief engineer of the department of water supply, the planning director and the [chief engineer] director of public works of the county or their designated representatives shall serve as ex-officio members of the water board without power to vote. The water board shall:

- (a) Manage, control and operate the waterworks of the county and all property thereof.
- (b) Adopt rules and regulations which shall have the force and effect of law relating to the management, control, operation, preservation and protection of the waterworks of the county.
- (c) Adopt an annual operating and capital budget for the department, subject to the hearing and advertising provisions of Section 10-4.
- (d) Have the power to acquire by eminent domain, purchase, lease or otherwise, and to sell, lease, or otherwise convey real property in the name of the water board.
- (e) Have the authority to issue revenue bonds under the name of the water board.
- (f) Have such other powers and duties as may be provided by law.

Section 8-3. Manager-Chief Engineer and Deputy.

The manager-chief engineer of the department of water supply shall be appointed by the water board and may be removed by the water board. The deputy shall be appointed by the manager-chief engineer with the confirmation of the water board and may be removed by the manager with the approval of the water board. The manager-

chief engineer shall be a registered engineer and shall have had a minimum of five years['] experience in an administrative capacity.

Section 8-4. Water Fund.

There shall be established a separate water fund which shall be utilized solely for water purposes. State and Federal water grants or appropriations and revenues from operation of the water system shall be included in the water fund.

Section 8-5. Administrative Supervision.

The department of water supply shall come under the general supervision and control of the mayor, through the managing director.”

Section 2. This amendment shall take effect upon its approval by the electorate.