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**2009-2010
HAWAI'I COUNTY
CHARTER COMMISSION**

To: Chair Edmund K. Haitzuka and
Members of the Hawai'i County Charter Commission

From: Levi K. Hookano, Attorney

Date: July 29, 2009

RE: Legality of Charter Amendment CA-2: Moving Data Systems From Article V to
Article VI.

Dear Chair Haitzuka and Members of the Hawai'i County Charter Commission,

During the July 17 meeting of the Hawai'i County Charter Commission ("Commission"), I was tasked with verifying the legality of various proposed charter amendments. This memo will discuss the legality of charter amendment CA-2, which moves Data Systems from Article V to Article VI.

In my opinion, there are no legal issues with proposing this amendment. Moving Data Systems to Article VI would place it under the direct supervision of the county's managing director. This would be consistent with the duties of the managing director as contained in section 6-1.2 of the charter. According to section 6-1.2(b), the managing director shall "supervise the administrative functioning of all agencies, departments, boards, and commissions." Since the Data Systems Department is classified as a department by the charter, it may be legally moved to Article VI under the supervision of the managing director.

If you have any further questions regarding this matter, please do not hesitate to contact me.

A handwritten signature in black ink, appearing to read 'Levi Hookano'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Levi Hookano
Charter Commission Attorney