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Here's a look at the 20 proposed charter amendments before Oahu voters

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HONOLULU (HawaiiNewsNow) - Oahu voters have their work cut out for them when they head to the polls in November.

In addition to weighing in on the mayoral election, they'll be wading through 20 charter amendment proposals that could have big impacts on city operations.

That's not the largest number of proposals ever to appear on an Oahu ballot, but it still eclipses previous years.

In 2006, 12 charter amendments went before voters and eight passed.

In 1998, eight proposals were on the ballot and seven passed.

And back in 1992, Oahu voters considered 32 charter amendments (including one housekeeping proposal with four parts), and approved 27.

This year's proposed charter amendments were whittled down from 154 that went before the Honolulu Charter Commission, and they deal with everything from the authority of the Honolulu Police Commission to mayoral term limits to funding for the Honolulu Zoo.

Charter Amendment Questions

1. *Should the Police Commission have greater authority to suspend or dismiss the chief of police and have additional powers to investigate complaints concerning officer misconduct, and should the chief of police be required to submit a written explanation for his or her disagreement with the Commission?*

Details: This amendment follows [mounting criticism](#) of the Honolulu Police Commission and its oversight of Police Chief Louis Kealoha. If the proposed amendment passes, the commission could remove or suspend the chief of police before the end of the chief's five-year appointment for any reason, including behavior inconsistent with the interests of the public or the city. The commission would also be able to subpoena witnesses and require the production of evidence pertinent to an investigation. The chief of police would be required to provide in writing the reasons for any disagreement with a police commission recommendation.

2. *Should the Ethics Commission set the salaries of the Ethics Commission's executive director and staff attorneys within specified limits?*

Details: Under the proposal, the Ethics Commission would have the authority to set the salaries of its executive director and staff attorneys. The salary of the executive director would not exceed the salary of the first deputy corporation counsel and the salary of any other staff attorney would not exceed the salary of the executive director.

3. *Should the Department of the Prosecuting Attorney control its budget after it is approved by the City Council?*

Details: If the proposal passes, the executive branch would not be able to withhold funding that has been approved by the City Council for the operation of the Department of the Prosecuting Attorney.

4. *Should a unified multi-modal transportation system be created by:*

Forming a Rate Commission to annually review and recommend adjustments to bus and paratransit fares, rail fares and parking fees;

Placing operations and maintenance responsibilities for bus, paratransit and rail solely in the Department of Transportation Services and providing for the transfer of positions and legal rights and obligations relating to rail operations and maintenance from the Honolulu Authority for Rapid Transportation (HART) to the Department of Transportation Services effective July 1, 2017; and

Clarifying the responsibility of the HART Board to establish policies, rules, and regulations regarding the development of the rail system, the internal management and organization of HART, and the allocation of decision-making authority between the Board and the agency's executive director and staff, and amending the responsibilities of the HART Board to include determining the policies for approval of certain agreements with the federal, public or private entities?

Details: If the proposal succeeds, the operations and maintenance of the city-owned multi-modal transportation system would be unified under the director of transportation services. All contracts and personnel at the Honolulu Authority for Rapid Transportation would be transferred to the city Department of Transportation Services effective July 1. The Department of Transportation Services would become solely responsible for the integration and coordination of public transportation services. The mayor and the City Council would appoint the members of a Rate Commission, and the Commission would review and recommend, at least annually, adjustments to fares, rates, and tariffs. The authority of the HART board to establish policies, rules, and regulations regarding the development of the rail system, the internal management and organization of HART, and the allocation of decision-making authority between the board and administrative staff would be clarified. Also, the responsibilities of the HART board would be amended to include determining the policies for approval of certain agreements with the federal, public or private entities

5. *Should the Affordable Housing Fund be used to develop rental housing for persons earning 60 percent or less of the median household income, provided that the housing remains affordable for at least 60 years?*

Details: Under the proposal, the permissible uses of funds from the Affordable Housing Fund would be limited to rental housing, but expanded to provide affordable rental housing for persons earning 60 percent or less of the median household income of the city. This would align the Affordable Housing Fund's income restrictions with those used by other government entities. The authority to use the Affordable Housing Fund for affordable rental units in mixed-income projects would also be clarified. Housing funded in this manner would be required to remain affordable for at least sixty years rather than in perpetuity.

6. *Should departments responsible for the city's infrastructure needs be required to prepare long-term plans?*

Details: The required plans would help identify needs over the long-term, including the need to replace and upgrade aging infrastructure now in place and to build new infrastructure in growing areas. Further, priorities and expenditures would be guided by these plans, which would be updated every five years. The provision would require the departments responsible for critical infrastructure needs of the city to address state and federal requirements in their master planning.

7. *Should the city use its powers to serve the people in a sustainable and transparent manner and to promote stewardship of natural resources for present and future generations, and should the city create an Office of Climate Change, Sustainability and Resiliency?*

Details: Sustainability, transparency, and natural resource stewardship would be principles of city governance. An Office of Climate Change, Sustainability and Resiliency would be created as a central point for gathering information and working with others on issues related to climate change, resiliency and sustainability.

8. *Should a new Department of Land Management responsible for the protection, development, and management of city lands be established?*

Details: The Department of Land Management would manage real property and negotiate real property transactions on behalf of the city. As part of its responsibilities, this department would identify the public interest served by real property transactions involving existing city lands and would report to the city council, which would have final approval authority.

9. *Should a Honolulu Zoo Fund be established and funded by a minimum of one-half of one percent of estimated annual real property taxes to pay for Honolulu Zoo expenses to assist the Honolulu Zoo in regaining its accreditation by the Association of Zoos and Aquariums?*

Details: The proposal seeks to bolster funding for Honolulu Zoo, which recently lost accreditation over its funding issues. Under the proposal, beginning July 1, a minimum of one-half of 1 percent of estimated annual real property tax revenues would be deposited every year in the Honolulu Zoo Fund to pay for Honolulu Zoo expenses, provided that the Fund would be automatically repealed on July 1, 2023, if the Honolulu Zoo does not regain its Association of Zoos and Aquariums accreditation.

10. *Should the mayor's executive powers and the City Council's legislative powers only be subject to exceptions specifically provided in the Charter and should the mayor and the City Council be given concurrent authority to establish funds when no appropriate funds of the same type exist and to propose amendments to the annual executive budget?*

Details: Under the proposal, the exceptions to the executive powers of the mayor and the legislative powers of the City Council must be specifically provided in the Charter. The mayor (with approval of City Council) and City Council would have concurrent authority to propose amendments to the annual executive budget and concurrent authority to establish funds when no appropriate funds of the same type exist.

11. *Should an approval process and an advisory commission for Clean Water Natural Lands Fund projects be established in the Charter?*

Details: This proposal would establish an advisory commission and the review and approval procedures with respect to the Clean Water Natural Lands Fund.

12. *Should all boards and commissions, except for the Board of Water Supply, the board for the Honolulu Authority for Rapid Transportation (HART) and any board or commission mandated by state or federal law, be reviewed periodically to determine whether they should be retained, amended or repealed?*

Details: The City Council would periodically evaluate all boards and commissions, except the Board of Water Supply, the board for the Honolulu Authority for Rapid Transportation and those boards and commissions mandated by state or federal law, to determine whether they should be retained, amended or repealed.

13. *Should the Grants in Aid Fund be the sole source (with certain designated exceptions) for city-funded grants to federal income tax-exempt nonprofit organizations that provide services to economically and/or socially disadvantaged populations or that provide services for the public benefit in the areas of the arts, culture, economic development or the environment?*

Details: With certain exceptions, the grants-in-aid fund would be the sole source of city-funded grants. These grants may be awarded only to federal income tax-exempt nonprofit organizations providing services to economically and/or socially disadvantaged populations or for the public benefit in the areas of the arts, culture, economic development or the environment. The grants-in-aid advisory commission would provide recommendations based on these limitations and the City Council would continue to determine which organizations would receive such grants and the amounts of the grants.

14. *Should the deadline to hold a special election to replace the mayor, prosecutor or councilmembers be extended from 60 to 120 days, and should the City Council be able to appoint a temporary member until a special election is held?*

Details: The scheduling of city special elections would be in compliance with state law, and the City Council would be able to appoint a temporary replacement councilmember when the vacancy is for an unexpired term of one year or more. If the City Council does not name a successor within 30 days of the vacancy, the mayor would make the appointment.

15. *Should the term limit for the prosecuting attorney, the mayor and the councilmembers be three consecutive four-year terms?*

Details: The proposed amendment would extend term limits for the mayor and City Councilmembers, and would set a term limit for the city prosecutor. Current office holders serving a four-year term (first term) and running for re-election in 2016, if re-elected in 2016 (second term), would be eligible for one more four-year term in 2020 (third term). New office holders, and any persons filling out the remainder of someone else's four-year term, if elected in 2016 (first term) would be eligible for two more terms in 2020 (second term) and 2024 (third term). Current office holders serving a four-year term (first term) but not running for re-election until 2018, if re-elected in 2018 (second term) would be eligible for one more four-year term in 2022 (third term).

16. *Should certain city departments be responsible for their own program planning and small infrastructure design and construction projects, and should the powers, functions, and duties of the Department of Environmental Services be updated and expanded to emphasize resource recovery and include the planning, engineering, design, and construction of all of its projects?*

Details: DDC would direct its resources to major projects, while the departments of Enterprise Services, Environmental Services, Facility Maintenance, Transportation Services, Information Technology, and Parks and Recreation would be responsible for their own program planning and infrastructure projects of limited size and complexity and would not be dependent upon DDC for such work. The powers, duties, and functions of the Department of Environmental Services would be further updated and expanded, to emphasize resource recovery, include the planning, engineering, design, construction and improvement of all of the ENV's wastewater and solid waste systems projects, and incorporate other provisions that more completely reflect the department's current activities.

17. Should the mayor have the authority to delegate the signing of documents to certain other city officers?

Details: The mayor would have the authority to designate the managing director and deputy managing director to sign instruments requiring execution by the city. The mayor would also have the authority to designate the administrative head of an executive department or office to sign instruments requiring execution by the city that affect the administrative head's respective department or office.

18. Should the Fire Commission be expanded from five to seven members, and should the fire chief's powers, duties and functions be updated to reflect current services?

Details: The number of members on the Fire Commission would increase to seven members and the powers, duties and functions of the fire chief would be expanded by adding new services, including education programs for life safety, and investigation of fires and explosions for cause and origin, as well as adding personnel for emergency response, reviewing construction plans and inspecting buildings to prevent fires.

19. Should the requirement be repealed that no more than five of the City Council Reapportionment Commission's nine members be from the same political party?

Details: Appointments to the City Council Reapportionment Commission would be made without limits based on party affiliation.

20. Should the Charter be amended for housekeeping amendments (i) to conform to current functions and operation, (ii) to conform to legal requirements, (iii) to correct an inadvertent omission, and (iv) for clarity?

- Require the books and records of all city departments be open to public inspection;
- Require the Department of the Corporation Counsel to update the Charter by July 1 of the year after the election at which Charter amendments proposed by the Charter Commission are approved by the electorate;
- Require the Charter Commission to submit amendments to the Office of the City Clerk five working days before the deadline for ballot questions to be submitted to the state Chief Election Officer;
- Require that all written contracts of the Board of Water Supply and the Honolulu Authority for Rapid Transportation be approved by the Department of Corporation Counsel for form and legality; and
- Require that the city centralized purchasing practices conform to the state procurement code.

Details: The Charter would be amended to permit the public inspection of city books and records, including those of the Honolulu Police Department and the Department of the Prosecuting Attorney and be consistent with state law. Also, an updated edition of the Charter would be published by July 1 of the year after the election at which proposed amendments approved by the Charter Commission, are approved by the electorate.

The Charter Commission would also submit the proposed Charter amendments to the Office of the City Clerk five working days before the state deadline. The Board of Water Supply and the Honolulu Authority for Rapid Transportation would be required to obtain approval from the Department of the Corporation Counsel on all written contracts, with regard to form and legality. Finally, the Charter would require the city to follow the state procurement code.

For more information, visit the [Honolulu Charter Commission online](#). The League of Women Voters has also [produced a guide](#) on the proposed amendments that includes information on what supporters and opponents to each ballot question have offered.

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