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# Question No. 3

2. That it further proposes and it is hereby proposed that Section 6-1301 of Chapter 13 be amended to read as follows:

"Section 6-1301. Organization—There shall be a department of *parks and recreation* which shall consist of a director of *parks and recreation*, a board of *parks and recreation* and the necessary staff. The director of *parks and recreation* shall be the administrative head of the department of *parks and recreation*."

3. That it further proposes and it is hereby proposed that Section 6-1302 of Chapter 13 be amended to read as follows:

"Section 6-1302. Director of *Parks and Recreation*—The director of *parks and recreation* shall be appointed and may be removed by the mayor. He shall have had a minimum of five years of training and experience in a *parks and recreation* position or related fields, at least three years of which shall have been in a responsible administrative capacity."

4. That it further proposes and it is hereby further proposed that Section 6-1303 of Chapter 13 be amended to read as follows:

"Section 6-1303. Powers, Duties and Functions—The director of *parks and recreation* shall:

(a) Plan, design, construct, maintain and operate all parks and recreational facilities of the city.\*

(b) Develop and implement programs for cultural, recreational and other leisure-time activities for the people of the city, except as otherwise provided by law.

(c) Beautify the public *parks, facilities and streets* of the city, including, but not limited to, the *planting, trimming and maintaining of all shade trees, hedges and shrubs on such city parks, facilities and streets.*"

5. That it further proposes and it is hereby further proposed that Section 6-1304 of Chapter 13 be amended to read as follows:

"Section 6-1304. Board of *Parks and Recreation*—There shall be an advisory board of *parks and recreation* which shall consist of nine members. The board shall advise the mayor, the council and the director on matters relating to the recreational, cultural and entertainment activities and facilities of the city and on the *beautification of such facilities and public streets of the city*. The board shall be governed by the provisions of section 12-103 of this charter."

\*The director of recreation has the power to decide whether or not a concession should be permitted on park property. *City Council v. Fasi et al.*, 52 Haw. 3 (1970).



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# CHARTER AMENDMENTS

Municipal charters \* Honolulu

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## GENERAL ELECTION

Tuesday, November 5, 1974

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# Question No. 1

SHALL THE CITY CHARTER BE AMENDED TO RETURN THE DIVISION OF SEWERS FROM THE BOARD OF WATER SUPPLY BACK TO THE DEPARTMENT OF PUBLIC WORKS OF THE CITY AND COUNTY OF HONOLULU?

YES	+
NO	+

The adoption of said amendment would return the Division of Sewers from the Board of Water Supply back to the Department of Public Works of the City and County of Honolulu, and repeal the provisions of RCH Section 15-105, relating to the abolition of the Division of Sewers and the transfer of records, property and personnel to the Board of Water Supply; and to delete the words "sanitary sewerage systems" wherever found in Article VII of the Revised Charter relating to the Board of Water Supply.

The text of Resolution No. 70 is reproduced as follows:

## RESOLUTION NO. 70 (1974)

TO REPEAL RCH SECTION 15-105, RELATING TO THE ABOLITION OF THE DIVISION OF SEWERS AND TRANSFER OF RECORDS, PROPERTY AND PERSONNEL TO THE BOARD OF WATER SUPPLY.

WHEREAS, Article XIV of the Revised Charter, City and County of Honolulu, provides for procedures whereby the Council of the City and County of Honolulu may initiate, by resolution, amendments to the Revised Charter of the City and County of Honolulu; and

WHEREAS, the Council deems Charter Provision Section 15-105 which abolishes the Division of Sewers of the Department of Public Works and transfers the control, management and operation of the sanitary sewerage systems of the City to the Board of Water Supply to be of monumental significance, both from the standpoint of operation and accountability to the taxpayers and voters of the City and County of Honolulu; and

WHEREAS, the Council feels that the Charter Commission's adopted policy of requiring the People to adopt or reject the Charter document in its entirety (with the exception of the composition of the City Council) did not allow for a fair and adequate public consideration, on its merits, of this important subject matter; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu:

1. That the Revised Charter of the City and County of Honolulu be amended:

a. By repealing the provisions of RCH Section 15-105, relating to the Abolition of the Division of Sewers and Transfer of Records, Property and Personnel to the Board of Water Supply, which deletion signifies the return of the Division of Sewers to the Department of Public Works of the City and County of Honolulu.

b. By deleting the words "sanitary sewerage systems" wherever found in Article VII of the Revised Charter relating to the Board of Water Supply.

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# Question No. 2

SHALL THE CITY CHARTER BE AMENDED TO PROVIDE THAT THE MAYOR AND THE CITY COUNCIL SHALL SERVE FOUR YEAR STAGGERED TERMS WITH THE MAYOR BEING ELECTED IN 1976 AND THE COUNCIL IN 1978?

YES	+
NO	+

The adoption of said proposal would change the term of those members of the Council elected in 1974 from two years to four years, and amend Section 15-101(b) of the Revised Charter of the City and County of Honolulu so that the members so elected shall serve a four year term ending on January 1, 1979.

The text of Resolution No. 177 is reproduced as follows:

## RESOLUTION NO. 177 (1974)

TO AMEND ARTICLE XV OF THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU (1973).

WHEREAS, Article XIV of the Revised Charter, City and County of Honolulu, provides for the procedures whereby the Council of the City and County of Honolulu may initiate, by resolution, amendments to the Revised Charter of the City and County of Honolulu; and

WHEREAS, more qualified candidates should be encouraged to run for Mayor; that is where the action is; and as Mayor, a person can do more things to improve the quality of life of the people day to day by satisfying their needs and desires; and

WHEREAS, more candidates running for Mayor will be to the benefit of the people in that they will have a real choice;

WHEREAS, it is from the wealth of talents among the qualified and knowledgeable City Councilmen that we can expect a Mayor who knows what is going on, knows what to do to improve the City's services to the people and provide continuity without disruptive gaps in City government; and

WHEREAS, in order to do so, the Mayor and City Councilmen should run at different elections; and

WHEREAS, the Council now desires that the term of those members of the Council elected in 1974 terminate on January 1, 1979 instead of January 1, 1977, being a term of four years instead of two years; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu:

1. That it proposes and it is hereby proposed that the [foregoing] question be placed on the 1974 general election ballot.

2. That it proposes and it is hereby proposed that the Revised Charter of the City and County of Honolulu, Section 15-101(b) be amended to read as follows:

"(b) The election of members of the Council in 1974 shall be in accordance with the provisions of this revised charter, and the members so elected shall serve four year terms ending on January 1, 1979. Thereafter, members of the council shall be elected in accordance with the provisions of this revised charter and shall serve four year terms."

# Question No. 3

SHALL THE CITY CHARTER BE AMENDED TO REDESIGNATE THE DEPARTMENT OF RECREATION TO BE KNOWN AS THE DEPARTMENT OF PARKS AND RECREATION WITH THE ADDITIONAL FUNCTION OF PLANTING, TRIMMING AND MAINTAINING ALL SHADE TREES, HEDGES AND SHRUBS ON THE PUBLIC PARKS, FACILITIES AND STREETS OF THE CITY, AND THE BEAUTIFICATION OF SUCH FACILITIES AND PUBLIC STREETS?

YES	+
NO	+

The adoption of said amendment would change the Department of Recreation to be known as the Department of Parks and Recreation; replace the term "recreation" wherever found in Chapter 13 of Article VI of the Revised Charter of the City and County of Honolulu with the term "parks and recreation"; and include a provision in Chapter 13, Article VI, with respect to the planting, trimming and maintaining of all shade trees, hedges and shrubs on the public parks, facilities and streets of the City, and the beautification of such facilities and public streets by the Department of Parks and Recreation.

The text of Resolution No. 192 is reproduced as follows:

## RESOLUTION NO. 192 (1974)

TO AMEND CHAPTER 13 OF ARTICLE VI, EXECUTIVE BRANCH—MANAGING DIRECTOR AND AGENCIES DIRECTLY UNDER THE MANAGING DIRECTOR, OF THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU (1973).

WHEREAS, it was the intent of the Charter Commission of the City and County of Honolulu in drafting the City Charter to broaden, not limit, the responsibilities and scope of activity of the Department of Recreation, formerly the Department of Parks and Recreation, in so redesignating it as such; and

WHEREAS, the intent of the Charter Commission has been in good faith construed differently so as to place the Department of Recreation's functions with respect to the planting, trimming and maintaining of trees, shrubs and hedges on and around public parks and facilities along public streets of the City on a low priority; and

WHEREAS, the Council, in keeping with its firm and long-standing position in support of the beautification of our City parks, facilities and streets for the enjoyment, benefit and comfort of the general public, and to assure that the intent of the Charter Commission be fully carried out, affirms its view that the beautification of our City parks, facilities and streets should be given the highest practical and feasible priority by the Department of Recreation; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu:

1. That it proposes and it is hereby proposed that the title of Chapter 13 be amended to read as follows:

"DEPARTMENT OF PARKS AND RECREATION"

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