

COUNTY OF HAWAII

<http://www.hawaii-county.com/>

The County of Hawaii consists of the island of Hawaii and all other islands within three nautical miles of its shores, and the adjacent waters thereto. The County is a corporate body with all powers authorized by the State Constitution, the laws of the State of Hawaii, and the Hawaii County Charter.

LEGISLATIVE BRANCH

County Council

The legislative branch of the County is the nine-member Hawaii County Council. All Councilmembers are elected from single-member districts for two-year terms. Each member must qualify under the Charter's district residency requirement and as such, must reside in the council district he or she represents.

The Council's primary responsibilities are formulating public policy, setting goals, and providing legislative directions for implementation by the Mayor and the executive administration. In this process, through the adoption of laws, it enacts and amends the general plan which provides policy guidelines for the long-range comprehensive physical development of the County, adopts the annual operating and capital budgets, and sets the real property tax rate.

County Council Employees

The County Clerk is appointed by the Council. The Clerk serves as the custodian of the county seal, is the repository of all public records, and provides clerical and stenographic services to the Council and its committees. The Clerk is also the Chief Elections Officer of the County. With approval of the Council, the Clerk appoints the Deputy County Clerk, Legislative Auditor, and other necessary staff members and performs other functions prescribed by the Council.

EXECUTIVE BRANCH

The Executive Branch of the County of Hawaii is comprised of the Office of the Mayor and all other executive departments and agencies of the County created by the Charter or ordinance. Executive departments are under the general administrative supervision of the Mayor or supervision of the Managing Director or commissions. The Prosecuting Attorney, an elected officer, is within the Executive Branch.

MAYOR

The Mayor is the chief executive officer of the County vested with all the executive powers of the County, except as otherwise provided by the Charter. The Mayor has the power to:

- (a) Through the Managing Director supervise and coordinate all executive agencies of the County, except as otherwise provided by the Charter.
- (b) Appoint necessary staff for which appropriations have been made by the Council. All positions in the Mayor's office are exempt from civil service laws and classifications.
- (c) Create positions, including the position of deputy or assistant to each head of an agency where such position has not been created by the Charter, for which appropriations have been made by the Council and abolish positions with the consent of the Council.
- (d) Make transfers of positions between agencies or between subdivisions of agencies subject to applicable civil service regulations.
- (e) Recommend to the Council a pay plan for all officers and employees of the County or any of its boards and commissions, except those whose pay is otherwise provided for; provided that the salary of any employee who is exempt from the civil service laws shall be subject to approval by the Council and the Mayor.
- (f) Submit an operating budget, an operating program, a capital budget, and a capital program annually to the Council.
- (g) Sign instruments requiring execution by the County, except as otherwise provided by the Charter or by ordinance.
- (h) Make periodic reports in addition to the annual report, informing the public as to County policies, programs and operations.
- (i) Call special sessions of the Council.
- (j) Veto ordinances.
- (k) Enforce the provisions of the Charter, the ordinances of the County and all applicable laws, and exercise such other powers and perform such other duties as may be prescribed by the Charter or by ordinance.

The Mayor is elected for a term of four years. The Mayor may serve for more than two terms, but not for more than two full terms consecutively.

MANAGING DIRECTOR

The Managing Director is appointed by the Mayor, confirmed by the Council, and may be removed by the Mayor. The Managing Director must have had five years of experience in an administrative capacity, and possess demonstrable education and/or professional experience as required of the office. The Managing Director:

- (a) Acts as the principal management aide to the Mayor.
- (b) Supervises the administrative functioning of all agencies, departments, boards, and commissions.
- (c) Recommends to the Mayor the annual operating and capital improvement budgets.
- (d) Evaluates the management and performance of each executive agency, and makes reports to the Mayor and the Council on the findings and recommendations of each evaluation. A report must be made to the responsible commission whenever an evaluation is performed on a department or agency under a commission.
- (e) Prescribes standards of administrative practice to be followed by all agencies under the Managing Director's supervision.
- (f) Attends meetings of the Council or of any board or committee, when requested by the Mayor.
- (g) Attends meetings of the Council and its committees upon request and makes available such information as they may require.
- (h) Performs all other duties required by the County Charter or assigned by the Mayor.

Agencies Directly Under the Managing Director

Office of the Corporation Counsel

The Office of the Corporation Counsel consists of the Corporation Counsel, Assistant Corporation Counsel, and necessary staff. The Corporation Counsel is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor with the approval of the Council, and must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court. Similarly, the Assistant Corporation Counsel must have those qualifications but is appointed and may be removed by the Corporation Counsel.

The Corporation Counsel is the chief legal advisor and legal representative of all agencies, the Council, and all other officers and employees in matters relating to their official powers and duties. The Corporation Counsel also represents the County in all legal proceedings

and performs all other services incident to the office as may be required by law, the Charter, or ordinance. Effective October 1, 2007, Act 167, Session Laws of Hawaii 2007, transferred personnel employed by the Family Support Division, whose functions related to child support enforcement, to the Department of the Attorney General.

Board of Ethics. The Charter requires the Council to adopt by ordinance a Code of Ethics. The Board of Ethics interprets the Code for both county officials and the public. The Board also receives and initiates complaints, and investigates and holds hearings on alleged violations of the Code.

The five members of the Board of Ethics are residents of the County and are appointed by the Mayor with the approval of the Council to five-year terms.

Department of Finance

The Department of Finance is headed by a Director of Finance who is appointed by the Mayor, confirmed by the Council and may be removed by the Mayor, and serves as the chief finance officer of the County. As the chief finance officer, the Director handles the County's financial administration, real property tax assessment and collection, accounts, and other revenue collections, obligation loan negotiations, bond sales, payroll, and purchasing when not in conflict with the Charter. The Director also assists the Mayor in the preparation and execution of the operating budget and program and capital improvement budget and program and issues monthly statements of revenues and expenditures. In addition, the Director maintains an inventory of land and equipment controlled by the County. The Director also performs the duties and functions of the treasurer and auditor of the County which are provided by law, except when in conflict with the Charter. The Director also exercises other powers and performs other duties as may be prescribed by the Charter, ordinance, or law, or by the Mayor.

Standardization Committee. The Standardization Committee is responsible for the review and analysis of all materials, supplies, and equipment commonly used by the various agencies of the County and to prepare and adopt, when deemed necessary, standards and specifications for such materials, supplies, and equipment.

The Standardization Committee consists of four members appointed by the Mayor, each of whom shall be from a separate department. The fifth member shall be a representative of the Department of Finance who shall serve as chairperson.

Tax Board of Review. The Tax Board of Review hears all disputes between the Director and any taxpayer in all cases in which appeals have been duly taken, and the fact that a notice of appeal has been duly filed by a taxpayer shall be conclusive evidence of the existence of a dispute.

The Board consists of five members appointed by the Mayor with the approval of the Council for terms of five years.

Public Access, Open Space and Natural Resources Preservation Commission. This commission is charged with developing and maintaining a prioritized list of qualifying lands within the County worthy of preservation, and make annual recommendations to the Mayor and County Council regarding those properties.

Planning Department

The Planning Department consists of the Planning Director, Planning Commission, and necessary staff.

Planning Director. The Planning Director is the administrative head of the Planning Department and, consequently, serves as the chief planning officer of the County and technical advisor to the Mayor and Council on planning and related matters. The Planning Director prepares a proposed general plan to guide the development of the County which is submitted to the Council. The Planning Director makes recommendations to the Planning Commission and Council on rezoning ordinances. The Planning Director also reviews and approves or disapproves subdivision plans.

The Planning Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

Planning Commission. The Planning Commission makes recommendations to the Council on the general plan, community development plan, zoning changes, and state land use boundary amendments. It makes the final decision on use permits, special permits in agricultural areas, and SMA permits.

The Commission consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts. In addition, the Director of Public Works and the Manager of the Department of Water Supply serve as ex officio nonvoting members.

Board of Appeals. The Board of Appeals consists of seven members who are appointed by the Mayor with the approval of the Council for terms of five years. The Board hears and decides appeals from the decisions of the Planning Director in administering the subdivision and zoning ordinances. The Board is supposed to sustain an appeal only on certain grounds, such as the director made a decision contrary to law, or the decision was arbitrary, capricious, or an abuse of discretion.

Department of Research and Development

The Department of Research and Development provides leadership and guidance on public or private issues relating to agriculture, tourism, economic development, energy, film, and community development to enhance the quality of life and sustainability of Hawai'i Island's communities. It provides the data necessary for policy-making, decision-making, and grant

writing, and coordinates informational and regulatory knowledge of all federal and state grant-in-aid programs which affect the County. The Department produces the County's data book and houses the County's general library.

The Department consists of the Director who is appointed by the Mayor, confirmed by the Council and who may be removed by the Mayor, and necessary staff.

Department of Public Works

The Department of Public Works is responsible for all matters relating to engineering: public and private building construction and inspection; construction, inspection, and maintenance of public streets, highways, bridges, and drainage facilities; acquisition of public and private properties for public purposes; design, operation, and maintenance of traffic signals and traffic control devices; and all other public works projects, except for matters relating to parks and recreation, environmental management, and water supply. In addition, it is responsible for the operation and maintenance of county automotive and heavy equipment, except those in Police and Fire departments.

The Department of Public Works consists of a Director who must be a licensed professional engineer, and necessary staff. The Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

The Director is responsible for the construction, maintenance, and operation of county buildings and grounds except for those delegated to other departments; administration and enforcement of the Building Code, Electrical Code, Plumbing Code, and other relevant ordinances; and for the administration of personnel.

Department of Parks and Recreation

The Department of Parks and Recreation administers, supervises, and maintains all public parks, recreational facilities, playgrounds, and appurtenant equipment and supplies owned, possessed, or controlled by the County. The Department is also authorized to care for the active recreational needs of and provide organized, supervised games and recreation for the people of the County.

A Parks and Recreation Director, who is appointed by the Mayor, confirmed by the Council, and may be removed by the Mayor, heads the Department.

County Bands. For administrative purposes, the county bands are within the Department of Parks and Recreation.

Data Systems Department

The Data Systems Department is primarily responsible for managing and operating the County's central computer system and telecommunications network which permits shared use of all county departments and agencies. It also plays a leading role in advising county agencies on computer-related matters, coordinating the purchase and use of computer equipment and software, and providing end-user computer training and support of county employees.

Department of Environmental Management

The Department of Environmental Management consists of a Director and necessary staff, and an Environmental Management Commission.

Environmental Management Director. The Environmental Management Director is the administrative head of the Department of Environmental Management and manages the solid waste, wastewater, and recycling programs of the County.

The Environmental Management Director is appointed by the Mayor and confirmed by the Council, and may be removed by the Mayor.

Environmental Management Commission. The Environmental Management Commission advises the Department on waste reduction strategies, recycling, litter control, community involvement, and other issues related to the functions of the Department.

The Commission consists of nine members appointed by the Mayor, and confirmed by the Council. Membership is representative of the nine council districts. The terms of the members are staggered terms of five years as prescribed by section 13-4 of the County Charter.

Mass Transit Agency

The Mass Transit Agency provides free and accessible transportation services for the County. These services include bus service, shared-ride taxi service, and ride-matching services. The Agency is headed by the Transit Operations Administrator.

Transportation Commission. The Transportation Commission has general supervision over carriers, including taxicabs, and performs the duties and exercises the powers imposed or conferred upon it by Division 3 of Articles 1 and 2 of Chapter 18 of the Hawaii County Code. The Commission also serves as an advisory body to the Mass Transit Agency and may also advise the Mayor and Council on other transportation-related matters upon request.

The Commission consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts.

Civil Defense Agency

The Hawaii County Defense Agency directs and coordinates the development and administration of the County's total emergency preparedness and response program.

The mission of the Civil Defense Agency is to achieve effective governmental and private-sector preparedness for prompt, fully-coordinated, flexible response and assistance when natural or human-caused disasters or acts of war threaten or occur anywhere in the County of Hawaii. Its responsibility is due to the possibility of disasters or emergencies of great destructiveness resulting from enemy attack, sabotage or other hostile action, or from fire, flood, tsunami, volcanic eruption, earthquake, or other natural causes.

The Agency is also required to ensure that the County's preparations will be adequate to deal with such disasters or emergencies, to make adequate provision against shortages of food supplies and essential commodities, to maintain the strength, resources, and economic life of the community and provide for prompt and effective action, to promote the national defense and civil defense in cooperation with the state and federal governments and to protect life and property, the public health, safety and welfare.

The Hawaii County Civil Defense Agency has the responsibility of administering and operating the various local, state, and federal civil defense programs for the County.

Office of Aging

The State Commission on Aging and corresponding County Committees on Aging were originally created by Act 198, Session Laws of Hawaii 1963, codified as chapter 349, Hawaii Revised Statutes, to advise and assist all levels of government in the formulation and development of programs to meet the specific needs and requirements of older adults. The Hawaii County Committee on Aging was established in 1966. In 1975, the Committee became the Hawaii County Office of Aging and received federal designation as an Area Agency on Aging, enabling the County to receive federal funds through the Older Americans Act of 1965. The mission of the Office remains substantially unchanged despite substantial revisions over the years to chapter 349, Hawaii Revised Statutes. The administrative head is the County Executive on Aging.

Office of Housing and Community Development

The Office of Housing and Community Development is responsible for the planning, administration, and operation of all the County's housing programs. Its overall goal is to provide for the development of viable communities in the County by providing decent housing, suitable living environments, and expanding economic opportunities.

Departments Administered by Board or Commission

Department of Human Resources

The Department of Human Resources is the central personnel agency for the County and is under the general supervision and control of the Mayor. It consists of the Merit Appeals Board, the Director of Human Resources, and necessary staff.

Merit Appeals Board. The Merit Appeals Board consists of five members appointed to terms of five years by the Mayor with the approval of the Council. Members are representative of the community and must be in sympathy with and believe in the principles of the merit system in public employment.

Director of Human Resources. The Director of Human Resources, who is appointed and may be removed by the Merit Appeals Board, serves as the administrative head of the Department and is responsible for the personnel management program of the County with two distinct categories of duties:

- (1) Major duties in the areas of equal employment opportunities and personnel development, deployment, relations, and welfare.
- (2) Secondary duties in the administration of the civil service system and maintenance of the aims and mechanics prescribed by law.

Salary Commission. The salaries of all county elected officials and appointed directors and deputy directors of departments and executive agencies are established by the Salary Commission. The Commission is made up of nine members appointed by the Mayor with the approval of the Council. Membership is representative of the nine council districts. The Director of Human Resources and Deputy Director of Human Resources serve as ex officio members in an advisory capacity.

Division of Health and Safety. The Division of Health and Safety has as its primary goal the development and implementation of a safe and healthy work environment for all County employees. The Division administers all phases of safety, equipment, driver training, and workers' compensation programs. The Division is headed by a Personnel Specialist.

Fire Department

The Fire Department consists of a Fire Commission, Fire Chief, Deputy Fire Chief, and necessary staff.

Fire Commission. The Fire Commission consists of nine members, one from each of the nine county council districts, appointed by the Mayor with the approval of the Council. The Commission's duties include adopting rules necessary for administering matters within its jurisdiction and reviewing rules of the Department; reviewing the annual budget prepared by the

Fire Chief; evaluating the performance of the Fire Chief; reviewing personnel actions within the Department; and hearing complaints of citizens concerning the Department or its personnel.

Fire Chief. The Fire Chief, who is appointed and may be removed by the Fire Commission, serves as the administrative head of the Fire Department.

Department of Liquor Control

The Department of Liquor Control consists of the Liquor Commission, Liquor Control Adjudication Board, Director of the Department, and necessary staff.

Liquor Commission. The Liquor Commission consists of nine members appointed by the Mayor with the approval of the Council to terms of five years. Membership is representative of the nine council districts.

The Liquor Commission adopts rules for the administration of liquor control in the County and carries out provisions of the liquor control laws of the State; grants, renews, or refuses applications for licenses to manufacture, import, or sell liquor in the County; and exercises such other powers and duties as provided by law.

Liquor Control Adjudication Board. The Liquor Control Adjudication Board consists of five members appointed by the Mayor with the approval of the Council to terms of five years. The Board hears and determines complaints regarding violations of the liquor control laws of the State and rules of the Liquor Commission. The Board is also empowered to impose fines or penalties as provided by law.

Director of the Department of Liquor Control. The Director of the Department of Liquor Control, who is appointed and may be removed by the Liquor Commission, serves as the administrative head of the Department. Generally, the Director provides clerical and administrative services to the Liquor Commission and the Liquor Control Adjudication Board and investigates alleged violations of liquor control laws and rules.

Police Department

The Police Department consists of a Police Commission, Chief of Police, Deputy Chief of Police, and necessary staff.

Police Commission. The Police Commission consists of nine members, one from each of the nine county council districts, appointed by the Mayor with the approval of the Council. The Commission's duties include: adopting rules necessary for administering matters within its jurisdiction and reviewing rules of the Department; reviewing the annual budget prepared by the Chief of Police; receiving, considering, and investigating charges brought by the public against the conduct of the Department or any of its members; and advising the Chief of Police on police-community relations.

Chief of Police. The Chief of Police, who is appointed and may be removed by the Police Commission, serves as the administrative head of the Police Department.

Department of Water Supply

The Department of Water Supply is a semi-autonomous agency consisting of a Water Board, Manager, and necessary staff. It is under the general supervision and control of the Mayor.

Water Board. The Water Board consists of nine members appointed by the Mayor with the approval of the Council for terms of five years. Membership is representative of the nine council districts. The Manager of the Department of Water Supply, Planning Director, and the Director of Public Works or their designated representatives, serve as ex officio nonvoting members.

To the extent not subject to the control of the State Commission on Water Resource Management, the Water Board manages, controls, and operates the waterworks of the County, adopts rules necessary for the performance of these functions, adopts an annual operating and capital budget, and exercises such other powers and duties as provided by law. The Water Board is empowered to acquire and dispose of real property and issue revenue bonds.

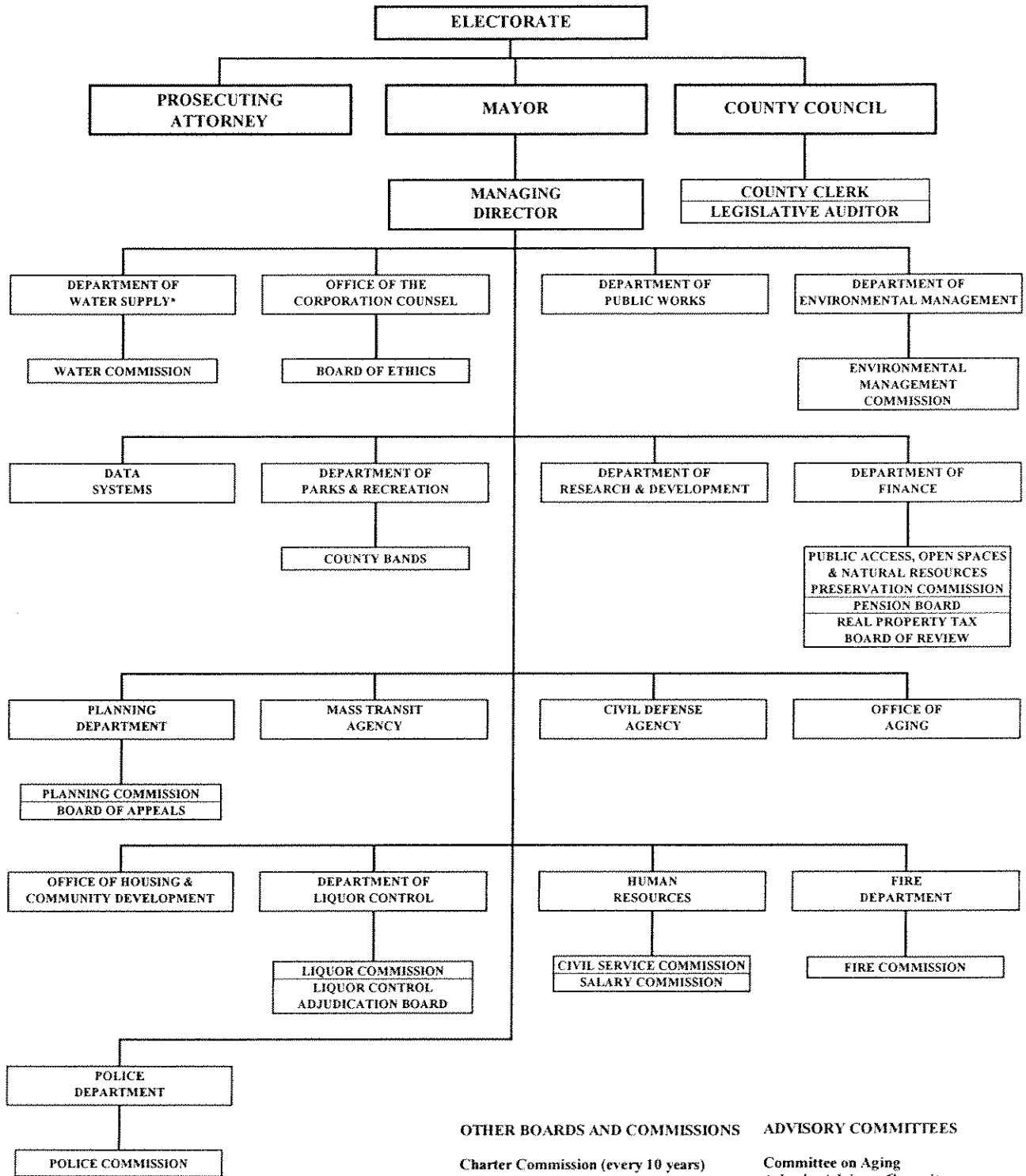
Manager of the Department of Water Supply. The Water Board appoints and may remove the Manager of the Department of Water Supply. The Manager serves as the administrative head of the Department, must be a registered engineer and must have had a minimum of five years' experience in an administrative capacity.

PROSECUTING ATTORNEY

The Prosecuting Attorney is elected to a term of four years. The Prosecuting Attorney must be an attorney licensed to practice law and in good standing before the Hawaii Supreme Court, a citizen of the United States, and a duly qualified elector of the County for at least one year immediately preceding election.

The Prosecuting Attorney attends all courts in the county and prosecutes offenses against state law and county ordinances and regulations on behalf of the people; prosecutes offenses against state laws under authority of the Attorney General; appears in and prosecutes every criminal case where there is a change of venue and the case is removed from the County; institutes proceedings for the arrest of persons charged with or suspected of public offenses; takes charge of criminal cases before the Family, District, Circuit, and Appellate Courts; draws indictments for, attends, and presents cases for the grand jury's consideration; and investigates all matters that properly come before the Prosecutor's office. The Prosecutor provides victim services, extradition, and missing children entries into the National Crime Information Center system and various initiatives to improve the criminal justice system.

COUNTY OF HAWAII



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OTHER BOARDS AND COMMISSIONS

Charter Commission (every 10 years)
 Kailua Village Design Commission
 Workforce Investment Board

ADVISORY COMMITTEES

Committee on Aging
 Arborist Advisory Committee
 Bicycle/Pedestrian Safety Committee
 Committee on People with Disabilities
 Veterans Advisory Committee
 Committee on the Status of Women