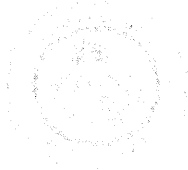


MICHAEL P. VICTORINO
Mayor

MICHELE CHOUTEAU MCLEAN, AICP
Director

JORDAN E. HART
Deputy Director



RECEIVED

DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

2019 APR -9 PM 12: 59

OFFICE OF THE
COUNTY COUNCIL

April 8, 2019

Ms. Michele M. Yoshimura *M.Y.*
Budget Director, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino

Mayor Date *4/9/19*

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Keani Rawlins-Fernandez
Chair, Economic Development and Budget Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Rawlins-Fernandez:

SUBJECT: FISCAL YEAR ("FY") 2020 BUDGET (PL-7) (EDB-1)

Thank you for your letter dated April 3, 2019 with various questions about the proposed FY20 budget for the Department of Planning (Department). In response to your questions, please consider the following:

1. The Department can perform our statutory duties without an archaeologist. If we were to be budgeted for an archaeologist position, however, we would make great use of that personnel resource. Such a position would assist with reviewing proposed projects to determine whether State Historic Preservation Division (SHPD) review was warranted or if the Department could make its own determination about whether proposed projects could have an impact to historic properties, as allowed by SHPD Administrative Rules. This would dramatically streamline the permit process for many projects that do not require discretionary review. The position could also assist with staffing the Cultural Resources Commission when archaeological matters are considered.

Michele M. Yoshimura, Budget Director
Michael P. Victorino, Mayor
For Transmittal to:
Keani Rawlins-Fernandez, Chair
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2. You asked about our position nos. PCT-0010, 0011 and 0012, three limited-term appointment (LTA) positions that assist with enforcement of illegal transient vacation rentals (TVRs).

- a. Our justification for requesting that these positions change from LTA to permanent status are numerous. First, with our vendor LODGINGRevs having success in finding the locations of hundreds of illegal TVRs, the workload has increased exponentially. For LODGINGRevs' success to translate to successful enforcement requires manpower, which these three positions have provided. On any given day, they review more than 20,000 advertisements, most of which are for legal operations, though new illegal TVRs start up each week. Secondly, we first filled the two LTA zoning inspector trainee positions with emergency hires while we pursued filling the positions on a regular, permanent basis. However, it was difficult to attract candidates with the positions being limited term. There are candidates on the "permanent" zoning inspector trainee list that are not interested in interviewing for the LTA positions.

When these three positions were added by the Council during the FY19 budget process, they were considered expansion at that time. To change them from LTA to permanent would not be considered expansion, though there is a difference between LTA expansion and permanent expansion.

- b. LTA employees receive all sick, vacation, and retirement benefits as permanent employees, and also pay union dues while they are employed. They receive performance evaluations like permanent employees and have to pass probation to remain employed. If these positions are not reauthorized by the Council, they will terminate at the end of FY19 and the incumbents will become unemployed. If they have prior or future service with the County or State, their LTA service will count toward retirement.
3. You asked about our proposed planner expansion positions: one Planner III each for our Plan Implementation Division (PID) and our Zoning Administration Enforcement Division (ZAED), and a 0.5 FTE (full-time equivalent) Planner IV in our Long Range Division (LRD).
- a. The 0.5 LRD FTE position is intended to compensate for the permanent half-time status of one of our existing planners. He was injured in the Lanai plane crash in 2014 and has recently established permanent half-time status. Another half-time position is requested so that the two positions together would return LRD to having a combined full-time employee to work on long-range plans and other LRD planner tasks.

The Planner III in ZAED would assist with the increase in appeals that we have received since our TVR enforcement efforts have resulted in more Notices of Warning and Notices of Violation; assist with administering the Flood Hazard ordinance and processing flood development permits; assist with reviewing subdivision applications for land use compliance; and process other ministerial permits handled by ZAED.

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The Planner III in PID would manage the Maui Island Plan baseline monitoring report contract (if funds are approved) and be responsible for the annual updates; assist with administering the contract for the Title 19 (zoning code) rewrite; assist with developing the annual plan implementation reports and with monitoring plan implementation; and managing various implementing actions initiated by the Department.

- b. All three positions are intended to be permanent.
 - c. The Planner III position in ZAED will be able to assist with enhancing customer service, since this division has the most contact with the public. Because these are mid-level planners, they would not be responsible for training new hires or producing continuing education programs. However, the Department has already initiated a program for all new hires to have a designated mentor within the same division, and is actively seeking training and education opportunities for existing and new staff.
4. In addition to the information provided in response number 3 above about our requested expansion positions, our prioritization for personnel requests would be:
- Three ZAED LTAs to be made permanent
 - 0.5 FTE in LRD
 - Planner III in PID
 - Planner III in ZAED

If you have any questions or require additional information, please feel free to contact me.

Sincerely,



MICHELE CHOUTEAU MCLEAN, AICP
Planning Director