

GET Committee

From: Jim Sheppard <jimsheppard99@gmail.com>
Sent: Monday, December 16, 2019 3:37 PM
To: GET Committee
Subject: Charter change establishing Office of County Managing Director

I support the proposed change to the County Charter establishing an Office of the County Managing Director. I believe this will reduce the role of politics in county management, reduce the turnover at the director level that now happens every 4 years, and partly because it reduces the role of politics and eliminates the 4 year changing of the guard, will enable recruiting of a wider pool of more technically qualified and experienced directors.

Respectfully,

James C. Sheppard
Kihei resident, registered to vote in Kihei

Sent from my iPad

GET Committee

From: Michael Williams <michaelwilliams@pueofarm.com>
Sent: Monday, December 16, 2019 1:30 PM
To: GET Committee
Subject: Support for County Manager Charter Amendment on November ballot

Aloha kakou. I urge you to let the voters decide this November whether they would prefer to try the strong County Manager form of government.

Restructuring the management of most County functions by having a truly professional, experienced top manager and deputy whose jobs are not tied to the election cycle would be a great improvement.

I have seen how much effective operating time is lost in most departments during the 12 months from June before the primary in election year to May in the new term in each Mayoral election year when the job tenure of the Department heads is potentially short, and the leadership of the department is uncertain.

I think the county will attract better candidates for the department head jobs than at present when the job tenure is really only 4 years or less, especially when there must be a new Director or Deputy Director appointed in the second, third or fourth year of a mayor's term when an unexpected vacancy occurs. Tenure in department leadership should be based on performance, not on loyalty to a particular mayor.

Take as much of the politics out of selecting the department heads as you can. The charter already does this with the Fire Chief, Police Chief, and Auditor. No one claims it would be better to have their tenures tied to the Mayor's.

In any event, let the voters decide if they want this change.

Full disclosure: I am still President of Maui Tomorrow, Treasurer of Stand Up Maui, board member of the Kula Community Association, and Chair of the Cost of Government Commission, but I am speaking solely for myself, and not for any of those organizations.

I cannot be there in person tomorrow as I am presenting on the state of Maui's Affordable Housing Plan at a statewide conference in Honolulu.

Mahalo for your consideration of my opinions.

Michael Williams
20 Pulehunui Rd, Kula
808-264-4884

GET Committee

From: Mike Moran <mmmmahalo2000@aol.com>
Sent: Monday, December 16, 2019 7:29 AM
To: GET Committee
Subject: KCA Testimony in support of GET-10 (5) on 12/17/19 9 AM

KCA TESTIMONY TO CC'S GET COMMITTEE DEC 17, 2019 ITEM GET-10(5)

PROPOSED CHARTER AMENDMENT (ESTABLISH AN OFFICE OF THE MANAGING DIRECTOR AND PROVIDE FOR THE APPOINTMENT OF THE MANAGING DIRECTOR AS THE COUNTY'S CHIEF OPERATING OFFICER)

Aloha Chair Molina and committee members. Wishes of aloha, peace and joy to everyone from the Kihei Community Association (KCA). I am Mike Moran testifying for the all volunteer organization in support of item GET-10 (5). In many ways this is like *deja vu* for about 4.5 years ago when the then PIA committee was in a similar position that you are in this morning. But eight of you were not voting that day. Today you are.

While it is not exactly the same matter, what is the same is you can decide to move the matter to the full council – or not. Deciding not to send it to Council would mean once again the voters would be denied the opportunity to vote on a proposed Charter Change. Why would elected legislative representatives object to allowing the voters who supported them and placed them in

this position decide to deny this opportunity? We find no reason and expect you will not either. Please support GET-10 (5). Mahalo

GET Committee

From: Mike Wildberger <mike@kiheiice.com>
Sent: Monday, December 16, 2019 5:34 AM
To: GET Committee
Subject: In favor of GET-10-(5)

My name is Mike Wildberger and I am writing in favor of GET 10-(5).

The mayoral race is largely a popularity contest that has left Maui with a string of “prom queens” with recognizable last names as their primary qualification. Each new mayor sets a new course for the county limiting the effectiveness of long term planning, sometimes reversing direction completely. It is a red flag when a business changes it’s CEO every few years so why does Maui County do this? If it’s for accountability why not do it every other year like the council?

Any enterprise needs a mission statement, clear long term goals, and empowered people to make it happen. The political nature of Maui’s executive branch causes a lack of direction, blurry goals, and a staff locked into short term group think and a “get what you can because you will be gone tomorrow” attitude. The high turnover in the mayor’s staff is an example of this problem.

Reorganizing the executive branch to create a county manager, eliminate arbitrary and political executive appointments, and move direction to the elected council would make our government more accountable while also creating a continuity in staff and experience that would improve government operations.

The voters should have a chance to decide.

Mahalo
Mike Wildberger
8088701741

GET Committee

From: Paul Janes-Brown <janesbrownp@gmail.com>
Sent: Friday, December 13, 2019 2:00 PM
To: GET Committee
Subject: Testimony Agenda Item (GET-10(5))
Attachments: Testimony GET Committee 12-13-19.doc

Aloha,

Attached hereto is my testimony regarding the above referenced matter. Please acknowledge receipt of this testimony. Mahalo.

A hui hou,
Paul Janes-Brown

GET Committee

From: rphill3636@aol.com
Sent: Friday, December 13, 2019 11:17 AM
To: GET Committee; Mike J. Molina; Mike.Molina@mauicounty.gov
Subject: Fwd: Managing Director Charter Change(GET-10(5))

Subject: Managing Director Charter Change(GET-10(5))

Aloha Chair Molina and committee members

Thank you all for taking up this most important proposal

In the past I had the pleasure to work for over 6 months as part of the Special Committee and it's TIG in researching and thoroughly investigating the pros and cons that this proposal has as part of its structure and its ramifications. As part of our mandate we were to come up with detailed conclusions and recommendations. These were submitted to the Council and the Administration and the public.

Overall the majority felt that the implementation would improve Maui County Government and its efficiency and effectiveness and better use its residents tax dollars.

Creating a more efficient and transparent government complete with an upgrade in oversight and professionalism would be the result of restructuring the role of the managing director.

Allowing the proposal at hand to be allowed to proceed would:

Reduce the level of politics out of our government

Eliminate the wasteful and costly mandatory turn over of Directors. Thus saving the County the loss of continuity, knowledge, retraining of employees and search for new candidates. As an aside, mandatory turn over does not inspire professional to come to Maui and work for these most important positions. A definite negative in inspiring and bringing new ideas and abilities to bear for the benefit of the residents. Importantly, freeing the Mayor to better serve the residents thru being the Chief Executive Officer that is his/her main job. Allowing the Mayor to create and implement his vision and to oversee the direction of the County. In addition, The Mayor would have a professional Chief Operating Officer that would administer the Mayor's vision thru professionalism and well functioning departments. In particular, the managing director in his/her new role would provide the Mayor with insight and expertise with more time to spend in the betterment of administration of needs to the residents

Maui County now has 165,000 residents, 2,000,000 visitors yearly, and a budget rapidly approaching 1 billion dollars. Providing this simple change to the role of the managing director will have a dramatic impact on allowing Maui County to move effectively into the next decade.

With more professionalism and a better grasp on improved governance.

I SINCERELY hope that the Committee will allow this very thoughtful and deliberate proposal to be placed onto the next ballot.

PLEASE allow the residents and tax payers to make the decision. To have a more direct "say" in the way their government is managed

PLEASE allow the voters to make the choice!

Thank You
Ray Phillips
3220 S. Kihei Road
Kihei Maui, Hi.
96753
808 281 3303

GET Committee

From: Steve Goldsmith <stevegoldsmit77@gmail.com>
Sent: Friday, December 13, 2019 10:26 AM
To: GET Committee
Subject: Please approve the Managing Director charter change proposal on Tuesday

GET Committee,

Please allow Maui County voters a chance to vote on the important issue of having a professional County Director.

I have been a long-time proponent and supporter of making the job of Managing Director an empowered professional one, rather than a political appointment.

The current proposal before you is a good compromise of all the feedback given over the last 10 years on this topic. I personally would prefer an even MORE empowered Managing Director, eliminate the mayor's role, and have a unified County Council eliminating the "executive branch". Just have the County Council set goals, and the Managing Director makes those goals a reality.

This bill is a good compromise as many voters seem to want to retain a Mayor at this time. As we approach \$1 Billion per year budgets, especially if you include unfunded county liabilities, it is time to get more "bang for our buck".

A professional will make your job easier and more efficient. For instance, by using Management by Objective, they will let you know how many miles of road we paved this year vs last year, etc. Is the average Police response time increasing or decreasing? Are any bonds needed to be issued to catch up on infrastructure in the areas of water, sewer, buildings, equipment, etc? And, results from "consumer satisfaction" surveys. E.g.: Are the employees of the county friendly? Are the wait times at DMV decreasing or increasing? What frustrates citizens the most in dealing with county employees... AND solutions to those problems.

In short, you will be able to manage the future of Maui County more effectively.

Please pass this on to the council so we can vote on it in November.

Thank you for all that you do...

Aloha,
Steve

Stephen E. Goldsmith
44 Kanani Rd #3-304
Kihei, HI 96753
808-879-7576 Home
808-283-3166 Cell
SteveGoldsmith77@gmail.com

GET Committee

From: Mark Hyde <hydem001@hawaii.rr.com>
Sent: Wednesday, December 11, 2019 5:21 PM
To: GET Committee
Subject: Support GET-10(5) County Manager

I submit the following written testimony in support of GET Agenda Item 10(5)

First and foremost, let the voters decide this question by advancing the charter change proposal to the November ballot.

The small organizational change contained in the proposal would:

- take most politics out of county management (recall the previous manager's statement that management's job #1 is get the mayor re-elected - as opposed to doing quality work for the people);
- eliminate mandatory/disruptive turnover of all directors with each mayoral election, which results in loss of institutional knowledge, politicizes appointments and reduces the number of interested candidates because director positions are artificially time bound/pegged to elections).
- promote continuity of management (if a director is doing a good job, he or she should be able to continue doing so just like in the private sector), and
- predicate director hiring and retention on job qualifications and performance.

Brief History:

- The current charter was adopted in the late 1960s when the county's resident population was 38,000 and the economy was largely based on agriculture, owned and operated by large corporations. Today the county's population is over 165,000 with approximately 3 million visitors a year, and the world as a whole is far more complex, presenting a host of new challenges and requiring considerable expertise for successful governance.
- The 2012 Countywide Policy Plan called for exploration of different governing models.
- Although the 2012 Charter Commission was asked to study a charter change providing for a professional county manager, it did not on the basis that the subject was too complex and would take too much time (which is why it is best addressed by the county council and not put off to the next Charter Commission).
- A Special Committee on Governance was formed by the council in 2015 to study council/manager government and in 2016 a majority of committee members recommended a charter change in favor of a professional manager, reporting to the council. The recommendation died in council committee.
- The current draft resolution builds on the Special Committee's work but changes the manager's reporting relationship to the mayor. This ensures the creation of a professional/hired manager while eliminating earlier concerns that an elected mayor would be a mere figurehead, keeps the balance of power between the executive and legislative branches of government and retains a single point of contact for citizens.
- The proposal was brought before the equivalent council committee in June/July of 2018 but it too died in committee.
- Several new council members were elected in the fall of 2018, most outwardly supporting the need for professional management of operations by means of a hired county manager.
- Roughly 2/3rds of cities and counties in America have a professional county manager, more so in larger jurisdictions like Maui County.
- Now is the time for change and to let voters decide, not politicians, whether the current model is working effectively, efficiently and fairly for them.

Mark Hyde
4320 E. Waiola Loop
Kihei, Hawaii 96753
(808) 874-3839



Chair, council members, thank you for taking this up early in the cycle.

The proposal before you is 4 years in the making, preceded by a 2015 council-created, citizen-populated, Special Committee on Governance that issued a recommendation in May 2016 *calling for a hired manager reporting to the council*, which at the time was intensely debated by the council and the public, was the subject of multiple Maui News editorials in favor of letting the public decide the question, but died in committee, followed by two council election cycles in November 2016 and 2018 where the topic was the subject of additional public debate and made part of multiple candidate platforms and forums, resulting in the election or re-election of several council members serving today, one of whom was a member of that 2015-2016 Special Committee.

The proposal before you is directly responsive to the concerns expressed in 2016:

- it preserves the balance of power between the executive and legislative branches,
- retains a meaningful chief executive role for the mayor,
- creates a truly responsible managing director of operations, reporting to the mayor not the council,
- eliminates mandatory resignation of all of directors with each mayoral election cycle, and
- bases continued director employment on job performance.

A key decision point needing your attention is deciding who should set the future managing director's salary.

In the past the Salary Commission has defined salaries for all appointed department heads, and that continues in this draft¹ including for the managing director and deputy. This approach provides clarity but it will not lend itself to fluid negotiation.

If you want the council to have the flexibility to negotiate the next managing director's salary and benefits as part of a collaborative recruitment and hiring process as described, then eliminate managing directors salary determination from Salary Commission purview² and explicitly give that power to the council,³ which I recommend.

RECEIVED AT GET MEETING ON 12/17/19
Mark Hyde

¹ PP. 34-35

² Page 35

³ Page 2, paragraph 8, and page 7, paragraph 3



I look forward to a rigorous vetting by the council, toward making this proposal a solid governing platform for the people to decide, up or down, in November 2020.

Thank you.

RECEIVED



THE MAUI
MIRACLE

2019 DEC 17 AM 10:10

OFFICE OF THE
COUNTY COUNCIL

Testimony for G.E.T. Committee December 17, 2019

Submitted by Nick Drance

Comments regarding items:

1. GET-11(30) LITIGATION MATTERS (SPECIAL COUNSEL AUTHORIZATION: CLIMATE CHANGE LITIGATION) (GET-11(30))
2. PROPOSED CHARTER AMENDMENT (ESTABLISH AN OFFICE OF THE MANAGING DIRECTOR AND PROVIDE FOR THE APPOINTMENT OF THE MANAGING DIRECTOR AS THE COUNTY'S CHIEF OPERATING OFFICER) (GET-10(5))

Item 1.

We all agree that the Mayor's initiative is right and appropriate. Generally, government and business interests are blinded by their preoccupations with short terms gains at the expense of long-term sustainability, indeed, our very survival. The fact of the matter in my view, is that it's going to take something so catastrophic, beyond what we've already seen, to make business and government respond appropriately. So, to take the initiative definitely at this time, is the way to go. For us, as individuals, our concerns are local and urgent. We find ourselves in a position where we must protect our own first.

Our strategic and fiscal priorities must focus on all the things that the Mayor has cited. He's completely right.

I'd like to see that a budget amount be established for his initiative with the following parameters. There's no sense in re-inventing the wheel. We are among hundreds of other cities, states and towns, indeed all island nations. They have already done the heavy lifting along with organizations like Earth Justice and others, to recognize the cost of the consequences we face by inaction.

Our own Corporation Counsel is equipped to work with those other entities and in fact, I consider it their responsibility. Our task is merely to join with others who, as I say, have already done the heavy lifting for us. We must conserve our financial and managerial resources to deal with the new realities we face here locally. I know from experience that we must always be prepared to re-invent our strategies every few years. Our world changes that fast. That does not apply however, in the case of the objectives set forth in Countywide and Island Plans. These are broad, visionary statements based on the values expressed by residents and they should be followed, as was intended.

Let us focus on taking care of ourselves and exercise fiscal responsibility as we do so. For example, Council Member Sugimura called for an analysis for Upcountry Cesspool Replacement based on State Act 125 in 2017. This is an example of stewardship as well as long term fiscal

RECEIVED AT GET MEETING ON 12/17/19

responsibility in every respect. This issue is in her district and while there could possibly be an incremental, potentially unpopular financial contribution required by her constituents, the fact remains, as she accurately stated, that the health of our water supply must be assured in the long term. That's a better use of financial resources in addressing environmental needs than hiring outside counsel. It's a tough problem that needs our full attention.

The Environmental Resources Department deserves support in order to tackle this issue, which it considers itself unable to handle due to a lack of guidance by the State. Perhaps outside resources in this area would be a more effective use of funds. As I say, others before us have done the heavy lifting. Let us recognize them and focus on our own welfare, locally.

I agree with the Mayor's initiative wholeheartedly as long as we utilize existing resources in the most cost-effective way.

Item 2.

I would find minor revisions to this resolution acceptable in the spirit of teamwork, but I see it correct, as written. In my view, Chair King has composed this resolution in an objective, unbiased way. It follows the best of widely accepted convention. I applaud her professionalism in crafting this resolution which fairly allocates powers between the executive and legislative branches. It efficiently addresses the administrative and managerial requirements of the County, much like the current objectives-based Council Committee structure. It respects the talents and skills of an effective organization. Just as this particular Committee, being comprised of all 9 Council Members, provides an efficient and fair structure, a County Manager function does that for the County as a whole.

The proposed structure duplicates the best corporate arrangement we've come up with so far. In this Resolution, The Mayor is the CEO, the new position serves as COO. The County Council is the Board of Directors. I've reviewed the Charter changes. I second guessed the powers and limitations it bestows upon all entities and it appears balanced and appropriate. If you have an issue with one or another aspect of it, I ask you to talk it over among yourselves and come to agreement so that the County can take advantage of all the benefits this structure provides right away. We need to join the majority of our fellow municipalities in establishing this form of government for ourselves.

Mahalo for all the effort you have expended and all that you have accomplished this year. I wish you a very Merry Christmas season and the best wishes for a healthy and happy New Year.

What Does a County Administrator Do?

A county administrator's job is to oversee the daily operations of a county government. You are the go-between for the county board of directors and the various departments, such as sanitation, water reclamation, and health administration. As a county manager, your duties include creating and reviewing budgets for the different departments; discussing local issues with department heads, clients, and the public; attending public hearings and city council meetings and being present during emergency situations. You are often at board and department meetings, and you do outreach to secure more investment, such as new construction or job creation, from private industry and the state government.