

# REQUEST FOR LEGAL SERVICES

**Date:** November 16, 2017  
**From:** Yuki Lei K. Sugimura, Chair  
Policy, Economic Development, and Agriculture Committee

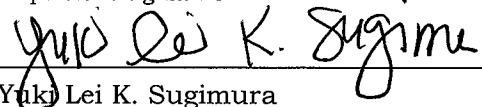
**TRANSMITTAL**

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Edward S. Kushi, Jr., Esq.

**Subject:** ESTABLISHING ADDITIONAL QUALIFICATIONS FOR COUNTY ADMINISTRATIVE HEADS APPOINTED BY THE MAYOR (PEA-27)

**Background Data:** The attached proposed bill has been revised based on the Committee's discussion at its meeting of November 13, 2017. Please review and approve as to form and legality. Provide a hard copy with your response.

**Work Requested:** ☒ FOR APPROVAL AS TO FORM AND LEGALITY  
☐ OTHER:

Requestor's signature  Yuki Lei K. Sugimura	Contact Person Shelly Espeleta (Telephone Extension: 7134)
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☐ ROUTINE (WITHIN 15 WORKING DAYS) ☐ RUSH (WITHIN 5 WORKING DAYS)  
☐ PRIORITY (WITHIN 10 WORKING DAYS) ☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): November 17, 2017, 10 a.m.  
REASON: To meet posting deadline for the Committee's 11/27/17 meeting agenda.

**FOR CORPORATION COUNSEL'S RESPONSE**

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: ☐ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)  
☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)

pea:ltr:027acc05:ske

Attachment

ORDINANCE NO. \_\_\_\_\_

BILL NO. \_\_\_\_\_ (2017)

A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS  
FOR THE DIRECTOR OF PUBLIC WORKS AND  
THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Purpose. The purpose of this ordinance is to establish additional qualifications, pursuant to Section 6-4, Revised Charter of the County of Maui (1983), as amended ("Charter"), for the Director of Public Works and the Director of Environmental Management, both of whom are appointed by the Mayor. Section 6-4 of the Charter authorizes the Council to establish specific qualifications for administrative heads appointed by the Mayor in addition to any set forth in the Charter. More specific qualifications will help identify skilled, experienced individuals to lead the County's departments, strengthen operations, and better serve the public.

SECTION 2. The Maui County Code is amended by adding a new chapter to be appropriately designated and to read as follows:

**"Chapter 2.14**

**SPECIFIC QUALIFICATIONS OF  
ADMINISTRATIVE HEADS OF DEPARTMENTS**

Sections:

- 2.14.010 Additional qualifications.
- 2.14.020 Director of public works.
- 2.14.030 Director of environmental management.

**2.14.010 Additional qualifications.** The specific qualifications of administrative heads of departments established in this chapter are in addition to any qualifications set forth in the Charter.

**2.14.020 Director of public works.** The director of public works shall have the following minimum qualifications:

1. As set forth in the Charter, five years of experience in an administrative capacity, either in public service or private business, or both.

2. As a part of or in addition to the five years of administrative experience, three years of responsible managerial and budgetary experience.

3. As a part of or in addition to the five years of administrative experience, three years of experience in one or more of the functions described in Sections 8-5.3(1), (2), or (3) of the Charter.

4. A bachelor's degree from an accredited college or university in engineering, business administration, public administration, or other relevant discipline, or a combination of education and work experience substantially equivalent to such a bachelor's degree.

**2.14.030 Director of environmental management.** The director of environmental management shall have the following minimum qualifications:

1. As set forth in the Charter, five years of experience in an administrative capacity, either in public service or private business, or both.

2. As a part of or in addition to the five years of administrative experience, three years of responsible managerial and budgetary experience.

3. As a part of or in addition to the five years of administrative experience, three years of experience in one or more of the functions described in Sections 8-15.3(1), (2), (3), or (4) of the Charter.

4. A bachelor's degree from an accredited college or university in engineering, environmental science, water resources, business administration, public administration, or other relevant discipline, or a combination of education and work experience substantially equivalent to such a bachelor's degree."

SECTION 3. This ordinance shall take effect on January 2, 2019.

APPROVED AS TO FORM AND LEGALITY:

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Department of the Corporation Counsel  
County of Maui

pea:misc:27abill(pw-em)02

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Department of the Corporation Counsel  
County of Maui

|      pea:misc:27abill(pw-em)012