

# REQUEST FOR LEGAL SERVICES

**Date:** April 30, 2018  
**From:** Yuki Lei Sugimura, Chair  
Policy, Economic Development, and Agriculture Committee

RECEIVED  
CORPORATION COUNSEL

2018 APR 30 PM 2:58

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:** Please review and approve as to form and legality, if appropriate, the attached revised proposed bill relating to qualifications for the Managing Director. A signed hard copy is requested with your response.

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

Requestor's signature <u>Yuki Lei Sugimura</u> Yuki Lei Sugimura	Contact Person <u>Shelly Espeleta</u> (Telephone Extension: 7134)
--	---

RECEIVED  
2018 MAY -2 AM 8:50  
OFFICE OF THE  
COUNTY COUNCIL

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): May 4, 2018, at 10 a.m.  
REASON: To meet posting deadline for May 14, 2018 PEA Committee meeting.

### FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>ESK</u>	ASSIGNMENT NO. <u>2017-0098</u>	BY: <u>RTM</u>
-------------------------	---------------------------------	----------------

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 5/1/18 By [Signature]

(Rev. 7/03)

pea:ltr:027acc15:ske

Attachment

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

BILL NO. \_\_\_\_\_ (2018)

A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS  
FOR THE MANAGING DIRECTOR

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

SECTION 1. Purpose. The purpose of this ordinance is to establish additional qualifications for the Managing Director, pursuant to Section 6-4, Revised Charter of the County of Maui (1983), as amended (“Charter”). 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. Chapter 2.14, Maui County Code, is amended by adding a new section to be appropriately designated and to read as follows:

**“2.14.120 Managing director.** The managing director shall have the following minimum qualifications:

1. As set forth in the charter, five years of experience in an administrative capacity, either in public 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 following functions:

a. Acting as the principal management aide to a chief executive officer.

b. Supervising the administrative functions of agencies, departments, and boards and commissions.

c. Evaluating the management and performance of agencies under his or her supervision.

d. Prescribing standards of administrative practice to be followed by agencies under his or her supervision.

e. Supervising and coordinating the preparation and submittal of an annual operating budget and a capital program.

f. Supervising and coordinating the control, management, and execution of an annual operating budget and capital program.

g. Supervising and coordinating a systematic and continual review of the finances, organizations, and methods of each department to assist in achieving the most effective expenditure of funds and to determine that such expenditures are in accordance with budget laws and controls in force.

4. A bachelor's degree from an accredited college or university in 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. New material is underscored. In printing this bill, the County Clerk need not include the underscoring.

SECTION 4. This ordinance shall take effect on January 2, 2019.

APPROVED AS TO FORM AND LEGALITY:



---

EDWARD S. KUSHI, JR.  
Department of the Corporation Counsel  
County of Maui

pea:misc:027abill011(md):ske