

**COUNCIL OF THE COUNTY OF MAUI**  
**POLICY, ECONOMIC DEVELOPMENT,**  
**AND AGRICULTURE COMMITTEE**

June 1, 2018

**Committee**  
**Report No. \_\_\_\_\_**

Honorable Chair and Members  
of the County Council  
County of Maui  
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy, Economic Development, and Agriculture Committee, having met on May 14, 2018, makes reference to County Communication 17-134, from Councilmember Yuki Lei K. Sugimura, relating to establishing additional qualifications for County department directors.

By correspondence dated May 1, 2018, the Department of the Corporation Counsel transmitted a revised proposed bill entitled "A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS FOR THE MANAGING DIRECTOR." The purpose of the revised proposed bill is to establish additional specific qualifications for the Managing Director, pursuant to Section 6-4, Revised Charter of the County of Maui (1983), as amended ("Charter").

Your Committee notes Charter Section 6-4 provides that, in addition to any qualifications set forth in the Charter, specific qualifications for administrative heads appointed by the Mayor may be established by the Council by ordinance.

Your Committee further notes it began the process of establishing such additional qualifications after the voters passed a Charter amendment in the 2016 general election.

Your Committee further notes it previously reported on this matter through Committee Reports 17-199, 18-52, 18-62, and 18-65, which recommended that the following revised proposed bills be passed on first reading and be ordered to print:

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1. A revised proposed bill entitled “A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS FOR THE DIRECTOR OF PUBLIC WORKS AND THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT”;
2. A revised proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING THE ADDITIONAL QUALIFICATIONS FOR THE DIRECTOR OF PUBLIC WORKS AND THE DIRECTOR OF ENVIRONMENTAL MANAGEMENT, AND ESTABLISHING ADDITIONAL QUALIFICATIONS FOR THE DIRECTOR OF PARKS AND RECREATION AND THE DIRECTOR OF TRANSPORTATION”;
3. A revised proposed bill entitled “A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS FOR THE DIRECTOR OF HOUSING AND HUMAN CONCERNS”;
4. A revised proposed bill entitled “A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS FOR THE PLANNING DIRECTOR, THE DIRECTOR OF FINANCE, AND THE DIRECTOR OF WATER SUPPLY”; and
5. A revised proposed bill entitled “A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS FOR THE CORPORATION COUNSEL AND PROSECUTING ATTORNEY.”

At its meeting of December 15, 2017, the Council adopted the recommendation in Committee Report 17-199 (Ordinance 4803 (2017)). At its meeting of March 23, 2018, the Council adopted the recommendations in Committee Report 18-52 (Ordinances 4840 (2018) and 4841 (2018)). At its meeting of April 6, 2018, the Council adopted the recommendations in Committee Reports 18-62 and 18-65 (Ordinances 4847 (2018) and 4848 (2018)).

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Your Committee reviewed the proposed bill establishing the qualifications for the Managing Director. The qualifications include a minimum of five years of experience in an administrative capacity, either in public or private business, or both, as set forth in the Charter. The bill also requires three years of responsible managerial and budgetary experience, as a part of or in addition to the five years of administrative experience.

Your Committee recommended that as part of or in addition to the five years of administrative experience, the Managing Director shall have three years of experience in one or more of the following functions: 1) acting as the principal management aide to a chief executive officer; 2) supervising the administrative functions of agencies, departments, and boards and commissions; 3) evaluating the management and performance of agencies under his or her supervision; 4) prescribing standards of administrative practices to be followed by agencies under his or her supervision; 5) supervising and coordinating the preparation and submittal of an annual operating budget and a capital program; 6) supervising and coordinating the control, management, and execution of an annual operating budget and capital program; and 7) 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.

The bill further requires the Managing Director to have a bachelor's degree in business administration, public administration, or other relevant discipline, or a combination of education and work experience substantially equivalent to such a degree.

Your Committee notes the Managing Director's qualifications are the last set of director qualifications to be established per Section 6-4 of the Charter.

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Your Committee voted 8-1 to recommend passage of the revised proposed bill on first reading. Committee Chair Sugimura, Vice-Chair Crivello, and members Atay, Carroll, Cochran, Guzman, Hokama, and White voted "aye." Committee member King voted "no."

Your Committee notes the bill, if enacted, will take effect on January 2, 2019, in conformance with Resolution 16-96, requiring Council approval of the Mayor's appointment of department directors and allowing additional qualifications for department directors to be established by ordinance.

Your Policy, Economic Development, and Agriculture Committee RECOMMENDS that Bill \_\_\_\_\_ (2018), attached hereto, entitled "A BILL FOR AN ORDINANCE ESTABLISHING ADDITIONAL QUALIFICATIONS FOR THE MANAGING DIRECTOR," be PASSED ON FIRST READING and be ORDERED TO PRINT.

This report is submitted in accordance with Rule 8 of the Rules of the Council.

  
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YUKI LEI K. SUGIMURA, Chair

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:



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

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