

**COUNCIL OF THE COUNTY OF MAUI**  
**GOVERNANCE, ETHICS, AND**  
**TRANSPARENCY COMMITTEE**

February 15, 2019

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

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

Chair and Members:

Your Governance, Ethics, and Transparency Committee, having met on January 23, 2019, and reconvened on January 30, 2019, and February 5, 2019, makes reference to County Communication 19-1, from Council Chair Mike White, relating to the appointment and removal of administrative heads of departments.

By correspondence dated January 2, 2019 (received on January 8, 2019), the Mayor notified the Council Chair of his appointments of the Managing Director, Corporation Counsel, Prosecuting Attorney, Director of Water Supply, Director of Finance, Director of Public Works, Director of Environmental Management, Planning Director, Director of Housing and Human Concerns, Director of Transportation, and Director of Parks and Recreation, pursuant to Section 6-2(5) of the Revised Charter of the County of Maui (1983), as amended ("Charter").

By correspondence dated January 14, 2019, the Mayor transmitted proposed resolutions for each administrative head to your Committee, including a proposed resolution entitled "APPROVING THE APPOINTMENT OF SANANDA K. BAZ AS THE MANAGING DIRECTOR." The purpose of the proposed resolution is to approve the Mayor's appointment of Sananda K. Baz as Managing Director, pursuant to Charter Sections 6-2(5) and 8-1.2.

Your Committee notes Section 8-1.2 of the Charter provides that the Managing Director shall be appointed by the Mayor with the approval of the Council. In addition, Charter Section 6-2(5) provides that the Council shall confirm or deny the confirmation within 60 days after receiving notice

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of the appointment by the Mayor, or the appointment shall be deemed confirmed. The deadline for the Council to confirm or deny the appointment of Mr. Baz as the Managing Director is March 9, 2019.

By correspondence dated January 14, 2019, the Mayor transmitted the following: 1) County of Maui Job Description for the Managing Director; 2) Ordinance 4864 (2018), relating to the minimum qualifications of the Managing Director; and 3) Sananda "Sandy" K. Baz's resume.

At the request of the Chair of your Committee, the Department of the Corporation Counsel transmitted a revised proposed resolution, entitled "APPROVING THE MAYOR'S APPOINTMENT FOR MANAGING DIRECTOR," approved as to form and legality, incorporating the minimum qualifications for the position and nonsubstantive revisions. The Department also transmitted a proposed resolution entitled "DISAPPROVING THE MAYOR'S APPOINTMENT FOR MANAGING DIRECTOR." The purpose of the proposed resolution is to disapprove the appointment.

Your Committee notes by Resolution 16-96, the Council proposed an amendment to the Charter to be placed on the General Election ballot to require Council approval of the Mayor's appointment of administrative heads of departments and allow additional qualifications for administrative heads appointed by the Mayor to be established by ordinance. The proposed Charter amendment was approved at the 2016 General Election.

Ordinances 4803, 4840, 4841, 4847, 4848, and 4864, respectively, established additional qualifications for administrative heads appointed by the Mayor in Chapter 2.14, Maui County Code. The effective date of the ordinances was January 2, 2019.

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As noted in his resume, Mr. Baz has held various positions within the County government, having served as a Programmer/Analyst III and Webmaster in the Department of Management from 1998 to 2000, before serving as Budget Director from January 2011 to December 2016. In 2017, Mr. Baz served as Director of the Office of Council Services, then as an administrator in the Department of the Corporation Counsel, before again being named Budget Director, a position he held until January 2, 2019.

Your Committee met with Mr. Baz. He said his in-depth knowledge as Budget Director allowed him to get a good grasp of County operations and enabled him to interact with all County departments.

Mr. Baz told your Committee that, if confirmed as Managing Director, he intends to work with all departments and hold them accountable to meeting and exceeding performance standards.

After reviewing Mr. Baz's experience and capabilities and giving due consideration to public testimony, your Committee was satisfied Mr. Baz met the minimum qualifications for the Managing Director position and recommended his appointment be approved. Your Committee was particularly impressed with the manner in which Mr. Baz worked with County departments as Budget Director. Your Committee felt he would bring the same level of collaboration if named Managing Director.

Your Committee voted 9-0 to recommend adoption of the revised proposed resolution to approve the appointment of Sananda K. Baz as Managing Director and filing of the proposed resolution to disapprove the appointment. Committee Chair Molina, Vice-Chair Rawlins-Fernandez, and members Hokama, Kama, King, Lee, Paltin, Sinenci, and Sugimura voted "aye."

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Your Governance, Ethics, and Transparency Committee  
RECOMMENDS the following:

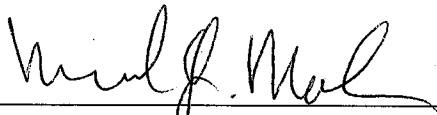
1. That Resolution \_\_\_\_\_, attached hereto, entitled  
"APPROVING THE MAYOR'S APPOINTMENT FOR MANAGING  
DIRECTOR," be ADOPTED; and
2. That the proposed resolution, attached hereto, entitled  
"DISAPPROVING THE MAYOR'S APPOINTMENT FOR  
MANAGING DIRECTOR," be FILED.

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

  
\_\_\_\_\_  
MICHAEL J. MOLINA, Chair

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# Resolution

No. \_\_\_\_\_

## APPROVING THE MAYOR'S APPOINTMENT FOR MANAGING DIRECTOR

WHEREAS, by letter dated January 2, 2019, received by the Council on January 8, 2019, Mayor Michael P. Victorino notified the Council he appointed Sananda K. Baz as the Managing Director, pursuant to Sections 6-2(5) and 8-1.2 of the Revised Charter of the County of Maui (1983), as amended; and

WHEREAS, Charter Section 6-4 of the Charter authorized the Council to establish specific qualifications for administrative heads appointed by the Mayor in addition to any set forth in the Charter; and

WHEREAS, Ordinance 4864 (2018), attached hereto as Exhibit "A," establishes additional qualifications for the Managing Director effective January 2, 2019; and

WHEREAS, Charter Section 6-2(5) requires the Council to confirm or deny the appointment within sixty days after receiving notice of the appointment by the Mayor; and

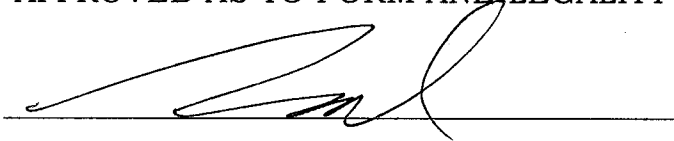
WHEREAS, Charter Section 8-1.2 states: "The managing director shall be appointed by the mayor with the approval of the council"; now, therefore,

**Resolution No. \_\_\_\_\_**

BE IT RESOLVED by the Council of the County of Maui:

1. That it deems Sananda K. Baz to have satisfied the minimum qualifications for the position of Managing Director;
2. That it hereby approves the appointment of Sananda K. Baz as the Managing Director; and
3. That a certified copy of this resolution be transmitted to the Mayor.

APPROVED AS TO FORM AND LEGALITY

A handwritten signature in black ink, appearing to be 'M. L.', is written over a horizontal line.

Department of the Corporation Counsel  
County of Maui

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ORDINANCE NO. 4864

BILL NO. 60 (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.

EXHIBIT " A "



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

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# Resolution

No. \_\_\_\_\_

## DISAPPROVING THE MAYOR'S APPOINTMENT FOR MANAGING DIRECTOR

WHEREAS, by letter dated January 2, 2019, received by the Council on January 8, 2019, Mayor Michael P. Victorino notified the Council he appointed Sananda K. Baz as the Managing Director, pursuant to Sections 6-2(5) and 8-1.2 of the Revised Charter of the County of Maui (1983), as amended; and

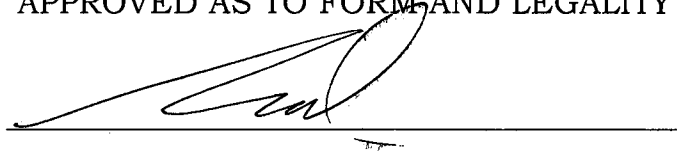
WHEREAS, Charter Section 6-2(5) requires the Council to confirm or deny the appointment within sixty days after receiving notice of the appointment by the Mayor; and

WHEREAS, Charter Section 8-1.2 states: "The managing director shall be appointed by the mayor with the approval of the council"; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby disapproves the appointment of Sananda K. Baz as the Managing Director; and
2. That a certified copy of this resolution be transmitted to the Mayor.

APPROVED AS TO FORM AND LEGALITY



Department of the Corporation Counsel  
County of Maui