

# REQUEST FOR LEGAL SERVICES

**Date:** January 16, 2019  
**From:** Mike Molina, Chair  
Governance, Ethics, and Transparency Committee

**RECEIVED**

By Department of the Corporation Counsel at 9:48 am, Jan 16, 2019

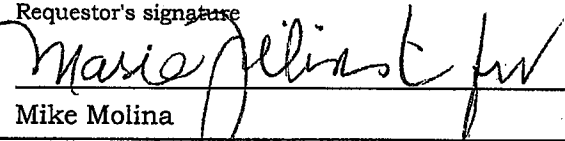
TRANSMITTAL  
**Memo to:**

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

**Subject: APPOINTMENT AND REMOVAL OF ADMINISTRATIVE HEADS OF DEPARTMENTS**  
(GET-1)

**Background Data:** Please review and approve as to form and legality the attached revised proposed resolutions to allow for approval of the following appointments for administrative heads of departments: 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. A hard copy is requested with your response.

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

Requestor's signature  Mike Molina	Contact Person <u>Shelly Espeleta</u> (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): Wednesday, January 16, 2019  
REASON: For posting on January 23, 2019 GET Committee meeting agenda.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <u>ESK</u>	ASSIGNMENT NO. <u>2019-0065</u>	BY: <u>lak</u>
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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 1/16/19

By 

(Rev. 7/03)

# Resolution

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

## APPROVING THE MAYOR'S APPOINTMENT FOR DIRECTOR OF HOUSING AND HUMAN CONCERNS

WHEREAS, by letter dated January 2, 2019, received by the Council on January 8, 2019, Mayor Michael P. Victorino notified the Council he appointed William Robert Spence as the Director of Housing and Human Concerns, pursuant to Sections 6-2(5) and 8-10.2 of the Revised Charter of the County of Maui (1983), as amended; and

WHEREAS, Charter Section 6-4 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, Section 2.14.060, Maui County Code, attached hereto as Exhibit "A," establishes additional qualifications for the Director of Housing and Human Concerns 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

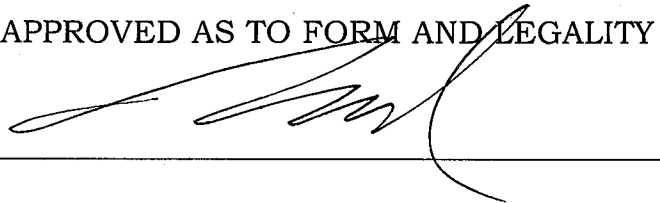
WHEREAS, Charter Section 8-10.2 states: "The director of housing and human concerns shall be appointed by the mayor with the approval of the council"; now, therefore,

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

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

1. That it deems William Robert Spence to have satisfied the minimum qualifications for the position of Director of Housing and Human Concerns;
2. That it hereby approves the appointment of William Robert Spence as the Director of Housing and Human Concerns; 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 'J. M. ...', is written over a horizontal line.

Department of the Corporation Counsel  
County of Maui

get:misc:001(9)areso02:ske

2.14.060 - Director of housing and human concerns.

The director of housing and human concerns 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 developing, supervising and coordinating programs and projects designed to meet housing and/or human needs.
4. A bachelor's degree from an accredited college or university in business administration, public administration, sociology, or other relevant discipline, or a combination of education and work experience substantially equivalent to such a bachelor's degree.