



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

GET-1 (9)

MICHAEL P. VICTORINO
Mayor

WILLIAM R. SPENCE
Acting Director

LORI TSUHAKE
Deputy Director

RECEIVED

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OFFICE OF THE MAYOR

January 18, 2019

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Michael J. Molina, Chair
Government, Ethics, and Transparency Committee
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 1/18/19
Mayor Date

Dear Chair Molina:

**SUBJECT: NOMINATION AS DIRECTOR OF HOUSING AND HUMAN CONCERNS
(GET-1)**

This transmission is in response to the receipt of the letter from Council Chair King, dated January 10, 2019, requesting the following information be submitted to the Council's Government, Ethics, and Transparency Committee.

1) Why did you apply to serve as the Director of Housing and Human Concerns?

From early childhood to our kupuna, the human needs of Maui's residents are varied, they may be large or small, or they might be of an emergency nature. It is not hard for our residents to be "left behind" if there are not people and programs to help. My desire as director is to compassionately make a difference in their lives.

2) What do you perceive as the roles and responsibilities of the Director of Housing and Human Concerns?

The Department of Housing and Human Concerns is established by Chapter 10 of the Maui County Charter. The director is to administer and coordinate programs and plans to meet the human needs of our residents, and as directed by the mayor. Though part of the administration, another primary responsibility is to work collaboratively with the County Council on relevant matters.

This department has traditionally split the focus of its namesake into two areas: one toward housing issues and the other on human services.

Historically, the Director has given the most attention to the creation of affordable housing. I will be no different and am currently working with a number of property owners and developers to discuss the development of rentals, tiny home villages, workforce, and senior housing. While new units are an emphasis, we cannot forget that rental assistance through the Section 8 program is a critical component of housing our residents.

The Deputy Director's primary focus has traditionally been directed toward the human services component of the department, which is comprised of the Grants Management, Office on Aging, Immigrant Services, Early Childhood, Volunteer Center, Kaunoa Senior Services and Homeless Program divisions.

I do anticipate instances when both components of the department will need to be addressed simultaneously. As an example, homelessness is an area that significantly overlaps with the housing component as housing is a primary need for the homeless. Besides the obvious that housing people will reduce homelessness, housing also provides the foundation of stability and self-worth. Numerous studies and examples have shown that housing is a significantly more efficient expenditure of public resources than simply maintaining the day to day chronic issues. While housing addresses one aspect, the human services component manages the outreach, compassionate responses, grants to nonprofits and other resources needed to assist those in need. As such, I foresee collaboration in this regard.

3) Given your understanding of the role and responsibilities of the Director of Housing and Human Concerns, why do you believe you are qualified for the position? Please include a brief statement of your skills, expertise, experiences, or knowledge that would aid in your decision-making ability as the Director of Housing and Human Concerns. Highlight three qualities you feel make you a highly qualified candidate.

I believe I am a highly qualified candidate for the position for following reasons:

- I have 30 years of professional experience, applying the very laws and rules that regulate housing. Twenty seven of those are on Maui, using our specific state and county environmental and land use laws. There has never been a director with this first-hand knowledge of our regulations.

As housing is one of our most important land uses, an understanding of those laws is critical to meeting our resident's needs and aiding the council's decision-making.

- Administratively, I bring many years of experience to the table. Eighteen years have been within the County, either as a staff planner or a department director. In addition, I was a land-use consultant for seven years, working with small land owners and communities, mostly to develop housing.
- Within the mix of professional experience is my personal experience as a resident of Maui for 27 years. Not only has this time brought an understanding and

appreciation of the island, its communities, cultures, and environmental issues, but I too have personally struggled with housing a number of times over the years. Now with my own family on Maui, I witness their struggles first-hand.

4) Please identify one short- and one long-term goal you would have as the Director of Housing and Human Concerns and how you would accomplish these during your term of service.

The most important of a number of short-term goals would be to re-direct the focus the Housing Division from an organization simply reacting to developer requests, to one that proactively pursues housing opportunities. We should be actively looking at our options with the types of properties noted in No. 5 below.

In the longer term, I believe the department needs to establish a plan to address affordable housing and then work to implement it on a continual basis. Please see the response to No. 7 below for more detail.

5) Please discuss your plans to proactively address the shortage of residential workforce housing.

As I noted above, the Housing Division needs a new focus. Instead of waiting for proposals from land owners, we should be identifying properties suitable for housing. These may be county or state properties, approved projects that are “stuck” for some reason, underutilized properties, or those identified by our general plan for housing. These present opportunities where Maui County can take an active part in providing solutions.

6) Discuss what efforts you will initiate to improve the management of homelessness issues.

There are several areas we are currently working on. One is we are working with a nonprofit to purchase and operate a mobile sanitation unit in the Kihei area. By being mobile, this unit will provide outreach to those homeless who will not visit a static site.

Another effort is to identify one or more sites that would qualify for “Ohana Zones” funds as provided by Act 209 in 2018. The purpose of the act is to provide funds for long-term housing for the homeless. The funds may only be used for State or County properties, and may be used to rehabilitate existing structures or expand the capacity of existing facilities.

Moloka`i has experienced an influx of homeless, mostly from Hawaii County, as a result of the volcanic activity last year. We need to determine what steps we can take to alleviate this new issue.

7) What are your plans to implement an affordable-housing policy and implementation plan?

This office has never had a specific plan to address affordable housing, something I intend to change. In the past it has simply relied on Maui County Code, 2.86 and 2.96, or to HRS 201H-38 in response to developer proposals.

Developing a plan for affordable housing would establish a proactive program within the department, one that can be followed through on a consistent basis through administrative and legislative measures. Such a plan would be closely tied to the general plan (Countywide Policy Plan, Maui Island Plan, community plans), as well as the Council's TIG report (2016), and the SMS policy recommendations (2018). The policies and actions will need to be reviewed again, prioritized with consultation by the communities, and carried through with appropriate legislation or other means.

In addition, there are aspects of 2.96 that need to be revised. The qualifications are very narrow, prohibiting otherwise low income individuals or couples from obtaining housing. Another issue will be to encourage the availability of new housing for island residents rather than it being purchased by those off island.

8) Can you foresee any possible conflicts of interests that could arise during your service in the Department of Housing and Human Concerns? How would you overcome any possible conflicts of interest?

The foregoing response is provided with the assistance of Corporation Counsel as the question appears to involve the Code of Ethics, Article 10 of the Charter, Code of Ethics, Section 2.56 of the Maui County Code, and to Chapter 101 of the Administrative Rules for the Maui County Board of Ethics. Based on Section 04-101-3, Definitions, "conflict of interests" means:

a real or seeming incompatibility between one's private interests and one's public or fiduciary duties; it also has meanings as explained in past board opinions, that involve a two-part test and require interpretation of section 10-4.1.c. of the Charter, that no officer or employee of the County shall engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of the officer's or which may tend to impair the officer's or employee's independence of judgment in the performance of the officer's or employee's official duties.

As your question specifically asks about the foreseeability of any possible "conflicts of interests" that could arise, and if one does arise how it may be overcome, we must look to the body of the Code of Ethics referenced above, inclusive of past board opinions. In doing so, however, we humbly respond that we are unable to speculate absent specific facts. Rest assured that any possible consideration of "conflicts of interests" will be immediately submitted to the Board of Ethics for its review and guidance.

Honorable Michael J. Molina, Chair
Government, Ethics, and Transparency Committee
Maui County Council
January 18, 2019
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Thank you for the opportunity to provide this information. Should you have any questions, please feel free to contact me at Ext. 7805.

Sincerely, .

A handwritten signature in black ink, appearing to read "William R. Spence". The signature is fluid and cursive, with a long horizontal stroke at the end.

WILLIAM R. SPENCE
Acting Director of Housing and Human Concerns