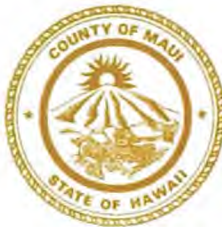


MICHAEL P. VICTORINO
Mayor
MICHELE CHOUTEAU MCLEAN, AICP
Director
JORDAN E. HART
Deputy Director



RECEIVED

2020 MAR 17 PM 2:54

OFFICE OF THE MAYOR

DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAII 96793

March 16, 2020

2020 MAR 19 AM 10:20
OFFICE OF THE
COUNTY COUNCIL

RECEIVED

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

APPROVED FOR TRANSMITTAL

for  3/18/20
Mayor Date

For Transmittal to:

Tamara Paltin, Chair
Planning and Sustainable Land Use Committee
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Paltin and Committee Members:

**SUBJECT: OPERATIONAL AND BUDGETARY REVIEW OF THE
DEPARTMENT OF PLANNING (PSLU-53)**

Thank you for your February 24, 2020 letter asking for information about the costs for the Department of Planning (Department) to staff the proposed new Paia-Haiku and South Maui advisory committees to the Maui Planning Commission (MPC).

It is difficult to respond to your questions because the details and roles of the advisory committees has not been made clear. The most recent version of the proposed bill should not be adopted as drafted because it conflicts with the Charter of the County of Maui by stating that certain subsections of Section 13-2 of the Charter would not apply to the proposed advisory committees. Additionally, it broadens the authority of the proposed advisory committees beyond those now delegated to the Hana Advisory Committee (HAC), such as the review of all amendments to Title 19 and all bed and breakfast and short-term rental home permits (even those that do not trigger MPC review). Lastly, the requirement that the proposed advisory committees provide their recommendations within a prescribed time could be problematic and create dissatisfaction among the communities that the proposed advisory committees are intended to represent.

As you know, the Department provided your Committee with a detailed letter, dated January 31, 2020, that raises several issues that we hope will be discussed by the Paia-Haiku and South Maui communities and your Committee before final action is taken on any proposed bill. These issues

include many of those that were raised in public testimony, such as whether the proposed advisory committees should have approval authority over certain permits.

Further, we strongly believe that the MPC should be given the opportunity to comment on a proposed bill before your Committee makes its recommendation to the full Council. Until the proposed advisory committees' roles and responsibilities are clearly defined, it is difficult to determine what the Department's staffing needs will be.

However, the Department can provide these general responses to the questions posed in your February 24 letter; please note that these costs do not include those that may be incurred by other departments, such as the Department of the Corporation Counsel, whose time and resources may also be needed to support the proposed advisory committees:

- **Needed Additional Office Space and Equipment:** We previously estimated that staffing the proposed advisory committees would require three additional personnel who would, ideally, be located in One Main Plaza. The estimated cost for office space to accommodate three personnel is \$1,850 per month or \$22,200 annually. The estimated cost for equipment for these personnel is \$4,000 each or \$12,000 total, and the estimated cost for office furnishings is \$5,500 each or \$16,500 total.
 - Annual Rent: \$22,200
 - Equipment: \$12,000
 - Office Furnishings: \$16,500
- **Cost Difference:** The annual cost difference between our current operations and staffing the two new proposed advisory committees would include the addition of the annual rent as noted above, plus the salaries for the three additional personnel, plus general overhead (office supplies, postage) administrative overhead (senior management), plus training (pursuant to sec. 2.28.080, Maui County Code), for a total of \$261,200.
 - Annual Rent: \$22,200
 - Annual Salaries: \$195,000
 - Annual General Overhead: \$15,000
 - Annual Administrative Overhead: \$22,000
 - Annual training: \$7,000
- **Per-Meeting Cost for the HAC and MPC:** The estimated cost for a HAC meeting is \$1,150 in staff time only; the estimated cost for a MPC meeting is \$1,210 for staff time only. However, the preparation needed for these meetings (e.g., drafting staff reports, publishing public hearing notices, posting agendas) increases the cost substantially.
- **Commission vs. Advisory Committee:** Without having more information on the details of proposed new commissions or advisory committees, the costs of each would be comparable in terms of office space and staffing. The difference would be a cost savings realized if a new

commission would have approval authority over projects because then additional staff time would not be needed to then take the projects to the MPC.

- **Other Concerns:** in addition to the issues raised in our January 31, 2020 letter and the costs noted above, the only other concern that we wish to note is the challenge of maintaining an advisory committee that does not meet regularly, like the HAC. We have had to cancel many HAC meetings due to lack of quorum because they do not have a regular meeting schedule. (Because of the low volume of matters for them to discuss, a regular meeting schedule is not needed.) Additionally, because the HAC meets infrequently, the members are not regularly exposed to the numerous laws and rules that apply to their deliberations, despite annual training, which can make the proceedings challenging for members, staff and applicants.

Depending on the authority given to the proposed advisory committees, this may or may not be an issue for them.

- **MPC Testimony:** at a recent meeting, the MPC was asked if they would allow testimony on any agenda item at the beginning of the meeting for those members of the public who might not be able to stay for the entire meeting. When each agenda item is discussed in turn, the Department planner makes a presentation, then the applicant makes a presentation, then public testimony is taken. The MPC believes that this allows for informed testimony, as testifiers have the benefit of the two presentations before giving their comments; the public also has the opportunity to submit written testimony. The MPC believes that this results in higher quality testimony than if testimony were allowed at the beginning of the meeting, and so decided to continue this practice and not allow testimony at the beginning of the meeting.

Thank you for your consideration of this response and for your careful deliberations on this important matter. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



MICHELE MCLEAN, AICP
Planning Director

xc: Clayton I. Yoshida, Planning Program Administrator

MCM:atw

S:\ALL\Michele\Council\Paltin PSLU-53 Advisory Committees.doc