

# Resolution

No. 15-155

## ESTABLISHING A SPECIAL COMMITTEE ON COUNTY GOVERNANCE

WHEREAS, the residents of the County of Maui expect their elected officials to strive to operate the County government at the highest level of efficiency and professionalism, and as stated in the Preamble to the County's governing document, the Revised Charter of the County of Maui (1983), as amended ("Charter"), the people of the County of Maui wish to "secure the benefits of the best possible form of county government"; and

WHEREAS, Charter Section 3-9 states:

It is declared to be the policy of the county to promote economy, efficiency and improved service in the transaction of the public business in the legislative and executive branches of the county by:

1. Limiting expenditures to the lowest amount consistent with the efficient performance of essential services, activities, and functions.
2. Eliminating duplication and overlapping of services, activities, and functions.
3. Consolidating services, activities, and functions of a similar nature.
4. Abolishing services, activities, and functions not necessary to the efficient conduct of government; and

WHEREAS, the Maui County General Plan emphasizes the importance of striving for good governance; and

WHEREAS, the Countywide Policy Plan, at page 78, establishes the goal for government services to be "transparent, effective, efficient, and responsive to the needs of residents," with the objective to "strengthen governmental planning, coordination, consensus building, and decision making"; and

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WHEREAS, an implementing action associated with the good governance goals in the Countywide Policy Plan is to “evaluate and, if necessary, recommend modifications to the County Charter that could result in a possible change to the form of governance for Maui County”; and

WHEREAS, since 1969, Maui County has had a council-mayor form of government, and no Charter Commission has since proposed a county manager form of government; and

WHEREAS, as used in this resolution, “county manager form of government” refers to any form of governance in which a professional manager is appointed to oversee a municipality’s administrative operations and implement policies established by the municipality’s elected legislative body (including forms of governance sometimes known as council-manager and city manager); and

WHEREAS, changing from a council-mayor form of government to a county manager form of government would require amendments to the Charter; and

WHEREAS, Charter Section 14-1(1) provides that Charter amendments may be initiated by resolution of the Council adopted after two readings and passed by a vote of six or more Councilmembers; and

WHEREAS, the “2011-2012 Maui County Charter Commission Revised Final Report to the County Clerk (June 25, 2012),” at page 39, stated:

The Commission recommends that a task force be established to thoroughly review the structure of the County of Maui government, research other models of county governments and prepare a report; and

WHEREAS, the Council would benefit from the guidance of a similar task force or committee, in the nature of a blue-ribbon body composed of esteemed community leaders, on the questions of: (a) whether the Council should initiate a Charter amendment to establish a county manager form of government; and (b) if so, how the Charter amendment should be structured; now, therefore,

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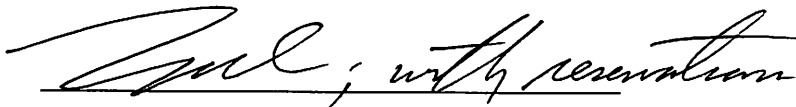
BE IT RESOLVED by the Council of the County of Maui:

1. That the Special Committee on County Governance is established to:
  - a. Consider whether establishing a county manager form of government for the County of Maui would improve management and operation of County government;
  - b. Make written recommendations to the Council on whether the Charter should be amended to establish a county manager form of government and, if so, how the form should be structured; and
  - c. If a county manager form of government is the Special Committee's recommendation, prepare a proposed Charter amendment;
2. That the Special Committee must finish its meetings and provide its written recommendations to the Council within 180 days following the date this resolution is adopted, provided that the Council may extend that time by resolution;
3. That the Special Committee will remain constituted only until the Council proposes a county governance Charter amendment to be placed on the 2016 general election ballot, or until September 30, 2016, whichever comes first;
4. That, for procedural and logistical purposes, but not for membership or other purposes, the Special Committee shall generally function as if it were a standing committee of the Council, subject to the Rules of the Council;
5. That the Special Committee shall regularly meet at public locations throughout the County;
6. That each Special Committee meeting shall be cablecast, and when practicable, the recording shall be made available to the public within two days of the meeting;

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7. That the Special Committee shall be composed of 11 voting members who are Maui County residents, with membership seats allotted from each voting district and two at-large members as follows:
  - a) East Maui – Jonathan Starr;
  - b) Kahului – Renee Kehau Filimoe`atu;
  - c) Lanai – Linda Kay Okamoto (a.k.a. Kay Okamoto);
  - d) Makawao-Haiku-Paia – James J. C. Haynes III (a.k.a. Kimo Haynes);
  - e) Molokai – Paula Friel;
  - f) South Maui – Ray Phillips;
  - g) Upcountry – Doreen Pua Canto (a.k.a. Pua Canto);
  - h) Wailuku-Waihee-Waikapu – Anthony Takitani (a.k.a. Tony Takitani);
  - i) West Maui – Tamara Paltin;
  - j) At-large – Madge Schaefer; and
  - k) At-large – David DeLeon (a.k.a. Dave DeLeon);
8. That the Special Committee shall retain a non-voting facilitator to provide assistance, guidance, and supervision to aid the Committee in performing its functions; and
9. That certified copies of this resolution be transmitted to the Mayor, the Council Chair, the Corporation Counsel, the County Clerk, and the Director of Council Services.

APPROVED AS TO FORM AND LEGALITY:



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

**COUNCIL OF THE COUNTY OF MAUI**

**WAILUKU, HAWAII 96793**

**CERTIFICATION OF ADOPTION**

It is **HEREBY CERTIFIED** that **RESOLUTION NO. 15-155** was adopted by the Council of the County of Maui, State of Hawaii, on the 4th day of December, 2015, by the following vote:

<b>MEMBERS</b>	<b>Michael B. WHITE Chair</b>	<b>Donald S. GUZMAN Vice-Chair</b>	<b>Gladys C. BAISA</b>	<b>Robert CARROLL</b>	<b>Eleanora COCHRAN</b>	<b>Donald G. COUCH, JR.</b>	<b>S. Stacy CRIVELLO</b>	<b>G. Riki HOKAMA</b>	<b>Michael P. VICTORINO</b>
<b>ROLL CALL</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Aye</b>	<b>Excused</b>	<b>Excused</b>	<b>Aye</b>



DEPUTY COUNTY CLERK