

# Resolution

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

## ESTABLISHING A SPECIAL COMMITTEE ON COUNTY GOVERNANCE

WHEREAS, the residents of Maui County 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, 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

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

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result in a possible change to the form of governance for Maui County”;  
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, 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, since 1969, Maui County has had a council-mayor form of government; and

WHEREAS, according to the Summer 2013 edition of the *Harvard Law & Policy Review*, the most common form of municipal government in the United States is the county manager form of government; and

WHEREAS, in a county manager form of government, the county manager usually has extensive professional expertise and a relevant advanced degree, such as a master’s of public administration or master’s of business administration; and

WHEREAS, a June 2015 research report by the National Association of Counties, entitled “An Overview of County Administration,” concluded a county manager form of government can promote efficiency, “ensure counties provide quality services to their residents,” and “keep counties resilient in the face of unexpected changes”; and

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

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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 Council from time to time has established special committees to provide guidance on specific policy issues; and

WHEREAS, the Council would benefit from the guidance of such a special committee, in the nature of a blue ribbon commission 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,

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

1. That the Special Committee on County Governance ("Special Committee") is established from the date of this resolution's adoption for a term of 180 days;
2. That the objective of the Special Committee is to consider and 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;
3. That, for procedural and logistical purposes, the Special Committee shall generally function as if it were a standing committee of the Council and subject to the Rules of the Council;
4. That the Council Chamber should be made available for use by the Special Committee;
5. That the Council Chair shall select the membership of the Special Committee, and in selecting the membership the Council Chair shall give due consideration to geographic and other forms of diversity existing among Maui County's residents and appoint voting members as indicated in Section 6 below;

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6. That the Special Committee shall be composed of nine voting members who are Maui County residents, such as the following:
  - (a) current or former elected officials at the County, State, or Federal level;
  - (b) current or former officers of the County of Maui, including former members of the Charter Commission; or
  - (c) members of the public with special expertise, interest, or experience in municipal governance, public administration, or business administration; and
  
7. 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.