

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 ("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, 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 no Charter Commission has since proposed a county manager form of government; 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 Council would benefit from the guidance of such a 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,

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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 from the date of this resolution's adoption for a term of 365 days;
2. That the objectives of the Special Committee are to: (a) consider whether establishing the county manager form of government for Maui County would significantly improve management and operation of County government; and (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;
3. 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 and subject to the Rules of the Council;
4. That the Special Committee shall regularly meet in the Council Chamber and, when feasible, at other public locations on Lanai, Maui, and Molokai;
5. That the Special Committee shall be composed of 11 voting members who are Maui County residents, with membership seats allotted as follows:
 - a) Councilmember _____;
 - b) Councilmember _____;
 - c) Councilmember _____;
 - d) Business executive _____;
 - e) Business executive _____;
 - f) Hospitality business executive _____;
 - g) Hospitality business executive _____;
 - h) Nonprofit organization executive _____;
 - i) Community member with considerable professional experience with Maui County government _____;

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- j) Community member with considerable experience working for or with trade unions _____;
and
 - k) Community member with considerable knowledge of County governance history _____;
6. That the Special Committee shall retain a facilitator to organize, manage, and facilitate Committee functions;
 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.

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