**Case for Organizational Change**

**Overview and Background**

Organizational structure matters. It can facilitate or impede work, make work efficient or render it inefficient.

Maui County’s current charter is 50 years old, adopted when the county’s population was only 38,000; we didn’t have 2.6 million visitors a year; the economy was largely agrarian; the world was less complex; and demands on local government were fewer and less intense.

Homelessness, housing affordability, traffic, sea level rise, climate change, water availability, waste management, planning complexity, cultural sensitivity and technology are just a few of the things needing leadership today by highly capable and well qualified management, which is why the great majority of cities and counties across America have revised their charters to bring professional management to local government operations.

Sensing the need for change, in 2010, Maui County adopted a Countywide Policy Plan to guide the county’s future. Under the heading “Good Government,” the Plan called for evaluation of the county’s form of governance. Typical with county government, nothing was thereafter done.

Two years later citizens asked the Charter Commission to take the issue up, but it declined, saying it didn’t have time, but it recommended the work be done.

**Special Committee Appointment and Recommendation**

Again, no action by county government was forthcoming until December 2014 when two citizens met with council chair Mike White to petition for progress. Chair White agreed with the need for change, resulting in appointment of a Special Committee to explore the question, and in May 2016 the Special Committee issued its report recommending charter changes that, if approved by the voters, would have provided for a professional manager hired by the council to oversee all county operations and who would have direct responsibility and control over all other directors. The proposal retained a mayor, but with reduced the duties.

Unfortunately, the Special Committee’s recommendation never made it out of the council’s Policy and Intergovernmental Affairs Committee, council members Baisa, Carroll, Couch, Crivello, and Hokama voting against it, thereby denying voters the ability to decide the question, leaving our 50 year-old charter in place.

**Current Charter Shortcomings**

Our 50 year-old charter, crafted for small town Maui, is inadequate to deal with today’s daunting challenges.

* First, under the existing charter the mayor acts as both the county’s chief executive and chief operating officers, but political skills needed to be elected mayor are entirely different from management expertise needed to operate a government with huge responsibilities, 2,200 employees and a $700 million budget.
* Second, the 1968 charter relegates the managing director to that of a mere aid to a mayor, with no teeth and no real responsibility for operations. He or she does not hire and fire directors, a key ingredient to management effectiveness and control.
* Third, because the elected mayor is a politician, those appointed by him/her are by definition political appointees. They may or may not be the best candidates to lead important county functions, and clarity of mission is blurred. Consider the remarks made by our current managing director a few years back, identifying his key job objective as helping to get the mayor re-elected, not doing the people’s business. The two are not synonymous.
* Fourth, the 1968 charter requires all directors to resign with each mayoral term, which is consistent with a politically oriented county government but not with best results for citizens and taxpayers. Turnover is costly for organizations, continuity of leadership is lost, operational knowledge is lost, departmental direction can change and with director jobs ending every four years, it’s particularly difficult to fill open director posts when only a few years remain in a mayor’s term, not to mention attract top talent.

**Public Response to Special Committee’s Proposal**

Despite glaring charter deficits, the Special Committee’s proposal was not universally well received.

Some citizens raised concern that if the council hired the manager, which by the way is a common form of council-manager government, balance of power between the legislative and executive branches of government would be lost.

Some were worried that a manager hired by and reporting to the council would cause citizens to have to contact nine council members to raise issues or voice complaints, and that a county manager might suffer from having 9 bosses.

Third, because we’ve had a mayor for the past 50 years, many just weren’t readyto let go of a one.

**Revised Proposal**

In response to these legitimate concerns, a working group revised the Special Committee’s proposal (1) to retain a meaningful mayor who would in turn (2) hire the professional manager, not the council, thereby (3) maintaining a single point of contact for citizens, (4) eliminating director turnover with each new mayoral cycle, (5) giving a professional manager responsibility for hiring and firing directors based on job duties and performance, not politics and political cycles, and (6) maintaining balance of power between the executive and legislative branches of local government.

This would preserve the best aspects of a strong mayor model of governance while marrying it with the benefits of professional management of operations. Politics would remain in the hands of a popularly elected mayor who would continue in the role of chief executive for the county, chief visionary and goal setter, but operations would be the hands of one skilled in management and getting things done.

**What’s Next?**

Where do we go from here? Unfortunately, unless the council acts to hear this, first through the Policy, Economic Development and Agriculture Committee chaired by Council Member Sugimura, voters will once again be denied the opportunity to decide the question, and Committee Chair Sugimura has made it clear it will not be put on her committee’s agenda, claiming the committee is too busy developing director job requirements mandated by a charter amendment approved by the voters last election cycle, in the belief that this will solve the county’s many management and operational deficits.

It won’t and here’s why.

* The fact that the legislative branch must, 50 years into the charter, lay out job requirements for core executive department leadership positions is embarrassing proof on its face that professional management is sorely needed.
* Second, better job requirements won’t solve the problem of forced turnover of directors with each mayoral term.
* Third, we need to reduce the amount of politics in day-to-day county operations by undoing the link between mayoral elections and director tenure. Politics in the mayor’s office - expected; politics in everyday work - unacceptable. Revised job requirements will have no effect here.
* Fourth, new job requirements won’t cure weakness inherent in a powerless managing director who is relegated by our charter to that of a mere aid to a politician/mayor.
* Fifth, those appointed will continue to see their futures dependent on the political fortunes of the mayor who appointed them, warping the focus of their work and politicizing operations. [See Managing Director comments above.]
* Besides, better job requirements are completely consistent with adding professional management to operations.

**What Can Citizens Do?**

What are we to do? VOTE!

**Elect a mayor who supports this change.** Two candidates do.[[1]](#footnote-1) Vote for one.

Every council seat is up for election. **Vote for council candidates who understand the need for change[[2]](#footnote-2).**  Many do. Don’t vote for politicians who will preserve the status quo.

We deserve better local government and this November we have the power to get it.

1. Elle Cochran and Don Guzman, both candidates for mayor, voted in favor of the Special Committee’s recommendation. [↑](#footnote-ref-1)
2. Tamara Paltin, who is running for the West Maui council seat being vacated by Elle Cochran, served on the Special Committee and supported the committee’s recommendation. Other declared council candidates appeared before the Special Committee to testify in favor of change. [↑](#footnote-ref-2)