

COUNCIL OF THE COUNTY OF MAUI
BUDGET AND FINANCE COMMITTEE

June 1, 2018

Committee
Report No. _____

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Budget and Finance Committee, having met on May 15, 2018, makes reference to County Communication 17-255, from Councilmember Riki Hokama, relating to amendments to the Fiscal Year ("FY") 2018 Budget to authorize transfers between categories of use that are within a program or department.

By correspondence dated May 7, 2018, the Budget Director transmitted a proposed resolution entitled "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF THE PROSECUTING ATTORNEY, FISCAL YEAR 2018 BUDGET."

The purpose of the proposed resolution is to amend the FY 2018 Budget within the Department of the Prosecuting Attorney by transferring \$47,600 from the General Prosecution Program, Category A (Salaries) to the Administration Program, Category A (Salaries) for overtime costs resulting from staff shortage in the General Prosecution Program; \$34,000 from the General Prosecution Program, Category A (Salaries) to the Administration Program, Category B (Operations) for increases in operational costs; and \$100,000 from the General Prosecution Program, Category A (Salaries) to Category B (Operations) for additional costs for expert witnesses.

The proposed resolution references Section 7 of the General Budget Provisions in the FY 2018 Budget, which restricts disbursements for each program by category of use, with allocations specified for: (a) salaries, premium pay, or reallocation pay (Category A); (b) operations or services (Category B); and (c) equipment (Category C).

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The Prosecuting Attorney said the Department has had challenges in budgeting for premium pay in the Administration Program. He said staff shortages of clerical positions in the General Prosecution Program have resulted in overtime cost for employees in the Administration Program. He said the workload placed on the clerical positions to meet the requirements for district court and circuit court has resulted in excess overtime requirements for staff.

The Prosecuting Attorney said additional funds for professional services, including expert witness fees, are needed to meet operational needs in the General Prosecution Program. He said savings in salaries, including the salary from a deputy prosecuting attorney currently on active duty with the National Guard, will be transferred for operational costs.

Your Committee notes the changes in the State's policy for expert witness fees has resulted in higher costs for the County.

The Prosecuting Attorney said expert witness fees and the costs for sheriffs or police officers used for extraditions of fugitives are considered court fees once the fugitive is sentenced. He said the Department does file a motion for reimbursement of these fees, which is then added to the sentence.

Your Committee questioned the projection for carryover/savings for the annual budget. The Budget Director explained that carryover/savings projections are taken from the Comprehensive Annual Financial Report for the prior fiscal year. He said excess revenues might also be recognized as well as savings from a department if there is certainty that an expenditure will not be made or if a project will not proceed, and then those funds are added to the carryover/savings projection.

Your Committee voted 7-0 to recommend adoption of the proposed resolution. Committee Chair Hokama, Vice-Chair White, and members Atay, Carroll, Cochran, Crivello, and Sugimura voted "aye." Committee members Guzman and King were excused.

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Your Committee is in receipt of a revised proposed resolution, approved as to form and legality by the Department of the Corporation Counsel, incorporating nonsubstantive revisions.

Your Budget and Finance Committee RECOMMENDS that Resolution _____, attached hereto, entitled "AUTHORIZING THE TRANSFER OF AN UNENCUMBERED APPROPRIATION BALANCE WITHIN THE DEPARTMENT OF THE PROSECUTING ATTORNEY, FISCAL YEAR 2018 BUDGET," be ADOPTED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



RIKI HOKAMA, Chair

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Resolution

No. _____

AUTHORIZING THE TRANSFER OF AN UNENCUMBERED
APPROPRIATION BALANCE WITHIN THE
DEPARTMENT OF THE PROSECUTING ATTORNEY,
FISCAL YEAR 2018 BUDGET

WHEREAS, Section 9-10(2) of the Revised Charter of the County of Maui (1983), as amended ("Charter"), provides that, upon written request of the Mayor, part or all of any unencumbered appropriation balance may be transferred within a department by resolution or from one department to another by ordinance; and

WHEREAS, Section 7 of the General Budget Provisions in Ordinance No. 4456, Bill No. 65 (2017), Draft 1, as amended, ("Fiscal Year 2018 Budget"), states that, unless otherwise provided, appropriations for each program may be disbursed for the following categories of use: (a) salaries, premium pay, or reallocation pay, (b) operations or services, and (c) equipment; provided the disbursement is within the program and category of use for which it was appropriated; and

WHEREAS, Section 3.B.14. of the Fiscal Year 2018 Budget, relating to the Department of the Prosecuting Attorney, sets forth appropriations for the Administration Program, and the General Prosecution Program ; and

WHEREAS, pursuant to Section 9-10(2) of the Charter, Mayor Alan M. Arakawa has submitted a written request to transfer an unencumbered appropriation balance of \$47,600 from the General Prosecution Program, Category A (Salaries), to the Administration program, Category A (Salaries), \$34,000 from the

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General Prosecution Program, Category A (Salaries), to the Administration program, Category B (Operations), and \$100,000 from the General Prosecution Program, Category A (Salaries), to the General Prosecution Program, Category B (Operations), in order to disburse \$181,600 for salaries, and operations from the appropriate category; now, therefore,

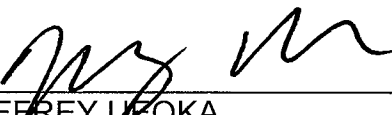
BE IT RESOLVED by the Council of the County of Maui:

1. That, pursuant to Section 9-10(2) of the Charter and Section 7 of the General Budget Provisions, and in accordance with the Fiscal Year 2018 Budget, it does hereby authorize the transfer of an unencumbered appropriation balance of \$47,600 from the General Prosecution Program, Category A (Salaries), to the Administration program, Category A (Salaries), \$34,000 from the General Prosecution Program, Category A (Salaries), to the Administration program, Category B (Operations), and \$100,000 from the General Prosecution Program, Category A (Salaries), to the General Prosecution Program, Category B (Operations), in order to disburse \$181,600 for salaries, and operations; and

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2. That certified copies of this resolution be transmitted to the Mayor,
Director of Finance, Budget Director, and Prosecuting Attorney.

APPROVED AS TO FORM AND LEGALITY:



JEFFREY UZOKA
Deputy Corporation Counsel
County of Maui