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Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

March 20, 2025

Ms. Victoria Takayesu, Corporation Counsel
Department of the Corporation Counsel
County of Maui
Wailuku, Hawaii 96793

Dear Ms. Takayesu:

SUBJECT: **FISCAL YEAR 2026 BUDGET** (BFED-1) (CC-02)

May I please request you submit your response to the following questions by **March 31, 2025**. This will enable the Committee to comprehensively review the FY 2026 Budget.

1. Please outline the major changes in your Department's budget from FY 2025 to FY 2026. If your budget will decrease, how will this impact your Department's operations and ability to serve the public?
2. How many vacant positions currently exist within your Department?
 - a. Please include the job titles for the vacancies and indicate how long the positions have been vacant.
 - b. What is the anticipated timeline for filling these vacancies?
 - c. What are the consequences, if any, for removing funding for these vacant positions from the FY 2026 Budget?
3. If your Department had expansion positions in the FY 2025 Budget, how many of those positions were filled? If they have not been filled, are they included in the FY 2026 Budget? How many months of funding are being requested?

4. If your Department is proposing expansion positions in the FY 2026 Budget, how do you plan to fill those positions?
5. How many positions were filled in FY 2025 that were not expansion positions?
6. Describe your recruitment process.
 - a. How did your Department recruit to fill vacancies and what were the most effective methods for attracting candidates?
 - b. Does your Department take an active role in recruitment or is recruitment handled primarily by the Department of Personnel Services? Please explain.
7. The following questions are related to overtime payments:
 - a. How much in overtime has been paid to date in FY 2025 and what was the reason for the overtime?
 - b. Were any of these overtime costs attributed to the number of vacant positions in your Department?
 - c. Do you anticipate that overtime costs in FY 2026 will increase or decrease and what are the reasons for your assumption?
8. The following questions are related to your Department's program and activities for FY 2026:
 - a. Identify the programs and activities conducted by your Department because of a Federal or State mandate. Indicate for each program and activity the amount of Federal or State funding your Department anticipates receiving and the amount of County funding your Department is requesting.
 - b. Identify the programs and activities conducted solely because of a Maui County Code mandate and indicate the amount your Department is requesting.
9. If your Department had Capital Improvement Projects in FY 2025:

- a. Provide the current status of each CIP, if different from the information provided in the Fiscal Year 2025 2nd Quarter CIP Report.
 - b. Provide information on how much funding has been encumbered or expended to date for each project.
- 10. If your Department has proposed CIPs for FY 2026:
 - a. Rank your proposed CIPs, by priority.
 - b. Will CIP funding included in the FY 2026 Budget be encumbered by June 30, 2026? If not, how much do you anticipate will be encumbered by that date?
- 11. If your Department manages a revolving fund:
 - a. Explain whether the revolving fund is still needed and why.
 - b. Provide the current balance.
- 12. If your Department manages grants:
 - a. For each grant line-item not designated for a specific recipient (e.g., Small Business Promotion; Youth Programs), provide a breakdown of the grants that will be funded by the line item.
 - b. Provide a breakdown of all grants that will be funded by your Department under Sub-object Code 6317, County grant subsidy.
 - c. Did your Department apply for any grant funding in FY 2025? If yes, how much grant funding was received?
- 13. Provide details on your Department's Carryover/Savings that were included in the FY 2026 Budget.
- 14. What are your top three Department priorities for FY 2026 and how does your Department's budget reflect that?

15. How much has your Department spent on Professional Services in FY 2025, and what projects and consultants were funded under this line item?
16. How much of your Department's expenditures in FY 2025 will be reimbursed by the Federal Emergency Management Agency in relation to the wildfires? What amount of FY 2026 expenditures are expected to be reimbursed?
17. If your Department is receiving Federal grants, including pass-through grants:
 - a. What amount is your Department receiving for routine operations?
 - b. What amount is your Department receiving for August 2023 Maui Wildfires disaster recovery?
 - c. Explain any factors that could jeopardize your receipt of Federal grants, including Federal policy changes, compliance requirements, or expiration dates.
 - d. Explain how your Department will adjust if it does not receive the anticipated Federal grant funding.
18. If your Department received funding to repair or replace equipment, locations, and structures destroyed in the wildfires, provide the current status for each. If there are items still pending repair or replacement, provide the estimated cost and timeline for the repair or replacement.

The Department is scheduled to present on **April 2, 2025**. The schedule is subject to change and Committee staff will reach out if there are any changes to the schedule.

Please be prepared to provide a ten-minute presentation on the changes in your Department's budget from FY 2025 to FY 2026, addressing the following:

- Operations
- CIPs, if any
- Grants awarded by the Department, if any

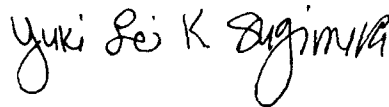
Ms. Victoria Takayesu
March 20, 2025
Page 5

- Grants received by the Department, if any
- Revolving funds, if any
- Rates and fees, including any estimated increase or decrease in revenue as a result of the changes

Please transmit your response to bfed.committee@mauicounty.us by **March 31, 2025**. To ensure efficient processing, please include the Committee item number in the subject line. Please use a font size of at least 12 points for the response. This formatting allows Committee members and the community to clearly read the document once posted.

Should you have any questions, please contact me or the Committee staff (Kirsten Szabo at ext. 7662, James Krueger at ext. 7761, or Pauline Martins at ext. 8039).

Sincerely,

A handwritten signature in black ink that reads "Yuki Lei K. Sugimura". The signature is written in a cursive, flowing style.

YUKI LEI K. SUGIMURA, Chair
Budget, Finance, and Economic
Development Committee

bfed:2026bgt:253019acc01:kes

cc: Mayor Richard T. Bissen, Jr.
Budget Director

BFED Committee

From: BFED Committee
Sent: Thursday, March 20, 2025 8:01 PM
To: Victoria Takayesu-Hamilton
Cc: Tabitha.Martins@co.maui.hi.us; 'Lisa.Kahuhu@co.maui.hi.us'; 'Michelle Santos'; 'Zeke Kalua'; Lesley Milner; tiare.p.horner@co.maui.hi.us; 'kristina.cabbat@co.maui.hi.us'; Janina Agapay
Subject: FISCAL YEAR 2026 BUDGET (BFED 1) (CC-2)
Attachments: (CC-2) Correspondence to Corporation Counsel 03-20-2025.pdf

RICHARD T. BISSEN, JR.
Mayor

VICTORIA J. TAKAYESU
Corporation Counsel

MIMI DESJARDINS
First Deputy


LYDIA A. TODA
Risk Management Officer



DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808)270-7740

March 28, 2025

Honorable Richard T. Bissen, Jr., Mayor
Office of the Mayor, County of Maui
200 S. High Street
Wailuku, Hawaii 96793

Lesley Milner, Budget Director 
Office of the Mayor, County of Maui
200 S. High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL


Mayor Date

FOR TRANSMITTAL TO:

Yuki Lei K. Sugimura, Chair
and Council Members
Budget, Finance, and Economic
Development Committee
200 S. High Street
Wailuku, Hawaii 96793

SUBJECT: **FISCAL YEAR 2026 BUDGET** (BFED-1) (CC-02)

Please find below responses of the Department of the Corporation Counsel ("Department") to your letter of March 20, 2025.

1. Please outline the major changes in your Department's budget from FY 2025 to FY 2026. If your budget will decrease, how will this impact your Department's operations and ability to serve the public?
 - 3 expansion positions
 - Continued funding for communication services and the eDiscovery platform.

- The Department's budget is not decreasing.
2. How many vacant positions currently exist within your Department? **As of the date of this memo, there are currently 6.6 vacant positions.**
- a. Please include the job titles for the vacancies and indicate how long the positions have been vacant.

Position	Available since	FTE
P-25521 Supervising Law Technician (Unfilled)	7/6/2024	1.0
P-25530 Investigator V (Unfilled)	12/1/2024	1.0
P-29890 Safety Specialist III (Unfilled)	3/1/2025	1.0
P-33133 Internship Law Clerk (Unfilled) funded	7/27/2024 Summer	0.3
P-33134 Internship Law Clerk (Unfilled)	1/16/2024 Summer	0.3
P-33135 Law Clerk Intern - Salary (Unfilled)	3/26/2025	1.0
P-33136 Internship Law Clerk (Unfilled/unfunded)	7/27/2024 Summer	1.0
P-34321 Workers' Compensation Specialist I (Unfilled)	2/25/2025	1.0

- b. What is the anticipated timeline for filling these vacancies? **All positions are in active recruitment. We hope to fill most, if not all, by June 30, 2025.**
- c. What are the consequences, if any, for removing funding for these vacant positions from the FY 2026

Budget? **Any removal of positions would be a hardship on the department and its current staff.**

3. If your Department had expansion positions in the FY 2025 Budget, how many of those positions were filled? If they have not been filled, are they included in the FY 2026 Budget? How many months of funding are being requested?

Position – FY2025 Expansions	Filled	FTE
P-00558 Secretary II – Changed to Secretary to Boards and Commissions I by DPS	1/16/2025	1.0
P-00580 Investigator V	11/19/2024	1.0
P-00502 Deputy Corporation Counsel	3/24/2025	1.0
P-00547 Workers' Compensation Safety Specialist I – changed to Worker's Compensation Specialist I by DPS	Position description submitted to DPS on 9/26/2024. Position created by DPS on 2/21/2025. Currently vacant and in open recruitment since 2/25/2025. Expect to hire by April 15, 2025	1.0

4. If your Department is proposing expansion positions in the FY 2026 Budget, how do you plan to fill those positions?

The following positions are FY2026 requested expansions:

P-00677 – Law Technician I

P-00668 – Deputy Corporation Counsel

P-00669 – Deputy Corporation Counsel

The Deputy positions are generally easier to fill as long as we receive applicants because it does not require posting, minimum qualification review, or eligible list creation by DPS. Applicants apply directly with us, not DPS. The Department advertises through various media outlets, including the Hawaii Bar Journal, the Hawaii State Bar Association's career center, LinkedIn, and DPS adds it to Governmentjobs.com. In addition, the Department engages in recruitment days at UH Law School, as well as encouraging staff to put the word out to fellow attorneys.

The Law Technician position will take longer because it requires posting, minimum qualification review, and eligible list creation by DPS. DPS does not have a test for any legal clerical positions, including Law Technicians.

5. How many positions were filled in FY 2025 that were not expansion positions?

Four positions which became vacant due to resignations, that were not FY2025 expansions were filled. Specifically, the following were filled:

- P-29583 Safety Specialist III**
- P-29799 Deputy Corporation Counsel**
- P-25525 Paralegal**
- P-25528 Law Technician I**

6. Describe your recruitment process.

- a. How did your Department recruit to fill vacancies and what were the most effective methods for attracting candidates?

- b. Does your Department take an active role in recruitment or is recruitment handled primarily by the Department of Personnel Services? Please explain.

In response to a and b above, the Department does take an active role in recruitment. For appointed positions such as Deputies Corporation Counsel, we use word of mouth, and advertisements with the Hawaii Bar Journal and through the HSBA Career Center. We also actively engage in recruitment days at UH Law School, sending deputies over to speak to law students and encourage applications. For both appointed and civil service positions DPS will post them to governmentjobs.com.

The Department has also reached out to UH Maui College for DM-89 hires to fill positions temporarily during shortages and when there is a lack of qualified applicants to complete an eligibles list, or if the Department has exhausted the eligibles list without selecting an applicant. The DM-89 and all permanent civil service hires, must go through DPS's process. The DM-89 is a quick form approved by the DPS Director, but permanent hires require posting, review and audit for minimum qualifications, and creation of an eligibles list which can take much longer.

Once the eligibles list is created, the Department can only request up to 10 names at a time from DPS. Each applicant name provided will need to be contacted, and if they are still interested in pursuing the recruitment, interviewed and scored by the Department. In our experience, there is generally no more than 3 to 5 applicants who have met the minimum qualifications as determined by DPS.

7. The following questions are related to overtime payments:
- a. How much in overtime has been paid to date in FY 2025 and what was the reason for the overtime?

To date, the Department has spent a total of \$6317.31 in Overtime.

- b. Were any of these overtime costs attributed to the number of vacant positions in your Department?

To some degree yes.

- c. Do you anticipate that overtime costs in FY 2026 will increase or decrease and what are the reasons for your assumption?

We cannot predict whether they will increase, but we don't believe they will decrease. We are not requesting additional overtime funds.

8. The following questions are related to your Department's program and activities for FY 2026:
- a. Identify the programs and activities conducted by your Department because of a Federal or State mandate. Indicate for each program and activity the amount of Federal or State funding your Department anticipates receiving and the amount of County funding your Department is requesting. **N/A**
 - b. Identify the programs and activities conducted solely because of a Maui County Code mandate and indicate the amount your Department is requesting. **N/A**
9. If your Department had Capital Improvement Projects in FY 2025:
- a. Provide the current status of each CIP, if different from the information provided in the Fiscal Year 2025 2nd Quarter CIP Report.

The Department does not have any CIP in it's FY2025 budget, however, Public Works has included the third floor front security door installation funds approved in FY2025 in the Countywide Facilities Maintenance budget as CBS-6070.

- b. Provide information on how much funding has been encumbered or expended to date for each project.

The project is near to posting the RFP in the hopes of having a contract in place for the security door installation by June 30, 2025. No funds have been spent.

- 10. If your Department has proposed CIPs for FY 2026:

- a. Rank your proposed CIPs, by priority. **N/A**
- b. Will CIP funding included in the FY 2026 Budget be encumbered by June 30, 2026? If not, how much do you anticipate will be encumbered by that date?

N/A

- 11. If your Department manages a revolving fund:

- a. Explain whether the revolving fund is still needed and why. **N/A**
- b. Provide the current balance. **N/A**

- 12. If your Department manages grants:

- a. For each grant line-item not designated for a specific recipient (e.g., Small Business Promotion; Youth Programs), provide a breakdown of the grants that will be funded by the line item.

The Department does not manage any grants due to the lack of grants available for a government civil law office.

- b. Provide a breakdown of all grants that will be funded by your Department under Sub-object Code 6317, County grant subsidy. **N/A**
- c. Did your Department apply for any grant funding in FY 2025? If yes, how much grant funding was received? **N/A**

13. Provide details on your Department's Carryover/ Savings that were included in the FY 2026 Budget.

The carryover savings included in the FY2026 Budget are from the unrestricted fund balance for FY 2024 reflected in the County's Annual Comprehensive Financial Report (ACFR) along with anticipated additional revenues based on the funds collected in the first half of FY 2025. Any carryover savings from FY 2025 will be recognized in the FY 2027 budget.

14. What are your top three Department priorities for FY 2026 and how does your Department's budget reflect that?

Our number one priority is to continue to shepherd the settlement of the fire cases through the court system to completion. The second priority is the implementation of the eDiscovery platform and to ensure our staff gains mastery over it to ensure efficiency and compliance with court ordered discovery in litigation. The third priority is to continue efforts to recruit and retain staff. We have been successful in our efforts to date, but the increased demand on staff given the nature of the County's recovery has taxed all of us. Ensuring that staff has the support of management in offering manageable workloads is essential to retention.

Our department's budget reflects only our recruitment and retention by requesting additional positions. The settlement of claims related to the wildfires and the training of staff will be handled without the foreseeable expenditure of additional funds.

15. How much has your Department spent on Professional Services in FY 2025, and what projects and consultants were funded under this line item?

\$76,354 of budgeted FY 2025 funds have been spent for:

Target Solutions – Annual recurring fee for Countywide compliance training (e.g. OSHA/HIOSH)

16. How much of your Department's expenditures in FY 2025 will be reimbursed by the Federal Emergency Management Agency in relation to the wildfires? What amount of FY

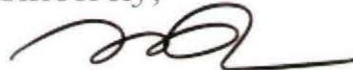
2026 expenditures are expected to be reimbursed? **None**

17. If your Department is receiving Federal grants, including pass-through grants: **The Department is not receiving federal grants.**
- a. What amount is your Department receiving for routine operations?
 - b. What amount is your Department receiving for August 2023 Maui Wildfires disaster recovery?
 - c. Explain any factors that could jeopardize your receipt of Federal grants, including Federal policy changes, compliance requirements, or expiration dates.
 - d. Explain how your Department will adjust if it does not receive the anticipated Federal grant funding.
18. If your Department received funding to repair or replace equipment, locations, and structures destroyed in the wildfires, provide the current status for each. If there are items still pending repair or replacement, provide the estimated cost and timeline for the repair or replacement.

N/A

Should you have any questions, please contact me or Lisa Kahuhu at (808) 270-7742.

Sincerely,



VICTORIA J. TAKAYESU
Corporation Counsel

BFED Committee

From: Janina E. Agapay <Janina.E.Agapay@co.maui.hi.us>
Sent: Monday, March 31, 2025 9:08 AM
To: BFED Committee
Cc: Lesley J. Milner; Victoria Takayesu-Hamilton; mimi.desjardins@co.maui.hi.us; Lisa A. Kahuhu
Subject: (BFED-1)(CC-02)
Attachments: (BFED-1)(CC-02).pdf

Hello,

Please see attached (BFED-1)(CC-02).

Thank you,

Janina Agapay

County of Maui | Budget Office

Phone: (808) 270-7836

Email: Janina.E.Agapay@co.maui.hi.us