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Mayor

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Acting Corporation Counsel

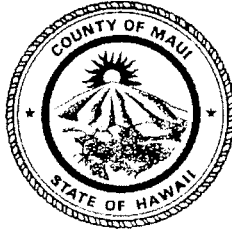
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OFFICE OF THE
COUNTY COUNCIL



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February 25, 2019

MEMO TO: Mike Molina, Chair
Governance, Ethics, and Transparency Committee

FROM: Jeffrey Ueoka
Deputy Corporation Counsel

SUBJECT: **PRE-BUDGET SESSION PRESENTATION (DEPARTMENT OF THE CORPORATION COUNSEL) (GET-18(3))**

We respond to your memorandum dated February 19, 2019 as follows:

The roles and responsibilities of the Department's divisions, and a snapshot of the department's budgetary requests for FY2020, to include vacancies and the costs associated with those vacancies:

OVERVIEW:

A. Counseling and Drafting: The Counseling and Drafting Section is comprised of eight deputies and its primary focus is to serve as legal advisers to the Council, the Mayor, and all boards and commissions. In serving as legal advisers, deputies often attend meetings, review documents, draft agreements, interpret laws, and provide general legal counsel. **(There are currently no vacant deputy positions.)**

B. Litigation Division: The Litigation section is comprised of eight deputies and its primary focus is representing the County in legal proceedings. Legal proceedings include both administrative hearings and court cases. The Section often assists with investigations of personnel matters. **(There is currently 1**

vacant deputy position as of December 31, 2018, and no related costs associated with the vacancy.)

C. Risk Management Division: The Risk Management Division is staffed by a Risk Management Officer, a Loss Control Specialist, two Safety Specialists III, one Safety Specialist II, and an Insurance and Claims Assistant II. It is responsible for protecting the county's human and physical assets through a mix of loss control, risk retention, and risk financing activities that cost-effectively respond to exposures identified, ranked and analyzed in the risk management process. Risk services include: Employee training in health and safety best practices, regulatory compliance and emergency management; administration of worker's compensation, third-party general liability claims and temporary disability insurance (TDI) claims; insurance procurement/portfolio management in accordance with chapter 3.64, Maui County Code, and County campus security and camera installation and maintenance program. **(There are currently no vacant positions.)**

D. Administrative Management and Clerical Services Section. The Administrative Management and Clerical Services Section is staffed by an Administrative Assistant II, two Law Technicians II, six Law Technicians I, and one Legal Clerk III. This section provides clerical and administrative support to the Department. **(There are currently 2 vacant positions as of January 2, 2019. Minimal costs associated with these vacancies to date. Actively recruiting from an open competitive list to fill.)**

QUESTIONS 1 & 2: The Department's top three-to-five strategic goals and tactics to be implemented to meet these strategic goals and the intended results.

Goal #1: Raise safety awareness.

Provide annual training and education to personnel countywide.

Increase safety training opportunities to county personnel.

We believe that by continuing safety training, safety initiatives will be "top of mind" with employees resulting in a safer work environment.

Goal #2: Reduce the number of open Workers' Compensation Claims

Improve Workers' Compensation Close Ratios

Process claims more efficiently.

By processing claims more efficiently and as stated in goal one, fostering a safe working environment, we believe that we can help our employees close their claims more quickly and create a cost savings for the County through more efficient operations.

Goal #3: Respond in a timely manner to Requests for Legal Services (“RFLS”).

Monitor closure rates for RFLS.

Track overdue RFLS and ensure that requestor is contacted in regards to the delay.

Work closely with Departments to ensure that the Deputy assigned to the RFLS and the Department understand time constraints and time requirements.

We believe that by setting realistic time deadlines and monitoring our closure rates we can respond more efficiently to RFLS.

Goal #4: Reduce expenditures on Special Counsel.

Continue legal education for all Deputies.

Try to minimize situations of conflict of interest.

There are certain areas of law which require special expertise and there are certain situations where our office has a conflict of interest (typically, we were involved and/or conducted the investigation or multiple County officers are involved and a conflict of interest exists), however by continuing to handle other matters in house, we potentially may realize a cost savings for the County.

3. Funds anticipated to remain unencumbered from FY2019 Budget and the reasons why the funds were not encumbered.

As of the date of this Memorandum our projected unencumbered funds for FY19 are as follows:

“A” Account: \$233,836

We normally budget for all deputy positions at maximum salary in the event that a vacancy is created and filled during a fiscal year by a maximum salary attorney. We also had two other vacancies for a portion of FY19.

“B” Account: \$261,883 (Includes “Coll Bargaining Neg Operation”
\$100,000 and “Claims, Settlements, Judgments”
\$50,000)

We are able to realize savings in our “B” account through a careful evaluation of all operational expenditures. To date we have not encumbered any of the “Coll. Bargaining Neg Operation” funds or the “Claims, Settlements, Judgments” funds, and we do not anticipate utilizing those funds in FY19.

“C” Account: \$0

Countywide Facilities Security: \$232,771

We are in contract with Security Resources Pacific, Inc. for \$318,760.73, at this time we do not anticipate furthering encumbering the appropriation.

4. The Department’s fixed costs and discretionary costs.

In FY19, the “A” account makes up 87.883% of our total budget and for the most part it is a fixed cost. The “B” account is 11.962% of our budget and contains a mixture of fixed and discretionary costs. The “C” account makes up 0.205% of our budget and is a fixed cost for office equipment.

5. Cost-saving measures the Department has implemented or will be implementing, and the amount saved or will be saved by these measures.

The Department generally has a 3% or less carryover savings which is obtained through diligent monitoring of the budget and careful evaluation of expenditures.

APPROVED FOR TRANSMITTAL:



PATRICK K. WONG
Corporation Counsel