

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



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

March 23, 2023

Director of Council Services
Traci N. T. Fujita, Esq.

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

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

Dear Ms. Takayesu:

SUBJECT: **FISCAL YEAR ("FY") 2024 BUDGET** (BFED-1) (CC-2)

May I please request you submit your answers to the following questions by **March 31, 2023**. This will enable the Committee to comprehensively review the FY 2024 Budget.

1. Please outline the major changes in your Department's budget from FY 2023 to FY 2024. If the budget will decrease, how will this impact the Department's operations and the Department's ability to service the public?
2. How many vacant positions currently exist within the Department?
 - a. Please include the job titles for the vacant positions and how long they have been vacant.
 - b. What is the timeline for filling these vacancies?
 - c. Would there be any consequences for removing funding for these vacant positions from the FY 2024 Budget?
3. If your Department had expansion positions in the FY 2023 Budget, how many of those positions were filled? If they have not been filled, are they included in the FY 2024 Budget, and for how many months of funding?

4. If your Department is proposing expansion positions in the FY 2024 Budget, how do you plan to fill those positions?
5. How many positions were filled in FY 2023 that were not expansion positions?
6. In what ways did the Department recruit to fill vacancies and what were the most effective methods for attracting candidates?
7. The following questions are related to overtime payments:
 - a. How much overtime has been paid to date in FY 2023 and what was the reason for these costs?
 - 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 2023 will increase or decrease and what are the reasons for your assumption?
8. If your Department had Capital Improvement Projects ("CIPs") in FY 2023:
 - a. Provide the current status of each project.
 - b. Provide information on how much funding has been encumbered or expended to date for each project.
9. If your Department has CIPs for FY 2024:
 - a. Rank your proposed CIPs, by priority.
 - b. Will the CIP funding included in the FY 2024 Budget be encumbered by June 30, 2024? If not, how much do you anticipate will be encumbered by June 30, 2024?
10. Please provide details on your Department's carryover savings that were included in the FY 2024 Budget.
11. What are your top three priorities for FY 2024 and how does your Department budget reflect that?

Ms. Victoria J. Takayesu
March 23, 2023
Page 3

12. Did the Department apply for any grant funding in FY 2023? If yes, how much was received?
13. How much has the Department spent on professional services in FY 2023 and what projects and consultants were funded under this line item?

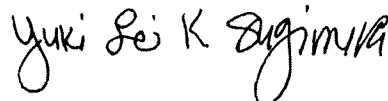
The Department is scheduled to present on April 3, 2023. The schedule is subject to change and staff will reach out if there are any changes to the schedule.

Please be prepared to provide a ten-minute presentation on an overview of the changes in your Department's budget from FY 2023 to FY 2024, addressing the following:

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

Thank you for your attention to this request. Should you have any questions, please contact me or the Committee staff (Lesley Milner at ext. 7886, Kasie Apo Takayama at ext. 7665, or Yvette Bouthillier at ext. 7758).

Sincerely,



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

bfed:2024bgt:230323altr01:ljam

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

BFED Committee

From: BFED Committee
Sent: Thursday, March 23, 2023 5:58 PM
To: Victoria Takayesu-Hamilton
Cc: BFED Committee; Sonya H. Toma; Tabitha Martins; Graham Resell; Michelle Santos; Maria Zielinski; Kristina Cabbat
Subject: PLEASE READ attached letter re: FISCAL YEAR ("FY") 2024 BUDGET (BFED 1) (CC-2)
Attachments: CC-2.pdf

Ms. Takayesu: Please refer to the attached letter from the Budget, Finance, and Economic Development (BFED) Committee Chair, dated 3/23/2023.

Mayor's Office (attention: Michelle Santos and Zeke Kalua): Please forward the attached letter to Mayor Bissen for his information.

Ms. Zielinski: FYI

Thank you,
Yvette Bouthillier, Secretary
BFED Committee

RICHARD T. BISSEN, JR.
Mayor

VICTORIA J. TAKAYESU
Corporation Counsel

SONYA H. TOMA
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 31, 2023

Yuki Lei K. Sugimura, Chair
Budget, Finance, and Economic
Development Committee
200 S. High Street, 7th Floor
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Mayor

Date

VIA:

Mayor Richard T. Bissen, Jr.
200 S. High Street, 9th Floor
Wailuku, Hawaii 96793

SUBJECT: Fiscal Year ("FY") 2024 Budget (BFED-1) (CC-2)

This is in response to your letter of March 23, 2023 requesting answers to the following questions:

1. Please outline the major changes in your Department's budget from FY2023 to FY2024. If the budget will decrease, how will this impact the Department's operation and the Department's ability to service the public?

RESP: Overall, the Department's FY2024 operations and equipment budget has decreased. This is due largely to the Charter Commission's term ending, and the deletion of its funding. We have asked for small increases in Materials & Supplies to purchase 8 Big Red Adult CPR manikins for our Risk training. We have asked for an increase in Other Costs to cover the annual increases in costs for online legal research licenses, law books, law journals, and other publications. We have asked for an increase in Utilities to purchase cell phones for the deputies corporation counsel to be able to accept and respond to work related calls which can come in at any time day or night, as well as save on incurred expenses to their own plans. Lastly, we are requesting an equipment expansion to

purchase five evacuation chairs for the Kalana O Maui Building.

2. How many vacant positions currently exist within the Department?

RESP: As of April 1, 2023 the Department has 9 vacant positions.

a. Please include the job titles for the vacant positions and how long have they been vacant.

- Four deputies corporation counsel (less than 8 months)
- One legal clerk III (less than one month)
- Two law technicians I (one for 12 months, one for 3 months)
- One legal assistant (aka paralegal) (half-time) (for one day)
- One safety specialist III (over a year)

b. What is the timeline for filling these vacancies?

The Department is actively working on recruitment of all positions and we would like to fill them by the end of the 2023 calendar year at the very latest, but hopefully sooner.

c. Would there be any consequences for removing funding for these vacant positions from the FY2024 budget?

Each of the vacant positions is needed to properly and effectively complete the mission of the Department. Staff have been overworked and overtime for civil service staff has been required due to the vacancies. We respectfully ask that no positions be removed.

3. If your Department had expansion positions in the FY2023 Budget, how many of those positions were filled? If they have not been filled, are they included in the FY2024 Budget, and how many months of funding?

RESP: Of the two Deputies Corporation Counsel, and one Law Technician I positions approved in the FY2023 budget, one Deputy Corporation Counsel position remains unfilled. It is included in the FY2024 budget for 12 months of funding, and we are working on recruitment.

4. If your Department is proposing expansion positions in the FY2024 Budget, how do you plan to fill those positions?

RESP: We are requesting an expansion of one legal assistant (aka paralegal) position and an EP change to our current vacant legal assistant position from .5 half-time, to 1.0 full-time in our FY2024 budget. In addition, although not included in our budget documents, we would also like to request four internship law clerk positions, two paid and two unpaid. This is similar to the Department of the Prosecuting Attorney's request in their FY2023 proposed budget. We believe the unpaid positions will give us the opportunity to mentor law school students and provide them an opportunity to learn and work in a government law environment. The two paid interns (\$13,867 each) we anticipate filling with law school graduates who have taken the State bar examination and are pending results, or law school graduates who are pending their State bar examination. By taking this approach we believe that we can inspire and create recruitment opportunities for our deputies corporation counsel.

5. How many positions were filled in FY2023 that were not expansion positions.

RESP: In FY2023, four deputies corporation counsel were hired.

6. In what ways did the Department recruit to fill vacancies and what were the most effective methods for attracting candidates?

RESP: The Department has used various advertising methods to recruit deputies, including seeking individuals known to us and initiating discussions with them, as well as posting with the Hawaii Bar Association. Both of these efforts have been successful, with our two recent hires having been recruited from each of these methods. We believe that implementing a law clerk internship program will also be an effective method of recruitment.

With regard to civil service positions, again we have approached those in different agencies to come work with us and have been successful when reaching out to individuals personally. Positions are also advertised on Governmentjobs.com.

7. The following questions are related to overtime payments:

- a. How much overtime has been paid to date in FY2023 and what was the reason for these costs?

A total of \$8,886.29 has been paid to date in overtime costs to civil service staff for work necessary due to clerical vacancies, and also the Department's efforts to create needed space by closing and preparing numerous files for storage.

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

Yes. See a. above.

- c. Do you anticipate that overtime costs in FY2024 will increase or decrease and what are the reasons for your assumptions.

Until all positions are filled, and all the backlog of cases for storage are completed, we assume that the overtime costs will remain the same or might increase minimally in FY2024. We are not requesting an increase in overtime funds for FY2024.

8. If your Department had Capital Improvement Projects ("CIPs") in FY2023:

RESP: The Department did not have CIPs in FY2023.

9. If your Department had Department CIPs in FY2024:

RESP: The Department does not have CIPs in FY2024.

10. Please provide details on your Department's carryover savings that were include in the FY2024 Budget.

RESP: The Department did not have any carryover savings that were included in the FY2024 Budget.

11. What are your top three priorities for FY2024 and how does your Department budget reflect that?

To: Yuki Lei K. Sugimura, Chair
Re: Fiscal Year ("FY") 2024 Budget (BFED-1) (CC-2)
March 31, 2023
Page | 5

RESP: Our top three priorities include recruitment, training, and IT upgrades. Our main focus is supporting our personnel and ensuring that they are delivering their best work product. To do that, we need a full staff, continuing education, and consistent, up-to-date technology.

12. Did the Department apply for grant funding in FY 2023? If yes, how much was received?

RESP: The Department did not apply for any grant funding in FY2023.

13. How much has the Department spent on professional services in FY2023 and what projects and consultants were funded under this line item?

RESP: The Department has spent a total of \$72,433 under the Professional Services subobject 6132 as follows:

- Charter Commission Court Reporter Payments
- Litigation Court Reporter Payments
- Target Solutions - countywide online compliance training (e.g., OSHA/HIOSH)

Sincerely,



VICTORIA J. TAKAYESU
Deputy Corporation Counsel

cc: Maria Zielinski, Budget Director

BFED Committee

From: Janina Agapay <Janina.E.Agapay@co.maui.hi.us>
Sent: Friday, March 31, 2023 3:45 PM
To: BFED Committee
Subject: FY24 (BFED-1)(CC-2)
Attachments: FY 24 (BFED-1)(CC-2).pdf

Aloha,

Please see attached signed letter for the FY 24 Budget (BFED-1) (CC-2)

Mahalo,

Janina Agapay

Budget Office
County of Maui
200 South High Street
Wailuku, Maui, HI 96793
Email: Janina.E.Agapay@co.maui.hi.us