

REQUEST FOR LEGAL SERVICES

Date: April 13, 2017
From: Riki Hokama, Chair
Budget and Finance Committee


TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Jeffrey Ueoka, Esq.

Subject: FISCAL YEAR 2018 BUDGET (CC-6; BF-1)

Background Data: Review and, if appropriate, approve as to form and legality attached proposed resolution to authorize the Council Chair to contract for a performance audit of the Department of Fire and Public Safety.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Riki Hokama	Contact Person Michele Yoshimura or Shelly Espeleta (Telephone Extension: 7663 or 7134, respectively)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): April 17, 2017
REASON: For posting on the Committee meeting agenda for April 24, 2017.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

bf:2018bgt:170412acc01:cmn

Attachment

Resolution

No. _____

AUTHORIZING THE COUNCIL CHAIR TO CONTRACT FOR A PERFORMANCE AND FISCAL AUDIT OF THE DEPARTMENT OF FIRE AND PUBLIC SAFETY

WHEREAS, pursuant to Section 3-6 of the Revised Charter of the County of Maui (1983), as amended ("Charter"), the Council has the authority to conduct investigations of the operation of any department or function of the County and any subject upon which the Council may legislate; and

WHEREAS, pursuant to Section 8-7.4 of the Charter, the Department of Fire and Public Safety is responsible for providing and performing fire fighting, rescue, shoreline and ocean rescue and safety, and first-responder emergency services to save lives and property from fires and other emergencies arising on land, sea, and hazardous terrain; and

WHEREAS, the Department is also responsible for public education programs related to fire prevention, shoreline and ocean rescue and safety, and public safety; and

WHEREAS, the Charter requires the Fire Chief to train, equip, maintain, and supervise the force of fire fighting, shoreline and ocean rescue and safety, and emergency rescue personnel; and

WHEREAS, in the performance of those duties, the Department offers Bureau Opportunity Benefit Incentive ("BOBI") pay for personnel assigned to a 40-hour work week; and

WHEREAS, BOBI pay, rank-for-rank recall, and other benefits impact scheduling and compensation for Department personnel; and

WHEREAS, the Department also utilizes Section 6 of the General Budget Provisions of the Annual Budget of the County that allows the hiring for trainee positions, also known as "9000 series" positions, for which there is an existing or anticipated vacancy and for which hiring and

Resolution No. _____

replacement is critical to continued operations, provided funds are available; and

WHEREAS, Department personnel recruitment and management, and other aspects of operations, including an organizational analysis based on the scope of command and a review of current procurement practices, may benefit from a third-party performance and fiscal audit; and

WHEREAS, gains in cost effectiveness and operational efficiency that would benefit the Department of Fire and Public Safety and the public could be identified through a performance and fiscal audit, to be funded through the Council Services Program budget for audits; now, therefore,

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

1. That it hereby authorizes the Council Chair to contract for a performance and fiscal audit of the Department of Fire and Public Safety; and
2. That certified copies of this resolution be transmitted to the Mayor, the Managing Director, and the Fire Chief.

APPROVED AS TO FORM AND LEGALITY

Deputy Corporation Counsel
County of Maui

bf:2018bgt:reso performance audit fire