MICHAEL P. VICTORINO Mayor

MOANA M. LUTEY Acting Corporation Counsel

EDWARD S. KUSHI, JR. 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 96793-2155

TELEPHONE: (808) 270-7740 FACSIMILE: (808) 270-7152



APPROVED FOR TRANSMITTAL

April 18, 2019

Ms. Michele M. Yoshimura Who Budget Director, County of Maui 200 South High Street Wailuku, Hawaii 96793

Honorable Michael P. Victorino Mayor, County of Maui 200 South High Street Wailuku, Hawaii 96793

For Transmittal to:

Honorable Keani Rawlins-Fernandez Chair, Economic Development and Budget Committee Maui County Council 200 South High Street Wailuku, Hawaii 96793

Dear Chair Rawlins-Fernandez

SUBJECT: FISCAL YEAR ("FY") 2020 BUDGET (CC-7) (EDB-1)

Below are responses to your April 11, 2019 correspondence regarding FY2020 Budget Questions of the Economic Development and Budget Committee.

Relating to the Equivalent Personnel Summary by Position Title – General Fund on page 106 of the Program Budget, have all employees received annual performance evaluations in FY 2017, 2018, and 2019? If not, please explain why.

Response

Under the previous Corporation Counsel, some, but not all, employees were evaluated in FY 2017 and 2018. I am not able to explain why only some evaluations were completed in 2018 as I am new to this position.

No evaluations have been done for 2019 as of this date. It would be my intent to ensure the proper evaluation of all employees on an annual basis.

Relating to the Budget Changes (+/-\$10,000) from FY 2019 Adopted Budget on page 107 of the Program Budget and Miscellaneous Other Costs (index code 905022B-6221) on page 1-7 of the Budget Details, was the surveillance study added by Council in FY 2018 completed? If not, please explain why. If yes, please provide a copy of the study.

Response

This questions was previously answered in (CC-3) response #1. For convenience, we are included the response here with one revision (the funding date):

"The deletion of funding for a surveillance study (FY2018 appropriation) was done in the FY2019 budget. Our department unfortunately was unable to complete the study, but is taking steps to address the security of County employees and visitors to the County building.

We anticipate the purchase and installation of screening equipment to be completed in May 2019. However, in order to implement security screening operations on the second floor of Kalana O Maui, we would require an appropriation to fund the annual cost of two contracted security guards. The use of two guards will alleviate and prevent slowdowns during high-entry periods and is modeled after the staffing at Second Circuit court here in Wailuku. The annual cost of two guards working from 7:30 a.m. to 4:45 p.m., Monday through Friday is \$178,000. We respectfully request the addition of \$178,000 to the department's FY 2020 operating budget to continue security operations which are currently funded only through [August 1, 2019.] June 30, 2019."

Honorable Keani Rawlins-Fernandez April 18, 2019 Page 3

Relating to CP-0006, Legal Clerk III, on page 1-2 of the Budget Details, please explain why there is a \$14,076 increase for the incumbent who took a voluntary demotion from CP-0025 at a higher SR and step.

Response

The employee who accepted a voluntary demotion to CP-0006 was previously identified at CP-0025. That employee was at an SR-16J pay range and step. The Bargaining Unit 3 contract, Article 14(5)(a)(1), states that voluntary demotions involving a movement of three (3) or less pay ranges require the Employee to be compensated at the corresponding step in the lower pay range. That employee was demoted to an SR-14J.

The change in compensation occurred because the previous incumbent in position CP-0006 was at a lower range and step (SR-16B). The increase was necessary to properly compensate the employee who took a voluntary demotion to CP-0006 pursuant to the union contract.

Relating to the Card Access System for the Department of Parks and Recreation (Security Equipment, index code 905022B-7051), please explain why this appropriation is in the Department of the Corporation Counsel, Legal Services Program.

Response

The need for a card access system at the Parks and Recreation Offices within the War Memorial Complex and outer Districts was addressed in (CC-3) #5. That response is included below.

"A card access system at the Parks and Recreation Offices within the War Memorial Complex and outer Districts will address the following:

- 1. Prevent trespassing and unauthorized access to our offices during business and non-business hours.
- 2. The system will provide for access management where employees are protected from work place violence. Employees who became separated from the workplace will have no access to facility.
- 3. Card Access System provides for visual identification of any persons who wish to enter the facility by remotely releasing secured doors.
- 4. System can provide for camera recording for future review and presentation to authorities if needed."

The decision to put this appropriation in the Department of the Corporation Counsel's Legal Services Program was made by the previous Corporation Counsel and prior administration. We are willing to entertain further discussions on whether this appropriation should remain with this department or be transferred to Parks.

Please do not hesitate to contact me with any further questions.

Sincerely,

MOANA M/LUTEY

Acting Corporation Counsel

LF 2019-0098 EDB-1 CC-7 2019-04-18 Response to FY2020 Budget Questions