

COUNCIL OF THE COUNTY OF MAUI

BUDGET AND FINANCE COMMITTEE

December 1, 2006

Committee

Report No. 06-152

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Budget and Finance Committee, having met on November 14, 2006, makes reference to County Communication No. 06-222, from the Budget Director, transmitting a proposed bill entitled “A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS”.

The purpose of the proposed bill is to amend Appendix A, Part I, of the Fiscal Year (FY) 2007 Budget, relating to grant revenues, as it pertains to the Department of Housing and Human Concerns, by adding a grant called “2007 Elder Abuse Response Funds” in the amount of \$26,492.

By correspondence dated October 6, 2006, the Budget Director transmitted a proposed bill entitled “A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH”.

The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement with the State Department of Health to develop and produce a traveling theatrical production and video on the subject of elderly abuse and prevention of crimes against the elderly.

By correspondence dated November 8, 2006, the Department of the Corporation Counsel transmitted a proposed resolution entitled “AUTHORIZING THE ACCEPTANCE OF FUNDS FROM THE STATE OF HAWAII, EXECUTIVE OFFICE ON AGING, RELATING TO THE 2007 ELDER ABUSE RESPONSE FUNDS”.

The purpose of the proposed resolution is to authorize the acceptance of a grant of funds in the amount of \$26,492 from the State of Hawaii Department of Health, Executive Office on Aging (DOH), relating to the 2007 Elder Abuse Response Funds.

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Your Committee notes that Section 2.20.020, Maui County Code, states: “Unless authorized by ordinance, the mayor shall not enter into any intergovernmental agreement or any amendment thereto which places a financial obligation upon the county or any department or agency thereof.”

Your Committee further notes that the proposed bill authorizing the Mayor to enter into an intergovernmental agreement was not posted on your Committee’s agenda because the proposed bill amending Appendix A, Part I, of the FY 2007 Budget would satisfy the requirements of Section 2.20.020, Maui County Code.

At its meeting, your Committee met with the Budget Director, the Deputy Director of Housing and Human Concerns, and the First Deputy Corporation Counsel.

There was no public testimony.

Your Committee questioned whether the grant was sufficient to satisfy the “Scope of Services” required by the DOH.

The Deputy Director stated that the Department is confident that funding is adequate to satisfy the requirements of the DOH.

Your Committee expressed concern about the lack of State regulations regarding the operation of assisted living care centers for the elderly, and requested that the Department provide information regarding any pending State legislation that may address this problem.

Your Committee voted to recommend the adoption of the proposed resolution, passage of the proposed bill, and filing of the communication.

Your Budget and Finance Committee **RECOMMENDS** the following:

1. That Resolution No. _____, attached hereto, entitled “AUTHORIZING THE ACCEPTANCE OF FUNDS FROM THE STATE OF HAWAII, EXECUTIVE OFFICE ON AGING, RELATING TO THE 2007 ELDERLY ABUSE RESPONSE FUNDS”, be **ADOPTED**;

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2. That Bill No. _____ (2006), attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING APPENDIX A OF THE FISCAL YEAR 2007 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO THE DEPARTMENT OF HOUSING AND HUMAN CONCERNS", be PASSED ON FIRST READING and be ORDERED TO PRINT; and

3. That County Communication No. 06-222 be FILED.

Adoption of this report is respectfully requested.

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Resolution

No. _____

AUTHORIZING THE ACCEPTANCE OF FUNDS
FROM THE STATE OF HAWAII, EXECUTIVE OFFICE ON AGING,
RELATING TO THE 2007 ELDER ABUSE RESPONSE FUNDS

WHEREAS, the State of Hawaii, Executive Office on Aging has approved funds in a total amount of \$26,492 to the County of Maui, Department of Housing and Human Concerns for the 2007 Elder Abuse Response Funds ("Project"), as further described in the Scope of Services, attached hereto as Exhibit "1"; and

WHEREAS, the County of Maui, Department of Housing and Human Concerns desires to accept said funds from the State of Hawaii, Executive Office on Aging for the Project; and

WHEREAS, Section 12 of Ordinance No. 3390, Bill No. 37 (2006), as amended ("Fiscal Year 2007 Budget") provides that, whenever the County is notified that grant funds are available from federal or state sources for programs other than those identified in Part I of Appendix A of the Fiscal Year 2007 Budget, the Council may adopt a resolution authorizing the application for and acceptance of such funds; now, therefore,

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

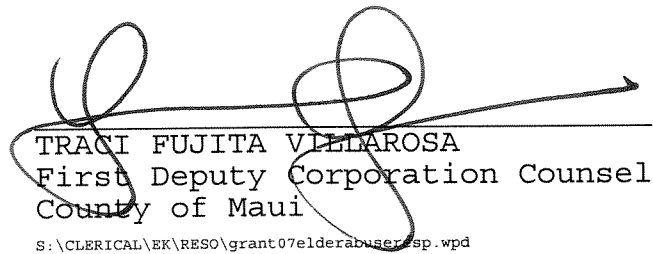
1. That it does hereby authorize the Mayor of the County of Maui, or his duly authorized representative, to accept funds on behalf of the County of Maui in the amount of TWENTY SIX THOUSAND FOUR HUNDRED NINETY TWO AND NO/100 DOLLARS (\$26,492.00) from the State of Hawaii, Executive Office on Aging for the Project; and

Resolution No. _____

2. That the Mayor, or his duly authorized representative, is hereby authorized to execute any and all documents necessary to process and accept such funds, including any amendments thereto; and

3. That certified copies of this Resolution be transmitted to the Mayor, Director of Finance, Budget Director, and Director of Housing and Human Concerns.

APPROVED AS TO FORM
AND LEGALITY:



TRACI FUJITA VILLAROSA
First Deputy Corporation Counsel
County of Maui

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STATE OF HAWAII
SCOPE OF SERVICES

This Contract sets forth the responsibilities and finances between the County of Maui, Maui County Office on Aging ("CONTRACTOR"), and the State of Hawaii Department of Health, Executive Office on Aging ("STATE"), to develop a traveling theatrical production on the subject of elder abuse and prevention of crimes against the elderly, produce a recording on digital video disc ("DVD"), and schedule the finished recording for later broadcast on public access channels in Hana, Molokai, and Lanai.

Prevention of elder abuse, neglect, and exploitation is a critical goal of the STATE and its partners, in the "Aging Network." Elder abuse is defined as the mistreatment of older persons. Mistreatment includes, but is not limited to, physical abuse, sex abuse, psychological abuse, neglect by others, poor self-care, or financial exploitation. County agencies on aging already serve an abuse prevention function. They serve the vulnerable-at-risk of abuse who are over age sixty (60) and their caregivers through the provision of social services, to those with limitations on activities of daily living, through the Kupuna Care program. However, the STATE desires to have tools to educate older persons and their families of what is the profile of an elder abuse victim, what makes elders particularly susceptible to abuse, and what are the risk factors and indicators for elder abuse.

In the County of Maui, the development of the community's awareness of elder abuse is needed to identify the problem as well as to prevent the occurrence of financial crimes, abuse, neglect, and exploitation of the elderly.

The Contract shall be in effect for the period beginning November 1, 2006 through September 30, 2007. The CONTRACTOR shall:

1. Coordinate and implement the Scope of Services and this Contract in consultation with the STATE.



STATE OF HAWAII
SCOPE OF SERVICES

2. Develop a timeline and working plan, by December 1, 2006, for approval by the STATE that specifies how the target audience might be at risk of becoming a victim of elder abuse and neglect and express the need for early intervention in the process. The timeline shall give deadlines for preparation of the draft script, organization of the actors, date of completion of the production, and the date of completion of the DVD recording, and dates of three (3) theatrical performances.

3. Include in the content of the performance, a profile of the victim of elder abuse, and what are indicators or symptoms of abuse, neglect or financial abuse. The production shall provide specific messages about how to avoid becoming a victim.

4. Publicize the theatrical performance, conduct at least one (1) production of the performance on the islands of Maui, Molokai, and Lanai, and have a minimum of thirty (30) people in attendance at each performance.

5. Submit to the STATE, a recording in DVD format, of one of the three (3) theatrical performances, by September 15, 2007. The recording shall contain an acknowledgment that the State is a funding source for the production.

6. Assist the STATE with the drafting of a press release, or any reports required of the STATE by its funding source, the Hawaii State Legislature, through the term of this Contract.

7. Submit a final written report. The report shall include:

(a) The number of performances, number in each audience, the venue and dates of each performances, and a summary of audience reactions for the Maui performances.

(b) A copy of the playbill of the performance(s).

The final invoice for payment shall be submitted no later than November 30, 2007, and shall accompany three (3) copies of the final DVD recording.

ORDINANCE NO. _____

BILL NO. _____ (2006)

A BILL FOR AN ORDINANCE AMENDING APPENDIX A
OF THE FISCAL YEAR 2007 BUDGET FOR THE
COUNTY OF MAUI AS IT PERTAINS TO THE
DEPARTMENT OF HOUSING AND HUMAN CONCERNS

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Ordinance No. 3390, Bill No. 37 (2006), as amended, ("Fiscal Year 2007 Budget"), Appendix A, Part I, "Grant Revenues - Schedule of Grants by Departments and Programs for Fiscal Year 2007", is hereby amended as it pertains to the Department of Housing and Human Concerns by adding a new grant called 2007 Elder Abuse Response Funds in the amount of \$26,492, to read as follows:

<u>"REQUEST DEPARTMENT/PROGRAM"</u>	<u>APPROPRIATION</u>
4. Department of Housing and Human Concerns	
a. Retired Senior Volunteer Program	\$84,706
(1) Provided, that disbursement for salaries and premium pay is limited to 1.0 equivalent personnel.	
b. Title III Program	\$693,477
(1) Provided, that disbursement for salaries and premium pay is limited to 9.8 equivalent personnel.	
c. Title III C-2 Home Delivered Meals Program	\$389,858
(1) Provided, that disbursement for salaries and premium pay is limited to 6.0 equivalent personnel.	
d. Title III B Assisted Transportation Program	\$153,891
(1) Provided, that disbursement for salaries and premium pay is limited to 6.0 equivalent personnel.	
e. Title III B Leisure Program	\$71,080
(1) Provided, that disbursement for salaries and premium pay is limited to 0.5 equivalent personnel.	
f. Title III C-1 Congregate Meals Program	\$339,334
(1) Provided, that disbursement for salaries and premium pay is limited to 8.3 equivalent personnel.	
g. Section 8 Housing Program	\$15,118,717
(1) Provided, that disbursement for salaries and premium pay is limited to 22.0 equivalent personnel.	
h. Komohana Hale Apartment Program	\$156,592