

OFFICE OF BOARDS & COMMISSIONS

ELLEN CHING, ADMINISTRATOR



DEREK S.K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

MEMORANDUM

April 22, 2022

TO: Lori Koga, Chair and
Members of the Charter Review Commission

FROM: Ellen Ching, Administrator *EC*

RE: Salary Commission's Charter Amendment proposal, 2nd draft

Background

1. Salary Commission

Ballot Language: Shall the Charter be amended to give the Salary Commission the authority to establish the salary range for elected and appointed officials?

Purpose: To efficiently establish salaries that attract and retain the "best and the brightest," all counties in the State of Hawaii except for Kaua'i have given their Salary Commissions the authority to establish the maximum salaries of elected and appointed officials, which includes department heads and deputies.

Background: Kauai's Salary Commission currently conducts extensive research and analysis on salaries of department heads and deputies, but is not authorized to independently make changes to salary caps. The Salary Commission presents its research and reports to the County Council for a vote to approve changes to salaries by resolution. The Salary Commission's reports include an analysis of the salaries of all elected and appointed officials in the neighboring counties and the State, the consumer price index, Kauai County's economic status and outlook, vacancies, and salaries inversions (where a lower ranking position has a higher salary than a higher ranking position). Salary inversions have been a common and chronic problem in the County as well as vacancies, recruitment, and retention. This amendment will empower the Salary Commission to use its expertise to timely address these issues with a long-term strategy within the context of the current economic conditions.

CRC 2022-09

**ARTICLE XXIX
SALARY
COMMISSION**

Section 29.01. Organization. There shall be a salary commission composed of seven members to establish the maximum salaries of all elected and appointed officers as defined in 23.01 D of this charter. (Amended 1988, 2006, 2012)

Section 29.02. Policies. The commission shall adopt and, when it deems necessary, may change the policies governing its salary-setting decisions. (Amended 1988, 2006)

Section 29.03. Resolution. The commission's salary findings shall be adopted by resolution of the commission and forwarded to the mayor and the council on or before March 15 of any calendar year. ~~[The resolution shall take effect without the mayor's and council's concurrence sixty days after its adoption by the commission unless rejected by a vote of not less than five members of the council. The council may reject either the entire resolution or any portion of it.]~~ The resolution shall take effect on July 1 of the same calendar year. The respective appointing authority may set the salary of an appointee at a figure lower than the maximum figure established by the salary commission for the position, provided that elected officers may voluntarily accept a salary lower than the maximum figure established by the salary commission for their position, or forego accepting a salary. (Amended 1988, 2006, 2012)

Section 29.04. Rules. The commission shall establish its rules of procedures and adopt rules and regulations pursuant to law. (Amended 1988, 2006)

Section 29.05. Changes in Salary. No change in the salary of council members shall be effective during the term in which a change is enacted or for twenty-four months after a change is enacted, whichever is less. (Amended 1988, 2006)

Section 29.06. Administration and Operation. The mayor and council shall provide an annual appropriation sufficient to enable the commission to secure clerical or technical assistance and pay other operational costs in the performance of its duties. (Amended 1988, 2006, 2012)

Note: Charter material to be repealed is bracketed and stricken. New charter material is underscored.