

SALARY COMMISSION
COUNTY OF KAUAI
4444 RICE STREET, MOIKEHA BUILDING
MEETING ROOM 2A/2B
LIHUE, HAWAII 96766

MINUTES OF THE COMMISSION'S:

February 14, 2019 MEETING

1. **ATTENDANCE**

Commissioners present at the meeting: Kenneth Rainforth Chair; Robert Crowell Vice Chair; Trinette Kauai and Jo Ann Shimamoto.

Commission Support Staff: Ellen Ching Boards and Commissions Administrator and Mercedes Omo Support Clerk.

Commission Attorney Present: Matthew Bracken County Attorney.

Others present: Human Resource Manager III Jill Niitani (Arrived at 9:55 a.m. and left and 10:10 a.m.); and Scott Sato Deputy County Clerk.

2. **CALL TO ORDER**

Chair Rainforth: Good morning, its 9:00 a.m. and we have quite a few of handouts that we need to review. I would like to take, 5-10 minutes to review these handouts.

3. **CHAIR'S ANNOUNCEMENTS INCLUDING BUT NOT LIMITED TO:**

Chair Rainforth: The next scheduled meeting for the Salary Commission is on Thursday February 21, 2019 at 9:00 a.m. in this same meeting room, Mo'ikeha, Building Meeting Rooms 2A and B. Okay, the first order of business would be the approval of January 30, 2019, meeting minutes of the Salary Commission.

4. **BUSINESS**

SC 2019-04 Approval of the January 30, 2019 Open Session Meeting Minutes

On a motion made by Ms. Kauai and seconded by Vice Chair Crowell, the Commissioners approved the meeting minutes of January 30, 2019 by a 4:0 vote.

SC 2019-05 Receive written testimony from:

- Robert Westerman Retired Fire Chief
- Jimmy Miranda and Thomas Nizo Fire Commissioners
- Mary K. Hertog Chair Kaua'i Police Commission

On a motion made by Vice Chair Crowell and seconded by Ms. Shimamoto the Commissioners received all three written testimonies by a vote of 4:0.

SC 2019-03 Discussion and decision-making on submitting a salary resolution to establish the maximum cap for salaries for certain County officers and employees, included in Section 3-2.1 of the Kaua'i County Code for Fiscal year 2019/2020.

Chair Rainforth: Okay, now we can take a few minutes to read our handouts. Thank you.

Ms. Shimamoto: How we, the information from Hawai'i island, Honolulu, Maui and the State,

Ms. Ching: It's just for an FYI, to see what the Honolulu Salary Commission did. See how they did it? This findings of facts is a good example of the Honolulu Salary Commissions submitted to Council.

Chair Rainforth: Thank you.

Ms. Kauai: The Fire Chief includes a \$420 allowance for uniforms and the Police Chief gets subsidized vehicle allowance.

Chair Rainforth: Who puts together the Resolution, or the numbers for the various elected officials and department heads?

Ms. Kauai: The County attorney usually drafts something for us.

Vice Chair Cowell: But we come up with the numbers. I don't know if we're going to wait for Ms. Rapozo, but maybe you folks have the answer. I had a question about the plus signs next to the various positions especially, the public safety guys.

Chair Rainforth: It's a uniform allowance.

Ms. Kauai: But they don't get all the rest and it's not cumulative.

Vice Chair Crowell: But then it doesn't add up then.

Ms. Kauai: It's not cumulative. They get only what the icons represents.

Vice Chair Crowell: I'm trying to figure out how the Fire Chief has three plus's next to his name. He would only get a \$420...

Ms. Kauai: It's for his uniform allowance.

Vice Chair Crowell: But it doesn't add up to \$127,733, as far as his salary.

Ms. Shimamoto: I think it's in addition to his salary.

Ms. Ching: Yes.

Vice Chair Crowell: I see, but I still didn't think that it was that high.

Chair Rainforth: I also noted that about half of the other people on that page gets more than the Chiefs.

Mr. Bracken: In regard to this handout that's marked confidential.

The information contained in here isn't confidential. All this is part of the County's budget that goes across the street every year and it on the County website. So, while it's marked confidential, this information is readily available to the public so that doesn't need to be discussed in Executive Session.

Vice Chair Crowell: But if we do discuss it, should we discuss it in Executive Session?

Mr. Bracken: No. It's really not necessary, you can discuss it now. Because this is all readily available to the public.

Ms. Kauai: Are we open for discussion?

Okay, what I did was for this one, I took the job descriptions and it seems like the Prosecuting attorney, County attorneys and the engineering department are required to have degrees or an engineer license. Also, finance, they don't really require a CPA license, but the Auditor's does, but the County doesn't have an Auditor right now.

So when we go into discussion, I want to look at that, with regards to the type of professional licenses that are required. I don't want to jump all over the place, but when I looked at the findings of the Honolulu Salary Commission it looks like they gave a 4% across the board, increase and this kind of popped up in my mind that sometimes when you give like 3%, increase it's more or almost like a cost of living allowance, then every year you have to go back and revisit the salaries.

I know that it will call for more work, but what if we give the department heads, a 3% across the board cost of living allowance and have the appointing authorities for the department head come up with some key performance indicators that they have to meet with some kind of a bench

mark. And then maybe give them an allowance or like an award almost, per se. For lack of a better word, like a performance standard that they would get on top of their raise. I mean, it's a lot of work, but you know...rather than just giving them across the board raise. I'm just throwing it out there.

Vice Chair Crowell: I like the idea especially about the degrees that they need. However, right now, my feeling is we should take a look at doing something across the board now. And that's why I went back to the resolution that we did submit that was denied two years ago, I'm for going that same amount again so we don't get to far behind.

Ms. Kauai: Right.

Vice Chair Crowell: And hopefully the Council will see like we do that our County Administrators deserves an increase, or should have increase. Then, we as a Commission should take it up in the next year to really delve into what we really feel.

Ms. Kauai: Going forward. According to the Resolution 2017-02, the Mayor was at \$135,300, but on this, he's making \$138,000.

Vice Chair Crowell: That's with all of his, uh, allowances.

Ms. Kauai: Okay, got it.

Vice Chair Crowell: If we go with the merits it will jump with his allowances; that's what I'm assuming.

Ms. Shimamoto: You know, the difference is that the Big Island and O'ahu set the salaries and we set the salary caps based on their annual job performance, then the appointing authority can do whatever they want to do, up to that cap. I like our practice better.

Ms. Kauai: Right.

Ms. Shimamoto: In regard to what Vice Chair Crowell said the last time that Salary Resolution 2017-2 that was rejected, in November of 2017?

Ms. Kauai: Yes.

Ms. Shimamoto: So, that puts us behind.

Vice Chair Crowell: Yes, we're still way behind.

Ms. Shimamoto: So if we looked at the - at the consumer price index...I couldn't figure it out. I didn't know what to print, so I was hoping Ken would have it since he's the numbers guy. I mean, that's how Charlie King did it. But, I like the process that (Bob) is recommending because we have to submit a Resolution on or before March 15, 2019. It's like we're always

kind of rushing.

Ms. Kauai: Right.

Ms. Shimamoto: The Big Island and Oahu their Charter mandates them to meet at certain time. I kind of like that. They're not rushing...we can have our public hearing, but if nobody comes they can grumble afterwards. But the Big Island...oh, my gosh, I read the blogs and the people can be so vicious like calling people names and attacking the Salary Commission.

Ms. Kauai: I think somebody mentioned that we got to look at the position and not the person.

Vice Chair Crowell: Well what happened two years ago is someone from the County Council brought it up (and they always went back to the Big Island salaries being lower than Kaua'i), they didn't name any particular person, but I know in the back of their minds they were thinking about certain individuals.

Ms. Kauai: Going back to the caps would you guys feel comfortable if we add on a 1.9% increase that was for 18 and at least, you know? We can, you know, reference 17 of the Consumer Price Index ("CPI") plus 8 - I mean, that's something that is, is define and this is just to address the cost of living allowance.

Ms. Shimamoto: Right.

Ms. Kauai: It's basically just to keep up with the Consumer Price Index. So, you know, if we add or tack on the 1.9% in addition to this, for 18.

Ms. Shimamoto: The 1.9% is from where?

Ms. Kauai: The 2018 Consumer Price Index.

Mr. Bracken: Each of the Arbitration recently concluded and that was the number that was used. Because the fire fighters are getting 2% - well potentially once Council - asks Council for approval. But they're potentially getting 2% raises and it was based on the C.P.I, which is 1.9%, is where I got the number from.

The fire fighters are looking at 2% raise, which isn't (unintelligible), in here because it hasn't been approved my Council yet. And of course the police is similar they have a 2% increase this year, as well. So, those are...

Vice Chair Crowell: To me that doesn't seem right either. Because you're talking about an increase for one year but the salaries for department heads and elected officials have rarely - have been adjusted for many years.

I mean, you're talking about a much bigger percentage in the increase and the cost living that those positions have missed. And, to me, looking at the 2017 resolution, it's still really low compared to the other islands. I mean, I'm not suggesting that we should try and match the other neighbor islands, but I think we should kick it up substantially more. But the Kauai salaries could still be lower, but not that low. I mean, remember people who've come and testified here. They're all saying that you can't get good people to apply because the money's not there. So, you're getting second string people or people who are not as not as competent, and you're going to get that type of service from them. If you want the best people available, you got to try and reward them with a salary that's commensurate to their abilities and dedication.

I mean, that's my feeling.

Ms. Kauai: I agree with you, a 110%.

Mr. Bracken: But you question the ability to get it through the Council.

Ms. Kauai: Yes.

Vice Chair Crowell: And, I - you know the timing...

Ms. Kauai: The timing is not on our side.

Vice Chair Crowell: I like what Trinetta is saying. We tack on the 1.9% to what we have on the 2017 Resolution.

Ms. Kauai: Yes, and then...

Vice Chair Crowell: And take a year to come up with...

Ms. Kauai: For the next fiscal year.

Vice Chair Crowell: And we justification for coming up with the numbers.

Ms. Kauai: Yes.

Vice Chair Crowell: Last year, we never had a Commission meeting. Because it was an election year and we just knew they would down the other one. So I'm saying is, let's try to go with something small and next fiscal year take baby steps and really come up with what we really feel is appropriate and if we got to meet every two weeks... in that year, then we're going to meet, every two weeks.

Ms. Kauai: That's why I asked if we should do a workshop. I mean, getting a couple of Chalkboards to write all of the positions down and list what positions needs a degree that way it would be more meaningful plus, we will have all of the backup information.

Ms. Shimamoto: So, can we figure out the C.P.I. for 2018 and the 1.9 for the current C.P.I.?

Ms. Kauai: Yes, we got 2% and the 1.9% was for 2018. So, we would tack it on to the 17 18.

Ms. Shimamoto: Yes.

Vice Chair Crowell: Right.

Ms. Kauai: Because a year, you got to wait till the end.

Ms. Shimamoto: It seemed (Charley) didn't do that every year for seven years that they didn't have a raise. He factored that in, up to 2017?

Vice Chair Crowell: I don't recall that.

Mr. Bracken: What I remember from the discussions was he 2.5 was based on...they took the raises that the bargaining units were getting, because they were all looking at getting like 2 - 2.5 raises. And I believe the 2.5 was based on what the bargaining units were getting.

Ms. Kauai: Okay.

Mr. Bracken: Also, from what I remember, I don't think in the years past they had looked at all the C.P.I. to put that together.

Vice Chair Crowell: Okay.

Chair Rainforth: You're saying Mr. Crowell is that the bottle neck would be the County Council not approving the increases and when that you submit the Resolution the Commissioners can go and testify, right?

Vice Chair Crowell: Yes.

Chair Rainforth: And appeal to the Council Members is to - you know, this is deserving and it should happen. Do you ever lobby the Council Members individually?

Mr. Bracken: Yes.

Vice Chair Crowell: I never have lobbied any of the Councilmembers before.

Ms. Shimamoto: Not at all, since I've been on the Salary Commission, but I do know what you're referring to, Chair.

Chair Rainforth: Something I learned is that if you have a meeting one on one with the

individual Council Members and you present your position. Whether they agree or not, they really respect the time you spent to come talk to them to present your position. And, more often than not, you get favorable reaction when you do that. So, I propose we spend time in lobby. I'll do it. I think it's really important.

Vice Chair Crowell: I guess my concern this year is the time frame we have.

But even over and beyond that, this is a brand new Council, and this is a brand new Administration, and something tells me, the question will come out, or they're going to be very hesitant because they want to see the production of this Administration. They want to see how this administration works. They want to see that are they deserving of even being considered for a salary increase at this time.

I mean, we already got the Department Heads in place. We must've been able to fill the positions with the salaries that are there. Why don't we wait a year, and let's see what type of Administration we do have. I'm afraid, they'll may take that type of position and if we come on a little bit too hard, I think they'll stand steadfast and wait another year.

Chair Rainforth: That's a really valid point, thank you.

Ms. Kauai: Right, I we should take a position that, again, it's not the person that is doing the job, but it's the position.

Vice Chair Crowell: I agree.

Ms. Kauai: And if they don't give an increase they don't have too. But we have to because we would base on it their performance evaluation. We're going to be playing catch up again next year if we don't give them an increase. Whether it's 2.5% or a 1.9% cumulative; after we do all of that, we're still going to be behind again and we're going to have to ask for another increase for the following year.

So, we just should present this basically just as a cost of living increase to upkeep. And again, it's up to the appointing authority or their respective Department Heads to give them up to that cap or not, because they will be deciding if the person is doing the job or not. That's just my opinion.

Mr. Bracken: Excuse me, Chair, a couple of things, the evaluation is not always within the Mayor's purview because they are other Commissions that evaluate their own respective Department Heads.

So, that's one thing you should know, that going up to the maximum, if it's going to be determine on a person's evaluation that evaluation piece is not necessarily all within the Mayor's purview.

But now, with the new Administration, if I think back to the inaugural speech, that one of the things that the Mayor talked about was auditing and evaluation and performance evaluation. And, I know that's one thing that he feels very strongly about. So, I think that's something definitely at the forefront of their initiatives and something that's high on their list to do. I'm not sure because I'm new to County government totally, but I do know that this Administration, it's not automatic, as far as, providing or giving Department Heads the max.

Ms. Kauai: Okay. Good to know.

Vice Chair Crowell: Question on the scheduling again. I think the Council needs to adopt a budget by May 1st or something like that?

Ms. Kauai: We need to submit a new resolution on or before March 15th.

Ms. Ching: (Unintelligible). Start getting the budget...

Vice Chair Crowell: When does the Council set their own deadline for approving the budget?

Mr. Bracken: The budget process will start in March and the budget is ultimately not adopted until -

Ms. Kauai: June.

Mr. Bracken: I think in June. But the process starts in March so, there's an initial partial supervised budget.

Vice Chair Crowell: During that process would they will be looking at the Resolution they either approve or disapprove; sometime in the middle of that time period? I have no idea.

Mr. Bracken: So, your Resolution has to be submitted on or by March 15th and then they have 60 days to approve or disapprove, right?

Ms. Kauai: Disapprove.

Mr. Bracken: So, it has to go up or down in 60 days. So, your Resolution will be decided before the...

Ms. Kauai: The budget.

Mr. Bracken: Before the budget is ultimately decided.

Vice Chair Crowell: Well, it has to be.

Mr. Bracken: So, historically in the past, when you all were able to get the one raises through a few years back, the way it worked, was it wasn't in the initial budget; it wasn't budgeted for the

raises. Then the Resolution was passed and then they just fixed the budget to account for the raises.

Vice Chair Crowell: Right.

Mr. Bracken: So, I think it's why it's timed that way, so it can be adjusted.

Vice Chair Crowell: I thought one year, purposely we submitted a Resolution early, so if they denied it...

Ms. Kauai: You have time to submit another one.

Vice Chair Crowell: Right.

Vice Chair Crowell: Prior to that other date. And, I think that's when we got that double one. Where they approved one and denied the other, wasn't it?

Mr. Bracken: Yes, that year we actually submitted three different Resolutions.

Vice Chair Crowell: Right.

Mr. Bracken: The first one was denied and then, two more Resolutions were submitted and then one of the two was denied, so.

Vice Chair Crowell: Right.

Mr. Bracken: So, historically we submitted multiple Resolutions.

Vice Chair Crowell: But it won't happen this year.

Mr. Bracken: No.

Vice Chair Crowell: So, what I think we've been talking about is the strategy. We're going to follow in coming up with a Resolution. So, if we are going to push the numbers up we need to be cautious that new Administration and new Council may be hesitant to commit physical resources. So, we need to decide which direction we're going to go and keep that decision we make today so at the next meeting we can set the numbers.

Ms. Kauai: Right.

Chair Rainforth: So, what is our strategy going to be?

Ms. Kauai: I would like to make a recommendation, as we discussed earlier to take the resolution that was submitted in 2017 and tack on the 1.9% C.P.I. for 2018, and see if that'll go. Also, I

think it's important that and I know that Peter Morimoto was going to send out a letter to the Council Chair, with regards Councilmember Chock's recommending that we separate the Resolutions for Council, but I wanted to just make a point of clarification on that.

Mr. Bracken: I can adjust that today. I talked to Peter about it a little bit and I think at the last Meeting, he said that you can't do multiple resolutions, but you can because we've done it in the past; we can do multiple Resolutions.

So, in regard to Mason's letter and I know there's an Executive Session posted for this, but I don't think it's necessary so, you can have the discussion in an Open Session.

So in his letter, he asked for a few things so, you do have various options so, I'll present the Options and you all can decide how you want to respond to it. So in the letter, he says he's not comfortable voting for their own raises which can be interpreted two ways.

You can either do which is what we did, a few years back and it did pass. We separated certain positions in to two separate Resolutions and one of them had the Councils salaries in it. And that one ultimately didn't pass, partially because the Council Members weren't comfortable voting on their own raises. So, there's two ways to respond to this. Under the Charter, they're not voting on their own raises. Every time we write up a Resolution it's worded so that it's the next Council...

Ms. Kauai: it's for the next Council.

Mr. Bracken: So, they're never voting on their own raises. The Commission can respond to the letter in two ways. You can explain that Council is not voting on their own raises, they're voting on the next Councils raises. So, you can respond in that way or, you can respond the other way, which is we broke it up and historically it was broken up for this very reason because they're two Council Members who were willing to support some and not others. And so, it was broken in half because of that.

Ms. Kauai: Is one do you think is cleaner?

Vice Chair Crowell: Well, maybe a more important question is it clear to the public? Because I think the Council is responding to perception.

Ms. Kauai: Right.

Mr. Bracken: You can do it either way. The other option too, is Council, when they get the Resolution they can go line by line and delete what they don't want.

Ms. Kauai: Okay.

Vice Chair Crowell: Right.

Mr. Bracken: So, if they really don't want to give Council raises they can go line by line and delete it, that's one option. The other option is that you respond to them and explain you're to really voting on your own raise and that they're option is, you could just break it in half if you want and send over two Resolutions again.

Ms. Kauai: Okay.

Mr. Bracken: Those are the 3 options. I think last time it was broken up, with more than just Council. So, I wouldn't say that's completely necessary, because I think what happened was, and you know, half got it, and the other half didn't. And then next year when it did pass. It was the half that didn't get it. So, it's completely up to you on how who you want to put on each list, but, uh...

Vice Chair Crowell: So, if we were to break it up and put the Council separate, whether it be a separate Resolution or whatever. Does that include their staff? Or would we be putting their staff with the other department heads?

Mr. Bracken: That's completely up to you. He's not asking for it in this, because it's really the County Council and it's just a County Clerk and Deputy County Clerk that are subject to salary Resolution. Oh yes, the Auditor, too. I'm sorry.

Those are the Council side positions. I think when that did happen, it was split in half, I think that was one of their main regrets. And, I remember, Council Chair Rapozo coming and testifying and asking you all to do retroactive for the, um...

Ms. Kauai: The County Clerk and the Deputy County Clerk.

((Crosstalk))

Mr. Bracken: For the clerks. Because they notice that it was, unintended. I guess they didn't want that to occur. So it's completely up to you all, who you put on each list. But I don't think they necessarily liked that.

Ms. Shimamoto: I kind of like having one Resolution. And put the Council is a separate Section in the Resolution as it always has been.

Ms. Kauai: Article two.

Ms. Shimamoto: Yes, so if they want to reject that, as part of or, the entire Resolution, they could right?

Mr. Bracken: Yes, they could.

Ms. Shimamoto: Okay. A letter or a findings of fact accompanying the Resolution, like what the Honolulu Salary Commission did may help. They state in here, Salary Commission has also

establish the salaries, so, we could do that, in a letter.

Ms. Kauai: Like a finding.

Ms. Shimamoto: That would accompany the Resolution that the Salary Commission's charged is to annually establish the cap and the appoint authority can provide up to the cap or the maximum salary cap and somewhere in there include something about Council not voting on their own salaries

Mr. Bracken: You could explain in there this is for the following year. And then if you wanted to we could also put you also have the ability to erase anything that you disagree with.

Ms. Kauai: Your talking about the findings of fact.

Ms. Shimamoto: Yes, as part of our cover letter, and that would kind of address your thing about lobbying the Council Members.

Chair Rainforth: No. Sitting down for a half hour face to face makes a really big difference. And they really respect the time you spend with them.

Ms. Shimamoto: I'd be care...

Vice Chair Crowell: Otherwise they're on show in a council meeting.

Ms. Kauai: Right.

Vice Chair Crowell: And they got a different agenda.

Ms. Shimamoto: Matt, would the cover letter be part of the public record?

Mr. Bracken: Yes.

Ms. Shimamoto: So the public can be educated as well. Yes.

Mr. Bracken: That's a good point, yeah. And then just because it's come up a few times. You all have discussed, you know, that cap - that is historically how you've done it. You know, like some other Commissions just set the salary, you could also do that as well. I believe it was - it's been done historically because you want to give that discretion to the appointing authority to not take them to the cap. But you could also word your Resolution that these are the salaries.

I could bring that up specifically because it's come up with the County Clerk. There's been some confusion. So, what happens is, when the new County Council's put in the County Clerk and you have a new Council coming in, and then you also have the County Clerk there's been some, I guess the difficulty is the salary, right? Because like the Council coming in has the ability to set

her salary. But that can't occur until after they're inaugurated so, it's solvable, they just do it after the fact.

But an option for you, you could just establish that salary and then you don't have that weird time frame where they kind of have to go back and then give her, her salary. So, it's kind of strange in that, so they're appointing a County Clerk, right? But until inauguration they don't really have the authority to say this is what you're salary's going be.

Ms. Kauai: They cannot make it -retro then.

Mr. Bracken: Well they basically do it retro. So, a way to solve the retro, would just be this is what your salary is.

Ms. Kauai: Just decide it.

Mr. Bracken: Right,

Vice Chair Crowell: That doesn't occur at every...the Commission is the one that sets the salary for that department head, or?

Mr. Bracken: That specific problem doesn't occur at the other Commissions because you all will set the salary. Or the Resolution will pass and then once it's passed, then that Commission makes the decision, okay we're going to give this person a raise or not.

Vice Chair Crowell: Right.

Mr. Bracken: It only comes in to play with the County Clerk mostly, because you have a new Commission coming in. And they're also appointing a Clerk. But then they have to go back and do it retroactively, because it occurs after, the new inauguration. So, it really only happens with the County Clerk. So, the way it's done now is - it's done somewhat retroactively.

Vice Chair Crowell: The Charter wouldn't have to change? The Charter doesn't say that we only give a salary cap?

Mr. Bracken: It says, the Salary Commission is composed of seven members to establish the maximum salaries of all elected and appointed Officers. So you - you establish maximum salaries. The way that Resolution's been worded, is you are all establishing maximum salary caps. But you could also establish maximum salaries if chose.

Ms. Ching: Chair, um, Jill from HR is here in case you all have any other questions on this spreadsheets that were prepared by Human Resources.

Ms. Niitani: Good morning, Commissioners. I'm Jill Niitani HR Manager.

So, you have two spreadsheets in front of you. The first one is a comparison of County elected/appointed officials. And there's a Salary Inversions Confidential Report. So, the first report comparison of County elected/ appointed officials. Our director had worked with, Ms. Ching from the Office of Boards and Commissions to come with a chart that showed side by side comparison of the different jurisdictions to show where the County of Kaua'i fell among other jurisdictions.

We had hoped to show, at least in the ball park figures as far as what the other jurisdictions are Providing as far as the maximum salaries. One of the things, I'm not sure if (Elena) mentioned, was that the other jurisdictions, don't have that up to the maximum language. It's whatever the pay that's listed, is the pay that they get.

Whereas with the County of Kauai, says you can pay up to that amount. So, you can pay less than the maximum that you set. Okay? Does anybody have any questions about that particular chart? Okay.

Chair Rainforth: Do you know how many times the appointing juris- appointing person did not get paid the maximum? Is it a common occurrence? I don't think it is.

Ms. Niitani: With regards to the appointed, I think - I don't have that off hand. But, I believe with at least the current appointees there's just a handful that are not being, appointed at that have the maximum.

Chair Rainforth: Okay.

Ms. Niitani: Even with our actually now acting Director of HR, when she was the Director of HR, she started off a little lower, because the Civil Service Commission wanted to evaluate, see how she did in the position and then, brought up to the maximum of what she was able to prove, that she was the best for job. So, that was something, I think - at least I can speak for myself, but that was something that we felt was appropriate. You know, not to necessarily start and - I don't know if that was the intent of the Commission as well - Salary Commission, that you know, it's a maximum that you are determining and you know, you probably - just like anybody else, you start off and then be able to show that you can do the job to get that - than higher salary.

Ms. Kauai: So the appointing authority set that. Not the Civil Service, right?

Ms. Niitani: Yes.

Vice Chair Crowell: Thank you.

Ms. Niitani: Thank you. And the salary inversions chart, our Director worked with IT to obtain this information. So, it was broken down to - of course each of the different appointed positions. And, where - if there were any inversions, um, with the supporting staff, under that

Director or Deputy. Uh, what - were they - what positions were they in. What, as far as total compensation, were we looking at, as far as how big that inversion was. So, that's how it's broken down as far as different departments. Um, it's not necessarily in any particular order. Uh, we just try to make it so that when it printed, it printed nicely on the three pages. So, um.

Ms. Kaui: Thank you.

Ms. Niitani: Yes, so this only lists the departments or the positions that the inversions are affecting.

Chair Rainforth: And the, the base salary plus the overtime and others, would that be for calendar year, 2018 or what time period? Because it must be specific a use when you add overtime, it's always different, right? So...

Ms. Niitani: I believe it was for the last fiscal year, but our report is dated the 9th.

Chair Rainforth: Right.

Ms. Niitani: But I want to say it was for the last fiscal year.

Chair Rainforth: Okay.

Ms. Kaui: So through July of 2018 ending on July 2018, okay.

Ms. Niitani: Yes. Ultimately, we're looking at - even though it says total compensation. Total compensation should really include benefits and all of that. But we're really looking at just Pay when we talk about the total.

Ms. Kaui: Right.

Chair Rainforth: Right.

Vice Chair Crowell: Thank you.

Ms. Ching: This is on the inversions, the way it's sorted in the category, is you have the Department Head first, then you have the Deputy second, and then under that is, if you look all the way to the right, it's who has the top salary in that department, below the Deputy. And then it's descending from that. So, that's what the order is. It's not so much what the job title is, it's based on who has the top salary in that department below the Deputy, and then going down. They did a lot of work. In a very short period of time.

Ms. Kaui: Thank you. We appreciate it, thank you very much.

Chair Rainforth: Thank you. Are there any more questions?

Ms. Kauai: I think its very clear.

Vice Chair Crowell: I wish we had this last week. Or, the week before. When the Police Commissioners were here.

Chair Rainforth: Right, I understand it much better.

Vice Chair Crowell: I'd like to know how a Police Officer, gets \$78,000 in overtime.

Ms. Kauai: Well they have - I think they...

Chair Rainforth: Because they're understaffed. So they can get the...

Vice Chair Crowell: How can they live? I mean, he probably doesn't have a family life?

Ms. Kauai: I think they kind of pointed out the floods too. That was one kind of, you know circumstance that...

Vice Chair Crowell: He makes more in overtime than his salary. It's like wow.

Ms. Shimamoto: Unbelievable.

Ms. Kauai: I think it's because of the Union and what the Union contract says. Because once they go overtime, they get all this meal and differential and TDI - I mean...

Chair Rainforth: Right.

Vice Chair Crowell: Yes, I'm sure.

Ms. Kauai: I mean, not TDI, like Temporary assignments, but the list goes on and on.

Mr. Bracken: The Police Department also has a really hard time recruiting.

Ms. Kauai: Yes.

Mr. Bracken: And they're always short staffed. So, it's almost like guaranteed overtime for the majority of the Officers.

Vice Chair Crowell: Yes.

Ms. Ching: I think, with the spreadsheet, particularly on the salary inversions, you can see what the Commissioners from the Fire Commission and the Police Commission was talking about that really clearly outlines the challenges that they were having.

Chair Rainforth: I don't think you have the answer. But, I was just looking at the two handouts from, Human Resources. And looking at the Police Chief, our Police Chiefs salary is \$127,313. But with the additional allowance, it comes up to \$144,000. And on the comparison sheet for Kaua'i we don't have comparisons for the other three counties, so I don't know if they're Comparable so should we be looking at like \$127 as a comparable salary to the Hawaii, Big Island salary of \$153, or Honolulu of 198? Are those... do they get supplements too?

Ms. Kauai: I think we should just look at the base mainly.

Mr. Bracken: So, with police and fire, there are separate Resolutions that give them, those base bumps, that were passed by this Commission. So, it's included in their overall salary. I'm not aware of and I don't know if the other counties have done it that way, but this Commission did it to reflect what S.H.O.P.O Union and what Fire Fighters Union were getting, because they all get gun allowances and whatever else. So, this Commission passed separate resolutions giving those Chiefs those same monetary values. So, it adds in to their overall based on other Resolutions from this Commission

Ms. Kauai: Right.

Chair Rainforth: Okay, interesting.

Mr. Bracken: Yes.

Chair Rainforth: So which direction are we going to go? Are we going to take the Salary Commission's 201702 Resolution and bump it by...

Ms. Kauai: By 1.9%.

Chair Rainforth: Let me just make it 2% and go with that. But, let's take a look at those numbers And see if we want to make some other fine adjustments. Before we submit something. Or, is that where this Commission is leaning towards? Also with the understanding that what – whatever Resolution we do submit that they'll be a cover letter explaining, you know the Commissions responsibilities, and also a strong hint that we would be submitting a increases in next year, for 2020. Is that where we're going?

Vice Chair Crowell: I like that idea.

Ms. Kauai: Yes, because basically, if we're going tell them we're looking in increases it's to adjust the salary inversions and then, maybe by...

Chair Rainforth: Yes, we need to address that.

Ms. Kauai: And then maybe by, if the HR Department, if we can look at the next fiscal year hopefully be a little bit more normal year, than all the floods that they had and everything. Hopefully they hired more people. Not so much overtime. Then we can kind of look at the inversion come July.

Mr. Bracken: If this, Commission is going to do a cover letter, it might be worthwhile to include everything you've reviewed as well because normally Council will ask for it anyway. So, if you included it in your cover letter, it would go over as one package and it would also be available to the public.

Ms. Kauai: Right. Matt, I know you mentioned that this was confidential but not confidential. Is the salaries of the other Officer...

Vice Chair Crowell: I think the overtime stuff is confidential, I would say. I mean.

Mr. Bracken: No, no. It's all public record.

Ms. Kauai: It's public record. Oh, okay.

Mr. Bracken: So, even though it's marked confidential, it's really not. It can.

Ms. Kauai: Okay, I thought maybe just the Department Heads was public record. But the rank and file - I mean not rank and file, but the...

Mr. Bracken: The rank and file it's all included in the budget.

Ms. Kauai: Okay.

Mr. Bracken: So, it's all budgeted for and, you'll actually frequently find the (Garden Island) will request this information and they'll - I think they did it - last time they did it, they said the highest five paying people in the County. And it all came from this information that HR provided.

Ms. Kauai: Okay. So, even the Civil Service positions, and okay? I just to make sure.

Mr. Bracken: If there were names attached to them, it might be a different story. And it is with the understanding that it is not very difficult to figure out who these people are, because there's not a lot of people in those positions. It's still a position. It's still in the budget. All this information is kind of already out there. And it could be obtained easily from the public as well.

Chair Rainforth: Could, you ask HR to send me this spread sheet? The comparison one?

Ms. Ching: The comparison one?

Chair Rainforth: Yes, I'll add a column and put in our proposed numbers.

Ms. Shimamoto: Do you also want them to follow up with information as to whether the other Counties, if those figures include the supplements and what those supplements are?

Chair Rainforth: For the Police and Fire Chief, yes, but just the police I guess.

Ms. Shimamoto: Police and Fire.

Chair Rainforth: Well no, okay, both of them, there.

Ms. Kauai: The Fire Chief had \$ 420 allowance for a uniform.

Chair Rainforth: We just want to know if they're apples and oranges, or apples and apples.

Ms. Kauai: Okay.

Ms. Shimamoto: Okay.

Chair Rainforth: Okay. Any further discussion?

Ms. Shimamoto: Ms. Ching is the minimum qualifications, job description, for the Deputy County Engineer is say not available.

Ms. Kauai: The Charter must be silent on it. But the Deputy gets appointed by the?

Ms. Shimamoto: By the Engineer.

Ms. Kauai: I wonder why, it's silent.

Ms. Shimamoto: I would defer to Matt.

Mr. Bracken: There's quite a few Deputies that are silent. If you look through it, there's really not a lot of qualifications for the Deputies and it's same for the Deputy Director of Finance. It's usually silent on all the Deputies, or a lot of the Deputies.

Ms. Kauai: Okay.

Ms. Shimamoto: Is my assumption that because in the Charter, it states that the Administrator, head of the department and their responsible for appointing the staff, that's the Charter covers it via that avenue?

Mr. Bracken: The Director has to have some qualification. You'd hope that the Deputies would have similar qualifications.

Ms. Shimamoto: Right.

Mr. Bracken: Depending on the positions right? So, like the attorney one specifically. Like I have to appoint an attorney, but beyond that there's no minimal qualifications.

Ms. Shimamoto: Interesting, okay.

Chair Rainforth: Okay, I think we're finished with business. And you said, we don't need to have an Executive Session, right?

Mr. Bracken: That's correct. I think we covered everything that would have been in Executive.

Chair Rainforth: Is there any further business?

Vice Chair Crowell: So, to make it clear, we're at our next meeting we should be seeing basically the same resolution with new numbers. And basically the numbers would be a 2% increase of this - what's here in the Resolution?

Ms. Kauai: Right.

Vice Chair Crowell: Not 4.5% of the previous - of the, uh, the present salaries, right? We're looking at this Resolution plus 2%, right?

Chair Rainforth: Yes. For now. And then we'll take a look at those numbers and we'll see if we need to fine tune any position, I think.

Ms. Kauai: Yes.

Vice Chair Crowell: Okay.

Mr. Bracken: So, for clarity, do you all want a draft new Resolution at this point?

Chair Rainforth: No, not yet.

Mr. Bracken: Not yet, okay.

Chair Rainforth: Well, you already have this on draft, right?

Mr. Bracken: Yes, so as soon as you decide on numbers we can change it.

Ms. Kauai: Just change it because when I was looking at the Honolulu one. They gave everybody a 4% increase except for their Corporation Council. They gave them a 7% increases, so maybe like the Chair said we can look at the numbers again, and if there's any numbers we want to bump up, we can look at that.

Chair Rainforth: Right, and we should be cognizant of the inversion issues with at least three Departments Heads.

Ms. Kaui: Yes.

Chair Rainforth: So is everybody's on board for coming next week, Thursday?

Ms. Kaui: Yes, so far.

Chair Rainforth: And I see that we're going to have the same room. So, it'll be here. Same time. And by then we hopefully can establish those numbers and have the attorney's office draft the Resolution for adoption the week after that. Is that sound good?

Ms. Kaui: Sounds good.

Chair Rainforth: All right, we're done.

Ms. Shimamoto: Move to adjourn.

Ms. Kaui: Second.

Chair Rainforth: All those in favor say, aye. Meeting is adjourned, thank you.

At 10:25 a.m. the Meeting Adjourned.

Submitted by:

Mercedes Omo Support Clerk

Approved by:

Kenneth Rainforth Chair

() Approved as circulated
(x) Approved as amended on February 21, 2019