

## COUNCIL MEETING

JULY 12, 2017

The Council Meeting of the Council of the County of Kaua'i was called to order by Council Chair Mel Rapozo at the Council Chambers, 4396 Rice Street, Suite 201, Līhu'e, Kaua'i, on Wednesday, July 12, 2017 at 9:32 a.m., after which the following Members answered the call of the roll:

Honorable Ross Kagawa  
Honorable Arryl Kaneshiro  
Honorable JoAnn A. Yukimura  
Honorable Mel Rapozo

Excused: Honorable Arthur Brun  
Honorable Mason K. Chock  
Honorable Derek S.K. Kawakami

Council Chair Rapozo: Councilmembers Brun, Chock, and Kawakami are in Oregon attending the State Planning conference.

### APPROVAL OF AGENDA.

Councilmember Kaneshiro moved for approval of the agenda as circulated, seconded by Councilmember Kagawa, and carried by a vote of 4:0:3 (*Councilmembers Brun, Chock, and Kawakami were excused*).

Council Chair Rapozo: Motion carried. Next item.

### MINUTES of the following meetings of the Council:

June 14, 2017 Public Hearing re: Bill No. 2652  
June 28, 2017 Public Hearing re: Bill No. 2655, No. 2656, and Bill No. 2657

Councilmember Kaneshiro moved to approve the Minutes as circulated, seconded by Councilmember Yukimura, and carried by a vote of 4:0:3 (*Councilmembers Brun, Chock, and Kawakami were excused*).

Council Chair Rapozo: Motion carried. Next item.

### CONSENT CALENDAR:

C 2017-157 Communication (06/01/2017) from the Mayor, transmitting for Council consideration and confirmation, the following Mayoral appointees to the Charter Review Commission:

- Jan W. TenBruggencate – Term ending 12/31/2019

- Ricky R. Watanabe – Term ending 12/31/2019

C 2017-158 Communication (06/07/2017) from the Mayor, transmitting for Council consideration and confirmation, Mayoral appointee Christopher Alan White to the Board of Review – Term ending 12/31/2019.

C 2017-159 Communication (06/22/2017) from the Director of Finance, transmitting for Council information, the Condition of the County Treasury Statement quarterly report as of May 24, 2017.

Councilmember Kaneshiro moved to receive C 2017-157, C 2017-158, and C 2017-159 for the record, seconded by Councilmember Kagawa.

Council Chair Rapozo: Is there any discussion? Is there any public testimony on any of the Consent Calendar items?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to receive C 2017-157, C 2017-158, and C 2017-159 for the record was then put, and carried by a vote of 4:0:3 (*Councilmembers Brun, Chock, and Kawakami were excused*).

Council Chair Rapozo: Next item, please.

#### COMMUNICATIONS:

C 2017-160 Communication (06/21/2017) from the Director of Finance, requesting Council approval to dispose of the following government records, pursuant to Hawai'i Revised Statutes (HRS) Section 46-43 and Resolution No. 2008-39 (2008) as amended, which have been kept for over seven (7) years and are no longer of use or value:

- Copies of Purchase Orders, request forms and notes, packing lists (All records pertain to purchases of computer equipment and peripherals prior to 07/01/2010).

Councilmember Kaneshiro moved to approve C 2017-160, seconded by Councilmember Yukimura.

Council Chair Rapozo: Is there any discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to approve C 2017-160 was then put, and carried by a vote of 4:0:3 (*Councilmembers Brun, Chock, and Kawakami were excused*).

Council Chair Rapozo: Motion carried. Next item, please.

C 2017-161 Communication (07/03/2017) from the County Clerk, requesting the Council's receipt of EPS 2008-1 and EPS 2008-2, relating to the Ka Hale Māka'i O Kaua'i Complex, as these agenda items were not received for the record in 2008: Councilmember Kaneshiro moved to receive C 2017-161 for the record, seconded by Councilmember Kagawa.

Council Chair Rapozo: Is there any discussion? Councilmember Yukimura.

Councilmember Yukimura: Can you please tell me what the Ka Hale Māka'i O Kaua'i Complex is?

Council Chair Rapozo: That is the Police/Prosecutor building. It is a housekeeping measure.

Councilmember Yukimura: Yes.

Council Chair Rapozo: These items were up many years ago, and our staff, in their diligence, found that we had not disposed of it.

Councilmember Yukimura: Okay. Thank you.

Council Chair Rapozo: You are welcome. Is there any further discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to receive C 2017-161 for the record was then put, and carried by a vote of 4:0:3 (*Councilmembers Brun, Chock, and Kawakami were excused*).

Council Chair Rapozo: Motion carried. Next item, please.

#### CLAIMS:

C 2017-162 Communication (06/23/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Susan Motosue, for medical bills and loss of income, pursuant to Section 23.06, Charter of the County of Kaua'i.

C 2017-163 Communication (06/29/2017) from the County Clerk, transmitting a claim filed against the County of Kaua'i by Christopher Scott Dea, for damage to his vehicle, pursuant to Section 23.06, Charter of the County of Kaua'i.

Councilmember Kaneshiro moved to refer C 2017-162 and C 2017-163 to the Office of the County Attorney for disposition and/or report back to the Council, seconded by Councilmember Kagawa.

Council Chair Rapozo: Thank you very much. Is there any discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion to refer C 2017-162 and C 2017-163 to the Office of the County Attorney for disposition and/or report back to the Council was then put, and carried by a vote of 4:0:3 (*Councilmembers Brun, Chock, and Kawakami were excused*).

Council Chair Rapozo: Motion carried. Next item, please.

#### COMMITTEE REPORTS:

#### PLANNING COMMITTEE:

A report (No. CR-PL 2017-08) submitted by the Planning Committee, recommending that the following be Approved on second and final reading:

“Bill No. 2655 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUA‘I COUNTY CODE 1987, AS AMENDED, TO ALLOW FOR THE CREATION OF A NEW UNIVERSITY DISTRICT (*County of Kaua‘i Planning Department, Applicant*),”

Councilmember Yukimura moved for approval of the report, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Thank you. Is there any discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the report was then put, and carried by a vote of 4:0:3 (*Councilmembers Brun, Chock, and Kawakami were excused*).

Council Chair Rapozo: Motion carried. Next item.

COMMITTEE OF THE WHOLE:

A report (No. CR-COW 2017-05) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

“Bill No. 2656 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 2 AND 13 BETWEEN JULY 1, 2017 AND JUNE 30, 2019,”

A report (No. CR-COW 2017-06) submitted by the Committee of the Whole, recommending that the following be Approved on second and final reading:

“Bill No. 2657 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 3 AND 4 BETWEEN JULY 1, 2017 AND JUNE 30, 2019,”

Councilmember Kaneshiro moved for approval of the reports, seconded by Councilmember Yukimura.

Council Chair Rapozo: Is there any discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

The motion for approval of the reports was then put, and carried by a vote of 4:0:3 (*Councilmembers Brun, Chock, and Kawakami were excused*).

Council Chair Rapozo: Motion carried. Next item, please.

RESOLUTIONS:

Resolution No. 2017-37 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION (*Jan W. TenBruggencate*): Councilmember Kagawa moved for adoption of Resolution No. 2017-37, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Is there any discussion? Councilmember Kagawa.

Councilmember Kagawa: Yes. I am in strong support for approval of Jan. I think he is a valuable public servant in his knowledge of the issues on Kaua'i. It goes way back to the 1970s. It is very difficult to find that kind of experience. He is a person that I do not agree with all the time and I appreciate that, because he is definitely not going to be swayed by personal interests and bias. I think that is a perfect match for somebody on the Charter Review Commission, which we need to

come up with independent decisions, yet it should fit the needs of Kaua'i County. Thank you, Council Chair Rapozo.

Council Chair Rapozo: Thank you. Is there any other discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

Council Chair Rapozo: Roll call.

The motion for adoption of Resolution No. 2017-37 was then put, and carried by the following vote:

FOR ADOPTION:	Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 4,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun, Chock, Kawakami	TOTAL – 3,
RECUSED & NOT VOTING:	None	TOTAL – 0.

JADE K. FOUNTAIN-TANIGAWA, County Clerk: Four (4) ayes, three (3) excused.

Council Chair Rapozo: Next item.

Resolution No. 2017-38 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE CHARTER REVIEW COMMISSION (*Ricky R. Watanabe*): Councilmember Yukimura moved for adoption of Resolution No. 2017-38, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Is there any discussion? Councilmember Kagawa.

Councilmember Kagawa: Again, I am just happy with these two (2) appointments. I personally felt that we always tend to approve whomever the Mayor brings forth to us, and there have been times when in hindsight, we should have maybe been more careful with certain picks. But with these two (2), I definitely have no reservations. It is very important. The Charter Review Commission put items on the ballot and I remember one year, we had in excess of ten (10) items. People did not know what a lot of those Charter Amendments were. When you put it to the ballot and say, "Well, the voters voted for it," but in hindsight, if the voters do not know what the Charter Amendment is about in detail, then really, the vote is not an accurate vote. They are saying, "Oh, how should I vote on this Charter Amendment?" They are asking friends, and their friends are telling them not to vote. That is not their mind, their research, and them coming up with their own decision. That is why I feel it is very important that when they bring Charter Amendments to the ballot, it needs to be very few. The education to the public is very important so that everybody knows what they are voting for. It should not be about what their friend thinks they

should vote for. It should be their friend's vote, right? That is why I believe the Charter Review Commission is so important, because you basically could have errors by having too many items on the ballot, and then we will have things like the Boards & Commissions or the County Auditor that is now approved that adds millions of dollars to the budget. The people say, "Well, why are we wasting money on that?" It is because you voted for it. In hindsight, sometimes items look good on the ballot when it is a yes/no, but then in totality when people get educated, they find out that perhaps this is not the right fit for Kaua'i County at this time. That is why I am glad that Jan and Ricky are on. I think they know what I am talking about. I think they know that we need to keep it clear and concise so that we do not have the County come up with changes that actually hurt the people of Kaua'i instead of help. Thank you, Council Chair Rapozo.

Council Chair Rapozo: Thank you. Councilmember Yukimura.

Councilmember Yukimura: Yes, it is hard to find anyone with as much experience as Ricky Watanabe in County government. So, I think he will be a very valuable member of the Commission. I am hopeful as Council Vice Chair Kagawa pointed out, whoever is appointed to the Commission will understand how critical these Charter Amendments are because they define the structure of governance and issues will not be put on the ballot until the Commission determines that it will be a good thing for the people. I have heard some people say, "Oh, well, let the people decide. We will just put it on whether it is a good issue or not, or a good solution or not." I do not believe that is the best way to put Charter Amendments on the ballot. They should be thoroughly vetted and the Commission should be convinced that it is a good thing for the island, and then they should put it on the ballot for approval by everyone. That takes a lot of attention to detail, that takes knowledge of how County government works, and how the various parts of it are interrelated. So it takes very knowledgeable and people of integrity. It is sort of what Pastor Na'a, talked about today. I believe Ricky Watanabe is such a person.

Council Chair Rapozo: Councilmember Kaneshiro.

Councilmember Kaneshiro: This is just to take notes, but I think I mentioned it in the past. When a vote goes on the ballot, I think it would be in everyone's best interest to word the questions so that everything is consistent. Say a "yes" vote means that you are going to change something, and a "no" vote means that everything stays the same. There are a lot of times where you are voting "yes" to change something or you are voting "no" to change something, and it is very difficult to tell people—and a lot of people just want to say, "Okay, what is the change?" You have to tell them, "If you want a change on this one, you have to vote 'no.' If you do not want a change on this one, you have to vote 'yes,'" and it is very confusing. It would be easier to tell people, "A 'no' vote means everything will stay the same. Unless you feel that something on the ballot needs to be changed, then you vote 'yes' on it" and you read what that change is. If not, it is very difficult to go through. The information in it is very limited or they try to compress a lot information into a few paragraphs, but it is still very difficult to see what the ramifications of a vote is. As you folks try to word the information on the ballot, if you can kind of keep that in

mind so it is easier for the voters to know that if we really want a change, then my vote needs to be a "yes" or something like that. Thank you.

Council Chair Rapozo: Thank you. Is there any other discussion? I will just say that I agree that these two (2) appointments are what I believe are very good ones. As far as Ricky, I do not know of anyone today, that has the institutional knowledge or the historical knowledge of this County, the knowledge of the legislative intent of a lot of the things that have occurred over the last, I do not know how long Ricky has been at the County. It is probably close to fifty (50) years or something like that. But I know that while he was here, it was amazing how much he knew without having to go run and look it up. It was just incredible, the knowledge that he has. I think that he will bring that institutional knowledge to the Charter Review Commission because like others have said, we treat the Charter like our Code in many cases. We treat the Charter like Councilmember Yukimura said, "just let the people decide," and the people in one (1) or two (2) paragraphs, cannot know the impacts, the pros, the cons, and the intricate details of changes on the ballot. It just cannot be done. The Auditor's position came up. That did not have to be done by a Charter Amendment. That could have been done by an ordinance. We could have just created the position and if it did not work out, we could have removed the position by legislative action. When you put it on the Charter, the only way to change it is you have to go back to the next election and convince the people that it was maybe not the right change. So, I think the Charter Review Commission, and I think this is where Ricky will become very valuable, is making the determination whether or not this belongs in the Charter in our law books, because in a law book, you can change it much quicker. The public still has the participation. They all have those components. It is similar, but the Charter is really like the Bible. You do not see anybody changing the Bible, because it is the way we do things. It is the basic structure of government. If you are adding a position here or you are adding a department here, that all should be done by legislative action in concurrence of the Administration. That is just my opinion. So I think Ricky will bring a lot of that expertise and that insight because it is not toss it on and let the people vote. That is not fair to the people, because we are not giving them the necessary information to make an informative decision. Welcome back, Ricky. I am assuming from what I have heard so far, it looks like you brought your whole family. It would be hard to vote you downright now. Maybe we will defer it just because. I do not know. Welcome back, Ricky. I look forward to working with you and I really appreciate you stepping up. Councilmember Yukimura.

Councilmember Yukimura: I just want to offer another opinion about the Auditor because the reason why it is important to put in the Charter is it needs to be insulated from politics. If you can just remove a position by four (4) votes on the Council, the Auditor often times in doing its work, will run counter to what some of the politicians are doing, or saying, or what is happening in departments. So the Auditor's position becomes vulnerable to politics. By putting it in the Charter, you have it more protected, which is what is needed in order for the Auditor to do its work. That is just another opinion. So reasonable people can have different opinions, but that is one (1) reason for putting it in the Charter.

Council Chair Rapozo: Is there any other discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

Council Chair Rapozo: Seeing none, roll call.

The motion for adoption of Resolution No. 2017-38 was then put, and carried by the following vote:

FOR ADOPTION:	Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 4,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun, Chock, Kawakami	TOTAL – 3,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Four (4) ayes, three (3) excused.

Council Chair Rapozo: Thank you. Congratulations, Ricky. Next item, please.

Resolution No. 2017-39 – RESOLUTION CONFIRMING MAYORAL APPOINTMENT TO THE BOARD OF REVIEW (*Christopher Alan White*): Councilmember Kagawa moved for adoption of Resolution No. 2017-39, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Is there any discussion? Councilmember Kagawa.

Councilmember Kagawa: Yes. Based on the interview that we got, he used to work there and has knowledge of Kaua'i real property tax. I have strong approval again, based on the interview and the background that he has working previously for the County and doing work. He already has knowledge of it, knowledge of system, knowledge of the reasons why we come up with our tax for cases that are being contested, and so I think he is just a great fit. He has the experience and I will be supporting him. Thank you.

Council Chair Rapozo: Thank you. Are there any other comments? I will say that I know Councilmember Kagawa mentioned this in the earlier Resolution that it may appear that the Council just approves everybody what the Mayor puts up. But I do want to make it clear that in the last couple of months, this Council did reject a nominee for the Charter Review Commission, not that the person was not a good person, a good-meaning person, and a qualified person, but was one who lacked the historically knowledge or what I call the "institutional knowledge" to be on that Commission. There was another nominee that came up and after the interview, realized that maybe she was not as qualified as she thought, she was uncomfortable,

and she did withdraw her name. So that is the only two (2) that I know of in recent history, but it is not necessarily a rubber stamp. I praise this Council for just scrutinizing the nominees as they come through. With that, is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

Council Chair Rapozo: Seeing none, roll call.

The motion for adoption of Resolution No. 2017-39 was then put, and carried by the following vote:

FOR ADOPTION:	Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 4,
AGAINST ADOPTION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun, Chock, Kawakami	TOTAL – 3,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Four (4) ayes.

Council Chair Rapozo: Thank you. Next item, please.

**BILLS FOR SECOND READING:**

Bill No. 2655 – A BILL FOR AN ORDINANCE TO AMEND CHAPTER 8, KAUAI COUNTY CODE 1987, AS AMENDED, TO ALLOW FOR THE CREATION OF A NEW UNIVERSITY DISTRICT (*County of Kaua'i Planning Department, Applicant*): Councilmember Kaneshiro moved to approve Bill No. 2655 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Yukimura.

Council Chair Rapozo: Is there any discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

Council Chair Rapozo: With that, roll call.

The motion to approve Bill No. 2655 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL:	Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 4,
AGAINST APPROVAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun, Chock, Kawakami	TOTAL – 3,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Four (4) ayes, three (3) excused.

Council Chair Rapozo: Thank you. Next item, please.

Bill No. 2656 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 2 AND 13 BETWEEN JULY 1, 2017 AND JUNE 30, 2019: Councilmember Yukimura moved to approve Bill No. 2656 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Thank you. Is there any discussion? Let us do public testimony first. Is there is anyone in the audience wishing to testify?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

Council Chair Rapozo: Seeing none, thank you. Councilmember Yukimura.

Councilmember Yukimura: Yes. Based on the testimony we heard in Committee last week, there is clearly a need for these raises that are proposed for the Hawai'i Government Employees Association (HGEA). We heard that certain members struggle at times to make ends meet. We know that we have trouble in the County filling certain positions like for engineers, Information Technology (IT), and trades people. There has also been a growing disparity among different groups of the County and State workers. HGEA members were subject to furloughs and five percent (5%) salary cuts several years ago when other bargaining units received four percent (4%) increases compounded over two (2) years, which has really created a wide gap among certain groups. So this raise is merited, in my opinion.

Council Chair Rapozo: Is there any other discussion?  
Councilmember Kagawa.

Councilmember Kagawa: Thank you, Council Chair Rapozo. Just to paint the picture, I think this Council did a great job in asking during the budget about the past history of the past twenty (20) years of all of our major bargaining units that the County employs. We talked about Hawai'i State Teachers

Association (HSTA), which is the largest one for the State as well. We got the information from Janine that over the past twenty (20) years, United Public Workers (UPW) was about a fifty percent (50%) increase over the past twenty (20) years, Police went up seventy percent (70%) over the past twenty (20) years, Fire went up sixty percent (60%) over the past twenty (20) years, and HGEA went up about forty percent (40%) over the past twenty (20) years. I believe HSTA is about thirty-five percent (35%) over the past twenty (20) years. So the numbers do not lie. Over the past twenty (20) years, HGEA and HSTA have been on the short end of the stick, probably because they employ the largest number of workers, but that does not mean, to me, that because you have the largest group, they get paid the least when it comes to salary negotiations. Like Councilmember Yukimura just talked about, the differences have just run away. When you give the State of Hawai'i Organization of Police Officers (SHOPO), or Fire, or UPW the same amount as HGEA or HSTA, you are actually giving them a lot more because their base over the past twenty (20) years has gone up so much. To me, it is unfair. I want to do my part in trying to correct the unfairness to HGEA and to HSTA, and my vote for HGEA today is an easy vote. It is the easiest vote I have had in the past five (5) years. It is. I do not think the HGEA people are really that happy because in the end because of their medical premiums have gone up over the past ten (10) years or so, it is just going up every year. It goes up, it goes up, and the pay increase does not even equate that. So I do not think our union workers are very happy that even though they get this increase, which the public thinks, "Wow, that is a nice increase," but actually, they are taking home less because the premiums have gone up. So I just do not really think it is the time to celebrate for them. I think we need to do more. We have to do more for HGEA and HSTA if we want to attract and keep good, competent workers in positions to keep up with what the private sector is doing and what the family needs are. To me, this is a small step and it is not even close to what we need to do in correcting the unfairness to HGEA and HSTA. I think we have got to do more. We have to let the whole state realize this, and I think there needs to be a big movement statewide, not just Kaua'i County. We have to do more because SHOPO, Fire, and UPW are way past us. When is HGEA and HSTA going to get their fair shake? That is what I have to say. Thank you, Council Chair Rapozo.

Council Chair Rapozo: Thank you. Is there any other discussion?  
Councilmember Yukimura.

Councilmember Yukimura: I just want to add another statistic that did come from HR, Human Resources, and that is for one (1) of the public safety units. Their annual average compensation is ninety thousand dollars (\$90,000) a year, and that just shows you the growing disparity, but that creates a really big budgetary issue for the County. As you may know from our past budget sessions, we had a very difficult time balancing our budget. So while we may want to bring HGEA up to that level of the other bargaining units, it is not possible. It is not sustainable. That is why we have to have the courage to say "no" to increases that are even more excessive and that create an unsustainable budget, which is going to hurt everyone in the long run. When we are able to find a better balance, we can hopefully then—because we will have more resources, we will be able to address some of these discrepancies in health care payments, et cetera. It is a really difficult balancing act and we have to

have integrity in how we deal with every item that comes before us because they affect all of the other items.

Council Chair Rapozo: Is there any other discussion? Today up for discussion is the HGEA raise. I have to say, I guess I get a little frustrated when I hear the complaining about the police officer salary. I do not know. Should they get thirty-five thousand dollars (\$35,000) or forty thousand dollars (\$40,000) to go out and risk their lives every day? I agree that there is a disparity, but look in the Mayor's Office and what their staff gets paid. Eighty thousand dollars (\$80,000), ninety thousand dollars (\$90,000), and one hundred thousand dollars (\$100,000). Is that okay when a police officer's average salary is ninety thousand dollars (\$90,000)? Really? I think we are losing sight of public safety, so I get frustrated, obviously. Councilmember Kagawa is passionate about school teachers and HSTA and so I am, because they also provide a valuable service for our kids. I think they are terribly underrepresented in salaries. They develop our kids. They are responsible. We put our kids in their hands to educate them, and yes, I agree. But today is HGEA and while I agree that the disparity is there, we have to do better. We have to look at our State Legislators. We have to look at our Governor. Do they appreciate it? Are they really showing the appreciation that they need? Is this where we will have everybody catch up to Police and Fire, or is it basically looking at the job classifications and what is a fair compensation for that classification? I would agree that Hawai'i lags in all areas. This is our way of saying thank you for the work that our government employees do, but the last thing I want to do is pit one against the other and say, "Hey, you folks should get and the others should not," because I do not think that is fair as well. Really, and I can only speak because I used to be a cop and I know what it is like. Everybody has an opportunity go and apply. If you want to make that kind of money, go apply, pass the test, every day put your life on the line, and go deal with things that you do not want to see. Likewise, if you do not want that lifestyle, then you do something else. Do what makes you happy. I guess what I am trying to say is that this Council does not have the authority or ability to negotiate pay raises. We do not. We are not even at the table. They do not even let us sit in and listen. We get fed this package that if we do not support it, if we feel we cannot afford, puts the whole State back at the negotiation table and it holds up everything. We do not have any say. I appreciate the four (4) of us here today that have the ability to move this forward because I think it needs to go forward. But is it enough? Absolutely not. I think Councilmember Kagawa hit it right on the head, that we have to do more. But we have to do more and be fair for all County employees. I guess it bothers me when the public gets the message that the cops or firemen make too much money and the HGEA workers do not, because everybody has their job to do in this County, everyone. If you want to do a comparison of the jobs here in Hawai'i versus anywhere else and people say, "It is not fair because they do more in the mainland." That is hogwash. Everybody has a job. Everybody has to do their job. Whether it is eight (8) hours of work, nine (9) hours or work, or whatever you get, whether it is here, in California, in Oregon, or wherever it is, you still have to put in the work and should be compensated fairly. This package gets you folks a little closer to where it should be.

Again, Councilmember Kagawa is right. I do not know if you folks are going to jump for joy because you got this. It is a very small pay raise, but again, that part of it is beyond our control. I think if we could individually look at each employee in County and determine a pay scale, I think you would see a lot of different pay scales throughout the County, but that is just not the way the system works. Anyway, Councilmember Yukimura

Councilmember Yukimura: Yes. I just also have a figure from HR that the beginning compensation for a beginning police officer after probation, annual compensation, is around eighty thousand dollars (\$80,000) a year.

Council Chair Rapozo: I guess you never heard mine—if it is eighty thousand dollars (\$80,000) a year, it is eighty thousand dollars (\$80,000) a year. If you want to make eighty thousand dollars (\$80,000) a year, go sign up, put on the badge and gun, and go. Anyway, this is not about the Police. With that, roll call.

The motion to approve Bill No. 2656 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL:	Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 4,
AGAINST APPROVAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun, Chock, Kawakami	TOTAL – 3,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Four (4) ayes.

Council Chair Rapozo: Next item.

Bill No. 2657 – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 3 AND 4 BETWEEN JULY 1, 2017 AND JUNE 30, 2019: Councilmember Yukimura moved to approve Bill No. 2657 on second and final reading, and that it be transmitted to the Mayor for his approval, seconded by Councilmember Kaneshiro.

Council Chair Rapozo: Is there any discussion? Is there any public testimony?

There being no objections, the rules were suspended to take public testimony.

There being no one present to provide testimony, the meeting was called back to order, and proceeded as follows:

Council Chair Rapozo: I am assuming the comments made in the last Bill carries over to this one. With that, go ahead, Councilmember Kagawa.

Councilmember Kagawa: For me, I do not want to talk about the Police or Fire now. But as Councilmember Yukimura said, "We would like to do more, but there are financial constraints." Now when the Police and Fire raises go up so much that it strains our County, it affects HGEA and UPW. Am I saying that Police and Fire are overpaid? Yes, they are in comparison to everybody else, and the numbers do not lie. The numbers came from Human Resources, the seventy percent (70%) for Police and sixty percent (60%) for Fire over the past twenty (20) years. I am not just rambling. I am bringing up facts. Over the past twenty (20) years, they are getting paid too much. The negotiations have been too generous and I am sorry I do not want to be the bad guy, but it is what it is. I am not here to be an elected official and just vote "yes" on everything. I think people on Kaua'i know that they did not vote me in to do that. But if they did vote for me for that, they were wrong because I am not a "yes man." Thank you, Council Chair Rapozo.

Council Chair Rapozo: Is there any other discussion? I do want to say, and this has been said many times on this floor that if you notice, the increases for the collective bargaining contracts that involve non-State employees, which is the Police and Fire, are very high and are very generous. The collective bargaining units that are funded by the State are very, very small. So you figure it out. It is very simple, right? If State has to pay, then they are not as generous. If the State does not have to pay, if the County is going to eat all of the costs, then the State is very generous. That is just the way it is, and that is where I think the disparity occurs and that is where, I think, the correction needs to happen. But Councilmember Kagawa is right, that those units that we fund, the State has loose hands. Councilmember Yukimura.

Councilmember Yukimura: The thing is it is not beyond our control because we have the power to say "no."

Council Chair Rapozo: Okay. Is there any other discussion? Seeing none, roll call.

The motion to approve Bill No. 2657 on second and final reading, and that it be transmitted to the Mayor for his approval was then put, and carried by the following vote:

FOR APPROVAL:	Kagawa, Kaneshiro, Yukimura, Rapozo	TOTAL – 4,
AGAINST APPROVAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Brun, Chock, Kawakami	TOTAL – 3,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Fountain-Tanigawa: Four (4) ayes, three (3) excused.

Council Chair Rapozo: Thank you. With that, there is no further business today. The meeting is adjourned.

ADJOURNMENT.

There being no further business, the Council Meeting adjourned at 10:06 a.m.

Respectfully submitted,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

JADE K. FOUNTAIN-TANIGAWA  
County Clerk

:aa