

Virginia Kapali
Chair

Randall Hee
1st Vice Chair

Thomas Cooper
2nd Vice Chair



MEMBERS:
Allan Smith
Robert Crowell
Trinette Kau
Dawn Murata

KAUAI SALARY COMMISSION
COUNTY OF KAUAI
4444 Rice Street, Suite 150
Lihu'e, Hawaii 96766

RECEIVED

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OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

TO: The Honorable Kaipo "Bill" Asing, Chairman County Council
And Members of the Council

FROM: Virginia Kapali, Chairperson, and Kauai Salary Commission

DATE: August 25, 2009

RE: Resolution No. 2009-2, Relating to the Salaries of Certain Officers and Employees
of the County of Kauai - Adopted by the Salary Commission on August 25, 2009.

Transmitted herewith for consideration by the County Council is Resolution No. 2009-02 that was adopted by the Salary Commission at its meeting on August 25, 2009

Pursuant to Section 29.03 of the Kauai County Charter, the Salary Commission's findings shall be adopted by resolution and shall take effect without the Mayor's and Council's concurrence (60) days after its adoption unless rejected by a vote of not less than five (5) members of the Council. The Council may reject either the entire resolution or any portion of it.

If you have any questions, please contact myoun@kauai.gov at the Office of Boards and Commissions. Thank you.

Attachment

cc: Peter Nakamura, County Clerk
Mayor Bernard P. Carvalho Jr.
Malcolm Fernandez, Personnel Director
Alfred Castillo, County Attorney
Gary Heu, Administrative Assistant
Wally Rezentes, Jr., Finance Director

C2009-208

SALARY COMMISSION

COUNTY OF KAUA'I

Resolution

No. 2009-2

RESOLUTION RELATING TO THE SALARIES OF CERTAIN OFFICERS AND
EMPLOYEES OF THE COUNTY OF KAUA'I

WHEREAS, the Salary Commission received a request from the Mayor to defer any proposed salary increases for himself and his department heads and deputies until December 1, 2011; and

WHEREAS, the Salary Commission, along with other Boards and Commissions with the authority to appoint department heads, recognize and acknowledge the financial hardship faced by the County resulting from the severe global economic downturn; and

WHEREAS, although the Commission members feels that the salary increases proposed to take effect on December 1, 2009 are reasonable and justified, they also find it necessary to proceed with caution due to the current downward trend in the economy; and

WHEREAS, the Commission feels that the prudent course of action given the current economic conditions are to freeze any future salary increases for the Mayor and any Mayoral and Board or Commission appointed department heads and deputies until December 1, 2010; and

WHEREAS, pursuant to Section 29.03 of the Kaua'i County Charter, the Salary Commission's findings shall be adopted by resolution of the Commission and the resolution shall take effect without the Mayor's and Council's concurrence sixty (60) days after its adoption unless rejected by a vote of not less than five (5) members of the council; now, therefore,

BE IT RESOLVED BY THE SALARY COMMISSION, OF THE COUNTY OF KAUA'I, STATE OF HAWAII, that the provisions related to the "Salaries of Certain Officers" of the County of Kaua'i, be amended as follows:

SECTION 1. Pursuant to Section 29.03 of the Charter of the County of Kaua'i (hereinafter "Charter"), the Salary Commission hereby resolves to propose the changes described in this resolution to the Kaua'i County Council as follows:

Article 1 Salaries of Certain Officers.

(a) Purpose. The purpose of this Article is to establish the salaries of certain county officers and employees in accordance with the principles of adequate compensation for work

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performed, and preservation of a sensible relationship with the salaries of other county employees.

(b) Effective as of the dates stated below and subject to the performance review requirements of subsection (d), the annual salaries, payable semi-monthly, of certain county officers and employees shall be as follows:

| Position | Effective Dates | | | |
|--|---------------------------|---------------------------|----------------------------------|--------------------------------|
| | 7/1/07 | 1/1/08 | 12/1/08 (12 o'clock meridian) | 12/1/09 12/01/10 |
| Mayor | \$100,100 | \$107,000 | \$114,490 | \$122,504 |
| Administrative Assistant | \$ 96,250 | \$102,988 | \$110,197 | \$117,911 |
| County Engineer | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| Deputy County Engineer | \$ 86,250 | \$ 92,288 | \$ 98,748 | \$105,660 |
| Director of Finance | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| Deputy Director of Finance | \$ 86,250 | \$ 92,288 | \$ 98,748 | \$105,660 |
| County Attorney | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| First Deputy County Attorney | \$ 86,250 | \$ 92,288 | \$ 98,748 | \$105,660 |
| Deputy County Attorney | Up to \$82,500 | Up to \$88,275 | Up to \$94,454 | Up to \$101,066 |
| [Prosecuting Attorney | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| First Deputy Prosecuting Attorney | \$ 86,250 | \$ 92,288 | \$ 98,748 | \$105,660 |
| Deputy Prosecuting Attorney | Up to \$82,500 | Up to \$88,275 | Up to \$94,454 | Up to \$101,066] |
| Chief of Police | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| Deputy Chief of Police | \$ 86,250 | \$ 92,288 | \$ 98,748 | \$105,660 |
| Planning Director | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| Deputy Planning Director | \$ 86,250 | \$ 92,288 | \$ 98,748 | \$105,660 |
| Director of Personnel | \$ 90,000 | \$ 96,300 | \$103,041 | \$110,254 |
| Manager and Chief Engineer, Department of Water | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| Deputy Manager-Engineer, Department of Water | \$ 86,250 | \$ 92,288 | \$ 98,748 | \$105,660 |
| Fire Chief | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| Deputy Fire Chief | \$86,250 | \$ 92,288 | \$98,748 | \$105,660 |
| [County Clerk | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| Deputy County Clerk | \$ 86,250 | \$ 92,288 | \$98,748 | \$105,660 |

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| | | | | |
|----------------------------------|-----------|-----------|-----------|------------|
| County Auditor | | | \$107,335 | \$114,848] |
| Director of Economic Development | \$ 90,000 | \$ 96,300 | \$103,041 | \$110,254 |
| Director of Liquor Control | \$ 90,000 | \$ 96,300 | \$103,041 | \$110,254 |
| Director of Parks | \$ 93,750 | \$100,313 | \$107,335 | \$114,848 |
| Deputy Director of Parks | \$ 86,250 | \$ 92,288 | \$ 98,748 | \$105,660 |
| Director of Housing | \$ 90,000 | \$ 96,300 | \$103,041 | \$110,254 |

(c) New officer and employee salaries shall not exceed the maximum salary provided for in subsection (b) at the time of employment. However, the respective appointing authority may set the salary of any new or existing appointee at a figure lower than the figure established for the position.

(d) Requirements for salary increase. The salary increase for any non-elected officer or employee occupying and continuing in a position listed in subsection (b) is contingent on the Director of Personnel's receipt of the following:

- (1) A memo from the officer's or employee's appointing authority at least thirty (30) days prior to the increase certifying that appointee's performance has been evaluated pursuant to procedures established by the Director of Personnel; and
- (2) A copy of the officer's or employee's completed performance evaluation evidencing that the appointee has met or exceeded job requirements (for example, has achieved a rating of three points or higher in a five point scale) for the appraisal period.
- (3) Based on the evaluation results, the appointing authority's recommendation on whether a proposed increase should be granted. The appointing authority may recommend an increase for an officer or employee occupying a position at a figure below the proposed salary increase provided for in subsection (b).

Provided however, the county attorney's performance shall be conducted through an equally weighted evaluation that shall be jointly administered by the mayor and the council chairperson in accordance with paragraphs (1), (2) and (3) above.

The Director of Personnel shall provide the Salary Commission with a list of the names and positions of all officers and employees covered under this subsection, indicate whether or not they have satisfactorily met the performance evaluation criteria, and include the recommended salary increase, if any.

(e) Performance evaluations. The Director of Personnel shall prepare, for approval by the Mayor, written performance evaluation procedures and methodologies and coordinate the performance evaluations process for all non-elected officers or employees listed in subsection (b).

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The Director of Personnel shall provide a copy of the performance evaluation procedures and methodologies, including any revisions thereto, to the Salary Commission.

(f) Officers or employees listed in subsection (b) may receive a portion of their salary through the County's payment of health fund premium benefits over and above the amount the County normally contributes toward those officers' benefits. Amounts paid by the County which are over and above the County's normal health fund premium contributions shall be deducted from the affected officer's or employee's salary.

Article 2 Salaries of the Prosecuting Attorney and Deputies.

(a) Effective as of the dates stated below and subject to the provisions and performance review requirements provided for in Article 1, subsection (d), (e) and (f) above, the annual salaries, payable semi-monthly, of the Prosecuting attorney and deputy prosecuting attorneys shall be as follows:

| <u>Position</u> | <u>7/1/07</u> | <u>1/1/08</u> | <u>12/1/08</u> <small>(12 o'clock meridian)</small> | <u>12/01/09</u> |
|--|-----------------------|-----------------------|---|------------------------|
| <u>Prosecuting Attorney</u> | <u>\$ 93,750</u> | <u>\$100,313</u> | <u>\$107,335</u> | <u>\$114,848</u> |
| <u>First Deputy Prosecuting Attorney</u> | <u>\$ 86,250</u> | <u>\$ 92,288</u> | <u>\$ 98,748</u> | <u>\$105,660</u> |
| <u>Deputy Prosecuting Attorney</u> | <u>Up to \$82,500</u> | <u>Up to \$88,275</u> | <u>Up to \$94,454</u> | <u>Up to \$101,066</u> |

(b) The salaries of the Prosecuting Attorney and any deputy prosecuting attorney shall not exceed the maximum salary provided for in this Article at the time of employment. However, the Prosecuting Attorney may set the salary of any new or existing deputy at a figure lower than the figure established for the position.

Article [2] 3 Salaries of the County Council and Council Appointees.

(a) Effective at twelve o'clock meridian on December 1, 2008, the annual salaries, payable semi-monthly, of the Kaua'i County Council shall be as follows:

| <u>Position</u> | |
|------------------------|----------|
| Council Chair | \$59,699 |
| Councilmember | \$53,066 |

(b) Effective on December 1, 2009, the annual salaries, payable semi-monthly, of the Kaua'i County Council shall be as follows:

| <u>Position</u> | |
|------------------------|----------|
| Council Chair | \$63,879 |
| Councilmember | \$56,781 |

(c) Effective as of the dates stated below and subject to the provisions and performance review requirements provided for in Article 1, subsection (d), (e) and (f) above, the annual

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salaries, payable semi-monthly, of the County Clerk, Deputy County Clerk and County Auditor shall be as follows:

| <u>Position</u> | <u>7/1/07</u> | <u>1/1/08</u> | <u>12/1/08</u> <small>(12 o'clock meridian)</small> | <u>12/01/09</u> |
|----------------------------|------------------|------------------|--|------------------|
| <u>County Clerk</u> | <u>\$ 93,750</u> | <u>\$100,313</u> | <u>\$107,335</u> | <u>\$114,848</u> |
| <u>Deputy County Clerk</u> | <u>\$ 86,250</u> | <u>\$ 92,288</u> | <u>\$98,748</u> | <u>\$105,660</u> |
| <u>County Auditor</u> | | | <u>\$107,335</u> | <u>\$114,848</u> |

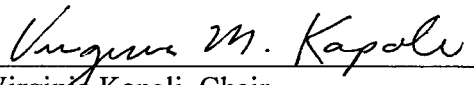
(d) Salaries of the Council Chair, Councilmembers, and employees shall not exceed the maximum salary provided for in this Article at the time of employment. However, the respective appointing authority may set the salary of any new or existing appointee at a figure lower than the figure established for the position.

SECTION 2. Material to be deleted is bracketed. New material to be added is underscored.

BE IT FURTHER RESOLVED, if any portion or portions of this resolution are deemed invalid or rejected by a vote of five (5) or more councilmembers, the other provisions of this resolution shall not be affected thereby. If the application of this resolution or any of its provisions to any person or circumstances is held invalid, the application of this resolution and its provisions to other persons or circumstances shall not be affected thereby.

BE IT FINALLY RESOLVED, within thirty (30) calendar days after the effective date of this resolution, the County Clerk shall cause this resolution to be codified and transmit the codified resolution to the Salary Commission, Mayor and Personnel Director.

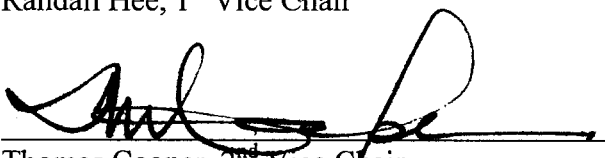
Adopted by the Salary Commission of the County of Kaua'i at its meeting on August 25, 2009:



Virginia Kapali, Chair



Randall Hee, 1st Vice Chair



Thomas Cooper, 2nd Vice Chair

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Robert A. Crowell

Robert Crowell

Trinette Kauai

Trinette Kauai

Dawn Murata

Dawn Murata

Allan A. Smith

Allan Smith

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