

**SALARY COMMISSION
MINUTES
OFFICE OF THE MAYOR
KALANA O MAUI, 9TH FLOOR, MAYOR'S CONFERENCE ROOM
Friday, September 13, 2019**

Present:

Kelly Swanson, Chair
Clark Abbott, Vice-Chair
Dawnalyn Fujiwara
Paul Kailiponi
Stanford Lantias
Peter Martin
Vernon Oato
Wallace Tom

Excused:

Scott Parker

Staff:

Gladys Baisa, Community Liaison
Darlene Endrina, Community Liaison
David Underwood, Director, Personnel Services
Edward Kushi, First Deputy, Corporation Counsel
Pili Nahooikaika, Administrative Assistant
Sherilyn Otsubo, Administrative Assistant

1. Call to Order/Roll Call

The meeting was called to order by Chair Swanson at 8:32 a.m. and roll call confirmed a quorum of eight members in attendance (Chair Swanson, Vice-Chair Abbott, and Commissioners Lantias, Martin, Fujiwara, Oato, Tom and Kailiponi). Commissioner Parker was excused.

2. Public Testimony

There was no public testimony.

3. Approval of the Minutes of the August 9, 2019 Meeting

Vice-Chair Abbott moved to approve the minutes and Commissioner Tom seconded the motion. The motion passed unanimously.

4. Comprehensive Review of Salaries for Department Directors and Deputies, the County Auditor, and the Mayor

a. Presentation by Corporation Counsel Moana Lutey, Department of the Corporation Counsel

Director Lutey presented the Commission with a handout dated September 12, 2019, which details the structure of the department and information about the Director's position. Director Lutey was appointed on May 27th, and has been with the department for 18 years.

Director Lutey stated that in the last few months, the department has received significantly more legal requests for services. As of July 1st, there has been 854 legal request for services, of those, 798 have been completed. There are also 377 litigation cases pending against the county. At full staff, there are 16 attorneys, half are in the litigation section and half are in counseling and drafting.

Director Lutey's salary is \$146,575 and the First Deputy makes \$139,246. At the maximum pay level which is 9 years of licensing under the bar is \$130,954.

Director Lutey said that she knew what her salary was going to be and she is satisfied with that, however she stated that it's difficult to fill positions at the deputy level.

Commissioner Abbott asked if there are attorneys on the other islands.

Director Lutey responded that if someone sues from Molokai or Lanai, they need to come to court on Maui or Oahu for federal court. The department does travel for board and commissions, but not for litigations.

Chair Swanson asked what would be a more lucrative compensation package.

Director Lutey responded that they have had incremental raises of 3 percent over the last couple of years. She feels that it would help to maintain that.

Commissioner Martin asked if the department hires outside, private attorneys.

Director Lutey said that it is rare and the Council would have to approve it first.

Commissioner Martin asked if they had outside counsel at the Injection Well case on Oahu.

Director Lutey said that there was both.

b. Presentation by Director Marc Takamori, Department of Transportation

Director Takamori presented the Commission a handout dated September 13, 2019. The Director makes \$123,908 and the Deputy Director makes \$111,517.

Director Takamori stated that the department administers a \$23 million budget with 6 personnel, 3 are appointed and 3 are civil service employees. They oversee a seven day a week operation that begins at 5:30 am until 11:00 pm. They also contract out

their services to Roberts Hawaii and MEO. They transport about 6,200 people daily and utilize over 200 designated bus stops and go to different facilities.

Director Takamori also stated that the department is administratively tied to the Maui Metropolitan Planning Organization (Maui MPO). It was created about 3 years ago and was based on the 2010 census. Because the central Maui area has more than 50,000 residents, federal law requires the creation of an MPO. There are 2 additional MPO staff members in the department who are grant funded.

Director Takamori commented about his position requirements as stated in the Charter, the minimum qualifications as stated in the Maui County Code and his benefits package.

Director Takamori mentioned that his department consists of a Director; Deputy Director; Private Secretary; Transportation Program Coordinator who deals with the Maui Bus system and reviews applications for paratransit service; Transportation System Analyst who handles the IT infrastructure on the buses, CIP projects, and makes sure the department complies with federal requirements; and the Transportation Grants Administrative Officer who handles the budget and makes sure that the federal funds comes through the office for the 2 MPO employees.

Director Takamori commented on other programs including the Maui Bus Commuter Service which takes people from Central and Upcountry to Lahaina and South Maui in the mornings and afternoons. Also a Human Services Transportation Program which consists of a variety of specialized transportation services provided by MEO to riders throughout the county. The Air Ambulance Program and Public Transit Program are other services the department takes care of.

Commissioner Martin asked if the total amount for salaries was listed correctly on the handout and asked about his degree.

Director Takamori said that the amount was correct for the six employees and that he has a degree in computer engineering with a Master's in Business Administration. He knew what his salary was going to be upon taking the Director position so he stated that "it is what it is."

Ms. Baisa asked Director Takamori to tell the commission how hard it is to deal with the public.

Director Takamori stated that although they contract services out to Roberts and MEO, the public still complains about their service to the county. Having more technology and data on the buses helps to prove what's really going on.

Commissioner Abbott mentioned that Deputy Director Michael Du Pont gave a broad and informed spectrum of what's going on during a Pukalani Community Association meeting. Deputy Du Pont actually rides the buses and talks to the riders to get their input about the bus system.

Commissioner Kailiponi asked about the relationship between the department and the MPO. They started 3 years ago, but the designation for the metropolitan area happened in 2010.

Director Takamori replied that in 2012 they were notified that they were required to do an MPO, but thought it was a choice, so they declined. But then they were told they had to do it. In 2014 they saw the MPO as an organization and began working with FTA to move it forward. A policy board was created.

Commissioner Kailiponi stated that with the designation came 2 grant funded positions, and asked how the addition of the staff members has changed his responsibilities.

Director Takamori replied that MPO rents their own office space and it's the Transportation Department's responsibility to make sure the MPO uses the grant revenue funds and then gets the reimbursements.

Commissioner Kailiponi asked if the addition is a benefit to the county.

Director Takamori said the MPO is a good thing for Maui. They oversee CIP projects that uses federal funds. The MPO meets with the community for their input on priorities, then MPO takes the list to the policy board, then the plan gets put into the Statewide Transportation Improvement Plan. Previously it was the state who had the final say on what the priorities are, but now they cannot manipulate it.

Director Takamori stated that as long as the MPO's are funded with federal funds then they will be in existence, but they are not civil service employees.

Commissioner Martin asked if Kauai meets the criteria for the designation.

Director Takamori replied that Kauai does not have an MPO and only Maui and Oahu has an MPO.

c. Presentation by Melissa Magonigle, Business Administrator, Maui Police Department

Ms. Magonigle introduced Randol Leach who is the Chair of the Police Commission. On behalf of the Chief and Deputy Chief she thanked the Salary Commission for the recent raises. She also handed out a power point presentation dated Sept. 13, 2019 which focuses on the Chief and Deputy Chief's roles and responsibilities.

Ms. Magonigle stated that the police department has 544 employees (Ms. Magonigle later clarified via email that 544 is their "authorized" strength/positions so there are currently 448 active employees), a \$62 million budget, and they manage multi-million dollars in grants.

Ms. Magonigle also mentioned that even with the raises there continues to be a salary inversion because of contractual obligations with the union. Over the past four years

all employees, with the exception of the Chief and Deputy Chief, were entitled to an 8.25% pay increase.

Ms. Magonigle went over the handout and mentioned the Chief's and Deputy Chief's duties, education, experience, their mandated boards, personal interests and community involvement. The police department is also nationally accredited since 1996.

Commissioner Kailiponi asked how much control the department has over the other officers making more money than the Chief and Deputy Chief.

Ms. Magonigle replied that because they are appointed they don't get the pay raises that are contractual through SHOPO.

d. Presentation by Chief David Thyne, Department of Fire and Public Safety

Chief Thyne provided a binder of information for the commission. He was appointed in August 2018 and has been with the department for 32 years.

Chief Thyne stated that the department has an Administration and Support Services section with 18 personnel; the Fire Prevention Bureau has 9 personnel; the Rescue Operations Bureau has about 300 personnel; the Training Bureau has 5 personnel; the Health and Safety Bureau has 3 personnel; and the Ocean Safety Bureau has 64 personnel.

Chief Thyne said that they are bound by their collective bargaining agreement and he supports the union. He suggests that the commission consider giving a certain percentage above the highest ranked fire fighter's base salary.

Commissioner Tom said that the Assistant Fire Chief made over \$200,000 in 2017-2018 and asked how this can be alleviated.

Chief Thyne replied that he was on federal fire assignment to handle mainland fires and the county received a check back for his salary.

Commissioner Tom asked who is assigned to be on the scene when there is a large incident.

Chief Thyne replied that you need to be qualified to be in command. Typically, the assistant chief of operations is the field general and the highest ranking person at the scene, and the battalion chief is running the operation and is the overall incident commander.

Chief Thyne mentioned that Kyle Ginoza, Vice Chair of the Fire Commission was present.

Commissioner Abbott stated that the Chief receives a \$600 a month car allowance and asked what type of car they drive.

Chief Thyne said that the Chief, Deputy Chief and 2 Assistant Chiefs are all required to have a 4-wheel drive truck. The allowance pays for half of their insurance and gas, not repairs.

Commissioner Kailiponi asked about the additional responsibilities that came with the addition of the Ocean Safety division.

Chief Thyne said that they are very professional and they like the training programs and the structure that the fire department has.

5. Agenda Setting

The next meeting agenda is to include the following:

Discussion on Comprehensive Review of Salaries for Department Directors and Deputies, the County Auditor, and the Mayor.

Including presentations by the following Departments:

Environmental Management
Planning Department
Public Works
Department of Water Supply

6. Next Meeting

The next meeting is scheduled for October 11, 2019 at 8:30 a.m. in the Mayor's Conference Room.

7. Adjournment

The meeting adjourned at 10:06 a.m.

