

COUNCIL OF THE COUNTY OF MAUI

**POLICY, ECONOMIC DEVELOPMENT,
AND AGRICULTURE COMMITTEE**

February 17, 2017

**Committee
Report No. _____**

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Policy, Economic Development, and Agriculture Committee, having met on January 30, 2017, makes reference to the following:

1. County Communication 17-34, from Council Chair Mike White, transmitting Bill 1 (2017), Draft 1, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY CODE, RELATING TO THE SALARY FOR THE DIRECTOR OF COUNCIL SERVICES AND SUPERVISING LEGISLATIVE ATTORNEY."

The purpose of Bill 1 (2017), Draft 1, is to: 1) set the annual salary for the Director of Council Services by resolution, and 2) set the annual salary for the Supervising Legislative Attorney to be ninety-five percent of the annual salary of the Director of Council Services.

2. County Communication 17-35, from Council Chair Mike White, transmitting a proposed resolution entitled "SETTING THE SALARY OF THE DIRECTOR OF COUNCIL SERVICES."

The purpose of the proposed resolution is to set the annual salary for the Director of Council Services.

3. County Communication 17-36, from Council Chair Mike White, transmitting a proposed resolution entitled "APPROVING THE APPOINTMENT OF GREGORY J. GARNEAU AS THE SUPERVISING LEGISLATIVE ATTORNEY IN THE OFFICE OF COUNCIL SERVICES."

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The purpose of the proposed resolution is to approve the appointment of Gregory J. Garneau as the Supervising Legislative Attorney in the Office of Council Services (OCS).

Your Committee notes the Director's salary was traditionally set by ordinance once salary increases for the attorneys in the Departments of the Corporation Counsel and Prosecuting Attorney were determined by the Salary Commission.

Your Committee notes an attorney is recommended to supervise OCS attorneys who are allowed to serve as legal advisors to the Council and its members, pursuant to the Revised Charter of the County of Maui (1983), as amended. Your Committee further notes the qualifications for the OCS Director do not specify the need to be an attorney.

Your Committee notes the Salary Commission recently awarded a 12% pay increase for the County Mayor, Directors, and Deputy Directors, retroactive to July 1, 2016. Your Council Chair submitted a letter to the Salary Commission dated January 24, 2017, requesting that the Commission reconsider its decision and develop a more practical plan over a six-year period given the significant financial impact these increases will have on the Fiscal Year 2017 and 2018 Budgets.

Your Council Chair said setting the Director's salary by resolution will allow the Council the flexibility to set an amount independently from the Salary Commission.

Your Committee requested a copy of the job description for the Supervising Legislative Attorney position by second and final reading of the bill at the February 17, 2017 Council meeting. Your Committee also requested procedures relating to OCS attorneys providing legal advice to the Council and its members, and the differences in roles between the Director and Supervising Legislative Attorney.

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Your Committee revised Bill 1 (2017), Draft 1, to reflect the annual salaries for both the Director and Supervising Legislative Attorney to occur by resolution.

Your Committee revised the proposed resolution relating to the appointment of Gregory J. Garneau to include the annual salary amount of \$120,706.05, which is ninety-five percent of the annual salary for the Director.

Your Committee voted 7-1 to recommend passage of Bill 1 (2017), Draft 2, on second and final reading, incorporating your Committee's revisions and nonsubstantive revisions, and filing of the communication. Committee Chair Sugimura, Vice-Chair Crivello, and members Atay, Carroll, Guzman, Hokama, and White voted "aye." Councilmember King voted "no." Councilmember Cochran was excused.

Your Committee voted 8-0 to recommend adoption of the proposed resolution relating to the salary of the Director of Council Services, and filing of the communication. Committee Chair Sugimura, Vice-Chair Crivello, and members Atay, Carroll, Guzman, Hokama, King, and White voted "aye." Councilmember Cochran was excused.

Your Committee voted 8-0 to recommend adoption of the revised proposed resolution relating to the salary of the Supervising Legislative Attorney, incorporating your Committee's revisions and nonsubstantive revisions, and filing of the communication. Committee Chair Sugimura, Vice-Chair Crivello, and members Atay, Carroll, Guzman, Hokama, King, and White voted "aye." Councilmember Cochran was excused.

Your Policy, Economic Development, and Agriculture Committee RECOMMENDS the following:

1. That Bill 1 (2017), Draft 2, as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY CODE, RELATING TO THE SALARY

COUNCIL OF THE COUNTY OF MAUI

POLICY, ECONOMIC DEVELOPMENT, AND AGRICULTURE COMMITTEE

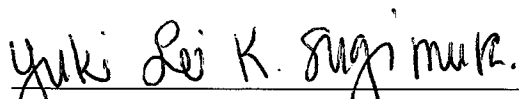
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FOR THE DIRECTOR OF COUNCIL SERVICES AND
SUPERVISING LEGISLATIVE ATTORNEY," be PASSED ON
SECOND AND FINAL READING and be ORDERED TO PRINT;

2. That Resolution _____, attached hereto, entitled "SETTING THE SALARY OF THE DIRECTOR OF COUNCIL SERVICES," be ADOPTED;
3. That Resolution _____, as revised herein and attached hereto, entitled "APPROVING THE APPOINTMENT OF GREGORY J. GARNEAU AS THE SUPERVISING LEGISLATIVE ATTORNEY IN THE OFFICE OF COUNCIL SERVICES," be ADOPTED;
4. That County Communication 17-34 be FILED;
5. That County Communication 17-35 be FILED; and
6. That County Communication 17-36 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



YUKI LEI K. SUGIMURA, Chair

ORDINANCE NO. _____

BILL NO. 1 (2017)
DRAFT 2

A BILL FOR AN ORDINANCE AMENDING SECTION 2.08.060, MAUI COUNTY CODE, RELATING TO THE SALARY FOR THE DIRECTOR OF COUNCIL SERVICES AND SUPERVISING LEGISLATIVE ATTORNEY

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Section 2.08.060, Maui County Code, is amended by amending subsection A to read as follows:

“A. The following pay plan is established[.]:

Pay Plan

[Director of council services	(set by ordinance)]
Supervising legislative analyst	CR-7
Legislative attorney	CR-6
Legislative analyst	CR-5
Supervising committee secretary	CR-4
Committee secretary	CR-3
Council services supervisor	CR-8
Council services technician	CR-3
Council services clerk	CR-1
Council aide	CR-0
Council executive assistant	(variable)
Council services assistant	(variable)

SECTION 2. Section 2.08.060, Maui County Code, is amended by amending subsection B to read as follows:

“B. The following pay ranges are established:

1. The annual salary for the director of council services and supervising legislative attorney shall be [equal to the lower of the salaries for the corporation counsel or the prosecuting

attorney, as determined by the salary commission.] set by the council by resolution.

2. The salaries or other compensation of council executive assistants shall be set by the council member directly supervising the position, subject to availability of funding.

3. The salaries or other compensation of council services assistants may be set by the director of council services, with the approval of the council chair, but shall not exceed one hundred fifty percent of the minimum wage.

4. The pay schedule for all other positions shall be as follows[.]:

Pay Ranges
Annual Rates in Dollars

Effective July 1, 2013

Steps	CR-0	CR-1	CR-3	CR-4	CR-5	CR-6	CR-7	CR-8
A	42,682	38,950	39,487	42,682	42,170	57,620	77,655	60,016
B	44,391	42,170	41,059	44,391	47,399	63,789	81,733	62,425
C	46,188	45,577	42,682	46,188	53,364	69,958	85,810	64,921
D	48,023	49,308	44,391	48,023	60,016	76,127	89,888	67,517
E	49,970	53,364	46,188	49,970	64,921	82,296	93,965	70,188
F	51,929	55,486	48,023	51,929	67,517	88,478	98,043	73,033
G	54,013	57,720	49,970	54,013	70,188	94,647	102,121	75,966
H	56,172	60,016	51,929	56,172	73,033	100,816	106,198	78,998
I	58,419	62,425	54,013	58,419	75,966	106,985	110,276	82,143
J	60,778	64,921	56,172	60,778	78,998	113,154	114,353	85,413
K	63,174	67,517	58,419	63,174	82,143			88,845
L	65,732		60,778	65,732				


Effective July 1, 2014

Steps	CR-0	CR-1	CR-3	CR-4	CR-5	CR-6	CR-7	CR-8
A	44,389	40,508	41,066	44,389	43,857	57,620	77,655	62,417
B	46,167	43,857	42,701	46,167	49,295	63,789	81,733	64,922
C	48,036	47,400	44,389	48,036	55,499	69,958	85,810	67,518
D	49,944	51,280	46,167	49,944	62,417	76,127	89,888	70,218
E	51,969	55,499	48,036	51,969	67,518	82,296	93,965	72,996
F	54,006	57,705	49,944	54,006	70,218	88,478	98,043	75,954
G	56,174	60,029	51,969	56,174	72,996	94,647	102,121	79,005
H	58,419	62,417	54,006	58,419	75,954	100,816	106,198	82,158
I	60,756	64,922	56,174	60,756	79,005	106,985	110,276	85,429
J	63,209	67,518	58,419	63,209	82,158	113,154	114,353	88,830
K	65,701	70,218	60,756	65,701	85,429			92,399
L	68,361		63,209	68,361				

SECTION 3. Material to be repealed is bracketed. New material is underscored. In printing this bill, the County Clerk need not include the brackets, the bracketed material, or the underscoring.

SECTION 4. This ordinance shall take effect retroactively to January 2, 2017, twelve o'clock meridian.

APPROVED AS TO FORM AND
LEGALITY:


Edward S. Kushi, Jr.

for Department of the Corporation
Counsel

County of Maui

2017-0043/2017-0098

PEA-20 2017-02-08 Section 2.08.060

Resolution

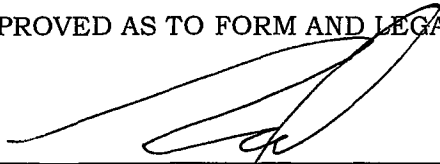
No. _____

SETTING THE SALARY OF THE DIRECTOR OF COUNCIL SERVICES

WHEREAS, Section 2.08.060, Maui County Code, requires the Council to set the annual salary of the Director of Council Services by resolution; now, therefore,

BE IT RESOLVED by the Council of the County of Maui that the annual salary of the Director of Council Services shall be \$127,059, effective retroactively to January 2, 2017, twelve o'clock meridian.

APPROVED AS TO FORM AND LEGALITY



Edward S. Kushi, Jr.
Deputy Corporation Counsel
County of Maui

paf:mmy:17-010b

Resolution

No. _____

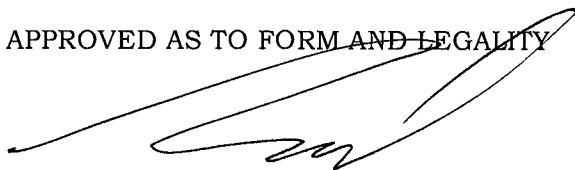
APPROVING THE APPOINTMENT OF
GREGORY J. GARNEAU AS THE SUPERVISING
LEGISLATIVE ATTORNEY IN THE OFFICE OF
COUNCIL SERVICES

WHEREAS, the Council Chair recommends the Council approve the change in appointment of Gregory J. Garneau from Supervising Legislative Analyst to Supervising Legislative Attorney in the Office of Council Services; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it hereby approves the appointment of Gregory J. Garneau as the Supervising Legislative Attorney in the Office of Council Services, commencing retroactive to January 2, 2017, twelve o'clock meridian, for the term ending January 2, 2019, twelve o'clock meridian, unless terminated earlier; and
2. That the annual salary for the Supervising Legislative Attorney shall be \$120,706.05, effective retroactively to January 2, 2017, twelve o'clock meridian; and
3. That a certified copy of this resolution be transmitted to the Director of Council Services.

APPROVED AS TO FORM AND LEGALITY



Edward S. Kushi, Jr.
Deputy Corporation Counsel
County of Maui

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