

MINUTES

COMMITTEE OF THE WHOLE

April 27, 2016

A meeting of the Committee of the Whole of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Mel Rapozo, Council Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, April 27, 2016, at 8:44 a.m., after which the following Members answered the call of the roll:

Honorable Mason K. Chock
Honorable Gary L. Hooser (*excused at 11:40 a.m.*)
Honorable Ross Kagawa
Honorable Arryl Kaneshiro
Honorable KipuKai Kualii
Honorable JoAnn A. Yukimura
Honorable Mel Rapozo

ES-847 Pursuant to Hawai'i Revised Statutes (HRS) Sections 92-4 and 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney, on behalf of the Council, requests an Executive Session to provide a briefing on Solid Waste Solutions as it relates to Fiscal Year 2016-2017 Budget Appropriation Requests, and related matters. This briefing and consultation involves consideration of the powers, duties, privileges, immunities, and/or liabilities of the Council and the County as they relate to this agenda item.

Councilmember Kaneshiro moved to convene in Executive Session for ES-847, seconded by Councilmember Chock.

Council Chair Rapozo: Any discussion or public testimony? I will suspend the rules. Again, this is just to go into Executive Session. We will have the item up later. If you have a comment about us going into Executive Session, then this is the time.

There being no objections, the rules were suspended.

GLENN MICKENS: For the record, Glenn Mickens. I agree with Councilmember Hooser and Councilmember Yukimura. I do not see anything in this saying why we should go into Executive Session to discuss anything. Why can it not be discussed here? If something comes up about the Request For Proposal (RFP) or whatever, then you should stop it and say that it is going to be discussed in Executive Session. All we are talking about is Solid Waste. I just do not understand what has to be...of course, I am not going to be in Executive Session to

hear what goes on and maybe there are things that you want to ask. But for the public's sake, going behind closed doors to discuss something that we have been waiting years and years to hear about our Solid Waste program, I think it should be right here in open session. Anyway, that is my opinion. Thank you, Chair.

Council Chair Rapozo: Thank you. For the members of the public, we are going to have that discussion in open session when we get to the item. We are going behind closed doors...that is kind of a negative term, but we are going to go into Executive Session to discuss the parameters of what can and cannot be discussed and I envision that process taking about fifteen (15) minutes. In fact, we are going to limit it to fifteen (15) minutes because we need to move on. We will have that discussion as soon as we come out of Executive Session. Next speaker.

PAT GEGEN: My name is Pat Gegen. I appreciate the opportunity to come up here. I agree with my good friend, Mr. Mickens. I do not believe that especially given what the County Attorney said, it does not seem to me like there is any good reason to go into Executive Session, other than the fact that it seems like a continuation of what this whole process has been around. I do not think that most of the public is aware that the County has put three hundred fifty thousand dollars (\$350,000) aside to search these different RFPs. I have no problem looking at alternatives, but I do have concerns where there are three hundred fifty thousand dollars (\$350,000), potentially three hundred thousand dollars (\$300,000) in the County Attorney's budget to defend these RFPs when you are not fully funding the Materials Recovery Facility (MRF) and we are as close as we have ever been. We are done with the environmental analysis and stuff like that. So going behind closed doors for this seems to be very in-line with the whole way this process has occurred and I would like to see it more out in the open. Thank you very much.

Council Chair Rapozo: Thank you. Anyone else? If not, I will call the meeting back to order. Roll call.

The motion to convene in Executive Session for ES-847 was then put, and carried by the following vote:

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| FOR EXECUTIVE SESSION: | Chock, Kagawa, Kaneshiro, Kuali'i, Rapozo | TOTAL – 5, |
| AGAINST EXECUTIVE SESSION: | Hooser, Yukimura | TOTAL – 2, |
| EXCUSED & NOT VOTING: | None | TOTAL – 0, |
| RECUSED & NOT VOTING: | None | TOTAL – 0. |

There being no objections, the meeting recessed at 8:48 a.m., to convene in Executive Session.

(Note: The meeting reconvened at 9:23 a.m., and there being no objections, the meeting recessed at 9:23 a.m. and the Public Works / Parks & Recreation Committee Meeting convened.)

The meeting reconvened at 1:01 p.m., and proceeded as follows:

The Committee proceeded on its agenda item, as shown in the following Committee Report, which is incorporated herein by reference:

CR-COW 2016-05: on Bill No. 2624

A BILL FOR AN ORDINANCE
APPROVING A COLLECTIVE
BARGAINING AGREEMENT FOR
BARGAINING UNIT 14 BETWEEN
JULY 1, 2015 AND JUNE 30, 2017
(Approved as Amended.)

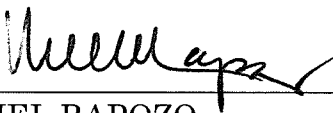
There being no further business, the meeting was adjourned at 1:02 p.m.

Respectfully submitted,



Codie K. Yamauchi
Council Services Assistant I

APPROVED at the Committee Meeting held on May 24, 2016:



MEL RAPOZO
Chair, Committee of the Whole