

MINUTES

COMMITTEE OF THE WHOLE

September 14, 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, Līhu'e, Kaua'i, on Wednesday, September 14, 2016, at 12:31 p.m., after which the following Members answered the call of the roll:

Honorable Mason K. Chock
Honorable Gary L. Hooser
Honorable Ross Kagawa
Honorable Arryl Kaneshiro
Honorable KipuKai Kualī'i
Honorable JoAnn A. Yukimura
Honorable Mel Rapozo

Minutes of the August 10, 2016 Committee of the Whole Meeting.

Upon motion duly made by Councilmember Kagawa, seconded by Councilmember Yukimura, and unanimously carried, the August 10, 2016 Committee of the Whole Meeting was approved.

The meeting proceeded as follows:

- ES-872 Pursuant to Hawai'i Revised Statutes Sections (HRS) 92-4, 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), the Office of the County Attorney, on behalf of the Kaua'i County Council, requests an Executive Session to brief the Committee of the Whole on matters regarding Bill No. 2635, A Bill for an Ordinance to Amend Chapter 19, Kaua'i County Code 1987, as amended, Relating to the Wailua Golf Course, and related matters. The 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. **(This item was Deferred in open session to the October 12, 2016 Committee of the Whole Meeting.)**

Council Chair Rapozo: After hearing the discussion today, rather than receiving it, I would ask that we defer this matter to October 12th to be a companion to Bill No. 2635. But before we do that, I am going to see if we have any public testimony. Is there any discussion?

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:

Councilmember Kagawa: I think Ken was worried that we were going to talk about it behind closed doors, and that is not going to happen. We are just keeping it on the agenda in case there are items of the Bill that cannot be disclosed. We are going to defer it with no discussion.

Council Chair Rapozo: Let me just say that I have spoken with Mauna Kea, and at this point, there will probably be no need for the Executive Session because it is interpretation of the law. Basically, it is what does the law say? If, for some reason, his research uncovers some potential items that put the County at some kind of risk, then obviously, we will go into Executive Session. But for the most part, I believe this discussion will all be done in open session. If there is no further discussion or public testimony, I will entertain a motion to defer until October 12th.

Councilmember Kagawa moved to defer ES-872 to the October 12, 2016 Committee of the Whole Meeting, seconded by Councilmember Yukimura, and unanimously carried.

There being no further business, the meeting was adjourned at 12:33 p.m.

Respectfully submitted,

Allison Arakaki

Allison S. Arakaki
Council Services Assistant I

APPROVED at the Committee Meeting held on October 12, 2016:



MEL RAPOZO
Chair, COW Committee