

MINUTES

COMMITTEE OF THE WHOLE

June 27, 2007

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 Councilmember Ron Kouchi, Chair, at the Historic County Building, Room 201, Līhu'e, Kaua'i, on Wednesday, June 27, 2007, at 5:46 p.m., after which the following members answered the call of the roll:

Honorable Bill "Kaipo" Asing
Honorable Tim Bynum
Honorable Jay Furfaro
Honorable Ron Kouchi
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura

EXCUSED: Honorable Shaylene Iseri-Carvalho

The Committee proceeded on its agenda items as shown out of order in the following:

- C 2007-236** Submittal by the Salary Commission of the County of Kaua'i:
1. Amendments to the April 18, 2007 Report, and
 2. Resolution Proposing an Ordinance Amendment Relating to Salaries.
- [This item was deferred and there was no discussion.]**

Upon motion duly made by Councilmember Rapozo, seconded by Councilmember Furfaro, and unanimously carried, C 2007-236 was deferred.

- ES-278** Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the Council's legal counsel on legal questions and issues pertaining to the Council's powers, duties, privileges, immunities and liabilities regarding Bill No. 2204, relating to Single Family Transient Vacation Rentals and Bed and Breakfast Operations.
- [Referred to the full Council.]**

RON KOUCHI, COMMITTEE OF THE WHOLE CHAIR: If there are no objections, I would like to suspend the rules and discuss ES-278.

There being no objections, the rules were suspended.

HARRISON KAWATE, DEPUTY COUNTY ATTORNEY: Chair and

Councilmembers, this in regards to ES-278. Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the Council's legal counsel on legal questions and issues pertaining to the Council's powers, duties, privileges, immunities and liabilities regarding Bill No. 2204, relating to Single Family Transient Vacation Rentals and Bed and Breakfast Operations.

Mr. Kouchi: Thank you. Any questions for Mr. Kawate? If not, the meeting is called back to order.

The meeting was called back to order, and proceeded as follows:

Mr. Kouchi: First, we have ES-284 and ES-285 that were in case we had an executive session relative to both the bikepath and the path by Pono Kai. Can we have a motion to receive both items?

ES-284 Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purposes of this executive session is to consult with the County Attorney regarding the County's Ahukini to Anahola bicycle/pedestrian pathway project (project) as to whether the project's permits relating to the Kapa'a to Keālia segment are in compliance with relevant law including, but not limited to, Hawai'i Revised Statutes §205A Coastal Zone Management; Hawaii Revised Statutes §183C Conservation District; Hawai'i Administrative Rules Title 13 Department of Land and Natural Resources Chapter 222 Shoreline Certifications; Kaua'i County Code Chapter 8 Comprehensive Zoning Ordinance; and County of Kaua'i rules pertaining to shoreline setbacks and special management areas. This 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.
[Received for the record. There was no discussion on this item.]

ES-285 Pursuant to Haw. Rev. Stat. §§92-4 and 92-5(a)(4), the purpose of this executive session is to consult with the County Attorney regarding the County's Ahukini to Anahola bicycle/pedestrian pathway project, specifically the seawall area fronting the Pono Kai condominium and whether the project's permits relating to this segment are in compliance with relevant law including, but not limited to, Hawai'i Revised Statutes §205A Coastal Zone Management; Hawai'i Revised Statutes §183C Conservation District; Hawai'i Administrative Rules Title 13 Department of Land and Natural Resources Chapter 222 Shoreline Certifications; Kaua'i County Code Chapter 8 Comprehensive Zoning Ordinance; and County of Kaua'i rules pertaining to shoreline setbacks and special management areas. This 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.

[Received for the record. There was no discussion on this item.]

Upon motion duly made by Councilmember Rapozo, seconded by Councilmember Yukimura, and unanimously carried, ES-284 and ES-285 were received for the record.

Councilmember Asing moved to go into Executive Session at 5:48 p.m. to discuss ES-278, seconded by Councilmember Rapozo, and unanimously carried.

The meeting was called back to order at 7:48 p.m., and proceeded as follows:

Upon motion duly made by Councilmember Rapozo, seconded by Councilmember Yukimura, and unanimously carried, ES-278 was referred to the full Council.

There being no further business, the meeting was adjourned at 7:49 p.m.

Respectfully submitted,



Lisa Ishibashi
Council Services Assistant

APPROVED at the Committee Meeting held on August 1, 2007:



RON KOUCHI
Chair, Committee of the Whole

