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### Promise kept

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#### *Council agenda includes transparency talk*

**By Michael Levine - The Garden Island**

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LIHU'E — Fulfilling the promise made by way of a unanimous vote last month, the County Council will publicly discuss issues of open government at its next meeting, according to the agenda published on the county Web site Thursday night.

But the discussion, the fruit of a crusade for sound, transparent governance by council members Tim Bynum and Lani Kawahara, may not even be the first of its ilk to hit the table Wednesday.

Also included on the agenda is a resolution from council member Dickie Chang and Vice Chair Jay Furfaro that would establish a three-member ad hoc Special Advisory Committee "to review and recommend amendments to the rules of the County Council."

The resolution and its review of council rules could overlap considerably with the communication from Bynum and Kawahara, which seeks to address council members' access to the agenda, the placement of public documents on the county's Web site, equitable and timely circulation of documents, and general access to information.

Furfaro and Chang each said in separate phone interviews Friday that the proposed committee will include former council Chair Ron Kouchi, parliamentarian and Kaua'i Island Utility Cooperative Chairman of the Board Phil Tacbian, and the Honorable retired Judge George Masuoka.

Kaua'i Chamber of Commerce President Randall Francisco will serve as the committee's alternate member, they said. The committee, if approved by the council Wednesday, will have 90 days to review the rules and report back with recommendations.

"I'm working with Councilman Chang ... to have an outside group review our current rules and make some recommendations," Furfaro said, noting that the committee will not be authorized to make changes, a power that rests with the council and cannot be delegated. "It's always good to have fresh eyes look at things."

Chang said the council could have formed a committee of its own members, but he felt this approach was a better one.

"What I felt was much more fair in the eyes of the public is if we get an ad hoc committee of extremely reputable and smart people that understand government and understand our plight," Chang said. "The public can rest assured to know that we are looking at the rules."

Chang described the proposed committee members as "very, very qualified and very, very neutral."

"I hope the public understands that this ain't no 'old boy network,'" he said.

Furfaro pointed to a pair of specific issues that he hoped the committee would address: the interpretation of managing the agenda, a rule that Bynum sought to amend with a motion on June 3, and the rule pertaining to committee chairs "being the conduit of gathering information," an issue that Furfaro flew to Honolulu "on my own nickel" to clarify with the Office of Information Practices.

Bynum, who said Friday he requested that the communication from he and Kawahara be heard before the resolution from Furfaro and Chang because members of the public have asked that it be addressed early so they do not have to wait for it, expressed mild support for the committee.

"I have no objection to the formation of this committee, because our rules certainly need to be looked at, but I don't expect that it will delay consideration of a (separate) resolution to address members' access to the agenda," he said.

Kawahara expressed skepticism at the political maneuver by Furfaro and Chang.

"Sadly, I think it's a distraction and a delaying tactic," she said in a phone interview. "I have no issues with the people that were selected, but ... we were ready to discuss this weeks ago with other the council members, and we're still willing and hopeful that other council members will talk about it on the council floor in the public domain.

"I am concerned that this is a way of trying to remove the public from seeing us work and construct our rules," Kawahara said, wondering if the ad hoc committee would be subject to Sunshine Law rules for public meeting. "It seems kind of sad that we all just can't talk about it."

Bynum, too, voiced concern over the handling of the situation and his goals when pushing for the discussion.

"There are going to be changes," he said, "but are they going to be cosmetic changes, or are they going to be fundamental changes?"

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