

JAMES Y. ARAKAKI  
*Chairman & Presiding Officer*

AL SMITH  
*Vice Chairman*



AARON S.Y. CHUNG  
LENINGRAD ELARIONOFF  
JULIE JACOBSON  
BOBBY JEAN LEITHEAD-TODD  
NANCY PISICCHIO  
J. CURTIS TYLER, III  
DOMINIC YAGONG

## COUNTY COUNCIL

*County of Hawai'i  
Hawai'i County Building  
25 Aupuni Street  
Hilo, Hawai'i 96720*

### 31st Session

## ORDER OF BUSINESS

Hawai'i County Council  
Hilo, Hawai'i

Wednesday, February 16, 2000  
9:00 a.m.

CALL TO ORDER 9:10 a.m.

ROLL CALL All present except Ms. Pisicchio

INVOCATION The Reverend Phillip Kittle of Haili Christian Church - present

APPROVAL OF MINUTES January 5, 2000 - approved, as amended

### STATEMENTS FROM THE PUBLIC ON ITEMS LISTED ON THE ORDER OF BUSINESS

Lovey Scott Akamu - Res. 206-2K  
Del Pranke - FC-209 & 210; Minutes  
Robert DeNeve - Res. 206-2K  
Una Pe'a - Res. 206-2K  
Jon Olson - Res. 206-2K  
Dwight Vincente - authority to vote on issues

Coco Pierson - FC-209 & 210  
Ron Reilly - Res. 206-2K  
Ed Clark - Res. - 206-2K  
Brooks Maloof - Res. 206-2K

PETITIONS, MEMORIALS AND COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 31-99: Accepts the dedication of roadway lots within Sunrise Ridge  
(Draft 2) Increment II Subdivision from Sunrise Ridge II Partners, Tax Map  
 Keys (3)2-3-43-010, 2-4-67-039, and 2-4-67-040, to the County of Hawai'i;  
 {For road, drainage and sewage purposes.}

Re: Comm. 122.18  
 Intr. by: Mr. Yagong  
 Introduced and amended:  
 March 4, 1999

and  
Comm. 122.04: From Dr. Djon Indra Lim, received February 19, 1999.

Deferred: March 4, 1999

Deferred

Res. 202-2K: Names streets in the County of Hawai'i, State of Hawai'i.  
(Draft 2) { hualoa Homesteads, H m kua - Kinimaka and Kalehua Roads.}

Re: Comm. 620.001  
 Intr. by: Ms. Leithead-Todd  
 Approved: PC-87

Adopted

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler,  
 Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

Res. 204-2K: Authorizes the Director of Finance to negotiate a lease of real property at Waimea Park in South Kohala to the Salvation Army, a non-profit organization, for use as a skateboard park.

Re: Comm. 627  
 Intr. by: Mr. Elarionoff  
 Approved: FC-212

Adopted

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

Res. 205-2K: Transfers \$4,500 out and from the Parks and Recreation Administration - Other Current Expenses account; and credits to the Parks and Recreation Administration - Equipment account.  
 {Computer - maintains appropriate ledgers for six sections of the Parks & Recreation Department.}

Re: Comm. 628  
 Intr. by: Mr. Chung  
 Approved: FC-213

Adopted

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

Res. 206-2K: Supports the acquisition by Hawai'i County of the Hilo to Hawaiian Paradise Park section of the former Hilo to Kapoho Railroad;  
 {Right-of-way acquisition.}

Re: Comm. 630  
 Intr. by: Mr. Yagong (B/R)  
 Approved: PWPC-67

and

Comm. 630.004: From W.H. Shipman, Limited, President Robert E. Saunders, dated January 31, 2000.

Amended to DRAFT 3; Adopted

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

Res. 207-2K: Authorizes the appropriation and use of prior year funds resulting from the execution of a supplemental agreement for a computer system and legislative history database for the office of the County Clerk and County Council. {Appropriates in the following Clerk-Elections - accounts: Salaries & Wages (\$14,576) and Services Other Current Expense - Travel/Conferences (\$3,000).}

Re: Comm. 633  
Intr. by: Mr. Chung  
Approved: FC-215

Adopted

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

Res. 209-00: Recognizes the National Women's History Month. {March 2000 - 14th annual National Women's History Month.}

Re: Comm. 644  
Intr. by: Ms. Liethead-Todd  
Waived: HSEDC

Adopted

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

BILLS FOR ORDINANCES

Bill 196: Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000.  
{Increases revenues in the Fund Balance From Previous Year account by \$1,000,000; and appropriates same to the Transfer to Self Insurance Fund account.}

Re: Comm. 624  
Intr. by: Mr. Chung  
Approved: FC-211

Passed on first reading  
8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.  
Noes: None.  
1 Absent & Excused: Councilmember Pisicchio.

ORDER OF THE DAY

Bill 171: Amends Chapter 15, Parks and Recreation, of the Hawai'i County Code 1983 (1995 Edition) by establishing a schedule of official names of County of Hawai'i parks and recreational facilities.  
(Draft 2)

Re: Comm. 544.01  
Intr. by: Ms. Leithead-Todd and Mr. Smith  
1st Reading: February 2, 2000

Passed on second and final reading  
8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.  
Noes: None.  
1 Absent & Excused: Councilmember Pisicchio.

Bill 173: Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000.  
{Increases revenues in the Fund Balance from Previous Year account, Sewer Fund, by \$1,260,828; appropriates same to the following Sewer Fund accounts: Wastewater - Salaries & Wages (\$54,597), Wastewater - Other Current Expenses (\$150,000), Wastewater - Equipment (\$210,000) and Replacement Reserve Account (\$846,231).}

Re: Comm. 551  
Intr. by: Mr. Chung  
Deferred: January 5 & 20, 2000  
1st Reading: February 2, 2000

Passed on second and final reading

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

Bill 180: Amends Ordinance 99-71, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 1999 to June 30, 2000.  
{Increases the Police Department - Public Safety Complex, Cellblock Expansion account to \$2,152,000; funds shall be provided from the General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources (\$800,000).}

Re: Comm. 570  
Intr. by: Mr. Chung  
1st Reading: February 2, 2000

Passed on second and final reading

6 ayes: Councilmembers Chung, Elarionoff, Liethead-Todd, Smith, Yagong, and Mr. Arakaki.

2 Noes: Councilmembers Jacobson and Tyler.

1 Absent & Excused: Councilmember Pisicchio.

Bill 181: Authorizes the issuance of not to exceed \$1,800,000 principal amount of general obligation bonds of the County of Hawai'i for the purpose of financing a portion of the costs of constructing the East Hawai'i Police Detention Facility and to secure the payment of a loan by the United States of America, Department of Agriculture; and fixing the form, denominations, and certain details of such bonds and providing for their sale.

Re: Comm. 576  
Intr. by: Mr. Chung  
1st Reading: February 2, 2000

Passed on second and final reading

6 ayes: Councilmembers Chung, Elarionoff, Liethead-Todd, Smith, Yagong, and Mr. Arakaki.

2 Noes: Councilmembers Jacobson and Tyler.

1 Absent & Excused: Councilmember Pisicchio.

Bill 185: Amends Ordinance 99-71, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 1999 to June 30, 2000. { Adds the PUBLIC WORKS Upper Waiakea Stream Flood Control Improvements project by \$900,000; funds shall be provided from the General Obligation Bonds, Capital Project Fund, Fund Balance and/or Other Sources account (\$900,000). }

Re: Comm. 587  
Intr. by: Mr. Arakaki  
1st Reading: February 2, 2000

Passed on second and final reading

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

Bill 186: Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000. {Increases revenues in the State Grants - DARE/DOE account by \$8,365; and appropriates same to the DARE/DOE account.}

Re: Comm. 591  
 Intr. by: Mr. Chung  
 1st Reading: February 2, 2000

Passed on second and final reading

7 ayes: Councilmembers Chung, Elarionoff, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

1 No: Councilmember Jacobson.

1 Absent & Excused: Councilmember Pisicchio.

Bill 191: Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition),  
(Draft 2) creating one-way traffic pattern on Kapiolani Street on specified holidays being Christmas Eve, Christmas Day, Good Friday, Holy Saturday and Easter Sunday, relating to Vehicles and Traffic;

Re: Comm. 602.001  
 Intr. by: Mr. Yagong  
 Deferred: January 20, 2000  
 1st Reading: February 2, 2000

and

Comm. 602.002: From Deputy Chief Engineer Jiro Sumada, dated February 3, 2000.

Deferred

Bill 192: Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000. {Appropriates revenues in the Federal Grant - Domestic Violence Unit account by \$59,626; and appropriates same to the Domestic Violence Unit account.}

Re: Comm. 604  
 Intr. by: Mr. Chung  
 1st Reading: February 2, 2000

Passed on second and final reading

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisicchio.

Bill 193: Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000.  
{Appropriates revenues in the Federal Grant - Service of Protection Orders account by \$48,720; and appropriates same to the Service of Protection Orders account.}

Re: Comm. 605  
Intr. by: Mr. Chung  
1st Reading: February 2, 2000

Passed on second and final reading

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisticchio.

Bill 194: Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000.  
(Draft 2)  
{Appropriates revenues in the State Grant - Alcohol Prevention account by \$5,766; and appropriates same to the Alcohol Prevention account.}

Re: Comm. 617.001  
Intr. by: Mr. Chung  
1st Reading: February 2, 2000

Passed on second and final reading

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisticchio.

Bill 197: Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 03, 2000.  
{Increases revenues in the Federal Grants - Bicycle Education Program account by \$17,000; and appropriates same to the Bike Education Program account.}

Re: Comm. 626  
Intr. by: Mr. Chung  
1st Reading: February 2, 2000

Passed on second and final reading

8 ayes: Councilmembers Chung, Elarionoff, Jacobson, Liethead-Todd, Smith, Tyler, Yagong, and Mr. Arakaki.

Noes: None.

1 Absent & Excused: Councilmember Pisticchio.

## REPORTS

FC Rept. 209: Recommends the confirmation of Mr. Peter P. Muller to serve  
(C-615) on the Hawai'i County Police Commission, to serve a term to end December 31, 2004.

Approved

FC Rept. 210: Recommends the confirmation of Mr. Walter Moe to serve on the  
(C-623) Hawai'i County Police Commission, to serve a term to end December 31, 2003.

Approved

FC Rept. 214: Is in accord with the purpose and intent of Communication 629;  
(C-629) approves the reconsideration of the proposed matter.  
{HSAC Executive Committee - requests Maui and Hawai'i County reconsider their positions relating to the 2000 HSAC legislative package.}

Approved

## REFERRALS FOR EXECUTIVE SESSION

Comm. 647: EXECUTIVE SESSION - CLAIM OF AIG INSURANCE/ALFILER,  
CARMEN C.  
From Deputy Corporation Counsel Steven Christensen, dated  
February 2, 2000.

Deferred

Comm. 648: EXECUTIVE SESSION - HAROLD U. JIM V. COUNTY OF HAWAI'I, ET  
AL., CIVIL NO. 99-00196DAE  
From Deputy Corporation Counsel Glenn H. Shiigi, dated February 2, 2000.

Concur with the recommendation of Corporation Counsel.

OTHER BUSINESS

ANNOUNCEMENTS

THURSDAY, MARCH 9, 2000

PUBLIC WORKS & PARKS COMMITTEE	9:00 a.m.	COUNCILROOM
FINANCE COMMITTEE	10:30 a.m.	COUNCILROOM
PLANNING COMMITTEE	1:30 a.m.	COUNCILROOM

FRIDAY, MARCH 10, 2000

COUNCIL	9:00 a.m.	COUNCILROOM
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TUESDAY, MARCH 21, 2000

COMMITTEES	TBA	COUNCILROOM
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WEDNESDAY, MARCH 22, 2000

COUNCIL	9:00 a.m.	COUNCILROOM
PLANNING COMMITTEE (SITE VISIT - BILL 195)	4:30 p.m.	MEET AT SHIPMAN INDUSTRIAL PARK
PLANNING COMMITTEE (PUBLIC HEARING - BILL 195)	6:00 p.m.	KEA'AU COMMUNITY CENTER

THURSDAY, MARCH 23, 2000

HUMAN SERVICES & ECONOMIC DEVELOPMENT COMMITTEE (NONPROFIT ORGANIZATIOIS - HILO)	10:00 a.m.	COUNCILROOM
COUNCIL PUBLIC HEARING (OPERATING AND CIP BUDGETS)	5:00 p.m.	COUNCILROOM

FRIDAY, MARCH 24, 2000

HUMAN SERVICES & 10:00 a.m. KONA SURF HOTEL  
ECONOMIC DEVELOPMENT KING KAMEHAMEHA BALLROOM  
COMMITTEE (NONPROFIT ORGANIZATIOIS - HILO)

COUNCIL PUBLIC HEARING 6:00 p.m. KONA SURF HOTEL  
(OPERATING AND CIP BUDGETS) KING KAMEHAMEHA BALLROOM

STATEMENTS FROM THE PUBLIC

ADJOURNMENT

(Note: B/R, as listed next to the name of an Introducer, signifies that the Councilmember has agreed to introduce legislation "By Request" and on behalf of the requesting party; however, it does not necessarily signify their support of or opposition to the proposal.)

The meeting place is accessible for persons with physical disabilities. Persons who need special accommodations to attend this meeting should call 961-8255. Persons using TDDs may call 961-8521. Those desiring to speak on matters listed on the Order of Business must register at the County Clerk's Office prior to the convening of the meeting. Copies may be viewed at the Hawai'i County Services Office at 75-5706 Kuakini Highway, Suite 103, Kailua-Kona, Hawai'i 96740; at the Office of the County Clerk at 25 Aupuni Street, Hilo, Hawai'i 96720; and the County Council's Kona Branch Office at 77-6399 Nalani Street, Suite 104, Kailua-Kona, Hawai'i 96740.

Government Access Television: Hilo (Channel 9); Kona (Channel 12)  
Wednesday, February 16, 2000, at 6 p.m.; Sunday, February 20, 2000, at 9 a.m.; and Wednesday, February 23, 2000, at 6 p.m.