

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*

39th Session

ORDER OF BUSINESS

Hawai'i County Council
Hilo, Hawai'i

Wednesday, June 21, 2000
9:00 a.m.

CALL TO ORDER	9:09 a.m.
ROLL CALL	All Present
INVOCATION	Major Joseph Huttenlocker of the Hilo Salvation Army - present
APPROVAL OF MINUTES	May 15, 2000 - approved, as amended

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

Mayor Yamashiro, Operating and Capital Improvement Budget
Pat Kahawaiola'a - Sewer Rates

PETITIONS, MEMORIALS AND COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 245-00: Authorizes the acceptance of land from BP Partners, a Hawai'i General Partnership and Pan-Pacific Development, Inc., a Hawai'i Corporation, Tax Map Key (3)6-5-003-004, for the Waimea Trails & Greenways Project, Waimea, District of South Kohala;

Re: Comm 746
Intr. by: Mr. Elarionoff
Approved: FC-263
Deferred: May 15 & June 2, 2000

and

Comm. 746.001: From Councilmember Aaron Chung, dated May 4, 2000.

Comm. 746.002: From Councilmember Curtis Tyler III, to Chairman Arakaki, transmitting a copy of a letter to Corporation Counsel Richard Wurdeman, dated May 17, 2000.

ADOPTED

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

Res. 251-00: Authorizes the County of Hawai'i to enter into an agreement with the State Department of Transportation, pursuant to HRS 46-7, for an Occupant Protection Program Grant.
{Department of Transportation Public Affairs-Safe Communities Program - funding for seatbelt enforcement roadblocks and to purchase child restraint seats. }

Re: Comm. 763
Intr. by: Mr. Chung
Approved: FC-270
Deferred: June 2, 2000

ADOPTED

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 NO: Councilmember Jacobson

[Res. 254-00](#): Authorizes the County of Hawai'i to enter into an agreement with the State Department of Attorney General Crime Prevention and Justice Assistance Division, pursuant to HRS 46-7, for a Clandestine Drug Response Program Grant.
{Funding to detect, identify, access and counter or neutralize clandestine drug manufacturing laboratories by training officers and purchasing the proper equipment.}

Re: [Comm. 770](#)
Intr. by: Mr. Chung
Approved: [FC-274](#)
Deferred: June 2, 2000

ADOPTED

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 NO: Councilmember Jacobson

[Res. 255-00](#): Authorizes the County of Hawai'i to enter into an agreement with the U.S. Department of Justice Bureau of Justice Assistance, pursuant to HRS 46-7, for a Local Law Enforcement Block Grant.
{Funding for intoxilyzers, radars and portable radios.}

Re: [Comm. 771](#)
Intr. by: Mr. Chung
Approved: [FC-276](#)
Deferred: June 2, 2000
Deferred: June 2, 2000

ADOPTED

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 NO: Councilmember Jacobson

[Res. 256-00](#): Names streets in the County of Hawai'i, State of Hawai'i.
{Old Malahoa Highway, Honom Road, 'Akaka Falls Road and Stable Camp Road; Honomu Village, Honomu, South Hilo.}

Re: [Comm. 778](#)
Intr. by: Ms. Leithead-Todd
Approved: [PC-98](#)
Deferred: June 2, 2000

ADOPTED

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 ABSENT & EXCUSED: Councilmember Chung

[Res. 257-00](#): Accepts the dedication of roadway easement lot adjacent to Ahuli Park Subdivision, Waimea, South Kohala, Hawai'i, Tax Map Key No. (3)6-6-03: Portion 007 (AKA TMK(3)6-6-08:Road, from the State of Hawai'i to the County of Hawai'i.

Re: [Comm. 779](#)
Intr. by: Mr. Yagong
Approved: [PWPC-80](#)

ADOPTED

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 ABSENT & EXCUSED: Councilmember Chung

[Res. 263-00](#): Authorizes the County of Hawai'i to enter into an agreement with the State Department of the Attorney General Crime Prevention and Justice Assistance Division, pursuant to HRS 46-7, for an Assistant SANE Program Coordinator Grant.
{Funding to improve the quality and coordination of the Hawai'i Police Department's response to reports of sexual assault against women island-wide.}

Re: [Comm. 794](#)
Intr. by: Mr. Chung
Waived: FC
Deferred: June 2, 2000

ADOPTED

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 NO: Councilmember Jacobson

Res. 268-00: Authorizes the payment of funds of a later fiscal year and of more than one fiscal year for a multi-year lease for two (2) copy machines. {Parks & Recreation Dept. - Recreation Division, Hilo; Waimea Community Center, Kamuela }

Re: [Comm. 805](#)
Intr. by: Mr. Chung
Waived: FC

ADOPTED

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

Res. 269-00: Authorizes the acceptance of a monetary donation. {Parks & Recreation Dept. - Millennium celebrations }

Re: [Comm. 806](#)
Intr. by: Mr. Chung
Waived: FC

ADOPTED

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 ABSENT & EXCUSED: Councilmember Chung

BILLS FOR ORDINANCES

Bill 255: Amends Chapter 21, Article 4, Hawai'i County Code 1983 (1995 Edition), as amended, by adding a new section authorizing the remission of sewer service charges for non-residential customers.

Re: [Comm. 773](#)
Intr. by: Mr. Yagong (B/R)
Approved: [FC-277](#)

PASSED 1ST READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 ABSENT & EXCUSED: Councilmember Chung

Bill 257:
DEFERRED

Amends Chapter 21, Article 4, Hawai'i County Code 1983 (1995 Edition) by adding a new section to authorize the shutoff of water service by the Department of Water Supply to enforce collection of sewer user fees, and amending Chapter 21, Article 4, Section 21-32, Hawai'i County Code 1983 (1995 Edition) by adding a new subsection to authorize the Chief Engineer to order the shutoff of water service to enforce collection of sewer user fees and providing for Administrative review of said order.

Re: [Comm. 775](#)
Intr. by: Mr. Yagong (B/R)
Negative: [FC-278](#)

Bill 258:

Amends the State Land Use Boundaries Map, H-71 for the County of Hawai'i, by changing the district classification from the Agricultural to the Urban District at Keonepoko-Iki, Puna, Hawai'i, covered by Tax Map Key 1-5-7:80.
{Stephen P. Chase, applicant.}

Re: [Comm. 776](#)
Intr. by: Ms. Leithead-Todd
Approved: [PC-99](#)

PASSED 1ST READING

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

Bill 259:

Amends Section 25-8-26 (Pahoa Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the district classification from Agricultural (A-1a) to Industrial-Commercial Mixed (MCX-20) at Keonepoko-Iki, Puna, Hawai'i, covered by Tax Map Key 1-5-7:80.
(Stephen P. Chase, applicant.)

Re: [Comm. 776](#)
Intr. by: Ms. Leithead-Todd
Approved: [PC-100](#)

PASSED 1ST READING

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

[Bill 260](#): Repeals Ordinance No. 96-48 which amended Section 25-113 (South Hilo District Zone Map) and Section 25-114 (City of Hilo Zone Map), Article 3, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the district classification from Open (O) and Agricultural (A-20A) to Single Family Residential (RS-7.5) and Neighborhood Commercial (CN-10) at Puueo, South Hilo, Hawai'i covered by Tax Map Key 2-6-08:17, 26, 27, 29, 36, 39 and portions of 28, 31, 32, 33, 34, 37 and 38 and 2-6-29:14 and 15.
{David and Doris Greer, applicants.}

Re: [Comm. 777](#)
Intr. by: Ms. Leithead-Todd
Approved: PC-101

PASSED 1ST READING

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

[Bill 261](#): Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic.
{Crosswalks - Pahoia School, Kea'au-Pahoia Road and Papa'aloa Theater.}

Re: [Comm. 783](#)
Intr. by: Mr. Yagong
Approved: [PWPC-81](#)

PASSED 1ST READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 ABSENT & EXCUSED: Councilmember Chung

[Bill 262](#): Amends Chapter 24, Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic.
{Proposed no parking any time - Kopiko Street.}

Re: [Comm. 784](#)
Intr. by: Mr. Yagong
Approved: [PWPC-82](#)

PASSED 1ST READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 ABSENT & EXCUSED: Councilmember Chung

[Bill 267](#): Amends Chapter 24 of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic, authorizing the establishment of a Volunteer Disabled Parking Program;
{Authorizes the Chief of Police to supervise a program to utilize volunteers to assist in the enforcement of county and state disabled parking laws.}

Re: [Comm. 792](#)
Intr. by: Mr. Yagong
Approved: [PWPC-83](#)

PASSED 1ST READING

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Picicchio, Smith, Tyler, Yagong and Chairman Arakaki

and

Comm. 792.001: From Chairperson of the Disability and Communication Access Board
CLOSE FILE Anthony Akamine to Mr. Yagong, dated June 2, 2000.

ORDER OF THE DAY

[Bill 218](#): Relates to Public Improvements and Financing Thereof for the Fiscal
[\(Draft 4\)](#) Year July 1, 2000 to June 30, 2001;
{Proposed \$46,624,000 Capital Budget for FY 2000-2001.}

Re: [Comm. 684.016](#)
Intr. by: Mr. Chung
1st Reading: May 15, 2000
Laid over: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Picicchio, Smith, Yagong and Chairman Arakaki

1 NO: Councilmember Tyler

[Bill 247](#): 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 Honomu/Mamalahoa Bridge Replacement - Federal project (\$1,300,000); funds for these projects shall be provided from Federal Grants Receivable account (\$1,300,000). }

Re: [Comm. 757](#)
Intr. by: Mr. Chung
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 ABSENT & EXCUSED: Councilmember Chung

[Bill 248](#): 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 Onomea Camp Road Bridge - Federal project (\$425,000); funds for this project shall be provided from Federal Grants Receivable account (\$425,000). }

Re: [Comm. 758](#)
Intr. by: Mr. Chung
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 ABSENT & EXCUSED: Councilmember Chung

[Bill 249](#): 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 Inoino/Mamalahoa Bridge Replacement - Federal project (\$800,000); funds for this project shall be provided from Federal Grants Receivable account (\$800,000). }

Re: [Comm. 759](#)
Intr. by: Mr. Chung
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 250](#): Amends Ordinance No. 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, Paniolo Drive Sidewalk Improvements project (\$200,000); funds to be provided from General Obligation Bonds, Capital Projects Fund-Fund Balance and/or Other Sources account (\$200,000). }

Re: [Comm. 760](#)
Intr. by: Mr. Chung
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 251](#): Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition),
[\(Draft 2\)](#) relating to Vehicles and Traffic.
{ Stop intersections - Kuakini Highway; Kaiwi Street Intersection. }

Re: [Comm. 762.004](#)
Intr. by: Mr. Yagong
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 252](#): 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 - Occupant Protection Program account by \$34,593 and appropriates same to the Occupant Protection Program account.}

Re: [Comm. 763](#)
Intr. by: Mr. Chung
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 NO: Councilmember Jacobson

[Bill 253](#): 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-Clandestine Drug Lab Response account by \$65,193 and appropriates same to the Clandestine Drug Lab Response account.}

Re: [Comm. 770](#)
Intr. by: Mr. Chung
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 NO: Councilmember Jacobson

[Bill 254](#): 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 Federal Grant-Police Local Law Enforcement Block Grant account by \$97,045 and appropriates same to the Police Local Law Enforcement account.}

Re: [Comm. 771](#)
Intr. by: Mr. Chung
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 NO: Councilmember Jacobson

[Bill 268](#): Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000.
{Appropriates \$43,352 in the Federal Grant - Assistant SANE Program Coordinator account and appropriates same to the Assistant SANE Program Coordinator account.}

Re: [Comm. 794](#)
Intr. by: Mr. Chung
1st Reading: June 2, 2000

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 NO: Councilmember Jacobson

REPORTS

REFERRALS FOR EXECUTIVE SESSION

(The purpose of the meeting is to consult with Corporation Counsel relating to matters involving potential County liability, as authorized by Sections 92-4 and 92-5, HRS.)

OTHER BUSINESS

(Including but not limited to consideration of vetoed items, if any, or reconsideration of actions on agenda items.)

Comm. 683.031: VETO MESSAGE - BILL 217 (DRAFT 4); 2000-2001 OPERATING BUDGET

From Mayor Stephen K. Yamashiro, dated June 8, 2000;
and

[Bill 217](#): Establishes an Operating Budget for the County of Hawai'i for the
[\(Draft 4\)](#) Fiscal Year July 1, 2000 to June 30, 2001.
{Proposed \$175,769,492 Operating Budget for the FY 2000-2001 }

Re: [Comm. 683.023](#)
Intr. by: Mr. Chung
1st Reading: May 15, 2000
2nd Reading: June 2, 2000

PASSED VETO OVERRIDE

8 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, and Yagong
1 NO: Chairman Arakaki

ANNOUNCEMENTS

	<u>THURSDAY, JULY 6, 2000</u>	
PUBLIC WORKS & PARKS COMMITTEE	9:00 a.m.	COUNCILROOM
FINANCE COMMITTEE	10:30 a.m.	COUNCILROOM
HUMAN SERVICES & ECONOMIC DEVELOPMENT COMMITTEE	1:00 p.m.	COUNCILROOM
PLANNING COMMITTEE	2:30 p.m.	COUNCILROOM
	<u>FRIDAY, JULY 7, 2000</u>	
COUNCIL	9:00 a.m.	COUNCILROOM
	<u>TUESDAY, JULY 25, 2000</u>	
COMMITTEES	TBA	COUNCILROOM
	<u>WEDNESDAY, JULY 26, 2000</u>	
COUNCIL	9:00 a.m.	COUNCILROOM

STATEMENTS FROM THE PUBLIC

ADJOURNMENT - 1:03 p.m.

(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, June 21, 2000, at 6 p.m.; Sunday, June 25, 2000, at 9 a.m.; and Wednesday, June 28, 2000, at 6 p.m.