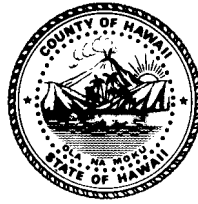


JAMES Y. ARAKAKI  
*Chairman & Presiding Officer*

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*

### 41st Session

#### ORDER OF BUSINESS

Hawai'i County Council  
Hilo, Hawai'i

July 26, 2000  
9:00 a.m.

|   |   |
|---|---|
| CALL TO ORDER   | 9:03 a.m.   |
| ROLL CALL   | All present except for Mr. Smith  |
| INVOCATION  | The Reverend Kobun Yachi of the Hilo Meshion - present                            |
| APPROVAL OF MINUTES   | June 2 & 21, 2000 - June 2, 2000; approved, as amended<br>June 21, 2000; deferred |
| STATEMENTS FROM THE PUBLIC ON ITEMS LISTED ON THE ORDER OF BUSINESS |   |

PETITIONS, MEMORIALS AND COMMUNICATIONS

[Comm. 839](#): APPOINTMENT OF DIXIE KAETSU TO FINANCE DIRECTOR  
**APPROVED** From Mayor Stephen K. Yamashiro, dated July 5, 2000, asking the Council's favorable consideration of the appointment of Ms. Dixie Kaetsu to the position of Finance Director effective July 1, 2000.

ORDER OF RESOLUTIONS

[Res. 246-00](#): Authorizes the County of Hawai'i to enter into an agreement with the United States of America, pursuant to HRS 46-7, for a Marijuana Eradication Grant.  
 {Agreement between the Department of Justice, Drug Enforcement Administration and the County of Hawai'i; County Project Number 2000-43.}

Re: [Comm. 749](#)  
 Intr. by: Mr. Chung  
 Approved: [FC-291](#)

**ADOPTED**  
 5 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Yagong and Chairman Arakaki  
 3 NOES: Councilmembers Jacobson, Pisicchio and Tyler  
 1 ABSENT & EXCUSED: Councilmember Smith

[Res. 259-00](#): Authorizes the acceptance of land from Henry B. Clark, Jr., Tax Map Key (3)6-2-007-001, for the Waimea Trails & Greenways Project, Waimea, District of South Kohala.

Re: [Comm. 782](#)  
 Intr. by: Leningrad Elarionoff  
 Approved: [FC-290](#)

**ADOPTED**  
 6 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Tyler, Yagong and Chairman Arakaki  
 3 ABSENT & EXCUSED: Councilmembers Chung, Pisicchio and Smith

[Res. 270-00](#): Relates to a Council initiated Improvement District to facilitate construction of permanent improvements to the Kona Coastview and Kona Wonderview Subdivisions in North Kona, County of Hawai'i, including the improvement of the water distribution system to the County of Hawai'i Department of Water Supply standards, in accordance with the Hawai'i County Code relating to Improvements by Assessments.  
{Directs the Manager of the Department of Water Supply to prepare and submit to the Council an update of a report titled Water System Installation Cost Estimate For Improvement District - Kona Coastview and Kona Wonderview Subdivisions (May, 1996).}

Re: [Comm. 807](#)

Intr. by: Mr. Tyler

Approved: [FC-283](#)

**ADOPTED**

6 AYES: Councilmembers Chung, Elarionoff, Jacobson, Tyler, Yagong and Chairman Arakaki

3 ABSENT & EXCUSED: Councilmembers, Leithead-Todd, Pisicchio and Smith

[Res. 271-00](#): Provides for the acquisition of private property, being a portion of Tax Map Key (3)2-2-027-044, situate at Waiakea, District of South Hilo, County and State of Hawai'i, for the improvements at the intersection of Lanikaula and Manono Streets.

Re: [Comm. 814](#)

Intr. by: Mr. Yagong (B/R)

Approved: [PWPC-89](#)

**PASSED 1ST READING**

1st of 2 Readings

6 AYES: Councilmembers Chung, Elarionoff, Jacobson, Tyler, Yagong and Chairman Arakaki

3 ABSENT & EXCUSED: Councilmembers, Leithead-Todd, Pisicchio and Smith

[Res. 273-00](#): Authorizes the payment of funds of a later Fiscal Year and of more than one Fiscal Year for a multi-year lease for a copy machine for the Office of the County Clerk-Reprographics Division.

Re: [Comm. 829](#)

Intr. by: Mr. Chung

Approved: [FC-284](#)

**ADOPTED**

6 AYES: Councilmembers Chung, Elarionoff, Jacobson, Tyler, Yagong and Chairman Arakaki

3 ABSENT & EXCUSED: Councilmembers, Leithead-Todd, Pisicchio and Smith

[Res. 274-00](#): Authorizes the acceptance of a donation of a Catalina Macaw.  
{Department of Parks & Recreation - Panaewa Zoo.}

Re: [Comm. 831](#)

Intr. by: Mr. Chung

Approved: [FC-285](#)

**ADOPTED**

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

1 ABSENT & EXCUSED: Councilmember Smith

[Res. 275-00](#): Authorizes the acceptance of a donation of a pair of Eclectus Parrots.  
{Department of Parks & Recreation - Panaewa Zoo.}

Re: Comm. 832

Intr. by: Mr. Chung

Approved: [FC-286](#)

**ADOPTED**

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

1 ABSENT & EXCUSED: Councilmember Smith

[Res. 276-00](#): Authorizes the acceptance of a donation of a Red-Masked Conure.  
{Department of Parks & Recreation - Panaewa Zoo.}

Re: [Comm. 833](#)

Intr. by: Mr. Chung

Approved: [FC-287](#)

**ADOPTED**

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

1 ABSENT & EXCUSED: Councilmember Smith

[Res. 277-00](#): Authorizes the acceptance of a donation of a Catalina Macaw.  
{Department of Parks & Recreation - Panaewa Zoo.}

Re: [Comm. 834](#)

Intr. by: Mr. Chung

Approved: [FC-288](#)

**ADOPTED**

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

1 ABSENT & EXCUSED: Councilmember Smith

[Res. 278-00](#): Authorizes the acceptance of a donation of two Holland Lop Rabbits  
and three Guinea Pigs.  
{Department of Parks & Recreation - Panaewa Zoo.}

Re: [Comm. 835](#)

Intr. by: Mr. Chung

Approved: [FC-289](#)

**ADOPTED**

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

1 ABSENT & EXCUSED: Councilmember Smith

[Res. 279-00](#): Authorizes the Mayor to execute cancellation of an April 29, 1993,  
agreement with Kamehameha Investment Corporation, as amended on  
November 24, 1994, and to execute a new agreement to satisfy the  
affordable housing requirement for Bayview Estates at Keauhou.

Re: [Comm. 841](#)

Intr. by: Ms. Pisicchio

HCHA: July 6, 2000

**ADOPTED**

6 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Tyler, Yagong and  
Chairman Arakaki

1 NO: Councilmember Jacobson

2 ABSENT & EXCUSED: Councilmembers Pisicchio and Smith

## BILLS FOR ORDINANCES

[Bill 41:](#)  
[\(Draft 3\)](#) Amends Section 25-8-17 (Haina-Honokaa-Kukuihaele Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the district classification from Agricultural (A-5a) to Agricultural (A-2a) at Kaa'o Homesteads, Hamakua, Hawai'i, covered by Tax Map Key 4-5-03:24 and 124; {Dorothy Souza, applicant.}

Re: [Comm. 824.001](#)  
Intr. by: Ms. Leithead-Todd  
Approved: [PC-104](#)

and

[Comm. 824.002:](#) From Corporation Counsel Richard Wurdeman, dated July 11, 2000.  
**REFERRED BACK TO PLANNING COMMISSION** 

[Bill 277:](#) Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition) relating to Vehicles and Traffic.  
{Eliminates parking meter zones in downtown Hilo.}

Re: [Comm. 820](#)  
Intr. by: Ms. Leithead-Todd  
Approved: [PWPC-90](#)

**PASSED 1ST READING**

6 AYES: Councilmembers Chung, Elarionoff, Jacobson, Tyler, Yagong and Chairman Arakaki

3 ABSENT & EXCUSED: Councilmembers, Leithead-Todd, Pisicchio and Smith

[Bill 278:](#) Amends Ordinance No. 91-27, which reclassified lands from Open (O) to Village Commercial (CV-10) at Keahuolu, North Kona, Hawai'i covered by Tax Map Key 7-4-15:5 (Portion).  
{Liliuokalani Trust, applicant}

Re: [Comm. 821](#)  
Intr. by: Ms. Leithead-Todd  
Approved: [PC-105](#)

**PASSED 1ST READING**

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

1 NO: Councilmember Jacobson

1 ABSENT & EXCUSED: Councilmember Smith

## ORDER OF THE DAY

[Res. 266-00](#): Provides for the acquisition of private property, being a portion of Tax Map Key No. (3)8-1-007:045, situate at Onouli 2 and Keopuka, South Kona, County and State of Hawai'i for the development and construction of a bypass highway between the vicinity of Keauhou and Captain Cook, Kona, Hawai'i.

Re: [Comm. 798](#)  
 Intr. by: Mr. Yagong  
 Approved: [PWPC-84](#)  
 1st Reading: July 7, 2000

**PASSED 2ND & FINAL READING** 2nd of 2 Readings

5 AYES: Councilmembers Chung, Elarionoff, Tyler, Yagong and Chairman Arakaki

1 NO: Councilmember Jacobson

3 ABSENT & EXCUSED: Councilmembers Leithead-Todd, Pisicchio & Smith

[Bill 177](#): Amends Chapter 21, Hawai'i County Code 1983 (1995 Edition),  
[\(Draft 3\)](#) relating to Sewers.  
 {Clarifies definition of Public Sewers, Sewage Works, Sewer System and Sewer; inserts definition for Cesspool and Gang Cesspool; clarifies that sewer user charges for residential customers are assessed when lots are accessible to a public sewer system or public Gang Cesspools; inserts service rates for Gang Cesspools; establishes effective date for customers connected to Gang Cesspools as of August 1, 2000 and provides that sewer service charges paid prior to that date shall be reimbursed or credited; waives unpaid sewer charges for Gang Cesspools prior to that date. }

Re: [Comm. 564.003](#)  
 Intr. by: Mr. Yagong  
 Referred back to PWPC:  
[April 19, 2000](#)

**PASSED 2ND & FINAL READING**

1st Reading: July 7, 2000

7 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Tyler, and Chairman Arakaki

1 NO: Councilmember Yagong

1 ABSENT & EXCUSED: Councilmember Smith

[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)  
1st Reading: June 21, 2000  
Deferred: July 7, 2000

**PASSED 2ND & FINAL READING**  
8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Tyler, Yagong and Chairman Arakaki  
1 ABSENT & EXCUSED: Councilmember Smith

[Bill 270](#): Amends the State Land Use Boundaries Map, H-8 for the County of Hawai'i, by changing the district classification from the Agricultural to the Urban District at Keauhou 1st, North Kona, Hawai'i covered by Tax Map Key 7-8-11:10 and 13.  
{Kamehameha Investment Corporation, applicant.}

Re: [Comm. 797](#)  
Intr. by: Ms. Leithead-Todd  
1st Reading: July 7, 2000

**PASSED 2ND & FINAL READING**  
6 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Tyler, Yagong and Chairman Arakaki  
1 NO: Councilmember Jacobson  
2 ABSENT & EXCUSED: Councilmembers Pisicchio and Smith

[Bill 271:](#) Amends Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25  
[\(Draft 3\)](#) (Zoning Code) of the Hawai'i County Code, by changing the district classification from Agricultural (A-5a) to Single Family Residential (RS-15) at Keauhou 1st, North Kona, Hawai'i, covered by Tax Map Key 7-8-11:10 and 13.  
{Kamehameha Investment Corporation, applicant.}

Re: [Comm. 797](#)  
Intr. by: Ms. Leithead-Todd

**PASSED 2ND & FINAL READING** 1st Reading: July 7, 2000  
6 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Tyler, Yagong and  
Chairman Arakaki  
1 NO: Councilmember Jacobson  
2 ABSENT & EXCUSED: Councilmembers Pisicchio and Smith

[Bill 272:](#) Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic.  
{Traffic signal systems.}

Re: [Comm. 799](#)  
Intr. by: Mr. Yagong

**PASSED 2ND & FINAL READING** 1st Reading: July 7, 2000  
6 AYES: Councilmembers Chung, Elarionoff, Jacobson, Tyler, Yagong and  
Chairman Arakaki  
3 ABSENT & EXCUSED: Councilmembers, Leithead-Todd, Pisicchio and Smith

[Bill 273:](#) Amends Chapter 24, of the Hawai'i County Code (1995 Edition), relating to Vehicles and Traffic.  
{Yield sign described; compliance and Yield locations.}

Re: [Comm. 800](#)  
Intr. by: Mr. Yagong

**PASSED 2ND & FINAL READING** 1st Reading: July 7, 2000  
7 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Tyler, Yagong and Chairman Arakaki  
2 ABSENT & EXCUSED: Councilmembers Pisicchio and Smith

Bill 275:  
(Draft 2)

Authorizes the issuance of General Obligation Bonds of the County of Hawai'i for the purpose of financing various public improvements of the County of Hawai'i; fixing the form, denominations, and certain other details of such bonds and providing for their sale; and authorizing the issuance and sale of a like principal amount of General Obligation Bond Anticipation Notes in anticipation of the issuance and sale of such bonds and appropriating funds for the costs of the issuance of such bonds.

{ \$8,000,000 - radio communication system for County agencies. }

Re: Comm. 804.004

Intr. by: Mr. Chung

**PASSED 2ND & FINAL READING** 1st Reading: July 7, 2000

6 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Tyler, Yagong and  
Chairman Arakaki

1 NO: Councilmember Jacobson

2 ABSENT & EXCUSED: Councilmembers Pisicchio and Smith

## REPORTS

PWPC Rept. 91: The Committee on Public Works & Parks recommends the approval of  
(C-826) the nomination of Roy T. Hinokawa to the Hawai'i County Veterans  
**APPROVED** Advisory Commission to serve a term ending December 31, 2002.

PC Rept 106: The Committee on Planning recommends the approval of the  
(C-827) appointment of Mr. Aurelio C. Mina, Jr., to the Hawai'i County  
**APPROVED** Planning Commission to serve a term ending December 31, 2003.

## 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.)

Comm. 850:  
**DEFERRED**

EXECUTIVE SESSION - CLAIM OF KAWAMATA  
FARMS/KENTFIELD OKAMOTO

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From Deputy Corporation Counsel Steven Christensen,  
dated July 11, 2000.

## OTHER BUSINESS

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

## ANNOUNCEMENTS

TUESDAY, AUGUST 8, 2000

|                                     |            |             |
|-------------------------------------|------------|-------------|
| PUBLIC WORKS AND<br>PARKS COMMITTEE | 9:00 a.m.  | COUNCILROOM |
| FINANCE COMMITTEE                   | 10:30 a.m. | COUNCILROOM |
| PLANNING COMMITTEE                  | 1:30 p.m.  |             |

WEDNESDAY, AUGUST 9, 2000

|         |           |             |
|---------|-----------|-------------|
| COUNCIL | 9:00 a.m. | COUNCILROOM |
|---------|-----------|-------------|

TUESDAY, AUGUST 22, 2000

|            |     |             |
|------------|-----|-------------|
| COMMITTEES | TBA | COUNCILROOM |
|------------|-----|-------------|

WEDNESDAY, AUGUST 23, 2000

|         |           |             |
|---------|-----------|-------------|
| COUNCIL | 9:00 a.m. | COUNCILROOM |
|---------|-----------|-------------|

## 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, August 2, at 6 p.m.; Sunday, August 6, at 9 a.m.; and Wednesday,  
August 9, at 6 p.m.