

PETITIONS, MEMORIALS, COMMUNICATIONS, CERTIFICATES OF MERIT AND EXPRESSIONS OF CONDOLENCE

[Comm. 26](#): REQUEST TO ADDRESS THE COUNTY COUNCIL

From Mayor Harry Kim, dated December 7, 2000.

File closed on the communication - Mayor Kim addressed the Council

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

ORDER OF RESOLUTIONS

[Res. 11-01](#): Authorizes the Corporation Counsel and his authorized representative to enter into an agreement with the individually named defendants, parties, who are or were officials and employees of the County of Hawai'i, to represent in the civil action Tanny M. Cazimero v. County of Hawai'i, et al., Civil No. 00-1-0384, and appoint Special Counsel for them, individually, arising from that case.

Re: [Comm. 32](#)
Intr. by: Mr. Chung (B/R)
Waived: FC

ADOPTED

6 AYES: Councilmembers Elarionoff, Leithead-Todd, Pisicchio, Safarik, Tyler and Chairman Arakaki

2 ABSENT & EXCUSED: Councilmembers Chung and Yagong

1 ABSTAIN: Councilmember Jacobson

BILLS FOR ORDINANCES

[Bill 348](#): Amends Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the district classification from Agricultural (A-5a) to Residential-Commercial Mixed Use (RCX-2a) at Keahuolu, North Kona, Hawai'i, covered by Tax Map Key 7-4-8:Portion of 1. {Queen Liliuokalani Trust, applicant.}

Re: [Comm. 971](#)
Intr. by: Ms. Leithead-Todd (B/R)
Approved: [PC-124](#)
Deferred: November 29, 2000

AMENDED TO DRAFT 3

PASSED 1ST READING

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

1 NO: Councilmember Jacobson

[Bill 353](#): Amends Chapter 11 of the Hawai'i County Code, 1983 (1995 Edition), as amended, to update the In-Lieu amount.
 {Seeks to update the in-lieu fee amount relating to affordable housing by changing it from \$4,720 per affordable unit required in year 1997 dollars to \$11,940 per affordable unit in year 2000 dollars for rezonings involving residential, resort and industrial uses.}

Re: [Comm. 981](#)

Intr. by: Ms. Piscichio

Approved: HCHA - November 15, 2000

PASSED 1ST READING

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

NOES: None

[Bill 12](#): Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic.
 {Parking prohibited during certain hours on certain streets; tow-away zone - Keanalehu Drive.}

Re: [Comm. 30](#)

Intr. by: Mr. Tyler

Waived: PWIRC

PASSED 1ST READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Piscichio, Safarik, Tyler, Yagong and Chairman Arakaki

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

ORDER OF THE DAY

[Bill 214](#): Amends Chapter 15 of the Hawai'i County Code 1983 (1995 Edition),
[\(Draft 6\)](#) relating to Parks and Recreation.
 {Adds/deletes beach parks from list of areas prohibited from removing sand and other materials.}

Re: [Comm. 680.008](#)

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

Deferred: August 23, 2000

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Piscichio, Safarik, Tyler, Yagong and Chairman Arakaki

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 240:](#)
[\(Draft 4\)](#)

Amends Chapter 25 (Zoning Code), of the Hawai'i County Code 1983 (1995 Edition), relating to Bed and Breakfast Establishments.
{Section 25-1-5(b) 13: Amends the meaning of bed and breakfast establishment to include any single family dwellings and/or guest houses which have been permitted on a building site; Section 25-2-73: Eliminates the plan approval requirements by repealing the section; Section 25-4-7: Permits bed and breakfast establishments in the RA, FA, A districts within the State Land Use Urban District; eliminates the concept of a bed and breakfast as an accessory use, but retains the requirement that it be subordinate and clearly or customarily incidental to the principal use as a residence by its operator; retains existing 5-guest bedroom limitation; deletes minimum lot size requirement of 15,000 square feet; and makes minor grammatical changes.

Re: [Comm. 734.008](#)

Intr. by: Ms. Leithead-Todd

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 344:](#)

Amends the State Land Use Boundaries Map, H-14 for the County of Hawai'i, by changing the district classification from the Agricultural to the Rural District at Ouli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:28.
{P. Mariah Kusters, applicant.}

Re: [Comm. 969](#)

Intr. by: Ms. Leithead-Todd (B/R)

PASSED 2ND & FINAL READING 1st Reading: November 20, 2000

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

1 NO: Councilmember Jacobson

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 345:](#)
[\(Draft 2\)](#) Amends Section 25-8-7 (North and South Kohala Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the district classification from Agricultural (A-5a) to Residential and Agricultural (RA-2a) at Ouli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:28.
{P. Mariah Kusters, applicant. }

Re: [Comm. 969.001](#)

Intr. by: Ms. Leithead-Todd (B/R)

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

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

1 NO: Councilmember Jacobson

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 346:](#) Amends the State Land Use Boundaries Map, H-25 for the County of Hawai'i, by changing the district classification from the Agricultural to the Rural District at Ouli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-9:22.
{Andrew Kelsey, applicant. }

Re: [Comm. 970](#)

Intr. by: Ms. Leithead-Todd (B/R)

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

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

1 NO: Councilmember Jacobson

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 347:](#)
[\(Draft 2\)](#) Amends Section 25-8-7 (North and South Kohala Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the District Classification from Agricultural (A-5a) to Residential and Agricultural (RA-2a) at Ouli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-9:22.
{Andrew Kelsey, applicant. }

Re: [Comm. 970.001](#)

Intr. by: Ms. Leithead-Todd (B/R)

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

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

1 NO: Councilmember Jacobson

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 351](#): Amends Ordinance No. 00-63, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2001.
{Increases revenues in the Federal - Block Grant (\$3,000) and Block Grant Program Income (\$28,473.31) accounts; and appropriates \$31,473.31 to the Removal of Architectural Barriers account.}

Re: [Comm. 979](#)

Intr. by: Ms. Piscichio

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Piscichio, Safarik, Tyler, Yagong and Chairman Arakaki

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 352](#): Amends Ordinance No. 00-63, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2001.
{Increases revenues of \$102,274.71 in the HOME Program Income account; and appropriates same to the following accounts: County of Hawai'i - 1999 Tenant (\$59,190.41), and 2000 Tenant Based Rental Assistance (\$43,084.30).}

Re: [Comm. 980](#)

Intr. by: Ms. Piscichio

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Piscichio, Safarik, Tyler, Yagong and Chairman Arakaki

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 354](#): Amends Ordinance 00-64, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2000 to June 30, 2001. {Adds the PUBLIC WORKS: Komohana Street Bridge at Alenaio Stream-Federal project (\$4,000,000); funds for this project to be provided from Federal Grants receivable (\$4,000,000).}

Re: [Comm. 982](#)

Intr. by: Mr. Chung

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 355](#): Amends Ordinance No. 00-64, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2000 to June 30, 2001. {Adds the PUBLIC WORKS: Repair Flood Damage - Federal Highway Administration project (\$4,000,000); funds for this project to be provided from Federal Grants Receivable (\$4,000,000).}

Re: [Comm. 984](#)

Intr. by: Mr. Chung

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 356](#): Amends Ordinance No. 00-64, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2000 to June 30, 2001. {Adds the PUBLIC WORKS: Stream Repairs - Natural Resources Conservation Service project (\$1,500,000); funds for this project to be provided from Federal Grants Receivable (\$1,500,000).}

Re: [Comm. 985](#)

Intr. by: Mr. Chung

PASSED 2ND & FINAL READING 1st Reading: November 29, 2000

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

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.)

Comm. 14: EXECUTIVE SESSION - OTANI V. COUNTY OF HAWAI'I, CIV.
CONCUR WITH NO. 96-0062DAE & 96-0063DAE; AND STATE V. MANUEL
RECOMMEN- FRAGIAO, CR. NO. 96-224
DATION OF _____
CORP COUNSEL From Deputy Corporation Counsel Joseph K. Kamelamela, dated
December 1, 2000.

Comm. 32.1: EXECUTIVE SESSION - CAZIMERO V. COUNTY OF HAWAI'I,
CONCUR ET. AL., CIVIL NO. 00-1-0384
W/ RECOMMEN- _____
DATION OF From Acting Corporation Counsel Ted H.S. Hong, dated
CORP COUNSEL December 13, 2000.

OTHER BUSINESS

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

Comm. 31: NOMINATION OF LINCOLN S.T. ASHIDA TO CORPORATION
APPROVED COUNSEL
APPOINTMENT _____
CONFIRMED From Mayor Harry Kim, dated December 6, 2000;

Waived: FC

and

Comm. 31.1: From Acting Corporation Counsel Ted H.S. Hong, dated
December 8, 2000.

ANNOUNCEMENTS

TUESDAY, JANUARY 9, 2001

PUBLIC WORKS & INTERGOVERN- MENTAL RELATIONS COMMITTEE	9:00 a.m.	COUNCILROOM
FINANCE COMMITTEE	10:00 a.m.	COUNCILROOM
PARKS & ENVIRONMENTAL MANAGEMENT COMMITTEE	1:00 p.m.	COUNCILROOM
PLANNING COMMITTEE	2:00 p.m.	COUNCILROOM
HUMAN SERVICES & ECONOMIC DEVELOPMENT COMMITTEE	3:00 p.m.	COUNCILROOM

WEDNESDAY, JANUARY 10, 2001

COUNCIL	9: 00 a.m.	COUNCILROOM
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TUESDAY, JANUARY 23, 2001

COMMITTEES	TBA	COUNCILROOM
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WEDNESDAY, JANUARY 24, 2001

COUNCIL	9:00 a.m.	COUNCILROOM
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STATEMENTS FROM THE PUBLIC

ADJOURNMENT - 3:15 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, December 27, 2000, at 6 p.m.; and Sunday, December 31, 2000, at 9:00 a.m.; and
Wednesday, January 3, 2001, at 6:00 p.m.