

JAMES Y. ARAKAKI
Chairman & Presiding Officer

J. CURTIS TYLER, III
Vice Chairman



AARON S.Y. CHUNG
LENINGRAD ELARIONOFF
JULIE JACOBSON
BOBBY JEAN LEITHEAD-TODD
NANCY PISICCHIO
GARY SAFARIK
DOMINIC YAGONG

COUNTY COUNCIL

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

12th Session

ORDER OF BUSINESS

Hawai'i County Council
Hilo, Hawai'i

May 16, 2001
9:00 a.m.

INVOCATION

The Reverend David Bishop of the Church of God

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

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

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

ORDER OF RESOLUTIONS

Res. 73-01: Authorizes the acceptance of a gift of eight Lifepak 500 automatic external defibrillators to the Hawai'i County Fire Department from Dr. and Mrs. Earl Bakken.

Re: Comm. 186
 Intr. by: Mr. Chung
 Approved: FC-72

Res. 79-01: Appropriates/Transfers \$9,000 out and from the HSAC/NACo Contractual Services Miscellaneous Charges account and credits same to the Clerk-Council Services Overtime Salaries & Wages (\$7,000), and the Clerk-Council Services Miscellaneous Salaries & Wages accounts (\$2,000).

Re: Comm. 206
 Intr. by: Mr. Arakaki
 Waived: FC

BILLS FOR ORDINANCES (FIRST READING)

Bill 38: Establishes an Operating Budget for the County of Hawai'i for the Fiscal Year July 1, 2001 to June 30, 2002;
 {Proposed \$193,521,811 Operating Budget for the County of Hawai'i.}

Re: Comm. 140
 Intr. by: Mr. Chung
 Approved: FC-69

and
 Comm. 140.32: From Public Works Business Manager Nancy Crawford, dated April 23, 2001;

and
 Comm. 140.33: From Mayor Harry Kim, dated May 4, 2001, transmitting a proposed Draft 2 to Bill 38;
 and

Bill 38: Establishes an Operating Budget for the County of Hawai'i for the Fiscal Year July 1, 2001 to June 30, 2002;
 (Draft 2) {Proposed \$196,150,529 Operating Budget for the County of Hawai'i.}
 and

Comm. 140.34: From Legislative Auditor Connie Kiriu, dated May 7, 2001, transmitting a Corporation Counsel opinion regarding Bill 38;

- and
- Comm. 140.35: From Councilmember Dominic Yagong, dated May 7, 2001, relating to the Hawai'i Island Humane Society's policies towards hunters;
- and
- HSEDC Rept. 6: The Committee on Human Services & Economic Development is in
(C-122.56) accord with the intent and purpose of the funding recommendations of \$900,000 to 45 nonprofit agencies, as set forth in Communication 122.56 and recommends its adoption by the Council;
- and
- Comm. 122.58: From Georgie Kennedy, Executive Director, West Hawai'i AIDS Foundation, dated April 11, 2001;
- and
- Comm. 122.59: From Robert K Masuda, YMCA President and CEO, dated May 3, 2001.
- Bill 39: Relates to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2001 to June 30, 2002;
{Proposed \$43,448,000 Capital Improvements Project Budget for the County of Hawai'i.}

Re: Comm. 141
Intr. by: Mr. Chung
Approved: FC-70

- and
- Comm. 141.2: From Mayor Harry Kim, dated May 4, 2001, transmitting a proposed Draft 2 to Bill 39;
- and
- Bill 39: Relates to Public Improvements and Financing Thereof for the Fiscal Year
(Draft 2) July 1, 2001 to June 30, 2002.
{Proposed \$46,386,000 Capital Improvements Project Budget for the County of Hawai'i.}
- Bill 49: Amends Section 25-8-33 (City of Hilo Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the district classification from Single Family Residential (RS-10) to Neighborhood Commercial (CN-10) at Waiakea, South Hilo, Hawai'i, covered by TMK: 2-2-40:3.
{PTC Partners, applicant.}

Re: Comm. 184
Intr. by: Ms. Leithead-Todd
Approved: PC-21

Bill 56: 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 \$159,729 in the following accounts: Federal Grants - Area Plan on Aging (\$105,000), State Grants - Nutrition Program (\$54,729), State Grants - Area Plan on Aging [\$13,271] and State Grants - Nutrition Program (\$13,271); and appropriates same to the following accounts: Area Plan on Aging, Other Current Expenses (\$105,000), Nutrition Program - Equipment (\$54,729), Area Plan on Aging - Other Current Expenses [\$13,271] and Nutrition Program - Equipment (\$13,271).}

Re: Comm. 209
Intr. by: Mr. Chung
Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 48: Amends Ordinance 00-63, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2001.
{Appropriates revenues of \$470,250 in the Interest Earned account; and appropriates same to the following accounts: Fire Protection - Salaries & Wages (\$59,000) and Basic EMT Training Equipment (\$411,250).}

Re: Comm. 181
Intr. by: Mr. Chung
1st Reading: May 2, 2001

Bill 50: 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 following PARKS & RECREATION projects: Hilo Bayfront Beach Park - Photovoltaic Lighting System - Federal (\$20,000), Hilo Bayfront Beach Park - Photovoltaic Lighting System - State (\$30,000), and Hilo Bayfront Beach Park - Photovoltaic Lighting System - County (\$30,000); funds for these projects to be provided from Federal Grants Receivable (\$20,000), State Grants Receivable (\$30,000) and General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources (\$30,000).}

Re: Comm. 190
Intr. by: Mr. Chung
1st Reading: May 2, 2001

- Bill 51:
(Draft 3)
- 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 POLICE DEPARTMENT: Public Safety Building Complex Cellblock Detention Facility (\$400,000); funds for this project to be provided from General Obligation Bonds, Capital Projects Fund-Fund Balance and/or Other Sources (\$400,000). }
- Re: Comm. 191.2
Intr. by: Mr. Chung (B/R)
1st Reading: May 2, 2001
- Bill 52:
- 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 following General Fund accounts: Federal - Block Grant (\$2,295,000) and Block Grant Program Income (\$8,400); and appropriates to the following General Fund accounts: Transportation Service-Van Purchase (\$45,000), Public Facilities-Solar Water Heating (\$100,000), Public Facilities, Police Cell Block (\$500,000), Flood Drainage Improvements (\$458,400), Removal of Architectural Barriers (\$700,000), Administration/Planning/Fair Housing (\$350,000) and Public Facilities-Construction Management (\$150,000). }
- Re: Comm. 193
Intr. by: Mr. Safarik
1st Reading: May 2, 2001
- Bill 53:
- 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 \$963,000 in the Federal - 2001 HOME Program account and appropriates same to the following General Fund accounts: Pu'ukapu Senior Housing (\$850,000), Pu'ukapu Self-Help Housing (\$50,000) and Office of Housing and Community Development Administration (\$63,000). }
- Re: Comm. 194
Intr. by: Mr. Safarik
1st Reading: May 2, 2001

Bill 54: 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 following PARKS AND RECREATION project: Keaukaha Gymnasium - OHA (\$667,000); funds for this project shall be provided from State Grants Receivable (\$667,000).}

Re: Comm. 199
Intr. by: Mr. Chung
1st Reading: May 2, 2001

REPORTS

FC Rept. 71: The Committee on Finance recommends the confirmation of
(C-195) David R. Powell to the Hawai'i County Tax Board of Review to serve a term to end December 31, 2005.

FC Rept 73: The Committee on Finance recommends the disapproval of the request
(C-188) from Trimark Pacific Homes, L.P., for a waiver of late penalty fees paid on real property taxes; Tax Map Key 3-6-002-018.

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. 144.2: EXECUTIVE SESSION - UPW V. COUNTY OF HAWAI'I, ET. AL.;
CIVIL NO. 98-244
From Corporation Counsel Lincoln S.T. Ashida, dated April 30, 2001.

OTHER BUSINESS

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

ANNOUNCEMENTS

TUESDAY, JUNE 5, 2001

COMMITTEES	TBA	COUNCILROOM
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WEDNESDAY, JUNE 6, 2001

COUNCIL	9:00 a.m.	COUNCILROOM
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TUESDAY, JUNE 19, 2001

COMMITTEES	TBA	COUNCILROOM
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WEDNESDAY, JUNE 20, 2001

COUNCIL	9:00 a.m.	KING KAMEHAMEHA'S KONA BEACH HOTEL CONFERENCE ROOM 4
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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: Channel 52 (Hilo and Kona)

Wednesday, May 23, 2001, at 6 p.m.; Sunday, June 2, 2001, at 9 a.m.; and Wednesday, June 6, 2001, at 6 p.m.