

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*

15th Session

### ORDER OF BUSINESS

Hawai'i County Council  
Hilo, Hawai'i

July 6, 2001  
9:00 a.m.

INVOCATION

The Reverend Ron Kent of the Hilo Coast United Church

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

June 6, 2001

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

Comm. 244: From Mayor Harry Kim, submitting the nomination of Karl K. Kawahara  
to the County of Hawai'i Board of Ethics.

Waived: FC

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

## ORDER OF RESOLUTIONS

- Res. 85-01: 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.  
{Office of Management - Clerical Services Center.}
- Re: Comm. 222  
Intr. by: Mr. Chung  
Approved: FC-79
- Res. 89-01: Authorizes the acceptance of a donation of sixteen (16) rescue tubes and seven (7) training rescue boards for the Junior Lifeguard Training Programs.  
{Donation to the Parks & Recreation, Aquatics Division, for the Junior Lifeguard Training programs in Puna, Hilo, South Kohala and Kona.}
- Re: Comm. 240  
Intr. by: Ms. Pisicchio  
Approved: FC-80
- Res. 90-01:  
(Draft 2) Authorizes the acceptance of a donation of \$50 for the Pana'ewa Rainforest Zoo.  
{Donation from the Kamehameha School's Hamakua preschool facility.}
- Re: Comm. 241.1  
Intr. by: Ms. Pisicchio  
Approved: FC-81
- Res. 91-01: Authorizes the acceptance of a donation of thirty (30) picnic tables.  
{Donation from the Kona Lions Club to the Department of Parks & Recreation.}
- Re: Comm. 242  
Intr. by: Ms. Pisicchio  
Approved: FC-82
- Res. 93-01: Authorizes the acceptance of a grant of easement located at Kahauloa 2nd, South Kona, Hawai'i, being a portion of Tax Map Key (3)8-3-016:013 (Portion), between T. Red Co., Inc., and the County of Hawai'i.
- Re: Comm. 245  
Intr. by: Mr. Elarionoff  
Approved: PWIRC-10

Res. 94-01: Changes time element of a Clerk-Stenographer 1/2T to 3/4T.  
{Office of the Prosecuting Attorney - Victims of Crime Act.}

Re: Comm. 246  
Intr. by: Ms. Pisicchio  
Approved: FC-83

Res. 95-01: Creates a Clerk II position for the Office of the Prosecuting Attorney.  
{Position for implementation of a Comprehensive Strategy Program for  
Juvenile Offenders.}

Re: Comm. 247  
Intr. by: Ms. Pisicchio  
Approved: FC-84

Res. 98-01: Supports the State Department of Hawaiian Home Lands  
Telecommunications Infrastructure and Service Project.  
{This project will provide fiber optic transmission lines to connect the six  
major islands by undersea cables, and on the islands, through underground  
infrastructures; encourages the County of Hawai'i to provide access to  
public rights-of-way needed to connect Hawaiian Home Lands to the  
project infrastructure.}

Re: Comm. 254  
Intr. by: Ms. Pisicchio  
Waived: HSEDC

BILLS FOR ORDINANCES (FIRST READING)

Bill 60: 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 Limited Industrial (ML-1a) to Industrial-Commercial Mixed (MCX-20) at Keahuolu, North Kona, Hawai'i, covered by Tax Map Key 7-4-8:Portion of 2, 68, 69 and 70; {Queen Liliuokalani Trust, applicant.}

Re: Comm. 219  
 Intr. by: Ms. Leithead-Todd  
 Deferred: June 20, 2001

and  
 Comm. 219.2: From Planning Committee Chair Bobby Jean Leithead-Todd, transmitting a proposed Draft 2 to Bill 60, which inserts a new Condition C to provide for a 35 foot height limit; inserts language in Condition H regarding the intersections of Makala Boulevard and Luhia Street, and Makala Boulevard and Queen Ka'ahumanu Highway; and inserts language in new Condition K regarding the fair share contributions;  
 and

Bill 60: 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 Limited Industrial (ML-1a) to Industrial-Commercial Mixed (MCX-20) at Keahuolu, North Kona, Hawai'i, covered by Tax Map Key 7-4-8:Portion of 2, 68, 69 and 70; {Queen Liliuokalani Trust, applicant.}

Bill 69: Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic. {Bus stop locations - Route 11 by Yano Hall.}

Re: Comm. 234  
 Intr. by: Mr. Elarionoff  
 Approved: PWIRC-11

Bill 70: Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic. {Freight loading zones - Sarona Road, Kona.}

Re: Comm. 235  
 Intr. by: Mr. Elarionoff  
 Approved: PWIRC-12

Bill 71:  
(Draft 2)                      Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic.  
{Use of certain streets by certain vehicles prohibited - Pakalani Street and Waipio Valley Road.}

Re:                      Comm. 238.1  
Intr. by:              Mr. Elarionoff  
Approved:              PWIRC-13

Bill 76:                      Amends Ordinance No. 01-55, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2002.  
{Increases revenues of \$3,597,429 in the Federal Grants - Workforce Investment Act 2001 account; and appropriates same to the Workforce Investment Act Administration/Planning 2001 (\$359,742) and Workforce Investment Act Programs 2001 (\$3,237,687) accounts.}

Re:                      Comm. 258  
Intr. by:              Mr. Safarik  
Approved:              HCHA/June 19, 2001

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 64:  
(Draft 2)                      Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic.  
{Speed limits - Nanawale Estates, Puna.}

Re:                      Comm. 224.2  
Intr. by:              Mr. Elarionoff  
1st Reading:              June 20, 2001

Bill 66: Amends the State Land Use Boundaries Map, H-7 for the County of Hawai'i, by changing the district classification from the Agricultural to the Urban District at Lanihau 1st, North Kona, Hawai'i, covered by Tax Map Key 7-5-3:19; {EHP Corp., applicant.}

Re: Comm. 229  
 Intr. by: Ms. Leithead-Todd  
 1st Reading: June 20, 2001

and

Comm. 229.2: From Planning Committee Chair Bobby Jean Leithead-Todd, dated June 21, 2001, transmitting a proposed Draft 2 to Bill 66, which corrects the spelling of "Honakahau" Road to "Honokōhau" Road;

and

Bill 66: Amends the State Land Use Boundaries Map, H-7 for the County of Hawai'i, by changing the district classification from the Agricultural to the Urban District at Lanihau 1st, North Kona, Hawai'i, covered by Tax Map Key 7-5-3:19. {EHP Corp., applicant.}

(Draft 2)

Bill 67: 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 General Commercial (CG-20) at Lanihau 1st, North Kona, Hawai'i, covered by Tax Map Key 7-5-3:19. {EHP Corp., applicant; Draft 2 corrects the spelling of "Honakahau" Road to "Honokōhau" Road, inserts okinas in Hawai'i throughout the document, inserts language in Condition D to provide for a 45 foot height limit, and inserts language in Condition H to state the applicant instead of the Department of Public Works shall prepare a Traffic Impact Analysis Report.}

(Draft 2)

Re: Comm. 229  
 Intr. by: Ms. Leithead-Todd  
 1st Reading: June 20, 2001

Bill 68: Amends Ordinance No. 00-105, which amended Ordinance Nos. 99-76 and 94-78, which reclassified lands from Unplanned (U) to Agricultural (A-1a) at Puuanahulu Homesteads, North Kona, Hawai'i, covered by Tax Map Key 7-1-05:9, 10, 22, 26, 28-34, 39, 40, 41, 58 & 59. {Big Island Country Club Estates, applicant.}

Re: Comm. 230  
 Intr. by: Ms. Leithead-Todd  
 1st Reading: June 20, 2001

REPORTS

- FINANCIAL REPORT: Monthly Financial Status Report from the Department of Finance for the month ended May 31, 2001.
- PC Rept. 28: (C-232) The Committee on Planning recommends the approval of the appointment of Sandra Wood Scarr to serve on Hawai'i County Water Board.

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. 144.3: EXECUTIVE SESSION - UPW V. COUNTY OF HAWAI'I, ET. AL. CIVIL NO. 98-244 (DECLARATORY ACTION SEEKING COMPLIANCE WITH *KONNO* DECISION REGARDING JANITORIAL AND GROUND MAINTENANCE SERVICES IN HAWAI'I COUNTY)  

---

From Corporation Counsel Lincoln Ashida, dated June 25, 2001.
- Comm. 255: EXECUTIVE SESSION - CLAIM OF CATHY FUNAI  

---

From Deputy Corporation Counsel Steven Christensen, dated June 18, 2001.

OTHER BUSINESS

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

ANNOUNCEMENTS

TUESDAY, JULY 31, 2001

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

WEDNESDAY, AUGUST 1, 2001

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

TUESDAY, AUGUST 14, 2001

COMMITTEES

TBA

COUNCILROOM

WEDNESDAY, AUGUST 15, 2001

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: Channel 52 (Hilo and Kona)  
Wednesday, July 11, 2001, at 6 p.m.; Sunday, July 15, 2001, at 10:30 a.m.; and Wednesday, July 18, 2001, at 6 p.m.