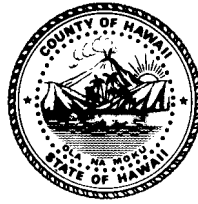


JAMES Y. ARAKAKI  
*Chairman & Presiding Officer*

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*

### 25th Session

### ORDER OF BUSINESS

Hawai'i County Council  
King Kamehameha's Kona Beach Hotel  
Conference Room 4  
75-5660 Palani Road  
Kailua-Kona, Hawai'i

Wednesday, December 5, 2001  
9:00 a.m.

INVOCATION

The Reverend Randy Gant of the Kona Church of the Nazarene

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

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

(Note: Please turn cell phones, pagers, and other mobile communication devices on silent mode.)

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

## ORDER OF RESOLUTIONS

Res. 145-01: Amends Salary Ordinance 01-59 to amend the pay rates for the Student Intern, Student Helper I, Student Helper II, and Senior Community Services Aid Classes of Work.  
{Increases the salaries in these classes to coincide with the increase in the State's minimum wage.}

Re: Comm. 415  
Intr. by: Mr. Chung  
Approved: FC-147

Res. 146-01: Authorizes the Director of Finance to compromise penalties & interest portion of  
(Draft 2) real property taxes assessed against Hawaiian Home Lands Homestead Lessees in exchange for the Department of Hawaiian Home Lands making payment of real property taxes owed by Hawaiian Home Lands Homestead Lessees.

Re: Comm. 416.1  
Intr. by: Mr. Chung (B/R)  
Approved: FC-148

Res. 150-01: Relates to a legislative proposal for inclusion in the 2002 Hawai'i State Association of Counties (HSAC) Legislative Package that would amend the Hawai'i Constitution to allow direct filing of felony charges and make implementing amendments to the Hawai'i Revised Statutes.

Re: Comm. 434  
Intr. by: Mr. Elarionoff (B/R)  
Waived: PWIRC

## BILLS FOR ORDINANCES (FIRST READING)

Bill 121: Amends Chapter 19, Article 11, Section 19-90(g), Hawai'i County Code  
(Draft 3) 1983 (1995 Edition) relating to the minimum tax.  
{Increases the minimum real property tax from \$25 to \$100 with the following exceptions, which will remain at \$25: 1) Property in the Homeowner Class; 2) Property assessed at a market value of less than or equal to \$500; and 3) Property receiving a Totally Disabled Veteran Exemption.}

Re: Comm. 387.5  
Intr. by: Mr. Chung  
Approved: FC-149

- Bill 129: 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, Waimea, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:15. {Henry Clinton & Sandie H. Williams, applicant.}
- Re: Comm. 412  
Intr. by: Ms. Leithead-Todd (B/R)  
Approved: PC-44
- Bill 130: Amends Section 25-8-7 (North and South Kohala Districts 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, Waimea, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:15. {Henry Clinton & Sandie H. Williams, applicant.}
- Re: Comm. 412  
Intr. by: Ms. Leithead-Todd (B/R)  
Approved: PC-45
- Bill 323:  
(1994) Amends 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) to Resort-Hotel (V-5.5) at Waiakea, South Hilo, Hawai'i, covered by Tax Map Key 2-1-03:24 and portion of 23. {Mauna Kea Holding Company, Inc., applicant.}
- Re: Comm. 1364 (1994)  
Intr. by: Mr. Domingo  
Filed: PC-46
- Bill 325:  
(1994) Amends the County of Hawai'i General Plan as adopted by Ordinance No. 89-142 and as amended by Ordinance Nos. 90-71, 91-48, 91-72, 91-131, 92-115, 93-10 and 93-11. {Planning Director Initiated.}
- Re: Comm. 1366 (1994)  
Intr. by: Mr. Domingo  
Filed: PC-47

## ORDER OF THE DAY (SECOND OR FINAL READING)

- Bill 122: Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic.  
{15 mile per hour speed limit, one-way traffic pattern, and no parking zones - Honaunau Beach Road.}
- Re: Comm. 397  
Intr. by: Mr. Elarionoff  
1st Reading: November 21, 2001
- Bill 123: Amends Ordinance No. 01-56, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2001 to June 30, 2002.  
{Adds the following PUBLIC WORKS projects: Ali'i Drive road improvement - Federal (\$320,000), and Ali'i Drive Road Improvement - County (\$80,000); funds to be provided from Federal Grants Receivable (\$320,000) and Beautification Fund (\$80,000).}
- Re: Comm. 398  
Intr. by: Mr. Tyler  
1st Reading: November 21, 2001
- Bill 124: Amends Ordinance 01-55, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2002.  
{Appropriates revenues in the Fund Balance from Prior Year, Beautification Fund account (\$80,000), and appropriates same to the Transfer to Capital Project fund, Beautification Fund account (\$80,000).}
- Re: Comm. 398  
Intr. by: Mr. Tyler  
1st Reading: November 21, 2001
- Bill 125: Amends Ordinance 01-56, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2001, to June 30, 2002.  
{Adds the PARKS & RECREATION: Laaloa Bay Beach Park Improvements (\$150,000); funds to be provided by General Obligation Bonds, Capital Projects Fund-Fund Balance and/or Other Sources.}
- Re: Comm. 401  
Intr. by: Ms. Pisicchio  
1st Reading: November 21, 2001

- Bill 127: Amends Chapter 12, Article 5 of the Hawai'i County Code (1995 Edition) relating to refunding of the outstanding indebtedness of improvement districts. {Brings the Hawai'i County Code in compliance with the County Charter by requiring two readings to promulgate a refunding measure.}
- Re: Comm. 405  
Intr. by: Mr. Arakaki  
1st Reading: November 21, 2001
- Bill 128: Amends Ordinance 01-55, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2002. {Appropriates revenues of \$200,000 in the Federal Grants, Civil Defense Hazards Mitigation Plan account; and appropriates same to the Civil Defense Hazards Mitigation Plan account.}
- Re: Comm. 407  
Intr. by: Mr. Chung  
1st Reading: November 21, 2001
- Bill 131:  
(Draft 2) Provides for the issuance of County of Hawai'i Improvement District No. 17, Kaloko Subdivision, 2001 Special Assessment Refunding Bonds in an amount not to exceed \$10,165,000.
- Re: Comm. 418.12  
Intr. by: Mr. Chung  
1st Reading: November 21, 2001

## REPORTS

- FINANCIAL  
REPORT: Monthly Financial Status Report from the Department of Finance for the month ended October 30, 2001.

## 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. 426: EXECUTIVE SESSION - CLAIM OF CAROL SILVA  
From Deputy Corporation Counsel Joseph K. Kamelamela, dated November 13, 2001.
- Comm. 435: EXECUTIVE SESSION - APPROVAL OF INDEPENDENT CONTRACT AUDITOR FOR REQUEST FOR PROPOSAL 1979  
From Legislative Auditor Constance Kiriu, dated November 26, 2001.

**OTHER BUSINESS**

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

**ANNOUNCEMENTS**

	<u>WEDNESDAY, DECEMBER 19, 2001</u>	
COUNCIL	TBA	COUNCILROOM
	<u>TUESDAY, JANUARY 8, 2001</u>	
COMMITTEES	TBA	COUNCILROOM
	<u>WEDNESDAY, JANUARY 9, 2001</u>	
COUNCIL	TBA	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.)

Due to the lack of reasonable copying services, persons wishing to distribute written testimony to Councilmembers should submit 15 copies prior to the convening of the meeting.

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, December 12, 2001, at 6 p.m.; Sunday, December 16, 2001, at 10:30 a.m.; and Wednesday, December 19, 2001, at 6 p.m.