

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. 194-02: Naming of streets in the County of Hawai'i, State of Hawai'i.
{Kahauloa Road, Kahauloa Street, Manini Beach Road - located within the Kahauloa
House Lots Subdivision, Kahauloa 1st, South Kona, Hawai'i.}

Re: Comm. 578
Intr. by: Ms. Leithead-Todd
Approved: PC-78
Deferred: May 1, 2002

ADOPTED

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

Res. 202-02: Authorizes the Mayor to enter into a multi-year agreement with K. Taniguchi, Ltd., for
the Hanama Place office building.
{To extend usage of the Hanama Place Office Building in Kailua-Kona for a period of
three years, from July 1, 2002 to June 30, 2005.}

Re: Comm. 592
Intr. by: Mr. Chung (B/R)
Approved: FC-221

ADOPTED

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

NOES: None

BILLS FOR ORDINANCES (FIRST READING)

Bill 181: Establishes an Operating Budget for the County of Hawai'i for the fiscal year July 1, 2002 to June 30, 2003.
{Proposed \$202,785,172 Operating Budget for the County of Hawai'i.};

Re: Comm. 533
Intr. by: Mr. Chung
Approved: FC-223

and

DEFERRED BILL 181 AND BILL 181, DRAFT 2, AND ALL RELATED COMMUNICATIONS TO SPECIAL COUNCIL MEETING TO BE HELD ON MAY 28, 2002

Comm. 533.18: From Finance Director William Takaba, dated April 18, 2002, transmitting an e-mail message (dated April 17, 2002) from Personnel Director Mike Ben, proposing additional reductions to his FY2002-03 budget;

and

Comm. 533.19: From Albert and Marilyn Idemoto, dated April 26, 2002;

and

(Comm. 533.20 is continued on the next page.)

Comm. 533.20: From Mayor Kim, dated May 3, 2002, transmitting Bill 181, Draft 2;

and

Bill 181: Establishes an Operating Budget for the County of Hawai'i for the fiscal year July 1, 2002 to June 30, 2003.
(Draft 2) {Proposed \$205,258,726 Operating Budget for the County of Hawai'i.};

and

Comm. 533.21: From Mayor Harry Kim, dated May 3, 2002, transmitting the Administration's proposed new real property tax rates for FY2002-03;

and

Comm. 533.22: From Dr. Ted Leaf, dated April 19, 2002, transmitting two articles from the Hawai'i Island Journal;

and

HSEDC The Committee on Human Services and Economic Development is in accord with the
Rept. 11: intent and purpose of the funding recommendations to 46 nonprofit agencies, as set
(C-522.13) forth in Communication 522.13, for inclusion in the Mayor's FY2002-03 Operating
Budget (Bill 181, Draft 2) and recommends its adoption by the Council.

Bill 182: Relates to Public Improvements and financing thereof for the fiscal year July 1, 2002 to June 30, 2003.
 {Proposed \$62,373,000 Capital Improvements Project Budget for the County of Hawai'i.};

Re: Comm. 534
 Intr. by: Mr. Chung
 Approved: FC-224

and

Comm. 534.1: From Mayor Kim, dated May 3, 2002, transmitting Bill 182, Draft 2;

and

Bill 182: Relates to Public Improvements and financing thereof for the fiscal year July 1, 2002 to June 30, 2003.
 (Draft 2) {Proposed \$62,464,000 Capital Improvements Project Budget for the County of Hawai'i.}

DEFERRED BILL 182, DRAFT 2, AND ALL RELATED COMMUNICATIONS TO SPECIAL COUNCIL MEETING TO BE HELD ON MAY 28, 2002

Bill 208: Adopts a pay plan for persons employed by the County other than those whose pay is otherwise provided for, designating payroll periods, pay days, prescribing requirements with respect to official fidelity bonds, and repealing Ordinance No. 01-59 and all amendments thereto, said ordinance to be known as the Salary Ordinance of 2002.

Re: Comm. 590
 Intr. by: Mr. Chung
 Approved: FC-220

PASSED 1ST READING

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

NOES: None

Bill 209: 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 PUBLIC WORKS DEPARTMENT Puna Makai Alternate Route Study - Council District 5 (\$250,000); funds to be provided by General Obligation Bonds, Capital Projects Fund-Fund Balance and/or Other Sources (\$250,000).}

Re: Comm. 593
Intr. by: Mr. Safarik
Approved: FC-222

PASSED 1ST READING

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

Bill 217: 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 \$233,272.50 in the Federal Grants – Workforce Investment Act 2001 Workforce Investment Act Fund account; and appropriates \$82,882.50 to the Workforce Investment Act Administration/Planning 2001 Workforce Investment Act Fund account and \$150,390 to the Workforce Investment Act Programs 2001 Workforce Investment Act Fund account, for a total of \$233,272.50.}

Re: Comm. 629
Intr. by: Mr. Safarik
Waived: CHA

PASSED 1ST READING

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

Bill 218: 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 \$2,897,656 in the Federal Grants – Workforce Investment Act 2002 Workforce Investment Act Fund account; and appropriates \$289,764 to the Workforce Investment Act Administration/Planning 2001 Workforce Investment Act Fund account and \$2,607,892 to the Workforce Investment Act Programs 2001 Workforce Investment Act Fund account, for a total of \$2,897,656.}

Re: Comm. 629
 Intr. by: Mr. Safarik
 Waived: CHA

PASSED 1ST READING

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

NOES: None

2 ABSENT & EXCUSED: Councilmembers Chung and Yagong

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 202: 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 'Ōuli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:26.
 {Thomas C. and F. Ann Hill, applicant.}

Re: Comm. 573
 Intr. by: Ms. Leithead-Todd
 1st Reading: May 1, 2002

PASSED 2ND & FINAL READING

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

1 NO: Councilmember Jacobson

2 ABSENT & EXCUSED: Councilmembers Chung and Yagong

Bill 203: Amends Section 25-8-7 (North and South Kohala District Zone Map), Article 8,
(Draft 2) 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
'Ōuli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:26.
{Thomas C. and F. Ann Hill, applicant. }

Re: Comm. 573
Intr. by: Ms. Leithead-Todd
1st Reading: May 1, 2002

PASSED 2ND & FINAL READING

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

1 NO: Councilmember Jacobson

2 ABSENT & EXCUSED: Councilmembers Chung and Yagong

Bill 204: Amends Chapter 25 (Zoning Code) of the Hawai'i County Code relating to de minimis
structure position discrepancy;

Re: Comm. 579
Intr. by: Ms. Leithead-Todd
1st Reading: May 1, 2002

and

Comm. 579.1: From Planning Committee Chair Bobby Jean Leithead-Todd, dated May 6, 2002,
transmitting Bill 204, Draft 2;

and

Bill 204: Amends Chapter 25 (Zoning Code) of the Hawai'i County Code relating to de minimis
(Draft 2) structure position discrepancy.
{Draft 2 enables the County of Hawai'i to charge an application fee for the de minimis
structure position discrepancy. }

PASSED 2ND & FINAL READING

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

NOES: None

2 ABSENT & EXCUSED: Councilmembers Chung and Yagong

Bill 206: Amends Ordinance No. 01-55, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2002.
{Appropriates revenues of \$2,000 in the Federal Grants – Emergency Medical Services Childhood Injury Prevention account; and appropriates same to the Emergency Medical Services Childhood Injury Prevention account.}

Re: Comm. 585
Intr. by: Mr. Chung
1st Reading: May 1, 2002

PASSED 2ND & FINAL READING

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

NOES: None

2 ABSENT & EXCUSED: Councilmembers Chung and Yagong

Bill 207: 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.
{Increases the appropriation of PUBLIC WORKS Puainako Street Extension – Federal account from [\$410,000] to \$6,410,000; to be provided from Federal Grants Receivable account (\$6,000,000).}

Re: Comm. 586
Intr. by: Mr. Chung
1st Reading: May 1, 2002

PASSED 2ND & FINAL READING

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

Bill 210: 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 \$37,244.70 in the Block Grant Program Income account; and appropriates same to the Removal of Architectural Barriers account.}

Re: Comm. 600
Intr. by: Mr. Safarik
1st Reading: May 1, 2002

PASSED 2ND & FINAL READING

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

Bill 211: 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 in the following accounts: Federal – 2002 HOME Program account (\$963,000) and HOME Program Income account (\$8,695), for a total amount of \$971,695; appropriates same to the following accounts: Assisted Living Project account ([15,000]), County of Hawai'i Tenant-Based Rent Assistance account ([28,000]), County of Hawai'i Tenant-Based Rent Assistance ([648,305]), Kamuela Senior Housing account (\$691,305), Kamuela Senior Housing account (\$208,695), Pu'ukapu Self-Help Housing (\$700,000), and Office of Housing and Community Development Administration account (\$63,000), for a total amount of \$971,695.}

Re: Comm. 601
 Intr. by: Mr. Safarik
 1st Reading: May 1, 2002

PASSED 2ND & FINAL READING

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

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

Bill 212: 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 in the following accounts: Federal – Block Grant account (\$2,304,000) and Block Grant Program Income account (\$8,400); for a total amount of \$2,312,400; appropriates same to the following accounts: Acquisition-Hale Ohana Domestic Abuse Shelter account (\$289,000), Residential Emergency Repair Program account (\$300,000), Removal of Architectural Barriers-Americans with Disabilities Act Compliance-Various County Facilities account (\$643,400), Removal of Architectural Barriers-Americans with Disabilities Act Compliance-Curb Cuts/Ramps account (\$800,000), Public Facilities-Direct Cost Construction Management account (\$80,000), and Administration, Planning & Fair Housing account (\$200,000), for a total amount of \$2,312,400.}

Re: Comm. 602
 Intr. by: Mr. Safarik
 1st Reading: May 1, 2002

PASSED 2ND & FINAL READING

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. 189.5: EXECUTIVE SESSION – SILVA, ET. AL. VS. COUNTY OF HAWAII, ET. AL.
CIVIL NO. 97-622
From Corporation Counsel Lincoln S. T. Ashida, dated May 1, 2002.

CONCUR W/RECOMMENDATION OF CORPORATION COUNSEL

Comm. 628: EXECUTIVE SESSION – KONISHI VS. COUNTY OF HAWAI'I
From Deputy Corporation Counsel Michael S. Kagami, dated May 3, 2002.

CONCUR W/RECOMMENDATION OF CORPORATION COUNSEL

OTHER BUSINESS

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

ANNOUNCEMENTS

	<u>THURSDAY, MAY 16, 2002</u>	
COUNCIL PUBLIC HEARING (REAL PROPERTY TAX RATES)	6:00 p.m.	ROYAL KONA RESORT DISCOVERY ROOM
	<u>TUESDAY, MAY 28, 2002</u>	
SPECIAL COUNCIL MEETING (RE: BILLS 181; 181, DRAFT 2; AND BILL 182)	9:00 a.m.	COUNCILROOM
	<u>WEDNESDAY, MAY 29, 2002</u>	
PLANNING COMMITTEE GENERAL PLAN WORKSHOP	9:00 a.m.	COUNCILROOM
	<u>TUESDAY, JUNE 4, 2002</u>	
COMMITTEES	TBA	COUNCILROOM
	<u>WEDNESDAY, JUNE 5, 2002</u>	
COUNCIL	9:00 a.m.	COUNCILROOM

STATEMENTS FROM THE PUBLIC

ADJOURNMENT 12:24 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 by May 13, 2002. 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 22, 2002, at 6 p.m.; Sunday, May 26, 2002, at 10:30 a.m.; and Wednesday, May 29, 2002, at 6 p.m.