

JAMES Y. ARAKAKI
Chairman & Presiding Officer

J. CURTIS TYLER, III
Vice Chairman



AARON S.Y. CHUNG
LENINGRAD ELARIONOFF
FRED C. HOLSCHUH, M.D.
BOB JACOBSON
BOBBY JEAN LEITHEAD-TODD
JOE REYNOLDS
GARY SAFARIK

COUNTY COUNCIL

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

5th Session

ORDER OF BUSINESS

Hawai'i County Council
Hilo, Hawai'i

Wednesday, February 5, 2003
9:00 a.m.

INVOCATION	Reverend Tag Taggart of the Center for Spiritual Growth
CALL TO ORDER	9:12 a.m.
ROLL CALL	All present
PLEDGE OF ALLEGIANCE	
APPROVAL OF MINUTES	

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

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

Comm. 120: VISITATION BY GOVERNOR LINDA LINGLE
From Council Member Leningrad Elarionoff, dated January 22, 2003, states the Governor will address concerns raised by Council Members relating to island-wide issues. Further states that her presentation will be an hour long and will be followed by a break.

FILED

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

ORDER OF RESOLUTIONS

Res. 34-03: Authorizes the acceptance of a monetary donation of \$1,000 to the Hawai'i County Police Department. {Funds provided by the Hawai'i Island Chapter of the Hawai'i Joint Police Association to be used towards the Hawai'i County Police Department's HI-PAL Program.}

Re: Comm. 102
Intr. by: Mr. Chung
Approved: FC-41

ADOPTED

7 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik and Tyler
NOES: None
2 ABSENT & EXCUSED: Councilmembers Chung and Chairman Arakaki

Res. 35-03: Authorizes the payment of funds of a later fiscal year and of more than one fiscal year for a multi-year lease of real property for the EMS Ambulance Unit in Na'alehu. {Their current lease expires on March 1, 2003.};

Re: Comm. 103
Intr. by: Mr. Chung
Approved: FC-43

and

Comm. 103.1: From Deputy Fire Chief Desmond K. Wery, dated January 27, 2003.

ADOPTED

7 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik and Tyler
NOES: None
2 ABSENT & EXCUSED: Councilmembers Chung and Chairman Arakaki

BILLS FOR ORDINANCES (FIRST READING)

Bill 17: 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 6-2-11:25 (Approx. 5.0005 acres). {Robert D. Fischler, Applicant.}

Re: Comm. 46
 Intr. by: Ms. Leithead-Todd
 Approved: PC-13

PASSED 1ST READING

7 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik and Tyler

NOES: None

2 ABSENT & EXCUSED: Councilmembers Chung and Chairman Arakaki

Bill 18: 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 'Ōuli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:25 (Approx. 5.0005 acres). {Robert D. Fischler, Applicant.}

Re: Comm. 46
 Intr. by: Ms. Leithead-Todd
 Approved: PC-14

PASSED 1ST READING

7 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik and Tyler

NOES: None

2 ABSENT & EXCUSED: Councilmembers Chung and Chairman Arakaki

Bill 38: 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 Hienaloli 2nd, 3rd and 4th, North Kona, Hawai'i, covered by Tax Map Key 7-5-10:Portion of 52 and Portion of 65 (Approx. 10.02 acres). {Walter and Susan Welton, Applicants.}

Re: Comm. 96
 Intr. by: Ms. Leithead-Todd (B/R)
 Approved: PC-15

PASSED 1ST READING

6 AYES: Councilmembers Elarionoff, Holschuh, Leithead-Todd, Reynolds, Safarik and Tyler

1 NO: Councilmember Jacobson

2 ABSENT & EXCUSED: Councilmembers Chung and Chairman Arakaki

Bill 39: Amends Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code)
(Draft 2) of the Hawai'i County Code, by changing the district classification from Agricultural (A-5a) to Single Family Residential (RS-20) at Hienaloli 2nd, 3rd and 4th, North Kona, Hawai'i, covered by Tax Map Key 7-5-10:Portion of 52 and Portion of 65 (Approx. 10.02 acres). {Walter and Susan Welton, Applicants.};

Re: Comm. 96.2
Intr. by: Ms. Leithead-Todd
Approved: PC-16

and

Comm. 96.3: From David O. Kish, dated January 21, 2003; and
Comm. 96.4: From Harrilyn Wong, dated January 17, 2003; and
Comm. 96.5: From Diane Stone Leaf and Dr. Ted Leaf, dated January 18, 2003; and
Comm. 96.6: From Rab and Lynn Puri, dated January 21, 2003; and
Comm. 96.7: From Lolly Rodgers, dated January 19, 2003; and
Comm. 96.8: From Jerry Jernigan, dated January 20, 2003; and
Comm. 96.9: From Pamela Allegretto Franz and Ron A. Franz; and
Comm. 96.10: From David and Christine Hamilton, dated January 17, 2003; and
Comm. 96.11: From Daniel and Patricia Olson, dated January 16, 2003; and
Comm. 96.12: From Joanne and John Scribner, dated January 20, 2003; and
Comm. 96.13: From Mark and Denise Jernigan, dated January 21, 2003.

AMENDED TO DRAFT 3 & PASSED 1ST READING (DRAFT 3 WAS CIRCULATED AT THE MEETING)

8 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki

NOES: None

1 ABSENT & EXCUSED: Councilmember Chung

Bill 40: Amends Section 25-8-4 (South Kona Zone Map), Article 8, Chapter 25 (Zoning Code)
(Draft 2) of the Hawai'i County Code, by changing the district classification from Agricultural (A-5a) to Residential and Agricultural (RA-1a) at Waipunaula, South Kona, Hawai'i, covered by Tax Map Key 8-2-3:31 (Approx. 5.263 acres). {Daniel Decker, Applicant.}

Re: Comm. 97.1
Intr. by: Ms. Leithead-Todd
Approved: PC-17

AMENDED TO DRAFT 4 & PASSED 1ST READING (DRAFT 3 WAS CIRCULATED AT THE MEETING)

6 AYES: Councilmembers Elarionoff, Holschuh, Leithead-Todd, Reynolds, Tyler and Chairman Arakaki

1 NO: Councilmember Jacobson

2 ABSENT & EXCUSED: Councilmembers Chung and Safarik

Bill 41: 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 Kalaoa 4th, North Kona, Hawai'i, covered by Tax Map Key 7-3-10:29 (Approx. 8.2560 acres). {Dennis Young, Applicant.}

Re: Comm. 98
 Intr. by: Ms. Leithead-Todd (B/R)
 Approved: PC-18

PASSED 1ST READING

6 AYES: Councilmembers Elarionoff, Holschuh, Leithead-Todd, Reynolds, Tyler and Chairman Arakaki
 1 NO: Councilmember Jacobson
 2 ABSENT & EXCUSED: Councilmembers Chung and Safarik

Bill 42: Amends Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code) (Draft 2) of the Hawai'i County Code, by changing the district classification from Agricultural (A-5a) to Single Family Residential (RS-15) at Kalaoa 4th, North Kona, Hawai'i, covered by Tax Map Key 7-3-10:29 (Approx. 8.2560 acres). {Dennis Young, Applicant.}

Re: Comm. 98.1
 Intr. by: Ms. Leithead-Todd
 Approved: PC-19

AMENDED TO DRAFT 4 & PASSED 1ST READING (DRAFT 3 WAS CIRCULATED AT THE MEETING)

7 AYES: Councilmembers Chung, Elarionoff, Holschuh, Leithead-Todd, Reynolds, Tyler and Chairman Arakaki
 1 NO: Councilmember Jacobson
 1 ABSENT & EXCUSED: Councilmember Safarik

Bill 43: Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to Vehicles and Traffic. {Proposed passenger loading zone located on the mauka-side of Kino'ole Street, Puna-side of the old Hilo Hotel exit driveway as requested by Dr. John Wohler, Director, Hilo After Hours Medical Clinic.}

Re: Comm. 101
 Intr. by: Mr. Elarionoff
 Approved: PWIRC-12

AMENDED TO DRAFT 2 & PASSED 1ST READING

8 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
 NOES: None
 1 ABSENT & EXCUSED: Councilmember Chung

Bill 44: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Increases revenues of \$1,000 from Contribution/Donation from Private Source; appropriates same to HI-PAL Other Current Expense.}

Re: Comm. 102
Intr. by: Mr. Chung
Approved: FC-42

PASSED 1ST READING

8 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
NOES: None
1 ABSENT & EXCUSED: Councilmember Chung

Bill 50: Amends Ordinance No. 02-77, as amended, relating to Public Improvements and financing thereof for the fiscal year July 1, 2002 to June 30, 2003. {Adds PARKS AND RECREATION – New Waikoloa – Ho‘oko Street Park – District 9 (\$550,000); funds to be provided from General Obligation Bonds, Capital Projects Fund-Fund Balance and/or Other Sources (\$550,000).};

Re: Comm. 119
Intr. by: Mr. Elarionoff
Waived: FC
2/3 Vote: Section 10-6(d), Hawai'i County Charter

and

Comm. 119.1: From Mayor Harry Kim, dated January 27, 2003.

PASSED 1ST READING

8 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
NOES: None
1 ABSENT & EXCUSED: Councilmember Chung

ORDER OF THE DAY (SECOND OR FINAL READING)

Res. 31-03: Authorizes the acquisition of private property by eminent domain, being a portion of
(Draft 2) Tax Map Key:(3)8-1-007:045, situate at Onouli 2 and Keōpuka, South Kona, County and State of Hawai'i, for the development and construction of a bypass highway between the vicinity of Keauhou and Captain Cook, Kona, Hawai'i.

Re: Comm. 72.3
Intr. by: Mr. Chung (B/R)
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

6 AYES: Councilmembers Elarionoff, Holschuh, Leithead-Todd, Reynolds, Safarik and Chairman Arakaki

2 NOES: Councilmembers Jacobson and Tyler

1 ABSENT & EXCUSED: Councilmember Chung

Bill 3: Amends Section 25-8-5 (Kailua Urban Zone Map) Article 8, Chapter 25 (Zoning
(Draft 5) Code) of the Hawai'i County Code, by changing the district classification from Single Family Residential (RS-10) to Multiple Family Residential (RM-4) at Waiaha 1st, North Kona, Hawai'i, covered by Tax Map Key 7-5-18:8 (Approx. 18.946 acres). {Sunstone Realty Partners X, LLC, Applicant.}

Re: Comm. 18.16
Intr. by: Ms. Leithead-Todd
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Tyler and Chairman Arakaki

NOES: None

1 ABSENT & EXCUSED: Councilmember Safarik

Bill 13: Amends Ordinance No. 02-77, as amended, relating to Public Improvements and
financing thereof for the fiscal year July 1, 2002 to June 30, 2003. {Adds POLICE – Microwave Relocation – Private – T-Mobile (\$1,064,332.16); funds to be provided from Private Contributions (\$1,064,332.16).}

Re: Comm. 29
Intr. by: Mr. Safarik
1st Reading: January 23, 2003
2/3 Vote: Section 10-6(d), Hawai'i County Charter

PASSED 2ND & FINAL READING

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

NOES: None

Bill 19: Amends Section 25-8-3 (North Kona District Zone Map), Article 8, Chapter 25
 (Draft 2) (Zoning Code) of the Hawai'i County Code, by changing the district classification from Limited Industrial (ML-1a) to Industrial-Commercial Mixed Use (MCX-1a) at Kaloko, North Kona, Hawai'i, covered by Tax Map Key Nos. 7-3-51:66, 67, 68 and 69 (Approx. 4.38 acres). {Kaloko Development, Inc., Applicant.}

Re: Comm. 47.1
 Intr. by: Ms. Leithead-Todd
 1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

9 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
 NOES: None

Bill 20: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Appropriates revenues of \$24,000 from Federal Grants – Alcohol Reconstructionist; appropriates same to Alcohol Reconstructionist.}

Re: Comm. 51
 Intr. by: Mr. Chung
 1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler and Chairman Arakaki
 NOES: None
 1 ABSENT & EXCUSED: Councilmember Leithead-Todd

Bill 21: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Increases revenues of \$6,338 from Commercial Driver License (CDL) Program Income; appropriates same to Commercial Driver License Program Equipment.}

Re: Comm. 52
 Intr. by: Mr. Chung
 1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

9 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
 NOES: None

Bill 22: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Increases revenues of \$32,650 from Federal Grants – Sobriety Checkpoint Expansion; appropriates same to Sobriety Checkpoint.}

Re: Comm. 53
 Intr. by: Mr. Chung
 1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

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

NOES: None

Bill 24: Amends Section 25-8-22 (Puna District Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the district classification from Open (Draft 2) (O) and Agricultural (A-1a) to Agricultural (A-5a) at Kapoho and Halekamahina, Puna, Hawai'i, covered by Tax Map Key 1-4-73:3. (Approx. 5.006 acres). {Rose Marie Nathewitch & Samuel Hostetter, Jr., Applicants.}

Re: Comm. 58.1
 Intr. by: Ms. Leithead-Todd
 1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

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

NOES: None

Bill 25: Amends the State Land Use Boundaries Map, H-59 for the County of Hawai'i by changing the district classification from the Agricultural to the Rural District at Manowai'ōpae Homesteads, North Hilo, Hawai'i, covered by Tax Map Key 3-5-4:77. {Karl & Rita Nobriga, Applicants.}

Re: Comm. 59
 Intr. by: Ms. Leithead-Todd
 1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

6 AYES: Councilmembers Elarionoff, Holschuh, Leithead-Todd, Reynolds, Tyler and Chairman Arakaki

1 NO: Councilmember Jacobson

2 ABSENT & EXCUSED: Councilmembers Chung and Safarik

Bill 26: Amends Section 25-8-19 (North Hilo District Zone Map), Article 8, Chapter 25
(Draft 4) (Zoning Code) of the Hawai'i County Code, by changing the district classification from Agricultural (A-20a) to Residential and Agricultural (RA-1a) at Manowai'ōpae Homesteads, North Hilo, Hawai'i, covered by Tax Map Key 3-5-4:77 (Approx. 3.80 acres). {Karl & Rita Nobriga, Applicants.}

Re: Comm. 59.3
Intr. by: Ms. Leithead-Todd
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

6 AYES: Councilmembers Elarionoff, Holschuh, Leithead-Todd, Reynolds, Tyler and Chairman Arakaki
1 NO: Councilmember Jacobson
2 ABSENT & EXCUSED: Councilmembers Chung and Safarik

Bill 27: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Appropriates revenues of \$3,000 from Federal Grants – Drinking/Driving Community Education Campaign; appropriates same to Drinking/Driving Community Education.}

Re: Comm. 60
Intr. by: Mr. Chung
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
NOES: None
1 ABSENT & EXCUSED: Councilmember Chung

Bill 28: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Appropriates revenues of \$4,340 from Federal Grants – Project Incorporating Measures to Prevent Alcohol Consumption by Teens (IMPACT); appropriates same to Project IMPACT.}

Re: Comm. 61
Intr. by: Mr. Chung
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

9 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
NOES: None

Bill 29: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Appropriates revenues of \$6,245 from Federal Grants – Equipment/Training Program; appropriates same to Equipment/Training Program.}

Re: Comm. 62
Intr. by: Mr. Chung
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

9 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
NOES: None

Bill 30: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Appropriates revenues of \$792 from Federal Grants – Crossing Guard Training; appropriates same to Crossing Guard Training.}

Re: Comm. 63
Intr. by: Mr. Chung
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

9 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
NOES: None

Bill 31: Amends Ordinance No. 02-76, as amended, the Operating Budget for the County of Hawai'i for the fiscal year ending June 30, 2003. {Appropriates revenues of \$5,995 from Federal Grants – Under 21 Surveillance; appropriates same to Under 21 Surveillance.}

Re: Comm. 66
Intr. by: Mr. Chung
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik and Chairman Arakaki
1 NO: Councilmember Tyler

Bill 32: Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition), relating to
(Draft 2) Vehicles and Traffic Fee Schedule. {Increases the annual fee for abandoned vehicle portion of the vehicle registration from \$4 to \$12. Proceeds from this fee are allocated for the towing, removal, disposal and recycling of abandoned or discarded automobiles and automobile parts.}

Re: Comm. 67.1
Intr. by: Mr. Chung (B/R)
1st Reading: January 23, 2003

PASSED 2ND & FINAL READING

9 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd,
Reynolds, Safarik, Tyler and Chairman Arakaki
NOES: None

Bill 45: Authorizes the issuance of General Obligation Bonds of the County of Hawai'i for the
(Draft 2) purpose of financing various public improvements of the County of Hawai'i; fixing the form, denominations, and certain other details of such bonds and providing for their sale to the public; and authorizing the issuance and sale of a like principal amount of General Obligation Bond Anticipation Notes in anticipation of the issuance and sale of such bonds. {Provides that the proceeds for up to \$17,050,000 in general obligation bonds be expended on the Kahului-Keauhou Parkway, ADA Ramp Compliance Project, ADA Parks Facilities Compliance Project, the Public Safety Complex Evidence-Warehouse/Radio Shop Complex, the Pahoia Village Resource Park (PVRP) and the Waikoloa Ho'oko Street Park (WHSP); provided that \$1,250,000 and \$550,000 of the actual amounts as necessary, whichever is less, are allotted towards the PVRP and the WHSP, respectively.}

Re: Comm. 37.8
Intr. by: Mr. Chung
1st Reading: January 23, 2003
2/3 Vote: Rule 12(a), Council Rules of Procedure

AMENDED TO DRAFT 3 & PASSED 2ND & FINAL READING

9 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd,
Reynolds, Safarik, Tyler and Chairman Arakaki
NOES: None

Bill 46: Amends Ordinance No. 02-77, as amended, relating to Public Improvements and financing thereof for the fiscal year July 1, 2002 to June 30, 2003. {Adds PARKS AND RECREATION – Pahoia Village Resource Park (\$1,250,000); funds to be provided from General Obligation Bonds, Capital Projects Fund-Fund Balance and/or Other Sources (\$1,250,000).}

Re: Comm. 106
 Intr. by: Mr. Safarik
 1st Reading: January 23, 2003
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

PASSED 2ND & FINAL READING

9 AYES: Councilmembers Chung, Elarionoff, Holschuh, Jacobson, Leithead-Todd, Reynolds, Safarik, Tyler and Chairman Arakaki
 NOES: None

REPORTS

PWIRC Rept. 10 (C-76): Recommends the approval of the appointment of Ms. Sue M. Ota to the Hawai'i County Transportation Commission.

APPROVED

PWIRC Rept. 11 (C-76): Recommends the approval of the appointment of Mr. Merle Martin to the Hawai'i County Transportation Commission.

APPROVED

FC Rept. 35 (C-77): Recommends the approval of the appointment of Mr. Clifford N. Kaminaka and Ms. Kaliko Chun to the Hawai'i County Civil Service Commission.

APPROVED

FC Rept. 36 (C-78): Recommends the approval of the appointment of Mr. Stephen H. Ono and Mr. Ronald Castillo, Jr., to the Hawai'i County Liquor Control Adjudication Board.

APPROVED

FC Rept. 37 (C-79): Recommends the approval of the appointment of Mr. Kerry Inouye and Mr. Joel Gimpel to the Hawai'i County Board of Ethics.

APPROVED

FC Rept. 38 (C-88): Recommends the approval of the appointment of Mr. Tsukasa Ishii, Mr. Richard P. Rego and Mr. Paul W. Mann to the Hawai'i County Salary Commission.

APPROVED

FC Rept. 39 Recommends the approval of the appointment of Mr. Sean T. Oda to the Hawai'i
(C-94): County Pension Board.

APPROVED

FC Rept. 40 Recommends the approval of the appointment of Mr. Yukio Takeya, Mr. Carl E.
(C-105): Dionne and Ms. Leina'ala B. Enos to the Hawai'i County Liquor Commission.

APPROVED

PEMC Rept. 2 Recommends the approval of the appointment of Mr. Dale E. Wilson, Ph.D., to the
(C-80): Hawai'i County Veterans Advisory Committee.

APPROVED

PC Rept. 9 Recommends the approval of the appointment of Mr. Valta A. Cook and
(C-81): Mr. Hugo Coutandin to the Hawai'i County Board of Appeals.

APPROVED

PC Rept. 10 Recommends the approval of the appointment of Mr. Leonard Tanaka to the Hawai'i
(C-82): County Water Board.

APPROVED

PC Rept. 11 Recommends the approval of the appointment of Mr. Loren Heck to the Hawai'i County Water
(C-82): Board.

APPROVED

PC Rept. 12 Recommends the approval of the appointment of Mr. Bill P. Thibadeau to the Hawai'i County
(C-104): Planning Commission.

APPROVED

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. Note: 2/3 Vote - Pursuant to §92-4, HRS, and Rule 12 of Rules of Procedure of the County Council.)

Comm. 40: WILLIAM SILVA, ET. AL. V. COUNTY OF HAWAI'I, ET. AL., CIV. NO. 97-622
From Corporation Counsel Lincoln S. T. Ashida, dated December 9, 2002.

CONCUR W/RECOMMENDATION OF CORPORATION COUNSEL

Comm. 115: CLAIM AGAINST THE COUNTY BY DEMETRIA ESPINA
From Deputy Corporation Counsel Michael S. Kagami, dated January 23, 2003.

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>MONDAY, FEBRUARY 10, 2003</u>	
PLANNING COMMITTEE WORKSHOP (GENERAL PLAN)	9:00 a.m.	COUNCILROOM
PUBLIC WORKS & INTER- GOVERNMENTAL RELATIONS COMMITTEE WORKSHOP (SIGN CODE)	6:00 p.m.	COUNCILROOM
	<u>TUESDAY, FEBRUARY 11, 2003</u>	
PUBLIC WORKS & INTER- GOVERNMENTAL RELATIONS COMMITTEE WORKSHOP (SIGN CODE)	6:00 p.m.	KEALAKEHE INTERMEDIATE SCHOOL CAFETERIA
	<u>WEDNESDAY, FEBRUARY 19, 2003</u>	
COMMITTEES	TBA	COUNCILROOM
	<u>THURSDAY, FEBRUARY 20, 2003</u>	
COUNCIL	9:00 a.m.	COUNCILROOM

STATEMENTS FROM THE PUBLIC**ADJOURNMENT** 5:05 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 February 3, 2003. 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, February 12, 2003, at 6 p.m.; Sunday, February 16, 2003, at 10:30 a.m.; and Wednesday, February 19, 2003, at 6 p.m.