

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
JOE REYNOLDS
GARY SAFARIK

COUNTY COUNCIL

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

17th Session

ORDER OF BUSINESS

Hawai'i County Council
Hilo, Hawai'i

Wednesday, August 6, 2003
9:00 a.m.

INVOCATION	Reverend Tim Carigon of the Hilo Missionary Church
CALL TO ORDER	9:18 a.m.
ROLL CALL	All present
PLEDGE OF ALLEGIANCE	
APPROVAL OF MINUTES	June 4, 2003 – Approved as amended

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

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. 85-03: Authorizes the acceptance of a donation of a Primadome for the Pana'ewa Rainforest Zoo. {Donation from Friends of the Zoo to house Colobus monkeys and has an estimated value of \$53,045.00.}

Re: Comm. 276
Intr. by: Mr. Chung
Approved: FC-116

ADOPTED

8 AYES: Council Members Chung, Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

Res. 88-03: Extends the Council's gratitude to Council Member Bobby Jean Leithead-Todd for her service to the County of Hawai'i.

Re: Comm. 293
Intr. by: Council Members
Waived: FC

ADOPTED

8 AYES: Council Members Chung, Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

Res. 89-03: Authorizes the Director of Finance to negotiate a fifty-five year lease with the Hawai'i Island Community Development Corporation of Hawai'i for the purpose of development and construction of a thirty-unit senior rental housing project at a set lease rental amount of \$10.00 per year. {The 43,560 sq. ft. parcel is located at the corner of Kino'ole and Kahaopea Streets.}

Re: Comm. 294
 Intr. by: Mr. Safarik
 Approved: CHA – July 22, 2003

ADOPTED

8 AYES: Council Members Chung, Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

BILLS FOR ORDINANCES (FIRST READING)

Bill 44: Amends Section 25-8-33 (City of Hilo Zone Map), Article 8, Chapter 25
 (Draft 2) (Zoning Code) of the Hawaii County Code, by changing the district
 (2000) classification from Agricultural (A-20a) to Family Agricultural (FA-1a) at Kaumana, South Hilo, Hawaii, covered by Tax Map Keys 2-5-44:1 and 2-5-45:Portion 1 (approx. 107 acres). {Richard M. Towill, applicant.}

Re: Comm. 292.2
 Intr. by: Ms. Leithead-Todd
 Negative: PC-46 (due to the vote of 4 ayes, 2 noes, and 3 excused)

REFERRED BACK TO PLANNING COMMITTEE

Bill 121: Amends Section 25-8-12 (Kawaihae-Puako Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code, by changing the district classification from Resort (V-1.25) to Single-Family Residential (RS-10) at Waimea, Lalamilo, South Kohala, Hawai'i, covered by Tax Map Key 6-9-3:15 (approx. 20,660 sq. ft.). {Gregory Mooers, applicant.}

Re: Comm. 277
 Intr. by: Ms. Leithead-Todd
 Approved: PC-47

AMENDED TO DRAFT 2 & PASSED 1ST READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 122: 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, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:19 (approx. 5 acres). {Gregory R. Mooers, applicant.}

Re: Comm. 278
 Intr. by: Ms. Leithead-Todd
 Approved: PC-48

PASSED 1ST READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 123: Amends Section 25-8-7 (North and South Kohala Districts Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawaii County Code, by changing the district classification from Agricultural (A-5a) to Residential and Agricultural (RA-2a) at Ouli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:19 (approx. 5 acres). {Gregory R. Mooers, applicant.}

Re: Comm. 278
 Intr. by: Ms. Leithead-Todd
 Approved: PC-49

PASSED 1ST READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 124: Amends the State Land Use Boundaries Map, H-25 for the County of Hawai'i, by changing the district classification from the Agricultural to the Rural district at Ouli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:13 (approx. 6.366 acres). {Howard Rodgers, applicant.}

Re: Comm. 280
 Intr. by: Ms. Leithead-Todd
 Approved: PC-50

PASSED 1ST READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 125: Amends Section 25-8-7 (North and South Kohala Districts Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawaii County Code, by changing the district classification from Agricultural (A-5a) to Residential and Agricultural (RA-2a) at Ouli, South Kohala, Hawai'i, covered by Tax Map Key 6-2-11:13 (approx. 6.366 acres). {Howard Rodgers, applicant.}

Re: Comm. 280
 Intr. by: Ms. Leithead-Todd
 Approved: PC-51

PASSED 1ST READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 126: Amends Ordinance No. 03-49 of the County of Hawai'i, adopted on March 25, 2003, relating to the issuance of general obligation bonds. {Amends the 2003 A General Obligation Bond (GOB) Ordinance No. 03-49, to include reference to Ordinance No. 03-90, the Capital Improvement Program (CIP) Budget for fiscal year 2003-04, in which certain projects mentioned in the GOB ordinance were appropriated.}

Re: Comm. 281
 Intr. by: Mr. Chung
 Approved: FC-117

PASSED 1ST READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 115: Amends Section 25-8-5 (Kailua Urban Zone Map), Article 8, Chapter 25
(Draft 2) (Zoning Code) of the Hawai'i County Code, by changing the district classification from Multiple Family Residential (RM-1) to Village Commercial (CV-7.5) at Honuaula, North Kona, Hawai'i, covered by Tax Map Key 7-5-22:40. (Approx. 7,500 square feet.) {Chrystal T. Yamasaki, applicant.}

Re: Comm. 257.1
Intr. by: Ms. Leithead-Todd
1st Reading: July 23, 2003

PASSED 2ND & FINAL READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds,
Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 117: Amends Chapter 4, Section 4-32.1, Hawai'i County Code 1983 (1995 edition)
(Draft 2) relating to the training; appointment; powers of humane officer. {Transfers duties for training, appointment and authorization of power of humane officers from the Finance Director to the Police Chief.}

Re: Comm. 267.1
Intr. by: Mr. Chung
1st Reading: July 23, 2003

PASSED 2ND & FINAL READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds,
Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 118: Amends Chapter 2 of the Hawai'i County Code 1983 (1995 edition), as
(Draft 3) amended, relating to sister city relationships.

Re: Comm. 268.3
Intr. by: Mr. Arakaki
1st Reading: July 23, 2003

PASSED 2ND & FINAL READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds,
Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 119: Amends Ordinance No. 03-91, as amended, the operating budget for the County of Hawai'i for the fiscal year ending June 30, 2004. {Increases revenues of \$600 in the Contribution from Private Source; appropriates same to Fire Protection-Other Current Expenses.}

Re: Comm. 270
 Intr. by: Mr. Chung
 1st Reading: July 23, 2003

PASSED 2ND & FINAL READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

1 ABSENT & EXCUSED: Council Member Chung.

Bill 120: Amends Ordinance No. 03-91, as amended, the operating budget for the County of Hawai'i for the fiscal year ending June 30, 2004. {Appropriates revenues of \$599,400 in the Federal Grants–State Homeland Security Grant Program and \$2,250,000 in Federal Grants–State Homeland Security Grant Program–Part II, for a total of \$2,849,400; appropriates same to State Homeland Security Grant Program (\$599,400) and State Homeland Security Grant Program–Part II (\$2,250,000), for a total of \$2,849,400.}

(Draft 2)

Re: Comm. 271
 Intr. by: Mr. Chung
 1st Reading: July 23, 2003

PASSED 2ND & FINAL READING

7 AYES: Council Members Elarionoff, Holschuh, Jacobson, Reynolds, Safarik, Tyler, and Chairman Arakaki.

NOES: None.

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

OTHER BUSINESS

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

ANNOUNCEMENTS

	<u>TUESDAY, AUGUST 19, 2003</u>	
COMMITTEES	TBA	COUNCIL ROOM
	<u>WEDNESDAY, AUGUST 20, 2003</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM
	<u>WEDNESDAY, SEPTEMBER 3, 2003</u>	
COMMITTEES	TBA	COUNCIL ROOM
	<u>THURSDAY, SEPTEMBER 4, 2003</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM

STATEMENTS FROM THE PUBLIC**ADJOURNMENT**

(Note: B/R, as listed next to the name of an Introducer, signifies that the Council Member 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 August 4, 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, August 13, 2003, at 6 p.m.; Sunday, August 17, 2003, at 10:30 a.m.; and Wednesday, August 20, 2003, at 6 p.m.