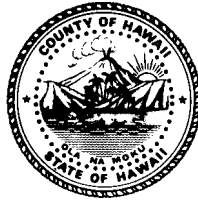


JAMES Y. ARAKAKI  
*Chairman & Presiding Officer*

J. CURTIS TYLER, III  
*Vice Chairman*



AARON S.Y. CHUNG  
LENINGRAD ELARIONOFF  
FRED C. HOLSCHUH, M.D.  
BOB JACOBSON  
JOE REYNOLDS  
GARY SAFARIK  
MICHAEL C. TULANG

## COUNTY COUNCIL

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

32<sup>nd</sup> Session

### ORDER OF BUSINESS

Hawai'i County Council  
Ohana Keauhou Beach Resort  
Room Kahalu'u I  
78-6740 Ali'i Drive  
Kailua-Kona, Hawaii

Wednesday, March 17, 2004  
9:00 a.m.

INVOCATION

Pastor Keith Elliot, Kona Church of God

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

November 19, 2003; December 3, 2003; December 17, 2003;  
January 7, 2004; and January 23, 2004 (Deferred: March 5, 2004)

(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. 159-04 (Draft 2): Requests the State and County Administrations to Proceed Without Further Delay to Finalize Planning, Design and to Begin Construction of Roads and Highways in the South Kohala, North Kona and South Kona Districts and to Finalize Transportation Plans with Infrastructure Financing Mechanisms. {Proposes a statement of policy direction placing priority on road construction and meaningful infrastructure plans with financing mechanisms.}

Re: Comm. 505.1  
Intr. by: Mr. Reynolds  
Approved: PWIRC-39

*and*

Comm. 505.2: From Council Member Joe Reynolds, dated March 5, 2004, transmitting Resolution 159, Draft 3. {Draft 3 removes specific Transportation Courses of Action for South Kohala and North and South Kona, and states that the courses of action have been changed or not completed. Draft 3 also requests regional transportation plans for the three districts be submitted to the Council by May 5, 2004, in conjunction with the capital budget and program and fair share assessment report.}

*and*

Res. 159-04 (Draft 3): Requests the State and County Administrations to Proceed Without Further Delay to Finalize Planning, Design and to Begin Construction of Roads and Highways in the South Kohala, North Kona and South Kona Districts and to Finalize Transportation Plans with Infrastructure Financing Mechanisms.

Res. 171-04: Urges the Hawai'i State Legislature to Place a Constitutional Amendment on the November 2004 Statewide Ballot Regarding the Establishment of Locally Elected School Boards.

Re: Comm. 552  
Intr. by: Mr. Elarionoff  
Waived: PWIRC

**BILLS FOR ORDINANCES (FIRST READING)**

Bill 224  
(Draft 2): Amends Chapter 24 of the Hawai'i County Code 1983 (1995 Edition)  
Relating to Vehicles and Traffic. {Proposes a Freight Loading Zone along  
Ali'i Drive south of the Hale Halawai parking lot.}

Re: Comm. 482.2  
Intr. by: Mr. Safarik  
Approved: PWIRC-38

Bill 232: Amends Chapter 24 of the Hawai'i County Code 1983 (1995 Edition)  
Relating to Vehicles and Traffic. {Proposes a Passenger Loading Zone on  
the mauka side of Keawe Street at Waianuenue Avenue.}

Re: Comm. 513  
Intr. by: Mr. Safarik  
Approved: PWIRC-40

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

Bill 217: 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 in Federal Grants – Rural Transit Assistance  
Program (\$17,000); appropriates same to Rural Transit Assistance  
Program.}

Re: Comm. 470  
Intr. by: Mr. Chung  
1<sup>st</sup> Reading: March 5, 2004

Bill 220: 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 in Transfer From General Fund (\$135,000); appropriates same to the  
following: Landfills – Other Current Expenses (\$60,000) and Recycling  
Program (\$75,000), for a total of \$135,000.}

Re: Comm. 473  
Intr. by: Mr. Chung  
1<sup>st</sup> Reading: March 5, 2004

Bill 225: 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 in Fund Balance From Previous Year (\$311,946); appropriates same to Vehicle & Parts Disposal Other Current Expenses.}

Re: Comm. 483  
Intr. by: Mr. Chung  
1<sup>st</sup> Reading: March 5, 2004

Bill 226: 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 in State Grants – Coordinated Services – Purchase of Services (\$9,932); appropriates same to the following: Coordinated Services – Salaries & Wages (\$8,032) and Coordinated Services – Other Current Expenses (\$1,900), for a total of \$9,932.}

Re: Comm. 488  
Intr. by: Mr. Chung  
1<sup>st</sup> Reading: March 5, 2004

Bill 229: 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 in Federal Grants – Environmental Protection Agency Cesspool Replacement Project (\$76,000); appropriates same to Environmental Protection Agency Cesspool Replacement Project.}

Re: Comm. 501  
Intr. by: Mr. Chung  
1<sup>st</sup> Reading: March 5, 2004

Bill 240: 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 in Federal Grants – Workforce Investment Act 2003-04 (\$47,055); appropriates same to the following: Workforce Investment Act – Administration Planning 2003-04 (\$19,191) and Workforce Investment Act – Youth Program 2003-04 (\$27,864), for a total of \$47,055.}

Re: Comm. 527  
Intr. by: Mr. Safarik  
1<sup>st</sup> Reading: March 5, 2004

Bill 241: 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 in HOME – Program Income (\$58,369.42); appropriates same to Kamuela Senior Housing.}

Re: Comm. 528  
Intr. by: Mr. Safarik  
1<sup>st</sup> Reading: March 5, 2004

Bill 242: 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 in Housing Assistance Payments (\$500,000); appropriates same to Housing Subsidies.}

Re: Comm. 529  
Intr. by: Mr. Safarik  
1<sup>st</sup> Reading: March 5, 2004

Bill 243: 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 in Block Grant Program Income (\$132,124.58); appropriates same to Residential Emergency Repair Program.}

Re: Comm. 530  
Intr. by: Mr. Safarik  
1<sup>st</sup> Reading: March 5, 2004

## REPORTS

PEMC-13  
(Comm. 531): Recommends the appointment of Mr. Samuel Sumner (Council District 1) to the Environmental Management Commission.

PEMC-14  
(Comm. 531): Recommends the appointment of Mr. Arnold T. Okamura (Council District 4) to the Environmental Management Commission.

PWIRC-37  
(Comm. 537): Recommends the appointments of Mr. Peter S. Lerma (Council District 1) and Mr. Douglas A. Espejo (Council District 3) to the Transportation Commission.

PC-78  
(Comm. 533): Recommends the appointment of Mr. Thomas S. Goya (Council District 2) to the Water Board.

PC-79  
(Comm. 538): Recommends the appointment of Mr. Christian K. Alameda (Council District 2) to the Planning Commission.

**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>WEDNESDAY, MARCH 17, 2004</u>	
COUNCIL PUBLIC HEARING RE BUDGETS (W. HAWAI'I)	6:00 p.m.	OHANA KEAUHOU BEACH RESORT
	<u>TUESDAY, APRIL 6, 2004</u>	
COMMITTEES	TBA	COUNCIL ROOM
	<u>WEDNESDAY, APRIL 7, 2004</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 March 15, 2004. 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, March 24, 2004, at 6 p.m.; Sunday, March 28, 2004, at 10:30 a.m.; and Wednesday, March 31, 2004, at 6 p.m.