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**HAWAI'I COUNTY COUNCIL
COMMITTEE ON PUBLIC WORKS &
INTERGOVERNMENTAL RELATIONS
20th Session**

DATE: April 6, 2004 (Tuesday)
PLACE: Councilroom
TIME: 9:30 a.m.

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

CALL TO ORDER

STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA

REFERRALS

Comm. 548: **REQUEST BY TOM RUSSI AND CHRISTINE PAUL TO AGENDIZE THEIR COMMUNICATIONS REGARDING THEIR PETITION AGAINST EXECUTIVE ASSISTANT WENDELL HATADA FOR VIOLATING THE COUNTY'S CODE OF ETHICS**

From Thomas Russi and Christine Paul, dated January 16, 2004, attaching a recent decision by the Hawai'i County Board of Ethics, responding to their petition against Wendell Hatada for violating the Code of Ethics. Also includes their letter to Mayor Harry Kim dated October 9, 2003; letter to them from Donna M. Woo, First Assistant, Office of the Ombudsman, State of Hawai'i, dated June 17, 2003; and letter to Mr. Hatada from Mayor Kim, dated October 3, 2003, on the matter.

CLOSE FILE.

Comm. 548.1: From TLC Cleaning, dated March 12, 2004, attaching three letters received from Mayor Harry Kim, dated October 3, 10, and 20, 2003, concerning Wendell Hatada's violation of the County Code of Ethics.

CLOSE FILE.

Comm. 548.2: From Christine Paul, dated March 17, 2004, attaching a letter of apology from Wendell Hatada, dated July 1, 2003, after a Petition was filed by her and her husband, Tom Russi, for violating the County Code of Ethics, together with related correspondence.

CLOSE FILE.

Comm. 548.4: From Thomas Russi, dated March 14, 2004, attaching letters dated June 25, 2003, July 11, 2003, and January 21, 2004 from Leslie H. Kondo, Director, Office of Information Practices, declining to investigate Wendell Hatada for Violating the UIPA, together with related correspondence.

CLOSE FILE.

Comm. 548.3: From TLC Cleaning, dated March 23, 2004, attaching minutes of the August 2003 Board of Ethics Meeting regarding Wendell Hatada Violating the County Code of Ethics, which includes Wendell Hatada, Thomas Russi and Christine Paul's conversation of July 24, 2001.

CLOSE FILE.

Comm. 558: RESOLUTION AUTHORIZING THE ACQUISITION OF PRIVATE PROPERTIES BY EMINENT DOMAIN, BEING PORTIONS OF TAX MAP KEYS:(3)2-4-003-022, 2-4-063-120, AND 2-4-063-121, SITUATE AT WAIĀKEA, DISTRICT OF SOUTH HILO, COUNTY AND STATE OF HAWAI'I, FOR THE KAWAILANI STREET BRIDGE REPLACEMENT. From Assistant Corporation Counsel Gerald Takase, dated March 18, 2004, transmitting the above resolution.

RECOMMENDS PASSAGE OF RESOLUTION 172-04 ON FIRST READING.

UNFINISHED BUSINESS

Comm. 504: AN ORDINANCE AMENDING CHAPTER 24 OF THE HAWAI'I COUNTY CODE 1983 (1995 EDITION) RELATING TO VEHICLES AND TRAFFIC. (Reducing the speed limit on Kaloko Drive from 40 MPH to 35 MPH)
From Director of Public Works Bruce McClure, dated February 3, 2004, transmitting the above bill. States the Traffic Division was informed that a Kaloko Drive area resident requested the reduction due to excessive speeding. The Engineering Division performed a design speed check and site investigation and determined that lowering the speed limit to 35 MPH would be advisable.

RECOMMENDS BILL 230 BE FILED.

Comm. 504.1: From Scott Susman and Lydia Weiss, dated February 19, 2004, requesting that they be allowed time to discuss Bill 230 with residents in the Kaloko Mauka Subdivision. They agree that many people do drive too fast and that the issue should be addressed; however, they're requesting that the residents be allowed time to review and comment on the amendment.

CLOSE FILE.

Comm. 504.2: From Laura A. Mallery-Sayre, R.D.H., M.S.D.H.Ed., dated March 12, 2004, in opposition to Bill 230. Agrees that the speed limit is being abused, but states it is not by those from the neighborhood, but young drivers in hot cars and motorcycles, who are driving well beyond the speed limit. Asks that the current speed limit of 40 MPH be enforced.

CLOSE FILE.

Comm. 504.3: From Lee and James Messenger, dated February 20, 2004, in opposition to Bill 230. States that they would prefer to see signage addressing the dangerous curves and advising to slow down in certain areas. States that due to the steep grade in several places, the momentum needed to climb is exactly right with the current speed limit. Due to shortage of police officers in the area, wonders how the proposed speed limit would be enforced.

CLOSE FILE.

Comm. 504.4: From Susan J. Russell, dated March 10, 2004, in opposition to Bill 230. States that Kaloko is of a gradient where a 35 MPH speed limit is not even doable on many of the climbs. Also states there would be a problem in enforcement due to shortage of police officers in the area. Suggests that funds for improvement be used for ingress and egress problem from Kaloko Drive to Palani and also suggests improvements and additions of turn pockets.

CLOSE FILE.

Comm. 504.5: From Michael and Gale Sansone, dated March 11, 2004. Feels that 35 MPH speed limit at lower part of Kaloko is good but to reduce the speed limit further up would create a danger due to people passing. Feels the roads can handle 45 MPH.

CLOSE FILE.

Comm. 504.6: From Ladd and Jan Abat, dated March 15, 2004, in opposition to Bill 230. States that those who are observed speeding are mostly young and from outside of the area. Further, the small Kona police force would not have the time or manpower to enforce the speed restrictions on Kaloko Drive. Suggests money that would be used for new speed limit signs be allocated instead to the Kona police force.

CLOSE FILE.

Comm. 520: A RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE SECOND (Res. 161-04) SATURDAY OF OCTOBER AS "E HO'OLA I NO ALA HELE" DAY ("TO GIVE LIFE TO THE TRAILS" DAY).
From Councilmember Bob Jacobson, dated February 19, 2004, transmitting the above resolution.

Comm. 520.1: A RESOLUTION ACKNOWLEDGING AND RECOGNIZING THE SECOND (Res. 161-04) SATURDAY OF OCTOBER AS "LĀ HO'ĀLA ALA HELE" DAY ("TRAIL REVITALIZATION" DAY)
(Draft 2)
From Councilmember Bob Jacobson, dated March 24, 2004, transmitting the above resolution.

RECOMMENDS ADOPTION OF RESOLUTION 161-04, DRAFT 2, AS AMENDED TO DRAFT 3.

STATEMENTS FROM THE PUBLIC/ADJOURNMENT

The meeting place is accessible for persons with physical disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by April 2, 2004. Persons using TDDs may call 961-8521.

(Copies of this agenda and the communications are posted and filed at the County Clerk's Office, 25 Aupuni St., Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; and the Kona Councilmembers' Office, 77-6399 Nalani St., Suite 104, Kailua-Kona. For further information, please call 961-8245. Those wishing to testify, please register with the County Clerk's staff prior to the convening of the meeting. If possible, submit fifteen (15) written copies of the testimony to staff prior to the convening of the meeting.)

VIEWING OF MEETINGS ON GOVERNMENT ACCESS TELEVISION - Channel 52
(Hilo/Kona) Public Works & Intergovernmental Relations Committee and Finance Committee meetings - Tuesdays, April 13 and 20, 2004, at 8:30 p.m.; Parks & Environmental Management Committee meeting - Thursdays, April 15 and 22, 2004, at 8:30 p.m.; and all three Committee meetings - Sunday, April 25, 2004, at 10:30 a.m.