

STACY K. HIGA  
*Chair & Presiding Officer*

VIRGINIA ISBELL  
*Vice Chair*



JAMES Y. ARAKAKI  
PETE HOFFMANN  
FRED C. HOLSCHUH, M.D.  
DONALD IKEDA  
BOB JACOBSON  
K. ANGEL PILAGO  
GARY SAFARIK

## COUNTY COUNCIL

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

30<sup>th</sup> Session

### ORDER OF BUSINESS

Hawai'i County Council  
Hilo, Hawai'i

Wednesday, February 1, 2006  
9:00 a.m.

INVOCATION Associate Pastor Sheldon Lacsina of New Hope Christian Fellowship

CALL TO ORDER 9:20 a.m.

ROLL CALL

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**

**9:00 A.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF RESOLUTIONS**

**ORDER OF RESOLUTIONS**

Res. 206-05: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$3,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Police Department – Police Administration Division Other Current Expense Educational, Recreational and Scientific Equipment (Neighborhood Watch Program). Discretionary funds from District 5 would be used to provide lights, signs, decals, and communication devices for the Ainaloa Neighborhood Watch Program.}

Re: Comm. 536  
Intr. by: Mr. Safarik  
Approve: FC-215

**ADOPTED:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:**Council Member Pilago – 1.

Res. 237-06: Requests the County of Hawai'i Police Department to Increase Enforcement of Traffic Violations Within the Hawaiian Paradise Park Subdivision.

Re: Comm. 624  
Intr. by: Mr. Safarik  
Approve: PSPRC-18

**ADOPTED:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:**Council Member Pilago – 1.

Res. 238-06  
(Draft 2): Increases the Use of High Energy-Efficient Vehicles and Save County Funds by Requesting the County Department of Finance to Study the Procurement of Increasing Percentages of High Energy-Efficient Alternative Fuel Vehicles as Part of Their Annual Vehicle Acquisition Plans.

Re: Comm. 625.1  
Intr. by: Mr. Safarik  
Approve: FC-217

**ADOPTED:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:**Council Member Pilago – 1.

Res. 240-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
 {Transfers/appropriates \$11,092 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation Hilo and West Hawai'i Veterans' Cemetery Other Current Expense (West Hawai'i Veterans' Cemetery Development and Expansion Association, Inc. Discretionary funds from District 7 would be used to purchase three sheltered signs ('ohia-post) for the West Hawai'i Veterans' Cemetery.}

Re: Comm. 631  
 Intr. by: Ms. Isbell  
 Approve: FC-218

**ADOPTED:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Res. 242-06: Authorizes the Acceptance of a Monetary Donation of \$500 to the Hawai'i County Fire Department (donated by the Firefighters Charitable Foundation). {Funds would be used in the Fire Department's training and public education programs. }

Re: Comm. 634  
 Intr. by: Ms. Isbell  
 Approve: FC-219

**ADOPTED:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Res. 243-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s), for Kahuku Park Improvements that Will be Completed with the Help of Community Volunteers.  
 {Transfers/appropriates \$40,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Transfer to Capital Projects Fund – G (Department of Parks and Recreation, Kahuku Park Improvements. Discretionary funds from District 6 would be used to improve Kahuku Park. }

Re: Comm. 637  
 Intr. by: Mr. Jacobson  
 Approve: FC-223

**ADOPTED:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Res. 249-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
 {Transfers/appropriates \$14,500 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation-Friends of the Park (Dugout/Fencing Materials for Honoka'a/Pa'auilo Baseball Fields). Discretionary funds from District 1 would be used to purchase materials to build four baseball dugouts (two at Honoka'a Park and two at Pa'auilo Park) and fencing materials for the baseball field at Pa'auilo Park. }

Re: Comm. 647  
 Intr. by: Mr. Holschuh  
 Waived: FC

**ADOPTED:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Res. 250-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
 {Transfers/appropriates \$14,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation Pana'ewa Zoo Other Current Expense. Discretionary funds from District 3 would be used to purchase two hexagon canopy shades for the Pana'ewa Zoo to provide sun protection for its visitors. }

Re: Comm. 648  
 Intr. by: Mr. Arakaki  
 Waived: FC

**ADOPTED:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

**9:30 A.M.: STATEMENTS FROM THE PUBLIC ON BILLS FOR ORDINANCES (FIRST READING)**

**BILLS FOR ORDINANCES (FIRST READING)**

Bill 197: Amends Ordinance No. 93-8, Relating to Exceptional Trees. {Removes one mango tree from a grove of 600 mango trees located adjacent to Pohoiki Road, which was added to the list of "Exceptional Trees of the County of Hawai'i".}

Re: Comm. 609  
 Intr. by: Mr. Pilago  
 Approve: PC-50

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 198: Amends Section 25-8-32 (South Hilo District Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Unzoned to Agricultural (A-80a) at Kukuau 1<sup>st</sup>, South Hilo, Hawai'i, Covered by Tax Map Key 2-4-8:33 (approx. 885.400 acres). {The Newton Family Limited Partnership, Applicant.}

Re: Comm. 615  
 Intr. by: Mr. Pilago  
 Approve: PC-51

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 199: Amends Section 25-8-33 (City of Hilo Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural (A-1a) to Neighborhood Commercial (CN-20) at Ponahawai, South Hilo, Hawai'i, Covered by Tax Map Key 2-3-36:18 (approx. 8 acres). {Matsuno Enterprises, Ltd., Applicant.}

Re: Comm. 616  
 Intr. by: Mr. Pilago  
 Approve: PC-52

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 200: Amends Section 25-8-34 (Papaikou-Onomea Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural (A-20a) and Single Family Residential (RS-15) to Family Agricultural (FA-5a) at Wainaku, South Hilo, Hawai'i, Covered by Tax Map Key 2-6-032:004 & 005 (approx. 26.122 acres). {Kulana Kea, LLC, Applicant.}

Re: Comm. 617

Intr. by: Mr. Pilago

Approve: PC-53

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 201: Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Adds DEPARTMENT OF WATER SUPPLY: Ainaloa Waterline Installation (\$750,000); funds shall be provided from General Obligation Bonds, Capital Projects Fund-Fund Balance and/or Other Sources (\$750,000). Funds would be used to install a waterline from State Highway 130 along Ainaloa Boulevard to Woodrose Drive in the Ainaloa Subdivision.}

Re: Comm. 620

Intr. by: Mr. Safarik

Approve: FC-216

2/3 Vote: Section 10-6(d), Hawai'i County Charter

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 204: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. {Increases revenues in Contribution from Private Source (\$500); appropriates same to Fire Prevention – Other Current Expense.}

Re: Comm. 634

Intr. by: Ms. Isbell

Approve: FC-220

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 205: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. {Increases revenues in State Grants – Product Development Program (\$100,000); appropriates same to Product Development Program-State. Funds would be used to support and improve the tourism product development initiatives and projects.}

Re: Comm. 635  
 Intr. by: Ms. Isbell  
 Approve: FC-221

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 206: Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Increases the following appropriation: PUBLIC WORKS: Hawai'i County Building Improvements [\$1,500,000] (\$5,500,000); funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$4,000,000). Additional funds would be used for incidental and supplemental work to complete the removal of asbestos fire proofing on roof trusses, above ceiling spaces, AC equipment, and floor tiles.}

Re: Comm. 636  
 Intr. by: Ms. Isbell  
 Approve: FC-222  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 207: Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Adds PARKS AND RECREATION: Kahuku Park Improvements (\$40,000); funds shall be provided from General Obligation Bonds, Capital Project Fund-Fund Balance, and/or Other Sources (Contingency Relief) (\$40,000). Funds would be used for a community walking path (Life Walk); retaining rock walls at the soccer field, swing sets, and pavilion area, for erosion prevention and public safety; and for metal seats in the swing set area.}

Re: Comm. 638  
 Intr. by: Mr. Jacobson  
 Approve: FC-224  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

**PASSED 1<sup>ST</sup> READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

**10:00 A.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF THE DAY (SECOND OR FINAL READING)**

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

Res. 230-05: Authorizes the Acquisition of Private Properties by Eminent Domain, Being Portions of Tax Map Keys: (3)1-3-003:005 and 006, Situate at Kauaea, Puna, County and State of Hawai'i, for the Kalapana Road, Highway 137, Realignment Project. {Realignment is needed due to erosion of the highway into the sea.}

Re: Comm. 602  
 Intr. by: Mr. Ikeda  
 1<sup>st</sup> Reading: January 20, 2006  
 Note: Second of two required readings, Section 101-13, Hawai'i Revised Statutes

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 187: Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Adds PARKS AND RECREATION: Kea'au Shipman Park Lighting (\$550,000); funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$550,000). Funds would be used for the installation of lighting for the walkway, basketball court, and tennis court at the Kea'au Shipman Park.}

Re: Comm. 587  
 Intr. by: Mr. Arakaki  
 1<sup>st</sup> Reading: January 20, 2006  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 190 (Draft 2): Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Increases the following appropriation: ENVIRONMENTAL MANAGEMENT: East Hawai'i Regional Sort Station [\$2,200,000] (~~\$3,321,000~~); appropriation increase shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$1,121,000). Draft 2 decreases the proposed increase of \$2,779,000 to \$1,121,000 for the Department of Environmental Management's East Hawai'i Regional Sort Station.}

Re: Comm. 597.6  
 Intr. by: Ms. Isbell  
 1<sup>st</sup> Reading: January 20, 2006  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

**POSTPONED TO FEBRUARY 15, 2006, COUNCIL MEETING**

Bill 191: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. {Appropriates revenues in Federal Grants – Sexual Assault Multi-Disciplinary Training (\$34,500); appropriates same to Sexual Assault Multi-Disciplinary Training.}

Re: Comm. 598  
 Intr. by: Ms. Isbell  
 1<sup>st</sup> Reading: January 20, 2006

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 192: Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Adds PUBLIC WORKS: Kaūmana Drive Sidewalks (\$150,000); funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$150,000). Funds would be used to construct sidewalks on Kaūmana Drive from Lele Street to Puuhina Street.}

Re: Comm. 601  
 Intr. by: Mr. Ikeda  
 1<sup>st</sup> Reading: January 20, 2006  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 193: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. {Increases/decreases revenues in the following: Federal Grants – Coastal Zone Management (\$146,246) and State Grants – Coastal Zone Management <\$45,108>, for a total increase of \$101,138; appropriates \$101,138 to Coastal Zone Management (CZM). Additional funds would be used to 1) undertake a review and revision of the County Subdivision Code to incorporate green infrastructure principles and reduce environmental impact, 2) review existing codes to determine whether amendments are needed to promote environmentally-sensitive design in agricultural and rural areas, 3) continue to support the downtown Hilo community visioning project by facilitating the development of the implementation process and tools to evaluate and measure progress of the living action plan against smart growth principles, 4) replace (purchase) equipment necessary for field surveys, meetings, presentations, field inspections, and enforcement of shoreline areas, and 5) attend workshops and/or conferences related to the CZM Program.}

Re: Comm. 603  
 Intr. by: Ms. Isbell  
 1<sup>st</sup> Reading: January 20, 2006

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 194: Authorizes the Mayor of the County of Hawai'i to Enter Into an Intergovernmental Agreement for a State Water Pollution Control Revolving Fund Loan for Wastewater Public Improvement Projects; and Authorizes the Issuance of \$5,500,000 General Obligation Bonds of the County of Hawai'i for the Purpose of Financing Qualified Wastewater Disposal Improvements of the County of Hawai'i. {The U.S. Environmental Protection Agency (EPA) promulgated a regulation prohibiting the construction of new large capacity cesspools and a requirement that all large capacity cesspools must be closed or upgraded to prevent the endangerment of underground sources of drinking water, which the Public Works Department has taken the lead for this EPA mandate for County facilities. The current appropriation balance is at \$7,050,000 and the revised engineer's estimate is now set at \$12,500,000 (an additional appropriation of \$5,500,000 would be required to successfully complete construction).}

Re: Comm. 604  
 Intr. by: Ms. Isbell  
 1<sup>st</sup> Reading: January 20, 2006  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 195: Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Adds PUBLIC WORKS: Large Capacity Cesspool Conversions – State Revolving Fund (\$5,500,000); funds shall be provided from State Revolving Funds (\$5,500,000). Authorizes the Mayor to enter into an intergovernmental agreement for a State Revolving Fund loan for the County's Large Capacity Cesspool Conversion project and authorizes the issuance of general obligation bonds for the purpose of financing this improvement project.}

Re: Comm. 604  
 Intr. by: Ms. Isbell  
 1<sup>st</sup> Reading: January 20, 2006  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 196: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. { Appropriates revenues in Fund Balance Reserved for Liquor Control (\$15,000); appropriates same to Public Programs. Funds would be used to conduct programs for the public which would promote compliance to liquor laws. }

Re: Comm. 605  
 Intr. by: Ms. Isbell  
 1<sup>st</sup> Reading: January 20, 2006

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 202: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. { Increases revenues in Transfer from General Fund (\$20,000); appropriates same to Kawaihae Transitional Shelter. Funds would be used to help sustain the Kawaihae Transitional Shelter Program for at least two years until a permanent site is found and new facilities built. }

Re: Comm. 632  
 Intr. by: Ms. Isbell  
 1<sup>st</sup> Reading: January 20, 2006

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

Bill 203: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. { Appropriates revenues in Federal Grants – Domestic Violence and Sexual Assault Victim Services Coordinator (\$36,920); appropriates same to Domestic Violence and Sexual Assault Victim Services Coordinator. }

Re: Comm. 633  
 Intr. by: Ms. Isbell  
 1<sup>st</sup> Reading: January 20, 2006

**PASSED 2<sup>ND</sup> & FINAL READING:**

**AYES:** Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Safarik, and Chair Higa – 8.

**NOES:** None.

**ABSENT & EXCUSED:** Council Member Pilago – 1.

## REPORTS

FINANCIAL  
 REPORT:

Monthly Financial Status Report from the Finance Department for the Month Ended July 31, 2005.

**ACCEPTED**

PC-49  
(Comm. 628):                      Recommends approval of the nomination of the following individuals to the Kona Community Development Plan Steering Committee: Ms. Anne I. Young, Mr. Roger P. Dilts, Jr., Ms. JoAnn Farnsworth, Ms. Maralyn (Marni) Herkes, Mr. Thomas Hickcox, Ms. Kate Jacobson, Ms. Gretchen Lawson, Ms. Lydia Mahi, Ms. Stacie Mandaguit, Mr. Michael Matsukawa, Mr. Ken Melrose, Ms. Janice Palma-Glennie, Mr. Ed Rapoza, Mr. Curtis J. Tyler, III, and Ms. Chrystal Yamasaki.

**APPROVED**

**REFERRALS FOR EXECUTIVE SESSION**

The Council anticipates convening an executive meeting regarding the following cases, pursuant to Section 92-5(a)(4), Hawai'i Revised Statutes, as amended, for the purpose of consulting with the Corporation Counsel and/or its attorney on questions and issues pertaining to the Council's powers, duties, privileges, immunities and liabilities, including the current status of the litigation. A 2/3 vote, pursuant to HRS Section 92-4 and Rule 12 of the Rules of Procedure of the County Council is necessary to hold an executive meeting.

Comm. 162.2:                      WES HICKS VS. COUNTY OF HAWAI'I, ET AL., CIVIL NO. 03-1-0288  
From Deputy Corporation Counsel Harry P. Freitas, dated January 20, 2006.

**CONCURRED WITH THE RECOMMENDATION OF CORP. COUNSEL**

**OTHER BUSINESS**

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

**ANNOUNCEMENTS**

	<u>TUESDAY, FEBRUARY 14, 2006</u>	
COMMITTEES	TBA	COUNCIL ROOM
	<u>WEDNESDAY, FEBRUARY 15, 2006</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM
	<u>TUESDAY, FEBRUARY 28, 2006</u>	
COMMITTEES	TBA	COUNCIL ROOM
	<u>WEDNESDAY, MARCH 1, 2006</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM

**ADJOURNMENT 12:11 p.m.**

Note: B/R, when listed next to the name of an Introducer, signifies that the Council Member has agreed to introduce legislation "By Request" on behalf of the requesting party. It does not necessarily signify support of or opposition to the proposal.

The meeting place is accessible for persons with disabilities. Persons who need special accommodations to attend this meeting should call 961-8255 by January 30, 2006. Persons using TDDs may call 961-8521.

Copies of an item listed on the agenda 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; at the Kona Council Members' Office at the Kailua Trade Center, 75-5706 Hanama Place, Suite 109, Kailua-Kona, Hawai'i 96740; and at the Waimea Council Members' Office at the Holomua Center, 64-1067 Māmalahoa Highway, Suite 5, Waimea, Hawai'i 96743.

Videoconferencing is available at the following locations:

- Kona Council Office at the Kailua Trade Center; and
- Waimea Council Office at the Holomua Center.

If, for technical reasons the video connection cannot be made and/or is disrupted, the scheduled meeting will continue.

- Videoconferencing from the Pāhoa Neighborhood Facility will not be available.

Submitting Testimony: Those persons wishing to testify in person or by videoconference must register with the Council/Clerk's staff. Those testifying in person and submitting written testimony at the meeting in Hilo should bring **sixteen (16)** copies of the testimony for distribution at the meeting. Those testifying by videoconference from the Kona Council Office and the Waimea Council Office should bring one copy of the testimony. Those persons unable to testify in person or by videoconference may submit testimony (1) by mail to the County Clerk's Office in Hilo at the above address, (2) by facsimile to (808) 961-8912, or (3) by e-mail to [counciltestimony@co.hawaii.hi.us](mailto:counciltestimony@co.hawaii.hi.us). Copies will be made and distributed at the meeting when transmitted in a timely manner. In any case, both oral and written testimony will be considered public record.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist. {Article 15, Section 2-91.3(b), Hawai'i County Code} A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai'i 96720.

Government Access Television: Channel 52 (Hilo and Kona) Wednesday, February 8, 2006, at 6 p.m.; Sunday, February 12, 2006, at 10:30 a.m.; and Wednesday, February 15, 2006, at 6 p.m.

(Hawai'i Tribune Herald – January 29, 2006)  
(West Hawai'i Today – January 29, 2006)