



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

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

**ORDER OF RESOLUTIONS**

Res. 108-05  
(Draft 2): Authorizes the Mayor to Enter Into an Agreement with C. Brewer & Company, Limited, a Hawai'i Corporation, for the Acceptance of the Donation of Land Which Encompasses the Nā'ālehu Park and Community Center Identified by TMK:3-9-5-021-023 Consisting of 6.409 Acres, to the County of Hawai'i as Final Compensation Towards C. Brewer & Company, Limited's Share of the Cost of Financing this Project as Outlined Below and in Gratitude to the County of Hawai'i for the Assumption and Implementation of the Proposed Nā'ālehu and Pāhala Wastewater Sewer Systems, with No Further Liability or Responsibility for the Systems by C. Brewer & Company, Limited. {Authorizes the Mayor to accept the donation of Nā'ālehu Park in lieu of C. Brewer & Company, Limited's \$350,000 obligation towards the Nā'ālehu and Pāhala wastewater sewer systems.}

Re: Comm. 293.3  
Intr. by: Mr. Jacobson  
Approve: FC-284

Res. 290-06  
(Draft 2): Authorizes the Mayor to Enter Into an Agreement with C. Brewer and Company, Limited, a Hawai'i Corporation, for the County's Purchase of the Nā'ālehu Park and Community Center Identified by Tax Map Key (3)9-5-021-023 Consisting of 6.409 Acres for \$1,200,000 to be Placed in an Escrow Account Towards the Cost of Installing Sewer Lateral Connections in Nā'ālehu and Pāhala and Acceptance of the Donation by C. Brewer and Company, Limited, of Five Other Parcels Consisting of 6.877 Acres, Which Have a Value of \$610,000 to the County of Hawai'i in Gratitude to the County of Hawai'i for the Assumption and Implementation of the Proposed Nā'ālehu and Pāhala Wastewater Sewer Systems, with No Further Liability or Responsibility for the Systems by C. Brewer and Company, Limited. {Acceptance of cash proceeds and land would be final compensation by C. Brewer and Company, Limited, to implement the Nā'ālehu and Pāhala Wastewater Sewer Systems Project, assist in the financing for installation of house sewer lateral connections (residential hook ups), and releases C. Brewer and Company from any and all future responsibility concerning the Nā'ālehu and Pāhala wastewater sewer system. This resolution seeks to accomplish broader goals than Resolution 108-05, Draft 2, by increasing the amount of cash proceeds and by adding five additional parcels of land to the overall agreement and would supersede all drafts of Resolution 108-05 in its entirety.}

Re: Comm. 758.1  
Intr. by: Mr. Jacobson  
Approve: FC-283

Res. 291-06: Authorizes the Acceptance of Donations of Real Properties from Kaiwiki Properties, Tax Map Key: (3)9-3-003-072 (Portion), and Kamaoa Development Company, Tax Map Key: (3)9-3-003:073 (Portion). {Donations of real property consist of 152 square feet (Kaiwiki Properties) and 17 square feet (Kama'oa Development Company) would be made part of a public right-of-way located at the intersection of South Point Road and Kamā'oa Road.}

Re: Comm. 759  
 Intr. by: Mr. Ikeda  
 Approve: PWIRC-40

Res. 293-06 (Draft 2): Authorizes the Acceptance of Sixty Thousand Dollars (\$60,000) from the Waikoloa Community Development Corporation for the Waikoloa Emergency Evacuation Road Project. {Donation would be used in conjunction with County funds to construct a 12 to 15-foot wide gravel road from an extension of Hulu Street in Waikoloa Village, makai to connect with the Queen Ka'ahumanu Highway, providing an alternate route for the evacuation of Waikoloa Village residents.}

Re: Comm. 768.1  
 Intr. by: Ms. Isbell  
 Approve: FC-285

Res. 295-06: Authorizes the Exchange of Real Property, Identified as Tax Map Key: (3)7-5-005:067, and Road Rights-of-Way, Identified as Being Portions of Tax Map Keys: (3)7-5-004:027, 034 and 038, with Lanihau Properties, LLC, for the Kuakini Highway Improvements, Palani Road to Hualālai Road. {Exchange of real properties and road reserves is advantageous to the County allowing for the straightening, expansion, and acquisition of encroachment areas.}

Re: Comm. 780  
 Intr. by: Mr. Ikeda  
 Approve: PWIRC-41

Res. 303-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s). {Transfers/appropriates \$5,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Research and Development Tourism Promotion, Miscellaneous Contract Services (Mealani's A Taste of the Hawaiian Range Festival). Discretionary funds from District 9 would be used towards Mealani's A Taste of the Hawaiian Range Agricultural Festival in October 2006.}

Re: Comm. 794  
 Intr. by: Mr. Hoffmann  
 Approve: FC-274

Res. 304-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$5,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Research and Development Tourism Promotion, Miscellaneous Contract Services (Mealani's A Taste of the Hawaiian Range Festival). Discretionary funds from District 8 would be used towards the 2006 Mealani's A Taste of the Hawaiian Range Agricultural Festival.}

Re: Comm. 795  
Intr. by: Mr. Pilago  
Approve: FC-275

Res. 306-06: Changes the Funding Source and the Position Status of Two Deputy Prosecuting Attorney (Temporary) Positions Under the Drug Task Force Grant Program. {The grant funding source expires in May and the County plans to continue this Drug Task Force program by funding these two positions and changing their status to permanent.}

Re: Comm. 800  
Intr. by: Ms. Isbell  
Approve: FC-277

Res. 307-06: Authorizes the Acceptance of a Donation of a Zoll AED Plus Defibrillator to the Department of Parks & Recreation's Aquatics Division. {Donated by Mr. Charles Wagaman with an estimated total value of \$2,500 would be used at La'aloa Beach Park in Kailua-Kona by Water Safety Officers for response to cardiac emergencies.}

Re: Comm. 801  
Intr. by: Ms. Isbell  
Approve: FC-278

Res. 308-06: Authorizes the Payment of Funds of a Later Fiscal Year and More Than One Fiscal Year for a Multi-Year Lease (5 years) of Real Property for the Motor Vehicle Registration Office in Kona. {Property contains an area of 1,451 square feet and is located at the Territorial Centre, 75-5751 Kuakini Highway, Suite 107, in Kailua-Kona, with six parking stalls located directly in front of the office. Although the lease is for five years, provisions are included to end the lease after two years.}

Re: Comm. 803  
Intr. by: Ms. Isbell  
Approve: FC-280

Res. 309-06: Accepts the Dedication of Roadway Lots 51, 52 and 53, in Kilohana Kai at Waikoloa, Being Tax Map Key: (3)6-8-035:052, Situate at Waikoloa, in the District of South Kohala, County and State of Hawai'i, from Clearly Waikoloa Limited Liability Company. {Roadway lots includes all improvements thereon for public road and drainage purposes.}

Re: Comm. 804  
 Intr. by: Mr. Ikeda  
 Approve: PWIRC-42

Res. 310-06: Authorizes the Sale of Remnant Lot 5-A-1, Being Portions of Tax Map Keys: (3)2-4-019:075 and 158, Situate at Waiākea, District of South Hilo, County and State of Hawai'i, to Roy Masaru Hamada and Shizuko Hamada. {The newly created remnant Lot 5-A-1 contains an area of 5,051 square feet and because it is economically or physically unsuitable or undesirable for development for reasons listed pursuant to Section 2-110, Hawai'i County Code, the County is authorized to sell this remnant without recourse to public auction in the manner set forth in Section 2-118, Hawai'i County Code, to the Hamada's, who are the abutting owners.}

Re: Comm. 805  
 Intr. by: Mr. Ikeda  
 Negative Recommendation: PWIRC-43

Res. 311-06  
 (Draft 2): Requests the Mayor and His Administration to Expedite the Planning and Design of Necessary Vehicular and Pedestrian Safety Improvements on that Portion of Ali'i Drive Beginning One Block North of the Kamehameha III Road and Extending South for One Mile to Phase One of the Hokuli'a Bypass. {The planning and design of improvements include: Installation of a traffic signal or modern traffic roundabout and traffic calming devices; construction of a pedestrian/bike path and turn pockets; and a reduction in speed limit.}

Re: Comm. 806.1  
 Intr. by: Ms. Isbell  
 Approve: PWIRC-44

Res. 318-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$56,234 out and from Clerk-Council Services – Contingency Relief account; credits to the following: Department of Parks and Recreation Hoolulu Complex Other Current Expense (Electrical Pole) (\$8,100), Hoolulu Complex Equipment (3 Small Scoreboard) (\$13,134), and Hoolulu Complex Equipment (Hilo Drag Strip Generator) (\$35,000), for a total of \$56,234. Discretionary funds from District 4 would be used to purchase a new generator for the Hilo Drag Strip, three new small scoreboards, and one electrical pole for the Hoolulu Complex.}

Re: Comm. 827  
Intr. by: Mr. Higa  
Waived: FC

Res. 319-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$13,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Equipment (Hualani Park Scoreboard). Discretionary funds from District 4 would be used to purchase and install a new scoreboard at the Hualani Park in Keaukaha.}

Re: Comm. 828  
Intr. by: Mr. Higa  
Waived: FC

Res. 320-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$30,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Transfer to Highway Fund (Street Lights-Miscellaneous Contractual Services). Discretionary funds from District 2 would be used to pay for costs related to the installation of streetlights on various streets located within Council District 2, South Hilo.}

Re: Comm. 832  
Intr. by: Mr. Ikeda  
Waived: FC

Res. 322-06: Authorizes the Mayor to Form a Local Redevelopment Authority Designated as the Kunieda ARC Local Redevelopment Authority, and Requests the Office of Economic Adjustment, Department of Defense, Recognize and Designate the Kunieda ARC Local Redevelopment Authority as the Local Redevelopment Authority for the SFC Minoru Kunieda U.S. Army Reserve Center Base Realignment and Closure. {The Kunieda Army Reserve Center (ARC) Local Redevelopment Authority would prepare a reuse plan as required under base closure law and regulation to serve as the primary planning document that would establish the vision for base redevelopment, articulating community goals that would guide the planning process and identify economically and environmentally feasible land uses for the base redevelopment program, including balancing the needs of the homeless with other community development objectives and would be eligible to receive economic adjustment assistance funds for operation and reuse planning from the Office of Economic Adjustment (OEA).}

Re: Comm. 836  
Intr. by: Ms. Isbell  
Waived: FC

Res. 323-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$40,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Office of the Mayor Clerical Service Center Equipment (Miscellaneous Equipment). Discretionary funds from District 1 would be used towards the purchase of equipment and materials to create an inventory of supplies specific to the effort of reducing substance abuse.}

Re: Comm. 837  
Intr. by: Mr. Holschuh  
Waived: FC

Res. 324-06: Creates a Grant Coordinator Position for the Department of Research and Development. {Bill 214, Draft 4, which appropriated the previous year's fund balance to various departmental accounts, passed second and final reading at the Council's April 5, 2006, meeting. This new ordinance (No. 06-45) included an appropriation to the Research and Development's Regular Salary and Wages account with the intent that it be used for the above-stated position.}

Re: Comm. 839  
Intr. by: Ms. Isbell  
Waived: FC

Res. 325-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$10,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Office of the Mayor Clerical Service Center Equipment (Miscellaneous Equipment). Discretionary funds from District 7 would be used to help pay for costs related to the purchase of equipment to be used in community-building, family-oriented anti-drug activities and events to combat the growing substance abuse problem in Hawai'i County.}

Re: Comm. 840  
Intr. by: Ms. Isbell  
Waived: FC

Res. 326-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$2,500 out and from Clerk-Council Services – Contingency Relief account; credits to the following: Department of Parks and Recreation, Recreation Division Other Current Expense (Pu'u'eo Community Center) (\$1,200) and Department of Parks and Recreation, Recreation Division Equipment (Hilo Armory) (\$1,300), for a total of \$2,500. Discretionary funds from District 2 would be used to pay for costs related to the purchase of equipment and supplies by two recreational facilities for activities conducted at these facilities.}

Re: Comm. 841  
Intr. by: Mr. Ikeda  
Waived: FC

Res. 327-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s) to Support the Grassroots Community Development Group's Kupukupu Drug Prevention Summer Program at the Ōla'a Community Center in Kea'au. {Transfers/appropriates \$12,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Research and Development Hawai'i County Resource Center (Grassroots Community Development Group) (Anti-Drug). Discretionary funds from District 6 would be used to support the Kupukupu Summer Program.}

Re: Comm. 842  
Intr. by: Mr. Jacobson  
Waived: FC

- Res. 328-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$10,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Office of the Mayor Clerical Service Center Equipment (Miscellaneous Equipment). Discretionary funds from District 2 would be used to help pay for costs related to the purchase of equipment to be used in community-building, family-oriented anti-drug activities and events to combat the growing substance abuse problem in Hawai'i County.}
- Re: Comm. 843  
Intr. by: Mr. Ikeda  
Waived: FC
- Res. 329-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$5,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Office of the Mayor Committee on the Status of Women (Miscellaneous Contract). Discretionary funds from District 7 would be used to help pay for incurred costs at the “Teen Date Violence Prevention Conference” held on April 7, 2006.}
- Re: Comm. 844  
Intr. by: Ms. Isbell  
Waived: FC
- Res. 330-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$15,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Public Works Transfer to Highway Fund (North/South Kohala Roads Other Current Expense Pakanu Street Paving). Discretionary funds from District 9 would be used to complete paving of Pakanu Street.}
- Re: Comm. 845  
Intr. by: Mr. Hoffmann  
Waived: FC
- Res. 331-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$9,677 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Equipment (Miscellaneous Equipment Kamehameha Park Gym Scoreboards). Discretionary funds from District 9 would be used to purchase two new scoreboards for Kamehameha Park Gymnasium.}
- Re: Comm. 846  
Intr. by: Mr. Hoffmann  
Waived: FC

Res. 332-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$16,500 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation Transfer to Capital Project Fund (Repairs to Pana'ewa Equestrian Center). Discretionary funds from District 3 would be used to pay for the shipping cost of new rodeo arena panels to replace rusted and rotted panels, bucking chutes, calf chutes, and stripping chutes at the Pana'ewa Equestrian Center.}

Re: Comm. 847  
Intr. by: Mr. Arakaki  
Waived: FC

Res. 333-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).  
{Transfers/appropriates \$19,300 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation – Recreation Division Equipment (Miscellaneous Equipment for District 1 Gymnasiums and Recreation Centers). Discretionary funds from District 1 would be used towards the purchase of equipment to be utilized at the Department of Parks and Recreation gyms and recreation centers located within District 1.}

Re: Comm. 849  
Intr. by: Mr. Holschuh  
Waived: FC

Res. 334-06: Authorizes the Corporation Counsel, and His Authorized Representatives, to Enter Into Agreements with the Individually Named Parties, Who are Employees of the County of Hawai'i, to Represent Them in the Civil Action Entitled *Thomas Young vs. County of Hawai'i, Et Al.*, Civil No. 05-01-164K.

Re: Comm. 850  
Intr. by: Ms. Isbell  
Waived: FC

**10:15 A.M.: STATEMENTS FROM THE PUBLIC ON BILLS FOR ORDINANCES (FIRST READING)**

**BILLS FOR ORDINANCES (FIRST READING)**

Bill 217: 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: Na'alehu Park Acquisition (\$1,200,000); funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$1,200,000). Funds would be used to ensure the park site is held in public ownership for continued public use due to the pending dissolution of the C. Brewer Company, from which the County has leased this site for numerous years.}

Re: Comm. 675  
 Intr. by: Mr. Jacobson  
 Approve: FC-282  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

Bill 226: Amends the State Land Use Boundaries Maps for the County of Hawai'i by Changing the District Classification from the Agricultural to the Urban District at Kahului 1<sup>st</sup>, North Kona, Hawai'i, Covered by Tax Map Key 7-5-17:Por. 5 and 2 (approx. 14 acres). {Lava Kuakini, LLC, Applicant.}

Re: Comm. 690  
 Intr. by: Mr. Pilago  
 Negative Recommendation: PC-65 (due to a vote of 3 ayes, 4 noes, & 2 excused)

Bill 227: Amends Section 25-8-3 (North Kona 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-5a) to Multiple-Family Residential (RM-2.5) at Kahului 1<sup>st</sup>, North Kona, Hawai'i, Covered by Tax Map Key 7-5-17:Por. 5 and 2 (approx. 14 acres). {Lava Kuakini, LLC, Applicant.}

Re: Comm. 690  
 Intr. by: Mr. Pilago  
 Negative Recommendation: PC-66 (due to a vote of 3 ayes, 4 noes, & 2 excused)

Bill 246: Amends Chapter 23, Hawai'i County Code 1983 (2005 Edition, as Amended), Relating to Information Required for Submittal of a Subdivision Application, Revisions to Certain Time and Street Requirements, and Minor "Housekeeping" Changes to the Subdivision Code.

Re: Comm. 762  
 Intr. by: Mr. Pilago  
 Negative Recommendation: PC-62 (due to a vote of 3 ayes, 3 noes, and 3 excused)

;and

(Comm. 762.1 continues on the next page.)

Comm. 762.1: From Jon Dusza, Alii Architects, dated April 19, 2006.

Bill 249: Amends the State Land Use Boundaries Maps for the County of Hawai'i by Changing the District Classification from the Agricultural to the Urban District at Pahoia, North Kohala, Hawai'i, Covered by Tax Map Key 5-5-008:Portion of 046 (approx. 15 acres). {Hawai'i Island Community Development Corporation, Applicant.}

Re: Comm. 765  
Intr. by: Mr. Pilago  
Approve: PC-63

Bill 250: Amends Section 25-8-7 (North and South Kohala 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) to Single Family Residential (RS-7.5) at Pahoia, North Kohala, Hawai'i, Covered by Tax Map Key 5-5-008:Portion of 046 (approx. 15 acres). {Hawai'i Island Community Development Corporation, Applicant.}

Re: Comm. 765  
Intr. by: Mr. Pilago  
Approve: PC-64

Bill 253: 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 the following project: PUBLIC WORKS: Waikoloa Emergency Road – County (\$120,000), and Waikoloa Emergency Road – Private (\$60,000), for a total of \$180,000; funds shall be provided from the following: General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$120,000) and Private Contributions (\$60,000), for a total of \$180,000.}

Re: Comm. 768  
Intr. by: Ms. Isbell  
Approve: FC-286  
2/3 Vote: Section 10-6(d), Hawai'i County Charter

Bill 254: Amends Chapter 2, Article 15, Section 2- 91.3(b) of the Hawai'i County Code 1983 (1995 Edition) as Amended, Relating to the Registration of Lobbyists, by Deleting the Exemption of Attorneys From Registration. {The Board of Ethics proposes that the exemption for attorneys registering as lobbyists be removed, thereby ensuring consistency with the State Code of Ethics.}

Re: Comm. 779  
Intr. by: Ms. Isbell  
Approve: FC-271

Bill 255: Initiates a Charter Amendment to Article VI, Chapter 8, Section 6-8.4, of the Hawai'i County Charter 2000, Relating to the Department of Parks and Recreation, County Bands. {Deletes Section 6-8.4 in its entirety removing the County band provisions in the Charter as it was determined that the Bandmaster and band member positions in the Hawai'i County Band and West Hawai'i County Band be changed from exempt to civil service status effective July 1, 2006.}

Re: Comm. 785  
Intr. by: Ms. Isbell  
Approve: FC-272  
2/3 Vote: First of three required readings,  
Section 15-1(a), Hawai'i County Charter

Bill 256: 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 Federal Grants – Marijuana Eradication (\$41,246); appropriates same to Marijuana Eradication. Funds would be used for the following: compensate for overtime incurred during marijuana-related operations, investigations, and community meetings; purchase equipment to enhance safety issues during operations/investigations; pay for helicopters service costs; cover travel expenses for attending training workshops and seminars; and assist in marijuana investigations in conjunction with the "Weed and Seed" Program.}

Re: Comm. 789  
Intr. by: Ms. Isbell  
Approve: FC-273

Bill 259: 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 (\$85,000); appropriates same to Streetlights Other Current Expense ('Alae Subdivision). Funds would be used to install streetlights in the 'Alae Subdivision.}

Re: Comm. 799  
Intr. by: Ms. Isbell  
Approve: FC-276

Bill 260: Adopts a Pay Plan for Persons Employed by the County Other Than Those Whose Pay is Otherwise Provided for, Designates Payroll Periods, Pay Days, Prescribes Requirements with Respect to Official Fidelity Bonds, and Repeals Ordinance No. 05-88 and All Amendments Thereto, Said Ordinance to be Known as the Salary Ordinance of 2006. {Significant amendments are the effect of the conversion of the July 1, 2006, positions in the Hawai'i County Band and the West Hawai'i Band from exempt to civil service status.}

Re: Comm. 802  
Intr. by: Ms. Isbell  
Approve: FC-279

Bill 261: Initiates a Charter Amendment to Section 12-2.1, Chapter 2, Article XII, of the Hawai'i County Charter (2000), Relating to Impeachment of Elected Officers. {Proposed amendment would raise the low threshold of registered voters required to bring the significant charges for impeachment against an elected officer or officer appointed to a vacancy in any elected office; and provide that only those voters registered in the council district of a respective council member may bring charges to the circuit court when impeaching a district council member. }

Re: Comm. 807  
 Intr. by: Ms. Isbell  
 Negative Recommendation: FC-281 (due to a vote of 4 ayes, 3 noes, and 2 excused)  
 2/3 Vote: First of three required readings, Section 15-1(a), Hawai'i County Charter

*;and*

Comm. 807.1: From Council Chair Stacy K. Higa, dated April 19, 2006, transmitting Bill 261, Draft 2. Draft 2 amends "SECTION 7" which states that this ordinance shall not apply retroactively to council members serving in council term 2004-2006; *and*

Bill 261 (Draft 2): Initiates a Charter Amendment to Section 12-2.1, Chapter 2, Article XII, of the Hawai'i County Charter (2000), Relating to Impeachment of Elected Officers.

Intr. by: Mr. Higa  
 2/3 Vote: First of three required readings, Section 15-1(a), Hawai'i County Charter

Bill 274: 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 (\$15,000); appropriates same to North and South Kohala Road Other Current Expense (District 9). Funds would be used to pave Pakanu Street in District 9. }

Re: Comm. 838  
 Intr. by: Ms. Isbell  
 Waived: FC

Bill 275: 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: Repairs to Pana'ewa Equestrian Center (\$16,500); funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (Contingency Relief) (\$16,500). }

Re: Comm. 847  
 Intr. by: Mr. Arakaki  
 Waived: FC  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

Bill 276: 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: PARKS AND RECREATION: Ahalanui/Pohoiki Bay Beach Park [\$2,000,000] (~~\$5,600,000~~); funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$5,600,000). Appropriates an additional \$3,600,000 to the Ahalanui/Pohoiki Bay Beach Parks project, thus increasing the funding from \$2,000,000 to \$5,600,000. Part of this overall project is the expansion and improvements to the Isaac Hale Memorial Park, which was estimated to cost \$900,000. In light of the current construction boom and corresponding inflated costs, \$2,000,000 was appropriated, however, when bids were opened on April 13<sup>th</sup>, the low bid was at \$5,527,500.}

Re: Comm. 848  
 Intr. by: Ms. Isbell  
 Waived: FC  
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

**1:30 P.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF THE DAY (SECOND OR FINAL READING)**

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

Bill 222 Planning Director Initiated Repealing Ordinance No. 487 Which Amended Section  
 (Draft 2): 7.29, the City of Hilo Zone Map, Ordinance No. 63 (Zoning Ordinance), Revised Ordinances of the County of Hawai'i 1967, as Amended, and Changed the District Classification from Agricultural (A-1a) to Single Family Residential (RS-7.5) at Ponahawai, South Hilo, Hawai'i, Covered by Tax Map Key: 2-3-36:Portion 18 and 2-3-37:6. Upon the Repeal of Ordinance No. 487, the District Classification of the Subject Area Shall be Agricultural (A-1a). {Draft 2 replaced the Exhibit "A" map with a corrected map submitted by the Planning Department.}

Re: Comm. 681.2  
 Intr. by: Mr. Pilago  
 1<sup>st</sup> Reading: April 19, 2006

Bill 228 Amends Section 25-8-2 (North and South Kona District Zone Map), Article 8,  
 (Draft 2): Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural (A-20a) to Agricultural (A-10a) at Kaloko Mauka Subdivision, North Kona, Hawai'i, Covered by Tax Map Key 7-3-26:13 (approx. 21.474 acres). {John Totah, Applicant. Draft 2 amendments relate to the following: adds a new Condition I relating to final approval of the subdivision request; and re-letters subsequent conditions.}

Re: Comm. 691.3  
 Intr. by: Mr. Ikeda  
 1<sup>st</sup> Reading: April 19, 2006

Bill 229  
(Draft 2): Amends Section 25-8-2 (North and South Kona District 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) to Agricultural (A-5a) at Kaloko Mauka Subdivision, North Kona, Hawai'i, Covered by Tax Map Key 7-3-25:9 (approx. 23.211 acres.) {Scott Gesling, Applicant. Draft 2 amendments relate to the following: adds a new Condition K relating to final approval of the subdivision request; and re-letters subsequent conditions.}

Re: Comm. 692.2  
Intr. by: Mr. Ikeda  
1<sup>st</sup> Reading: April 19, 2006

Bill 238: Amends Article VII, Chapter 1, of the Hawai'i County Charter (2000), Relating to the Department of Civil Service. {The proposed Charter amendments are for the purposes of: changing the name of the Civil Service Commission to Merit Appeals Board; changing the name of the Department of Civil Service to Department of Human Resources; changing the title of Director of Personnel or Director of Civil Service to Director of Human Resources; and changing the title of Deputy Director of Personnel or Deputy Director of Civil Service to Deputy Director of Human Resources.}

Re: Comm. 726  
Intr. by: Ms. Isbell  
1<sup>st</sup> Reading: April 5, 2006  
2<sup>nd</sup> Reading: April 19, 2006  
2/3 Vote: Third of three required readings,  
Section 15-1(a), Hawai'i County Charter

Bill 245: 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 (\$75,000); appropriates same to Product Development Program-State. Additional funds would be used to support and improve tourism product development initiatives and projects.}

Re: Comm. 760  
Intr. by: Ms. Isbell  
1<sup>st</sup> Reading: April 19, 2006

Comm.760.1: *;and*  
From Research and Development Deputy Director Diane Ley, dated April 20, 2006, submitting information regarding the County Product Enrichment Program awards for 2006.

Bill 252: 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 – South Kona Watershed Irrigation Project (\$347,200); appropriates same to South Kona Watershed Irrigation Project.}

Re: Comm. 767  
Intr. by: Ms. Isbell  
1<sup>st</sup> Reading: April 19, 2006

Bill 262: 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 Housing Voucher Program (\$150,000); appropriates same to Voucher Rental Subsidies.}

Re: Comm. 811  
Intr. by: Mr. Hoffmann  
1<sup>st</sup> Reading: April 19, 2006

Bill 263: 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 Federal Grants – Workforce Investment Act 2005 (\$20,115); appropriates to the following: Workforce Investment Act – Administration Planning 2005-06 (\$18,885) and Workforce Investment Act – Youth Program 2005-06 (\$1,230), for a total of \$20,115.}

Re: Comm. 812  
Intr. by: Mr. Hoffmann  
1<sup>st</sup> Reading: April 19, 2006

Bill 264: 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 the following: Federal – 2006 HOME Program (\$996,173) and HOME Program Income (\$21,862.21), for a total of \$1,018,035.21; appropriates to the following: County of Hawai'i Tenant Base Rental Assistance (\$522,279.21), Self-Help Housing – Pacific Paradise Gardens 7 (\$200,000), Self-Help Housing – Kumakua Increment 1 (\$200,000), American Dream Downpayment Initiative (\$10,756), and Office of Housing and Community Development Administration (\$85,000), for a total of \$1,018,035.21.}

Re: Comm. 813  
Intr. by: Mr. Hoffmann  
1<sup>st</sup> Reading: April 19, 2006

Bill 265: 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 the following: Federal – Block Grant (\$2,417,268) and Block Grant – Program Income (\$69,003.17), for a total of \$2,486,271.17; appropriates to the following: Removal of Architectural Barriers – Americans with Disabilities Act Compliance – Various County Facilities (\$931,271.17), Hale Alanoe Group Home (\$55,000), The Arc of Hilo – Construction (\$750,000), Hospice of Hilo – In Patient Facility (Plans & Design) (\$300,000), Construction Management (\$75,000), and Administration, Planning and Fair Housing (\$375,000), for a total of \$2,486,271.17.}

Re: Comm. 814  
 Intr. by: Mr. Hoffmann  
 1<sup>st</sup> Reading: April 19, 2006

**REPORTS**

FINANCIAL REPORT: Monthly Financial Status Report from the Finance Department for the Month Ended February 28, 2006.

**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. 821: CLAIM AGAINST THE COUNTY/CHRIS STELFOX  
 From Deputy Corporation Counsel Joseph K. Kamelamela, dated April 17, 2006.

**OTHER BUSINESS**

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

**ANNOUNCEMENTS**

TUESDAY, MAY 16, 2006

COMMITTEES	TBA	COUNCIL ROOM
COUNCIL PUBLIC HEARING RE REAL PROPERTY TAX RATES (E. HAWAI'I)	5:00 p.m.	COUNCIL ROOM

WEDNESDAY, MAY 17, 2006

COUNCIL	9:00 a.m.	COUNCIL ROOM
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THURSDAY, MAY 18, 2006

COUNCIL PUBLIC  
HEARING RE REAL  
PROPERTY TAX RATES  
(W. HAWAI'I)

6:00 p.m.

SHERATON KEAUHOU  
BAY RESORT & SPA

## ADJOURNMENT

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 May 1, 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, May 10, 2006, at 6 p.m.; Sunday, May 14, 2006, at 10:30 a.m.; and Wednesday, May 17, 2006, at 6 p.m.

(Hawai'i Tribune Herald – April 30, 2006)

(West Hawai'i Today – April 30, 2006)