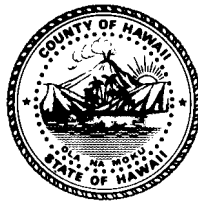


STACY K. HIGA
Chair & Presiding Officer

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*

46th Session

ORDER OF BUSINESS

Hawai'i County Council
**333 Kilauea Avenue
(Ben Franklin Building)
Second Floor, Council Room
Hilo, Hawai'i**

Monday, October 16, 2006
9:00 a.m.

INVOCATION

Kahu Wendell Davis of Kamehameha Schools Hawai'i Campus

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

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

MEMORIALS, CERTIFICATES OF MERIT, AND EXPRESSIONS OF CONDOLENCE

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

COMMUNICATIONS

Comm. 1049: NOMINATION OF MR. ROBERT E. COOPER (COUNCIL DISTRICT 2) TO THE ENVIRONMENTAL MANAGEMENT COMMISSION
From Mayor Harry Kim, dated August 25, 2006, requesting approval of the nomination of Mr. Robert E. Cooper to the Environmental Management Commission.

Waived: EMC

ORDER OF RESOLUTIONS

Res. 436-06: 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 Toursim Promotion, Miscellaneous Contract Services (The Great Waiomina Centennial Celebration). Discretionary funds from District 9 would be used to fund “The Great Waiomina Centennial Celebration” (a statewide festival consisting of art, music, cultural and culinary events focused around a paniolo theme as well as rodeos across the State).}

Re: Comm. 1031
Intr. by: Mr. Hoffmann
Approve: FC-333

Res. 440-06: Creates a Business Manager Position, a Contracts Technician Position, and a Clerk III Position for the Department of Environmental Management. {The duties and responsibilities for these positions include: provide common oversight for all the Business Services Section’s functions and help establish new policies and procedures as well as to improve and keep existing policies current; and improve the timeliness and efficiency of drafting and processing the department’s contracts. }

Re: Comm. 1038
Intr. by: Ms. Isbell
Negative: FC-328 (due to 4-ayes, 3-noes, and 2-absent and excused)
Postponed: September 20, 2006

(Note: There is a pending motion to adopt Resolution 440-06 by Ms. Isbell and duly seconded by Mr. Jacobson.)

;and

(Comm. 1038.3 continues on the next page.)

Comm. 1038.3: From Environmental Management Director Barbara Bell, dated September 18, 2006, addressing concerns raised at the Finance Committee's September 6, 2006, meeting.

Res. 448-06: Authorizes the Acceptance of Roadway Lots A, B, C, and D (approx. 3.771, 0.388, 0.390, and 0.386 acres, respectively), Within Kīkala-Kēōkea Residential Subdivision, Kalapana Section, and Roadway Lots A and B (approx. 2.532 and 0.664 acres, respectively), Within Kīkala-Kēōkea Residential Subdivision, Kapoho Section, Being Portions of Tax Map Key: (3)1-2-043, Situate in Puna, Island, County and State of Hawai'i, from the State of Hawai'i.

Re: Comm. 1055
 Intr. by: Mr. Ikeda
 Approve: PWIRC-52

;and

Comm. 1055.1: From Council Member Gary Safarik, dated September 13, 2006.

Res. 449-06: Accepts the Declaration of Public Access Pedestrian Easements from Kailua Kona Village Development Group, LLC, Tax Map Key (3)7-5-07:21 (Portion), Transfer Certificate of Title No. 199042, to the County of Hawai'i. {Assures that pedestrian public access is provided within the property to and along designated shoreline access areas.}

Re: Comm. 1056
 Intr. by: Mr. Pilago
 Approve: PC-113

;and

Comm. 1056.1: From Deputy Corporation Counsel Amy G. Self, dated September 20, 2006, transmitting an amended "Exhibit 1".

Res. 450-06: Authorizes the Acceptance of a Donation of Twelve Post Pads and Fifteen Bleacher Pads for the Andrews Gym. {Donated by the Andrews Athletic Association, with an estimated total value of \$3,417.35.}

Re: Comm. 1058
 Intr. by: Ms. Isbell
 Approve: FC-335

Res. 451-06: Authorizes the Director of Finance to Enter Into Negotiations for the Acquisition of Tax Map Key Parcels 9-5-017:007, 9-5-017:005, 9-5-016:025, and 9-5-016:006, Comprising Approximately 785.161 Acres of Land, Collectively Known as Kawa'a and Kawa'a Bay, in the District of Ka'u, Pursuant to Ordinance No. 05-166. {Prioritized by the Public Access, Open Space, and Natural Resources Preservation Commission as Number one priority for purchase, with an 88% criteria score.}

Re: Comm. 1063
 Intr. by: Mr. Jacobson
 Approve: FC-336

Res. 452-06: Authorizes the Director of Finance to Enter Into Negotiations for the Acquisition of Tax Map Key Parcels 9-6-001:006, 9-6-001:011, 9-6-001:012, and 9-6-001:003, Comprising Approximately 10.195 Acres of Land, also Known as Punalu'u Beach Park and Adjacent Lands, in the District of Ka'u, Pursuant to Ordinance No. 05-166. {Prioritized by the Public Access, Open Space, and Natural Resources Preservation Commission as Number five priority for purchase, with a 70% criteria score.}

Re: Comm. 1064
 Intr. by: Mr. Jacobson
 Approve: FC-337

;and

Comm. 1064.7: From Planning Director Chris Yuen, dated September 28, 2006.

Res. 463-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s). {Transfers/appropriates \$4,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Liquor Control Public Programs, Miscellaneous Contract Services (Kealakehe Junior Reserve Officers' Training Corps [JROTC] Program). Discretionary funds from District 8 would be used to fund the Kealakehe High School JROTC program's participation in the "Adventure Team Challenge" at Schofield Barracks in December 2006, as well as the "Kings Guard Drill Competition" in April 2007, held on the Island of O'ahu.}

Re: Comm. 1079
 Intr. by: Mr. Pilago
 Waived: FC

;and

Comm. 1079.1: From Finance Committee Chair Virginia Isbell, dated October 4, 2006, requesting the above matter be waived from the Finance Committee.

Res. 468-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s). {Transfers/appropriates \$25,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Finance Property Management Other Current Expense (Environmental Assessment – Rice Property, Waipi'o). Discretionary funds from District 1 would be used toward funding an environmental assessment required in order to proceed with the acquisition of the Rice Property in Waipi'o.}

Re: Comm. 1093
 Intr. by: Mr. Holschuh
 Waived: FC

Res. 474-06: Authorizes the Payment of Funds of a Later Fiscal Year and More Than One Fiscal Year for a Multi-Year Lease (1 year) of Real Property for the Office of the County Clerk-Elections Division. {Lease with HO Retail Properties I, L.P., would be for 5,000 square feet of office space located at 111 East Puainako Street, and the approximate cost per month, including general excise tax, continues to be \$8,594.}

Re: Comm. 1104
Intr. by: Ms. Isbell
Waived: FC

Res. 475-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s). {Transfers/appropriates \$1,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation Hoolulu Complex Other Current Expense (Hilo Drag Strip – Gravel). Discretionary funds from District 4 would be used to purchase gravel for the Hoolulu Complex – Drag Strip pit area.}

Re: Comm. 1107
Intr. by: Mr. Higa
Waived: FC

Res. 476-06: 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 Department of Research and Development Tourism Promotion, Miscellaneous Contract Services (Hawai'i Island Visitor's Bureau [HIVB] Natascha Badmann Adventure Promotion). Discretionary funds from District 3 would be used as a grant towards HIVB's "Hawai'i's Island of Adventure" promotional campaign (to cover costs for accommodations, travel expenses, photographs, design and printing of the poster, and other related expenses).}

Re: Comm. 1110
Intr. by: Mr. Arakaki
Waived: FC

Res. 477-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s). {Transfers/appropriates \$4,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Research and Development Tourism Promotion, Miscellaneous Contract Services (Filipino Centennial Celebration). Discretionary funds from District 1 would be used to assist with the funding requirements for the culmination of the Filipino Centennial Celebration.}

Re: Comm. 1111
Intr. by: Mr. Holschuh
Waived: FC

Res. 478-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$4,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Transfer to Solid Waste Fund Miscellaneous Charges (Kona Outdoor Circle – Kealakehe Beautification Project). Discretionary funds from District 7 would be used to plant trees around the Vehicle Disposal site and the “closed” dump at Kealakehe, next to the police station. }

Re: Comm. 1112
Intr. by: Ms. Isbell
Waived: FC

Res. 479-06: 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 Parks and Recreation, Recreation Division Other Current Expense (Waiākea Recreation Center – mats). Discretionary funds from District 4 would be used to purchase Aikido/Judo mats for the Waiākea Recreation Center. }

Re: Comm. 1113
Intr. by: Mr. Higa
Waived: FC

Res. 480-06: 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 Department of Research and Development Tourism Promotion, Miscellaneous Contract Services (Hawai'i Island Visitors Bureau [HIVB] Natascha Badmann Adventure Promotion). Discretionary funds from District 2 would be used as a grant towards HIVB's “Hawai'i's Island of Adventure” promotional campaign (to cover the costs for accommodations, travel expenses, photographs, design and printing of the poster, and other related expenses). }

Re: Comm. 1114
Intr. by: Mr. Ikeda
Waived: FC

Res. 481-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$7,500 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Equipment (Skeet Range Equipment). Discretionary funds from District 3 would be used to help cover a portion of the total cost to replace three trap machines and one generator at the Trap and Skeet Range in Hilo.}

Re: Comm. 1117
Intr. by: Mr. Arakaki
Waived: FC

Res. 482-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$20,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation Pana'ewa Zoo Other Current Expense (Pana'ewa Zoo Cages). Discretionary funds from District 3 would be used to purchase three 14-foot cages and two 8-foot cages for the Pana'ewa Rainforest Zoo and Gardens in order to accommodate the donation of 10 parrots.}

Re: Comm. 1118
Intr. by: Mr. Arakaki
Waived: FC

Res. 483-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$8,950 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Other Current Expense (Shipman Park Equipment and Fence). Discretionary funds from District 3 would be used to purchase the following equipment for Shipman Park: basketball backboard, rim, and stand; heavy-duty-plastic picnic table; 8-foot-player-style bench, and fence to enclose outdoor basketball area.}

Re: Comm. 1119
Intr. by: Mr. Arakaki
Waived: FC

Res. 488-06: Supports the Request of the University of Hawai'i for Release of General Obligation Bond Funds for the Planning, Design, and Construction of the West Hawai'i Campus Center Developments. {Urges Governor Linda Lingle to release funds appropriated in the Supplemental Appropriations Act of 2006 for the West Hawai'i Campus Center Developments.}

Re: Comm. 1125
 Intr. by: Ms. Isbell
 Waived: FC

10:00 A.M.: STATEMENTS FROM THE PUBLIC ON BILLS FOR ORDINANCES (FIRST READING)

BILLS FOR ORDINANCES (FIRST READING)

Bill 321: Amends Ordinance No. 95 118, Which Amended Ordinance No. 92-36, Which Reclassified Lands from Unplanned (U) and Double-Family Residential – 3,750 Square Feet (RD-3.75) to Multiple Family Residential – 2,500 Square Feet (RM-2.5) and Village Commercial – 7,500 Square Feet (CV-7.5), Respectively, at Hienaloli 4th and 5th, North Kona, Hawai'i, Tax Map Key:7-5-10:Portion of 13 (Formerly 7-5-23:63). {Samson LLC, Applicant.}

Re: Comm. 1004
 Intr. by: Mr. Pilago
 Approve: PC-109

;and

Comm. 1004.1: From Council Member K. Angel Pilago, dated September 26, 2006, transmitting Bill 321, Draft 2. Draft 2 amends Condition M by adding a provision that the applicant shall implement the approved archaeological mitigation and burial treatment plans; *and*

Bill 321 (Draft 2): Amends Ordinance No. 95 118, Which Amended Ordinance No. 92-36, Which Reclassified Lands from Unplanned (U) and Double-Family Residential – 3,750 Square Feet (RD-3.75) to Multiple Family Residential – 2,500 Square Feet (RM-2.5) and Village Commercial – 7,500 Square Feet (CV-7.5), Respectively, at Hienaloli 4th and 5th, North Kona, Hawai'i, Tax Map Key:7-5-10:Portion of 13 (Formerly 7-5-23:63). {Samson LLC, Applicant.}

Intr. by: Mr. Pilago (B/R)

Bill 322: Amends Ordinance No. 90 010, Which Amended Ordinance No. 86 49, Which Reclassified Lands from Multiple Family Residential – 2,000 Square Feet (RM-2) to Village Commercial – 7,500 Square Feet (CV-7.5) at Hienaloli 5th and 6th, North Kona, Hawai'i, Tax Map Key:7-5-10:Portion of 13 (Formerly 7-5-23:64 and 67). {Samson LLC, Applicant. }

Re: Comm. 1005
 Intr. by: Mr. Pilago
 Approve: PC-110

;and

Comm. 1005.1: From Council Member K. Angel Pilago, dated September 26, 2006, transmitting Bill 322, Draft 2. Draft 2 amends Condition M by adding a provision that the applicant shall implement the approved archaeological mitigation and burial treatment plans; *and*

Bill 322 (Draft 2): Amends Ordinance No. 90 010, Which Amended Ordinance No. 86 49, Which Reclassified Lands from Multiple Family Residential – 2,000 Square Feet (RM-2) to Village Commercial – 7,500 Square Feet (CV-7.5) at Hienaloli 5th and 6th, North Kona, Hawai'i, Tax Map Key:7-5-10:Portion of 13 (Formerly 7-5-23:64 and 67). {Samson LLC, Applicant. }

Intr. by: Mr. Pilago (B/R)

Bill 328: Amends the Hawai'i County Code 1983 (2005 Edition, as Amended) by Adding a New Chapter Relating to Concurrency. {Establishes a concurrency management system and prepares a public facilities improvement plan to fund and maintain county-wide facilities and services. }

Re: Comm. 328
 Intr. by: Ms. Isbell
 Pursuant to
 Section 25-2-43, Hawai'i
 County Code, recommends to
 commit to Planning Director
 and Planning Commission: PC-111

Bill 329: Amends the Hawai'i County Code 1983 (2005 Edition, as Amended) by Adding a New Chapter Relating to Adequate Public Facilities. {Relates to adequate public facilities for the identification of infrastructure and services necessary to support new development and the establishment of a policy as to when and how these improvements and services will be constructed and maintained.}

Re: Comm. 1037
 Intr. by: Ms. Isbell
 Pursuant to
 Section 25-2-43, Hawai'i
 County Code, recommends to
 commit to Planning Director
 and Planning Commission: PC-112

Bill 330: Amends Ordinance No. 06-79, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2007. {Increases revenues in Environmental Management Department Administration Charges (\$117,192); appropriates to the following: Environmental Management Salaries and Wages (\$104,922), Environmental Management Other Current Expense (\$3,270), and Environmental Management Equipment (\$9,000), for a total of \$117,192.}

Re: Comm. 1038
 Intr. by: Ms. Isbell
 Negative: FC-329 (due to 4-ayes, 3-noes, and 2-absent and
 excused)
 Postponed: September 20, 2006

Bill 336: Amends Ordinance No. 06-80, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2006 to June 30, 2007. {Adds PUBLIC WORKS: Kaūmana Drive Flood Protection – Federal (\$50,000); funds shall be provided from Federal Grants Receivable (\$50,000). Additional funds provided by the Natural Resources Conservation Service (NRCS) would be used to meet the consultant's fee proposal for additional work in their fee proposal.}

Re: Comm. 1057
 Intr. by: Mr. Ikeda
 Approve: FC-334
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

Bill 346: Amends Chapter 14, Article 12, Hawai'i County Code 1983 (2005 Edition, as Amended), Relating to the Official Bulletin Board. {Due to the renovations of the Hawai'i County Building, the official bulletin board would be moved from 25 Aupuni Street (Hilo) to 101 Aupuni Street (Hilo).}

Re: Comm. 1105
 Intr. by: Mr. Higa
 Waived: FC

Bill 348: Amends Ordinance No. 06-79, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2007. {Increases revenues in Transfer from General Fund (\$4,000); appropriates same to Landfills Other Current Expense (Miscellaneous Contract Services – Kona Outdoor Circle). Funds would be used to plant trees at the old Kealakehe dump site and scrap metal area.}

Re: Comm. 1116
Intr. by: Ms. Isbell
Waived: FC

10:45 A.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF THE DAY (SECOND OR FINAL READING)

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 317: Amends Chapter 24, Article 10, Section 24-264 of the Hawai'i County Code 1983 (2005 Edition) as Amended, Relating to Vehicles and Traffic. {Proposed three-way stop at Middle Ke'ei Road and Painted Church Road intersection will be a temporary measure until intersection improvements are completed under Engineering Division's Capital Improvement Project.}

Re: Comm. 993
Intr. by: Mr. Ikeda
1st Reading: September 20, 2006

Bill 325: Amends Ordinance No. 06-79, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2007. {Increases revenues in Federal Grants – Rural Fire Assistance (\$9,335); appropriates same to Rural Fire Assistance. Funds would be used by the Hawai'i Ocean View Volunteer Fire Department to enhance fire protection capabilities of rural fire districts by providing fire suppression tools and equipment.}

Re: Comm. 1023
Intr. by: Ms. Isbell
1st Reading: September 20, 2006

Bill 327: Amends Ordinance No. 06-80, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2006 to June 30, 2007. {Adds ENVIRONMENTAL MANAGEMENT: Kapoho Wastewater Treatment Plant Facility Feasibility Study (\$100,000), and Kapoho Wastewater Treatment Plant Facility Feasibility Study – State (\$150,000), for a total of \$250,000; funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$100,000) and State Grants Receivable (\$150,000), for a total of \$250,000.}

Re: Comm. 1032
Intr. by: Mr. Safarik
1st Reading: September 20, 2006
2/3 Vote: Section 10-6(d), Hawai'i County Charter

Bill 331: Amends Ordinance No. 06-79, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2007. {Appropriates revenues in Fund Balance Reserved for Liquor Control (\$20,000); appropriates same to Public Programs. Funds would be used to conduct programs for the public which promotes compliance to liquor laws. }

Re: Comm. 1040
Intr. by: Ms. Isbell
1st Reading: September 20, 2006

Bill 337
(Draft 2): Amends Chapter 14, Article 10, of the Hawai'i County Code 1983 (2005 Edition), Relating to Exceptional Trees. {Designates the Brazilian Fern Tree (*Schizolobium parahyba*) as an "Exceptional Tree"; Tax Map Key 7-5-1:114; located at Moeauoa 1, North Kona; Gwendolyn C. Hobbs, Owner. }

Re: Comm. 1067.1
Intr. by: Mr. Pilago
1st Reading: September 20, 2006

Bill 338
(Draft 2): Amends Chapter 14, Article 10, of the Hawai'i County Code 1983 (2005 Edition), Relating to Exceptional Trees. {Designates the Moreton Bay Fig (*Ficus macrophylla*) as an "Exceptional Tree"; Tax Map Key 7-5-6:12; located at North Kona, portion of Kailua Village; Burgess, Inc., Owner. }

Re: Comm. 1068.1
Intr. by: Mr. Pilago
1st Reading: September 20, 2006

REPORTS

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.

OTHER BUSINESS

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

Comm. 998.12: REQUESTS RECONSIDERATION OF BILL 318 (RELATING TO CONDITIONS ON CHANGE OF ZONE) AND BILL 319 (RELATING TO LARGE SCALE DEVELOPMENTS)

From Council Vice Chair Virginia Isbell, dated September 20, 2006, pursuant to Rule No. 17 of the Rules of Procedure of the Council of the County of Hawai'i, requests the reconsideration of Bills 318 and 319.

;and

Bill 318: Amends Chapter 25, Article 2, Division 4, Section 25-2-44, Hawai'i County Code 1983 (2005 Edition) Relating to Conditions on Change of Zone. {Adds requirements to existing provisions within the Zoning Code relating to conditions on change of zone ordinances regarding water supply improvements or strategies as specified by the Department of Water Supply as well as transportation improvements or strategies to accommodate the impacts of development on transportation facilities, be made concurrent with development associated with any change of zone in order to manage growth and coordinate the delivery of government services in the County.}

Re: Comm. 998
Intr. by: Mr. Hoffmann

Pursuant to
Section 25-2-43, Hawai'i
County Code, recommends to
commit to Planning Director
and Planning Commission:
September 7, 2006:

PC-106
Recommendation to commit
failed due to the vote of 3-ayes
and 6-noes.

September 20, 2006: **There is a pending motion to reconsider Bill 318 by Ms. Isbell and duly seconded by Mr. Safarik.**

;and

Comm. 998.13: From Ambika Kosada, dated September 19, 2006; *and*

Comm. 998.14: From Executive Director Dean Uchida, Land Use Research Foundation of Hawai'i, dated September 7, 2006

;and

(Bill 319 continues on the next page.)

Bill 319: Amends Chapter 23, Article 2, Division 1, Section 23-13, Hawai'i County Code 1983 (2005 Edition) Relating to Large Scale Developments. {Adds requirements to existing provisions within the Subdivision Code relating to large scale developments regarding water supply improvements or strategies as specified by the Department of Water Supply as well as transportation improvements or strategies to accommodate the impacts of development, be made concurrent with development of large scale subdivisions or condominium property regimes in order to manage growth and coordinate the delivery of government services in the County. }

Re:	Comm. 999
Intr. by:	Mr. Hoffmann
Pursuant to	
Section 25-2-43, Hawai'i	
County Code, recommends to	
commit to Planning Director	
and Planning Commission:	PC-107
September 7, 2006:	Recommendation to commit
	failed due to the vote of 3-ayes
	and 6-noes.
September 20, 2006:	There is a pending motion to
	reconsider Bill 319 by Ms. Isbell
	and duly seconded by
	Mr. Safarik.

Comm. 999.6: *;and* From Executive Director Dean Uchida, Land Use Research Foundation of Hawai'i, dated September 7, 2006.

ANNOUNCEMENTS

	<u>TUESDAY, OCTOBER 17, 2006</u>	
COMMITTEES	TBA	COUNCIL ROOM – HILO 333 Kīlauea Avenue Ben Franklin Building Second Floor

	<u>MONDAY, OCTOBER 30, 2006</u>	
COMMITTEES	TBA	COUNCIL ROOM – HILO 333 Kīlauea Avenue Ben Franklin Building Second Floor

	<u>TUESDAY, OCTOBER 31, 2006</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM – HILO 333 Kīlauea Avenue Ben Franklin Building Second Floor

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 October 13, 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 333 Kīlauea Avenue, 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 **seventeen (17)** 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 25 Aupuni Street, Hilo, Hawai'i 96720, (2) by facsimile to (808) 961-8912, or (3) by e-mail to counciltestimony@co.hawaii.hi.us. **Please submit a separate testimony for each item.** 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, 333 Kīlauea Avenue, Hilo, Hawai'i 96720.

Government Access Television: Channel 52 (Hilo and Kona) Wednesday, October 25, 2006, at 6 p.m.; Sunday, October 29, 2006, at 10:30 a.m.; and Wednesday, November 1, 2006, at 6 p.m.

(Hawai'i Tribune Herald – October 13, 2006)
(West Hawai'i Today – October 13, 2006)