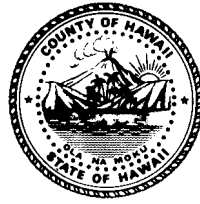


PETE HOFFMANN
Chair & Presiding Officer

K. ANGEL PILAGO
Vice Chair



BRENDA FORD
STACY K. HIGA
DONALD IKEDA
BOB JACOBSON
EMILY I. NAEOLE
DOMINIC YAGONG
J YOSHIMOTO

COUNTY COUNCIL

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

9th Session

ORDER OF BUSINESS

Hawai'i County Council
Sheraton Keauhou Bay Resort and Spa
78-128 Ehukai Street
Kailua-Kona, Hawai'i

Wednesday, April 4, 2007
9:00 a.m.

INVOCATION

~~Pastor Jason Meehan of Thy Word Ministries — Kona~~
Council Member Emily I. Naeole

CALL TO ORDER

9:04 a.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

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

*Serving the Interests of the People of Our Island
Hawai'i County is an Equal Opportunity Provider and Employer.*

MEMORIALS, CERTIFICATES OF MERIT, AND EXPRESSIONS OF CONDOLENCE

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

COMMUNICATIONS

Comm. 258: PROPOSED HAWAI'I STATE ASSOCIATION OF COUNTIES 2007-2008 ANNUAL OPERATING BUDGET
From Council Member Bob Jacobson, dated March 15, 2007, requesting Council's approval of HSAC's 2007-2008 annual operating budget.
APPROVED

ORDER OF RESOLUTIONS

Res. 91-07: Authorizes the Mayor to Enter Into a Long Term Agreement with the Merrie Monarch Festival, to Lease a Portion of the Former County of Hawai'i Real Property Tax Office Situated at 865 Pi'ilani Street in Hilo, Hawai'i. {The Administration plans to relocate the RSVP program to another site; only then shall a portion of the building be provided for lease to the Merrie Monarch Festival organization for 20 years at the cost of \$1 per year plus utilities.}

Re: Comm. 220
Intr. by: Mr. Yagong
Approve: FC-69

AMENDED TO DRAFT 2 & ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

;and

Comm. 220.1: From Council Member Donald Ikeda, dated March 21, 2007, transmitting proposed amendments to Resolution 91-07, which are listed in this communication.

Res. 93-07: 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 (Kona Earth Festival). Discretionary funds from District 8 would be used towards the Kona Earth Day activities to help defray some of the costs and expenses associated with this event. }

Re: Comm. 229
 Intr. by: Mr. Pilago
 Approve: FC-71

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 94-07: 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 (Kona Earth Festival). Discretionary funds from District 9 would be used towards the Kona Earth Day activities to help defray some of the costs and expenses associated with this event. }

Re: Comm. 230
 Intr. by: Mr. Hoffmann
 Approve: FC-72

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 95-07: Creates a Police Sergeant Position for the Hawai'i County Police Department.
 {This position would provide needed assistance to the Special Response Team's (SRT) lone supervising Police Lieutenant position and would enable the SRT unit to be more efficiently coordinated, supervised, and managed. }

Re: Comm. 231
 Intr. by: Mr. Yagong
 Approve: FC-73

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 96-07: Authorizes the Acceptance of a Monetary Gift of Three Thousand Six Hundred Sixty One Dollars and Five Cents (\$3,661.05) from the Gregg Malkin Memorial Fund to the Hawai'i Fire Department. {Funds would be used for the purchase of thermal gear for the Department's rescue team. }

Re: Comm. 232
 Intr. by: Mr. Yagong
 Approve: FC-74

ADOPTED: (Note: Due to an error in this resolution, it will be reconsidered at the Council's April 18th meeting and a Draft 2 will be forthcoming.)

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 97-07: Authorizes the Office of the Mayor to Enter Into an Agreement with the Hawai'i Tourism Authority, Pursuant to HRS 46-7, for the Hawai'i County Tourism Strategic Plan. {Funds would be used to launch the Hawai'i Tourism Authority's statewide Tourism Strategic Plan to all of the relevant tourism-industry stakeholders, as well as residents of the community. }

Re: Comm. 233
 Intr. by: Mr. Yagong
 Approve: FC-76

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 98-07: Authorizes the Payment of Funds of a Later Fiscal Year and of More Than One Fiscal Year for a Multi-Year Contract for Services of Collection and Hauling of Recyclables at Island-Wide Solid Waste Transfer Stations. {The current contract expires on June 30, 2007, and an Invitation for Bids will be advertised soon (the resulting contract will be for a two-year term with two, one-year options for extension). }

Re: Comm. 234
 Intr. by: Mr. Yagong
 Approve: FC-78

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 99-07: Authorizes the Office of the Mayor to Enter Into an Agreement with the State of Hawai'i Department of Transportation, Pursuant to HRS 46-7, for a Data Grant for the Hawai'i County Police Department. {Funds would be used to establish a statewide traffic data system and to ensure compliance with national standards.}

Re: Comm. 235
 Intr. by: Mr. Yagong
 Approve: FC-79

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 101-07: 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 (Kona Earth Festival). Discretionary funds from District 7 would be used towards Kona Earth Day activities to help defray some of the costs and expenses associated with this event.}

Re: Comm. 241
 Intr. by: Ms. Ford
 Approve: FC-83

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 103-07: 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 Liquor Control Public Programs (Boys and Girls Club of Big Island). Discretionary funds from District 1 would be used towards the Boys and Girls Club of the Big Island.}

Re: Comm. 248
 Intr. by: Mr. Yagong
 Waived: FC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 104-07: 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 Liquor Control Public Programs, Miscellaneous Contract Services (Hilo High Project Grad Night). Discretionary funds from District 4 would be used towards the Hilo High School Project Grad Night to defray some of the costs and expenses associated with this event. }

Re: Comm. 249
 Intr. by: Mr. Higa
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, and Yoshimoto – 8.
NOES: None.
ABSENT: Chair Hoffmann – 1.
EXCUSED: None.

Res. 105-07: 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 Liquor Control Public Programs, Miscellaneous Contract Services (Waiākea High Project Grad Night). Discretionary funds from District 4 would be used towards the Waiākea High School Project Grad Night to defray some of the costs and expenses associated with this event. }

Re: Comm. 250
 Intr. by: Mr. Higa
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 106-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$7,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Other Current Expense (Honomū Park Baseball Field Fencing Project). Discretionary funds from District 1 would be used towards the purchase of fencing materials for the Honomū Park Baseball Field.}

Re: Comm. 251
 Intr. by: Mr. Yagong
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 107-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$69,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation Transfer to Capital Projects Fund-General (To be allotted to New Streetlight Installation – Lili'uokalani Gardens and other miscellaneous projects in District 4). Discretionary funds from District 4 would be used towards the installation of a new streetlight at Lili'uokalani Gardens as well as other miscellaneous projects.}

Re: Comm. 252
 Intr. by: Mr. Higa
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 108-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$2,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Other Current Expense (Kula‘imano Park Bleacher Coverings). Discretionary funds from District 1 would be used towards purchasing building materials to construct a covering for bleachers at Kula‘imano Park.}

Re: Comm. 253
 Intr. by: Mr. Yagong
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 110-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$8,500 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Other Current Expense (Council District 1 Tables/Chairs). Discretionary funds from District 1 would be used towards the purchase of tables and chairs for the Wainaku, Pāpa‘ikou, Kula‘imano, Pāpa‘aloha, Pa‘auilo, and Honoka‘a gyms in the District of Hāmākua.}

Re: Comm. 262
 Intr. by: Mr. Yagong
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 111-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$43,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Other Current Expense (Honoka‘a County Park Complex). Discretionary funds from District 1 would be used towards the purchase of a new tennis court wind barrier wrap, portable basketball and baseball scoreboards, table tennis table, and other necessary equipment as well as the purchase of building materials to construct two storage units at the Honoka‘a County Park Complex. }

Re: Comm. 263
 Intr. by: Mr. Yagong
 Waived: FC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 112-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$18,500 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Liquor Control Public Program (Boys and Girls Club). Discretionary funds from District 6 would be used towards a grant to support the Boys and Girls Club of Hilo. }

Re: Comm. 264
 Intr. by: Mr. Jacobson
 Waived: FC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 114-07: 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 Department of Liquor Control Public Program (Hilo High School Grad Night). Discretionary funds from District 2 would be used towards a grant for the 2007 Hilo High School Grad Night. }

Re: Comm. 269
 Intr. by: Mr. Ikeda
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 115-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$24,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Liquor Control Public Program (Hilo Computer Assisted Learning Center). Discretionary funds from District 2 would be used towards a grant for the adult literacy program conducted by the Hilo Computer Assisted Learning Center. }

Re: Comm. 270
 Intr. by: Mr. Ikeda
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 116-07: Appoints the Hawai'i County Council Representative and Alternate to Serve on the Hawai'i State Association of Counties (HSAC) Executive Committee and the Representative to Serve on the Western Interstate Region (WIR) Board of Directors. {Appoints Council Member Bob Jacobson as Representative to the HSAC Executive Committee and WIR Board of Directors, and Council Member K. Angel Pilago as Alternate to the HSAC Executive Committee. }

Re: Comm. 271
 Intr. by: Mr. Hoffmann
 Waived: PWIRC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 117-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s). {Transfers/appropriates \$100,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Planning Department, Planning Other Current Expense (Old Volcano Trail Survey). Discretionary funds from District 6 would be used to support the right-of-way survey study for the Old Volcano Trail. }

Re: Comm. 272
 Intr. by: Mr. Jacobson
 Waived: FC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 118-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s). {Transfers/appropriates \$24,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Public Works Transfer to Capital Projects Fund-General (To be allotted to New Streetlights Installed-Nanawale, Kahakai & Pohoiki). Discretionary funds from District 5 would be used to purchase streetlights in the District of Puna. }

Re: Comm. 273
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 119-07: 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 Liquor Control Public Programs (Kokua Counseling Services, Inc.). Discretionary funds from District 5 would be used to provide more programs to assist needy families in the community.}

Re: Comm. 274
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 120-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$19,800 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Liquor Control Public Programs (The Friends of the Children’s Justice Center Winners Camp). Discretionary funds from District 5 would be used to provide cultural programs for the public.}

Re: Comm. 275
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 121-07: 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 Liquor Control Public Programs (Pāhoa Family Health Center). Discretionary funds from District 5 would be used to purchase medical supplies for the Pāhoa Family Health Center. }

Re: Comm. 276
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 122-07: 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 Liquor Control Public Programs (Malama Hawai'i Nei). Discretionary funds from District 5 would be used towards a grant to Malama Hawai'i Nei for education scholarships, cultural programs, and athletic community organizations. }

Re: Comm. 277
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 123-07: 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 Liquor Control Public Programs (Boys and Girls Club). Discretionary funds from District 5 would be used towards a grant for the Boys and Girls Club of the Big Island. }

Re: Comm. 278
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 124-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$2,000 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Liquor Control Public Programs (Pāhoa High School Grad Night). Discretionary funds from District 5 would be used towards a grant for the Pāhoa High School Grad Night. }

Re: Comm. 279
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 126-07: 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 Liquor Control Public Programs (Ka Nani No Na Pua/Dances of Tuamotu Island). Discretionary funds from District 5 would be used towards a grant for the Ka Nani No Na Pua program. }

Re: Comm. 281
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Res. 127-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$24,500 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Liquor Control Public Programs (Hilo Computer Assisted Learning Center). Discretionary funds from District 5 would be used towards a grant for the Hilo Computer Assisted Learning Center’s adult literacy program.}

Re: Comm. 282
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

Res. 128-07: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$19,925 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Liquor Control Public Programs (Maku‘u Farmers Association). Discretionary funds from District 5 would be used towards a grant for the Maku‘u Farmers Association.}

Re: Comm. 283
 Intr. by: Ms. Naeole
 Waived: FC

ADOPTED:
AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.
NOES: None.
ABSENT: None.
EXCUSED: None.

10:45 A.M.: STATEMENTS FROM THE PUBLIC ON BILLS FOR ORDINANCES (FIRST READING)

BILLS FOR ORDINANCES (FIRST READING)

Bill 62: Amends Section 25-8-30 (Na'alehu Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Single Family Residential – 7,500 Square Feet (RS-7.5) to Village Commercial – 7,500 Square Feet (CV-7.5) at Poupouwela and Kowala, Ka'u, Hawai'i, Covered by Tax Map Key 9-5-024:008 (approx. 17,382 square feet). {Big Island Ventures, LLC, Applicant.}

Re: Comm. 199
 Intr. by: Mr. Hoffmann Pilago
 Approve: PC-22

PASSED 1ST READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 66: 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 Contribution from Private Source (\$3,661.05); appropriates same to Rescue Equipment - Private.}

Re: Comm. 232
 Intr. by: Mr. Yagong
 Approve: FC-75

PASSED 1ST READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 67: 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 State Grants – Hawai'i Tourism Authority – Tourism Strategy Plan (\$24,750); appropriates same to Hawai'i Tourism Authority – Tourism Strategy Plan.}

Re: Comm. 233
 Intr. by: Mr. Yagong
 Approve: FC-77

PASSED 1ST READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 68: 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 Federal Grants – Hawai'i County Police Department (HCPD) Data Grant (\$66,400.80); appropriates same to HCPD Data Grant.}

Re: Comm. 235
 Intr. by: Mr. Yagong
 Approve: FC-80

PASSED 1ST READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 69: 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 – Community Based Traffic Coordinator (\$22,000); appropriates same to Community Based Traffic Coordinator. Funds would be used for the Police Department's Community Based Traffic Coordinator Program to reduce the number of alcohol, speed, and seat belt non-use related traffic fatalities and injuries on the Big Island by 10 percent.}

Re: Comm. 236
 Intr. by: Mr. Yagong
 Approve: FC-81

PASSED 1ST READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 70: 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 – Hawai'i County Police Department (HCPD) Roadblock Program (\$20,500); appropriates same to HCPD Roadblock Program. Funds would be used for the Police Department's Roadblock Program to reduce the number of alcohol related fatalities and injuries, to increase public awareness, and to provide a constant deterrence against impaired driving by conducting impaired driving roadblocks on our highways.}

Re: Comm. 237
 Intr. by: Mr. Yagong
 Approve: FC-82

PASSED 1ST READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 78: 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 FINANCE: Earthquake Damages – Federal Highways Administration (\$5,500,000); fund shall be provided from Federal Grants Receivable (\$5,500,000). Funds would be used for repair work for damages resulting from the October 15, 2006, earthquake.}

Re: Comm. 266
 Intr. by: Mr. Yagong
 Waived: FC
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

PASSED 1ST READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

1:00 P.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF THE DAY (SECOND OR FINAL READING)

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 53: Amends Chapter 24 of the Hawai'i County Code 1983 (1995 Edition), Vehicles and Traffic, Relating to Temporary Changes in Traffic Controls to Effectuate Traffic Code Amendments. {Allows the Public Works Director to extend the period of temporary traffic control for an additional 90 days without obtaining an extension from the County Council.}

Re: Comm. 180
 Intr. by: Ms. Ford
 1st Reading: March 9, 2007
 Held Over Pursuant
 to Council Rule 26(e): March 21, 2007

;and

Comm. 180.2: From Council Member Stacy K. Higa, dated March 22, 2007, transmitting Bill 53, Draft 2. Draft 2 amends the title of the Bill and allows for a single 90-day extension by the Public Works Director; *and*

Bill 53 (Draft 2): Amends Chapter 24 of the Hawai'i County Code 1983 (2005 Edition, as Amended), Vehicles and Traffic, Relating to Temporary Changes in Traffic Controls to Effectuate Traffic Code Amendments.

Intr. by: Mr. Higa

PASSED 2ND & FINAL READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

(Note: There is a pending motion by Ms. Ford and duly seconded by Ms. Naeole to pass Bill 53 on first second reading.)

Bill 58: 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 (\$10,000); appropriates same to Traffic Division Equipment (Matching Funds for two Smart Signs for Paniolo Drive). Funds would be used towards the purchase of two Smart Signs to help control speeding on Paniolo Drive in Waikoloa Village.}

Re: Comm. 190
 Intr. by: Mr. Yagong
 1st Reading: March 21, 2007

PASSED 2ND & FINAL READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 59: Amends Chapter 24, of the Hawai'i County Code 1983 (2005 Edition), Relating to Vehicles and Traffic. {Allows the Public Works Director to reduce the existing 25 miles per hour maximum speed limit in five-mile-per-hour increments to a minimum of 15 miles per hour for any subdivision being developed under Chapter 23 of the Hawai'i County Code.}

Re: Comm. 191
 Intr. by: Ms. Ford
 1st Reading: March 21, 2007

PASSED 2ND & FINAL READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 64: 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 State Grants – Used Oil Collection (\$2,500); appropriates same to Used Oil Collection. Funds would be used for a used motor oil program and for conducting education and outreach on that program.}

Re: Comm. 205
 Intr. by: Mr. Yagong
 1st Reading: March 21, 2007

PASSED 2ND & FINAL READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 71: 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 (\$25,000); appropriates same to Golf Course Equipment [Two Tru Turf Roll & Slice ("Rollers")]. Funds would be used towards the purchase of two Tru Turf Roll & Slice ("Rollers") for the maintenance of the Hilo Municipal Golf Course. }

Re: Comm. 243
 Intr. by: Mr. Higa
 1st Reading: March 21, 2007

PASSED 2ND & FINAL READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 72: 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 PARKS AND RECREATION: Kamehameha Park Comfort Station – Private [\$250,000] (\$380,000) and Kamehameha Park Comfort Station – County (\$40,000); funds shall be provided from Fair Share Assessment Contributions (\$130,000) and General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$40,000). Additional funds would be used to construct a new comfort station at Kamehameha Park. }

Re: Comm. 244
 Intr. by: Mr. Yagong
 1st Reading: March 21, 2007
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

PASSED 2ND & FINAL READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 73: 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 FINANCE: Earthquake Damages – FEMA (\$1,200,000); funds shall be provided from Federal Grants Receivable (\$1,200,000). Funds would be used for repair work for damages resulting from the October 15, 2006, earthquake.}

Re: Comm. 245
 Intr. by: Mr. Yagong
 1st Reading: March 21, 2007
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

PASSED 2ND & FINAL READING:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto, and Chair Hoffmann – 9.

NOES: None.

ABSENT: None.

EXCUSED: None.

Bill 156
 (Draft 2)
 (2004-2006): Amends Chapter 11 (Housing), Article 1, Section 11-4(d), Hawai'i County Code 1983 (2005 Edition), to Include Affordable Housing Requirements for Industrial Park Developments. {Requires industrial park developments, consisting of multiple individual enterprises which cumulatively generate over 100 employees on a fulltime equivalent basis, to earn one affordable housing credit for every four fulltime equivalent jobs created.}

Re: Comm. 200.4
 Intr. by: Mr. Hoffmann
 Postponed: November 9 and December 7, 2005
 1st Reading: March 9, 2007
 Held Over Pursuant
 to Council Rule 26(e): March 21, 2007

;and

Comm. 200.8: From Council Chair Pete Hoffmann, dated March 21, 2007, transmitting Bill 156, Draft 3. Draft 3 amends Section 11-4(d) relating to affordable housing requirements for industrial uses; *and*

Bill 156
 (Draft 3): Amends Chapter 11 (Housing), Article 1, Section 11-4(d), Hawai'i County Code 1983 (2005 Edition), to Include Affordable Housing Requirements for Industrial Park Developments.

Intr. by: Mr. Hoffmann

BILL 156, DRAFT 4, WILL BE HELD OVER TO THE NEXT REGULAR MEETING

(Note: There is a pending motion by Mr. Hoffmann and duly seconded by Mr. Jacobson to pass Bill 156, Draft 2, on **first second reading.)**

REPORTS

- FINANCIAL REPORT: Monthly Financial Status Report from the Department of Finance for the Month Ending November 30, 2006.
ACCEPTED
- PC-20 (Comm. 238): Recommends approval of the following nominations to the newly created North Kohala Community Development Plan Steering Committee: Mr. William Graham, Ms. Carolyn Lancaster, Ms. Fern White, Ms. Crystal West, Mr. Robert Martin, Mr. Ted Matsuda, Mr. Henry Dulan, Mr. Alvin Kawamoto, Mr. Stephen Sheffield Norris, Mr. David Fuyertes, and Mr. Michael Gomes.
APPROVED
- PC-21 (Comm. 239): Recommends approval of the following nominations to the newly created South Kohala Community Development Plan Steering Committee: Mr. Robert Hunter, Ms. Margaret Wille, Mr. William Bergin, Ms. Joel Lilly, Ms. Merleene Kirkland, Ms. Ruth Smith, Ms. Jacqui Hoover, Mr. George Robertson, Mr. Riley Smith, and Mr. Thomas Kelly.
APPROVED
- FC-68 (Comm. 226): Recommends approval of the nomination of Ms. Patricia Provalenko (Council District 9) to the Salary Commission.
APPROVED
- FC-70 (Comm. 221): Recommends acceptance of a monetary donation of \$25 to the Parks and Recreation Department, to be used towards the reconstruction of the Pana'ewa Community Center, by Ms. June H. Daimaru.
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. 138: COUNTY OF HAWAI'I V. ROBERT NIGEL RICHARDS, ET. AL. CIV. NO. 05-1-015K
From Corporation Counsel Lincoln S. T. Ashida, dated January 25, 2007.

Postponed: March 9 and 21, 2007

POSTPONED TO THE APRIL 18, 2007, COUNCIL MEETING

;and

- Comm. 138.1: From Corporation Counsel Lincoln S. T. Ashida, dated March 9, 2007, requesting this matter be deferred to the March 21st Council meeting.

Comm. 247: REQUEST FOR REPRESENTATION OF POLICE OFFICERS
 LORENZO ATIENDA, ROBERT PULE AND DAVID REIS; GEORGE L. K.
 "KEOKI" KAI, JR., ET AL. V. COUNTY OF HAWAI'I, ET AL.; CIVIL
NO. CV 06-00009 DAE/KSC
 From Deputy Corporation Counsel Harry P. Freitas, dated March 13, 2007.
POSTPONED TO THE APRIL 18, 2007, COUNCIL MEETING

OTHER BUSINESS

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

ANNOUNCEMENTS

	<u>TUESDAY, APRIL 17, 2007</u>	
COMMITTEES	TBA	COUNCIL ROOM – HILO 333 Kīlauea Avenue Ben Franklin Building Second Floor

	<u>WEDNESDAY, APRIL 18, 2007</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM – HILO 333 Kīlauea Avenue Ben Franklin Building Second Floor

	<u>TUESDAY, MAY 1, 2007</u>	
COMMITTEES	TBA	SHERATON KEAUHOU BAY RESORT & SPA

	<u>WEDNESDAY, MAY 2, 2007</u>	
COUNCIL	9:00 a.m.	SHERATON KEAUHOU BAY RESORT & SPA

ADJOURNMENT 2:36 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 April 2, 2007. 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:

- Hilo Council Room at the Ben Franklin Building, Second Floor; and
- Waimea Council Office at the Holomua Center.

If, for technical or other unanticipated 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 must register with the Council/Clerk's staff. Those testifying in person and submitting written testimony should bring **seventeen (17)** copies of the testimony for distribution at the meeting. Those persons unable to testify in person 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.** For testimonies submitted by e-mail or fax, 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, April 11, 2007, at 6 p.m.; Sunday, April 15, 2007, at 10:30 a.m.; and Wednesday, April 18, 2007, at 6 p.m.