

PETE HOFFMANN
Chair & Presiding Officer

K. ANGEL PILAGO
Vice Chair



BRENDA FORD
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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*

17th Session

ORDER OF BUSINESS

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

Wednesday, August 1, 2007
9:00 a.m.

INVOCATION

Minister Earl Ikeda of Puna Hongwanji Mission

CALL TO ORDER

9:07 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 COMMUNICATION 547****COMMUNICATIONS**Comm. 547:PRESENTATION ENTITLED "ENERGY SELF-SUFFICIENCY"

From Council Chair Pete Hoffmann, dated July 16, 2007, requesting this presentation regarding the current state of the County's energy policies, recommendations by the Task Force who started the preparation of the Hawai'i Island Energy Self-Sufficiency Plan, and the need for an updated Model Energy Code for the County.

FILED**10:15 A.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF RESOLUTIONS****ORDER OF RESOLUTIONS**Res. 271-07:

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 (Halloween Program in South Hilo-\$1,000 and Halloween Program in Puna-\$1,000). Contingency Relief funds from District 5 would be used towards the South Hilo and Puna Halloween programs.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

Res. 272-07:

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 Public Works Transfer to Highway Fund (Traffic Division Equipment) (To be allotted to North Kulani Road Smart Signs). Contingency Relief funds from District 3 would be used to purchase two Smart Signs.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

[Res. 274-07:](#)

Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$9,760 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Other Current Expense (Hawai'i Speed and Quickness Athletic Skills Training Clinic). Contingency Relief funds from District 1 would be used on the Hawai'i Speed and Quickness Athletic Skills Training Clinic to be held in Honoka'a.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

[Res. 275-07:](#)

Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$5,600 out and from Clerk-Council Services – Contingency Relief account; credits same to Fire Department Training and Volunteer Fire Other Current Expense Miscellaneous Charges (Hawaiian Paradise Park Volunteer Fire Station Equipment). Contingency Relief funds from District 5 would be used towards the purchase of ten pagers for the Hawaiian Paradise Park Volunteer Fire Station.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

[Res. 276-07:](#)

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, Culture and Arts Other Current Expense (Hawai'i Island Veterans Memorial, Inc.). Contingency Relief funds from District 8 would be used towards costs associated with the November 10, 2007, Veterans Memorial Parade.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

[Res. 277-07:](#)

Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
 {Transfers/appropriates \$26,400 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Transfer to Capital Project Fund-General (To be allotted to Park Improvement Projects – Council District 5). Contingency Relief funds from District 5 would be used as a grant to the Puna Friends of the Parks for the completion of the Pāhoia Skatepark.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

[Res. 278-07:](#)

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 Parks and Recreation Culture/Arts Other Current Expense (1st Annual Veterans Day Parade). Contingency Relief funds from District 4 would be used as a grant to the Hawai'i Island Veterans Memorial, Inc., for the 1st Annual Veterans Day Parade.}

AMENDED TO DRAFT 2 & ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

[Res. 279-07:](#)

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 Hawai'i County Police Department Police Administration Division-Equipment Computer Equipment and Software (Mobile Data Terminal Project Server). Contingency Relief funds from District 2 would be used to defray expenses related to a new Mobile Data Terminal Project Server.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

[Res. 280-07:](#) 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 Culture/Arts Other Current Expense (1st Annual Veterans Day Parade). Contingency Relief funds from District 1 would be used to defray costs of the 1st Annual Veterans Day Parade. }

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yagong, Yoshimoto, and Chair Hoffmann – 8.

NOES: None.

ABSENT: Council Member Pilago – 1.

EXCUSED: None.

BILLS FOR ORDINANCES (FIRST READING)

ORDER OF THE DAY (SECOND OR FINAL READING)

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 11 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.)

ANNOUNCEMENTS

	<u>TUESDAY, AUGUST 14, 2007</u>	
COMMITTEES	TBA	SHERATON KEAUHOU BAY RESORT & SPA
	<u>WEDNESDAY, AUGUST 15, 2007</u>	
COUNCIL	9:00 a.m.	SHERATON KEAUHOU BAY RESORT & SPA
	<u>WEDNESDAY, SEPTEMBER 5, 2007</u>	
COMMITTEES	TBA	SHERATON KEAUHOU BAY RESORT & SPA

THURSDAY, SEPTEMBER 6, 2007

COUNCIL

9:00 a.m.

SHERATON KEAUHOU
BAY RESORT & SPA

ADJOURNMENT 11:39 a.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 for this meeting should call 961-8255 by July 30, 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:

- Kona Council Office at the Kailua Trade Center; 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, August 8, 2007, at 6 p.m.; Sunday, August 12, 2007, at 10:30 a.m.; and Wednesday, August 15, 2007, at 6 p.m.