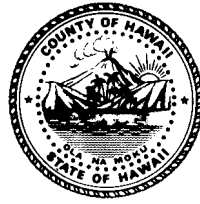


PETE HOFFMANN
Chair & Presiding Officer

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*

19th Session

ORDER OF BUSINESS

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

Thursday, September 6, 2007
8:30 a.m.

INVOCATION Pastor Monty Stewart of Kona Church of the Nazarene

CALL TO ORDER 8:47 a.m.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES July 25, 2007 - APPROVED

(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**8:30 A.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF RESOLUTIONS****COMMUNICATIONS****ORDER OF RESOLUTIONS**[Res. 273-07](#)
[\(Draft 2\)](#):

Authorizes the Mayor and the Director of Finance to Negotiate a Five-Year Lease Agreement with the University of Hawai'i at Hilo, College of Agriculture, Forestry, and Natural Resource Management for the Use of 120 Acres of County Land at Koholālele (TMK:4-2-5:001) in Pa'auilo, Hawai'i, to Conduct Biofuel Crop Experimentation; and FC-136.

ADOPTED:

AYES: Council Members Ford, Ikeda, Jacobson, Naeole, Pilago, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Higa and Yagong – 2.

EXCUSED: None.

[Res. 285-07:](#)

Delays Council Action on Upzoning in the District of Puna Until the Puna Community Development Plan is Adopted by Ordinance, or Until September 1, 2008, Whichever Shall Occur First. {The delay shall not affect or apply to any and all Federal, State, and County community based/self-help housing projects involving agencies and programs (which are listed in this resolution) or any applications for upzoning submitted prior to the adoption of this resolution.}; and PC-44.

ADOPTED:

AYES: Council Members Ford, Higa, Jacobson, Naeole, Pilago, and Chair Hoffmann – 6.

NOES: Council Members Ikeda and Yoshimoto – 2.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 286-07:](#)

Authorizes the Director of Finance to Enter Into Negotiations for the Acquisition of Wai'ele in the District of Puna, Pursuant to Chapter 2, Article 42, Hawai'i County Code, 1983 (2005 Edition, as Amended). {Ranked as a Number 7 priority and assigned a criteria score of 80% for acquisition purposes by the Public Access, Open Space, and Natural Resources Preservation Commission.}; and FC-137.

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 287-07:](#) Authorizes the Director of Finance to Enter Into Negotiations for the Acquisition of Honolulu Landing in the District of Puna, Pursuant to Chapter 2, Article 42, Hawai'i County Code, 1983 (2005 Edition, as Amended). {Ranked as a Number 5 priority and assigned a criteria score of 85% for acquisition purposes by the Public Access, Open Space, and Natural Resources Preservation Commission.}; and FC-138.

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 288-07:](#) Authorizes the Director of Finance to Enter Into Negotiations for the Acquisition of Cape Kumukahi in the District of Puna, Pursuant to Chapter 2, Article 42, Hawai'i County Code 1983 (2005 Edition, as Amended). {Ranked as a Number 6 priority and assigned a criteria score of 83% for acquisition purposes by the Public Access, Open Space, and Natural Resources Preservation Commission.};and FC-139.

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 292-07:](#) Authorizes the Office of the Mayor to Enter Into an Agreement with the State of Hawai'i Department of the Attorney General, Pursuant to HRS 46-7, for a Specialized Investigative Training Grant for the Hawai'i County Police Department. {Funds would be used to improve the Department's ability to respond to violent crimes against women through ongoing specialized training for the Juvenile Aid Section detectives.}; and FC-140.

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 293-07:](#) Authorizes the Director of Finance to Negotiate a Lease of Real Property, Ululani Street Extension, Situate at Waiākea, South Hilo, County and State of Hawai'i, Identified as Tax Map Key:(3)2-4-057:031, to the Hawai'i Island Veterans Memorial, Inc. {This 3-year lease (with additional renewal options of 5-year increments) would be for the purpose of construction and development of a combined veterans center, veterans housing, and other related purposes.}; and FC-142.

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 294-07:](#)

Changes the Funding Source and the Position Status of the Traffic Safety Coordinator Position. {Grant funding for this position will end in September 2007; however, the County plans to continue the funding and requests changing the position status from temporary to permanent.}; and FC-145.

ADOPTED:

AYES: Council Members Ford, Ikeda, Jacobson, Naeole, Pilago, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Higa and Yagong – 2.

EXCUSED: None.

[Res. 295-07:](#)

Authorizes the Council Chair and the County Clerk to Enter Into a Contract for a Legislative Liaison for the Upcoming State of Hawai'i Legislative Session for a Period Not to Exceed 180 Days and Not to Exceed \$50,000. {The Legislative Liaison will keep the Council informed of matters affecting Hawai'i County during the regular legislative session.}; and FC-146.

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, and Chair Hoffmann – 7.

NOES: Council Member Yoshimoto – 1.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 297-07:](#)

Authorizes the Office of the Mayor to Enter Into an Agreement with the State of Hawai'i Department of the Attorney General, Pursuant to HRS 46-7, for a Hawai'i Anti-Trafficking Task Force Grant for the Hawai'i County Police Department. {Funds would be used to assist in the battle against human trafficking (victims used in labor exploitation, such as pornography, domestic servitude, and sweatshop factory work).}; and FC-147.

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Pilago and Yagong – 2.

EXCUSED: None.

[Res. 298-07:](#)

Authorizes the Office of the Mayor to Enter Into an Agreement with the State of Hawai'i Department of the Attorney General, Pursuant to HRS 46-7, for a Law Enforcement Investigation Standby Pay Grant for the Hawai'i County Police Department. {Funds would be used to compensate the Juvenile Aid Section Detectives who are on standby status to respond to violent crimes against women.}; and FC-149.

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Pilago and Yagong – 2.

EXCUSED: None.

[Res. 299-07:](#)

Authorizes the Office of the Mayor to Enter Into an Agreement with the State of Hawai'i Department of the Attorney General, Pursuant to HRS 46-7, for a Sexual Assault Forensic Examiner (SAFE) Standby Pay Grant for the Hawai'i County Police Department. {Funds would be used to compensate the SAFE nurses who are on standby status and waiting to conduct examinations on victims of sexual assault.}; and FC-151.

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Pilago and Yagong – 2.

EXCUSED: None.

[Res. 300-07:](#)

Authorizes the Office of the Mayor to Enter Into an Agreement with the State of Hawai'i Department of the Attorney General, Pursuant to HRS 46-7, for a Sexual Assault Forensic Examiner (SAFE) Training Grant for the Hawai'i County Police Department. {Funds would be used to improve the Department's ability to respond to violent crimes against women, primarily sexual assault, with associated domestic violence, physical abuse, and homicide.}; and FC-153.

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Pilago and Yagong – 2.

EXCUSED: None.

[Res. 301-07:](#)

Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$60,600 out and from Clerk-Council Services – Contingency Relief account; credits to the following: Department of Parks and Recreation Friends of the Park, Miscellaneous Charges (Pana'ewa Community Concert – Special Duty Officers) (\$3,000); Department of Parks and Recreation, Recreation Division Other Current Expense Supplies (Boxing Equipment) (\$1,600); Department of Parks and Recreation, Recreation Division Equipment, Miscellaneous Equipment (Scoreboard Waiākeawaena Baseball Field Installation) (\$5,000); Department of Parks and Recreation Culture/Arts Other Current Expense (Queen Lili'uokalani Festival) (\$5,000); Department of Parks and Recreation Transfer to Capital Project Fund-General (Repairs to Pana'ewa Community Center and Waiākea Recreation Center Boxing – Council District 4 (\$46,000), for a total of \$60,600. Contingency Relief funds from District 4 would be used towards various projects, repairs, and purchases.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Naeole, Yoshimoto, and Chair Hoffmann – 6.

NOES: None.

ABSENT: Council Members Jacobson, Pilago, and Yagong – 3.

EXCUSED: None.

[Res. 307-07:](#)

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 Office of the Mayor Committee on the Status of Women (Teen Dating Violence Conferences). Contingency Relief funds from District 7 would be used towards costs associated with the Teen Dating Violence Prevention Peer Education Conference to be held on October 18 and 19, 2007.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Yagong and Yoshimoto – 2.

EXCUSED: None.

[Res. 308-07:](#)

Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$900 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Other Current Expense, Education-Recreation-Scientific Supplies (Pāpa‘aloha Gym Volleyball System). Contingency Relief funds from District 1 would be used to purchase a volleyball system for the Pāpa‘aloha Gym.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Yagong and Yoshimoto – 2.

EXCUSED: None.

[Res. 309-07:](#)

Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s).
{Transfers/appropriates \$1,600 out and from Clerk-Council Services – Contingency Relief account; credits same to Department of Parks and Recreation, Recreation Division Class/Activity, Miscellaneous Charges (Ka Lae Iki Baseball Clinic). Contingency Relief funds from District 1 would be used towards the Ka Lae Iki Baseball Clinic to be held on the Big Island.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Yagong and Yoshimoto – 2.

EXCUSED: None.

[Res. 310-07:](#)

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, Recreation Division Class/Activity, Miscellaneous Charges (Pāpa‘aloa Gym Haunted House Event). Contingency Relief funds from District 1 would be used towards the Pāpa‘aloa Gym Haunted House event.}

ADOPTED:

AYES: Council Members Ford, Higa, Ikeda, Jacobson, Naeole, Pilago, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Yagong and Yoshimoto – 2.

EXCUSED: None.

[Res. 311-07:](#)

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, Recreation Division Other Current Expense, Equipment Repairs/Maintenance (Pāhoa Community Center-New Refrigerator). Contingency Relief funds from District 1 would be used towards the purchase of a new refrigerator for the Pāhoa Community Center.}

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 312-07:](#)

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 Research and Development Tourism Promotion (Honoka‘a United Nations International Day of Peace Parade and Festival). Contingency Relief funds from District 1 would be used to help defray costs for the Honoka‘a United Nations International Day of Peace Parade and Festival to be held on September 23, 2007, in Honoka‘a.}

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 317-07:](#) Authorizes the Office of the Mayor to Enter Into an Agreement with the United States of America, Pursuant to HRS 46-7, for the Disaster Recovery Coordinators Grant. {Authorizes the Mayor to execute an agreement and related documents, which would enable the County to accept and use the Disaster Recovery Coordinators grant funds as noted in the U.S. Department of Award Agreement (see Exhibit "A").}

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 318-07:](#) Creates a Project Coordinator (Temporary) Position and a Senior Account Clerk (Temporary) Position for the Department of Public Works. {Funds would be used for the creation of a Project Coordinator (Temporary) position and a Senior Account Clerk (Temporary) position for the Public Works Department to organize a team for the management of post-disaster (October 15, 2006, earthquake) economic rebuilding and revitalization activities for the County.}

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 319-07:](#) 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 Department of Public Works Transfer to Highway Fund (Waikoloa Emergency Access Road & Pākanu Street Paving). Contingency Relief funds from District 9 would be used to pave portions of the emergency access road extending from Hulu Street in Waikoloa Village to Queen Ka‘ahumanu Highway and to complete paving of Pākanu Street in Waikoloa.}

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Res. 320-07:](#) Amends Resolution No. 16-07, Draft 2, by Extending the Temporary Delay of Council Action on Rezoning Applications in the Districts of North and South Kona Until the North and South Kona Community Development Plan is Adopted by Ordinance, or Until March 1, 2008, Whichever Shall Occur First. {Extends the sunset date referred to in Resolution 16-07, Draft 2, from September 1, 2007, to March 1, 2008.}

ADOPTED:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

10:30 A.M.: STATEMENTS FROM THE PUBLIC ON BILLS FOR ORDINANCES (FIRST READING)

BILLS FOR ORDINANCES (FIRST READING)

[Bill 125:](#) Amends Ordinance No. 93-101, Which Reclassified Lands from Office Commercial – 20,000 Square Feet (CO-20) to General Commercial – 20,000 Square Feet (CG-20) at Waiakea, South Hilo, Hawai'i, Covered by Tax Map Key:2-2-021:007 (Formerly 2-2-021:007 and 046) (Request: Amendment to Condition B [Plan Approval] and J [Annual Report]; approx. 20,812 square feet). {Dr. Brian and Ramona Sakamoto, Applicants.}; PC-39.

AMENDED TO DRAFT 2 & PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

;and

[Comm. 508.1:](#) From Planning Committee Chair K. Angel Pilago, dated August 2, 2007, transmitting a proposed amendment to Bill 125.

[Bill 126:](#) Amends Section 25-8-33 (City of Hilo Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural – 3 Acre (A-3a) to Family Agricultural – 2 Acre (FA-2a) at Waiakea, South Hilo, Hawai'i, Covered by Tax Map Key:2-5-040:018 (approx. 4.852 acres). {Francis and Martha Rodillas, Applicants.}; and PC-40.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 137:](#)

Amends Section 25-8-33 (City of Hilo Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Single Family Residential – 10,000 Square Feet (RS-10) to Industrial-Commercial Mixed – 20,000 Square Feet (MCX-20) at Waiakea, South Hilo, Hawai'i, Covered by Tax Map Key:2-2-036:090 (approx. 22,500 square feet). {Cynthia Thomas, Applicant.}; and PC-41.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 138
\(Draft 2\):](#)

Amends Section 25-8-33 (City of Hilo Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural – 1 Acre (A-1a) to Neighborhood Commercial – 20,000 Square Feet (CN-20) at Ponahawai, South Hilo, Hawai'i, Covered by Tax Map Key:2-3-037:009 (approx. 1.020 acres). {Guy Nakao, Applicant.}; and PC-42.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 141:](#)

Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Appropriates revenues in Federal Grants – Specialized Investigative Training (\$39,865); appropriates same to Specialized Investigative Training Grant.}; and FC-141.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 142:](#)

Amends Ordinance No. 07-83, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2007 to June 30, 2008. {Increases ENVIRONMENTAL MANAGEMENT: North Kona Sewer – County [\$500,000] \$3,960,000; funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$3,460,000). Additional funds are due to anticipated increased project costs and would be used to cover contingency, construction, engineering, and administration costs.}; and FC-143.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 143:](#)

Amends Ordinance No. 07-83, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2007 to June 30, 2008. {Increases ENVIRONMENTAL MANAGEMENT: North Kona Effluent Reuse Upgrade – County [\$766,000] \$4,861,000; funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$4,095,000). Additional funds are due to anticipated increased project costs and would be used to cover contingency, construction, engineering, and administration costs.}; and FC-144.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 145:](#)

Amends Chapter 18, Article 4, Division 1, Subsection 18-90(H), Hawai'i County Code 1983 (2005 Edition, as Amended), Relating to Public Transportation. {Extends the original two-year time period of the designated transportation kōkua zone until December 31, 2009.}; and PWIRC-31.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 146:](#)

Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Appropriates revenues in Federal Grants – Hawai'i Anti-Trafficking Task Force (\$15,000); appropriates same to Hawai'i Anti-Trafficking Task Force.}; and FC-148.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 147:](#)

Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Appropriates revenues in Federal Grants – Law Enforcement Investigations Standby Pay (\$32,486); appropriates same to Law Enforcement Investigations Standby Pay.}; and FC-150.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 148:](#) Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Appropriates revenues in Federal Grants – Sexual Assault Forensic Examiner (SAFE) Standby Pay (\$23,484); appropriates same to SAFE Standby Pay.}; and FC-152.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 149:](#) Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Appropriates revenues in Federal Grants – Sexual Assault Forensic Examiner (SAFE) Training Grant (\$51,600); appropriates same to SAFE Training Grant.}; and FC-154.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 150:](#) Amends Chapter 32, Articles 2, 5, and 6, of the Hawai'i County Code 1983 (2005 Edition, as Amended) Relating to Community Facilities Districts. {Amendment relates to required appraisals of properties within community facilities districts and clarifies the applicability of special taxes to certain leasehold and other possessory interests.}; and FC-155.
;and

[Comm. 597.2:](#) From Finance Director William Takaba, dated August 24, 2007, transmitting Bill 150, Draft 2. Draft 2 corrects a clerical error contained in Section 32-54(a); and

[Bill 150 \(Draft 2\):](#) Amends Chapter 32, Articles 2, 5, and 6, of the Hawai'i County Code 1983 (2005 Edition, as Amended) Relating to Community Facilities Districts.

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

[Bill 166:](#) Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Appropriates revenues in Federal Grants – Disaster Recovery Coordinators (\$160,250); appropriates same to Disaster Recovery Coordinators.}

PASSED 1ST READING:

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

NOES: None.

ABSENT: Council Member Yagong – 1.

EXCUSED: None.

1:30 P.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF THE DAY (SECOND OR FINAL READING), REPORTS, REFERRALS FOR EXECUTIVE SESSION

ORDER OF THE DAY (SECOND OR FINAL READING)

[Bill 51](#)
[\(Draft 5\)](#):

Amends Chapter 27, Flood Control, Hawai'i County Code 1983 (2005 Edition), as Amended, Relating to Stormwater Management. {Updates Chapter 27 to conform to Federal Flood Insurance Program standards.}

POSTPONED TO NOVEMBER 7, 2007, COUNCIL MEETING

[Bill 151](#)
[\(Draft 2\)](#):

Amends Chapter 27, Flood Control, Hawai'i County Code 1983 (2005 Edition, as Amended), Relating to Floodplains and Other Flood Hazard Areas. {Satisfies the minimum National Flood Insurance Program requirements and increases regulation of flood areas and requirements for permits.}

POSTPONED TO NOVEMBER 7, 2007, COUNCIL MEETING

[Bill 113](#)
[\(Draft 3\)](#):

Amends Ordinance No. 05-157, Which Amended Ordinance No. 95-51, Which Amended Ordinance No. 90-160, and Which Reclassified Lands from Agricultural 5-Acre (Formerly Unplanned) and Multiple Family Residential 1,500 Square Feet (RM-1.5) to Residential and Agricultural 1 Acre (RA-1a) and Open (O) Districts at Waikoloa, South Kohala, Hawai'i, Covered by Tax Map Key:6-8-002:Portion 016 and 6-8-003:Portion 032 (Request: Amendment to Change of Zone Ordinance No. 05-157 relating to Conditions B, C, and I; approx. 761 acres). {Waikoloa Mauka, LLC, Applicant.}

PASSED 2ND & FINAL READING:

AYES: Council Members Higa, Ikeda, Jacobson, Naeole, Pilago, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Ford and Yagong – 2.

EXCUSED: None.

[Bill 128](#):

Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Increases revenues in Contribution from Private Source (\$500); appropriates same to Fire Prevention – Other Current Expense.}

PASSED 2ND & FINAL READING:

AYES: Council Members Higa, Ikeda, Jacobson, Naeole, Pilago, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Ford and Yagong – 2.

EXCUSED: None.

- [Bill 129:](#) Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Increases revenues in Contribution from Private Source (\$5,700); appropriates to the following: Waimea Police – Other Current Expense (\$1,900), Kohala Police – Other Current Expense (\$1,900), and Kona Police – Other Current Expense (\$1,900), for a total of \$5,700.}
PASSED 2ND & FINAL READING:
AYES: Council Members Higa, Ikeda, Jacobson, Naeole, Pilago, Yoshimoto, and Chair Hoffmann – 7.
NOES: None.
ABSENT: Council Members Ford and Yagong – 2.
EXCUSED: None.
- [Bill 130:](#) Amends Ordinance No. 07-82, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2008. {Increases revenues in Contribution from Private Source (\$1,000); appropriates same to Hawai'i Island Police Activities League – Other Current Expense.}
PASSED 2ND & FINAL READING:
AYES: Council Members Higa, Ikeda, Jacobson, Naeole, Pilago, Yoshimoto, and Chair Hoffmann – 7.
NOES: None.
ABSENT: Council Members Ford and Yagong – 2.
EXCUSED: None.
- [Bill 131:](#) Amends Chapter 2, Article 15, Subsection 2-91.1(c), Hawai'i County Code 1983 (2005 Edition), as Amended, Relating to the Disclosure of Financial Interests. {Increases the requirements of property disclosures, as well as increases in salaries and market values of assets that have occurred over the years.}
PASSED 2ND & FINAL READING:
AYES: Council Members Higa, Ikeda, Jacobson, Naeole, Pilago, Yoshimoto, and Chair Hoffmann – 7.
NOES: None.
ABSENT: Council Members Ford and Yagong – 2.
EXCUSED: None.
- [Bill 132:](#) Amends Chapter 2, Article 15, Section 2-82, Hawai'i County Code 1983 (2005 Edition), as Amended, Relating to the Code of Ethics. {Exempts "Officers" who have been appointed as members of boards or commissions, with only advisory powers and functions, from filing financial disclosures.}
PASSED 2ND & FINAL READING:
AYES: Council Members Higa, Ikeda, Naeole, Yoshimoto, and Chair Hoffmann – 5.
NOES: Council Members Jacobson and Pilago – 2.
ABSENT: Council Members Ford and Yagong – 2.
EXCUSED: None.

[Bill 144](#): Amends Ordinance No. 07-83, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2007 to June 30, 2008. {Adds PUBLIC WORKS: Mohouli-Kumukoa Traffic Signal System Project (\$1,800,000); funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (\$1,800,000). Funds would be used to install a traffic signal system at the Mohouli-Kumukoa intersection.}

PASSED 2ND & FINAL READING:

AYES: Council Members Higa, Ikeda, Jacobson, Naeole, Pilago, Yoshimoto, and Chair Hoffmann – 7.

NOES: None.

ABSENT: Council Members Ford and Yagong – 2.

EXCUSED: None.

REPORTS

[PSPRC-7 \(Comm. 553\)](#): Recommends approval of the nomination of Mr. Norman S. Stahl and Mr. John R. Young to the Veterans Advisory Commission.

APPROVED

;and

[Comm. 553.3](#): From Parks and Recreation Director Patricia G. Engelhard, dated August 22, 2007, requesting this matter be placed towards the end of this agenda.

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.

[Comm. 607](#): UPW V. COUNTY OF HAWAI'I, ET. AL. CIVIL NO. 98-244 (ALLEGED ILLEGAL PRIVATIZATION OF JANITORIAL AND GROUND MAINTENANCE CONTRACTS)

From Corporation Counsel Lincoln S. T. Ashida, dated August 15, 2007.

CONCURRED WITH THE RECOMMENDATION OF CORP. COUNSEL

OTHER BUSINESS

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

ANNOUNCEMENTS

TUESDAY, SEPTEMBER 18, 2007

COMMITTEES

TBA

SHERATON KEAUHOU
BAY RESORT & SPA

WEDNESDAY, SEPTEMBER 19, 2007

COUNCIL

9:00 a.m.

SHERATON KEAUHOU

BAY RESORT & SPA

TUESDAY, OCTOBER 2, 2007

COMMITTEES

TBA

COUNCIL ROOM – HILO
333 Kīlauea Avenue
Ben Franklin Building
Second FloorWEDNESDAY, OCTOBER 3, 2007

COUNCIL

9:00 a.m.

COUNCIL ROOM – HILO
333 Kīlauea Avenue
Ben Franklin Building
Second Floor**ADJOURNMENT 4:07 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 for this meeting should call 961-8255 by September 4, 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 Pāhoā 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, September 12, 2007, at 6 p.m.; Sunday, September 16, 2007, at 10:30 a.m.; and Wednesday, September 19, 2007, at 6 p.m.