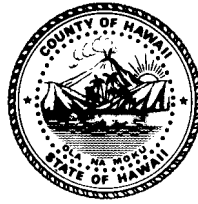


JAMES Y. ARAKAKI
Chairman & Presiding Officer

AL SMITH
Vice Chairman



AARON S.Y. CHUNG
LENINGRAD ELARIONOFF
JULIE JACOBSON
BOBBY JEAN LEITHEAD-TODD
NANCY PISICCHIO
J. CURTIS TYLER, III
DOMINIC YAGONG

COUNTY COUNCIL

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

38th Session

ORDER OF BUSINESS

Hawai'i County Council
Hilo, Hawai'i

Friday, June 2, 2000
9:00 a.m.

CALL TO ORDER	9:07 a.m.
ROLL CALL	All present
INVOCATION	The Reverend Charles Kahawai of Ke Kilohana O Ka Malamalama - OK
APPROVAL OF MINUTES	May 3, 2000 - Approved, as amended

STATEMENTS FROM THE PUBLIC ON ITEMS LISTED ON THE ORDER OF BUSINESS

PETITIONS, MEMORIALS AND COMMUNICATIONS

ORDER OF RESOLUTIONS

[Res. 229-00:](#) Requests that time share units be permitted within the areas of Tax Map Key: 6-8-1: Portions of 25, 36, 37, 38, 39, and 40 as permitted under Section 25-5-32(a)(19)(C), Zoning Code of the Hawai'i County Code;
[\(Draft 2\)](#) {Bridge Puako, LLC, applicant; Establish time share on subject properties.}

Re: [Comm 704.025](#)
 Intr. by: Ms. Leithead-Todd
 Approved: [PC-97](#)
 Deferred: May 15, 2000

and

[Comm. 704.026:](#) From Michael J. Matsukawa, dated May 25, 2000.

ADOPTED

5 Ayes: Councilmembers Elarionoff, Leithead-Todd, Smith, Yagong and Chairman Arakaki

4 Noes: Councilmembers Chung, Jacobson, Picicchio and Tyler

[Res. 245-00:](#) Authorizes the acceptance of land from BP Partners, a Hawai'i General Partnership and Pan-Pacific Development, Inc., a Hawai'i Corporation, Tax Map Key (3)6-5-003-004, for the Waimea Trails & Greenways Project, Waimea, District of South Kohala;
DEFERRED

Re: [Comm 746](#)
 Intr. by: Mr. Elarionoff
 Approved: [FC-263](#)
 Deferred: May 15, 2000

and

[Comm. 746.001:](#) From Councilmember Aaron Chung, dated May 4, 2000.

[Comm. 746.002:](#) From Councilmember Curtis Tyler III, to Chairman Arakaki, transmitting a copy of a letter to Corporation Counsel Richard Wurdeman, dated May 17, 2000.

[Res. 251-00:](#)
DEFERRED

Authorizes the County of Hawai'i to enter into an agreement with the State Department of Transportation, pursuant to HRS 46-7, for an Occupant Protection Program Grant.

{Department of Transportation Public Affairs-Safe Communities Program - funding for seatbelt enforcement roadblocks and to purchase child restraint seats.}

Re: [Comm. 763](#)
Intr. by: Mr. Chung
Approved: [FC-270](#)

[Res. 252-00:](#)
(Draft 2)

Commits to funding the cost items awarded to the Hawai'i Government Employees Association by arbitration, affecting HGEA Bargaining Units 02, 03, 04, 13, and employees excluded from those bargaining units, for the contract period July 1, 1999 through June 30, 2003.

Re: [Comm. 766.002](#)
Intr. by: Mr. Chung
Approved: [FC-271](#)

ADOPTED

7 Ayes: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Smith, Yagong and Chairman Arakaki

2 Noes: Councilmembers Pisicchio and Tyler

[Res. 254-00:](#)
DEFERRED

Authorizes the County of Hawai'i to enter into an agreement with the State Department of Attorney General Crime Prevention and Justice Assistance Division, pursuant to HRS 46-7, for a Clandestine Drug Response Program Grant.

{Funding to detect, identify, access and counter or neutralize clandestine drug manufacturing laboratories by training officers and purchasing the proper equipment.}

Re: [Comm. 770](#)
Intr. by: Mr. Chung
Approved: FC-274

[Res. 255-00:](#) Authorizes the County of Hawai'i to enter into an agreement with the U.S. Department of Justice Bureau of Justice Assistance, pursuant to HRS 46-7, for a Local Law Enforcement Block Grant.
[DEFERRED](#) {Funding for intoxilyzers, radars and portable radios.}

Re: [Comm. 771](#)
Intr. by: Mr. Chung
Approved: [FC-276](#)

[Res. 258-00:](#) Transfer/appropriates \$12,217 out and from the Provision From Compensation Adjustment account and credits same to the Industrial Safety - Salaries and Wages account.
{Industrial Safety Division, Workers' Compensation Unit - temporary personnel.}

Re: [Comm. 781](#)
Intr. by: Mr. Chung
Waived: FC

[ADOPTED](#)

6 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Smith, Yagong and Chairman Arakaki

3 NOES: Councilmembers Chung, Picicchio and Tyler

[Res. 261-00:](#) Adopts the Island of Hawai'i Self-Evaluation and Transition Plan for Accessibility to Public Facilities.
{Self-evaluation of the County's current services, policies and practices.}

Re: [Comm. 788](#)
Intr. by: Mr. Yagong (B/R)
Waived: PWPC

[AMENDED TO DRAFT 2](#)

[ADOPTED](#)

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Picicchio, Smith, Tyler, Yagong and Chairman Arakaki

[Res. 262-00:](#) Determines the Real Property Tax Rates for the County of Hawai'i for the Fiscal Year July 1, 2000 to June 30, 2001.
{Establishes the tax rates for net taxable land and net taxable buildings of each class of property established in accordance with Chapter 19, Article 7, Section 19-53(e) of the Hawai'i County Code.}

Re: [Comm. 793](#)
Intr. by: Mr. Chung
Waived: FC

[ADOPTED](#)

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Picicchio, Smith, Tyler, Yagong and Chairman Arakaki

[Res. 263-00:](#) Authorizes the County of Hawai'i to enter into an agreement with the State Department of the Attorney General Crime Prevention and Justice Assistance Division, pursuant to HRS 46-7, for an Assistant SANE Program Coordinator Grant.
[DEFERRED](#) {Funding to improve the quality and coordination of the Hawai'i Police Department's response to reports of sexual assault against women island-wide.}

Re: [Comm. 794](#)
Intr. by: Mr. Chung
Waived: FC

[Res. 264-00:](#) Authorizes the payment of funds of a later fiscal year and of more than one fiscal year for a multi-year lease for a Postage Machine for the Office of the County Clerk.

Re: [Comm. 790](#)
Intr. by: Mr. Chung
Waived: FC

[ADOPTED](#)
8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki
1 ABSENT & EXCUSED: Councilmember Chung

[Res. 265-00:](#) Creates a temporary Election Clerk I position for the Office of the County Clerk - Elections Division.

Re: [Comm. 795](#)
Intr. by: Mr. Chung
Waived: FC

[ADOPTED](#)
9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

BILLS FOR ORDINANCES

[Bill 244:](#) Amends Chapter 19, of the Hawai'i County Code 1983 (1995 Edition),
[\(Draft 2\)](#) by amending Article 10, Section 19-75 relating to Real Property Tax Exemptions (Exemption for persons with impaired sight or hearing and persons totally disabled);

Re: [Comm. 742.001](#)
Intr. by: Mr. Yagong
Approved: [FC-261](#)

and
Comm. 742.004: From Councilmember Curtis Tyler, transmitting a proposed Draft 3 to Bill 244;

and
[Bill 244:](#) Amends Chapter 19, of the Hawai'i County Code 1983 (1995 Edition),
[\(Draft 3\)](#) by amending Article 10, Section 19-75 relating to Real Property Tax Exemptions (Exemption for persons with impaired sight or hearing and persons totally disabled).

REFERRED BACK TO FINANCE COMMITTEE

[Bill 247:](#) Amends Ordinance 99-71, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 1999 to June 30, 2000.
{ Adds the PUBLIC WORKS Honomu/Mamalahoa Bridge Replacement - Federal project (\$1,300,000); funds for these projects shall be provided from Federal Grants Receivable account (\$1,300,000). }

Re: [Comm. 757](#)
Intr. by: Mr. Chung
Approved: [FC-265](#)

PASSED 1ST READING

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Picicchio, Smith, Tyler, Yagong and Chairman Arakaki

[Bill 248](#): Amends Ordinance 99-71, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 1999 to June 30, 2000.
 {Adds the PUBLIC WORKS Onomea Camp Road Bridge - Federal project (\$425,000); funds for this project shall be provided from Federal Grants Receivable account (\$425,000).}

Re: [Comm. 758](#)

Intr. by: Mr. Chung

Approved: [FC-266](#)

PASSED 1ST READING

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

[Bill 249](#): Amends Ordinance 99-71, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 1999 to June 30, 2000.
 {Adds the PUBLIC WORKS Inoino/Mamalaho Bridge Replacement - Federal project (\$800,000); funds for this project shall be provided from Federal Grants Receivable account (\$800,000).}

Re: [Comm. 759](#)

Intr. by: Mr. Chung

Approved: [FC-267](#)

PASSED 1ST READING

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

[Bill 250](#): Amends Ordinance No. 99-71, as amended, relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 1999 to June 30, 2000.
 {Adds the PUBLIC WORKS, Paniolo Drive Sidewalk Improvements project (\$200,000); funds to be provided from General Obligation Bonds, Capital Projects Fund-Fund Balance and/or Other Sources account (\$200,000).}

Re: [Comm. 760](#)

Intr. by: Mr. Chung

Approved: [FC-268](#)

PASSED 1ST READING

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

[Bill 251:](#) Amends Chapter 24, of the Hawai'i County Code 1983 (1995 Edition),
[\(Draft 2\)](#) relating to Vehicles and Traffic;
{Stop intersections - Kuakini Highway; Kaiwi Street Intersection.}

Re: [Comm. 762.004](#)

Intr. by: Mr. Yagong

PASSED 1ST READING

Approved: [PWPC-79](#)

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio,
Smith, Tyler, Yagong and Chairman Arakaki

and

[Comm. 762.003:](#) From Pat Aeder, dated May 17, 2000

CLOSE FILE ON COMMUNICATION 762.003

[Bill 252:](#) Amends Ordinance 99-70, as amended, the Operating Budget for the
County of Hawai'i for the Fiscal Year ending June 30, 2000.
{Appropriates revenues in the Federal Grant - Occupant Protection
Program account by \$34,593 and appropriates same to the Occupant
Protection Program account.}

Re: [Comm. 763](#)

Intr. by: Mr. Chung

PASSED 1ST READING

Approved: Approved: FC-269

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler,
Yagong and Chairman Arakaki

1 NO: Councilmember Jacobson

[Bill 253:](#) Amends Ordinance 99-70, as amended, the Operating Budget for the
County of Hawai'i for the Fiscal Year ending June 30, 2000.
{Appropriates revenues in the Federal Grant-Clandestine Drug Lab
Response account by \$65,193 and appropriates same to the
Clandestine Drug Lab Response account.}

Re: [Comm. 770](#)

Intr. by: Mr. Chung

PASSED 1ST READING

Approved: [FC-273](#)

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler,
Yagong and Chairman Arakaki

1 NO: Councilmember Jacobson

[Bill 254](#): Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000. {Increases revenues in the Federal Grant-Police Local Law Enforcement Block Grant account by \$97,045 and appropriates same to the Police Local Law Enforcement account.}

Re: [Comm. 771](#)

Intr. by: Mr. Chung

Approved: [FC-275](#)

PASSED 1ST READING

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 NO: Councilmember Jacobson

[Bill 268](#): Amends Ordinance 99-70, as amended, the Operating Budget for the County of Hawai'i for the Fiscal Year ending June 30, 2000. {Appropriates \$43,352 in the Federal Grant - Assistant SANE Program Coordinator account and appropriates same to the Assistant SANE Program Coordinator account.}

Re: [Comm. 794](#)

Intr. by: Mr. Chung

Waived: FC

PASSED 1ST READING

8 AYES: Councilmembers Chung, Elarionoff, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 NO: Councilmember Jacobson

ORDER OF THE DAY

[Bill 217](#): Establishes an Operating Budget for the County of Hawai'i for the Fiscal Year July 1, 2000 to June 30, 2001. {Proposed \$175,326,612 Operating Budget for the FY 2000-2001}

[\(Draft 3\)](#)

Re: [Comm. 683.015](#)

Intr. by: Mr. Chung

1st Reading: May 15, 2000

AMENDED TO DRAFT 4

PASSED 2ND & FINAL READING

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 218:](#)
[\(Draft 3\)](#) Relates to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2000 to June 30, 2001;
{Proposed \$40,624,000 Capital Budget for FY 2000-2001 }

Re: [Comm. 684.012](#)

Intr. by: Mr. Chung

1st Reading: May 15, 2000

[AMENDED TO DRAFT 4](#)
[HELD OVER](#) and

[Comm. 684.013](#): From Mayor Stephen K. Yamashiro, dated May 24, 2000.

[Bill 219:](#)
[\(Draft 3\)](#) Adopts a Pay Plan for persons employed by the County other than those whose pay is otherwise provided for, designating payroll periods, pay days, prescribing requirements with respect to official fidelity bonds, and repealing Ordinance No. 99-72 and all amendments thereto, said ordinance to be known as the Salary Ordinance of 2000.

Re: [Comm. 686.004](#)

Intr. by: Mr. Chung

1st Reading: May 15, 2000

[AMENDED TO DRAFT 4](#)
[PASSED 2ND & FINAL READING](#)

8 AYES: Councilmembers Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

1 ABSENT & EXCUSED: Councilmember Chung

[Bill 245:](#)
[\(Draft 2\)](#) Amends the Parks and Recreational Facility Schedule established by Ordinance No. 00-15, by renaming the Seven Seas Lu'au House in Honor of Sally Kaleohano.

Re: [Comm. 747.006](#)

Intr. by: Mr. Chung

1st Reading: May 15, 2000

[AMENDED TO DRAFT 3](#)
[PASSED 2ND & FINAL READING](#)

9 AYES: Councilmembers Chung, Elarionoff, Jacobson, Leithead-Todd, Pisicchio, Smith, Tyler, Yagong and Chairman Arakaki

REPORTS

[FINANCIAL](#)
[REPORT:](#)
[APPROVED](#) Monthly Financial Status Report for the month ended April 30, 2000.

[FC Rept. 272:](#)
[\(C-767\)](#)
APPROVED

The Committee on Finance is in accord with the purpose and intent of Communication No. 767, and recommends the approval of the Hawai'i State Association of Counties' slate of Officers for the Fiscal Year 2000-2001, and the amendment to the HSAC policy.

REFERRALS FOR EXECUTIVE SESSION

(The purpose of the meeting is to consult with Corporation Counsel relating to matters involving potential County liability, as authorized by Sections 92-4 and 92-5, HRS.)

OTHER BUSINESS

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

ANNOUNCEMENTS

TUESDAY, JUNE 20, 2000

PUBLIC WORKS & PARKS COMMITTEE	9:00 a.m.	COUNCILROOM
FINANCE COMMITTEE	10:30 a.m.	COUNCILROOM
PLANNING COMMITTEE	1:30 p.m.	COUNCILROOM

WEDNESDAY, JUNE 21, 2000

COUNCIL	9:00 a.m.	COUNCILROOM
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THURSDAY, JULY 6, 2000

COMMITTEE	TBA	COUNCILROOM
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FRIDAY, JULY 7, 2000

COUNCIL	9:00 a.m.	COUNCILROOM
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STATEMENTS FROM THE PUBLIC

ADJOURNMENT - 6:50 p.m.

(Note: B/R, as listed next to the name of an Introducer, signifies that the Councilmember has agreed to introduce legislation "By Request" and on behalf of the requesting party; however, it does not necessarily signify their support of or opposition to the proposal.)

The meeting place is accessible for persons with physical disabilities. Persons who need special accommodations to attend this meeting should call 961-8255. Persons using TDDs may call 961-8521. Those desiring to speak on matters listed on the Order of Business must register at the County Clerk's Office prior to the convening of the meeting. Copies may be viewed at the Hawai'i County Services Office at 75-5706 Kuakini Highway, Suite 103, Kailua-Kona, Hawai'i 96740; at the Office of the County Clerk at 25 Aupuni Street, Hilo, Hawai'i 96720; and the County Council's Kona Branch Office at 77-6399 Nalani Street, Suite 104, Kailua-Kona, Hawai'i 96740.

Government Access Television: Hilo (Channel 9); Kona (Channel 12)
Wednesday, June 7, 2000, at 6 p.m.; Sunday, June 11, 2000, at 9 a.m.; and Wednesday, June 14, 2000, at 6 p.m.