

9:00 A.M.: STATEMENTS FROM THE PUBLIC ON PETITIONS, MEMORIALS, CERTIFICATES OF MERIT, EXPRESSIONS OF CONDOLENCE, AND COMMUNICATIONS

PETITIONS, MEMORIALS, CERTIFICATES OF MERIT, EXPRESSIONS OF CONDOLENCE, AND COMMUNICATIONS

Comm. 928: NOMINATES PATRICIA PROVALENKO (COUNCIL DISTRICT 9) TO THE COST OF GOVERNMENT COMMISSION
From Mayor Harry Kim, dated May 26, 2006, recommending approval of the above nomination.

Waived: FC

APPROVED

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

ORDER OF RESOLUTIONS

Res. 378-06: Authorizes the Acceptance of a Donation of Construction of New Dug Out Benches with Concrete Slabs for Pu'u Nui Park. {Donated by Goodfellow Brothers, Inc., with an estimated value of \$6,500.}

Re: Comm. 910
Intr. by: Ms. Isbell
Approve: FC-303

ADOPTED:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

Res. 379-06: Directs the Clerk of the County of Hawai'i to Take Necessary Action to Place the Charter Amendment Proposed by Ordinance No. 06-60 on the 2006 General Election Ballot. {Ordinance No. 06-60 amends the name of the Department of Civil Service, the titles of the director and deputy director, and the name of the civil service commission.}

Re: Comm. 916
Intr. by: Ms. Isbell
Approve: FC-304

ADOPTED:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

Res. 384-06: Accepts the Dedication of Road Lot R-1 (Ahihi-Kauhale Connector Road), Containing an Area of 26,421 Square Feet, Situate in the District of North Kona, County and State of Hawai'i, Bearing Tax Map Key: (3)7-3-010:Por. 029, from Keahole Group, LLC.

Re: Comm. 940
 Intr. by: Mr. Ikeda
 Waived: PWIRC

ADOPTED:
AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.
NOES: None.
ABSENT & EXCUSED:None.

Res. 385-06: Transfers/Appropriates an Appropriation Out and From the Designated Fund Account(s) and Credits Same to a Designated Fund Account(s). {Transfers/appropriates \$80,000 out and from Provision for Compensation Adjustment – General Fund; credits same to Civil Defense Agency Salaries and Wages (\$25,000) and Unemployment Compensation – General Fund (\$55,000), for a total of \$80,000. Shortage of funds are due to overtime costs arising from unusual amounts of emergencies, temporary assignment costs during the deployment of the Civil Defense Administrator, and claims for the current year were more than expected.}

Re: Comm. 942
 Intr. by: Ms. Isbell
 Waived: FC

ADOPTED:
AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.
NOES: None.
ABSENT & EXCUSED:None.

Res. 386-06: Accepts the Donation of a Right-of-Way, Being a Portion of Tax Map Key: (3)2-4-012:030, Situate at Waiākea, County and State of Hawai'i, from Yoshimi Nakayama and Aiko Nakayama, for the South Hilo Roadside Improvements Project. {Acquiring this property would allow for roadside safety improvements along Komohana Street in South Hilo containing an area of 1,198 square feet).}

Re: Comm. 943
 Intr. by: Mr. Ikeda
 Waived: PWIRC

ADOPTED:
AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Pilago, and Chair Higa – 8.
NOES: None.
ABSENT & EXCUSED:Council Member Safarik – 1.

Res. 387-06:

Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-013:007, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements along Komohana Street in South Hilo include constructing concrete retaining walls and drywells, erecting guardrails, striping, marking paving, roadway shoulders, and adjusting utility boxes containing an area of 2,023 square feet.}

Re: Comm. 944
Intr. by: Mr. Ikeda
Waived: PWIRC
Note: First of two required readings, Section 101-13, Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Pilago, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Safarik – 1.

(Note: Subsequent Resolutions 388-06 through 400-06 regarding Eminent Domain contains the same language relating to roadside safety improvements: “constructing concrete retaining walls and drywells, erecting guardrails, striping, marking paving, roadway shoulders, and adjusting utility boxes”.)

Res. 388-06:

Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-2-038:017, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Kino'ole Street in South Hilo containing an area of 900 square feet.}

Re: Comm. 944
Intr. by: Mr. Ikeda
Waived: PWIRC
Note: First of two required readings, Section 101-13, Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Pilago, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Safarik – 1.

Res. 389-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-2-038:018, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Kino'ole Street in South Hilo containing an area of 480 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda,
 Isbell, Jacobson, Pilago, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Safarik – 1.

Res. 390-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-2-038:015, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Kino'ole Street in South Hilo containing an area of 1,034 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda,
 Isbell, Jacobson, Pilago, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Safarik – 1.

Res. 391-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-012:024, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 1,640 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda,
 Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

Res. 392-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-013:011, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 2,700 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Holschuh, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Hoffmann – 1.

Res. 393-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-012:029, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 900 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Holschuh, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Hoffmann – 1.

Res. 394-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-012:028, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 900 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Holschuh, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Hoffmann – 1.

Res. 395-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-012:027, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 160 square feet. }

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Holschuh, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Hoffmann – 1.

Res. 396-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-012:026, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 1,640 square feet. }

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Holschuh, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Hoffmann – 1.

Res. 397-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-012:023, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 900 square feet. }

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda,
 Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

Res. 398-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-012:025, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 160 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda,
 Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

Res. 399-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-013:046, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 1,800 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda,
 Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

Res. 400-06: Authorizes the Acquisition of Private Property by Eminent Domain, Being Portion of Tax Map Key:(3)2-4-012:022, Situate at Waiākea, County and State of Hawai'i, for the South Hilo Roadside Improvements Project. {Roadside safety improvements will be performed along Komohana Street in South Hilo containing an area of 894 square feet.}

Re: Comm. 944
 Intr. by: Mr. Ikeda
 Waived: PWIRC
 Note: First of two required readings, Section 101-13,
 Hawai'i Revised Statutes

PASSED 1ST OF TWO REQUIRED READINGS:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda,
 Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

9:45 A.M.: STATEMENTS FROM THE PUBLIC ON BILLS FOR ORDINANCES (FIRST READING)

BILLS FOR ORDINANCES (FIRST READING)

Bill 224: Amends Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural (A-3a) and Open to Project District (PD) at Kau, North Kona, Hawai'i, Covered by Tax Map Key 7-2-5:1 (approx.725.2 acres). {Hiluhilu Development, LLC, Applicant.}

Re: Comm. 687
 Intr. by: Mr. Pilago
 Approve: PC-73
 Postponed: June 5, 2006

;and

Comm. 687.75: From Council Member Pete Hoffman, dated May 30, 2006, transmitting Bill 224, Draft 2. Draft 2 relates to the following: Amends Conditions D, I and J (relating to golf course, university, and public school facilities), deletes Condition T (relating to golf course), adds new Condition T (relating to University of Hawai'i), adds new Condition U (relating to State Department of Education), amends Condition W (relating to regional park), amends Condition Z (relating to road construction), deletes Condition FF (relating to infrastructure commitments to the University of Hawai'i), and re-letters certain conditions.

; and

Bill 224 (Draft 2): Amends Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural (A-3a) and Open to Project District (PD) at Kau, North Kona, Hawai'i, Covered by Tax Map Key 7-2-5:1 (approx.725.2 acres). {Hiluhilu Development, LLC, Applicant.}

Intr. by: Mr. Hoffmann
 Postponed: June 5, 2006

;and

Comm. 687.79: From Council Chair Stacy K. Higa, dated June 5, 2006, transmitting Bill 224, Draft 3. Draft 3 amendments relate to the following: Amends Conditions D, I, and J (relating to golf course) amends Condition P (relating to occupancy), amends Condition S (relating to retail space), deletes Condition T (relating to golf course), amends Condition U (relating to parks), amends Condition X (relating to access), amends Condition AA (relating to vehicular security gate), amends Condition EE (relating to the university), amends Condition OO (relating to fair share contribution), and re-letters certain conditions.

; and

Bill 224
 (Draft 3): Amends Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural (A-3a) and Open to Project District (PD) at Kau, North Kona, Hawai'i, Covered by Tax Map Key 7-2-5:1 (approx.725.2 acres). {Hiluhilu Development, LLC, Applicant. }

Intr. by: Mr. Higa
 Postponed: June 5, 2006

AMENDED TO DRAFT 5 & PASSED 1ST READING:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Pilago, Safarik, and Chair Higa – 8.

NOES: Council Member Jacobson – 1.

ABSENT & EXCUSED:None.

(Note: There are three pending motions: 1) Mr. Pilago moved to approve Bill 224, duly seconded by Mr. Hoffmann; 2) Mr. Hoffmann moved to amend Bill 224 with Draft 2, duly seconded by Mr. Jacobson; and 3) Mr. Holschuh moved to amend Bill 224, Draft 2, with Draft 3, duly seconded by Ms. Isbell.)

; and

Comm. 687.43: From Kitty Lagareta, Chairperson, Board of Regents, University of Hawai'i, dated May 26, 2006; *and*

Comm. 687.76: From Guido Giacometti, Island Advisors, Inc., Owner's Representative – Hiluhilu Development LLC, dated May 31, 2006; *and*

Comm. 687.77: From Dawn Henry, dated June 5, 2006; *and*

Comm. 687.78: From Jerry Schneyer, Spokesman, Makalei Estates Community Association, undated.

Bill 225: Planning Director Initiated Amending Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), Relating to Modifications of the Conditions of Ordinance No. 93 45, and Further Amending the Ordinance by Deleting Tax Map Key 7-2-05:1. The Remaining Area of 273.82 Acres is Retained as Agricultural (A-3a) at Kau, North Kona, Hawai'i, Covered by Tax Map Key 7-2-15:1-43, 46-86.

Re: Comm. 688
 Intr. by: Mr. Pilago
 Approve: PC-74
 Postponed: June 5, 2006

PASSED 1ST READING:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Pilago, Safarik, and Chair Higa – 8.

NOES: Council Member Jacobson – 1.

ABSENT & EXCUSED:None.

Bill 251
(Draft 2): Amends Section 25-8-3 (North Kona Zone Map), Article 8, Chapter 25 (Zoning Code) of the Hawai'i County Code 1983 (2005 Edition), by Changing the District Classification from Agricultural (A-5a) to Residential and Agricultural (RA-1a) (approx. 97.347 acres) and Multiple Family Residential (RM-3.5) (approx. 10.829 acres) at Moeauoa 2nd, North Kona, Hawai'i, Covered by Tax Map Key 7-5-3:7, 8, 9. {SCD Kona 108, LLC, Applicant.}

Re: Comm. 766.5
 Intr. by: Mr. Pilago
 Approve: PC-67
 Postponed: May 17, 2006

POSTPONED TO JULY 19, 2006, COUNCIL MEETING

(Note: There is a pending motion by Mr. Pilago and duly seconded by Ms. Isbell to approve Bill 251, Draft 2.)

;and

- Comm. 766.7: From Planning Director Christopher J. Yuen, dated May 9, 2006; *and*
- Comm. 766.8: From Cheryl King, dated May 14, 2006; *and*
- Comm. 766.9: From Loraine Peters, dated May 17, 2006; *and*
- Comm. 766.10: From Jake Jacobs, dated May 17, 2006; *and*
- Comm. 766.11: From Cory Harden, dated May 15, 2006; *and*
- Comm. 766.12: From Virginia Cochran and James Cochran, dated May 14, 2006; *and*
- Comm. 766.13: From Gust Koutroupas, dated May 13, 2006; *and*
- Comm. 766.14: From Walter A. Hoffman, dated May 12, 2006; *and*
- Comm. 766.15: From Members of The Salvation Army Kona Corps Advisory Board, dated May 15, 2006 (William L. Wong, Chair; Chuck Corbe; Jeff Martin; David Rees-Thomas; James Allen; Matthew Kilgore; Noel Black-Ackerman; Ken Apilado, and John Harris); *and*
- Comm. 766.16: From Bill and Lorraine Van Horn, dated May 10, 2006; *and*
- Comm. 766.17: Petitions (54) signed by individual lot owners of the Malulani Gardens Subdivision, as well as written testimony from residents of Malulani Gardens; *and*
- Comm. 766.18: From Adele DeCuyper, dated May 17, 2006; *and*
- Comm. 766.19: From Pamela S. Poore, undated.

Bill 281: 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 (RS-10) to Neighborhood Commercial (CN-20) at Waiakea, South Hilo, Hawai'i, Covered by Tax Map Key 2-2-034:012 (approx. 20,000 square feet). {Kathy Tripp, Applicant.}

Re: Comm. 883
 Intr. by: Mr. Pilago
 Approve: PC-87

PASSED 1ST READING:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

1:30 P.M.: STATEMENTS FROM THE PUBLIC ON ORDER OF THE DAY (SECOND OR FINAL READING)

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 269: Amends Article VII, Chapter 4, of the Hawai'i County Charter (2000), Relating to the Fire Department. {Adopts "Hawai'i Fire Department" as the formal name of the Department.}

Re: Comm. 829
 Intr. by: Mr. Jacobson
 1st Reading: May 17, 2006
 2nd Reading: June 5, 2006
 2/3 Vote: Third of three required readings,
 Section 15-1(a), Hawai'i County
 Charter

PASSED 3RD & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Holschuh, Ikeda,
 Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 9.

NOES: None.

ABSENT & EXCUSED:None.

Bill 273: Initiates a Charter Amendment to the Hawai'i County Charter (2000), Relating to Verifying and Certifying Petitions for Initiative and Referendum, Removal of Elected Officers and Charter Amendment or Revision. {The proposed amendments relate to: 1) eliminates the requirement of providing social security numbers; 2) changes the number of days the County Clerk has to verify and certify petitions and supplemental petitions; 3) deletes the mailing address provision; and 4) makes other housekeeping changes.}

Re: Comm. 835
 Intr. by: Ms. Isbell
 1st Reading: May 17, 2006
 2nd Reading: June 5, 2006
 2/3 Vote: Third of three required readings,
 Section 15-1(a), Hawai'i County
 Charter

PASSED 3RD & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED:Council Member Holschuh – 1.

Bill 277: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. {Increases revenues in State Grants – Disabled Parking (\$36,840); appropriates same to Disabled Parking – State. Funds would be used towards the County's Disabled Persons Parking Placard Program.}

Re: Comm. 858
 Intr. by: Ms. Isbell
 1st Reading: June 5, 2006

PASSED 2ND & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED: Council Member Holschuh – 1.

Bill 283
 (Draft 2): Amends Chapter 2, Article 41, of the Hawai'i County Code 1983 (2005 Edition), Disaster and Emergency Fund, Relating to Fund Expenditures. {Proposal eliminates the maximum appropriation of \$1,000,000 per year and its accumulated maximum of \$5,000,000; and includes the allowance to pay for operational expense of the County after a disaster or emergency when the County is unable to realize revenue at sufficient levels due to the disaster or emergency.}

Re: Comm. 890.1
 Intr. by: Ms. Isbell
 1st Reading: June 5, 2006

PASSED 2ND & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED: Council Member Holschuh – 1.

Bill 292
 (Draft 2): Amends Chapter 2 of the Hawai'i County Code 1983 (2005 Edition), Administration, Relating to Budget Stabilization Fund. {This new special fund was created for the purpose of meeting general fund revenue shortfalls and to minimize the need for budget cuts or tax increases and would be a temporary supplement source of funds for the County to use during times of financial hardships while a plan for cost reduction or revenue enhancement is developed.}

Re: Comm. 890.2
 Intr. by: Ms. Isbell
 1st Reading: June 5, 2006

PASSED 2ND & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Ikeda, Isbell,
 Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED: Council Member Holschuh – 1.

Bill 286: Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Adds PLANNING: Puna Makai Alternate Route Study – Council District 5 (\$30,000); funds shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources (Contingency Relief) (\$30,000).}

Re: Comm. 897
 Intr. by: Mr. Safarik
 1st Reading: June 5, 2006
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

PASSED 2ND & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED: Council Member Holschuh – 1.

Bill 288: Amends Chapter 2, Article 6 and Article 16, of the Hawai'i County Code 1983 (2005 Edition, as Amended), Relating to Mileage Reimbursement Rates for Duly Authorized Volunteer Police and Fire Personnel. {Proposal reflects a consistent reimbursement rate amongst all County employees and duly authorized volunteer police and fire personnel. Mileage reimbursements rates shall be prescribed by, and subject to, requirements set forth in Section 2-101(b) or by negotiated contracts of bargaining units.}

Re: Comm. 905
 Intr. by: Ms. Isbell
 1st Reading: June 5, 2006

PASSED 2ND & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED: Council Member Holschuh – 1.

Bill 293: Amends Ordinance No. 05-87, as Amended, Relating to Public Improvements and Financing Thereof for the Fiscal Year July 1, 2005 to June 30, 2006. {Adds PUBLIC WORKS: Construction, Maintenance, and Repair of County Roads – State (\$2,000,000); funds shall be provided from State Grants Receivable (\$2,000,000). Funds would cover the costs of construction, maintenance, and repair of County roads.}

Re: Comm. 911
 Intr. by: Ms. Isbell
 1st Reading: June 5, 2006
 2/3 Vote: Section 10-6(d), Hawai'i County Charter

PASSED 2ND & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED: Council Member Holschuh – 1.

Bill 294: Amends Ordinance No. 05-86, as Amended, the Operating Budget for the County of Hawai'i for the Fiscal Year Ending June 30, 2006. {Increases revenues in State Grants – Greetings Program (\$175,000); appropriates same to Greetings Program. Funds would be used to plan, develop, and operate the Department of Research and Development's Greetings Program, which is intended to provide services to enhance the experience of arriving and/or departing island visitors. }

Re: Comm. 917

Intr. by: Ms. Isbell

1st Reading: June 5, 2006

PASSED 2ND & FINAL READING:

AYES: Council Members Arakaki, Hoffmann, Ikeda, Isbell, Jacobson, Pilago, Safarik, and Chair Higa – 8.

NOES: None.

ABSENT & EXCUSED: Council Member Holschuh – 1.

REPORTS

PC-75 (Comm. 891): Recommends approval of the nomination of Mr. Alvin Rho (Council District 8) to the Planning Commission.

APPROVED

PC-76 (Comm. 912): Recommends approval of the nomination of Mr. Darren M. Ah Chong to the Puna District Community Development Plan Steering Committee (CDPSC).

APPROVED

PC-77 (Comm. 912): Recommends approval of the nomination of Mr. Eddie Alonzo to the CDPSC.

APPROVED

PC-78 (Comm. 912): Recommends approval of the nomination of Ms. Stephanie Bath to the CDPSC.

APPROVED

PC-79 (Comm. 912): Recommends approval of the nomination of Mr. W. Gregory Braun to the CDPSC.

APPROVED

PC-80 (Comm. 912): Recommends approval of the nomination of Ms. Barbara M. Lively to the CDPSC.

APPROVED

PC-81 (Comm. 912): Recommends approval of the nomination of Ms. B. Martha Lockwood to the CDPSC.

APPROVED

PC-82 (Comm. 912): Recommends approval of the nomination of Mr. Jon A. Olson to the CDPSC.

APPROVED

PC-83 (Comm. 912): Recommends approval of the nomination of Ms. Shirley M. Pedro to the CDPSC.

APPROVED

PC-84 (Comm. 912): Recommends approval of the nomination of Mr. Alan S. Rudo to the CDPSC.

APPROVED

PC-85
(Comm. 912): Recommends approval of the nomination of Ms. Kim D. Tavares to the CDPSC.
APPROVED

PC-86
(Comm. 912): Recommends approval of the nomination of Mr. Frederick R. Warshauer to the
CDPSC.
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. 514.3: JAMES R. PARRISH AND LISA R. PARRISH, ET. AL. V. THE HONORABLE
RONALD IBARRA, JUDGE OF THE THIRD CIRCUIT COURT, STATE OF
HAWAI'I, ET. AL., CIVIL NO. 05-651;
JAMES R. PARRISH AND LISA R. PARRISH, ET. AL. V. THE STATE OF
HAWAI'I, ET. AL., CIVIL NO. 05-1-0315
From Corporation Counsel Lincoln S. T. Ashida, dated June 6, 2006. {The purpose
of the executive meeting is to discuss the Corporation Counsel's interpretation, work
product, and recommendations concerning the litigation in this case, including but
not limited to the payment of special counsel fees and costs, which necessarily
involve discussion concerning the Council's powers, duties, privileges, immunities,
and liabilities thereto. This meeting is closed to the public pursuant to Section
92-5(a)(4), Hawai'i Revised Statutes, as amended.}
POSTPONED TO JULY 7, 2006, COUNCIL MEETING

OTHER BUSINESS

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

ANNOUNCEMENTS

	<u>THURSDAY, JULY 6, 2006</u>	
COMMITTEES	TBA	COUNCIL ROOM
	<u>FRIDAY, JULY 7, 2006</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM
	<u>TUESDAY, JULY 18, 2006</u>	
COMMITTEES	TBA	COUNCIL ROOM
	<u>WEDNESDAY, JULY 19, 2006</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM

	<u>MONDAY, JULY 31, 2006</u>	
COMMITTEES	TBA	COUNCIL ROOM
	<u>TUESDAY, AUGUST 1, 2006</u>	
COUNCIL	9:00 a.m.	COUNCIL ROOM

ADJOURNMENT 3:32 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 June 19, 2006. Persons using TDDs may call 961-8521.

Copies of an item listed on the agenda may be viewed at the Hawai'i County Services Office at 75-5706 Kuakini Highway, Suite 103, Kailua-Kona, Hawai'i 96740; at the Office of the County Clerk at 25 Aupuni Street, 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.

Submitting Testimony: Those persons wishing to testify must register with the Council/Clerk's staff. Those testifying in person and submitting written testimony should bring **sixteen (16)** 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 the above address, (2) by facsimile to (808) 961-8912, or (3) by e-mail to counciltestimony@co.hawaii.hi.us. **Please submit a separate testimony for each item.** Copies will be made and distributed at the meeting when transmitted in a timely manner. In any case, both oral and written testimony will be considered public record.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai'i County Clerk within five days of becoming a lobbyist. {Article 15, Section 2-91.3(b), Hawai'i County Code} A lobbyist means "any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials." {Article 15, Section 2-91.3(a)(6), Hawai'i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 25 Aupuni Street, Hilo, Hawai'i 96720.

Government Access Television: Channel 52 (Hilo and Kona) Wednesday, June 28, 2006, at 6 p.m.; Sunday, July 2, 2006, at 10:30 a.m.; and Wednesday, July 5, 2006, at 6 p.m.

(Hawai'i Tribune Herald – June 18, 2006)

(West Hawai'i Today – June 18, 2006)