COUNTY COUNCIL
County of Hawai‘i
Hawai‘i County Building
25 Aupuni Street
Hilo, Hawai‘i 96720

37th Session

ORDER OF BUSINESS
Hawai‘i County Building
25 Aupuni Street
Hilo, Hawai‘i

April 22, 2020

9:00 a.m.

Pursuant to Governor Ige’s supplementary emergency proclamation dated March 16, 2020, in order to minimize physical contact and maximize social distancing, this meeting will not be open to the public.

Submitting Written Testimony: The Council encourages the public to submit thoughts, comments, and input via written testimony. To ensure timely delivery to Council Members prior to the meeting, written testimony must be submitted before 12:00 noon on the business day prior to the meeting by: (1) email to counciltestimony@hawaiicounty.gov, (2) facsimile to (808) 961-8912; or (3) mail to the County Clerk’s Office in Hilo at 25 Aupuni Street, Hilo, Hawai‘i, 96720. All written testimony, regardless of time of receipt, will be part of the permanent record. Please submit separate testimony for each item.

INVOCATION
Thy Word Ministries

CALL TO ORDER

ROLL CALL

Hawai‘i County is an Equal Opportunity Provider and Employer
PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

COMMUNICATIONS

Comm. 876: REQUESTS A BRIEFING FROM ROSS BIRCH, EXECUTIVE DIRECTOR OF THE ISLAND OF HAWAI‘I VISITORS BUREAU, REGARDING ECONOMIC RECOVERY EFFORTS
From Council Member Valerie T. Poindexter, dated April 14, 2020.

Waived: GREDC

ORDER OF RESOLUTIONS

Authorizes a memorandum of agreement with the State of Hawai‘i to reimburse the County for overtime costs, supplies, equipment, and other expenses through December 31, 2019, in response to the protest activities related to the construction of the Thirty Meter Telescope on the summit of Mauna Kea.

Reference: Comm. 855
Intr. by: Ms. David (B/R)
Waived: FC
Postponed: April 8, 2020

(Note: There is a motion by Ms. David, seconded by Ms. Poindexter, to approve Res. 568-20.)

; and

Comm. 855.1: From Finance Director Deanna Sako dated April 9, 2020, transmitting proposed amendments to Res. 568-20, and a revised memorandum of agreement.
Res. 577-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE LIONS CLUB OF KONA COMMUNITY FOUNDATION INC., FOR EXPENSES RELATED TO ITS COMMUNITY OUTREACH PROJECT
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Department of Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 865
Intr. by: Ms. Eoff

Res. 578-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE LIONS CLUB OF KONA COMMUNITY FOUNDATION INC., FOR EXPENSES RELATING TO ITS EDUCATIONAL OUTREACH EFFORTS
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Department of Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 866
Intr. by: Ms. Villegas

Res. 579-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE LIONS CLUB OF KONA COMMUNITY FOUNDATION INC., FOR EXPENSES RELATING TO ITS EDUCATIONAL OUTREACH EFFORTS
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Department of Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 867
Intr. by: Ms. David
Res. 581-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT
Transfers $2,000 from the Department of Research and Development, Tourism Promotion account; and credits to the Clerk-Council Services – Contingency Relief account.
Reference: Comm. 870
Intr. by: Ms. David (B/R)
Waived: FC

Res. 582-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT
Transfers $4,158,221 from the Finance Administration and Budget Salaries and Wages account; and credits to various Department’s Salaries and Wages accounts for third and fourth quarter Fiscal Year 2019-2020 overtime expenses.
Reference: Comm. 871
Intr. by: Ms. David (B/R)
Waived: FC

Res. 584-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE BOYS AND GIRLS CLUB OF THE BIG ISLAND FOR A REIMBURSEMENT OF EXPENSES RELATING TO ITS COMMUNITY FEEDING PROGRAM
Transfers $20,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Department of Liquor Control, Public Programs account.
Reference: Comm. 875
Intr. by: Ms. Lee Loy
Res. 585-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE ALOHA CLUB OF HILe TO PURCHASE COMPUTER EQUIPMENT FOR HALE ‘OLUEA CLUBHOUSE
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Liquor Control, Public Programs account.

Reference: Comm. 877
Intr. by: Mr. Chung

Res. 586-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE ISLAND OF HAWAI‘I YMCA FOR ITS FAMILY VISITATION CENTER PROGRAM
Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 878
Intr. by: Mr. Chung

Res. 587-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR PARK MAINTENANCE AND/OR IMPROVEMENT PROJECTS AT VARIOUS FACILITIES IN COUNCIL DISTRICT 2
Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Parks and Recreation, Transfer to Capital Projects Fund-General account.

Reference: Comm. 879
Intr. by: Mr. Chung

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Res. 588-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST WITH THE PURCHASE OF A REFRIGERATOR FOR THE HILO ARMORY CONCESSION AREA
Transfers $900 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Parks and Recreation, Recreation Division Equipment account.

Reference:  Comm. 880
Intr. by:  Mr. Chung

Res. 589-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PURCHASE TENNIS NETS FOR LINCOLN PARK
Transfers $1,400 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Parks and Recreation, Recreation Division, Other Current Expenses account.

Reference:  Comm. 881
Intr. by:  Mr. Chung

Res. 590-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO WEST HAWAI’I COMMUNITY HEALTH CENTER, INC., FOR REIMBURSEMENT OF EXPENSES TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT DUE TO THE COVID-19 PANDEMIC
Transfers $10,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference:  Comm. 882
Intr. by:  Ms. Eoff
Res. 591-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO WEST HAWAI’I COMMUNITY HEALTH CENTER, INC., FOR REIMBURSEMENT OF EXPENSES TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT DUE TO THE COVID-19 PANDEMIC

Transfers $7,500 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 883
Intr. by: Ms. Villegas

Res. 592-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE EAST HAWAI’I KIWANIS FOUNDATION FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH THE AUGUST 2019 SUMOTO CITY STUDENT EXCHANGE

Transfers $1,600 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Liquor Control, Public Programs account.

Reference: Comm. 884
Intr. by: Mr. Chung

Res. 593-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO COMMUNITY FIRST, INC., TO PURCHASE MATERIALS AND SUPPLIES FOR ITS ONGOING BLOOD PRESSURE AWARENESS AND COMMUNITY OUTREACH CAMPAIGN

Transfers $700 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Liquor Control, Public Programs account.

Reference: Comm. 885
Intr. by: Mr. Chung
Res. 594-20: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE HĀMĀKUA HEALTH CENTER, INC., TO PURCHASE MEDICAL SUPPLIES AND EQUIPMENT

Transfers $4,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 886
Intr. by: Ms. Poindexter

BILLS FOR ORDINANCES (FIRST READING)


Appropriates revenues in the Federal – CDBG COVID-19 account ($1,543,033); and appropriates the same to the CDBG COVID-19 account. Funds would be used to prevent, prepare, and respond to the impact of the COVID-19 pandemic.

Reference: Comm. 874
Intr. by: Ms. David (B/R)
Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 115: (Draft 2) AMENDS ORDINANCE NO. 19-73, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2020

Appropriates revenues in the State Grants – Mauna Kea Costs account ($5,342,262); and appropriates the same to the Mauna Kea Costs account. Funds from the State of Hawaiʻi would be used to reimburse the County for overtime costs, supplies, equipment, and other expenses incurred in response to the protest activities related to the construction of the Thirty Meter Telescope on the summit of Mauna Kea.

Reference: Comm. 605.9
Intr. by: Ms. David (B/R)
First Reading: April 8, 2020
Bill 151: AMENDS ORDINANCE NO. 19-74, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020

Increases the Waiākea Uka Park & New Community Center Improvements project by $8 million. Additional Funds for this project shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources ($2 million) and State Capital Improvement Project Funds ($6 million), for a total appropriation of $8,150,000, to be used for project planning and construction.

Reference: Comm. 808
Intr. by: Ms. Lee Loy
First Reading: April 8, 2020


Increases revenues in the Federal Grants – Housing Choice Voucher Program account ($650,000); and appropriates the same to the Voucher Rental Subsidies account, for a total appropriation of $19,227,430. Funds provided by the Department of Housing and Urban Development would be used for rental assistance for eligible participants.

Reference: Comm. 817
Intr. by: Ms. David (B/R)
First Reading: April 8, 2020


(Applicant: Jean K. Campbell Trust and Jeffrey S. Clapp Trust) (Area: 21.296 acres)

The Leeward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to subdivide the property into four parcels for estate purposes. The property is located in the Kaloko Mauka Subdivision in North Kona.

Reference: Comm. 840
Intr. by: Ms. Kierkiewicz (B/R)
First Reading: April 8, 2020
Bill 154:


Increases revenues in the HOME Grant – Program Income account ($80,000); and appropriates the same to the Tenant Base Rental Assistance Program account ($72,000) and the Office of Housing and Community Development Administration account ($8,000), for a total appropriation of $130,000.

Reference: Comm. 848
Intr. by: Ms. David (B/R)
First Reading: April 8, 2020

Bill 155:


Appropriates revenues in the Federal - Block Grant account ($2,626,423) and the Block Grant - Program Income account ($100,000); and appropriates the same to the following accounts: Mental Health Kokua – Facility Sewer Connection ($220,000); Kiheipua Emergency Shelter – Certified Kitchen Construction ($388,175); Kaiaulu O ‘Waikoloa Rental Housing – Off Site Infrastructure Improvement ($800,000); Hale Maluhia Shelter – Accessibility Improvements ($561,015); Residential Repair – Homeowner Loan Program ($231,949); and Administration, Planning and Fair Housing ($525,284). Funds would be used to provide housing, suitable and safe living environments, and accessibility for disabled individuals to public facilities.

Reference: Comm. 849.3
Intr. by: Ms. David (B/R)
First Reading: April 8, 2020

Appropriates revenues in the Federal Grants – Workforce Innovation & Opportunity Act (WIOA) account ($1,090,000); and appropriates the same to the following WIOA accounts: Administration Planning 2020-21 ($110,000); Adult Program 2020-21 ($360,000); Dislocated Worker Program 2020-21 ($250,000); and Youth Program 2019-20 ($370,000). Funds would be used to assist adults, dislocated workers, and youth by providing services that will train individuals to increase employment, retention, earnings, skills, and literacy.

Reference: Comm. 851
Intr. by: Ms. David (B/R)
First Reading: April 8, 2020

REPORTS

REFERRALS FOR EXECUTIVE SESSION

Res. 583-20: AUTHORIZES THE EMPLOYMENT OF SPECIAL COUNSEL TO REPRESENT THE COUNTY OF HAWAIʻI, BOARD OF ETHICS IN PETITION NO. 2020-02, AS THE PETITIONER IS INVOLVED IN ONGOING LITIGATION AGAINST THE COUNTY OF HAWAIʻI

Finds that a conflict of interest would exist for the Corporation Counsel to advise the Board of Ethics and provides for the retention of legal services by the County of Maui Office of the Corporation Counsel, with total costs not to exceed $1,000.

Reference: Comm. 872
Intr. by: Ms. David (B/R)
Waived: FC
Note: Requires 2/3 vote of the entire membership, pursuant to Section 6-5.5, Hawaiʻi County Charter

The Council anticipates convening an executive meeting regarding the above matter, pursuant to Section 92-5(a)(4), for the purpose of consulting with Council’s attorney on questions and issues pertaining to the Council’s powers, duties, privileges, immunities, and liabilities. A 2/3 vote pursuant to Hawaiʻi Revised Statutes, Section 92-4, and Rule Nos. 2 and 10 of the Rules of Procedure of the County Council is necessary to hold an executive meeting.
OTHER BUSINESS
(Including but not limited to reconsideration of vetoed items, if any, or reconsideration of actions on agenda items.)

ANNOUNCEMENTS

ADJOURNMENT

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.

Council Members will be present at the following locations: Hilo Council Chambers, Hawai‘i County Building; Kona Council Office, West Hawai‘i Civic Center, Building A; and Waimea Council Office, Parker Square.

Live stream of County Council Meetings: Council meetings are available for live viewing. Click on Council Meetings on the County’s homepage at [http://www.hawaiicounty.gov](http://www.hawaiicounty.gov).

Copies of this agenda and items listed on the agenda are available on the County Clerk-Council web page at [http://www.hawaiicounty.gov/lb-council-meeting](http://www.hawaiicounty.gov/lb-council-meeting). For further information, please call 961-8255.

Submitting Video Testimony: Those submitting video testimony may email a complete web address (url) to videotestimony@hawaiicounty.gov before 12:00 noon on the business day prior to the meeting. The email shall indicate the appropriate Committee or Council meeting, the meeting date, agenda item (communication, bill, resolution or report number), and number of testifiers on the video submittal. Each video submittal shall be limited to a single agenda item. Video submittals may contain up to three individual testifiers and shall each be up to three minutes in length. Video testimony will not be played during the meeting; however, it will be distributed to Council Members prior to the meeting. The Office of the County Clerk reserves the right to refuse testimony containing inappropriate content or that is not in compliance with Council Rule 13 (Public Statements and Testimony).