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 Building
25 Aupuni Street
Hilo, Hawai‘i

August 7, 2019

9:00 a.m.

(Note: Please turn all communication devices to silent mode.)

INVOCATION

Pastor John Endriss of Engage Church Hilo

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

Serving the Interests of the People of Our Island
Hawai‘i County is an Equal Opportunity Provider and Employer.
PETITIONS, MEMORIALS, CERTIFICATES OF MERIT, AND EXPRESSIONS OF CONDOLENCE

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

(NOTE: COUNCIL MAY TAKE A LUNCH BREAK CLOSE TO THE NOON HOUR.)

APPROVAL OF MINUTES

June 5, 2019
June 19, 2019

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 215-19: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF HAWAI‘I SURPLUS PROPERTY OFFICE FOR THE ACCEPTANCE OF A DONATION OF A HYDROGEN BUS
Accepts a 2012 F550 Aero Elite bus with an original cost value of $105,424 for addition to the Mass Transit Agency’s transportation fleet.

Reference: Comm. 357
Intr. by: Ms. David (B/R)
Approve: FC-44

Res. 220-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO SPECIAL OLYMPICS HAWAI‘I INC. TO ASSIST THE EAST HAWAI‘I ATHLETES WITH EXPENSES RELATED TO THE HOLIDAY CLASSIC GAMES ON O‘AHU
Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 365
Intr. by: Ms. Poindexter
Res. 221-19: 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 HAWAI‘I COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR THE 2019 SENIOR FARMERS MARKET NUTRITION PROGRAM

Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Office of Aging, Other Current Expenses account.

Reference: Comm. 367
Intr. by: Ms. Eoff

Res. 222-19: 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 HAWAI‘I COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR ITS SENIOR FARMERS MARKET NUTRITION PROGRAM

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Office of Aging, Other Current Expenses account.

Reference: Comm. 368
Intr. by: Ms. Villegas

Res. 223-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO FRIENDS OF BIG ISLAND DRUG COURT, INC., TO PAY FOR SERVICES FOR PARTICIPANTS OF THE VETERANS TREATMENT COURT AND BIG ISLAND DRUG COURT

Transfers $5,000 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. 370
Intr. by: Ms. Eoff
Res. 224-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO FRIENDS OF BIG ISLAND DRUG COURT, INC., FOR EXPENSES ASSOCIATED WITH SERVICES FOR PARTICIPANTS OF THE VETERANS TREATMENT COURT AND BIG ISLAND DRUG COURT

Transfers $2,000 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. 371
Intr. by: Ms. Villegas

Res. 225-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR EQUIPMENT FOR THE HAWAI‘I FIRE DEPARTMENT

Transfers $10,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Hawai‘i Fire Department, Fire Protection-Equipment account.

Reference: Comm. 372
Intr. by: Ms. Poindexter

Res. 226-19: 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 AAUW KONA EDUCATIONAL FUND TO ASSIST WITH THE 2019 GIRLS EXPLORING MATH AND SCIENCE EVENT IN WEST HAWAI‘I

Transfers $2,000 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. 376
Intr. by: Ms. Villegas
Res. 227-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO SPECIAL OLYMPICS HAWAI’I INC. TO ASSIST WITH EXPENSES RELATED TO THE BIG ISLAND REGIONAL SOFTBALL TOURNAMENT
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 377
Intr. by: Ms. Villegas

Res. 228-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR EQUIPMENT FOR THE HAWAI’I FIRE DEPARTMENT
Transfers $8,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Hawai‘i Fire Department, Fire Protection-Equipment account.

Reference: Comm. 378
Intr. by: Ms. Eoff

Res. 229-19: 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 HAWAI‘I COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR THE PURCHASE OF CITRIC ACID TO CONTROL COQUI FROGS IN COUNCIL DISTRICT 7
Transfers $2,000 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. 379
Intr. by: Ms. Villegas
Res. 230-19: 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 HAWAI‘I COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR THE PURCHASE OF CITRIC ACID TO CONTROL COQUI FROGS IN COUNCIL DISTRICT 8 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. 380  
Intr. by: Ms. Eoff

Res. 231-19: 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 HAWAI‘I COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR THE PURCHASE OF CITRIC ACID TO CONTROL THE COQUI FROG INFESTATION IN COUNCIL DISTRICT 6 Transfers $3,000 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. 381  
Intr. by: Ms. David

Res. 232-19: 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 BIG ISLAND RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL TO ASSIST WITH EXPENSES RELATED TO THE 2019 HAWAI‘I ISLAND VETERANS DAY PARADE Transfers $1,500 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. 382  
Intr. by: Ms. Poindexter
Res. 234-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO SPECIAL OLYMPICS HAWAI‘I INC. TO ASSIST EAST HAWAI‘I ATHLETES WITH TRAVEL EXPENSES TO PARTICIPATE IN THE HOLIDAY CLASSIC GAMES ON O‘AHU

    Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

    Reference: Comm. 384
    Intr. by: Mr. Kaneali‘i-Kleinfelder

Res. 235-19: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR A BALLOT SORTING MACHINE FOR THE OFFICE OF THE COUNTY CLERK, ELECTIONS DIVISION

    Authorizes the Mayor to enter into a five-year lease agreement with an approximate monthly cost of $4,500. The County would own the equipment at the end of the lease.

    Reference: Comm. 385
    Intr. by: Mr. Chung
    Waived: FC


    Authorizes the Mayor to enter into a five-year agreement to purchase 500 personal computers to replace those with operating systems that would no longer be supported by Microsoft Corporation after January 14, 2020.

    Reference: Comm. 388
    Intr. by: Ms. David (B/R)
    Waived: FC

Authorizes a three-year agreement to conduct an audit of the schedule of employer allocations of the Employees’ Retirement System of the State of Hawai‘i in order to meet the reporting requirements under Governmental Accounting Standards Board Statement No. 68.

Reference: Comm. 389
Intr. by: Ms. David (B/R)
Waived: FC

Res. 239-19: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF HAWAI‘I SURPLUS PROPERTY OFFICE FOR THE ACCEPTANCE OF A DONATION OF A HYDROGEN BUS

Accepts a second 2012 F550 Aero Elite bus with an original cost value of $105,424 for addition to the Mass Transit Agency’s transportation fleet.

Reference: Comm. 390
Intr. by: Ms. David (B/R)
Waived: FC

BILLS FOR ORDINANCES (FIRST READING)

Bill 87: AMENDS THE KONA COMMUNITY DEVELOPMENT PLAN, AS ADOPTED BY ORDINANCE NO. 08-131

The Leeward Planning Commission forwards its favorable recommendation for the proposed amendments to the Kona Community Development Plan. The amendments are intended to address language affecting the ability to develop projects and to clarify the authority of the plan as an ordinance of the County.

Reference: Comm. 352
Intr. by: Ms. Kierkiewicz (B/R)
Approve: PC-27

Increases revenues in the Operating Reserve from Previous Year – Ouli Ekahi Housing Fund account ($225,000); and appropriates the same to the Ouli Ekahi Project Expenditure account. Funds would be used for roof repairs at Ouli Ekahi Housing Project.

Reference: Comm. 358
Intr. by: Ms. David (B/R)
Approve: FC-45

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 85: AMENDS ORDINANCE NO. 07-105 WHICH RECLASSIFIED LANDS FROM SINGLE-FAMILY RESIDENTIAL – 10,000 SQUARE FEET (RS-10) TO NEIGHBORHOOD COMMERCIAL – 40,000 SQUARE FEET (CN-40) AT WAIĀKEA, SOUTH HILO, HAWAI‘I, COVERED BY TAX MAP KEY: 2-2-039:031, 057, 068, AND 069 (Applicant: AutoZone Parts, Inc., formerly Ginger Patch DP, LLC)
(Area: approximately 88,317 Square Feet)

The Windward Planning Commission forwards its favorable recommendation for this amendment, which would allow a five-year time extension to Condition C (Time to Complete Conversion) and modify 10 conditions to accommodate the updated request, in which the applicant proposes to construct a 9,046 square foot commercial development with a minimum of 57 paved parking stalls, landscaping, and related improvements. The property is located along the north side of East Puainako Street, between Kīlauea Avenue and Kekela Street.

Reference: Comm. 337
Intr. by: Ms. Kierkiewicz (B/R)
First Reading: July 24, 2019

REPORTS

REFERRALS FOR EXECUTIVE SESSION

A 2/3 vote pursuant to Hawai‘i 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 consideration 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.

If you need an auxiliary aid/service or other accommodation due to a disability, call 961-8255 as soon as possible, preferably by August 5, 2019. If a response is received after August 5, 2019, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

Notice is hereby given that pursuant to Hawai‘i Revised Statutes (hereinafter “HRS”) §92-3.5, the Hawai‘i County Council will be conducting this meeting via videoconference. If audio stream between Hilo and Kona is lost for more than a short period of time, the meeting will be terminated. Council Members will be present at the following location:

- Kona Council Office, West Hawai‘i Civic Center, 74-5044 Ane Keohokālole Highway, Building A. (Pursuant to HRS §92-7 and Council Rule No. 2, Council Members Maile David, Karen Eoff, and Rebecca Villegas will be participating from the Kona Council Office.)

Public attendance via videoconference will be available at the Kona location.

Public attendance via courtesy site is also available at the following location until 4:30 p.m. or later in the event public testimony has not been completed:


Public attendance via courtesy site is also available at the following locations until public testimony has been completed:

- Nā‘ālehu State Office Building, 95-5669 Māmalahoa Highway;
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapa‘au; and
- Pāhoa Council Office, 15-2879 Pāhoa Village Road.

If, due to unanticipated circumstances, the courtesy site is unavailable and/or participation is disrupted, the scheduled meeting will continue.

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.

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. For further information, please call 961-8255.
Submitting Written Testimony: Those submitting written testimony at the meeting should bring fourteen (14) copies for distribution. Public testimony may also be submitted before 12:00 noon on the business day prior to the meeting: (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 email to counciltestimony@hawaiicounty.gov. Please submit separate testimony for each item.

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).