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

50th Session

ORDER OF BUSINESS

West Hawai‘i Civic Center
74-5044 Ane Keohokālole Highway, Building A
Kailua-Kona, Hawai‘i

September 21, 2016
9:00 a.m.

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

INVOCATION
Pastor Jason Meechan of Kona Faith Center

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE
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 18, 2014
   August 19, 2015

COMMUNICATIONS

ORDER OF RESOLUTIONS


The lots contain areas of 0.050 acre and 1.098 acres, respectively, and would be used for roadway purposes.

Reference: Comm. 987
Intr. by: Ms. Poindexter
Approve: PWPRC-47


The “Small Building” located within the Nāʻālehu Community Park would be used by HCEOC for programs and activities in the Nāʻālehu community.

Reference: Comm. 1010
Intr. by: Ms. David (B/R)
Approve: FC-74
**Res. 618-16:** 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 the Future for the 2016 Hawai‘i Island Women’s Leadership Forum.

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

Reference: Comm. 1020
Intr. by: Mr. Kanuha

**Res. 621-16:** 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 2016 Girls Exploring Math and Science Program.

Transfers $4,000 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. 1021
Intr. by: Mr. Kanuha

**Res. 622-16:** 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 Honpa Hongwanji Mission of Hawai‘i for the 10th Annual Parade and Festival for the United Nations International Day of Peace.

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 1022
Intr. by: Ms. Poindexter
**Res. 623-16:** 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 THE FUTURE TO ASSIST WITH EXPENSES RELATED TO THE 2016 HAWAI'I ISLAND WOMEN’S LEADERSHIP FORUM

Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 1023
Intr. by: Mr. Onishi

**Res. 624-16:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO THE OFFICE OF THE PROSECUTING ATTORNEY TO ASSIST WITH EXPENSES RELATED TO THE SAFE DATES PROGRAM

Transfers $1,825 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 1024
Intr. by: Mr. Onishi

**Res. 625-16:** 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 HILO HIGH SCHOOL FOUNDATION FOR THE 2016 HILO HIGH SCHOOL KEY CLUB’S STUDENT EXCHANGE WITH OUR SISTER-CITY, SUMOTO CITY, JAPAN

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 1026
Intr. by: Mr. Chung
Res. 626-16: 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 HOLIDAY CLASSIC GAMES ON O‘AHU

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 1027
Intr. by: Ms. David

Res. 627-16: 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 $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 1028
Intr. by: Mr. Paleka

Res. 628-16: 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 FOOD BASKET, INC., TO ASSIST WITH EXPENSES RELATING TO THE PĀHOA PANTRY AND SOUP KITCHEN

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 1029
Intr. by: Mr. Paleka
Res. 629-16: 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 TRAINING FOR LITTLE FIRE ANT PESTICIDE TREATMENTS Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1030
Intr. by: Ms. Eoff

Res. 630-16: 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 FOR TRAINING RESIDENTS ON USING PESTICIDE TREATMENTS FOR LITTLE FIRE ANTS Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1031
Intr. by: Ms. David

Res. 631-16: 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 TRAINING FOR LITTLE FIRE ANT PESTICIDE TREATMENTS Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1032
Intr. by: Mr. Kanuha
Res. 632-16: 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 FOR EXPENSES RELATED TO TRAINING ON PESTICIDE TREATMENTS FOR THE LITTLE FIRE ANT
Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1033
Intr. by: Ms. Wille

Res. 633-16: 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 THE FUTURE FOR THE 2016 HAWAI‘I ISLAND WOMEN’S LEADERSHIP FORUM
Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 1034
Intr. by: Ms. Wille

Res. 635-16: AUTHORIZES THE EXTENSION OF THE PUBLIC SEWER FROM THE MANAWALEA STREET EXTENSION WITHIN TAX MAP KEYS: 7-4-021:041 AND 7-4-021:048 FOR KAMAKANA VILLAGES AT KEAHOULU, AT NORTH KONA, HAWAI‘I, FOR FOREST CITY
Authorizes Forest City’s application for a sewer extension for the development of the Kamakana Villages, as recommended for Council approval by the Director of Environmental Management, pursuant to Chapter 21, Article 3, Division 4 of the Hawai‘i County Code.

Reference: Comm. 1036
Intr. by: Ms. Eoff
Waived: FC
Res. 636-16: 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 FOR A COMMUNITY-BASED LITTLE FIRE ANT CONTROL PROGRAM

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1037
Intr. by: Ms. Poindexter

Res. 637-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO BIG ISLAND RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL TO ASSIST WITH EXPENSES RELATING TO THE BIG ISLAND INVASIVE SPECIES COMMITTEE’S COMMUNITY-BASED LITTLE FIRE ANT CONTROL PROGRAM IN PUNA

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1038
Intr. by: Mr. Paleka

Res. 638-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HAWAIIAN SANCTUARY, INC., TO ASSIST WITH EXPENSES RELATING TO ITS SUSTAINABLE FARMING CLASSES: PLANT ALOHA

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1039
Intr. by: Mr. Paleka
**Res. 639-16:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HAWAIIAN SANCTUARY, INC., TO ASSIST WITH EXPENSES RELATING TO ITS “SUSTAINABLE FARMING CLASSES: PLANT ALOHA” INITIATIVE

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1040  
Intr. by: Mr. Ilagan

**Res. 640-16:** 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 RELATING TO THE WAIMEA PANIOLO OHANA KEIKI PARADE

Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 1041  
Intr. by: Ms. Wille

**Res. 641-16:** AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF HAWAII, DEPARTMENT OF ATMOSPHERIC SCIENCES

Supports the Civil Defense Agency’s efforts to develop a comprehensive dispersion and plume modeling program to improve upon hazard and risk assessment regarding potential future and past releases of hydrogen sulfide from the Puna Geothermal Venture facility.

Reference: Comm. 1048  
Intr. by: Mr. Onishi  
Waived: GREDC
Res. 642-16: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR AGREEMENT FOR THE PURCHASE OF SOFTWARE AND MAINTENANCE FOR THE DEPARTMENT OF PUBLIC WORKS

Authorizes the Mayor to enter into a five-year agreement for the purchase and maintenance of a planning and permitting system. Total cost of the system is not to exceed $2.5 million.

Reference: Comm. 1049
Intr. by: Ms. Eoff
Waived: FC


Recognizes the Daniel R. Sayre Memorial Fund’s generous donations and the Sayre family’s tireless dedication to the Hawai‘i Fire Department.

Reference: Comm. 1050
Intr. by: Ms. Eoff
Waived: PWPRC

BILLS FOR ORDINANCES (FIRST READING)


The Windward and Leeward Planning Commissions forward their favorable recommendations for this amendment to the zoning code, which would update accessible parking requirements in favor of compliance with applicable Federal and State requirements for a site or facility.

Reference: Comm. 999
Intr. by: Mr. Ilagan (B/R)
Approve: PC-73
**Bill 231:**


The Leeward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to subdivide the property into two parcels. The applicant intends to continuously use the lots as residential/agricultural, with existing houses on each lot.

Reference: [Comm. 1000]
Intr. by: Mr. Ilagan (B/R)
Approve: PC-74

**Bill 235:**

AMENDS ORDINANCE NO. 16-72, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2017

Increases revenues in the Federal Grants – Hawaiʻi County Police Department (HCPD) Roadblock Program Grant account ($11,573); and appropriates the same to the HCPD Roadblock Program Grant account. Funds would be used to increase the number of arrests of drivers operating vehicles while under the influence of alcohol.

Reference: [Comm. 1042]
Intr. by: Ms. Eoff
Waived: FC

**Bill 236:**

AMENDS ORDINANCE NO. 16-72, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2017

Increases revenues in the Federal Grants – Hawaiʻi County Police Department (HCPD) Data Grant account ($10,680); and appropriates the same to the HCPD Data Grant account. Funds would be used to purchase Driver’s License/State ID readers.

Reference: [Comm. 1043]
Intr. by: Ms. Eoff
Waived: FC
Increases revenues in the Federal Grants – Occupant Protection Program account ($343); and appropriates the same to the Occupant Protection Program account. Funds would be used to enforce seat belt and child restraint laws.

Reference: Comm. 1044
Intr. by: Ms. Eoff
Waived: FC

Increases revenues in the Federal Grants – Speed Enforcement Grant account ($11,068); and appropriates the same to the Speed Enforcement Grant account. Additional funds would be used to purchase a Stalker Speed Awareness Monitor, with a total cost of $103,068.

Reference: Comm. 1045
Intr. by: Ms. Eoff
Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 229 (Draft 2): AMENDS CHAPTER 18, ARTICLE 4, SECTION 18-90 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO HELE-ON BUS FARES
Adds a one-way fare of $4.00 for the Hele-On Kāko‘o Paratransit system, which provides transportation services to persons eligible through the Americans with Disabilities Act.

Reference: Comm. 985.5
Intr. by: Mr. Paleka
First Reading: September 7, 2016

Increases revenues in the Federal Grants – Assistance to Firefighters Grant account ($1,369,493); and appropriates the same to the Assistance to Firefighters Grant account. Funds would be used to purchase new self-contained breathing apparatus to be used by the Hawai‘i Fire Department.

Reference: Comm. 1011
Intr. by: Ms. Eoff
First Reading: September 7, 2016


Appropriates revenues in the Federal Grants – Substance Abuse Prevention Coordination account ($110,000); and appropriates the same to the Substance Abuse Prevention Coordination account. Funds would be used by the Office of the Prosecuting Attorney for community organization and the evaluation and planning of a substance abuse prevention system.

Reference: Comm. 1012
Intr. by: Ms. Eoff
First Reading: September 7, 2016

REPORTS

PSMTC-22 (Comm. 1009): NOMINATION OF DAVID GREENWELL TO THE LIQUOR COMMISSION

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.
The meeting places are accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8255 by September 19, 2016. Relay users please call 711(961-8255) to contact our office.

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

- Hilo Council Chambers, Hawai‘i County Building, 25 Aupuni Street, First Floor, Room 1401; and
- Waimea Council Office, Holomua Center, 64-1067 Māmalahoa Highway, Suite 5.

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

- Conference room adjacent to Intergenerational Building, Kamehameha Park Complex, 54-382 Kamehameha Park Road, Kapa‘au;
- Nāʻālehu State Office Building, 95-5669 Māmalahoa Highway, Nāʻālehu; and
- Pāhoa Neighborhood Facility, 15-2710 Kauhale Street.

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 Council-Clerk 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 e-mail to counciltestimony@hawaiicounty.gov. Please submit separate testimony for each item.

Submitting Video Testimony: Those submitting video testimony may e-mail a complete web address (url) to videotestimony@hawaiicounty.gov before 12:00 noon on the business day prior to the meeting. The e-mail 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).

Viewing of Meetings on Government Access Television - Channel 55: Wednesdays, September 28 and October 5, 2016, at 6 p.m.; Fridays, September 30 and October 7, 2016, at 12 p.m.; and Sundays, October 2 and 9, 2016, at 9 a.m. (These airtimes are subject to preemption by broadcasts from the State Legislature, and are subject to change by Na Leo ‘O Hawai‘i. Please check the current legislative broadcast schedule on the Na Leo ‘O Hawai‘i website at http://www.naleo.tv/tv-schedules/channel-55/.)