COUNTY COUNCIL
County of Hawaiʻi
Hawaiʻi County Building
25 Aupuni Street
Hilo, Hawaiʻi 96720

45th Session

ORDER OF BUSINESS

Hawaiʻi County Building
25 Aupuni Street
Hilo, Hawaiʻi

July 7, 2016
9:00 a.m.

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

INVOCATION
Pastor Charles Kama of New Hope Hilo, Hawaiʻi

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 3, 2015
- July 1, 2015

COMMUNICATIONS

ORDER OF RESOLUTIONS

**Res. 534-16**

**(Draft 2):**

AUTHORIZES THE EXEMPTION OF CERTAIN CODE REQUIREMENTS, PURSUANT TO SECTION 201H-38 AND SECTION 46-15 OF THE HAWAI‘I REVISED STATUTES, FOR HUALALAI HEALTH, LLC, KONA, HAWAI‘I, COVERED BY TAX MAP KEY: 7-5-010:061

Authorizes the County to exempt the Hualālai Kai Senior Housing project from certain code requirements to help reduce the cost of producing the affordable housing portion of the project. The exemptions would waive building and grading permit fees, requirement for a use permit, the rezoning application process, road improvements, fair share/impact fees, community development plan concurrency requirements, and the time requirement to secure Final Plan Approval under Condition D of Ordinance 03-69.

Reference: **Comm. 897.3**
Intr. by: Ms. David
Approve: **HSSSC-2**

**Res. 541-16:**

TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE DEPARTMENT OF PARKS AND RECREATION TO SEND STAFF TO THE 2016 HAWAI‘I RECREATION AND PARKS SOCIETY CONFERENCE

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Parks and Recreation, Recreation Division Other Current Expenses account ($3,000) and Subscription and Membership account ($2,000).

Reference: **Comm. 910**
Intr. by: Ms. Poindexter
**Res. 542-16:** AUTHORIZES THE OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT TO AWARD FUNDS TO HABITAT FOR HUMANITY WEST HAWAI‘I, INC.

Grant funds in the amount of $336,000 would be used to supplement the construction of four homes for low income families at the Kamakoa Nui Affordable Workforce Housing Project in Waikoloa.

Reference: Comm. 912  
Intr. by: Ms. Eoff  
Waived: FC

**Res. 543-16:** AUTHORIZES THE ACCEPTANCE OF THE DONATION OF AUTOMATIC ELECTRONIC DEFIBRILLATORS (AEDs) FROM THE HILO MEDICAL CENTER FOUNDATION, FOR USE BY THE HAWAI‘I COUNTY POLICE DEPARTMENT

Donated by the Hilo Medical Center Foundation, 33 AEDs with an estimated value of $50,000.

Reference: Comm. 913  
Intr. by: Ms. Eoff  
Waived: FC

**Res. 544-16:** AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR MAINTENANCE AGREEMENT FOR AUTOMATIC ELECTRONIC DEFIBRILLATORS (AEDs) FOR THE HAWAI‘I COUNTY POLICE DEPARTMENT

Authorizes the Mayor to enter into a five-year maintenance agreement for 33 AEDs at a cost of approximately $150 each per year.

Reference: Comm. 914  
Intr. by: Ms. Eoff  
Waived: FC
**Res. 545-16:** AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE HILO MEDICAL CENTER, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, TO DONATE AN AMBULANCE TO THIS STATE-RUN ORGANIZATION

Authorizes the donation of a decommissioned ambulance from the Fire Department for non-emergency transportation of patients from the hospital to locations of close proximity.

Reference: [Comm. 915]
Intr. by: Ms. Eoff
Waived: FC

**Res. 546-16:** AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE MULTI-FUNCTION COPY MACHINE FOR THE DEPARTMENT OF PARKS AND RECREATION

Authorizes the Mayor to enter into a five-year lease agreement at a monthly cost of approximately $150.49.

Reference: [Comm. 916]
Intr. by: Ms. Eoff
Waived: FC

**Res. 547-16:** AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR FOUR COPY MACHINES FOR THE HAWAI‘I COUNTY POLICE DEPARTMENT

Authorizes the Mayor to enter into a five-year lease agreement at a total monthly cost of approximately $1,640.

Reference: [Comm. 917]
Intr. by: Ms. Eoff
Waived: FC

Directs the Clerk to place a ballot question for Ordinance No. 15-81, relating to County bands, on the 2016 General Election ballot for approval by the voters of the County on November 8, 2016.

Reference: Comm. 918
Intr. by: Mr. Kanuha


Directs the Clerk to place a ballot question for Ordinance No. 16-62, relating to the General Plan, on the 2016 General Election ballot for approval by the voters of the County on November 8, 2016.

Reference: Comm. 919
Intr. by: Mr. Kanuha

Res. 550-16: 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 HAWAI‘I LGBT LEGACY FOUNDATION FOR A REIMBURSEMENT OF EXPENSES RELATED TO THE FOURTH ANNUAL LGBT PRIDE PARADE AND FESTIVAL

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 920
Intr. by: Mr. Ilagan
BILL 208: 
AMENDS SECTION 25-8-2 (NORTH AND SOUTH KONA ZONE MAP) 
The Leeward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicants to subdivide the property into two parcels. The applicants state they would retain a three-acre lot and convey the remaining two-acre lot to their daughter. 

Reference: Comm. 887 
Intr. by: Mr. Ilagan (B/R) 
First Reading: June 15, 2016

BILL 209: 
AMENDS ORDINANCE NO. 03-115, WHICH RECLASSIFIED LANDS FROM MULTIPLE FAMILY RESIDENTIAL – 1,000 SQUARE FEET (RM-1) TO VILLAGE COMMERCIAL – 7,500 SQUARE FEET (CV-7.5) AT HONUULA, NORTH KONA, HAWAI‘I, COVERED BY TAX MAP KEY: 7-5-022:040 (Applicant: Tante Urban) (Area: 7,500 square feet) 
The Leeward Planning Commission forwards its favorable recommendation for this five-year time extension to Condition C, time to complete construction. The new applicant states he intends to construct a six-unit, multiple-family apartment building with a commercial kitchen on the ground floor. 

Reference: Comm. 888 
Intr. by: Mr. Ilagan (B/R) 
First Reading: June 15, 2016
Bill 210: AMENDS ORDINANCE NO. 889 (FORMERLY KAMUELA ZONE MAP, CURRENTLY LALAMILO PU’UKAPU ZONE MAP), WHICH RECLASSIFIED LANDS FROM AGRICULTURAL – FORTY ACRES (A-40a) TO AGRICULTURAL – FIVE ACRES (A-5a) AT PU’UKAPU HOMESTEADS, 2ND SERIES, SOUTH KOHALA, HAWAI’I, COVERED BY TAX MAP KEYS: 6-4-017:023, 064-067, AND 078 (FORMERLY 6-4-017:023) (Planning Director Initiated)

The Leeward Planning Commission forwards its favorable recommendation for this amendment to the Zoning Code, which would delete Conditions C and H removing limiting agricultural use restrictions, and add a new condition to allow the full range of agricultural land uses.

Reference: Comm. 889
Intr. by: Mr. Ilagan (B/R)
First Reading: June 15, 2016

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.

The meeting places are accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8255 by July 5, 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:
- Kona Council Office, West Hawai’i Civic Center, 74-5044 Ane Keohokālole Highway, Building A; 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:

- Nāʻālehu State Office Building, 95-5669 Māmalahoa Highway, Nāʻālehu;
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapaʻau; 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:
Fridays, July 15 and 22, 2016, at 12 p.m.; Sundays, July 17 and 24, 2016, at 9 a.m.; and Wednesdays, July 20 and 27, 2016, at 6 p.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/.)