52nd Session

ORDER OF BUSINESS

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

October 18, 2016
9:00 a.m.

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

INVOCATION
Deacon Michael Ross of St. Michael’s Catholic Church

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

February 3, 2016

COMMUNICATIONS

ORDER OF RESOLUTIONS

**Res. 656-16:** AMENDS THE RULES OF PROCEDURE AND ORGANIZATION OF THE COUNCIL OF THE COUNTY OF HAWAI‘I BY AMENDING RULE NO. 2, RELATING TO VIDEOCONFERENCE MEETINGS

Allows a Council Member to participate from the designated Council Chamber after giving notice of participation from a videoconference site.

Reference: Comm. 1066
Intr. by: Mr. Onishi

**Res. 660-16:** 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 WAIMEA OUTDOOR CIRCLE TO PURCHASE A WOOD CHIPPER

Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 1078
Intr. by: Ms. Wille
Res. 661-16: 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 ISLAND OF HAWAI‘I YMCA FOR THE YMCA FAMILY VISITATION CENTER PROGRAM

Transfers $2,500 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. 1079
Intr. by: Mr. Chung

Res. 662-16: 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 MEDICAL CENTER FOUNDATION TO ASSIST WITH TRANSPORTATION COSTS FOR STUDENTS ATTENDING THE TEEN HEALTH CAMP

Transfers $4,500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Mass Transit Agency, Other Current Expenses account.

Reference: Comm. 1080
Intr. by: Ms. David

Res. 663-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PURCHASE SLEEPING BAGS FOR THE DEPARTMENT OF PARKS AND RECREATION’S PRINCESS ABIGAIL WAHĪKAʻAHUʻULA KAWANANAKOA CENTER

Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 1081
Intr. by: Mr. Onishi
**Res. 664-16:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR “OUR PLANTATION CAMP,” A CHRISTMAS CELEBRATION FOR THE SENIORS IN HĀMĀKUA Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Parks and Recreation, Elderly Activities Division Recreation Other Current Expenses account.

Reference: Comm. 1082
Intr. by: Ms. Poindexter

**Res. 665-16:** AUTHORIZES THE EXTENSION OF THE PUBLIC SEWER FROM THE INTERSECTION OF LAIMI STREET AND ONOMEA STREET WITHIN TAX MAP KEYS: 2-8-007:092 AND 093 FOR THE PU‘U‘ALALA VILLAGE MUTUAL SELF-HELP PROJECT AT PEPE‘EKEŌ, SOUTH HILO, HAWAI‘I, FOR HAWAI‘I ISLAND COMMUNITY DEVELOPMENT CORPORATION Authorizes this application for a sewer extension, 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. 1083
Intr. by: Ms. Poindexter
Waived: EMC

**Res. 666-16:** AUTHORIZES THE ACCEPTANCE OF THE LICENSING AND IMPLEMENTATION OF PULSEPOINT APPLICATION SOFTWARE FROM THE HILO MEDICAL CENTER FOUNDATION, FOR USE BY THE HAWAI‘I FIRE DEPARTMENT Donated by the Hilo Medical Center Foundation, with an estimated total value of $18,000.

Reference: Comm. 1084
Intr. by: Ms. Eoff
Waived: FC
Res. 669-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PURCHASE TRAINING EQUIPMENT AND SUPPLIES FOR THE HANDS-ONLY CPR PROGRAM

Transfers $4,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Hawai‘i Fire Department, Protection Other Current Expenses account.

Reference: Comm. 1089
Intr. by: Mr. Onishi

Res. 670-16: AUTHORIZES THE EXTENSION OF THE PUBLIC SEWER FROM THE MAKALA BOULEVARD EXTENSION WITHIN TAX MAP KEY: 7-4-020:015 FOR THE KONA JUDICIARY COMPLEX AND FOR FUTURE IMPROVEMENTS AT KEAHUOLU, NORTH KONA, HAWAI‘I, FOR QUEEN LILI‘UOKALANI TRUST

Authorizes this application for a sewer extension, 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. 1090
Intr. by: Ms. Eoff
Waived: EMC

Res. 675-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO WATERS OF LIFE NEW CENTURY PUBLIC CHARTER SCHOOL TO ASSIST WITH EXPENSES ASSOCIATED WITH TRANSPORTING ITS STUDENTS TO AND FROM SCHOOL

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

Reference: Comm. 1103
Intr. by: Mr. Paleka
Res. 676-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO PUNA COMMUNITY MEDICAL CENTER FOR EQUIPMENT AND MATERIALS
Transfers $5,800 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Research and Development, Hawai‘i County Resource Center account.

Reference: Comm. 1104
Intr. by: Mr. Paleka

Res. 677-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO ANEKONA OULI KANEHOA VOLUNTEER FIRE DEPARTMENT COMPANY FOR THE INSTALLATION OF A SECURITY GATE AND FENCE
Transfers $10,000 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Hawai‘i Fire Department, Training and Volunteer Other Current Expenses account.

Reference: Comm. 1105
Intr. by: Ms. Wille

Res. 679-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR AN EDGE BANDER FOR THE DEPARTMENT OF PARKS AND RECREATION
Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Parks and Recreation, Maintenance Equipment account.

Reference: Comm. 1107
Intr. by: Mr. Onishi
Res. 680-16: 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 MALAMA KAI FOUNDATION TO ASSIST WITH ADMINISTRATIVE EXPENSES RELATING TO THE WEST HAWAI'I FISHERY COUNCIL’S EFFORTS TO PROTECT AND PRESERVE THE COAST OF WEST HAWAI'I. Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 1108
Intr. by: Ms. Wille

BILLS FOR ORDINANCES (FIRST READING)

Bill 234: AMENDS CHAPTER 14, ARTICLE 14, DIVISION 3, SECTION 14-86 OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED) RELATING TO STREET NAMES Allows for two streets in the same judicial district but with different zip codes to share the same name.

Reference: Comm. 1025
Intr. by: Mr. Ilagan
Approve: PC-75
Postponed: October 5, 2016

(Note: There is a motion by Mr. Ilagan, seconded by Ms. Poindexter, to approve Bill 234.)

Bill 241: RENUMBERS CHAPTER 26 OF THE HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO THE HAWAI'I STATE FIRE CODE, REPEALS CHAPTER 14, ARTICLE 5, AND ADDS AN AMENDED VERSION OF THIS ARTICLE, RELATING TO FIREWORKS, INTO CHAPTER 26 Updates the fireworks section of the County Code to be consistent with the Hawai'i Revised Statutes.

Reference: Comm. 1061
Intr. by: Mr. Onishi
Approve: PSMTC-23
ORDER OF THE DAY (SECOND OR FINAL READING)


Adds the County parking lot between Kuakini Highway and Likana Lane, from 2 a.m. to 5 a.m., to Schedule 29 (Parking prohibited during certain hours on certain streets; tow away zone), Subsection (f), Kona.

Reference: Comm. 1046
Intr. by: Mr. Kanuha
First Reading: October 5, 2016


Appropriates revenues in the Federal Grants – Hawai‘i Criminal Justice Data Center – Overdue Disposition account ($12,000); and appropriates the same to the Hawai‘i Criminal Justice Data Center – Overdue Disposition account. Funds would be used for overtime costs incurred by staff of the Prosecuting Attorney’s Office to research charges identified by the Hawai‘i Criminal Justice Data Center with overdue dispositions.

Reference: Comm. 1068
Intr. by: Ms. Eoff
First Reading: October 5, 2016

Bill 244: AMENDS ORDINANCE NO. 16-73, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2016, TO JUNE 30, 2017

Adds the Public Works Ane Keohokālole Highway – Hinalani to Kaiminani – Fair Share project for $84,256 to the Capital Budget. Funds for this project shall be provided from Fair Share Contributions ($84,256). Funds would be used for the planning and design of a new major collector road that runs parallel to the Queen Ka‘ahumanu Highway.

Reference: Comm. 1069
Intr. by: Ms. Eoff
First Reading: October 5, 2016
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
REPORTS

FC-76 (Comm. 1073): NOMINATION OF MICHELE LUAHIWA NAMAHOE TO THE MERIT APPEALS BOARD

FC-77 (Comm. 1074): NOMINATION OF MITCHELL TAM TO THE MERIT APPEALS BOARD

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 October 14, 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;
- Nā‘ālehu State Office Building, 95-5669 Māmalahoa Highway, Nā‘ālehu; 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, October 26 and November 2, 2016, at 6 p.m.; Fridays, October 28 and November 4, 2016, at 12 p.m.; and Sundays, October 30 and November 6, 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/.)