COUNTY COUNCIL  

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

8th Session  

ORDER OF BUSINESS  

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

March 22, 2017  
9:00 a.m.  

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

INVOCATION  
Father Lio Faletoi of St. Michael’s Catholic Church  

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

April 15, 2015
December 14, 2015

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 87-17: AUTHORIZES THE DIRECTOR OF FINANCE TO ENTER INTO NEGOTIATIONS FOR THE ACQUISITION OF TAX MAP KEY: 2-9-002:023, ALSO KNOWN AS HĀKĀLAU VALLEY, SITUATED IN THE DISTRICT OF HĀMĀKUA, UTILIZING THE PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION FUND

The 83.19-acre property is listed as priority No. 6 for purchase in the 2016 Annual Report of the Public Access, Open Space, and Natural Resources Preservation Commission.

Reference: Comm. 125
Intr. by: Ms. Poindexter
Approve: FC-7

Res. 89-17: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF HAWAIʻI DEPARTMENT OF TRANSPORTATION

Authorizes the Mayor to enter into an agreement to acquire four 14-passenger vans, with a cost-match of 20 percent to be provided by the County. The vans would be used by the Department of Parks and Recreation’s Elderly Activities Coordinated Services section to provide transportation for senior citizens over 60 years old and those with disabilities.

Reference: Comm. 127
Intr. by: Ms. David (B/R)
Approve: FC-8
Res. 103-17: 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 SUPPORT THE HAWAI‘I STATE DEPARTMENT OF HUMAN SERVICES SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM FOR ITS DOUBLE BUCKS PROGRAM AT MAKU‘U FARMERS MARKET

Transfers $2,500 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. 147
Intr. by: Ms. O’Hara

Res. 104-17: 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 FUND THE MĀLAMA ‘ŌHI‘A RESEARCH PROJECT

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. 148
Intr. by: Ms. O’Hara

Res. 105-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HUI ALOHA ‘O PU‘UA MAKAI TO SUPPORT ITS HANA LIMA ‘O PU‘U MAKAI PROJECT

Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Research and Development, Tourism Promotion account.

Reference: Comm. 149
Intr. by: Ms. O’Hara
Res. 106-17: 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 3RD ANNUAL HŌKŪPAʻA YOUTH SUMMIT

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 150
Intr. by: Mr. Kanuha

Res. 107-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO KEALAKEHE HIGH SCHOOL GRAD FOR EXPENSES RELATING TO ITS 2017 KEALAKEHE PROJECT GRAD EVENT

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 151
Intr. by: Mr. Kanuha

Res. 108-17: 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 MĀLAMA ‘ŌHI‘A PROJECT

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. 152
Intr. by: Ms. Ruggles
Res. 109-17: URGES THE HAWAI‘I STATE LEGISLATURE TO ENACT LEGISLATION TO ESTABLISH SUSTAINABLE LIVING RESEARCH SITES AND DELINEATE A PERMIT AND REVIEW PROCESS FOR THEIR IMPLEMENTATION

The legislation would establish sustainable living research sites on parcels less than 15 acres designated “agricultural” under state law, and a permit review process that would exempt the sites from certain codes, ordinances, and rules.

Reference: Comm. 153
Intr. by: Ms. Ruggles
Waived: GREDC

Res. 110-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO COVER THE COUNTY’S 20 PERCENT COST-MATCH WITH THE STATE FOR THE ACQUISITION OF ONE OF FOUR VANS FOR THE DEPARTMENT OF PARKS AND RECREATION, ELDERLY ACTIVITIES DIVISION

Transfers $13,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Parks and Recreation, Coordinated Services County Other Current Expenses account.

Reference: Comm. 154
Intr. by: Ms. Lee Loy

Res. 111-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO GOING HOME HAWAI‘I TO ASSIST THE HAWAI‘I COMMUNITY COLLEGE, OFFICE OF CONTINUING EDUCATION AND TRAINING, WITH ITS CANOE PROJECT

Transfers $2,000 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. 155
Intr. by: Ms. Eoff
Res. 112-17: 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 THIRD ANNUAL HŌKŪPAʻA YOUTH SUMMIT
Transfers $2,000 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. 156
Intr. by: Ms. Eoff

Res. 113-17: 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 ANEKONA OULI KANEHOA VFD COMPANY FOR EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF A GARAGE FOR THE 9-BRAVO VOLUNTEER FIRE COMPANY IN WAIKOLOA
Transfers $7,500 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. 157
Intr. by: Mr. Richards

Res. 114-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HAWAI‘I ISLAND UNITED WAY FOR THE PURCHASE OF SUPPLIES AND MATERIALS RELATING TO ITS COMMUNITY OUTREACH PROGRAM
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 158
Intr. by: Mr. Richards
Res. 115-17: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH NATIONAL RECREATION AND PARK ASSOCIATION IN ORDER TO RECEIVE FEDERALLY DERIVED FUNDS
Funds in the amount of $2,500 would be used to train two instructors, and provide participant booklets and activities to encourage participation in the Walk with Ease pilot program.
Reference: Comm. 165
Intr. by: Ms. David (B/R)
Waived: FC

BILLS FOR ORDINANCES (FIRST READING)

Increases revenues in the Elderly Recreation Services (ERS) Section Activities account ($40,000); and appropriates the same to the ERS Section Activities account for a total of $150,000. The increase in funds would be used to accommodate the higher than expected enrollment of seniors in the ERS program.
Reference: Comm. 164
Intr. by: Ms. David (B/R)
Waived: FC

Appropriates revenues in the Federal Grants – Walk with Ease Program account ($2,500); and appropriates the same to the Walk with Ease Program account. Funds would be used to train two instructors, and provide participant booklets and activities to encourage participation in the Walk with Ease pilot program.
Reference: Comm. 165
Intr. by: Ms. David (B/R)
Waived: FC
ORDER OF THE DAY (SECOND OR FINAL READING)

**Bill 14:** AMENDS ORDINANCE NO. 16-72, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2017

Increases revenues in the Federal Grants – Housing Choice Voucher Program account ($3,000,000); and appropriates the same to the Voucher Rental Subsidies account. Funds would be used for payment of rental assistance for eligible participants of the program.

Reference: Comm. 128
Intr. by: Ms. David (B/R)
First Reading: March 8, 2017

**Bill 15:** AMENDS ORDINANCE NO. 16-72, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2017

Appropriates revenues in the State Grants – Little Fire Ant (LFA) Control – Department of Agriculture account ($225,000); and appropriates the same to the LFA Control – Department of Agriculture account. Funds would be used to hire up to three staff members and provide equipment and bait needed to establish an LFA control program to fight the invasive species at County parks.

Reference: Comm. 133
Intr. by: Ms. David (B/R)
First Reading: March 8, 2017

**Bill 16:** AMENDS ORDINANCE NO. 16-72, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2017

Appropriates revenues in the State Grants – Agricultural Crimes Project account ($91,891); and appropriates the same to the Agricultural Crimes Project account. Funds would be used to hire an agricultural investigator at the Office of the Prosecuting Attorney for one year to investigate and prepare cases for prosecution.

Reference: Comm. 134
Intr. by: Ms. David (B/R)
First Reading: March 8, 2017
Bill 17: 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 Hakalau Stream Bridge Repairs Project for $5 million (Federal ($4 million) and County ($1 million)) to the Capital Budget. Funds for this project shall be provided from Federal Grants Receivable ($4 million) and General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources ($1 million). Funds would be used for repairs to the Hakalau Bridge, which has been declared unsafe for use.

Reference: Comm. 141
Intr. by: Ms. David (B/R)
First Reading: March 8, 2017
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

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 March 20, 2017. Relay users please call 711(961-8255) to contact our office.

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 Kona and Hilo is lost for more than a short period of time, the meeting will be terminated. Council Members will be present at the following location:

- Hilo Council Chambers, Hawai‘i County Building, 25 Aupuni Street, First Floor, Room 1401.
  (Pursuant to HRS §92-7 and Council Rule No. 2, Council Member Susan L. K. Lee Loy will be participating from the Hilo Council Chambers.)
Public attendance via videoconference will be available at the Hilo 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:

- Pāhoa Council Office, 15-2879 Pāhoa Village Road.

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; and
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapaʻau.

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, Hawaiʻi, 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:
Wednesday, March 29 and April 5, 2017, at 6 p.m.; Fridays, March 31 and April 7, 2017, at 12 p.m.; and Sundays, April 2 and 9, 2017, 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 Hawaiʻi. Please check the current legislative broadcast schedule on the Na Leo ‘O Hawaiʻi website at http://www.naleo.tv/tv-schedules/channel-55/.)