COUNTY COUNCIL

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

40th Session

ORDER OF BUSINESS

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

June 5, 2018
1:00 p.m.

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

INVOCATION
Reverend Shindo Nishiyama of Honpa Hongwanji Hilo Betsuin

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  April 25, 2018

COMMUNICATIONS

Comm. 948:  AUTHORIZES THE ACCEPTANCE OF A DONATION OF TEN BLACK NYLON “WEB GEAR” STYLE DUTY BELTS WITH ACCESSORIES
Donated by Alan Koahou with a total value of $300, this donation would be used by the Office of the Prosecuting Attorney’s Investigator’s Unit.

Waived:  FC

ORDER OF RESOLUTIONS

Res. 611-18:  AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE OF REAL PROPERTY FOR THE COUNTY OF HAWAI‘I POLICE DEPARTMENT
Authorizes the Mayor to enter into a new five-year agreement with an option for an additional five years with Ocean View Partners LLC, to allow for the continued occupancy of office space located at 92-1329 Prince Kuhio Boulevard, Ocean View.

Reference:  Comm. 931
Intr. by:  Ms. David (B/R)
Approve:  FC-120
Requests the Council’s approval of the following: 1) slate of Hawai‘i State Association of Counties Executive Committee officers and their alternates: Dru Mamo Kanuha, President (Valerie T. Poindexter, Alternate); Derek S. K. Kawakami, Vice President (Ross Kagawa, Alternate); Stacy Crivello, Secretary (Riki Hokama, Alternate); and Ikaika Anderson, Treasurer (Joey Manahan, Alternate); 2) slate of officers for the National Association of Counties Board of Directors: Arryl Kaneshiro and Ikaika Anderson; and 3) slate of officers for the Western Interstate Region Board of Directors: Mike White and Mason Chock. All terms would begin on July 1, 2018.

Reference: Comm. 942
Intr. by: Mr. Kanuha
Waived: GREDC

Res. 618-18: APPROVES THE FISCAL YEAR 2018-2019 PROPOSED OPERATING BUDGET FOR THE HAWAI'I STATE ASSOCIATION OF COUNTIES
Anticipated expenses include travel costs for meetings and conferences, contributions to the National Conference fund, and costs associated with promotion and outreach.

Reference: Comm. 943
Intr. by: Mr. Kanuha
Waived: GREDC

Res. 620-18: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $1,885 TO THE DEPARTMENT OF PARKS AND RECREATION
Donated by Friends of the Zoo, this donation would be used for the Pana'ewa Rainforest Zoo and Gardens.

Reference: Comm. 950
Intr. by: Ms. David (B/R)
Waived: FC
**Res. 621-18:** Directs the Clerk of the County of Hawai‘i to take necessary action to place the Charter Amendment proposed by Ordinance No. 18-30, relating to Public Notice Procedures for the Salary Commission, on the 2018 General Election Ballot.

Directs the County Clerk to submit ballot language to the State Office of Elections by August 23, 2018, and to publish the full text of the proposed Charter amendment in two newspapers of general circulation prior to September 22, 2018.

Reference: Comm. 951
Intr. by: Ms. Poindexter

**Res. 622-18:** Transfers/appropriates an appropriation out and from a designated fund account and credits same to a designated fund account to assist the Department of Parks and Recreation with expenses relating to providing meals for the evacuees of the lava eruption in Lower Puna.

Transfers $2,520 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. 952
Intr. by: Mr. Kanuha

**Res. 623-18:** Authorizes the Office of the Mayor to enter into an agreement with the State of Hawai‘i Workforce Development Council, pursuant to Hawai‘i Revised Statutes Section 46-7, for rapid response activities.

The memorandum of agreement with the Hawai‘i County Workforce Development Board would specify the scope of service, cost and billing protocols, and reporting requirements for activities associated with the volcanic eruption in Lower Puna.

Reference: Comm. 953
Intr. by: Ms. David (B/R)
Waived: FC
BILL 147:
The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to apply for a six-lot subdivision on 40 acres of land located at the intersection of Kaūmana Drive and Akolea Road. Upon final subdivision approval, the applicant intends to continue living in the existing dwelling and sell the remaining five lots.

Reference: Comm. 919
Intr. by: Ms. Eoff (B/R)
Approve: PC-62

BILL 153:
INITIATES AN AMENDMENT TO ARTICLE XV OF THE HAWAI‘I COUNTY CHARTER (2016 EDITION), BY ADDING A NEW SECTION RELATING TO FISCAL IMPACT STATEMENTS
Would require that any proposed amendment or revision to the Hawai‘i County Charter be accompanied by a Fiscal Impact Statement that describes the immediate and potential future effects the amendment or revision would have on County revenues, expenditures, taxes, and fiscal liabilities. The Fiscal Impact Statement must be prepared in a manner that is easily understood by voters and would be placed on the County website and be made available for inclusion as part of any voter information pamphlet that addresses County ballot propositions.

Reference: Comm. 938
Intr. by: Mr. Chung
Approve: FC-121
2/3 Vote: First of three required readings, Section 15-1(a), Hawai‘i County Charter

Increases revenues in the West Hawai‘i Ocean Safety account ($314,692); and appropriates the same to the following West Hawai‘i Ocean Safety accounts: Salaries and Wages ($164,692) and Equipment ($150,000), for a total appropriation of $868,106. The additional revenues from the State are to offset increases due to collective bargaining and other operational costs for Fiscal Year 2017-2018.

Reference: Comm. 945
Intr. by: Ms. David (B/R)
Waived: FC


Increases revenues in the State Emergency Medical Services account ($563,436); and appropriates the same to the Fire Emergency Medical Services - Salaries and Wages account, for a total appropriation of $11,427,955. The additional revenues from the State are to offset the cost of increases due to collective bargaining for Fiscal Year 2017-2018.

Reference: Comm. 946
Intr. by: Ms. David (B/R)
Waived: FC


Increases revenues in the Commercial Driver’s License Program Income account ($15,563.90); and appropriates the same to the Commercial Driver’s License Program Salaries and Wages account, for a total appropriation of $345,545.90. The additional revenues from the State are to offset the cost of salary increases.

Reference: Comm. 947
Intr. by: Ms. David (B/R)
Waived: FC

Increases revenues in the Federal Grants – Substance Abuse Prevention Coordinator account ($15,000); and appropriates the same to the Substance Abuse Prevention Coordinator account, for a total appropriation of $125,000. Funds would be used by the Office of the Prosecuting Attorney to facilitate a two-day training focused on preventing underage drinking and prescription drug use in Hawai‘i County.

Reference: Comm. 949

Intr. by: Ms. David (B/R)

Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 138: DESIGNATES TAX MAP KEY 2-1-013:005 AND 2-1-013:006 AS “LEHIA BEACH PARK” PURSUANT TO CHAPTER 15, ARTICLE 8, SECTION 15-67 OF THE HAWAIʻI COUNTY CODE 1983 (2016 EDITION, AS AMENDED); AMENDING SECTION 15-68.1 TO ADD IT TO THE PARKS AND RECREATIONAL FACILITY SCHEDULE; AND AMENDING CHAPTER 14, ARTICLE 1, SECTION 14-1 RELATING TO PROHIBITING THE POSSESSION OR CONSUMPTION OF INTOXICATING LIQUORS AT ALL TIMES

Officially names Lehia Beach Park and adds it to the Parks and Recreational Facility Schedule, and to the list of public places where intoxicating liquors are prohibited at all times.

Reference: Comm. 894

Intr. by: Ms. Lee Loy

First Reading: May 21, 2018

Increases revenues in the Commercial Driver’s License Program Income account ($3,000); and appropriates the same to the Commercial Driver’s License Program Other Current Expenses account, for a total appropriation of $84,905. The funds would be used by the Finance Department’s Vehicle Registration and Licensing Division for travel costs to send a County Commercial Driver License instructor to Honolulu to conduct skills training.

Reference: Comm. 911
Intr. by: Ms. David (B/R)
First Reading: May 21, 2018


Increases revenues in the State Grants – Wireless E911 Fees account ($60,000); and appropriates the same to the Wireless E911 account, for a total appropriation of approximately $3,972,461. Funds would be used to cover expenses for the current fiscal year.

Reference: Comm. 932
Intr. by: Ms. David (B/R)
First Reading: May 21, 2018

Bill 149: AMENDS ORDINANCE NO. 17-40, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018

Adds the Public Works Kalaniana‘ole Avenue project for $2.5 million to the Capital Budget. Funds for this project shall be provided from the State Capital Improvement Project fund and would be used to provide infrastructure improvements on both the County- and State-owned portions of Kalaniana‘ole Avenue, from Railroad Avenue to Kauhane Street.

Reference: Comm. 933
Intr. by: Ms. David (B/R)
First Reading: May 21, 2018
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
Bill 150:

AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Appropriates revenues in the Recreation Miscellaneous Contributions account ($7,600); and appropriates the same to the Youth Development – Queen Lili‘uokalani Trust Contributions account. Funds would be used for the Ike Kai summer and after school programs.

Reference: Comm. 935
Intr. by: Ms. David (B/R)
First Reading: May 21, 2018

Bill 151:

AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Increases revenues in the Elderly Activities Division Miscellaneous Contributions account ($9,392); and appropriates the same to the Youth Development – Queen Lili‘uokalani Trust Contributions account. Funds would be used for the Intergenerational projects and Kohala and Puna facilities to provide kupuna and youth with Hawaiian cultural activities.

Reference: Comm. 936
Intr. by: Ms. David (B/R)
First Reading: May 21, 2018

Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
REPORTS

_Hawai‘i County Council_

**REPORTS**

**PSMTC-12 (Comm. 928):** NOMINATION OF ALLEN SALAVEA TO THE LIQUOR COMMISSION

Requires Council Confirmation by: June 16, 2018 (Section 13-4(l), Hawai‘i County Charter)

**AWESC-5 (Comm. 930):** NOMINATION OF KEAN T. UMEDA TO THE GAME MANAGEMENT ADVISORY COMMISSION

Requires Council Confirmation by: June 16, 2018 (Section 13-4(l), Hawai‘i County Charter)

**EMC-5 (Comm. 929):** NOMINATION OF JUSTIN PEQUENO TO THE ENVIRONMENTAL MANAGEMENT COMMISSION

Requires Council Confirmation by: June 16, 2018 (Section 13-4(l), Hawai‘i County Charter)

**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 _June 1, 2018_. 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 Keohokalole Highway, Building A;
- Pāhoa Council Office, 15-2879 Pāhoa Village Road; and

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; and
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapa‘au.

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, Hawaii, 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).