COUNTY COUNCIL

County of Hawaiʻi
Hawaiʻi County building
25 Aupuni Street
Hilo, Hawaiʻi 96720

27th Session

ORDER OF BUSINESS

Hawaiʻi County Building
25 Aupuni Street
Hilo, Hawaiʻi

December 5, 2017
9:00 a.m.

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

INVOCATION
Pastor Matt Purvis of Grassroots 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

October 4, 2017
October 18, 2017

COMMUNICATIONS

Comm. 600: PURSUANT TO HAWA‘I REVISED STATUTES SECTION 92-2.5(e):
REPORT OF ATTENDANCE OF COUNCIL MEMBERS LEE LOY, O‘HARA, AND RUGGLES AT A COMMUNITY MEETING REGARDING THE MASS TRANSIT AGENCY’S ISLANDWIDE MASTER PLAN ON OCTOBER 11, 2017

ORDER OF RESOLUTIONS

Res. 387-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE SINGLE DRUM VIBRATORY ROLLER
Authorizes the Mayor to enter into a five-year lease agreement at an estimated monthly cost of $2,900. The equipment would be used by the Department of Public Works, Highways Division. The County will own the equipment at the end of the lease.

Reference: Comm. 574
Intr. by: Ms. David (B/R)
Approve: FC-61
Res. 388-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE FORKLIFT

Authorizes the Mayor to enter into a five-year lease agreement at an estimated monthly cost of $1,650. The equipment would be used by the Department of Public Works, Highways Division, to be stationed at the South Hilo roads baseyard. The County will own the equipment at the end of the lease.

Reference: Comm. 575
Intr. by: Ms. David (B/R)
Approve: FC-62

Res. 389-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE LOADER

Authorizes the Mayor to enter into a five-year lease agreement at an estimated monthly cost of $5,400. The equipment would be used by the Department of Public Works, Highways Division, to be stationed at the Kona roads baseyard. The County will own the equipment at the end of the lease.

Reference: Comm. 576
Intr. by: Ms. David (B/R)
Approve: FC-63

Res. 390-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE CLOSED CIRCUIT TELEVISION AND ONE CHEMICAL GROUTING TRUCK

Authorizes the Mayor to enter into a five-year lease agreement for a closed circuit television and chemical grouting truck to be used by the Department of Environmental Management, Wastewater Division, at an estimated monthly cost of $8,500. The County will own the equipment at the end of the lease.

Reference: Comm. 577
Intr. by: Ms. David (B/R)
Approve: FC-64
Res. 391-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR TWO 200 KILOWATT EMERGENCY GENERATORS

Authorizes the Mayor to enter into a five-year lease agreement at an estimated monthly cost of $6,500. The equipment would be used by the Department of Environmental Management, Wastewater Division, to power sewer pump stations during power outages. The County will own the equipment at the end of the lease.

Reference: Comm. 578
Intr. by: Ms. David (B/R)
Approve: FC-65

Res. 392-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE 600 KILOWATT EMERGENCY GENERATOR

Authorizes the Mayor to enter into a five-year lease agreement at an estimated monthly cost of $6,500. The equipment would be used by the Department of Environmental Management, Wastewater Division, to power wastewater plants and larger sewer pump stations during power outages. The County will own the equipment at the end of the lease.

Reference: Comm. 579
Intr. by: Ms. David (B/R)
Approve: FC-66

Res. 393-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE SEWER CLEANING TRUCK

Authorizes the Mayor to enter into a five-year lease agreement at an estimated monthly cost of $7,300. The equipment would be used by the Department of Environmental Management, Wastewater Division, to clean sewer main lines and service laterals as well as remove material from lift station wet wells, treatment plant tanks, and channels. The County will own the equipment at the end of the lease.

Reference: Comm. 580
Intr. by: Ms. David (B/R)
Approve: FC-67
Res. 397-17: AUTHORIZES THE ACCEPTANCE OF A DONATION OF TWO “MOBILE MULTI” COUNTING DEVICES TO THE DEPARTMENT OF PUBLIC WORKS

Donated by the Hawai‘i Public Health Institute with a value of $8,000 each. The department would initially install one device in East Hawai‘i and one device in West Hawai‘i to count pedestrians and bicyclists, and differentiate between the two, for statistical analyses of path and trail use patterns.

Reference: Comm. 588
Intr. by: Mr. Kanuha and Ms. Lee Loy
Approve: PWPRC-28

Res. 398-17: 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 WITH THE IN-REACH AND REINTEGRATION PILOT PROJECT FOR WEST HAWAI‘I

Transfers $3,180 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. 589
Intr. by: Mr. Kanuha

Res. 399-17: 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 FOR ITS IN-REACH AND REINTEGRATION PILOT PROJECT IN WEST HAWAI‘I

Transfers $3,180 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. 590
Intr. by: Ms. Eoff
Res. 400-17: 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 AAUW KONA EDUCATIONAL FUND TO ASSIST WITH THE 2017 GIRLS EXPLORING MATH AND SCIENCE EVENT IN WEST HAWAI‘I
Transfers $1,500 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. 591
Intr. by: Mr. Kanuha

Res. 401-17: 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 INCURRED FROM PROVIDING PUBLIC SAFETY AT THE 2017 KWXX HO‘OLAULE‘A
Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Parks and Recreation, Culture and Education Other Current Expenses account.

Reference: Comm. 592
Intr. by: Ms. O’Hara

Res. 402-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE PURCHASE OF GYMNASIUM EQUIPMENT FOR PĀHOA DISTRICT PARK
Transfers $4,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Parks and Recreation, Recreation Division Other Current Expenses account.

Reference: Comm. 593
Intr. by: Ms. Ruggles
Res. 403-17: 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 LITTLE FIRE ANT ID EVENT HELD AT THE WEST HAWAIʻI CIVIC CENTER
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Research and Development (R&D), Agriculture R&D, Other Current Expenses account.

Reference: Comm. 594
Intr. by: Ms. David

Res. 404-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HAWAIʻI ISLAND UNITED WAY TO SUPPORT ITS COMMUNITY MARKETING AND 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. 595
Intr. by: Mr. Richards

Res. 405-17: 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 KONA TAHI FETE EDUCATIONAL AND CULTURAL ASSOCIATION FOR THE KONA TAHI FETE 2017 FESTIVAL
Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 597
Intr. by: Mr. Chung
**Res. 406-17:** 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 support the In-Reach and Reintegration Pilot Program

Transfers $3,180 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: **Comm. 598**
Intr. by: **Ms. David**

**Res. 407-17:** Transfers/appropriates an appropriation out and from a designated fund account and credits same to a designated fund account to assist with expenses for the 2018 Outstanding Older Americans Award Luncheon

Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Office of Aging, Other Current Expenses account.

Reference: **Comm. 599**
Intr. by: **Ms. Eoff**

**Res. 408-17:** Transfers/appropriates an appropriation out and from a designated fund account and credits same to a designated fund account for the Smoke Detector Program

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Hawai‘i Fire Department, Fire Prevention Other Current Expenses account.

Reference: **Comm. 602**
Intr. by: **Ms. Poindexter**
Res. 409-17: 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 THIRD ANNUAL SAKADA DAY CELEBRATION

Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Research and Development, Hawai‘i County Resource Center account.

Reference: Comm. 603
Intr. by: Mr. Kanuha

Res. 413-17: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $500 TO THE HAWAI‘I COUNTY OFFICE OF AGING

Donated by the Thomas Family. Funds would be used to expand the services of the Kupuna Care program.

Reference: Comm. 609
Intr. by: Ms. David (B/R)
Waived: FC


Authorizes the County to enter into an agreement with the State of Hawai‘i’s Department of Defense and Department of Accounting and General Services. The agreement authorizes the Director of Finance to grant licenses for access, installation, and maintenance of the sirens to improve and expand the emergency and civil defense communication and warning systems.

Reference: Comm. 610
Intr. by: Ms. David (B/R)
Waived: FC
**BILLS FOR ORDINANCES (FIRST READING)**

**Bill 78:**

AMENDS SECTION 25-8-11 (LĀLĀMILO-PUʻUKAPU ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING) OF THE HAWAIʻI COUNTY CODE 1983 (2016 EDITION, AS AMENDED), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL – ONE ACRE (A-1a) TO SINGLE-FAMILY RESIDENTIAL – 20,000 SQUARE FEET (RS-20) AT WAIMEA HOMESTEADS, SOUTH KOHALA, HAWAIʻI, COVERED BY TAX MAP KEY: 6-5-004:049

(Applicant: Kathleen L. Brilhante) (Area: 1.166 acre)

The Leeward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to subdivide the property into two lots. The applicant will continue to live in her current residence and the new lot will be conveyed to a family member to build a residence.

Reference: Comm. 560
Intr. by: Ms. Eoff (B/R)
Approve: PC-40

**Bill 83:**

AUTHORIZES THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF HAWAIʻI FOR THE PURPOSE OF FUNDING ALL OR A PORTION OF THE COSTS OF VARIOUS IMPROVEMENT PROJECTS; FIXES THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDES FOR THEIR SALE TO THE PUBLIC; AND AUTHORIZES THE TAKING OF OTHER ACTIONS RELATING TO THE ISSUANCE AND SALE OF THE BONDS

Authorizes the issuance of up to $12.5 million in general obligation bonds, which would be used for the construction of the Hawai‘i County Prosecuting Attorney’s Office building at the West Hawai‘i Civic Center.

Reference: Comm. 611
Intr. by: Ms. David (B/R)
Waived: FC
ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 73: 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 Parks and Recreation Kahalu'u Beach Park Improvements project for $600,000 to the Capital Budget. Funds for this project shall be provided from General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources. Funds would be used for the planning and design phase of the project.

Reference: Comm. 551
Intr. by: Mr. Kanuha
First Reading: November 15, 2017
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

Bill 74: 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 Improvements – Fair Share project for $400,000 to the Capital Budget. Funds for this project shall be provided from Fair Share Contributions. Allows fair share funds in the South Hilo District to be used towards the project.

Reference: Comm. 553
Intr. by: Ms. David (B/R)
First Reading: November 15, 2017
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
Bill 79: 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 Environmental Management Lono Kona Improvement District – County project for $1,698,000 and Lono Kona Improvement District – Federal project for $4,025,000 to the Capital Budget. Funds for this project shall be provided from General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources ($1,698,000) and Federal Grants Receivable ($4,025,000). Funds would be used for the acquisition of easements, design, and construction of this public sewer system improvement project.

Reference: Comm. 582
Intr. by: Ms. David (B/R)
First Reading: November 15, 2017
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

REPORTS

FC-60 (Comm. 573): NOMINATION OF DR. NAN SUMNER-MACK TO THE BOARD OF ETHICS

Requires Council Confirmation by: December 9, 2017 (Section 13-4(l), Hawai‘i County Charter)

PWPRC-25 (Comm. 570): NOMINATION OF DEBRA LEWIS TO THE VETERANS ADVISORY COMMITTEE

PWPRC-26 (Comm. 571): NOMINATION OF MARCIA BRINKLEY TO THE VETERANS ADVISORY COMMITTEE

PWPRC-27 (Comm. 572): NOMINATION OF CAROLLE BRULEE-WILSON TO THE VETERANS ADVISORY COMMITTEE
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 December 1, 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:

- Kona Council Office, West Hawai‘i Civic Center, 74-5044 Ane Keohokālole Highway, Building A.
  (Pursuant to HRS §92-7 and Council Rule No. 2, Council Member Dru Mamo Kanuha will be participating from the Kona Council Office.)

Public attendance via videoconference will be available at the Kona location.

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

- 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, Hawai‘i, 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).