COUNTY COUNCIL

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

17th Session

ORDER OF BUSINESS

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

July 9, 2019

9:00 a.m.

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

INVOCATION
Rimban 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 May 22, 2019

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 190-19: Accepts the dedication of Lot 2, Hōkūlī‘a Phase 3 East, Part B Large Lot Subdivision, identified as Tax Map Key No.: 8-1-036:002, situated along the southerly side of Haleki‘i and Ke‘ke‘e‘e 1st, District of South Kona, Island and County of Hawai‘i, State of Hawai‘i, from 1250 Oceanside, LLC, a Delaware Limited Liability Company.
The landholder seeks to provide two acres of land abutting the north side of Kona Scenic Park for public purposes.

Reference: Comm. 316
Intr. by: Ms. Lee Loy (B/R)
Approve: PWMTC-12

Res. 194-19: Authorizes the payment of funds of a later fiscal year and of more than one fiscal year for a multi-year lease of two walking floor refuse trailers for the Department of Environmental Management.
Authorizes the Mayor to enter into a five-year lease agreement with an approximate monthly cost of $5,200.

Reference: Comm. 322
Intr. by: Ms. David (B/R)
Approve: FC-42

Authorizes the Mayor to enter into a five-year lease agreement with an approximate monthly cost of $8,000.

Reference: Comm. 323
Intr. by: Ms. David (B/R)
Approve: FC-43

Res. 206-19: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $1,000 TO THE DEPARTMENT OF PARKS AND RECREATION

Donated by Christine Johnson to augment the Pilikulaiwi program by providing cultural activities and service projects to school-age children.

Reference: Comm. 338
Intr. by: Ms. Lee Loy
Waived: FC

Res. 207-19: AUTHORIZES THE ACCEPTANCE OF A DONATION OF A TANKER APPARATUS FROM THE DANIEL R. SAYRE MEMORIAL FOUNDATION

Donated tanker apparatus with a value of $310,100, to be used by the Hawai‘i Fire Department in West Hawai‘i.

Reference: Comm. 339
Intr. by: Ms. David (B/R)
Waived: FC

Res. 208-19: AUTHORIZES THE ACCEPTANCE OF A DONATION OF OFFICE DIVIDER PANELS FROM THE STATE OF HAWAI‘I DEPARTMENT OF LABOR

Donated panels with an approximate value of $96,181, to be used by the Office of Housing and Community Development.

Reference: Comm. 340
Intr. by: Ms. David (B/R)
Waived: FC
**Res. 209-19:** SUPPORTS THE EFFORTS OF GOVERNOR DAVID Y. IGE TO URGE THE BANK OF AMERICA TO RETURN TO HAWAIʻI TO MEET WITH NĀ POʻE KÔKUA AND THE HAWAIʻI FAIR LENDING COALITION REGARDING A $150,000,000 LOAN COMMITMENT FOR NATIVE HAWAIIANS ON HAWAIIAN HOMELANDS

Requests that Bank of America address a 1994 order by the Federal Reserve System and Office of Thrift Supervision to make $150 million of loan funds available for mortgages on Hawaiian Homes Lands by 1998 and also address Hawaiʻi Fair Lending Coalition’s claims of $360.6 million in opportunity costs and a $4.5 million late fee for failing to fulfill its required commitments.

Reference: **Comm. 344**  
Intr. by: Ms. Kierkiewicz and Ms. Lee Loy  
Waived: FC

**BILLS FOR ORDINANCES (FIRST READING)**

**Bill 81:** AMENDS SECTION 25-8-19 (NORTH HILO DISTRICT ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING) OF THE HAWAIʻI COUNTY CODE 1983 (2016 EDITION, AS AMENDED), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL – TWENTY ACRES (A-20a) TO AGRICULTURAL – FIVE ACRES (A-5a) AT KIHALANI, NORTH HILO, HAWAIʻI, COVERED BY TAX MAP KEY: 3-5-004:030 (Applicants: Leonard and Marianne Freeman) (Area: approximately 11.57 Acres)

The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicants to apply for subdivision of the parcel and create a two-lot subdivision for estate planning purposes. The property is located on the northwest side of Kihalani Homestead Road.

Reference: **Comm. 313**  
Intr. by: Ms. Kierkiewicz (B/R)  
Approve: **PC-25**
**Bill 86:**

**AMENDS ORDINANCE NO. 19-74, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2019, TO JUNE 30, 2020**

Increases the Office of Management Village 9 Homeless and Affordable Rental Project by $46,000, for a total appropriation of $250,000. Funds shall be provided from State Grants Receivable and would be used for a topographic and boundary survey and other development costs.

Reference: [Comm. 341](#)
Intr. by: Ms. David (B/R)
Waived: FC
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

**ORDER OF THE DAY (SECOND OR FINAL READING)**

**Bill 74:**

**AMENDS CHAPTER 20, ARTICLE 6, OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO POLYSTYRENE FOAM FOOD CONTAINER AND FOOD SERVICE WARE REDUCTION**

Proposes amendments to five definitions and the exemptions provisions to address what types of containers and packaging will be prohibited as of July 1, 2019.

Reference: [Comm. 301.4](#)
Intr. by: Mr. Richards
First Reading: June 19, 2019

**Bill 75:**

**AUTHORIZES THE MAYOR OF THE COUNTY OF HAWAI‘I TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR WASTEWATER PUBLIC IMPROVEMENT PROJECTS; AND AUTHORIZES THE ISSUANCE OF $10,000,000 OF GENERAL OBLIGATION BONDS OF THE COUNTY OF HAWAI‘I FOR THE PURPOSE OF FINANCING QUALIFIED WASTEWATER PUBLIC IMPROVEMENTS OF THE COUNTY OF HAWAI‘I**

Funds would be used for the following projects: Nā‘ālehu Wastewater Treatment and Disposal System and Drainage Modifications ($7 million), Nā‘ālehu Wastewater Collection System ($2 million), and Nā‘ālehu Sewage Pump Station and Force Main ($1 million).

Reference: [Comm. 302](#)
Intr. by: Ms. David (B/R)
First Reading: June 19, 2019
Bill 76: AUTHORIZES THE MAYOR OF THE COUNTY OF HAWAI‘I TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR WASTEWATER PUBLIC IMPROVEMENT PROJECTS; AND AUTHORIZES THE ISSUANCE OF $37,000,000 OF GENERAL OBLIGATION BONDS OF THE COUNTY OF HAWAI‘I FOR THE PURPOSE OF FINANCING QUALIFIED WASTEWATER PUBLIC IMPROVEMENTS OF THE COUNTY OF HAWAI‘I. Funds would be used for the following projects: Pāhala Wastewater Collection System ($15 million) and Pāhala Large Capacity Cesspool Conversion ($22 million).

Reference: Comm. 303
Intr. by: Ms. David (B/R)
First Reading: June 19, 2019

REPORTS

PC-24 (Comm. 320):

NOMINATION OF ANGELA IANNIDINARDO FA‘ANUNU TO THE HAWAI‘I COUNTY CULTURAL RESOURCES COMMISSION

Requires Council
Confirmation by: July 14, 2019 (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.
If you need an auxiliary aid/service or other accommodation due to a disability, call 961-8255 as soon as possible, preferably by July 5, 2019. If a response is received after July 5, 2019, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

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 Hilo and Kona 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 Karen Eoff 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 location until 4:30 p.m. or later in the event public testimony has not been completed:

• **Waimea Council Office, Parker Square, 65-1279 Kawaihae Road, Suite 109.**

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;**
• **Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapa‘au; and**
• **Pāhoa Council Office, 15-2879 Pāhoa Village Road.**

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](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](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).

**Viewing of Meetings is Available on Public, Education, and Government Television.** Please call Na Leo TV at (808) 935-8874 for Channel 55 schedule of Council and Committee meetings.