COUNTY COUNCIL

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

5th Session

ORDER OF BUSINESS

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

February 8, 2017
9:00 a.m.

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

INVOCATION

Kahu Brian Welsh of Haili Congregational 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

February 17, 2016

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 51-17: 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 FOR THE PURCHASE OF MATERIALS AND SUPPLIES FOR ITS COMMUNITY OUTREACH INITIATIVE
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 71
Intr. by: Ms. Lee Loy

Res. 52-17: 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 FOR EXPENSES RELATING TO ITS COMMUNITY OUTREACH INITIATIVE
Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 74
Intr. by: Ms. Eoff
Res. 53-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO REIMBURSE THE DEPARTMENT OF PARKS AND RECREATION FOR EXPENSES RELATING TO THE 2017 WAIMEA CHERRY BLOSSOM HERITAGE FESTIVAL
Transfers $800 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Parks and Recreation, Culture and Education Other Current Expenses account.

Reference: Comm. 75
Intr. by: Mr. Richards

Res. 54-17: 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 BIG ISLAND DRUG COURT, INC., TO PAY FOR SERVICES FOR PARTICIPANTS OF THE BIG ISLAND DRUG COURT AND BIG ISLAND VETERANS TREATMENT COURT
Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 76
Intr. by: Ms. Lee Loy

Res. 55-17: 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 MATERIAL AND SUPPLIES FOR ITS COMMUNITY OUTREACH INITIATIVE
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 77
Intr. by: Ms. David
Res. 56-17: 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 WAVE RIDERS AGAINST DRUGS TO ASSIST WITH EXPENSES ASSOCIATED WITH THE WEST HAWAI‘I COMMUNITY BEACH CLEANUP

Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 78
Intr. by: Ms. David

Res. 57-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE 2017 OUTSTANDING OLDER AMERICANS AWARD LUNCHEON

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Office of Aging, Other Current Expenses account.

Reference: Comm. 79
Intr. by: Mr. Kanuha

Res. 58-17: APPROVES THE NOMINATION OF KAUA‘I COUNTY COUNCIL MEMBER ARRYL KANESHIRO TO THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF COUNTIES (NACO)

Mr. Kaneshiro’s term would expire on June 30, 2017.

Reference: Comm. 80
Intr. by: Mr. Kanuha
Waived: GREDC
Res. 59-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR THE HAWAI‘I COUNTY POLICE DEPARTMENT

Authorizes the Mayor to enter into a five-year lease for Glock firearms and associated equipment that will become the property of the department upon completion of the terms of the lease.

Reference: Comm. 84
Intr. by: Ms. David (B/R)
Waived: FC

Res. 60-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR A WATERBLASTING ERADICATOR TRUCK

Authorizes the Mayor to enter into a five-year agreement for a WaterBlasting Eradicator truck at an estimated monthly cost of $5,600. The truck would be used by the Department of Public Works, Traffic Division, to eradicate existing road markings and will become the property of the department upon completion of the terms of the lease.

Reference: Comm. 85
Intr. by: Ms. David (B/R)
Waived: FC

Res. 63-17: ACCEPTS A GRANT OF PUBLIC ACCESS EASEMENT FROM CHARLES A. ANDERSON, TRUSTEE OF THE CHARLES A. ANDERSON TRUST, AND LISA L. ANDERSON, TRUSTEE OF THE LISA L. ANDERSON TRUST, FOR PUBLIC ACCESS PURPOSES

Accepts a pedestrian public access easement on real property identified as Tax Map Key: 5-3-006:027, situated at ʻĀinakea, District of North Kohala, County and State of Hawai‘i, which is described and delineated in the attached Exhibit “1.”

Res. 64-17: ACCEPTS A GRANT OF PUBLIC ACCESS EASEMENT FROM THE SURETY KOHALA CORPORATION, FOR VEHICULAR PUBLIC ACCESS PURPOSES

Accepts a vehicular public access easement on real property identified as Tax Map Keys: 5-3-007:015 and 5-3-007:016, situated at Hala‘ula, Maulili, Pueke, Kukuuiwaluhia, Apuakohau, Halelua, and Nāpāpa‘a, District of North Kohala, County and State of Hawai‘i, which is described and delineated in the attached Exhibit “1.”

Reference: Comm. 90
Intr. by: Ms. David (B/R)
Waived: FC
Bill 7:  
**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**

Increases revenues in the Environmental Management Kula‘imano and Pāpa‘ikou Dewatering & Barminutor Replacement project by $2.7 million, bringing the total amount to $3 million. Funds for this project shall be provided from State Revolving Fund ($2.7 million) and would be used for construction.

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

; and

Bill 8:  
**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 Environmental Management Kula‘imano and Pāpa‘ikou Dewatering & Barminutor Replacement project for $300,000 to the Capital Budget. Funds for the project shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources ($300,000). Funds would be used for project design.

Reference: Comm. 64  
Intr. by: Ms. David (B/R)  
Approve: FC-4  
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
Bill 9:

AMENDS ORDINANCE NO. 12-129, WHICH AUTHORIZED THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR WASTEWATER PUBLIC IMPROVEMENT PROJECTS AND AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF FINANCING QUALIFIED WASTEWATER PUBLIC IMPROVEMENTS OF THE COUNTY OF HAWAI'I

Amends Ordinance No. 12-129 to reflect the change in the monetary amount of $11,322,000 indicated in the ordinance title and Section 1, and in Exhibit A, Draft 2, which has been replaced with a new exhibit labeled as Exhibit A, Draft 3 (Kalaniana‘ole Interceptor Sewer Rehabilitation Phase II ($8,622,000), and Kula‘imano and Pāpa‘ikou Dewatering & Barminutor Replacement ($2,700,000), for a total of $11,322,000). Funds would be used to expand the project scope to include barminutor replacement and other minor system upgrades.

Reference: Comm. 65
Intr. by: Ms. David (B/R)
Approve: FC-5

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 2:

AMENDS SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI'I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL – 10,000 SQUARE FEET (RS-10) TO GENERAL COMMERCIAL – 10,000 SQUARE FEET (CG-10) AT WAIĀKEA, SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY: 2-2-025:012 (Applicant: Tram Ngo) (Area: 16,911 square feet)

The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to convert an existing two-story residence into a beauty salon and personal services building.

Reference: Comm. 17
Intr. by: Ms. Eoff
First Reading: January 25, 2017
Bill 4:
AMENDS THE STATE LAND USE BOUNDARIES MAP FOR THE COUNTY OF HAWAIʻI BY CHANGING THE DISTRICT CLASSIFICATION FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT AT KUKUIHAELE, WAIKOEKOE, HĀMĀKUA, HAWAIʻI (TAX MAP KEY: 4-8-006:003) (Planning Director Initiated) (Area: 8,803 square feet)

Reference: Comm. 29
Intr. by: Ms. Eoff (B/R)

; and

Bill 5 (Draft 2):

The Windward Planning Commission forwards its favorable recommendation for this change of zone. The properties are the site of the formerly proposed Trees of Kukuihaele development that will not be developed. The Planning Director recommends reclassifying the property to a lower density zone, removing the ability to subdivide these properties.

Reference: Comm. 29.2
Intr. by: Ms. Eoff
First Reading: January 25, 2017

REPORTS

REFERRALS FOR EXECUTIVE SESSION

A 2/3 vote pursuant to Hawaiʻi 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 February 6, 2017. Relay users please call 711(961-8255) to contact our office.

Public attendance via courtesy site is available at the following location 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 Keohokālole Highway, Building A.

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, Nā‘ālehu;
• Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapa‘au; 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, February 15 and 22, 2017, at 6 p.m.; Fridays, February 17 and 24, 2017, at 12 p.m.; and Sundays, February 19 and 26, 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 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/.)