COUNTY COUNCIL

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

33rd Session

ORDER OF BUSINESS

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

February 17, 2016
9:00 a.m.

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

INVOCATION

Pastor Dean Stanley of Kona Baptist 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

January 23, 2015
February 18, 2015
April 1, 2015

COMMUNICATIONS

Comm. 647: REPORT BY COUNCIL MEMBER MAILE DAVID OF HER AND OTHER COUNCIL MEMBERS’ ATTENDANCE AT THE JANUARY 11, 2016, MEETING OF THE PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION COMMISSION

ORDER OF RESOLUTIONS

Res. 374-16: ACCEPTS THE DEDICATION OF ROAD LOT A (ANIANI STREET, A 50-FOOT WIDE RIGHT-OF-WAY ALONG WITH TWO DRYWELLS), BEING A PORTION OF GRANT 2030 TO KAIAKOILI, TAX MAP KEY: 7-3-019:037, SITUATED AT KOHANAIKI, DISTRICT OF NORTH KONA, ISLAND OF HAWAI‘I, FROM 4.10 HAWAI‘I LAND PARTNERSHIP, A HAWAI‘I GENERAL PARTNERSHIP

The lot contains an area of approximately 16,981 square feet and would be used for roadway purposes.

Reference: Comm. 633
Intr. by: Ms. Poindexter
Approve: PWPRC-26
Res. 376-16: AUTHORIZES THE ACQUISITION OF PRIVATE PROPERTY BY EMINENT DOMAIN OF TAX MAP KEY: 2-4-019:127 (PORTION), SITUATED AT WAIĀKEA, DISTRICT OF SOUTH HILO, COUNTY AND STATE OF HAWAIʻI, FOR THE KAWAILANI STREET IMPROVEMENTS PROJECT (ʻIWALANI STREET TO POHAKULANI STREET)

Authorizes the acquisition of a portion of the property described in Exhibit “1” and delineated in Exhibit “2”, to realign Ainaola Drive, widen Kawai Street and some of the feeder streets, and install traffic signals at the intersections of Kawai Street and ʻIwalani Streets, and Kawai Street and Ainaola Drive.

Reference: Comm. 639
Intr. by: Ms. Poindexter
Approve: PWPRC-27
Note: First of two required readings, Section 101-13, Hawaiʻi Revised Statutes

Res. 379-16: AUTHORIZES THE DEPARTMENT OF RESEARCH AND DEVELOPMENT TO AWARD FUNDS TO THE PEOPLE’S ADVOCACY FOR TRAILS HAWAIʻI (PATH)

Funds in the amount of $250,000 would be used by PATH to develop, implement, and manage the Bike Share pilot program.

Reference: Comm. 644
Intr. by: Ms. Eoff
Approve: FC-48

Res. 381-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO CONSTRUCT A BUS SHELTER AT NĀ KAHUĀ HALE O OLU WINI

Transfers $10,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Mass Transit Agency, Other Current Expenses account.

Reference: Comm. 648
Intr. by: Ms. Eoff
Res. 382-16: 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 HAWAIʻI COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR THE PURCHASE OF CITRIC ACID TO CONTROL COQUI FROGS
Transfers $3,500 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 649
Intr. by: Ms. Eoff

Res. 383-16: 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 COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR THE PURCHASE OF CITRIC ACID TO CONTROL COQUI FROGS IN COUNCIL DISTRICT 7
Transfers $3,500 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 650
Intr. by: Mr. Kanuha

Res. 384-16: 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 COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR THE PURCHASE OF CITRIC ACID AND SUPPLIES TO CONTROL THE COQUI FROG INFESTATION
Transfers $4,450 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 651
Intr. by: Ms. David
Res. 385-16: 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 $5,000 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. Funds would be used to purchase and install smoke detectors in Hāmākua.

Reference: Comm. 653
Intr. by: Ms. Poindexter

Res. 386-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO PA‘A PONO MILOI‘I TO ASSIST MILOI‘I FISHING VILLAGE WITH ADDRESSING THE DENGUE OUTBREAK
Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Civil Defense Agency, Other Current Expenses account.

Reference: Comm. 655
Intr. by: Mr. Chung

Res. 387-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HOSPICE OF Hilo TO ASSIST WITH THE PURCHASE OF LAPTOPS AND SOFTWARE TO IMPROVE PATIENT CARE
Transfers $3,250 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Office of Aging, Other Current Expenses account.

Reference: Comm. 656
Intr. by: Ms. David
Res. 388-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PAY FOR A SIGN/ROCK WALL ENTRYWAY AND PICNIC TABLES AT NĀ KAHUĀ HALE O ULU WINI
Transfers $13,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Office of Housing and Community Development, Transfer to Housing Fund account.

Reference: Comm. 657
Intr. by: Ms. Eoff

Res. 389-16: 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 PROJECT GRADUATION 2016
Transfers $3,700 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 658
Intr. by: Ms. Eoff

Res. 390-16: 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 FOR THE BIG ISLAND COMMUNITY BEACH CLEANUP
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 659
Intr. by: Ms. Eoff
Res. 391-16: 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 KEAUKAHA COMMUNITY ASSOCIATION FOR THE KEAUKAHA ELEMENTARY SCHOOL’S PRESCHOOL PROGRAM

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 660
Intr. by: Mr. Onishi

Res. 393-16: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF DEFENSE, STATE OF HAWAI’I EMERGENCY MANAGEMENT AGENCY

Funds in the amount of $60,705.50 would be used to prepare an updated multi-hazard mitigation plan.

Reference: Comm. 665
Intr. by: Ms. Eoff
Waived: FC

Res. 394-16: AUTHORIZES THE ACCEPTANCE OF A DONATION OF ONE ICE MACHINE TO THE DEPARTMENT OF PARKS AND RECREATION

Donated by Isemoto Contracting Company, Ltd., and valued at $8,292.99 to be used in the Butler Building at the Ho’olulu Complex Facility.

Reference: Comm. 666
Intr. by: Ms. Eoff
Waived: FC

Res. 395-16: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $200 TO THE DEPARTMENT OF PARKS AND RECREATION

Donated by W. H. Shipman, Limited, to offset costs for the purchase of snacks and refreshments for participants of the Department’s Vulcan Baseball Clinic held on January 28, 2016.

Reference: Comm. 667
Intr. by: Ms. Eoff
Waived: FC
Res. 396-16: AUTHORIZES THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF HAWAI‘I, BOARD OF LAND AND NATURAL RESOURCES, AND TO ACCEPT FUNDS FOR THE ACQUISITION OF TAX MAP KEY NO. 1-4-002:022, WAI‘OPAE (FKA VACATIONLAND LAND TRUST), DISTRICT OF PUNA, ISLAND OF HAWAI‘I

Funds in the amount of $1,330,000 would be used for the acquisition of Wai‘opae, comprised of 322.167 acres of total land (258.396 acres of which are usable) to increase public access to the shoreline, increase educational opportunities, preserve and restore native habitat, and protect the Wai‘opae Tidepools Marine Life Conservation District.

Reference: Comm. 668
Intr. by: Mr. Ilagan
Waived: FC

Res. 397-16: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE MULTI-FUNCTION COPY MACHINE FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Authorizes the Mayor to enter into a five-year lease agreement for a multi-function copy machine, at an approximate cost of $2,640 per year.

Reference: Comm. 669
Intr. by: Ms. Eoff
Waived: FC

BILL FOR ORDINANCES (FIRST READING)


The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to apply for the subdivision of the property into two lots. The applicant states that he plans to build a single-family dwelling on the newly created lot to be used as a home for his elderly relatives.

Reference: Comm. 615
Intr. by: Mr. Ilagan (B/R)
Approve: PC-46
(Applicants: Kurt Shively and Jason Shively) (Area: approximately 5.497 acres)

Reference: Comm. 616
Intr. by: Mr. Ilagan (B/R)
Approve: PC-47

; and

The Leeward Planning Commission forwards its favorable recommendation for this State Land Use boundary amendment and change of zone, which would allow the applicants to apply for the subdivision of the property into two lots. The applicants state that they plan to build a single-family dwelling for their daughter on the newly created lot.

Approve: PC-48

Appropriates revenues in the Fund Balance from Previous Year account ($250,000); and appropriates the same to the Bicycle Education Program account. Funds would be used by the Department of Research and Development for its Bike Share pilot project.

Reference: Comm. 643
Intr. by: Ms. Eoff
Approve: FC-49

Appropriates revenues in the Federal Grants – Multi-Hazard Mitigation account ($60,705.50); and appropriates the same to the Multi-Hazard Mitigation account. Funds would be used to prepare an updated multi-hazard mitigation plan.

Reference: Comm. 665
Intr. by: Ms. Eoff
Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)

REPORTS

PC-43: NOMINATION OF JULIA ANN ALOS TO THE SOUTH KOHALA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE (Comm. 628)

PC-44: NOMINATION OF MARK S. GORDON TO THE SOUTH KOHALA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE (Comm. 628)

PC-45: NOMINATION OF CHARLES R. CARTWRIGHT TO THE KAILUA VILLAGE DESIGN COMMISSION (Comm. 636)

PSMTC-10: NOMINATION OF JAK HU TO THE POLICE COMMISSION (Comm. 629)

PSMTC-11: NOMINATION OF MARCELLA R. ST. AMBROGIO TO THE FIRE COMMISSION (Comm. 630)

PSMTC-12: NOMINATION OF SCOTT R. SUSMAN TO THE FIRE COMMISSION (Comm. 630)

PSMTC-13: NOMINATION OF RILEY W. SMITH TO THE LIQUOR ADJUDICATION BOARD (Comm. 631)
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 February 12, 2016. 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 Member 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 Members Greggor Iлагan, Dennis “Fresh” Onishi, and Danny Paleka 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:

- Waimea Council Office, Holomua Center, 64-1067 Māmalahoa Highway, Suite 5.
Public attendance via courtesy site is also available at the following location until public testimony has been completed or 4:30 p.m., whichever comes first:

- Conference Room adjacent to Hisaoka Gymnasium, Kamehameha Park Complex, 54-382 Kamehameha Park Road, Kapaʻau.

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
- Pāhoa Neighborhood Facility, 15-2710 Kauhale Street.

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 24 and March 2, 2016, at 6 p.m.; Fridays, February 26 and March 4, 2016, at 12 p.m.; and Sundays, February 28 and March 6, 2016, 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/.)