COUNTY COUNCIL

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

7th Session

ORDER OF BUSINESS

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

March 4, 2015
9:00 a.m.

(Note: Please turn cell phones, pagers, and other mobile communication devices on silent mode.)

INVOCATION
Pastor Charles Kama of New Hope Hilo, Hawai‘i

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE
PETITIONS, MEMORIALS, CERTIFICATES OF MERIT, AND EXPRESSIONS OF CONDOLENCE

Syd Singer and Soma Grismaijer: Presentation of a Certificate of Merit Sponsored by Council Member Margaret Wille recognizing Syd Singer and Soma Grismaijer for their achievements and contributions within the community.

Reference: Comm. 126

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS (9:15 A.M.)

(NOTE: COUNCIL MAY TAKE A LUNCH BREAK CLOSE TO THE NOON HOUR.)

APPROVAL OF MINUTES

COMMUNICATIONS

Comm. 151: APPOINTMENT OF REBECCA KAWEH I INABA AS RESEARCH AND DEVELOPMENT DIRECTOR
From Mayor William P. Kenoi, dated February 23, 2015, submitting for the Council’s confirmation the above appointment, effective February 17, 2015.

Waived: GREDC

ORDER OF RESOLUTIONS

Res. 65-15: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE DESKTOP MAILING SYSTEM FOR THE OFFICE OF THE CORPORATION COUNSEL
Authorizes the Mayor to enter into a five-year lease agreement at a cost of $44.67 per month, which includes access to a local service technician.

Reference: Comm. 103
Intr. by: Ms. Eoff
Approve: FC-8
Res. 72-15: A DETERMINATION TO PROCEED TO CREATE AND DEFINE A SEWER SYSTEM IMPROVEMENT DISTRICT (SID) FOR THE LONO KONA SUBDIVISION

Provides for the development of this SID, as initiated by Resolution No. 112-11, Draft 2, and as described in the amended Director’s Report adopted per Resolution No. 519-14. Includes the Revised Assessment Roll, attached as Exhibit A.

Reference: Comm. 110
Intr. by: Mr. Kanuha
Approve: EMC-1

Res. 75-15: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM THE DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THREE RING RANCH, INC., TO PAY FOR TRIMMING AND REMOVAL OF TREES AT THE EXOTIC ANIMAL SANCTUARY

Transfers/appropriates $2,000 out and from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits the same to the Hawai‘i Police Department, Police Administration Division-Other Current Expenses, Miscellaneous Contract Services account (Three Ring Ranch, Inc.).

Reference: Comm. 114
Intr. by: Ms. David

Res. 76-15: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM THE DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THREE RING RANCH, INC., FOR THE TRIMMING AND REMOVAL OF TREES AT THE EXOTIC ANIMAL SANCTUARY

Transfers/appropriates $2,500 out and from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits the same to the Hawai‘i Police Department, Police Administration Division-Other Current Expenses, Miscellaneous Contract Services account (Three Ring Ranch, Inc.).

Reference: Comm. 115
Intr. by: Ms. Eoff
Res. 77-15: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM THE DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO WEST SIDE HAWAI‘I LITTLE LEAGUE OF WAIKOLOA TO BUILD A BASEBALL FIELD AT KAMAKOA NUI PARK
Transfers/appropriates $7,600 out and from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits the same to the Department of Parks and Recreation, Parks and Recreation Administration Other Current Expenses, Miscellaneous Contract Services account (West Side Hawai‘i Little League of Waikoloa). Funds would be used to purchase supplies and equipment to build a baseball field.

Reference: Comm. 116
Intr. by: Ms. Wille

Res. 78-15: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM THE DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE WEST HAWAI‘I COMMUNITY HEALTH CENTER, INC., TO PURCHASE EQUIPMENT, SUPPLIES, AND FURNISHINGS FOR THE KEALAKEHE CENTER
Transfers/appropriates $15,000 out and from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits the same to the Department of Research and Development, Hawai‘i County Resource Center, Miscellaneous Contract Services account (West Hawai‘i Community Health Center, Inc.).

Reference: Comm. 117
Intr. by: Ms. Eoff

Res. 90-15: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM THE DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO CONTINUE THE BUS ROUTE THAT SERVICES THE UNIVERSITY OF HAWAI‘I AT HILO (UHH) AND HAWAI‘I COMMUNITY COLLEGE (HCC)
Transfers/appropriates $2,000 out and from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits the same to the Mass Transit Agency, Mass Transit Other Current Expenses, Miscellaneous Contract Services account (UHH/HCC Bus Route). Funds would be used to pay for operating expenses during the academic year.

Reference: Comm. 134
Intr. by: Mr. Chung
**Res. 92-15:** AUTHORIZES THE ACCEPTANCE OF A DONATION OF TWO LIVESCAN SYSTEMS FROM THE STATE OF HAWAI‘I DEPARTMENT OF THE ATTORNEY GENERAL

Donated by the Hawai‘i Criminal Justice Data Center with a total value of $73,863.02 for use at the Waimea and Pāhoa districts of the Police Department.

Reference: Comm. 137
Intr. by: Ms. Eoff
Waived: FC

**Res. 93-15:** URGES THE HAWAI‘I CONGRESSIONAL DELEGATION AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY TO WORK COLLECTIVELY TO RE-ESTABLISH KONA INTERNATIONAL AIRPORT (KIA) AS AN ENTRY-WAY FOR INTERNATIONAL FLIGHTS

Urges the Hawai‘i Congressional Delegation to lobby the United States Customs and Border Protection to support Hawai‘i County’s and the State’s efforts to re-establish international flights at KIA.

Reference: Comm. 147
Intr. by: Mr. Onishi
Waived: GREDC

**Res. 94-15:** URGES THE HAWAI‘I STATE HOUSE OF REPRESENTATIVES TO PASS HOUSE BILL NO. 1267 RELATING TO PUBLIC LANDS

Urges the passing of House Bill No. 1267, which establishes a four-year redevelopment pilot project for a planning committee to prepare a development plan, define policies for the management of public lands, and examine the barriers that hinder redevelopment of infrastructure in the Kanoelehua Industrial Area.

Reference: Comm. 148
Intr. by: Mr. Onishi
Waived: GREDC
BILL 282: (2012-2014)
AMENDS CHAPTER 25, ARTICLE 3, SECTION 25-3-2, ARTICLE 4, SECTION 25-4-59.2, AND ARTICLE 7 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO THE ESTABLISHMENT OF A SPECIAL DISTRICT TO BE KNOWN AS THE PĀHOA VILLAGE DESIGN (PVD) DISTRICT TO INCLUDE ADOPTED DESIGN GUIDELINES AND A DESIGN REVIEW COMMITTEE, AND PROVIDING AN EXCEPTION TO OFF-STREET PARKING AND LOADING REQUIREMENTS FOR SAID SPECIAL DISTRICT (Planning Director Initiated)
The Windward Planning Commission forwards its favorable recommendation for this amendment to the Zoning Code, which provides a process for community review of project applications and plan, and to provide distinct requirements for Off-Street Parking and Loading in the proposed PVD District.

Reference: Comm. 1027
Intr. by: Mr. Kern (B/R)
Approve: PC-6

BILL 283: (2012-2014)
AMENDS CHAPTER 25, ARTICLE 2, DIVISION 7 AND ARTICLE 6, DIVISION 1 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO REVIEW OF DEVELOPMENT PROJECTS PROPOSED WITHIN A SPECIAL DISTRICT (Planning Director Initiated)
The Windward and Leeward Planning Commissions forward their favorable recommendation for this amendment to the Zoning Code, which would create a process within the Zoning Code that requires the Planning Director to review and consult with a local design review committee for certain land use permit applications situated within a special district to promote consistency with applicable adopted design guidelines and/or standards.

Reference: Comm. 1028
Intr. by: Mr. Kern (B/R)
Approve: PC-7

BILL 291: (2012-2014)
AMENDS CHAPTER 3 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO REGULATION OF SIGNS IN THE PĀHOA VILLAGE DESIGN DISTRICT
Sets forth the requirements and procedures for obtaining a permit for signage within the Pāhoa Village Design District. Also establishes the review process for sign permit applications.

Reference: Comm. 1044
Intr. by: Mr. Kern (B/R)
Approve: PC-8
ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 281:  
(2012-2014)
AMENDS CHAPTER 25, ARTICLE 6, DIVISION 1 AND ARTICLE 5 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO PLANNED UNIT DEVELOPMENT

Amends the Zoning Code to require Planned Unit Development (P.U.D.) applications to be reviewed and acted on by either the Leeward or Windward Planning Commission, to be determined based on the location of the property for which the P.U.D. is sought.

Reference: Comm. 1025
Intr. by: Ms. Eoff
First Reading: February 18, 2015

Bill 17:
AMENDS SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL – THREE ACRES (A-3a) TO FAMILY AGRICULTURAL – ONE ACRE (FA-1a) AT WAIĀKEA HOMESTEADS 2ND SERIES, WAIĀKEA, SOUTH HILO, HAWAI‘I, COVERED BY TAX MAP KEY: 2-4-034:045 (Applicants: Melvin and Brenda Morris)
(Area: Approx. 3.002 acres)

The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicants to subdivide the property into three lots, to be conveyed to the applicants’ children.

Reference: Comm. 63
Intr. by: Mr. Ilagan (B/R)
First Reading: February 18, 2015

Bill 18:
AMENDS SECTION 25-8-3 (NORTH KONA DISTRICT ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL – 1 ACRE (A-1a) TO VILLAGE COMMERCIAL – 10,000 SQUARE FEET (CV-10) AT HŌLLUALOA, NORTH KONA, HAWAI‘I, COVERED BY TAX MAP KEY: 7-6-013:017 (Applicant: Orchid Isle Auto Center) (Area: 1.002 acre)

The Leeward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to develop automobile storage and employee parking.

Reference: Comm. 64
Intr. by: Mr. Ilagan (B/R)
First Reading: February 18, 2015
Bill 20:  AMENDS ORDINANCE NO. 14-82, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2014, TO JUNE 30, 2015
Adds the Environmental Management Hilo Ocean Outfall Assess/Repair project for $4.95 million to the Capital Budget. Funds for the project shall be provided from General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources. Funds would be used towards design and construction costs related to protection of the exposed portion of the shoreline outfall pipe located in Hilo, to perform an assessment of the ocean outfall, and to repair leaking joints.

Reference: Comm. 82
Intr. by: Ms. Eoff
First Reading: February 18, 2015
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

REPORTS


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 March 2, 2015. 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 Members Maile David and Karen Eoff will be participating from the Kona Council Office.)

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

Public attendance via videoconference 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 videoconference is also available at the following locations until public testimony has been completed:

- County Facility (former Bank of Hawai‘i Building), 54-3888 Akoni Pule Highway, Kohala;
- Hawaiian Ocean View Estates Community Center, 92-8924 Leilani Circle; 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](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](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, March 11 and 18, 2015, at 6 p.m.; Fridays, March 13 and 20, 2015, at 12 p.m.; and
Sundays, March 15 and 22, 2015, 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/.)

UPCOMING MEETINGS

TUESDAY, MARCH 17, 2015

COMMITTEES TBA WEST HAWAI‘I CIVIC CENTER
COUNCIL ROOM - HILO
74-5044 Ane Keohokalole Highway
25 Aupuni Street
Building A

WEDNESDAY, MARCH 18, 2015

COUNCIL 9:00 A.M. WEST HAWAI‘I CIVIC CENTER
74-5044 Ane Keohokalole Highway
Building A

TUESDAY, MARCH 31, 2015

COMMITTEES TBA COUNCIL ROOM - HILO
COUNCIL ROOM - HILO
25 Aupuni Street
25 Aupuni Street

WEDNESDAY, APRIL 1, 2015

COUNCIL 9:00 A.M.