COUNTY COUNCIL

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

30th Session

ORDER OF BUSINESS

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

January 24, 2018
9:00 a.m.

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

INVOCATION
Pastor Jason Meechan of Kona Faith Center

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

April 20, 2016
May 17, 2016

COMMUNICATIONS

Comm. 698: AUTHORIZES THE ACCEPTANCE OF A DONATION OF 40 BENTOS TO THE HAWAI‘I POLICE DEPARTMENT
Donated by Café 100 with a total estimated value of $304, this donation was used by the department at a hostage standoff in the Puna District on December 19, 2017.

Waived: FC

ORDER OF RESOLUTIONS

The roadway lot would be used for public road purposes.

Reference: Comm. 657
Intr. by: Ms. Ruggles (B/R)
Approve: PWPRC-31
Res. 452-18: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE OF ONE BUCKET TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS

Authorizes the Mayor to enter into a five-year lease agreement at an estimated monthly cost of $2,617. The equipment would be used by the department’s Traffic Division for streetlight installation and maintenance. The County will own the equipment at the end of the lease.

Reference: Comm. 659
Intr. by: Ms. David (B/R)
Approve: FC-71

Res. 453-18: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE FULL-SIZE COLOR SCANNER/PLOTTER FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Authorizes the Mayor to enter into a five-year lease agreement at an estimated monthly cost of $390 to be used by the department’s Wastewater Division to produce construction drawings.

Reference: Comm. 660
Intr. by: Ms. David (B/R)
Approve: FC-72

Res. 457-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HAWAIIAN SANCTUARY INC. FOR ITS PLANT ALOHA PROJECT

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Research and Development (R&D), Agriculture R&D Other Current Expenses account.

Reference: Comm. 668
Intr. by: Ms. Ruggles
Res. 458-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE 2018 SUMMER FUN PROGRAM AT THE NĀ‘ĀLEHU COMMUNITY CENTER
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Parks and Recreation, Summer/Intersession Class/Activities account.

Reference: Comm. 669
Intr. by: Ms. David

Res. 459-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE 2018 SUMMER FUN PROGRAM AT THE PĀHALA COMMUNITY CENTER
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Parks and Recreation, Summer/Intersession Class/Activities account.

Reference: Comm. 670
Intr. by: Ms. David

Res. 460-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE 2018 SUMMER FUN PROGRAM AT YANO HALL
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Parks and Recreation, Summer/Intersession Class/Activities account.

Reference: Comm. 671
Intr. by: Ms. David
Res. 461-18: 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 WEST HAWAI‘I VETERANS CEMETERY DEVELOPMENT AND EXPANSION ASSOCIATION, INC., TO PURCHASE TEN TELESCOPING FLAGPOLES
Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 672
Intr. by: Ms. Eoff

Res. 462-18: 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 HAWAIIAN PARADISE PARK NEIGHBORHOOD WATCH TO ASSIST WITH EXPENSES RELATED TO ITS FOOD PANTRY PROGRAM
Transfers $800 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 673
Intr. by: Ms. O’Hara

Res. 463-18: 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 PU‘UHONUA O HILO PILOT PROJECT
Transfers $2,000 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. 674
Intr. by: Ms. Lee Loy
**Res. 464-18:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE “BIGGEST EASTER EGG HUNT” IN HILO

Transfers $3,800 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Parks and Recreation, Recreation Division Other Current Expenses account.

Reference: Comm. 675  
Intr. by: Ms. Lee Loy

**Res. 465-18:** 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 HAWAI‘I JAPANESE CENTER FOR PLANNING AND IMPLEMENTATION EXPENSES TO COMMEMORATE THE 150TH ANNIVERSARY OF THE ARRIVAL OF THE FIRST JAPANESE IMMIGRANTS TO HAWAI‘I

Transfers $2,500 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. 676  
Intr. by: Ms. Lee Loy

**Res. 466-18:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO LĀLĀKEA FOUNDATION TO ASSIST WITH GROUND TRANSPORTATION EXPENSES DURING KA ‘AHA HULA O HĀLAUAOLA 2018

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. 677  
Intr. by: Ms. Lee Loy
Res. 467-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO LĀLĀKEA FOUNDATION FOR THE 2018 KA ‘AHA HULA ‘O HĀLAUAOLA CONFERENCE
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Parks and Recreation, Administration Other Current Expenses account.
Reference: Comm. 679
Intr. by: Ms. David

Res. 468-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HĀMĀKUA HARVEST, INC., FOR EXPENSES RELATING TO THE EXPANSION OF ITS KEIKI LEARNING GARDEN
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Research and Development (R&D), Agriculture R&D Other Current Expenses account.
Reference: Comm. 680
Intr. by: Ms. Poindexter

Res. 469-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO FULL LIFE FOR THE PUA NA PUA AND ABLED HAWAI‘I ARTISTS ART FESTIVALS
Transfers $2,000 from the Clerk-Council Services – Contingency ART FESTIVALS; and credits to the Parks and Recreation, Administration Other Current Expenses account.
Reference: Comm. 681
Intr. by: Ms. Eoff
Res. 470-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR A SUMMER VOLLEYBALL OFFICIATING CLINIC

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

Reference: Comm. 682
Intr. by: Ms. Lee Loy

Res. 477-18: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $868 TO THE DEPARTMENT OF PARKS AND RECREATION

Donated by Polynesian Adventure Tours, LLC, this donation would be used by the Pana'ewa Rainforest Zoo and Gardens.

Reference: Comm. 699
Intr. by: Ms. David (B/R)
Waived: FC

BILLS FOR ORDINANCES (FIRST READING)


The Windward and Leeward Planning Commissions forward their favorable recommendations for this amendment to the Subdivision Code, which would add a criterion for determining a pre-existing lot.

Reference: Comm. 656
Intr. by: Ms. Eoff (B/R)
Approve: PC-43
Bill 94: AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Increases revenues in the Federal Grants – Hawaiʻi County Police Department (HCPD) Traffic Investigation Program account ($9,250); and appropriates the same to the HCPD Traffic Investigation Program account for a total appropriation of $80,750. Funds would be used by the Police Department to increase the number of officers trained in advanced traffic accident reconstruction and other traffic-crash related courses.

Reference: Comm. 700
Intr. by: Ms. David (B/R)
Waived: FC

Bill 95: AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Increases revenues in the Federal Grants – SAFE (Sexual Assault Forensic Examiner) Program account ($49,745); and appropriates the same to the SAFE Program account for a total appropriation of $101,745. Funds would be used by the Police Department to improve response and victim services in cases involving crimes against women.

Reference: Comm. 701
Intr. by: Ms. David (B/R)
Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 89: AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Appropriates revenues in the State Grants – Hawaiʻi Police Department Speed Equipment account ($61,000); and appropriates the same to the Hawaiʻi Police Department Speed Equipment account. Funds would be used by the Police Department to purchase speed detection equipment.

Reference: Comm. 662
Intr. by: Ms. David (B/R)
First Reading: January 4, 2018

Increases revenues in the Federal Grants – Improve Forensic Services account ($20,460); and appropriates the same to the Improve Forensic Services account for a total appropriation of $50,460. Funds would be used by the Police Department to pay for training and updated equipment in the field of forensic science.

Reference: Comm. 664
Intr. by: Ms. David (B/R)
First Reading: January 4, 2018

REPORTS

PC-41 (Comm. 653): NOMINATION OF JOHN R. REPLOGLE TO THE WINDWARD PLANNING COMMISSION

Requires Council Confirmation by: January 27, 2018 (Section 13-4(l), Hawai‘i County Charter)

PC-42 (Comm. 655): NOMINATION OF DAN DOMIZIO TO THE PUNA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

Requires Council Confirmation by: January 27, 2018 (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.

The meeting places are accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8255 by January 22, 2018. 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:

- 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 Member Susan L. K. Lee Loy 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 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).