COUNTY COUNCIL

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

29th Session

ORDER OF BUSINESS

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

December 14, 2015
9:00 a.m.

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

INOCATION

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

COMMUNICATIONS

Comm. 576:  NOMINATION OF SUSAN L. OSBORNE TO THE ENVIRONMENTAL MANAGEMENT COMMISSION
From Mayor William P. Kenoi, dated November 23, 2015, submitting for the Council’s review and confirmation the above nomination.

Waived: EMC

Comm. 577:  NOMINATION OF SUSAN E. FISCHER TO THE PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION COMMISSION ; and

NOMINATION OF KEKAULIKE P. TOMICH TO THE PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION COMMISSION
From Mayor William P. Kenoi, dated November 23, 2015, submitting for the Council’s review and confirmation the above nomination.

Waived: FC
ORDER OF RESOLUTIONS


Authorizes the acquisition of a portion of Lot 25, as delineated in Exhibit 1, to widen Kuauli Road and construct right and left turn lanes.

Reference: Comm. 578
Intr. by: Mr. Paleka
Waived: PWPRC
Note: First of two required readings, Section 101-13, Hawai‘i Revised Statutes

Res. 352-15: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE LABOR COST TO BUILD THE SECOND PHASE OF THE NORTH KOHALA SKATE PARK

Transfers $35,000 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Parks and Recreation, Transfer to Capital Project Fund – G account.

Reference: Comm. 580
Intr. by: Ms. Wille

Res. 353-15: APPROVES LEGISLATIVE PROPOSALS FOR INCLUSION IN THE 2016 THE HAWAI‘I STATE ASSOCIATION OF COUNTIES’ (HSAC) LEGISLATIVE PACKAGE

Approves seven proposals, submitted by the counties, as listed in Exhibit A, to be considered by the 2016 State Legislature which convenes on January 20, 2016.

Reference: Comm. 581
Intr. by: Mr. Onishi
Waived: GREDC
BILLS FOR ORDINANCES (FIRST READING)

Bill 101: (Draft 2) INITIATES AN AMENDMENT TO ARTICLE XIV, SECTION 14-5 OF THE HAWAI‘I COUNTY CHARTER (2014), RELATING TO THE BOARD OF ETHICS

The amendments would: 1) increase membership from five to nine members; 2) decrease member’s term from five to four years; 3) add council district residency requirements; and 4) allow each council member to nominate two persons from his or her council district to serve on the board, from which one would be appointed by the mayor, subject to confirmation by the Council.

Reference: Comm. 494.9
Intr. by: Ms. Wille
Negative: FC-42 (Due to a vote of 2-ayes, 6-noes, 1-absent)

ORDER OF THE DAY (SECOND OR FINAL READING)


Amends Section 24-280 (No parking any time), by revising and repealing existing provisions and adding new provisions for portions of Ali‘i Drive, Subsection (f), Kona.

Reference: Comm. 547
Intr. by: Ms. Poindexter
First Reading: December 2, 2015


Appropriates revenues in the Federal – HOME Program account ($452,684); and appropriates the same to the Mohouli Heights Senior Neighborhood 2, Hawai‘i Island Community Development Corporation account. Funds would be used by the Office of Housing and Community Development’s HOME Investment Partnerships program to construct the Mohouli Heights Senior Neighborhood Project, Phase II.

Reference: Comm. 572
Intr. by: Ms. Eoff
First Reading: December 2, 2015
Bill 118: AUTHORIZES THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE COUNTY OF HAWAI‘I FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS AND NOTES; FIXING THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH REFUNDING BONDS AND PROVIDING FOR THEIR SALE TO THE PUBLIC; PROVIDING FOR THE RETIREMENT OF THE BONDS TO BE REFUNDED; AND AUTHORIZING THE TAKING OF OTHER ACTIONS RELATING TO THE ISSUANCE AND SALE OF THE REFUNDING BONDS AND THE RETIREMENT OF THE BONDS TO BE REFUNDED

Authors the issuance of general obligation refunding bonds, not to exceed $270,230,000, for the purpose of refinancing outstanding County debt in the form of bonds that were issued at higher interest rates. The bonds and obligations that would be refinanced are listed in the bill.

Reference: Comm. 573
Intr. by: Ms. Eoff
First Reading: December 2, 2015

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 December 10, 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:

- 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 Dennis “Fresh” Onishi 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:

- 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, Kapa‘au;

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; and
- Pāhoa Neighborhood Facility, 15-2710 Kauhale Street.

If for technical or other unanticipated circumstances the video and/or audio connection cannot be made or 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, December 23 and 30, 2015, at 6:00 p.m.; Fridays, December 25, 2015, and January 1, 2016, at 12:00 p.m.; and Sundays, December 27, 2015, and January 3, 2016, at 9:00 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/](http://www.naleo.tv/tv-schedules/channel-55/).)