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 13, 2019

9:00 a.m.

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

INVOCATION

Pastor Gail Kamakahì of Thy Word Ministries

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

November 16, 2016
February 5, 2019

COMMUNICATIONS

Comm. 123: REPORT OF ATTENDANCE OF COUNCIL MEMBERS KIERKIEWICZ, LEE LOY, AND RICHARDS AT A HEARING FOR HOUSE BILL NO. 1180, WHICH WOULD PROVIDE FUNDING TO HAWAI‘I COUNTY FOR KĪLAUEA ERUPTION DISASTER RECOVERY, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 92-2.5(e)

ORDER OF RESOLUTIONS

Res. 20-19: AUTHORIZES THE EMPLOYMENT OF A PRIVATE ATTORNEY TO REPRESENT THE COUNTY OF HAWAI‘I IN LITIGATION AGAINST OPIOID MANUFACTURERS WHO MAY BE LIABLE TO THE COUNTY OF HAWAI‘I FOR THE OPIOID EPIDEMIC
The Office of the Corporation Counsel requests the Council’s approval to hire Napoli Shkolnik PLLC and its local counsel, the HI Accident Law Center, with any and all compensation to be provided from potential settlement or award amounts.

Reference: Comm. 12
Intr. by: Ms. David (B/R)
Approve: FC-15
Note: Requires 2/3 vote of the entire membership, pursuant to Section 6-5.5, Hawai‘i County Charter
**Res. 55-19:** CHANGES THE FULL-TIME EQUIVALENT STATUS OF A LIQUOR CONTROL INVESTIGATOR II POSITION FROM A FULL-TIME POSITION TO BECOME A HALF-TIME POSITION

Requests to change the full-time Liquor Control Investigator II position to a half-time position, to increase coverage for the West Hawai‘i area on weekends and evenings.

Reference: Comm. 108
Intr. by: Ms. David (B/R)
Approve: FC-16

**Res. 56-19:** CREATE ONE LIQUOR CONTROL INVESTIGATOR II POSITION FOR THE DEPARTMENT OF LIQUOR CONTROL

Requests to establish a half-time Liquor Control Investigator II position, to increase coverage for the West Hawai‘i area on weekends and evenings.

Reference: Comm. 109
Intr. by: Ms. David (B/R)
Approve: FC-17

**Res. 57-19:** AUTHORIZES THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAI‘I, HAWAI‘I PUBLIC HOUSING AUTHORITY, AND AUTHORIZES A MULTI-YEAR CONTRACT FOR THE USE OF THE POMAIKAI SENIOR CENTER LOCATED AT 929 ULULANI STREET, HILO, HAWAI‘I 96720, TAX MAP KEY: 2-4-25:92

Authorizes the Mayor to enter into a three-year facility lease agreement at an estimated monthly cost of $125, with the option of two one-year extensions. The facility would be used for congregate dining, information and assistance, classes and workshops, and meeting and assessments.

Reference: Comm. 110
Intr. by: Ms. David (B/R)
Approve: FC-18
**Res. 58-19:**


Authorizes the Mayor to enter into a three-year facility lease agreement at an estimated monthly cost of $125, with the option of two one-year extensions. The facility would be used for congregate dining, information and assistance, classes and workshops, and meeting and assessments.

Reference: Comm. 111
Intr. by: Ms. David (B/R)
Approve: FC-19

**Res. 59-19:**

AUTHORIZES THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAI‘I, HAWAI‘I PUBLIC HOUSING AUTHORITY, AND AUTHORIZES A MULTI-YEAR CONTRACT FOR THE USE OF THE PĀHALA SENIOR CENTER LOCATED AT 96-1169 HOLEI STREET, PĀHALA, KA‘Ū, HAWAI‘I 96777, TAX MAP KEY: 9-6-17:37

Authorizes the Mayor to enter into a three-year facility lease agreement at an estimated monthly cost of $125, with the option of two one-year extensions. The facility would be used for congregate dining, information and assistance, classes and workshops, and meeting and assessments.

Reference: Comm. 112
Intr. by: Ms. David (B/R)
Approve: FC-20

**Res. 64-19:**

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 ISLAND OF HAWAI‘I YMCA FOR THE WEST HAWAI‘I FAMILY VISITATION CENTER PROGRAM

Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 121
Intr. by: Ms. David
Res. 66-19:  TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PURCHASE PICKLEBALL EQUIPMENT FOR THE DEPARTMENT OF PARKS AND RECREATION’S PARK FACILITIES IN COUNCIL DISTRICT 3
Transfers $350 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 124
Intr. by: Ms. Lee Loy

Res. 67-19:  TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST THE HAWAI‘I FIRE DEPARTMENT WITH EXPENSES RELATING TO THE BIG ISLAND JUNIOR LIFEGUARD PROGRAM
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Hawai‘i Fire Department, Ocean Safety Programs/Activities account.

Reference: Comm. 125
Intr. by: Ms. Villegas

Res. 68-19:  TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST THE HAWAI‘I FIRE DEPARTMENT WITH EXPENSES RELATED TO THE BIG ISLAND JUNIOR LIFEGUARD PROGRAM
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Hawai‘i Fire Department, Ocean Safety Programs/Activities account.

Reference: Comm. 126
Intr. by: Ms. David
Res. 69-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST THE HAWAI‘I FIRE DEPARTMENT WITH EXPENSES RELATED TO THE BIG ISLAND JUNIOR LIFEGUARD PROGRAM
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Hawai‘i Fire Department, Ocean Safety Programs/Activities account.

Reference: Comm. 127
Intr. by: Ms. Eoff

Res. 70-19: 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 MERRIE MONARCH FESTIVAL TO ASSIST WITH EXPENSES RELATED TO THE REPAIR OF THE AIR CONDITIONING SYSTEM AT THE AUNTY DOTTIE THOMPSON HALE
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 128
Intr. by: Mr. Chung

Res. 71-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR EXPENSES RELATED TO THE 2019 FOURTH OF JULY CELEBRATION IN Hilo
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Parks and Recreation, Culture and Education Other Current Expenses account.

Reference: Comm. 129
Intr. by: Mr. Chung
Res. 72-19: Transfers/appropriates an appropriation out and from a designated fund account and credits same to a designated fund account to provide a grant to Malama O Puna to assist with its operation miconia project in Pāhoa. Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Department of Research and Development, Business Development account.

Reference: Comm. 130
Intr. by: Mr. Kanealii‘i-Kleinfelder

Res. 73-19: Transfers/appropriates an appropriation out and from a designated fund account and credits same to a designated fund account to provide a grant to Grassroots Community Development Group to assist with building a skate park at Kurtistown Park. Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 131
Intr. by: Mr. Kanealii‘i-Kleinfelder

Res. 74-19: Transfers/appropriates an appropriation out and from a designated fund account and credits same to a designated fund account to provide a grant to Malama O Puna for the Pāhoa roundabout landscaping. Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Department of Research and Development, Business Development account.

Reference: Comm. 132
Intr. by: Mr. Kanealii‘i-Kleinfelder
Res. 75-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO MALAMA O PUNA FOR THE PĀHOA ROUNDBOUGHT LANDSCAPING

Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Department of Research and Development, Business Development account.

Reference:  Comm. 135
Intr. by:  Ms. Kierkiewicz

Res. 76-19: 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 ISLAND OF HAWAI‘I YMCA FOR ITS FAMILY VISITATION CENTER PROGRAM

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. 136
Intr. by:  Ms. Lee Loy

Res. 77-19: 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 ISLAND OF HAWAI‘I YMCA FOR THE EAST HAWAI‘I FAMILY VISITATION CENTER PROGRAM

Transfers $600 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference:  Comm. 137
Intr. by:  Mr. Chung
Res. 78-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNED FUND ACCOUNT AND CREDITS SAME TO A DESIGNED FUND ACCOUNT TO PROVIDE A GRANT TO THE EAST HAWAI‘I CULTURAL COUNCIL FOR REIMBURSEMENT OF EXPENSES ASSOCIATED WITH THE 2019 LIVE ALOHA FESTIVAL HELD ON JANUARY 11-13, 2019, AT THE EAST HAWAI‘I CULTURAL CENTER Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 138
Intr. by: Mr. Chung

Res. 79-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNED FUND ACCOUNT AND CREDITS SAME TO A DESIGNED FUND ACCOUNT TO PROVIDE A GRANT TO THE ZONTA CLUB OF HILO FOUNDATION TO ASSIST WITH EXPENSES RELATED TO THE “MAGNIFICENT ME” CONFERENCE Transfers $1,200 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 139
Intr. by: Mr. Chung

Res. 80-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNED FUND ACCOUNT AND CREDITS SAME TO A DESIGNED FUND ACCOUNT TO PROVIDE A GRANT TO THE ZONTA CLUB OF HILO FOUNDATION TO ASSIST WITH EXPENSES RELATED TO ITS “MAGNIFICENT ME” CONFERENCE Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 140
Intr. by: Ms. David
Res. 81-19: 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 COOPER CENTER COUNCIL TO ASSIST WITH ITS FRIENDS FEEDING FRIENDS PROGRAM DINNER EVENT
Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 141
Intr. by: Ms. David

Res. 82-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO LA‘I‘ŌPUA 2020 FOR THE 2019 PRINCE KŪHĪO HO‘OLAULE‘A
Transfers $1,666 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Department of Liquor Control, Public Programs account.

Reference: Comm. 142
Intr. by: Ms. Eoff

Res. 83-19: 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 HILO HĀMĀKUA COMMUNITY DEVELOPMENT CORPORATION FOR THE WAINAKU KAIWIKI COMMUNITY “PARTY IN THE PARK”
Transfers $2,700 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 143
Intr. by: Ms. Poindexter
Res. 84-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE 2019 ANNUAL OUTSTANDING OLDER AMERICANS LUNCHEON

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Office of Aging, Other Current Expenses account.

Reference: Comm. 144
Intr. by: Ms. Poindexter

Res. 85-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE 2019 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. 145
Intr. by: Ms. Villegas

Res. 87-19: AUTHORIZES THE ACCEPTANCE OF A DONATION OF A MURAL TO THE DEPARTMENT OF PARKS AND RECREATION

Donated by Temple Children with a value of $15,000, the mural depicting photographs of the 2018 Kīlauea eruption would be displayed at the Pāhoa District Park Pool.

Reference: Comm. 150
Intr. by: Ms. Kierkiewicz
Waived: FC

Federally-derived funds in the amount of $50,000 would be used in collaboration with neighborhood watch programs to identify, report, and prevent criminal activities.

Reference: Comm. 151
Intr. by: Ms. David (B/R)
Waived: FC


Federally-derived funds in the amount of $41,613 would be used to reduce drug threats and drug-related crimes, and to incorporate multi-agency collaboration.

Reference: Comm. 152
Intr. by: Ms. David (B/R)
Waived: FC

Res. 90-19: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF HAWAI‘I, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, TO ACCEPT FUNDS AS A SUBSIDY TO THE COUNTY OF HAWAI‘I

Funds in the amount of $20 million would be used to provide relief, recovery, mitigation, and remediation assistance for damage, losses, and suffering caused by the 2018 Kīlauea eruption.

Reference: Comm. 153
Intr. by: Ms. Kierkiewicz
Waived: FC
Res. 91-19: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF HAWAI‘I, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, TO ACCEPT FUNDS AS A LOAN TO THE COUNTY OF HAWAI‘I

A loan in the amount of $40 million to be used to provide relief, recovery, mitigation, and remediation assistance for damage, losses, and suffering caused by the 2018 Kīlauea eruption.

Reference: Comm. 154
Intr. by: Ms. Kierkiewicz
Waived: FC

BILLS FOR ORDINANCES (FIRST READING)

Bill 23: AMENDS: (1) ORDINANCE NO. 09-049, WHICH AMENDED ORDINANCE NO. 95-118, WHICH AMENDED ORDINANCE NO. 92-036, WHICH RECLASSIFIED LANDS FROM UNPLANNED (U) AND DOUBLE-FAMILY RESIDENTIAL – 3,750 SQUARE FEET (RD-3.75) TO MULTIPLE FAMILY RESIDENTIAL – 2,500 SQUARE FEET (RM-2.5) AND VILLAGE COMMERCIAL 7,500 SQUARE FEET (CV-7.5), RESPECTIVELY, AT HIENALOLI 4TH AND 5TH, NORTH KONA, HAWAI‘I, TAX MAP KEY: 7-5-010: PORTION OF 013 (FORMERLY 7-5-023:063); AND (2) ORDINANCE NO. 09-050, WHICH AMENDED ORDINANCE NO. 06-138, WHICH AMENDED ORDINANCE NO. 90-010, WHICH AMENDED ORDINANCE NO. 86-049, WHICH RECLASSIFIED LANDS FROM MULTIPLE FAMILY RESIDENTIAL – 2,000 SQUARE FEET (RM-2) TO VILLAGE COMMERCIAL – 7,500 SQUARE FEET (CV-7.5) AT HIENALOLI 5TH AND 6TH, NORTH KONA, HAWAI‘I, TAX MAP KEY: 7-5-010: PORTION OF 013 (FORMERLY 7-5-023:064 AND 067) (Applicant: T & M Properties, LLC (formerly Samson, LLC) (Area: approx. 6.467 Acres)

The Leeward Planning Commission forwards its favorable recommendation to this amendment to change of zone Ordinances 09-49 and 09-50, to consolidate these ordinances with one ordinance with a single set of conditions of approval. The applicant is requesting a five-year time extension to Condition C (Complete Construction), and to amend Conditions D (Dedicate Road Widening Strip), and N (Fair Share Contribution). This amendment would allow the applicant to develop a 104-unit senior independent living community. The property is located along the north and east side of Hualālai Road, northwest of the Aloha Kona Subdivision.

Reference: Comm. 92
Intr. by: Ms. Kierkiewicz (B/R)
Approve: PC-9
Bill 24: AMENDS SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING) 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 – 20,000 SQUARE FEET (CG-20) AT WAIĀKEA HOUSE LOTS 2ND SERIES, WAIĀKEA, SOUTH HILO, HAWAI‘I, COVERED BY TAX MAP KEY: 2-2-024:003
(Applicant: Bank of Hawai‘i) (Area: 40,282 Square Feet)
The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to develop a new, single-story, 7,500 square foot office building to house banking functions, to include a drive-through ATM and a 36-stall parking lot to accommodate customers and employees. The property is located at 1339 Kino‘ole Street, at the northeast corner of its intersection with West Lanikāula Street.

Reference: Comm. 94
Intr. by: Ms. Kierkiewicz (B/R)
Approve: PC-10

; and

Comm. 94.1: From Council Member Aaron Chung, dated February 21, 2019, transmitting proposed amendments to Bill 24.

Increases revenues in the Federal Grants – Senior Community Service Employment Program account ($4,778); and appropriates the same to the Senior Community Service Employment Program – Salary and Wages account, bringing the total appropriation to $342,049. Funds would be used for the Department of Parks and Recreation’s Senior Training Employment program.

Reference: Comm. 107
Intr. by: Ms. David (B/R)
Approve: FC-21

Appropriates revenues in the State – Neighborhood/Community Outreach and Protection account ($50,000); and appropriates the same to the Neighborhood/Community Outreach and Protection account. Funds would be used in collaboration with neighborhood watch programs to identify, report, and prevent criminal activities.

Reference: Comm. 151
Intr. by: Ms. David (B/R)
Waived: FC


Appropriates revenues in the Federal – State-wide Multi-Jurisdictional Drug Task Force account ($41,613); and appropriates the same to the State-wide Multi-Jurisdictional Drug Task Force account. Funds would be used to reduce drug threats and drug-related crimes, and to incorporate multi-agency collaboration.

Reference: Comm. 152
Intr. by: Ms. David (B/R)
Waived: FC


Appropriates revenues in the State Grants – Lava Disaster Assistance – State account ($20,000,000); and appropriates the same to the Lava Disaster Assistance – State account. Funds would be used to provide relief, recovery, mitigation, and remediation assistance for damage, losses, and suffering caused by the 2018 Kīlauea eruption.

Reference: Comm. 153
Intr. by: Ms. Kierkiewicz
Waived: FC
Bill 37:
AMENDS ORDINANCE NO. 18-69, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019

Adds the General Government, Island-wide 2018 Lava Flow Project Assistance – State Loan project for $40 million to the Capital Budget. Funds for this project shall be provided from State Loan Receivable. Funds would be used to provide relief, recovery, mitigation, and remediation assistance for damage, losses, and suffering caused by the 2018 Kīlauea eruption.

Reference: Comm. 154
Intr. by: Ms. Kierkiewicz
Waived: FC
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 15:
AMENDS ORDINANCE NO. 97-13, WHICH RECLASSIFIED LANDS FROM SINGLE FAMILY RESIDENTIAL – 10,000 SQUARE FEET (RS-10) TO GENERAL COMMERCIAL – 20,000 SQUARE FEET (CG-20) AT WAIĀKEA, SOUTH HILO, HAWAI‘I, COVERED BY TAX MAP KEY: 2-2-023:012
(Applicants: Nelson and Susan Fukuhara) (Area: 21,164 Square Feet)

The Windward Planning Commission forwards its favorable recommendation for this amendment, which would allow a five-year time extension to Condition C (Complete Construction), and an amendment to Condition B (Time to Secure Water). The project is located at the southeast side of the Kino‘ole Street and Kamana Street intersection. The applicants are requesting the extension to complete construction of a 4,000 square foot single-story structure for retail/office use.

Reference: Comm. 63
Intr. by: Ms. Kierkiewicz (B/R)
First Reading: February 20, 2019
**Bill 17:**

AMENDS SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING) OF THE HAWAI'I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL – 15,000 SQUARE FEET (RS-15) TO SINGLE FAMILY RESIDENTIAL – 10,000 SQUARE FEET (RS-10) AT WAIĀKEA HOMESTEADS 1ST SERIES, WAIĀKEA SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY: 2-4-021:059

(Applicant: Miroslav Neskovic) (Area: approx. 23,466 Square Feet)

The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to apply to subdivide the property into two lots. The applicant intends to demolish an existing building and build a new single-family dwelling on each of the proposed lots.

Reference: Comm. 65
Intr. by: Ms. Kierkiewicz (B/R)
First Reading: February 20, 2019

**Bill 18:**

AMENDS SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING) 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 NEIGHBORHOODCOMMERCIAL – 20,000 SQUARE FEET (CN-20) AT WAIĀKEA HOUSE LOTS, WAIĀKEA SOUTH HILO, HAWAI'I, COVERED BY TAX MAP KEY: 2-2-034:086

(Applicant: GHC Family Limited Partnership) (Area: approx. 22,500 Square Feet)

The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to develop a paved parking lot for tenant employees and overflow parking for customers of the Manono Street Marketplace.

Reference: Comm. 66
Intr. by: Ms. Kierkiewicz (B/R)
First Reading: February 20, 2019
**Bill 19:**

**AMENDS CHAPTER 2, ARTICLE 45 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO THE GENERAL EXCISE AND USE TAX SURCHARGE**

Increases the general excise and use surcharge from one-quarter percent to one-half percent beginning January 1, 2020, and amends the sunset date of December 31, 2020, to December 31, 2030.

Reference: Comm. 81
Intr. by: Ms. David (B/R)
Public Hearing: February 19, 2019
First Reading: February 20, 2019

**Bill 26:**


Appropriates revenues in the Miscellaneous Private Contributions account ($20,000); and appropriates the same to the Cities for Financial Empowerment, Financial Empowerment Center Plan - Private. The Financial Empowerment Center would provide free, one-on-one professional financial counseling and coaching for residents of Hawai‘i Island.

Reference: Comm. 113
Intr. by: Ms. David (B/R)
First Reading: February 20, 2019

**Bill 27:**


Appropriates revenues in the State – Department of Business, Economic Development and Tourism (DBEDT) Social Transportation Grant account ($750,000); and appropriates the same to the DBEDT Social Transportation Grant. Funds would be used to hire two employees to assist with transporting seniors, to purchase vehicles and train staff, and for other transportation program expenditures of the Department of Parks and Recreation’s Elderly Activities Division.

Reference: Comm. 114
Intr. by: Ms. David (B/R)
First Reading: February 20, 2019

Appropriates revenues in the Federal – Highway Safety Grant – Cordless Extricate Kits account ($96,943); and appropriates the same to the Highway Safety Grant – Cordless Extricate Kits. Funds would be used to increase the Hawai‘i Fire Department’s ability to extricate victims from vehicular crashes.

Reference: Comm. 115
Intr. by: Ms. David (B/R)
First Reading: February 20, 2019


Appropriates revenues in the Federal – Disaster Case Management Program – Federal Emergency Management Agency (FEMA) account ($1,734,373); and appropriates the same to the Disaster Case Management Program - FEMA. Funds would be used to provide long-term case management services for people who were displaced and impacted by the Kīlauea eruption.

Reference: Comm. 116
Intr. by: Ms. David (B/R)
First Reading: February 20, 2019

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.

If you need an auxiliary aid/service or other accommodation due to a disability, call 961-8255 as soon as possible, preferably by March 11, 2019. If a response is received after March 11, 2019, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.

Public attendance via courtesy site is available at the following locations 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; 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;
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapa‘au; and
- Pāhoa Council Office, 15-2879 Pāhoa Village Road.

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 webpage 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).