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

17th Session

ORDER OF BUSINESS

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

July 7, 2017  
9:00 a.m.

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

INVOCATION  
Hilo Salvation Army Temple Corps

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
- April 5, 2017
- April 19, 2017

COMMUNICATIONS

Comm. 107.35: REPORT OF THE AD HOC COMMITTEE ON BILL 13, RELATING TO STYROFOAM REDUCTION
From Council Member Eileen O’Hara, dated June 15, 2017.

Postponed: June 23, 2017

(Note: There is a motion by Ms. O’Hara, seconded by Mr. Richards, to file Comm. 107.35.)

Comm. 336: NOMINATION OF WAYNE FRANK, PHD., TO THE PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION COMMISSION
From Mayor Harry Kim, dated June 15, 2017, submitting for the Council’s review and confirmation the above nomination.

Waived: FC
Requires Council Confirmation by: August 3, 2017 (Section 2-215(k), Hawai‘i County Code)
ORDER OF RESOLUTIONS

Res. 227-17:  
AUTHORIZES THE FINANCE DIRECTOR TO INVITE PROPOSALS FOR LEASE BY NEGOTIATION OF 900 ACRES OF AGRICULTURAL COUNTY-OWNED LEASE LANDS, BEING TAX MAP KEY: 4-2-005:001, KOHOLALELE, HĀMĀKUA, HAWAI‘I, PURSUANT TO CHAPTER 2, ARTICLE 19, SECTION 2-114 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED)

All or a portion of this 900-acre parcel would be leased by negotiation for the purposes of diversified agriculture, eco-tourism, and pastoral uses.

Reference:  Comm. 315  
Intr. by:  Ms. Poindexter  
Approve:  FC-22

Res. 228-17 (Draft 2):  

Authorizes the Mayor to formally establish this sister-city relationship, pursuant to Section 2-165 of the Hawai‘i County Code.

Reference:  Comm. 326.2  
Intr. by:  Ms. Poindexter  
Approve:  GREDC-5

Res. 232-17:  
AUTHORIZES THE EMPLOYMENT OF SPECIAL COUNSEL TO REPRESENT THE COUNTY OF HAWAI‘I BOARD OF ETHICS, IN PETITION NOS. 2017-07 and 2017-08

Authorizes the employment of special counsel from the Office of Corporation Counsel, County of Maui, at a cost not to exceed $1,000.

Reference:  Comm. 331  
Intr. by:  Ms. David (B/R)  
Waived:  FC  
Note:  Requires 2/3 vote of the entire membership, pursuant to Section 6-5.5, Hawai‘i County Charter
Res. 233-17:  
AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS (DLIR), PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, FOR A WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) GRANT

Authorizes the Mayor to enter into an agreement with DLIR to receive and expend WIOA funds in the amount of $1,521,232. Funds would be used to assist adults, dislocated workers, and youth by providing services that will train individuals to increase employment, retention, earnings, skills, and literacy.

Reference: Comm. 335
Intr. by: Ms. David (B/R)
Waived: FC

BILLS FOR ORDINANCES (FIRST READING)

Bill 13 (Draft 2):  
AMENDS CHAPTER 20, OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), BY ADDING A NEW ARTICLE RELATING TO REDUCTION OF POLYSTYRENE FOAM “STYROFOAM” FOOD CONTAINERS AND FOOD SERVICE WARE

Prohibits food vendors from dispensing prepared food in disposable polystyrene food service ware effective July 1, 2018. Exempts ice chest and coolers, County facility users and food vendors with approval by the Environmental Management Director, and County facility users and food vendors procuring supplies during an event declared as an emergency by the Mayor.

Reference: Comm. 107.11
Intr. by: Ms. O‘Hara
Approve: EMC-1
Postponed: March 8, 2017

(Note: There is a motion by Ms. O‘Hara, seconded by Ms. Ruggles, to approve Bill 13, Draft 2.)

; and

Comm. 107.156:  
From Council Member Eileen O‘Hara, transmitting proposed amendments to Bill 13, Draft 2.
Bill 45: AMENDS CHAPTER 24, ARTICLE 10, DIVISION 5, OF THE HAWAIʻI COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO PARKING
Amends Schedule 28 (No parking at anytime), Subsection (c), South Hilo, by revising an existing provision for a portion of Haihai Street.

Reference: Comm. 323
Intr. by: Ms. Ruggles (B/R)
Approve: PWPRC-10

Bill 46: AMENDS CHAPTER 24, ARTICLE 10, DIVISION 5, OF THE HAWAIʻI COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO PARKING
Amends Schedule 28 (No parking at anytime), Subsection (c), South Hilo, by adding a portion of Mohouli Street.

Reference: Comm. 324
Intr. by: Ms. Ruggles (B/R)
Approve: PWPRC-11

Bill 51: 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 Federal Grants – Workforce Invocation Opportunity Act (WIOA) account ($1,521,232); and appropriates the same to the following 2017-18 WIOA accounts: Administration Planning ($152,121); Adult Program ($495,316); Dislocated Worker Program ($405,276); and Youth Program ($468,519). Funds would be used to assist adults, dislocated workers, and youth by providing services that will train individuals to increase employment, retention, earnings, skills, and literacy.

Reference: Comm. 335
Intr. by: Ms. David (B/R)
Waived: FC
ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 38: AMENDS SECTION 25-8-11 (LĀLĀMILO-PUʻUKAPU ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING) OF THE HAWAIʻI COUNTY CODE 1983 (2016 EDITION, AS AMENDED), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL – FIVE ACRES (A-5a) TO FAMILY AGRICULTURAL – TWO ACRES (FA-2a) AT PUʻUKAPU, WAIMEA, SOUTH KOHALA, HAWAIʻI, COVERED BY TAX MAP KEY: 6-4-001:152 (Applicant: Peter A. In, M.D.) (Area: approx. 5.001 acres)

The Leeward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to subdivide the property into two parcels to allow each unit owner to have a separate title and tax map key.

Reference: Comm. 291
Intr. by: Ms. Eoff
First Reading: June 23, 2017

REPORTS

PWPRC-4 (Comm. 317): NOMINATION OF MICHAEL DOOLITTLE TO THE VETERANS ADVISORY COMMITTEE

PWPRC-5 (Comm. 318): NOMINATION OF ANTONIO GASPAR TO THE VETERANS ADVISORY COMMITTEE

PWPRC-6 (Comm. 319): NOMINATION OF MINORU HANATO TO THE VETERANS ADVISORY COMMITTEE

PWPRC-7 (Comm. 320): NOMINATION OF ISAAC NAHAKUELUA TO THE VETERANS ADVISORY COMMITTEE

PWPRC-8 (Comm. 321): NOMINATION OF GEORGE SHERIDAN TO THE VETERANS ADVISORY COMMITTEE

PWPRC-9 (Comm. 322): NOMINATION OF EMILE WERY TO THE VETERANS ADVISORY COMMITTEE
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 July 5, 2017. Relay users please call 711(961-8255) to contact our office.

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
- Pāhoa Council Office, 15-2879 Pāhoa Village Road.

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
- 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 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).

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