COUNTY COUNCIL

County of Hawaiʻi
Hawaiʻi County Building
25 Aupuni Street
Hilo, Hawaiʻi 96720

47th Session

ORDER OF BUSINESS

West Hawaiʻi Civic Center
74-5044 Ane Keohokālole Highway, Building A
Kailua-Kona, Hawaiʻi

July 22, 2020
9:00 a.m.

Public Testimony: Public Testimony will be taken during the meeting via videoconference from the conference room across from the Hilo Council Chambers at 25 Aupuni St. (Hawaiʻi County Building), and at the Kona Council Office Conference Room at West Hawaiʻi Civic Center, 74-5044 Ane-Keohokālole Highway, Building A. Testifiers will be required to wear a protective mask that covers their mouth and nose, physically distance themselves from others, and sanitize their hands prior to entering the testimony site.

INVOCATION
Rabbi Levi Gerlitzky of Chabad Jewish Center

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

Hawaiʻi 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 22, 2020
May 6, 2020
May 20, 2020

COMMUNICATIONS

Comm. 993: NOMINATION OF DIANE BLANCETT-MADDOCK AND MICHAEL OKUMOTO TO THE REAL PROPERTY TAX BOARD OF REVIEW
From Mayor Harry Kim, dated June 30, 2020, submitting for the Council’s review and confirmation the above nominations.

Postponed: July 8, 2020
(The nomination of Diane Blancett-Maddock was postponed.)
Waived: FC
Requires Council Confirmation by: August 13, 2020 (Section 13-4(l), Hawai‘i County Charter)

(Note: There is a motion by Ms. Villegas, seconded by Ms. Eoff, to approve Diane Blancett-Maddock’s nomination.)

Comm. 1007: DONATION OF 300 CLOTH FACE COVERINGS
From Finance Director Deanna Sako, dated July 2, 2020, requesting the Council’s approval to accept a donation from Bridget Milligan valued at $600 to be used in the fight against COVID-19.

Waived: FC

Comm. 1008: DONATION OF A FOGGING MACHINE
From Finance Director Deanna Sako, dated July 2, 2020, requesting the Council’s approval to accept a donation from Malama Property Services LLC valued at $200 to be used in the fight against COVID-19.

Waived: FC
ORDER OF RESOLUTIONS

Res. 677-20: AUTHORIZES THE DIRECTOR OF FINANCE TO ENTER INTO NEGOTIATIONS FOR THE ACQUISITION OF LAND AND CONSERVATION EASEMENT FOR THE PROPERTY IDENTIFIED AS TAX MAP KEYS 7-9-001; 013; 014; AND 015 IN THE AHUPUA‘A OF KAUMOO, DISTRICT OF SOUTH KONA KEAUHOU 1 AND 2, PURSUANT TO CHAPTER 2, ARTICLE 42, HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED)

The County seeks to acquire the properties in whole or conservation easements to preserve rare Hawaiian dry forests, historic cultural sites, and protect native endangered species. The parcels were listed as the second highest priority for purchase in the 2019 Annual Report of the Public Access, Open Space, and Natural Resources Preservation Commission.

Reference: Comm. 984
Intr. by: Ms. Villegas
Approve: FC-125

Res. 678-20: CALLS UPON ALL TELECOMMUNICATIONS COMPANIES AND PUBLIC UTILITIES OPERATING IN HAWAI‘I COUNTY TO CEASE THE BUILDOUT OF 5G WIRELESS INFRASTRUCTURE UNTIL SUCH TECHNOLOGIES HAVE BEEN PROVEN THROUGH INDEPENDENT RESEARCH AND TESTING TO BE SAFE TO HUMAN HEALTH AND THE ENVIRONMENT

Reference: Comm. 986
Intr. by: Mr. Kaneali‘i-Kleinfelder
Approve: PC-48

Res. 682-20: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL LIMITED RIGHT-OF-ENTRY AGREEMENT WITH THE HAWAI‘I PUBLIC HOUSING AUTHORITY, STATE OF HAWAI‘I, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, TO OBTAIN ACCESS TO LANAKILA HOMES, TAX MAP KEY: 2-4-028:007, FOR THE PURPOSE OF ROAD RESURFACING

Reference: Comm. 998
Intr. by: Ms. Lee Loy (B/R)
Waived: PWMTC
Res. 685-20: Authorizes the acceptance of a donation of 442 tourniquets with accessories from the Spirit of the Blue Foundation to the County of Hawai‘i Police Department

Reference: Comm. 1002
Intr. by: Ms. David (B/R)
Waived: FC

Res. 686-20: Authorizes the acceptance of a donation 300 bags of rice from the Buddhist Tzu Chi Foundation to the County of Hawai‘i Department of Parks and Recreation for its emergency meal program

Reference: Comm. 1003
Intr. by: Ms. David (B/R)
Waived: FC

Res. 687-20: Authorizes the acceptance of 1,200 collapsible water jugs from the State of Hawai‘i, Hawai‘i Emergency Management Agency for the County of Hawai‘i Department of Parks and Recreation

Reference: Comm. 1004
Intr. by: Ms. David (B/R)
Waived: FC

Res. 688-20: Authorizes the acceptance of a donation of staghorn ferns from Gene Monnier to the County of Hawai‘i Department of Parks and Recreation Pana‘ewa Rainforest Zoo and Garden

Reference: Comm. 1005
Intr. by: Ms. David (B/R)
Waived: FC
Res. 689-20: AUTHORIZES THE ACCEPTANCE OF A DONATION OF 40 GALLONS OF HAND SANITIZER FROM KULEANA RUM WORKS TO THE COUNTY OF HAWAI‘I CIVIL DEFENSE AGENCY

Reference: Comm. 1006
Intr. by: Ms. David (B/R)
Waived: FC

Res. 690-20: AUTHORIZES THE ACCEPTANCE OF A DONATION OF 1,000 CLOTH FACE COVERINGS FROM VIBRANT HAWAI‘I TO THE COUNTY OF HAWAI‘I CIVIL DEFENSE AGENCY

Reference: Comm. 1009
Intr. by: Ms. David (B/R)
Waived: FC

Res. 691-20: AUTHORIZES THE MAYOR TO ENTER INTO A MULTI-YEAR LEASE AGREEMENT WITH PĀPA‘ALOA HOUSING INC. FOR THE REHABILITATION OF THE PĀPA‘ALOA ELDERLY HOUSING PROJECT LOCATED IN THE DISTRICT OF HĀMĀKUA, HAWAI‘I, TAX MAP KEY: 3-5-003:049

Authorizes the Mayor to enter into a multi-year lease agreement to rehabilitate and maintain the existing rental housing apartment for senior citizens at a set lease rate of $10 per year.

Reference: Comm. 1010
Intr. by: Ms. David (B/R)
Waived: FC
BILLS FOR ORDINANCES (FIRST READING)


Creates three native forest categories (native forests, functional forests, and successional forests), and establishes a dedication process for forest preservation and restoration.

Reference:  Comm. 988
Intr. by:  Ms. Poindexter
Approve:  FC-126

Bill 179:  ESTABLISHES A COUNTY CONSTRUCTION CODE RELATING TO BUILDING CONSTRUCTION AND RELATED SYSTEMS WITHIN A BUILDING UNDER CONSTRUCTION BY AMENDING THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), AS FOLLOWS:

1) ADOPTS NEW CHAPTERS 5 (CONSTRUCTION ADMINISTRATIVE CODE), 5A (BUILDING CODE), 5D (ELECTRICAL CODE), 5E (ENERGY CONSERVATION CODE), AND 5F (PLUMBING CODE);

2) AMENDS CHAPTER 2, SECTION 2-39; CHAPTER 3, SECTIONS 3-14 AND 3-15; AND CHAPTER 25, SECTIONS 25-1-5, 25-4-10, AND 25-4-60; AND

3) REPEALING CHAPTERS 5 (BUILDING CODE), 9 (ELECTRICAL CODE), AND 17 (PLUMBING CODE)

Establishes a new Construction Code for the County of Hawai‘i by: repealing existing Chapter 5 (Building), Chapter 9 (Electricity), and Chapter 17 (Plumbing); creating new chapters for installation provisions for Building, Electrical, Energy Conservation, and Plumbing; and combining administrative provisions from Chapter 5, Chapter 9, and Chapter 17 into a single, new chapter. The amendments also include adoption of a new electrical code based on the 2017 National Electrical Code and adoption of a new plumbing code based on the 2012 Uniform Plumbing Code, adding a new appendix for tiny house building standards, and transitioning the County from requiring separate construction permits to a single-permit system.

Reference:  Comm. 989
Intr. by:  Ms. Lee Loy (B/R)
Approve:  PWMTC-23

; and

(Comms. 989.5 – 989.8 continue on the next page.)
Comm. 989.5: From Council Member Susan L. K. Lee Loy, dated July 14, 2020, transmitting proposed amendments to Bill 179 relating to air conditioning systems and exemptions to the permit requirement for building work relating to repairs.

; and

Comm. 989.6: From Council Member Susan L. K. Lee Loy, dated July 14, 2020, transmitting proposed amendments to Bill 179 by correcting a reference to the Uniform Plumbing Code.

; and

Comm. 989.7: From Council Member Susan L. K. Lee Loy, dated July 14, 2020, transmitting proposed amendments to Bill 179 relating to requirements for single-story and two-story structures.

; and

Comm. 989.8: From Council Member Susan L. K. Lee Loy, dated July 14, 2020, transmitting proposed amendments to Bill 179 relating to emergency work.


Appropriates revenues in the Recreation Miscellaneous Contributions account ($2,000); and appropriates the same to the United States Tennis Association Facility Recovery Grant – Private account to be used toward cleaning and sanitation expenses in preparation for the reopening of the Hoʻolulu Complex tennis courts.

Reference: Comm. 1001
Intr. by: Ms. David (B/R)
Waived: FC
ORDER OF THE DAY (SECOND OR FINAL READING)

**Bill 177:** DESIGNATES TAX MAP KEY: 6-7-002:063 AS THE “SPENCER KALANI SCHUTTE DISTRICT PARK” PURSUANT TO CHAPTER 15, ARTICLE 8, SECTION 15-67 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED); AMENDS SECTION 15-68.1 TO ADD THE “SPENCER KALANI SCHUTTE DISTRICT PARK” TO THE PARKS AND RECREATIONAL FACILITY SCHEDULE; AND AMENDS CHAPTER 14, ARTICLE 1, SECTION 14-1, RELATING TO PROHIBITING THE POSSESSION OR CONSUMPTION OF INTOXICATING LIQUORS AT ALL TIMES

Formally names the area currently known as the Waimea District Park, adds to the facility schedule, and prohibits alcoholic beverages at all times.

Reference: Comm. 987
Intr. by: Mr. Richards
First Reading: July 8, 2020

REPORTS

**FC-124 (Comm. 983):** AUTHORIZES THE ACCEPTANCE OF A DONATION OF 3,500 SURGICAL MASKS TO THE COUNTY OF HAWAI‘I

Donated by Director General Michael Tseng of the Tapei Economic and Cultural Office in Honolulu, valued at $525, to be used in the fight against COVID-19.

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 reconsideration 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 July 20, 2020. If a response is received after July 20, 2020, 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.

Council Members will also be present at the Hilo Council Chambers, Hawai‘i County Building.

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.

The full text of the agendas are made available on the County website at www.hawaiicounty.gov. Click on Council Records to navigate to current agendas. For copies of the agenda(s) or questions, please contact Council Services at 961-8255.

Submitting Written Testimony: The Council encourages the public to submit thoughts, comments, and input via written testimony. To ensure timely delivery to Council Members prior to the meeting, written testimony must be submitted before 12:00 noon on the business day prior to the meeting by: (1) email to counciltestimony@hawaiicounty.gov, (2) facsimile to (808) 961-8912; or (3) mail to the County Clerk’s Office in Hilo at 25 Aupuni Street, Hilo, Hawai‘i, 96720. All written testimony, regardless of time of receipt, will be made a part of the permanent record. 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).