COUNTY COUNCIL

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

3rd Session

ORDER OF BUSINESS

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

January 9, 2019

9:00 a.m.

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

INVOCATION

Pastor Daniel Tomita of Kinoole Baptist Church

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 20, 2018
December 3, 2018 (2016-2018)

COMMUNICATIONS

Comm. 33: APPOINTMENT OF DAVID YAMAMOTO AS PUBLIC WORKS DIRECTOR
From Mayor Harry Kim, dated December 14, 2018, submitting for the Council’s review and confirmation the above appointment.

Waived: PWMTC
Requires Council Confirmation by: April 1, 2019 (Section 13-8, Hawai‘i County Charter)

ORDER OF RESOLUTIONS

Res. 22-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO BIG ISLAND RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL TO ASSIST THE KONA SOIL AND WATER CONSERVATION DISTRICT WITH EXPENSES FOR EDUCATIONAL MATERIALS
Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Department of Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 24
Intr. by: Ms. Eoff
Res. 23-19: 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 WAIÅKEA HIGH SCHOOL PARENT TEACHER STUDENT ASSOCIATION FOR THE 2019 WAIÅKEA HIGH SCHOOL PROJECT GRAD NIGHT
Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Department of Liquor Control, Public Programs account.

Reference: Comm. 26
Intr. by: Mr. Chung

Res. 24-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST THE DEPARTMENT OF PARKS AND RECREATION WITH EXPENSES RELATING TO THE 2019 WAIMEA CHERRY BLOSSOM HERITAGE FESTIVAL
Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Department of Parks and Recreation, Culture and Education Other Current Expenses account.

Reference: Comm. 30
Intr. by: Mr. Richards

Res. 25-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO KA HALE O NA KEIKI PRESCHOOL FOR EDUCATIONAL SUPPLIES, CLASSROOM NEEDS, AND PLAYGROUND EQUIPMENT
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 31
Intr. by: Ms. Poindexter
Res. 26-19: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $500 TO THE DEPARTMENT OF PARKS AND RECREATION

Donated by Christine Johnson, this donation would be used towards the Pilikulāiwi intersession program to provide culturally appropriate activities and service projects to school-age children during the spring and fall intersessions.

Reference: Comm. 34
Intr. by: Ms. Lee Loy
Waived: FC

Res. 28-19: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION

Federally-derived funds in the amount of $250,000 would be used to create an economic recovery plan to provide relief, recovery, and relocation strategies for the recent Kilauea eruption. The County would provide $250,000 as a cost-share for this project.

Reference: Comm. 46
Intr. by: Ms. Kierkiewicz
Waived: FC

Res. 29-19: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF HAWAI‘I DEPARTMENT OF HEALTH, OFFICE OF HEALTH STATUS MONITORING, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, FOR A GRANT TO THE HAWAI‘I COUNTY POLICE DEPARTMENT

Funds in the amount of $7,500 would be used by the Police Department to set up a streamlined process to allow the department to disclose government records to the State Department of Health.

Reference: Comm. 48
Intr. by: Ms. David (B/R)
Waived: FC
BILLS FOR ORDINANCES (FIRST READING)

**Bill 8:** 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 Hurricane Lane Damage Projects for $36,921,225 (Federal Emergency Management Agency) and $12,307,075 (County), for a total of $49,228,300 to the Capital Budget. Funds for this project shall be provided from Federal Grants Receivable ($36,921,225) and General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources ($12,307,075).

Reference: Comm. 45
Intr. by: Ms. Lee Loy
Waived: FC
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

**Bill 9:** AMENDS ORDINANCE NO. 18-68, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2019

Appropriates revenues in the Federal Grants – Economical Adjustment Assistance account ($250,000); and appropriates the same to the Economical Adjustment Assistance account. Funds would be used to create an economic recovery plan to provide relief, recovery, and relocation strategies for the recent Kīlauea eruption.

Reference: Comm. 46
Intr. by: Ms. Kierkiewicz
Waived: FC
Bill 10: 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 Damage Projects for $24,746,625 (Federal Emergency Management Agency) and $8,248,875 (County), for a total of $32,995,500 to the Capital Budget. Funds for this project shall be provided from Federal Grants Receivable ($24,746,625) and General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources ($8,248,875).

Reference: Comm. 47
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


Appropriates revenues in the State – Department of Health (DOH) Record Access Grant account ($7,500); and appropriates the same to the DOH Record Access Grant account. Funds would be used by the Police Department to set up a streamlined process to allow the department to disclose government records to the DOH.

Reference: Comm. 48
Intr. by: Ms. David (B/R)
Waived: FC
ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 205: (2016-2018)  AMENDS ORDINANCE NO. 05-66, WHICH RECLASSIFIED LANDS FROM AGRICULTURAL – TWENTY ACRES (A-20a) TO AGRICULTURAL – TEN ACRES (A-10a) AT KALOKO, NORTH KONA, HAWAI‘I, COVERED BY TAX MAP KEY:  7-3-027:007  
(Applicant:  Bruce B. A. and Austin K. P. Easley) (Area:  20.254 acres)  
The Leeward Planning Commission forwards its favorable recommendation for this request for a five-year time extension to comply with Condition D (secure Final Subdivision Approval), which would allow the applicant to apply to subdivide the property into two lots of approximately 10 acres in size. The lots are intended to be used as residential/agricultural lots, with a dwelling on each proposed lot. The property is located along the west side of Kaloko Drive approximately 4,000 feet mauka from the Haleamau Street-Kaloko Drive intersection.

Reference:  Comm. 1153  
Intr. by:  Ms. Eoff (B/R)  
First Reading:  December 19, 2018

Increases revenues in the Federal – 2018 Block Grant account ($266,347); and appropriates the same to the following accounts:  Kula‘imano Elderly Renovations ($227,467) and Administration, Planning & Fair Housing ($38,880), bringing the total appropriation to $2,694,402.

Reference:  Comm. 1161  
Intr. by:  Ms. David (B/R)  
First Reading:  December 19, 2018
Bill 209:  
(2016-2018)  
Increases revenues in the Federal Grants – Workforce Innovation & Opportunity Act (WIOA) account ($5,547); and appropriates the same to the following 2017-2018 WIOA accounts: Administration Planning ($556); Adult Program ($1,814); Dislocated Worker Program ($1,255); and Youth Program ($1,922), bringing the total appropriation to $1,526,779.  
Reference:  Comm. 1162  
Intr. by:  Ms. David (B/R)  
First Reading:  December 19, 2018

Bill 211:  
(2016-2018)  
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  
Establishes the following program appropriations to the Capital Budget: Roadway Projects (Engineering) ($2 million); Bridge Inspection, Repair, and Replacement Program (Engineering) ($1.4 million); and Local Road Improvements (Highways) ($3.4 million), for a total of $6.8 million. Appropriates the fuel tax revenues established by Resolution No. 212-17.  
Reference:  Comm. 1166  
Intr. by:  Ms. David (B/R)  
First Reading:  December 19, 2018  
Note:  Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

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 January 7, 2019. If a response is received after January 7, 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:

- Nāʻālehu State Office Building, 95-5669 Māmalahoa Highway;
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapaʻau; 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 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
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).