COUNTY COUNCIL

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

6th Session

ORDER OF BUSINESS

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

February 22, 2017
9:00 a.m.

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

INVOCATION

Pastor Makana Delovio of New Hope Legacy

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

March 2, 2016, Special Meeting
March 2, 2016

COMMUNICATIONS

Comm. 73.1: REPORTS THE ATTENDANCE OF COUNCIL MEMBER RUGGLES, COUNCIL MEMBER LEE LOY, AND COUNCIL MEMBER O’HARA AT A COMMUNITY MEETING ON JANUARY 23, 2017
From Council Member Eileen O’Hara, dated January 27, 2017.

ORDER OF RESOLUTIONS

Res. 61-17 (Draft 2): URGES THE HAWAI‘I STATE LEGISLATURE TO APPROVE SENATE BILL NO. 656 AND HOUSE BILL NO. 481 TO ADDRESS THE THREAT OF THE LITTLE FIRE ANT (LFA)
Urges approval of the above bills in the 2017 legislative session to fund a project administered by the Hawai‘i Department of Agriculture to address the spread of LFA. The project includes the distribution of coupons for pesticide treatment and a mapping of all LFA sites in the County.

Reference: Comm. 88.2
Intr. by: Ms. Lee Loy
Approve: GREDC-2

The Strategic Response Plan was developed by the Department of Land and Natural Resources via multi-agency collaborations and input from people working on Rapid ‘Ōhi‘a Death. The plan estimates needs of $3.6 million for 2017, and $3.2 million for the following two years.

Reference: Comm. 89
Intr. by: Ms. O’Hara
Approve: GREDC-3

Res. 66-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST WITH EXPENSES RELATED TO CONDUCTING PROGRAMS, ACTIVITIES, AND EVENTS THAT PERPETUATE HAWAI‘I ISLAND’S DIVERSE CULTURES AND HERITAGES

Transfers $3,700 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Parks and Recreation, Culture and Education Other Current Expenses account.

Reference: Comm. 95
Intr. by: Mr. Chung

Res. 67-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO FRIENDS OF BIG ISLAND DRUG COURT, INC., TO PAY FOR SERVICES FOR PARTICIPANTS OF THE BIG ISLAND DRUG COURT

Transfers $10,000 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. 96
Intr. by: Mr. Chung
Res. 68-17: 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 WAIĀKEA HIGH SCHOOL PARENT TEACHER STUDENT ASSOCIATION TO PURCHASE AND INSTALL CEILING FANS IN THE WAIĀKEA HIGH SCHOOL GYMNASIUM

Transfers $7,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 97
Intr. by: Mr. Chung

Res. 69-17: 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 WAIĀKEA HIGH SCHOOL PARENT TEACHER STUDENT ASSOCIATION TO ASSIST WITH EXPENSES RELATING TO THE PURCHASE AND INSTALLATION OF FANS AT WAIĀKEA HIGH SCHOOL’S GYMNASIUM

Transfers $7,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 98
Intr. by: Ms. Lee Loy

Res. 70-17: 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 LAUPĀHOEHOE TRAIN MUSEUM FOR EXPENSES ASSOCIATED WITH EXPANDING THE COMMUNITY PROGRAMS AT THE HAWAIIAN CULTURAL CENTER OF HĀMĀKUA

Transfers $10,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Research and Development, Tourism Promotion account.

Reference: Comm. 99
Intr. by: Ms. Poindexter
Res. 71-17: 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 BIG ISLAND RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL TO ASSIST WITH EXPENSES RELATED TO THE PARANGAL DANCE COMPANY, A FILIPINO FOLK DANCE GROUP FROM CALIFORNIA

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Research and Development, Tourism Promotion account.

Reference: Comm. 100
Intr. by: Ms. Poindexter

Res. 72-17: 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 FOOD BASKET, INC., TO ASSIST THE STATE OF HAWAI‘I DEPARTMENT OF HEALTH’S SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 101
Intr. by: Ms. Ruggles

Res. 73-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE OUTSTANDING OLDER AMERICANS AWARD LUNCHEON

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Office of Aging, Other Current Expenses account.

Reference: Comm. 102
Intr. by: Ms. David
Res. 74-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PURCHASE TWO BASKETBALL MINI HOOPS FOR THE KEKUAOKALANI GYMNASIUM
Transfers $1,700 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Parks and Recreation, Division Equipment account.

Reference: Comm. 103
Intr. by: Mr. Kanuha

Res. 75-17: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $2,688 TO THE DEPARTMENT OF PARKS AND RECREATION
Donated by Polynesian Adventure Tours, LLC, for the Pana'ewa Rainforest Zoo and Garden.

Reference: Comm. 104
Intr. by: Ms. David (B/R)
Waived: FC

Res. 76-17: URGES THE HAWAI’I STATE LEGISLATURE TO PASS LEGISLATION TO REVITALIZE THE CITY OF HILO AND EAST HAWAI’I
Urges the State Legislature to support any legislation that would revitalize and bring stimulus to the Banyan Drive and Kanoelehua Industrial Area, and allow Hawai‘i County to provide input and be involved in discussions regarding planning for the future of State-owned properties in Hilo and East Hawai‘i.

Reference: Comm. 105
Intr. by: Mr. Chung and Ms. Lee Loy
Waived: GREDC
**BILLS FOR ORDINANCES (FIRST READING)**

**ORDER OF THE DAY (SECOND OR FINAL READING)**

**Bill 7:**
AMENDS ORDINANCE NO. 16-73, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2016, TO JUNE 30, 2017

Increases revenues in the Environmental Management Kula‘imano and Pāpa‘ikou Dewatering & Barminutor Replacement project by $2.7 million, bringing the total amount to $3 million. Funds for this project shall be provided from State Revolving Fund ($2.7 million) and would be used for construction.

Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

; and

**Bill 8:**
AMENDS ORDINANCE NO. 16-73, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2016, TO JUNE 30, 2017

Adds the Environmental Management Kula‘imano and Pāpa‘ikou Dewatering & Barminutor Replacement project for $300,000 to the Capital Budget. Funds for the project shall be provided from General Obligation Bonds, Capital Projects Fund – Fund Balance and/or Other Sources ($300,000). Funds would be used for project design.

Reference: Comm. 64
Intr. by: Ms. David (B/R)
First Reading: February 8, 2017
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
Bill 9 (Draft 2):

AMENDS ORDINANCE NO. 12-129, WHICH AUTHORIZED THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR WASTEWATER PUBLIC IMPROVEMENT PROJECTS AND AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF FINANCING QUALIFIED WASTEWATER PUBLIC IMPROVEMENTS OF THE COUNTY OF HAWAI‘I

Amends Ordinance No. 12-129 to reflect the change in the monetary amount of $11,322,000 indicated in the ordinance title and Section 1, and in Exhibit A, Draft 2, which has been replaced with a new exhibit labeled as Exhibit A, Draft 3 (Kalaniana‘ole Interceptor Sewer Rehabilitation Phase II ($8,622,000), and Kula‘imano and Pāpa’ikou Dewatering & Barminutor Replacement ($2,700,000), for a total of $11,322,000). Funds would be used to expand the project scope to include barminutor replacement and other minor system upgrades.

Reference: Comm. 65.1
Intr. by: Ms. David (B/R)
First Reading: February 8, 2017

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 February 17, 2017. 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 Members Aaron S. Y. Chung and Susan L. K. Lee Loy 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 public testimony has been completed:

- **Nā‘ālehu State Office Building, 95-5669 Māmalahoa Highway, Nā‘ālehu;**
- **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](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](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, March 1 and 8, 2017, at 6 p.m.; Fridays, March 3 and 10, 2017, at 12 p.m.; and Sundays, March 5 and 12, 2017, at 9 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/).)