COUNTY COUNCIL

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

49th Session

ORDER OF BUSINESS

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

September 7, 2016
9:00 a.m.

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

INVOCATION
Pastor Bob Tominaga of Thy Word Ministries

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

August 5, 2015
September 16, 2015

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 568-16: SUPPORTS THE PRINCIPLES OF THE UNITED NATIONS’ CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Affirms the tenets and principles within the “Convention” and urges the County to work with the Hawai‘i State Commission on the Status of Women and the County of Hawai‘i’s Committee on the Status of Women to perform an analysis on gender equality, which includes the examination of race, disability, immigration status, sexual orientation, and other characteristics that are linked to gender.

Reference: Comm. 953
Intr. by: Ms. Poindexter
Approve: GREDC-7

Res. 592-16: POSTPONES COUNCIL ACTION ON REZONING APPLICATIONS IN THE HĀMĀKUA DISTRICT, WAIPIO THROUGH KAIWIKI, UNTIL THE HĀMĀKUA COMMUNITY DEVELOPMENT PLAN IS ADOPTED BY ORDINANCE, OR UNTIL JUNE 30, 2017, WHICHEVER SHALL OCCUR FIRST

Seeks to demonstrate the County’s commitment to the Community Development process as a guiding principle for well-planned and responsible future growth in the Hāmākua district.

Reference: Comm. 980
Intr. by: Ms. Poindexter
Approve: PC-72
**Res. 596-16:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HĀMĀKUA YOUTH FOUNDATION INC. FOR THE MULTICULTURAL AWARENESS PROGRAM

Transfers $3,000 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. 988
Intr. by: Ms. Poindexter

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**Res. 597-16:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PURCHASE WREATHS TO BE PLACED AT THE WEST HAWAI'I VETERANS CEMETERY FOR THE NATIONAL WREATHS ACROSS AMERICA DAY ON DECEMBER 17, 2016

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 989
Intr. by: Ms. Eoff

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**Res. 598-16:** 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 2016 HAWAI'I ISLAND VETERANS DAY PARADE

Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 990
Intr. by: Mr. Paleka
Res. 599-16: 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 2016 HAWAI‘I ISLAND VETERANS DAY PARADE

Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 991
Intr. by: Ms. Eoff

Res. 600-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR MAINTENANCE EQUIPMENT FOR THE DEPARTMENT OF PARKS AND RECREATION

Transfers $10,810 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Parks and Recreation, Maintenance Equipment account.

Reference: Comm. 992
Intr. by: Mr. Onishi

Res. 601-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO SPECIAL OLYMPICS HAWAI‘I INC. TO ASSIST EAST HAWAI‘I ATHLETES WITH EXPENSES RELATED TO PARTICIPATION IN THE HOLIDAY CLASSIC GAMES ON O‘AHU

Transfers $10,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 993
Intr. by: Ms. Poindexter
Res. 602-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO SPECIAL OLYMPICS HAWAIʻI INC. TO ASSIST WEST HAWAIʻI ATHLETES WITH EXPENSES ASSOCIATED WITH THE BIG ISLAND REGIONAL BOWLING TOURNAMENT AND ANNUAL AWARDS BANQUET

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 994
Intr. by: Ms. Eoff

Res. 603-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO SPECIAL OLYMPICS HAWAIʻI, INC., TO SUPPORT ITS BASKETBALL, BOCCE, AND BOWLING PROGRAMS IN WEST HAWAIʻI

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 995
Intr. by: Ms. David

Res. 604-16: AUTHORIZES THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAIʻI, THE CITY AND COUNTY OF HONOLULU, THE COUNTY OF KAUAʻI, AND THE COUNTY OF MAUI FOR COST SHARING IN EXPERT WITNESS CONSULTATION SERVICES WITH MATTERS RELATING TO THE BARGAINING UNIT 11 (FIREFIGHTERS) INTEREST ARBITRATION

Reference: Comm. 996
Intr. by: Ms. Eoff
Waived: FC
Res. 605-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE PURCHASE OF TWO PORTABLE GENERATOR/LIGHT UNITS FOR THE POLICE DEPARTMENT TO SERVICE HĀMĀKUA AND NORTH HILO

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Police Department, Hāmākua Police Other Current Expenses account.

Reference: Comm. 998
Intr. by: Ms. Poindexter

Res. 606-16: 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 BOYS AND GIRLS CLUB OF THE BIG ISLAND TO ASSIST WITH EXPENSES RELATING TO THE NUTRITIONAL SNACK SUPPLEMENTATION PROGRAM

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 1001
Intr. by: Mr. Paleka

Res. 607-16: 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 HAWAI‘I ISLAND HIV/AIDS FOUNDATION FOR EXPENSES RELATED TO IMPROVING ITS SERVICES IN WEST HAWAI‘I

Transfers $3,450 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Research and Development, Hawai‘i County Resource Center account.

Reference: Comm. 1002
Intr. by: Ms. Eoff
Res. 608-16: 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 HAWAI'I ISLAND HIV/AIDS FOUNDATION FOR EXPENSES RELATED TO IMPROVING ITS SERVICES IN WEST HAWAI'I
Transfers $3,450 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Research and Development, Hawai'i County Resource Center account.

Reference: Comm. 1003
Intr. by: Ms. David

Res. 609-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO COMMUNITY ENTERPRISES TO ASSIST WITH EXPENSES FOR WEST HAWAI'I COMMUNITY FORUMS
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Research and Development, Hawai'i County Resource Center account.

Reference: Comm. 1004
Intr. by: Ms. Eoff

Res. 610-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO COMMUNITY ENTERPRISES TO PAY FOR EXPENSES ASSOCIATED WITH CONDUCTING COMMUNITY FORUMS IN WEST HAWAI'I
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Research and Development, Hawai'i County Resource Center account.

Reference: Comm. 1005
Intr. by: Ms. David
Res. 611-16: 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 WITH EXPENSES RELATING TO THE 2016 HAWAI‘I ISLAND VETERANS DAY PARADE
Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 1006
Intr. by: Mr. Ilagan

Res. 613-16: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, FOR A GRANT TO REPLACE SELF-CONTAINED BREATHING APPARATUS (SCBA)
Authorizes the Mayor to enter into an agreement with Homeland Security – Federal Emergency Management Agency to enable the County to accept funds for the purchase of new SCBA to be used by the Hawai‘i Fire Department.

Reference: Comm. 1011
Intr. by: Ms. Eoff
Waived: FC

Authorizes the Mayor to enter into an agreement to provide funds for community organization and the evaluation and planning of a substance abuse prevention system.

Reference: Comm. 1012
Intr. by: Ms. Eoff
Waived: FC
Res. 615-16: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE MULTI-FUNCTION COPY MACHINE FOR THE DEPARTMENT OF FINANCE

Authorizes the Mayor to enter into a five-year lease agreement for one multi-function copier for the Department’s Treasury Division.

Reference: Comm. 1013
Intr. by: Ms. Eoff
Waived: FC

Res. 616-16: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR MULTI-YEAR LEASES FOR TWO MULTI-FUNCTION COPY MACHINES FOR THE DEPARTMENT OF HUMAN RESOURCES

Authorizes the Mayor to enter into five-year lease agreements for two multi-function copiers.

Reference: Comm. 1016
Intr. by: Ms. Eoff
Waived: FC

Res. 619-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO BASIC IMAGE, INC., FOR THE 13TH ANNUAL HONOLI'I PĀKA ALOHA HONUA SURFING CLASSIC AND VARIOUS PARK IMPROVEMENT PROJECTS

Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 1018
Intr. by: Ms. Poindexter
Res. 620-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO BASIC IMAGE, INC., FOR THE 2017 HONOLI‘I PĀKA ALOHA HONUA SURFING CLASSIC AND VARIOUS PARK IMPROVEMENT PROJECTS
Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 1019
Intr. by: Ms. Eoff

BILLS FOR ORDINANCES (FIRST READING)

Bill 229 (Draft 2): AMENDS CHAPTER 18, ARTICLE 4, SECTION 18-90 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO HELE-ON BUS FARES
Adds a one-way fare of $4.00 for the Hele-On Kākoʻo Paratransit system, which provides transportation services to persons eligible through the Americans with Disabilities Act.

Reference: Comm. 985.5
Intr. by: Mr. Paleka
Approve: PSMTC-21

Increases revenues in the Federal Grants – Assistance to Firefighters Grant account ($1,369,493); and appropriates the same to the Assistance to Firefighters Grant account. Funds would be used to purchase new self-contained breathing apparatus to be used by the Hawai‘i Fire Department.

Reference: Comm. 1011
Intr. by: Ms. Eoff
Waived: FC
**Bill 233:**


Appropriates revenues in the Federal Grants – Substance Abuse Prevention Coordination account ($110,000); and appropriates the same to the Substance Abuse Prevention Coordination account. Funds would be used by the Office of the Prosecuting Attorney for community organization and the evaluation and planning of a substance abuse prevention system.

Reference: **Comm. 1012**  
Intr. by: Ms. Eoff  
Waived: FC

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

**Bill 222:**

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

Adds the Parks and Recreation Wainaku Gym Facility Repairs and Renovation - County project for $2,250,000 to the Capital Budget. Funds for this project shall be provided from General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources ($2,250,000). Funds would be used for renovations and upgrades, including structural investigation and repair of the foundation settlement; replacement of ceilings, walls, fixtures, equipment, and furnishings; repair of doors and windows; repainting; and accessibility improvements.

Reference: **Comm. 934**  
Intr. by: Ms. Poindexter  
First Reading: August 17, 2016  
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

**Bill 225:**


Increases revenues in the Federal Grants – Sexual Assault Forensic Examination (SAFE) Program account ($1,586); and appropriates the same to the SAFE Program account. Funds would be used to provide victim services in cases involving crimes against women.

Reference: **Comm. 973**  
Intr. by: Ms. Eoff  
First Reading: August 17, 2016

Increases revenues in the State Grants – Career Criminal Program account ($54,512); and appropriates the same to the Career Criminal Program account. The State has increased its funds to the County for the continuation of the program.

Reference: Comm. 974
Intr. by: Ms. Eoff
First Reading: August 17, 2016

REPORTS

PSMTC-20 (Comm. 983): NOMINATION OF DENISE LAITINEN TO THE FIRE COMMISSION

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 September 2, 2016. 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
- Waimea Council Office, Holomua Center, 64-1067 Māmalahoa Highway, Suite 5.
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, Nāʻālehu;
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapaʻau; and
- Pāhoa Neighborhood Facility, 15-2710 Kauhale Street.

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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Wednesdays, September 14 and 21, 2016, at 6 p.m.; Fridays, September 16 and 23, 2016, at 12 p.m.; and Sundays, September 18 and 25, 2016, 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/.)