COUNTY COUNCIL

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

26th Session

ORDER OF BUSINESS

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

November 15, 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  September 20, 2017

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 326-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HUI ALOHA ‘O PUNA MAKAI TO SUPPORT ITS HANA LIMA ‘O PUNA PROJECT

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 486
Intr. by: Ms. O’Hara
Postponed: October 18, 2017

(Note: There is a motion by Ms. O’Hara, seconded by Ms. Lee Loy, to approve Res. 326-17.)
Res. 375-17: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OFFICE OF RESEARCH SERVICES, UNIVERSITY OF HAWAI‘I
Provides $7,999.20 from the Department of Research and Development to the Office of Research Services, University of Hawai‘i, to fund its “Improving Sustainability of Sweet Potato through Virus-tested, Tissue-culture Technology” proposal. Funds would be used to conduct farm trials comparing yields of sweet potatoes grown from a commercial source of cuttings with those of virus-tested, tissue-cultured planting materials, and graft plant material to multiply existing sweet potato viruses to reach detection levels.

Reference: Comm. 552
Intr. by: Ms. David (B/R)
Approve: FC-57

Res. 379-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE DEPARTMENT OF PARKS AND RECREATION’S SPORTS WORKSHOPS AND TRAINING CLINICS
Transfers $7,500 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Parks and Recreation, Division Other Current Expenses account.

Reference: Comm. 561
Intr. by: Ms. Poindexter

Res. 380-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE CIVIL DEFENSE AGENCY TO PURCHASE COMMUNITY EMERGENCY RESPONSE TEAM COMMUNICATIONS EQUIPMENT FOR PA‘AUILO AND LAUPĀHOEHOE
Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Civil Defense Agency, Other Current Expenses account.

Reference: Comm. 562
Intr. by: Ms. Poindexter
Res. 381-17: 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 LITTLE FIRE ANT IDENTIFICATION EVENT HELD AT THE WEST HAWAIʻI CIVIC CENTER
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 563
Intr. by: Mr. Kanuha

Res. 382-17: 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 LITTLE FIRE ANT IDENTIFICATION EVENT AT THE WEST HAWAIʻI CIVIC CENTER
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 564
Intr. by: Ms. Eoff

Res. 383-17: 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 HOLUALOA VILLAGE OHANA TO SUPPORT ITS 21ST ANNUAL MUSIC AND LIGHT FESTIVAL
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Research and Development, Tourism Promotion account.

Reference: Comm. 565
Intr. by: Mr. Kanuha
**Res. 384-17:** 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 PUNA COMMUNITY MEDICAL CENTER TO SUPPORT ITS “UNINSURED FUND” Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Research and Development, Hawaiʻi County Resource Center account.

Reference: [Comm. 566](#)
Intr. by: Ms. O’Hara

**Res. 385-17:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO KEALAKEHE HIGH SCHOOL GRAD FOR EXPENSES RELATING TO ITS 2018 KEALAKEHE PROJECT GRAD EVENT Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Liquor Control, Public Programs account.

Reference: [Comm. 567](#)
Intr. by: Ms. Eoff

**Res. 386-17:** 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 REIMBURSEMENT OF EXPENSES RELATED TO THE 2017 HAWAI’I ISLAND VETERANS DAY PARADE Transfers $1,000 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. 568](#)
Intr. by: Ms. Eoff
Res. 394-17:  
AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OFFICE OF RESEARCH SERVICES, UNIVERSITY OF HAWAI‘I  
Provides $25,000 from the Department of Research and Development to the Office of Research Services, University of Hawai‘i, to fund its “Cacao Fermentation and Value-added Processing in Hawai‘i County” research proposal. Funds would be used to identify high-yielding cacao trees in varying production regions and evaluate the effects of fermentation practices and artificial drying methods used to improve the quality of the chocolate product.  
Reference: Comm. 581  
Intr. by: Ms. David (B/R)  
Waived: FC

Res. 395-17:  
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 COVO FOUNDATION FOR THE 2017 FILIPINO-AMERICAN HERITAGE MONTH CELEBRATION AND BARRIO FIESTA  
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Research and Development, Hawai‘i County Resource Center account.  
Reference: Comm. 584  
Intr. by: Mr. Kanuha

Res. 396-17:  
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 KONA TAHI FETE EDUCATIONAL AND CULTURAL ASSOCIATION FOR ITS KONA TAHI FETE 2017 FESTIVAL  
Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Parks and Recreation, Administration Other Current Expenses account.  
Reference: Comm. 585  
Intr. by: Ms. Lee Loy
BILLS FOR ORDINANCES (FIRST READING)

Bill 73: AMENDS ORDINANCE NO. 17-40, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018

Adds the Parks and Recreation Kahalu'u Beach Park Improvements project for $600,000 to the Capital Budget. Funds for this project shall be provided from the General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources. Funds would be used for the planning and design phase of the project.

Reference: Comm. 551
Intr. by: Mr. Kanuha
Approve: FC-58
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

Bill 74: AMENDS ORDINANCE NO. 17-40, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018

Adds the Public Works Kalaniana‘ole Avenue Improvements – Fair Share project for $400,000 to the Capital Budget. Funds for this project shall be provided from the Fair Share Contributions. Allows fair share funds in the South Hilo District to be used towards the project.

Reference: Comm. 553
Intr. by: Ms. David (B/R)
Approve: FC-59
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
Bill 79:

AMENDS ORDINANCE NO. 17-40, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018

Adds the Environmental Management Lono Kona Improvement District – County project for $1,698,000 and Lono Kona Improvement District – Federal project for $4,025,000 to the Capital Budget. Funds for this project shall be provided from the General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources ($1,698,000) and Federal Grants Receivable ($4,025,000). Funds would be used for the acquisition of easements, design, and construction of this public sewer system improvement project.

Reference: Comm. 582
Intr. by: Ms. David (B/R)
Waived: FC
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 69 (Draft 2):

AMENDS ORDINANCE NO. 03-108 WHICH RECLASSIFIED LANDS FROM SINGLE-FAMILY RESIDENTIAL – 10,000 SQUARE FEET (RS-10) TO INDUSTRIAL-COMMERCIAL MIXED - 20,000 SQUARE FEET (MCX-20) AT WAIĀKEA, SOUTH HILO, HAWAI‘I, COVERED BY TAX MAP KEY: 2-2-050:014 (Applicant: Kāwili Development, LLC) (Area: 22,500 Square Feet)

The Windward Planning Commission forwards its favorable recommendation for this amendment, which would allow a time extension for completion of construction and payment of the water commitment fee. The project is located at the corner of the intersection of East Kāwili Street and Hīnano Street and provides for an approximately 11,600 square foot building for office/retail spaces to be occupied by the Veterans Administration.

Reference: Comm. 481.1
Intr. by: Ms. Eoff (B/R)
First Reading: November 2, 2017
Bill 70: AMENDS ORDINANCE NO. 17-40, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018

Adds the Civil Defense Land Mobile Radio Upgrade project for $5 million to the Capital Budget. Funds for this project shall be provided from the General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources. Funds would be used to complete Phase 2 of the project, which requires the building of three new sites, surveying radio tower sites, and radio tower repairs.

Reference: Comm. 508
Intr. by: Ms. David (B/R)
First Reading: November 2, 2017
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

Bill 71: AMENDS ORDINANCE NO. 17-40, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018

Adds the Civil Defense Microwave System Replacement project for $3 million to the Capital Budget. Funds for this project shall be provided from the General Obligation Bonds, Capital Projects Fund - Fund Balance and/or Other Sources. Funds would be used to replace the County’s microwave system at 19 radio sites located around the island.

Reference: Comm. 509
Intr. by: Ms. David (B/R)
First Reading: November 2, 2017
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
Bill 75: 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 – Violent Crimes Unit account ($50,000); and appropriates the same to the Violent Crimes Unit account. Funds would be used to reimburse the Hawaiʻi Police Department overtime pay incurred by its officers while working with the FBI on the Safe Streets/Violent Crimes Task Force.

Reference: Comm. 555
Intr. by: Ms. David (B/R)
First Reading: November 2, 2017

Bill 76: AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Increases revenues in the Federal Grants – State Homeland Security Program Fiscal Year 2017 account ($105,000); and appropriates the same to the State Homeland Security Program Fiscal Year 2017 account for a total appropriation of $705,000. Funds would be used to purchase specialized equipment to sustain and enhance emergency management capabilities at the State and local government level.

Reference: Comm. 556
Intr. by: Ms. David (B/R)
First Reading: November 2, 2017

Bill 77: AUTHORIZES THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF HAWAIʻI IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $2,437,000 FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF CONSTRUCTING A PUBLIC SEWER SYSTEM SERVING THE LONO KONA SUBDIVISION; FIXES THE FORM, DENOMINATION, AND CERTAIN DETAILS OF SUCH BONDS; PROVIDES FOR THE ISSUANCE AND SALE OF SUCH BONDS; AND PROVIDES FOR OTHER MATTERS OR ACTIONS PERTAINING TO THE ISSUANCE AND SALE OF THE BONDS

The sale of $2,437,000 of general obligation bonds to the USDA will allow the County to secure payment of a loan in the same amount from the USDA to be used to finance a portion of the costs of this project.

Reference: Comm. 557
Intr. by: Ms. David (B/R)
First Reading: November 2, 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 November 13, 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 Susan L. K. Lee Loy, Eileen O’Hara, and Valerie T. Poindexter 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 4:30 p.m. or later in the event public testimony has not been completed:

- **Pāhoa Council Office, 15-2879 Pāhoa Village Road; and**
- **Waimea Council Office, Parker Square, 65-1279 Kawaihae Road, Suite 109.**

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; and**
- **Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapa‘au.**
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 Clerk-Council 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, Hawaiʻi, 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 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).