ORDER OF BUSINESS

Hawaiʻi County Building
25 Aupuni Street
Hilo, Hawaiʻi

April 5, 2017
9:00 a.m.

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

INVOCATION

Captain Celestine Ruwethin of Hilo Salvation Army Temple Corps

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 January 5, 2017

COMMUNICATIONS

ORDER OF RESOLUTIONS

   The new contract would be for three years with the option of two one-year extensions, with an anticipated start date of July 1, 2017.
   Reference: Comm. 140
   Intr. by: Ms. David (B/R)
   Negative: FC-9 (Due to a vote of 9-noes)

   The roadway contains an area of 11,237 square feet and would be used for public road purposes.
   Reference: Comm. 142
   Intr. by: Ms. Ruggles
   Approve: PWPRC-1
Res. 116-17: 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 EDUCATIONAL SPORTS WORKSHOPS

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Parks and Recreation, Division Other Current Expenses account.

Reference: Comm. 166
Intr. by: Ms. Eoff

Res. 117-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO ANEKONA OULI KANEHOA VFD COMPANY TO CONSTRUCT A GARAGE FOR VOLUNTEER FIRE COMPANY, 9-BRAVO

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Hawai‘i Fire Department, Training and Volunteer Other Current Expenses account.

Reference: Comm. 167
Intr. by: Ms. Eoff

Res. 118-17: 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 THE LIBRARIES HĀMĀKUA TO ASSIST WITH EXPENSES RELATED TO THE HONOKA‘A LIBRARY 80TH ANNIVERSARY CELEBRATION

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Research and Development, Hawai‘i County Resource Center account.

Reference: Comm. 168
Intr. by: Ms. Poindexter
Res. 119-17: AWARDS A PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION MAINTENANCE STEWARDSHIP GRANT TO PŌHĀHĀ I KA LANI

Approves a grant of $94,500 to Pōhāhā I Ka Lani to protect, preserve, and restore the Waipi‘o Valley Lookout property (Tax Map Key: 4-8-004:006), pursuant to Section 10-16 of the Hawai‘i County Charter.

Reference: Comm. 169
Intr. by: Ms. Poindexter
Waived: FC

; and

Comm. 169.1: From Finance Committee Chairperson Maile David, dated March 24, 2017, requesting that this matter be waived to the full Council for immediate action.

Res. 120-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO CAMP AGAPE HAWAI‘I TO ASSIST WITH TUITION FOR HAWAI‘I ISLAND CHILDREN TO ATTEND THE 2017 CAMP AGAPE

Transfers $2,500 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. 170
Intr. by: Ms. O’Hara

Res. 121-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO CAMP AGAPE HAWAI‘I TO ASSIST WITH EXPENSES ASSOCIATED WITH THE 2017 CAMP AGAPE – BIG ISLAND

Transfers $2,000 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. 171
Intr. by: Ms. Eoff
Res. 122-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ACQUIRE A PASSENGER VAN FOR THE DEPARTMENT OF PARKS AND RECREATION, ELDERLY ACTIVITIES DIVISION

Transfers $3,051 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Parks and Recreation, Coordinated Services County Other Current Expenses account.

Reference: Comm. 172
Intr. by: Ms. Eoff

Res. 123-17: 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 FOR THE 2017 WAIĀKEA HIGH SCHOOL PROJECT GRAD NIGHT

Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 173
Intr. by: Ms. Lee Loy

Res. 124-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO PUNA COMMUNITY MEDICAL CENTER TO ASSIST WITH MEDICAL SUPPLIES

Transfers $5,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Research and Development, Hawai‘i County Resource Center account.

Reference: Comm. 174
Intr. by: Ms. Ruggles
Res. 125-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE POLICE DEPARTMENT’S BIKE PATROL PROGRAM IN COUNCIL DISTRICT 2

Transfers $3,500 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Police Department, South Hilo-Other Current Expenses account.

Reference: Comm. 176
Intr. by: Mr. Chung

Res. 126-17: 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 HALE MUA CULTURAL GROUP TO ASSIST THE ROYAL ORDER OF KAMEHAMEHA I, MĀMALAHOA, WITH THE REHABILITATION OF KAMEHAMEHA HALL

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Research and Development, Hawai‘i County Resource Center account.

Reference: Comm. 177
Intr. by: Ms. Lee Loy

Res. 127-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST WITH THE COUNTY’S 20 PERCENT COST-MATCH WITH THE STATE FOR THE ACQUISITION OF TWO VANS FOR THE DEPARTMENT OF PARKS AND RECREATION, ELDERLY ACTIVITIES DIVISION IN EAST HAWAI‘I

Transfers $6,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Parks and Recreation, Coordinated Services County Other Current Expenses account.

Reference: Comm. 178
Intr. by: Mr. Chung
**Res. 128-17:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO DARE HAWA‘I TO PAY FOR TRANSPORTATION SERVICES FOR HILO INTERMEDIATE SCHOOL STUDENTS PARTICIPATING IN THE 2017 DARE DAY CELEBRATION

Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 179
Intr. by: Mr. Chung

**Res. 129-17:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO ARTS & SCIENCES CENTER TO PURCHASE EQUIPMENTS FOR ITS VIDEO PRODUCTION PROGRAM

Transfers $4,500 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Research and Development, Big Island Film Office account.

Reference: Comm. 180
Intr. by: Ms. O’Hara

**Res. 131-17:** APPROVES AND ADOPTS THE 2017 COUNTY OF HAWA‘I ACTION PLAN FOR THE COUNTY OF HAWA‘I COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZES THE MAYOR OF THE COUNTY OF HAWA‘I TO EXECUTE AND SUBMIT THE ACTION PLAN AND ALL OTHER RELATED DOCUMENTS TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

The County’s Office of Housing and Community Development anticipates a CDBG allocation of $2.5 million from HUD and program income of $100,000 for a total of $2.6 million of CDBG funds for Program Year 2017. Funds would be used towards projects that benefit persons of low and moderate income throughout Hawai‘i Island.

Reference: Comm. 184
Intr. by: Ms. David (B/R)
Waived: FC
Res. 132-17: APPOINTS THE HAWAI‘I COUNTY COUNCIL REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO SERVE ON THE HAWAI‘I STATE ASSOCIATION OF COUNTIES (HSAC) EXECUTIVE COMMITTEE AND NOMINATES A REPRESENTATIVE TO SERVE AS A DIRECTOR ON THE WESTERN INTERSTATE REGION (WIR) BOARD OF DIRECTORS

Appoints Dru Mamo Kanuha as Representative and Valerie T. Poindexter as Alternate Representative to the HSAC Executive Committee and nominates Dru Mamo Kanuha to serve as WIR Director for the term beginning July 1, 2017.

Reference: Comm. 188
Intr. by: Mr. Kanuha
Waived: GREDC

Res. 133-17: APPROVES THE HAWAI‘I STATE ASSOCIATION OF COUNTIES’ (HSAC) FISCAL YEAR 2018 PROPOSED ANNUAL OPERATING BUDGET

Requests the Council’s approval of HSAC’s proposed annual operating budget for Fiscal Year 2018.

Reference: Comm. 189
Intr. by: Mr. Kanuha
Waived: GREDC


Authorizes the employment of special counsel, at a cost of no more than $185 per hour, not to exceed $50,000, for a period not to exceed six months.

Reference: Comm. 190
Intr. by: Mr. Chung
Waived: FC
Note: Requires 2/3 vote of the entire membership, pursuant to Section 6-5.5, Hawai‘i County Charter
Res. 135-17: URGES THE HONORABLE MAYOR HARRY KIM TO RESCIND THE TERMINATION OF THE CONTRACT ISSUED PURSUANT TO THE REQUEST FOR PROPOSAL NO. 3298: FOR FURNISHING AND IMPLEMENTING AN ORGANICS DIVERSION PROGRAM IN EAST HAWAI‘I AND WEST HAWAI‘I FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO BEST MEET HAWAI‘I COUNTY’S SOLID WASTE MANAGEMENT GOALS
Urges the Mayor to rescind the “Termination for Convenience” notice to the Contractor, dated February 16, 2017, to best insure that the County’s solid waste management goals are achieved.

Reference: Comm. 191
Intr. by: Ms. O’Hara
Waived: FC

BILLS FOR ORDINANCES (FIRST READING)

Amends Schedule 28 (No parking at anytime), Subsection (c), South Hilo, by repealing an existing provision for a portion of Holomua Street.

Reference: Comm. 143
Intr. by: Ms. Ruggles (B/R)
Approve: PWPRC-2

Amends Schedule 29 (Parking prohibited during certain hours on certain streets; tow-away zone), Subsection (c), South Hilo, by repealing existing provisions for portions of Derby Lane and Wilson Street.

Reference: Comm. 144
Intr. by: Ms. Ruggles (B/R)
Approve: PWPRC-3
**Bill 24:** AMENDS ORDINANCE NO. 16-72, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2017

Appropriates revenues in the Federal – 2017 Block Grant account ($2.5 million) and Block Grant – Program Income account ($100,000); and appropriates the same to the Hilo Adult Day Care – Construction ($800,000); Residential Repair Program ($354,645); Kula‘imano Elderly Renovations ($670,355); Food Basket – Emergency Food Transport – Acquisition ($200,000); Boys & Girls Club Facility Improvements – Fencing ($125,000); and Administration, Planning & Fair Housing ($450,000) accounts. Funds would be used towards projects that benefit persons of low and moderate income throughout Hawai‘i Island.

Reference: Comm. 184
Intr. by: Ms. David (B/R)
Waived: FC

**Bill 25:** AUTHORIZES THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF HAWAI‘I IN A PRINCIPAL AMOUNT NOT TO EXCEED $4,105,000 FOR THE PURPOSE OF FUNDING A PORTION OF THE COSTS OF A WATER DEPARTMENT PROJECT REFERRED TO AS THE PAPAIKOU TRANSITE & G. I. (GALVANIZED IRON) PIPELINE REPLACEMENT; FIXES THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDES FOR THE SALE THEREOF; AND AUTHORIZES THE TAKING OF OTHER ACTIONS RELATING TO THE ISSUANCE AND SALE OF THE BONDS

Authorizes the issuance of up to $4,105,000 in general obligation bonds, as requested by the Department of Water Supply, to replace undersized and aging asbestos cement and galvanized waterlines.

Reference: Comm. 185
Intr. by: Ms. David (B/R)
Waived: FC
ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 10: AMENDS ORDINANCE NO. 12-111 WHICH AMENDED ORDINANCE NO. 99-116 WHICH AMENDED ORDINANCE NO. 96-159 WHICH AMENDED SECTION 25-8-33 (CITY OF HILO ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED) (formerly referred to as Section 25-114, City of Hilo Zone Map, Article 3, Chapter 25, Zoning Code), BY CHANGING THE DISTRICT CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL – 10,000 SQUARE FEET (RS-10) TO NEIGHBORHOOD COMMERCIAL – 7,500 SQUARE FEET (CN-7.5) AT WAIĀKEA, SOUTH HILO, HAWAI‘I, COVERED BY TAX MAP KEYS: 2-2-044:003, 031,032, 035, AND 037 (Applicant: Rhodes Moore, LLC (formerly Graphic Images Hawai‘i, Inc.))
(Area: 322,414 square feet)
The Windward Planning Commission forwards its favorable recommendation for amendments to Conditions C, G, and Q of Change of Zone Ordinance No. 12-111, which would: 1) Grant a time extension to secure final subdivision approval; 2) Modify the timing of installing drainage improvements; and 3) Reduce the fair share contribution provision for this assisted living facility.

Reference: Comm. 81
Intr. by: Ms. Eoff
First Reading: March 8, 2017

; and

Comm. 81.3:
From Council Chairwoman Valerie T. Poindexter, dated March 15, 2017, transmitting a request to place Bill 10 on the April 5, 2017, Council agenda.

Increases revenues in the Elderly Recreation Services (ERS) Section Activities account ($40,000); and appropriates the same to the ERS Section Activities account for a total of $150,000. The increase in funds would be used to accommodate the higher than expected enrollment of seniors in the ERS program.

Reference: Comm. 164
Intr. by: Ms. David (B/R)
First Reading: March 22, 2017

Appropriates revenues in the Federal Grants – Walk with Ease Program account ($2,500); and appropriates the same to the Walk with Ease Program account. Funds would be used to train two instructors, and provide participant booklets and activities to encourage participation in the Walk with Ease pilot program.

Reference: Comm. 165
Intr. by: Ms. David (B/R)
First Reading: March 22, 2017

REPORTS

PC-6 (Comm. 160):
NOMINATION OF NESTORIO LAGUA DOMINGO TO THE WATER BOARD
Requires Council Confirmation by: April 16, 2017 (Section 13-4(l), Hawai’i County Charter)

PC-7 (Comm. 161):
NOMINATION OF WILLIAM DON BOSWELL, JR., TO THE WATER BOARD
Requires Council Confirmation by: April 16, 2017 (Section 13-4(l), Hawai’i County Charter)

PC-8 (Comm. 162):
NOMINATION OF JOSEPH B. CLARKSON TO THE WINDWARD PLANNING COMMISSION
Requires Council Confirmation by: April 16, 2017 (Section 13-4(l), Hawai’i County Charter)

AWESC-1 (Comm. 159):
NOMINATION OF BRONSTEN-GLEN KOSSOW TO THE HAWAI’I GAME MANAGEMENT ADVISORY COMMISSION
Requires Council Confirmation by: April 16, 2017 (Section 13-4(l), Hawai’i County Charter)

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 April 3, 2017. 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
- Pāhoa Council Office, 15-2879 Pāhoa Village Road.

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; and
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapa‘au.

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).

**Viewing of Meetings on Government Access Television - Channel 55:**

Wednesdays, April 12 and 19, 2017, at 6 p.m.; Fridays, April 14 and 21, 2017, at 12 p.m.; and Sundays, April 16 and 23, 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/).)