INVOCATION

Pastor John Endriss of Engage Church Hilo

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 December 19, 2018

COMMUNICATIONS

Comm. 74: REPORT OF ATTENDANCE OF COUNCIL MEMBERS CHUNG, POINDEXTER, AND RICHARDS AT A COMMUNITY MEETING TO HEAR PRESENTATIONS BY TWO AIRLINE CARRIERS CURRENTLY BEING CONSIDERED FOR THE ESSENTIAL AIR SERVICE AT THE WAIMEA-KOHALA AIRPORT, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 92-2.5(e)

From Council Member Tim Richards, dated January 15, 2019.

ORDER OF RESOLUTIONS

Res. 30-19: AUTHORIZES THE ACCEPTANCE OF MONETARY DONATIONS TOTALING $170,355 FOR DISASTER RELIEF FROM THE 2018 LAVA FLOW

Accepts donations from various private sources, as follows: Puna Geothermal Venture ($150,000), Tokyoto Oshimamachi ($18,274.22), Saishoin Temple ($2,000), and Sister City Mayor Inoue ($80.44). Funds would be used to help offset costs incurred relating to the 2018 lava disaster in the lower Puna region.

Reference: Comm. 52
Intr. by: Ms. David (B/R)
Approve: FC-10

Authorizes the continued retention of the Law Offices of Brian J. De Lima at an amount not to exceed the total sum of $90,000 plus costs as the Office of the Corporation Counsel is precluded from representing individuals in criminal matters.

Reference: Comm. 82
Intr. by: Ms. David (B/R)
Waived: FC
Note: Requires 2/3 vote of the entire membership, pursuant to Section 6-5.5, Hawai‘i County Charter

Res. 40-19: 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 COLOR COPY MACHINE FOR THE DEPARTMENT OF LIQUOR CONTROL

Authorizes the Mayor to enter into a five-year lease agreement at an approximate monthly cost of $300, to be used by the department’s Hilo office.

Reference: Comm. 83
Intr. by: Ms. David (B/R)
Waived: FC
BILLS FOR ORDINANCES (FIRST READING)

Bill 210:  
(2016-2018)  
AMENDS CHAPTER 21, ARTICLE 4, OF THE HAWAIʻI COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO SEWER SERVICE CHARGES
Increases sewer fees incrementally on March 1 for three years beginning in 2019, as follows: Single Unit Residential: $12, $7, and $6; Multi-Unit Residential: $12, $7, and $6; Nonresidential: $17, $9, and $6; Private Haulers: $15, $10, and $5; and Gang Cesspools: $0, $6, and $3. The Department of Environmental Management requests these increases to eliminate the need for the General Fund subsidy and increase funding for facility repairs.

Reference:  
Comm. 1165  
Intr. by:  
Ms. David (B/R)  
Approve:  
FC-5  
Postponed:  
January 23, 2019

(Note: There is a motion by Ms. David, seconded by Ms. Villegas, to approve Bill 210.)

; and

Bill 12:  
AMENDS ORDINANCE NO. 18-68, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2019
Appropriates revenues in the Contribution from Private Source account ($170,355); and appropriates the same to the 2018 Lava Disaster Relief-Private account. Funds would be used to help offset costs incurred relating to the 2018 lava disaster in the lower Puna region.

Reference:  
Comm. 52  
Intr. by:  
Ms. David (B/R)  
Approve:  
FC-11

 Comm. 23.2:  
Bill 20: AUTHORIZES THE MAYOR OF THE COUNTY OF HAWAI‘I TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR SOLID WASTE IMPROVEMENT PROJECTS; AND AUTHORIZES THE ISSUANCE OF $1,500,000 OF GENERAL OBLIGATION BONDS OF THE COUNTY OF HAWAI‘I FOR THE PURPOSE OF FINANCING THE LANIHUA WASTEWATER PUMP STATION FORCE MAIN REPLACEMENT Funds would be used to replace a 677-foot section to avoid additional pipe failures and would be repaid by the County over a 20-year term through the issuance of General Obligation Bonds.

Reference: Comm. 84
Intr. by: Ms. David (B/R)
Waived: FC

Bill 21: 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 Amends the project name and increases the Environmental Management Lanihau Wastewater Pump Station Force Main Replacement – State Revolving Fund (SRF) project by $400,000, for a total SRF appropriation of $1.5 million. Funds for this project shall be provided from State Revolving Fund and would be used to replace a 677-foot section of the force main to avoid additional pipe failures.

Reference: Comm. 85
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

Bill 22: AMENDS ORDINANCE NO. 18-68, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2019 Increases revenues in the Federal Grants – Improve Forensic Services account ($33,793); and appropriates the same to the Improve Forensic Services account, for a total of appropriation of $63,793. Funds would be used to provide forensic science training and purchase updated equipment.

Reference: Comm. 86
Intr. by: Ms. David (B/R)
Waived: FC
ORDER OF THE DAY (SECOND OR FINAL READING)

**Bill 1:**

**AMENDS ORDINANCE NO. 99-42 WHICH RECLASSIFIED LANDS FROM OPEN (O) TO PROJECT DISTRICT (PD) AT KAUPULEHU, NORTH KONA, HAWAI‘I, COVERED BY TAX MAP KEY: 7-2-003, PORTION OF 1 (Applicant: KD Acquisition, LLLP and Hualālai Investors, LLP; formerly Kaupulehu Developments) (Area: approximately 1,078.63 Acres)**

The Leeward Planning Commission forwards its favorable recommendation to accept the Overall Status Report required by Condition BB, and to grant a 20-year time extension to Condition B (Development Period). Implementation of the public access plan shall be completed within one year from the effective date of this amended Project District Ordinance. Costs for improvements required by Conditions M and N shall be credited against the sum specified in Condition W(5) for road and traffic improvements. The property, known as the Kaupulehu Project District, is located between the 87 and 84 mile markers of the Queen Ka‘ahumanu Highway.

Reference: Comm. 13.5

Intr. by: Ms. Kierkiewicz

First Reading: January 23, 2019

**Bill 2:**


Appropriates revenues in the State Grants-DCCA – HI-WiFi Pilot account ($100,000); and appropriates the same to the DCCA – HI-WiFi Pilot account. Funds would be used to increase access to affordable internet and broadband services in unserved and underserved areas in Hawai‘i County.

Reference: Comm. 14

Intr. by: Ms. David (B/R)

First Reading: January 23, 2019
**Bill 3:**


Increases revenues in the State Grants – Commercial Driver’s License Program account ($1,759); and appropriates the same to the Commercial Driver’s License Program Other Current Expenses account. Funds would be used by the Finance Department’s Vehicle Registration and Licensing Division for travel costs to send a County Commercial Driver’s License instructor to Honolulu to instruct a Commercial Driver’s License Examiner class and gain experience with testing protocols.

Reference: Comm. 15
Intr. by: Ms. David (B/R)
First Reading: January 23, 2019

**Bill 4:**

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 Public Works Dispatch Center project for $500,000 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. The new Fire and Police Dispatch Center would be located at Mohouli Street in Hilo.

Reference: Comm. 16
Intr. by: Ms. David (B/R)
First Reading: January 23, 2019
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter
Bill 5:


The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to subdivide the property into 30 lots. The application states that the subdivided lots will be sold on the open market to the general public. The property is located along the south side of Haihai Street.

Reference: Comm. 27
Intr. by: Ms. Kierkiewicz (B/R)
First Reading: January 23, 2019

Bill 6:

AMENDS ORDINANCE NO. 07-26, WHICH RECLASSIFIED LANDS FROM OPEN (O) TO MULTIPLE FAMILY RESIDENTIAL - 1,000 SQUARE FEET (RM-1) AT WAIĀKEA, SOUTH HILO, HAWAI‘I, COVERED BY TAX MAP KEY: 2-4-057:029, PORTION 030 AND PORTION 031 (FORMERLY 2-4-057:001) (Applicant: Hawai‘i Island Veterans Memorial, Inc.) (Area: 4.888 Acres)

The Windward Planning Commission forwards its favorable recommendation to grant a 10-year time extension to Condition C (Complete Construction), and its unfavorable recommendation to defer the requirements of Condition B (Water Commitment) and delete Condition F (Install Street Lights and Traffic Controls). The applicant’s current plan is to establish the Ka Hui Koa development project consisting of approximately 96 rental housing units and a community center, located at the north corner of the Kāwili Street and Kapi‘olani Street intersection.

Reference: Comm. 28
Intr. by: Ms. Kierkiewicz (B/R)
First Reading: January 23, 2019
Bill 7: 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 Public Works Ali‘i Drive Culvert Replacement – Fair Share project for $2.2 million to the Capital Budget. Funds for this project shall be provided from Fair Share Contributions. Funds would account for the County’s 20 percent portion of costs, with remaining funding provided by Federal Highway Administration.

Reference: Comm. 44
Intr. by: Ms. Villegas (B/R)
First Reading: January 23, 2019
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

Increases revenues in the Federal Grants – Traffic Safety Training Project account ($3,228); and appropriates the same to the Traffic Safety Training Project account, for a total appropriation of $143,228. Funds would be used to pay for a representative of the Office of the Prosecuting Attorney to attend traffic safety meetings and provide traffic safety training for law enforcement personnel.

Reference: Comm. 60
Intr. by: Ms. David (B/R)
First Reading: January 23, 2019

Bill 14: AMENDS ORDINANCE NO. 18-68, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2019
Appropriates revenues in the Federal Grants – Hawaiʻi Criminal Justice Center-Overdue Dispositions account ($7,000); and appropriates the same to the Hawaiʻi Criminal Justice Center-Overdue Dispositions account. Funds would be used to reimburse overtime costs incurred by staff of the Office of the Prosecuting Attorney while they research cases with overdue dispositions identified by the HCJDC.

Reference: Comm. 61
Intr. by: Ms. David (B/R)
First Reading: January 23, 2019
REPORTS

PSC-5  NOMINATION OF THOMAS BROWN TO THE POLICE COMMISSION
(Comm. 51):

Requires Council Confirmation by: February 16, 2019 (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.

If you need an auxiliary aid/service or other accommodation due to a disability, call 961-8255 as soon as possible, preferably by February 1, 2019. If a response is received after February 1, 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 Keohokalole Highway, Building A; and

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;
• 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 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, Hawai‘i, 96720; (2) by facsimile to (808) 961-8912; or (3) by email to [counciltestimony@hawaiicounty.gov](mailto: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](mailto: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).

**Viewing of Meetings is Available on Public, Education, and Government Television.** Please call Na Leo TV at (808) 935-8874 for Channel 55 schedule of Council and Committee meetings.