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

51st Session

ORDER OF BUSINESS

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

October 5, 2016
9:00 a.m.

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

INVOCATION
Reverend Bryan Siebuhr of Honpa Hongwanji Hilo Betsuin

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 22, 2016

COMMUNICATIONS

ORDER OF RESOLUTIONS

The lot contains an area of 1.082 acres and would be used for roadway purposes.

Reference: Comm. 1017
Intr. by: Ms. Poindexter
Approve: PWPRC-48

Res. 634-16: RELATES TO A COUNCIL INITIATED IMPROVEMENT DISTRICT TO FACILITATE CONSTRUCTION OF PERMANENT IMPROVEMENTS TO IKI PLACE AT KOHANAIKI HOMESTEADS, KOHANAIKI, NORTH KONA, HAWAI‘I, INCLUDING IMPROVEMENT OF THE WATER DISTRIBUTION SYSTEM TO COUNTY STANDARDS, IN ACCORDANCE WITH CHAPTER 12 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED) RELATING TO IMPROVEMENTS BY ASSESSMENTS
Initiates the improvement district described above and directs the Manager-Chief Engineer of the Department of Water Supply to prepare and submit to the Council a report pursuant to Chapter 12, Article 2, Section 12-10(a), of the Hawai‘i County Code.

Reference: Comm. 1035
Intr. by: Ms. Eoff
Approve: FC-75
Res. 644-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO A DREAM COME TRUE TO ASSIST WITH ITS FUNDRAISING EVENTS TO HELP MAKE DREAMS COME TRUE FOR SERIOUSLY ILL CHILDREN ON HAWAI‘I ISLAND

Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Hawai‘i Fire Department, Protection Other Current Expenses account.

Reference: Comm. 1051
Intr. by: Ms. Eoff

Res. 645-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO A DREAM COME TRUE FOR AN ICE CREAM PARTY TO RAISE FUNDS FOR SERIOUSLY ILL CHILDREN ON HAWAI‘I ISLAND

Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Hawai‘i Fire Department, Protection Other Current Expenses account.

Reference: Comm. 1052
Intr. by: Ms. David

Res. 646-16: 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 FRIENDS OF LILI‘UOKALANI GARDENS FOR THE MAINTENANCE AND IMPROVEMENT OF LILI‘UOKALANI GARDENS

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. 1053
Intr. by: Mr. Onishi
Res. 647-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO SOCIETY FOR KONA’S EDUCATION AND ART TO ASSIST WITH EXPENSES ASSOCIATED WITH MARKETING VARIOUS SOUTH KONA EVENTS
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Research and Development, Tourism Promotion account.

Reference: Comm. 1054
Intr. by: Ms. David

Res. 648-16: 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 $700 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. 1056
Intr. by: Mr. Chung

Res. 649-16: 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 3); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 1057
Intr. by: Mr. Onishi
Res. 650-16: 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 ISLAND OF HAWAI‘I YMCA FOR THE YMCA FAMILY VISITATION CENTER PROGRAM

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 1058
Intr. by: Mr. Onishi

Res. 651-16: 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 HILO HIGH SCHOOL FOUNDATION FOR THE 2016 HILO HIGH SCHOOL KEY CLUB’S STUDENT EXCHANGE WITH OUR SISTER-CITY, SUMOTO CITY, JAPAN

Transfers $865 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 1059
Intr. by: Mr. Onishi

Res. 652-16: 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 PURCHASING SUPPLIES FOR EDUCATION AND TRAINING FOR LITTLE FIRE ANT PESTICIDE TREATMENTS IN COUNCIL DISTRICT 2

Transfers $1,700 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Research and Development, Agriculture Other Current Expenses account.

Reference: Comm. 1060
Intr. by: Mr. Chung
Res. 653-16: 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 MEDIATION INC. FOR ITS PEER MEDIATION PROGRAM
Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Office of the Prosecuting Attorney, Kona Other Current Expenses account.

Reference: Comm. 1063
Intr. by: Ms. Poindexter

Res. 654-16: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE 2016 SURFER’S HEALING HAWAI’I
Transfers $2,000 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. 1064
Intr. by: Ms. Poindexter

Res. 655-16: 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 HĀMĀKUA HEALTH CENTER FOR THE 2016 HĀMĀKUA KOHALA HEALTH WELLNESS FAIR
Transfers $5,000 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. 1065
Intr. by: Ms. Poindexter

The Office of Housing and Community Development has selected the following proposed projects: Mohouli Senior Residences, Phase 4 (32 vouchers), Kaiaulu O Waikoloa (15 vouchers), and Hale Kikaha (up to 23 vouchers).

Reference: Comm. 1067
Intr. by: Ms. Eoff
Waived: FC


Authorizes the Mayor to enter into an agreement to accept $12,000 to reimburse the department for overtime costs incurred by staff to research charges identified by the Hawai‘i Criminal Justice Data Center with overdue dispositions.

Reference: Comm. 1068
Intr. by: Ms. Eoff
Waived: FC

Res. 659-16: AUTHORIZES THE DEPARTMENT OF RESEARCH AND DEVELOPMENT TO AWARD FUNDS TO THE HAWAI‘I COUNTY ECONOMIC OPPORTUNITY COUNCIL

Grant funds in the amount of $96,589 would be used to establish and implement the Little Fire Ant Voucher program.

Reference: Comm. 1070
Intr. by: Ms. Eoff
Waived: FC
BILLS FOR ORDINANCES (FIRST READING)

Bill 234: AMENDS CHAPTER 14, ARTICLE 14, DIVISION 3, SECTION 14-86 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED) RELATING TO STREET NAMES
Allows for two streets in the same judicial district but with different zip codes to share the same name.

Reference: Comm. 1025
Intr. by: Mr. Ilagan
Approve: PC-75

Adds the County parking lot between Kuakini Highway and Likana Lane, from 2 a.m. to 5 a.m., to Schedule 29 (Parking prohibited during certain hours on certain streets; tow away zone), Subsection (f), Kona.

Reference: Comm. 1046
Intr. by: Mr. Kanuha
Approve: PWPRC-49

Appropriates revenues in the Federal Grants – Hawai‘i Criminal Justice Data Center – Overdue Disposition account ($12,000); and appropriates the same to the Hawai‘i Criminal Justice Data Center – Overdue Disposition account. Funds would be used for overtime costs incurred by staff of the Prosecuting Attorney’s Office to research charges identified by the Hawai‘i Criminal Justice Data Center with overdue dispositions.

Reference: Comm. 1068
Intr. by: Ms. Eoff
Waived: FC
Bill 244: 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 Public Works Ane Keohokālole Highway – Hinalani to Kaimanani – Fair Share project for $84,256 to the Capital Budget. Funds for this project shall be provided from Fair Share Contributions ($84,256). Funds would be used for the planning and design of a new major collector road that runs parallel to the Queen Kaʻahumanu Highway.

Reference: Comm. 1069
Intr. by: Ms. Eoff
Waived: FC
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawaiʻi County Charter

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 230: AMENDS CHAPTER 25, ARTICLE 4, DIVISION 5, SECTION 25-4-55 OF THE HAWAIʻI COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO PARKING FOR PERSONS WITH DISABILITIES

The Windward and Leeward Planning Commissions forward their favorable recommendations for this amendment to the zoning code, which would update accessible parking requirements in favor of compliance with applicable Federal and State requirements for a site or facility.

Reference: Comm. 999
Intr. by: Mr. Ilagan (B/R)
First Reading: September 21, 2016

Bill 231: AMENDS SECTION 25-8-2 (NORTH AND SOUTH KONA ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAIʻI COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL – TWENTY ACRES (A-20a) TO AGRICULTURAL – TEN ACRES (A-10a) AT KALOKO, NORTH KONA DISTRICT, HAWAIʻI, COVERED BY TAX MAP KEY: 7-3-048:001

(Applicant: James Juvik) (Area: 21.22 acres)

The Leeward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to subdivide the property into two parcels. The applicant intends to continuously use the lots as residential/agricultural, with existing houses on each lot.

Reference: Comm. 1000
Intr. by: Mr. Ilagan (B/R)
First Reading: September 21, 2016

Increases revenues in the Federal Grants – Hawai‘i County Police Department (HCPD) Roadblock Program Grant account ($11,573); and appropriates the same to the HCPD Roadblock Program Grant account. Funds would be used to increase the number of arrests of drivers operating vehicles while under the influence of alcohol.

Reference: Comm. 1042
Intr. by: Ms. Eoff
First Reading: September 21, 2016


Increases revenues in the Federal Grants – Hawai‘i County Police Department (HCPD) Data Grant account ($10,680); and appropriates the same to the HCPD Data Grant account. Funds would be used to purchase Driver’s License/State ID readers.

Reference: Comm. 1043
Intr. by: Ms. Eoff
First Reading: September 21, 2016


Increases revenues in the Federal Grants – Occupant Protection Program account ($343); and appropriates the same to the Occupant Protection Program account. Funds would be used to enforce seat belt and child restraint laws.

Reference: Comm. 1044
Intr. by: Ms. Eoff
First Reading: September 21, 2016

Increases revenues in the Federal Grants – Speed Enforcement Grant account ($11,068); and appropriates the same to the Speed Enforcement Grant account. Additional funds would be used to purchase a Stalker Speed Awareness Monitor, with a total cost of $103,068.

Reference: Comm. 1045
Intr. by: Ms. Eoff
First Reading: September 21, 2016

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 October 3, 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:
- Conference room adjacent to Intergenerational Building, Kamehameha Park Complex, 54-382 Kamehameha Park Road, Kapaʻau;
- Nāʻālehu State Office Building, 95-5669 Māmalahoa Highway, Nāʻālehu; 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](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).

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Wednesdays, October 12 and 19, 2016, at 6 p.m.; Fridays, October 14 and 21, 2016, at 12 p.m.; and Sundays, October 16 and 23, 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/](http://www.naleo.tv/tv-schedules/channel-55/).)