COUNTY COUNCIL

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

18th Session

ORDER OF BUSINESS

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

July 24, 2019

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

June 4, 2019

COMMUNICATIONS

Comm. 312.2: REPORT OF ATTENDANCE OF COUNCIL MEMBERS KANEALIʻI-KLEINFELDER, KIERKIEWICZ, AND LEE LOY AT A JUNE 26, 2019, MEETING ON THE UPCOMING CLOSURE OF THE SOUTH HILO SANITARY LANDFILL, PURSUANT TO HAWAIʻI REVISED STATUTES SECTION 92-2.5(e)

From Council Member Susan Lee Loy, dated July 3, 2019.

Comm. 355: NOMINATION OF REIKO FORD TO THE TAX BOARD OF REVIEW

From Mayor Harry Kim, dated July 5, 2019, submitting for the Council’s review and confirmation the above nomination.

Waived: FC
Requirements Council Confirmation by: August 18, 2019 (Section 13-4(I), Hawaiʻi County Charter)
ORDER OF RESOLUTIONS

The landholders seek to dedicate the roadway and all improvements for roadway purposes.

Reference: Comm. 334
Intr. by: Ms. Lee Loy
Approve: PWMTC-13

The landholder seeks to dedicate the roadways and all improvements to the County for public roadway purposes.

Reference: Comm. 335
Intr. by: Ms. Lee Loy (B/R)
Approve: PWMTC-14

Res. 205-19: URGES THE ADMINISTRATION TO ACQUIRE HYDROGEN-POWERED BUSES FOR THE MASS TRANSIT AGENCY TO INCREASE THE USE OF CLEAN ENERGY ________________
The acquisition would provide a replacement energy source for public transportation and accelerate the County’s goal to reduce dependence on fossil fuels.

Reference: Comm. 336
Intr. by: Mr. Kaneali‘i-Kleinfelder
Approve: PWMTC-15
Res. 210-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO ‘O KA‘Ū KĀKOU FOR REIMBURSEMENT OF EXPENSES INCURRED AT THE 4TH OF JULY PARADE CELEBRATION AND KEIKI FUN DAY
Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 347
Intr. by: Ms. David

Res. 211-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO FIRST ASSEMBLY OF GOD TO ASSIST WITH EXPENSES FOR THE CONVOY OF HOPE BIG ISLAND COMMUNITY EVENT
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 349
Intr. by: Ms. Lee Loy

Res. 212-19: SUPPORTS THE OBSERVATION OF NATIONAL NIGHT OUT
National Night Out promotes relationship building between communities, law enforcement, and first responders to increase neighborhood safety, and is recognized annually on the 1st Tuesday of August.

Reference: Comm. 350
Intr. by: Ms. Kierkiewicz
Waived: PSC
Res. 213-19: 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 COUNTY ECONOMIC OPPORTUNITY COUNCIL FOR ITS SENIOR FARMER’S MARKET NUTRITION PROGRAM
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Office of Aging, Other Current Expenses account.
Reference: Comm. 351
Intr. by: Ms. David

Res. 214-19: 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, RECREATION DIVISION FOR RECREATIONAL ACTIVITIES, SPECIAL EVENTS, AND MISCELLANEOUS SUPPLIES AND EXPENSES IN DISTRICT 1
Transfers $7,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Department of Parks and Recreation, Recreation Division Other Current Expenses account.
Reference: Comm. 354
Intr. by: Ms. Poindexter

Res. 216-19: PROPOSES AN ALTERNATIVE AMENDMENT IN PLACE OF CHARTER PROPOSAL CA-18, DRAFT 2, RELATING TO THE PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION MAINTENANCE FUND
Adds to Charter Commission Proposal CA-18, Draft 2, that an officer, board member, or employee of a stewardship organization may receive compensation from stewardship grant funding for labor, educational workshops, or maintenance work when those activities are included and approved as part of the stewardship grant proposal.
Reference: Comm. 359
Intr. by: Ms. David and Ms. Eoff
Waived: FC
**Res. 217-19:** TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO FIRST ASSEMBLY OF GOD FOR THE CONVOY OF HOPE BIG ISLAND COMMUNITY EVENT

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 360
Intr. by: Ms. Poindexter

**Res. 218-19:** URGES THE HAWAI‘I DEPARTMENT OF LAND AND NATURAL RESOURCES DIVISION OF BOATING AND OCEAN RECREATION TO CONSULT AND WORK WITH PUNA LAWAI‘A, COMMUNITY MEMBERS WITH FAMILIAL AND CULTURAL TIES TO PUNA, AND THE COUNTY OF HAWAI‘I ON PLANNING AND CONSTRUCTION OF A BOAT RAMP IN PUNA

Requests that the process of reestablishing regional ocean access after the loss of the Pohoiki Boat Ramp include collaboration with local entities and consideration of the impacts to the community, cultural resources, and the environment.

Reference: Comm. 362
Intr. by: Ms. Kierkiewicz
Waived: GREDC
BILLS FOR ORDINANCES (FIRST READING)

Bill 85: AMENDS ORDINANCE NO. 07-105 WHICH RECLASSIFIED LANDS FROM SINGLE-FAMILY RESIDENTIAL – 10,000 SQUARE FEET (RS-10) TO NEIGHBORHOOD COMMERCIAL – 40,000 SQUARE FEET (CN-40) AT WAIĀKEA, SOUTH HILO, HAWAIʻI, COVERED BY TAX MAP KEY: 2-2-039:031, 057, 068, AND 069 (Applicant: AutoZone Parts, Inc., formerly Ginger Patch DP, LLC) (Area: approximately 88,317 Square Feet)
The Windward Planning Commission forwards its favorable recommendation for this amendment, which would allow a five-year time extension to Condition C (Time to Complete Conversion) and modify 10 conditions to accommodate the updated request, in which the applicant proposes to construct a 9,046 square foot commercial development with a minimum of 57 paved parking stalls, landscaping, and related improvements. The property is located along the north side of East Puainako Street, between Kīlauea Avenue and Kekela Street.

Reference: Comm. 337
Intr. by: Ms. Kierkiewicz (B/R)
Approve: PC-26

ORDER OF THE DAY (SECOND OR FINAL READING)

The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicants to apply for subdivision of the parcel and create a two-lot subdivision for estate planning purposes. The property is located on the northwest side of Kihalani Homestead Road.

Reference: Comm. 313
Intr. by: Ms. Kierkiewicz (B/R)
First Reading: July 9, 2019
Bill 86: AMENDS ORDINANCE NO. 19-74, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2019, TO JUNE 30, 2020

Increases the Office of Management Village 9 Homeless and Affordable Rental Project by $46,000, for a total appropriation of $250,000. Funds shall be provided from State Grants Receivable and would be used for a topographic and boundary survey and other development costs.

Reference: Comm. 341
Intr. by: Ms. David (B/R)
First Reading: July 9, 2019
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

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.

If you need an auxiliary aid/service or other accommodation due to a disability, call 961-8255 as soon as possible, preferably by July 22, 2019. If a response is received after July 22, 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.
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 Aaron S. Y. Chung, Ashley L. Kierkiewicz, Susan L. K. Lee Loy, 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 location until 4:30 p.m. or later in the event public testimony has not been completed:

- **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;**
- **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 webpage 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. 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).