29th Session

ORDER OF BUSINESS

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

January 4, 2018
9:00 a.m.

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

INVOCATION

Kahu Brian Welsh of Haili Congregational Church

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

May 18, 2016
December 5, 2017

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 443-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO KAHUA PA’A MUA, INC., FOR PROJECT REACH OUT, A SUICIDE PREVENTION PROGRAM FOR SCHOOLS IN HĀMĀKUA

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 646
Intr. by: Ms. Poindexter

Res. 444-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST WITH EXPENSES RELATED TO PAINTING THE INTERIOR OF KEKUAOKALANI GYMNASIUM

Transfers $2,400 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Parks and Recreation, Maintenance Other Current Expenses account.

Reference: Comm. 647
Intr. by: Mr. Kanuha
Res. 445-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR A STATIONARY BELT/DISC SANDER AND A STATIONARY DRILL PRESS FOR THE DEPARTMENT OF PARKS AND RECREATION
Transfers $3,550 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Parks and Recreation, Maintenance Equipment account.

Reference: Comm. 648
Intr. by: Ms. Lee Loy

Res. 446-18: 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 $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Parks and Recreation, Recreation Division Other Current Expenses account.

Reference: Comm. 649
Intr. by: Ms. Poindexter

Res. 447-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HAWAI‘I ISLAND UNITED WAY FOR EXPENSES RELATING TO ITS 2017-2018 COMMUNITY OUTREACH INITIATIVE AND COMMUNITY MEETINGS IN EAST HAWAI‘I
Transfers $1,000 from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 650
Intr. by: Ms. Poindexter
Res. 448-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO KAHUA PA‘A MUA, INC., FOR EXPENSES RELATING TO PROJECT REACH OUT, A SUICIDE PREVENTION INITIATIVE

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Office of the Prosecuting Attorney, Other Current Expenses account.

Reference: Comm. 651
Intr. by: Mr. Richards

Res. 449-18: 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 ARTIST COLLABORATION TO ASSIST WITH PURCHASING ART SUPPLIES AND MATERIALS FOR STUDENTS AT KEALAKEHE AND KAHAKAI ELEMENTARY SCHOOLS

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. 652
Intr. by: Ms. Eoff

Res. 451-18: 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 2018 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. 658
Intr. by: Ms. Lee Loy
Res. 454-18: 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 PONO HOLOHOLONA FOR ITS ANIMAL BALANCE PROGRAM

Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Research and Development, Hawai‘i County Resource Center account. Funds would be used to pay for microchips, flea medicine, and cat food.

Reference: Comm. 661
Intr. by: Ms. O’Hara

Res. 455-18: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE DEPARTMENT OF TRANSPORTATION PUBLIC AFFAIRS – SAFE COMMUNITY PROGRAM, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, FOR A GRANT TO THE HAWAI‘I COUNTY POLICE DEPARTMENT

Funds in the amount of $61,000 would be used by the Police Department to purchase speed detection equipment.

Reference: Comm. 662
Intr. by: Ms. David (B/R)
Waived: FC

Res. 456-18: AUTHORIZES THE ACCEPTANCE OF A DONATION OF FIVE HUNDRED HOME MONITORING DEVICES TO THE HAWAI‘I FIRE DEPARTMENT

Donated by State Farm Insurance and Canary with a total estimated value of $99,500, this donation would be used by the department as part of the State Farm Insurance’s and Canary’s joint “Protect the Protectors” campaign.

Reference: Comm. 663
Intr. by: Ms. David (B/R)
Waived: FC
BILLS FOR ORDINANCES (FIRST READING)


Appropriates revenues in the State Grants – Hawai‘i Police Department Speed Equipment account ($61,000); and appropriates the same to the Hawai‘i Police Department Speed Equipment account. Funds would be used by the Police Department to purchase speed detection equipment.

Reference: Comm. 662
Intr. by: Ms. David (B/R)
Waived: FC


Increases revenues in the Federal Grants – Improve Forensic Services account ($20,460); and appropriates the same to the Improve Forensic Services account for a total appropriation of $50,460. Funds would be used by the Police Department to pay for training and updated equipment in the field of forensic science.

Reference: Comm. 664
Intr. by: Ms. David (B/R)
Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 80 (Draft 2): AMENDS CHAPTER 24, ARTICLE 10, DIVISION 2 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO MOVING VEHICLES

Amends Section 24-267, Schedule 15 (One way streets), Subsection (c), South Hilo, by adding “Keaukaha Road, from Kalaniana‘ole Street to Kamokuna Street.” The new one-way traffic pattern through James Kealoha Beach Park is intended to increase safety in and surrounding the park area.

Reference: Comm. 596.2
Intr. by: Ms. Ruggles (B/R)
First Reading: December 20, 2017

Names the skate park in honor of long-time community advocate Virginia Brautigan Aste, in recognition of the significant contributions she has made in her community.

Reference: Comm. 601

Intr. by: Ms. O’Hara

First Reading: December 20, 2017

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**Bill 82 (Draft 2):** AMENDS CHAPTER 20, ARTICLE 4, OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO SOLID WASTE FEES

Increases disposal fees from the current $85 per ton to $108 per ton, to further increase by $2 per ton on July 1st of each year, from July 1, 2018, through July 1, 2022. Also increases fees to be applied when the scale cannot be used due to outages, for special handling and all types of vehicles.

Reference: Comm. 606.5

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

First Reading: December 20, 2017
Bill 83
(Draft 2):

AUTHORIZES THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE COUNTY OF HAWAIʻI FOR THE PURPOSE OF FUNDING ALL OR A PORTION OF THE COSTS OF VARIOUS IMPROVEMENT PROJECTS; FIXES THE FORM, DENOMINATIONS, AND CERTAIN OTHER DETAILS OF SUCH BONDS AND PROVIDES FOR THEIR SALE TO THE PUBLIC; AND AUTHORIZES THE TAKING OF OTHER ACTIONS RELATING TO THE ISSUANCE AND SALE OF THE BONDS

Authorizes the issuance of up to $14.5 million in general obligation bonds, which would be used for the construction of the Hawaiʻi County Prosecuting Attorney’s Office building at the West Hawaiʻi Civic Center.

Reference: Comm. 611.2
Intr. by: Ms. David (B/R)
First Reading: December 5, 2017
Held Over Pursuant to Council Rule 24(1)(e): December 20, 2017

(Note: There is a motion by Ms. David, seconded by Ms. Poindexter, to approve Bill 83, Draft 2, as amended.)

Bill 84:

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 – Sexual Assault Exam and DNA Analysis account ($53,205); and appropriates the same to Sexual Assault Exam and DNA Analysis account. Funds would be used for the Police Department’s Sexual Assault Exam and DNA Analysis Program.

Reference: Comm. 637
Intr. by: Ms. David (B/R)
First Reading: December 20, 2017

Appropriates revenues in the State Grants – Statewide Multi-Jurisdictional Drug Task Force account ($45,334); and appropriates the same to the Statewide Multi-Jurisdictional Drug Task Force account. Funds would be used by the Police Department to train personnel and administer operations through a multi-agency collaborative effort to reduce drug threats and drug-related crimes.

Reference: Comm. 638
Intr. by: Ms. David (B/R)
First Reading: December 20, 2017


Appropriates revenues in the State Grants – North Kohala Coqui Frog Control Project account ($49,913); and appropriates the same to the North Kohala Coqui Frog Control Project account. Funds would be used for the Department of Research and Development’s North Kohala Coqui Frog Control project.

Reference: Comm. 639
Intr. by: Ms. David (B/R)
First Reading: December 20, 2017


Increases revenues in the Federal Grants – Federal Transit Administration Fiscal Year 2017-2018 account ($419,817); and appropriates the same to the Federal Transit Administration Fiscal Year 2017-2018 account for a total appropriation of $1,119,817. Funds would be used towards operational expenses for the Mass Transit Agency.

Reference: Comm. 640
Intr. by: Ms. David (B/R)
First Reading: December 20, 2017
REPORTS

REFERRALS FOR EXECUTIVE SESSION

Comm. 666: CLAIM AGAINST THE COUNTY OF HAWAI‘I/MICHAEL AND MARY MACHARIA

From Deputy Corporation Counsel Michael Kagami, dated December 12, 2017, requesting an attorney-client confidential discussion to consult with the Council on a personal injury incident occurring on or about December 20, 2016, submitted by Gary Burger, Esq., on behalf of his client.

The Council anticipates convening an executive meeting regarding the above matter, pursuant to Section 92-5(a)(4), for the purpose of consulting with Council’s attorney on questions and issues pertaining to the Council’s powers, duties, privileges, immunities, and liabilities. 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
(包括但不限于对否决事项的审议，如果有，或对议程项目的重新考虑。)

ANNOUNCEMENTS

ADJOURNMENT

Note: B/R，当列在名称的旁边时，意味着该议员已同意为请求方介绍“按请求”立法。它不必然意味着支持或反对的提案。

The meeting places are accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8255 by January 2, 2018. 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:

- Kona Council Office, West Hawai‘i Civic Center, 74-5044 Ane Keohokālole Highway, Building A.
  (Pursuant to HRS §92-7 and Council Rule No. 2, Council Member Dru Mamo Kanuha will be participating from the Kona Council Office.)

Public attendance via videoconference will be available at the Kona 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

Public attendance via courtesy site is also available at the following locations until public testimony has been completed:

- Nāʻālehu State Office Building, 95-5669 Māmalahoa Highway; and
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapaʻau.

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 Clerk Council 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, 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).