COUNTY COUNCIL

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

22nd Session

ORDER OF BUSINESS

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

September 20, 2017
9:00 a.m.

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

INVOCATION Pastor Jason Meechan of Kona Faith Center

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

December 17, 2014
March 16, 2016
August 2, 2017

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 260-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR AGREEMENT FOR AN INDEPENDENT AUDITOR OR AUDITORS

Authorizes a five-year contract for an independent auditor or auditors to perform the annual audit of the accounts and other evidences of financial transactions of the County and of every County agency and executive agency.

Reference: Comm. 400
Intr. by: Ms. David (B/R)
Approve: FC-36

Res. 261-17: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF HAWAIIAN HOME LANDS (DHHL), PURSUANT TO HAWAI‘I REVISED STATUTES 46-7, FOR THE COUNTY OF HAWAI‘I TO RECEIVE REIMBURSEMENT FUNDS FOR STREETLIGHT CONVERSION ON PROPERTY HELD BY THE DEPARTMENT OF HAWAIIAN HOME LANDS

The agreement is for DHHL to reimburse the County $400,000 for the conversion of streetlights on DHHL lands from low pressure sodium to light emitting diode.

Reference: Comm. 401
Intr. by: Ms. David (B/R)
Approve: FC-37
Res. 266-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO HAWAI‘I ISLAND UNITED WAY TO SUPPORT ITS MARKETING/BRANDING EFFORTS

Transfers $1,500 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 415
Intr. by: Ms. O’Hara

Res. 267-17: 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 BIG ISLAND RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL TO SUPPORT THE 5TH ANNUAL HAWAI‘I ISLAND ALL NATIONS POWWOW

Transfers $1,650 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 416
Intr. by: Ms. O’Hara

Res. 268-17: 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 FRIENDS OF HOKULE‘A AND HAWAI‘ILOA FOR THE “MAHALO, HAWAI‘I SAIL” EDUCATIONAL OUTREACH IN WEST HAWAI‘I

Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 6); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 417
Intr. by: Ms. David
Res. 269-17: 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 FRIENDS OF HOKULE‘A AND HAWAI‘ILOA FOR THE “MAHALO, HAWAI‘I SAIL” EDUCATIONAL OUTREACH IN WEST HAWAI‘I

Transfers $3,000 from the Clerk-Council Services – Contingency Relief account (Council District 8); and credits to the Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 418
Intr. by: Ms. Eoff

Res. 270-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE RENTAL OF A PORTABLE BATHROOM FOR BANYAN BEACH IN KONA

Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 7); and credits to the Department of Public Works, Transfer to Highway Fund account.

Reference: Comm. 419
Intr. by: Mr. Kanuha

Res. 271-17: 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 HONPA HONGWANJI MISSION OF HAWAI‘I FOR THE 11TH ANNUAL PARADE AND FESTIVAL FOR THE UNITED NATIONS INTERNATIONAL DAY OF PEACE

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. 420
Intr. by: Ms. Poindexter
Res. 272-17: 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 HĀMĀKUA HEALTH CENTER INC. FOR THE 4TH ANNUAL HĀMĀKUA-KOHALA HEALTH AND WELLNESS FAIR

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. 421
Intr. by: Ms. Poindexter

Res. 273-17: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO KU‘IKahi MEDIATION CENTER FOR ITS PUNA HOMEOWNERS ASSOCIATION TRAINING AND MENTORING PROGRAM

Transfers $6,000 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. 422
Intr. by: Ms. Ruggles

Res. 274-17: 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 CONGRESS OF VISAYAN ORGANIZATIONS FOUNDATION FOR EXPENSES RELATING TO THE 2017 FILIPINO-AMERICAN HERITAGE MONTH CELEBRATION AND BARRIO FIESTA

Transfers $5,000 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. 423
Intr. by: Ms. Poindexter
Res. 275-17: 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 SUCCESS FACTORY, INC., FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH EDUCATION AT THE NEXTECH 3-DAY CAMP

Transfers $2,500 from the Clerk-Council Services – Contingency Relief account (Council District 3); and credits to the Liquor Control, Public Programs account.

Reference: Comm. 424
Intr. by: Ms. Lee Loy

Res. 276-17: COMMITS TO FUNDING THE COST ITEMS AGREED UPON BY THE EMPLOYERS AND THE UNITED PUBLIC WORKERS UNIT 01 AND EMPLOYEES EXCLUDED FROM BARGAINING UNIT 01 FOR THE CONTRACT PERIOD JULY 1, 2017, THROUGH JUNE 30, 2021

Cost items estimated at $11,651,117 in the four-year contract are across-the-board increases and one-time bonuses.

Reference: Comm. 425
Intr. by: Ms. David (B/R)
Waived: FC

Res. 277-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE COPY MACHINE FOR THE DEPARTMENT OF PUBLIC WORKS

Authorizes the Mayor to enter into a five-year lease agreement for one copier to be used by the department’s Kona Building Division, at an estimated annual cost of $3,313.

Reference: Comm. 426
Intr. by: Ms. David (B/R)
Waived: FC

Res. 278-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE COPY MACHINE FOR THE DEPARTMENT OF PUBLIC WORKS

Authorizes the Mayor to enter into a five-year lease agreement for one copier to be used by the department’s Highways Division at its South Hilo roads baseyard, at an estimated annual cost of $1,860.

Reference: Comm. 427
Intr. by: Ms. David (B/R)
Waived: FC
**Res. 279-17:**

**AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE COPY MACHINE FOR THE DEPARTMENT OF PUBLIC WORKS**

Authorizes the Mayor to enter into a five-year lease agreement for one copier to be used by the department’s Highways Division at its Hāmākua roads baseyard, at an estimated annual cost of $1,860.

Reference: Comm. 428  
Intr. by: Ms. David (B/R)  
Waived: FC

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**Res. 280-17:**

**AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR ONE COPY MACHINE FOR THE DEPARTMENT OF PUBLIC WORKS**

Authorizes the Mayor to enter into a five-year lease agreement for one copier to be used by the department’s Administration Division in Hilo, at an estimated annual cost of $3,313.

Reference: Comm. 429  
Intr. by: Ms. David (B/R)  
Waived: FC

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**Res. 281-17:**

**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 COPY MACHINE FOR THE FINANCE DEPARTMENT**

Authorizes the Mayor to enter into a five-year lease agreement for one copier to be used by the department’s Vehicle Registration and Licensing Division at its Hilo office, at an estimated monthly cost of $151.

Reference: Comm. 430  
Intr. by: Ms. David (B/R)  
Waived: FC
Res. 282-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOUR LIGHT-DUTY UTILITY VEHICLES FOR THE DEPARTMENT OF PARKS AND RECREATION

Authorizes the Mayor to enter into a five-year lease agreement for four utility vehicles to be used at the Hilo Municipal Golf Course, at an estimated total monthly cost of $720. The vehicles would be used to transport employees, supplies, and material for golf course maintenance and would become the property of the department upon completion of the terms of the lease.

Reference: Comm. 431
Intr. by: Ms. David (B/R)
Waived: FC

Res. 283-17: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE A HEAVY-DUTY UTILITY VEHICLE FOR THE DEPARTMENT OF PARKS AND RECREATION

Authorizes the Mayor to enter into a five-year lease agreement for a utility vehicle to be used at the Hilo Municipal Golf Course, at an estimated monthly cost of $240. The vehicle would be used to tow other equipment and haul supplies and material for golf course maintenance, and would become the property of the department upon completion of the terms of the lease.

Reference: Comm. 432
Intr. by: Ms. David (B/R)
Waived: FC

Res. 284-17: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $186 TO THE DEPARTMENT OF PARKS AND RECREATION

Donated by Polynesian Adventure Tours, LLC. Funds would be used for the Pana’ewa Rainforest Zoo and Gardens.

Reference: Comm. 433
Intr. by: Ms. David (B/R)
Waived: FC
**Res. 285-17:** AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR A GREENS MOWER FOR THE DEPARTMENT OF PARKS AND RECREATION

Authorizes the Mayor to enter into a five-year lease agreement for a mower to be used at the Hilo Municipal Golf Course, at an estimated monthly cost of $770. The mower would replace the current mower and become the property of the department upon completion of the terms of the lease.

Reference: Comm. 434  
Intr. by: Ms. David (B/R)  
Waived: FC

**Res. 286-17:** AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR A FIVE GANG CONTOUR ROTARY MOWER FOR THE DEPARTMENT OF PARKS AND RECREATION

Authorizes the Mayor to enter into a five-year lease agreement for a mower to be used at the Hilo Municipal Golf Course, at an estimated monthly cost of $1,158. The mower would augment two zero-turn mowers currently in use and become the property of the department upon completion of the terms of the lease.

Reference: Comm. 435  
Intr. by: Ms. David (B/R)  
Waived: FC

**Res. 292-17:** AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE OF TWO FIRE APPARATUS (FIRE TRUCKS) FOR THE HAWAI‘I FIRE DEPARTMENT

Authorizes the Mayor to enter into a five-year lease agreement for two fire trucks, at a monthly cost of approximately $28,500. The trucks would replace 20-year old trucks at the Keauhou and Waikoloa Fire Stations.

Reference: Comm. 444  
Intr. by: Ms. David (B/R)  
Waived: FC
BILLS FOR ORDINANCES (FIRST READING)

Bill 52: ADOPTS THE COUNTY OF HAWAIʻI KAʻŪ COMMUNITY DEVELOPMENT PLAN (CDP)

The Windward Planning Commission forwards its favorable recommendation for the adoption of the Kaʻū CDP. The CDP Program is established by the County’s General Plan to create a framework for residents and other stakeholders to participate in regional planning for their communities. The planning area for the Kaʻū CDP encompasses most of Judicial District 9, surrounding Ocean View, Waiohinu, Nāʻālehu, and Pāhala.

Reference: Comm. 351
Intr. by: Ms. David (B/R)
Approve: PC-29

Bill 63: AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAIʻI FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Increases revenues in the State Grants - Street Light/Traffic Signal Maintenance account ($400,000); and appropriates the same to the Traffic Signals & Street Lights account. Funds would be used to reimburse the County $400,000 for the conversion of streetlights on lands owned by the State Department of Hawaiian Home Lands from low pressure sodium to light emitting diode.

Reference: Comm. 402
Intr. by: Ms. David (B/R)
Approve: FC-38

Bill 64: AMENDS ORDINANCE NO. 17-40, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2017, TO JUNE 30, 2018

Adds the Fire Department Haihai Fire Station (Kawaihā Station Replacement) project for $154,000 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. Funds would be used to complete the construction of the Haihai Fire Station.

Reference: Comm. 403
Intr. by: Ms. David (B/R)
Approve: FC-39
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawaiʻi County Charter

Increases revenues in the Transfer from General Fund account ($2,000); and appropriates the same to the Highway Maintenance Administration Other Current Expenses account. Funds would be used for the annual rental of a portable toilet for Banyan Beach in Kona.

Reference: Comm. 436
Intr. by: Ms. David (B/R)
Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)


Prohibits food vendors from dispensing prepared food in disposable polystyrene food service ware effective July 1, 2019. Exempts food packaged outside the limits of the County; ice chest and coolers; and packaging for raw meat, fish, and eggs that have not been further processed.

Reference: Comm. 107.165
Intr. by: Ms. O’Hara
Postponed: March 8, 2017
Referred to the Environmental Management Commission: July 7, 2017
First Reading: September 7, 2017


; and

The Windward Planning Commission forwards its favorable recommendation for this amendment to the State Land Use Boundaries Maps and change of zone, which would allow the applicant to establish a microbrewery with a retail sales and tasting center.

Reference: Comm. 386
Intr. by: Ms. Eoff (B/R)
First Reading: September 7, 2017

REPORTS

PC-26 (Comm. 405): NOMINATION OF STEVEN HIRAKAMI TO THE BOARD OF APPEALS

Requires Council Confirmation by: October 1, 2017 (Section 13-4(1), Hawai‘i County Charter)

PC-27 (Comm. 406): NOMINATION OF JOHN L. HETHERINGTON TO THE KAILUA VILLAGE DESIGN COMMISSION

Requires Council Confirmation by: October 1, 2017 (Section 13-4(1), Hawai‘i County Charter)

PC-28 (Comm. 407): NOMINATION OF JASMINE VICTORIA CRUSAT TO THE KAILUA VILLAGE DESIGN COMMISSION

Requires Council Confirmation by: October 1, 2017 (Section 13-4(1), 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 September 18, 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:

- Hilo Council Chambers, Hawai‘i County Building, 25 Aupuni Street, First Floor, Room 1401;
- 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:

- Nā‘ālehu State Office Building, 95-5669 Māmalahoa Highway; 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.

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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).

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