COUNTY COUNCIL

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

17th Session

ORDER OF BUSINESS

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

July 1, 2015
9:00 a.m.

(Note: Please turn cell phones, pagers, and other mobile communication devices on silent mode.)

INVOCATION
Pastor Charles Kama of New Hope Hilo, Hawai‘i

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

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 203-15: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM THE DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE HILO-HĀMĀKUA COMMUNITY DEVELOPMENT CORPORATION FOR THE 2015 LAUPĀHOEHOE HEALTH AND SAFETY FAIR

Transfers/appropriates $3,000 out and from the Clerk-Council Services – Contingency Relief account (Council District 1); and credits the same to the Department of Parks and Recreation, Parks and Recreation Administration Other Current Expenses, Miscellaneous Contract Services account (Hilo-Hāmākua Community Development Corporation).

Reference: Comm. 337
Intr. by: Ms. Poindexter
Postponed: June 16, 2015

(Note: There is a pending motion by Ms. Poindexter and duly seconded by Ms. David to approve Res. 203-15.)


Agreement would allow the County to request that the Office of the Auditor provide assistance to conduct an audit of the schedule of employer allocations of the Employees’ Retirement System.

Reference: Comm. 345
Intr. by: Ms. Eoff
Waived: FC
Res. 207-15: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM
THE DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A
DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO THE
NORTH KOHALA COMMUNITY RESOURCE CENTER FOR THE
NORTH KOHALA REUNION
Transfers/appropriates $5,000 out and from the Clerk-Council Services –
Contingency Relief account (Council District 9); and credits the same to the
Department of Research and Development, Hawai‘i County Resource Center,
Miscellaneous Contract Services account (North Kohala Community Resource
Center).

Reference: Comm. 346
Intr. by: Ms. Wille

BILLS FOR ORDINANCES (FIRST READING)

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 47
(Draft 2): AMENDS CHAPTER 14, ARTICLE 11, OF THE HAWAI‘I COUNTY
CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO
NEIGHBORHOOD WATCH SIGNS
Revises the process to request, purchase, construct, and install neighborhood watch
signs at approved locations.

Reference: Comm. 283.4
Intr. by: Mr. Ilagan
First Reading: June 16, 2015

Bill 52: AMENDS THE STATE LAND USE BOUNDARIES MAPS FOR THE
COUNTY OF HAWAI‘I BY CHANGING THE DISTRICT CLASSIFICATION
FROM THE AGRICULTURAL DISTRICT TO THE RURAL DISTRICT AT
WAIMEA LANDMARK ESTATES UNIT 1, OULI, WAIMEA, SOUTH
KOHALA, HAWAI‘I, COVERED BY TAX MAP KEY: 6-2-005:008
(Applicant: Waiemi LLC) (Area: Approx. 3 acres)

Reference: Comm. 308
Intr. by: Mr. Ilagan (B/R)
First Reading: June 16, 2015

; and

(Bill 53 continues on the next page.)
Bill 53: AMENDS SECTION 25-8-7 (NORTH AND SOUTH KOHALA DISTRICT ZONE MAP), ARTICLE 8, CHAPTER 25 (ZONING CODE) OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION), BY CHANGING THE DISTRICT CLASSIFICATION FROM AGRICULTURAL – THREE ACRES (A-3a) TO RESIDENTIAL AND AGRICULTURAL – ONE AND ONE-HALF ACRE (RA-1.5a) AT WAIMEA LANDMARK ESTATES UNIT 1, OULI, WAIMEA, SOUTH KOHALA, HAWAI‘I, COVERED BY TAX MAP KEY: 6-2-005:008 (Applicant: Waiemi LLC) (Area: Approx. 3 acres)

The Leeward Planning Commission forwards its favorable recommendation for the amendments to the State Land Use Boundaries Maps and change of zone, which would allow the applicant to construct a single-family dwelling on the newly created lot to be used as a rental by the applicant’s family or non-family tenants.

Reference: Comm. 308
Intr. by: Mr. Ilagan (B/R)
First Reading: June 16, 2015

REPORTS

REFERRALS FOR EXECUTIVE SESSION

Comm. 343: ED MUEGGE VS. COUNTY OF HAWAI‘I; CIVIL NO. 14-00002 LEK-RLP
From Deputy Corporation Counsel Melody Parker, dated June 3, 2015, requesting an attorney-client confidential discussion to consult with the Council a possible settlement regarding the above-entitled matter, a lawsuit filed on January 2, 2014, alleging violations of the Americans with Disabilities Act.

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
(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 June 29, 2015. 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:
- County Facility (former Bank of Hawai‘i Building), 54-3888 Akoni Pule Highway, Kohala;
- Nā‘ālehu State Office Building, 95-5669 Māmalahoa Highway, Nā‘ālehu; and
- Pāhoa Neighborhood Facility, 15-2710 Kauhale Street.

If for technical or other unanticipated circumstances the video and/or audio connection cannot be made or 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 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).

Viewing of Meetings on Government Access Television - Channel 55: Wednesdays, July 8 and 15, 2015, at 6 p.m.; Fridays, July 10 and 17, 2015, at 12 p.m.; and Sundays, July 12 and 19, 2015, 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/.)
UPCOMING MEETINGS

THURSDAY, JULY 23, 2015
COMMITTEES: TBA
WEST HAWAI‘I CIVIC CENTER
74-5044 Ane Keohokālole Highway
Building A

FRIDAY, JULY 24, 2015
COUNCIL: 9:00 A.M.
WEST HAWAI‘I CIVIC CENTER
74-5044 Ane Keohokālole Highway
Building A

TUESDAY, AUGUST 4, 2015
COMMITTEES: TBA
COUNCIL ROOM - HILO
25 Aupuni Street

WEDNESDAY, AUGUST 5, 2015
COUNCIL: 9:00 A.M.
COUNCIL ROOM - HILO
25 Aupuni Street