ORDER OF BUSINESS

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

June 15, 2016
9:00 a.m.

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

INVOCATION
Pastor Bruce Campbell of Grace Community 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

December 1, 2014
June 16, 2015

COMMUNICATIONS

ORDER OF RESOLUTIONS

Res. 530-16: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR EXTENSION OF LICENSE AGREEMENT FOR REAL PROPERTY TO OPERATE THE KEA‘AU TRANSFER STATION

Authorizes a five-year extension to the agreement with W. H. Shipman to utilize land for the Kea‘au Transfer Station. The annual license fee from July 1, 2016, to June 30, 2018, would be $5,000; and from July 1, 2018, to June 30, 2021, would be $7,500. The agreement includes a 5-year option for renewal.

Reference: Comm. 893
Intr. by: Ms. Eoff
Approve: FC-67

Res. 533-16: AUTHORIZES THE DIRECTOR OF FINANCE TO NEGOTIATE A LEASE OF REAL PROPERTY, KAPULENA AGRICULTURE PARK, SITUATED AT HÄMÄKUA, COUNTY AND STATE OF HAWAI‘I, IDENTIFIED AS TAX MAP KEYS: 4-7-006:001 AND 4-7-006:018, TO THE HÄMÄKUA COUNTY FARM BUREAU

The approximately 441 acres of property would be used to increase the production of locally raised beef by improving former cane lands and developing a joint cattle grazing entity benefitting multiple cattle owners.

Reference: Comm. 896
Intr. by: Ms. Eoff
Approve: FC-68

The 8.7-acre property is listed as priority No. 3 for purchase in the 2015 Annual Report of the Public Access, Open Space, and Natural Resources Preservation Commission.

Reference: Comm. 898
Intr. by: Ms. Poindexter
Approve: FC-69

Res. 540-16: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE FOR THREE MULTIFUNCTION, COLOR COPIERS FOR THE PLANNING DEPARTMENT

Authorizes the Mayor to enter into a five-year lease agreement for three copiers for the department’s Hilo and Kona offices at a monthly cost of approximately $425 each.

Reference: Comm. 904
Intr. by: Ms. Eoff
Waived: FC

BILLS FOR ORDINANCES (FIRST READING)


The Leeward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicants to subdivide the property into two parcels. The applicants state they would retain a three-acre lot and convey the remaining two-acre lot to their daughter.

Reference: Comm. 887
Intr. by: Mr. Ilagan (B/R)
Approve: PC-65
**Bill 209:** AMENDS ORDINANCE NO. 03-115, WHICH RECLASSIFIED LANDS FROM MULTIPLE FAMILY RESIDENTIAL – 1,000 SQUARE FEET (RM-1) TO VILLAGE COMMERCIAL – 7,500 SQUARE FEET (CV-7.5) AT HONUAULA, NORTH KONA, HAWAI‘I, COVERED BY TAX MAP KEY: 7-5-022:040 (Applicant: Tante Urban) (Area: 7,500 square feet)
The Leeward Planning Commission forwards its favorable recommendation for this five-year time extension to Condition C, time to complete construction. The new applicant states he intends to construct a six-unit, multiple-family apartment building with a commercial kitchen on the ground floor.

Reference: [Comm. 888]
Intr. by: Mr. Ilagan (B/R)
Approve: PC-66

**Bill 210:** AMENDS ORDINANCE NO. 889 (FORMERLY KAMUELA ZONE MAP, CURRENTLY LALAMILO PU‘UKAPU ZONE MAP), WHICH RECLASSIFIED LANDS FROM AGRICULTURAL – FORTY ACRES (A-40a) TO AGRICULTURAL – FIVE ACRES (A-5a) AT PU‘UKAPU HOMESTEADS, 2ND SERIES, SOUTH KOHALA, HAWAI‘I, COVERED BY TAX MAP KEYS: 6-4-017:023, 064-067, AND 078 (FORMERLY 6-4-017:023) (Planning Director Initiated)
The Leeward Planning Commission forwards its favorable recommendation for this amendment to the Zoning Code, which would delete Conditions C and H removing limiting agricultural use restrictions, and add a new condition to allow the full range of agricultural land uses.

Reference: [Comm. 889]
Intr. by: Mr. Ilagan (B/R)
Approve: PC-67

**Bill 211:** AMENDS ARTICLE VI, CHAPTER 2, SECTION 6-2.2, CHAPTER 3, SECTION 6-3.2, CHAPTER 4, SECTION 6-4.2, CHAPTER 5, SECTION 6-5.2, CHAPTER 6, SECTION 6-6.2, CHAPTER 7, SECTION 6-7.2, CHAPTER 8, SECTION 6-8.2, AND CHAPTER 10, SECTION 6-10.3, AND ARTICLE XIII, SECTION 13-8 OF THE HAWAI‘I COUNTY CHARTER (2014), RELATING TO TERMS OF OFFICE FOR DEPARTMENT HEADS IN THE EXECUTIVE BRANCH FOR THOSE AGENCIES UNDER THE MANAGING DIRECTOR Establishes a term of two years for department heads, would be eligible for reappointment at end of term by the Mayor, subject to confirmation by the Council.

Reference: [Comm. 890]
Intr. by: Mr. Chung
Approve: GREDC-6
2/3 Vote: First of three required readings, Section 15-1(a), Hawai‘i County Charter
ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 150 (Draft 2):  
AMENDS CHAPTER 16, ARTICLE 3, SECTION 16-5 OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE 
MEMBERSHIP AND TENURE  
Vacancies would be filled before filling expired positions occupied by members willing to continue serving.  
Reference: Comm. 694.4  
Intr. by: Ms. Wille  
First Reading: June 3, 2016

Bill 205:  
AMENDS CHAPTER 24, ARTICLE 10, DIVISION 5, OF THE HAWAI‘I COUNTY CODE 1983 (2005 EDITION, AS AMENDED), RELATING TO PARKING  
Amends Section 24-280 (No parking any time), by revising existing provisions and adding new provisions for portions of Ali‘i Drive, Subsection (f), Kona.  
Reference: Comm. 874  
Intr. by: Ms. Poindexter  
First Reading: June 3, 2016

REPORTS

PC-63 (Comm. 885):  
NOMINATION OF MARK VAN PERNIS TO THE KAILUA VILLAGE DESIGN COMMISSION

PC-64 (Comm. 886):  
NOMINATION OF EDDIE K. AKAU TO THE SOUTH KOHALA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

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 June 13, 2016. 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:

- 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 Greggor Ilagan, Dennis “Fresh” Onishi, and Danny Paleka 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, 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:

- Nā‘ālehu State Office Building, 95-5669 Māmalahoa Highway, Nā‘ālehu;
- Old Kohala Courthouse, 54-3900 Akoni Pule Highway, Kapa‘au; 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.

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, June 22 (to follow the viewing of the June 3, 2016, meeting scheduled to start at 6 p.m.) and June 29, 2016, at 6 p.m.; Fridays, June 24 and July 1, 2016, at 12 p.m.; and Sundays, June 26 and July 3, 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/.)