COUNTY COUNCIL

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

42nd Session

ORDER OF BUSINESS

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

June 19, 2018
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

May 9, 2018
May 21, 2018

COMMUNICATIONS

Comm. 960: AUTHORS THE ACCEPTANCE OF A DONATION OF OFFICE FURNITURE

Donated by Hāpuna Prince Hotel with a total estimated value of $875, this donation would be used at various Department of Parks and Recreation facilities.

Waived: FC

Comm. 966: FUEL TAX REVENUE REPORT FOR FISCAL YEAR 2018-2019

From the Department of Public Works and Office of the Mayor in compliance with Resolution 212-17, Draft 2. Increased fuel tax rates are projected to generate $17,152,903, which would be used predominantly for road paving, mass transit projects, and signal upgrades.

Waived: FC

ORDER OF RESOLUTIONS

Res. 619-18: AUTHORIZES THE PAYMENT OF FUNDS OF A LATER FISCAL YEAR AND OF MORE THAN ONE FISCAL YEAR FOR A MULTI-YEAR LEASE OF REAL PROPERTY FOR THE COUNTY OF HAWAIʻI DEPARTMENT OF PUBLIC WORKS

Authorizes the Mayor to enter into a multi-year lease agreement with an option for two additional five-year terms with the Estate of Ole Eigel Jensen and Elaine Marie Jensen, at a monthly cost of $700 to allow the Traffic Division the continued occupancy of parking and storage space located at 81-6394 Hawaiʻi Belt Road, Kealakekua.

Reference: Comm. 944
Intr. by: Ms. David (B/R)
Approve: FC-122
Res. 624-18: AUTHORIZES THE DEPARTMENT OF LIQUOR CONTROL TO INCREASE THE GRANT AWARDED TO THE ARTS AND SCIENCE CENTER BY $1,000 WITH PREVIOUSLY TRANSFERRED CONTINGENCY RELIEF FUNDS FROM COUNCIL DISTRICT 4
The $3,000 grant award would be used for the Hawai‘i Academy of Arts and Science Public Charter School’s senior trip and graduation dinner.

Reference: Comm. 955
Intr. by: Ms. O’Hara

Res. 625-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE POLICE DEPARTMENT’S COMMUNITY POLICING UNIT IN COUNCIL DISTRICT 2
Transfers $900 from the Clerk-Council Services – Contingency Relief account (Council District 2); and credits to the Police Department, South Hilo Police - Other Current Expenses account.

Reference: Comm. 956
Intr. by: Mr. Chung

Res. 626-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST THE DEPARTMENT OF PARKS AND RECREATION WITH EXPENSES RELATING TO MEAL SERVICE FOR THE EVACUEES OF THE LAVA ERUPTION IN LOWER PUNA
Transfers $1,550 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 957
Intr. by: Mr. Richards

Res. 627-18: AUTHORIZES THE ACCEPTANCE OF RESPIRATOR MASKS AND CARTRIDGES FOR USE BY THE HAWAI‘I POLICE DEPARTMENT
Donated by Queens Medical Center with a total estimated value of $12,212, this donation would be used by police officers who are assigned to posts in the area of the active lava zone in Lower Puna.

Reference: Comm. 961
Intr. by: Ms. David (B/R)
Waived: FC
Res. 628-18: URGES THE HAWAI‘I STATE LEGISLATURE TO CONVENE IN A SPECIAL SESSION TO ADDRESS EMERGENCY FUNDING ASSISTANCE FOR HAWAI‘I COUNTY DUE TO THE IMPACTS OF THE ONGOING DISASTER CAUSED BY VOLCANIC ERUPTIONS AND LAVA INUNDATION OF HOMES, FARMS, AND BUSINESSES IN LOWER PUNA. The County has incurred substantial unanticipated costs, which include overtime for County employees, road repairs, security, and providing shelter and basic necessities for displaced residents; anticipates additional costs due to the unknown duration of the eruption event; and will be faced with a revenue shortfall due to the loss of taxable real property.

Reference: Comm. 962
Intr. by: Ms. O‘Hara
Waived: GREDC

Res. 629-18: AUTHORIZES THE MAYOR TO ENTER INTO A MULTI-YEAR CONTRACT FOR AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND MOKULELE FLIGHT SERVICE, INC., TO CONTINUE THE ESSENTIAL AIR SERVICE SUBSIDY FOR THE WAIMEA-KOHALA AIRPORT. Grants the Mayor the authority, pursuant to Section 10-11 of the Hawai‘i County Charter and Section 46-7 of the Hawai‘i Revised Statutes, to enter into a multi-year cost-sharing agreement for this community transportation project.

Reference: Comm. 963
Intr. by: Mr. Richards
Waived: FC

Res. 630-18: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE FUNDS TO THE DEPARTMENT OF RESEARCH AND DEVELOPMENT FOR AN INTERGOVERNMENTAL COST-SHARE AGREEMENT FOR THE WAIMEA-KOHALA AIRPORT. Transfers $10,673 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Department of Research and Development, Business Development account.

Reference: Comm. 964
Intr. by: Mr. Richards
Res. 631-18: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE HAWAI‘I TOURISM AUTHORITY, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, FOR A GRANT TO THE DEPARTMENT OF RESEARCH AND DEVELOPMENT

Funds would be used by the department for its Ho‘okaulike Signage Project, which provides interpretive educational and safety information for global visitors via Quick Response Code that will be added to signage at County parks, trails, and beaches.

Reference: Comm. 965
Intr. by: Ms. David (B/R)
Waived: FC

BILLS FOR ORDINANCES (FIRST READING)

ORDER OF THE DAY (SECOND OR FINAL READING)


(Applicant: Kelly and Joanne Jarneski) (Area: 40 acres)

The Windward Planning Commission forwards its favorable recommendation for this change of zone, which would allow the applicant to apply for a six-lot subdivision on 40 acres of land located at the intersection of Kaūmana Drive and Akolea Road. Upon final subdivision approval, the applicant intends to continue living in the existing dwelling and sell the remaining five lots.

Reference: Comm. 919
Intr. by: Ms. Eoff (B/R)
First Reading: June 5, 2018
Bill 153: INITIATES AN AMENDMENT TO ARTICLE XV OF THE HAWAI‘I COUNTY CHARTER (2016 EDITION), BY ADDING A NEW SECTION RELATING TO FISCAL IMPACT STATEMENTS

Would require that any proposed amendment or revision to the Hawai‘i County Charter be accompanied by a Fiscal Impact Statement that describes the immediate and potential future effects the amendment or revision would have on County revenues, expenditures, taxes, and fiscal liabilities. The Fiscal Impact Statement must be prepared in a manner that is easily understood by voters and would be placed on the County website and be made available for inclusion as part of any voter information pamphlet that addresses County ballot propositions.

Reference: Comm. 938
Intr. by: Mr. Chung
First Reading: June 5, 2018
2/3 Vote: Second of three required readings, Section 15-1(a), Hawai‘i County Charter


Increases revenues in the West Hawai‘i Ocean Safety account ($314,692); and appropriates the same to the following West Hawai‘i Ocean Safety accounts: Salaries and Wages ($164,692) and Equipment ($150,000), for a total appropriation of $868,106. The additional revenues from the State are to offset increases due to collective bargaining and other operational costs for Fiscal Year 2017-2018.

Reference: Comm. 945
Intr. by: Ms. David (B/R)
First Reading: June 5, 2018


Increases revenues in the State Emergency Medical Services account ($563,436); and appropriates the same to the Fire Emergency Medical Services - Salaries and Wages account, for a total appropriation of $11,427,955. The additional revenues from the State are to offset the cost of increases due to collective bargaining for Fiscal Year 2017-2018.

Reference: Comm. 946
Intr. by: Ms. David (B/R)
First Reading: June 5, 2018
Bill 157:  
AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Increases revenues in the Commercial Driver’s License Program Income account ($15,563.90); and appropriates the same to the Commercial Driver’s License Program Salaries and Wages account, for a total appropriation of $345,545.90. The additional revenues from the State are to offset the cost of salary increases.

Reference:  Comm. 947  
Intr. by:  Ms. David (B/R)  
First Reading: June 5, 2018

Bill 158:  
AMENDS ORDINANCE NO. 17-39, AS AMENDED, THE OPERATING BUDGET FOR THE COUNTY OF HAWAI‘I FOR THE FISCAL YEAR ENDING JUNE 30, 2018

Increases revenues in the Federal Grants – Substance Abuse Prevention Coordinator account ($15,000); and appropriates the same to the Substance Abuse Prevention Coordinator account, for a total appropriation of $125,000. Funds would be used by the Office of the Prosecuting Attorney to facilitate a two-day training focused on preventing underage drinking and prescription drug use in Hawai‘i County.

Reference:  Comm. 949  
Intr. by:  Ms. David (B/R)  
First Reading: June 5, 2018

Bill 159  
(Draft 2):  
AMENDS CHAPTER 2 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED) BY ADDING A NEW ARTICLE RELATING TO TRANSPORTATION SURCHARGE AND CREATING THE GENERAL EXCISE TAX FUND

Establishes a one-quarter (.25) percent general excise and use tax surcharge to fund operating or capital costs of public transportation systems within Hawai‘i County, to be levied beginning January 1, 2019, with a repeal date of December 31, 2020, unless otherwise extended by ordinance, provided that such General Excise and Use Tax surcharge shall not extend beyond December 31, 2030.

Reference:  Comm. 958.4  
Intr. by:  Ms. David (B/R)  
First Reading: June 6, 2018
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.

The meeting places are accessible for persons with disabilities. Persons who need special accommodations for this meeting should call 961-8255 by June 15, 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:

- 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, Susan L. K. Lee Loy, Eileen O’Hara, and Jennifer Ruggles 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 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:

- 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.
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/ib-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).