INVOCATION
Pastor Dion K. Maeda of Connect Point Church

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

Serving the Interests of the People of Our Island
Hawai‘i County is an Equal Opportunity Provider and Employer.
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

April 24, 2019
May 8, 2019

COMMUNICATIONS

ORDER OF RESOLUTIONS

The landholder seeks to dedicate the roadways and easement for public roadway and drainage purposes.

Reference: Comm. 270
Intr. by: Ms. Lee Loy (B/R)
Approve: PWMTC-11

Res. 169-19: COMMTS TO FUNDING THE COST ITEMS AWARDED BY ARBITRATION TO HAWAI‘I FIRE FIGHTERS ASSOCIATION (HFFA) UNIT 11 AND EMPLOYEES EXCLUDED FROM BARGAINING UNIT 11 FOR THE CONTRACT PERIOD JULY 1, 2019 THROUGH JUNE 30, 2021
Authorizes the appropriation in future fiscal years which would include across-the-board increases, step movements, within range progressions, and one-time lump sum bonuses. The estimated cost over the two years of the contract would be $6,970,788.

Reference: Comm. 277
Intr. by: Ms. David (B/R)
Approve: FC-38
Res. 176-19: 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 ITS HEALTH WELLNESS AND EDUCATION COMMUNITY OUTREACH IN KOHALA
Transfers $2,100 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Department of Liquor Control, Public Programs account.

Reference: Comm. 292
Intr. by: Mr. Richards

Res. 177-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO INSTALL CARPETING AT THE OLD NORTH KOHALA COURTHOUSE FOR THE COUNTY’S SENIOR RECREATIONAL ACTIVITIES
Transfers $1,300 from the Clerk-Council Services – Contingency Relief account (Council District 9); and credits to the Department of Parks and Recreation, Elderly Activities Division Administration Other Current Expenses account.

Reference: Comm. 293
Intr. by: Mr. Richards

Res. 178-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT FOR THE 2019 SUMMER FUN PROGRAM AT PĀHOA DISTRICT PARK
Transfers $750 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Department of Parks and Recreation, Summer/Intercession Class/Activities account.

Reference: Comm. 294
Intr. by: Mr. Kanealiʻi-Kleinfelder
Res. 179-19:

TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO PROVIDE A GRANT TO BIG ISLAND RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL FOR THE 35TH ANNUAL QUIKSILVER/BIG ISLAND TOYOTA PRO-AM SURFING TRIALS

Transfers $500 from the Clerk-Council Services – Contingency Relief account (Council District 4); and credits to the Department of Parks and Recreation, Administration Other Current Expenses account.

Reference: Comm. 295
Intr. by: Ms. Kierkiewicz

Res. 180-19:

COMMENTS TO FUNDING THE COST ITEMS AGREED UPON BY THE EMPLOYERS AND THE UNITED PUBLIC WORKERS UNIT 1 AND EMPLOYEES EXCLUDED FROM BARGAINING UNIT 1 FOR THE CONTRACT PERIOD JULY 1, 2019, THROUGH JUNE 30, 2021

The estimated costs over the remaining two years of the contract resulting from additional across-the-board increases would be $1,133,051.

Reference: Comm. 296
Intr. by: Ms. David (B/R)
Waived: FC

Res. 181-19:

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 PĀHOA SCHOOLS SUPPORT FOUNDATION FOR KEONEPOKO ELEMENTARY SCHOOL’S JUNIOR POLICE OFFICERS PROGRAM AWARD CELEBRATION

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

Reference: Comm. 297
Intr. by: Ms. Kierkiewicz
Res. 183-19: TRANSFERS/APPROPRIATES AN APPROPRIATION OUT AND FROM A DESIGNATED FUND ACCOUNT AND CREDITS SAME TO A DESIGNATED FUND ACCOUNT TO ASSIST WITH THE EXPENSE OF INSTALLING COVERED DUGOUTS AT KURTISTOWN PARK
Transfers $2,000 from the Clerk-Council Services – Contingency Relief account (Council District 5); and credits to the Department of Parks and Recreation, Transfer to Capital Project Fund - General account.

Reference: Comm. 299
Intr. by: Mr. Kaneali‘i-Kleinfelder

Res. 184-19: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE UNIVERSITY OF HAWAI‘I
Funds in the amount of $17,985 would be used for the “Meat Cutting Workforce Development Training” program.

Reference: Comm. 304
Intr. by: Ms. David (B/R)
Waived: FC

Res. 185-19: AUTHORIZES THE OFFICE OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS, PURSUANT TO HAWAI‘I REVISED STATUTES SECTION 46-7, FOR A WORKFORCE INNOVATION AND OPPORTUNITY ACT GRANT
Funds in the amount of $1,053,000 would be used to assist adults, dislocated workers, and youth by providing services that will train individuals to increase employment, retention, earnings, skills, and literacy.

Reference: Comm. 306
Intr. by: Ms. David (B/R)
Waived: FC

Res. 186-19: AUTHORIZES THE ACCEPTANCE OF A MONETARY DONATION OF $9,245.22 TO THE COUNTY OF HAWAI‘I
Yurihama Town seeks to offer assistance to offset costs incurred during the 2018 Lava Disaster in the lower Puna region.

Reference: Comm. 307
Intr. by: Ms. David (B/R)
Waived: FC
Donated by the State Department of Land and Natural Resources with a value of $5,000, for use at the County’s Trap and Skeet Range.

Reference: Comm. 308
Intr. by: Ms. David (B/R)
Waived: FC

Res. 188-19: AUTHORIZES THE ACCEPTANCE OF A DONATION OF A WATER IRRIGATION SYSTEM, NATIVE HAWAIIAN PLANTS, AND FUNDS TO PAY FOR COUNTY WATER SERVICE TO THE PARKS AND RECREATION DEPARTMENT
Donated by Ka‘ahahui o Ka Nāhelehele with a value of $17,500, for the proposed community park.

Reference: Comm. 309
Intr. by: Ms. David (B/R)
Waived: FC

Requests the Council’s approval of the $181,872 proposed operating budget for fiscal year 2019-2020.

Reference: Comm. 311
Intr. by: Ms. Poindexter
Waived: GREDC
BILLS FOR ORDINANCES (FIRST READING)

Bill 70: AMENDS ORDINANCE NO. 17-19, WHICH AMENDED ORDINANCE NO. 12-129, WHICH AMENDED ORDINANCE NO. 11-81, WHICH AUTHORIZED THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR A STATE WATER POLLUTION CONTROL REVOLVING FUND LOAN FOR WASTEWATER PUBLIC IMPROVEMENT PROJECTS AND AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE PURPOSE OF FINANCING QUALIFIED WASTEWATER PUBLIC IMPROVEMENTS OF THE COUNTY OF HAWAI‘I

Increases the original amount authorized from $2.7 to 7.5 million, and amends Exhibit A to add Hilo to the second project title, to read, “Kula’imanu, Pāpa’ikou & Hilo Dewatering & Barminutor Replacement.” The increase is due to updated cost estimates and anticipated contingencies. Hilo is added to reflect that certain equipment will be designated to the Hilo Wastewater Treatment Plant if necessary.

Reference: Comm. 287
Intr. by: Ms. David (B/R)
Approve: FC-39
Note: Requires 2/3 vote of the entire membership to amend, pursuant to Section 47-5, Hawai‘i Revised Statutes


Increases revenues in the State Grants – Coffee Berry Borer Pest Subsidy Program account ($200,000); and appropriates the same to the Coffee Berry Borer Pest Subsidy Program account, bringing the total appropriation to $260,000. Funds would be used to assist coffee farmers by off-setting the cost of pesticides used to control the Coffee Berry Borer.

Reference: Comm. 305
Intr. by: Ms. David (B/R)
Waived: FC
Appropriates revenues in the Federal Grants – Workforce Innovation and Opportunity Act account ($1,053,000); and appropriates the same to the following 2019-2020 Workforce Innovation and Opportunity Act accounts: Administration Planning ($100,000), Adult Program ($350,000), Dislocated Worker Program ($250,000), Youth Program ($350,000); and the Federal Insurance Contributions Act Employer Share account ($3,000). Funds would be used to assist adults, dislocated workers, and youth by providing services that will train individuals to increase employment, retention, earnings, skills, and literacy.

Reference: Comm. 306
Intr. by: Ms. David (B/R)
Waived: FC

Increases revenues in the Contribution from Private Source account ($9,245.22); and appropriates the same to the 2018 Lava Disaster Relief – Private account. These donated funds would be used to offset costs incurred during the 2018 Lava Disaster in the lower Puna region.

Reference: Comm. 307
Intr. by: Ms. David (B/R)
Waived: FC

Increases revenues in the State Emergency Medical Services (EMS) account ($2,678,908); and appropriates the same to the following Fire EMS accounts: Salaries and Wages ($2,071,724), Other Current Expenses ($36,028), Equipment ($250,000); and the Retirement Benefits account ($321,156). Funds would be used towards collective bargaining increases and new medic unit startup in fiscal year 2018-2019.

Reference: Comm. 310
Intr. by: Ms. David (B/R)
Waived: FC
Transfers revenues in the Miscellaneous Insurance Claims and Judgment account ($1 million); and appropriates the same to the Transfer to Self Insurance Fund account.

Reference: Comm. 314
Intr. by: Ms. David (B/R)
Waived: FC

ORDER OF THE DAY (SECOND OR FINAL READING)

Bill 63: (Draft 2) AMENDS CHAPTER 2, ARTICLE 25, SECTION 2-139 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO THE PROCEDURE FOR AWARDING GRANTS TO NONPROFIT ORGANIZATIONS
Proposes a $1.5 million increase to the appropriation for grants-in-aid awarded annually in the County’s operating budget.

Reference: Comm. 234.2
Intr. by: Ms. Lee Loy
First Reading: May 21, 2019

Bill 64: AMENDS CHAPTER 24, ARTICLE 2, SECTION 24-12 OF THE HAWAI‘I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO VEHICLES AND TRAFFIC
Amends “Aliyah’s Law” by adding that vehicles with window glazing that is not in compliance with State law and that are parked or operating on public highways may be cited and removed at the registered owner’s expense.

Reference: Comm. 247
Intr. by: Ms. Lee Loy
First Reading: May 21, 2019
Bill 71:  
Increases revenues in the Nutrition Services Incentive Program account ($3,387); and appropriates the same to the Nutrition Services Incentive Program account, bringing the total appropriation to $103,387. Funds would be used for supplies for the program.

Reference:  Comm. 288  
Intr. by:  Ms. David (B/R)  
First Reading:  May 21, 2019

Bill 72:  
AMENDS ORDINANCE NO. 18-69, AS AMENDED, RELATING TO PUBLIC IMPROVEMENTS AND FINANCING THEREOF FOR THE FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019  
Establishes the following program appropriations to the Capital Budget: Roadway Projects ($138,519.11), Bridge Inspection/Repair ($96,963.37), and Local Road Projects ($235,482.49), for a total of $470,964.97. Funds for these appropriations shall be provided from fuel tax revenue in excess of what was projected in Ordinance 17-4.

Reference:  Comm. 290  
Intr. by:  Ms. David (B/R)  
First Reading:  May 21, 2019  
Note:  Requires 2/3 vote of the entire membership to amend, pursuant to Section 10-6(e), Hawai‘i County Charter

Bill 73:  
Increases revenues in the Fund Balance From Previous Year – Reserved account ($344,823.16); and appropriates the same to the Transfer to Capital Projects Fund – Highway account. These fiscal year 2017-2018 excess fuel tax revenues would be expended by the Department of Public Works on County roadway projects.

Reference:  Comm. 291  
Intr. by:  Ms. David (B/R)  
First Reading:  May 21, 2019
REPORTS

PC-23 (Comm. 281): NOMINATION OF KAREN ANDERSON TO THE SOUTH KOHALA COMMUNITY DEVELOPMENT PLAN ACTION COMMITTEE

Requires Council Confirmation by: June 15, 2019 (Section 13-4(l), Hawai‘i County Charter)

REFERRALS FOR EXECUTIVE SESSION

Comm. 53.1: ELAINE SURNOW, ET AL. V. JODY BUDDEMEYER, ET AL. CIVIL NO. 17-00038 JMS-KSC
From Corporation Counsel Joseph K. Kamelamela, dated May 17, 2019, requesting an attorney-client confidential discussion to consult with the Council on a settlement demand, trial strategy, and the evidence and merits of the case.

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.

If you need an auxiliary aid/service or other accommodation due to a disability, call 961-8255 as soon as possible, preferably by May 31, 2019. If a response is received after May 31, 2019, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.
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

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;
- **Old Kohala Courthouse**, 54-3900 Akoni Pule Highway, Kapa‘au; and
- **Pāhoa Council Office**, 15-2879 Pāhoa Village Road.

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](http://www.hawaiicounty.gov).

Copies of this agenda and items listed on the agenda are available on the County Clerk-Council webpage at [http://www.hawaiicounty.gov/lb-council-meeting](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 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).

**Viewing of Meetings is Available on Public, Education, and Government Television.** Please call Na Leo TV at (808) 935-8874 for Channel 55 schedule of Council and Committee meetings.