

Brenda Ford
Chair

Dominic Yagong
Vice Chair



Stacy K. Higa, *Member*
Pete Hoffmann, *Member*
Donald Ikeda, *Member*
Bob Jacobson, *Member*
Emily I. Naeole, *Member*
K. Angel Pilago, *Member*
J Yoshimoto, *Member*

**HAWAI'I COUNTY COUNCIL
COMMITTEE ON PUBLIC WORKS &
INTERGOVERNMENTAL RELATIONS
6th Session**

DATE: April 3, 2007 (Tuesday)
PLACE: Sheraton Keauhou Bay Resort and Spa
78-128 Ehukai Street
Kailua-Kona, Hawai'i
TIME: 9:30 a.m.

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

CALL TO ORDER

STATEMENTS FROM THE PUBLIC ON ITEMS ON THE AGENDA

REFERRALS

Comm. 176.13: **INFORMATIONAL REPORT ON BILL 51, DRAFT 2, RELATING TO STORMWATER MANAGEMENT**
From Councilmember Brenda Ford, dated March 22, 2007, requesting that Council members be further informed regarding floodplain issues. The session will include information on the FEMA Community Rating System, an explanation from Public Works Director Bruce McClure regarding Bill 51 and Comm. 176.15, and on adapting proposed Bill 51 to Hawai'i County's unique environment.
Postponed to the Public Works Intergovernmental Relations Committee meeting scheduled for May 1, 2007.
Ayes: Committee Members Higa, Hoffmann, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto and Chair Ford.
Noes: None.
Absent: None.

UNFINISHED BUSINESS

Comm. 176.7: AN ORDINANCE AMENDING CHAPTER 27, FLOOD CONTROL, HAWAI'I COUNTY CODE 1983 (2005 EDITION), AS AMENDED, RELATING TO
(Bill 51) STORMWATER MANAGEMENT
(Draft 2)

From Councilmember Brenda Ford, dated February 28, 2007, transmitting Bill 51, Draft 2 which incorporates amendments to made to Bill 51 on February 21, 2007 by the Committee on Public Works & Intergovernmental Relations. The amendments are as follows: 1) deletes “(anticipated)” from Section 27-20(e); 2) adds language to Section 27-20(e) to include “all new subdivisions”; 3) adds a new subsection (c)(6) to Section 27-18 that prohibits development which may increase flooding or erosion within areas where the grade of the natural elevation exceeds ten percent without certification of a professional engineer that the development will increase flooding or erosion in other areas; 4) adds the definition of “Flood-prone area” to Section 27-12; 5) clarifies in Section 27-20(d) that subdivisions and other developments in any location or flood zone shall comply with the requirements set forth in that subchapter; adds to Section 27-20(d) the requirement that copies of the required permits listed in that subchapter be submitted to the Department of Public Works at the time of application for any kind of permit; 7) changes Section 27-20(d)(2) to require base flood elevation data for either two lots or one acre as opposed to fifty lots or five acres; and 8) amends language in Section 27-20(e) to require that site drainage plans include a storm water disposal system to contain run-off up to “the expected base flood event” (also called the 100-year flood) as opposed to “the expected one-hour, ten year storm event.

Postponed to the Public Works Intergovernmental Relations Committee meeting scheduled for May 1, 2007.

Ayes: Committee Members Higa, Hoffmann, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto and Chair Ford.

Noes: None.

Absent: None.

Comm. 176.12: From Tom Walton, dated March 21, 2007.

Comm. 176.14: From Director Bruce McClure, dated March 22, 2007, transmitting Departmental Comments relating to Bill 51, Draft 2.

Comm. 176.15: From Director Bruce McClure, dated March 22, 2007, transmitting Sources of Proposed Revision relating to Bill 51. Attaches a color coded copy of the original draft of Bill 51. The proposed changes are color coded according to three sources: 1) DPW housekeeping changes are in red; 2) State DLNR, from Carol Tyau-Bean, the Hawai'i State National Flood Insurance Program Coordinator changes are in blue; and 3) State DBED, from Susan Miller of the Coastal Zone Management Hawai'i Program changes are in green.

Comm. 242: A RESOLUTION AMENDING RESOLUTION NO. 55-07, ADOPTING RULES OF PROCEDURE AND ORGANIZATION OF THE COUNCIL OF THE COUNTY OF HAWAI'I (amends Rule No. 17 Reconsideration; adds Rule No. 30, Deputy County Clerk; adds Rule 31, Legislative Research Branch; adds Rule 32, Legislative Auditor; and renumbers its Rules of Procedure and Organization)
 (Res. 102-07) From County Council Chair Pete Hoffmann, dated March 9, 2007, transmitting the above resolution. The Council adopted its Rules of Procedure and Organization of the Council on February 22, 2007, and wishes to amend its rules in order to facilitate effective and efficient procedure and organization of the Legislative Branch.

Recommends adoption of Res. 242.

Ayes: Committee Members Higa, Hoffmann, Ikeda, Jacobson, Naeole, Pilago, Yagong, Yoshimoto and Chair Ford.

Noes: None.

Absent: None.

ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **March 29, 2007**. Persons using TDDs may call 961-8521.

Copies of this agenda and items listed on the agenda are available at the County Clerk's Office, 333 Kilauea Ave., Hilo; the Office of the Mayor, 75-5706 Kuakini Highway, Suite 103, Kailua-Kona; the Kona Councilmembers' Office, Kailua Trade Center, 75-5706 Hanama Place, Suite 109, Kailua-Kona; and at the Waimea Council Members' Office at the Holomua Center, 64-1067 Māmalahoa Highway, Suite 5, Waimea, Hawai'i. For further information, please call 961-8245.

Videoconferencing is available at the following locations:

- Hilo Councilroom at the Ben Franklin Building, Second Floor; and
- Waimea Council Office at the Holomua Center.

If for technical reasons the video connection cannot be made and/or is disrupted, the scheduled meeting will continue.

Submitting Testimony: Those persons wishing to testify in person must register with the County Clerk's staff. Those testifying and submitting written testimony should bring seventeen (17) copies of the testimony for distribution at the meeting. Those persons unable to testify in person may submit testimony (1) by mail to the County Clerk's Office in Hilo at the above address, (2) by facsimile to (808) 961-8912, or (3) by e-mail to counciltestimony@co.hawaii.hi.us. **Please submit a separate testimony for each item.** For testimony received via e-mail or fax, copies will be made and distributed at the meeting when transmitted in a timely manner. In any case, both oral and written testimony will be made a part of the public record.

Notice to Lobbyists: If you are a lobbyist, you must register with the Hawai‘i County Clerk within five days of becoming a lobbyist {Article 15, Section 2-91.3(b), Hawai‘i County Code}. A lobbyist means “any individual engaged for pay or other consideration who spends more than five hours in any month or \$275 in any six-month period for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.” {Article 15, Section 2-91.3(a)(6), Hawai‘i County Code} Registration forms and expenditure report documents are available at the Office of the County Clerk-Council, 333 Kilauea Ave., 2nd Floor, Hilo, Hawai‘i 96720.

Viewing of Meetings on Government Access Television - Channel 52:

Public Works & Intergovernmental Relations and Finance Committee meetings - Tuesday, April 10 & 17, 2007, at 8:30 p.m.; Planning and Environmental Management Committee meetings - Thursdays, April 12 & 19, 2007, at 8:30 p.m.; and all four Committee meetings - Sunday, April 22, 2007, at 10:30 a.m.