

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
8th Session**

DATE: May 1, 2007 (Tuesday)
PLACE: Sheraton Keauhou Bay Resort and Spa
78-128 Ehukai Street
Kailua-Kona, Hawai'i
TIME: 2:30 p.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. 288: AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 14 OF THE HAWAI'I
(Bill 80) COUNTY CODE 1983 (2005 EDITION) AS AMENDED, BY ADDING A NEW
SECTION RELATING TO AUTHORITY OF THE MASS TRANSIT AGENCY
(grants the transit agency authority to establish rules and regulations necessary for the
operation of the public transportation system, including rules and regulations for fees
and charges for permits for interior advertisements on buses)

From Mass Transit Administrator Tom Brown, dated April 4, 2007, transmitting the
above bill.

Recommends passage of Bill 80, as amended to Draft 2, on first reading.

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

Noes: None.

Absent: Committee Member Yoshimoto.

Comm. 335: A RESOLUTION SUPPORTING HAWAI'I COUNTY'S COMMITMENT TO
(Res. 160-07): TRAFFIC SAFETY
From Councilmember Stacy K. Higa, dated April 11, 2007, transmitting the above resolution.

Recommends adoption of Res. 160-07.

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

Noes: None.

Absent: Committee Member Yoshimoto.

Comm. 336: AN ORDINANCE AMENDING CHAPTER 24 OF THE HAWAI'I COUNTY
(Bill 87) CODE 1983 (1995 EDITION) RELATING TO VEHICLES AND TRAFFIC
(prohibited left turn - intersection of Route 180/Route 11)
From Public Works Director Bruce McClure, dated April 10, 2007, transmitting the above bill. During an "in house" test, the department found that prohibiting side road access by restricting left turn movement allowed traffic to flow smoother, and the time spent traveling through this area was noticeably reduced.

Recommends passage of Bill 87 on first reading.

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

Noes: None.

Absent: Committee Members Yagong and Yoshimoto.

Comm. 338: HAWAI'I STATE ASSOCIATION OF COUNTIES (HSAC) EXECUTIVE
Close file COMMITTEE MEETING OF APRIL 12, 2007

From HSAC Alternate Vice President Bob Jacobson, dated April 18, 2007, submitting a packet containing materials related to the above meeting.

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

Noes: None.

Absent: Committee Members Yagong and Yoshimoto.

UNFINISHED BUSINESS

- Comm. 85:
(Bill 23) AN ORDINANCE AMENDING CHAPTER 17 HAWAI'I COUNTY CODE 1983 (2005 EDITION, AS AMENDED) RELATING TO PLUMBING
From Public Works Director Bruce McClure, dated December 15, 2006, transmitting the above bill. Significant changes to the amendments to the Plumbing Code are as follows: 1) Format change throughout to model format used by the City and County of Honolulu to improve the readability of the Code; 2) Permits shall not be required in the case of any replacement work for the following: replacement or repair of garbage disposals, faucets and fixtures, to include sinks, water closets and heaters for non-commercial occupancies only; 3) Permits will be required when such repairs do involve or require the replacement or rearrangement of valves or pipes; 4) All repairs or replacement work shall be done by a plumber licensed in the State of Hawai'i. There is no increase in plumbing permit fees.
Recommends passage of Bill 23, as amended to Draft 2, on first reading.
Ayes: **Committee Members Higa Hoffmann, Ikeda
Jacobson, Naeole, Pilago Yagong and Chair Ford.**
Noes: **None.**
Absent: **Committee Member Yoshimoto.**
- Comm. 85.1:
Close file From County Clerk Casey Jarman, dated April 20, 2007, transmitting a "ramseyered version" of Bill 23.
Ayes: **Committee Members Higa Hoffmann, Ikeda
Jacobson, Naeole, Pilago Yagong and Chair Ford.**
Noes: **None.**
Absent: **Committee Member Yoshimoto.**
- Comm. 176.7:
(Bill 51)
(Draft 2) AN ORDINANCE AMENDING CHAPTER 27, FLOOD CONTROL, HAWAI'I COUNTY CODE 1983 (2005 EDITION), AS AMENDED, RELATING TO STORMWATER MANAGEMENT
From Councilmember Brenda Ford, dated February 28, 2007, transmitting Bill 51, Draft 2 which incorporates amendments 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.

Bill 51, Draft 2, along with motions made by Mr. Jacobson and duly seconded by Ms. Naeole to amend Bill 51 to Draft 3, as proposed by Ms. Ford in Comm. 176.35, were postponed to May 15, 2007.

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

Noes: None.

Absent: Committee Member Yoshimoto.

Comm. 176.32: **Close file** INFORMATIONAL REPORT ON BILL 51, DRAFT 2, RELATING TO
DEPARTMENT OF PUBLIC WORKS - UPDATES OF THE FLOOD
INSURANCE RATE MAPS (FIRM)

From Councilmember Brenda Ford, dated April 5, 2007, requesting the above report.

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

Noes: None.

Absent: Committee Member Yoshimoto.

Comm. 176.33: **Close file** REVISED ADMINISTRATION DRAFT OF BILL 51, RELATING TO
STORMWATER MANAGEMENT

From Public Works Director, dated April 19, 2007, transmitting a revised Administration draft of Bill 51. The revisions are the correction of one typographical error, the deletion of two items that were adopted in Bill 52, and the inclusion of elevating a ground floor one foot above existing ground for “Zone X, which is shaded. If the Committee is favorable, the department proposes to address flooding in a two step process: Step one, pass a bill which fulfills the requirements of the National Flood Insurance Program; and Step two, pass a second bill which addresses the policy issues wanted by the Council. The advantages of these two steps are that we can simplify by codifying the items we agree on and quickly come into compliance with the National Flood Insurance Program, thereby being eligible to participate in the Community Rating System; this will allow fuller discussion and exploration of any unanticipated consequences of proposed policy items.

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

Noes: None.

Absent: Committee Member Yoshimoto.

Comm. 289: RESOLUTION ACCEPTING THE DEDICATION OF ROADWAY LOT 12
(Res. 131-07) (LOLOKU STREET), OF THE MAKALAPUA BUSINESS CENTER
Close file SUBDIVISION, INCREMENT 2, BEING TAX MAP KEY: (3)7-4-025:012,
SITUATE AT KEAHUOLŪ, IN THE DISTRICT OF NORTH KONA, COUNTY
AND STATE OF HAWAI'I, FROM THE LILI'UOKALANI TRUST
From Assistant Corporation Counsel Gerald Takase, dated March 20, 2007,
transmitting the above resolution.

Withdrawn by Corporation Counsel.

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

Noes: None.

Absent: Committee Member Yoshimoto.

ADJOURNMENT

The meeting place is accessible for persons with disabilities. Persons who need special accommodations to attend this meeting should call 961-8245 by **April 26, 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 Kīlauea 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. 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 or other unanticipated circumstances 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 fifteen (15) 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 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 Kīlauea Ave., 2nd Floor, Hilo.

Viewing of meetings on government access television - Channel 52:

Finance and Environmental Management Committee meetings - Tuesday, May 8 & 15, 2007, at 8:30 p.m.; Planning and Public Works & Intergovernmental Relations Committee meetings - Thursdays, May 10 & 17, 2007, at 8:30 p.m.; and all four Committee meetings - Sunday, May 20, 2007, at 10:30 a.m.