

MINUTES

PUBLIC WORKS / PARKS & RECREATION COMMITTEE

June 20, 2018

A meeting of the Public Works / Parks & Recreation Committee of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Ross Kagawa, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Līhu'e, Kaua'i, on Wednesday, June 20, 2018, at 10:05 a.m., after which the following Members answered the call of the roll:

Honorable Arthur Brun
Honorable Mason K. Chock
Honorable Arryl Kaneshiro
Honorable JoAnn A. Yukimura
Honorable Ross Kagawa
Honorable Derek S.K. Kawakami, Ex-Officio Member
Honorable Mel Rapozo, Ex-Officio Member

Minutes of the June 6, 2018 Public Works / Parks & Recreation Committee Meeting.

Upon motion duly made by Councilmember Yukimura, seconded by Councilmember Kaneshiro, and unanimously carried, the Minutes of the June 6, 2018 Public Works / Parks & Recreation Committee Meeting was approved.

The Committee proceeded on its agenda item, as follows:

Bill No. 2710, Draft 1 A BILL FOR AN ORDINANCE AMENDING CHAPTER 12, ARTICLE 6, KAUAI COUNTY CODE 1987, AS AMENDED, RELATING TO THE ENERGY CODE
(This item was Deferred.)

Councilmember Kaneshiro moved to approve Bill No. 2710, Draft 1 seconded by Councilmember Brun.

Committee Chair Kagawa: I am going to recommend a motion to defer. After last Committee Meeting, two (2) weeks ago, we contacted the Contractors Association of Kaua'i, as well as the Electrical Union, International Brotherhood of Electrical Workers (IBEW), and they had asked for a deferral to get the information

out to their contractors to get their comments as far as any amendments. Doug Haigh from the Building Division had said that this could be a “Kaua‘i made code,” where we could make amendments that would only be applied for Kaua‘i indifference to the State adoption and we welcome those amendments from the private contractors and the Contractors Association of Kaua‘i. They have said that two (2) weeks is not enough time in order to review all of the materials and to get it out to all of their members. I found that no other County has adopted the Energy Code yet and the State has already adopted it, which goes into effect two (2) years from the period of adoption. I believe April of 2020 will be the effective date for all Counties, so we have time and there is no rush at the moment. I just wanted to make sure that our local contractors, our local unions received all of the information and distributes out to all the members and that we could have an Energy Code that is supported by all of our local people. With that, are there any questions? Councilmember Yukimura.

Councilmember Yukimura: Were the contractors given a deadline for returning comments so that the plan is to address it at the next Committee Meeting?

Committee Chair Kaneshiro: We will check. We are in touch with Karen Taketa of the Contractors Association of Kaua‘i. Today, I have been in touch with Richard Jose from IBEW and I hope that two (2) weeks will be enough, but we will see when the time comes. I will make no guarantees on behalf of what their commitment is, but they just said when we gave it to them two (2) weeks ago, they have never seen or heard of it, and I think their request is reasonable. They know about the Energy Code and they know about the Energy Codes on the mainland and they know that it does include some changes that are significant to today’s building standard. While they, on the outset, do welcome the safety aspects, the cost-saving aspects, and the greener energy aspects, they still wanted to have enough time to get to the contractors who are actually out there doing the work and make sure they have no problem with the Code as-is. If they have amendments, like I said, we welcome those amendments so that we can discuss them on this table.

Councilmember Yukimura: I have no problem and I think it is a good idea to reach out and get the input from people who are going to be affected by the Code, so I think that is a good idea. Especially if it is regarding safety and cost-savings, we should not delay unnecessarily, so I was just looking for a timetable of sorts.

Committee Chair Kagawa: We have given them Doug Haigh’s presentation and some of the comments I had heard was that, “Well, it is not necessarily true...” and that the presentation made it obvious that the initial cost would be recovered quickly, but they were a little skeptical that sometimes the presentations are brighter than it actually is. Like I said, we will let them do their due diligence and we will do our due diligence. I think it is only fair to get the comments from the professionals that are out there before we pass anything and make sure if they have any amendments that we hear from our professionals at what

amendments are best suited and most applicable for the island of Kaua'i. I hope that in two (2) weeks we can get this done because I do not want to have this hovering forever as well. I want to get the information back and Doug's presentation made it clear that this is a good investment that will come back, but I would like to hear from the private side and not only the government side.

Councilmember Yukimura: Thank you.

Council Chair Rapozo: I have a question.

Committee Chair Kagawa: Council Chair.

Council Chair Rapozo: So you are saying that the Administration never met with the Contractors Association of Kaua'i prior to sending it over to the Council?

Committee Chair Kagawa: No.

Council Chair Rapozo: I was under the impression that they did.

Committee Chair Kagawa: It may have been E-mailed or something, but I think a lot of times they become aware of it when it comes in a form of a bill that the County is considering. I think it should be good practice that whenever we have bills relating to electrical, plumbing, and carpentry that on first reading we try to get it out to them rather than wait for Committee. Perhaps, the process could be a little better. I overlooked making sure that that had happened, but in the future, I could save a couple weeks, but to me there is no harm because I do not see any urgent rush by waiting two (2) weeks.

Council Chair Rapozo: Okay. Thank you.

Committee Chair Kagawa: It was an oversight that hopefully I will prevent in the future, but it is what it is. I rather get their input than pass it.

Council Chair Rapozo: This Bill was introduced by the Administration. It was not a Council bill. What I am suggesting is that prior to them getting it to us, they should have gone through that process with the industries. That is all I am suggesting.

Committee Chair Kagawa: We have made those statements to the Building Division before and he had stated that he knows that it may be premature if you compare us with other islands, but he just felt that after doing his analysis and after sitting on the board with the state, they have adopted it, he felt "why not be first." I agree. Why not be first if it is a good thing? But again, I do not think anyone

gets hurt by waiting a couple weeks to make sure that our experts in the field on the private sector gets a say before we pass anything. Councilmember Yukimura.

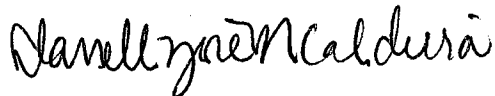
Councilmember Yukimura: I believe there was some outreach from the fact that Randy Nishimura did give input at first reading and he comes from a "contractor context," so I think there were some outreach, but I do not know if it was enough.

Committee Chair Kagawa: I totally respect Randy and his company. Randy does a lot of volunteer work, but we cannot rely on Randy to distribute it to all members because it is our job to get it out or the Administration's job to get it out. Either way, we are taking the steps necessary to make sure that we do not pass a bill that comes back to bite us on second reading and they say, "Why did the Committee not wait for our comments?" It is what it is, like I said.

Councilmember Kaneshiro moved to defer Bill No. 2710, Draft 1, seconded by Councilmember Brun, and unanimously carried.

There being no further business, the meeting was adjourned at 10:15 a.m.

Respectfully submitted,



Darrellyne M. Caldeira
Council Services Assistant II

APPROVED at the Committee Meeting held on July 5, 2018:



ROSS KAGAWA
Chair, PWPR Committee