



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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CAROL FUKUNAGA
CALVIN K.Y. SAY
HEIDI TSUNEYOSHI
AUGIE TULBA

Note: Resolution 20-333 and the Proposed FD1 on page 27 of the agenda have been cancelled.

ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
4TH SESSION
WEDNESDAY, MARCH 17, 2021
10 A.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Eighteenth Proclamation issued by Governor David Ige on February 12, 2021, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast. The meeting will be viewable: (1) by internet live streaming through www.honolulu-citycouncil.com and <http://olelo.granicus.com/MediaPlayer.php?publishid=92>; and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <http://www.honolulu-citycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Some Councilmembers may be participating in the meeting by interactive conference technology from remote locations.

ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Webex video conferencing platform. To participate, persons should visit www.webex.com, click "Join," enter meeting number **187 975 1849**, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by

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either phone or video conference. Webex testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.

2. Each speaker may not have anyone else read their statement and is limited to:
 - a. A three-minute presentation on Public Hearing, New Business, and Sunshined items; and
 - b. A one-minute presentation on all other items.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting. If submitted, written testimonies, including the testifier's address, email address and phone number, will be available to the public on both the City's Council's pilot website: www.honolulucitycouncil.com as well as the City's legacy DocuShare Website. Written testimony will not be accepted in person at the meeting.

Should you have any questions, please call 768-3814 or send an email to jyamane1@honolulu.gov.

The Council will recess from 12:30 p.m. to 1:30 p.m.

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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at www.honolulucitycouncil.com by clicking on the link for each item on the online agenda for the meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3814 or send an email to jyamane1@honolulu.gov at least three working days prior to the meeting.

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PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

CALL TO ORDER

Roll Call

Introduction of Guests

ORAL TESTIMONY REMOTELY VIA VIDEO CONFERENCE OR PHONE

Approval of Minutes of the 3rd Session

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ORDER OF THE DAY

APPOINTMENTS – RESOLUTIONS

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-60

Resolution 21-35, CD1

Confirming the nomination of J. Roger Morton to serve as the Director of Transportation Services of the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

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PUBLIC HEARING/SECOND READING

HOUSING AND THE ECONOMY

CR-62

Bill 1, CD1

Relating to grants incentivizing the construction of affordable rental housing. (Providing a grant to incentivize the construction of affordable rental housing.)

PASS SECOND READING, AS AMENDED

PUBLIC INFRASTRUCTURE AND TECHNOLOGY

CR-77

Bill 4, CD1

Relating to fire safety. (Updating the Fire Code of the City and County of Honolulu.)

PASS SECOND READING, AS AMENDED

Related communication:

CC-90

Disclosure of Interest Statement submitted by
Councilmember Fukunaga

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THIRD READING

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-58

Bill 97 (2020), CD1

Relating to abandoned vehicles. (Clarifying that trailers, including boat trailers, which are abandoned on a public street or highway are vehicles that are subject to towing and storage.)

PASS THIRD READING, AS AMENDED

CR-59

Bill 99 (2020), CD1

Relating to automated external defibrillators. (Promoting public health, safety, and welfare by enhancing access to automated external defibrillators.)

PASS THIRD READING, AS AMENDED

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BUDGET

CR-69

Bill 89 (2020), FD1, CD1

Relating to public transit. (Amending Chapter 2, Revised Ordinances of Honolulu 1990, to introduce the City Payment Card as a means to pay fares, fees, and charges for the transportation services, and to amend Chapter 13 to amend the fare structure for the City transit system.)

PASS THIRD READING, AS AMENDED

ZONING AND PLANNING

CR-41

Bill 41 (2019), CD2 and Findings of Fact

To adopt the revised Central Oahu Sustainable Communities Plan for the City and County of Honolulu. (Repealing the existing Sustainable Communities Plan for Central Oahu, Article 5, Chapter 24, Revised Ordinances of Honolulu 1990, and adopting a new Article 5 incorporating the revised Central Oahu Sustainable Communities Plan.)

PASS THIRD READING, AS AMENDED AND FINDINGS OF FACT ADOPTED

Bill 41 (2019), CD2, Proposed FD1 and Revised Findings of Fact

(Submitted by Councilmember Elefante)

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PARKS AND COMMUNITY SERVICES

CR-82

Bill 93 (2020), CD1, FD1

Relating to Department of Parks and Recreation permits.
(Requiring gender equity for certain sports activities requiring
a park use permit issued by the Department of Parks and
Recreation.)

PASS THIRD READING

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FIRST READING

Bill 5

Relating to the Legislative Budget for the Fiscal Year July 1, 2021 to June 30, 2022.

PASS FIRST READING

Bill 6

Relating to the Executive Operating Budget and Program for the Fiscal Year July 1, 2021 to June 30, 2022.

PASS FIRST READING

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Bill 7

Relating to the Executive Capital Budget and Program for the Fiscal Year July 1, 2021 to June 30, 2022.

PASS FIRST READING

Bill 8

Authorizing the issuance and sale of General Obligation Bonds and Bond Anticipation Notes of the City and County of Honolulu in a maximum principal amount equal to the aggregate of the amounts appropriated in the Capital Budget Ordinance of said City and County for the Fiscal Year ending June 30, 2022, and specified in said ordinance to be financed from the proceeds of the sale of such bonds and to be expended from the General Improvement Bond Fund, the Highway Improvement Bond Fund, Solid Waste Improvement Bond Fund, or the Housing Development Special Fund.

PASS FIRST READING

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Bill 10

Relating to Hanauma Bay Nature Preserve. (Increasing the entrance fee for nonresidents.)

PASS FIRST READING

Bill 11

Determining the real property tax rates for the City and County of Honolulu for the Fiscal Year July 1, 2021 to June 30, 2022.

PASS FIRST READING

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Bill 12

Relating to the Honolulu Authority for Rapid Transportation Operating Budget for the Fiscal Year July 1, 2021 to June 30, 2022.

PASS FIRST READING

Bill 13

Relating to the Honolulu Authority for Rapid Transportation Capital Budget for the Fiscal Year July 1, 2021 to June 30, 2022.

PASS FIRST READING

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Bill 14

Authorizing the issuance and sale of General Obligation Bonds and Bond Anticipation Notes of the City and County of Honolulu in a maximum principal amount equal to the aggregate of the amounts appropriated for the Honolulu Authority for Rapid Transportation Capital Budget Projects in the Honolulu Authority for Rapid Transportation Capital Budget and Program Ordinance for the Fiscal Year ending June 30, 2022, and specified in said Ordinance to be financed from the proceeds of the sale of such bonds and to be expended from the Transit Improvement Bond Fund.

PASS FIRST READING

Bill 15

Relating to funds. (Amending the ordinances relating to the solid waste special fund.)

PASS FIRST READING

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Bill 16

Relating to bicycles. (Mandating certain requirements for bicycle docking stations installed on City property.)

PASS FIRST READING

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RESOLUTIONS

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-61

Resolution 21-47

Urging the City Administration and Hawaii State Legislature to oppose the transfer of the responsibility and costs for emergency medical services from the State to the City and County of Honolulu.

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-63

Resolution 21-53

Approving the appointment of members of the Council Reapportionment Commission.

FOR ADOPTION

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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-64

Resolution 21-63

To authorize the Department of the Corporation Counsel to initiate Legal Action Against the Miller Family Trust and HH Constructions Inc. to recover damages to six City motor vehicles.

FOR ADOPTION

CR-65

Resolution 21-64

To retain the legal services of Farm Benedict Sugihara LLP as Special Counsel for the City and County of Honolulu, in a legal action entitled Gail Garin, et al. v. Alins Sumang, et al., Civil No. 1CCV-19-0002086 (Cir. Ct.)

FOR ADOPTION

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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-66

Resolution 21-65

To retain the legal services of the Law Offices of Cary T. Tanaka as Special Counsel for the City and County of Honolulu, on behalf of Sheldon Watts, in a legal action entitled Gail Garin, et al. v. Alins Sumang, et. al., Civil No. 1CCV-19-0002086 (Cir. Ct.)

FOR ADOPTION

BUDGET

CR-70

Resolution 20-144

Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$26,000,000 principal amount of General Obligation Bonds of the City and County of Honolulu for financing the amount appropriated in Ordinance No. 20 - ___ of the City and County of Honolulu for the purpose of financing capital costs of the Honolulu Rail Transit Project.

FOR ADOPTION

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BUDGET (Cont'd.)

CR-71

Resolution 21-42

Approving the City and County of Honolulu's Twenty-Seventh (27th) Year Action Plan for Community Development Block Grant, Home Investment Partnerships, Emergency Solutions Grants and Housing Opportunities for Persons with AIDS program funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development.

FOR ADOPTION

Resolution 21-42, Proposed FD1
(Submitted by Managing Director Formby)

CR-72

Resolution 21-43, CD1

Relating to the transfer of funds (Honolulu Emergency Services Department).

FOR ADOPTION, AS AMENDED

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BUDGET (Cont'd.)

CR-75

Resolution 21-54

Relating to the transfer of funds (Honolulu Emergency Services Department).

FOR ADOPTION

CR-76

Resolution 21-55, CD1

Relating to the transfer of funds (Honolulu Emergency Services Department).

FOR ADOPTION, AS AMENDED

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BUDGET (Cont'd.)

CR-73

Resolution 21-44

Requesting Hawaii's Congressional delegation, the Hawaii State Legislature, and the State of Hawaii Administration to help identify non-Coronavirus, Aid, Relief, and Economic Security Act Federal funding opportunities for the City.

FOR ADOPTION

Resolution 21-44, Proposed FD1
(Submitted by Councilmember Kia'aina)

Requesting the City and County of Honolulu Administration, Hawaii's Congressional delegation, the Hawaii State Legislature, and the State of Hawaii Administration to help the Honolulu City Council identify non-Coronavirus Aid, Relief, and Economic Security Act Federal funding opportunities for the City.

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Budget (Cont'd.)

CR-74

Resolution 21-52

Establishing a special Auditor Search Committee and appointing members thereof.

FOR ADOPTION

ZONING AND PLANNING

CR-330 (2020)

Resolution 20-308, CD1

Granting a Special Management Area Use Permit to allow the development of a new single-story, single-family detached dwelling in Kahaluu, Oahu. (Applicant: Takami Holdings Corporation) (Deadline: 4/9/21)

FOR ADOPTION, AS AMENDED

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ZONING AND PLANNING (Cont'd.)

CR-80

Resolution 20-315, CD1

Approving a conceptual plan for an interim planned development-transit project for the Ala Moana Plaza Development. (Applicant: Brookfield Properties)
(Deadline: 5/12/21)

FOR ADOPTION, AS AMENDED

Related communications:

CC-366 (2020)

Disclosure of Interest Statement submitted by Councilmember Elefante

CC-369 (2020)

Disclosure of Interest Statement submitted by Councilmember Elefante

CC-370 (2020)

Disclosure of Interest Statement submitted by Councilmember Elefante

CC-371 (2020)

Disclosure of Interest Statement submitted by Councilmember Elefante

CC-372 (2020)

Disclosure of Interest Statement submitted by Councilmember Elefante

CC-373 (2020)

Disclosure of Interest Statement submitted by Councilmember Elefante

CC-93

Disclosure of Interest Statement submitted by Councilmember Elefante

CC-94

Disclosure of Interest Statement submitted by Councilmember Elefante

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ZONING AND PLANNING (Cont'd.)

CR-81

Resolution 21-40, CD1

Granting a Special Management Area Use Permit to allow for new construction and improvements to the New Hope Church. (Applicant: New Hope International Ministries) (Deadline: 4/17/21)

FOR ADOPTION, AS AMENDED

Related communication:

CC-95

Disclosure of Interest Statement submitted by Councilmember Cordero

CR-86

Resolution 21-57, CD1

Authorizing exemptions from certain requirements relating to the Hale Makana O Moiliili affordable rental housing project in Moiliili. (Applicant: Hookahua Development LLC) (Deadline: 4/9/21)

FOR ADOPTION, AS AMENDED

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ZONING AND PLANNING (Cont'd.)

CR-88

Resolution 21-60

Amending Resolution 16-70, CD1, FD1, relating to a development agreement for an affordable senior rental housing complex on City-owned property located in Chinatown.

FOR ADOPTION

Related communication:

CC-102

Disclosure of Interest Statement submitted by Councilmember Elefante

PARKS AND COMMUNITY SERVICES

CR-83

Resolution 21-41

Accepting a gift to the City from the Honolulu Zoological Society.

FOR ADOPTION

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PARKS AND COMMUNITY SERVICES (Cont'd.)

CR-84

Resolution 21-45

Accepting a gift to the City from Rainbow Aquatics.

FOR ADOPTION

CR-85

Resolution 21-51

Urging the Department of Parks and Recreation to establish dusk to dawn park closure hours for Makalei Beach Park, Leahi Beach Park, Diamond Head Beach Park, and Kuilei Cliffs Beach Park.

FOR ADOPTION

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BALANCE OF COMMITTEE REPORTS

EMLACR-67 Request for authorization to settle a claim made by Kekoa Andrade against the City and County of Honolulu.

EMLACR-68 Request for authorization to settle a case against the City and County of Honolulu entitled Jorge Rivera, et al. v. City and County of Honolulu, et al., Civil No. CV20-00458 HG/RT (USDC).

PITCR-78 Grant of Electric Easement 2 for public use in Ewa (Royal Kunia Subdivision Increment C). (D-72)

PITCR-79 Grant of Sewer Easement 1551 for public use in Waipio (Mililani Town Unit 29-A). (D-87)

FOR ADOPTION

UNFINISHED BUSINESS

NEW BUSINESS

Resolution 21-46

Accepting a gift to the City from the United States Marine Corps Hawaii Military Police Canine Unit.

FOR ACTION

Resolution 20-333

Amending Resolution No. 17-175, CD1, to extend the deadline to obtain a building permit for an interim planned development-transit (IPD-T) project for the Hawaii Ocean Plaza project.

CANCELLED

Resolution 20-333, Proposed FD1
(Submitted by Councilmember Elefante)

Amending Resolution 17-175, CD1, to extend the deadline to obtain a building permit for the Hawaii Ocean Plaza interim planned development-transit project.

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Resolution 21-33

Resolution to amend Resolution 18-269 to extend the time period for completion of installation of the waterline to December 31, 2022 to the United States of America, Department of the Navy within the City-owned portions of Waihona Street, TMK; 9-6-004-Road and Second Street, TMK: 9-7-021-Road.

FOR ACTION

Communication M-187

From Hawaii Planning LLC, requesting a 90-day extension of time for Resolution 20-308, granting a Special Management Area Use Permit to allow the development of a new single-story, single-family detached dwelling in Kahaluu, Oahu. (Applicant: Takami Holdings Corporation) (Deadline: 4/9/21 + 90 days)

FOR ACTION

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COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

If the need arises with respect to any item on this agenda, then pursuant to Council Rule 12.A and Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the Council may resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues pertaining to the Council's powers, duties, privileges, immunities and/or liabilities relating to that item.

ANNOUNCEMENTS

ADJOURNMENT