



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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HEIDI TSUNEYOSHI
AUGIE TULBA

ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
13TH SESSION
WEDNESDAY, OCTOBER 6, 2021
10 A.M.

Zoom Link

ID: 95180139703

Password: 100621CCL

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Governor David Ige's Emergency Proclamation Related to the COVID-19 Response, issued on August 5, 2021, in order to allow public participation in a manner consistent with safe practices and social distancing requirements, this meeting will be conducted as a remote meeting by interactive conference technology, with the following procedures 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.honolulucitycouncil.com and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <http://www.honolulucitycouncil.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:

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1. Persons may submit oral testimony remotely through the Zoom video conferencing platform. To participate, persons should visit www.zoom.us, click "Join," enter meeting number **95180139703**, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either phone or video conference. Zoom 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. To audio conference on the day of the meeting call **+1-253-215-8782**, enter ID: **95180139703**, and Passcode: **596819829**.
3. Each speaker may not have anyone else read their statement and is limited to:
 - a. A three-minute presentation on Public Hearing and New Business items; and
 - b. A one-minute presentation on all other items.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826, transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html>, or mailed to Office of the City Clerk, Attention: Information Section, 530 South King Street, Room 100, Honolulu, HI 96813. If submitted, written testimonies, including the testifier's address, email address and phone number, will be available to the public at both <https://hnlidoc.ehawaii.gov> and on the City's Council's pilot website: www.honolulucitycouncil.com. 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 jymane1@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 <https://hnlidoc.ehawaii.gov/hnlidoc/browse/agendas> by clicking on the appropriate Council meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3814 or send an email to jymane1@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 12th Session

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ORDER OF THE DAY

APPOINTMENT – RESOLUTIONS

PUBLIC SAFETY

CR-282

Resolution 21-150, CD1

Confirming the appointment of David Matlin to serve on the
Fire Commission of the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

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PUBLIC HEARING/SECOND READING

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-269

Bill 36

Relating to parking. (Amending the regulation of metered parking at Kapiolani Park.)

PASS SECOND READING

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-273

Resolution 21-156, CD1

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, relating to the Planning Commission.

PASS SECOND READING, AS AMENDED

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FIRST READING

Resolution 21-234

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, relating to Ocean Safety and Lifeguard services.

PASS FIRST READING

Bill 38

Relating to commercial activities at public parks. (Addressing commercial activities at certain beach parks.)

PASS FIRST READING

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Bill 39

Relating to real property taxation. (Amending the provisions relating to the alternate energy improvements real property tax exemption.

PASS FIRST READING

Bill 40

Relating to the transient accommodations tax. (Establishing a transient accommodations tax for the City and County of Honolulu, provide for its imposition and disposition, and facilitate the receipt and deposit of the revenues derived from the transient accommodations tax.)

PASS FIRST READING

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RESOLUTIONS

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-270

Resolution 21-175, CD1

Requesting the City Administration to take the steps necessary to acquire that section of Leahi Avenue between Monsarrat Avenue and Noela Street, including, if necessary, the preparation of a Resolution to initiate proceedings in eminent domain.

FOR ADOPTION, AS AMENDED

CR-271

Resolution 21-199

Urging the City Administration to evaluate and install “Do Not Block Intersection” pavement markings and signs for problematic intersections on City roadways.

FOR ADOPTION

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HOUSING AND THE ECONOMY

CR-272

Resolution 21-210

Authorizing the assignment and extension of a lease of City property with DET Renton Partners LP for the DE Thompson Village Project under Section 28-3.4(j), Revised Ordinances of Honolulu 1990, as amended (ROH).

FOR ADOPTION

BUDGET

CR-278

Resolution 21-205

Accepting a gift of various medical supplies for the Honolulu Zoo valued at \$11,047 from the Hawai'i Veterinary Medical Association for the use by the staff of the Honolulu Zoo.

FOR ADOPTION

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BUDGET (Cont'd.)

CR-279

Resolution 21-208

Relating to the transfer of funds. (Office of Climate Change, Sustainability and Resiliency)

FOR ADOPTION

CR-280

Resolution 21-213

Relating to the inclusion in the 2022 Hawai'i State Association of Counties' legislative package of a proposal that would authorize the counties to impose additional fines beyond the fines provided by the Statewide Traffic Code and apportion the revenues collected from such fines to the counties where the violations occurred.

FOR ADOPTION

ORDER OF BUSINESS
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BUDGET (Cont'd.)

CR-281

Resolution 21-214

Relating to the appointment of Arushi Kumar as the City Auditor.

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

(CR-237 adopted
9/8/21)

Resolution 21-114, CD1

Providing for the acquisition of easements for public use for the rehabilitation of Numana Road Bridge over Kalihi Stream, Bridge No. 129, located at Kaahaloa, Kupehau, or Laelae, Kalihi Valley, Honolulu, O'ahu, Hawai'i, and determining and declaring the necessity of the acquisition by eminent domain.

(Note: Laid over on 9/8/21 and published on 9/15/21)

FOR ADOPTION

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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

(CR-238 adopted
9/8/21)

Resolution 21-148

Providing for the acquisition of land for public use of 1615 Ala Wai Boulevard, located at Kalia, Waikiki, Honolulu, O'ahu, Hawai'i, and determining and declaring the necessity of the acquisition by eminent domain.

(Note: Laid over on 9/8/21 and published on 9/15/21)

FOR ADOPTION

CR-274

Resolution 21-182, CD1

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, pursuant to the Mayor's executive reorganization authority, relating to the Office of Housing.

FOR ADOPTION, AS AMENDED

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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-275

Resolution 21-212

Amending the City's policy guidelines for sister city relationships.

FOR ADOPTION

CR-276

Resolution 21-217

To request additional funds and extend time for Contract No. SC-COR-1700063 to continue the services of O'Connor & Dyet, P.C. formerly known as O'Connor & Campbell of Tempe, Arizona as Special Deputy Corporation Counsel for the Honolulu Police Department and its Custodian(s) of Record in a legal action entitled State of Arizona v. Miti Maugaotega, Criminal No. CR 2010-01172 (Superior Court of the State of Arizona, Pinal County).

FOR ADOPTION

ORDER OF BUSINESS
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PUBLIC SAFETY

CR-283

Resolution 21-191

Accepting a gift to the City from State Farm Insurance.
(Accepting a gift in the amount of \$25,000 for an accelerant
detection canine and training for Honolulu Fire Department
personnel.)

FOR ADOPTION

CR-284

Resolution 21-207

Authorizing the Chief of Police of the Honolulu Police
Department to apply for and to enter into an agreement with
the Bureau of Justice Assistance, U.S. Department of
Justice, for funds from the Edward Byrne Memorial Justice
Assistance Grant Program FY2021 Local Solicitation.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 6, 2021

ZONING AND PLANNING

CR-285

Resolution 21-203, CD1

Granting a Special Management Area (“SMA”) Use Permit for improvements to the Kawaihoa Transfer Station. (Applicant: Department of Environmental Services) (Deadline: 10/25/21)

FOR ADOPTION, AS AMENDED

Related communication:

CC-337

Disclosure of Interest Statement submitted by Councilmember Elefante.

CR-286

Resolution 21-204, CD1

Granting a Special Management Area Use Permit to replace the Laieloa Stream Bridge. (Applicant: State of Hawai‘i, Department of Transportation) (Deadline: 10/31/21)

FOR ADOPTION, AS AMENDED

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ZONING AND PLANNING (Cont'd.)

CR-287

Resolution 21-209, CD1

Granting an after-the-fact Special Management Area (SMA) Use Permit to allow construction and repainting of a security fence surrounding the Diamond Head 180 Reservoir, and revegetation of cleared areas, at Tax Map Key (TMK) 3-1-042:007 at Diamond Head Crater. (Applicant: Board of Water Supply) (Deadline: 11/8/21)

FOR ADOPTION, AS AMENDED

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BALANCE OF COMMITTEE REPORTS

EMLACR-277

Request for authorization to settle a case against the City and County of Honolulu entitled Melissa-Iris E. Lau, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-20-0001699 (Cir. Ct.)

FOR ADOPTION

UNFINISHED BUSINESS

ORDER OF BUSINESS
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NEW BUSINESS

Resolution 21-215

Accepting a gift to the City from the Honolulu Firefighters Foundation. (Accepting a gift of Thanksgiving Day meals for the Honolulu Fire Department personnel valued at \$16,500.)

FOR ACTION

Resolution 21-230

Accepting a gift to the City from Techconnect of two registrations valued at \$2,000 for a Councilmember and a Legislative Aide to access and participate in the Smart Cities Connect Conference and Expo to be held at National Harbor, Maryland, from October 19-21, 2021.

FOR ACTION

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Resolution 21-237

Accepting a gift of tuition, travel, meals and accommodations to the City from Bloomberg Philanthropies for the Mayor Rick Blangiardi to attend the Bloomberg Harvard Leadership Initiative in New York City, New York from September 26-29, 2021.

FOR ACTION

Resolution 21-238

Accepting a gift of tuition, travel, meals and accommodations to the City from Bloomberg Philanthropies for Managing Director Michael D. Formby and Executive Director Matthew Gonser, Office of Climate Change, Sustainability and Resiliency to attend the Bloomberg Harvard Agency Executive Seminar in New York City, New York from October 25-29, 2021.

FOR ACTION

ORDER OF BUSINESS
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Resolution 21-229

Requesting the City Administration to work with the Council to establish a benchmarking program to increase the efficiency and resiliency of commercial and residential buildings on O'ahu.

FOR ACTION

Resolution 21-235

Relating to the inclusion in the 2022 Hawai'i State Association of Counties' legislative package of a proposal that would address issues related to administration and enforcement of the county transient accommodations tax and authorize the State Department of Taxation to assist the counties with the tax collection.

FOR ACTION

ORDER OF BUSINESS
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Resolution 21-236

Relating to the inclusion in the 2022 Hawai'i State Association of Counties' legislative package of a proposal that would authorize the counties to employ a power of sale to collect unpaid civil fines, fees, and charges, or clean-up and removal costs for a public nuisance or violation of certain county ordinances.

FOR ACTION

Communication D-621

From the Department of Design and Construction requesting consideration of Grant of Access Easement L and Grant of Sidewalk Easements J, K, 101 and 102 for public use in Waikiki. [Kalia Road (Hilton Hawaiian Village Easements)]

FOR ACTION

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Communication D-645

From the Department of Design and Construction requesting consideration of Deed conveying roadway Lots 17922, 18038 to 18042; Grant of Drain Easements 9607 and 9608 and Mortgagee's Consent and Subordination Agreement; and Grant of Sewer Easements 9603 and 9604 for public use in Ewa. (Ocean Pointe Area IVA Phase 2 Subdivision)

FOR ACTION

Communication D-649

From the Department of Design and Construction requesting consideration of Deed conveying roadway Lots 19190 to 19193; Grant of Drain Easements 10288 and 10451; and Grant of Sewer Easements 10442 and 10443 for public use in Ewa. (Ocean Pointe Area IV E Subdivision)

FOR ACTION

ORDER OF BUSINESS
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Communication D-670

From the Department of Design and Construction requesting consideration of Deed conveying roadway Lots 16983, 16961, 16962 and 16963; Grant of Drain Easement 6479; Grant of Flowage Easement 6479; and Grant of Sewer Easement 6479 for public use in Waipio. (Mililani Mauka Unit 129 Subdivision)

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 Hawai'i 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