



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON PUBLIC INFRASTRUCTURE AND TECHNOLOGY

Voting Members:

Carol Fukunaga, Chair
Andria Tupola, Vice Chair
Brandon J.C. Elefante
Heidi Tsuneyoshi

RESOLUTION

ESTABLISHING A SUBCOMMITTEE OF THE COMMITTEE ON PUBLIC INFRASTRUCTURE AND TECHNOLOGY AS A PERMITTED INTERACTION GROUP TO INVESTIGATE MATTERS RELATING TO COMPLIANCE WITH FIRE SAFETY ORDINANCES IN RESIDENTIAL HIGH-RISE BUILDINGS.

WHEREAS, Ordinances 19-4 and 21-3 were enacted as a result of a fire at the Marco Polo condominium on July 14, 2017, that took the lives of four of its residents and devastated the lives of numerous other owners and renters residing in the condominium project; and

WHEREAS, issues related to compliance with Ordinances 19-4 and 21-3 have emerged in conjunction with the Honolulu Fire Department's August 2021 Life Safety Evaluation three-month report, which identified only nine out of the more than 300 residential high-rise buildings required by those ordinances to conduct fire-related life safety evaluations have achieved a passing score; and the low passage rate has become a major matter of concern to members of the public, State and City legislators, and community stakeholders; and

WHEREAS, the Council Committee on Public Infrastructure and Technology ("Committee") desires to gain a broader perspective on the issue of compliance with the fire safety ordinances for high-rise residential buildings by listening to concerns from the public and community stakeholders; and

WHEREAS, Council Rule 7A(2) authorizes the creation of subcommittees of a Council committee, and Section 92-2.5, Hawaii Revised Statutes ("HRS"), permits the Committee, as a "board" under HRS Chapter 92, Part I (the "Sunshine Law"), to assign two or more members, but fewer than a majority of a board, to investigate matters relating to the business of the Committee, without the interactions of the Councilmembers in the course of the investigation being considered a "meeting," under HRS Chapter 92, Part I, provided that:

- (A) The scope of the investigation and the scope of each member's authority are defined at a meeting of the Committee;
- (B) All resulting findings and recommendations are presented to the Committee at a meeting of the Committee; and



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- (C) Deliberation and decision-making on the matter investigated, if any, occurs only at a duly noticed meeting of the Committee held subsequent to the meeting at which the findings and recommendations of the investigation were presented to the Committee; and

WHEREAS, the Committee on Public Infrastructure and Technology wishes to establish a subcommittee under Council Rule 7A(2), which would act as a Permitted Interaction Group under HRS Section 92-2.5, to hold community meetings to investigate, dialogue with, and receive input from community stakeholders, State legislators, and the general public regarding issues and concerns relating to compliance with fire safety Ordinances 19-4 and 21-3, for high-rise residential buildings; now, therefore,

BE IT RESOLVED by the Committee on Public Infrastructure and Technology of the Council of the City and County of Honolulu that a subcommittee, composed of Committee members Carol Fukunaga and Heidi Tsuneyoshi, is hereby established and authorized to act as a Permitted Interaction Group under HRS Section 92-2.5, to hold community meetings for the purpose of receiving input from community stakeholders, State legislators, and the general public, to investigate issues and concerns relating to compliance with fire safety ordinances affecting high-rise residential buildings; and

BE IT FURTHER RESOLVED that no member of the permitted interaction group may, during the investigation, make any binding commitment or create any obligation on behalf of the Committee, the Council, or the City; and



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BE IT FINALLY RESOLVED that the permitted interaction group shall present a written report to the Committee summarizing the input received and community dialogue conducted during the community meetings at a Committee meeting, pursuant to Section 92-2.5(b)(1)(C), Hawaii Revised Statutes, and, upon the Committee's acceptance of the report at a subsequent Committee meeting, the subcommittee shall be dissolved.

INTRODUCED BY:

Carol Fukunaga

DATE OF INTRODUCTION:

Honolulu, Hawai'i

Councilmembers