



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

TOMMY WATERS
CHAIR & PRESIDING OFFICER
ESTHER KIA'ĀINA
VICE CHAIR
ANDRIA TUPOLA
FLOOR LEADER
RADIANT CORDERO
BRANDON J.C. ELEFANTE
CAROL FUKUNAGA
CALVIN K.Y. SAY
HEIDI TSUNEYOSHI
AUGIE TULBA

ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
20TH SESSION
WEDNESDAY, APRIL 13, 2022
10 A.M.

PUBLIC MEETING LOCATION:
CITY COUNCIL MULTI-PURPOSE ROOM,
ROOM 205, HONOLULU HALE

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Act 220, Session Laws of Hawaii 2021, in order to allow public participation in a manner consistent with safe COVID-19 practices, 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

Except as provided below for persons wishing to present in-person oral testimony in the Council Chamber, 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 <https://www.honolulucitycouncil.org/meetings> or [olelo.org](https://www.honolulucitycouncil.org/olelo.org); (2) by televised live broadcast on 'Ōlelo TV Channel 54; (3) on the television situated in the City Council Multi-Purpose Room, Room 205 on the second floor of Honolulu Hale, where in-person testimony will also be accepted; and (4) on the monitor situated outside the Council Chamber, where persons will be allowed to enter the Chamber only to present oral testimony. Viewers who experience a loss of viewing signal should try switching to another viewing option.

After the meeting, the meeting will be viewable on demand at <https://www.honolulucitycouncil.org/meetings>. Copies of older meeting videos may be requested by calling the City Clerk's Office at (808) 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:

Each speaker may not have anyone else read their statement and is limited to:

1. A three-minute presentation on Public Hearing and New Business items; and
2. A one-minute presentation on all other items.

Remote Testimony

1. Persons may submit oral testimony remotely through the Zoom video conferencing platform. To participate, persons should visit <https://hnlldoc.ehawaii.gov/hnlldoc/testimony>. Videoconference access information will be provided upon submission of testimony/registration. Zoom testifiers are strongly encouraged to register at least 24 hours before the start of the meeting.
2. To submit oral testimony by phone only, please contact the Council Information Section at (808) 768-5822 to register and obtain telephone access information.

In-Person Testimony at Public Meeting Location (City Council Multi-Purpose Room)

Persons may also submit oral testimony via the Zoom video conferencing platform from the City Council Multi-Purpose Room, Room 205 on the second floor of Honolulu Hale. Persons wishing to testify are requested to register by 10 a.m. by filling out the registration form in person at the City Council Multi-Purpose Room. Persons who have not registered will be given an opportunity to speak following the oral testimonies of the registered speakers.

In-Person Testimony in the Council Chamber

Persons may also submit oral testimony in the Council Chamber, but will be allowed in the Council Chamber only to present their testimony and must leave immediately thereafter. Persons must wait in line outside the Council Chamber until their name is called or they are allowed in as the next testifier by Council staff.

Persons wishing to testify are requested to register by 10 a.m. by filling out the registration form in person outside the Council Chamber. Persons who have not registered will be given an opportunity to speak following the oral testimonies of the registered speakers.

ORDER OF BUSINESS
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All oral testimony, both remote and in-person, will be taken at the start of the agenda and then closed, in the following order:

- 1. Remote testimony will be taken first and then closed;**
- 2. In-person testimony from the Council Multi-Purpose Room will be taken second and then closed; and**
- 3. In-person testimony in the Council Chamber will be taken third and then closed.**

WRITTEN TESTIMONY

Written testimony may be uploaded via the internet at <https://hnldoc.ehawaii.gov/hnldoc/testimony>, 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, e-mail address, and phone number, will be available to the public at <https://hnldoc.ehawaii.gov>.

Should you have any questions, please call (808) 768-3814 or send an email to iyamane1@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://hnldoc.ehawaii.gov/hnldoc/browse/agendas> by clicking on the appropriate Council meeting.

Accommodations are available upon request to persons with disabilities. Please call (808) 768-3814 or send an email to iyamane1@honolulu.gov at least three working days prior to the meeting.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS
Wednesday, April 13, 2022

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

CALL TO ORDER

Roll Call

Introduction of Guests

ORAL TESTIMONY REMOTELY VIA VIDEO CONFERENCE, PHONE, OR IN-PERSON

APPROVAL OF MINUTES

19th Session (March 16, 2022)

ORDER OF BUSINESS
Wednesday, April 13, 2022

ORDER OF THE DAY

APPOINTMENT – RESOLUTIONS

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-65

Resolution 22-27

Confirming the nomination of Nola N. Miyasaki, to serve as the Director of the Department of Human Resources of the City and County of Honolulu.

FOR ADOPTION

PUBLIC HEARING/ADOPTION

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-62

Recommendations on the review and evaluation of the Climate Change Commission pursuant to Ordinance 17-44.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, April 13, 2022

PUBLIC HEARING/SECOND READING

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-63

Bill 11

Pili i ka Mahina 'Ōlelo Hawai'i. (English Translation) Relating to Mahina 'Ōlelo Hawai'i. [Designating the month of February as "Mahina 'Ōlelo Hawai'i" (Hawaiian Language Month) to celebrate and encourage the use of the Hawaiian language.]

PASS SECOND READING

BUDGET

CR-78

Bill 13

Relating to the Legislative Budget for the Fiscal Year July 1, 2022 to June 30, 2023.

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, April 13, 2022

BUDGET (Cont'd.)

CR-79

Bill 14, CD1

Relating to the Executive Operating Budget and Program for the Fiscal Year July 1, 2022 to June 30, 2023.

PASS SECOND READING, AS AMENDED

CR-80

Bill 15, CD1

Relating to the Executive Capital Budget and Program for the Fiscal Year July 1, 2022 to June 30, 2023.

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, April 13, 2022

BUDGET (Cont'd.)

CR-81

Bill 16

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, 2023, 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 SECOND READING

CR-82

Bill 18

Relating to the Honolulu Authority for Rapid Transportation Operating Budget for the Fiscal Year July 1, 2022 to June 30, 2023.

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, April 13, 2022

BUDGET (Cont'd.)

CR-83

Bill 19, CD1

Relating to the Honolulu Authority for Rapid Transportation
Capital Budget for the Fiscal Year July 1, 2022 to June 30,
2023.

PASS SECOND READING, AS AMENDED

PUBLIC HEARING/RESOLUTIONS

BUDGET

CR-85

Resolution 22-45

Determining the Real Property Tax Rates for the City and County of Honolulu for the Fiscal Year July 1, 2022 to June 30, 2023.

ADOPT COMMITTEE REPORT AND REFER THE RESOLUTION TO THE COMMITTEE ON BUDGET

| | <u>Class</u> | <u>Tax Rate Per \$1,000 Net Taxable Real Property Value</u> |
|-----|------------------------|---|
| (A) | Residential | \$ 3.50 |
| (B) | Hotel and Resort | 13.90 |
| (C) | Commercial | 12.40 |
| (D) | Industrial | 12.40 |
| (E) | Agricultural | 5.70 |
| (F) | Preservation | 5.70 |
| (G) | Public Service | 0.00 |
| (H) | Vacant Agricultural | 8.50 |
| (I) | Residential A | |
| | Tier 1: | 4.50 |
| | Tier 2: | 10.50 |
| (J) | Bed and breakfast home | 6.50 |

The foregoing schedule of rates is for consideration at the public hearing. The final tax rates may be higher or lower than the rates reflected above.

Advance notice is given that the Council may adopt the Resolution fixing the real property rates for the Fiscal Year July 1, 2022 to June 30, 2023 at a meeting to be held on Wednesday, June 1, 2022 in the Council Chamber, Honolulu Hale.

ORDER OF BUSINESS
Wednesday, April 13, 2022

THIRD READING

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-64

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 THIRD READING

ORDER OF BUSINESS
Wednesday, April 13, 2022

ZONING AND PLANNING

CR-76

Bill 41 (2021), CD2

Relating to transient accommodations. (Protecting the City's residential neighborhoods and housing stock from the negative impacts of short-term rentals by providing a more comprehensive approach to the regulation of transient accommodations within the City.) (Deadline: 5/13/22)

PASS THIRD READING, AS AMENDED

Bill 41 (2021), CD2, Proposed FD1

(Submitted by Councilmember Fukunaga)

Related communications:

CC-394 (2021)

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-395 (2021)

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-397 (2021)

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-10

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-11

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-17

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-18

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-19

Disclosure of Interest Statement submitted by Councilmember Elefante.

ORDER OF BUSINESS
Wednesday, April 13, 2022

FIRST READING

Resolution 22-79

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

PASS FIRST READING

Bill 23

Relating to private refuse collection vehicles. (Preserving the tranquility of residential, apartment, and apartment mixed use neighborhoods against noise disturbances from the collection of refuse by private refuse collection vehicles by regulating the hours of collection.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, April 13, 2022

Bill 24

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

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, April 13, 2022

RESOLUTIONS

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-59

Resolution 22-50

Requesting the City Administration to report to the Council on possible revisions or alternatives to current City sidewalk construction financing processes.

FOR ADOPTION

CR-60

Resolution 22-54

Requesting the Department of Transportation Services to improve public notification procedures for closures of City streets.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, April 13, 2022

TRANSPORTATION, SUSTAINABILITY AND HEALTH (Cont'd.)

CR-61

Resolution 22-56

Approving an amendment to the City and County of Honolulu's list of Federal Transit Administration and Federal Highway Administration candidate projects in the Federal Fiscal Years 2022-2025 Transportation Improvement Program.

FOR ADOPTION

Resolution 22-56, Proposed FD1
(Submitted by Councilmember Cordero)

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-66

Resolution 22-74

Resolution to retain the legal services of Kobayashi Sugita & Goda, LLP as Special Counsel to represent Defendant Christopher Koanui in a legal action entitled Robin Hall v. City and County of Honolulu, et al., Civil No. CV21-00248 LEK/KJM (USDC).

FOR ADOPTION

Related communications:

CC-104

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-105

Disclosure of Interest Statement submitted by Councilmember Elefante.

ORDER OF BUSINESS
Wednesday, April 13, 2022

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-67

Resolution 22-75

Resolution to retain the legal services of Kobayashi Sugita & Goda, LLP as Special Counsel to represent Defendants Honolulu Liquor Commission, Jacob Fears and Catherine Fontaine in a legal action entitled Scarlet Honolulu Inc., et al. v. Honolulu Liquor Commission, et al., Civil No. CV21-00457 KJM (USDC).

FOR ADOPTION

Related communications:

CC-106

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-107

Disclosure of Interest Statement submitted by Councilmember Elefante.

CR-68

Resolution 22-76

Resolution to retain the legal services of Farm Benedict Sugihara A Limited Liability Law Partnership LLP as Special Counsel to represent Defendants City and County of Honolulu and Susan Ballard in a legal action entitled Debralynn Thomas, Individually and in her capacity as Personal Representative of the Estate of Kyle Thomas v. City and County of Honolulu, et al., Civil No. CV21-00087 JAO/KJM (USDC).

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, April 13, 2022

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-69

Resolution 22-77

Resolution to retain the legal services of Kobayashi Sugita & Goda, LLP as Special Counsel to represent Defendants Ronald V. Dumlao, Chance C. Correa and Jose J. Villanueva in a legal action entitled Debralynn Thomas, Individually and in her capacity as Personal Representative of the Estate of Kyle Thomas v. City and County of Honolulu, et al., Civil No. CV21-00087 JAO/KJM (USDC).

FOR ADOPTION

Related communications:

CC-108

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-109

Disclosure of Interest Statement submitted by Councilmember Elefante.

BUDGET

CR-73

Resolution 22-59

Accepting a gift of evaluations on Honolulu Zoo's two Asian Elephants, and training of Honolulu Zoo staff in elephant management and foot care valued at \$6,017 to the City from the Honolulu Zoo Society.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, April 13, 2022

BUDGET (Cont'd.)

CR-70

Resolution 22-52

Approving the City Auditor's request for an extension of time to complete the performance audit of the Honolulu Police Department requested by Resolution 21-58.

FOR ADOPTION

CR-71

Resolution 22-57

Authorizing the Director of Budget and Fiscal Services to issue and sell not to exceed \$1,050,000,000 principal amount of Wastewater System Revenue Bonds, Senior Series 2022 and related matters.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, April 13, 2022

BUDGET (Cont'd.)

CR-72

Resolution 22-58

Authorizing the Director of Budget and Fiscal Services to issue and sell not to exceed \$80,000,000 principal amount of Wastewater System Revenue Bonds, Junior Series 2022 and related matters.

FOR ADOPTION

CR-84

Resolution 22-39, CD1

Approving the City and County of Honolulu's Twenty-Eighth (28th) 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, AS AMENDED

ORDER OF BUSINESS
Wednesday, April 13, 2022

PUBLIC SAFETY

CR-74

Resolution 22-60

Accepting a gift of \$32,360 to the City from the Waikiki Transportation Management Association (WTMA) for the Honolulu Police Department to address various illegal activities including parking violations on public streets in specific areas in Waikiki.

FOR ADOPTION

CR-75

Resolution 22-64

Requesting the Honolulu Police Department to provide a search notice to property owners or occupants who were absent at the time of a search.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, April 13, 2022

ZONING AND PLANNING

CR-77

Resolution 22-32, CD1

Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (the Land Use Ordinance), relating to the Chinatown Special District.

FOR ADOPTION, AS AMENDED

Resolution 22-32, CD1, Proposed FD1
(Submitted by Councilmember Fukunaga)

ORDER OF BUSINESS
Wednesday, April 13, 2022

BALANCE OF COMMITTEE REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

Resolution 22-65

Naming the field at Booth District Park in Pauoa Valley in honor of Wilbert “Ah Ping” Lee.

FOR ACTION

Resolution 22-67

Approving the expenditure of Clean Water and Natural Lands Funds to acquire a conservation easement over a portion of TMK: 3-8-013:001, Honolulu, Hawai'i.

FOR ACTION

ORDER OF BUSINESS
Wednesday, April 13, 2022

Resolution 22-70

Accepting a gift of basketball court mural at Cartwright Neighborhood Park to the City from Mālama Kīpuka Hawai'i.

FOR ACTION

Resolution 22-78

Recommending appointees to the Hawaii Community Development Authority.

FOR ACTION

ORDER OF BUSINESS
Wednesday, April 13, 2022

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