



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON TRANSPORTATION, SUSTAINABILITY AND HEALTH

### Voting Members:

Radiant Cordero, Chair  
Brandon J.C. Elefante, Vice Chair  
Esther Kia'aina  
Augie Tulba

## AGENDA

REGULAR MEETING  
CITY COUNCIL CHAMBER  
TUESDAY, JUNE 14, 2022  
9:00 A.M.

### **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**

The meeting will be viewable: (1) by internet live streaming through <https://www.honolulucitycouncil.org/meetings> or [olelo.org](https://www.olelo.org); (2) by televised live broadcast on 'Olelo TV Channel 54; and (3) on the monitor situated outside the Council Chamber. 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 and presenters 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 a one-minute presentation.

### **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

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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 in the Council Chamber

Persons may also submit oral testimony in the Council Chamber.

Persons wishing to testify are requested to register by 9 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.

Members of the public entering the Council Chamber are requested to spread themselves out. If the Chamber becomes crowded, members of the public may be requested to wait outside the Chamber until called to testify.

**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 in the Council Chamber will be taken second and then closed.

**WRITTEN TESTIMONY**

Written testimony may be uploaded via the internet at <https://hnlidoc.ehawaii.gov/hnlidoc/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://hnlidoc.ehawaii.gov>.

Should you have any questions, please call (808) 768-9230 or send an email to [sherry.arca@honolulu.gov](mailto:sherry.arca@honolulu.gov).

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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 Committee meeting.

Accommodations are available upon request to persons with disabilities. Please call (808) 768-9230 or send an email to [sherry.arca@honolulu.gov](mailto:sherry.arca@honolulu.gov) at least three working days prior to the meeting.

## FOR ACTION

1. **RESOLUTION 22-125 – LANIKAI TRANSPORTATION MANAGEMENT PLAN.** Requesting the Director of the Department of Transportation Services to develop a Lanikai transportation management plan.
2. **BILL 24 (2022) – AUTOMATED EXTERNAL DEFIBRILLATORS.** Relating to automated external defibrillators. (Bill passed second reading and public hearing held 5/4/22)

PROPOSED CD1 TO BILL 24 (2022) submitted by Councilmember Cordero. The CD1 (OCS2022-0502/6/6/2022 7:59 AM) makes the following amendments:

- A. Clarifies that the "trains" to which Chapter 13, Article \_\_\_\_ ("Automated External Defibrillators"), as enacted by Ordinance 21-10, SECTION 2, applies are those "on a fixed guideway system operated by the city."
  - B. Makes miscellaneous technical and nonsubstantive amendments.
3. **BILL 23 (2022) – COLLECTION VEHICLES.** Relating to private refuse collection vehicles. (Bill passed first reading 4/13/22)
  4. **BILL 22 (2022) – BUILDING BENCHMARKING.** Establishing a better buildings benchmarking and reporting requirement for energy and water usage of covered properties within the City and County of Honolulu. (Bill passed second reading and public hearing held 5/4/22)

PROPOSED CD1 TO BILL 22 (2022) submitted by Councilmember Cordero. The CD1 (OCS2022-0517/6/8/2022 2:05 PM) makes the following amendments:

- A. In proposed Section \_-1.1:
  1. Excludes from the definition of "covered property" any building with less than 25,000 square feet in total floor area, that is not otherwise part of a campus for the purposes of benchmarking; and
  2. Adds a definition of "tenant."
  3. Amends the definition of "owner" to provide that in the situation when a person or entity holds a leasehold interest in an entire building under a lease for five years or longer, that person or

entity, rather than the title holder will be treated as the building's "owner."

- B. Clarifies that one of the permissible methods of aggregating whole-building data on a property's energy and water use is by "requesting and obtaining" aggregated whole-building data from a utility.
- C. Amends the table of initial reporting dates in Section \_-1.3(a) as follows:
  - 1. Row 1: Delays the initial reporting date for covered properties with gross area equal to or greater than 100,000 sq. ft. from December 1, 2022 to June 30, 2023.
  - 2. Row 2: Delays the initial reporting date for covered properties with gross area equal to or greater than 50,000 sq. ft., but less than 100,000 sq. ft., from June 30, 2023 to June 30, 2024.
  - 3. Row. 3: Delays the initial reporting date for covered properties with gross area equal to or greater than 25,000 sq. ft., but less than 50,000 sq. ft., from June 30, 2024 to June 30, 2025.
- D. In Section \_-1.4 ("Exemptions and time extensions"):
  - 1. Adds a new subsection (b) and realphabetizes the following subsections. The new subsection (b) would allow the owner of a covered property with more than six tenant meters from a single utility to request an exemption from reporting for a reporting year if the owner, despite good faith efforts, is unable to obtain aggregate whole-building data from that utility and specifies the efforts that must be made to qualify as good faith efforts.\
  - 2. Amends realphabetized subsection (d) (formerly subsection (c)) to allow an owner to apply for a time extension if, despite good faith efforts, they are unable to complete the required actions prior to the reporting deadline. (In the as-introduced version of the bill, the inability would have had to be due to the failure of a utility provider or a tenant to provide necessary information.) The subsection is also amended to require that the request for an extension must be filed prior to the reporting deadline.

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- E. Section \_\_-1.5 ("Penalty for violations and enforcement") is amended as follows:
  - 1. Subsections (b) and (c) are amended to replace "30 days of the date of mailing of the notice of violation" to "60 days from the date of mailing of the notice of violation."
  - 2. Subsection (c) is amended to increase the maximum civil fine that may be threatened in a notice of violation to \$1,000 (the previous maximum had been \$500).
  - 3. Establishes a maximum level of civil fines per facility per reporting year of \$5,000. (No maximum had been set in the "as introduced" version of the bill.)
- F. Completely revises Section \_\_-1.6 ("Publication of data").
- G. Section \_\_-1.8 ("Maintenance of records") is amended to shorten the duration of the requirement that records be kept and made available for inspection, from five years to at least one year.
- H. Moves the provision authorizing the "director" to adopt rules to implement the new Article 1 of the new chapter from an uncodified provision to proposed new Section \_\_-1.9.
- I. Makes numerous, grammatical, technical, and nonsubstantive amendments.

RADIANT CORDERO, Chair  
Committee on Transportation,  
Sustainability and Health