



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
25TH SESSION
WEDNESDAY, SEPTEMBER 7, 2022
10 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 'Ōlelo TV Channel 54; (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 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.

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Remote Testimony

1. Persons may submit oral testimony remotely through the Zoom video conferencing platform. To participate, persons should visit <https://hnlidoc.ehawaii.gov/hnlidoc/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 in the Council Chamber

Persons may also submit oral testimony in the Council Chamber.

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.

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.

Oral testimony, both remote and in-person, will be allowed:

1. For all agenda items, at the start of the agenda; and
2. For each agenda item, when the item is taken up.

Persons may choose to present their testimony either at the start of the agenda or when the item or items is/are taken up, but not both. Registered testifiers wishing to testify when an item is taken up should state their preference when their names are called during the testimony period at the start of the agenda.

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>.

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Should you have any questions, please call (808) 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 <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 jyamane1@honolulu.gov at least three working days prior to the meeting.

Honorary Certificates will be presented at 9 a.m.

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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

24th Session (August 10, 2022)

ORDER OF BUSINESS
Wednesday, September 7, 2022

ORDER OF THE DAY

PUBLIC HEARING/RESOLUTION

Resolution 22-182

Authorizing the use of overt video monitoring in the City and County of Honolulu in Campbell Industrial Park to prevent and deter general criminal activity.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 22-202

Confirming the reappointment of Mr. Pane Meatoga III to serve on the Planning Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, September 7, 2022

Resolution 22-203

Relating to the appointment of Jonathan Kaneshiro to serve on the Board of Water Supply of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 22-204

Confirming the reappointment of Mr. Grant Kagimoto to serve on the Grants In Aid Advisory Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, September 7, 2022

Resolution 22-205

Confirming the reappointment of Jay Higashi to serve on the Building Board of Appeals of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 22-206

Confirming the reappointment of Mr. Landon Kaneshiro to the Zoning Board of Appeals.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 22-210

Confirming the appointment of Mr. Bradley Romine to serve on the Climate Change Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, September 7, 2022

PUBLIC HEARING/SECOND READING

BUDGET

CR-210

Bill 45

Relating to the Royal Hawaiian Band. (Updating the performance fees of the Royal Hawaiian Band, which have not been updated in 20 years or longer, to better reflect the cost of putting on such performances.)

PASS SECOND READING

ZONING AND PLANNING

CR-225

Bill 10, CD1

Relating to use regulations. [Addressing the regulation of uses throughout Chapter 21, Revised Ordinances of Honolulu 1990 (“Land Use Ordinance”)]. (Deadline: 10/29/22)

PASS SECOND READING, AS AMENDED

Related communication:

CC-250

Disclosure of Interest Statement submitted by Councilmember Elefante.

ORDER OF BUSINESS
Wednesday, September 7, 2022

ZONING AND PLANNING (Cont'd.)

CR-226

Bill 39, CD1

Relating to the adoption of the State Plumbing Code. (Adopting the Hawai'i State Plumbing Code, as required by Section 107-28 of the Hawai'i Revised Statutes, as amended, subject to local amendments.)

PASS SECOND READING, AS AMENDED

CR-227

Bill 41, CD1

Relating to shoreline setbacks. (Updating ROH Chapter 23, relating to shoreline setbacks, to incorporate amendments made by Act 16, Session Laws of Hawai'i 2020, to HRS Chapter 205A, the State Coastal Zone Management law, and to implement an erosion-rate-based shoreline setback formula.)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
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ZONING AND PLANNING (Cont'd.)

CR-228

Bill 42, CD1

Relating to the special management area. (Updating Chapter 25, Revised Ordinances of Honolulu 1990, relating to the special management area, and to incorporate amendments made by Act 16, Session Laws of Hawai'i 2020, to HRS Chapter 205A, the State Coastal Zone Management law.)

PASS SECOND READING, AS AMENDED

CR-230

Bill 46, CD1

Relating to height limits for rooftop structures. (Increasing the proliferation of rooftop solar panels by allowing rooftop solar panels to be placed above rooftop equipment and allowing the creation of new rooftop gathering space underneath rooftop solar panels.)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
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ZONING AND PLANNING (Cont'd.)

CR-238

Bill 49, CD1

Relating to the transit-oriented development special district. [Expanding the transit-oriented development (“TOD”) special district to include three additional Honolulu Rail Transit Project station areas and to incorporate land use standards and guidelines for those areas based on the recommendations in the Aiea-Pearl City Neighborhood TOD Plan.] (Deadline: 11/2/22)

PASS SECOND READING, AS AMENDED

CR-239

Bill 50

To rezone land situated at Halawa – Pearl City and Waipahu, O’ahu, Hawai’i. (Rezoning land from the F-1 Military and Federal Preservation, P-2 General Preservation, AG-1 Restricted Agricultural, AG-2 General Agricultural, R-5 Residential, R-7.5 Residential, A-1 Low-density Apartment, A-2 Medium-density Apartment, B-2 Community Business, BMX-3 Community Business Mixed Use, I-2 Intensive Industrial, and IMX-1 Industrial-Commercial Mixed Use Districts to the P-2 General Preservation, AG-1 Restricted Agricultural, R-5 Residential, A-2 Medium-density Apartment, AMX-2 Medium-density Apartment Mixed Use, AMX-3 High-density Apartment Mixed Use, B-1 Neighborhood Business, BMX-3 Community Business Mixed Use, and I-2 Intensive Industrial Districts.) (Deadline: 11/2/22)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, September 7, 2022

THIRD READING

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-205

Bill 25, CD1

Relating to lobbyist notary requirement. (Removing the notary requirement for lobbyist filings with the Honolulu Ethics Commission.)

PASS THIRD READING

ZONING AND PLANNING

CR-229

Bill 43

Relating to administrative enforcement of the building, electrical, plumbing, and sidewalk codes. (Addressing the administrative enforcement of the building, electrical, plumbing, and sidewalk codes.)

PASS THIRD READING

ORDER OF BUSINESS
Wednesday, September 7, 2022

FIRST READING

Bill 51

Relating to building permit applications. (Addressing the requirements of a building permit application.)

PASS FIRST READING

RESOLUTIONS

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-206

Resolution 22-168, CD1

Authorizing the adoption of the agency-specific records retention schedule for the Honolulu Liquor Commission of the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

CR-207

Resolution 22-208

Authorizing the Department of the Corporation Counsel to initiate legal action against E.M.O. to recover publicly objectionable license plate FCKBLM.

FOR ADOPTION

Resolution 22-208, Proposed FD1
(Submitted by Councilmember Tupola)

Authorizing the Department of the Corporation Counsel to initiate legal action against E.M.O. to recover publicly objectionable license plates: "FCKBLM".

ORDER OF BUSINESS
Wednesday, September 7, 2022

BUDGET

CR-215

Resolution 22-188

Accepting a gift of a converted shipping container valued at \$16,096.56 to the City from the Honolulu Zoological Society to the Honolulu Zoo - Grounds Department to be used as office space.

FOR ADOPTION

CR-216

Resolution 22-189

Accepting a gift of air transportation and the return of the crate valued at \$21,000.00 to the City from the Honolulu Zoological Society for the Honolulu Zoo to receive a female rhinoceros from Los Angeles to Honolulu in September 2022.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

BUDGET (Cont'd.)

CR-211

Resolution 22-180

Approving collective bargaining cost items for the Hawai'i Government Employees Association Bargaining Unit 15 (water safety officers) included employees of the City and County of Honolulu.

FOR ADOPTION

Related communication:

CC-255

Disclosure of Interest Statement submitted by Councilmember Elefante.

CR-212

Resolution 22-184

Approving collective bargaining cost items for the State of Hawai'i Organization of Police Officers Bargaining Unit 12 included, excluded, and excluded managerial employees of the City and County of Honolulu.

FOR ADOPTION

Related communication:

CC-256

Disclosure of Interest Statement submitted by Councilmember Tupola.

ORDER OF BUSINESS
Wednesday, September 7, 2022

BUDGET (Cont'd.)

CR-213

Resolution 22-186

Relating to the transfer of funds. (Department of Emergency Management)

FOR ADOPTION

CR-214

Resolution 22-187

Relating to the transfer of funds. (Department of Planning and Permitting)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

BUDGET (Cont'd.)

CR-217

Resolution 22-192

Relating to the transfer of funds. (Department of Land Management)

FOR ADOPTION

CR-218

Resolution 22-195

Authorizing the lease of City property to Catholic Charities Hawai'i for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

BUDGET (Cont'd.)

CR-219

Resolution 22-196

Authorizing the lease of City property to Catholic Charities Hawai'i for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

CR-220

Resolution 22-197

Authorizing the lease of City property to Hale Kipa, Inc. for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

BUDGET (Cont'd.)

CR-221

Resolution 22-198

Authorizing the lease of City property to Hale Kipa, Inc. for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

CR-222

Resolution 22-199

Authorizing the lease of City property to Hale Kipa, Inc. for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

BUDGET (Cont'd.)

CR-223

Resolution 22-200, CD1

Relating to the transfer of funds. (Department of Parks and Recreation)

FOR ADOPTION, AS AMENDED

CR-224

Resolution 22-201

Relating to the transfer of funds. (Department of Community Services)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

ZONING AND PLANNING

CR-231

Resolution 22-181

Amending Resolution No. 20-272, CD1 to extend the deadline for commencement of construction of the Kapolei Parkway Mixed-Use Affordable Rental Housing Project at Honouliuli, Ewa, O'ahu, Hawai'i, Tax Map Key 9-1-160: 018 (por). (Applicant: Kobayashi Group, LLC)

FOR ADOPTION

Related communication:

CC-258

Disclosure of Interest Statement submitted by Councilmember Elefante.

PARKS AND COMMUNITY SERVICES

CR-232

Resolution 22-190

Accepting a gift of a celebratory concert valued at \$32,809.75 to the City from The Creative City and the Royal Hawaiian Band Music Society for the production of a public concert featuring the Royal Hawaiian Band.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

PARKS AND COMMUNITY SERVICES (Cont'd.)

CR-233

Resolution 22-159

Requesting the Department of Parks and Recreation to manage vehicular access into Koko Head District Park to be consistent with designated and posted park hours.

FOR ADOPTION

CR-234

Resolution 22-185, CD1

Urging the Department of Parks and Recreation to consider installing recreation areas for older adults at City parks.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, September 7, 2022

PARKS AND COMMUNITY SERVICES (Cont'd.)

CR-235

Resolution 22-191

Affirming the official place name of Kūʻilioloa Heiau, located within Pōkaʻī Bay Beach Park in Waiʻanae and requesting the City Administration to officially designate the name and install appropriate signage.

FOR ADOPTION

CR-236

Resolution 22-194

Urging the Department of Parks and Recreation to formalize the caretaking rights and responsibilities of the family of the late Carol Azama for the park located in the Waiʻōmaʻo Slide Area.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

BALANCE OF COMMITTEE REPORTS

- EMLACR-208 Request for authorization to partially settle a case against the City and County of Honolulu entitled The Norman E. Sato Revocable Living Trust, et al. v. City and County of Honolulu, Civil No. 1CCV-21-0000667 (JHA) (Cir. Ct.).
- EMLACR-209 Request for authorization to settle a claim against the City and County of Honolulu entitled Palolo Chinese Home v. City and County of Honolulu.
- ZPCR-237 Granting a 60-day extension of time for Resolution 22-175 - Granting a Special Management Area (SMA) Use Permit to allow the construction of three single-family detached dwelling units, two shallow swimming pools, two garages, landscaping elements, and supporting infrastructure at Tax Map Key (TMK) 5-8-003: 012 in Kaunala, North Shore. (Applicant: John and Fumie Winebarger) (Deadline: 9/17/22 + 60 days)

FOR ADOPTION

UNFINISHED BUSINESS

ORDER OF BUSINESS
Wednesday, September 7, 2022

NEW BUSINESS

Resolution 22-183

Accepting a gift of conference fee, travel and related expenses valued at \$2,849.00 to the City from the Fresh Water Initiative, Hawai'i Community Foundation to cover for a staff member of the Department of Facility Maintenance to attend the One Water Summit, U.S. Water Alliance in Milwaukee, Wisconsin, September 13-15, 2022.

FOR ACTION

Resolution 22-215

Accepting a gift to the City of registration and lodging, valued at \$1,562.68, from the National League of Cities for the Council Chair to attend the 2022 Large City Council Presidents convening in San José/San Francisco, California, from September 21 - 24, 2022.

FOR ACTION

ORDER OF BUSINESS
Wednesday, September 7, 2022

Resolution 22-193

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 FY2022 local solicitation.

FOR ACTION

Resolution 22-214

Accepting the dedication of that section of Leahi Avenue between Monsarrat Avenue and Noela Street by quitclaim deed from Safe Leahi LLC, in accordance with Section 264-1(c), Hawaii Revised Statutes.

FOR ACTION

Communication D-595

From the Department of Design and Construction requesting consideration of Deed conveying roadway Lots 19707 and 19708; Grant of Drain Easements 10888 and 10895; Grant of Flowage Easements 10864, 10868, and 10887; and Grant of Sewer Easement 10895 for public use in Ewa. (Mehana 3B Subdivision)

FOR ACTION

ORDER OF BUSINESS
Wednesday, September 7, 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