



**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

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**ORDER OF BUSINESS**  
REGULAR MEETING  
CITY COUNCIL CHAMBER  
27TH SESSION  
WEDNESDAY, NOVEMBER 2, 2022  
10 A.M.

**PUBLIC PARTICIPATION AND TESTIMONY**

Pursuant to Act 220, Session Laws of Hawaii 2021, 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. 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.

ORDER OF BUSINESS  
Wednesday, November 2, 2022

Remote Testimony

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID **87570568220** and Passcode **772765**.
2. To testify by videoconference visit: <https://hnldoc.ehawaii.gov/hnldoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.

In-Person 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.

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

**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 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 [jyamane1@honolulu.gov](mailto:jyamane1@honolulu.gov).

**The Council will recess from 12:30 p.m. to 1:30 p.m.**

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

**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 (808) 768-3814 or send an email to [jyamane1@honolulu.gov](mailto:jyamane1@honolulu.gov) at least three working days prior to the meeting.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS  
Wednesday, November 2, 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**

26<sup>th</sup> Session (October 5, 2022)

ORDER OF BUSINESS  
Wednesday, November 2, 2022

**ORDER OF THE DAY**

**APPOINTMENTS - RESOLUTIONS**

HOUSING AND THE ECONOMY

CR-267

Resolution 22-229

Relating to the appointment of Mr. Jeffrey Hong to serve on the Liquor Commission of the City and County of Honolulu.

FOR ADOPTION

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BUDGET

CR-276

Resolution 22-211

Confirming the reappointment of Mr. Kaipo Kukahiko to serve on the Grants in Aid Advisory Commission of the City and County of Honolulu.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

ZONING AND PLANNING

CR-289

Resolution 22-205, CD1

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

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

**PUBLIC HEARING/RESOLUTION**

Resolution 22-244

Confirming the Mayor's appointees to serve on the Economic Revitalization Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

**PUBLIC HEARING/ADOPTION**

Resolution 22-234

Authorizing the use of overt video monitoring in the City and County of Honolulu along the Honolulu Marathon route to prevent and deter general criminal activity and achieve the legitimate law enforcement objective and legitimate public purpose of ensuring a safe and secure 2022 Honolulu Marathon event.

FOR ADOPTION

ORDER OF BUSINESS  
Wednesday, November 2, 2022

**PUBLIC HEARING/SECOND READING**

BUDGET

CR-275

Bill 53

Relating to public transit. (Amending the island-wide fare structure, including paratransit fares.)

PASS SECOND READING

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PUBLIC SAFETY

CR-283

Bill 52

Relating to bullying of youth. (Preventing the bullying of youths in City programs and on City property; to prevent retaliation against persons who report, or participate in any investigation into a suspected incident of youth bullying; and to provide for the establishment of City policies and procedures for the handling of suspected incidents of the bullying of youths in City programs and on City property.)

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

PARKS AND COMMUNITY SERVICES

CR-293

Bill 48

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

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

**THIRD READING**

HOUSING AND THE ECONOMY

CR-266

Bill 44, CD1

Relating to the O'ahu Historic Preservation Commission.  
(Amending the ordinance relating to the O'ahu Historic  
Preservation Commission.)

PASS THIRD READING, AS AMENDED

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Related communication:

CC-242

Disclosure of Interest Statement submitted by  
Councilmember Elefante.

PUBLIC INFRASTRUCTURE AND TECHNOLOGY

CR-281

Bill 32, CD2

Relating to open data requirements. (Amending the  
Executive Branch open data requirements.)

PASS THIRD READING, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

ZONING AND PLANNING

CR-286

Bill 51, CD1

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

PASS THIRD READING, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

**FIRST READING**

Bill 54

Relating to bed and breakfast homes and transient vacation units. (Expanding the areas located within the A-1 low-density apartment zoning district and the A-2 medium-density apartment zoning district situated in close proximity to the Ko Olina Resort where bed and breakfast homes and transient vacation units are permitted.)

PASS FIRST READING

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Bill 55

Relating to wind machines. (Addressing wind machine setbacks.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

Bill 56

Relating to permits required. (Addressing exemptions from the requirement to obtain a building permit.)

PASS FIRST READING

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**RESOLUTIONS**

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-268

Resolution 22-248

To retain the legal services of Kobayashi Sugita & Goda, LLP as Special Counsel to represent Defendant Honolulu Liquor Commission in a legal action entitled Scarlet Honolulu Inc., v. Honolulu Liquor Commission, Civil No. 1CCV-22-0000799 (JMT) (Cir. Ct.)

FOR ADOPTION

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Related communications:

CC-317

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-318

Disclosure of Interest Statement submitted by Councilmember Elefante.

CR-269

Resolution 22-249

To retain the legal services of Jenner & Block, LLP as Special Deputy Corporation Counsel for the City and County of Honolulu to represent Defendant-Appellant Troy K. Seguirant in an appeal entitled Yoshikawa v. Seguirant, et al, Ninth Circuit No. 21-15970 (USCA)

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

BUDGET

CR-277

Resolution 22-237, CD1

Accepting a gift to the City of air transportation and return of the crate valued at \$13,900 from the Honolulu Zoological Society to transport a male rhinoceros from Los Angeles to Honolulu in November 2022.

FOR ADOPTION, AS AMENDED

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CR-278

Resolution 22-238

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

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

BUDGET (Cont'd.)

CR-279

Resolution 22-239

Urging the Hawai'i State Legislature to appropriate funding to enable the Hawai'i Climate Change Mitigation and Adaptation Commission, in collaboration with the State of Hawai'i Office of Planning and Sustainable Development's Coastal Zone Management Program, to conduct certain activities to address sea level rise impacts.

FOR ADOPTION

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CR-280

Resolution 22-241, CD1

Relating to the transfer of funds. (Honolulu Fire Department)

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

PUBLIC INFRASTRUCTURE AND TECHNOLOGY

CR-282

Resolution 22-245

Requesting the City Administration to work with fire safety and residential condominium stakeholders to address issues relating to the viability of fire safety requirements in existing high-rise residential buildings.

FOR ADOPTION

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Resolution 22-245, Proposed FD1  
(Submitted by Councilmember Fukunaga)

PUBLIC SAFETY

CR-284

Resolution 22-231, CD1

Accepting a gift to the City of footwear, valued at \$63,320.00, from OluKai for use by Ocean Safety lifeguard personnel in the Honolulu Emergency Services Department.

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

PUBLIC SAFETY (Cont'd.)

CR-285

Resolution 22-246, CD1

Accepting a gift to the City of \$3,000 from 20th Television to support the Ocean Safety Junior Lifeguard Program.

FOR ADOPTION, AS AMENDED

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ZONING AND PLANNING

CR-287

Resolution 22-53, CD1

Establishing an advisory committee to assist and advise the City Council on proposed City legislation to streamline and improve the procedures by which the Department of Planning and Permitting reviews and issues building permits.

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

ZONING AND PLANNING (Cont'd.)

CR-288

Resolution 22-175, CD1

Granting a Special Management Area Use Permit to allow the construction of one single-family detached dwelling unit and one two-family detached dwelling unit (three dwelling units total), 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: 11/16/22)

FOR ADOPTION, AS AMENDED

CR-290

Resolution 22-233

Directing the City Auditor to conduct a performance audit of the implementation of the City's Capital Improvement Program by the Department of Design and Construction.

FOR ADOPTION

ORDER OF BUSINESS  
Wednesday, November 2, 2022

ZONING AND PLANNING (Cont'd.)

CR-291

Resolution 22-235, CD1

Granting a Special Management Area Use Permit to allow the construction of a new Waianae High School Girls' Athletic Locker Room building (requiring either removal or relocation of the existing administrative portable building), an extension/widening of the fire access road, removal and planting of trees, landscaping, and related site improvements at Tax Map Key 8-5-015:001 (portion). (Applicant: State of Hawai'i, Department of Education) (Deadline: 11/28/22)

FOR ADOPTION, AS AMENDED

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CR-292

Resolution 22-240, CD1

Authorizing exemptions from certain requirements relating to the Kuhio Park Terrace Low-Rises and Kuhio Homes Redevelopment in Kalihi. (Applicant: Michaels Development) (Deadline: 11/24/22)

FOR ADOPTION, AS AMENDED

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Related communication:

CC-322

Disclosure of Interest Statement submitted by Councilmember Elefante.

ORDER OF BUSINESS  
Wednesday, November 2, 2022

PARKS AND COMMUNITY SERVICES

CR-294

Resolution 22-228

Accepting a gift of \$4,000.00 to the City from Hawaii Medical Service Association for the Department of Parks and Recreation to assist with the production, logistics, prize awards, contest ribbons, and volunteer refreshments for the Mayor's Craft and Country Fair.

FOR ADOPTION

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CR-295

Resolution 22-232

Accepting a gift of a bench, concrete pad and brass plaque, valued at \$4,536.46, from Nicole Kim for installation at Kapiolani Regional Park.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

PARKS AND COMMUNITY SERVICES (Cont'd.)

CR-296

Resolution 22-242

Accepting a gift of labor and paint supplies, valued at \$10,000, to the City from Paint Cartel and 'Ohana Car Detailing for Honolulu City Lights and Kapolei City Lights displays.

FOR ADOPTION

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**BALANCE OF COMMITTEE REPORTS**

- EMLACR-270 Request for authorization to settle a case against the City and County of Honolulu entitled First Security Insurance of Hawaii, Inc. v. City and County of Honolulu, Civil No. 1CCV-21-0000928 (Cir. Ct.)
- EMLACR-271 Request for authorization to settle a case against the City and County of Honolulu entitled David S. Glick v. City and County of Honolulu, et al., Civil No. 1CCV-20-0001299 JCM (Cir. Ct.)
- EMLACR-272 Request for authorization to settle a case against the City and County of Honolulu entitled Eileen T. Hayashi v. City and County of Honolulu, et al., Civil No. 1CCV-19-0002156 JPC (Cir. Ct.)
- EMLACR-273 Request for authorization to settle a case against the City and County of Honolulu entitled Alexander M. Patino v. City and County of Honolulu, Civil No. 1DRC-21-0009540 (Dis. Ct.)
- EMLACR-274 Request for authorization to settle a case against the City and County of Honolulu entitled Debra Takehara v. City and County of Honolulu, et al., Civil No. 1CCV-19-0002213 (Cir. Ct.)

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

**UNFINISHED BUSINESS**

Bill 43 (2021)

Relating to amplified sound in Waikiki. (Preserving the tranquility of Waikiki against noise disturbances by regulating amplified sound from public property in that area.)

FOR ACTION

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Bill 43 (2021), Proposed FD1  
(Submitted by Council Chair Waters)



ORDER OF BUSINESS  
Wednesday, November 2, 2022

**NEW BUSINESS**

Resolution 22-243

Accepting a gift of travel and related expenses valued at \$3,244.01 to the City from the Mayor's Institute on City Design for the Mayor to attend the 76<sup>th</sup> National Institute Session in Chicago, Illinois, from October 12-14, 2022.

FOR ACTION

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Resolution 22-247

Accepting a gift of decorative murals and accent painting valued at \$23,000 to the City from the Trust for Public Land to adorn public park facilities throughout 'A'ala Park.

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, November 2, 2022

Resolution 22-255

Accepting a gift to the City of Thanksgiving Day meals, valued at up to \$16,500, from the Honolulu Firefighters Foundation for Honolulu Fire Department personnel assigned to fire stations and bureaus that are on duty and working on Thanksgiving Day 2022.

FOR ACTION

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Resolution 22-258

Accepting a gift of travel and related expenses to the City from the Urban Sustainability Directors Network valued at \$3,263.50 for representatives of the Office of Climate Change, Sustainability and Resiliency to attend the 2022 Western Regional Meeting in Portland, Oregon, from November 13-15, 2022.

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, November 2, 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**