



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAI'I 96813-3077

TOMMY WATERS
CHAIR & PRESIDING OFFICER
ESTHER KIA'ĀINA
VICE CHAIR
RADIANT CORDERO
FLOOR LEADER
TYLER DOS SANTOS-TAM
VAL A. OKIMOTO
CALVIN K.Y. SAY
AUGIE TULBA
ANDRIA TUPOLA
MATT WEYER

ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
3RD SESSION
WEDNESDAY, FEBRUARY 22, 2023
10 A.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Section 92-3.7, Hawai'i Revised Statutes, 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, February 22, 2023

Remote Testimony

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID **89345556901** and Passcode **276234**.
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 will be allowed when each agenda item is taken up in the following order:

1. **In-person testimony in the Council Chamber;**
2. **Remote testimony.**

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.

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://hnlidoc.ehawaii.gov/hnlidoc/browse/agendas> by clicking on the appropriate Council meeting.

If you need an auxiliary aid/service or other accommodation due to a disability or an interpreter for a language other than English, please call the Office of the City Clerk Information Section at (808) 768-5822 between 7:45 a.m. and 4:30 p.m. or send an email to jyamane1@honolulu.gov at least three (3) business days before the scheduled meeting. It may not be possible to fulfill requests received after this date.

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

APPROVAL OF MINUTES

2nd Session (January 25, 2023)

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ORDER OF THE DAY

APPOINTMENTS - RESOLUTIONS

BUDGET

CR-13

Resolution 22-275, CD1

Confirming the appointment of Peter F. Young to serve on the Board of Review III for Real Property Tax Appeals of the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

CR-14

Resolution 22-289

Confirming the nomination of Dominic H.K. Milles to serve as the Director of Design and Construction of the City and County of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, February 22, 2023

PLANNING AND THE ECONOMY

CR-34

Resolution 22-286

Confirming the nomination of Dawn E. Takeuchi Apuna to serve as the Director of Planning and Permitting of the City and County of Honolulu.

FOR ADOPTION

PUBLIC HEARING/RESOLUTIONS

Resolution 23-17

Confirming the appointment of Dr. Elizabeth Char to serve on the Police Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, February 22, 2023

PUBLIC HEARING/SECOND READING

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-19

Bill 57 (2022), CD1

Relating to the public carry of firearms. (Defining those sensitive locations within the City and County of Honolulu where carrying of firearms is prohibited.)

PASS SECOND READING, AS AMENDED

CR-20

Bill 1

Relating to reporting requirements. (Directing the Office of Council Services to prepare a consolidated table of reporting requirements found in the Revised Ordinances of Honolulu 2021, and to insert the table in the Revised Ordinances of Honolulu 2021.)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, February 22, 2023

THIRD READING

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-18

Bill 25 (2021), CD2

Relating to anti-bias and inclusion policy. (Promoting an environment that embraces diversity and safety for the citizenry and employees of the City and County of Honolulu by establishing a policy of anti-bias and inclusion for all City officers and employees, including those with different perspectives, views, or opinions.)

PASS THIRD READING, AS AMENDED

PLANNING AND THE ECONOMY

CR-32

Bill 41 (2022), CD2

Relating to shoreline setbacks. (Updating ROH Chapter 26, 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 THIRD READING, AS AMENDED

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PLANNING AND THE ECONOMY (Cont'd.)

CR-33

Bill 42 (2022), CD2

Relating to the special management area. (Updating Chapter 25, Revised Ordinances of Honolulu 2021, 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 THIRD READING, AS AMENDED

ORDER OF BUSINESS
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FIRST READING

Bill 2

To amend Chapter 10, Article 4, Revised Ordinances of Honolulu 2021, relating to fees for use of municipal golf courses. (Amending Section 10 of the Revised Ordinances of Honolulu 2021 relating to fees for a golf identification card.)

PASS FIRST READING

Bill 3

Relating to public sidewalks. (Expanding the commercial areas subject to the City's current restrictions on persons sitting or lying on public sidewalks in Kapalama and to make non-substantive changes as needed.)

PASS FIRST READING

ORDER OF BUSINESS
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Bill 4

Relating to the adoption of the State Energy Conservation Code. [Updating the Building Energy Conservation Code of the City and County of Honolulu through the adoption of the Hawaii State Energy Conservation Code (December 15, 2020), subject to the local amendments herein.]

PASS FIRST READING

Bill 5

Relating to reporting requirements. (Adding provisions to reporting requirements.)

PASS FIRST READING

Bill 6

Relating to professional self-certification. (Helping alleviate the backlog of building permit applications and reviews by giving the building official the authority to allow other outside means of building permit application review for compliance with pertinent codes.)

PASS FIRST READING

ORDER OF BUSINESS
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RESOLUTIONS

BUDGET

CR-15

Resolution 23-2, CD1

Relating to reprogramming of American Rescue Plan Act of 2021 (Pub. L. 117-2), State and Local Fiscal Recovery Funds program for the Rental and Utility Relief Program.

FOR ADOPTION, AS AMENDED

Resolution 23-2, CD1, Proposed FD1
(Submitted by Councilmember Cordero)

CR-16

Resolution 23-14

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

FOR ADOPTION

ORDER OF BUSINESS
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BUDGET (Cont'd.)

CR-17

Resolution 23-15

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

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-21

Resolution 22-262, CD1

Urging the City Administration to formally recognize and
observe November 28th as Lā Kū'oko'a, Hawaiian
Independence Day.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, February 22, 2023

TRANSPORTATION

CR-25

Resolution 22-281, CD1

Requesting the City Administration to provide an update on the status of the transit construction mitigation fund and program.

FOR ADOPTION, AS AMENDED

CR-26

Resolution 22-300

Relating to an appointment to the Honolulu Authority for Rapid Transportation Board of Directors.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, February 22, 2023

ZONING

CR-27

Resolution 22-276, CD1

Granting a Special Management Area Use Permit to allow the construction of a new single-family dwelling with a two-car garage and supporting infrastructure at Tax Map Key 5-7-003:057 in Kahuku. (Applicant: Barbara L. Paullin) (Deadline: 3/18/23)

FOR ADOPTION, AS AMENDED

CR-28

Resolution 22-293, CD1

Granting a Special Management Area Use Permit to allow renovations and additions at Sea Life Park at Tax Map Key 4-1-014:004 in Waimānalo. (Applicant: Parques Reunidos) (Deadline 5/19/23)

FOR ADOPTION, AS AMENDED

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ZONING (Cont'd.)

CR-29

Resolution 22-296

Granting a Special Management Area ("SMA") Use Permit to allow a new single-family dwelling and individual wastewater system at 67-433 Waialua Beach Road. (Applicant: Ken Stiles and Rick Angiollo) (Deadline: 2/25/23)

FOR ADOPTION

CR-30

Resolution 23-11, CD1

Authorizing exemptions from certain requirements relating to the Fort Street Mall affordable senior rental housing project in Downtown Honolulu. (Applicant: Catholic Charities Housing Development Corporation) (Deadline: 3/6/23)

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, February 22, 2023

HOUSING, SUSTAINABILITY AND HEALTH

CR-31

Resolution 23-3

Affirming the City's ongoing commitment to the goals of the Paris Climate Agreement and endorsing the Fossil Fuel Non-Proliferation Treaty.

FOR ADOPTION

Resolution 23-3, Proposed FD1
(Submitted by Councilmember Kia'āina)

PUBLIC SAFETY

CR-35

Resolution 23-5

Accepting a gift of \$9,815 to the City from The 200 Club for the Honolulu Police Department to honor their outstanding officers during the 2023 National Police Week.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, February 22, 2023

PUBLIC INFRASTRUCTURE AND TECHNOLOGY

CR-36

Resolution 22-47

Requesting the City Administration to provide an update to the Council on the City's plans and efforts to assist Seagull Schools in relocating The Early Education Center.

FOR ADOPTION

CR-37

Resolution 23-4

Accepting ownership of the Ewa portion of Waimanu Street deemed to have been surrendered to the City and County of Honolulu by the State of Hawai'i pursuant to the Amended Administrative Order issued by the State Director of Transportation in Accordance With Act 208 (2017), Codified as Hawai'i Revised Statutes § 264-2.1

FOR ADOPTION

Resolution 23-4, Proposed FD1
(Submitted by Councilmember Tupola)

BALANCE OF COMMITTEE REPORTS

EMLACR-22 Request for authorization to settle a case against the City and County of Honolulu entitled Matthew Tabag-Kalua, et al. v. City and County of Honolulu, et al. Civil No. 1CCV-22-000415 (Cir. Ct.).

EMLACR-23 Request for authorization to settle ten cases against the City and County of Honolulu entitled Camilla M. Aluli et al. v. City and County of Honolulu, Civil No. 1CCV-21-0000747 (Cir. Ct.), Calvary Lutheran Church v. City and County of Honolulu, Civil No. 1CCV-21-0000659 (Cir. Ct.), Brad Coles et al. v. City and County of Honolulu, Civil No. 1CCV-21-0000655 (Cir. Ct.), David T. Cook v. City and County of Honolulu, Civil No. 1CCV-21-0000682 (Cir. Ct.), Erin Isa Donle et al. v. City and County of Honolulu, Civil No. 1CCV-21-0000695 (Cir. Ct.), Lance S. Garrison et al. v. City and County of Honolulu, Civil No. 1CCV-21-0000669 (Cir. Ct.), Brian Kirsch v. City and County of Honolulu, Civil No. 1CCV-21-0000658 (Cir. Ct.), Michelle Kunitake v. City and County of Honolulu, Civil No. 1CCV-21-000750 (Cir. Ct.), Clara K Nakanishi et al. v. City and County of Honolulu, Civil No. 1CCV-21-0000749 (Cir. Ct.), The Charles A. Perkins Revocable Living Trust et al. v. City and County of Honolulu, Civil No. 1CCV-21-000661 (Cir. Ct.).

EMLACR-24 Request for authorization to settle a case against the City and County of Honolulu entitled Ronald G. Livingston, et al. v. Arthur J. Logan, et al.; Civil No. CV19-000157 JMS/RT (USDC).

FOR ADOPTION

UNFINISHED BUSINESS

ORDER OF BUSINESS
Wednesday, February 22, 2023

NEW BUSINESS

Resolution 23-8

Accepting a gift of \$5,360.00 to the City from the Royal Hawaiian Band Music Society to assist with the purchase of a Wenger Music Library System.

FOR ACTION

Resolution 23-13

Accepting a gift of travel and related expenses valued at \$1,516.77 to the City from Trees for Honolulu's Future for a staff member of the Department of Parks and Recreation's Division of Urban Forestry to attend the Green Communities Leadership Institute in Knoxville, Tennessee, March 5-8, 2023.

FOR ACTION

Resolution 23-24

Relating to appointments for the Hawai'i State Association of Counties.

FOR ACTION

ORDER OF BUSINESS
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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