



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

TOMMY WATERS
CHAIR & PRESIDING OFFICER
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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
11TH SESSION
WEDNESDAY, JULY 12, 2023
10 A.M.

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. For direct access to submit oral testimony call: +1-253-215-8782, enter ID **88214084611** and Passcode **742145**.
2. To testify by videoconference visit: <https://hnlldoc.ehawaii.gov/hnlldoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.

Although remote oral testimony is being permitted, this is a regular meeting and not a remote meeting by interactive conference technology under HRS Section 92-3.7. Therefore, the meeting will continue notwithstanding loss of audiovisual communication with remote testifiers or loss of the public broadcast of 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 when each agenda item is taken up.

ORDER OF BUSINESS
Wednesday, July 12, 2023

WRITTEN TESTIMONY

Written testimony may be uploaded 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) 768-3814 or send an email to jyamane1@honolulu.gov.

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

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, contact 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 as soon as possible or at least three (3) business days before the scheduled meeting. Requests made as early as possible have a greater likelihood of being fulfilled.

VIEWING THE MEETING

The meeting will be viewable: (1) by internet live streaming through <https://www.honolulucitycouncil.org/meetings>; (2) by televised live broadcast on 'Ōlelo 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.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS
Wednesday, July 12, 2023

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

CALL TO ORDER

Roll Call

Introduction of Guests

APPROVAL OF MINUTES

8th Session (June 7, 2023)

9th Session (June 7, 2023)

ORDER OF BUSINESS
Wednesday, July 12, 2023

ORDER OF THE DAY

PUBLIC HEARING/RESOLUTIONS

MAYOR'S CABINET

Resolution 23-121

Confirming the nomination of Catherine A. Taschner to serve as the Director of Land Management of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-159

Confirming the nomination of Gene C. Albano, P.E., to serve as the Chief Engineer of the Department of Facility Maintenance of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, July 12, 2023

BOARDS AND COMMISSIONS

Resolution 23-143

Confirming the appointment of Muhtadia Rice to serve on the Ethics Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-144

Confirming the appointment of Patrick Smith to serve on the Neighborhood Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, July 12, 2023

Resolution 23-145

Relating to the appointment of Mamoru Sato to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-146

Confirming the appointment of Kapulani Landgraf to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, July 12, 2023

Resolution 23-147

Confirming the appointment of Paige Miki Okamura to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-148

Confirming the appointment of Gwenette Higa to serve on the Board of Review I for Real Property Tax Appeals of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, July 12, 2023

Resolution 23-149

Confirming the appointment of Salvador Petilos to serve on the Liquor Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-150

Confirming the appointment of Lisa Martin to serve on the Liquor Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, July 12, 2023

Resolution 23-151

Confirming the appointment of John Leong to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-152

Confirming the appointment of Nikki Medwetz to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, July 12, 2023

Resolution 23-153

Confirming the appointment of Robert Medeiros to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-154

Confirming the appointment of Judith Stilgenbauer to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, July 12, 2023

Resolution 23-155

Confirming the appointment of Michael Robinson to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-156

Confirming the appointment of Carla Houser to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
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Resolution 23-157

Confirming the appointment of Katharine Chang to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 23-158

Confirming the appointment of Christy-Ann Nishita to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, July 12, 2023

PUBLIC HEARING/ADOPTION

Resolution 23-46

Confirming the reappointment of Mr. Dennis Morton to serve on the Fire Commission of the City and County of Honolulu.

FOR ADOPTION

Resolution 23-46, Proposed FD1
(Submitted by Council Chair Waters)

ORDER OF BUSINESS
Wednesday, July 12, 2023

PUBLIC HEARING/RESOLUTIONS (Cont'd.)

ZONING

CR-188

Resolution 23-62 and

Resolution 23-62, Proposed CD1

Approving a conceptual plan for an Interim Planned Development-Transit (IPD-T) Project for the 1538 Kapi'olani Tower Project. (Applicant: JL Ala Moana LLC) (Deadline: 10/15/23)

ADOPT COMMITTEE REPORT AND REFER THE RESOLUTIONS TO THE COMMITTEE ON ZONING

ORDER OF BUSINESS
Wednesday, July 12, 2023

THIRD READING

HOUSING, SUSTAINABILITY AND HEALTH

CR-190

Bill 28, CD1

Relating to naloxone. [Promoting public health, safety, and welfare by enhancing access to naloxone hydrochloride (“naloxone”).]

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, July 12, 2023

FIRST READING

Resolution 23-161

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, relating to community-based capital improvement projects.

PASS FIRST READING

Resolution 23-162

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, relating to the establishment of a Climate Resiliency Fund.

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, July 12, 2023

Bill 34

Relating to real property taxation. (Addressing the real property tax home exemption.)

PASS FIRST READING

Bill 35

Relating to real property taxation. (Addressing the taxation of real property.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, July 12, 2023

Bill 37

Relating to motor vehicles. (Authorizing the Director of Customer Services to waive all or a portion of certain sums owed by motor vehicle owners to the City with respect to their vehicles in certain circumstances.)

PASS FIRST READING

Bill 38

Relating to concessions. (Amending Section 38 of the Revised Ordinances of Honolulu 2021 to incorporate amendments made by Act 163, Session Laws of Hawai'i 2022, to Hawai'i Revised Statutes Chapter 102, Concessions on Public Property, and other exemption provisions of Hawai'i Revised Statutes Chapter 102 not currently in the Revised Ordinances of Honolulu 2021.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, July 12, 2023

Bill 39

Relating to real property taxation. (Establishing a real property tax exemption for certain real property located near an active landfill.)

PASS FIRST READING

Bill 40

Relating to the Transit Construction Mitigation Fund. (Establishing additional requirements for the Transit Construction Mitigation Fund.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, July 12, 2023

Bill 41

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

PASS FIRST READING

Bill 42

Relating to real property taxation. (Providing property tax relief to certain homeowners.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, July 12, 2023

Bill 43

Relating to building permit fees. (Amending certain building permit fees.)

PASS FIRST READING

Bill 44

Relating to false statements. (Deterring persons from making or inciting the making of a false statement to a public servant.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, July 12, 2023

RESOLUTIONS

BUDGET

CR-169

Resolution 23-119

Accepting gifts of transportation, lodging and registration fees to the City from AGA and AGA - Hawai'i Chapter for two staff from the City and County of Honolulu to attend the AGA's Professional Development Training in Orlando, Florida from July 23-26, 2023.

FOR ADOPTION

CR-174

Resolution 23-131

Accepting gifts of up to \$2,576 to the City from AGA for registration fees for two employees and hotel accommodations for one employee of the Office of the City Auditor to attend the 2023 Professional Development Training in Orlando, Florida.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, July 12, 2023

BUDGET (Cont'd.)

CR-175

Resolution 23-133

Accepting a gift of transportation and hotel accommodations valued at \$3,500 to the City from Fuzhou Municipal People's Government for the Director of Budget and Fiscal Services to attend the "Bond with Kuliang: 2023 China-U.S. People-to-People Friendship Forum" in Fuzhou, China from June 27-29, 2023.

FOR ADOPTION

CR-168

Resolution 23-104, CD1

Approving a communication site license agreement to new Cingular Wireless PCS, LLC for its existing telecommunications facility within the Mililani Mauka District Park, Mililani, O'ahu, Hawai'i, Tax Map Key: 9-5-049:020.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, July 12, 2023

BUDGET (Cont'd.)

CR-170

Resolution 23-122

Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$20,000,000 principal amount of general obligation bonds of the City and County of Honolulu for financing the amount appropriated in Ordinance No. 22-14 of the City and County of Honolulu for the purpose of financing capital costs of the Honolulu Rail Transit Project.

FOR ADOPTION

CR-171

Resolution 23-123

Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$110,000,000 principal amount of general obligation bonds of the City and County of Honolulu for financing the amounts appropriated in certain Capital Budget Ordinances of the City and County of Honolulu specified in such Capital Budget Ordinances.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, July 12, 2023

BUDGET (Cont'd.)

CR-172

Resolution 23-124

Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$15,000,000 principal amount of general obligation bonds of the City and County of Honolulu for financing the amount appropriated in Ordinance No. 23-16 (also referred to, upon its approval, as Bill 12 (2023) and as may be further amended) of the City and County of Honolulu for the purpose of financing capital costs of the Honolulu Rail Transit Project.

FOR ADOPTION

CR-173

Resolution 23-125

Authorizing the Director of Budget and Fiscal Services to issue and sell in one or more series not to exceed \$175,545,000 principal amount of general obligation bonds of the City and County of Honolulu to refinance capital costs of the Honolulu Rail Transit Project.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, July 12, 2023

BUDGET (Cont'd.)

CR-176

Resolution 23-135

Approving an amendment to the Rental Agreement for an extension for a month-to-month tenancy, not to exceed three years, with tenant, Mrs. Leialoha "Rocky" Kaluhiwa, within a portion of He'eia Kea Valley Park, TMK: 4-6-016:032 (Portion).

FOR ADOPTION

CR-177

Resolution 23-137

Approving the sale of the real property purchased by the Honolulu Authority for Rapid Transportation located at 2613 Waiwai Loop, Honolulu, Hawai'i 96819, identified as Tax Map Key No. (1) 1-1-016-016 to International Express, Incorporated.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, July 12, 2023

BUDGET (Cont'd.)

CR-178

Resolution 23-138

Approving the grant of a perpetual easement over Easement C located on the Lagoon Drive Station parcel at 515 Lagoon Drive, Honolulu, Hawai'i, Tax Map Key No. (1) 1-1-016-015, for access purposes to International Express, Incorporated.

FOR ADOPTION

CR-179

Resolution 23-139, CD1

Approving that the City and County of Honolulu sell a non-exclusive perpetual easement to Hawaiian Electric Company, Inc., for electrical purposes not related to the Honolulu Rail Transit Project over two properties located at 1163 Kona Street and 1174 Waimanu Street, Honolulu, Hawai'i 96814 identified as Tax Map Key Nos. (1) 2-3-007:039 and (1) 2-3-007:036.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, July 12, 2023

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-181

Resolution 23-126

Accepting a gift of travel and related expenses valued at \$3,500 to the City from the Honolulu Festival Foundation for the Deputy Managing Director to attend a Cultural Exchange Trip to Japan, July 31, 2023 - August 5, 2023.

FOR ADOPTION

CR-180

Resolution 23-120

Providing for the acquisition of easements for public use for the rehabilitation of Numana Road Bridge over Kalihi Stream, Bridge No. 129, located at Laelae, Kalihi Valley, Honolulu, O'ahu, Hawai'i, and determining and declaring the necessity of the acquisition by eminent domain.

LAI D O V E R A N D B E P U B L I S H E D

ORDER OF BUSINESS
Wednesday, July 12, 2023

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-182

Resolution 23-136

Urging the Neighborhood Commission Office and the Department of Information Technology to provide an update on the status of neighborhood board election procedures.

FOR ADOPTION

CR-183

Resolution 23-141

To request additional funds for Contract No. SC-COR-2200097 to continue the 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, July 12, 2023

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-184

Resolution 23-142

To retain the legal services of Lynn E. Panagakos, Attorney at Law, as Special Counsel to represent Defendant Donna Yuk Lan Leong in a matter entitled United States v. Donna Yuk Lan Leong, et al., Criminal No. CR21-00142 LEK (USDC).

FOR ADOPTION

ZONING

CR-189

Resolution 23-118, CD1

Granting a Special Management Area Use Permit to allow the construction of a new single family dwelling unit and other improvements at Tax Map Key 3-5-058:011 in Wai'alaie, O'ahu. (Applicant: David Kim)
(Deadline: 7/29/23)

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, July 12, 2023

PUBLIC SAFETY

CR-191

Resolution 23-111

Accepting a gift of \$15,000 to the City from the Honolulu Police Community Foundation for unbudgeted Honolulu Police Department expenses.

FOR ADOPTION

CR-192

Resolution 23-112

Accepting a gift of \$5,000 to the City from the Honolulu Police Community Foundation for various Honolulu Fire Department events.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, July 12, 2023

BALANCE OF COMMITTEE REPORTS

EMLACR-185 Request for authorization to settle a claim made by Kelley Ann Y. Puuohau against the City and County of Honolulu.

EMLACR-186 Request for authorization to settle a case against the City and County of Honolulu entitled Michael Santucci v. City & County of Honolulu, et al.; Civil No. 22-00142 DKW/KJM (USDC).

FOR ADOPTION

UNFINISHED BUSINESS

ORDER OF BUSINESS
Wednesday, July 12, 2023

NEW BUSINESS

Resolution 23-163

Establishing a Selection Advisory Committee to assist the Council in the appointment of the Director of Council Services and appointing the members thereof.

FOR ACTION

Resolution 23-164

Approving the Hawai'i State Association of Counties Executive Committee's nominees to the National Association of Counties and the Western Interstate Region Boards of Directors for the 2023-2024 term.

FOR ACTION

ORDER OF BUSINESS
Wednesday, July 12, 2023

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