



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

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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
12TH SESSION
WEDNESDAY, AUGUST 9, 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 **85008950042** and Passcode **436428**.
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, August 9, 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, August 9, 2023

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

CALL TO ORDER

Roll Call

Introduction of Guests

APPROVAL OF MINUTES

10th Session (July 7, 2023)

11th Session (July 12, 2023)

ORDER OF BUSINESS
Wednesday, August 9, 2023

ORDER OF THE DAY

APPOINTMENTS - RESOLUTIONS

PLANNING AND THE ECONOMY

CR-193

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.

FOR ADOPTION

BUDGET

CR-199

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.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, August 9, 2023

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-204

Resolution 23-144

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

FOR ADOPTION

CR-205

Resolution 23-159, CD1

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.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

PARKS, ENTERPRISE SERVICES AND CULTURE AND THE ARTS

CR-217

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.

FOR ADOPTION

CR-218

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.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, August 9, 2023

PARKS, ENTERPRISE SERVICES AND CULTURE AND THE ARTS (Cont'd.)

CR-219

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.

FOR ADOPTION

CR-220

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.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, August 9, 2023

PUBLIC HEARING/RESOLUTION

Resolution 23-177

Confirming the nomination of Dita Simeona to serve as the Director of Enterprise Services of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, August 9, 2023

PUBLIC HEARING/SECOND READING

BUDGET

CR-195

Bill 34

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

PASS SECOND READING

Related communications:

CC-205

Disclosure of Interest Statement submitted by Councilmember Okimoto.

CC-219

Disclosure of Interest Statement submitted by Councilmember Waters.

CR-196

Bill 39, CD1

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

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

BUDGET (Cont'd.)

CR-197

Bill 40

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

PASS SECOND READING

CR-198

Bill 42, CD1

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

PASS SECOND READING, AS AMENDED

Related communications:

CC-218

Disclosure of Interest Statement submitted by
Councilmember Waters.

CC-220

Disclosure of Interest Statement submitted by
Councilmember Okimoto.

ORDER OF BUSINESS
Wednesday, August 9, 2023

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-203

Bill 44

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

PASS SECOND READING

ZONING

CR-208

Bill 6, CD1

Relating to professional self-certification. (Temporarily alleviating the backlog of building permit applications by providing the Building Official the authority to allow for alternative means to review building permit applications for compliance with pertinent codes.)

PASS SECOND READING, AS AMENDED

Bill 6, CD1, Proposed FD1
(Submitted by Councilmember Tupola)

ORDER OF BUSINESS
Wednesday, August 9, 2023

ZONING (Cont'd.)

CR-209

Bill 18, CD1

Relating to special assignment inspections. (Addressing special assignment inspections.)

PASS SECOND READING, AS AMENDED

HOUSING, SUSTAINABILITY AND HEALTH

CR-224

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 SECOND READING

ORDER OF BUSINESS
Wednesday, August 9, 2023

HOUSING, SUSTAINABILITY AND HEALTH (Cont'd.)

CR-223

Bill 38, CD1

Relating to concessions. [Amending Chapter 38, Articles 3 and 8, Revised Ordinances of Honolulu 2021 (“Concessions”) (“ROH”), to be consistent with Chapter 102, Hawai‘i Revised Statutes (“Concessions on Public Property”), as amended.]

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

THIRD READING

HOUSING, SUSTAINABILITY AND HEALTH

CR-222

Bill 4, CD2

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

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

FIRST READING

Bill 45

Relating to human resources. (Addressing the powers, duties, and functions of the Director of Human Resources.)

PASS FIRST READING

Bill 46

Relating to flavored tobacco products. (Defining and prohibiting the sale of flavored tobacco products within the City and County of Honolulu.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, August 9, 2023

RESOLUTIONS

PUBLIC SAFETY

CR-194

Resolution 23-165

Relating to the construction of a sanitary sewerage system in the Ewa District to be known and hereafter designated as Ewa Beach Sewers, Section 4, in accordance with the improvement by assessment ordinance.

FOR ADOPTION

BUDGET

CR-200

Resolution 23-166, CD1

Approving a request to compromise certain claims concerning the taxation of real property.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

BUDGET (Cont'd.)

CR-201

Resolution 23-169

Authorizing the Director of Budget and Fiscal Services to issue and sell not to exceed \$225,000,000 principal amount of Wastewater System Revenue Bonds, Senior Series 2023 and related matters.

FOR ADOPTION

CR-202

Resolution 23-175

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

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, August 9, 2023

EXECUTIVE MATTERS AND LEGAL AFFAIRS

(CR-180 adopted
7/12/23)

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.

(Note: Laid over on 7/12/23 and published on 7/19/23)

FOR ADOPTION

CR-206

Resolution 23-186

To retain the legal services of Fukunaga Matayoshi Ching & Kon-Herrera, LLP as Special Counsel to represent Defendant Grant Robello in the related legal actions entitled The Estate of Dana 'OKeakuako 'Ulunakanawai Brown, et al. v. City and County of Honolulu, et al., Civil No. 1-21-CV-00474-HG/KJM (U.S.D.C.)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, August 9, 2023

ZONING

CR-211

Resolution 23-62, CD1

Approving a conceptual plan for an Interim Planned Development-Transit project for the 1538 Kapi'olani Tower Mixed-Use Development. (Applicant: JL Ala Moana LLC) (Deadline: 10/15/23)

FOR ADOPTION, AS AMENDED

CR-212

Resolution 23-132, CD1

Amending Resolution 19-225, CD1, to extend the deadline to obtain a building permit for a Planned Development-Resort project for the redevelopment of 4.153 acres with mixed-use resort and retail uses in Waikiki, O'ahu. (Applicant: Kyo-ya Kaiulani, LLC) (Deadline: 8/12/23)

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

ZONING (Cont'd.)

CR-213

Resolution 23-140, CD1

Granting a Special Management Area Use Permit to allow repairs and an addition to an existing single-family detached dwelling and related site improvements at 1508 Mokulua Drive in Lanikai. (Applicant: Concept 2 Completion) (Deadline: 8/19/23)

FOR ADOPTION, AS AMENDED

CR-214

Resolution 23-160, CD1

Authorizing exemptions from certain requirements relating to the Hale Mō'ili'ili Affordable Rental Project for native Hawaiians in Mō'ili'ili, O'ahu. (Applicant: Department of Hawaiian Homelands) (Deadline: 8/11/23)

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

PARKS, ENTERPRISE SERVICES AND CULTURE AND THE ARTS

CR-215

Resolution 23-130

Accepting a gift of \$5,000.00 to the City from the Friends of Hawai'i Charities for the upkeep and maintenance of Kahala Community Park.

FOR ADOPTION

CR-221

Resolution 23-176, CD1

Accepting a gift of an interpretive sign valued at \$1,638 to the City from 'Ehiku Hanauna for Kamānele Square.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

PARKS, ENTERPRISE SERVICES AND CULTURE AND THE ARTS (Cont'd.)

CR-216

Resolution 23-134

Authorizing the Director of Budget and Fiscal Services or the Director's designee to enter into a concession agreement for a term of up to 10 years to provide food and beverage, retail, and ticketing concession services at the Honolulu Zoo managed by the Department of Enterprise Services.

FOR ADOPTION

Related communication:

CC-215

Disclosure of Interest Statement submitted by Councilmember Tulba.

HOUSING, SUSTAINABILITY AND HEALTH

CR-227

Resolution 23-174, CD1

Accepting a gift of tuition, travel, and related expenses to the City from the American Association of Motor Vehicle Administrators (AAMVA) valued at \$2,160 for a Supervising Driver License Examiner of the Department of Customer Services to attend the Commercial Driver License (CDL) Train-the-Trainer Class in Salt Lake City, Utah, from August 7-11, 2023.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, August 9, 2023

HOUSING, SUSTAINABILITY AND HEALTH (Cont'd.)

CR-225

Resolution 23-167

Urging the City Administration to provide hazard or premium pay to eligible independent contractors and eligible employees of firms contracted by the City who performed essential and hazardous work during the COVID-19 public health emergency.

FOR ADOPTION

CR-226

Resolution 23-168

Urging the City Administration to establish a Kapa'a Quarry Transfer Station Reusable Material Collection Site Pilot Project.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, August 9, 2023

BALANCE OF COMMITTEE REPORTS

EMLACR-207

Request for authorization to settle a case against the City and County of Honolulu entitled Karen Shirlye Rose, et al. v. City and County of Honolulu, et al, Civil No. 19-1-1099 (Cir. Ct.)

FOR ADOPTION

UNFINISHED BUSINESS

ORDER OF BUSINESS
Wednesday, August 9, 2023

NEW BUSINESS

Resolution 23-182

Renaming the Waikele Community Park for Darrell T. Young.

FOR ACTION

ORDER OF BUSINESS
Wednesday, August 9, 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