



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

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

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## **ORDER OF BUSINESS**

REGULAR MEETING  
CITY COUNCIL CHAMBER  
18TH SESSION  
WEDNESDAY, FEBRUARY 28, 2024  
10 A.M.

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:

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.

Some Councilmembers may be participating in the meeting by interactive conference technology from remote locations.

Remote and in-person oral testimony will be permitted on all items on the agenda when each agenda item is taken up. Each speaker may not have anyone else read their statement and is limited to:

- A three-minute presentation on Public Hearing and New Business items; and
- 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 **84837625585** and Passcode **138705**.
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.

ORDER OF BUSINESS  
Wednesday, February 28, 2024

Persons wishing to testify in-person in the Council Chamber 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.

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](mailto:jyamane1@honolulu.gov).

Honorary Certificates will be presented at 9 a.m.

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

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](mailto: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.

ORDER OF BUSINESS  
Wednesday, February 28, 2024

**PLEDGE OF ALLEGIANCE**

**MESSAGE OF ALOHA**

**CALL TO ORDER**

Roll Call

Introduction of Guests

**APPROVAL OF MINUTES**

17th Session (January 24, 2024)

ORDER OF BUSINESS  
Wednesday, February 28, 2024

**ORDER OF THE DAY**

**APPOINTMENTS - RESOLUTIONS**

PLANNING AND THE ECONOMY

CR-53

Resolution 23-305

Confirming the appointment of Elena Bryant to serve on the Planning Commission of the City and County of Honolulu.

FOR ADOPTION

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CR-54

Resolution 23-307

Confirming the reappointment of Jeffrey Hong to serve on the Liquor Commission of the City and County of Honolulu.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

PUBLIC SAFETY

CR-56

Resolution 23-306

Confirming the appointment of Laurie Foster to serve on the Police Commission of the City and County of Honolulu.

FOR ADOPTION

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Related communication:

CC-9

Disclosure of Interest Statement submitted by Councilmember Tupola.

ORDER OF BUSINESS  
Wednesday, February 28, 2024

**PUBLIC HEARING/RESOLUTIONS**

Resolution 24-35

Confirming the appointment of Cynthia Lynch to serve on the Ethics Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 24-36

Confirming the appointment of Marie Kumabe to serve on the Salary Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS  
Wednesday, February 28, 2024

**FIRST READING**

Resolution 24-50

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 Department of Ocean Safety.

PASS FIRST READING

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Bill 4

Amending Ordinance No. 01-28. (Amending the authorization for the City and County of Honolulu to issue general obligation commercial paper in order to clarify and facilitate the use of such debt.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

Bill 5

Relating to noise control. (Preserving the tranquility of residents and visitors on the island of O‘ahu against noise disturbances by regulating loud sounds emanating from machines or devices on public property.)

PASS FIRST READING

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Bill 6

Relating to permits. (Improving public notification regarding the authorization, or lack thereof, for work performed on a property in the City and County of Honolulu and amending provisions related to the administration and enforcement of certain codes in the Revised Ordinances of Honolulu 2021.)

PASS FIRST READING

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Bill 7

Relating to declaring the City and County of Honolulu a Purple Heart City. (Declaring the City and County of Honolulu a Purple Heart City.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

Bill 8

Relating to community workforce agreements. (Addressing community workforce agreements.)

PASS FIRST READING

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Bill 9

Relating to transportation. (Amending Chapter 36, Revised Ordinances of Honolulu 2021 ["ROH"], to repeal certain obsolete or unnecessary provisions.)

PASS FIRST READING

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Bill 10

Relating to building permits. (Removing the affidavit requirement of stating no outstanding fines or liens for building permit applications, and requiring an additional plan review fee when resubmitting applications that fail to include necessary information required for review and approval not previously provided as part of a complete application submission.)

PASS FIRST READING

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**PUBLIC HEARING/SECOND READING**

**BUDGET**

CR-32

Bill 2, CD1

Relating to public transit. (Updating and amending sections of Chapter 15B, Article 2, Revised Ordinances of Honolulu 2021 [“Islandwide Fare Structure”].)

PASS SECOND READING, AS AMENDED

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Related communication:

CC-5

Disclosure of Interest Statement submitted by Councilmember Okimoto.

**ZONING**

CR-48

Bill 65 (2023), CD1

Relating to the adoption of the State Building Code. (Adopting the Hawai'i State Building Code, including Appendices U, W, and X; the State Residential Code; the State Existing Building Code, subject to local amendments herein, and updating Article 13 [“Hawai'i Residential Safe Room”] and Article 14 [“State- and City-Owned High Occupancy Buildings – Design Criteria for Enhanced Hurricane Protection Areas”].)

PASS SECOND READING, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

HOUSING, SUSTAINABILITY AND HEALTH

CR-51

Bill 1

Relating to herbal cigarettes. (Raising the age of individuals allowed to purchase herbal cigarettes within the City and County of Honolulu to 21 years of age.)

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

**THIRD READING**

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-38

Resolution 23-239, CD1

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, relating to emergency management.

PASS THIRD READING, AS AMENDED

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Resolution 23-239, CD1, Proposed FD1  
(Submitted by Councilmember Weyer)

CR-37

Bill 44 (2023), CD1

Relating to false statements. (Deterring persons from making false statements to the building official.)

PASS THIRD READING, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

PARKS, ENTERPRISE SERVICES AND CULTURE AND THE ARTS

CR-50

Bill 63 (2023), CD1

Relating to concessions. [Amending Chapter 38 of the Revised Ordinances of Honolulu 2021 to: (1) address the repeal of the licensing requirements for beachboys in Hawai'i Administrative Rules Section 13-251, Subchapters 1, 2, 3, and 7, effective December 21, 2022; (2) transfer authority regarding nonprofit beachboy concessions to the Department of Enterprise Services, as it is the department primarily responsible for the operation of such concessions; (3) further define the nonprofit status of beachboy associations to include tax exempt entities under § 501 of the Internal Revenue Code of 1986, as amended; and (4) prescribe the location of the nonprofit beachboy concession.]

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS  
Wednesday, February 28, 2024

**RESOLUTIONS**

BUDGET

CR-33

Resolution 24-13

Relating to the transfer of funds. (Department of the  
Medical Examiner)

FOR ADOPTION

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CR-34

Resolution 24-20, CD1

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

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

BUDGET (Cont'd.)

CR-35

Resolution 24-21

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

FOR ADOPTION

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EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-39

Resolution 24-25, CD1

Establishing a sister city relationship with Rarotonga,  
Cook Islands.

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-40

Resolution 24-32

To retain the legal services of Kobayashi Sugita & Goda LLP as Special Deputy Corporation Counsel for the City and County of Honolulu on behalf of Petitioner Director of Budget and Fiscal Services, City and County of Honolulu, in a legal action entitled The Estate of Richard Lee Jackson; P. NO. 12-1-0425 (Cir. Ct.).

FOR ADOPTION

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CR-41

Resolution 24-33

To amend Contract No. SC-COR-23-00086 to request additional funds to continue the services of McCorriston Miller Mukai MacKinnon LLP as Special Counsel to represent Defendant Jake Bartolome in the related legal actions entitled Ualani Gouveia, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-21-0001150, Matthew Tabag-Kalua, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000415, and Jonaven Perkins-Sinapati, et al. v. City and County of Honolulu, et al., Civil No. 1 CCV-22-0000429 (Cir. Ct.) and to allow the representation of Defendant Jake Bartolome in Ualani Gouveia, et al. v. Rick Blangiardi, et al., Case No. 1CV-23-00378 JAO-WRP (U.S.D.C.).

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-42

Resolution 24-34

To amend Contract No. SC-COR-23-00087 to request additional funds to continue the services of Kobayashi Sugita & Goda LLP as Special Counsel to represent Defendant Erik Smith in the related legal actions entitled Ualani Gouveia, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-21-0001150, Matthew Tabag-Kalua, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000415, and Jonaven Perkins-Sinapati, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000429 (Cir. Ct.) and to allow the representation of Defendant Erik Smith in Ualani Gouveia, et al. v. Rick Blangiardi, et al., Case No. 1CV-23-00378 JAO-WRP (U.S.D.C.).

FOR ADOPTION

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ZONING

CR-49

Resolution 24-14, CD1

Granting a Special Management Area Major Permit to allow for the construction of two new single-family dwellings, a swimming pool, and a garage in Mokolē'ia, O'ahu. (Applicant: Peter and Julia How) (Deadline: 3/16/24)

FOR ADOPTION, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

HOUSING, SUSTAINABILITY AND HEALTH

CR-52

Resolution 24-16

Adopting Climate Ready O'ahu as a climate adaptation strategy and guiding policy document for the City and County of Honolulu.

FOR ADOPTION

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PLANNING AND THE ECONOMY

CR-55

Resolution 24-28

Accepting a gift of travel, lodging, and meals valued at \$1,450 to the City from the International Economic Development Council for the Innovation and Technology Program Manager of the Office of Economic Revitalization to attend the Economic Recovery Corps Kick-Off Training Event in Portland, Oregon, from February 11-13, 2024.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

PUBLIC SAFETY

CR-57

Resolution 24-15

Accepting a gift of \$17,800 to the City from the Honolulu Firefighters Foundation (HFF) for various Honolulu Fire Department (HFD) events.

FOR ADOPTION

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CR-58

Resolution 24-26

Accepting a gift of approximately 900 pairs of OluKai footwear, valued at \$66,000.00, to the City from OluKai for use by Ocean Safety lifeguard personnel in the Honolulu Emergency Services Department.

FOR ADOPTION

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**BALANCE OF COMMITTEE REPORTS**

EMLACR-43 Request for authorization to settle a case against Sheryl Sunia, a former employee of the City and County of Honolulu, in Roynes J. Dural, II v. City and County of Honolulu, et al., Civil No. CV21-00461 HG-WRP (U.S.D.C.).

EMLACR-44 Request for authorization to settle a case against Defendants City and County of Honolulu and Susan Ballard, in 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 (U.S.D.C.).

EMLACR-45 Request for authorization to settle a case against Defendants Ronald V. Dumlao, Chance C. Correa and Jose J. Villanueva, in 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 (U.S.D.C.).

EMLACR-46 Request for authorization to settle a lawsuit against the City and County of Honolulu entitled Association of Unit Owners of Liolio Townhouse, by its Board of Directors v. City and County of Honolulu, Civil No. 1CCV-22-0001207.

EMLACR-47 Request for authorization to settle claims against the City and County of Honolulu by Steven Bose.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

**UNFINISHED BUSINESS**

**NEW BUSINESS**

Resolution 24-27

Urging the Legislature to pass legislation clarifying that the counties have the power to amortize or phase out nonconforming short-term rentals.

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

Resolution 24-37

Accepting a gift of animal transportation via FedEx valued at \$45,000 to the City from the Honolulu Zoological Society for transportation of a male tiger and two female plains zebras to the Honolulu Zoo and to send out two chimpanzees from the Honolulu Zoo.

FOR ACTION

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Resolution 24-44

Accepting a gift of replacement turf valued at \$50,000 to the City from Hawai'i Kai Baseball League for the batting cage at Koko Head District Park.

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

Resolution 24-47

Accepting a gift of 30 waste bins with artwork valued at \$100,000 to the City from JTB Hawai'i, Inc. through the Waikiki Business Improvement District Association for use in various locations along Kūhiō Beach Park in Waikīkī.

FOR ACTION

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Resolution 24-48

Accepting a gift of concrete slabs valued at \$4,800.00 to the City from R.M. Towill Corporation and Royal Contracting Company, Ltd. for improvements to the Kīlauea District Park Softball Field.

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, February 28, 2024

### **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**