



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

**COMMITTEE ON PLANNING
AND THE ECONOMY**

Voting Members:

Esther Kia'aina, Chair
Radiant Cordero, Vice-Chair
Val A. Okimoto
Calvin K.Y. Say
Matt Weyer

AGENDA

REGULAR MEETING
CITY COUNCIL CHAMBER
THURSDAY, JULY 25, 2024
9:00 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:

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 and presenters 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 one-minute presentation.

Remote Testimony/Viewing

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID **85727228627** and Passcode **926319**.
2. To testify by videoconference visit: <https://hnlidoc.ehawaii.gov/hnlidoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.
3. Visit www.zoom.us, click on "Join a meeting", enter meeting number **85727228627** and Passcode **926319**. Direct access link: <https://us06web.zoom.us/j/85727228627?pwd=JaF6g3eSKlbC3G9sYXRydT7TFpOaAp.1>.

Persons wishing to testify in-person in the Council Chamber are requested to register by 9:00 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.

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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, email address, and phone number, will be available to the public at <https://hnlidoc.ehawaii.gov>.

Should you have any questions, please call (808) 768-3825 or send an email to pearlene.sotelo@honolulu.gov.

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 Committee 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 pearlene.sotelo@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.

FOR ACTION

1. **RESOLUTION 24-170 – APPOINTMENT OF JASON WOO TO THE PLANNING COMMISSION.** Confirming the appointment of Jason Woo to serve on the Planning Commission of the City and County of Honolulu for a term to expire on June 30, 2029. (Transmitted by Communication MM-102; public hearing held 7/10/24)

2. **BILL 36 (2024) – WASTEWATER SYSTEM REVENUE COMMERCIAL PAPER.** Authorizing the issuance and sale and specifying certain terms of wastewater system revenue commercial paper of the City and County of Honolulu in an aggregate outstanding principal amount not to exceed four hundred million dollars (\$400,000,000) outstanding at any one time, for the purpose of refunding all or a part of any outstanding wastewater system revenue indebtedness of the City and County or paying the cost of any equipment or other improvement authorized pursuant to any capital budget ordinance relating to the wastewater system of the City and County; authorizing the Director of Budget and Fiscal Services to determine certain terms of such commercial paper; providing for the retirement of any indebtedness to be refunded; and providing for other actions related to the issuance, sale and delivery or such commercial paper. (Transmitted by Communication D-473; Consecutive referral: P&E, BUD; Bill passed first reading 7/10/24)

3. **RESOLUTION 24-151 – APPROVING AND AUTHORIZING THE CONVEYANCE OF THE FORMER KALAHEO ELEMENTARY SCHOOL PROPERTY TO THE STATE OF HAWAI‘I DEPARTMENT OF HAWAIIAN HOME LANDS.** Approving and authorizing the conveyance of the former Kalaheo Elementary School property in Kailua, O‘ahu, to the State of Hawai‘i, Department of Hawaiian Home Lands, in furtherance of the intent of the Hawaiian Homes Commission Act and to honor the legacy of Prince Jonah Kūhiō Kalaniana‘ole, which includes his role in establishing Hawai‘i’s counties, including the City and County of Honolulu.

PROPOSED CD1 TO RESOLUTION 24-151 (Submitted by Councilmember Kia'āina) – The CD1 (OCS2024-0701/7/19/224 8:28 AM) makes the following amendments:

- A. Amends the resolution title to read as follows:

"APPROVING AND AUTHORIZING THE CONVEYANCE OF THE FORMER KALAHEO ELEMENTARY SCHOOL PROPERTY IN KAILUA, O'AHU, TO THE STATE OF HAWAI'I DEPARTMENT OF HAWAIIAN HOME LANDS, IN FURTHERANCE OF THE INTENT OF THE HAWAIIAN HOMES COMMISSION ACT AND TO HONOR THE LEGACY OF PRINCE JONAH KŪHIŌ KALANIANA'OLE, WHICH INCLUDES HIS ROLE IN ESTABLISHING THE COUNTIES OF THE STATE OF HAWAI'I."
- B. Amends the 13th WHEREAS clause to provide that the Hawaiian Homes Commission Act served as the legal basis for the establishment of the State of Hawai'i Department of Hawaiian Home Lands ("DHHL").
- C. Deletes the 15th and 16th WHEREAS clauses, relating to a previous land exchange between the City and the DHHL.
- D. Amends the 17th WHEREAS clause to clarify that the former Kalaheo Elementary School property (the "Kalaheo Site") is zoned R-7.5 Residential District and P-1 Restricted Preservation District, has an assessed value of \$10,455,000, and is depicted on the map attached to the resolution as Exhibit A (instead of Exhibits A-1 and A-2).
- E. Amends the 19th WHEREAS clause to delete the reference to Departmental Communication 231 (2015).
- F. Amends the 20th WHEREAS clause to provide that by Departmental Communication 557 (2024), the BFS Director has determined that the Kalaheo Site is surplus City real property, and, with the concurrence of the Department of the Corporation Counsel, has recommended the disposal of the Kalaheo Site pursuant to ROH § 37-1.2, subject to the City retaining its ownership of portions of the Kalaheo Site to be designated as roadways.
- G. Deletes the 21st (relating to surplus City real property under ROH § 37-1.2) and 22nd (relating to Council adoption of a resolution pursuant to ROH § 37-1.2(g)) WHEREAS clauses, as most of the contents were incorporated into the 20th WHEREAS clause.

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- H. Adds a new 21st WHEREAS clause providing that the BFS Director has recommended that the fee simple interest in the Kalaheo Site, except for portions of the Kalaheo Site to be designated as roadways, be conveyed to the DHHL for purposes of providing native Hawaiians with homesteads.
- I. Deletes the 23rd (relating to a minimum negotiated sale price), 24th (relating to the difference between the Kalaheo property's assessed value and the minimum negotiated sale price), and 25th (relating to treating the sale of City real property for less than the fair market value as a gift of City real property) WHEREAS clauses.
- J. Adds a new 23rd WHEREAS clause to provide that the conveyance by the City to the DHHL of the Kalaheo Site, except for portions of the Kalaheo Site to be designated as roadways, will be considered a gift of City real property to the DHHL.
- K. Amends the 24th WHEREAS clause to provide that the portions of the Kalaheo Site that are being conveyed will be conveyed (instead of sold) in an "as-is," "where-is" condition.
- L. Amends the last WHEREAS clause to provide that the drainage easements will be cancelled by the City upon the conveyance (instead of sale) of portions of the Kalaheo Site.
- M. Amends the BE IT RESOLVED clause to provide that the Council approves and authorizes the conveyance of the former Kalaheo Elementary School property in Kailua, O'ahu, identified as Tax Map Key 4-4-033:018, and depicted on the map attached to the resolution as Exhibit A and incorporated by reference therein, except for portions of the property to be designated as roadways, over which the City will retain its ownership (the "Property"), to the State of Hawai'i Department of Hawaiian Home Lands to provide native Hawaiians with homesteads, thereby furthering the intent of the Hawaiian Homes Commission Act ("Act") and the City's commitment to advancing the Act; providing housing for the City's residents and addressing the City's affordable housing crisis; and honoring the legacy of Prince Jonah Kūhiō Kalaniana'ole, without whom the City may not have achieved its independence and right to self-governance.

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- N. Deletes the first (relating to the negotiated sale of the former Kalaheo Elementary School property for the sum of \$495,323) and second (relating to deeming the difference between the fair market value of the former Kalaheo Elementary School property and the sale price of the property to be a gift from the City to the State of Hawai'i) BE IT FURTHER RESOLVED clauses.
- O. Adds a new first BE IT FURTHER RESOLVED clause to provide that the conveyance of the Property by the City to the State of Hawai'i Department of Hawaiian Home Lands is considered a gift of City real property that serves a public purpose by putting the currently vacant Property to productive use; demonstrating the City's commitment to furthering the intent of the Act to provide homesteads to native Hawaiians, including the over 11,000 applicants for residential homestead leases on O'ahu; providing housing for the City's residents while addressing the City's affordable housing crisis; and reducing the City's liability and maintenance costs for the Property.
- P. Combines the second and third BE IT FURTHER RESOLVED clauses to provide that the BFS Director or the Director's designee is authorized to execute (instead of sign) the deed, cancellation of easements, and other documents necessary or incident to the conveyance of the Property as authorized and described in the resolution, and to agree to reasonable terms and conditions to effectuate the conveyance thereof.
- Q. Amends the fourth BE IT FURTHER RESOLVED clause to clarify that the conveyance of the Property must be in accordance with all applicable laws, rules, and regulations (instead of laws and City policies).
- R. Amends the BE IT FINALLY RESOLVED clause to provide that a copy of the resolution be transmitted to the Chair of the State of Hawai'i Hawaiian Homes Commission (instead of the Chair of the State of Hawai'i Department of Hawaiian Home Lands).
- S. Replaces the exhibits attached to the resolution (Exhibits A-1 and A-2) with a new Exhibit A.
- T. Makes miscellaneous technical and nonsubstantive amendments.

Related communication:

D-557 Department of Budget and Fiscal Services, submitting its recommendation on Resolution 24-151

INFORMATIONAL BRIEFING

4. **UPDATE BY THE DEPARTMENT OF PLANNING AND PERMITTING ON ITS BUILDING PERMIT PROCESS BACKLOG.**

5. **UPDATE BY THE DEPARTMENT OF PLANNING AND PERMITTING ON DEVELOPMENT AND SUSTAINABLE COMMUNITIES PLAN SCHEDULE AND TRANSIT-ORIENTED DEVELOPMENT PLANS AND ZONING STATUS.**

EXECUTIVE SESSION

If the need arises with respect to any item on this agenda, then pursuant to Hawai'i Revised Statutes Sections 92-4 and 92-5(a)(4), the Committee may consult in a closed meeting with its attorneys in executive session on questions and issues pertaining to claims and other matters on the Council's powers, duties, privileges, immunities and/or liabilities relating to that item.

ESTHER KIA'ĀINA, Chair
Committee on Planning and the Economy