



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

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

26TH SESSION

WEDNESDAY, OCTOBER 9, 2024

10 A.M.

KAPOLEI HALE ([Map](#))

1000 ULUOHIA STREET, CONFERENCE ROOMS A, B AND C

KAPOLEI, HAWAII 96707

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 televised live broadcast on 'Ōlelo TV Channel 54 or olelo.org; and (2) on the monitor situated outside the meeting room. 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.honolulu-citycouncil.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 **87859765145** and Passcode **597722**.
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.

ORDER OF BUSINESS
Wednesday, October 9, 2024

Persons wishing to testify in-person in the meeting room are requested to register between 9 a.m. and 10 a.m. by filling out the registration form in person in the meeting room. 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://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>.

15 copies are requested if written testimony is submitted on-site.

Should you have any questions, please call (808) 768-3119 or send an email to doris.lam@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://hnldoc.ehawaii.gov/hnldoc/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 doris.lam@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, October 9, 2024

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

CALL TO ORDER

Roll Call

Introduction of Guests

APPROVAL OF MINUTES

25th Session (September 4, 2024)

ORDER OF BUSINESS
Wednesday, October 9, 2024

ORDER OF THE DAY

APPOINTMENTS - RESOLUTIONS

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-276

Resolution 24-171

Confirming the appointment of Jeffrey Portnoy to serve on the Civil Service Commission of the City and County of Honolulu.

FOR ADOPTION

CR-277

Resolution 24-212

Confirming the appointment of Hazel Beck to serve on the Civil Service Commission of the City and County of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

ZONING

CR-289

Resolution 24-209

Confirming the appointment of Ryan Toyomura to the Zoning Board of Appeals.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

PUBLIC HEARING/RESOLUTION

Resolution 24-237

Confirming the appointment of Christina Ohira to the Zoning Board of Appeals.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 24-244

Authorizing the use of overt video monitoring in the City and County of Honolulu to prevent and deter general criminal activity and achieve the legitimate law enforcement objective and legitimate public purpose of ensuring a safe and secure 2024 Honolulu Marathon event.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, October 9, 2024

FIRST READING

Bill 54

To amend Chapter 6, Revised Ordinances of Honolulu 2021, as amended, relating to the Taxable General Improvement Bond Fund. (Creating a fund to receive and expend monies from proceeds of the sale of taxable general obligation bonds of the City and County issued to pay all or part of those appropriations for improvements made in the capital budget ordinance of the City and County and specified therein to be expended from the Taxable General Improvement Bond Fund.)

PASS FIRST READING

Bill 55

Relating to the adoption of the 2021 State Fire Code. (Adopting the 2021 State Fire Code as adopted by the State of Hawai'i on January 20, 2023, subject to certain amendments that shall apply to the City.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, October 9, 2024

Bill 56

Relating to the use of malls. (Addressing the use of pedestrian malls.)

PASS FIRST READING

Bill 57

Relating to real property taxation. (Amending certain provisions related to the automatic sprinkler system tax credit.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, October 9, 2024

Bill 58

Relating to the Building Code. (Amending the Building Code of the City and County of Honolulu.)

PASS FIRST READING

PUBLIC HEARING/SECOND READING

TRANSPORTATION

CR-284

Bill 44, CD1

Relating to traffic safety. (Promoting public safety on roadways in the City and County of Honolulu by establishing more appropriate speed limits on certain streets.)

PASS SECOND READING, AS AMENDED

CR-285

Bill 50

Relating to parades, street festivals, and other activities. (Amending existing ordinances governing parades, street festivals, and other activities, including those in Waikīkī, to reduce the strain on residents, visitors, employees, first responders, and businesses caused by the closure of main public thoroughfares; ensure that parades, street festivals, and other activities serve a public purpose; protect the health and safety of the public; and establish requirements specific to street festivals for the foregoing purposes.)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, October 9, 2024

TRANSPORTATION (Cont'd.)

CR-286

Bill 52

Relating to electric bicycles. (Regulating the possession and use of bicycles and electric bicycles in the City and County of Honolulu.)

PASS SECOND READING

HOUSING, SUSTAINABILITY AND HEALTH

CR-304

Bill 46, CD1

Relating to real property taxation. (Addressing the taxation of vacant residential properties in the City and County of Honolulu.)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, October 9, 2024

THIRD READING

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-275

Bill 32, CD1

Relating to nondiscrimination policy. (Making revisions to the City and County of Honolulu's nondiscrimination policy applicable to employment and the provision of services.)

PASS THIRD READING, AS AMENDED

HOUSING, SUSTAINABILITY AND HEALTH

CR-301

Bill 38, FD1, CD1

To amend the O'ahu Watershed Management Plan. (Amending a portion of the O'ahu Watershed Management Plan, enacted by Ordinance 90-62, and codified as Chapter 30, Articles 1, 2, and 3, Revised Ordinances of Honolulu 2021, by adopting the East Honolulu Watershed Management Plan.)

PASS THIRD READING

ORDER OF BUSINESS
Wednesday, October 9, 2024

HOUSING, SUSTAINABILITY AND HEALTH (Cont'd.)

CR-302

Bill 40, CD1

Relating to professional self-certification. (Amending Ordinance 23-29 by adding solar, energy storage, and energy efficiency projects for multi-family dwellings and commercial buildings to the list of eligible projects for professional self-certification.)

PASS THIRD READING, AS AMENDED

CR-303

Bill 41, CD1

Relating to the public spay and neuter clinic for dogs and cats. (Addressing the administration of the public spay and neuter clinic for dogs and cats.)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, October 9, 2024

PUBLIC SAFETY

CR-306

Bill 22

Relating to the fire code. (Addressing fireworks use and permitting in the City and County of Honolulu.)

PASS THIRD READING

ORDER OF BUSINESS
Wednesday, October 9, 2024

RESOLUTIONS

BUDGET

CR-273

Resolution 24-230, CD1

Relating to the transfer of funds. (Honolulu Fire Department)

FOR ADOPTION, AS AMENDED

CR-274

Resolution 24-235

Relating to reprogramming of American Rescue Plan Act of 2021 (Pub. L. 117-2), State and Local Fiscal Recovery Funds program in support of revenue replacement.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-278

Resolution 24-229

Accepting a gift of conference registration and lodging valued at \$4,263.94 to the City from the Hawai'i Executive Collaborative for the Mayor and Managing Director to attend the Hawai'i Executive Conference on the Island of Hawai'i, October 2-5, 2024.

FOR ADOPTION

CR-279

Resolution 24-249

To request additional funds for Contract No. SC-COR-2400089 to continue the services of Kobayashi Sugita & Goda, LLP, as Special Deputy Corporation Counsel to represent defendants Honolulu Liquor Commission, Jacob Fears, Glen Nishigata and Catherine Fontaine in the legal action entitled Jhumar Ray Waite v. Honolulu Liquor Commission, et al., Case No. CV23-00356 JAO/RT (USDC).

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

TRANSPORTATION

CR-287

Resolution 24-203, CD1

Requesting the City Administration to designate the Department of Transportation Services as the primary governmental authority having jurisdiction over Fort Street Mall and Union Mall.

FOR ADOPTION, AS AMENDED

ZONING

CR-288

Resolution 24-208, CD1

Granting a Special Management Area Major Permit to allow for the construction of a new two-story structure with a primary dwelling unit on the second floor, attached accessory dwelling unit on the ground floor, carport, and fence in Hau'ula, O'ahu. (Applicant: HI Home Buyers Group) (Deadline: 10/13/24)

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, October 9, 2024

ZONING (Cont'd.)

CR-290

Resolution 24-215

Adopting a revision to the Public Infrastructure Map for the Central O'ahu Sustainable Communities Plan area.

FOR ADOPTION

CR-291

Resolution 24-219, CD1

Granting a Special Management Area Major Permit to allow for the construction of a new single-family dwelling with lanais, an attached garage, and other improvements in Kahuku, O'ahu. (Applicant: Modern Development, LLC) (Deadline: 10/27/24)

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, October 9, 2024

ZONING (Cont'd.)

CR-292

Resolution 24-225, CD1

Granting a Special Management Area Major Permit to allow for the construction of a new single-family detached dwelling with attached garage and the construction of a new second floor addition and carport for an existing single-family detached dwelling in 'Ewa Beach, O'ahu. (Applicant: Lorenzo Village LLC and Suzie T. Mai-French Trust) (Deadline: 11/5/24)

FOR ADOPTION, AS AMENDED

CR-295

Resolution 24-228, CD1

Authorizing exemptions from certain requirements relating to the Hale Melia affordable rental housing project in Honolulu, O'ahu. (Applicant: Hale Melia, LLP) (Deadline: 10/25/24)

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, October 9, 2024

ZONING (Cont'd.)

CR-296

Resolution 24-231, CD1

Granting a Special Management Area Major Permit to allow for the construction of a new single-family dwelling with an attached garage in Wailupe Peninsula, O'ahu. (Applicant: Timothy Guterrez) (Deadline: 11/9/24)

FOR ADOPTION, AS AMENDED

PARKS, ENTERPRISE SERVICES AND CULTURE AND THE ARTS

CR-297

Resolution 24-218

Accepting a gift of a tiger-shaped bench, a zebra-shaped bench and shipping costs, valued at \$6,628.11 to the City from NTP Holdings Corporation and The Honolulu Zoological Society for the Honolulu Zoo.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

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

CR-299

Resolution 24-233

Accepting a gift of ozone system replacement and filtration backwash system repair, valued at \$115,000, to the City from The Honolulu Zoological Society for the pool in the Hippopotamus exhibit at the Honolulu Zoo.

FOR ADOPTION

CR-300

Resolution 24-234

Accepting a gift of a site marker with pedestal valued at \$1,432 to the City from Lei Pua 'Ala Queer Histories of Hawai'i to be installed adjacent to the Shower Tree fronting the Frank F. Fasi Municipal Building.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

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

CR-298

Resolution 24-222

Renaming the boxing gym at the Shinyei Nakamine Gymnasium Complex at Wai'anae District Park to the Fred "Pops" Fernandez Pereira, Sr., Wai'anae District Park Boxing Gym.

FOR ADOPTION

HOUSING, SUSTAINABILITY AND HEALTH

CR-305

Resolution 24-213

Requesting the City Administration to provide and manage recycling receptacles in City parks and recreational facilities.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

PUBLIC SAFETY

CR-307

Resolution 24-224

Accepting a gift of Thanksgiving Day meals valued at \$17,155 to the City from the Honolulu Firefighters Foundation (HFF) for on-duty Honolulu Fire Department (HFD) personnel.

FOR ADOPTION

CR-308

Resolution 24-239

Accepting a gift of \$3,333 to the City from Hawaiian Lifeguard Association for the Department of Ocean Safety's Junior Lifeguard Program.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

PUBLIC SAFETY (Cont'd.)

CR-309

Resolution 24-240

Accepting a gift of 43 sandbags valued at \$4,300 to the City from Hele Fitness LLC for daily physical training by the lifeguards in the Department of Ocean Safety.

FOR ADOPTION

BALANCE OF COMMITTEE REPORTS

EMLACR-280 Request for Authorization to Settle a Case Against the City and County of Honolulu Entitled Department of Health, State of Hawaii, Clean Water Branch vs. City and County of Honolulu NPDES Permit No. HI0021296 (Kailua Regional Wastewater Treatment Plant); Docket No. 23 CW-EO-20

EMLACR-281 Request for authorization to settle a case against the City and County of Honolulu entitled L. Lindsay Myeni v. City and County of Honolulu et al., Civil No. 1CCV-21-0000504 (Cir. Ct.)

EMLACR-282 Request for authorization to settle a case against the City and County of Honolulu entitled Huntington, et al. v. City and County of Honolulu, et al.; CIVIL NO. 1CCV-23-0000709 SMK (Cir. Ct.)

EMLACR-283 Request for authorization to settle a claim against the City and County of Honolulu for attorneys' fees and costs in *Nelson et al. v. City and County of Honolulu*, Case No. 1:24-cv-00100-MWJS-RT (U.S. District Court)

ZONCR-293 Granting a 90-day extension of time for Resolution 24-226 – Denying a Special Management Area Major Permit and Shoreline Setback Variance to allow the expansion and fortification of a nonconforming concrete seawall in Lanikai, O'ahu. (Applicants: Graham and Elaine Smith) (Deadline: 10/22/24 + 90 days)

ZONCR-294 Denying a 120-day extension of time for Resolution 24-227 – Approving a conceptual plan for an Interim Planned Development-Transit Project for the 1667 Kapi'olani Development. (Applicant: KCR Development) (Deadline: 11/4/24)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

UNFINISHED BUSINESS

NEW BUSINESS

Resolution 24-241

Approving the Hawai'i State Association of Counties' nominees to the National Association of Counties and the Western Interstate Region Boards of Directors for the 2024-2025 term.

FOR ACTION

ORDER OF BUSINESS
Wednesday, October 9, 2024

Resolution 24-245

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

FOR ACTION

Resolution 24-246

Accepting a gift of a Generac 20,000 Watt backup generator, model #7039, valued at \$5,000, to the City from the State Department of Land and Natural Resources — Snail Extinction Prevention Program.

FOR ACTION

ORDER OF BUSINESS
Wednesday, October 9, 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