



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

ORDINANCE 25 - 47
BILL 51 (2025), CD2

A BILL FOR AN ORDINANCE

RELATING TO IMPROVEMENT DISTRICTS.

BE IT ORDAINED by the People of the City and County of Honolulu:

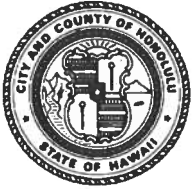
SECTION 1. Purpose. The Fort Street Mall Special Improvement District No. 2 ("District") was established by Ordinance 02-48, which was amended by Ordinance 07-44, in accordance with the terms of Chapter 36, Revised Ordinances of Honolulu 1990 (recodified as Chapter 28, Revised Ordinances of Honolulu 2021), to carry out the Fort Street Mall Business Improvement District Plan ("Plan"), which was attached as Exhibit A to Ordinance 02-48 and revised pursuant to Ordinance 07-44. The purpose of this ordinance is to amend the Fort Street Mall Special Improvement District No. 2 and supersede any conflicting provisions.

SECTION 2. Amendment of the Fort Street Mall Special Improvement District No. 2.

The Fort Street Mall Special Improvement District No. 2, which was established pursuant to SECTION 2 of Ordinance 02-48 and amended pursuant to Ordinance 07-44, is revised in accordance with the terms of Section 28-4.1(b), Revised Ordinances of Honolulu 2021, by changing the name of the Fort Street Mall Special Improvement District No. 2 to the Downtown Honolulu Special Improvement District No. 2.

The District's boundaries; supplemental services and improvements to be provided or financed; rate or method of apportionment of the special assessment; number of members on the District Association Board of Directors; and budget for the District's first fiscal year are revised by replacing the Plan attached to Ordinance 02-48, as amended by Ordinance 07-44, with the Downtown Honolulu Business Improvement District Plan ("Revised Plan") that is attached to this ordinance as Exhibit A and incorporated as part of this ordinance. The Revised Plan:

1. Changes the common name of the District to the Downtown Honolulu Business Improvement District;
2. Replaces the boundaries and parcels map attached to Ordinance 02-48, as amended by Ordinance 07-44, and identified as Exhibits 1, 1A, 1B, and 1C, with the district boundaries map attached to the Revised Plan as Exhibit 1 and the list of parcels of land to be assessed, identified by tax map key number, attached to the Revised Plan as Exhibit 2;



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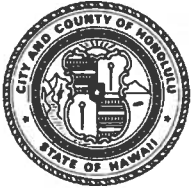
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3. Makes revisions to the District's supplemental services and improvements to be provided or financed, as described in the Revised Plan;
4. Makes revisions to the rate or method of apportionment of the existing special assessment, as described in the Revised Plan;
5. Increases the total number of members on the District Association Board of Directors from 17 to 20, by increasing the number voting members elected by fee simple owners and ground lessees of property located within the District from nine to 12, as detailed in the Revised Plan; and
6. Incorporates a new \$1,900,000 budget for the Downtown Honolulu Business Improvement District's first fiscal year, as set forth in the Revised Plan.

SECTION 3. This ordinance constitutes an ordinance of consideration pursuant to Chapter 28, Article 4, Revised Ordinances of Honolulu 2021, and an ordinance of annexation pursuant to Chapter 28, Article 5, Revised Ordinances of Honolulu 2021. This ordinance does not authorize new special assessments or bonds. The City Council's consideration of this ordinance must be in accordance with the requirements of Chapter 28, Articles 4 and 5, Revised Ordinances of Honolulu 2021.

SECTION 4. Any provisions of Ordinance 02-48 of Ordinance 07-44 that are in conflict or inconsistent with any provision of this ordinance are hereby superseded to the extent of the conflict or inconsistency.

SECTION 5. The Revisor of Ordinances is directed to insert a note at the beginning of Chapter 28, Revised Ordinances of Honolulu 2021, that the Fort Street Mall Special Improvement District No. 2 has been renamed and revised pursuant to this ordinance. The note is not deemed to be part of the Chapter.



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SECTION 6. This ordinance takes effect upon its approval.

INTRODUCED BY:

Tyler Dos Santos-Tam

DATE OF INTRODUCTION:

July 1, 2025

Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Reid M. Yamashiro
Deputy Corporation Counsel

REID M. YAMASHIRO

APPROVED this 20th day of October, 20 25.

Rick Blangiardi
Rick Blangiardi

RICK BLANGIARDI, Mayor
City and County of Honolulu

DOWNTOWN HONOLULU BUSINESS IMPROVEMENT DISTRICT PLAN

THIS DOWNTOWN HONOLULU BUSINESS IMPROVEMENT DISTRICT PLAN ("Plan") was prepared pursuant to Section 46-80.5, Hawaii Revised Statutes ("HRS") and Chapter 28, Revised Ordinances 2021 ("ROH").

1. Name of the District. The name of this special improvement district ("District") shall be the "City and County of Honolulu Business Improvement District No. 2 (Downtown Honolulu)." It shall commonly be referred to as the "Downtown Honolulu Business Improvement District" or the "Downtown Honolulu BID."

2. Term of the District. The initial term of the District is for five years, which is automatically renewed unless an ordinance terminating the District is adopted, in which case operations of the District shall cease, except that the term of the District cannot expire until all debt service on bonds and incidental expenses and supplemental services and improvements expenses are fully paid or irrevocable provision for such payment has been made.

3. Boundaries and Parcels of the District. The boundaries of and parcels in the District are shown and listed on the map attached hereto as Exhibit 1 and made a part hereof. If there is a conflict between this general description of the BID boundaries and the BID boundaries or parcels shown or listed on Exhibit 1, the boundaries and parcels on Exhibit 1 shall control. Exhibit 2 is a list of parcels of land to be assessed, by tax map key number, included in the District; except that a listed parcel shall not be assessed when exempt under this Plan.

4. Mission Statement. The mission statement of the Downtown Honolulu BID is as follows:

Downtown Honolulu Business Improvement District is dedicated to enhancing the quality of life in Downtown Honolulu, which shall exemplify the quality of life throughout the State of Hawai'i, by providing residents, visitors, and businesses and their employees, customers and clients with a safe, clean and enjoyable environment in which to live, work, and play, and to revitalizing and enhancing business in Downtown Honolulu. The Downtown Honolulu Business Improvement District shall work in partnership with government and the private sector to develop and implement programs that promote the overall vitality of Downtown Honolulu by strengthening its role as a first-class business area.

5. The District Association and District Board. The District Association established for the Downtown Honolulu Business Improvement District ("District Association") shall be incorporated under HRS Chapter 414D, the Hawaii Nonprofit Corporations Act. The District Association shall be organized for the purpose of selecting the Board of Directors of the District Association ("Board"), which shall

execute the responsibilities and activities prescribed in this Plan on behalf of the District Association.

(a) *IRC 501(c)(3) Status.* The District Association shall be organized exclusively for charitable and educational purposes as specified in Section 501(c)(3) of the Internal Revenue Code of 1954, as amended.

(b) *Classes of Membership.* The District Association shall have one (1) class of voting membership and one class of non-voting membership. The voting class shall be composed of fee simple owners and ground lessees of record of real property located within the District.

The nonvoting class shall include commercial tenants leasing space within the District who have registered as such commercial tenants with the Board in accordance with the District Association's articles or bylaws, landowners who are exempt from paying Assessments (defined below), the ex officio members of the District Board, and others with an interest in the mission of the District.

(c) *District Board.* The District Association shall be governed by the Board. The Board shall have a total of twenty (20) members, who shall be elected or appointed in accordance with the articles of incorporation of, and in the manner prescribed by the bylaws of, the District Association and as follows:

(i) The fee simple owners and ground lessees of record of real property located within the District (which shall constitute a majority of the Board) shall elect twelve (12) voting Board members, who shall be representatives of the fee simple owners and ground lessees of record. At least one of these Board members shall be a representative of fee simple owners and ground lessees with less than 20,000 square feet of gross leasable area.

(ii) The fee simple owners and ground lessees of record of real property within the District shall elect two (2) nonvoting Board members who shall be representatives of the commercial tenants leasing space within the District.

(iii) The Mayor of the City, or the Mayor's designee, shall be a voting member.

(iv) The Councilmember of the council district within which the majority of the Downtown Honolulu BID land area is located, or the Councilmember's designated representative, shall be a voting member.

(v) The Chief of the Honolulu Police Department, or the Chief's designated representative, shall be a nonvoting member.

(vi) The City's Chief Engineer of the Department of Facility Maintenance, or the Chief Engineer's designated representative, shall be a nonvoting member.

(vii) The City's Director of Budget and Fiscal services, or the Director's designated representative, shall be a nonvoting member.

(viii) The Chair of the Downtown Neighborhood Board No. 13, or the Chair's designated representative, shall be a nonvoting member.

6. Supplemental Services. The following supplemental services are intended to be provided and financed by the District:

(a) *Information and Public Safety; Information & Safety Officers.* The objective of providing a safe and enjoyable environment for businesses and visitors of Downtown Honolulu shall be attained through the presence of "Information & Safety Officers."

(i) The Information & Safety Officers are intended to supplement the security provided by the Honolulu Police Department ("HPD") and that provided by private landowners.

(ii) The Information & Safety Officers shall present a distinctive presence and shall be identified as representatives of the Downtown Honolulu BID.

(iii) The Information & Safety Officers shall patrol throughout the Downtown Honolulu BID. Their visible, friendly presence is intended to aid in deterring unlawful activity.

(iv) The Information & Safety Officers shall be trained by qualified security officials and may patrol seven (7) days a week.

(v) The Information & Safety Officers may patrol publicly-owned areas, such as Fort Street Mall, public sidewalks and roadways, and portions of privately-owned property.

(vi) The Information & Safety Officers shall work through a communications network, which shall include the HPD and private landowners.

(vii) The Information & Safety Officers shall coordinate and make appropriate referrals to public and private social service agencies.

(b) *Landscaping and Maintenance; Maintenance Crews.* The objective of providing a safe and enjoyable environment for businesses and visitors of

Downtown Honolulu shall be attained by creating a clean and attractive pedestrian environment through the work of "Maintenance Crews."

(i) The Maintenance Crews are intended to supplement the cleaning and maintenance of publicly-owned areas and improvements within the District provided by the appropriate City department and of portions of privately-owned properties within the District provided by private landowners. The Maintenance Crews may, in particular:

- (1) power wash and power vacuum the sidewalks;
- (2) maintain landscaping and planters, including water and prune trees and flowers;
- (3) pick up litter and empty trash receptacles within publicly-owned property;
- (4) remove graffiti;
- (5) clean vacant lots and park areas;
- (6) paint curbs and manually sweep curbs, gutters and sidewalks; and
- (7) maintain and control street furniture.

(ii) The Maintenance Crews may operate around the clock seven (7) days a week to supplement city cleaning and landscape maintenance services.

(iii) The Maintenance Crews shall present a distinctive, uniformed presence, thus supplementing the Information & Safety Officers and identifying them as representatives of the Downtown Honolulu BID.

7. Supplemental Improvements. The following supplemental improvements may be provided and financed by the District:

- (a) Construction or improvement of lighting facilities;
- (b) Construction or improvement of landscaping and planting areas;
- (c) Installation of signage; and
- (d) Improvements determined by the District Board.

The procedures for approval of the design, plans, and specifications of the supplemental improvements shall be as prescribed by the City Administration.

8. Incidental Expenses. The incidental expenses of the District that shall be paid with special assessments and other revenues of the District include organizational expenses, management and administration expenses, other operating support expenses, and expenses incurred by the Downtown Honolulu Improvement Association in the establishment of the District (including, without limitation, this Plan).

9. Budget.

(a) *Fiscal Year.* The Downtown Honolulu BID's fiscal year shall be from July 1 through June 30 of the next year ("Fiscal Year"). The first Fiscal Year shall be from July 1, 2026 through June 30, 2027. The Assessment revenue shall be based on assessment information for the corresponding tax year from the Real Property Assessment Division ("RPAD") of the City and County of Honolulu ("City"). A member of the District Association shall submit a request to the RPAD for the assessment information each year with a noted delivery location, physical and/or electronic, of which shall be fulfilled within 30 days after the City's real property certification date of February 1. A proposed budget for each Fiscal Year ("Budget") shall set forth the total amount proposed to be expended for the supplemental services, supplemental improvements and incidental expenses for such Fiscal Year.

(b) *Budget for the First Fiscal Year.* The projected Budget for the first Fiscal Year is as follows. The Board shall, as soon as reasonably practicable after the commencement of the term of the District, adopt the actual Budget for the first Fiscal Year, the following of which is as accurate as possible and is based on current revenue projections and expenses:

REVENUES

Assessments

Private Landowners	\$1,773,509.00
Events	\$65,000.00
Other Revenue	<u>\$61,491.00</u>
Total Revenues	\$1,900,000.00

EXPENSES

Supplemental Services

Information & Safety	\$1,042,399.00
Cleaning & Maintenance	\$179,017.00
Team Supervisors	\$175,304.00
Operations Manager	\$132,760.00

Supplemental Improvements	\$85,568.00
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Incidental Expenses

Additional Management Personnel	\$158,461.00
Events	\$65,000.00
Contingency	<u>\$61,491.00</u>
Total Expenses	\$1,900,000.00

Total Fiscal Year 2026-2027	\$1,900,000.00
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(c) *Subsequent Fiscal Year Budgets.* The Board shall, at least sixty (60) days prior to the beginning of each Fiscal Year (other than the first Fiscal Year) adopt a Budget. Each Budget shall:

(i) reasonably itemize the purposes for which monies are proposed to be expended by the District Association;

(ii) specify the amount, if any, proposed to be expended by the District Association for debt service, if any; and

(iii) set forth the total amount proposed to be expended.

(d) *Expenditures No Greater Than Collections and Surplus.* The total annual expenditures in any Fiscal Year's Budget shall be no greater than the aggregate amount of all monies that the District Association proposes to collect for that Fiscal Year from all funding sources permitted under this Plan and any surplus from the previous Fiscal Year.

(e) *Compliance with Budget.* The District Association shall make no expenditure other than in accordance with and pursuant to:

(i) a Budget which has been approved by the Board; and

(ii) the provisions of law and this Plan, if any, providing for the satisfaction of outstanding obligations of the District Association.

(f) *Modifications to Budget.* The Board may revise the line items within any Budget; provided, however, that debt service obligations for the subject Fiscal Year shall be satisfied. If, in any Fiscal Year, the revenues and surplus of the District are not equal to or greater than, in the aggregate, the amount required to cover the expenditures for that Fiscal Year, the Board may choose not to implement any or all of the non-debt service expenditures set forth in the Budget.

10. Sources of Funding.

(a) *Generally.* The proposed sources of funding for all (i) supplemental services, (ii) supplemental improvements, and (iii) incidental expenses of the BID contemplated in this Plan, shall be the sources of funding described in this section. Subject to requirements of law, the Board may apply all monies derived from the sources of funding permitted herein toward funding any expenditure permitted under this Plan.

(b) *Assessments.*

(i) Except when funds are otherwise available and except to the extent exempted by law or this Plan, a special assessment sufficient to pay for the costs of the supplemental services, supplemental improvements, and incidental expenses shall be annually levied against each parcel of land in the District. Such assessments shall be called the "Assessments."

(ii) The Assessment for each parcel of land (as defined in ROH Section 28-1.1) in the District for the first Fiscal Year shall be based on the rate of \$0.75 for every \$1,000 of "Assessed Value" of each such parcel of land, as indicated on the City's real property tax assessment list prepared for the tax year corresponding with the applicable Fiscal Year. "Assessed Value" means the gross value of a parcel of land assessed by the real property tax office of the City, including the assessed value of any improvements on that parcel of land.

(iii) The Assessments for the subsequent Fiscal Years shall be made in accordance with ROH Section 28-3.2.

(iv) The following parcels of land shall not be assessed under this Plan:

(1) Parcels of land that are classified by the City for real property tax purposes as "residential" or "residential A," subject to real property taxation."

(2) Parcels of land owned by the United States, State of Hawai'i or City and County of Honolulu; provided, however, that property and leases of government property subject to real property taxation under ROH Sections 8-10.14, 8-10.15, or 8-10.16, shall be assessed under this Plan.

(3) Parcels of land, or a portion thereof, that are exempt from the payment of real property taxes under ROH Section 8-10.9(b)(3), but only for so long as such parcel or portion thereof is exempt from the payment of real property taxes.

(v) Parcels of land that are exempt from the payment of real property taxes but that are not exempt from the levy of special assessments under this Plan shall be assessed under this Plan as if such parcels were not exempt from the payment of real property taxes, and the City Department of Budget and Fiscal Services shall determine the assessed value of such parcels for such purpose.

(c) *Notice of Assessment.* Notices of the Assessment shall be sent to landowners in accordance with ROH Section 28-3.6. After the first Fiscal Year's notice of Assessment, notices of Assessment shall be sent annually as of a date to be agreed upon by the City, through its Director of Budget and Fiscal Services, and Board. The notices of Assessment shall be sent by the Director of Budget and Fiscal Services or by the District Association on behalf of the Director if agreed to by the Director and Board.

(d) *Donations.* The Board, on behalf of the District Association, may accept grants and donations from private institutions, the City, other public entities, individuals, and other not-for-profit organizations.

(e) *Other.* The District Association may obtain revenues from any other sources of funding not heretofore mentioned in accordance with law.

(f) *Bonds.* Bonds are not planned at this time to finance supplemental improvements in the District.

11. City Plus Services. In support of the District Association's mission statement, the City shall provide "City Plus Services" as follows, at no charge to the District Association:

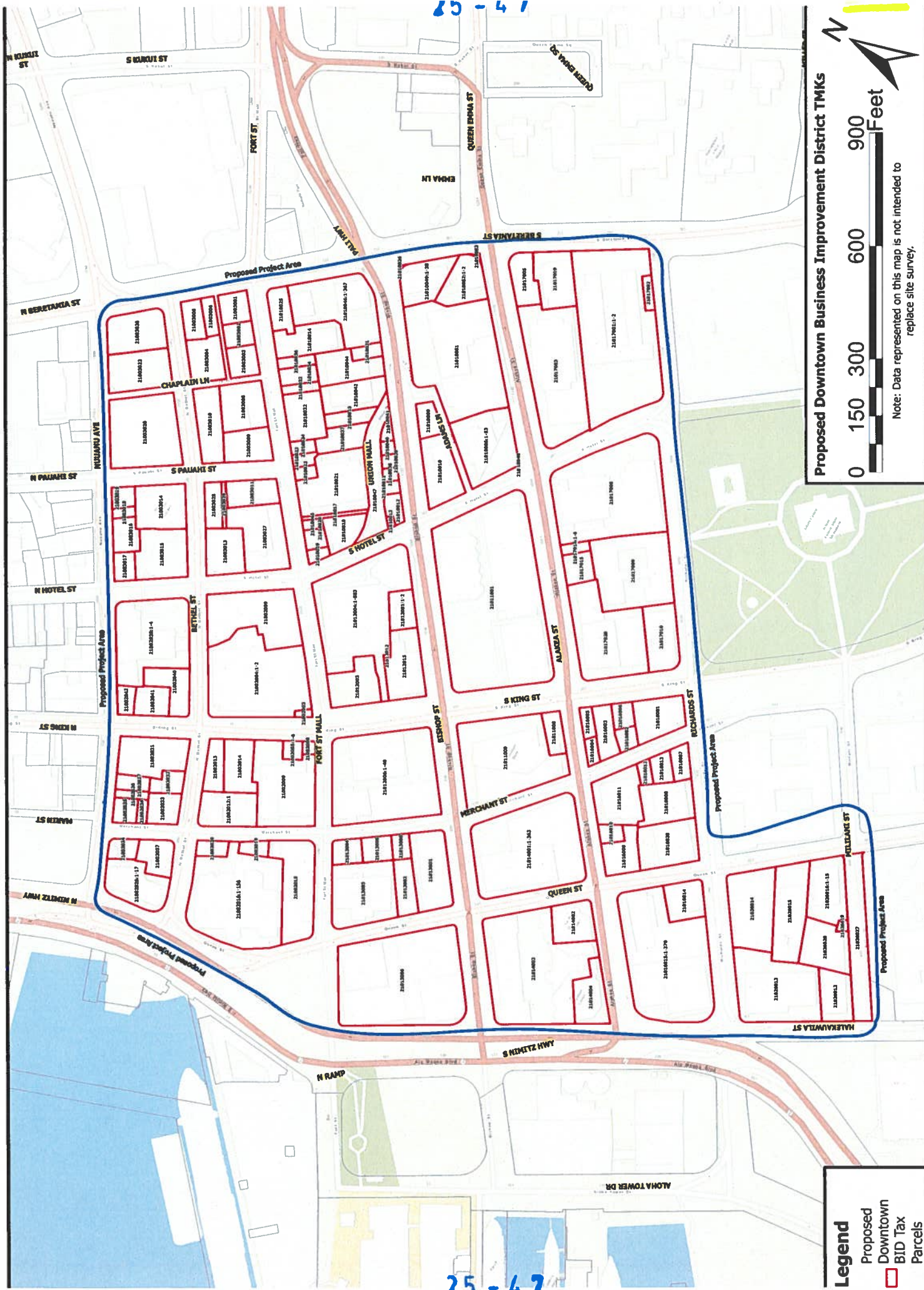
The City's Department of Budget and Fiscal Services shall, on behalf of and for the District Association, (i) levy and collect the Assessments and disburse the Assessments to the District Association, and (ii) enforce and foreclose on the lien of the Assessments in such manner and at such times agreed to by the City and the Board in writing.

12. Indemnification and Insurance.

(a) The District Association shall indemnify, defend, and hold harmless the City and its officers and employees against any claim arising out of an act or omission of the District Association or its Board, directors, officers, employees, contractors, or agents in executing this Plan or otherwise performing the duties of the District.

(b) The District Association also shall obtain and maintain in force insurance against liability arising out of an act or omission of the District Association or its Board, directors, officers, or employees in executing this Plan or otherwise performing the duties of the District. The Board shall have the authority to determine what level of insurance coverage is sufficient for the District Association.

This subsection shall not be construed as preventing the District Association from obtaining and maintaining in force other classes or types of insurance.



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210260130000	210260160006	210260160013	
210260140000	210260160007	210260160014	
210260150000	210260160008	210260160015	

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

BILL 51 (2025), CD2

Introduced: 07/01/25 By: TYLER DOS SANTOS-TAM Committee: ZONING & PLANNING (ZON)

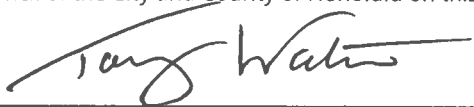
Title: RELATING TO IMPROVEMENT DISTRICTS.

Voting Legend: * = Aye w/Reservations

07/01/25	INTRO	Introduced.
07/09/25	CCL	Passed first reading. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER
07/28/25	ZON	Postponed. 5 AYES: CORDERO, KIA'ĀINA, OKIMOTO, TUPOLA, WATERS
08/21/25	ZON	Reported out for passage on second reading and scheduling of a public hearing as amended in CD1 form. CR-295 5 AYES: CORDERO, KIA'ĀINA, OKIMOTO, TUPOLA, WATERS
08/22/25	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
09/03/25	CCL/PH	Committee report adopted. Bill passed second reading as amended, public hearing closed and referred to committee. 9 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, TUPOLA, WATERS, WEYER
09/10/25	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.
09/23/25	ZON	Reported out for passage on third reading as amended in CD2 form. CR-309 5 AYES: CORDERO, KIA'ĀINA, OKIMOTO, TUPOLA, WATERS
10/01/25	CCL	Committee report adopted and Bill passed third reading as amended. 8 AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, NISHIMOTO, OKIMOTO, TULBA, WATERS, WEYER 1 ABSENT: TUPOLA

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this BILL.


GLEN I. TAKAHASHI, CITY CLERK


TOMMY WATERS, CHAIR AND PRESIDING OFFICER