



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
38TH SESSION
WEDNESDAY, OCTOBER 7, 2020
10 A.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Thirteenth Proclamation issued by Governor David Ige on September 22, 2020, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast. The meeting will be viewable: (1) by internet live streaming through www.honolulucitycouncil.com and <http://olelo.granicus.com/MediaPlayer.php?publishid=92>; and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

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

ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Webex internet platform. To participate, persons should visit www.webex.com, click "Join," enter meeting number 1462811748, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either

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phone or video conference. Webex testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.

2. Each speaker may not have anyone else read their statement and is limited to:
 - a. A three-minute presentation on Public Hearing, New Business, and Sunshined items; and
 - b. A one-minute presentation on all other items.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting. If submitted, written testimonies, including the testifier's address, email address and phone number, will be available to the public on both the City's Council's pilot website: www.honolulucitycouncil.com as well as the City's legacy DocuShare Website. Written testimony will not be accepted in person at the meeting.

Should you have any questions, please call 768-3814 or send an email to jyamane1@honolulu.gov.

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

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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at www.honolulucitycouncil.com by clicking on the link for each item on the online agenda for the meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3814 or send an email to jyamane1@honolulu.gov at least three working days prior to the meeting.

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PLEDGE OF ALLEGIANCE

CALL TO ORDER

Roll Call

Introduction of Guests

Approval of Minutes of the 34th, 35th, 36th and 37th Sessions

ORAL TESTIMONY REMOTELY VIA VIDEO CONFERENCE OR PHONE

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ORDER OF THE DAY

PUBLIC HEARING/RESOLUTIONS

Resolution 20-240 (Public Infrastructure, Technology
and Sustainability)

Relating to the reappointment of Bryan P. Andaya to serve on
the Board of Water Supply of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-241 (Public Infrastructure, Technology
and Sustainability)

Confirming the reappointment of Dr. Charles Fletcher, III to
serve on the Climate Change Commission of the City and
County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

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APPOINTMENTS – RESOLUTIONS

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-219

Resolution 20-201, CD1

Confirming the nomination of Paul S. Aoki to serve as the Corporation Counsel of the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

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PUBLIC HEARING/SECOND READING

BUDGET

CR-224

Bill 17

Relating to real property taxation. (Addressing the real property tax exemption for homes of totally disabled veterans.)

PASS SECOND READING

TRANSPORTATION

CR-233

Bill 47, CD1

Relating to crosswalks. (Establishing requirements concerning the City Administration's provision or offer to provide a presentation to the affected neighborhood board prior to the removal or relocation of an established, marked crosswalk.)

PASS SECOND READING, AS AMENDED

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PUBLIC HEARING/ADOPTION

BUDGET

CR-232

Recommendations on the review and evaluation of the Grants in Aid Advisory Commission pursuant to Ordinance 17-44.

FOR ADOPTION

ZONING, PLANNING AND HOUSING

CR-236

Resolution 20-231, CD1

Authorizing the Mayor or the Mayor's designee to enter into a development agreement and an agreement of sale, between the City and County of Honolulu and Savio/Hawaii Habitat Varona Village LLC, for the disposition of City-owned real property identified on the land court map as lot 18280-B, for the revitalization of Varona Village, Ewa, Oahu, Hawaii.

FOR ADOPTION, AS AMENDED

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THIRD READING

BUDGET

CR-225

Bill 33

Relating to public parks. (Amending the fee for attendant and custodian services.)

PASS THIRD READING

CR-226

Bill 44, CD2

Relating to Hanauma Bay Nature Preserve. (Increasing the entrance fee for nonresidents and vehicle parking fee and establishing an entrance fee for licensed motor carriers entering the Hanauma Bay Nature Preserve.)

PASS THIRD READING, AS AMENDED

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BUDGET (Cont'd.)

CR-227

Bill 52, CD1

Relating to the Department of Enterprise Services. (Amending the Rental Schedule Rates for the Neal S. Blaisdell Center and Tom Moffatt Waikiki Shell to permit adjustments to rental rates and/or substitution of larger facilities to allow for required physical/social distancing to prevent the spread of COVID-19, as recommended and/or mandated by the U.S. Centers for Disease Control, State of Hawaii, and other relevant organizations.)

PASS THIRD READING

CR-228

Bill 54, CD2

Relating to County tax credit. (Updating and amending the eligibility requirements regarding the verification of income documents needed to approve the application of the real property tax credit to certain homeowners.)

PASS THIRD READING, AS AMENDED

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ZONING, PLANNING AND HOUSING

CR-235

Bill 51

Relating to group living facilities. (Amending the Land Use Ordinance relating to group living facilities.)

PASS THIRD READING

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FIRST READING

Bill 67 (Budget)

Related to real property taxation. (Amending certain provisions relating to real property tax appeals.)

PASS FIRST READING

Bill 68 (Public Infrastructure, Technology
and Sustainability)

Relating to gasoline-powered leaf blowers. (Banning the sale and use of certain gasoline-powered leaf blowers in the City, while providing a reasonable period of time to transition to alternative battery-powered or human-powered equipment.)

PASS FIRST READING

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Bill 70

(Business, Economic
Development and Tourism)

Relating to the establishment of a Keep Hawaii Hawaii Pass Program to stimulate economic development. (Establishing a program that would allow both visitors and residents to purchase passes for discounts and priority access to popular Oahu attractions, stimulate the economy, and raise funds to improve and maintain Oahu's natural resources impacted by tourism.)

PASS FIRST READING

Bill 71

(Budget)

Amending Ordinance No. 18-39. (Updating and amending Ordinance 18-39, as amended by Ordinance 19-25, regarding the limitations on the City Subsidy to the capital cost of the Honolulu Rail Transit Project.)

PASS FIRST READING

Bill 72

(Public Safety and Welfare)

Relating to artificial grass. (Placing restrictions on the use of artificial grass on City-owned properties.)

PASS FIRST READING

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Bill 73 (Public Safety and Welfare)

Relating to public sidewalks. (Prohibiting, subject to exceptions, persons from sitting or lying on public sidewalks in areas near certain preschools, schools, and public parks.)

PASS FIRST READING

Bill 74 (Public Safety and Welfare)

Relating to public sidewalks. (Expanding the commercial areas subject to the City's current restrictions on persons sitting or lying on public sidewalks.)

PASS FIRST READING

Bill 75 (Public Safety and Welfare)

Relating to fire safety. (Extending by one year various deadlines in the Fire Code of the City and County of Honolulu that were established by Ordinance 18-14 and Ordinance 19-4 in light of unexpected business interruptions and job losses associated with Hawaii's COVID-19 shutdowns in 2020.)

PASS FIRST READING

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Bill 76

(Budget)

Relating to real property taxation. (Addressing the taxation of vacant residential properties.)

PASS FIRST READING

Bill 77

(Parks, Community Services
and Intergovernmental Affairs)

Relating to commercial activities at public parks. (Restricting commercial activities at certain beach parks.)

PASS FIRST READING

Bill 78

(Budget)

Relating to funds. (Creating a special fund, the proceeds of which will be used for the maintenance of City beaches, parks, and other natural resources.)

PASS FIRST READING

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Bill 79

(Zoning, Planning and Housing)

To adopt the revised Koolau Loa Sustainable Communities Plan. (Repealing the existing Sustainable Communities Plan for Koolau Loa, Article 7, Chapter 24, Revised Ordinances of Honolulu 1990, and to adopt a new Article 7 incorporating the revised Koolau Loa Sustainable Communities Plan.)

PASS FIRST READING

Bill 80

(Executive Matters and Legal Affairs)

Relating to the right of recall. (Establishing a right of recall for employees to return to their former place of employment.)

PASS FIRST READING

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RESOLUTIONS

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-217

Resolution 20-145, CD1

Providing for the acquisition of land for public use, to wit: Kuahea Street area emergency repairs, situate at Waiomao, Palolo Valley, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain.

LAI D OVER AND BE PUBLISHED

Resolution 20-145, CD1, Proposed FD1
(Submitted by Council Chair Kobayashi)

CR-218

Resolution 20-197

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973, (2017 Edition), pursuant to the Mayor's executive reorganization authority, relating to the Office of Economic Revitalization.

FOR ADOPTION

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BUDGET

CR-229

Resolution 20-221

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

FOR ADOPTION

CR-230

Resolution 20-234

Approving an amendment to the City and County of Honolulu's Twenty-Fourth (24th) Year Action Plan for Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA) program funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD).

FOR ADOPTION

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BUDGET (Cont'd.)

CR-231

Resolution 20-238

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

FOR ADOPTION

TRANSPORTATION

CR-234

Resolution 20-204, CD1

Approving the December 2019 update to the Oahu Bike Plan and transmitting the plan to the Oahu Metropolitan Planning Organization for incorporation into the Oahu Regional Transportation Plan.

FOR ADOPTION, AS AMENDED

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BALANCE OF COMMITTEE REPORTS

- EMLACR-220 Request for authorization to settle a case against the City and County of Honolulu entitled Jianna Bohm, an individual v. City and County of Honolulu, et al., Civil No. CV19-00541 HG/KJM (USDC).
- EMLACR-221 Request for authorization to settle a case against the City and County of Honolulu entitled Astrida K. C. Pesentheiner v. City and County of Honolulu, Civil No. 18-1-0837-05 (BIA).
- EMLACR-222 Request for authorization to settle a case against the City and County of Honolulu entitled Tracy T. Yoshimura. et al. v. Keith M. Kaneshiro et al., Civil No. 18-00038 LEK-WRP (USDC).
- EMLACR-223 Request for authorization to reimburse attorney's fees incurred by Reginald B. Ramones for representation by Lynn E. Panagakos in U.S. v. John R. Rabago and Reginald Ramones, CR. No. 19-00040 LEK (USDC).

FOR ADOPTION

UNFINISHED BUSINESS

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NEW BUSINESS

Resolution 20-213

Accepting a gift to the City from Haseko Development, Inc,

FOR ACTION

Resolution 20-217

Accepting a gift to the City from Hydronalix, Inc.

FOR ACTION

Resolution 20-227

Accepting a gift to the City from Hawaiian Airlines.

FOR ACTION

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Resolution 20-191

Requesting the City Administration to create a task force to consider the use of geofencing at tourist attractions in order to protect natural resources and offset City expenses.

FOR ACTION

Resolution 20-209

Urging the City Administration to use CARES Act funding to establish emergency community resource centers, commonly known as “The Hub” approach, to provide relief from the effects of the COVID-19 pandemic.

FOR ACTION

Resolution 20-220

Relating to the Council’s reappointment of Barbra J. Armentrout to serve on the Rate Commission of the City and County of Honolulu.

FOR ACTION

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Resolution 20-228

Urging the City Administration to allow small businesses that have previously been awarded a reimbursement grant to apply for another reimbursement grant from the Small Business Relief and Recovery Fund.

FOR ACTION

Resolution 20-232

Naming the new park on the property bounded by Seaside Avenue, Royal Hawaiian Avenue, Aloha Drive, and Manukai Street in Waikiki "Centennial Park Waikiki."

FOR ACTION

Resolution 20-233

Urging the City Administration to fund the restoration of the Hanauma Bay Marine Life Conservation District from the Hanauma Bay Nature Preserve Fund.

FOR ACTION

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Resolution 20-235

Approving the grant of Easement G-1 to Hawaii Gas within a portion of the City's Union Street Mall, TMK: 2-1-010:047.

FOR ACTION

Resolution 20-243

Supporting the Kokua Council for Senior Citizens and urging the Governor and the State Director of Health to hire a sufficient number of contact tracers, including bilingual contact tracers.

FOR ACTION

Resolution 20-246

Urging the Governor to implement important measures to ensure the safe reopening of Hawaii to transpacific travel and tourism.

FOR ACTION

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Resolution 20-250

Relating to appointments and nominations for the Hawaii State Association of Counties.

FOR ACTION

Resolution 20-253

Urging the Governor to adopt a two or more test shortened COVID-19 quarantine system for travelers arriving in Hawaii.

FOR ACTION

Communication D-586

From the Department of Planning and Permitting, requesting a 81-day extension of time for Bill 2, CD1, relating to off-street parking and loading. (Deadline: 10/11/20 + 81 days)

FOR ACTION

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Communication M-637

From Environmental Science International, requesting a 120-day extension of time for Resolution 20-226 granting a Special Management Area Use Permit to replace the Hanohano Hale Apartment Building's existing wastewater treatment system. (Applicant: Hanohano Hale Association of Apartment Owners) (Deadline: 10/31/20 + 120 days)

FOR ACTION

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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 Hawaii 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