



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
3RD SESSION
WEDNESDAY, FEBRUARY 17, 2021
10 A.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Seventeenth Proclamation issued by Governor David Ige on December 16, 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 video conferencing platform. To participate, persons should visit www.webex.com, click "Join," enter meeting number **146 360 1127**, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by

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either 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

MESSAGE OF ALOHA

CALL TO ORDER

Roll Call

Introduction of Guests

ORAL TESTIMONY REMOTELY VIA VIDEO CONFERENCE OR PHONE

Approval of Minutes of the 2nd Session

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ORDER OF THE DAY

PUBLIC HEARING/RESOLUTIONS

Resolution 21-35

(Transportation, Sustainability
and Health)

Confirming the nomination of J. Roger Morton to serve as the
Director of Transportation Services of the City and County of
Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

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APPOINTMENTS – RESOLUTIONS

HOUSING AND THE ECONOMY

CR-22

Resolution 21-9

Confirming the nomination of Scott K. Hayashi to serve as the Director of Land Management of the City and County of Honolulu.

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-23

Resolution 21-1

Confirming the nomination of Michael D. Formby to serve as the Managing Director of the City and County of Honolulu.

FOR ADOPTION

Related communications:

CC-50

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-52

Disclosure of Interest Statement submitted by Councilmember Elefante.

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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-24

Resolution 21-2

Confirming the nomination of Wesley T. Yokoyama to serve as the Director of the Department of Environmental Services of the City and County of Honolulu.

FOR ADOPTION

Related communications:

CC-49

Disclosure of Interest Statement submitted by Councilmember Elefante.

CC-51

Disclosure of Interest Statement submitted by Councilmember Elefante.

CR-25

Resolution 21-3

Confirming the nomination of Jerome A. Pupillo to serve as the Director of Enterprise Services of the City and County of Honolulu.

FOR ADOPTION

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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-26

Resolution 21-4

Confirming the nomination of Alexander I. Kozlov to serve as the Director of Design and Construction of the City and County of Honolulu.

FOR ADOPTION

Related communication:

CC-54

Disclosure of Interest Statement submitted by Councilmember Elefante.

CR-27

Resolution 21-12

Confirming the nomination of Clarke L. K. Bright to serve as the Band Director of the Royal Hawaiian Band of the City and County of Honolulu.

FOR ADOPTION

Related communication:

CC-53

Disclosure of Interest Statement submitted by Councilmember Elefante.

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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-28

Resolution 21-13

Confirming the nomination of Lloyd M. Yonenaka to serve as the Executive Secretary to the Neighborhood Commission of the City and County of Honolulu.

FOR ADOPTION

BUDGET

CR-33

Resolution 21-20

Confirming the nomination of Andrew T. Kawano to serve as the Director of Budget and Fiscal Services of the City and County of Honolulu.

FOR ADOPTION

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PUBLIC INFRASTRUCTURE AND TECHNOLOGY

CR-35

Resolution 21-10

Confirming the nomination of Mark D. Wong to serve as the Director of Information Technology of the City and County of Honolulu.

FOR ADOPTION

Related communication:

CC-65

Disclosure of Interest Statement submitted by Councilmember Tupola.

CR-36

Resolution 21-11, CD1

Confirming the nomination of Roger W. Babcock, Jr., to serve as the Chief Engineer of the Department of Facility Maintenance of the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

Related communication:

CC-56

Disclosure of Interest Statement submitted by Councilmember Elefante.

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PUBLIC SAFETY

CR-37

Resolution 21-8

Confirming the nomination of Masahiko Kobayashi, M.D., to serve as the Medical Examiner of the City and County of Honolulu.

FOR ADOPTION

ZONING AND PLANNING

CR-47

Resolution 21-22

Confirming the nomination of Dean Y. Uchida to serve as the Director of Planning and Permitting of the City and County of Honolulu.

FOR ADOPTION

Related communications:

<u>CC-57</u>	Disclosure of Interest	Statement	submitted	by
	Councilmember Elefante.			
<u>CC-58</u>	Disclosure of Interest	Statement	submitted	by
	Councilmember Elefante.			
<u>CC-59</u>	Disclosure of Interest	Statement	submitted	by
	Councilmember Elefante.			
<u>CC-60</u>	Disclosure of Interest	Statement	submitted	by
	Councilmember Elefante.			
<u>CC-61</u>	Disclosure of Interest	Statement	submitted	by
	Councilmember Elefante.			
<u>CC-62</u>	Disclosure of Interest	Statement	submitted	by
	Councilmember Elefante.			
<u>CC-63</u>	Disclosure of Interest	Statement	submitted	by
	Councilmember Elefante.			

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PARKS AND COMMUNITY SERVICES

CR-50

Resolution 21-5

Confirming the nomination of Sarah-Jane Allen to serve as the Director of Community Services of the City and County of Honolulu.

FOR ADOPTION

CR-52

Resolution 21-14

Confirming the nomination of Laura H. Thielen to serve as the Director of Parks and Recreation of the City and County of Honolulu.

FOR ADOPTION

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PARKS AND COMMUNITY SERVICES (Cont'd.)

CR-53

Resolution 21-21

Confirming the nomination of Nola N. Miyasaki to serve as the Director of Customer Services of the City and County of Honolulu.

FOR ADOPTION

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PUBLIC HEARING/SECOND READING

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-19

Bill 97 (2020)

Relating to abandoned vehicles. (Clarifying that trailers, including boat trailers, which are abandoned on a public street or highway are vehicles that are subject to towing and storage.)

PASS SECOND READING

CR-20

Bill 99 (2020)

Relating to automated external defibrillators. (Promoting public health, safety, and welfare by enhancing access to automated external defibrillators.)

PASS SECOND READING

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ZONING AND PLANNING

CR-43

Bill 88 (2020), CD1

To adopt the revised East Honolulu Sustainable Communities Plan for the City and County of Honolulu. (Repealing the existing Sustainable Communities Plan for East Honolulu, Chapter 24, Article 4, Revised Ordinances of Honolulu, and adopting a new Article 4 incorporating the revised East Honolulu Sustainable Communities Plan.)

PASS SECOND READING, AS AMENDED

PARKS AND COMMUNITY SERVICES

CR-48

Bill 93 (2020), CD1

Relating to Department of Parks and Recreation Permits. (Requiring gender equity for certain sports activities requiring a park use permit issued by the Department of Parks and Recreation.)

PASS SECOND READING, AS AMENDED

Bill 93 (2020), CD1, Proposed FD1
(Submitted by Councilmember Tsuneyoshi)

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THIRD READING

ZONING AND PLANNING

CR-41

Bill 41 (2019), CD2 and Findings of Fact

To adopt the revised Central Oahu Sustainable Communities Plan for the City and County of Honolulu. (Repealing the existing Sustainable Communities Plan for Central Oahu, Article 5, Chapter 24, Revised Ordinances of Honolulu 1990, and adopting a new Article 5 incorporating the revised Central Oahu Sustainable Communities Plan.)

PASS THIRD READING, AS AMENDED AND FINDINGS OF FACT ADOPTED

CR-44

Bill 95 (2020)

To rezone land situated at Wailupe, Oahu, Hawaii. (Rezoning from the R-7.5 Residential District to the P-2 General Preservation District) (Applicant: City and County of Honolulu)

PASS THIRD READING

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FIRST READING

Bill 2

Relating to the public works infrastructure requirements including fees and services by amending Articles 1 and 5 relating to public sewers. (Amending Articles 1 and 5 of Chapter 14, Revised Ordinances of Honolulu 1990, as amended to comply with required modifications to the pretreatment program.)

PASS FIRST READING

Bill 3

Relating to real property taxation. (Providing real property tax relief to homeowners who acquire real property directly as a result of the death of the previous owner of record of the acquired property.)

PASS FIRST READING

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Bill 4

Relating to fire safety. (Updating the Fire Code of the City and County of Honolulu.)

PASS FIRST READING

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RESOLUTIONS

TRANSPORTATION, SUSTAINABILITY AND HEALTH

CR-21

Resolution 20-338, CD1

Urging the City Administration and the Hawaii Department of Land and Natural Resources to enter into an agreement establishing a procedure for the cooperative removal and disposition of vessels abandoned on City roads and rights-of-way.

FOR ADOPTION, AS AMENDED

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-29

Resolution 21-36

To request additional funds for Contract No. SC-COR-2000021 to pay for the services of Farm Benedict Sugihara a Limited Liability Law Partnership LLP as Special Counsel for the City and County of Honolulu on behalf of Appellant City and County of Honolulu by the Department of the Corporation Counsel in a legal action entitled City and County of Honolulu by the Department of Corporation Counsel v. Honolulu Police Commission; Louis M. Kealoha, Civil No. 19-1-0907-06 JHA (Circuit Court).

FOR ADOPTION

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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-30

Resolution 21-37

To authorize the Department of the Corporation Counsel to initiate legal action against Resepe Res to recover motor vehicle damages.

FOR ADOPTION

BUDGET

CR-34

Resolution 21-32

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

FOR ADOPTION

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PUBLIC SAFETY

CR-38

Resolution 21-24, CD1

Accepting a gift to the City from Olukai.

FOR ADOPTION, AS AMENDED

CR-39

Resolution 21-25

Accepting a gift to the City from Spike's K9 Fund.

FOR ADOPTION

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PUBLIC SAFETY (Cont'd.)

CR-40

Resolution 21-31, CD1

Accepting a gift to the City from The 200 Club.

FOR ADOPTION, AS AMENDED

PARKS AND COMMUNITY SERVICES

CR-49

Resolution 20-326

Accepting a gift to the City from Friends of Hawaii Charities, Inc.

FOR ADOPTION

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PARKS AND COMMUNITY SERVICES (Cont'd.)

CR-55

Resolution 21-30

Accepting a gift to the City from the Honolulu Zoological Society.

FOR ADOPTION

CR-51

Resolution 21-6

Renaming the "A" diamond at Mililani District Park to the Coach Glenn Ah Sam Sr. Diamond.

FOR ADOPTION

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PARKS AND COMMUNITY SERVICES (Cont'd.)

CR-54

Resolution 21-29

Renaming Aliamanu Neighborhood Park to “Connie Chun Aliamanu Neighborhood Park.”

FOR ADOPTION

PUBLIC INFRASTRUCTURE AND TECHNOLOGY

CR-56

Resolution 20-334

Accepting ownership of the portion of Waimanu Street between Ward Avenue and Dreier Street deemed to have been surrendered to the City and County of Honolulu from the State pursuant to Administrative Order issued by the State Director of Transportation in accordance with Act 208 (2017), codified as Hawaii Revised Statutes Section 264-2.1.

FOR ADOPTION

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PUBLIC INFRASTRUCTURE AND TECHNOLOGY (Cont'd.)

CR-57

Resolution 21-34, CD1

Urging increased flexibility for electronic participation in and public access to meetings of City and County of Honolulu boards and commissions, City Council, and other City agencies to increase and assure effective citizen participation.

FOR ADOPTION, AS AMENDED

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BALANCE OF COMMITTEE REPORTS

- EMLACR-31 Request for authorization to settle a case against the City and County of Honolulu entitled Jovielle Mae Calma v. City and County of Honolulu, Civil No. 1:17-cv-00589-ACK-WRP (U.S.D.C.).
- EMLACR-32 Request for authorization to settle a case against the City and County of Honolulu entitled Aileen B. Blanc, et al. v. City and County of Honolulu, Civil No. 10-1-2732-12 (DEO) (Circuit Court).
- ZPCR-42 Granting a 120-day extension of time for Bill 18 (2020) – To rezone land situated at Waialua, Oahu, Hawaii. (Applicant: Gabriel and Iris Kahaulelio; John and Abigail Saguibo) (Deadline: 3/23/21 + 120 days)
- ZPCR-45 Granting a 90-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 2/28/21 + 90 days)
- ZPCR-46 Granting a 60-day extension of time for Resolution 21-16 - Granting an after-the-fact Special Management Area (SMA) Use Permit (SMP) for renovations to the Haleiwa Beach House Restaurant (HBH) including exterior building alterations, additions, site work. parking and loading spaces, a landscaping irrigation system, generator, and a wastewater treatment plant, including two seepage beds, and for new paving and a crosswalk. (Applicant: A 6 LLC) (Deadline: 3/5/21 + 60 days)

FOR ADOPTION

Related communication:

- CC-48 Disclosure of Interest Statement submitted by Councilmember Elefante for ZPCR-46.

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UNFINISHED BUSINESS

NEW BUSINESS

Resolution 21-38

Relating to appointments for the Hawaii State Association of Counties.

FOR ACTION

Resolution 21-39

Relating to the Rules of the Council of the City and County of Honolulu.

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