



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
18TH SESSION
WEDNESDAY, DECEMBER 9, 2015
10:30 A.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10:30 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3826 your name, phone number and subject matter;
- c. By filling out the registration form in person; or
- d. By calling 768-3825 or 768-3813.

Persons who have not registered to testify by 10:30 a.m. will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker shall not have anyone else read their statement and is limited to:

- a. three-minute presentation on Public Hearing, New Business and Sunshined items;
- b. 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, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

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

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Accommodations are available upon request to persons with disabilities, please call 768-3825 or 768-3813 or send an email to potto1@honolulu.gov or vchung@honolulu.gov at least three working days prior to the meeting.

The Meeting is viewable by: (1) internet live streaming through <http://olelo.granicus.com/MediaPlayer.php?publishid=92>; (2) televised live broadcast on OIelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS
Wednesday, December 9, 2015

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

1. CALL TO ORDER – 10:30 A.M.

Roll Call

Introduction of Guests

Approval of Minutes of the 16th and 17th Sessions

ORDER OF BUSINESS
Wednesday, December 9, 2015

2. ORDER OF THE DAY

APPOINTMENTS – RESOLUTIONS

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-424

Resolution 15-288

Relating to the nomination of Shawn Hamamoto to serve as the Executive Secretary to the Neighborhood Commission of the City and County of Honolulu.

ADOPTION

ORDER OF BUSINESS
Wednesday, December 9, 2015

PUBLIC HEARING/SECOND READING

BUDGET

CR-435

Bill 77

Relating to real property tax exemptions for homes.
(Amending the ordinances relating to the real property tax exemption for homes.)

PASS SECOND READING

CR-434

Bill 23, CD1

Relating to the transportation surcharge. (Amending the ordinances pertaining to the county surcharge on general excise and use taxes.)

PASS SECOND READING, AS AMENDED

Bill 23, CD1, Proposed FD1
(Submitted by Councilmember Elefante)

Bill 23, CD1, Proposed FD1
(Submitted by Councilmember Pine)

ORDER OF BUSINESS
Wednesday, December 9, 2015

FIRST READING

Bill 79 (Zoning and Planning)

Relating to the Land Use Ordinance. (Making miscellaneous amendments to the Land Use Ordinance.)

PASS FIRST READING

Bill 80 (Public Works, Infrastructure,
and Sustainability)

Relating to the disposal of green waste. (Addressing the disposal of certain types of green waste.)

PASS FIRST READING

Bill 81 (Public Works, Infrastructure,
and Sustainability)

Relating to private streets and roads. (Authorizing the City, when maintaining private streets and roads, to re-install certain existing traffic calming devices that are removed during surface maintenance, provided that certain criteria are met.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, December 9, 2015

Bill 82

(Transportation)

Relating to the establishment of a public process for major bikeway projects. (Amending Chapter 2, Article 12 of the Revised Ordinances of Honolulu 1990, to establish a public process for major bikeway projects.)

PASS FIRST READING

Bill 83

(Appropriate Committee)

Relating to the inspection of motor vehicles and mopeds. (Implementing the requirement in State law for the annual safety inspection of mopeds.)

PASS FIRST READING

Bill 84

(Appropriate Committee)

Relating to the execution of budget ordinances. (Addressing the execution of the executive operating and capital budget ordinances.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, December 9, 2015

RESOLUTIONS

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-425

Resolution 15-312, CD1

Requesting the preparation of an updated master plan for Makiki District Park.

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

(CR-402 adopted on
11/4/15)

Resolution 15-280

Providing for the acquisition of an easement for public use, to wit: Kalihi-Nuuanu Sewer Rehabilitation (Kaloko Lane), situate at Kalokohonu, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain.

(Note: Laid over on 11/4/15 and published on 11/11/15.)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 9, 2015

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-426

Resolution 15-317

To retain the services of Ayabe Chong Nishimoto Sia & Nakamura, a Limited Liability Law Partnership as special deputy for the City and County of Honolulu to represent Defendants Randall Arakaki and Farrel Sojot in a legal action entitled George Martin v. City and County of Honolulu, et al., Civil No. 13-1-2915-10 JHC.

FOR ADOPTION

Resolution 15-317, Proposed FD1

(Submitted by Councilmember Ozawa)

To retain the services of Ayabe Chong Nishimoto Sia & Nakamura, a Limited Liability Law Partnership as special counsel for the City and County of Honolulu to represent Defendants Randall Arakaki and Farrel Sojot in a legal action entitled George Martin V. City and County of Honolulu, et al., Civil No. 13-1-2915-10 JHC.

ORDER OF BUSINESS
Wednesday, December 9, 2015

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-427

Resolution 15-318

To retain the services of ES&A, Inc., a law corporation as special deputy for the City and County of Honolulu to represent Defendant Raymond Ancheta in a legal action entitled George Martin v. City and County of Honolulu, et al., Civil No. 13-1-2915-10 JHC.

FOR ADOPTION

Resolution 15-318, Proposed FD1
(Submitted by Councilmember Ozawa)

To retain the services of ES&A, Inc., a law corporation as special counsel for the City and County of Honolulu to represent Defendant Raymond Ancheta in a legal action entitled George Martin v. City and County of Honolulu, et al., Civil No. 13-1-2915-10 JHC.

ORDER OF BUSINESS
Wednesday, December 9, 2015

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-428

Resolution 15-319

To retain the services of the Law Offices of Cary T. Tanaka as special deputy for the City and County of Honolulu to represent Defendant Donna Y.L. Leong in a legal action entitled Gulstan E. Silva, Jr., as Personal Representative of the Estate of Sheldon Paul Haleck, et al. v. City and County of Honolulu, et al., CV15-00436 HG/BMK.

FOR ADOPTION

Resolution 15-319, Proposed FD1

(Submitted by Councilmember Ozawa)

To retain the services of the Law Offices of Cary T. Tanaka as special counsel for the City and County of Honolulu to represent Defendant Donna Y.L. Leong in a legal action entitled Gulstan E. Silva, Jr., as Personal Representative of the Estate of Sheldon Paul Haleck, et al. v. City and County of Honolulu, et al., CV15-00436 HG/BMK.

ORDER OF BUSINESS
Wednesday, December 9, 2015

BUDGET

CR-436

Resolution 15-302

Approving the month-to-month rental with Camp Mokule‘ia, Incorporated, for the City’s Mokule‘ia Beach Park addition, TMK: 6-8-002:001 (Por.), for a period up to four years.

FOR ADOPTION

CR-437

Resolution 15-304

Relating to transfer of funds. (Department of Customer Services)

FOR ADOPTION

CR-438

Resolution 15-305

Authorizing the lease of City property to Catholic Charities Hawaii for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 9, 2015

BUDGET (Cont'd.)

CR-439

Resolution 15-306

Authorizing the lease of City property to Waianae Coast Community Mental Health Center for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

CR-440

Resolution 15-307

Authorizing the lease of City property to Central Oahu Youth Services Association for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

Resolution 15-307, Proposed FD1
(Submitted by Councilmember Kobayashi)

CR-441

Resolution 15-308

Authorizing the lease of City property to Hale Kipa, Inc. for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 9, 2015

BUDGET (Cont'd.)

CR-442

Resolution 15-309

Authorizing the lease of City property to Steadfast Housing Development Corporation for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

Resolution 15-309, Proposed FD1
(Submitted by Councilmember Kobayashi)

PUBLIC WORKS, INFRASTRUCTURE & SUSTAINABILITY

CR-443

Resolution 15-315

Requesting the City Auditor to conduct a performance audit of the City's recycling program.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 9, 2015

BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

CR-448

Resolution 15-301

Authorizing the Mayor of the City and County of Honolulu or his authorized designee to apply for grant funds awarded through the United States Department of Defense, Office of Economic Adjustment and to enter into intergovernmental agreements related thereto.

FOR ADOPTION

FILE

PHSWCR-422

Resolution 15-237

Relating to the reappointment of John E. Kobayashi to serve on the Citizens Advisory Commission on Civil Defense of the City and County of Honolulu.

FILE

3. BALANCE OF COMMITTEE REPORTS

ZPCR-421 Bill 62 – To rezone land situated at Ewa Beach, Oahu, Hawaii. Granting a 120-day extension of time. (Deadline: 1/19/16 + 120 days)

EMLACR-429 To request authorization to settle a case against the City and County of Honolulu entitled Oliver Lee and May Lee v. City and County of Honolulu, et al., Civil No. 07-1-2283-12 RAN.

EMLACR-430 To request authorization to settle a case against the City and County of Honolulu entitled Brian J. Mullen, Trustee of the Debtor's Estate of James Michael Masterson, et al. v. City and County of Honolulu, et al., Civil No. 09-1-2963-12 KKS.

PWISCR-444 Deed conveying roadway Lots 17448 to 17453, inclusive; Grant of Drain Easement 6673; Grant of Flowage Easement 6673; and Grant of Sewer Easement 6673 (Mililani Mauka Unit 134B Subdivision). (D-708)

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PWISCR-445 Deed conveying roadway Lots 17311 to 17315, inclusive; Grant of Drain Easement 6603; Grant of Flowage Easement 6603; and Grant of Sewer Easement 6603 (Mililani Mauka Unit 134A Subdivision). (D-721)

PWISCR-446 Deed conveying roadway Lot 15764; Grant of Drain Easement 8283; Grant of Drain Easement 8277; Grant of Drain Easement 8287; and Grant of Flowage Easement 8287 (Ewa By Gentry Area 20 Phase 2 Subdivision). (D-734)

PWISCR-447 Deed conveying roadway Lot 16009; Grant of Drain Easements 8312, 8315, and 8497; and Grant of Flowage Easements 8312, 8315, 8497 (Ewa By Gentry Area 20 Phase 3 Subdivision). (D-766)

FOR ADOPTION

4. UNFINISHED BUSINESS

5. NEW BUSINESS

D-796

From the Department of Planning and Permitting, requesting a 120-day extension of time on:

Bill 74, relating to the Transit-Oriented Development Special District. (Deadline: 1/17/16 + 120 days)

Bill 75, relating to miscellaneous Land Use Ordinance amendments. (Deadline: 1/17/16 + 120 days)

Bill 76, to rezone land situated at Waipahu, Oahu, Hawaii. (Deadline: 1/17/16 + 120 days)

FOR ACTION

M-3384

From Raymond S. Kanna, Haseko (Ewa), Inc., requesting a 120-day extension of time on Resolution 15-206, granting a Special Management Area Use Permit and Shoreline Setback Variance for the Hoakalei Master Plan Update Improvements Project. (Deadline: 12/28/15 + 120 days)

FOR ACTION

ORDER OF BUSINESS
Wednesday, December 9, 2015

Resolution 15-323

Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 2-3-003-000 (Portion).

FOR ACTION

6. COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

Pursuant to Council Rule 12A and the Hawaii Revised Statutes Section 92-4 and Section 92-5(a)(4), the Council will resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues on matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities, and may resolve itself into a Committee of the Whole to consult with its attorneys on other claims and matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities.

7. ANNOUNCEMENTS

8. ADJOURNMENT