



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

BUDGET COMMITTEE

Voting Members:

Ann H. Kobayashi, Chair
Joey Manahan, Vice Chair
Carol Fukunaga
Trevor Ozawa
Kymberly Marcos Pine

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
WEDNESDAY, JULY 20, 2016
9:00 A.M.

SPEAKER REGISTRATION:

Persons wishing to testify are requested to register by 9 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3827 your name, phone number and the agenda item;
- c. By filling out the registration form in person; or
- d. By calling 768-3801.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to a **one-minute** presentation.

WRITTEN TESTIMONY:

Written testimony may be faxed to 768-3827 or transmitted via 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.

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Accommodations are available upon request to persons with disabilities, please call 768-3801 or send an email to guehara@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?publish_id=92; (2) televised live broadcast on Olelo 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.

FOR APPROVAL

MINUTES OF JUNE 15, 2016 MEETING

FOR ACTION

1. [COMMUNICATION D-486](#) – **TAX COMPROMISE FOR HAWAII BAPTIST ACADEMY.** From the Department of Budget and Fiscal Services requesting real property tax compromises of \$6,033.90 for FY 2015-2016 and an amount yet to be determined for FY 2016-2017 of real property taxes due on the property located at 2425 Pali Highway and identified by tax map key 2-2-022-019.
2. [COMMUNICATION D-487](#) – **TAX COMPROMISE FOR JAPANESE CULTURAL CENTER OF HAWAII.** From the Department of Budget and Fiscal Services requesting a one-time real property tax compromise of \$22,502.28 for FY 2016-2017 real property taxes due on the property located at 2454 South Beretania Street and identified by tax map keys 2-8-006: 056 and 059.
3. [RESOLUTION 16-174](#) – **TRANSFER OF FUNDS.** Authorizing the Department of Budget and Fiscal Services to transfer \$655,892 between activities is required to meet the program needs of the Department of Community Services for fiscal year 2017. (Transmitted by Communication [D-488](#))
4. [RESOLUTION 16-166](#) - **SALE OF SURPLUS CITY PROPERTY.** Approving the sale of surplus City property, Parcel 1, area 2,511 square feet, located along Hui Uili Street, Kaneohe, Tax Map Key No. 4-7-052:088 (portion). (Transmitted by Communication [D-447](#))
5. [RESOLUTION 16-162](#) – **100 RESILIENT CITIES GRANT.** Authorizing the Mayor of the City and County of Honolulu or his authorized designee to apply for grant funds awarded through the 100 Resilient Cities, financially supported by the Rockefeller Foundation/Rockefeller Philanthropy Advisors, Inc., and to enter into private grant agreements related thereto. (Transmitted by Communication [MM-66](#))
6. [RESOLUTION 16-170](#) – **ISSUANCE AND SALE OF WASTEWATER SYSTEM REVENUE BONDS.** Authorizing the Director of Budget and Fiscal Services to issue and sell not to exceed \$150,000,000 principal amount of Wastewater System Revenue Bonds, Junior Series 2016 and related matters. (Transmitted by Communication [D-475](#))

7. **RESOLUTION 16-171 - ISSUANCE AND SALE OF WASTEWATER SYSTEM REVENUE BONDS.** Authorizing the Director of Budget and Fiscal Services to issue and sell not to exceed \$675,000,000 principal amount of Wastewater System Revenue Bonds, Senior Series 2016 and related matters. (Transmitted by Communication [D-476](#))
8. **BILL 38 (2016), CD1 – KAPALAMA HALE PARKING FACILITY.** Including the Kapalama Hale Parking Facility in Section 15-16.5, Revised Ordinances of Honolulu 1990. (Bill passed second reading and public hearing on 7/6/16)

PROPOSED CD2 TO BILL 38 (2016), CD1 – (Submitted by Councilmember Kobayashi) The proposed CD2 (OCS2016-0657/6/28/2016 9:29 AM) makes the following amendments:

- A. Makes various conforming amendments to Sec. 15-6-5, subsection (i).
 - B. Makes miscellaneous technical and nonsubstantive amendments.
9. **BILL 36 (2016), CD1 – PRIVATE TRANSPORTATION SERVICES AND DRIVERS.** Establishing regulations applicable to private transportation services drivers, including creation of a central database of information pertaining to drivers of private transportation services (including both taxicab companies and transportation network companies), to ensure the health and well-being of their passengers and that the drivers operate in a safe manner. (Bill passed second reading and public hearing on 6/1/16; Committee deferred action on 6/15/16)

PROPOSED CD2 TO BILL 36 (2016), CD1 – (Submitted by Councilmember Kobayashi) The proposed CD2 (OCS2016-0731/7/14/2016 3:07 PM) makes the following amendments:

1. Amends Sec. 12-___.3(b) to read as follows:
 - (b) The director shall collect a fee of \$50.00 for the issuance of each original and \$25.00 for each duplicate private transportation driver's certificate.
2. Amends Sec. 12-___.3(c)(3)(C) to read as follows:
 - (C) A sufficient method of communicating with the passenger; and

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3. Amends Sec. 12- __.3(c)(3) to add a new paragraph (D) to read as follows:
 - (D) A sufficient ability to respond to emergency situations, including, but not limited to, the ability to call for emergency assistance and knowledge of locations of major medical facilities;
4. Amends Sec. 12- __.3(c)(5) to read as follows:
 - (5) Submitted proof that the driver is free of any known medical condition that would put a passenger at risk;
5. Adds Sec. 12- __.3(c)(11) to read as follows:
 - (11) Submitted proof of a tax clearance certificate issued by the State of Hawaii; and
6. Adds Sec. 12- __.3(c)(12) to read as follows:
 - (12) Submitted proof, in the form of original documentation, of a national background check consistent with the provisions in Section 12- __.4.
7. Amends Sec. 12- __.3(d)(1) to read as follows:
 - (1) Has been found to have committed one infraction, as defined in HRS Section 291D-2, in the prior two-year period, other than traffic infractions involving parking, standing, or equipment, including seat belts, and offenses committed as a pedestrian;
8. Amends Sec. 12- __.3(d)(2) to read as follows:
 - (2) Has been convicted once in the prior two-year period for the offense of resisting an order to stop a motor vehicle, reckless driving, excessive speeding, racing on a highway, or driving with a suspended or revoked driver license;

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9. Amends Sec. 12-___3(d)(4) to read as follows:
 - (4) Has been convicted in the prior seven-year period of any of the following:
 - (A) Offenses against the person or property of another, including:
 - (i) Assault,
 - (ii) Kidnapping,
 - (iii) Manslaughter,
 - (iv) Murder,
 - (v) Negligent homicide,
 - (vi) Reckless endangering,
 - (vii) Robbery, or
 - (viii) Theft;
 - (ix) Computer crimes,
 - (x) Credit card offenses, or
 - (xi) Identity theft;
 - (B) Offenses that are sex related, including:
 - (i) Displaying indecent matter,
 - (ii) Indecent exposure,
 - (iii) Open lewdness,
 - (iv) Promoting pornography,
 - (v) Prostitution or promoting prostitution,

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- (vi) Sexual assault, or
- (vii) Sexual abuse;
- (C) Offenses that are drug related, including:
 - (i) Promoting a dangerous drug,
 - (ii) Promoting a detrimental drug,
 - (iii) Promoting a harmful drug, or
 - (iv) Promoting intoxicating compounds; or
- 10. Removes Sec. 12-___.3(d)(4)(D).
- 11. Adds Sec. 12-___.3(h) to read as follows:
 - (h) The director may allow a transportation network company or taxicab company to certify that a driver has satisfied the requirements of subsections (c) and (d). The company must maintain records that substantiate that the requirements are satisfied. Such records must be maintained for a period of at least seven years. The records are subject to inspection by the department at any time. The company shall be deemed in violation of this article and subject to the penalties under section 12-___.6 each time the department determines that the records do not substantiate compliance with the requirements for an individual driver. In addition, a driver shall be deemed to be in violation of this article if the driver submits false information to the company.
- 12. Amends Sec. 12-___.5 to read as follows:

No person shall serve as a private transportation driver unless the person is driving a vehicle that has the driver's certificate in the vehicle so that it is readily visible to all passengers in the vehicle. The driver's certificate shall be issued by the director. It must contain a photograph of the driver to be furnished by the driver, the driver's name, the driver's license number, and any other information specified by the director. It is a violation of this section for any person to alter such driver's certificate.

Each private transportation driver's vehicle must display, on the lower corner of the passenger-side front and rear bumpers, the transportation network company's or taxicab company's logo, name or other identifying symbol, as applicable, and any other information as specified by the director. In addition, any vehicle for hire which transports passengers to and from the Honolulu International Airport shall display permits or decals required by the applicable state laws.

13. Amends Sec. 12-___.6 to read as follows:

Either the private transportation driver or the transportation network company or taxi company, as applicable, must, upon request, provide the passenger with a paper or electronic receipt showing the total fare paid.

14. Amends SECTION 5 of the bill to read as follows:

SECTION 5. Section 12-1.18, Revised Ordinances of Honolulu 1990, is repealed.

["Sec. 12-1.18 Appeals.

An applicant whose application for a taxicab license has been denied, revoked or suspended by the department may file within 30 days after receipt of said revocation, suspension or denial, an appeal for a hearing with the city council."]

15. Adds a new SECTION 6 to the bill to read as follows:

SECTION 6. This ordinance shall not affect the validity of any taxicab driver's certificate issued prior to the effective date hereof, and the holder of valid taxicab driver's certificate shall not be required to obtain a private transportation driver's certificate until the expiration or earlier suspension or revocation of any such valid taxicab driver's certificate.

16. Adds a new SECTION 7 to the bill to read as follows:

SECTION 7. Ordinance material to be repealed is bracketed. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the brackets, the bracketed material or the underscoring.

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17. Adds a new SECTION 8 to the bill to read as follows:

SECTION 8. This ordinance takes effect on January 15, 2017.

18. Makes technical and non-substantive changes.

FOR DISCUSSION

10. **HART DEBT AND FINANCIAL PLAN RECEIVED ON JULY 15, 2016.**

ANN H. KOBAYASHI, Chair
Committee on Budget