



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
31ST SESSION
THURSDAY, DECEMBER 1, 2016
10 A.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10 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 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
Thursday, December 1, 2016

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

1. CALL TO ORDER – 10 A.M.

Roll Call

Introduction of Guests

Approval of Minutes of the 30th Session

ORDER OF BUSINESS
Thursday, December 1, 2016

2. ORDER OF THE DAY

APPOINTMENTS – RESOLUTIONS

PUBLIC HEALTH, SAFETY AND WELFARE

CR-345

Resolution 16-277

Relating to the appointment of Steven H. Levinson to serve on the Police Commission of the City and County of Honolulu.

ADOPTION

ORDER OF BUSINESS
Thursday, December 1, 2016

PUBLIC HEARING/SECOND READING

BUDGET

CR-355

Bill 63

Relating to property taxes. (Amending Chapter 8 of the Revised Ordinances of Honolulu 1990, relating to the real property tax.)

PASS SECOND READING

CR-356

Bill 64, CD1

Relating to motor vehicle registration. (Addressing the registration of new and used motor vehicles.)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Thursday, December 1, 2016

BUDGET (Cont'd.)

CR-357

Bill 65, CD1

Relating to taxicab companies and drivers, and private transportation services companies and drivers. (Amending certain provisions under Article 12, Revised Ordinances of Honolulu 1990, as amended, and Ordinance 16-25 to further the purpose of ensuring the health and well-being of passengers and that the drivers operate in a safe manner and accord consistency with the provisions governing private transportation services companies and drivers.)

PASS SECOND READING, AS AMENDED

CR-358

Bill 66, CD1

Relating to real property dedication for government owned agricultural land. (Providing for the lessees of government-owned agricultural land to dedicate their leased lands for vacant Agricultural use from the effective date of the lease, license, or permit.)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Thursday, December 1, 2016

THIRD READING

BUDGET

CR-352

Bill 55, CD1

Relating to private transportation services and drivers.
(Amending Ordinance 16-25, relating to private transportation
services and drivers.)

PASS THIRD READING, AS AMENDED

Bill 55, CD1, Proposed FD1
(Submitted by Councilmember Fukunaga)

CR-353

Bill 58, CD1

Relating to the Housing Development Special Fund.
(Specifying that moneys received to satisfy affordable housing
requirements must be deposited in the Housing Development
Special Fund.)

PASS THIRD READING, AS AMENDED

CR-354

Bill 61, CD1

Relating to real property taxation. (Clarifying that the payment
of the late filing penalty of \$500.00 must be made at the time
of the late filing.)

PASS THIRD READING

ORDER OF BUSINESS
Thursday, December 1, 2016

FIRST READING

Bill 68 (Budget)

Relating to admission fees for the Honolulu Zoo. (Authorizing the Enterprise Services to set admission fees for the Honolulu Zoo.)

PASS FIRST READING

Bill 69 (Zoning and Planning)

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

PASS FIRST READING

Bill 70 (Budget)

Relating to real property taxation. (Amending the amount of the deposit for an appeal.)

PASS FIRST READING

ORDER OF BUSINESS
Thursday, December 1, 2016

RESOLUTIONS

PUBLIC HEALTH, SAFETY AND WELFARE

CR-346

Resolution 16-181, CD1

Requesting the City Administration to prepare a report on the feasibility of consolidating all ocean safety activities.

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

(CR-323 adopted 11/2/16) Resolution 16-213, CD1, FD1

Providing for the acquisition of land for public use, to wit: public streets, situate at Kakaako, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain.

(Note: Laid over on 11/2/16 and published on 11/9/16.)

FOR ADOPTION

CR-324

Resolution 16-269, CD1

Authorizing an Ad Hoc Committee of three councilmembers to investigate the matter of the evaluation of the Director of the Office of Council Services.

FOR ADOPTION

ORDER OF BUSINESS
Thursday, December 1, 2016

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-347

Resolution 16-303

To retain the services of McCorriston Miller Mukai & MacKinnon LLP as Special Deputy Corporation Counsel to represent Chief Louis M. Kealoha in a legal action entitled Christopher Baker v. Louis M. Kealoha, et al., Civil No. CV11-00528 ACK-KSC.

FOR ADOPTION

CR-348

Resolution 16-304

To retain the services of McCorriston Miller Mukai & MacKinnon LLP as Special Deputy Corporation Counsel to represent Chief Louis M. Kealoha in a legal action entitled Kirk C. Fisher v. Louis M. Kealoha, et al., Civil No. CV11-00589 ACK-BMK, App. No. 14-16514.

FOR ADOPTION

CR-349

Resolution 16-305

To retain the services of O'Connor & Campbell of Tempe, Arizona, as Special Deputy Corporation Counsel to represent Respondent Honolulu Police Department and its Custodian(s) of Records in a legal action entitled State of Arizona v. Miti Maugaotega, Criminal No. CR2010 01172.

FOR ADOPTION

ORDER OF BUSINESS
Thursday, December 1, 2016

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-350

Resolution 16-306

To retain the services of the Law Offices of Cary T. Tanaka as Special Deputy Corporation Counsel to represent Chief Louis M. Kealoha in a legal action entitled Jamie Kalani Rice v. City and County of Honolulu, et al., Civil No. CV 15-00541 ACK-KSC.

FOR ADOPTION

CR-351

Resolution 16-307

To retain the services of Chung & Ikehara, ALC as Special Deputy Corporation Counsel to represent Chief Louis M. Kealoha in a legal action entitled Gulstan E. Silva, Jr., et al. v. City and County of Honolulu, et al., Civil No. CV15-00436 HG-BMK.

FOR ADOPTION

ORDER OF BUSINESS
Thursday, December 1, 2016

BUDGET

CR-359

Resolution 16-248, CD1

Reaffirming the Honolulu City Council's support of extending the County surcharge on the General Excise Tax in order to complete the Honolulu Rail Project to Ala Moana Shopping Center.

FOR ADOPTION

Resolution 16-248, CD1, Proposed FD1
(Submitted by Councilmember Manahan)

CR-360

Resolution 16-278

Relating to an intergovernmental agreement between the Honolulu Liquor Commission and the University of Hawai'i's Office of Public Health Studies.

FOR ADOPTION

CR-361

Resolution 16-282

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
Thursday, December 1, 2016

BUDGET (Cont'd.)

CR-362

Resolution 16-283

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

CR-363

Resolution 16-284

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

CR-364

Resolution 16-285

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
Thursday, December 1, 2016

BUDGET (Cont'd.)

CR-365

Resolution 16-286

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

CR-366

Resolution 16-287

Authorizing the lease of City property to Child and Family Service for special needs housing under Section 28-3.5, Revised Ordinances of Honolulu.

FOR ADOPTION

CR-367

Resolution 16-289, CD1

Authorizing the execution of a Letter of Intent between the City and County of Honolulu ("City") and the State of Hawaii Department of Education ("DOE") to condemn land for the expansion of Mililani Middle School.

FOR ADOPTION

ORDER OF BUSINESS
Thursday, December 1, 2016

BUDGET (Cont'd.)

CR-368

Resolution 16-291

Selecting members for the CDBG and HOME Projects Selection Committee.

FOR ADOPTION

CR-369

Resolution 16-294

Urging the City Administration to find a solution to allow the Eddie Aikau Big Wave Invitational to be held for the 2016-2017 season.

FOR ADOPTION

CR-370

Resolution 16-295, CD1

Relating to the transfer of funds. (Royal Hawaiian Band)

FOR ADOPTION

ORDER OF BUSINESS
Thursday, December 1, 2016

BUDGET (Cont'd.)

CR-371

Resolution 16-296

Relating to the Executive Operating Budget and Program for Fiscal Year 2017, and the transfer of funds by the Honolulu Fire Department.

FOR ADOPTION

CR-372

Resolution 16-298

Relating to the appointment of _____ to serve on the Salary Commission of the City and County of Honolulu.

FOR ADOPTION

CR-373

Resolution 16-299

Authorizing the assignment and extension of a lease of City property with River Pauahi Partners, LP for the River Pauahi Apartments project under Section 28-3.4, Revised Ordinances of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Thursday, December 1, 2016

BUDGET (Cont'd.)

CR-374

Resolution 16-300

Approving a ten year extension for the long-term commercial ground lease for the Maunakea Marketplace, identified as TMK: 1-7-003:096.

FOR ADOPTION

3. BALANCE OF COMMITTEE REPORTS

BCR-375

Real property tax compromise for the following Nanakuli Village Center parcels: TMK 8-9-002-001-0000 to \$19,566.87 for FY 2007-2012; TMK 8-9-002-001-0002 to \$2,100.00 for FY 2013-2016; and TMK 8-9-002-001-0003 to \$40,119.18 for FY 2013-2016. (D-723)

FOR ADOPTION

4. UNFINISHED BUSINESS

5. NEW BUSINESS

Resolution 16-275

Urging the Honolulu Country Club to fulfill its obligation to maintain the Salt Lake Waterway and its banks.

FOR ACTION

Resolution 16-290

Urging the City, State of Hawaii, and private landowners to work together to mitigate flooding in Manoa.

FOR ACTION

Resolution 16-297

Authorizing the Director of the Department of Transportation Services or the Director's designee to apply for, and accept and expend, Federal Highway Administration funds authorized by 23 CFR Part 652 and other Federal statutes administered by the Federal Highway Administration for the purchase of bikeshare equipment for Honolulu System Expansion Project.

FOR ACTION

ORDER OF BUSINESS
Thursday, December 1, 2016

Resolution 16-301

Renaming the Veterans Memorial Aquatic Center in the Patsy T. Mink Central Oahu Regional Park the K. Mark Takai Veterans Memorial Aquatic Center.

FOR ACTION

Resolution 16-309

Approving the nomination of Kauai County Councilmember Arryl Kaneshiro to the Board of Directors of the National Association of Counties.

FOR ACTION

Resolution 16-312

Relating to the acceptance of a gift to the City from the Hawaii Law Enforcement Association.

FOR ACTION

ORDER OF BUSINESS
Thursday, December 1, 2016

Communication D-745

From Arthur D. Challacombe, Department of Planning and Permitting, requesting a 120-day extension of time on:

Bill 74 (2015), relating to the Transit-Oriented Development Special District. (Deadline: 1/11/17 + 120 days)

Bill 75 (2015), relating to miscellaneous Land Use Ordinance amendments. (Deadline: 1/11/17 + 120 days)

Bill 76 (2015), to rezone land situated at Waipahu, Oahu, Hawaii. (Deadline: 1/11/17 + 120 days)

FOR ACTION

Communication M-2652

From Zhe fang, Hawaii City Plaza LP, requesting a 120-day extension of time on Resolution 16-280, approving a conceptual plan for an Interim Planned Development-Transit project for the development of the Hawaii City Plaza Condominium development project. (Deadline: 12/23/16 + 120 days)

FOR ACTION

ORDER OF BUSINESS
Thursday, December 1, 2016

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