



Voting Members:

Joey Manahan, Chair
Brandon J.C. Elefante, Vice Chair
Ikaika Anderson
Kymberly Marcos Pine

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
WEDNESDAY, APRIL 5, 2017
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 768-3825.

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 768-3825 or send an email to potto1@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.citycouncil.tv>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

FOR ACTION

1. **[RESOLUTION 17-76](#) – APPOINTMENT OF PAMELA A. WITTY-OAKLAND.** Relating to the appointment of Pamela A. Witty-Oakland to serve on the Grants in Aid Advisory Commission of the City and County of Honolulu. (Transmitted by Communication [MM-28](#) [2017]; Public hearing held on 3/22/17)
2. **[RESOLUTION 17-77](#) – APPOINTMENT OF GRANT KAGIMOTO.** Relating to the appointment of Grant Kagimoto to serve on the Grants in Aid Advisory Commission of the City and County of Honolulu. (Transmitted by Communication [MM-29](#) [2017]; Public hearing held on 3/22/17)
3. **[RESOLUTION 17-71](#) – GRANTS IN AID.** Awarding of grants funded by monies from the Grants In Aid Fund to grant proposals recommended by the Grants In Aid Advisory Commission and authorizing the Director of the Department of Community Services and the Director of the Department of Budget and Fiscal Services to enter into grant agreements for each of these grant proposals awarded. (Transmitted by Communication [D-121](#) [2017])

[PROPOSED CD1 TO RESOLUTION 17-71](#) – (Submitted by Councilmember Manahan) The proposed CD1 (OCS2017-0338/3/29/2017 1:34 PM) makes the following amendments:

- A. Changes the title of the Resolution to read as follows:

ACCEPTING THE REPORT AND RESOLUTION FROM THE 2017 GRANTS
IN AID ADVISORY COMMISSION.

- B. Amends the second WHEREAS clause to read as follows:

WHEREAS, the Commission has reviewed these applications and, in Departmental Communication 121 (2017), submitted to the Council the Commission's Report along with the Commission's Resolution, adopted by the Commission on February 24, 2017, listing the Commission's recommended grant proposals in alphabetical order, score order, and council district order;

- C. Deletes the third and fourth WHEREAS clause on page 2.

- D. Amends the fifth WHEREAS clause on page 2 to read as follows:

WHEREAS, attached to D-121 (2017) are the Commission's Report and Resolution (Exhibit A), the Grant Agreement template (Exhibit B), the Commission's recommended grant proposals (Exhibit C), and substantive documentation for each grant proposal along with an Executive Summary;
 - E. Amends the sixth WHEREAS clause on page 2 to remove the following language: "and concludes that Commission grant proposal recommendations as listed in the Commission report and resolution should be adopted."
 - F. Amends the BE IT RESOLVED clause on page 2 to remove the following language: "and approves the grant recommendations of the Commission."
 - G. Amends the first BE IT FURTHER RESOLVED clause on page 3 to read as follows:

BE IT FURTHER RESOLVED that, through the annual budget process, the Council may approve the grant proposals selected by the Commission to be funded with grants in aid monies;
 - H. Removes the second BE IT FURTHER RESOLVED clause on page 3.
 - I. Makes miscellaneous technical and nonsubstantive amendments.
- 4. **RESOLUTION 17-82 – TRANSFER OF FUNDS.** Transferring \$650,000 in General Fund monies between activities to meet current operating water needs of \$500,000, and \$150,000 to fund LED installations for lighting improvements to reduce operating cost for the Department of Parks and Recreation, Fiscal Year 2017.
 - 5. **RESOLUTION 17-83 – TRANSFER OF FUNDS.** Transferring \$300,000 between activities to support fourteen (14) priority positions at Ala Moana Regional Park to create a second shift and sixteen (16) contract positions to the maintenance and repair program for the Department of Parks and Recreation.
 - 6. **RESOLUTION 17-86 – JUVENILE JUSTICE CENTER.** Authorizing the Mayor, the Director of the Department of Community Services, or the Director's designee to accept and expend funds from the State of Hawaii, Department of Human Services, Office of Youth Services (OYS), to continue funding of the Juvenile Justice Center (JJC). (Transmitted by Communication [D-202](#) [2017])

7. **[RESOLUTION 17-90](#) – ACCEPTANCE OF A GIFT (BFS).** Accepting a gift to the City and County of Honolulu from the Association of Government Accountants to attend the Professional Development Training in Boston, Massachusetts. (Transmitted by Communication [D-213](#) [2017])
8. **[BILL 10 \(2017\)](#) – MOTOR VEHICLE WEIGHT TAX.** Amending Chapter 41, Article 17 of the Revised Ordinances of Honolulu, 1990, relating to motor vehicle weight tax. (Transmitted by Communication [D-46](#) [2017]; Bill passed first reading on 2/22/17)

[PROPOSED CD1 TO BILL 10 \(2017\)](#) – (Submitted by Councilmember Manahan). The proposed CD1 (OCS2017-0340/3/30/2017 10:47 AM) makes the following amendments:

- A. Revises Section 4 of the Bill to change the effective date to January 1, 2018.
 - B. Makes technical and nonsubstantive changes.
9. **[BILL 12 \(2017\)](#) – PARKING METERS.** Amending the Traffic Code of the City and County of Honolulu, as set forth in Chapter 15 of the Revised Ordinances of Honolulu, 1990, to enable the City to adjust parking meter time limits and rates in accordance with supply and demand. (Transmitted by Communication [D-48](#) [2017]; Bill passed first reading on 2/22/17)

[PROPOSED CD1 TO BILL 12 \(2017\)](#) – (Submitted by Councilmember Manahan). The proposed CD1 (OCS2017-0349/3/30/2017 9:45 AM) makes the following amendments:

- A. Replaces the reference to “The Waikiki parking meter zone” with the following:

“Except as otherwise allowed by law or permit, parking or standing a vehicle in a designated space in parking meter zones which are specified in Schedule XXX and located in Waikiki”
 - B. Makes technical and nonsubstantive changes.
10. **[BILL 28 \(2017\)](#) – PUBLIC TRANSIT.** Amending Chapter 13 of the Revised Ordinances of Honolulu 1990, to enable the City to amend the fare structure of TheBus and TheHandi-Van. (Transmitted by Communication [MM-26](#) [2017]; Bill passed first reading on 3/22/17)

11. [**BILL 29 \(2017\)**](#) – **COLLECTION AND DISPOSAL OF REFUSE.** Authorizing the City to charge for City-provided refuse collection services. (Transmitted by Communication [MM-26](#) [2017]; Bill passed first reading on 3/22/17)
12. [**BILL 30 \(2017\)**](#) – **EROSION, SEDIMENT, AND POLLUTION CONTROL.** Establishing a regulatory framework for attaining compliance with the City and County of Honolulu’s National Pollutant Discharge Elimination System Permit and creating a source of funding that is needed to offset the City’s cost in implementing new requirements for erosion control and water quality protection. (Transmitted by Communication [MM-26](#) [2017]; Bill passed first reading on 3/22/17)
13. [**BILL 35 \(2017\)**](#) – **ADMISSION FEES FOR THE HONOLULU ZOO.** Amending Chapter 10, Article 4, Revised Ordinances of Honolulu, 1990, as amended relating to admission fees for the Honolulu Zoo. (Transmitted by Communication [D-132](#) [2017]; Bill passed first reading on 3/22/17)
14. [**BILL 36 \(2017\)**](#) – **MUNICIPAL GOLF COURSE FEES.** Amending Chapter 10, Article 4, Revised Ordinances of Honolulu, 1990, as amended relating to fees for use of municipal golf courses. (Transmitted by Communication [D-135](#) [2017]; Bill passed first reading on 3/22/17)
15. [**BILL 78 \(2015\)**](#) – **RELATING TO SPONSORSHIPS.** Establishing a process to obtain sponsorships for City facilities, parks, programs, equipment, and tangible property within set guidelines and procedures for the purpose of optimizing non-property tax revenue sources. (Bill passed second reading and public hearing on 1/27/16; Committee amended Bill to a CD1 version [OCS2016-0177/2/24/2016 12:54 PM] and deferred action on 2/10/16; Deferred on 3/2/16)

[**CD1 TO BILL 78 \(2015\)**](#) – (Submitted by Councilmember Pine) The CD1 (OCS2016-0177/2/24/2016 12:54 PM) makes the following amendments:

- A. Deletes all references to regulations throughout the bill.
- B. Replaces all references to a sign or signage with the term sponsorship recognition.
- C. Amends the definition of “equipment” to exclude city-operated buses and special transit service vehicles.
- D. Amends the definition of “sponsorship agreement” to specify that an agreement may include provisions that allow for the publicity or promotion of the sponsor.

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- E. Adds a definition of “sponsorship recognition.”
- F. Changes the reference in Section 2-____.3(c) in Section 2 of the bill from “Hawaii administrative rules, title 9, subtitle 2, chapter 1” to a reference to “applicable rules of the department of customer services.”
- G. Amends Section 2-____.6 in Section 2 of the bill to specify that funds received pursuant to sponsorship agreements must be expended for their designated purpose.
- H. Add a new Section 2-____.7 in Section 2 of the bill that specifies the creation of a sponsorship advisory committee. This committee shall be responsible for the selection of design criteria for any sponsorship recognition materials that will appear on city assets. The section specifies the qualifications for the committee members.
- I. Adds a new subdivision (8) to Section 2-____.8(a) in Section 2 of the bill to require that any physical form of sponsorship recognition must blend in with the surrounding environment. Renumbers subsequent subdivisions accordingly.
- J. Amends renumbered Section 2-____.8(a)(11) in Section 2 of the bill to read in part that, “Sponsorships may be non-exclusive...” rather than “Sponsorships shall be non-exclusive...”
- K. Amends renumbered Section 2-____.8(a)(13) in Section 2 of the bill to additionally provide that sponsors shall defend, indemnify, and hold harmless the city, its officers, agents, and employees against all liability, loss, damage, cost, and expense, including attorneys’ fees, arising out of or resulting from the acts or omissions of the sponsor’s directors.
- L. Amends renumbered Section 2-____.8(a)(14) to replace “limited forum” with “sponsorships.”
- M. Amends Section 2-____.8(b) in Section 2 of the bill by:
 - 1. Moving subdivisions (1) and (2) to paragraphs (K) and (L) of renumbered Sections 2-____.8(a)(10); and

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2. Specifying that sponsorships from:
 - i. Persons that have a pending open application with the city for a discretionary approval; and
 - ii. Persons opposing the city in a pending or ongoing lawsuit;will not be accepted.
- N. Renumbers prior Section 2-____.7 (“Sponsorship rules”) in Section 2 of the bill as Section 2-____.9, and amends the section to specify that the “director of budget and fiscal services or other city officers designated by the mayor,” rather than an “executive agency,” may adopt rules to administer the new article being established. Renumbers subsequent sections accordingly.
- O. Makes miscellaneous technical and nonsubstantive amendments.

[PROPOSED CD1 TO BILL 78 \(2015\)](#) – (Submitted by Councilmember Pine) The proposed CD1 (OCS2017-0353/3/30/2017 3:15 PM) makes the following amendments:

- A. Deletes all references to regulations throughout the bill.
- B. Replaces all references to a sign or signage with the term sponsorship recognition.
- C. Amends the definition of “equipment” to exclude city-operated buses and special transit service vehicles.
- D. Amends the definition of “sponsorship” to provide that it means a mutually beneficial arrangement between the City and a person, wherein the person provides a financial contribution to the City in return for sponsor recognition on or in connection with one or more City assets, for a specified period of time. (New language underscored.)
- E. Amends the definition of “sponsorship agreement” to specify that an agreement may include provisions that allow for the recognition of the sponsor.
- F. Adds a definition of “sponsorship recognition.”
- G. Changes the reference in proposed new ROH Section 2-____.3(c) from

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“Hawaii administrative rules, title 9, subtitle 2, chapter 1” to a reference to “applicable rules of the department of customer services.”

- H. Deletes Section 2-____.4 and merges its contents into Section 2-____.1 and renumbers all remaining sections accordingly.
- I. Amends renumbered Section 2-____.5 ("Funds received from sponsorship agreements") to specify that funds received pursuant to sponsorship agreements must be expended for their designated purpose.
- J. Amends renumbered Section 2-____6 ("Sponsorship rules") as follows:
 - 1. Amends the section to specify that the "director of budget and fiscal services or other city officer designated by the mayor," rather than an "executive agency," shall adopt rules to administer the new article being established; and
 - 2. Specifies that in adopting the rules, the City officer shall ensure that the new article and any sponsorship agreements entered into pursuant to the new article are implemented in a manner consistent with Hawaii State procurement laws and rules and with the terms of the collective bargaining agreements governing unionized City employees.
- K.
 - 1. Adds a new subdivision (8) to renumbered Section 2-____.7(a) to require that any physical form of sponsorship recognition must blend in with the surrounding environment; and
 - 2. Deletes former subdivision (13), which specified that sponsorships shall be for commercial purposes and the promotion of any non-commercial enterprise shall not be permitted in the limited forum created by the new article being proposed in this bill.
 - 3. Renumbers all subdivisions accordingly.
- L. Amends renumbered Section 2-____.7(a)(11) to specify that each sponsorship agreement must specify whether or not the sponsorship for a particular asset will be exclusive or non-exclusive.
- M. Amends renumbered Section 2-____.7(a)(13) to additionally provide that sponsors shall defend, indemnify, and hold harmless the City, its officers, agents, and employees against all liability, loss, damage, cost, and expense,

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including attorneys' fees, arising out of or resulting from the acts or omissions of the sponsor's directors.

- N. Adds a new subdivision (17) to renumbered Section 2-____.7(a) to specify that sponsorships that involve abridging the rights and responsibilities of any city employees that are conveyed through collective bargaining agreements are prohibited.
- O. Amends renumbered Section 2-____.7(b) by:
 - 1. Moving subdivisions (1) and (2) to paragraphs (K) and (L) of renumbered Section 2-____.7(a)(10); and
 - 2. Specifying that sponsorships from:
 - i. Persons that have a pending open application with the City for a discretionary approval; and
 - iii. Persons opposing the City in a pending or ongoing lawsuit;
will not be accepted.
- P. Amends Section 3 of the bill to provide that the new article will sunset five years after its enactment.
- Q. Makes miscellaneous technical and nonsubstantive amendments

JOEY MANAHAN, Chair
Committee on Budget