



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

Voting Members:

Carol Fukunaga, Chair
Ann H. Kobayashi, Vice Chair
Brandon J.C. Elefante
Joey Manahan
Trevor Ozawa

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
WEDNESDAY, JUNE 28, 2017
1:00 P.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 1:00 p.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 a registration form in person; or
- d. By calling 768-3819.

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 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.

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Accommodations are available upon request to persons with disabilities, please call 768-3819 or send an email to darci.nago@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 MAY 3, 2017

FOR ACTION

1. **BILL 43 (2017)** – RELATING TO THE MAINTENANCE OF CHANNELS, STREAMBEDS, STREAMBANKS AND DRAINAGEWAYS. Amending the conditions a private stream owner is held to maintain, dredge and clear such stream. (Bill passed second reading and public hearing held 5/10/17)

PROPOSED CD1 TO BILL 43 (2017) (Submitted by Councilmember Manahan) – The CD1 (OCS2017-0516/5/9/2017 3:25 PM) makes the following amendments:

- A. Makes clarifying grammatical changes to the purpose section of the bill.
 - B. Amends ROH Sec. 41-26.1 by replacing "department of public works" with "department of facility maintenance" and by making grammatical amendments.
 - C. Makes changes to conform the bill with recommended bill drafting format and makes other miscellaneous technical and nonsubstantive amendments.
2. **RESOLUTION 17-146** – RIGHT-OF-WAY WIDTHS AND STREET SETBACK LINES. Urging the City Administration to review the need to update procedures for establishing and administering right-of-way widths and street setback lines.

PROPOSED CD1 TO RESOLUTION 17-146 (Submitted by Councilmember Fukunaga) – The CD1 (OCS2017-0572/5/23/2017 11:15 AM) makes the following amendments:

- A. Corrects a typographical error in the final RESOLVED paragraph.
- B. Makes miscellaneous technical and nonsubstantive amendments.

3. [**BILL 59 \(2016\), CD2, FD1**](#) – **RELATING TO THE USE OF BAGS PROVIDED TO CUSTOMERS.** Regulating the use of bags provided to customers. (Bill passed second reading and public hearing held 3/22/17; Recommitted back to Committee on 6/7/17)

[PROPOSED FD1, CD3 TO BILL 59 \(2016\), CD2, FD1](#) (Submitted by Councilmember Fukunaga) – The CD3 (OCS2017-0661/6/22/2017 9:28 AM) makes the following amendments to the FD1 version to which the bill was amended at the May 10, 2017, Council meeting:

- A. Amends the amendatory language for SECTION 2 of the bill to provide that the amendment proposed therein relating to deleting the definition of "Compostable plastic bag" takes effect on January 1, 2020.
- B. Amends the amendatory language for SECTION 3 of the bill to provide that the amendment proposed therein relating to amending the definition of "Plastic checkout bag" takes effect on January 1, 2020, and further amends the proposed amendment to the definition of "Plastic checkout bag" by retaining the provision in the current definition that such a bag is "not specifically designed and manufactured for multiple re-use."
- C. Amends the definition of "Reuseable bag" in ROH Sec. 9-1.1 by adding, "After January 1, 2020, plastic film bags shall no longer be considered to be 'reusable bags. '"
- D. Amends the proposed amendment to ROH Section 9-9.2 by changing the minimum amount businesses shall charge, when offering, at the point of sale, reusable bags, compostable plastic bags, or recyclable paper bags for the purpose of transporting groceries or other merchandise, to 15 cents per bag, from 10 cents per bag, and adding language providing that after January 1, 2020, compostable bags shall no longer be provided at the point of sale for the purpose of transporting groceries or other merchandise.
- E. Deletes proposed new ROH Section 9-9.2(b) relating to the City Auditor's report.
- F. Deletes SECTION 5 of the bill relating to proposed amendments to ROH Section 9-9.3 ("Penalties and injunctive relief").

Committee on Public Works, Infrastructure and Sustainability Agenda
Wednesday, June 28, 2017

- G. Changes the effective date of the bill from January 1, 2018 to January 1, 2020 for Sections 2 and 3 of the bill, and July 1, 2018 for Sections 4 and 5 of the bill except as otherwise noted.
- H. Makes miscellaneous technical and nonsubstantive amendments.

[PROPOSED FD1, CD3 TO BILL 59 \(2016\), CD2, FD1](#) (Submitted by Councilmember Elefante) – The CD3 (OCS2017-0638/6/19/2017 8:11 AM) makes the following amendments to the FD1 version to which the bill was amended at the May 10, 2017 Council meeting:

- A. Amends the proposed amendment to the definition of "Plastic checkout bag" in ROH Sec. 9-1.1 by retaining the provision in the current definition that such a bag is "not specifically designed and manufactured for multiple re-use."
- B. Amends the definition of "Reuseable bag" in ROH Sec. 9-1.1 by adding, "After January 1, 2020, plastic bags shall no longer be considered to be 'reusable bags.'"
- C. Amends the proposed amendment to ROH Section 9-9.2 by retaining the provision in the current ordinance that businesses may provide, with or without charge, non-recyclable paper bags to protect or transport prepared foods, beverages, or bakery goods.
- D. Deletes proposed new ROH Section 9-9.2(b) relating to the City Auditor's report.
- E. Deletes SECTION 5 of the bill relating to proposed amendments to ROH Section 9-9.3 ("Penalties and injunctive relief").
- F. Changes the effective date to July 1, 2018, from January 1, 2018.
- G. Makes miscellaneous technical and nonsubstantive amendments.

4. **BILL 9 (2017) – RELATING TO FOOD WASTE.** Addressing the collection and processing of food waste. (Bill passed first reading on 1/25/17; Committee deferred action on 2/8/17)

PROPOSED CD1 TO BILL 9 (2017) (Submitted by Councilmember Kobayashi) – The CD1 (OCS2017-0512/5/17/2017 11:17 AM) makes the following amendments:

- A. Amends ROH Section 9-3.5 (a) to require food establishments in the City to donate leftover or surplus food products to a food bank and to remove the provision requiring the Department of Environmental Services to have charge of and administer the collection and processing of food waste from certain food establishments.
- B. Adds a new subsection (b) to ROH Section 9-3.5 to require that if any leftover or surplus food is not fit for human consumption, or is otherwise not in suitable condition to be donated, certain specified food establishments must arrange and provide for the separate collection of food waste and for its recycling by a recycling facility in the city or separate food waste from all other solid waste generated by the food establishment and deliver the food waste to a recycling facility. Redesignates subsequent subsections accordingly.
- C. Retains the existing language of current ROH subsections 9-3.5(d) and 9-3.5(e) (redesignated as 9-3.5(e) and (f), respectively).
- D. Amends ROH Section 9-3.5(g) (redesignated as 9-3.5(h)) by amending the definition of "food bank" and adding a new definition of "food products."
- E. Makes miscellaneous technical and nonsubstantive amendments.

CAROL FUKUNAGA, Chair
Committee on Public Works,
Infrastructure and Sustainability