



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

RON MENOR
CHAIR & PRESIDING OFFICER
IKAIKA ANDERSON
VICE CHAIR
KYMBERLY MARCOS PINE
FLOOR LEADER
BRANDON J. C. ELEFANTE
CAROL FUKUNAGA
ANN H. KOBAYASHI
JOEY MANAHAN
ERNEST Y. MARTIN
TREVOR OZAWA

ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
13TH SESSION
WEDNESDAY, OCTOBER 11, 2017
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 768-3819 or 768-3814.

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.

* * * * *

Accommodations are available upon request to persons with disabilities, please call 768-3819 or 768-3814 or send an email to darci.nago@honolulu.gov or jyamane1@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.honolulucitycouncil.tv/>. 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, October 11, 2017

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

CALL TO ORDER – 10 A.M.

Roll Call

Introduction of Guests

Approval of Minutes of the 11th Session

ORDER OF BUSINESS
Wednesday, October 11, 2017

ORDER OF THE DAY

REPORT OF INVESTIGATION ON MATTERS RELATING TO FIRE SAFETY IN RESIDENTIAL BUILDINGS

CC-323

From Councilmembers Ann Kobayashi, Carol Fukunaga and Trevor Ozawa, submitting a Report pursuant to Resolution 17-244, FD1 establishing a permitted interaction group of councilmembers to investigate matters relating to fire safety in residential buildings.

ORDER OF BUSINESS
Wednesday, October 11, 2017

PUBLIC HEARING/RESOLUTIONS

MAYOR'S CABINET

Resolution 17-270 (Parks, Community and
Customer Services)

Relating to the nomination of Pamela A. Witty-Oakland to serve as the Director of the Department of Community Services of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

BOARDS AND COMMISSIONS

Resolution 17-251 (Budget)

Relating to the reappointment of Ms. Claire E. Goldberg to serve on the Board of Review II for Real Property Tax Appeals of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 17-264 (Zoning and Housing)

Relating to the appointment of Landon Kaneshiro to the Zoning Board of Appeals.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, October 11, 2017

Resolution 17-247 (Public Health, Safety and Welfare)

Authorizing the use of overt video monitoring in the City and County of Honolulu to prevent and deter general criminal activity and achieve the legitimate law enforcement objective and legitimate public purpose of ensuring a safe and secure 2017 Honolulu Marathon event.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

APPOINTMENTS – RESOLUTIONS

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-349

Resolution 17-206

Relating to the appointment of Dr. Timothy R. Slaughter to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-352

Resolution 17-222

Relating to the reappointment of Ethel L. Fleming to serve on the Civil Service Commission of the City and County of Honolulu

FOR ADOPTION

BUDGET

CR-357

Resolution 17-207

Relating to the reappointment of Mr. Randall C. Whattoff to serve on the Board of Review II for Real Property Tax Appeals of the City and County of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

BUDGET (Cont'd.)

CR-358

Resolution 17-223

Relating to the reappointment of Mr. Michael Ellis to serve on the Board of Review I for Real Property Tax Appeals of the City and County of Honolulu.

FOR ADOPTION

CR-359

Resolution 17-224

Relating to the reappointment of Mr. Jacinto Legal to serve on the Board of Review III for Real Property Tax Appeals of the City and County of Honolulu.

FOR ADOPTION

CR-360

Resolution 17-225, CD1

Relating to the appointment of Mr. Donald Lau to serve on the Board of Review II for Real Property Tax Appeals of the City and County of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

BUDGET (Cont'd.)

CR-361

Resolution 17-231

Relating to the reappointment of Ms. Tina Au to serve on the Board of Review I for Real Property Tax Appeals of the City and County of Honolulu.

FOR ADOPTION

CR-362

Resolution 17-232

Relating to the reappointment of Ms. Jeannine Souki to serve on the Board of Review II for Real Property Tax Appeals of the City and County of Honolulu.

FOR ADOPTION

PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

CR-374

Resolution 17-233

Relating to the appointment of Raynard C. Soon to serve on the Board of Water Supply of the City and County of Honolulu.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

THIRD READING

PUBLIC HEALTH, SAFETY AND WELFARE

CR-345

Bill 70

Relating to smoking. (Expanding and clarifying the current ordinances relating to smoking, including but not limited to regulating electronic smoking devices and smoking in motor vehicles.)

PASS THIRD READING

ZONING AND HOUSING

CR-366

Bill 74 (2015), CD2

Relating to the Transit-Oriented Development Special District. (Establishing a special district with appropriate land use standards and guidelines for those areas around the Honolulu Rail Transit Project stations.) (Deadline: 10/21/17)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, October 11, 2017

ZONING AND HOUSING (Cont'd.)

CR-367

Bill 75 (2015), CD2

Relating to miscellaneous Land Use Ordinance amendments. (Clarifying development standards for structures with integrated commercial and dwelling uses; revising development standards for height and street setbacks in the business, business mixed use, and industrial mixed use districts; and establishing appropriate standards for bicycle parking.) (Deadline: 10/21/17)

PASS THIRD READING, AS AMENDED

CR-368

Bill 76 (2015), CD2

To rezone land situated at Waipahu, Oahu, Hawaii. (Rezoning from the R-5 Residential, R-7.5 Residential, A-2 Medium-density Apartment, B-1 Neighborhood Business, B-2 Community Business, and I-2 Intensive Industrial Districts; to the AMX-2 Medium-density Apartment Mixed Use, BMX-3 Community Business Mixed Use, IMX-1 Industrial-Commercial Mixed Use, and P-2 General Preservation Districts.) (Applicant: Department of Planning and Permitting) (Deadline: 10/21/17)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, October 11, 2017

ZONING AND HOUSING (Cont'd.)

CR-335

Bill 63, CD1

Relating to special improvement districts. (Allowing transportation management to be provided and financed by a special improvement district.)

PASS THIRD READING, AS AMENDED

CR-336

Bill 64, CD1

Relating to the establishment of the Waikiki Transportation Management Association Special Improvement District No. 4. (Establishing a Waikiki Transportation Management Special Improvement District to provide for and finance supplemental services and improvements in and to Waikiki as authorized by Chapter 36, Revised Ordinances of Honolulu 1990.)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, October 11, 2017

FIRST READING

Bill 76 (Zoning and Housing)

To rezone land situated at Waialua, Oahu, Hawaii. (Rezoning from the AG-1 Restricted Agricultural District to R-5 Residential District.) (Applicant: Leo'Ole LLC)

PASS FIRST READING

Bill 77 (Transportation and Planning)

Relating to bicycle lanes. (Addressing bicycle lanes; in particular, naming the Ala Napunani Street bicycle lanes in memory of Zachary Manago.)

PASS FIRST READING

Bill 78 (Budget)

Relating to rail transit. (Addressing the operations and maintenance of the locally preferred alternative for the Honolulu High-Capacity Transit Corridor Project, also known as the Honolulu Rail Project, and making conforming amendments to the transit fund.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, October 11, 2017

Bill 79

(Budget)

Relating to real property taxes. (Promoting organic farming through real property tax relief.)

PASS FIRST READING

Bill 80

(Budget)

Relating to real property taxes. (Promoting ocean friendly practices through real property tax relief.)

PASS FIRST READING

Bill 81

(Budget)

Relating to a Transit-Oriented Development Affordable Housing Fund. (Creating a fund to receive and expend monies to provide and maintain affordable housing in transit-oriented development special districts.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, October 11, 2017

Bill 82 (Transportation and Planning)

Relating to Chinatown, Honolulu. (Amending the Complete Streets Ordinance, Chapter 14, Article 33 of the Revised Ordinances of Honolulu 1990, to revise the procedure for the implementation of certain complete streets proposals in order to minimize their impacts on the economy of Chinatown.)

PASS FIRST READING

Bill 83 (Executive Matters and Legal Affairs)

Relating to public sidewalks. (Prohibiting, subject to exceptions, persons from sitting or lying on public sidewalks in areas near schools and public libraries.)

PASS FIRST READING

Bill 84 (Budget)

Relating to the Clean Water and Natural Lands Fund. (Amending the ordinances pertaining to the Clean Water and Natural Lands Fund.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, October 11, 2017

Bill 85 (Transportation and Planning)

Relating to car sharing. (Amending the ordinances relating to car sharing.)

PASS FIRST READING

Bill 86 (Public Works, Infrastructure
and Sustainability)

Relating to the disposal of weeds, garbage, trash, and waste from property. (Addressing the disposal of weeds, garbage, trash, and waste from vacant lots.)

PASS FIRST READING

Bill 87 (Executive Matters and Legal Affairs)

Relating to public sidewalks. (Prohibiting persons from sitting or lying on public sidewalks, subject to certain exceptions.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, October 11, 2017

Bill 88 (Executive Matters and Legal Affairs)

Relating to public sidewalks. (Expanding the prohibition against persons sitting or lying on public sidewalks in certain places outside of the Waikiki Special District.)

PASS FIRST READING

Bill 89 (Transportation and Planning)

Relating to traffic. (Addressing the management of traffic.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, October 11, 2017

RESOLUTIONS

PUBLIC HEALTH, SAFETY AND WELFARE

CR-347

Resolution 17-259, CD1

Accepting a gift to the City from the North Shore Lifeguard Association.

FOR ADOPTION

CR-346

Resolution 17-255

Requesting the 2017 Law Enforcement Assisted Diversion Pilot Project to expedite commencement of its operations in the Honolulu Police Department's District One in the City and County of Honolulu.

FOR ADOPTION

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-351

Resolution 17-241

Accepting a gift to the City from Nagoya Toyopet, Inc. to assist in the design and construction of a flag pole in Thomas Square.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

PARKS, COMMUNITY AND CUSTOMER SERVICES (Cont'd.)

CR-348

Resolution 17-196

Urging the Department of Parks and Recreation to provide outdoor fitness equipment in City parks throughout Oahu.

FOR ADOPTION

CR-350

Resolution 17-230

Renaming West Loch Community Shoreline Park in Ewa Beach, Oahu, to Kapapahu Point Park.

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-353

Resolution 17-246

Providing for the acquisition of an easement for public use, to wit: Portlock Road Beach Access Easement, situate at Maunalua, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain.

LAI D O V E R A N D B E P U B L I S H E D

ORDER OF BUSINESS
Wednesday, October 11, 2017

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-354

Resolution 17-267

To request additional funds for Contract No. SC-COR-1700022 to continue the services of Chong, Nishimoto, Sia, Nakamura, & Goya, LLP as Special Counsel for the City and County of Honolulu to represent Defendants Honolulu Ethics Commission and the City and County of Honolulu in a legal action entitled, Kealoha, et al. v. Tutto, et al., Civil No. 16-1-1166-6 GWBC.

FOR ADOPTION

CR-355

Resolution 17-268

To request additional funds for Contract No. SC-COR-1700063 to continue the services of O'Connor & Campbell of Tempe, Arizona as Special Deputy Corporation Counsel for the Honolulu Police Department and its Custodian(s) of Record in a legal action entitled State of Arizona v. Miti Maugaotega, Criminal No. CR2010 01172.

FOR ADOPTION

BUDGET

CR-363

Resolution 17-242, CD1

Urging the City Administration to consider providing funds to homeowners to build or convert accessory dwelling units for rent to homeless families or individuals.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

BUDGET (Cont'd.)

CR-364

Resolution 17-243

Approving cost items for the Unit 1 collective bargaining agreement between the Employer and the United Public Workers for the period from July 1, 2017 to and including June 30, 2021, for BU 1 employees.

FOR ADOPTION

CR-365

Resolution 17-253

Relating to real property tax compromises.

FOR ADOPTION

ZONING AND HOUSING

CR-369

Resolution 17-248, CD1

Granting a Special Management Area Use Permit for the Sunset Beach Elementary School portable buildings, administration building and improvements. (Applicant: State Department of Education) (Deadline: 11/5/17)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

CR-370

Resolution 17-257

Urging the Hawaii State Department of Transportation to address the increasing westbound traffic congestion on the H-1 Freeway from Ainakoa Avenue to the Vineyard Exit.

FOR ADOPTION

CR-371

Resolution 17-261

Urging the City Administration to investigate options to lease space at the Waianae Multi-Service Center or at other properties or portions thereof owned or controlled by the City for use by an organization specializing in economic development on the Waianae Coast.

FOR ADOPTION

CR-372

Resolution 17-263, CD1

Urging the City Administration and the Honolulu Authority for Rapid Transportation to utilize public private partnerships to fund improvements, including transit stations, related to the Honolulu High-Capacity Transit Corridor Project and to create economic development opportunities along the transit route.

FOR ADOPTION

BALANCE OF COMMITTEE REPORTS

EMLACR-356

To request authorization to settle a case against the City and County of Honolulu entitled Roosevelt Blanco, as attorney-in-fact for Villamor Blanco, Jr. v. City and County of Honolulu: Pauline Sugiura, et al., Civil No. 16-1-1303-07 DEO.

FOR ADOPTION

UNFINISHED BUSINESS

NEW BUSINESS

Communication D-658

From the Department of Design and Construction requesting consideration of Deed conveying roadway Lots 17309-17311 and Grant of Drain Easement 9129. (Ewa by Gentry Area 37, Phase 2 Subdivision)

FOR ACTION

Communication D-661

From the Department of Design and Construction requesting consideration of Deed conveying roadway Lot 16633; Grant of Drain Easement 8865; and Grant of Flowage Easement 8867. (Ewa by Gentry Area 36, Phase 2 Subdivision)

FOR ACTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

Communication D-667

From the Department of Design and Construction requesting consideration of Deed conveying roadway Lot 4 and Grant of Sidewalk Easement 1. (Plaza at Waikiki)

FOR ACTION

Resolution 17-239

Relating to the acceptance of a gift to the City from the Hawaii Water Environment Association.

FOR ACTION

Resolution 17-260

Accepting a gift to the City from the American Association of Retired Persons.

FOR ACTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

Resolution 17-275

Accepting a gift to the City from the Urban Land Institute's Rose Center for Public Leadership in Land Use.

FOR ACTION

Resolution 17-249

Approving the grant of perpetual non-exclusive waterline Easement W-1 to the United States of America, Department of the Navy within the City's portion of Farrington Highway, TMK: 9-1-016-Road.

FOR ACTION

Resolution 17-250

Approving the grant of Easements "A", "B" and "C" to Hawaiian Electric Company, Inc. over portions of the City's proposed Pearlridge Bus Transfer Center, TMKS: 9-8-009:014, 9-8-009:015 and 9-8-009:016.

FOR ACTION

ORDER OF BUSINESS
Wednesday, October 11, 2017

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.

ANNOUNCEMENTS

ADJOURNMENT