



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

Voting Members:

Ron Menor, Chair
Carol Fukunaga, Vice-Chair
Ikaika Anderson
Brandon J.C. Elefante
Ann H. Kobayashi
Joey Manahan
Ernest Y. Martin
Trevor Ozawa
Kymberly Marcos Pine

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
TUESDAY, NOVEMBER 14, 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 768-3826 your name, phone number and the agenda item;
- c. By filling out a registration form in person; or
- d. By calling 768-3813.

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 one-minute presentation.

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.

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Accommodations are available upon request to persons with disabilities, please call 768-3813 or send an email to 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?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.

FOR APPROVAL

MINUTES OF THE OCTOBER 24, 2017 COMMITTEE ON EXECUTIVE
MATTERS AND LEGAL AFFAIRS MEETING

FOR ACTION

1. **RESOLUTION 17-304** – **REAPPOINTMENT OF CLAIRE J. TAMAMOTO.** Approving Claire J. Tamamoto as one of the Council Presiding Officer's appointments to the Neighborhood Commission for a term expiring on June 29, 2022.

Related communication:

CC-340 (2017) – From Council Chair Ron Menor, nominating Claire J. Tamamoto as one of the Council Presiding Officer's appointments to the Neighborhood Commission for a term expiring on June 29, 2022.

2. **RESOLUTION 17-288** – **CHARTER AMENDMENT RELATING TO THE BOARD OF THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION.** To provide that the President of the Senate and the Speaker of the House may each appoint up to two non-voting members, for terms to be determined by the appointing authority; to specify that six members shall constitute a quorum; and to specify that the affirmative vote of a majority of all voting members of the Board shall be necessary to take any action. (Transmitted by Communication MM-152) (Resolution passed first reading on 11/1/17)
3. **BILL 99 (2017)** – **BUS STOPS.** Preserving the use of City bus stops for patrons of the City's bus system. (Bill passed 1st reading 11/1/17)
4. **BILL 83 (2017)** – **PUBLIC SIDEWALKS.** Prohibiting, subject to exceptions, persons from sitting or lying on public sidewalks in areas near schools and public libraries. (Bill passed second reading and public hearing held 11/1/17)

5. **BILL 69 (2017) - FIRE SAFETY**. Requiring existing highrise residential buildings to retrofit when necessary to comply with specified fire safety standards. (Bill passed first reading 8/9/17; Committee deferred action on 9/26/17)

PROPOSED CD1 TO BILL 69 (2017) (Submitted by Councilmember Menor) – The CD1 (OCS2017-1200/11/8/2017 8:59 AM) makes the following amendments:

- A. Deletes the amendments made to Revised Ordinances of Honolulu 1990 ("ROH") Chapter 20, Article 2 in Sections 2 through 6 of the Bill and instead amends, in new Section 2, Section 20-1.1, ROH, as follows:

1. Adds a new paragraph (15) to read as follows:

"(15) Amending Section 13.3.2.26.2. Section 13.3.2.26.2 is amended to read:

13.3.2.26.2 Existing high-rise buildings not protected throughout by an automatic fire sprinkler system shall receive a building fire and life safety evaluation in accordance with this code and the building code. This evaluation consists of an assessment of building safety features and fire protection systems. A passing score on the evaluation provides a minimum level of fire and life safety to occupants and fire fighters that is approved by the AHJ. A building fire and life safety evaluation shall be conducted by a licensed design professional within three years from the effective date of this ordinance. Buildings shall comply by passing the building fire and life safety evaluation within six years from the effective date of this ordinance. The AHJ may grant an extension per Section 13.3.2.26.5 if automatic fire sprinkler systems are required to achieve compliance. All buildings must continue to maintain a passing status on their respective building fire and life safety evaluations.

13.3.2.26.2.1 Existing high-rise buildings shall be protected throughout by an approved automatic fire sprinkler system in accordance with this Chapter and the building code.

13.3.2.26.2.2 Each building owner shall, within 180 days from the effective date of this ordinance, file an intent to comply with this regulation with the AHJ for approval.

13.3.2.26.2.3 The AHJ shall review and respond to the intent to comply submittal within 60 days of receipt of the intent to comply.

13.3.2.26.2.4 The entire building shall be required to be protected by an approved automatic fire sprinkler system as approved by the AHJ within 12 years of the adoption of this ordinance, except where an extension is approved by the AHJ as provided in Section 13.3.2.26.2.5.

13.3.2.26.2.5 Compliance with the automatic fire sprinkler system provisions of Section 13.3.2.26.1 shall be achieved as follows: Common areas for buildings 20 floors and over shall be completed within eight years from the effective date of this ordinance, common areas for buildings 10 to 19 floors shall be completed within 10 years from the effective date of this ordinance, and all buildings, regardless of the number of floors, shall be completed within 12 years from the effective date of this ordinance. An extension to 15 years from the effective date of this ordinance may be approved by the AHJ, provided compliance has been achieved for common areas.

EXCEPTION: Existing high-rise residential buildings are exempted from the automatic fire sprinkler system requirements in Section 13.3.2.26.2.1 if all dwelling units have exterior access and a continuous egress path to exit the building and have no full-length interior corridors.

EXCEPTION: Existing high-rise residential buildings less than 10 floors in height can receive a building fire and life safety evaluation passing status in lieu of the approved automatic sprinkler system requirements in Section 13.3.2.26.2.1.

EXCEPTION: Existing high-rise buildings may be protected throughout by an approved automatic fire sprinkler system per NFPA 13R when approved by the AHJ.

EXCEPTION: Private balconies that have at least one long side that is 50% open are not required to have automatic fire sprinkler protection.

EXCEPTION: Elevator hoistways and machine rooms are not required to have automatic fire sprinkler protection.

EXCEPTION: Class II wet standpipe systems may be removed when buildings are protected throughout by automatic fire sprinkler systems per Section 13.3.2.26.2.

EXCEPTION: Combined standpipe and automatic fire sprinkler systems using existing standpipes shall be permitted to utilize pump sizing for the fire sprinkler demand."

2. Renumbers all subsequent paragraphs thereafter accordingly.
- B. Deletes existing Section 7 of the bill and renumbers remaining sections of the Bill accordingly.
- C. Makes miscellaneous technical and nonsubstantive amendments.

Related communications:

D-717 (2017) –From the Honolulu Fire Department, transmitting report pertaining to a fire incident that occurred at Marco Polo Condominiums.

D-746 (2017) – From the Honolulu Fire Department, responding to questions received at the September 16, 2017 Fire Safety Forum.

D-773 (2017) – From the Honolulu Fire Department, Honolulu Fire Safety Advisory Committee Report

EXECUTIVE SESSION

The Committee anticipates going into Executive Session pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), to consult in a closed meeting with the attorneys for the Council Executive Matters and Legal Affairs Committee on questions and issues pertaining to claims and other matters on the Council's powers, duties, privileges, immunities and/or liabilities.

6. To request for authorization to settle a case against the City and County of Honolulu entitled Francisco Franson, et al. v. City and County of Honolulu, et al.; Civil No. CV16-00096 DKW/KSC.
7. To request authorization to settle a case against the City and County of Honolulu entitled Randy Rivera, et al. v. City and County of Honolulu, Shawn Cavaco; Civil No. CV15-00360 LEK/KSC.
8. To request authorization to settle a lawsuit to be filed in the U.S. District Court for the District of Hawaii entitled United States v. City and County of Honolulu and All Island Automotive Towing.

RON MENOR, Chair
Committee on Executive Matters and
Legal Affairs