



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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**NOTE: RESOLUTION 18-266 ON
PAGE 19 IS CANCELLED AND
WILL NOT BE CONSIDERED.**

ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
32ND SESSION
WEDNESDAY, DECEMBER 5, 2018
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 768-3814.

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.

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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet" §92-7.5, HRS) are available for public inspection at the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.).

Accommodations are available upon request to persons with disabilities, please call 768-3814 or send an email to jyaman1@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, December 5, 2018

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

CALL TO ORDER – 10 A.M.

Roll Call

Introduction of Guests

Approval of Minutes of the 31st Session

ORDER OF BUSINESS
Wednesday, December 5, 2018

ORDER OF THE DAY

ENTER INTO THE COUNCIL JOURNAL

MM-155

From Mayor Kirk Caldwell, returning vetoed Bill 72, CD1, FD1,
relating to fire safety.

FOR CONSIDERATION

Bill 72, CD1, FD1

Relating to fire safety.

PASS FINAL READING, THE MAYOR'S VETO TO THE
CONTRARY NOTWITHSTANDING

PUBLIC HEARING/RESOLUTIONS

Resolution 18-250 (Parks, Community and
Customer Services)

Relating to the appointment of Deborah Pope to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 18-251 (Parks, Community and
Customer Services)

Relating to the appointment of Vincent A. Hazen to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 18-252 (Budget)

Relating to the appointment of Kim Yoshimoto serve on the Grants In Aid Advisory Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

APPOINTMENTS – RESOLUTIONS

PLANNING

CR-383

Resolution 18-204

Confirming the reappointment of Mr. Arthur B. Tolentino to serve on the Planning Commission of the City and County of Honolulu.

FOR ADOPTION

BUDGET

CR-391

Resolution 18-217

Confirming the reappointment of Mr. Neil P. Petagno to serve on the Board of Review I for Real Property Tax Appeals of the City and County of Honolulu.

FOR ADOPTION

CR-392

Resolution 18-218

Confirming the appointment of Mr. Jeffrey Freitas 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, December 5, 2018

PUBLIC HEARING/SECOND READING

BUDGET

CR-390

Bill 74, CD1

Relating to penalties. (Establishing certain provisions, including a set fine, for a person who has abandoned a vehicle on a public street or highway.)

PASS SECOND READING, AS AMENDED

ZONING AND HOUSING

CR-408

Bill 79, CD1

Relating to detached dwellings. (Addressing the problem of the illegal use of large residential structures in residential districts.)

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS
Wednesday, December 5, 2018

THIRD READING

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-378

Bill 76, CD1

Relating to parks. (Maintaining the existing recreational uses of Ala Moana Regional Park, ensuring that the park is safe for park users, and preserving the enjoyment of the park for the largest number of park users.)

PASS THIRD READING

PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

CR-400

Bill 41, CD1

Relating to public property. (Addressing damage to, and alteration of, public property, including prohibiting alteration of public property by the posting of unauthorized signs thereon.)

PASS THIRD READING, AS AMENDED

CR-401

Bill 65

Relating to private streets and roads. (Addressing the conditions under which the City may maintain private streets and roads and recover the costs of providing such maintenance.)

PASS THIRD READING

ORDER OF BUSINESS
Wednesday, December 5, 2018

ZONING AND HOUSING

CR-357

Bill 45, CD2

Relating to the Haleiwa Special District. (Amending certain provisions, a table, and maps pertaining to the Haleiwa Special District, to ensure that the district regulations continue to fulfill their purpose of guiding development and protecting and enhancing the physical and visual aspects of the Haleiwa Special District for the benefit of the community as a whole.)

PASS THIRD READING, AS AMENDED

Bill 45, CD2, Proposed FD1
(Submitted by Council Chair Martin)

ORDER OF BUSINESS
Wednesday, December 5, 2018

FIRST READING

Bill 83 (Transportation)

Relating to pedestrian safety. (Improving the safety of pedestrians in the City and County of Honolulu.)

PASS FIRST READING

Bill 84 (Zoning and Housing)

Relating to structures built without a required permit. (Deterring construction activities conducted without building permits by withholding the issuance of necessary permits or approvals until all outstanding fines for such unpermitted activities are paid.)

PASS FIRST READING

Bill 85 (Zoning and Housing)

Relating to vacation rentals. (Amending the Land Use Ordinance to further regulate vacation rentals.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, December 5, 2018

Bill 86

(Zoning and Housing)

Relating to certain visitor accommodations. (Amending the Land Use Ordinance's regulation of transient vacation units and bed and breakfast homes.)

PASS FIRST READING

Bill 87

(Zoning and Housing)

Relating to certain visitor accommodations. (Amending the Land Use Ordinance relating to transient vacation units and bed and breakfast homes).

PASS FIRST READING

Bill 88

(Zoning and Housing)

Relating to short-term rental accommodations. (Amending the Land Use Ordinance to further address the regulation of bed and breakfast homes and transient vacation units).

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, December 5, 2018

Bill 89

(Zoning and Housing)

Relating to short-term rentals. (Improving the regulation of short-term rentals).

PASS FIRST READING

Bill 90

(Zoning and Housing)

Relating to short-term rentals. (Amending the Revised Ordinances of Honolulu to require disclosure of whether short-term rentals are allowed on a property that is being sold.)

PASS FIRST READING

Bill 91

(Zoning and Housing)

Relating to county inspections. (Amending the Revised Ordinances of Honolulu to establish the offense of knowingly making a false statement to a City official as a misdemeanor.)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, December 5, 2018

Bill 92

(Public Works, Infrastructure
and Sustainability)

Relating to polystyrene foam containers. (Addressing the use
of polystyrene foam containers.)

PASS FIRST READING

Bill 93

(Zoning and Housing)

Relating to building permits. (Improving the administration
and efficiency of building permit processing.)

PASS FIRST READING

RESOLUTIONS

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-379

Resolution 18-227, CD1

Accepting a gift to the City from Bank of Hawaii.

FOR ADOPTION, AS AMENDED

CR-380

Resolution 18-260

Accepting of a gift to the City from Shimmick/Traylor/
Granite JV.

FOR ADOPTION

CR-381

Resolution 18-264, CD1

Renaming the Diamond Head Tennis Center to the
Donald A. Andrews Tennis Center at Diamond Head.

FOR ADOPTION, AS AMENDED

Resolution 18-264, CD1, Proposed FD1
(Submitted by Councilmember Ozawa)

Renaming the Diamond Head Tennis Center to the
Donald A. Andrews Diamond Head Tennis Center.

ORDER OF BUSINESS
Wednesday, December 5, 2018

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

CR-382

Resolution 18-265

Urging the Administration to expedite the transfer by deed of 400 acres of designated Kalaeloa Parklands from the United States to the City and County of Honolulu.

FOR ADOPTION

PLANNING

CR-384

Resolution 18-243

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

FOR ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-385

Resolution 18-261

Accepting a gift to the City from the Seoul Metropolitan Government.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 5, 2018

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-386

Resolution 18-224, CD1

Relating to an equal minimum wage for workers with disabilities.

FOR ADOPTION, AS AMENDED

CR-387

Resolution 18-276

Opposing the Federal Communications Commission's proposed rules on the regulation of the local cable television franchising process.

FOR ADOPTION

CR-388

Resolution 18-279

To request additional funds for Contract No. SC-COR-1800081 to continue the services of McCorriston Miller Mukai MacKinnon LLP, as Special Deputy Corporation Counsel to represent the City and County of Honolulu in a legal action entitled Clifford McArthur Rigsbee as Personal Representative of the Estate of Clifford Meredith Rigsbee, Deceased v. the City and County of Honolulu, Civil No. 17-00532 HG-KSC

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 5, 2018

BUDGET

CR-394

Resolution 18-234, CD1

Accepting a gift to the City from the Honolulu Zoological Society.

FOR ADOPTION, AS AMENDED

CR-396

Resolution 18-253

Accepting a gift to the City from Ignite Cities, LLC.

FOR ADOPTION

CR-399

Resolution 18-271, CD1

Accepting a gift to the City from the Consumer Technology Association.

FOR ADOPTION, AS AMENDED

ORDER OF BUSINESS
Wednesday, December 5, 2018

BUDGET (Cont'd.)

CR-393

Resolution 18-226

Relating to the transfer of funds. (Department of Community Services)

FOR ADOPTION

CR-395

Resolution 18-244

Relating to the transfer of funds. (Honolulu Emergency Services Department)

FOR ADOPTION

CR-397

Resolution 18-263

Providing for the acquisition of a pedestrian 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.

LAID OVER AND BE PUBLISHED

ORDER OF BUSINESS
Wednesday, December 5, 2018

BUDGET (Cont'd.)

CR-398

Resolution 18-268, CD1

Relating to the transfer of funds. (Department of Land Management)

FOR ADOPTION, AS AMENDED

PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

CR-402

Resolution 18-149, CD1

Authorizing acceptance of the dedication and transfer of various parcels and remnant roadways from the Hawaii Community Development Authority in the Kakaako Community Development District to the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

CR-403

Resolution 18-221, CD1

Urging the City Administration to establish goals for 100 percent renewable energy and a carbon neutral economy to accelerate the City and County of Honolulu's implementation of the 2018 Global Climate Action Summit Policies.

FOR ADOPTION, AS AMENDED

Resolution 18-221, CD1, Proposed FD1
(Submitted by Councilmember Fukunaga)

ORDER OF BUSINESS
Wednesday, December 5, 2018

PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY (Cont'd.)

CR-404

Resolution 18-266

CANCELLED

~~Urging the United States Environmental Protection Agency and the Hawaii State Department of Health to reject the approval of a single wall tank upgrade alternative option for the Red Hill Bulk Fuel Storage Facility and to reject the conclusions presented in the Groundwater Protection and Evaluation Considerations for the Red Hill Bulk Fuel Storage Facility Report dated July 27, 2018.~~

FOR ADOPTION

ZONING AND HOUSING

CR-410

Resolution 18-236, CD1

Approving a conceptual plan for a planned development-apartment project for the redevelopment of 2.52 acres with mixed use commercial and residential project in Waikiki, Oahu. (Applicant: OliverMcMillan Kuhio, LLC) (Deadline: 12/17/18)

FOR ADOPTION, AS AMENDED

CR-412

Resolution 18-272

Urging the Administration to implement emergency procedures to alleviate the processing backlog causing delays in the issuance of building permits.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 5, 2018

PUBLIC HEALTH, SAFETY AND WELFARE

CR-413

Resolution 18-235

Accepting a gift to the City from Ms. Jo Ann Trask.

FOR ADOPTION

CR-414

Resolution 18-247

Relating to the acceptance of a gift to the City from Hawaii Specialty Vehicles to provide refreshments at a Honolulu Fire Department (HFD) Apparatus Blessing Ceremony.

FOR ADOPTION

CR-415

Resolution 18-258, CD1

Accepting a gift to the City from the Honolulu Police Community Foundation.

FOR ADOPTION, AS AMENDED

CR-416

Resolution 18-259

Accepting a gift to the City from Hawaiian Airlines.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 5, 2018

PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

The following Resolutions have been posted in anticipation of the action to be taken by the Council’s Committee on Public Works, Infrastructure and Sustainability at its meeting on Tuesday, December 4, 2018; and therefore, the Council may or may not take action on the Resolutions or any amendments proposed thereto.

CR-____ Resolution 18-280 and any amendments proposed thereto

Approving the revised 2018 update to the City and County of Honolulu’s Homeless Action Plan for all Council districts.

FOR ACTION

CR-____ Resolution 18-281 and any amendments proposed thereto

Withholding approval of the 2018 update to the City and County of Honolulu’s Homeless Action Plan.

FOR ACTION

BALANCE OF COMMITTEE REPORTS

- EMLACR-389 Request for authorization to settle a case against the City and County of Honolulu entitled Cindy Masako Kamikawa, as personal representative of the Estate of Jon Kamikawa v. City and County of Honolulu, et at., Civil No. 16-1-0292-02 VLC (First Circuit Court)
- PWISCR-405 Deed conveying roadway Lots 16440 to 16444, inclusive; Grant of Drain Easement 6288; Grant of Flowage Easement 6288; and Grant of Sewer Easement 6288 (Mililani Mauka Unit 128 Subdivision). (D-705)
- ZHCR-406 Bill 46, CD1 – Relating to the Haleiwa Special District. Granting a 120-day extension of time. (Deadline: 1/25/19 + 120 days)
- ZHCR-407 Bill 47, CD1 – Relating to mobile commercial establishments. Granting a 120-day extension of time. (Deadline: 1/25/19 + 120 days)
- ZHCR-409 Bill 80 – Relating to detached dwellings. Granting a 120-day extension of time. (Deadline: 1/31/19 + 120 days)
- ZHCR-411 Resolution 18-238 – Granting a Special Management Area (SMA) Use Permit to allow the development of three single-family dwelling units on the site. Granting a 120-day extension of time. (Deadline: 12/21/18 + 120 days)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, December 5, 2018

UNFINISHED BUSINESS

NEW BUSINESS

Resolution 18-269

Approving the grant of perpetual non-exclusive waterline easements to the United States of America, Department of the Navy within the City's portion of Waihona Street, TMK: 9-6-004-Road and Second Street, TMK: 9-7-021-Road.

FOR ACTION

Resolution 18-274

Establishing a sister city relationship with Sakaimachi, Ibaraki Prefecture, Japan.

FOR ACTION

ORDER OF BUSINESS
Wednesday, December 5, 2018

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

If the need arises with respect to any item on this agenda, then pursuant to Council Rule 12.A and Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), the Council may resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues pertaining to the Council's powers, duties, privileges, immunities and/or liabilities relating to that item.

ANNOUNCEMENTS

ADJOURNMENT