



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON BUDGET

Voting Members:

Joey Manahan, Chair
Brandon Elefante, Vice Chair
Ron Menor
Kymberly Marcos Pine
Tommy Waters

AGENDA

REGULAR MEETING
CITY COUNCIL CHAMBER
MONDAY, OCTOBER 21, 2019
1:30 P.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 1:30 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 768-3818.

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, will be available to the public on the City Council's pilot website: www.honolulucitycouncil.com as well as the City's legacy DocuShare Website.

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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 768-3818 or send an email to gmurayama@honolulu.gov at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through www.honolulucitycouncil.com and 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 ACTION

1. **[RESOLUTION 19-234](#) – PLAN TO INCORPORATE LESSONS LEARNED FROM PRIOR AND CURRENT RAIL PROJECT CONSTRUCTION.** Urging the Honolulu Authority for Rapid Transportation to establish a plan to incorporate lessons learned from its prior and current rail project construction contracts into the upcoming City Center guideway and stations contract in general, and the Dillingham Boulevard segment of this contract in particular, in order to prepare, assist, and create value for the Dillingham Boulevard area residential and business communities, and thus, mitigate the impacts of rail project construction on those communities.
2. **[BILL 42 \(2019\)](#) – AMENDING ORDINANCE NO. 18-39.** Updating and amending Ordinance 18-39 regarding the limitations on the City Subsidy to the capital cost of the Honolulu Rail Transit Project. (Bill passed second reading and public hearing held 9/4/19)
3. **[RESOLUTION 19-207](#) – FOUR-YEAR AREA PLAN ON AGING.** Approving the receipt and expenditure of any and all monies given by public and/or private sources to the City, for the purposes set forth in the Four-Year Area Plan on Aging for the fiscal years beginning October 1, 2019 and ending September 30, 2023. (Transmitted by Communication [D-597](#))

[PROPOSED CD1 TO RESOLUTION 19-207](#) (Submitted by Councilmember Manahan) – The CD1 (OCS2019-0943/9/4/2019 1:01 PM) makes the following amendments:

- A. Amends the title, statement of purpose, WHEREAS clauses and RESOLVED clauses of the resolution to express that the Council, by adoption of the resolution, is “supporting,” rather than “approving,” the Four-Year Area Plan on Aging.
- B. Adds a new 5th WHEREAS clause to state that any receipt and expenditure of funds under the Plan, where such funds have not already been appropriated in an annual budget ordinance, will be in accordance with the budgetary procedures for limited purpose monies.
- C. Labels the attached Four-Year Area Plan on aging as “Exhibit A” and adds appropriate references to it.
- D. Makes miscellaneous technical and nonsubstantive amendments.

4. **[RESOLUTION 19-264](#) – PERFORMANCE AUDIT OF THE OPERATIONS OF THE TICKET SALES OPERATIONS OF THE DEPARTMENT OF ENTERPRISE SERVICES FOR EVENTS HELD AT THE NEAL S. BLAISDELL CENTER.** Directing the City Auditor to conduct a performance audit of the ticket sales operations of the Department of Enterprise Services for events held at the Neal S. Blaisdell Center.
5. **[RESOLUTION 19-221](#) – LIQUOR COMMISSION RULES.** Petitioning the Honolulu Liquor Commission to amend the Liquor Commission Rules.

[PROPOSED CD1 TO RESOLUTION 19-221](#) (Submitted by Councilmember Manahan) – The CD1 (OCS2019-0982/9/13/2019 11:48 AM) makes the following amendments:

- A. In the 8th WHEREAS clause, changes the reference from Rules Section 3-83-61 to Rules Section 3-83-61.1.
 - B. In the 9th WHEREAS clause, changes the reference from HRS Section 291-61(b) to HRS Section 281-61(b).
 - C. In the 23rd WHEREAS clause, changes the reference from Rules Section 3-81-61 to Rules Section 3-83-61.1.
 - D. Makes miscellaneous technical and nonsubstantive amendments.
6. **[RESOLUTION 19-222](#) – TRANSFER OF FUNDS (DTS).** Authorizing the transfer of \$100,000 from the Provision for Grants, Partnerships and Security to the Department of Transportation (DTS) Transportation Planning Division as a 20 percent local match for an 80 percent Federally funded project. (Transmitted by Communication [D-631](#))

[PROPOSED CD1 TO RESOLUTION 19-222](#) (Submitted by Councilmember Manahan) – The CD1 (OCS2019-0967/9/11/2019 3:28 PM) makes the following amendments:

- A. Clarifies in the fifth WHEREAS clause that the Council has already approved a prior transfer of funds of \$300,000 for the local cost share match for the PE-1 of the Ala Wai Bridge Project via Resolution 18-164, CD1.
- B. Revises the BE IT RESOLVED clause to state that the transfer of funds is only between activities and not characters of expenditures.

- C. Makes changes to comport with current drafting conventions.
 - D. Makes miscellaneous technical and nonsubstantive amendments.
7. **BILL 44 (2019) – SHARED MICROMOBILITY VEHICLES.** Authorizing the city to reserve parking stalls and other areas for a fee for the deployment and parking of shared micromobility vehicles fleets, and setting the conditions and requirements for these permits. (Bill passed second reading and public hearing held 9/4/19)

PROPOSED CD1 TO BILL 44 (2019) (Submitted by Councilmember Manahan) –
The CD1 (OCS2019-1020/9/27/2019 2:14 PM) makes the following amendments:

- A. In SECTION 1, revises the purpose clause to add "by permit" and to change "vehicles" to the singular.
- B. In SECTION 2, revises new ROH Section 15-____.3(a) to list conditions for the director's issuance of an SMV parking permit, including unspecified limits on the total number of reserved SMV parking permits and number of SMV parking permits per street block and, to add authority for the director to implement a lottery system under certain circumstances.
- C. In SECTION 2, revises new ROH Section 15-____3 to remove the following language from subsection (a) and place it in a new subsection (g):
 - "(g) Subject to the approval of the director, an operator may mark or indicate the area covered by the SMV parking permit using paint, signage, or decals to guide the operator's SMV users to authorized parking areas."
- D. In SECTION 2, revises new ROH Section 15-____.4:
 - 1. At subsection (f) to clarify that annual renewal of registration does not apply to SMVs that are no longer deployed;
 - 2. At subsection (g), to add the phrase "and safe to operate"; and
 - 3. To delete subsection (k) and redesignate the subsequent subsection.

- E. In SECTION 2, revises new ROH Section 15-____.5(b) to remove the last sentence which had read as follows:
- "When the director or designee, or department employee or agent, or police officer removes or causes to remove an SMV, the department will notify the operator and will assess a fine of \$50.00 per SMV to be paid prior to the city's release of the vehicle."
- F. In SECTION 2, revises new ROH Section 15-____.6 by amending the language of subsection (d) and by adding a new subsection (e), to read as follows:
- "(d) Data submitted by an operator to the department pursuant to this section may be subject to public disclosure, and the department may publish such data, except data identifying individual users or their private information. The department may use and analyze the data it receives from each operator.
- (e) An operator need not submit the data required by this section to the department if the director determines the data is proprietary, in which event, the operator must make the data available for the director's inspection in lieu of submitting the data to the city."
- G. In SECTION 2, revises new ROH Section 15-____.7(a) to add the words "and renewal" in the beginning phrase of the subsection.
- H. In SECTION 2, revises new ROH Section 15-____7(c) to read as follows:
- (c) SMV parking permit fee. The annual fee per SMV parking permit per designated stall shall be as follows:
- (1) For a stall designated in a parking meter zone, a fee equal to the corresponding shared mobility annual rental rate, as set forth in Section 15-22.4;
 - (2) For a stall designated in an unmetered area, a fee equal to the annualized daily charge for each parking space or unmetered parking stall, exclusive of Sundays and state holidays, as set forth in Section 15-22.8;

- (3) For a stall designated in an off-street parking facility or in an attendant parking facility, a fee equal to the corresponding shared mobility annual rental rate, as set forth in Section 15-23.2A; and
- (4) For a portion of property controlled by the city that is not covered by subdivisions (1) - (3), a fee in an amount to be determined by the director.

I. In SECTION 2, adds a new ROH Section 15-____.8, to read as follows:

"Sec. 15-____.8 Removal of unpermitted SMVs.

It is unlawful for an SMV business to park or deploy SMVs on any city property, including streets and sidewalks, without a valid SMV parking permit. When an SMV owned by an unpermitted SMV business is parked on city property and is found to be available for rent to the public, the city is authorized to remove and store the SMV. "

J. In SECTION 2, renumbers new ROH Section 15-____.8 to Section 15-____.9, (and renumbers subsequent sections), which reads as follows:

"Sec. 15-____.9 Administrative enforcement.

Enforcement of this article shall be done pursuant to the traffic code as set forth in Articles 4 and 26. If any operator is found to be in violation of its SMV parking permit, this chapter, or other applicable laws, the department may immediately suspend or revoke the operator permit, and refuse to issue subsequent SMV parking permits to that SMV business."

K. In SECTION 2, adds a new ROH Section 15-____.10 (and renumbers subsequent sections), to read as follows:

"Sec. 15-____.10 Fine--Costs.

When an SMV is removed by the director or designee, a department employee or agent, or police officer pursuant to this article, the department will assess a fine \$_____ per SMV to be paid by the operator to the city prior to the city's release of the SMV. In addition, the director may require an SMV business to reimburse any costs the city, department, or any other city agency or office incurs to address or abate the noncompliance with this article."

- L. Adds a new SECTION 3 to amend ROH Section 15-13.9(a) to add a new circumstance in which HPD or CSD may remove and store vehicles, to read as follows:

"(24) When a shared micromobility vehicle is parked on city property in violation of Article _____."
 - M. Renumbers prior SECTION 3 as "SECTION 4", and renumbers subsequent SECTIONS accordingly.
 - N. In new SECTION 4:
 - 1. Amends Section 28-3.3 relating to exceptions to the normal requirement that City concessions be bid out to update references to the "finance director" with references to the "director of budget and fiscal services."
 - 2. Revises subsection 28-3.3 to add a new exception in subdivision (j) to read as follows:

"(j) Parking Stalls for Shared Micromobility Vehicles. Concessions or concession spaces, including parking stalls, set aside for shared micromobility vehicle businesses."
 - O. Makes miscellaneous technical and nonsubstantive amendments.
8. **BILL 55 (2019) – REAL PROPERTY TAXATION.** Creating a real property tax classification for properties used for bed and breakfast home purposes and clarifies the classification of transient vacation units. (Transmitted by Communication [D-684](#); bill passed first reading 10/9/19)
- PROPOSED CD1 TO BILL 55 (2019)** (Submitted by Councilmember Manahan) – The CD1 (OCS2019-1084/10/15/2019 8:45 AM) makes the following amendments:
- A. In SECTION 1 of the bill, deletes references to findings and intent.
 - B. In SECTION 2 of the bill:
 - 1. Amends ROH Section 8-7.1(c)(4) by adding a reference to Hawaii Revised Statutes Chapter 514B.

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2. Updates Section 8-7.1(c)(3) to reflect existing codified language.
 3. Revises Section 8-7.1(h) to state that real property operating as a transient vacation unit under a valid nonconforming use certificate or as otherwise permitted under Chapter 21 must be classified as hotel and resort.
 4. revises Section 8-7.1(j) to state that real property operating as a “bed and breakfast home”, as such term is defined in Section 21-10.1, under a valid nonconforming use certificate or as otherwise permitted under Chapter 21, must be classified as bed and breakfast home.
- C. Makes miscellaneous technical and nonsubstantive amendments.

JOEY MANAHAN, Chair
Committee on Budget