



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
39TH SESSION
THURSDAY, NOVEMBER 5, 2020
10 A.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Fourteenth Proclamation issued by Governor David Ige on October 13, 2020, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast. The meeting will be viewable: (1) by internet live streaming through www.honolulucitycouncil.com and <http://olelo.granicus.com/MediaPlayer.php?publishid=92>; and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand 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.

Some Councilmembers may be participating in the meeting by interactive conference technology from remote locations.

ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Webex internet platform. To participate, persons should visit www.webex.com, click "Join," enter meeting number 1463718942, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either

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phone or video conference. Webex testifiers are strongly encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.

2. Each speaker may not have anyone else read their statement and is limited to:
 - a. A three-minute presentation on Public Hearing, New Business, and Sunshined items; and
 - b. A 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, email address and phone number, will be available to the public on both the City's Council's pilot website: www.honolulucitycouncil.com as well as the City's legacy DocuShare Website. Written testimony will not be accepted in person at the meeting.

Should you have any questions, please call 768-3814 or send an email to jyamane1@honolulu.gov.

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*" under HRS Section 92-7.5) are accessible at www.honolulucitycouncil.com by clicking on the link for each item on the online agenda for the meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3814 or send an email to jyamane1@honolulu.gov at least three working days prior to the meeting.

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PLEDGE OF ALLEGIANCE

CALL TO ORDER

Roll Call

Introduction of Guests

Approval of Minutes of the 38th Session

ORAL TESTIMONY REMOTELY VIA VIDEO CONFERENCE OR PHONE

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ORDER OF THE DAY

PUBLIC HEARING/RESOLUTIONS

Resolution 20-257

(Parks, Community Services
and Intergovernmental Affairs)

Relating to the reappointment of Stephen F. Mechler to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-258

(Parks, Community Services
and Intergovernmental Affairs)

Relating to the reappointment 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

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Resolution 20-259

(Budget)

Relating to the reappointment of Malama Minn to serve on the Liquor Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-273

(Zoning, Planning and Housing)

Confirming the appointment of Mr. Ryan Kamo to serve on the Planning Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-274

(Executive Matters and Legal Affairs)

Relating to the reappointment of Peter Alder to serve on the Ethics Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

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Resolution 20-275

(Budget)

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

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-276

(Zoning, Planning and Housing)

Relating to the appointment of James Wataru to the Zoning Board of Appeals.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-277

(Budget)

Confirming the appointment of Mr. Cameron Higgins to serve on the Board of Review I for Real Property Tax Appeals of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

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Resolution 20-278 (Executive Matters and Legal Affairs)

Confirming the appointment of Clyde Hayashi to serve on the Civil Service Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-279 (Public Safety and Welfare)

Confirming the reappointment of Joseph Miller to serve on the Citizens Advisory Commission on Civil Defense of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-280 (Budget)

Confirming the appointment of Ms. Jennifer Andrews to serve on the Board of Review III for Real Property Tax Appeals of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

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Resolution 20-281 (Parks, Community Services
and Intergovernmental Affairs)

Confirming the reappointment of Tyler Dos Santos-Tam to serve on the Neighborhood Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-282 (Public Safety and Welfare)

Relating to the reappointment of Max S.Y. Hannemann to serve on the Fire Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-283 (Budget)

Confirming the appointment of Ms. Catherine Segi 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

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Resolution 20-284

(Budget)

Relating to the reappointment of Darren Y.T. Lee to serve on the Liquor Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 20-285

(Parks, Community Services
and Intergovernmental Affairs)

Relating to the appointment of Andrew Rosen to serve on the Commission on Culture and the Arts of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

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ZONING, PLANNING AND HOUSING

CR-267

Resolution 20-222 and

Resolution 20-222, Proposed CD1

Approving the East Kapolei Neighborhood Transit-Oriented Development (TOD) Plan.

ADOPT COMMITTEE REPORT AND REFER THE RESOLUTIONS TO THE COMMITTEE ON ZONING, PLANNING AND HOUSING

CR-268

Resolution 20-224 and

Resolution 20-224, Proposed CD1

Approving the Halawa Area Transit-Oriented Development (TOD) Plan.

ADOPT COMMITTEE REPORT AND REFER THE RESOLUTIONS TO THE COMMITTEE ON ZONING, PLANNING AND HOUSING

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APPOINTMENTS – RESOLUTIONS

PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY

CR-256

Resolution 20-240

Relating to the reappointment of Bryan P. Andaya to serve on the Board of Water Supply of the City and County of Honolulu.

FOR ADOPTION

CR-257

Resolution 20-241, CD1

Confirming the reappointment of Dr. Charles Fletcher, III, to serve on the Climate Change Commission of the City and County of Honolulu.

FOR ADOPTION, AS AMENDED

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PUBLIC HEARING/SECOND READING

PARKS, COMMUNITY SERVICES AND INTERGOVERNMENTAL AFFAIRS

CR-238

Bill 10

Relating to Department of Parks and Recreation permits. (Amending the ordinances relating to permits issued by the Department of Parks and Recreation, in particular, this ordinance requires gender equity for sports activities requiring a park use permit.)

PASS SECOND READING

CR-239

Bill 59, CD1

Relating to parks. (Facilitating the administration of the Adopt-a-Park program and Community Recreational Gardening program expansion.)

PASS SECOND READING, AS AMENDED

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BUSINESS, ECONOMIC DEVELOPMENT AND TOURISM

CR-242

Bill 70

Relating to the establishment of a Keep Hawaii Hawaii Pass Program to stimulate economic development. (Establishing a program that would allow both visitors and residents to purchase passes for discounts and priority access to popular Oahu attractions, stimulate the economy, and raise funds to improve and maintain Oahu's natural resources impacted by tourism.)

PASS SECOND READING

Bill 70, Proposed FD1
(Submitted by Councilmember Pine)

BUDGET

CR-249

Bill 65, CD1

To amend Chapter 2 of the Revised Ordinances of Honolulu 1990, as amended, relating to the Office of Climate Change, Sustainability and Resiliency. (Describing the duties and responsibilities of the Office of Climate Change, Sustainability and Resiliency.)

PASS SECOND READING, AS AMENDED

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BUDGET (Cont'd.)

CR-250

Bill 71, CD1

Amending Ordinance No. 18-39. (Updating and amending Ordinance 18-39, as amended by Ordinance 19-25, regarding the limitations on the City Subsidy to the capital cost of the Honolulu Rail Transit Project.)

PASS SECOND READING, AS AMENDED

CR-251

Bill 76

Relating to real property taxation. (Addressing the taxation of vacant residential properties.)

PASS SECOND READING

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PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY

CR-255

Bill 75

Relating to fire safety. (Extending by one year various deadlines in the Fire Code of the City and County of Honolulu that were established by Ordinance 18-14 and Ordinance 19-4 in light of unexpected business interruptions and job losses associated with Hawaii's COVID-19 shutdowns in 2020.)

PASS SECOND READING

ZONING, PLANNING AND HOUSING

CR-261

Bill 57, CD1

Relating to detached dwellings. (Further addressing the regulations on large residential structures in residential districts.)

PASS SECOND READING, AS AMENDED

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ZONING, PLANNING AND HOUSING (Cont'd.)

CR-262

Bill 58

Relating to clean energy projects. (Developing expedited permitting procedures for consumer clean energy projects in order to support rapid consumer adoption of clean energy solutions while continuing to protect the health and safety of Honolulu's residents.)

PASS SECOND READING

CR-266

Bill 64, CD1

To adopt an amendment to the 'Ewa Development Plan (2013) for the City and County of Honolulu. (Amending portions of the existing Development Plan for 'Ewa, Article 3, Chapter 24, Appendix 24-3, Revised Ordinances of Honolulu 1990, as described in Exhibit A.)

PASS SECOND READING, AS AMENDED

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THIRD READING

BUDGET

CR-248

Bill 17, CD1

Relating to real property taxation. (Addressing the real property tax exemption for homes of totally disabled veterans.)

PASS THIRD READING, AS AMENDED

PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY

CR-254

Bill 7, CD1

Relating to sewer systems. (Addressing unsewered properties with individual wastewater disposal systems within improvement districts.)

PASS THIRD READING, AS AMENDED

Bill 7, CD1, Proposed FD1
(Submitted by Councilmember Fukunaga)

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TRANSPORTATION

CR-264

Bill 47, CD1

Relating to crosswalks. (Establishing requirements concerning the City Administration's provision or offer to provide a presentation to the affected neighborhood board prior to the removal or relocation of an established, marked crosswalk.)

PASS THIRD READING

PUBLIC SAFETY AND WELFARE

CR-265

Bill 14, CD1

Relating to firefighters and emergency rescue operations. (Supporting our City's firefighters and their mission to save lives, especially those personnel assigned to emergency rescue operations on land and sea.)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS
Thursday, November 5, 2020

FIRST READING

Bill 81 (Budget)

Relating to real property taxation. (Providing real property tax relief for certain properties that are used as community gardens.)

PASS FIRST READING

Bill 82 (Public Infrastructure, Technology
and Sustainability)

Relating to reporting requirements for inspections of City-owned streams. (Requiring the Director and Chief Engineer of the Department of Facility Maintenance to periodically post on a website maintained by that department a written report on the status of the inspection of each City-owned stream.)

PASS FIRST READING

ORDER OF BUSINESS
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Bill 83 (Public Infrastructure, Technology
and Sustainability)

Relating to sustainability. (Allowing the public to cultivate edible plants in City owned rights-of-way.)

PASS FIRST READING

Bill 84 (Public Infrastructure, Technology
and Sustainability)

Relating to fire safety. (Amending the Fire Code of the City and County of Honolulu to further address fire safety in high-rise buildings.)

PASS FIRST READING

Bill 85 (Transportation)

Relating to abandoned vehicles. (Establishing certain provisions relating to the abandonment of vehicles including the denial of vehicle registration and a driver's license to any person who has abandoned a vehicle on a public street or highway.)

PASS FIRST READING

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Bill 86

(Transportation)

Relating to motor vehicles. (Ensuring the proper transfer and registration of motor vehicles in the City.)

PASS FIRST READING

Bill 87

(Budget)

Relating to public transit. (Amending Chapter 13, Revised Ordinances of Honolulu 1990, to amend the fare for paratransit services.)

PASS FIRST READING

Bill 88

(Zoning, Planning and Housing)

To adopt the revised East Honolulu Sustainable Communities Plan for the City and County of Honolulu. (Repealing the existing Sustainable Communities Plan for East Honolulu, Chapter 24, Article 4, Revised Ordinances of Honolulu, and adopting a new Article 4 incorporating the revised East Honolulu Sustainable Communities Plan.)

PASS FIRST READING

ORDER OF BUSINESS
Thursday, November 5, 2020

Bill 89

(Budget)

Relating to public transit. (Amending Chapter 2, Revised Ordinances of Honolulu 1990, to introduce the City Payment Card as a means to pay fares, fees, and charges for the transportation services, and to amend Chapter 13 to amend the fare structure for the City transit system.)

PASS FIRST READING

Bill 90

(Zoning, Planning and Housing)

Relating to building permits. (Addressing the processing of building permit applications.)

PASS FIRST READING

Bill 91

(Budget)

Relating to public transit. (Amending Chapter 13, Revised Ordinances of Honolulu 1990, establishing a new reduced fare available to eligible individuals with extremely low incomes.)

PASS FIRST READING

ORDER OF BUSINESS
Thursday, November 5, 2020

RESOLUTIONS

PARKS, COMMUNITY SERVICES AND INTERGOVERNMENTAL AFFAIRS

CR-240

Resolution 20-245

Urging the Governor and Mayor to allow persons of the same household to use parks, beaches, and trails in the City for the duration of the COVID-19 pandemic to protect their mental health and well-being and provide respite to victims of domestic violence.

FOR ADOPTION

CR-241

Resolution 20-248

Placing a memorial plaque at Tom Moffatt Waikiki Shell honoring Tom Moffatt.

FOR ADOPTION

ORDER OF BUSINESS
Thursday, November 5, 2020

EXECUTIVE MATTERS AND LEGAL AFFAIRS

(CR-217 adopted
10/7/20)

Resolution 20-145, CD1, FD1

Providing for the acquisition of land for public use, to wit: Kuahea Street area emergency repairs, situate at Waiomao, Palolo Valley, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain.

(Note: Laid over on 10/7/20 and published on 10/14/20)

FOR ADOPTION

CR-244

Resolution 20-242

Relating to the inclusion in the 2021 Hawaii State Association of Counties legislative package of a proposal that would, in the event of a public health emergency, require the State to provide diagnostic and antibody tests to certain persons at no cost to them and require health insurance coverage for diagnostic and antibody tests.

FOR ADOPTION

ORDER OF BUSINESS
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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-245

Resolution 20-247

Requesting the Legislature to enact legislation requiring the provision of health benefits to State and County employees and retirees using a self-insured model.

FOR ADOPTION

CR-246

Resolution 20-262

Establishing a City Council policy relating to certain financial incentives requested for projects developed under Section 201H-38 of the Hawaii Revised Statutes.

FOR ADOPTION

ORDER OF BUSINESS
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EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-247

Resolution 20-271

To request additional funds for Contract No. SC-COR-2000073 to pay for the services of McCorriston Miller Mukai & MacKinnon LLP as Special Counsel for the City and County of Honolulu on behalf of Defendant Keith M. Kaneshiro in a legal action entitled Julie M. Ake v. Keith M. Kaneshiro, et al., Civil No. 19-1-0730-05 BIA (Cir. Ct.)

FOR ADOPTION

BUDGET

CR-252

Resolution 20-256

Approving the sale of the residential fee simple interest of 91-1324 Kamahoi Street, within the Ho'akea Subdivision, Ewa, Hawaii, TMK: 9-1-046:007.

FOR ADOPTION

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BUDGET (Cont'd.)

CR-253

Resolution 20-263, CD1

Establishing City policies and priorities for the use of the Grants in Aid Fund.

FOR ADOPTION, AS AMENDED

PUBLIC INFRASTRUCTURE, TECHNOLOGY AND SUSTAINABILITY

CR-258

Resolution 20-261

Urging the City Administration to undertake mediation with interested property owners for the acquisition of their properties for public use and emergency repairs to address issues and infrastructure damage related to slow-moving landslides occurring in Palolo Valley along Waiomao Road, Kuahea Street, and Kuahea Place.

FOR ADOPTION

ORDER OF BUSINESS
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ECONOMIC ASSISTANCE AND REVITALIZATION

CR-259

Resolution 20-266

Supporting the second interim report of the Select Committee on Economic Assistance and Revitalization's Stakeholder Advisory Group.

FOR ADOPTION

ZONING, PLANNING AND HOUSING

CR-269

Resolution 20-251, CD1

Granting exemptions from certain requirements relating to the Hawaii Public Housing Authority Affordable Housing Development at 1002 North School Street, Kapalama, Oahu, Hawaii, Tax Map Key 1-6-009: 003 (por.). (Applicant: Retirement Housing Foundation) (Deadline: 11/15/20)

FOR ADOPTION, AS AMENDED

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ZONING, PLANNING AND HOUSING (Cont'd.)

CR-263

Resolution 20-265

Proposing an amendment to Chapter 21, Revised Ordinance of Honolulu 1990 (the Land Use Ordinance), relating to detached dwellings.

FOR ADOPTION

CR-270

Resolution 20-270, CD1

Authorizing exemptions from certain requirements relating to the residences at Bishop Place Affordable Housing Project at Honolulu, Oahu, Hawaii, Tax Map Keys 2-1-010: 015, 021 to 024, and 032. (Applicant: Douglas Emmett Management LLC) (Deadline: 11/30/20)

FOR ADOPTION, AS AMENDED

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ZONING, PLANNING AND HOUSING (Cont'd.)

CR-271

Resolution 20-272, CD1

Authorizing exemptions from certain requirements relating to the Kapolei Parkway Mixed-Use Affordable Rental Housing Project at Honouliuli, Ewa, Oahu, Hawaii, Tax Map Key 9-1-160: 018 (por). (Applicant: Kobayashi Group, LLC) (Deadline: 12/4/20)

FOR ADOPTION, AS AMENDED

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BALANCE OF COMMITTEE REPORTS

ZHCR-260

Granting a 120-day extension of time for Bill 2 (2019), CD1 –
Relating to Interim Planned Development Permits for transit-
oriented development within close proximity to future rail
stations. (Deadline: 11/29/20 + 120 days)

FOR ADOPTION

UNFINISHED BUSINESS

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NEW BUSINESS

Resolution 20-260

Accepting a gift to the City from the Honolulu Firefighters Foundation.

FOR ACTION

Resolution 20-287

Accepting a gift to the City from the Consulate General of the Republic of Korea, Honolulu.

FOR ACTION

Resolution 20-239

Urging the City Administration to identify and designate City-owned lands for urban agriculture activities.

FOR ACTION

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Resolution 20-244

Urging the Governor to support and promote businesses in Hawaii's cottage food program.

FOR ACTION

Resolution 20-267

Granting the Acting City Auditor's request for an extension of time to complete the performance audits of the Honolulu Police Department and Department of the Prosecuting Attorney requested by Resolution 19-255.

FOR ACTION

ORDER OF BUSINESS
Thursday, November 5, 2020

Resolution 20-268

Urging Hawaii's congressional delegation to advocate for an extension of the deadline to utilize Coronavirus Aid, Relief, and Economic Security ("CARES") Act funding and to provide additional funding for COVID-19 response and relief efforts.

FOR ACTION

Resolution 20-268, Proposed FD1
(Submitted by Councilmember Menor)

Resolution 20-269

Approving the granting of Easements E-1, E-2 and E-3 to Hawaiian Electric Company, Inc. and Hawaiian Telcom across the Mailiili Drainage Channel (TMK: 8-6-013:009).

FOR ACTION

Resolution 20-269, Proposed FD1
(Submitted by Councilmember Fukunaga)

Approving the granting of Easements E-1 and E-2 to Hawaiian Electric Company, Inc. and Hawaiian Telcom, and the granting of easement E-3 to Hawaiian Electric Company, Inc., across the Mailiili Drainage Channel (TMK: 8-6-013:009).

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Resolution 20-286

Amendment to Easements 4556, 3464 and 1541 to Hawaiian Electric Company, Inc. to expand its existing easements within various City-owned parks located in Mililani, Oahu, Hawaii. Tax Map Key Nos.: 9-5-001-068, 9-5-048-049 and 9-4-005-041.

FOR ACTION

Resolution 20-286, Proposed FD1
(Submitted by Councilmember Fukunaga)

Approving amendments to Easements 4556-1, 3474-1, and 1541-1 granted to Hawaiian Electric Company, Inc. to expand its existing easements within various City-owned parks located in Mililani, Oahu, Hawaii, Tax Map Key Nos.: 9-5-001:068, 9-5-048:049, and 9-4-005:041.

Resolution 20-288

Urging all branches of the governments of the State of Hawaii and the City and County of Honolulu to take and establish emergency measures to protect commercial tenants.

FOR ACTION

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Resolution 20-295

Relating to the 2021 Hawaii State Association of Counties legislative package.

FOR ACTION

Resolution 20-296

Urging the hotel industry to work with hotel employees to address return to work procedures to ensure a fair and equitable right to recall for hotel employees who have lost their jobs due to the COVID-19 pandemic and establish comprehensive safety and protective equipment standards to ensure safe working conditions for these employees and hotel guests.

FOR ACTION

Communication M-755

From Iris Kahalelio, requesting a 90-day extension of time on Bill 18, to rezone land situated at Waialua, Oahu, Hawaii. (Deadline: 12/23/20 + 90 days)

FOR ACTION

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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