



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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ORDER OF BUSINESS

REGULAR MEETING
CITY COUNCIL CHAMBER
25TH SESSION
WEDNESDAY, JUNE 1, 2016
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 768-3825 or 768-3813.

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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Accommodations are available upon request to persons with disabilities, please call 768-3825 or 768-3813 or send an email to potto1@honolulu.gov or 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?publishid=92>; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. 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, June 1, 2016

PLEDGE OF ALLEGIANCE

MESSAGE OF ALOHA

1. CALL TO ORDER – 10 A.M.

Roll Call

Introduction of Guests

Approval of Minutes of the 24th Session

ORDER OF BUSINESS
Wednesday, June 1, 2016

2. ORDER OF THE DAY

FINAL REPORT ON EVALUATION OF THE CITY AUDITOR

CC-135

From Councilmembers Carol Fukunaga, Ann Kobayashi, and Joey Manahan submitting the Final Report pursuant to Resolution 16-79 which authorized three councilmembers to investigate the matter of the annual evaluation of the City Auditor.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

PUBLIC HEARING/RESOLUTIONS

Resolution 16-113 (Zoning and Planning)

Relating to the reappointment of Kaiulani K. Sodaro to serve on the Planning Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 16-114 (Executive Matters and Legal Affairs)

Relating to the reappointment of Cindy S. Inouye to serve on the Civil Service Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, June 1, 2016

Resolution 16-116 (Public Health, Safety and Welfare)

Relating to appointment of Joseph J. 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 16-134 (Executive Matters and Legal Affairs)

Relating to the appointment of Peter S. Adler to serve on the Ethics Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 16-138 (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 2016 International Union for Conservation of Nature and Natural Resources (IUCN), 2016 IUCN World Conservation Congress.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS
Wednesday, June 1, 2016

APPOINTMENTS – RESOLUTIONS

BUDGET

CR-172

Resolution 16-98

Relating to the reappointment of Edwin S. W. Young as the City Auditor.

ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-188

Resolution 16-132

Relating to an appointment to the Honolulu Authority for Rapid Transportation Board of Directors.

FOR ADOPTION

Resolution 16-132, Proposed FD1
(Submitted by Chair Martin)

ORDER OF BUSINESS
Wednesday, June 1, 2016

PUBLIC HEARING/RESOLUTIONS CONTINUED

ZONING AND PLANNING

CR-148

Resolution 15-252 and Proposed CD1

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

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

CR-150

Resolution 16-32 and Proposed CD1

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

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

ORDER OF BUSINESS
Wednesday, June 1, 2016

PUBLIC HEARING/SECOND READING

BUDGET

CR-169

Bill 34, CD1

Relating to the use of public school lands. (To facilitate the State Department of Education's use of existing public school lands owned by the City and County of Honolulu.)

PASS SECOND READING, AS AMENDED

CR-170

Bill 35

Relating to the real property tax credit for low income homeowners. (To modify the requirements regarding the real property tax credit for low-income homeowners.)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET (Cont'd.)

CR-171

Bill 36, CD1

Relating to private transportation services and drivers. [Establishing regulations applicable to private transportation services drivers, including creation of a central database of information pertaining to drivers of private transportation services (including both taxicab companies and transportation network companies).]

PASS SECOND READING, AS AMENDED

PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

CR-183

Bill 31

Relating to infrastructure. (To provide expressly that the City may construct infrastructure improvements in neighborhoods solely with City funds.)

PASS SECOND READING

ORDER OF BUSINESS
Wednesday, June 1, 2016

THIRD READING

BUDGET

CR-153

Bill 13, CD2

Relating to the Legislative Budget for the Fiscal Year July 1, 2016 to June 30, 2017.

PASS THIRD READING, AS AMENDED

CR-154

Bill 14, CD2

Relating to the Executive Operating Budget and Program for the Fiscal Year July 1, 2016 to June 30, 2017.

PASS THIRD READING, AS AMENDED

Bill 14, CD2, Proposed FD1 (OCS2016-0558/5/25/2016 8:00 AM)
(Submitted by Councilmember Elefante)

Bill 14, CD2, Proposed FD1 (OCS2016-0560/5/25/2016 9:15 AM)
(Submitted by Councilmember Fukunaga)

Bill 14, CD2, Proposed FD1 (OCS2016-0584/5/26/2016 2:06 PM)
(Submitted by Councilmember Pine)

Bill 14, CD2, Proposed FD1 (No OCS Number)
(Submitted by Councilmember Kobayashi)

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET (Cont'd.)

CR-155

Bill 15, CD2

Relating to the Executive Capital Budget and Program for the Fiscal Year July 1, 2016 to June 30, 2017.

PASS THIRD READING, AS AMENDED

Bill 15, CD2, Proposed FD1 (OCS2016-0542/5/24/2016 4:22 PM)
(Submitted by Councilmember Elefante)

Bill 15, CD2, Proposed FD1 (OCS2016-0561/5/25/2016 4:32 PM)
(Submitted by Councilmember Fukunaga)

Bill 15, CD2, Proposed FD1 (OCS2016-0578/5/25/2016 5:32 PM)
(Submitted by Chair Martin)

Bill 15, CD2, Proposed FD1 (OCS2016-0580/5/26/2016 2:42 PM)
(Submitted by Councilmember Ozawa)

Bill 15, CD2, Proposed FD1 (OCS2016-0564/5/25/2016 4:05 PM)
(Submitted by Councilmember Kobayashi)

Bill 15, CD2, Proposed FD1 (OCS2016-0583/5/26/2016 2:19 PM)
(Submitted by Councilmember Pine)

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET (Cont'd.)

CR-156

Bill 16, CD1

Authorizing the issuance and sale of General Obligation Bonds and Bond Anticipation Notes of the City and County of Honolulu in a maximum principal amount equal to the aggregate of the amounts appropriated in the Capital Budget Ordinance of said City and County for the Fiscal Year ending June 30, 2017, and specified in said ordinance to be financed from the proceeds of the sale of such bonds and to be expended from the General Improvement Bond Fund, the Highway Improvement Bond Fund, Solid Waste Improvement Bond Fund, or the Housing Development Special Fund.

PASS THIRD READING

RESOLUTIONS

BUDGET

CR-160

Resolution 16-61

Determining the Real Property Tax Rates for the City and County of Honolulu for the Fiscal Year July 1, 2016 to June 30, 2017.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

THIRD READING CONTINUED

BUDGET

CR-157

Bill 18, CD2

Relating to the Honolulu Authority for Rapid Transportation Operating Budget for the Fiscal Year July 1, 2016 to June 30, 2017.

PASS THIRD READING, AS AMENDED

Bill 18, CD2, Proposed FD1 (OCS2016-0543/5/23/2016 2:31 PM)
(Submitted by Councilmember Elefante)

Bill 18, CD2, Proposed FD1 (OCS2016-0572/5/25/2016 5:28 PM)
(Submitted by Councilmember Kobayashi)

Bill 18, CD2, Proposed FD1 (OCS2016-0582/5/26/2016 5:30 PM)
(Submitted by Chair Martin)

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET (Cont'd.)

CR-158

Bill 19, CD1

Relating to the Honolulu Authority for Rapid Transportation Capital Budget for the Fiscal Year July 1, 2016 to June 30, 2017.

PASS THIRD READING

Bill 19, CD1, Proposed FD1 (OCS2016-0579/5/26/2016 10:26 AM)
(Submitted by Councilmember Elefante)

Bill 19, CD1, Proposed FD1 (OCS2016-0581/5/26/2016 2:43 PM)
(Submitted by Chair Martin)

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET (Cont'd.)

CR-159

Bill 20, CD1

Authorizing the issuance and sale of General Obligation Bonds and Bond Anticipation Notes of the City and County of Honolulu in a maximum principal amount equal to the aggregate of the amounts appropriated for the Honolulu Authority for Rapid Transportation Capital Budget projects in the Honolulu Authority for Rapid Transportation Capital Budget and Program Ordinance for the Fiscal Year ending June 30, 2017, and specified in said ordinance to be financed from the proceeds of the sale of such bonds and to be expended from the Transit Improvement Bond Fund.

PASS THIRD READING

Bill 20, CD1, Proposed FD1
(Submitted by Chair Martin)

CR-168

Bill 30, CD2

Relating to the Honolulu Zoo. (Creating a Honolulu Zoo Fund to provide the Honolulu Zoo with a dedicated and sustainable source of funding.)

PASS THIRD READING, AS AMENDED

Bill 30, CD2, Proposed FD1
(Submitted by Councilmember Kobayashi)

ORDER OF BUSINESS
Wednesday, June 1, 2016

FIRST READING

Bill 37 (Executive Matters and Legal Affairs)

Relating to the Executive Branch of the City. (Updating Chapter 2 of the Revised Ordinances of Honolulu 1990 to reflect changes in the names and functions of the Executive Branch of the City.)

PASS FIRST READING

Bill 38 (Budget)

Relating to the Kapalama Hale Parking Facility. (Including the Kapalama Hale Parking Facility in Section 15-16.5, Revised Ordinances of Honolulu 1990.)

PASS FIRST READING

Bill 39 (Zoning and Planning)

To rezone land situated at Waimanalo, Oahu, Hawaii (Amending portion of Zoning Map No. 24, Waimanalo, Ordinance 86-125). (Rezoning land from AG-1 Restricted Agricultural District to AG-2 General Agricultural District.) (Applicant: Kole Group, LLC)

PASS FIRST READING

ORDER OF BUSINESS
Wednesday, June 1, 2016

Bill 40 (Public Works, Infrastructure and Sustainability)

Relating to maintenance of private streets and roads.
(Addressing the maintenance of private streets and roads.)

PASS FIRST READING

Bill 41 (Public Works, Infrastructure and Sustainability)

Relating to the infrastructure. (Clarifying the applicability of state laws to vehicles and traffic upon private roads, highways, thoroughfares, bicycle paths, and parking stalls that have been continuously used by the general public or are intended for dedication to public use.)

PASS FIRST READING

RESOLUTIONS CONTINUED

PARKS, COMMUNITY AND CUSTOMER SERVICES

CR-163

Resolution 16-115

Relating to the acceptance of a gift to the City from the Daughters of Hawaii and Kauai Museum for travel to Kauai to feature the Royal Hawaiian Bandmaster at the Kauai Museum's Book Club at the Museum on Thursday, June 2, 2016.

FOR ADOPTION

CR-161

Resolution 16-91, CD1

Placing a memorial sculpture, bench and/or plaque at Kapiolani Park honoring Lita Cook, pa'u riders and the equestrian history of the area.

FOR ADOPTION

CR-162

Resolution 16-106, CD1

Authorizing the Director of the Department of Parks and Recreation or the Director's designee to execute and submit a sponsor application to participate in the United States Department of Agriculture Summer Food Service Program for Children and execute an agreement with the State Department of Education for the provision of summer fun food service meals.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

EXECUTIVE MATTERS AND LEGAL AFFAIRS

(CR-134 adopted 5/4/16) Resolution 16-82

Providing for the acquisition of land for public use, to wit: public recreational facilities, situate at Kahuku, Koolauloa, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain.

(Note: Laid over on 5/4/16 and published on 5/11/16.)

FOR ADOPTION

CR-164

Resolution 16-90

Supporting the construction of Charters of Freedom monument.

FOR ADOPTION

CR-165

Resolution 16-117, CD1

Authorizing the Director of Customer Services, or the Director's designee, to execute an agreement with 'Ōlelo Community Television.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-166

Resolution 16-125

Approving the proposed budget for the Hawaii State Association of Counties for the Fiscal Year 2017.

FOR ADOPTION

CR-167

Resolution 16-126

Relating to appointments and nominations for the Hawaii State Association of Counties.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET

CR-173

Resolution 16-107

Approving the sale of surplus City property, Parcels 1 and 2, area 4,635 square feet, located at Robello Lane, Honolulu, Tax Map Key No. 1-5-006:030 (Portion).

FOR ADOPTION

CR-174

Resolution 16-111

Relating to the transfer of funds. (Department of Planning and Permitting)

FOR ADOPTION

CR-175

Resolution 16-118

Relating to the transfer of funds. (Honolulu Fire Department)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET (Cont'd.)

CR-180

Resolution 16-128

Relating to transfer of funds. (Department of the Corporation Counsel)

FOR ADOPTION

CR-181

Resolution 16-129

Relating to transfer of funds. (Department of Parks and Recreation)

FOR ADOPTION

CR-182

Resolution 16-131, CD1

Relating to the transfer of funds. (Honolulu Police Department)

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET (Cont'd.)

CR-176

Resolution 16-119

Naming the facility located on Dillingham Boulevard, Kapalama Hale.

FOR ADOPTION

CR-177

Resolution 16-120

Relating to the redesignation and reconfiguration of the North Shore Enterprise Zone No. 1, the Mililani High Technology Park/Wahiawa Enterprise Zone No. 2, and the Ewa/Central Oahu Enterprise Zone No. 3.

FOR ADOPTION

CR-178

Resolution 16-121, CD1

Authorizing the Director of the Department of Budget and Fiscal Services (BFS) to enter into a cost sharing intergovernmental agreement with the State of Hawaii's Office of the Auditor for the independent audit of the State of Hawaii's Employees Retirement System (ERS) pension actuarial valuation report.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

BUDGET (Cont'd.)

CR-179

Resolution 16-122, CD1

Authorizing the Director of Budget and Fiscal Services (BFS) to enter into an intergovernmental agreement with the State of Hawaii Employees' Retirement System (ERS) to fund its proportionate share of actuarial valuation services.

FOR ADOPTION

PUBLIC WORKS, INFRASTRUCTURE & SUSTAINABILITY

CR-184

Resolution 16-123, CD1

Authorizing the Managing Director or the Director's designee to enter into an intergovernmental agreement with the Hawaii State Energy Office for Verge Hawaii: Asia Pacific Clean Energy Summit.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

ZONING AND PLANNING

CR-185

Resolution 16-105

Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (The Land Use Ordinance), relating to nonconforming structures.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

TRANSPORTATION

CR-189

Resolution 16-87

Authorizing the Director of Transportation Services or the Director's designee to accept and expend funds from the Safe Routes to School (SRTS) Special Fund administered by the State of Hawaii Department of Transportation for a SRTS program in the City and County of Honolulu.

FOR ADOPTION

CR-190

Resolution 16-93, CD1

Approving the Department of Transportation Services 2016 Public Transit Title VI Program pursuant to the Federal Transit Administration Title VI Circular 4702.1.B Requirements and Guidelines.

FOR ADOPTION

CR-191

Resolution 16-136, CD1

Authorizing the Director of Transportation Services or the Director's designee to apply for and enter into a grant agreement with the Federal Transit Administration for Federal transportation assistance authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, and other Federal statutes administered by the Federal Transit Administration.

FOR ADOPTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

3. BALANCE OF COMMITTEE REPORTS

ZPCR-186

Resolution 16-127 – Granting a Special Management Area (SMA) Use Permit to renovate the former Henry J. Kaiser Estate. Granting a 120-day extension of time. (Deadline: 7/5/16 + 120 days)

FOR ADOPTION

4. UNFINISHED BUSINESS

ORDER OF BUSINESS
Wednesday, June 1, 2016

5. NEW BUSINESS

BILL

Bill 80 (2015), CD1

Relating to the disposal of green waste. (Addressing the disposal of certain types of green waste.)

FOR ACTION

RESOLUTIONS

Resolution 16-124

Relating to the acceptance of a gift to the City from Kyo-Ya Hotel & Resorts of a ticket valued at \$107 to be used by the Honolulu Police Department to attend the Honolulu Police Community Foundation's 9th Annual Dinner.

FOR ACTION

Resolution 16-135

Relating to the acceptance of a gift to the City from Kualoa Ranch.

FOR ACTION

Resolution 16-137

Authorizing the Director of Budget and Fiscal Services to enter into an amendment to an intergovernmental agreement with the University of Hawaii for an educational and interpretative program for the Hanauma Bay Nature Preserve.

FOR ACTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

Resolution 16-141

Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 2-1-030-012 (Portion). (45th day: 7/1/16)

FOR ACTION

Resolution 16-146

Establishing a permitted interaction group of councilmembers to investigate homeless programs and facilities in Seattle, Washington.

FOR ACTION

ORDER OF BUSINESS
Wednesday, June 1, 2016

COMMUNICATION

D-269

From the Department of Design and Construction requesting consideration of Deed conveying roadway Lot 127; Grant of Drain Easements D-3 and SD-1; Grant of Flowage Easements F-1 and F-2; and Grant of Sewer Easement SD-1 for public use in Waianae. (Keola O Pokai Bay Subdivision)

FOR ACTION

D-374

From the Department of Planning and Permitting, requesting a 240-day extension of time on Bill 79 (2015), amending Chapter 21, Revised Ordinances of Honolulu 1990, as amended (The Land Use Ordinance), making miscellaneous amendments to the Land Use Ordinance. (Deadline: 6/14/16 + 240 days)

FOR ACTION

6. 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 the following matter(s) 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:

To consider a matter relating to insurance disputes regarding the City's coverage in lawsuits.

7. ANNOUNCEMENTS

8. ADJOURNMENT