

# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

ERNEST Y. MARTIN  
CHAIR & PRESIDING OFFICER  
IKAIKA ANDERSON  
VICE CHAIR  
ROMY M. CACHOLA  
FLOOR LEADER  
TOM BERG  
STANLEY CHANG  
TULSI GABBARD  
NESTOR R. GARCIA  
BREENE HARIMOTO  
ANN H. KOBAYASHI

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## ORDER OF BUSINESS

REGULAR MEETING

22ND SESSION

WEDNESDAY, MAY 9, 2012

10 A.M.

PALI GOLF COURSE CLUBHOUSE BANQUET ROOM  
45-050 KAMEHAMEHA HIGHWAY, 2ND FLOOR  
KANEHOE, HI 96744

### SPEAKER REGISTRATION

#### ◆ **Prior to the Day of the Meeting**

Persons wishing to testify on the morning calendar are requested to register as follows:

- a. On-Line at <http://www.honolulu.gov/council/attnspkcl.htm>;
- 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 768-3813.

#### ◆ **On-site on the Day of the Meeting**

Registration on-site for items listed on the morning calendar will be from 7:45 a.m. to 10 a.m.

Persons who have not registered to testify by the deadline 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 New Business and Sunshined items;
- b. one-minute presentation on all other items.

### WRITTEN TESTIMONY – Prior to the Day of the Meeting

Written testimony may be faxed to 768-3826 or e-mailed at <http://www.honolulu.gov/council/emailcl.htm> for distribution at the meeting.

#### **15 copies are requested if written testimony is submitted on-site.**

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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Any physically challenged person requiring special assistance should call 768-3813 for details at least one day prior to the meeting date.

The video of the full proceedings of this meeting will be available for viewing after the meeting at <http://www1.honolulu.gov/cameras/council/index.htm> or a copy of the video may be requested by calling the City Clerk's Office at 768-5822.

Honorary Certificates will be presented at 9 a.m.

## **PLEDGE OF ALLEGIANCE**

## **MESSAGE OF ALOHA**

### **1. CALL TO ORDER – 10 A.M.**

Roll Call

Introduction of Guests

## 2. ORDER OF THE DAY – MORNING CALENDAR

### **FINAL REPORT OF THE PERMITTED INTERACTION GROUP TO INVESTIGATE AND TOUR THE SAN FRANCISCO WASTEWATER TREATMENT PLANT IN SAN FRANCISCO, CALIFORNIA**

CC-117

From Councilmembers Ikaika Anderson, Romy Cachola and Ann Kobayashi, submitting a Final Report pursuant to Resolution 11-350, FD1 which established a permitted interaction group of councilmembers to investigate and tour the San Francisco Wastewater Treatment Plant in San Francisco, California.

FOR ADOPTION

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## **THIRD READING**

### EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-108

Resolution 12-44, CD1

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973, as amended, relating to Grants in Aid.

PASS THIRD READING, AS AMENDED

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Resolution 12-44, CD1, Proposed FD1

BUDGET

CR-165

Bill 30, CD1, FD1

Relating to the taxation of real property. (Amending the provisions of the ROH concerning the dedication of agricultural land.)

PASS THIRD READING

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CR-159

Bill 12, CD1

Relating to the taxation of real property. (Amending the provisions of ROH Chapter 8 with respect to horse boarding and stabling.)

PASS THIRD READING

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CR-160

Bill 20

Relating to real property taxes for air pollution control facilities. (Repealing the tax exemption for air pollution control facilities.)

PASS THIRD READING

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BUDGET (Cont'd.)

CR-161

Bill 21

Relating to certain real property tax exemptions. (Amending certain real property tax exemptions for property used in manufacture of pulp and paper.)

PASS THIRD READING

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CR-162

Bill 23, CD1

Relating to leasing of City affordable housing projects. [Facilitating the Honolulu Affordable Housing Preservation Initiative ("HAHPI"), through which the City seeks to transition ownership and management of twelve City apartment complexes to the private operators or managers of affordable housing.]

PASS THIRD READING, AS AMENDED

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CR-163

Bill 24, CD1

Relating to public off-street parking. [Facilitating the Honolulu Affordable Housing Preservation Initiative ("HAHPI"), through the transfer of parking facilities at Chinatown Gateway Plaza, Harbor Village and Marin Tower via long-term ground leases awarded through the HAHPI Request for Proposals.]

PASS THIRD READING, AS AMENDED

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BUDGET (Cont'd.)

CR-164

Bill 25, CD2

Relating to real property taxation. (Addressing concerns regarding the dedication of property for residential use.)

PASS THIRD READING, AS AMENDED

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TRANSPORTATION

CR-176

Bill 26

Relating to complete streets. [Implementing the provisions of Section 264-20.5, Hawaii Revised Statutes (Act 54 SLH 2009), and establishing a Complete Streets policy for the City and County of Honolulu.]

PASS THIRD READING

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## FIRST READING

Resolution 12-59 (Executive Matters and Legal Affairs)

Initiating an amendment to the Revised Charter of the City and County of Honolulu 1973, as amended, relating to the Public Transit Authority.

PASS FIRST READING

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Resolution 12-113 (Executive Matters and Legal Affairs)

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973, as amended, relating to the creation of funds.

PASS FIRST READING

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Bill 43 (Parks and Cultural Affairs)

Relating to animals in parks. (Regulating animals in parks.)

PASS FIRST READING

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Bill 44 (Zoning and Planning)

Relating to fees and permits for Building, Electrical, Plumbing and Sidewalk Codes to add additional exemptions from the requirements of building permits for the purpose of

streamlining the building permit process. (Amending the requirements of when a building permit is required.)

PASS FIRST READING

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Bill 45

(Transportation)

Relating to roadside memorials. (Regulating roadside memorials erected on City roadways.)

PASS FIRST READING

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Bill 46

(Safety, Economic Development and  
Government Affairs)

Relating to malls. (Amending the pedestrian mall ordinance to permit the parking of mopeds in bicycle racks on the Fort Street Mall.)

PASS FIRST READING

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## RESOLUTIONS

### SAFETY, ECONOMIC DEVELOPMENT AND GOVERNMENT AFFAIRS

CR-144

Resolution 12-91

Relating to the acceptance of a gift to the City for the Honolulu Police Department to receive 30 tickets valued at \$3,600 (\$120 per person) from the Honolulu Police Community Foundation (HPCF) for attendance at the HPCF annual gala event.

FOR ADOPTION

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CR-145

Resolution 12-95

Relating to the acceptance of a gift to the City from 24-Hour Fitness for the Honolulu Fire Department's fire operations.

FOR ADOPTION

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CR-146

Resolution 12-99

Authorizing the Chief of Police of the Honolulu Police Department (HPD) to apply for and enter into an agreement with the Bureau of Justice Assistance (BJA), U.S. Department of Justice (DOJ), for funds from the Edward Byrne Memorial Justice Assistance Grant (JAG) program FY2012 local solicitation.

FOR ADOPTION

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SAFETY, ECONOMIC DEVELOPMENT AND GOVERNMENT AFFAIRS (Cont'd.)

CR-147

Resolution 12-104

Relating to the acceptance of a gift to the City from Vested Interest in K9s, Inc., of K9 ballistic/stab vests for the Honolulu Police Department's Canine Unit.

FOR ADOPTION

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PARKS AND CULTURAL AFFAIRS

CR-149

Resolution 12-83

Relating to the acceptance of a gift of artwork from Don Dugal to the City for the Art in City Buildings collection of the City and County of Honolulu managed by the Mayor's Office of Culture and the Arts.

FOR ADOPTION

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CR-150

Resolution 12-84

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

FOR ADOPTION

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PARKS AND CULTURAL AFFAIRS (Cont'd.)

CR-151

Resolution 12-93, CD1

Urging the City to develop a public-private partnership to operate and maintain the Koko Head Shooting Complex.

FOR ADOPTION

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CR-152

Resolution 12-102

Relating to the acceptance of a gift to the City from Times Supermarket, Ltd. for the annual Department of Parks and Recreation's Lei Day Celebration on May 1, 2012

FOR ADOPTION

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CR-153

Resolution 12-103

Relating to the acceptance of a gift to the City from the Oahu District Tennis Association for five (5) custom-sized windscreens, ropes, ties and shipping cost, and twelve (12) wooden benches with composite seating surfaces for Pearl Ridge Community Park Tennis Facility.

FOR ADOPTION

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PARKS AND CULTURAL AFFAIRS (Cont'd.)

CR-154

Resolution 12-109

Relating to the acceptance of a gift to the City from the family and friends of Susan Chiemi Nakamoto Jenkins of funds to purchase a standard bench to be installed at Maunawili Neighborhood Park.

FOR ADOPTION

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BUDGET

CR-167

Resolution 12-88

Adopting a revision to the Public Infrastructure Map for the Koolauloa Sustainable Communities Plan Area, Koolauloa, Oahu, Hawaii.

FOR ADOPTION

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CR-168

Resolution 12-89, CD1

Urging the Mayor to initiate the acquisition or condemnation of the land beneath Kahuku Municipal Golf Course.

FOR ADOPTION

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BUDGET (Cont'd.)

CR-169

Resolution 12-90

Requesting the City Administration to initiate the acquisition or condemnation and subdivision improvement, and conveyance of the land beneath "Phase 5" of Kahuku Village.

FOR ADOPTION

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CR-170

Resolution 12-98

Relating to transfer of funds. (Department of Design and Construction)

FOR ADOPTION

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CR-171

Resolution 12-101, CD1

Relating to transfer of funds. (Honolulu Fire Department)

FOR ADOPTION

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BUDGET (Cont'd.)

CR-172

Resolution 12-107

Relating to transfer of funds. (Ethics Commission)

FOR ADOPTION

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CR-173

Resolution 12-111

Relating to transfer of funds. (Department of the Medical Examiner)

FOR ADOPTION

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PUBLIC WORKS & SUSTAINABILITY

CR-174

Resolution 12-86, CD1

Relating to an agreement between the City and County of Honolulu and the University of Hawaii Water Resources Research Center to conduct an assessment of the impact of ocean sewer outfalls on the marine environment off Oahu, Hawaii.

FOR ADOPTION

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CR-175

Resolution 12-106

Authorizing the Director of Facility Maintenance or the Director's designee, to enter into an agreement with Honolulu Clean Cities for the use of biodiesel fuel to reduce air pollution from diesel operated vehicles.

FOR ADOPTION

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TRANSPORTATION

CR-177

Resolution 12-96

Approving new City involved work elements for inclusion in the Fiscal Year 2013 Overall Work Program.

FOR ADOPTION

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**FILE**

CR-99

Resolution 12-57

Urging the State of Hawaii and the United States Food and Drug Administration to require labeling of genetically engineered food.

FILE

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**3. BALANCE OF COMMITTEE REPORTS**

EMLACR-158

To request for authorization to settle a claim against the City entitled, Craig Whang v. City and County of Honolulu, et al.; Civil No. 04-1-0910-05 PWB

FOR ADOPTION

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**4. UNFINISHED BUSINESS**

**5. NEW BUSINESS**

**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 matters 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.

**7. RECESS**

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2 P.M.

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45-050 KAMEHAMEHA HIGHWAY, 2ND FLOOR  
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**8. RECONVENE – 2 P.M.**

**9. EXECUTIVE SESSION ITEM(S)**

**10. ORDER OF THE DAY – AFTERNOON CALENDAR**

**SECOND READING/PUBLIC HEARING**

PARKS AND CULTURAL AFFAIRS

CR-141

Bill 11, CD1

Relating to public parks. (Addressing commercial activities at certain City beach parks.)

PASS SECOND READING, AS AMENDED

CR-148

Bill 38, CD1

Relating to public parks. (Regulating expressive activities in public parks.)

PASS SECOND READING, AS AMENDED

## ZONING AND PLANNING

CR-142

Bill 35, CD1

Amending Chapter 16 of the Revised Ordinances of Honolulu 1990, as amended, relating to the Building Code. (Updating the Building Code of the City and County of Honolulu by adopting the 2006 editions of the International Building Code and International Residential Code for One- and Two-Family Dwellings.)

PASS SECOND READING, AS AMENDED

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## LEGISLATIVE MATTERS

CR-143

Bill 37, FD1

Amending Ordinance No. 01-28. (Amending the authorization for the City and County of Honolulu to issue general obligation commercial paper in order to clarify and facilitate the use of such debt.)

PASS SECOND READING

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EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-157

Resolution 12-100

Initiating amendments to the Revised Charter of the City and County of Honolulu 1973, as amended, relating to personal services contracts.

PASS SECOND READING

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CR-155

Bill 34

Relating to ballot measures. (Regulating the use of City resources for ballot measures.)

PASS SECOND READING

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CR-156

Bill 40

Relating to ethics training. (Expanding ethics training, currently required for all City supervisors, manager, board and commission members and elected officers, to be required for all City personnel.)

PASS SECOND READING

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BUDGET

CR-166

Bill 36

Relating to summer fun program. (Adjusting the fees for the summer fun program.)

PASS SECOND READING

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**11. ANNOUNCEMENTS**

**12. ADJOURNMENT**