



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

ERNEST Y. MARTIN
CHAIR & PRESIDING OFFICER
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VICE CHAIR
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TULSI GABBARD
NESTOR R. GARCIA
BREENE HARIMOTO
ANN H. KOBAYASHI

ORDER OF BUSINESS

REGULAR MEETING

15TH SESSION

WEDNESDAY, NOVEMBER 2, 2011

10 A.M.

KAPOLEI HALE

1000 ULUOHIA STREET, CONFERENCE ROOMS A, B AND C

KAPOLEI, HAWAII 96707

SPEAKER REGISTRATION

.. Prior to the Day of the Meeting

Persons wishing to testify on items listed on the morning calendar may register by:

- a. using the On-Line City Council Speaker Registration form available at <http://www.honolulu.gov/council/attnspkcl.htm>;
- b. sending a fax to 768-3826 indicating your desire to register to speak, along with your name, phone number and subject matter;
- c. filling out the registration form in person; or
- d. 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 present oral testimony on an item following the registered speakers by raising their hand at the time additional speakers are called upon.

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

If you wish to submit written testimony:

- a. fax to 768-3826 or
- b. go to <http://www.honolulu.gov/council/emailccl.htm> to e-mail your written testimony.

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

By submitting written testimony, you are **not automatically registered to speak**. Refer to “SPEAKER REGISTRATION” procedures above.

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.

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

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

Approval of Minutes of the 14th Session

2. ORDER OF THE DAY – MORNING CALENDAR

APPOINTMENTS – RESOLUTIONS

ZONING AND PLANNING

CR-323

Resolution 11-281

Relating to the appointment of Daniel S. M. Young to serve on the Planning Commission of the City and County of Honolulu.

FOR
ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-331

Resolution 11-276

Relating to the appointment of Cord D. Anderson to serve on the Planning Commission of the City and County of Honolulu.

FOR
ADOPTION

THIRD READING

ZONING AND PLANNING

CR-290

Bill 47, CD1

Relating to signs. (Advancing the purposes of the Land Use Ordinance's sign regulations set forth in Revised Ordinance of Honolulu Section 21-7.10 while balancing the right of the people in the city to display noncommercial signs.)

PASS THIRD READING, AS
AMENDED

FIRST READING

Resolution 11-327 (Executive Matters
and Legal
Affairs)

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

PASS FIRST
READING

Resolution 11-328 (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

Bill 56 (Safety, Economic, Development
and Government
Affairs)

Relating to the adoption of the State Fire Code. (Adopting the State Fire Code as adopted by the State of Hawaii on January 1, 2010, subject to certain amendments which shall apply to the City.)

PASS FIRST
READING

Bill 57
(Budget)

Relating to the real property tax exemption for alternate energy improvements. (Modifying the requirements for a real property tax exemption for alternate energy improvements.)

PASS FIRST
READING

RESOLUTIONS

SAFETY, ECONOMIC DEVELOPMENT AND GOVERNMENT AFFAIRS

CR-326

Resolution 11-203, CD1

Urging the formation of a Joint Federal-State-City Task Force on the prevention of flooding and remediation of flood damage losses on the Leeward Coast.

FOR
ADOPTION

Resolution 11-203, CD1, Proposed FD1

CR-327

Resolution 11-275

Urging the United States Department of State, the Department of Homeland Security, and the United States Attorney General to ease visa restrictions for the People's Republic of China.

FOR
ADOPTION

CR-341

Resolution 11-293

Approving for inclusion in the 2012 Hawaii State Association of Counties ("HSAC") legislative package a proposal that provides the counties with liability protection for natural conditions on or near public beach parks.

FOR
ADOPTION

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

CR-342

Resolution 11-296

Approving for inclusion in the 2012 Hawaii State Association of Counties (“HSAC”) legislative package a proposal that urges the Hawaii State Legislature to provide funding for any activities mandated to any of the counties by the State of Hawaii.

FOR
ADOPTION

CR-343

Resolution 11-297

Relating to the inclusion in the 2012 Hawaii State Association of Counties legislative package a proposal urging the Governor and the State Legislature to maintain the counties' share of the transient accommodations tax.

FOR
ADOPTION

PARKS AND CULTURAL AFFAIRS

CR-304

Resolution 11-263, CD1

Urging the City to develop a public shooting complex in Kalaeloa.

FOR
ADOPTION

CR-328

Resolution 11-272

Authorizing the Director of Parks and Recreation to enter into an amendment to an intergovernmental agreement with the United States Department of Agriculture for the reduction and control of feral animals at the Honolulu Botanical Gardens system.

FOR
ADOPTION

CR-329

Resolution 11-283

Urging the City to develop a public-private partnership for a paintball gaming complex in Kalaeloa.

FOR
ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-330

Resolution 11-270, CD1

Relating to the nominations to the Hawaii Community Development Authority.

FOR
ADOPTION

CR-332

Resolution 11-288

To request additional funds for the payment of services performed by Special Counsel for Defendant Robert K. W. Lee

FOR
ADOPTION

CR-333

Resolution 11-289

To request additional funds for the payment of services performed by Special Counsel for Defendant Iwalani White

FOR
ADOPTION

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-334

Resolution 11-290

To request additional funds for the payment of services performed by Special Counsel for Defendant Peter Carlisle

FOR
ADOPTION

CR-335

Resolution 11-291

To request additional funding for the services by Kobayashi Sugita & Goda as Special Deputy Corporation Counsel for the City and County of Honolulu with regard to Honolulu High-Capacity Transit Corridor Project.

FOR
ADOPTION

CR-336

Resolution 11-292

To request additional funds for the services of Carlsmith Ball LLP as Special Deputy Corporation Counsel to represent the City and County of Honolulu in matters relating to the environmental impact assessment process for the Honolulu High-Capacity Transit Corridor, a fixed guide way transit system project.

FOR
ADOPTION

BUDGET

CR-339

Resolution 11-279, CD1

Relating to the transfer of funds.

FOR
ADOPTION

CR-340

Resolution 11-284

Urging the Mayor to propose to the Council creation of a City and County of Honolulu Deferred Compensation Board.

FOR
ADOPTION

Resolution 11-284, Proposed FD1

3. BALANCE OF COMMITTEE REPORTS

ZPCR-321 Resolution 11-277 – Granting a Special Management Area Use Permit for the Hilton Hawaiian Village Master Plan Improvements. Granting a 120-day extension of time. (Deadline: 12/3/11 + 120 days)

ZPCR-322 Resolution 11-278 – Granting a Planned Development-Resort Permit for the redevelopment of the Hilton Hawaiian Village (HHV) Resort Complex, including the construction of two new timeshare towers in Waikiki, Oahu. Granting a 120-day extension of time. (Deadline: 12/3/11 + 120 days)

ZPCR-324 Resolution 11-282 – Granting Special Management Area Use Permits for construction of new bridges over Makaha and West Makaha Streams at Makaha Beach, Oahu. Granting a 120-day extension of time. (Deadline: 12/3/11 + 120 days)

EMLACR-337 To request for authorization to settle a claim against the City in 91-476 Komohana Development, LLC v. City and County of Honolulu, Civil No. 11-1-1267-06 RAT

EMLACR-338 To request for authorization to settle a claim against the City in Robin Alexander, et al. v. City and County of Honolulu et al., Civil No. CV11-00313 (SOM/RLP)

FOR
ADOPTION

4. UNFINISHED BUSINESS

5. NEW BUSINESS

Resolution 11-273

Approving amendments to the City and County of Honolulu's list of projects in the Federal Fiscal Years (FFY) 2011-2014 Transportation Improvement Program.

FOR
ACTION

Resolution 11-280

Authorizing the Director of the Department of Design and Construction of the City & County of Honolulu, or his designated representative, to execute a memorandum of agreement with the State of Hawaii, Department of Hawaiian Home Lands, relating to the Project of Bridge Rehabilitation at Various Locations I, FY 2009, Puowaina Drive Bridge over Auwaiolimu Street, Bridge No. 236.

FOR
ACTION

Resolution 11-286

Relating to the acceptance of two gifts to the Honolulu Fire Department from the Honolulu Firefighters Foundation and the Hawaii Fire Fighters Association for Thanksgiving Day meals.

FOR
ACTION

Resolution 11-287

Relating to the acceptance of a gift to the City from CraigMichaels Inc.

FOR
ACTION

Resolution 11-298

Authorizing City and County of Honolulu to execute a Memorandum of Agreement with the University of Hawaii at Manoa to extend the student fee-based U-PASS project to provide bus passes to all enrolled University of Hawaii at Manoa students.

FOR
ACTION

Resolution 11-306

Approving an extension of time to obtain development permits for the Honolulu Marine Commercial Shipyard Project under Special Management Area Use Permit granted by Resolution No. 08-229, CD1.

FOR
ACTION

Resolution 11-306, Proposed FD1

Resolution 11-317

Relating to the acceptance of a gift to the City from the APEC Hawaii Host Committee.

FOR
ACTION

Resolution 11-319

Relating to the acceptance of a gift to the City from the APEC 2011 Hawaii Host Committee for various 2011 APEC events.

FOR
ACTION

Resolution 11-320

Authorizing the City and County of Honolulu to enter into an intergovernmental agreement with the State of Hawaii Housing Finance and Development Corporation for the use of certain lands in Kapolei.

FOR
ACTION

Resolution 11-321

Approving for inclusion in the 2012 Hawaii State Association of Counties ("HSAC") legislative package a proposal that provides the counties with representation on the Board of Trustees of the Employees' Retirement System of the State.

FOR
ACTION

Resolution 11-322

Relating to the inclusion in the 2012 Hawaii State Association of Counties legislative package of House Bill 175, H.D. 2 (2011) relating to the employer-union health benefits trust.

FOR
ACTION

Resolution 11-323

Relating to the inclusion in the 2012 Hawaii State Association of Counties legislative package a bill requiring publication of notice and holding a public hearing for applications for a Type II residential care home.

FOR
ACTION

Resolution 11-324

Relating to the inclusion in the 2012 Hawaii State Association of Counties legislative package a proposal urging the Governor and the State Legislature to assist the counties in obtaining reimbursement from the United States government for all costs incurred by the counties relating to the Asia Pacific Economic Cooperation leaders meeting.

FOR
ACTION

Resolution 11-324, Proposed FD1

Resolution 11-325

Approving for inclusion in the 2012 Hawaii State Association of Counties ("HSAC") legislative package a proposal that creates a new bargaining unit for water safety officers employed by the State or counties.

FOR
ACTION

Resolution 11-326

Approving for inclusion in the 2012 Hawaii State Association of Counties ("HSAC") legislative package a proposal that urges the United States Department of State, the Department of Homeland Security, and the United States Attorney General to ease visa restrictions for the People's Republic of China.

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 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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REGULAR MEETING/PUBLIC HEARING
15TH SESSION
WEDNESDAY, NOVEMBER 2, 2011
1 P.M.

KAPOLEI HALE
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KAPOLEI, HAWAII 96707

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8. RECONVENE – 1 P.M.

9. EXECUTIVE SESSION ITEM(S)

10. ORDER OF THE DAY – AFTERNOON CALENDAR

SECOND READING/PUBLIC HEARING

SAFETY, ECONOMIC DEVELOPMENT AND GOVERNMENT AFFAIRS

CR-325

Bill 54

Relating to stored property. (Establishing a procedure for the removal and disposal of personal property stored on public property.)

PASS SECOND
READING

ZONING AND PLANNING

CR-315

Bill 50, CD1 (Exhibit A)

Amending the Waianae Sustainable Communities Plan. (Amending Chapter 24, Article 9, Revised Ordinances of Honolulu and replacing the Waianae Sustainable Communities Plan.)

PASS SECOND READING, AS AMENDED

11. ANNOUNCEMENTS

12. ADJOURNMENT