

CITY AFFAIRS UPDATE

KEEPING HONOLULU REALTORS® INFORMED & INVOLVED IN HBR'S PUBLIC POLICY AGENDA



B&B Bill Heads to Last Hearing

The City Council Zoning Committee will hear Bill 7 – a controversial bill to allow limited expansion of Beds and Breakfasts, but with increased regulation. A proposed draft of the bill would remove Ag 1 and 2 districts from eligibility for B&B use and add language to ensure that the owner of a B&B qualifies for the real property tax homeowner's exemption. If the bill passes out of the committee, it would move on to third reading before the full council. Although the City Council continues their attempt to balance the interests of all parties, they once again anticipate hours of testimony at the committee hearing.

Bill Expands City Responsibility for Road Maintenance

Bill 73 which is opposed by the Department of Facility Maintenance (DFM) would enable the city to maintain the shoulders of private roads. DFM believes it would be irresponsible for the City to absorb the maintenance costs and liability of maintaining the shoulders of privately-owned road, especially in light of the city's budget challenges. DFM's top maintenance priority is for properties under the City's jurisdiction. Their emphasis is on balancing the City's desire to maintain private streets for public health and safety purposes against the City's need to avoid costs and liability for private purposes. Bill 73 would include the installation and maintenance of shoulders, increasing costs, responsibility, and liability for the City when maintaining private roads.

DFM proposes that the responsibility of maintenance of private roads remain with the private owner, and that City responsibility be limited to remedial patching, resurfacing, or paving of streets and roads.

Resolution Urges City to NEW LANDFILL Site Selection

Council Chair Todd Apo has introduced Resolution 345 urging the City administration to immediately initiate the site selection process for a new landfill. Based on the decision by the Land Use Commission (LUC), solid waste except ash residue from H-POWER can be disposed of at Waimanalo Gulch until July 31, 2012. According to the resolution, the selection of the next landfill site selection will be a lengthy process and requires a number of opportunities for the public to provide written and oral testimony. Anticipating that the council will need sufficient time to deliberate on any proposal including funding for land acquisition and construction of the new site, the resolution requests a report from the administration within 180 days after the adoption of the Resolution.

Upcoming Council and Committee Meetings

Tuesday, December 1

- 9:00 a.m.** Committee on Zoning
Chair: Rod Tam
- 1:00 p.m.** Committee on Public Infrastructure
Chair: Ann Kobayashi

Wednesday, December 2

- 9:00 a.m.** Committee on Budget
Chair: Nestor Garcia
- 1:00 p.m.** Committee on Executive Matters & Legal Affairs
Chair: Charles Djou

Thursday, December 3

- 9:00 a.m.** Committee on Transportation & Planning
Chair: Gary Okino
- 11:00 a.m.** Committee on Public Safety & Services
Chair: Donovan Dela Cruz
- 1:00 p.m.** Committee on Planning
Chair: Ikaika Anderson

Tuesday, December 16

- 10:00 a.m.** City Council – Morning Session
- 2:00 p.m.** City Council – Afternoon Session

Charter Amendment Would Create Transit Authority

The Executive Matters and Legal Affairs Committee will hear Resolution 252, introduced by Charles Djou, Todd Apo and Ikaika Anderson, to place a question on the 2010 general election ballot that reads:

Shall the revised City Charter be amended to create a semi-autonomous public transit authority responsible for the planning, construction, operation, maintenance, and expansion of the City's fixed guideway mass transit system?

The resolution already passed second reading and public hearing in September. Proposed CD1 amendments include modifying the powers and duties of the Authority such as operational decisions, real property transactions, use of eminent domain, execution of labor contracts, adoption of transit oriented development projects, and establishment of fees. In addition, the proposed makeup of the board would consist of 10 members - 9 voting members and 1 non-voting member representing the City Department of Permitting and Planning. Three members would be appointed by the Mayor, three by City Council, and two ex officio members would represent the city and state transportation departments. The six appointed and two ex officio members would appoint the 9th member by majority vote. Terms would be staggered 5, 4 and 3-year terms with the 9th member appointed by the members serving a 2-year term.

Recent testimony by the Land Use Research Foundation (LURF) in support of a Transit Authority recommends a transit authority lead by professionals who view transit as both a transportation option as well as a "growth management tool." According to LURF, the City of Denver implemented their rail system in areas that had no development, because those vacant areas were areas where they wanted to see growth. LURF also recommends that a Transit Authority have the ability to balance pedestrian and bicycle accessibility to transit, and the ability to balance the need for an efficient transit system with the long-term land use plans and policies that will encourage higher densities surrounding transit stations. Transit attracts growth and higher density development. Building the proposed transit system in areas where ridership and density maybe considered high by today's standards may only limit only growth of ridership in the future.

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