

## **PROPOSAL C-5**

Article VI of the Revised Charter of the City and County of Honolulu 1973, as amended, is amended by adding a new chapter designated as Chapter 18 and to read as follows:

### **“ARTICLE VI CHAPTER 18 DEPARTMENT OF LAND MANAGEMENT**

#### **Section 6-1801. Organization --**

There shall be a department of land management headed by a director of land management who shall be appointed and may be removed by the mayor.

#### **Section 6-1802. Powers, Duties and Functions –**

The director of land management shall:

- (a) Protect, develop, and manage city real property interests, except those under the jurisdiction of the department of parks and recreation.
- (b) Prepare and maintain a perpetual inventory of city real property interests, including all lands owned, leased, rented or controlled by the city.
- (c) Consult with, and advise executive departments and agencies on best practices in land management, property management, and conservation and stewardship with respect to city real property interests under the jurisdiction of executive departments and agencies.
- (d) Develop and implement land management plans, property management plans, and conservation and stewardship plans for all city real property interests that are not under the jurisdiction of any executive department or agency or when requested by any executive department or agency.
- (e) Review and negotiate any transaction or activity that will result in real property interests being added to the city’s inventory, including, but not limited to acquisitions funded by the city’s Clean Water and Natural Lands Fund and dedications of real property interests to the city.
- (f) Recommend, review and negotiate any transaction or activity relating to city real property interests, with particular focus on Transit Oriented Development (TOD) special districts, except those under the jurisdiction of the department of parks and recreation, including, but not limited to public-private partnership agreements, development agreements, purchase and sale agreements, leases, licenses, and concessions.

#### **Section 6-1803. Transaction or Activities Relating to City Real Property Interests --**

- (1) The director shall conduct a public hearing to determine whether each transaction or activity relating to city real property interests serves the public interest. For any transaction or activity affecting a city real property interest that is over one-quarter acre in size, the director shall conduct the public hearing in the council district where the real property interest is located.

- (2) The director shall prepare a report for each transaction or activity relating to city real property interests that makes specific findings that such transaction or activity serves the public interest, including, but not limited to, increasing affordable or low income housing inventory; reducing fossil fuel dependence; producing renewable energy projects; improving transportation connectivity; increasing transportation options for the least mobile in society; increasing productive agricultural lands; increasing recreation opportunities and open space; providing critical habitat for native wildlife; protection of watersheds; improving the city's fiscal health; and preservation of sacred sites, and that confirms such transaction or activity is in compliance with the environmental laws of the city, State of Hawai'i and the United States of America. Such report shall be transmitted to council with a request for approval of the transaction or activity.
- (3) The council must approve by resolution the execution by the city of any instruments concerning transactions or activities relating to city real property interests."