



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

TOMMY WATERS
CHAIR & PRESIDING OFFICER
ESTHER KIA'ĀINA
VICE CHAIR
ANDRIA TUPOLA
FLOOR LEADER
RADIANT CORDEIRO
BRANDON J.C. ELEFANTE
CAROL FUKUNAGA
CALVIN K.Y. SAY
HEIDI TSUNEYOSHI
AUGIE TULBA

JOURNAL

REGULAR MEETING
8TH SESSION
WEDNESDAY, JUNE 2, 2021

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Tommy Waters, at 10:14 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Cordero, Elefante, Fukunaga, Kia'āina, Say, Tsuneyoshi, Tulba, Tupola, Waters – 9.

INTRODUCTION OF GUESTS

Floor Leader Tupola acknowledged the Director of the Department of Planning and Permitting and Barbra Armentrout. She thanked everyone for being at the hearing whether in person or virtually.

The following individuals testified via video conference:

1. Senator Kurt Fevella (General comment on Resolution 21-126), (Oppose Bill 28 and 29), and (Support Bill 30)
2. Bruce Lum, Save Ala Moana Beach Park Hui (M-367) (Support Resolution 21-120) (M-349) (Support Resolution 21-122)
3. Dyson Chee, Hawai'i Youth Climate Coalition (M-348) (Support Resolution 21-105)
4. Laura Ruby (M-346) (Oppose Bill 7 – Bridge over Ala Wai Canal)
5. Sandie Wong, Ko Olina Community Association (M-354) (Oppose Bill 28), (M-355) (Oppose Bill 29), and (M-356) (Support Bill 30)
6. Micah Munekata, Ulupono Initiative (M-353) (Support Bill 6, CD2), (M-348) (Support Resolution 21-105, CD1), (M-354) (Oppose Bill 28), (M-355) (Oppose Bill 29), and (M-356) (Oppose Bill 30)
7. U.S. Representative Kai Kahele (Support Bill 7, CD2, Proposed FD1 – Waialele Stream)
8. Natalie Iwasa (M-233) (General comment on Bill 5), (General comment on Bill 6, Support Proposed FD1 – Councilmember Say), (Oppose Bill 7 – Haiku Stairs), (Oppose Resolution 21-62 – Residential A), (General comment on Bill 12, 13, 26), (Support Bill 27), (Oppose Bill 31), and (General comment on Resolution 21-105, CD1 and 21-122)
9. Carla Allison (M-343) (Oppose Resolution 21-125)
10. Catherine Lee (Oppose Resolution 21-125)
11. Stephanie Davis, Environmental Science International (Available for questions on Resolution 21-91, CD1)
12. Melissa Miyashiro, Blue Planet Foundation (M-348) (Support Resolution 21-105)
13. Choon James (General comment on Resolution 21-126), (Support Resolution 21-120 and Bill 7 – Waialele Project), (General comment on Bill 28), (Support Resolution 21-105), and (General comment on Bill 12, 13, and 14)
14. Matt Geyer, Faith Action Environmental Justice Task Force (M-348) (Support Resolution 21-105)
15. Herb Lee, Pacific American Foundation (M-358) (Support Resolution 21-98)
16. Shae Kamakaala, Hawai'i Land Trust (M-358) (Support Resolution 21-98)
17. Lesley Harvey (Oppose Resolution 21-125)
18. John Leong, Kupu (M-350) (Support Resolution 21-92)
19. David Tanoue, R.M. Towill Corporation (Available for questions and Support Resolution 21-16, CD1)
20. Colby Takeda, Blue Zones Project (M-348) (Support Resolution 21-105)
21. Keawe Tong (M-348) (Support Resolution 21-105)
22. Keisa Liu (Oppose Resolution 21-125)
23. Laura Kaakua, Hawai'i Land Trust (Support Resolution 21-98)
24. Donald Sakamoto (General comment on Bill 6), (Oppose Bill 12 and 14), and (Support Resolution 21-120)

25. Bryan Phillips (M-349) (Support Resolution 21-122)
26. Ryan Kobayashi, Laborers' Union, Local 368 (M-344) (Support Resolution 21-126)
27. Pane Meatoga III (General comment on Resolution 21-126)
28. Cameron Black (General comment on Bill 28, 29, and 30)
29. Elizabeth Stampe, National Resources Defense Council (M-348) (Support Resolution 21-105)
30. Michael Golojuch (M-343) (Oppose Resolution 21-125)
31. Eric Beaver, Hawaii Reserves, Inc. (M-346) (Support Bill 7, CD2, Proposed FD1)
32. Racquel Achiu (Support Resolution 21-122)
33. Kevin Schlag, Laie Community Association (M-346) (Support Bill 7, CD2, Proposed FD1)
34. Kathleen Connors (Oppose Bill 28 and 29), and (Support Bill 30)
35. Eric Geimer (General comment on rail)
36. Michelle Matson, O'ahu Island Park Conservancy (M-346) (Bill 7 General comment – Ala Wai Bridge) and (Support Resolution 21-122)

APPROVAL OF MINUTES

Councilmember Kia'āina moved that the Minutes of the 7th Session be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Tupola.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

ORDER OF THE DAY

ADOPTION

RESOLUTION 21-89 – COMMITTEE REPORT 159

RESOLUTION CONFIRMING THE NOMINATION OF DANA M.O. VIOLA TO SERVE AS THE CORPORATION COUNSEL OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tupola moved that Committee Report 159 and Resolution 21-89 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Mayor Rick Blangiardi (General comment)

Committee Report 159 and Resolution 21-89 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Chair Waters recognized and congratulated Ms. Viola.

Corporation Counsel Dana Viola thanked the Mayor and everyone for their support.

ADOPTION

RESOLUTION 21-97 – COMMITTEE REPORT 160

RESOLUTION CONFIRMING THE NOMINATION OF NOEL T. ONO, TO SERVE AS THE DIRECTOR OF HUMAN RESOURCES OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tupola moved that Committee Report 160 and Resolution 21-97 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Mayor Rick Blangiardi (General comment)

Councilmember Kia'āina stated that she fully supports Mr. Ono's nomination. She noted that he has the very challenging job of taking care of 11,000 City employees and thanked him and his staff for what they do on a day-to-day basis which impacts all of the City employees. Councilmember Kia'āina stated that she worked with his staff on data disaggregation and hopes that if the Resolution moves forward, the template can also be used by the State of Hawaii.

Councilmember Cordero thanked Mr. Ono for his time and patience listening to her ideas and for reaching out to the workforce, especially high school, community college, and trade school graduates.

Committee Report 160 and Resolution 21-97 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Chair Waters recognized and congratulated Mr. Ono.

Director Ono thanked the Mayor, the Managing Director, and the Council. He stated that he is here to do the job and believes in what the Mayor is trying to do. Director Ono also thanked his staff.

PUBLIC HEARING/RESOLUTION **RESOLUTION 21-125**

RESOLUTION CONFIRMING THE APPOINTMENT OF LARRY IGNAS TO SERVE ON
THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Larry Ignas (General comment)

In response to councilmembers, Mr. Ignas stated that:

- When he lived in Chicago, he worked with the homeless.
- When he works at the Alakea Corporate Towers, he deals with the homeless and tries to relocate them to shelters.
- He hopes to help improve the Department's needs and find a new Police Chief.
- If he is appointed, he will work with the other commissioners and offer his help.
- He served on the Motor Vehicle Industry Licensing Board but has since resigned.
- He has been a resident of Hawaii for over 30 years and as a former police officer, he feels that he can help the commission.
- He founded and owns a security company called Star Protection and hires people of all different nationalities. He stated that he has not seen racial discrimination here in Hawaii like on the mainland.

Chair Waters referred Resolution 21-125 to the Committee on Public Safety for further consideration.

Related communication:

M-343 Testimony on Resolution 21-125

PUBLIC HEARING/RESOLUTION
RESOLUTION 21-126

RESOLUTION RELATING TO THE APPOINTMENT OF MR. PANE MEATOGA III TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Councilmember Elefante stated for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-231 and CC-234).

Councilmember Tupola stated for the record that she would be filing a Disclosure of Interest with the City Clerk's Office (CC-236).

Councilmember Cordero stated for the record that she filed a Disclosure of Interest with the City Clerk's Office (CC-233).

Councilmember Tupola read part of her communication (CC-232) to the councilmembers and expressed her reservations for the appointee. She is concerned that Mr. Meatoga is an active lobbyist and may have a potential conflict of interest. Councilmember Tupola stated that people are looking at and scrutinizing the Council's decisions and that councilmembers should look at their own decisions. She asked that nominees be transparent when asked questions. Councilmember Tupola stated that she will be voting with reservations.

Councilmember Tsuneyoshi expressed her concern that the nominee has the same background as the previous nominee. She stated that the Mr. Meatoga should have a diverse background so that when decisions are made at the Planning Commission it is not one-sided. Councilmember Tsuneyoshi stated that her decision to vote with reservations does not have anything against him and looks forward to further discussion in Committee.

Chair Waters referred Resolution 21-126 to the Committee on Zoning and Planning for further consideration.

Related communications:

CC-232 Councilmember Andria Tupola
M-344 Testimony on Resolution 21-126

PUBLIC HEARING/SECOND READING
BILL 18 (2020) – COMMITTEE REPORT 175

A BILL FOR AN ORDINANCE TO REZONE LAND SITUATED AT WAIALUA, OAHU, HAWAII.

Councilmember Elefante moved that Committee Report 175 be adopted and Bill 18 (2020) pass second reading. Seconded by Councilmember Kia'āina.

There was no public testimony.

Committee Report 175 was adopted and Bill 18 (2020) passed second reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
 TULBA, TUPOLA, WATERS – 9.
NOES: None.

PUBLIC HEARING/SECOND READING
BILL 94 (2020), CD1 – COMMITTEE REPORT 176

A BILL FOR AN ORDINANCE TO REZONE LAND SITUATED AT MOILIILI, OAHU, HAWAII.

Councilmember Elefante moved that Committee Report 176 be adopted and Bill 94 (2020) pass second reading as amended to CD1. Seconded by Councilmember Kia'āina.

There was no public testimony.

Committee Report 176 was adopted and Bill 94 (2020), CD1 passed second reading, as amended.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

THIRD READING

BILL 10, CD1 – COMMITTEE REPORT 148

A BILL FOR AN ORDINANCE RELATING TO HANAUMA BAY NATURE PRESERVE.

Councilmember Say moved that Committee Report 148 be adopted and Bill 10, CD1 pass third reading. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 148 was adopted and Bill 10, CD1 passed third reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communication:

M-345 Testimony on Bill 10, CD1

THIRD READING

BILL 15, CD1 – COMMITTEE REPORT 152

A BILL FOR AN ORDINANCE RELATING TO FUNDS.

Councilmember Say moved that Committee Report 152 be adopted and Bill 15, CD1 pass third reading. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 152 was adopted and Bill 15, CD1 passed third reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

RECESS/RECONVENE

At 12:56 p.m., the Chair called for a recess as noted on the agenda. With 9 members present, the Chair reconvened the meeting at 2:04 p.m.

THIRD READING

BILL 5, CD1 – COMMITTEE REPORT 144

A BILL FOR AN ORDINANCE RELATING TO THE LEGISLATIVE BUDGET FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022.

Councilmember Say moved that Committee Report 144 be adopted and Bill 5, CD1 pass third reading. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Say stated that this is a very lean budget. He noted that on behalf of the councilmembers, for public edification, they should realize that with the past Administration they did take a 5, 10, 15 percent cut on some of the affected departments in balancing the budget for that particular fiscal year. Councilmember Say stated that the Council did an excellent job in trying to monitor the Affordable Care Act plan as far as how the expenditures were made. He also noted that the Council compiled a list of three items that was sent to the Mayor in regards to how the American Rescue Plan Act funds could be utilized. Councilmember Say noted that a Resolution will be introduced asking the Department of Budget and Fiscal Services to provide a quarterly report on overtime. He thanked the Managing Director for informing him that over 50 positions were filled and of that, 18 positions were filled by the Department of Facility Maintenance. He also stated that the budget includes \$10 million for homelessness and housing under the Department of Community Services. Councilmember Say stated that it took the Council three months to get through the budget. He wanted the general public to realize that this is a one-year budget and by the end of December, a new budget will be starting to formulate. Councilmember Say stated that the Council worked well with the Administration and in the three months, the councilmembers worked diligently to help craft the budget. He stated that the five budgets that are for approval today assures that City agencies can continue

their important work while considering the impacts of current expenditures and focusing on future generations of taxpayers. Councilmember Say stated that the budgets support public safety agencies, assures that trash is collected, that sewage treatment facilities are upgraded, that permits are processed on time, and roads, parks and beaches are properly maintained. He thanked Councilmember Tsuneyoshi for a job well done in communicating with Congressman Kai Kahele to obtain Federal resources for the Waialele project. Councilmember Say thanked the Departments for their presentation, the Council agencies that are part of the Legislative budget, and all councilmembers.

Committee Report 144 was adopted and Bill 5, CD1 passed third reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

THIRD READING

BILL 6, CD2, FD1 – COMMITTEE REPORT 145

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022.

The following amendments were posted on the agenda and not considered:

Bill 6, CD2, Proposed FD1 (OCS2021-0544/5/26/2021 1:33 PM)

Bill 6, CD2, Proposed FD1 (OCS2021-0545/5/26/2021 3:54 PM)

Bill 6, CD2, Proposed FD1 (OCS2021-0550/5/27/2021 1:40 PM)

Bill 6, CD2, Proposed FD1 (OCS2021-0547/5/27/2021 3:57 PM)

The following amendment was handcarried to the meeting:

Bill 6, CD2, Proposed FD1 (OCS2021-0560/6/1/2021 3:14 PM)

Councilmember Say moved that Committee Report 145 be adopted and Bill 6, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Cordero.

Chair Waters thanked Councilmember Say for his hard and diligent work on the budget. He stated that Councilmembers Say, Fukunaga and Tsuneyoshi each submitted a floor draft amendment that was posted on the agenda. Chair Waters also stated that he incorporated all the changes in the floor drafts that he mentioned into one amendment so it would be easier to vote on. He asked councilmembers to consider amending the Bill to the handcarried FD1 and then have further discussion.

Councilmember Say moved that the Bill be amended to the handcarried FD1 (OCS2021-0560/6/1/2021 3:14 PM). Seconded by Councilmember Cordero. Councilmember Say explained the FD1 amendment.

There was no public testimony.

Bill 6, CD2 was amended to the handcarried FD1 (OCS2021-0560/6/1/2021 3:14 PM).

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Council Rule 19.G relating to 48-hour notice was waived.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Councilmember Elefante commended Budget Chair Say for his hard work. He noted that it has been a very difficult year, especially during the pandemic, to balance the budget. Councilmember Elefante thanked Councilmember Say, his staff, and everyone else who provided input on the budget. He voiced his strong support for the measure.

Councilmember Cordero echoed the sentiments of Councilmembers Elefante and Say. She stated that it has been an honor to work with Budget Chair Say as his Vice Chair on the Committee on Budget and how great the learning experience has been. She stated that she is proud to serve on a body where all colleagues have rightfully fought for each and every one of their communities. Councilmember Cordero thanked all staff members from all the Council offices, the Office of the City Clerk, the Office of Council Services, and everyone else.

Councilmember Tupola thanked Budget Chair Say and Vice Chair Cordero for their hard work. She stated that she looks forward to working with the Managing Director and the Budget and Fiscal Services Director in regards to the add-ons. Councilmember Tupola stated that people are counting on the Council to make a difference and make a change. She hopes that through the budget process, the Council was able to be reasonable and fiscally conservative. Councilmember Tupola thanked everyone for their hard work and especially to Budget Chair Say as he was so humble as councilmembers got to learn alongside him through the budget process.

Councilmember Say stated that accolades should be given to the Mayor and Managing Director for attending the budget and Council hearings. He also recognized Budget and Fiscal Services Director Kawano.

Andrew Kawano, Director of the Department of Budget and Fiscal Services (BFS) thanked all the councilmembers for working with him and Chair Waters for the omnibus to put together all the floor drafts. He stated that the positions that were recently filled was because of the commitment to restore the provision for vacant positions. Director Kawano also noted that the operating subsidy from the General Fund to the Solid Waste Fund, the Refuse Fund, got substantially restored, got reduced by \$10 million and then was restored about \$7.4 million. He expressed his appreciation for the restoration which will provide flexibility for the operation of the Solid Waste Fund which will require some investment this year because one of the boilers is not operating properly. Director Kawano stated that the next budget should go smoother because everyone went through the process and learned together.

Chair Waters stated that it has been a pleasure working with the BFS Director and his staff and appreciates his hard work and comments. He also stated that it has been an interesting time for all councilmembers, as they asked questions and learned about the Mayor and his priorities. Chair Waters stated that he looks forward to doing this again in five short months.

Committee Report 145 was adopted and Bill 6, CD2, FD1 passed third reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.
NOES: None.

Related communications:

CC-147 Disclosure of Interest Statement submitted by Councilmember Elefante
M-353 Testimony on Bill 6, CD2

THIRD READING

BILL 7, CD2, FD1 – COMMITTEE REPORT 146

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE CAPITAL BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022.

The following amendment was posted on the agenda:

Bill 7, CD2, Proposed FD1

Councilmember Say moved that Committee Report 146 be adopted and Bill 7, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Cordero.

Councilmember Tsuneyoshi moved that the Bill be amended to the posted FD1. Seconded Councilmember Say. Councilmember Tsuneyoshi explained the FD1 amendment.

There was no public testimony.

Councilmember Tsuneyoshi thanked Chair Waters and Budget Chair Say for their understanding on the timing of the funding for the Waialele Stream Flood Risk Management project and looks forward to working with everyone as the project moves forward.

Andrew Kawano, Director of the Department of Budget and Fiscal Services thanked all councilmembers for their input and open discussion on the needs of their constituency. He stated that he will work with Councilmember Tsuneyoshi to find the funding for the Waialele project to make it happen and to support the community.

Bill 7, CD2 was amended to the posted FD1.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Councilmember Say stated that if he was not urged and nudged by the councilmember from the Windward side, Councilmember Tsuneyoshi and he would not have taken the lead in finding more Federal funds.

Chair Waters noted that there are two councilmembers from the Windward side and that both were probably nudging Councilmember Say to find more Federal funds. Chair Waters incorporated what Floor Leader Tupola stated, that all the councilmembers have their pet projects in the Capital Improvement Project and will be working closely with the Administration to try to get those projects completed.

Committee Report 146 was adopted and Bill 7, CD2, FD1 passed third reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communication:

M-346 Testimony on Bill 7, CD2

THIRD READING

BILL 8 – COMMITTEE REPORT 147

A BILL FOR AN ORDINANCE 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, 2022, 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.

Councilmember Say moved that Committee Report 147 be adopted and Bill 8 pass third reading. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 147 was adopted and Bill 8 passed third reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-62, FD1 – COMMITTEE REPORT 153

RESOLUTION DETERMINING THE REAL PROPERTY TAX RATES FOR THE CITY AND COUNTY OF HONOLULU FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022.

The following amendment was posted on the agenda:

Resolution 21-62, Proposed FD1

Councilmember Say moved that Committee Report 153 and Resolution 21-62 be adopted. Seconded by Councilmember Cordero.

Councilmember Say stated that there are no increases in the property taxes. He also stated that he would like the general public to realize that they are getting a great deal with the rate of \$3.50 for Class A Residential which is equivalent to 0.35 percent of the total real property tax that is coming in as revenue.

Councilmember Say moved that the Resolution be amended to the posted FD1. Seconded by Councilmember Cordero. Councilmember Say explained the FD1 amendment.

There was no public testimony.

Chair Waters stated that property tax is not being raised and will remain the same. He noted that the proposed floor draft amendment adds the percentage of the rate on the chart to be more transparent.

Resolution 21-62 was amended to the posted FD1.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Committee Report 153 and Resolution 21-62, FD1 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communication:

M-362 Testimony on Resolution 21-62

THIRD READING

BILL 12, CD1 – COMMITTEE REPORT 149

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022.

Councilmember Say moved that Committee Report 149 be adopted and Bill 12 pass third reading as amended to CD1. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Say stated for the record that the source of funding is the Transit Fund, not the General Fund. He noted that on page 1 of the Bill, the funds are not coming from real property taxes but from the Transit Fund which is being used to operate the Honolulu Authority for Rapid Transportation (HART) operations.

Councilmember Tsuneyoshi stated that she appreciates Budget Chair Say for everything he did to move the budget forward and to all councilmembers for working together to bring together the budget. She noted that he worked very well with the councilmembers and the Administration during this challenging time. Councilmember Tsuneyoshi stated that she has always had concerns with the HART bills - how the General Obligation bonds were floated and transferred into the Transit Fund, how HART is funded, and their budget. She stated that with a new Mayor, new Administration, new councilmembers, and a new Interim Executive Director of HART, everyone needs to understand what is happening and move forward together. Councilmember Tsuneyoshi stated that she reviewed the Charter specifically Article 17, the Transit Fund, Section 17-111, Relating to audits, and the six-year plan. She noted that HART is not following the Charter and also noted that HART Budget bills have not been signed by previous Mayors. Councilmember Tsuneyoshi proposed that the Council not pass HART's budgets and not float General Obligation bonds until they follow the Charter. She stated that she will vote no on Bills 12, 13 and 14 and asked the Council to defer the Bills and refer them back to Committee for further discussion.

Councilmember Say stated for the record that he is in strong support of Bills 12, 13, and 14. He noted that the Council needs to move forward because the people of Oahu voted for rail. Councilmember Say stated that he is happy that the Council is discussing the HART budgets and the general public can hear their points of views. He voiced his concern on when HART members appointed their Administrators and they did not disclose some of the information that was requested. Councilmember Say thanked the State Legislators for creating the surcharge on the general excise tax and the transient accommodation tax which affected the neighbor islands. He stated that the Council needs to have discussions and move forward because real property taxes cannot be utilized for the capital budget and

operations of HART. Councilmember Say voiced his strong support for the Bill because it is another alternative to the bus and automobiles and stated that the rail could be a success if everyone would put their hearts together for the greater good of Oahu and future generations.

In response to councilmembers, Lori Kahikina, Interim Executive Director, Honolulu Authority for Rapid Transportation stated that:

- Her understanding is that Council does not have the authority over HART's budget; the HART Board has that authority.
- HART needs Council's and Administration's support to float bonds.
- It was good to have the HART Board Chair and the Budget Committee Chair hear the concerns at the last hearing because ultimately the HART Board approves the budget.
- HART is estimating about \$10 million to \$30 million savings per year. The consultants are paid out of the CIP and HART salaries.
- HART sent a letter to the Council that the consulting contract would not be renewed.

In response to councilmembers, Andrew Kawano, Director, Department of Budget and Fiscal Services stated that:

- His understanding is consistent with Interim Executive Director Kahikina that the HART Board controls the budget.
- The Mayor is the primary elected officer and will work with HART and support HART in terms of coming up with a plan and meeting with the Federal Transit Administration to update them on the recovery plan.
- The Mayor and his Administration will support HART in a manner that makes business sense. He stated that the longer it takes to operate, the cost is going to run up and noted that the City needs to determine where the finish line is going to be and complete the project in the most efficient way possible.
- The Mayor has stated that rail will not stop at Middle Street but could stop in Downtown or at Lagoon Drive.
- A bond is considered a loan and there are controls in place. He stated that when underwriters write the bond, there are two groups. The bond that the City floats to

help finance the construction of rail is at about \$659 million in terms of outstanding balance and are repaid through the State general excise tax and transient accommodations tax that HART receives.

- The serial bond maturities do not extend beyond 2030 or 2031. This was done purposely to protect the City. In addition there is a Memorandum of Understanding stating that HART must reimburse the City for all of the debt services paid by the City for the bond issuances.

Councilmember Cordero stated that she also reviewed the Charter and requested that the Mayor or the Managing Director could attend the next Transportation Committee meeting to discuss how the Council can continue to provide their priorities and concerns through the budgetary process while still trying to fight for their communities.

Councilmember Tupola echoed the sentiments of her colleagues. She stated that she requested opinions from the Corporation Counsel (COR) and the Office of Council Services (OCS) on who approves HART's budget and got two different opinions. She shared that the opinion of the COR was that the adoption of HART's budget rests with HART alone and OCS's opinion was that HART's budget must be approved by the Council. Councilmember Tupola asked that COR and OCS reconcile their differences and come up with one opinion.

Chair Waters clarified that the HART CEO and the City Council does not have the authority to amend the budget. He read Section 17-106 of the Charter, noting that the authority shall, with or without amendments, approve the authority's appropriate requests. Chair Waters stated that it does not make sense that the authority would submit their budget to the Mayor who submits it to the Council and the Council would just rubber stamp it. He agrees with Councilmember Say that he does not want to be a rubber stamp and if the Charter needs to be amended then the Council should exercise that authority.

In response to Councilmember Tupola's question for clarification of Resolution 09-252, CD1 superseding the Charter, Chair Waters stated that it argues legislative intention. He stated that the Charter says with or without amendments the Council shall pass the budget.

Councilmember Tsuneyoshi stated that the difference of opinions between COR and OCS is because of the confusion with regards to how HART operates. She explained how HART was supposed to be semi-autonomous and fund everything through the Transit Fund but started asking the City to float General Obligation bonds to have the money to move the project forward. She stated that there needs to be clarity for the Council, the taxpayers, HART and the Department of Budget and Fiscal Services. Councilmember Tsuneyoshi stated her request to defer the Bills was to be able to ask HART to look at their budget and present detailed information on what the monies are being used for and be open and

transparent. She noted that in the Charter, Section 17-107, the HART Board was supposed to have public hearings on their budget and open it up to the public and to the Council. Councilmember Tsuneyoshi thanked Budget Chair Say for moving the budget forward but noted that the Council needs to work with the HART CEO, their financial team, the Mayor and the Administration to clean up everything that has happened to this point and bring it back to what it is supposed to be by Charter.

Councilmember Say stated his thought that the Council take back ownership, having HART come up with their budget, itemize it, and then come to the Council instead of the Board.

Committee Report 149 was adopted and Bill 12, CD1 passed third reading, as amended.

AYES: CORDERO, ELEFANTE, FUKUNAGA*, KIA'ĀINA, SAY, TUPOLA,
WATERS – 7.
NOES: TSUNEYOSHI, TULBA – 2.

*Councilmember Fukunaga voted aye with reservations.

Related communication:

M-365 Testimony on Bill 12, CD1

THIRD READING

BILL 13, CD2 – COMMITTEE REPORT 150

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2021 TO JUNE 30, 2022.

Councilmember Say moved that Committee Report 150 be adopted and Bill 13, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Say stated that the budget request was cut from \$4 billion down to \$1.5 billion.

Committee Report 150 was adopted and Bill 13, CD2 passed third reading, as amended.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TUPOLA, WATERS – 6.
NOES: FUKUNAGA, TSUNEYOSHI, TULBA – 3.

Related communication:

M-347 Testimony on Bill 13, CD2

THIRD READING

BILL 14 – COMMITTEE REPORT 151

A BILL FOR AN ORDINANCE 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, 2022, 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.

Councilmember Say moved that Committee Report 151 be adopted and Bill 14 pass third reading. Seconded by Councilmember Cordero.

There was no public testimony.

Chair Waters stated that as a safeguard in the Bill, Section 5 states that the Department of Budget and Fiscal Services cannot float the bonds until the Honolulu Authority for Rapid Transportation comes up with a financial plan.

Councilmember Tupola stated that the Budget and Fiscal Services Director will have to make the ultimate decision authorizing the bond then executing it, selling it and making sure that there is money to pay it back.

Committee Report 151 was adopted and Bill 14 passed third reading.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TUPOLA, WATERS – 6.
NOES: FUKUNAGA, TSUNEYOSHI, TULBA – 3.

Related communication:

M-356 Testimony on Bill 14

Chair Waters stated that he understands that the budget bills were difficult and expressed his appreciation to each councilmember for their hard work. He also noted that the work is not over yet. Chair Waters noted his appreciation for everything that Councilmembers Tsuneyoshi, Say, Tupola, Cordero and others said about the budget and he feels that it is worth clarifying the Council's authority going forward.

FIRST READING

BILL 26

A BILL FOR AN ORDINANCE RELATING TO FEES.

Councilmember Kia'aina moved that Bill 26 pass first reading. Seconded by Councilmember Tupola.

There was no public testimony.

Bill 26 passed first reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TSUNEYOSHI,
 TULBA, TUPOLA, WATERS – 9.

NOES: None.

FIRST READING

BILL 27

A BILL FOR AN ORDINANCE RELATING TO SPECIAL MANAGEMENT AREA USE PERMITS.

Councilmember Kia'aina moved that Bill 27 pass first reading. Seconded by Councilmember Tupola.

There was no public testimony.

Bill 27 passed first reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communication:

M-363 Testimony on Bill 27

FIRST READING

BILL 28

A BILL FOR AN ORDINANCE RELATING TO WIND MACHINES.

Councilmember Kia'āina moved that Bill 28 pass first reading. Seconded by Councilmember Tupola.

There was no public testimony.

Councilmember Tsuneyoshi thanked councilmembers in advance for their consideration of Bills 28, 29, and 30. She expressed her appreciation to Kahuku and to all the communities that came together to support them. Councilmember Tsuneyoshi stated that the measures are to make sure that communities do not have to fight the way Kahuku did and to bring everyone together to make a good decision on what to do with industrial size turbines.

Councilmember Tupola stated her reservations on Bills 28, 29, and 30. She stated that the Office of Energy should do a better job in deciding what the needs are of the community and noted that the majority of the energy projects are in her district. Councilmember Tupola stated that the company that gets the bid can build with no recourse and there is no path of advocacy for the community. She stated that she would like to have more discussion.

Bill 28 passed first reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA*, WATERS – 9.

NOES: None.

*Councilmember Tupola voted aye with reservations.

Related communication:

M-354 Testimony on Bill 28

FIRST READING

BILL 29

A BILL FOR AN ORDINANCE RELATING TO WIND MACHINES.

Councilmember Kia'āina moved that Bill 29 pass first reading. Seconded by Councilmember Tupola.

There was no public testimony.

(Note: See Bill 28 for comments.)

Bill 29 passed first reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
 TULBA, TUPOLA*, WATERS – 9.

NOES: None.

*Councilmember Tupola voted aye with reservations.

Related communication:

M-355 Testimony on Bill 29

FIRST READING

BILL 30

A BILL FOR AN ORDINANCE RELATING TO WIND MACHINES.

Councilmember Kia'āina moved that Bill 30 pass first reading. Seconded by Councilmember Tupola.

There was no public testimony.

(Note: See Bill 28 for comments.)

Bill 30 passed first reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA*, WATERS – 9.

NOES: None.

*Councilmember Tupola voted aye with reservations.

Related communication:

M-356 Testimony on Bill 30

FIRST READING

BILL 31

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Kia'āina moved that Bill 31 pass first reading. Seconded by Councilmember Tupola.

There was no public testimony.

Bill 31 passed first reading.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-105, CD1 – COMMITTEE REPORT 154

RESOLUTION ADOPTING THE 2020-2025 CLIMATE ACTION PLAN FOR THE CITY AND COUNTY OF HONOLULU.

Councilmember Cordero moved that Committee Report 154 and Resolution 21-105 as amended to CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 154 and Resolution 21-105, CD1 as amended were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communications:

CC-221	Disclosure of Interest Statement submitted by Councilmember Elefante
D-342	Board of Water Supply
MM-85	Office of Climate Change, Sustainability and Resiliency
M-348	Testimony on Resolution 21-105, CD1

ADOPTION

RESOLUTION 21-113 – COMMITTEE REPORT 155

RESOLUTION URGING THE CITY ADMINISTRATION TO EXPEDITE THE INSTALLATION OF SOLAR PHOTOVOLTAIC SYSTEMS AT CITY FACILITIES AND STRUCTURES.

Councilmember Cordero moved that Committee Report 155 and Resolution 21-113 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 155 and Resolution 21-113 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communication:

M-357	Testimony on Resolution 21-113
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ADOPTION

RESOLUTION 21-88 – COMMITTEE REPORT 156

RESOLUTION REQUESTING THE MAYOR, THE MANAGING DIRECTOR, OR THE MAYOR'S OFFICE OF ECONOMIC REVITALIZATION TO PROVIDE THE COUNCIL WITH MONTHLY LINE-ITEM REPORTS OF THE CITY'S EXPENDITURES AND DISBURSEMENTS OF FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ("CARES") ACT FUNDING AND AMERICAN RESCUE PLAN ACT FUNDING.

Councilmember Kia'aina moved that Committee Report 156 and Resolution 21-88 be adopted. Seconded by Councilmember Say.

There was no public testimony.

Committee Report 156 and Resolution 21-88 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'AINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-92, CD1 – COMMITTEE REPORT 157

RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU TO ESTABLISH A JOB CORPS PROGRAM TO HELP ADDRESS UNEMPLOYMENT RESULTING FROM THE COVID-19 PANDEMIC AND TO SUPPORT ECONOMIC DIVERSIFICATION.

Councilmember Kia'aina moved that Committee Report 157 and Resolution 21-92 as amended to CD1 be adopted. Seconded by Councilmember Say.

There was no public testimony.

Councilmember Tsuneyoshi thanked the Chair of Housing and the Economy for moving the measure forward. She also thanked Councilmember Fukunaga for being able to co-sponsor the measure with her. Councilmember Tsuneyoshi voiced her support to Mr. Leong and Kupu who came forward to take care of the people and the land to bring it all together as the City moves forward to revitalize and reinvigorate the economy. She also thanked everyone for their support.

Committee Report 157 and Resolution 21-92, CD1 as amended were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communication:

M-350 Testimony on Resolution 21-92, CD1

ADOPTION

RESOLUTION 21-104, CD1 – COMMITTEE REPORT 158

RESOLUTION RELATING TO THE DIGITAL EQUITY DECLARATION.

Councilmember Kia'āina moved that Committee Report 158 and Resolution 21-104 as amended to CD1 be adopted. Seconded by Councilmember Say.

There was no public testimony.

Committee Report 158 and Resolution 21-104, CD1 as amended were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communication:

M-352 Testimony on Resolution 21-104, CD1

ADOPTION

RESOLUTION 21-120 – COMMITTEE REPORT 161

RESOLUTION REAPPOINTING GLEN I. TAKAHASHI TO SERVE AS THE CITY CLERK OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tupola moved that Committee Report 161 and Resolution 21-120 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Elefante thanked Chair Waters for introducing the measure. He stated that it has been a privilege working with Mr. Takahashi now and for the last decade. He noted that he saw him grow from being the Election's Chief to now serving as the City Clerk. Councilmember Elefante noted that Mr. Takahashi has been navigating through some challenging times during the pandemic, getting through remote testimony, being the keeper of documents including bills, resolutions and public testimony. He stated his strong support to the reappointment of Mr. Takahashi and looks forward to working with him and his wonderful staff.

Councilmember Tsuneyoshi stated her strong support for City Clerk, Mr. Glen Takahashi. She noted that the many years that she was able to work with him, he has always been hands on and positive. She also noted the testimony from the members of the community. Councilmember Tsuneyoshi stated that she has full confidence that he will continue moving forward in the right direction.

Councilmember Cordero voiced her strong support of the reappointment of Mr. Takahashi. She stated that it has been great to work alongside him and see him through the journey and through the pandemic. Councilmember Cordero expressed her appreciation of keeping the information between the City Administration and the Council, keeping the councilmembers posted and being a support system to the City as a whole. She thanked Mr. Takahashi and the whole Office of the City Clerk and urged councilmembers to support the reappointment.

Councilmember Fukunaga noted that Mr. Takahashi and his staff have had to work under very difficult conditions. She commended Mr. Takahashi and his staff for working through all the issues that come up and hopes that the Council is among those that can make it possible for us to continue working remotely or from a location that may not require us to endanger ourselves and our staff.

Committee Report 161 and Resolution 21-120 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TUPOLA, WATERS – 8.
NOES: None.
ABSENT: TULBA – 1.

Related communication:

M-367 Testimony on Resolution 21-120

ADOPTION

RESOLUTION 21-110 – COMMITTEE REPORT 166

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HONOLULU ZOOLOGICAL SOCIETY.

Councilmember Say moved that Committee Report 166 and Resolution 21-110 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 166 and Resolution 21-110 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-111, CD1 – COMMITTEE REPORT 167

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HONOLULU ZOOLOGICAL SOCIETY.

Councilmember Say moved that Committee Report 167 and Resolution 21-111, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 167 and Resolution 21-111, CD1 as amended were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-98 – COMMITTEE REPORT 163

RESOLUTION AUTHORIZING THE EXPENDITURE OF CLEAN WATER AND NATURAL LANDS FUNDS TO ACQUIRE A CONSERVATION EASEMENT TO COVER A PORTION OF TMK: 4-5-030-001, KANEOHE, HAWAII.

Councilmember Say moved that Committee Report 163 and Resolution 21-98 be adopted.
Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 163 and Resolution 21-98 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communication:

M-358 Testimony on Resolution 21-98

ADOPTION

RESOLUTION 21-108 – COMMITTEE REPORT 164

RESOLUTION APPROVING COLLECTIVE BARGAINING COST ITEMS FOR INCLUDED
EMPLOYEES OF THE CITY AND COUNTY OF HONOLULU IN BARGAINING UNIT 1
(UNITED PUBLIC WORKERS).

Councilmember Say moved that Committee Report 164 and Resolution 21-108 be adopted.
Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 164 and Resolution 21-108 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communications:

CC-196 Disclosure of Interest Statement submitted by Councilmember Elefante
M-361 Testimony on Resolution 21-108

ADOPTION

RESOLUTION 21-109 – COMMITTEE REPORT 165

RESOLUTION APPROVING COLLECTIVE BARGAINING COST ITEMS FOR THE HAWAII GOVERNMENT EMPLOYEES ASSOCIATION BARGAINING UNITS 2 AND 3, INCLUDED AND EXCLUDED EMPLOYEES OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Say moved that Committee Report 165 and Resolution 21-109 be adopted.
Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 165 and Resolution 21-109 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

Related communications:

CC-197 Disclosure of Interest Statement submitted by Councilmember Elefante
M-359 Testimony on Resolution 21-109

ADOPTION

RESOLUTION 21-112 – COMMITTEE REPORT 168

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Say moved that Committee Report 168 and Resolution 21-112 be adopted.
Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 168 and Resolution 21-112 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-117 – COMMITTEE REPORT 169

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Say moved that Committee Report 169 and Resolution 21-117 be adopted.
Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 169 and Resolution 21-117 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.
NOES: None.

ADOPTION

RESOLUTION 21-118 – COMMITTEE REPORT 170

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Say moved that Committee Report 170 and Resolution 21-118 be adopted.
Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 170 and Resolution 21-118 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.
NOES: None.

ADOPTION

RESOLUTION 21-119 – COMMITTEE REPORT 171

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Say moved that Committee Report 171 and Resolution 21-119 be adopted.
Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 171 and Resolution 21-119 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-121, CD1 – COMMITTEE REPORT 172

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Say moved that Committee Report 172 and Resolution 21-121, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 172 and Resolution 21-121, CD1 as amended were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-123 – COMMITTEE REPORT 173

RESOLUTION RELATING TO TRANSFER OF FUNDS.

Councilmember Say moved that Committee Report 173 and Resolution 21-123 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 173 and Resolution 21-123 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, TUPOLA, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 21-122 – COMMITTEE REPORT 174

RESOLUTION URGING THE MAYOR TO EXERCISE HIS EXECUTIVE REORGANIZATION AUTHORITY TO CREATE A SEPARATE DEPARTMENT FOR THE CITY'S OCEAN SAFETY AND LIFEGUARD SERVICES PERSONNEL.

Councilmember Tsuneyoshi moved that Committee Report 174 and Resolution 21-122 be adopted. Seconded by Councilmember Tulba.

There was no public testimony.

Councilmember Tsuneyoshi thanked Chair Waters for having this important matter on the agenda. She asked if Chief Titchen from Ocean Safety and Dr. James Ireland, Director of Honolulu Emergency Services Division could present background on the Resolution.

John Titchen, Chief, Ocean Safety stated his strong support for the Resolution. He thanked the men and women of the Ocean Safety and Emergency Medical Services (EMS) for the work that they do. Chief Titchen offered three points on why Ocean Safety stands in support of the Resolution. First, he believes that there is a common misconception about the scope of work that they are responsible for. Ocean Safety addresses user conflict issues on the beaches and shores of water on Oahu, and work with the United States Coast Guard, Air Force Marine, Secret Service, Fish and Wildlife Services, National Oceanic and Atmospheric Administration, and several divisions of the State Department of Land and Natural Resources. He noted that the Mayor is very supportive of Ocean Safety and regularly speaks on behalf of all public safety including Police, Fire, EMS and Ocean Safety putting them all on the same level. His second point was that the new department would provide transparency to the process that goes with allocations made for public safety agencies and the third point is for those guiding the budget should be aware of all the new recreational activities being pursued by both residents and visitors. Chief Titchen thanked Councilmember Tsuneyoshi and her staff for introducing the measure and is appreciative to her for elevating the conversation to this level. He noted that this was a surprise for him and the Mayor but believes that the Mayor knows the value Ocean Safety brings as first responders.

Dr. James Ireland stated that he testified in Committee and just wanted to say that he has a fantastic Department with multiple Divisions. He noted that the residents and visitors enjoy the beach and that the beach is a dangerous place. With people starting to go off the beaten path, they are seeing more rescues than before. Dr. Ireland stated that he reviewed the testimonies and that everyone was in support of the Resolution. He stated he stands with his lifeguards and appreciates all that they do.

Councilmember Say apologized to Dr. Ireland and the public noting that he voted no in the Committee hearing because he thought a study was going to be done first to create an organizational structure of the Department.

In response to councilmembers, Dr. Ireland and Chief Titchen stated that:

- The total administrative cost for a new department would be about \$1 million plus or minus \$200,000. He noted that the Department and the Division is going to have further budgetary needs as they go into the dawn to dusk program and hire more personnel as rescue services will be expanded. They will also need CIP monies to construct headquarters and four district substations because they are currently using the parks facilities.
- Emergency Services is essentially two departments operating under a third.
- This is simply a Resolution asking the Mayor to consider having a separate department and then provide a study to see whether or not it is worth doing, but the best way to do this would be to put it through a public vote to amend the Charter by asking the constituents and the voters whether or not they feel it is worth doing.
- Ocean Safety personnel save lives and enjoy their work but their scope of work is changing rather rapidly.
- The Police and Fire Departments are independent entities.
- The total number of rescues this past three-day weekend was 187. They also did 20,000 preventative actions where they reach out to someone to try to keep them from getting into danger.

Councilmember Kia'aina stated her support for the measure. She stated that she appreciates Councilmember Say's concerns because he is the Budget Chair and he has to look at economic implications; however, she represents the Windward side and ocean safety is paramount for the quality of life of her constituents. Councilmember Kia'aina noted that this new department will be a return on investment because the ocean is important to our economy and to residents and visitors. She stated that this will contribute to government efficiency and actually increase the capability to provide public safety to residents as well as visitors.

Councilmember Tulba stated his support of the Resolution.

Councilmember Tupola spoke in support of the Resolution. She noted that she was in Makaha on Monday and she did preventative action by talking with people and stated that there is a beach on the West side that has a lot of problems. Councilmember Tupola voiced her appreciation to all the first responders for their efforts they put out to the community to keep people safe on a regular basis.

Councilmember Tsuneyoshi explained her reasons for introducing the Resolution. She thanked all councilmembers for giving Dr. Ireland and Chief Titchen the opportunity to speak about the amazing work that they do. Councilmember Tsuneyoshi stated that during the budget process she went out to talk with Ocean Safety personnel and heard and saw their concerns and needs. She saw their headquarters under construction, their first in 100 years, being built in Kailua. Councilmember Tsuneyoshi stated that EMS will have new responsibilities based on the transfer from the State to the City and Ocean Safety will be moving into the dawn to dusk program. She believes that at this time it is important that autonomy be given to both EMS and Ocean Safety because they have a strong team. She noted that in the Resolution, it states that Charter Section 4-202, in the interest of administrative efficiency, effectiveness and economy, the Mayor may propose to the Council that the duties and functions of existing departments and agencies of the Executive Branch be combined, rearranged, renamed, or eliminated. Councilmember Tsuneyoshi stated that she has full confidence that the Mayor will go through the transition of what needs to happen and no matter what happens, she appreciates everyone for having the discussion and thanks Ocean Safety, EMS and councilmembers for their attention to the Resolution.

Councilmember Elefante thanked the Chair of the Public Safety Committee for the discussion. He spoke in support of the measure but stated he will vote with reservations. Councilmember Elefante stated that he supports the men and women of Ocean Safety who are the best watercraft personnel in the world and they do their jobs to protect and save lives. He stated that he shares the concerns of Budget Chair Say in terms of the cost of personnel and that maybe the Mayor, the Administration, Chief Titchen, and Director Ireland can have a conversation to work something out.

Committee Report 174 and Resolution 21-122 were adopted.

AYES: CORDERO, ELEFANTE*, KIA'ĀINA, SAY*, TSUNEYOSHI, TULBA,
TUPOLA, WATERS – 8.
NOES: None.
ABSENT: FUKUNAGA – 1.

*Councilmembers Elefante and Say voted with reservations.

Related communication:

M-349 Testimony on Resolution 21-122

ADOPTION

RESOLUTION 21-16, CD1, FD1 – COMMITTEE REPORT 178

RESOLUTION GRANTING AN AFTER-THE-FACT SPECIAL MANAGEMENT AREA USE PERMIT FOR RENOVATIONS TO THE HALEIWA BEACH HOUSE RESTAURANT.

The following amendment was handcarried to the meeting:

Resolution 21-16, CD1, Proposed FD1 (OCS2021-0566/6/1/2021 4:27 PM)

Councilmember Elefante moved that Committee Report 178 and Resolution 21-16, as amended to CD1 be adopted. Seconded by Councilmember Kia'āina.

Councilmember Tsuneyoshi moved that the Resolution be amended to the handcarried FD1 (OCS2021-0566/6/1/2021 4:27 PM). Seconded by Councilmember Elefante. Councilmember Tsuneyoshi explained the FD1 amendment.

There was no public testimony.

Resolution 21-16, CD1 was amended to the handcarried FD1 (OCS2021-0566/6/1/2021 4:27 PM).

AYES: ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 7.

NOES: None.

ABSENT: CORDERO, FUKUNAGA – 2.

Council Rule 19.G relating to 48-hour notice was waived.

AYES: ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 7.

NOES: None.

ABSENT: CORDERO, FUKUNAGA – 2.

Committee Report 178 and Resolution 21-16, CD1, FD1 were adopted.

AYES: ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA,
WATERS – 7.
NOES: None.
ABSENT: CORDERO, FUKUNAGA – 2.

Related communication:

M-360 Testimony on Resolution 21-16, CD1

ADOPTION

RESOLUTION 21-91, CD1 – COMMITTEE REPORT 179

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA (SMA) USE PERMIT TO ALLOW THE REPLACEMENT OF THE EXISTING, DETERIORATING WASTEWATER TREATMENT SYSTEM AT TAX MAP KEY (TMK) 5-3-008: 002 IN PUNALUU.

Councilmember Elefante moved that Committee Report 179 and Resolution 21-91, as amended to CD1 be adopted. Seconded by Councilmember Kia'āina.

There was no public testimony.

Committee Report 179 and Resolution 21-91, CD1 as amended were adopted.

AYES: ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA,
WATERS – 7.
NOES: None.
ABSENT: CORDERO, FUKUNAGA – 2.

Related communication:

M-364 Testimony on Resolution 21-91, CD1

ADOPTION

RESOLUTION 21-106 – COMMITTEE REPORT 181

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM HENRIETTA AND DAVID WHITCOMB.

Councilmember Tulba moved that Committee Report 181 and Resolution 21-106 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 181 and Resolution 21-106 were adopted.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 8.
NOES: None.
ABSENT: FUKUNAGA – 1.

ADOPTION

RESOLUTION 21-107 – COMMITTEE REPORT 182

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE WHITCOMB FAMILY FOUNDATION.

Councilmember Tulba moved that Committee Report 182 and Resolution 21-107 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 182 and Resolution 21-107 were adopted.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 8.
NOES: None.
ABSENT: FUKUNAGA – 1.

BALANCE OF COMMITTEE REPORTS

EMLACR-162	Request for authorization to settle a case against the City and County of Honolulu entitled Muriel Ikeda, et al. v. City and County of Honolulu, et al., Civil No. 1:19-CV-00009 (USDC).
ZPCR-177	Granting a 90-day extension of time for Resolution 20-308 - Granting a Special Management Area Use Permit to allow the development of a new single-story, single-family detached dwelling in Kahaluu, Oahu. (Applicant: Takami Holdings Corporation) (Deadline: 7/8/21 + 90 days)
ZPCR-180	Granting a 60-day extension of time for Resolution 21-115 - Approving an extension to obtain development permits for a rural community commercial center at 59-706, 59-712, and 59-720 Kamehameha Highway, approved by Resolution No. 18-245, CD1, FD1. (Applicant: Hanapohaku, LLC) (Deadline: 7/5/21 + 60 days)

Councilmember Kia'āina moved that the Balance of Committee Reports, as listed above, be adopted. Seconded by Councilmember Tupola.

There was no public testimony.

The Balance of Committee Reports was adopted.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 8.
NOES: None.
ABSENT: FUKUNAGA – 1.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 21-129

RESOLUTION RECOMMENDING APPOINTEES TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

Councilmember Kia'aina moved that Resolution 21-129 be adopted. Seconded by Councilmember Tupola.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-230).

Resolution 21-129 was adopted.

AYES: CORDERO, ELEFANTE, KIA'AINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS – 8.

NOES: None.

ABSENT: FUKUNAGA – 1.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Chair Waters wished Councilmember Augie Tulba a happy birthday.

Chair Waters wanted to share an announcement from Councilmember Fukunaga that the United States Postal Service and Governor Ige will unveil a commemorative Go for Broke Soldiers stamp, the first stamp to honor Asian American Soldiers. The event will be livestreamed from the 100th Infantry Battalion Clubhouse on Friday, June 4, 2011 at 11 a.m. He stated that this is a momentous event and hopes that all can attend. He also thanked Councilmember Fukunaga and her staff for the delicious lunch.

Chair Waters requested councilmembers' input on whether or not to open up in person testimony for the Council and Committee hearings and to take up testimony at each measure rather than all up front. He noted that the City Clerk recommended opening up the Committee Room on the second floor for testifiers to go to rather than coming up to the Council Chambers to testify. Chair Waters will await the Mayor and Governor's direction if the tier system is abolished. He asked that councilmembers send him a memorandum or speak with Davin Aoyagi his Chief of Staff and noted that he looks forward to their input.

Chair Waters thanked the councilmembers, the staff, the Office of Council Services, the clerks, the video crew, and the police officer.

ADJOURNMENT

At 4:24 p.m., Councilmember Kia'aina moved that the Council stand adjourned until Wednesday, July 7, 2021, at 10 a.m. Seconded by Councilmember Tupola and there being no objections from the 8 members present (Absent: Fukunaga – 1), it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

jy

DATE APPROVED:

July 7, 2021