



# 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

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## JOURNAL

SPECIAL MEETING  
9TH SESSION  
WEDNESDAY, JUNE 30, 2021

CITY COUNCIL CHAMBER  
3<sup>RD</sup> 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

The special meeting of the City Council was called to order by the Chair and Presiding Officer, Tommy Waters, at 10:07 a.m.

### ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Cordero, Elefante, Fukunaga, Kia'āina, Say, Tsuneyoshi, Tulba, Tupola (via video conference), Waters – 9.

### INTRODUCTION OF GUESTS

Councilmember Tsuneyoshi introduced her summer intern, Ms. Leah Chincio. She is a graduate of Leilehua High School and will be attending Loyola Marymount University studying computer sciences.

The following individuals testified via video conference:

1. Denise Antolini, Malama Pupukea-Waimea (M-392) (Oppose Resolution 21-115)
2. Cora Sanchez, Cora D LLC (General comment on Resolution 21-115)
3. John Thielst (M-392) (Oppose Resolution 21-115)
4. Larry McElheny (M-392) (Oppose Resolution 21-115)
5. Joe Wilson (M-390) (Oppose Resolution 21-126), (M-392) (Oppose Resolution 21-115)
6. Angela Huntemer (M-392) (Oppose Resolution 21-115)
7. Sterling Wong, Office of Hawaiian Affairs (M-398) (Support Resolution 21-100, CD1)
8. Roberts Leinau (M-392) (Oppose Resolution 21-115)
9. Terrence Lee, Sullivan Meheula Lee (General comment on Resolution 21-115)
10. Melissa Ginella (Support Resolution 21-115)
11. Choon James (M-390) (Oppose Resolution 21-126) (General comment on Resolution 21-115)
12. Pane Meatoga III (Available for questions on Resolution 21-126)
13. Arleen Velasco (M-392) (Oppose Resolution 21-115)

## **ORDER OF THE DAY**

### **ADOPTION**

#### **RESOLUTION 21-126 – COMMITTEE REPORT 196**

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

Councilmember Elefante moved that Committee Report 196 and Resolution 21-126 be adopted. Seconded by Councilmember Kia'āina.

There was no public testimony.

Councilmember Elefante voiced his support of the measure. He stated that he has known Mr. Meatoga for many years and notes that he is very fair and qualified to serve on the Planning Commission. Councilmember Elefante urged councilmembers to support the nomination.

Councilmember Tsuneyoshi stated that Mr. Meatoga is a resident in the Koolauloa area and she is familiar with his work and history in the community. She noted that she has some concerns with his background and would like see a diverse individual who can speak on the many issues that are coming up. Councilmember Tsuneyoshi stated that she will be voting with reservations and noted that she supports Mr. Meatoga in his efforts to serve his community.

Councilmember Tupola thanked Mr. Meatoga for submitting his name for the Planning Commission. She noted that she will be voting with reservations on the Resolution because she has concerns on his background. Councilmember Tupola stated that as the Administration moves forward to fill vacancies, she hopes that they would consider the backgrounds and diversity needed to get a well-represented community voice.

Committee Report 196 and Resolution 21-126 were adopted.

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

NOES: None.

\*Councilmembers Fukunaga, Tsuneyoshi, Tulba, and Tupola voted aye with reservations.

Related communications:

CC-231	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-233	Disclosure of Interest Statement submitted by Councilmember Cordero
CC-234	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-236	Disclosure of Interest Statement submitted by Councilmember Tupola
CC-249	Disclosure of Interest Statement submitted by Councilmember Elefante
M-390	Testimony on Resolution 21-126

## **FIRST READING**

### **BILL 32**

A BILL FOR AN ORDINANCE RELATING TO NONCONFORMING USES.

Councilmember Kia'āina moved that Bill 32 pass first reading. Seconded by Councilmember Tupola.

There was no public testimony.

Bill 32 passed first reading.

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

NOES: None.

### **ADOPTION**

#### **RESOLUTION 21-100, CD1 – COMMITTEE REPORT 183**

RESOLUTION URGING THE STATE OF HAWAII AND THE CITY AND COUNTY OF HONOLULU TO DISAGGREGATE RACIAL DATA COLLECTION AND REPORTING BEYOND FEDERAL MINIMUM STANDARDS.

Councilmember Cordero moved that Committee Report 183 and Resolution 21-100 as amended to CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Kia'āina urged councilmembers to support the measure. She stated that she has been working on data collection issues for the last 30 years. Councilmember Kia'āina noted that she and Councilmember Cordero introduced the measure to recommend that all County and State agencies disaggregate racial and ethnic data relating to Asian and Pacific Islanders to enforce civil rights laws; to monitor equal access on health, housing, education, and employment; and to allow for the creation of policies that will address underlying disparities. She stated that she believes that if the agencies, including the Department of Health had collected data at the outset of the pandemic, the State would have been in a better place policy and funding wise to outreach the communities that were disproportionately impacted by the pandemic.

Councilmember Tupola expressed her support for the Resolution. She stated that at the last Executive Matters and Legal Affairs hearing, there was a discussion with the Honolulu Police Department to have a possible language unit to support the different ethnicities and to allow for interpreters in different agencies including the Prosecutor's Office. Councilmember Tupola thanked the introducer of the measure and the councilmembers for supporting the Resolution.

Councilmember Say stated his strong support of the measure. He noted that if this Resolution was adopted in 2019 in preparation for the U.S. Census survey, the State of Hawaii would qualify for Federal monies.

Committee Report 183 and Resolution 21-100, CD1 as amended were adopted.

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

NOES: None.

Related communication:

M-398 Testimony on Resolution 21-100, CD1

**ADOPTION**

**RESOLUTION 21-138, CD1 – COMMITTEE REPORT 185**

RESOLUTION APPROVING COLLECTIVE BARGAINING COST ITEMS FOR THE HAWAII GOVERNMENT EMPLOYEES ASSOCIATION BARGAINING UNITS 4 AND 13, INCLUDED, EXCLUDED, AND EXCLUDED MANAGERIAL EMPLOYEES OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Say moved that Committee Report 185 and Resolution 21-138 as amended to CD1 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 185 and Resolution 21-138, CD1 as amended were adopted.

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

NOES: None.

Related communications:

CC-242 Disclosure of Interest Statement submitted by Councilmember Elefante

M-395 Testimony on Resolution 21-138, CD1

**ADOPTION**

**RESOLUTION 21-144 – COMMITTEE REPORT 191**

RESOLUTION APPROVING COLLECTIVE BARGAINING COST ITEMS FOR THE UNITED PUBLIC WORKERS BARGAINING UNIT 10 INCLUDED EMPLOYEES OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Say moved that Committee Report 191 and Resolution 21-144 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 191 and Resolution 21-144 were adopted.

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

NOES: None.

Related communications:

CC-243 Disclosure of Interest Statement submitted by Councilmember Elefante  
M-399 Testimony on Resolution 21-144

## **ADOPTION**

### **RESOLUTION 21-128 – COMMITTEE REPORT 199**

RESOLUTION URGING THE DEPARTMENT OF PARKS AND RECREATION TO ESTABLISH PARK CLOSURE HOURS FOR KALAEPOHAKU NEIGHBORHOOD PARK.

Councilmember Tulba moved that Committee Report 199 and Resolution 21-128 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Councilmember Say stated his strong support of the measure. He noted that the St. Louis Community Association adopted the park and monitors, cleans, and helps the residents address the homeless situation. Councilmember Say stated that the residents are very happy that the Resolution will be adopted and he hopes that they can work well with the Department of Park and Recreation.

Committee Report 199 and Resolution 21-128 were adopted.

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

NOES: None.

Related communication:

M-400          Testimony on Resolution 21-128

**ADOPTION**

**RESOLUTION 21-130 – COMMITTEE REPORT 200**

RESOLUTION NAMING A PORTION OF THE HAWAII KAI DOG PARK AFTER ELAINE DOBASHI.

Councilmember Tulba moved that Committee Report 200 and Resolution 21-130 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 200 and Resolution 21-130 were adopted.

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

Related communication:

M-388          Testimony on Resolution 21-130

**ADOPTION**

**RESOLUTION 21-131, FD1 – COMMITTEE REPORT 201**

RESOLUTION REQUESTING THE DEPARTMENT OF PARKS AND RECREATION TO AMEND ITS RULES AND REGULATIONS TO REQUIRE A MINIMUM PERCENTAGE OF THE TOTAL PRODUCE AND OTHER DESIGNATED PRODUCTS OFFERED FOR SALE AT THE PEOPLE'S OPEN MARKETS TO HAVE BEEN LOCALLY GROWN, CAUGHT, OR CULTIVATED.

The following amendment was handcarried to the meeting:

Resolution 21-131, Proposed FD1

Councilmember Tulba moved that Committee Report 201 and Resolution 21-131 be adopted. Seconded by Councilmember Tsuneyoshi.

Councilmember Cordero moved that the Resolution be amended to the handcarried FD1 (OCS2021-0645/6/28/2021 10:27 AM). Seconded by Councilmember Say. Councilmember Cordero explained the FD1 amendment.

There was no public testimony.

Resolution 21-131 was amended to the handcarried FD1 (OCS2021-0645/6/28/2021 10:27 AM).

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 Say stated his strong support of the measure. He thanked the introducer of the Resolution and for the \$5 million for the agriculture grant program for local farmers. Councilmember Say stated that this will work well with the local farmers producing their products then selling it at the open markets.

Councilmember Tupola stated her strong support of the measure. She echoed the comments of Councilmember Say and noted that it is important to support the local farmers. Councilmember Tupola thanked the introducer of the measure and for her work with the Department of Parks and Recreation in making sure that the local produce and local farmers are being supported.

Committee Report 201 and Resolution 21-131, FD1 were adopted.

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

NOES: None.

Related communication:

M-397 Testimony on Resolution 21-131



**ADOPTION**

**RESOLUTION 21-115, CD1 – COMMITTEE REPORT 205**

RESOLUTION APPROVING AN EXTENSION OF TIME TO OBTAIN A DEVELOPMENT PERMIT FOR A RURAL COMMUNITY COMMERCIAL CENTER IN PUPUKEA, OAHU, UNDER THE SPECIAL MANAGEMENT AREA USE PERMIT GRANTED BY RESOLUTION 18-245, CD1, FD1.

Councilmember Elefante moved that Committee Report and Resolution 21-115 as amended to CD1, be adopted. Seconded by Councilmember Kia'aina.

There was no public testimony.

In response to councilmembers, Dean Uchida, Director, Department of Planning and Permitting (DPP) stated that:

- He apologized and corrected an erroneous statement made at the Zoning and Planning Committee hearing. The Major Permit would go away if the developer does not obtain the development permit within the 2-year time period so the Minor Permit would not lapse if the Major Permit was determined to be null and void.
- The DPP put together a chart that shows the conditions imposed on the Special Management Area (SMA) Minor Permit and the conditions that were imposed as part of the settlement.
- The DPP did an analysis of the B-1 zoning and the propose uses and how they are consistent with the North Shore Sustainable Community Plan.
- He believes that the residents of the community are also benefitting from the activities on the property as it is a unique situation of trying to find businesses to service the community and provide services to the tourist industry at the same time.
- The DPP is monitoring the compliance with both the SMA Minor Permit conditions and the settlement agreement. He stated that everyone would like to see the SMA Major Permit in place because it will address the community's concerns.
- A SMA Minor Permit can be revoked for noncompliance.
- He believes that food trucks are allowed under the B-1 zoning.
- An urgent care and a pharmacy are acceptable uses of the facility but he does not know if they targeted those specifically.

In response to Councilmember Tupola, Terrence Lee stated that:

- There have been discussions on having a doctors on call facility, a pharmacy, and a credit union. It is the intention of the developer to have those types of operators.
- The building is primarily one story but may have an upstairs as well as a restaurant facility towards the front.
- As one of the conditions of the settlement agreement, the developers did a presentation at the community boards, attend all hearings, and file monthly reports.
- Most of the counts in the lawsuit were directed towards the City, its agency, and the Council, with some counts directed at the developer.

Councilmember Tsuneyoshi stated that she proposed a CD1 for a one-year extension after considering the history of the project and to allow it to move forward. She disagrees that the area used primarily for food trucks is compliant with the Land Use Ordinance (LUO). Councilmember Tsuneyoshi stated that the initial Resolution 18-245 does not constitute compliance with the LUO or other governmental requirements including but not limited to grading, grubbing and building permit approvals. She noted that these types of permits are very sensitive and stated that the current Resolution is only for an extension of time for the permit, but when SMA permits are passed, the Council needs to look at the bigger picture. She stated that the SMA was supposed to be for two years and was already given a one-year administrative extension and the current request is for a three-year extension. Councilmember Tsuneyoshi stated that she is grateful for the two-year extension but believes that a one-year extension would show that there is focused attention. She noted that there was activity going on during the lawsuit. She stated that she is not against moving forward with the rural commercial center, but that the City needs to ensure that the applicant complies with the permits. Councilmember Tsuneyoshi urged everyone concerned to realize that this is a matter of doing the right thing.

Committee Report 205 and Resolution 21-115, CD1 as amended were adopted.

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

Council Chair Waters stated that he heard what Councilmember Tsuneyoshi said and noted that the bigger problem is having too many tourists. He asked if everyone could work together to try to find solutions to take care of and keep Hawaii beautiful.

Related communications:

D-469            Department of Planning and Permitting  
M-392            Testimony on Resolution 21-115

**ADOPTION**  
**RESOLUTION 21-151**

RESOLUTION RELATING TO APPOINTMENTS, NOMINATIONS, AND BUDGET FOR THE HAWAII STATE ASSOCIATION OF COUNTIES.

Councilmember Kia'aina moved that Resolution 21-151 be adopted. Seconded by Councilmember Tupola.

There was no public testimony.

Resolution 21-151 were adopted.

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

**COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

There was no Executive Session.

**ANNOUNCEMENTS**

Council Chair Waters congratulated Floor Leader Tupola for successfully completing her doctorate degree.

Floor Leader Tupola thanked Chair Waters and stated that she graduated from the University of Utah with a PhD in music education and that she is thankful for higher education opportunities in Hawaii.

## **ADJOURNMENT**

At 11:43 a.m., Councilmember Kia'āina 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 9 members present, it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI  
City Clerk

jy

DATE APPROVED:

August 11, 2021