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## RESOLUTION

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**INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (AMENDED 2017 EDITION), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND.**

WHEREAS, in the 2006 general election, the voters of the City and County of Honolulu ("City") approved an amendment to the Revised Charter of the City and County of Honolulu 1973, as amended, to use a portion of the City's annual property tax revenues to create funds for land conservation and affordable housing; and

WHEREAS, Section 9-204 of the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Charter"), establishes the Clean Water and Natural Lands Fund and the Affordable Housing Fund; and

WHEREAS, Charter Section 9-204 provides that, in adopting each fiscal year's budget and capital program, the City Council ("Council") shall appropriate one percent of the City's estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund; and

WHEREAS, moneys appropriated and deposited into the Affordable Housing Fund may only be used to provide affordable rental housing for persons earning 60 percent or less of the median household income in the City, provided that the funded housing remains affordable for at least 60 years; and

WHEREAS, the Council believes that increasing the mandatory percentage of real property tax revenues to be deposited into the Affordable Housing Fund will increase funding for the provision and expansion of desperately needed affordable housing projects and suitable living environments for persons of low and moderate incomes, and thus is in the best interest of the City and its residents; now, therefore,



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BE IT RESOLVED by the Council of the City and County of Honolulu:

1. That the following question be placed on the 2022 general election ballot:

"Shall the Revised City Charter be amended to increase the mandatory percentage of the City's estimated real property tax revenues to be appropriated annually for deposit into the Affordable Housing Fund from one-half of one percent to one percent?"

2. That Section 9-204 of the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, be amended to read as follows:

**"Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund --**

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate one and one-half percent of the estimated real property tax revenues[;] as follows: one-half of [which] one percent shall be deposited into the Clean Water and Natural Lands Fund and the remaining [~~one-half of which~~] one percent shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas, and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. Moneys in the Affordable Housing Fund shall be used to provide affordable rental housing for persons earning sixty percent or less of the median household income in the city for the following purposes: provision and expansion of affordable rental housing and suitable living environments in projects, which may include mixed-use, mixed-income projects, having residential units that are principally for persons of low and moderate income through land acquisition for, development of, construction of, and/or capital improvements or rehabilitation to such housing, provided that the funded housing remains affordable for at least sixty years.



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4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption, or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The department of budget and fiscal services shall receive proposals for the use of funds in the Clean Water and Natural Lands Fund and shall submit qualified proposals to an advisory commission, which shall make recommendations to the council for approval. All proposals for uses of the Clean Water and Natural Lands Fund shall be processed consistent with this procedure.

8. There shall be established a Clean Water and Natural Lands advisory commission to consider proposals submitted to it by the department of budget and fiscal services and to submit recommendations to the council for approval of expenditures under this section. The commission shall consist of seven members, with three appointed by the mayor, three appointed by the council, and one appointed by a majority vote of the six appointed members. The members shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2017, and shall be as follows:

(a) For an initial two-year term, two members, one each appointed by the mayor and the council.

~~(e)~~(b) For an initial three-year term, two members, one each appointed by the mayor and the council.

~~(d)~~(c) For an initial four-year term, two members, one each appointed by the mayor and the council.



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~~[(e)]~~(d) For a five-year term, the member appointed by the majority vote of the other six appointed members.

9. The director of the department of budget and fiscal services shall administer the fund.

10. The council shall by ordinance establish other procedures for the administration and expenditure of moneys in each fund consistent with this section. The appropriations to each fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section."

3. That in Section 2, Charter material to be repealed is bracketed and stricken and new Charter material is underscored. When revising, compiling, or printing these Charter provisions for inclusion in the Revised Charter of the City and County of Honolulu 1973, as amended, the Revisor of the Charter need not include the brackets, the material that has been bracketed and stricken, or the underscoring.
4. That if these Charter provisions are amended by any other Charter amendment approved by the electors in the 2022 general election, the Revisor of the Charter, in revising, compiling, or printing the Charter:
  - a. May designate or redesignate articles, chapters, sections, or parts of sections, and rearrange references thereto; and
  - b. Shall, except as otherwise expressly provided in this resolution or in any other resolution(s) amending these Charter provisions, give effect, to the extent possible, to all of the amendments approved.

The Revisor of the Charter may also change capitalization or the forms of numbers and monetary sums for the sake of uniformity.

5. That upon adoption of this resolution by the Council, the City Clerk be and is hereby directed:
  - a. To prepare the necessary ballots with the question contained in this resolution and with spaces for "yes" and "no" votes on the question for presentation to the electors at the 2022 general election. The City Clerk may make technical and non-substantive changes to the form of the question presented in order to conform it to the form of other Charter amendment questions presented to the electors at the same election; and



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- b. To publish the above-proposed Charter amendments at length in a daily newspaper of general circulation in the City and County of Honolulu at least 45 days prior to their submission to the electors at the 2022 general election.
  
- 6. That upon approval of the Charter amendment question posed in this resolution by a majority of the electors voting thereon, as duly certified, the Charter amendments proposed in Section 2 shall take effect on January 1, 2023 and shall apply to the executive operating budget and program and executive capital budget and program for the fiscal year commencing on July 1, 2023, and every fiscal year thereafter.

INTRODUCED BY:



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DATE OF INTRODUCTION:

**AUG 26 2021**

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Honolulu, Hawaii

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Councilmembers

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

RESOLUTION 21-192

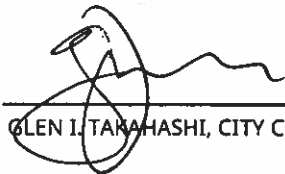
Introduced: 08/26/21 By: BRANDON ELEFANTE Committee: HOUSING AND THE ECONOMY (HECON)

Title: INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (AMENDED 2017 EDITION), AS AMENDED, RELATING TO THE AFFORDABLE HOUSING FUND.

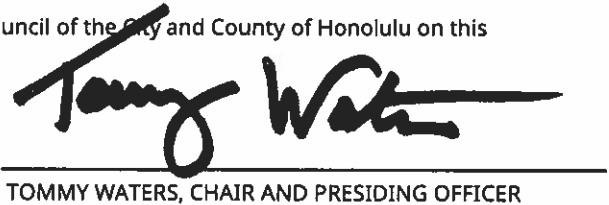
Voting Legend: \* = Aye w/Reservations

08/26/21	INTRO	Introduced.
09/08/21	CCL	Passed first reading.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
10/19/21	HECON	Reported out for passage on second reading and scheduling of a public hearing.  CR-288  5 AYES: CORDERO, KIA'ĀINA, SAY, TULBA, TUPOLA
10/29/21	PUBLISH	Public hearing notice published in the Honolulu Star-Advertiser.
11/10/21	CCL/PH	Committee report adopted. Resolution passed second reading and public hearing closed.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS
11/16/21	HECON	Reported out for passage on third reading.  CR-320  4 AYES: CORDERO, KIA'ĀINA, TULBA, TUPOLA*  1 NO: SAY
11/17/21	PUBLISH	Second reading notice published in the Honolulu Star-Advertiser.
12/01/21	CCL	Committee report adopted and Resolution passed third reading.  9 AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY*, TSUNEYOSHI, TULBA, TUPOLA*, WATERS

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



TOMMY WATERS, CHAIR AND PRESIDING OFFICER

Original Affidavit of Publication  
Filed With Bill 34

CITY COUNCIL  
PUBLIC HEARING

DATE: WEDNESDAY, NOVEMBER 10, 2021  
PLACE: HONOLULU HALE  
CITY COUNCIL CHAMBER  
TIME: 10:00 AM

AFFIDAVIT OF PUBLICATION

IN THE MATTER OF  
CITY COUNCIL PUBLIC HEARING

STATE OF HAWAII )  
 ) SS.  
City and County of Honolulu )

1. Resolution 21-231 - Relating to the reappointment of Gladys A. Quinto Marrone to the Zoning Board of Appeals.
2. Resolution 21-232 - Confirming the appointment of Mr. Patrick Chandler to serve on the Board of Review I for Real Property Tax Appeals of the City and County of Honolulu.
3. Resolution 21-233 - Relating to the appointment of Ms. Hilarie Alomar to serve on the Planning Commission of the City and County of Honolulu.
4. Resolution 21-252 - Confirming the nomination of Anton C. Krucky to serve as the Director of Community Services of the City and County of Honolulu.
5. Bill 34, CD1 - Relating to commercial activities at public parks. (Addressing commercial activities at certain beach parks.)
6. Bill 39, CD1 - Relating to real property taxation. (Amending the provisions relating to the alternate energy improvements real property tax exemption.)
7. Bill 40, CD1 - Relating to the transient accommodations tax. (Establishing a transient accommodations tax for the City and County of Honolulu, provide for its imposition and disposition, and facilitate the receipt and deposit of the revenues derived from the transient accommodations tax.)
8. Resolution 21-23 and Resolution 21-23, Proposed CD1 - To adopt the revised General Plan of the City and County of Honolulu (The O'ahu General Plan).
9. Resolution 21-192 - Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, relating to the Affordable Housing Fund.
10. Resolution 21-216 and Resolution 21-216, Proposed CD1 - Approving an application for a Plan Review Use (PRU) Permit for Queen's Medical Center (QMC). (Applicant: The Queen's Health Systems) (Deadline: 11/16/21)
11. Resolution 21-219 and Resolution 21-219, Proposed CD1 - Approving an application for a Plan Review Use Permit (PRU) for the redevelopment of the Straub Medical Center (SMC). (Applicant: Straub Medical Center) (Deadline: 11/20/21)
12. Resolution 21-240 - Authorizing the use of overt video monitoring in the City and County of Honolulu to prevent and deter general criminal activity and achieve the legitimate law enforcement objective and legitimate public purpose of ensuring a safe and secure 2019 Honolulu Marathon event.  
  
Resolution 21-240, Proposed FD1 - Authorizing the use of overt video monitoring in the City and County of Honolulu along the Honolulu Marathon route to prevent and deter general criminal activity and achieve the legitimate law enforcement objective and legitimate public purpose of ensuring a safe and secure 2021 Honolulu Marathon event.

The item listed below has been published in anticipation of the actions to be taken by the Committee on Public Infrastructure and Technology, and therefore, the City Council may or may not take action on the item or any amendments proposed thereto.

13. Bill 37 - and any amendments proposed thereto by the Committee on Public Infrastructure and Technology - Relating to fire safety. (Updating the Fire Code of the City and County of Honolulu.)

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Governor David Ige's Emergency Proclamation Related to the State's COVID-19 Delta Response, issued on October 1, 2021, in order to allow public participation in a manner consistent with safe practices and social distancing requirements, this meeting will be conducted as a remote meeting by teleconference. [lyamani@honolulu.gov](mailto:lyamani@honolulu.gov)

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet" under HRS Section 92-7.5) are accessible at <https://hnlidoc.ehawaii.gov/hnlidoc/browse/agendas> by clicking on the appropriate Council meeting.

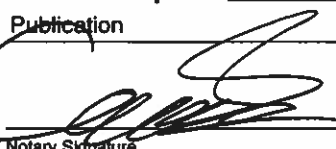
Accommodations are available upon request to persons with disabilities. Please call (808) 768-3814 or send an email to [lyamani@honolulu.gov](mailto:lyamani@honolulu.gov) at least three working days prior to the meeting.

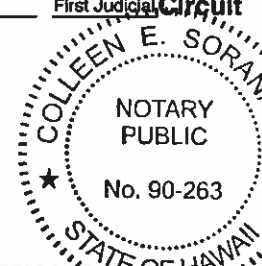
CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
TOMMY WATERS, CHAIR

(SA1347435 10/29/21)

ICSP  
November 2021 and is scheduled for completion in July 20  
Improvement Project for the City and County of Honolulu  
Construction Company Inc. will begin construction

NOTICE TO MO

Doc. Date: OCT 29 2021 # Pages: 1  
Notary Name: COLLEEN E. SORANAKA First Judicial Circuit  
Doc. Description: Affidavit of  
Publication  
 OCT 29 2021  
Notary Signature Date



Lisa Sakakida being duly sworn, deposes and says that she is a clerk, duly authorized to execute this affidavit of Oahu Publications, Inc. publisher of The Honolulu Star-Advertiser, MidWeek, The Garden Island, West Hawaii Today, and Hawaii Tribune-Herald, that said newspapers are newspapers of general circulation in the State of Hawaii, and that the attached notice is true notice as was published in the

Honolulu Star-Advertiser 1 times on:

10/29/2021

MidWeek 0 times on:


The Garden Island 0 times on:

Hawaii Tribune-Herald 0 times on:

West Hawaii Today 0 times on:

Other Publications: 0 times on:

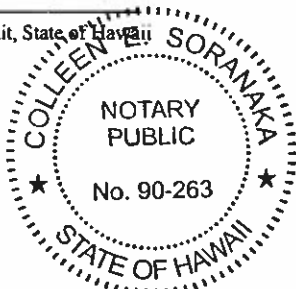
And that affiant is not a party to or in any way interested in the above entitled matter.

  
Lisa Sakakida

Subscribed to and sworn before me this 29th day of October A.D. 2021

  
Colleen E. Soranaka, Notary Public of the First Judicial Circuit, State of Hawaii  
My commission expires: Jan 06 2024

Ad # 0001347435



ICSP