



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
18TH SESSION
WEDNESDAY, FEBRUARY 23, 2022

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 10:18 a.m.

ROLL CALL

Roll call showed the following Councilmembers present in the Council Chambers:

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

The Chair noted that Councilmembers Tsuneyoshi, Fukunaga, Say, Kia'āina, Tupola, Cordero, Elefante, and Tulba were present with him in the Council Chambers.

The Chair noted that also present in the Council Chambers were Legislative Branch Staff, Members of the City Administration, media representatives, appointees to Boards and Commissions, and a Special Duty Police Officer.

INTRODUCTION OF GUESTS

Councilmember Tupola recognized and welcomed Director Uchida, Director Babcock, and Director Szewczyk.

The following individuals testified via video conference:

1. Manuel Kuloloio, Ke Kai O Kuloloi'a [Support Bill 48 (2021), CD2]
2. Ellen Kitamura, Board of Water Supply (D-123) (Support Resolution 22-4), (D-124) (Support Resolution 21-275), (D-125) (Support Resolution 22-5), (D-122) [Support Bill 48 (2021), CD2]
3. Edward Jones (M-56) (Oppose Bill 2), (Oppose Bill 9)
4. Larry McElheny (M-60) (Support Resolution 22-11, CD1)
5. Meredith Foster [General comment on Bill 43 (2021)]
6. Darius Kila (Support Resolution 22-22)
7. Rouen Liu, Hawaiian Electric Company (M-58) (Oppose Bill 10)
8. Kenneth Silva (Available for questions on Resolution 22-9)
9. Sophie Flores Manansala (M-61) (Support Resolution 22-22)
10. Justin Brewer [Oppose Bill 43 (2021)]
11. Melissa May (Available for questions on Resolution 21-271)
12. Sterling Wong, Council for Native Hawaiian Advancement (M-59) (Support Bill 11), (M-62) (Support Resolution 22-34)
13. Kekela Miller (Oppose Resolution 22-11, CD1)
14. Natalie Iwasa (General comment on minutes), (General comments on Resolutions 22-28 and 22-29), (M-57) (Oppose Bill 9), (M-60) (Oppose Resolution 22-11)
15. Lata Sua (M-60) (Oppose Resolution 22-11, CD1)
16. Kapua Medeiros [Support Bill 48 (2021), CD2], (Support Resolution 22-22), (Support Bill 2), (Support Bill 11), (Oppose Resolution 22-11, CD1)
17. Lupe Funaki, Laie Community Association (M-60) (Oppose Resolution 22-11, CD1)
18. Hopoate Taufua (General comment on Resolution 22-11, CD1)
19. Gillian Yamagata, Kahuku High and Intermediate School (M-60) (Oppose Resolution 22-11, CD1)
20. Telesia Tonga (M-60) (Oppose Resolution 22-11, CD1)
21. Sunny Unga, Kahuku Community Association (M-58) (General comment on Bill 10)
22. Ben Martin (Oppose Resolution 22-11, CD1)
23. Mayor Rick Blangiardi (Support Resolutions 21-275, 22-4, 22-5, 22-27, and 22-9)
24. Verona Tuifua (M-60) (Oppose Resolution 22-11, CD1)
25. Jacqueline Smith [General comment on Bill 43 (2021)]
26. Ellen Carson, Faith Action for Community Equity (M-57) (Support Bill 9)
27. Clayton Tseu (M-49) [Oppose Bill 43 (2021)]
28. Eugene Kwak [General comment on Bill 43 (2021)]
29. Angel Jara [General comment on Bill 43 (2021)]
30. Kapohuolahaina Pa Moniz [Support Bill 48 (2021), CD2], (Support Resolution 22-22), (Support Bill 11), (General comment on Resolution 22-11, CD1)
31. Joseph Kalili (M-60) (Oppose Resolution 22-11, CD1)

32. Choon James (General comment on Resolution 22-9), [Support Bill 48 (2021), CD2], [General comment on Bill 50 (2021)], (General comment on Resolution 21-280), (M-60) (Oppose Resolution 22-11, CD1)
33. Call in user 017 (Oppose Resolution 22-11, CD1)
34. Mckay Schwenke (M-60) (Oppose Resolution 22-11, CD1)
35. Call in user 259 (Oppose Resolution 22-11, CD1)

APPROVAL OF MINUTES

Chair Waters suggested that approval of the Minutes of the 17th Session be postponed to the March 17, 2022 Council meeting.

Please see list of individuals that testified via video conference on pages 2 and 3.

Approval of the Minutes of the 17th Session was postponed to the March 17, 2022 Council meeting.

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

ORDER OF THE DAY

ADOPTION

RESOLUTION 22-4 – COMMITTEE REPORT 13

RESOLUTION CONFIRMING THE NOMINATION OF ROGER W. BABCOCK, JR., P.E., PH.D., TO SERVE AS THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL SERVICES OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Cordero moved that Committee Report 13 and Resolution 22-4 be adopted. Seconded by Councilmember Elefante.

Councilmember Kia'āina stated that she strongly supports Mr. Babcock to serve as the Director of the Department of Environmental Services.

Please see list of individuals that testified via video conference on pages 2 and 3.

The following individual testified:

Roger W. Babcock, Jr., P.E., Ph.D. (General comment)

Committee Report 13 and Resolution 22-4 were adopted.

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

Chair Waters congratulated Director Babcock.

Related communication:

M-63 Testimony on Resolution 22-4

ADOPTION

RESOLUTION 21-275 – COMMITTEE REPORT 27

RESOLUTION RELATING TO THE REAPPOINTMENT OF NA'ALEHU ANTHONY TO SERVE ON THE BOARD OF WATER SUPPLY OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 27 and Resolution 21-275 be adopted. Seconded by Councilmember Elefante.

Please see list of individuals that testified via video conference on pages 2 and 3.

Councilmember Kia'āina stated that she strongly supports Mr. Anthony to serve on the Board of Water Supply.

Councilmember Fukunaga stated that Mr. Anthony provided written responses to the Committee's questions and he advised the Committee that he may be out of town during the Council meeting. She asked councilmembers to review Mr. Anthony's responses as they were very thoughtful and that he will bring a lot of value to the Board of Water Supply.

Committee Report 27 and Resolution 21-275 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, WATERS – 8.

NOES: None.

ABSENT TUPOLA – 1.

Chair Waters congratulated Mr. Anthony.

ADOPTION

RESOLUTION 22-5 – COMMITTEE REPORT 28

RESOLUTION CONFIRMING THE NOMINATION OF DAWN B. SZEWCZYK, P.E., TO SERVE AS THE CHIEF ENGINEER OF THE DEPARTMENT OF FACILITY MAINTENANCE OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 28 and Resolution 22-5 be adopted. Seconded by Councilmember Elefante.

Please see list of individuals that testified via video conference on pages 2 and 3.

Councilmember Kia'āina stated that she strongly supports Ms. Szewczyk to serve as the Chief Engineer of the Department of Facility Maintenance.

Committee Report 28 and Resolution 22-5 were adopted.

AYES: CORDERO, ELEFANTE, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI,
TULBA, WATERS – 8.

NOES: None.

ABSENT: TUPOLA – 1.

Chair Waters congratulated Director Szewczyk.

Related communication:

M-47 Testimony on Resolution 22-5

ADOPTION

RESOLUTION 22-9 – COMMITTEE REPORT 30

RESOLUTION CONFIRMING THE APPOINTMENT OF KENNETH SILVA TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tsuneyoshi moved that Committee Report 30 and Resolution 22-9 be adopted. Seconded by Councilmember Tulba.

Please see list of individuals that testified via video conference on pages 2 and 3.

The following individual testified:

Kenneth Silva (General comment)

In response to Councilmember Kia'āina, Mr. Silva stated that he spoke with members of the Police Commission and people in the community that are Native Hawaiian. He noted that there have been concerns of the relationship between the Native Hawaiian community and Pacific Islanders with the Honolulu Police Department and he would like to get a full understanding of the concerns on how the Native Hawaiians are treated and what kind of mitigation methods may be necessary. If he is confirmed, he would like to look into the data of how indigenous populations have been treated and the issue of transparency. He stated that he would also look into how information is released, classified and the triggers for the timely release of information.

Councilmember Kia'āina stated that she supports the nomination of Mr. Silva and looks forward to having a conversation and working with him.

Committee Report 30 and Resolution 22-9 were adopted.

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

NOES: None.

Chair Waters congratulated Mr. Silva.

Related communication:

M-64 Testimony on Resolution 22-9

ADOPTION

RESOLUTION 21-271 – COMMITTEE REPORT 33

RESOLUTION RELATING TO THE APPOINTMENT OF MS. MELISSA MAY TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Elefante moved that Committee Report 33 and Resolution 21-271 be adopted. Seconded by Councilmember Kia'āina.

The following individual testified:

Melissa May (General comment)

Councilmember Kia'āina stated her strong support for the appointment of Ms. May to the Planning Commission.

Committee Report 33 and Resolution 21-271 were adopted.

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

NOES: None.

Chair Waters congratulated Ms. May.

Related communication:

M-53 Testimony on Resolution 21-271

ADOPTION

RESOLUTION 21-273, CD1 – COMMITTEE REPORT 34

RESOLUTION CONFIRMING THE APPOINTMENT AND REAPPOINTMENT OF MR. BRENT TOKITA TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Brent Tokita (General comment)

Councilmember Elefante moved that Committee Report 34 and Resolution 21-273, as amended to CD1 be adopted. Seconded by Councilmember Kia'āina.

Committee Report 34 and Resolution 21-273, CD1 as amended were adopted.

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

NOES: None.

Chair Waters congratulated Mr. Tokita.

ADOPTION

RESOLUTION 21-274 – COMMITTEE REPORT 35

RESOLUTION RELATING TO THE APPOINTMENT OF MARGARET CANNELL TO THE ZONING BOARD OF APPEALS.

Councilmember Elefante moved that Committee Report 35 and Resolution 21-274 be adopted. Seconded by Councilmember Kia'āina.

The following individual testified:

Margaret Cannell (General comment)

Committee Report 35 and Resolution 21-274 were adopted.

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

NOES: None.

Chair Waters congratulated Ms. Cannell.

ADOPTION

RESOLUTION 22-8, CD1 – COMMITTEE REPORT 37

RESOLUTION CONFIRMING THE REAPPOINTMENT OF CHRISTOPHER T. HONG TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Elefante moved that Committee Report 37 and Resolution 22-8, as amended to CD1 be adopted. Seconded by Councilmember Kia'āina.

Committee Report 37 and Resolution 22-8, CD1 as amended were adopted.

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

NOES: None.

Chair Waters congratulated Mr. Hong.

PUBLIC HEARING/RESOLUTION
RESOLUTION 22-27

RESOLUTION CONFIRMING THE NOMINATION OF NOLA N. MIYASAKI, TO SERVE AS THE DIRECTOR OF THE DEPARTMENT OF HUMAN RESOURCES OF THE CITY AND COUNTY OF HONOLULU.

Please see list of individuals that testified via video conference on pages 2 and 3.

The following individual testified:

Nola Miyasaki (General comment)

Councilmember Kia'āina stated her strong support of the nomination of Ms. Nola Miyasaki to serve as the Director of the Department of Human Resources.

Chair Waters referred Resolution 22-27 to the Committee on Executive Matters and Legal Affairs for further consideration.

Related communication:

M-48 Testimony on Resolution 22-27

PUBLIC HEARING/RESOLUTION
RESOLUTION 22-12

RESOLUTION CONFIRMING THE APPOINTMENT OF MR. ADITYA SITUMEANG TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Aditya Situmeang (General comment)

Chair Waters referred Resolution 22-12 to the Committee on Zoning and Planning for further consideration.

PUBLIC HEARING/RESOLUTION

RESOLUTION 22-1 AND RESOLUTION 22-1, PROPOSED CD1 – COMMITTEE REPORT 36

Councilmember Elefante moved that Committee Report 36 be adopted and Resolution 22-1 and Resolution 22-1, Proposed CD1 be referred to the Committee on Zoning and Planning. Seconded by Councilmember Kia'aina.

Committee Report 36 was adopted and Resolution 22-1 and Resolution 22-1, Proposed CD1 referred to the Committee on Zoning and Planning.

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

NOES: None.

PUBLIC HEARING/SECOND READING

BILL 43 (2021) – COMMITTEE REPORT 9

A BILL FOR AN ORDINANCE RELATING TO AMPLIFIED SOUND IN WAIKIKI.

Councilmember Cordero moved that Committee Report 9 be adopted and Bill 43 (2021) pass second reading. Seconded by Councilmember Elefante.

Please see list of individuals that testified via video conference on pages 2 and 3.

Committee Report 9 was adopted and Bill 43 (2021) passed second reading.

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

NOES: None.

Related communication:

M-49 Testimony on Bill 43 (2021)

PUBLIC HEARING/SECOND READING
BILL 46 (2021), CD1 – COMMITTEE REPORT 10

A BILL FOR AN ORDINANCE RELATING TO CAR-SHARING VEHICLES.

Councilmember Cordero moved that Committee Report 10 be adopted and Bill 46 (2021) pass second reading as amended to CD1. Seconded by Councilmember Elefante.

Committee Report 10 was adopted and Bill 46 (2021), CD1 passed second reading, as amended.

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

NOES: None.

Related communication:

M-54 Testimony on Bill 46 (2021), CD1

PUBLIC HEARING/SECOND READING
BILL 50 (2021) – COMMITTEE REPORT 12

A BILL FOR AN ORDINANCE RELATING TO THE DISPOSAL OF WEEDS, GARBAGE, TRASH, AND WASTE FROM PROPERTY.

Councilmember Cordero moved that Committee Report 12 be adopted and Bill 50 (2021) pass second reading. Seconded by Councilmember Elefante.

Please see list of individuals that testified via video conference on pages 2 and 3.

Committee Report 12 was adopted and Bill 50 (2021) passed second reading.

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

NOES: None.

Related communication:

M-55 Testimony on Bill 50 (2021)

PUBLIC HEARING/SECOND READING
BILL 2, CD1 – COMMITTEE REPORT 32

A BILL FOR AN ORDINANCE RELATING TO SHORT-TERM RENTALS.

Councilmember Elefante moved that Committee Report 32 be adopted and Bill 2 pass second reading as amended to CD1. Seconded by Councilmember Kia'āina.

Please see list of individuals that testified via video conference on pages 2 and 3.

Committee Report 32 was adopted and Bill 2, CD1 passed second reading, as amended.

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

NOES: None.

Related communication:

M-56 Testimony on Bill 2, CD1

THIRD READING
BILL 48 (2021), CD2 – COMMITTEE REPORT 11

A BILL FOR AN ORDINANCE RELATING TO UNDERGROUND STORAGE TANKS.

Councilmember Cordero moved that Committee Report 11 be adopted and Bill 48 (2021), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Elefante.

Please see list of individuals that testified via video conference on pages 2 and 3.

Councilmember Tupola thanked the introducers of the measure, Councilmember Cordero and Chair Waters for their efforts to protect Oahu's principle source of drinking water by imposing severe fines, permitting, inspection and reporting requirements on underground petroleum storage facilities. She stated that the Navy's negligence and non-compliance

with the public's request through the years has prompted the Council to take unprecedented and expedited actions to avoid the threat to the health and safety of residents. Councilmember Tupola thanked all the testifiers.

Councilmember Cordero thanked the Council for their steadfast commitment to the measure.

Councilmember Kia'aina commended Chair Waters, Councilmember Cordero, and the Board of Water Supply, Ernie Lau, Manager and Chief Engineer for their leadership on this issue. She also commended all of the neighborhood boards on O'ahu who have taken steps to support the measure. Councilmember Kia'aina expressed concern that the U.S. Navy and the Federal government is not going to do what they say they will and stated that the Council needs to be vigilant.

Councilmember Tulba echoed the comment of councilmembers and expressed his strong support for the Bill. He stated that our drinking water is the most precious natural resource and everything needs to be done to protect it. Councilmember Tulba recognized his constituent, Manny Kuloloio who always came out and emphasized his strong belief in protecting the water and the people of O'ahu.

Chair Waters thanked Councilmember Cordero, Ernie Lau, Manager and Chief Engineer, Board of Water Supply, and the Board of Water Supply team for their steadfast support of our water. He stated that water is life, a basic truth of the Hawaiian culture and for the people of the world. Without clean water, life cannot be sustained. Councilmember Waters stated that the Council has made it clear that they will not back away from their obligation to preserve the welfare and livelihood of all who live within the City and County of Honolulu.

Committee Report 11 was adopted and Bill 48 (2021), CD2 passed third reading, as amended.

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

NOES: None.

Related communications:

CC-430 (2021)	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-35	Disclosure of Interest Statement submitted by Councilmember Elefante
D-129	Ala Moana-Kaka'ako Neighborhood Board No. 11
M-50	Testimony on Bill 48 (2021), CD2

FIRST READING
RESOLUTION 22-28

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (AMENDED 2017 EDITION), AS AMENDED, RELATING TO THE HONOLULU POLICE COMMISSION.

Councilmember Kia'āina moved that Resolution 22-28 pass first reading. Seconded by Councilmember Tupola.

Please see list of individuals that testified via video conference on pages 2 and 3.

Resolution 22-28 passed first reading.

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

NOES: None.

Related communication:

M-51 Testimony on Resolution 22-28

FIRST READING
RESOLUTION 22-29

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (AMENDED 2017 EDITION), AS AMENDED, RELATING TO THE POLICE COMMISSION AND ITS MEMBERSHIP.

Councilmember Kia'āina moved that Resolution 22-29 pass first reading. Seconded by Councilmember Tupola.

Please see list of individuals that testified via video conference on pages 2 and 3.

Resolution 22-29 passed first reading.

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

NOES: None.

FIRST READING
RESOLUTION 22-30

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (AMENDED 2017 EDITION), AS AMENDED, RELATING TO THE POLICE DEPARTMENT AND THE CHIEF OF POLICE.

Councilmember Kia'aina moved that Resolution 22-30 pass first reading. Seconded by Councilmember Tupola.

Resolution 22-30 passed first reading.

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

FIRST READING
RESOLUTION 22-31

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (AMENDED 2017 EDITION), AS AMENDED, RELATING TO INVESTIGATIONS AND REPORTS OF THE HONOLULU POLICE COMMISSION.

Councilmember Kia'aina moved that Resolution 22-31 pass first reading. Seconded by Councilmember Tupola.

Resolution 22-31 passed first reading.

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

*Councilmember Tupola voted aye with reservations.

FIRST READING
BILL 9

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Kia'aina moved that Bill 9 pass first reading. Seconded by Councilmember Tupola.

Please see list of individuals that testified via video conference on pages 2 and 3.

Councilmember Tupola stated that she will be voting with reservations on the measure because of some enforcement concerns and she will also be providing more comments in Committee.

Councilmember Tulba stated that he will be voting with reservations on the Bill and for the record will be making comments during the Committee meeting.

Bill 9 passed first reading.

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

NOES: None.

*Councilmembers Tulba and Tupola voted aye with reservations.

Related communication:

M-57 Testimony on Bill 9

FIRST READING
BILL 10

A BILL FOR AN ORDINANCE RELATING TO USE REGULATIONS.

Councilmember Kia'aina moved that Bill 10 pass first reading. Seconded by Councilmember Tupola.

Please see list of individuals that testified via video conference on pages 2 and 3.

Councilmember Tsuneyoshi noted that Bill 10 includes language, definition, and regulations relating to wind machines. She stated that the Kahuku Community Association has been very passionate on the issue. Councilmember Tsuneyoshi thanked the Department of Planning and Permitting for looking at the Land Use Ordinance to address the different issues that the communities face and she hopes that the Council can work through the issue relating to the measure and come up with a good resolution.

Councilmember Tupola stated her reservations for the Bill regarding the issue that was brought up by the Hawaiian Electric Company. She also stated that she supports the part of the Bill regarding setbacks.

Bill 10 passed first reading.

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

*Councilmember Tupola voted aye with reservations.

Related communications:

D-130 Department of Planning and Permitting
M-58 Testimony on Bill 10

FIRST READING
BILL 11

PILI I KA MAHINA 'ŌLELO HAWAI'I.

(English translation)

A BILL FOR AN ORDINANCE RELATING TO MAHINA 'ŌLELO HAWAI'I.

Councilmember Kia'āina moved that Bill 11 pass first reading. Seconded by Councilmember Tupola.

Please see list of individuals that testified via video conference on pages 2 and 3.

Bill 11 passed first reading.

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

Related communication:

M-59 Testimony on Bill 11

ADOPTION

RESOLUTION 22-18 – COMMITTEE REPORT 14

RESOLUTION ACCEPTING A GIFT FOR THE INSTALLATION AND UPKEEP OF EIGHT DECORATIVE “MINI” MURALS VALUED AT \$8,500 FROM TRUST FOR PUBLIC LAND TO ADORN TRAFFIC CONTROL BOXES AND BUS STOPS AROUND ‘A‘ALA PARK.

Councilmember Cordero moved that Committee Report 14 and Resolution 22-18 be adopted. Seconded by Councilmember Elefante.

In response to councilmembers, Makaanani Salā, Executive Director, Mayor’s Office of Culture and the Arts stated that she will be happy to help get art work on traffic control boxes or bus stops in councilmembers’ districts. She stated that she encourages councilmembers to pay the artists for their work to help them economically. She also noted that materials and community support gets forwarded as a gift

Roger Morton, Director, Department of Transportation Services stated that the gift is the value of the painting and that the value required Council approval. He noted that the Resolution was late because of an interpretation of having to value the art work at a fair market value.

Chair Waters suggested that the old parking meters be donated to local businesses. He stated that what he saw in other cities was that the artists would paint the parking meters and local businesses would put the meters in front of their business to collect donations for local charities.

Committee Report 14 and Resolution 22-18 were adopted.

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

ADOPTION

RESOLUTION 21-280 – COMMITTEE REPORT 15

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO TAKE THE STEPS NECESSARY TO ACQUIRE 1421 PENSACOLA STREET, HONOLULU, HAWAII 96822, INCLUDING, IF NECESSARY, THE PREPARATION OF A RESOLUTION FOR THE COUNCIL TO INITIATE PROCEEDINGS IN EMINENT DOMAIN.

Councilmember Tupola moved that Committee Report 15 and Resolution 21-280 be adopted. Seconded by Councilmember Fukunaga.

Please see list of individuals that testified via video conference on pages 2 and 3.

Councilmember Tupola stated that she spoke with the Department of Planning and Permitting and she hopes to speak with the family before the City initiates eminent domain proceedings.

Committee Report 15 and Resolution 21-280 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 22-11, CD1 – COMMITTEE REPORT 16

RESOLUTION URGING THE CITY ADMINISTRATION TO PROCEED WITH THE JUDICIAL FORECLOSURE OF THE CITY'S LIENS ON THE PROPERTY AT 54-406 KAMEHAMEHA HIGHWAY IN HAU'ULA (TAX MAP KEY 5-4-004:021) IN ORDER TO PROTECT THE PUBLIC HEALTH AND SAFETY FROM ENVIRONMENTAL DEGRADATION.

Councilmember Tupola moved that Committee Report 16 and Resolution 22-11, as amended to CD1 be adopted. Seconded by Councilmember Fukunaga.

Please see list of individuals that testified via video conference on pages 2 and 3.

In response to councilmembers, Dawn Takeuchi Apuna, Deputy Director, Department of Planning and Permitting (DPP) stated that:

- Over the past two to three years, the property owner has been given many Notices of Violations and Notices of Orders. The Notice of Orders accumulate fines.
- The DPP has worked on this situation with the Department of Health, the Department of the Attorney General, the Environmental Protection Agency, the Army Corp of Engineers and they have also reached out to the Prosecutor's Office.

- Up until a couple of weeks ago, there was no response from the owner. A few weeks ago the property owner paid off some fines and corrected a fence that was put up without a permit.
- Currently there are four separate liens on the property. The owner has accumulated fines for grading, two illegal structures on the property, and operating a base yard on Agriculture 2 land that total around \$400,000.
- The judicial foreclosure is the last step in enforcement. When a Notice of Violation is issued most owners will correct the issue, some of which can be corrected by applying for a permit. The DPP gives the property owner 30 to 60 days to correct the situation but it can depend on each case.
- If the property is foreclosed, it would not become the City's property but the person who would purchase it and the fines that have accumulated would be the responsibility of the owner up until the sale of the property.
- It would not be possible for the City and State to go to mediation. When a Notice of Violation is issued to the property owner, it explains the violation and what needs to be done for compliance. The notice includes the phone number of the inspector who can be contacted to answer any questions.

In response to councilmembers, Hopoate Taufa stated that he was not aware of the 2018 violation and that he purchased the property in November 2019. He also stated that he hired a civil engineering firm to work with him on the grading permit and is currently in the approval process. He stated that everyone should come to his property to see his situation and to solve the problem.

Councilmember Tsuneyoshi stated that the Department of Health got involved with the situation because they saw a hundred cubic yards being dumped. She noted that for years, the community has asked the property owner to stop doing what he has done illegally. Councilmember Tsuneyoshi noted that she is willing to go to the property and talk with the owner.

Councilmember Tupola apologized to the area councilmember for being involved in the situation. She noted that some community members want the Council to show support through mercy but she is showing her love and support through compliance with the law. Councilmember Tupola thanked all those that have voiced their concern.

Committee Report 16 and Resolution 22-11, CD1 as amended were adopted.

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

NOES: None.

Related communication:

M-60 Testimony on Resolution 22-11, CD1

ADOPTION

RESOLUTION 22-22 – COMMITTEE REPORT 17

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO TAKE THE STEPS NECESSARY TO ACQUIRE THE NON-CITY PORTIONS OF PA'AKEA ROAD IN WAI'ANAE, INCLUDING, IF NECESSARY, THE PREPARATION OF A RESOLUTION TO INITIATE PROCEEDINGS IN EMINENT DOMAIN.

Councilmember Tupola moved that Committee Report 17 and Resolution 22-22 be adopted. Seconded by Councilmember Fukunaga.

Please see list of individuals that testified via video conference on pages 2 and 3.

Councilmember Tupola thanked Chair Waters and councilmembers for taking up the Resolution and for voting in support. She stated that she would like to disclose for transparency that she may know every person on Pa'akea Road. Councilmember Tupola stated that she has been cleaning the road for the past 8 years and that the two main reasons why the City should proceed forward in eminent domain is because of the flooding and the illegal dumping. She also thanked the community for their help.

Committee Report 17 and Resolution 22-22 were adopted.

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

NOES: None.

Related communication:

M-61 Testimony on Resolution 22-22

ADOPTION

RESOLUTION 22-19 – COMMITTEE REPORT 25

RESOLUTION TO THE TRANSFER OF FUNDS.

Councilmember Say moved that Committee Report 25 and Resolution 22-19 be adopted.
Seconded by Councilmember Cordero.

Committee Report 25 and Resolution 22-19 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 22-25 – COMMITTEE REPORT 26

RESOLUTION RELATING TO REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND APPROVING AMENDMENTS TO THE CITY AND COUNTY OF HONOLULU'S TWENTY-SEVENTH (27TH) YEAR ACTION PLAN AND RELATED ANNUAL ACTION PLANS AND AUTHORIZING SUBMITTAL OF SUCH AMENDMENTS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Councilmember Say moved that Committee Report 26 and Resolution 22-25 be adopted.
Seconded by Councilmember Cordero.

Committee Report 26 and Resolution 22-25 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 22-26 – COMMITTEE REPORT 29

RESOLUTION ACCEPTING A GIFT OF \$4,360.00 TO THE CITY FROM THE STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION'S HAWAII LOCAL TECHNICAL ASSISTANCE PROGRAM FOR THE VIRTUAL 2021 STORMWATER QUALITY BEST MANAGEMENT PRACTICES WORKSHOPS.

Councilmember Fukunaga moved that Committee Report 29 and Resolution 22-26 be adopted. Seconded by Councilmember Elefante.

Committee Report 29 and Resolution 22-26 were adopted.

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

ADOPTION

RESOLUTION 22-20, CD1 – COMMITTEE REPORT 31

RESOLUTION ACCEPTING A GIFT VALUED AT \$14,465.22 FROM BUMPER PRODUCTIONS LLC FOR THE OCEAN SAFETY DIVISION'S JUNIOR LIFEGUARD PROGRAM, REPAIRS TO A LIFEGUARD STATION, AND AN ICE MACHINE FOR THE HAU'ULA TRAINING FACILITY.

Councilmember Tsuneyoshi moved that Committee Report 31 and Resolution 22-20, as amended to CD1 be adopted. Seconded by Councilmember Tulba.

Committee Report 31 and Resolution 22-20, CD1 as amended were adopted.

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

ADOPTION

RESOLUTION 22-13, CD1 – COMMITTEE REPORT 38

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR THE HEEIA WASTEWATER PUMP STATION IMPROVEMENT PROJECT.

Councilmember Elefante moved that Committee Report 38 and Resolution 22-13, as amended to CD1 be adopted. Seconded by Councilmember Kia'āina.

Committee Report 38 and Resolution 22-13, CD1 as amended were adopted.

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

ADOPTION

RESOLUTION 22-15 – COMMITTEE REPORT 39

RESOLUTION REQUESTING THE DEPARTMENT OF PLANNING AND PERMITTING TO RECOMMEND LEGISLATION TO ENHANCE REGULATION OF LARGE DETACHED DWELLINGS.

Councilmember Elefante moved that Committee Report 39 and Resolution 22-15 be adopted. Seconded by Councilmember Kia'āina.

Committee Report 39 and Resolution 22-15 were adopted.

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

Related communication:

CC-39 Disclosure of Interest Statement submitted by Councilmember Elefante

BALANCE OF COMMITTEE REPORTS

EMLACR-18 Resolution 22-23 – Requesting the City Administration to prioritize Council-initiated capital improvement projects and to establish a publicly accessible capital improvement project digital dashboard. Consecutive referral to Committee on Budget.

EMLACR-19 Request for authorization to settle a case against the City and County of Honolulu entitled Julie M. Ake v. Keith M. Kaneshiro, et al., Civil No. 19-1-0730-05 (BIA) (Cir. Ct.).

- EMLACR-20 Request for authorization to settle a case against the City and County of Honolulu entitled Gail Garin, et al. v. Alins Sumang, et al., Civil No. CV21-00104 DKW/WRP (USDC).
- EMLACR-21 Request for authorization to settle a case against the City and County of Honolulu entitled Kimberley Hollandsworth v. City and County of Honolulu, et al., Civil No. CV19-00587 ACK/WRP (USDC).
- EMLACR-22 Request for authorization to settle a case against the City and County of Honolulu entitled 2643 South King Street, LLC v. City and County of Honolulu, et al.; Civil No. CV 21-00225 JMS-RT (USDC).
- EMLACR-23 Request for authorization to settle a case against the City and County of Honolulu entitled Sarah Vargas v. City and County of Honolulu, et al., Civil No. CV19-00116 LEK/WRP (USDC).
- EMLACR-24 Request for authorization to settle a case against the City and County of Honolulu entitled Chelsea Horikawa v. City and County of Honolulu, et al., Civil No. 1CCV-21-0000427 (BIA) (Cir. Ct.).

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

The Balance of Committee Reports was adopted.

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

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION **RESOLUTION 22-21**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS (AAMVA), VALUED AT \$3,976.48 FOR TUITION, TRAVEL, AND RELATED EXPENSES FOR TWO PERSONNEL FROM THE DEPARTMENTS OF CUSTOMER SERVICES AND INFORMATION TECHNOLOGY TO ATTEND A CONFERENCE IN SAN DIEGO, CALIFORNIA, FROM MARCH 1 – 2, 2022.

Resolution 22-21 was waived to the Council floor by the Chair of the Committee on Parks and Community Services.

Councilmember Kia'āina moved that Resolution 22-21 be adopted. Seconded by Councilmember Tupola.

Resolution 22-21 was adopted.

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

NOES: None.

Related communication:

CC-36 Councilmember Augie Tulba

ADOPTION **RESOLUTION 22-34**

HO'OHOLO 'IA KA MAHINA 'O PEPELUALI I KA MAKAHIKI 2022 'O IA "KA MAHINA 'ŌLELO HAWAI'I," A PAIPAI NUI 'IA NĀ ALAKA'I O KE KŪLANAKAUHALE E HO'OMAOPOPO I KE KO'IKO'I O KA 'ŌLELO HAWAI'I 'O IA KEKAHI O NĀ 'ŌLELO KŪHELU 'ELUA O KE AUPUNI HAWAI'I.

(English translation)

RESOLUTION DESIGNATING FEBRUARY 2022 AS “ŌLELO HAWAI‘I MONTH,” AND URGING THE CITY ADMINISTRATION TO RECOGNIZE THE IMPORTANCE OF THE HAWAIIAN LANGUAGE AS ONE OF TWO OFFICIAL LANGUAGES IN THE STATE OF HAWAI‘I.

Councilmember Kia‘āina moved that Resolution 22-34 be adopted. Seconded by Councilmember Tupola.

Please see list of individuals that testified via video conference on pages 2 and 3.

Resolution 22-34 was adopted.

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

NOES: None.

Related communication:

M-62 Testimony on Resolution 22-34

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Tulba wished his Director of Policy, Larie Manutai, happy birthday.

Councilmember Kia‘āina introduced her new staff member, Mr. Patrick Cordova who comes from the City of San Jose and has dealt with a lot of the COVID recovery efforts and is also attuned to equity and Federal funding.

Councilmember Cordero wished Councilmember Heidi Tsuneyoshi a happy birthday.

ADJOURNMENT

At 1:40 p.m., Councilmember Kia'aina moved that the Council stand adjourned until Wednesday, March 16, 2022, 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:

March 16, 2022