



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

TOMMY WATERS
CHAIR & PRESIDING OFFICER
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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
20TH SESSION
WEDNESDAY, APRIL 13, 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 10:22 a.m.

ROLL CALL

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

Councilmembers Cordero, Elefante, Fukunaga, Say, Tsuneyoshi, Tulba, Tupola, Waters - 8.

Excused – Kia'āina – 1.

The Chair noted that Councilmembers Tsuneyoshi, Fukunaga, Say, 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, and a Special Duty Police Officer.

INTRODUCTION OF GUESTS

Councilmember Tupola welcomed Managing Director, Deputy Managing Director, Acting Director Miyasaki and all others from the Administration.

The following individuals testified via video conference:

1. Kathleen Pahinui, Save North Shore Neighborhoods (M-110) [Support Bill 41 (2021), CD2]
2. William Henry Kekoa McClellan, The American Hotel and Lodging Association (M-110) [Support Bill 41 (2021), CD2]
3. Christine Otto Zaa (M-110) [Support Bill 41 (2021), CD2]
4. Alex Ress (M-110) [Support Bill 41 (2021), CD2]
5. Sean Brady (M-110) [Oppose Bill 41 (2021), CD2]
6. Toral Patel, Airbnb (M-110) [Oppose Bill 41 (2021), CD2]
7. Gerard Gibson, Hawaii Hotel Alliance (M-110) [Support Bill 41 (2021), CD2]
8. Michelle Yao (M-110) [Oppose Bill 41 (2021), CD2], (M-115) (General comment on Resolution 22-45)
9. Stephanie Brooker (M-110) [Oppose Bill 41 (2021), CD2]
10. Jenny Kono (M-110) [Oppose Bill 41 (2021), CD2]
11. Thomas Cestare, The Lanikai Association (M-110) [Support Bill 41 (2021), CD2]
12. Paul Nachtigall (M-110) [Oppose Bill 41 (2021), CD2]
13. Michael Brant [General comment on Bill 41 (2021), CD2], (M-115) (General comment on Resolution 22-45)
14. Chris Cramer, Maunaloa Fishpond Heritage Center (M-109) (Support Resolution 22-67)
15. Brooks Robinson (M-115) (General comment on Resolution 22-45), (M-119) (General comment on Bill 15, CD1)
16. Helena Von Sydow (M-110) [Oppose Bill 41 (2021), CD2]
17. Patrick Chandler (M-110) [Oppose Bill 41 (2021), CD2]
18. Yoh Kuwano (M-110) [Oppose Bill 41 (2021), CD2]
19. John An (M-110) [Oppose Bill 41 (2021), CD2]
20. Cedar Kehoe (M-110) [Oppose Bill 41 (2021), CD2]
21. Larry Bartley, Save O'ahu's Neighborhoods (M-110) [Support Bill 41 (2021), CD2]
22. Laura Crane (M-117) (Oppose Bill 14, CD1)
23. Chuck Prentiss, Keep It Kailua (M-110) [Support Bill 41 (2021), CD2]
24. John Lisoway (M-110) [Oppose Bill 41 (2021), CD2]
25. Barbara Krasniewski (M-110) [Support Bill 41 (2021), CD2]
26. Leonard Rossoff, Windward Coalition (M-110) [Support Bill 41 (2021), CD2]
27. Bill Hicks, Kailua Neighborhood Board (D-295) [Support Bill 41 (2021), CD2]
28. Joli Tokusato, Unite Here Local 5 (M-110) [Support Bill 41 (2021), CD2]
29. Mufi Hannemann, Hawai'i Lodging & Tourism Association (M-110) [Support Bill 41 (2021), CD2]
30. Andy Kuo (M-110) [General comment on Bill 41 (2021), CD2]
31. Lucinda Pyles (M-110) [Support Bill 41 (2021), CD2]
32. Kendrick Chang, Livable Hawaii Kai Hui (M-109) (Support Resolution 22-67)
33. Bryan Phillips (M-117) (Support Bill 14, CD1)

34. Barbara Mayer (M-110) [Support Bill 41 (2021), CD2]
35. Kaiula Jack (M-110) [Oppose Bill 41 (2021), CD2]
36. Waipākawiwoole Parker, Kupā'aina o Kuli'ou'ou (M-109) (Support Resolution 22-67)
37. Angela Correa-Pei, Kupā'aina o Kuli'ou'ou (M-109) (Support Resolution 22-67)
38. Hector Euredjian (M-110) [Oppose Bill 41 (2021), CD2]
39. Kapohuolahaina Pa Moniz (M-110) [Support Bill 41 (2021), CD2]
40. Gloria Wong (M-110) [Oppose Bill 41 (2021), CD2]
41. Ralph Furley (M-110) [Oppose Bill 41 (2021), CD2]
42. Meylysa Duldulao (M-110) [Oppose Bill 41 (2021), CD2]
43. Vladimir Gurovich (M-110) [Oppose Bill 41 (2021), CD2]
44. Elizabeth Reilly, Livable Hawaii Kai Hui (M-109) (Support Resolution 22-67)
45. Ingrid Peterson (M-110) [Support Bill 41 (2021), CD2]
46. Tom Merrick (M-110) [Oppose Bill 41 (2021), CD2]
47. Megan Arita (M-110) [Oppose Bill 41 (2021), CD2]
48. Vicki Basil (M-110) [Oppose Bill 41 (2021), CD2]
49. Virginia Dudden (M-110) [Oppose Bill 41 (2021), CD2]
50. Jim Tree (M-110) [General comment on Bill 41 (2021), CD2]
51. Natalie Iwasa (M-117, M-125) (General comment on Bill 14, CD1), (General comment on Bill 15, CD1, Bill 16, Bill 19), (M-160) (General comment on Bill 18), (General comment on Resolution 22-45), (M-110) [Oppose Bill 41 (2021), CD2], (Oppose Resolution 22-79 and 22-60), (M-109) (Support Resolution 22-67)
52. Cynthia Rubinstein (M-110) [Oppose Bill 41 (2021), CD2]
53. Theresa Harden (M-110) [Oppose Bill 41 (2021), CD2]
54. Valarie Leal (M-110) [Oppose Bill 41 (2021), CD2]
55. Kelli Bullock Hergert (M-117) (Oppose Bill 14, CD1)
56. Keolani Noa (M-109) (Support Resolution 22-67)
57. Rick Egged, Waikiki Transportation Management Association Special Improvement District (M-110) [Support Bill 41 (2021), CD2], (M-122) (Support Resolution 22-60)
58. Dawn Borjesson, Friends of Kuilima (M-110) [Oppose Bill 41 (2021), CD2]
59. Ellen Haring (M-110) [Oppose Bill 41 (2021), CD2]
60. Ivan Lui-Kwan, Hawaii Hotel Alliance and American Hotel and Lodging Association (M-110) [Support Bill 41 (2021), CD2]
61. Dianne Willoughby, Honolulu Board of Realtors (M-110) [Oppose Bill 41 (2021), CD2]
62. Martine Aceves-Foster (M-110) [Oppose Bill 41 (2021), CD2]
63. Ilihia Gionson, Hawaii Tourism Authority (M-110) [Support Bill 41 (2021), CD2]
64. Harmony Bentosino (M-117) (Oppose Bill 14, CD1)
65. Choon James (M-115) (General comment on Resolution 22-45), (General comment on CR-62), (M-109) (Support Resolution 22-67), (M-110) [General comment Bill 41 (2021), CD2]
66. Greg Cook (M-110) [Oppose Bill 41 (2021), CD2]
67. Levi Brooker (M-110) [Oppose Bill 41 (2021), CD2]

68. Greg Jackson (M-110) [Oppose Bill 41 (2021), CD2]
69. Heather Shank (M-110) [Support Bill 41 (2021), CD2]
70. Laura Isola (M-110) [Oppose Bill 41 (2021), CD2]
71. Laurie Wong-Nowinski (M-110) [General comment on Bill 41 (2021), CD2]
72. Zhizi Xiong (M-121) (Support Resolution 22-59), (M-122) (Support Resolution 22-60)
73. Joey Cadiz (M-117) (Support Bill 14, CD1)
74. Richard Kelly (M-134) [Bill 41 (2021), CD2]
75. Kirk Madsen (M-110) [Oppose Bill 41 (2021), CD2]
76. Stephanie LaMonaca [Oppose Bill 41 (2021), CD2]
77. Debbie Misajon (M-110) [Oppose Bill 41 (2021), CD2]
78. Denise Lindo (M-110) [Support Bill 41 (2021), CD2]
79. Michelle Matson, O'ahu Island Parks Conservancy (M-126) (General comment on Resolution 21-156, CD1), (testifying as an individual) [General comment on Bill 41 (2021), CD2]
80. Jenny J. (M-110) [Oppose Bill 41 (2021), CD2]
81. Andreea Grigore, Elite Pacific (M-134) [Oppose Bill 41 (2021), CD2]
82. Henny Wasson (M-134) [Oppose Bill 41 (2021), CD2]
83. Larry McElheny (M-110) [Support Bill 41 (2021), CD2]
84. Mathew Johnson (M-110) [Support Bill 41 (2021), CD2]
85. Matthew Kievlan (M-117) (Oppose Bill 14, CD1)
86. Cecilia Gomez (M-110) [Oppose Bill 41 (2021), CD2], (Oppose Bill 14, CD1)
87. Ursela Rutherford (M-110) [Support Bill 41 (2021), CD2]
88. Carl Schneider (M-134) [Oppose Bill 41 (2021), CD2]
89. Sherrie Cumming (M-134) [Oppose Bill 41 (2021), CD2]

The following individuals testified in person at the Council Chamber:

90. Glen Murray (M-127) (Support Resolution 22-64)
91. Robin Erb, World Surf League Hawaii (M-110) [Oppose Bill 41 (2021), CD2]
92. Carlino Giampolo (M-113) (Support Bill 23)
93. Steven Yamamoto, Jr. (M-110) [Oppose Bill 41 (2021), CD2]
94. William Reese Liggett, Commission on Clean Water and Natural Land (Support Resolution 22-79)
95. Ernest Shih (Oppose Bill 14)
96. Natalia Hussey-Burdick (M-111) [Support Bill 41 (2021), CD2]
97. Stu Simmons (M-110) [Support Bill 41 (2021), CD2]

The Chair stated that Councilmember Kia'āina was participating remotely by video conference.

APPROVAL OF MINUTES

Councilmember Tupola moved that the Minutes of the 19th Session be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Elefante.

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

ORDER OF THE DAY

ADOPTION

RESOLUTION 22-27 – COMMITTEE REPORT 65

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.

Councilmember Tupola moved that Committee Report 65 and Resolution 22-27 be adopted. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Managing Director Mike Formby (General comment)
2. Nola Miyasaki, Acting Director, Department of Human Resources (General comment)

Councilmember Tupola stated that she hopes that Director Miyasaki will continue to be involved and engaged as she was as the Director of Customer Services. She stated that she will be voting in support of the measure.

Councilmember Kia'āina stated that she looks forward to working with Director Miyasaki on human resource challenges of the City and County of Honolulu.

Chair Waters stated that he looks forward to working with Director Miyasaki in her new role as the Director of Human Resources.

Committee Report 65 and Resolution 22-27 were adopted.

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

NOES: None.

RECESS/RECONVENE

At 2:52 p.m., the Chair called for a recess as noted on the agenda. With 6 members present (Excused: Fukunaga, Tsuneyoshi, Tulba – 3), the Chair reconvened the meeting at 3:47 p.m.

PUBLIC HEARING/ADOPTION **COMMITTEE REPORT 62**

RECOMMENDATIONS ON THE REVIEW AND EVALUATION OF THE CLIMATE
CHANGE COMMISSION PURSUANT TO ORDINANCE 17-44.

Councilmember Cordero moved that Committee Report 62 be adopted. Seconded by Councilmember Elefante.

Committee Report 62 was adopted.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TUPOLA, WATERS – 6.

NOES: None.

ABSENT: FUKUNAGA, TSUNEYOSHI, TULBA – 3.

PUBLIC HEARING/SECOND READING **BILL 11 – COMMITTEE REPORT 63**

A BILL FOR AN ORDINANCE PILI I KA MAHINA 'ŌLELO HAWAI'I. (ENGLISH
TRANSLATION) RELATING TO MAHINA 'ŌLELO HAWAI'I.

Councilmember Tupola moved that Committee Report 63 be adopted and Bill 11 pass second reading. Seconded by Councilmember Elefante.

Committee Report 63 was adopted and Bill 11 passed second reading.

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

Related communications:

M-112 Testimony on Bill 11
M-123 Testimony on Bill 11

PUBLIC HEARING/SECOND READING
BILL 13 – COMMITTEE REPORT 78

A BILL FOR AN ORDINANCE RELATING TO THE LEGISLATIVE BUDGET FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023.

Councilmember Say moved that Committee Report 78 be adopted and Bill 13 pass second reading. Seconded by Councilmember Cordero.

Committee Report 78 was adopted and Bill 13 passed second reading.

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

Related communication:

M-131 Testimony on Bill 13

PUBLIC HEARING/SECOND READING
BILL 14, CD1 – COMMITTEE REPORT 79

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023.

Councilmember Say moved that Committee Report 79 be adopted and Bill 14 pass second reading as amended to CD1. Seconded by Councilmember Cordero.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Councilmember Tupola stated her support for the measure.

Committee Report 79 was adopted and Bill 14, CD1 passed second reading, as amended.

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

NOES: None.

Related communications:

M-117 Testimony on Bill 14, CD1

M-125 Testimony on Bill 14, CD1

PUBLIC HEARING/SECOND READING
BILL 15, CD1 – COMMITTEE REPORT 80

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE CAPITAL BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023.

Councilmember Say moved that Committee Report 80 be adopted and Bill 15 pass second reading as amended to CD1. Seconded by Councilmember Cordero.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Councilmember Tupola stated that she looks forward to more discussion in Committee.

Councilmember Say announced that the Committee on Budget will hold a public briefing on Monday regarding questions posed to the Departments regarding the budget.

Committee Report 80 was adopted and Bill 15, CD1 passed second reading, as amended.

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

NOES: None.

Related communications:

M-119 Testimony on Bill 15, CD1
M-133 Testimony on Bill 15, CD1

PUBLIC HEARING/SECOND READING
BILL 16 – COMMITTEE REPORT 81

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, 2023, 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 81 be adopted and Bill 16 pass second reading. Seconded by Councilmember Cordero.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Committee Report 81 was adopted and Bill 16 passed second reading.

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

PUBLIC HEARING/SECOND READING
BILL 18 – COMMITTEE REPORT 82

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023.

Councilmember Say moved that Committee Report 82 be adopted and Bill 18 pass second reading. Seconded by Councilmember Cordero.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Councilmember Say stated that the Honolulu Authority for Rapid Transportation (HART) made a major cut in their authorization of bond financing, by lowering their debt service.

Councilmember Fukunaga stated that one thing that disturbed her about the HART budget was that one member of the HART Board raised concerns that have not been addressed by the other members of the HART Board and noted that she will be voting no on Bills 18 and 19. Councilmember Fukunaga stated that she hopes that the Council can work with the Administration and the HART Board to provide greater transparency.

Councilmember Tsuneyoshi echoed the comments of Councilmember Fukunaga and stated that she will be voting no on Bills 18 and 19. She stated that it is unfortunate that the common practice is to always get information to the Council after the budgets have been approved. She noted that the Council has not seen the Recovery Plan or any drafts.

Councilmember Tupola stated that she has concerns on Bills 18 and 19. She stated that the Recovery Plan is crucial for the Administration to receive the remaining \$744 million from the Federal government. Councilmember Tupola stated that the budgets need to be tight and as accurate as can be because the City budget and the Recovery Plan is being done at the same time. She noted that she will have more questions in Committee.

In response to councilmembers, Joey Manahan and Lori Kahikina, Executive Director and Chief Executive Officer, HART, stated that:

- He is not aware of any fiscal impact study provided to HART.
- HART is scheduled to go before the HART Board next Friday with an initial draft of the Recovery Plan.
- The current CIP budget does not go all the way to Ala Moana. The CIP budget put out this year was from Middle Street to Ala Moana but the base phase will only be going to the Civic Center. If HART is able to get additional funds, then it will be bid additives for the remainder of the project. She noted that HART is doing phase funding like other City departments do. Right now HART is in the planning phase. The first phase of the project will be by requests for qualifications.
- HART will get a copy of the Recovery Plan to the Council as soon as possible. The HART Board Chair wants to submit the plan before the end of April.

Committee Report 82 was adopted and Bill 18 passed second reading.

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

Related communication:

M-160 Testimony on Bill 18

PUBLIC HEARING/SECOND READING
BILL 19, CD1 – COMMITTEE REPORT 83

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023.

Councilmember Say moved that Committee Report 83 be adopted and Bill 19 pass second reading as amended to CD1. Seconded by Councilmember Cordero.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

(Please see Bill 18 for comments from Councilmembers Fukunaga, Tsuneyoshi, and Tupola.)

Committee Report 83 was adopted and Bill 19, CD1 passed second reading, as amended.

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

Related communication:

M-135 Testimony on Bill 19

PUBLIC HEARING/RESOLUTION
RESOLUTION 22-45 – COMMITTEE REPORT 85

RESOLUTION DETERMINING THE REAL PROPERTY TAX RATES FOR THE CITY AND COUNTY OF HONOLULU FOR THE FISCAL YEAR JULY 1, 2022 TO JUNE 30, 2023.

Councilmember Say moved that Committee Report 85 be adopted and Resolution 22-45 be referred back to the Committee on Budget. Seconded by Councilmember Cordero.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Councilmember Tsuneyoshi stated that she is concerned about the transit vacation units (TVU) in the resort area have been paying Hotel/Resort real property taxes at a substantially higher rate. She stated that if Bill 41 (2021) moves forward then the TVUs in the resort area will pay the registration fee that timeshares do not have to pay in resort areas. Councilmember Tsuneyoshi stated that her questioning was on the lines of equity and that there should be a different tax classification for the TVUs.

Councilmember Say stated for the record that he would like to address all different types of classifications. He noted that the Oahu Real Property Tax Advisory Commission discussed different classifications and had a presentation from Maui regarding short term and long term rentals whereby Maui has a classification. Councilmember Say stated to the public that the City and County's responsibility is only for real property tax rates and that the Department of Budget and Fiscal Services and the Division of Real Property determines valuation.

Councilmember Kia'āina stated that Bill 4 deals with taxation relating to short-term rentals and also stated that it is her desire to have a separate tax rate for transient vacation units that will be between the rate for bed and breakfast homes and hotel and resort. She stated that another area she would be looking into is potentially seeking relief for the seniors who have been impacted rising property taxes.

In response to councilmembers, Andy Kawano, Director, Department of Budget and Fiscal Services (BFS) stated that:

- No one is classified under the bed and breakfast home classification because Bill 89 was not enforced.
- The Department of Planning and Permitting (DPP) will be the main execution and enforcement component and will give the BFS information for real property tax assessment.
- The DPP should have a list of nonconforming use certificates. The issue is when the Bill gets passed, how many more will apply.
- The 3 percent tax collected under Bill 40 comes straight to the County and after two months of collections, the City collected about \$13 million.

Councilmember Say stated that there was a loss of revenue in the agricultural classification with the solar and wind farms being classified as agriculture rather than industrial or commercial. The State Legislature said it is a permitted use, not realizing the unintended consequence of the loss of revenue. Councilmember Say noted that he would like to address a classification for vacant homes and businesses that use agricultural lands for other purposes outside of the classification.

Committee Report 85 was adopted and Resolution 22-45 was referred back to the Committee on Budget.

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

NOES: None.

Related communication:

M-115 Testimony on Resolution 22-45

THIRD READING

RESOLUTION 21-156, CD1 – COMMITTEE REPORT 64

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

Councilmember Tupola moved that Committee Report 64 be adopted and Resolution 21-156, CD1 pass third reading. Seconded by Councilmember Fukunaga.

Councilmember Elefante stated that the Administration is now looking at a diverse set of candidates since the last appointments to the Commission. He noted that if the measure passes it would be up to the voters to vote on the Charter amendment.

Councilmember Tupola stated that a testifier mentioned having a caveat or an addition for historic preservation and noted that it could fall under a requirement. She noted that she will make sure that it is part of the conversation that historic preservation insight and background are added into planning and zoning decisions.

Committee Report 64 was adopted and Resolution 21-156, CD1 passed third reading.

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

NOES: None.

Related communication:

M-126 Testimony on Resolution 21-156, CD1

THIRD READING

BILL 41 (2021), CD2 – COMMITTEE REPORT 76

A BILL FOR AN ORDINANCE RELATING TO TRANSIENT ACCOMMODATIONS.

The following amendment was posted on the agenda:

Bill 41 (2021), CD2, Proposed FD1 (OCS2022-0293/4/7/2022 3:42 PM) (withdrawn
by Councilmember Fukunaga)

The following amendments were handcarried to the meeting:

Bill 41 (2021), CD2, Proposed FD1 (OCS2022-0308/4/12/2022 1:15 PM) (withdrawn
by Councilmember Fukunaga)

Bill 41 (2021), CD2, Proposed FD1 (OCS2022-0305/4/12/2022 3:10 PM) (withdrawn
by Councilmember Say)

Councilmember Elefante moved that Committee Report 76 be adopted and Bill 41 (2021), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Say.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

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

- The DPP will provide a listing of nonconforming use certificates as well as the locations but she would have to check if they have a listing of all the condo or co-op units currently located in resort zoned residential districts that are currently paying transient accommodations tax and general excise taxes.

- There was a study by the University of Hawaii Economic Research Organization that estimates about 14,000 illegal short-term rentals.
- Owners within the resort zoned areas who want to operate as a transient vacation unit (TVU) or a bed and breakfast (B&B) will need to register with the Department.
- The DPP is trying to be fair across the board and that the registration fees is to help run the program and make sure that all TVU's and B&B's are treated equally and allow the DPP to monitor and ensure compliance.
- There are different provisions throughout the Bill including tightening up on the ability to serve notice of violations on illegal short-term rentals, advertising of short-term rentals, and raising the fines in order to deter and penalize illegal short-term rentals. The DPP will have seven positions dedicated to investigate the thousands of illegal short-term rentals.
- Short-term rentals are permitted in the Waikiki Special District and resort areas.
- The two Waikiki properties were selected after going through the legislative process, including input from different stakeholders and the public.

Councilmember Fukunaga stated that she introduced two floor drafts to address unintended consequences from Bill 41, CD2 but it would be more practical to identify the actual numbers of visitors who require short term residential accommodations that are not vacation units. She noted that Bill 4 would more appropriately address the uses. Councilmember Fukunaga stated that she is withdrawing both floor drafts that she introduced so that the Council can move forward and try to address the kinds of needs in a more comprehensive fashion.

Councilmember Say stated that he introduced a floor draft to primarily address the enforcement but will be withdrawing it. He noted that he is happy with Bill 41 because it clamps down on the residential zoned districts in his community to a certain degree.

Councilmember Kia'aina stated that the most important issue is enforcement. She noted that a lot of work has been done on the issue and that she would like the measure to move forward.

Councilmember Elefante stated for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-129).

In response to Councilmember Tupola, Mike Formby, Managing Director stated that:

- He is not aware of any request made to the Ethics Commission.
- He and the Mayor met with the Honolulu Board of Realtors and the World Surfing League to inform them of their position on the measure and to listen to their concerns. The Mayor supports enforcement to ensure the culture and sense of place of residential communities respect for natural resources, and to mitigate the impact of the businesses in residential communities.

In response to councilmembers, Duane Pang, Deputy Corporation Counsel stated that:

- If Bill 41 passes and the court deems it illegal, then Bill 89, Ordinance 19-18, would still be valid.
- The Land Use Ordinance has a provision where the matter can be referred to the Prosecutor and if the Land Use Ordinance is violated it may be deemed a criminal violation. The administrative procedure that the DPP performs is in addition to what can happen with the Prosecutor's Office.
- Bill 41 basically says no TVUs, no B&Bs in any residential areas and it makes it simpler for enforcement because anything that is not a NUC or a nonconforming hotel in a residential area is illegal.
- The Waikiki Banyan has a pending civil lawsuit and a Zoning Board of Appeals appeal.

Councilmember Tsuneyoshi stated that she will be voting with reservations on the measure. She noted that when Bill 89 passed, she was hopeful that the City was going to move forward on enforcement. She stated that she has concerns with the idea that property owners who have been operating legally would have to pay a registration fee. Councilmember Tsuneyoshi raised another concern on the issue of landlord/tenant codes and rental agreements. She stated that she would like the communities and residents to be safe from investors and see communities returned to the residents.

Councilmember Tupola stated that she opposes illegal vacation rentals under the current law and she would support an enforcement bill. She noted that Bill 41 is not an enforcement bill, but rather suggests changing the law and then talking about enforcement later. She stated that the City needs to uphold the current laws and as stated by Corporation Counsel, Bill 89 is the current law. Councilmember Tupola stated that she will be voting no on the measure and would like more housing.

Councilmember Kia'āina stated that her primary reason for supporting the measure is because of the impact of short-term rentals on residential communities. She noted that she would like to work with the Zoning and Budget chairs on creating a fair tax rate for those who run TVUs.

Chair Waters stated that he is not against people staying in a B&B or a TVU, but the City needs to control the illegal ones and that is what Bill 41 does. A B&B or TVU would need a permit to advertise. He stated that this is what the Administration said we need and we should help them accomplish it.

Committee Report 76 was adopted and Bill 41 (2021), CD2 passed third reading, as amended.

AYES: CORDERO, ELEFANTE, FUKUNAGA*, KIA'ĀINA, SAY, TSUNEYOSHI*,
TULBA, WATERS – 8.
NOES: TUPOLA – 1.

*Councilmembers Fukunaga and Tsuneyoshi voted aye with reservations.

Related communications:

CC-394 (2021)	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-395 (2021)	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-397 (2021)	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-10	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-11	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-17	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-18	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-19	Disclosure of Interest Statement submitted by Councilmember Elefante
M-110	Testimony on Bill 41 (2021), CD2
M-111	Testimony on Bill 41 (2021), CD2
M-134	Testimony on Bill 41 (2021), CD2

FIRST READING
RESOLUTION 22-79

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

Councilmember Tupola moved that Resolution 22-79 pass first reading. Seconded by Councilmember Elefante.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Resolution 22-79 passed first reading.

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

NOES: None.

Related communication:

M-118 Testimony on Resolution 22-79

FIRST READING

BILL 23

A BILL FOR AN ORDINANCE RELATING TO PRIVATE REFUSE COLLECTION VEHICLES.

Councilmember Tupola moved that Bill 23 pass first reading. Seconded by Councilmember Elefante.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Councilmember Say stated that on behalf of himself and Chair Waters, he would like to incorporate Mr. Carlino Giampolo's testimony. He noted that he is in support of the measure.

In response to Councilmember Cordero, Duane Pang, Deputy Corporation Counsel stated that the City can regulate the hours of operation because it would be the time of business.

Bill 23 passed first reading.

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

NOES: None.

Related communication:

M-113 Testimony on Bill 23

FIRST READING

BILL 24

A BILL FOR AN ORDINANCE RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS.

Councilmember Tupola moved that Bill 24 pass first reading. Seconded by Councilmember Elefante.

Bill 24 passed first reading.

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

NOES: None.

ADOPTION

RESOLUTION 22-50 – COMMITTEE REPORT 59

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO REPORT TO THE COUNCIL ON POSSIBLE REVISIONS OR ALTERNATIVES TO CURRENT CITY SIDEWALK CONSTRUCTION FINANCING PROCESSES.

Councilmember Cordero moved that Committee Report 59 and Resolution 22-50 be adopted. Seconded by Councilmember Elefante.

Councilmember Elefante stated that he looks forward to working with the Department of Transportation and their Complete Streets Administrator on the measure.

Committee Report 59 and Resolution 22-50 were adopted.

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

NOES: None.

Related communication:

M-114 Testimony on Resolution 22-50

ADOPTION

RESOLUTION 22-54 – COMMITTEE REPORT 60

RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES TO IMPROVE PUBLIC NOTIFICATION PROCEDURES FOR CLOSURES OF CITY STREETS.

Councilmember Cordero moved that Committee Report 60 and Resolution 22-54 be adopted. Seconded by Councilmember Elefante.

Committee Report 60 and Resolution 22-54 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 22-56, FD1 – COMMITTEE REPORT 61

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S LIST OF FEDERAL TRANSIT ADMINISTRATION AND FEDERAL HIGHWAY ADMINISTRATION CANDIDATE PROJECTS IN THE FEDERAL FISCAL YEARS 2022-2025 TRANSPORTATION IMPROVEMENT PROGRAM.

The following amendment was posted on the agenda:

Resolution 22-56, Proposed FD1

Councilmember Cordero moved that Committee Report 61 and Resolution 22-56 be adopted. Seconded by Councilmember Elefante.

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

Resolution 22-56 was amended to the posted FD1.

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

NOES: None.

Committee Report 61 and Resolution 22-56, FD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 22-74 – COMMITTEE REPORT 66

RESOLUTION TO RETAIN THE LEGAL SERVICES OF KOBAYASHI SUGITA & GODA, LLP AS SPECIAL COUNSEL TO REPRESENT DEFENDANT CHRISTOPHER KOANUI IN A LEGAL ACTION ENTITLED ROBIN HALL V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV21-00248 (USDC).

Councilmember Tupola moved that Committee Report 66 and Resolution 22-74 be adopted. Seconded by Councilmember Fukunaga.

Committee Report 66 and Resolution 22-74 were adopted.

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

NOES: None.

Related communications:

CC-104 Disclosure of Interest Statement submitted by Councilmember Elefante

CC-105 Disclosure of Interest Statement submitted by Councilmember Elefante

ADOPTION

RESOLUTION 22-75 – COMMITTEE REPORT 67

RESOLUTION TO RETAIN THE LEGAL SERVICES OF KOBAYASHI SUGITA & GODA, LLP AS SPECIAL COUNSEL TO REPRESENT DEFENDANTS HONOLULU LIQUOR COMMISSION, JACOB FEARS AND CATHERINE FONTAINE IN A LEGAL ACTION ENTITLED SCARLET HONOLULU INC., ET AL. V. HONOLULU LIQUOR COMMISSION, ET AL., CIVIL NO. CV21-00457 KJM (USDC).

Councilmember Tupola moved that Committee Report 67 and Resolution 22-75 be adopted. Seconded by Councilmember Fukunaga.

Councilmember Fukunaga stated that the lawsuit involves a night club operating in Council District VI and it has been the sight of various controversies. She stated that she will be voting with reservations on the measure. Councilmember Fukunaga stated that the Liquor Commission should be taking steps to address some of the concerns that are raised in the lawsuit.

Councilmember Tupola stated that there was a conversation about possibly having the Liquor Commission handle the matter with their own funds. She noted that any City employee is allowed to have legal representation and the vote is to allow for the representation. Councilmember Tupola stated that if there is any further action that is required it will be discussed in the Executive Matters and Legal Affairs Committee.

Committee Report 67 and Resolution 22-75 were adopted.

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

NOES: None.

*Councilmember Fukunaga voted aye with reservations.

Related communications:

CC-106	Disclosure of Interest Statement submitted by Councilmember Elefante
CC-107	Disclosure of Interest Statement submitted by Councilmember Elefante
M-129	Testimony on Resolution 22-75

ADOPTION

RESOLUTION 22-76 – COMMITTEE REPORT 68

RESOLUTION TO RETAIN THE LEGAL SERVICES OF FARM BENEDICT SUGIHARA A LIMITED LIABILITY LAW PARTNERSHIP LLP AS SPECIAL COUNSEL TO REPRESENT DEFENDANTS CITY AND COUNTY OF HONOLULU AND SUSAN BALLARD IN A LEGAL ACTION ENTITLED DEBRALYNN THOMAS, INDIVIDUALLY AND IN HER CAPACITY AS PERSONAL REPRESENTATIVE OF THE ESTATE OF KYLE THOMAS V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV21-00087 JAO/KJM (USDC).

Councilmember Tupola moved that Committee Report 68 and Resolution 22-76 be adopted. Seconded by Councilmember Fukunaga.

Committee Report 68 and Resolution 22-76 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 22-77 – COMMITTEE REPORT 69

RESOLUTION TO RETAIN THE LEGAL SERVICES OF KOBAYASHI SUGITA & GODA, LLP AS SPECIAL COUNSEL TO REPRESENT DEFENDANTS RONALD V. DUMLAO, CHANCE C. CORREA AND JOSE J. VILLANUEVA IN A LEGAL ACTION ENTITLED DEBRALYNN THOMAS, INDIVIDUALLY AND IN HER CAPACITY AS PERSONAL REPRESENTATIVE OF THE ESTATE OF KYLE THOMAS V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV21-00087 JAO/KJM (USDC).

Councilmember Tupola moved that Committee Report 69 and Resolution 22-77 be adopted. Seconded by Councilmember Fukunaga.

Committee Report 69 and Resolution 22-77 were adopted.

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

NOES: None.

Related communications:

CC-108 Disclosure of Interest Statement submitted by Councilmember Elefante
CC-109 Disclosure of Interest Statement submitted by Councilmember Elefante

ADOPTION

RESOLUTION 22-59 – COMMITTEE REPORT 73

RESOLUTION ACCEPTING A GIFT OF EVALUATIONS ON HONOLULU ZOO'S TWO ASIAN ELEPHANTS, AND TRAINING OF HONOLULU ZOO STAFF IN ELEPHANT MANAGEMENT AND FOOT CARE VALUED AT \$6,017 TO THE CITY FROM THE HONOLULU ZOO SOCIETY.

Councilmember Say moved that Committee Report 73 and Resolution 22-59 be adopted.
Seconded by Councilmember Cordero.

Committee Report 73 and Resolution 22-59 were adopted.

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

Related communication:

M-121 Testimony on Resolution 22-59

ADOPTION

RESOLUTION 22-52 – COMMITTEE REPORT 70

RESOLUTION APPROVING THE CITY AUDITOR'S REQUEST FOR AN EXTENSION OF TIME TO COMPLETE THE PERFORMANCE AUDIT OF THE HONOLULU POLICE DEPARTMENT REQUESTED BY RESOLUTION 21-58.

Councilmember Say moved that Committee Report 70 and Resolution 22-52 be adopted.
Seconded by Councilmember Cordero.

Committee Report 70 and Resolution 22-52 were adopted.

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

NOES: None.

Related communication:

M-130 Testimony on Resolution 22-52

ADOPTION

RESOLUTION 22-57 – COMMITTEE REPORT 71

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL NOT TO EXCEED \$1,050,000,000 PRINCIPAL AMOUNT OF WASTEWATER SYSTEM REVENUE BONDS, SENIOR SERIES 2022 AND RELATED MATTERS.

Councilmember Say moved that Committee Report 71 and Resolution 22-57 be adopted.
Seconded by Councilmember Cordero.

Committee Report 71 and Resolution 22-57 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 22-58 – COMMITTEE REPORT 72

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL NOT TO EXCEED \$80,000,000 PRINCIPAL AMOUNT OF WASTEWATER SYSTEM REVENUE BONDS, JUNIOR SERIES 2022 AND RELATED MATTERS.

Councilmember Say moved that Committee Report 72 and Resolution 22-58 be adopted.
Seconded by Councilmember Cordero.

Committee Report 72 and Resolution 22-58 were adopted.

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

ADOPTION

RESOLUTION 22-39, CD1 – COMMITTEE REPORT 84

RESOLUTION APPROVING THE CITY AND COUNTY OF HONOLULU'S TWENTY-EIGHTH (28TH) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, EMERGENCY SOLUTIONS GRANTS AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Councilmember Say moved that Committee Report 84 and Resolution 22-39, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

Councilmember Kia'āina stated that as there will be a gradual increase in the percentage of funds that will be awarded to non-profit organizations, and that she looks forward to working with the Directors of the Department of Budget and Fiscal Services and Community Services on next year's plan.

Committee Report 84 and Resolution 22-39, CD1 as amended were adopted.

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

ADOPTION

RESOLUTION 22-60 – COMMITTEE REPORT 74

RESOLUTION ACCEPTING A GIFT OF \$32,360 TO THE CITY FROM THE WAIKIKI TRANSPORTATION MANAGEMENT ASSOCIATION (WTMA) FOR THE HONOLULU POLICE DEPARTMENT TO ADDRESS VARIOUS ILLEGAL ACTIVITIES INCLUDING PARKING VIOLATIONS ON PUBLIC STREETS IN SPECIFIC AREAS IN WAIKIKI.

Councilmember Tsuneyoshi moved that Committee Report 74 and Resolution 22-60 be adopted. Seconded by Councilmember Tulba.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Committee Report 74 and Resolution 22-60 were adopted.

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

Related communication:

M-122 Testimony on Resolution 22-60

ADOPTION

RESOLUTION 22-64 – COMMITTEE REPORT 75

RESOLUTION REQUESTING THE HONOLULU POLICE DEPARTMENT TO PROVIDE A SEARCH NOTICE TO PROPERTY OWNERS OR OCCUPANTS WHO WERE ABSENT AT THE TIME OF A SEARCH.

Councilmember Tsuneyoshi moved that Committee Report 75 and Resolution 22-64 be adopted. Seconded by Councilmember Tulba.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Councilmember Tulba stated his strong support on the Resolution. He explained how the Resolution came about and that the measure acknowledges that there are lawful circumstances when the Honolulu Police Department (HPD) need to exercise their authority to search someone's home or personal property without a warrant; however it asks that HPD create a policy or process where they can give property owners information about a warrantless search that took place when the property owner was not at home. Councilmember Tulba stated that this legislation will create greater transparency within HPD and it will then promote greater trust within our County.

Committee Report 75 and Resolution 22-64 were adopted.

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

Related communication:

M-127 Testimony on Resolution 22-64

ADOPTION

RESOLUTION 22-32, CD1, FD1 – COMMITTEE REPORT 77

RESOLUTION PROPOSING AN AMENDMENT TO CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE), RELATING TO THE CHINATOWN SPECIAL DISTRICT.

The following amendment was posted on the agenda:

Resolution 22-32, CD1, Proposed FD1

Councilmember Elefante moved that Committee Report 77 and Resolution 22-32 as amended to CD1 be adopted. Seconded by Councilmember Say.

Councilmember Fukunaga moved that the Resolution be amended to the posted FD1. Seconded by Councilmember Elefante. Councilmember Fukunaga explained the FD1 amendment.

Resolution 22-32, CD1 was amended to the posted FD1.

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

NOES: None.

Committee Report 77 and Resolution 22-32, CD1, FD1 were adopted.

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

NOES: None.

Related communication:

M-116 Testimony on Resolution 22-32, CD1

BALANCE OF COMMITTEE REPORTS

There was no Balance of Committee Reports.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 22-65

RESOLUTION NAMING THE FIELD AT BOOTH DISTRICT PARK IN PAUOA VALLEY IN HONOR OF WILBERT “AH PING” LEE.

Resolution 22-65 was waived to the Council floor by the Chair of the Committee on Parks and Community Services.

Councilmember Tupola moved that Resolution 22-65 be adopted. Seconded by Councilmember Elefante.

Councilmember Fukunaga stated that the Resolution is to name the field at Booth Park in honor of a long standing community volunteer and stated that Mr. Lee’s family would be very grateful. She urged councilmembers to support the measure.

Resolution 22-65 was adopted.

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

NOES: None.

Related communications:

CC-102	Councilmember Augie Tulba
M-120	Testimony on Resolution 22-65
M-128	Testimony on Resolution 22-65

ADOPTION
RESOLUTION 22-67

RESOLUTION APPROVING THE EXPENDITURE OF CLEAN WATER AND NATURAL LANDS FUNDS TO ACQUIRE A CONSERVATION EASEMENT OVER A PORTION OF TMK: 3-8-013:001, HONOLULU, HAWAI'I.

Resolution 22-67 was waived to the Council floor by the Chair of the Committee on Budget.

Councilmember Tupola moved that Resolution 22-67 be adopted. Seconded by Councilmember Elefante.

Please see list of individuals that testified via video conference, phone, or in-person on pages 2 to 4.

Resolution 22-67 was adopted.

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

Related communications:

CC-123 Councilmember Calvin Say
D-294 Kuliouou/Kalani Iki Neighborhood Board No. 2
M-109 Testimony on Resolution 22-67

ADOPTION
RESOLUTION 22-70

RESOLUTION ACCEPTING A GIFT OF BASKETBALL COURT MURAL AT CARTWRIGHT NEIGHBORHOOD PARK TO THE CITY FROM MĀLAMA KĪPUKA HAWAI'I.

Resolution 22-70 was waived to the Council floor by the Chair of the Committee on Parks and Community Services.

Councilmember Tupola moved that Resolution 22-70 be adopted. Seconded by Councilmember Elefante.

Resolution 22-70 was adopted.

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

NOES: None.

Related communication:

CC-125 Councilmember Augie Tulba

ADOPTION

RESOLUTION 22-78

RESOLUTION RECOMMENDING APPOINTEES TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

Councilmember Tupola moved that Resolution 22-78 be adopted. Seconded by Councilmember Elefante.

Councilmember Kia'āina stated that the Resolution recommends two valuable members of the Heeia Community and noted that the two women would be excellent additions to the Hawaii Community Development Authority because of their knowledge and commitment to serving the community.

Resolution 22-78 was adopted.

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

NOES: None.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Elefante wished two of his staff a happy birthday, Jan Salcedo and April Coloretti.

Chair Waters wished Councilmember Cordero a belated happy birthday. He noted that the Council Administrative Staff team, Alani, Erika, Cathy, and Sommerset created 3 pamphlets on How to Submit Testimony, The City's Annual Budget Process, and the Council Website Guide. He asked councilmember to take these pamphlets out to their communities.

ADJOURNMENT

At 5:58 p.m., Councilmember Tupola moved that the Council stand adjourned until Wednesday, May 4, 2022, at 10 a.m. Seconded by Councilmember Elefante 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:

May 4, 2022