



**RESOLUTION**

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

WHEREAS, the lack of affordable housing has become one of the most significant and challenging social problems in the City and County of Honolulu ("City"); and

WHEREAS, the disruptive social and economic effects resulting from the lack of affordable housing are becoming more prevalent and include:

1. An alarming increase in the City's homeless population;
2. A growing number of working adults who are unable to obtain reasonably priced housing for themselves and their families; and
3. An increased strain on the resources of social service agencies and of nonprofit and faith-based organizations; and

WHEREAS, the City is the only county in the State of Hawai'i without a county department dedicated to housing; and

WHEREAS, the 2015-16 Honolulu Charter Commission formed a Permitted Interaction Group ("PIG") on March 23, 2016, for the purpose of investigating proposals and issues related to housing; and

WHEREAS, in a report released on April 29, 2016, which was later filed with the Office of the City Clerk as Miscellaneous Communication 527 (2021), the PIG found that since the Department of Housing and Community Development was abolished in 1998, the City has provided minimal financial support to private sector affordable housing developers, and continues to manage the City's portfolio of affordable rental units; and

WHEREAS, the report also stated that the issue of housing has been dispersed among City departments as follows:

1. The Office of Housing in the Managing Director's Office has the authority to oversee, coordinate, and direct the development of plans and programs relating to affordable housing, senior housing, special needs housing, and homelessness;



## RESOLUTION

---

2. The Department of Budget and Fiscal Services is responsible for the management of commercial properties and monitoring compliance with the programs of the U.S. Department of Housing and Urban Development ("HUD");
3. The Department of Community Services oversees housing and housing related funds and grant programs, including: the City's Affordable Housing Fund, the HUD - Community Development Block Grants ("CDBG") program, the Home Investment Partnerships ("HOME") program, the Emergency Solutions Grants program, and the Section 8 Voucher program;
4. The Department of Facility Maintenance is responsible for the management of the City's residential affordable housing portfolio; and
5. The Department of Planning and Permitting ("DPP") oversees the negotiation and enforcement of affordable housing requirements under unilateral agreements with private sector housing developers; and

WHEREAS, the 2016 PIG recommended that the City consolidate all housing functions under one City department, with the intent to improve partnerships with federal, State, private, and community organizations in order to better address affordable housing, senior housing, special needs housing, and homelessness; and

WHEREAS, subsequent to the 2016 PIG recommendation, City housing functions have been further dispersed as follows:

1. The Department of Land Management is now responsible for the management of the City's residential affordable housing portfolio; and
2. The DPP also oversees the City's program for the issuance of Multifamily Housing Revenue Bonds, also known as private activity bonds; and

WHEREAS, the City Council ("Council") also believes that the consolidation of City housing functions under one City department (a Department of Housing and Community Services) is in the best interest of the City and would provide the following benefits:

1. Consolidate housing functions of the City;



**RESOLUTION**

2. Offer a long-term institutional structure to address Honolulu's unique and constantly-changing housing needs;
3. Provide an expanded capacity for housing research, policy formulation, and innovation; and
4. Deliver more efficient, effective, and economical administration of the City's housing programs, projects, and plans of action; and

WHEREAS, pursuant to Section 15-102.1 of the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Charter"), the Mayor's approval is required for any Charter amendment proposed by the Council at a general election held in a year ending in a "4"; now, therefore,

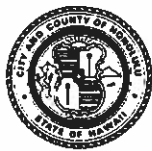
BE IT RESOLVED by the Council of the City and County of Honolulu:

1. That the following question be placed on the 2024 general election ballot:  
  
"Shall the Revised City Charter be amended to centralize and consolidate City housing-related functions under a Department of Housing and Community Services?"
2. That Section 6-106, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, be repealed:

~~["Section 6-106. Office of Housing—~~

~~There shall be an office of housing headed by an executive for housing who shall be appointed and may be removed by the mayor. The executive for housing shall have had a minimum of three years experience in the administration of affordable housing programs or projects or programs for low-income, homeless or special needs populations. The executive for housing shall:~~

- ~~(a) — Oversee, coordinate and direct the development, preparation and implementation of plans and programs relating to affordable housing, senior housing, special needs housing, and homelessness, for the benefit of the people of the city.~~
- ~~(b) — Oversee, coordinate and direct the activities and functions of the city relating to affordable housing, senior housing, homelessness, and special needs housing.~~



---

## RESOLUTION

---

~~(c) — Coordinate city activities and programs relating to affordable housing, senior housing, homelessness, and special needs housing with those of the state and federal governments and those of public or private housing organizations within the state.]”~~

3. That Section 6-203, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, be amended to read as follows:

**"Section 6-203. Powers, Duties and Functions --**

The director of budget and fiscal services shall be the chief accounting officer of the city and shall:

- (a) Prepare bills for the collection of moneys due the city or authorize the preparation thereof by other executive agencies of the city government under the director's general supervision.
- (b) Collect and receive moneys due to or receivable by the city and issue receipts therefor or authorize other executive agencies to do so under conditions prescribed by the director of budget and fiscal services.
- (c) Keep accurate and complete account of receipts and disbursements.
- (d) Maintain the treasury and, with the approval of the mayor, deposit moneys belonging to the city in depositories authorized by law which fulfill all conditions prescribed for them by law.
- (e) Contract for services of independent contractors, purchase materials, supplies and equipment and permit disbursements to be made only pursuant to rules and regulations adopted under the terms of this charter.
- (f) Have the responsibility for issuing, selling, paying interest on and redeeming bonds of the city.
- (g) Prepare and issue warrants.
- (h) Prepare payrolls and pension rolls.
- (i) Be responsible for the management of city funds~~[-]~~, except for any federal moneys received by the city for programs relating to affordable housing,



---

## RESOLUTION

---

senior housing, and special needs housing and addressing homelessness, that are under the management of the department of housing and community services.

- (j) Sell real property upon which improvement assessments are not paid within the period prescribed pursuant to policies established by the council, and dispose of personal property not needed by any agency of the city.
- (k) Rent or lease city property, except property controlled by or under the management of the board of water supply, [and] the public transit authority, and the department of housing and community services, and award concessions, pursuant to law and to policies established by the council.
- (l) Prepare and maintain a perpetual inventory of equipment owned or controlled by the city and materials and supplies.
- (m) Review assessment rolls for assessable public improvements prior to approval by the council and issue bills therefor after such approval has been given.
- (n) Have custody of all official bonds, except the bond of the budget and fiscal services director, which shall be in the custody of the mayor.
- (o) Review the manner in which public funds are received and expended and report to the mayor on the integrity with which said funds are accounted for and on the financial responsibility of officers and employees administering said funds.
- (p) Provide information pertaining to the financial affairs of the city and make financial reports at least quarterly to the mayor and the council.
- (q) Prepare the operating and capital program and budget and necessary budget ordinances and amendments or supplements thereto under the direction of the mayor.
- (r) Review the operating and capital budget program schedules of each executive agency and make budgetary allotments for their accomplishment with the approval of the mayor.



---

## RESOLUTION

---

- (s) Review all executive agency requests for the creation of new positions."
4. That Article VI, Chapter 3, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, be amended to read as follows:

**"CHAPTER 3 –**

**DEPARTMENT OF HOUSING AND COMMUNITY SERVICES**

**Section 6-301. Organization –**

There shall be a department of housing and community services which shall consist of a director of housing and community services, who shall be appointed and may be removed by the mayor, and the necessary staff.

**Section 6-302. Powers, Duties and Functions –**

The director of housing and community services shall:

- (a) Develop and administer projects, programs and plans of action for human resources[;] and human services and housing programs.
- (b) Develop and administer projects, programs and plans of action designed to stimulate or aid the supply of affordable housing in the city and to achieve sound community development, provided that such projects, programs and plans of action conform to and implement the general plan and development plans.
- (c) Administer grants awarded from the grants in aid fund.
- (d) Act as the local public officer for the purpose of implementing federally-aided and state-aided human resources, human services, housing, urban renewal and community development programs.
- (e) Oversee, coordinate, and direct the activities and functions of the city relating to affordable housing, senior housing, and special needs housing and addressing homelessness.



---

## RESOLUTION

---

- (f) Oversee and coordinate all city activities, functions, and programs relating to affordable housing, senior housing, and special needs housing and addressing homelessness with those of the state and federal governments and those of public or private housing organizations within the state, as appropriate.
  - (g) Be responsible for the securing, administration, and management of all federal or state moneys received and any private grants received by the city for projects, programs, and plans of action relating to affordable housing, senior housing, or special needs housing or addressing homelessness.
  - (h) Protect, maintain, develop, negotiate, and manage city real property interests that involve affordable housing, senior housing, and special needs housing and addressing homelessness."
5. That Section 6-903, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, be amended to read as follows:

**"Section 6-903. Powers, Duties and Functions –**

The chief engineer shall:

- (a) Prepare and implement an energy efficiency plan to reduce greenhouse gas emissions and meet state and city clean energy goals. The energy efficiency plan shall be updated annually.
- (b) Maintain city buildings and their adjoining parking facilities, except: [as]
  - (1) For city buildings and their adjoining parking facilities under the jurisdiction of the department of housing and community services;  
and
  - (2) As otherwise provided by law.
- (c) Maintain public streets, roads, bridges, traffic medians, triangles, circles, other traffic calming appurtenances and walkways.
- (d) Install and maintain street lighting systems.



---

## RESOLUTION

---

- (e) Maintain, oversee and monitor drainage and flood control systems, administer city storm water permits, programs and management plans, and enforce city ordinances and rules relating to storm water quality.
  - (f) Direct and perform the program planning for city buildings and their adjoining parking facilities, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems.
  - (g) Direct and perform the planning, engineering, design and construction for minor improvement projects for city buildings and their adjoining parking facilities, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems, as determined and identified by the chief engineer.
  - (h) Perform such other duties as may be required by law."
6. That Section 6-1103, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, be amended to read as follows:

**"Section 6-1103. Civil Service and Executive Branch Exemptions –**

The provisions of this chapter of the charter shall apply to all positions in the service of the executive branch. This section shall apply to semi-autonomous agencies as though they are departments of the executive branch. The following positions shall be exempt from the provisions of this chapter of the charter:

- (a) Positions of officers elected by public vote; positions of heads of departments; the position of the band director of the Royal Hawaiian Band; ~~the position of the executive for housing;~~ the position of the manager and chief engineer of the board of water supply; the executive for climate change, sustainability and resiliency; the executive for economic revitalization; and the manager of any semi-autonomous agency created by ordinance.
- (b) Positions in the office of the mayor, but such positions shall be included in the position classification plan. Employees of the civil defense agency and Royal Hawaiian Band, other than the band director, shall not be exempted from civil service.



## RESOLUTION

---

- (c) Positions of deputies of the corporation counsel, deputies and administrative or executive assistants of the prosecuting attorney and law clerks.
- (d) Positions of members of any board, commission or equivalent body.
- (e) Positions of a temporary nature filled by students.
- (f) Personal services obtained by contract where the director has certified that the service is special or unique, is essential to the public interest and that, because of circumstances surrounding its fulfillment, personnel to perform such service cannot be obtained through normal civil service recruitment procedures. Any such contract may be for any period not exceeding one year.
- (g) Personal services of a temporary nature needed in the public interest where the need for the same does not exceed one year, but before any person may be employed to render such temporary service, the director of human resources shall certify that the service is of a temporary nature and that recruitment through normal civil service recruitment procedures is not practicable.
- (h) Personal services performed on a fee, contract or piecework basis by persons who may lawfully perform their duties concurrently with their private business or profession or other private employment, if any, and whose duties require only a portion of their time, where it is impracticable to ascertain or anticipate the portion of time devoted to the service of the city and when such fact is certified to by the director of human resources.
- (i) Positions of one first deputy; and for the police department one additional deputy; private secretaries to heads of departments and their deputies [~~and to the executive for housing~~]; and the position of managing director, one first deputy and private secretaries to each; but private secretarial positions shall be included in the position classification plan. The first deputy in the department of human resources, however, shall not be exempt from civil service.
- (j) Positions or personal services in demonstration programs and joint participation and special projects which serve the community; provided that such exemptions are required by federal law or rules and regulations and then in accordance with procedures established by ordinance.



---

## RESOLUTION

---

- (k) The following positions of the public transit authority:
  - (1) The executive director, deputy director(s), private secretaries to the executive director and deputy director(s); and
  - (2) Positions certified by the director of human resources that require specialized knowledge and experience in fixed guideway system planning, development, operations, maintenance, and management, or transit-oriented development; provided that, except for private secretarial positions, such positions shall not be included in the position classification plan and salaries for such positions shall be set by the public transit authority.
- (l) Positions in the liquor commission of the liquor administrator and the deputy liquor administrator, but such positions shall be included in the position classification plan.
- (m) Positions in the ethics commission.

The director of human resources shall determine the applicability of this section of the charter to specific employment or services in the executive branch."

- 7. That Section 6-1504, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, be amended to read as follows:

**"Section 6-1504. Other Development Codes and Ordinances –**

The administration of other ordinances regulating the utilization of land, ~~[including] except~~ those relating to proposals designed to aid the supply of affordable housing~~[-]~~ that are under the administration of the department of housing and community services, shall, to the extent practicable, be vested in this department."

- 8. That Section 6-1802, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, is amended to read as follows:

**"Section 6-1802. Powers, Duties and Functions –**

The director of land management shall:



## RESOLUTION

---

- (a) Protect, develop, and manage city real property interests, except those under the jurisdiction of the department of parks and recreation[-] and the department of housing and community services.
- (b) Prepare and maintain a perpetual inventory of city real property interests, including all lands owned, leased, rented or controlled by the city.
- (c) Consult with, and advise executive departments and agencies on best practices in land management, property management, and conservation and stewardship with respect to city real property interests under the jurisdiction of executive departments and agencies.
- (d) Develop and implement land management plans, property management plans, and conservation and stewardship plans for all city real property interests that are not under the jurisdiction of any executive department or agency or when requested by any executive department or agency.
- (e) Review and negotiate any transaction or activity that will result in real property interests being added to the city's inventory, including, but not limited to acquisitions funded by the city's Clean Water and Natural Lands Fund and dedications of real property interests to the city[-]; provided that this subsection does not apply to real property interests under the jurisdiction of the department of housing and community services.
- (f) Recommend, review and negotiate any transaction or activity relating to city real property interests, with particular focus on Transit Oriented Development (TOD) special districts, except those under the jurisdiction of the department of parks and recreation, including, but not limited to public-private partnership agreements, development agreements, purchase and sale agreements, leases, licenses, and concessions."



## RESOLUTION

9. That Section 6-1803, Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Transaction or Activities Relating to City Real Property Interests), be amended by amending subsection 2 to read as follows:

"2. The director shall prepare a report for each transaction or activity relating to city real property interests that makes specific findings that such transaction or activity serves the public interest, including, but not limited to, ~~[increasing affordable or low income housing inventory;]~~ reducing fossil fuel dependence; producing renewable energy projects; improving transportation connectivity; increasing transportation options for the least mobile in society; increasing productive agricultural lands; increasing recreation opportunities and open space; providing critical habitat for native wildlife; protection of watersheds; improving the city's fiscal health; and preservation of sacred sites, and that confirms such transaction or activity is in compliance with the environmental laws of the city, State of Hawaii and the United States of America. Such report shall be transmitted to council with a request for approval of the transaction or activity."

10. That Article XVI of the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended ("Transition Schedule"), be amended by adding a new section to be appropriately designated by the Revisor of the Charter, and to read as follows:

**"Section 16- . Transitional Provisions Concerning the Consolidation of Housing Functions within the Department of Housing and Community Services –**

1. All civil service officers and employees holding permanent appointments to positions on June 30, 2025 who perform functions for the department of budget and fiscal services, the department of land management, the department of facility maintenance, the department of planning and permitting, and the office of housing that are being transferred to the department of housing and community development pursuant to this resolution shall be transferred to the department of housing and community services. The officers and employees shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges. Nothing in this subsection, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter. When an employee performs both functions that are being transferred to the department of housing and community service and functions that are being retained by the department employing the employee as of June 30, 2025, the director of that department shall determine whether to transfer the employee.



---

## RESOLUTION

---

2. All lawful obligations between the department of budget and fiscal services, the department of land management, the department of facility maintenance, the department of planning and permitting, and the office of housing that relate to functions being transferred to the department of housing and community services pursuant to this resolution and any other person, which exist on June 30, 2025 and which are to remain effective after June 30, 2025 shall be transferred to and assumed by the department of housing and community services on July 1, 2025. The obligations shall continue in effect until discharged or lawfully terminated.

3. All contracts between the department of budget and fiscal service, the department of land management, the department of facility maintenance, the department of planning and permitting, and the office of housing that relate to functions being transferred to the department of housing and community services pursuant to this resolution and any other person which exist on June 30, 2025 and which are to remain effective after June 30, 2025 shall be transferred to and assumed by the department of housing and community services on July 1, 2025. The contracts shall continue in effect until fulfilled or lawfully terminated.

4. All records, property, and equipment held on June 30, 2025 by the department of budget and fiscal services, the department of land management, the department of facility maintenance, the department of planning and permitting, and the office of housing that related to the functions being transferred to the department of housing and community services pursuant to this resolution shall be transferred to the department of housing and community services on July 1, 2025.

5. Notwithstanding the foregoing, the effective date of the transfers provided for in this section may be delayed as necessary to comply with any requirement imposed by the federal government or the State of Hawaii.

6. If, on July 1, 2025, any ordinance or rule refers to:

- (a) The department of community services or director of community services, the ordinance or rule shall remain in effect, except that "department of housing and community services" and "director of housing and community services" shall be substituted for "department of community services" and "director of community services," respectively;



---

## RESOLUTION

---

(b) The office of housing or the executive for housing, the ordinance or rule shall remain in effect, except that "department of housing and community services" and "director of housing and community services" shall be substituted for "office of housing" and "executive for housing," respectively.

If, however, the ordinance or rule is contrary to this charter, even with the substitutions, the ordinance or rule shall be deemed invalid."

11. That in Sections 2 through 10 this resolution, Charter material to be repealed is bracketed and stricken and new Charter material is underscored. When revising, compiling, or printing this Charter provision for inclusion in the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, the Revisor of the Charter need not include the brackets, the material that has been bracketed and stricken, or the underscoring.
12. That if these Charter provisions are amended by any other Charter amendment(s) approved by the electors in the 2024 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 the 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.

13. That upon adoption of this resolution by the Council and approval by the Mayor, the City Clerk 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 2024 general election. The City Clerk may make technical and nonsubstantive 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



RESOLUTION

- 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 2024 general election.
14. That upon approval of the Charter amendment question posed in this resolution by a majority of electors voting thereon, as duly certified, the Charter amendments proposed in this resolution shall take effect on July 1, 2025.

INTRODUCED BY

*A. Ippola*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE OF INTRODUCTION:

**JUN 13 2023**

\_\_\_\_\_  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
RICK BLANGIARDI, Mayor  
City and County of Honolulu

**FILED**  
DATE: **OCT - 4 2023**