



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

TOMMY WATERS
CHAIR & PRESIDING OFFICER
ESTHER KIA'ĀINA
VICE CHAIR
RADIANT CORDERO
FLOOR LEADER
TYLER DOS SANTOS-TAM
VAL A. OKIMOTO
CALVIN K.Y. SAY
AUGIE TULBA
ANDRIA TUPOLA
MATT WEYER

JOURNAL

REGULAR MEETING
12TH SESSION
WEDNESDAY, AUGUST 9, 2023

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 (808) 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 10:14 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Cordero, Dos Santos-Tam, Kia'āina, Okimoto, Say, Tulba, Tupola, Weyer, Waters – 9.

INTRODUCTION OF GUESTS

Councilmember Cordero welcomed the City Administration, appointees, neighbors, and community members.

APPROVAL OF MINUTES

Councilmember Kia'āina moved that the Minutes of the 10th and 11th Sessions be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Cordero.

There was no public testimony.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

ORDER OF THE DAY

ADOPTION

RESOLUTION 23-121 – COMMITTEE REPORT 193

RESOLUTION CONFIRMING THE NOMINATION OF CATHERINE A. TASCHNER TO SERVE AS THE DIRECTOR OF LAND MANAGEMENT OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kia'āina moved that Committee Report 193 and Resolution 23-121 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Catherine Taschner (General comment)

Councilmember Kia'āina thanked Ms. Taschner for agreeing to serve as the Director of Land Management. She stated that it is an important role and she looks forward to working with her to increase affordable housing opportunities on City and non-City lands.

Councilmember Tupola thanked Ms. Taschner for stepping up and taking the role of the Director of Land Management. She also thanked her for her concern for the Clean Water and Natural Land Fund and would like the funds used in the communities to preserve cultural sites. Councilmember Tupola stated that her office has numerous land ownership questions and appreciates the support that she has given to her office.

Councilmember Dos Santos-Tam stated that Ms. Taschner and her team took him on a tour of the City's affordable housing in Chinatown and he saw the efforts that were made to renovate the sites and activate City-owned spaces to help with the revitalization of Chinatown. He noted that Ms. Taschner has a vision for acquiring more properties and creating housing and thanked her for her work. He stated that he looks forward to working further with her and her team.

Councilmember Weyer thanked Ms. Taschner for her willingness to serve as the Director at a critical time when the City is experiencing a housing crisis.

Councilmember Tulba stated that in his conversations with Ms. Taschner, she has always been optimistic and energetic. He stated that she has taken the time to help the people of Varona understand its challenges.

Committee Report 193 and Resolution 23-121 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.

NOES: None.

Related communication:

M-441 Testimony on Resolution 23-121

ADOPTION

RESOLUTION 23-148 – COMMITTEE REPORT 199

RESOLUTION CONFIRMING THE APPOINTMENT OF GWENETTE HIGA TO SERVE ON THE BOARD OF REVIEW I FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Cordero moved that Committee Report 199 and Resolution 23-148 be adopted. Seconded by Councilmember Weyer.

The following individual testified:

Gwenette Higa (General comment)

Councilmember Cordero stated that she had a discussion with the appointee on appeals and other councilmember's concerns discussed in Committee. She asked that if the nominee needs to address policy, she would like to continue that conversation as the nominee goes through her first round of being on the Board of Review I for Real Property Tax Appeals.

Committee Report 199 and Resolution 23-148 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

ADOPTION
RESOLUTION 23-144 – COMMITTEE REPORT 204

RESOLUTION CONFIRMING THE APPOINTMENT OF PATRICK SMITH TO SERVE ON THE NEIGHBORHOOD COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Dos Santos-Tam moved that Committee Report 204 and Resolution 23-144 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Patrick Smith (General comment)

Councilmember Dos Santos-Tam expressed his support for Mr. Smith. He stated that the nominee represents, advocates, and has a strong voice for the Nuuanu community. Councilmember Dos Santos-Tam stated that Mr. Smith will provide insight and intellect to the Neighborhood Commission and also help to oversee the neighborhood boards islandwide.

Committee Report 204 and Resolution 23-144 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

Related communication:

M-443 Testimony on Resolution 23-144

ADOPTION

RESOLUTION 23-159, CD1 – COMMITTEE REPORT 205

RESOLUTION CONFIRMING THE NOMINATION OF GENE C. ALBANO, P.E., TO SERVE AS THE CHIEF ENGINEER OF THE DEPARTMENT OF FACILITY MAINTENANCE OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Dos Santos-Tam moved that Committee Report 205 and Resolution 23-159, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

The following individuals testified:

1. Gene Albano (General comment)
2. Erwin Kawata, Deputy Managing Director, Board of Water Supply (Support)
3. Angela Young (Support)
4. Senator Kurt Fevella (Support)

In response to councilmembers, Mr. Albano stated that:

- He met with his leadership team to strategize on how to bring in additional staff, prioritize the key hires, and to increase the current staff and then backfill as needed.
- The backlog is due to being understaffed and he believes that patience and being able to strategize on increasing staff will solve the backlog issue.
- He recognizes that stream cleaning and maintenance is important and noted that everyone is still struggling with materials because of the pandemic and he is prioritizing which equipment can be procured from abroad.

Councilmember Tupola stated that with the turnover of Directors, she hopes that the transition will continue to be smooth, that there will be no gap, and that Mr. Albano will keep pushing forward for the City.

Councilmember Weyer stated that the Department of Facility Maintenance is a core City service. He expressed his appreciation for Mr. Albano's technical background, experience, and innovative perspective. Councilmember Weyer stated that public safety is the first priority and that stream maintenance is important in the event disaster strikes for the communities to be safe.

Councilmember Cordero stated that Mr. Albano has a great Deputy Director and Division Chiefs that can help him and she looks forward to working with him. She noted that she would like to see action for the communities.

Councilmember Tulba voiced his support for the nominee. He stated that he looks forward to seeing Mr. Albano implement the out of the box ideas that were discussed.

Committee Report 205 and Resolution 23-159, CD1 as amended were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.

NOES: None.

Related communications:

D-579 Board of Water Supply
M-423 Testimony on Resolution 23-159

ADOPTION

RESOLUTION 23-153 – COMMITTEE REPORT 217

RESOLUTION CONFIRMING THE APPOINTMENT OF ROBERT MEDEIROS TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tulba moved that Committee Report 217 and Resolution 23-153 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Robert Medeiros (General comment)

Councilmember Kia'āina stated that the Director, Deputy Director, and the staff of the Department of Parks and Recreation play an important role in the community and asked the Board of Parks and Recreation to help them. She stated that the City Council allocated funding from the Transient Accommodation Tax to help mitigate the impacts of tourism on the natural resources. Councilmember Kia'āina asked that the Board, the Director, and her staff work with the Department of Budget and Fiscal Services to make sure that they receive the majority of the allocation of the funding.

Committee Report 217 and Resolution 23-153 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

ADOPTION
RESOLUTION 23-155 – COMMITTEE REPORT 218

RESOLUTION CONFIRMING THE APPOINTMENT OF MICHAEL ROBINSON TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tulba moved that Committee Report 218 and Resolution 23-155 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Michael Robinson (General comment)

Committee Report 218 and Resolution 23-155 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

Related communication:

M-444 Testimony on Resolution 23-155

ADOPTION
RESOLUTION 23-156 – COMMITTEE REPORT 219

RESOLUTION CONFIRMING THE APPOINTMENT OF CARLA HOUSER TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tulba moved that Committee Report 219 and Resolution 23-156 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Carla Houser (General comment)

Councilmember Kia'aina stated that the nominee is very active in the community and also deals with at risk youth. She noted that there are many youth programs with the Parks and Recreation and she looks forward to Ms. Houser's participation in seeing how the Department can strengthen capacity with the youth.

Committee Report 219 and Resolution 23-156 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'AINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.

NOES: None.

ADOPTION

RESOLUTION 23-157 – COMMITTEE REPORT 220

RESOLUTION CONFIRMING THE APPOINTMENT OF KATHARINE CHANG TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tulba moved that Committee Report 220 and Resolution 23-157 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Katharine Chang (General comment)

Committee Report 220 and Resolution 23-157 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'AINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.

NOES: None.

PUBLIC HEARING/RESOLUTION
RESOLUTION 23-177

RESOLUTION CONFIRMING THE NOMINATION OF DITA SIMEONA TO SERVE AS THE DIRECTOR OF ENTERPRISE SERVICES OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Dita Holifield (General comment)

In response to councilmembers, Ms. Holifield stated that she would first like to see all the current projects completed then look at the best practices that are currently in place at the Blaisdell. She would like to increase revenue and is looking for creative ideas to bring exciting things to the people of Hawai'i and the people who want to do business with the City.

Councilmember Kia'aina stated that with Ms. Holifield's background, she is the right person for the job. She noted that there have been concerns from constituents about the maintenance of the golf courses and wanted to bring that to her attention. She stated that she is looking forward to more vendors for the concessions.

Councilmember Tupola stated that she is hopeful that the Department can be self-sustaining and generate enough revenue. She noted that some will not do business with the Blaisdell and hopes that can be changed.

Councilmember Okimoto stated that she looks forward to what Ms. Holifield can bring from her private sector experience to the City; especially how she can generate new types of revenue while maintaining what is available now.

Councilmember Tulba stated for the record that he filed a Disclosure of Interest Statement with the City Clerk's Office (CC-223).

Chair Waters referred Resolution 23-177 to the Committee on Planning and the Economy for further discussion.

Related communications:

M-428 Testimony on Resolution 23-177
M-440 Testimony on Resolution 23-177

PUBLIC HEARING/SECOND READING
BILL 34 – COMMITTEE REPORT 195

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Cordero moved that Committee Report 195 be adopted and Bill 34 pass second reading. Seconded by Councilmember Weyer.

The following individuals testified:

1. Natalie Iwasa (Oppose)
2. Roy Nakamura (General comment)
3. Senator Kurt Fevella (General comment)

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

- In the Budget Committee there was a discussion to have a second permitted action group to discuss all the Bills together because the Bills will have a fiscal impact. If there is a large reduction in real property tax, the budget may not be balanced.
- The one-time credit resulted in an approximate \$53 million reduction in real property tax. If real property tax is reduced, the City will have to look at the expenditure and services related to it and determine what will have to be given up.
- If the Council approves an increase in tax rates commensurate with the tax bill the impact would be neutralized.
- The City has tools that can be used and the one-time credit can be used again.
- BFS is contracting a study for the empty home tax because there are a lot of factors to look at and they would like to make sure that the correct structure is in place so the program can be rolled out in a successful manner. BFS wants to be sure that revenues from empty homes exceed the cost to administer the program.
- The Bill that raises the exemption from 120,000 to 140,000 will take effect next fiscal year starting July 2024.
- The date when changes will become effective will depend on how well the group is organized, what kinds of decisions are made, and the timing.

- There was a 10 percent budget cut in current expenses in 2021, a hiring freeze, and people were retiring. Real property taxes from FY 2022 was flat, for 2023 and 2024 valuations increased because of low interest rates and people purchasing homes. The City expects in FY2025 real property taxes should level off and it will be a tough and a very challenging budget.

Councilmember Kia'āina thanked Councilmember Weyer for keeping the discussion on homeowner exemptions on-going. She stated that she has concerns with moving the Bill which costs \$70 million without explaining how to cover the lost revenue will impact government services. Councilmember Kia'āina stated that she will be voting with reservations and asked the Council to reconsider moving any real property tax bills until another permitted interaction group is convened.

Councilmember Weyer stated that BFS is working hard to provide information to the Council to understand the impacts on revenue and where potential sources exist. He stated that the purpose of introducing Bill 34 was to reflect the reality that is being faced. Councilmember Weyer stated that once the information is received by BFS, the Council will have a better understanding of revenue impacts and where adjustments can be made to meet the needs of our local families.

Councilmember Tupola stated that the main concern and complaint from constituents is that there are not enough City services and the City needs to be more moderate and conservative in the path taken moving forward. She stated that she will be voting with reservations on the measure.

Councilmember Tulba stated that he will be voting with reservations on the Bill. He stated that there are a lot of challenges in his community like in West Loch, bushes and trees have not been cut and there could be a brush fire like what is happening on Maui. Councilmember Tulba expressed his concern that as government continues to grow, services are not being provided in the communities.

Councilmember Cordero thanked councilmembers for the discussion. She stated that once the permitted interaction group is formed and the Resolution is adopted, some councilmembers will not be able to participate and she thought it would be valuable to have a public hearing at the Council meeting for the Bills.

Councilmember Say stated that he does not believe in increased valuation. He stated that there needs to be relief to homeowners and renters. Councilmember Say stated that he wished he had the opportunity as the former Budget Chair to have a hearing to repeal all of the real property tax exemptions outside of the homeowner exemptions.

Councilmember Dos Santos-Tam stated for the record that he filed a Disclosure of Interest Statement with the City Clerk's Office (CC-226).

Councilmember Tupola stated for the record that she filed a Disclosure of Interest Statement with the City Clerk's Office (CC-224).

Councilmember Say stated that he will file a Disclosure of Interest Statement with the City Clerk's Office (CC-232).

Councilmember Kia'aina stated that she will file a Disclosure of Interest Statement with the City Clerk's Office (CC-229).

Committee Report 195 was adopted and Bill 34 passed second reading.

AYES: CORDERO, DOS SANTOS-TAM, KIA'AINA*, OKIMOTO*, SAY, TULBA*,
TUPOLA*, WEYER, WATERS – 9.
NOES: None.

*Councilmembers Kia'aina, Okimoto, Tulba, and Tupola voted aye with reservations.

Related communications:

CC-205 Disclosure of Interest Statement submitted by Councilmember Okimoto
CC-219 Disclosure of Interest Statement submitted by Councilmember Waters
M-431 Testimony on Bill 34

PUBLIC HEARING/SECOND READING
BILL 39, CD1 – COMMITTEE REPORT 196

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Cordero moved that Committee Report 196 be adopted and Bill 39 pass second reading as amended to CD1. Seconded by Councilmember Weyer.

The following individuals testified:

1. Clyde Hayashi, HIWSF (Support)
2. Senator Kurt Fevella (M-422) (Support)
3. Natalie Iwasa (Oppose)
4. Mel Kahele (Support)
5. James Manaku, Sr. (General comment)

6. Roy Nakamura (General comment)
7. Calvin Hulihee (General comment)
8. Jolie Tokusato, UNITE HERE Local 5 (Support)
9. Angela Young (Support)

In response to Councilmember Okimoto, Ms. Iwasa stated that she would oppose the Bill if the landfill were in Hawai'i Kai. She suggested that if everyone reduced their waste by recycling as much as possible then less waste would go into the landfill.

In response to Councilmember Tupola, Andy Kawano, Director, Department of Budget and Fiscal Services stated that they are using a set measurement and not all of the area may be included. He stated that they are trying to think through the underlying issue of the health impacts which is a serious issue bigger than real property taxes.

Councilmember Tupola stated that Act 73 is going to downsize PVT and hopefully correct things. She noted that the neighborhood boards had asked her what this Bill is and expressed their concerns because they do not want any more landfills in their community. Councilmember Tupola stated that she will be meeting with the neighborhood boards to get their thoughts for more discussion in Committee.

Chair Waters stated that as the introducer of the Bill it was meant to mitigate the negative effects of the landfill PVT not the Waimanalo Gulch. He also stated that he intends to do a Committee Draft 2 in Committee to further clarify his intent and to increase the mile radius to include the entire valley.

Councilmember Weyer voiced his support for the measure and his appreciation to Chair Waters' leadership.

Committee Report 196 was adopted and Bill 39, CD1 passed second reading, as amended.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TUPOLA*, WEYER, WATERS – 8.

NOES: None.

ABSENT: TULBA – 1.

*Councilmember Tupola voted aye with reservations.

Related communication:

M-422 Testimony on Bill 39

PUBLIC HEARING/SECOND READING
BILL 40 – COMMITTEE REPORT 197

A BILL FOR AN ORDINANCE RELATING TO THE TRANSIT CONSTRUCTION MITIGATION FUND.

Councilmember Cordero moved that Committee Report 197 be adopted and Bill 40 pass second reading. Seconded by Councilmember Weyer.

The following individuals testified:

1. Natalie Iwasa (Oppose)
2. Angela Young (Support)

In response to councilmembers, Andy Kawano, Director, Department of Budget and Fiscal Services stated that as mentioned in the Committee on Budget, the City would have to obtain financial statements from the businesses and the statements should be reviewed or audited by a certified public accountant to verify the numbers. He noted that they would have to analyze any changes to the business and that would involve interviewing the owner/operator of the business to understand how the business or commercial operation has changed over the years and then see what harm the rail construction caused. There will be a lot of questions if a program like this is started and he recommends that this be discussed in a permitted interaction group and a public hearing. Another concern would be how it would be funded. If the funding comes from the Transit Account, the City would have to check to see if it is legally allowable to use the funds for the purpose of mitigation.

Councilmember Dos Santos-Tam thanked Budget Chair for working with him to introduce the measure because they both represent the Dillingham Corridor. He stated that it is not premature to pass this Bill because it discusses how to deal with the construction impacts and to have rules in place for when money is put into the fund. He also thanked the Department of Budget and Fiscal Services and looks forward to working with them to come up with rules and policies that make sense, is going to be sustainable, and will not be a drain on the City. Councilmember Dos Santos-Tam stated that there are tax relief programs in other cities and this Bill is a way to start.

Committee Report 197 was adopted and Bill 40 passed second reading.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TUPOLA, WEYER, WATERS – 8.

NOES: None.

ABSENT: TULBA – 1.

PUBLIC HEARING/SECOND READING
BILL 42, CD1 – COMMITTEE REPORT 198

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Cordero moved that Committee Report 198 be adopted and Bill 42 pass second reading as amended to CD1. Seconded by Councilmember Weyer.

The following individuals testified:

1. Natalie Iwasa (Oppose)
2. Choon James (M-432) (General comment)
3. Angela Young, CARES (Support)

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

- The mass appraisal system in place is supported by computer assisted mass appraisal software and is not going to change. The City would have to program the software so that year over year increases cannot increase by more than 8 percent. He believes that the program should be left alone and existing tools used to provide tax relief on an equitable basis when necessary. He noted that if a different approach to access parcels is what the Council would like to create, then it should be discussed in the permitted interaction group. He stated that there needs to be a clear objective and process in place in order for a major overhaul to work and put the City in a better place. He expressed that it will be difficult to do.
- A future BFS Director or Administration may not implement tax increases equitably across the island. He stated that the rules need to be clear for everyone to get a fair treatment.
- BFS cannot calculate the costs of the measure at this time.

Councilmember Kia'āina stated that she is concerned about moving any real property tax relief Bill without looking at the broader picture. She is hoping to have a second permitted interaction group to solicit comments from the public. Councilmember Kia'āina stated that she supports moving the measure forward but continues to have concerns on any real property tax bill.

Councilmember Tupola stated for the record that she filed a Disclosure of Interest Statement with the City Clerk's Office (CC-225.)

Councilmember Dos Santos-Tam stated for the record that he filed a Disclosure of Interest Statement with the City Clerk's Office (CC-227).

Councilmember Kia'aina submitted a Disclosure of Interest Statement with the City Clerk's Office (CC-228).

Committee Report 198 was adopted and Bill 42, CD1 passed second reading, as amended.

AYES: CORDERO, DOS SANTOS-TAM, KIA'AINA, OKIMOTO, SAY, TUPOLA, WEYER, WATERS – 8.

NOES: None.

ABSENT: TULBA – 1.

Related communications:

CC-218 Disclosure of Interest Statement submitted by Councilmember Waters
CC-220 Disclosure of Interest Statement submitted by Councilmember Okimoto
M-432 Testimony on Bill 42

At this juncture, there being no objections for the 9 members present, the Chair considered Resolution 23-182 on page 25 of the agenda.

ADOPTION

RESOLUTION 23-182, FD1

RESOLUTION RENAMING THE WAIKELE COMMUNITY PARK FOR DARRELL T. YOUNG.

The following amendment was handcarried to the meeting:

Resolution 23-182, Proposed FD1 (OCS2023-0724/8/7/2023 3:27 PM)

Councilmember Kia'aina moved that Resolution 23-182 be adopted. Seconded by Councilmember Cordero.

Councilmember Weyer moved that the Resolution be amended to the handcarried FD1 (OCS2023-0724/8/7/2023 3:27 PM). Seconded by Councilmember Cordero. Councilmember Weyer explained the FD1 amendment.

The following individual testified:

Anton Krucky, Director, Department of Community Services (General comment)

Councilmember Kia'aina stated that she is moved and delighted to support the measure. She noted that Darryl meant a lot to many people as was reflected by the number of people who attended his service. Councilmember Kia'aina stated that Darryl's legacy is felt throughout Hawai'i and she wanted to let the family know how impactful he was to her personally and to the people of Honolulu.

Councilmember Weyer thanked the family for sharing Darryl with the community, the City, and the State. He shared that Darryl taught him that friendly banter makes for good politics because our politics is not who we are it is what we do. As a boss he also allowed everyone to express themselves and dive into issues.

Councilmember Okimoto stated that Darryl was always willing to take the time to answer questions and meet with her and her staff in her office. She expressed how grateful she was to have been able to have the short time of knowing him.

Councilmember Tulba stated that Darryl helped him understand the needs of his community. He also gave him hope and encouragement that fixing homeless issues and the needs of the community can be done. Councilmember Tulba thanked his family for allowing him to be part of his life and he hopes that he can do justice in the district that Darryl loved and represented.

Councilmember Tupola stated that Darryl had a huge impact on the community and there was nothing that he could not do. She expressed how he had good energy, a very positive attitude, and never seemed discouraged; he did a wonderful job and will be missed.

Councilmember Cordero stated that Darryl touched everyone; he made sure that if he was asked a question, he would get the right information. She stated that what everyone can learn from Darryl is that just having the institutional knowledge is not enough but how to provide an impact to everyone. Councilmember Cordero stated that she supports the measure.

Resolution 23-182 was amended to the handcarried FD1 (OCS2023-0724/8/7/2023 3:27 PM).

AYES: CORDERO, DOS SANTOS-TAM, KIA'AINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.

NOES: None.

Council Rule 19.G relating to 48-hour notice was waived.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.

NOES: None.

Resolution 23-182, FD1 was adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.

NOES: None.

Related communications:

MM-184 Office of the Managing Director
M-434 Testimony on Resolution 23-182

RECESS/RECONVENE

At 1:00 p.m., the Chair called for a recess as noted on the agenda. With 9 members present, the Chair reconvened the meeting at 1:40 p.m.

The Chair returned to page 11 of the agenda.

PUBLIC HEARING/SECOND READING **BILL 44 – COMMITTEE REPORT 203**

A BILL FOR AN ORDINANCE RELATING TO FALSE STATEMENTS.

Councilmember Dos Santos-Tam moved that Committee Report 203 be adopted and Bill 44 pass second reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Choon James (General comment)
2. Natalie Iwasa (Oppose)

Councilmember Kia'āina stated that she believes that more needs to be done to stop the development of massive homes in the communities, including stiffening penalties for violators. She stated that she will provide an amendment with suggestions when the Bill goes back to Committee.

Committee Report 203 was adopted and Bill 44 passed second reading.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO*, SAY, TULBA*,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

*Councilmembers Okimoto and Tulba voted aye with reservations.

Related communication:

M-438 Testimony on Bill 44

PUBLIC HEARING/SECOND READING
BILL 6, CD1 – COMMITTEE REPORT 208

A BILL FOR AN ORDINANCE RELATING TO PROFESSIONAL SELF-CERTIFICATION.

The following amendment was posted on the agenda and not considered:

Bill 6, CD1, Proposed FD1

Councilmember Say moved that Committee Report 208 be adopted and Bill 6 pass second reading as amended to CD1. Seconded by Councilmember Dos Santos-Tam.

Councilmember Tupola withdrew her proposed FD1.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Choon James (General comment)
3. Angela Young (Support)

Councilmember Tupola stated that she will be voting with reservations on the measure because she would like to add amendments to the Bill and will be introducing a Committee Draft during Committee. She stated that her reservations are because as a third-party reviewer, tests and insurance will be required and that it should be put into law and not

just in the Administrative rules. Councilmember Tupola stated that the Department of Planning and Permitting needs more workers in the Code review section. She stated that she is in support to help the residential permitting problem and to be fair. She looks forward to more discussion in Committee.

Councilmember Kia'aina noted that she supports third party certification and opposes self-certification except in some situations. She stated that she is in opposition of the measure in its current draft. Councilmember Kia'aina stated that she cannot vote in support of a measure that would allow self-certification for large scale projects including properties up to 75 feet that does not involve review by third parties. She stated that she will consider introducing a Committee Draft in the Committee on Zoning.

Councilmember Say stated that the measure does not deal with third party review rather it is a new program relating to professional self-certification that needs to be in place in order for the Administrative Rules to occur.

In response to councilmembers, Dawn Apuna Takeuchi, Director, Department of Planning and Permitting (DPP) stated that DPP would define eligible projects under the self-certification program and is currently looking at three different projects. She stated that there are some good basic components of the program and DPP can help to develop it more within the ordinance and the administrative rule process. She noted that for the third-party review rules, the DPP would like to have higher standards and qualifications and is currently looking and working on it.

Councilmember Dos Santos-Tam stated that he will be voting in support of the measure but has concerns regarding accountability. He stated that the people who are qualified for this program should understand the depth of the responsibility and not abuse the authority to enrich themselves.

Committee Report 208 was adopted and Bill 6, CD1 passed second reading, as amended.

AYES: CORDERO, DOS SANTOS-TAM, OKIMOTO, SAY, TULBA*, WATERS – 6.
NOES: KIA'AINA, TUPOLA – 2.
ABSENT: WEYER – 1.

*Councilmember Tulba voted aye with reservations.

Related communication:

M-439 Testimony on Bill 6

PUBLIC HEARING/SECOND READING
BILL 18, CD1 – COMMITTEE REPORT 209

A BILL FOR AN ORDINANCE RELATING TO SPECIAL ASSIGNMENT INSPECTIONS.

Councilmember Say moved that Committee Report 209 be adopted and Bill 18 pass second reading as amended to CD1. Seconded by Councilmember Dos Santos-Tam.

The following individuals testified:

1. Shannon Alivado, Hawaiian Electric (M-436) (Support)
2. Erik Kusunoki, Hawaiian Electric (M-436) (Support)
3. Choon James (General comment)

Councilmember Tupola stated that special assignment inspections will allow construction to begin on residential homes while the permit applications are being processed. She stated that special assignment inspection for residential construction will streamline the permit process and allow for more residential construction to be completed on time. Councilmember Tupola stated that the Department of Planning and Permitting has a huge backlog in code review and the majority of permits are for residential. She also stated that local residents need to be a priority to be able to build or repair their homes. Councilmember Tupola shared a testimony from a mother who applied for a permit to allow for a hospital bed for her son and the permit took 3 years to be approved and unfortunately her son passed away 3 months after they received their building permit. She stated that this cannot keep happening and affecting the quality of life and for those reasons, she is in support of the measure.

Committee Report 209 was adopted and Bill 18, CD1 passed second reading, as amended.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.

NOES: None.

Related communication:

M-436 Testimony on Bill 18

PUBLIC HEARING/SECOND READING
RESOLUTION 23-162 – COMMITTEE REPORT 224

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (AMENDED 2017 EDITION), AS AMENDED, RELATING TO THE ESTABLISHMENT OF A CLIMATE RESILIENCY FUND.

Councilmember Weyer moved that Committee Report 224 be adopted and Resolution 23-162 pass second reading. Seconded by Councilmember Kia'aina.

The following individual testified:

Natalie Iwasa (Oppose)

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

- The monies in the fund would be available for stream maintenance and coastal erosion.
- If the voters support the Charter Amendment, there will be \$8 million or less to spend on other priorities of the Administration and Council. He stated that climate change is one of the Administration's top priorities. The Administration supports the Resolution but would prefer going through the annual budget to allocate funding on climate change.
- This fund is specifically set up for real property tax and no Federal government or private funds can be put into this fund.
- He will ask Corporation Counsel if the fund can be called a trust fund and get back to the Council in writing.
- He would prefer that climate change continue to be a priority of the Administration and Council with discussions on how to prioritize expenditures through the annual budget process.
- This could affect the City's bond rating as real property tax revenues will be automatically tied up for specific purposes.
- The amount set aside for this fund is one and a half percent. The amendment adds a half a percent, a percent and a half or \$24 million with a third going to each fund.

- Typically Council would create the fund and the fund will have a specific purpose in terms of use then a Department or an Officer-in-Charge would access the funds to spend in accordance with the purpose set up for the funds. The funds would be appropriated on what the City plans to spend annually and any left will go into the next fiscal year and if it does not get spent, it will keep growing.
- He believes that the Charter would determine who has primary control of the fund but there may be ways to transfer the responsibility of the Officer-in-Charge.
- There is a budgeting process and climate change, resiliency, sustainability is factored into all budget decisions. He questioned why the City would need to automatically allocate real property taxes when there is a process in place.

Councilmember Tupola stated that she has reservations on the measure. She believes that the Office of Climate Sustainability is doing a great job but she has concerns on what is going to happen to City services.

Chair Waters stated that with sea level rising, the roads are going to get inundated and we need to start putting monies away to deal with climate change. He stated that if we want to start being responsible and plan for the future, the Council needs to start setting aside money.

Councilmember Cordero stated that she would like more clarification on the Resolution because she has concerns about managing the budget. She stated that she has reservations on the measure and would like further discussion with the communities.

Councilmember Weyer stated that it is pertinent to create flexibility for all Departments to be able to access the funds as situations come up unexpectedly.

Committee Report 224 was adopted and Resolution 23-162 passed second reading.

AYES: CORDERO*, DOS SANTOS-TAM, KIA'ĀINA*, OKIMOTO, SAY, TULBA*, TUPOLA*, WEYER, WATERS – 9.
NOES: None.

*Councilmembers Cordero, Kia'āina, Tulba, and Tupola voted aye with reservations.

Related communication:

M-442 Testimony on Resolution 23-162

PUBLIC HEARING/SECOND READING
BILL 38, CD1 – COMMITTEE REPORT 223

A BILL FOR AN ORDINANCE RELATING TO CONCESSIONS.

Councilmember Weyer moved that Committee Report 223 be adopted and Bill 38 pass second reading as amended to CD1. Seconded by Councilmember Kia'āina.

There was no public testimony.

Committee Report 223 was adopted and Bill 38, CD1 passed second reading, as amended.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

THIRD READING
BILL 4, CD2 – COMMITTEE REPORT 222

A BILL FOR AN ORDINANCE RELATING TO THE ADOPTION OF THE HAWAI'I STATE ENERGY CODE.

Councilmember Weyer moved that Committee Report 222 be adopted and Bill 4, CD1 pass third reading as amended to CD2. Seconded by Councilmember Kia'āina.

The following individual testified:

Howard Wiig, Hawai'i State Energy Office (Support)

Councilmember Dos Santos-Tam stated that this is a very difficult topic and through Councilmember Weyer's leadership he was able to bring together people from the construction industry and those advocating for environmental concerns which provides a good path forward.

Committee Report 222 was adopted and Bill 4, CD2 passed third reading, as amended.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

Related communications:

MM-183 Office of Climate Change Sustainability and Resiliency
M-435 Testimony on Bill 4

FIRST READING

BILL 45

A BILL FOR AN ORDINANCE RELATING TO HUMAN RESOURCES.

Councilmember Kia'aina moved that Bill 45 pass first reading. Seconded by Councilmember Cordero.

The following individual testified:

Natalie Iwasa (General comment)

Bill 45 passed first reading.

AYES: CORDERO, DOS SANTOS-TAM, KIA'AINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.

NOES: None.

FIRST READING

BILL 46

A BILL FOR AN ORDINANCE RELATING TO FLAVORED TOBACCO PRODUCTS.

Councilmember Kia'aina moved that Bill 46 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Joshua Ching, Coalition for a Tobacco-Free Hawai'i's Youth Council (M-424) (Support)
2. Peggy Mierzwa, Hawai'i Public Health Institute (M-424) (Support)
3. Don Weisman, American Heart Association (M-445) (Support)
4. Angela Young, CARES (Support)
5. Senator Kurt Fevella (Support)
6. Jasmine Rios (M-424) (Oppose)

7. Jaime Rojas, National Association of Tobacco Outlets (M-424) (Oppose)
8. Choon James (General comment)
9. Natalie Iwasa (Oppose)
10. Jill Tamashiro, Department of Health (Support)

Bill 46 passed first reading.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.
NOES: None.

Related communications:

M-424 Testimony on Bill 46
M-445 Testimony on Bill 46

RECOMMITTAL TO COMMITTEE ON PUBLIC SAFETY
RESOLUTION 23-165 – COMMITTEE REPORT 194

RESOLUTION RELATING TO THE CONSTRUCTION OF A SANITARY SEWERAGE SYSTEM IN THE EWA DISTRICT TO BE KNOWN AND HEREAFTER DESIGNATED AS EWA BEACH SEWERS, SECTION 4, IN ACCORDANCE WITH THE IMPROVEMENT BY ASSESSMENT ORDINANCE.

Councilmember Okimoto moved that Committee Report 194 and Resolution 23-165 be adopted. Seconded by Councilmember Tulba.

The following individuals testified:

1. Senator Kurt Fevella (M-437) (Oppose)
2. Angela Young (General comment)

In response to councilmembers, Wesley Yokoyama, Division Chief, Wastewater Engineering and Construction, Department of Environmental Services stated that:

- The Resolution is an intent and a three to four year process to sewer the last unsewered area in Ewa Beach.
- The next step is to provide a report to the Council that shows the planning and the design of the project. It then will go to Committee for review and discussion, and then to the full Council for a vote.

- There is a 30-step process that happens before the Improvement District is completed.
- During the design process, the Department will do outreach.
- The State Department of Health (DOH) regulates cesspools and State law mandates that all cesspools need to be removed by 2050.
- If septic systems are allowed by DOH and people upgraded to a septic system, he believes that would be a solution to the cesspool deadline and they would not be part of the City sewer system.
- The Department is going to provide sewer connection and feel it is the City's obligation to provide the infrastructure to allow residents to meet State law. It will then be up to each landowner on when to connect. They will have until 2050.
- The City passed an exemption to allow for 30 years of not paying wastewater fees for those who converted from cesspools to septic tanks and that would apply to this project.
- He stated that the Department gives the area councilmember and the Committee Chair a courtesy presentation but apologized for not meeting with Councilmember Tulba because he was out of town.
- He agrees with Councilmember Tupola to defer the measure and accepts her offer to team up with her and Councilmember Tulba to do outreach in the community.
- He will check with who drafted the Resolution and get back to the Council as to why the Resolution requests the Mayor to direct the Director of Environmental Services to investigate and report to the Council preliminary data concerning the necessity and feasibility of construction of the Ewa Beach Sewers.
- Landowners are required to hook up to the City sewer system. The City provides the infrastructure where they can, but in some places gravity sewers are not feasible. On the North Shore it has been recommended that community or individual wastewater treatment systems be utilized in lieu of gravity sewers.
- There were initial discussions on a type of utility model for those who do not have the capacity or the ability to connect to the sewer system.

Councilmember Okimoto acknowledged that at the Committee on Public Safety, Director Babcock made a presentation and provided a lot of information on the project.

Councilmember Say stated for the record that he is concerned about the financial impact second phase of the Sand Island Treatment Plant and the cost to the residents of O'ahu. He expressed his concern that the State laws are putting the responsibility of enforcement on the City.

Councilmember Tulba expressed his appreciation to the Department for being willing to provide a presentation for himself and Councilmember Tupola. He stated that he would like to see a measure to get area representatives involved in the process and presenting it to the neighborhood board before the Resolution moves forward.

Councilmember Tupola moved that Committee Report 194 and Resolution 23-165 be recommitted back to the Committee on Public Safety. Seconded by Councilmember Tulba.

Committee Report 194 and Resolution 23-165 were recommitted to the Committee on Public Safety.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.

NOES: None.

Related communication:

M-437 Testimony on Resolution 23-165

ADOPTION

RESOLUTION 23-166, CD1 – COMMITTEE REPORT 200

RESOLUTION APPROVING A REQUEST TO COMPROMISE CERTAIN CLAIMS CONCERNING THE TAXATION OF REAL PROPERTY.

Councilmember Cordero moved that Committee Report 200 and Resolution 23-166, as amended to CD1 be adopted. Seconded by Councilmember Weyer.

There was no public testimony.

Committee Report 200 and Resolution 23-166, CD1 as amended were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

ADOPTION
RESOLUTION 23-169 – COMMITTEE REPORT 201

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL NOT TO EXCEED \$225,000,000 PRINCIPAL AMOUNT OF WASTEWATER SYSTEM REVENUE BONDS, SENIOR SERIES 2023 AND RELATED MATTERS.

Councilmember Cordero moved that Committee Report 201 and Resolution 23-169 be adopted. Seconded by Councilmember Weyer.

There was no public testimony.

Committee Report 201 and Resolution 23-169 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

ADOPTION
RESOLUTION 23-175 – COMMITTEE REPORT 202

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Cordero moved that Committee Report 202 and Resolution 23-175 be adopted. Seconded by Councilmember Weyer.

There was no public testimony.

Committee Report 202 and Resolution 23-175 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

ADOPTION
RESOLUTION 23-120

RESOLUTION PROVIDING FOR THE ACQUISITION OF EASEMENTS FOR PUBLIC USE FOR THE REHABILITATION OF NUMANA ROAD BRIDGE OVER KALIHI STREAM, BRIDGE NO. 129, LOCATED AT LAELAE, KALIHI VALLEY, HONOLULU, O'AHU, HAWAI'I, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION BY EMINENT DOMAIN.

Councilmember Dos Santos-Tam moved that Resolution 23-120 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Resolution 23-120 was adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.

NOES: None.

ADOPTION
RESOLUTION 23-186 – COMMITTEE REPORT 206

RESOLUTION TO RETAIN THE LEGAL SERVICES OF FUKUNAGA MATAYOSHI CHING & KON-HERRERA, LLP AS SPECIAL COUNSEL TO REPRESENT DEFENDANT GRANT ROBELLO IN THE RELATED LEGAL ACTIONS ENTITLED THE ESTATE OF DANA 'OKEAKUAKO 'ULUNAKANAWAI BROWN, ET AL. V. CITY AND COUNTY OF HONOLUU, ET AL., CIVIL NO. 1-21-CV-00474-HG/KJM (U.S.D.C.).

Councilmember Dos Santos-Tam moved that Committee Report 206 and Resolution 23-186 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 206 and Resolution 23-186 were adopted.

AYES: DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 8.

NOES: None.

ABSENT: CORDERO – 1.

ADOPTION

RESOLUTION 23-62, CD1 – COMMITTEE REPORT 211

RESOLUTION APPROVING A CONCEPTUAL PLAN FOR AN INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECT FOR THE 1538 KAPI'OLANI TOWER MIXED-USE DEVELOPMENT.

Councilmember Say moved that Committee Report 211 and Resolution 23-62, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

The following individuals testified:

1. Nathaniel Kinney, Hawai'i Regional Council of Carpenters (M-426) (Support)
2. Benjamin Sadoski, UNITE HERE Local 5 (M-426) (Oppose)
3. Jolie Tokusato, UNITE HERE Local 5 (General comment)
4. Jeff Masatsugu, Painters Labor-Management Cooperation Fund, Tapers Market Recovery Fund, Glaziers Stabilization Fund, Carpet and Soft Tile Layers Market Recovery Fund (M-426) (Support)
5. Senator Kurt Fevella (Support)

Councilmember Kia'āina thanked Zoning Chair Say for his leadership on the measure. She stated that the measure would require all 101 units to be 80 percent Area Median Income for 60 years and it would also prohibit the developer under this measure from applying for City grants for the projects under the City's rental housing program. Councilmember Kia'āina agreed that it is very challenging to make decisions for these projects but the City has an objective to increase the number of affordable housing units for the people of the City and County of Honolulu.

Councilmember Dos Santos-Tam echoed Councilmember Kia'āina's praise for Zoning Chair Say. He acknowledged the testifiers and noted what testifier Jolie from Local 5 mentioned that the City keeps relying on the private sector to deliver affordable housing units and he believes that the City needs to be doing more. Councilmember Dos Santos-Tam stated that this development is taking an office building and converting it into residential and noted that this is a way to create housing and does not create displacement. He hopes that the City can come up with strategies to help incentivize office residential conversion.

In response to Chair Waters, Dawn Takeuchi Apuna, Director, Department of Planning and Permitting (DPP) and Jordan Dildy, Staff Planner, DPP stated that if the developer is not able to convert the office building to residential the DPP would have to look at what the options would be. They may be able to build somewhere else. The developer cannot build the market rate units without first providing the affordable units.

Committee Report 211 and Resolution 23-62, CD1 as amended were adopted.

AYES: DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA,
WEYER, WATERS – 8.
NOES: None.
ABSENT: CORDERO – 1.

Related communication:

M-426 Testimony on Resolution 23-62

ADOPTION

RESOLUTION 23-132, CD1 – COMMITTEE REPORT 212

RESOLUTION AMENDING RESOLUTION 19-225, CD1, TO EXTEND THE DEADLINE TO OBTAIN A BUILDING PERMIT FOR A PLANNED DEVELOPMENT-RESORT PROJECT FOR THE REDEVELOPMENT OF 4.153 ACRES WITH MIXED-USE RESORT AND RETAIL USES IN WAIKIKI, O'AHU.

Councilmember Say moved that Committee Report 212 and Resolution 23-132, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

The following individuals testified:

1. Benjamin Sadoski, UNITE HERE Local 5 (Support)
2. Nathaniel Kinney, Hawai'i Regional Council of Carpenters (M-425) (Support)
3. Jeff Masatsugu, Painters Labor-Management Cooperation Fund, Tapers Market Recovery Fund, Glaziers Stabilization Fund, Carpet and Soft Tile Layers Market Recovery Fund (M-425) (Support)
4. Senator Kurt Fevella (Support)

Councilmember Kia'āina commended the developers on the project. She stated that as older hotels are revitalized or renovated, it is important to have a sense of awareness and to recognize the cultural and historic significance of the site. Councilmember Kia'āina expressed her appreciation that the project will have a Princess Kaiulani Legacy Library and stated that as more developments occur in Waikiki, she urged developers to remember the importance of the area for the native Hawaiian people prior to westernization.

Councilmember Tupola stated her support of the measure and thanked the developer and the presenter for going above and beyond what the Council asked and that they showed they tried to integrate their whole design into the community and into the culture of this place we call home.

Committee Report 212 and Resolution 23-132, CD1 as amended were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.
NOES: None.

Related communications:

D-578 Waikiki Neighborhood Board No. 9
D-425 Testimony on Resolution 23-132
D-429 Testimony on Resolution 23-132

ADOPTION

RESOLUTION 23-140, CD1 – COMMITTEE REPORT 213

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO ALLOW REPAIRS AND AN ADDITION TO AN EXISTING SINGLE-FAMILY DETACHED DWELLING AND RELATED SITE IMPROVEMENTS AT 1508 MOKULUA DRIVE IN LANIKAI.

Councilmember Say moved that Committee Report 213 and Resolution 23-140, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

There was no public testimony.

Councilmember Kia'āina stated for the record that there have been concerns raised by neighbors regarding the development and she appreciates the applicant's presentation and the Department of Planning and Permitting's (DPP) response to her questions at the Zoning Committee. She asked the DPP to confirm her understanding that the applicant already has a Special Management Area permit for repair work to the main property in addition to the guest quarters, that the footprint expansion is only related to enclosing an existing paved courtyard that already exists and connects the property's two wings, that the floor area increase is a result of the enclosure of the courtyard as well as additions for the second floor, and that no new development will occur within the shoreline setback.

Councilmember Kia'āina also noted that DPP agrees that including a condition related to a private agreement between the Lanikai Association and the applicant may not be appropriate but that the applicant is working on a private Memorandum of Understanding with the Lanikai Association.

In response to Councilmember Kia'āina, Dawn Takeuchi Apuna, Director, Department of Planning and Permitting agreed with Councilmember Kia'āina's statements.

Committee Report 213 and Resolution 23-140, CD1 as amended were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.
NOES: None.

ADOPTION

RESOLUTION 23-160, CD1 – COMMITTEE REPORT 214

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE HALE MŌ'ILĪ'ILE AFFORDABLE RENTAL PROJECT FOR NATIVE HAWAIIANS IN MŌ'ILĪ'ILI, O'AHU.

Councilmember Say moved that Committee Report 214 and Resolution 23-160, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

The following individuals testified:

1. Nathaniel Kinney, Hawai'i Regional Council of Carpenters (M-427) (Support)
2. Senator Kurt Fevella (General comment)
3. Angela Young, CARES (Support)

Councilmember Kia'āina stated that she supports this project that will further the State of Hawai'i's trust obligations to Hawaiian Home Land beneficiaries. She thanked Stanford Carr for the project and the Department of Hawaiian Home Lands for moving the project forward. Councilmember Kia'āina asked that the State and City governments identify properties where the Department of Hawaiian Home lands can replicate this project for rental or long term homestead leasing.

Councilmember Say stated that he supports this project and that is in the district he represents. He stated that this property was part of the overall State settlement with the Department of Hawaiian Home Lands. He noted that he will submit a correspondence from the State Attorney General for the record and for the Department of Planning and Permitting's record that the Director has the authority to grant General Excise Tax (GET) exemptions (CC-231).

Chair Waters explained that the correspondence that Councilmember Say is submitting says that for 201H projects, the Director of the Department of Planning and Permitting can waive GET requirements.

Committee Report 214 and Resolution 23-160, CD1 as amended were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

Related communication:

M-427 Testimony on Resolution 23-160

ADOPTION

RESOLUTION 23-130 – COMMITTEE REPORT 215

RESOLUTION ACCEPTING A GIFT OF \$5,000.00 TO THE CITY FROM THE FRIENDS OF HAWAI'I CHARITIES FOR THE UPKEEP AND MAINTENANCE OF KAHALA COMMUNITY PARK.

Councilmember Tulba moved that Committee Report 215 and Resolution 23-130 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Committee Report 215 and Resolution 23-130 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

ADOPTION

RESOLUTION 23-176, CD1 – COMMITTEE REPORT 221

RESOLUTION ACCEPTING A GIFT OF AN INTERPRETIVE SIGN VALUED AT \$1,638 TO THE CITY FROM 'EHIKU HANAUNA FOR KAMĀNELE SQUARE.

Councilmember Tulba moved that Committee Report 221 and Resolution 23-176, as amended to CD1 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Committee Report 221 and Resolution 23-176, CD1 as amended were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.
NOES: None.

ADOPTION

RESOLUTION 23-134 – COMMITTEE REPORT 216

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES OR THE DIRECTOR'S DESIGNEE TO ENTER INTO A CONCESSION AGREEMENT FOR A TERM OF UP TO 10 YEARS TO PROVIDE FOOD AND BEVERAGE, RETAIL, AND TICKETING CONCESSION SERVICES AT THE HONOLULU ZOO MANAGED BY THE DEPARTMENT OF ENTERPRISE SERVICES.

Councilmember Tulba moved that Committee Report 216 and Resolution 23-134 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Committee Report 216 and Resolution 23-134 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TUPOLA, WEYER, WATERS – 8.
NOES: None.
ABSENT: TULBA – 1.

Related communication:

CC-215 Disclosure of Interest Statement submitted by Councilmember Tulba

ADOPTION

RESOLUTION 23-174, CD1 – COMMITTEE REPORT 227

RESOLUTION ACCEPTING A GIFT OF TUITION, TRAVEL, AND RELATED EXPENSES TO THE CITY FROM THE AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS (AAMVA) VALUED AT \$2,160 FOR A SUPERVISING DRIVER LICENSE EXAMINER OF THE DEPARTMENT OF CUSTOMER SERVICES TO ATTEND THE COMMERCIAL DRIVER LICENSE (CDL) TRAIN-THE-TRAINER CLASS IN SALT LAKE CITY, UTAH, FROM AUGUST 7-11, 2023.

Councilmember Weyer moved that Committee Report 227 and Resolution 23-174, as amended to CD1 be adopted. Seconded by Councilmember Kia'āina.

There was no public testimony.

Committee Report 227 and Resolution 23-174, CD1 as amended were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TUPOLA, WEYER, WATERS – 8.

NOES: None.

ABSENT: TULBA – 1.

ADOPTION

RESOLUTION 23-167 – COMMITTEE REPORT 225

RESOLUTION URGING THE CITY ADMINISTRATION TO PROVIDE HAZARD OR PREMIUM PAY TO ELIGIBLE INDEPENDENT CONTRACTORS AND ELIGIBLE EMPLOYEES OF FIRMS CONTRACTED BY THE CITY WHO PERFORMED ESSENTIAL AND HAZARDOUS WORK DURING THE COVID-19 PUBLIC HEALTH EMERGENCY.

Councilmember Weyer moved that Committee Report 225 and Resolution 23-167 be adopted. Seconded by Councilmember Kia'āina.

The following individuals testified:

1. Cody Sula (M-433) (Support)
2. Joelle Hussey (M-433) (Support)
3. Kenneth Low (Support)
4. Richard Parmenter (M-433) (Support)
5. Lori Takahashi (Support)

6. Desiree Kalama-Keliikui (Support)
7. Jonathan Johnson (Support)
8. Lavaun Le'i (Support)
9. Randall Moss (Support)
10. Christopher Rhodes (Support)
11. Kim Souza (Support)
12. Philip Butay (Support)
13. Tavesi Augafa (Support)
14. Felipe Anguiano, Hawai'i Teamsters (Support)
15. Kevin Holu (Support)
16. Angela Young (Support)
17. Senator Kurt Fevella (Support)
18. Choon James (Support)

Councilmember Cordero thanked all the testifiers who came to the meeting. She also thanked the operators, supervisors, maintenance, and the union and stated that she is in support of the measure.

Councilmember Dos Santos-Tam stated that as a bus rider, he saw how the bus drivers put themselves out to keep the City running. He stated that they deserve the hazard pay for everything that they went through during the pandemic and is in strong support of the measure.

Councilmember Tupola stated that the City bus drivers are always being relied upon to help and she thanked them for being at the meeting. She asked that the Council urge the Administration to move expeditiously to spend down the funds for the purpose of hazard pay. Councilmember Tupola expressed her appreciation and thanked them for all they do.

Councilmember Weyer thanked all the colleagues for all they do and expressed his appreciation for the work that they do every day on the front line. He believes that the City needs to prioritize following through on its commitments.

Councilmember Kia'āina thanked Councilmember Tupola for introducing the measure and for all the testifiers for being at the meeting. She stated that she was shocked that the City bus drivers were not taken care of. Councilmember Kia'āina asked BFS to consider spending down the American Rescue Plan Act (ARPA) funds for the hazard pay.

In response to Councilmember Kia'āina, Andy Kawano, Director, Department of Budget and Fiscal Services stated that currently BFS is looking at the Occupational Safety and Health Administration (OSHA) guidelines on the levels of risk that people endured during the pandemic. He stated that the way the Resolution is currently written is too broad. He

stated that the ARPA funds can be used for hazard pay but it cannot be done as the group settlement that the unions want, and that is why the process is taking long because BFS needs to look at all the possibilities which is a difficult process.

Committee Report 225 and Resolution 23-167 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WEYER, WATERS – 9.
NOES: None.

Related communication:

M-433 Testimony on Resolution 23-167

ADOPTION

RESOLUTION 23-168 – COMMITTEE REPORT 226

RESOLUTION URGING THE CITY ADMINISTRATION TO ESTABLISH A KAPA'A QUARRY TRANSFER STATION REUSABLE MATERIAL COLLECTION SITE PILOT PROJECT.

Councilmember Weyer moved that Committee Report 226 and Resolution 23-168 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Quinn Vittum, Re-use Hawai'i (M-430) (Support)

Committee Report 226 and Resolution 23-168 were adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA,
TUPOLA, WATERS – 8.
NOES: None.
ABSENT: WEYER – 1.

Related communication:

M-430 Testimony on Resolution 23-168

BALANCE OF COMMITTEE REPORTS

EMLACR-207

Request for authorization to settle a case against the City and County of Honolulu entitled Karen Shirlye Rose, et al. v. City and County of Honolulu, et al, Civil No. 19-1-1099 (Cir. Ct.)

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

There was no public testimony.

The Balance of Committee Reports was adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WEYER, WATERS – 9.

NOES: None.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Note: Earlier in the meeting, Resolution 23-182, FD1 was adopted. See page 16).

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Kia'aina announced that there will be a Windward Community meeting regarding invasive species prevention control and eradication efforts for the fire ant, coconut rhinoceros beetle, and coqui frog on Monday, August 21, 2023 from 6 to 7:30 p.m., at Waimanalo Elementary and Intermediate School.

ADJOURNMENT

At 5:12 p.m., Councilmember Kia'aina moved that the Council stand adjourned until Wednesday, September 6, 2023, at 10 a.m. Seconded by Councilmember Cordero 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:

September 6, 2023