



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
13TH SESSION
WEDNESDAY, SEPTEMBER 6, 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 10:25 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 members of the public, appointees, and Directors of the City Administration.

APPROVAL OF MINUTES

Councilmember Kia'āina moved that the Minutes of the 12th Session 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 23-194 – COMMITTEE REPORT 256

RESOLUTION STATING THE COUNCIL OF THE CITY AND COUNTY OF HONOLULU STANDS IN SOLIDARITY WITH THE PEOPLE OF MAUI AND IS COMMITTED TO AIDING IN MAUI'S RECOVERY.

Councilmember Okimoto moved that Committee Report 256 and Resolution 23-194 be adopted. Seconded by Councilmember Tulba.

The following individual testified:

Angela Young (Support)

Councilmember Tupola spoke about the tragedy that occurred on Maui. She noted that there was overwhelming support from the community and thanked everyone who was able to help including the Mayor and first responders. Councilmember Tupola expressed her condolence to all the families who lost love ones and for those that are still missing. She stated that Maui will never be forgotten.

Committee Report 256 and Resolution 23-194 were adopted.

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

ADOPTION

RESOLUTION 23-145 – COMMITTEE REPORT 242

RESOLUTION RELATING TO THE APPOINTMENT OF MAMORU SATO TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tulba moved that Committee Report 242 and Resolution 23-145 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Mamoru Sato (General comment)

Committee Report 242 and Resolution 23-145 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 23-147 – COMMITTEE REPORT 243

RESOLUTION CONFIRMING THE APPOINTMENT OF PAIGE MIKI OKAMURA TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tulba moved that Committee Report 243 and Resolution 23-147 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Paige Miki Okamura (General comment)

Committee Report 243 and Resolution 23-147 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 23-151– COMMITTEE REPORT 244

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

Councilmember Tulba moved that Committee Report 244 and Resolution 23-151 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Kēhaulani Pu‘u, Deputy Director, Department of Parks and Recreation (General comment)

Councilmember Cordero expressed her excitement for the Board of Parks and Recreation to start up again. She stated that she looks forward to working with the Board if any issues should arise in her district. Councilmember Cordero noted that she is in support of the nominee.

Committee Report 244 and Resolution 23-151 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 23-152 – COMMITTEE REPORT 245

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

Councilmember Tulba moved that Committee Report 245 and Resolution 23-152 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Nikki Medwetz (General comment)

Committee Report 245 and Resolution 23-152 were adopted.

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

ADOPTION
RESOLUTION 23-154 – COMMITTEE REPORT 246

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

Councilmember Tulba moved that Committee Report 246 and Resolution 23-154 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Judith Stilgenbauer (General comment)

Committee Report 246 and Resolution 23-154 were adopted.

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

ADOPTION
RESOLUTION 23-158 – COMMITTEE REPORT 247

RESOLUTION CONFIRMING THE APPOINTMENT OF CHRISTY-ANN NISHITA TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Tulba moved that Committee Report 247 and Resolution 23-158 be adopted. Seconded by Councilmember Okimoto.

The following individual testified:

Christy-Ann Nishita (General comment)

Committee Report 247 and Resolution 23-158 were adopted.

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

ADOPTION

RESOLUTION 23-177, CD1 – COMMITTEE REPORT 255

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

Councilmember Kia'āina moved that Committee Report 255 and Resolution 23-177, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

The following individuals testified:

1. Dita Holifield (General comment)
2. Joshua Mednick (General comment)
3. Andrew Resen (General comment)
4. Angela Young (Support)

Councilmember Tupola stated that she spoke with the nominee on what her vision is for the Department and how to make the venues more appealing. She stated that the City is lucky to have Ms. Holifield and that she is grateful for her background and energy. Councilmember Tupola stated that she is in full support of the nominee.

Councilmember Cordero stated that she saw the nominee working with her team and noticed her teachable spirit. She stated that she appreciates the nominee's energy and hopes to continue to see that.

Councilmember Kia'āina stated that she enjoyed hearing the nominee speak about her Department but also how she looks at the whole City and County of Honolulu when she mentioned Maui and what can be done to help. She stated that she looks forward to working with the nominee.

Councilmember Tulba stated that as a friend and a former employee, he knows the kind of vision and passion the nominee has. He stated that he hopes that the nominee can bring her energy to the City and have great events that performers will want to perform in this special place. Councilmember Tulba thanked the nominee for her service and looks forward to working with her.

Committee Report 255 and Resolution 23-177, CD1 as amended were adopted.

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

NOES: None.

Related communication:

CC-223 Disclosure of Interest Statement submitted by Councilmember Tulba

PUBLIC HEARING/RESOLUTION
RESOLUTION 23-191

RESOLUTION CONFIRMING THE APPOINTMENT OF MS. LESLIE HUBBARD TO SERVE ON THE CITIZENS ADVISORY COMMISSION ON EMERGENCY MANAGEMENT OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Leslie Hubbard (General comment)

Councilmember Kia'āina thanked the Administration for continuing to prioritize diversity and gender equity for the City boards and commissions. She also thanked the nominee for her community volunteer work. Councilmember Kia'āina stated that she looks forward to the good work the nominee will do on the Commission and looks forward to having her on board.

Councilmember Weyer thanked the nominee for her willingness to serve and he looks forward to more conversation in Committee.

Chair Waters referred Resolution 23-191 to the Committee on Public Safety for further discussion.

PUBLIC HEARING/RESOLUTION
RESOLUTION 23-192

RESOLUTION CONFIRMING THE APPOINTMENT OF MS. JOY KIMURA TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Joy Kimura (General comment)
2. Nathaniel Kinney, Hawai'i Regional Council of Carpenters (Support)

Councilmember Weyer thanked Ms. Kimura for her willingness to serve. He stated that as Mother of the Year, she is well-rounded and her qualities and expertise will benefit the community and citizens of O'ahu.

Councilmember Kia'aina echoed the comments of Councilmember Weyer. She noted that she is pleased with the Administration for continuing to appoint qualified women to serve on the boards and commissions. Councilmember Kia'aina stated that she is very pleased to have Ms. Kimura on the Planning Commission.

Chair Waters referred Resolution 23-192 to the Committee on Planning and the Economy for further discussion.

Related communication:

M-483 Testimony on Resolution 23-192

PUBLIC HEARING/SECOND READING
BILL 45, CD1 – COMMITTEE REPORT 228

A BILL FOR AN ORDINANCE RELATING TO HUMAN RESOURCES.

Councilmember Dos Santos-Tam moved that Committee Report 228 be adopted and Bill 45 pass second reading as amended to CD1. Seconded by Councilmember Cordero.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Angela Young, CARES (Support)

Committee Report 228 was adopted and Bill 45, CD1 passed second reading, as amended.

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

Related communications:

D-635 Department of Human Resources
M-491 Testimony on Bill 45

PUBLIC HEARING/SECOND READING
BILL 46, CD1 – COMMITTEE REPORT 252

A BILL FOR AN ORDINANCE RELATING TO FLAVORED TOBACCO PRODUCTS.

Councilmember Weyer moved that Committee Report 252 be adopted and Bill 46 pass second reading as amended to CD1. Seconded by Councilmember Kia'āina.

The following individuals testified:

1. Mitzie Higa, Hawai'i State Teachers Association (M-480) (Support)
2. Joshua Ching, Youth Council of the Coalition for a Tobacco-Free Hawai'i (M-480) (Support)
3. Peggy Mierzwa, Hawai'i Public Health Institute (M-480) (Support)
4. Tina Yamaki, Retail Merchants of Hawai'i (M-480) (Oppose)
5. Alexa Wohrman, American Heart Association (M-480) (Support)
6. Jasmin Rios (M-480) (Oppose)
7. Jaime Rojas, National Association of Tobacco Outlets (M-480) (Oppose)
8. Katherine Inoue, Hawai'i State Department of Health, Chronic Disease Prevention and Health Promotion Division (M-480) (Support)
9. Natalie Iwasa (Oppose)
10. Rima Khoury, National Hookah Community Association (M-480) (General comment)
11. Angela Young, CARES (M-480) (Support)

Councilmember Weyer stated that there has been a lot of great discussion and he appreciates everyone's comments. He stated that if the Bill goes back to Committee, he would entertain any Committee Drafts. Councilmember Weyer stated that he sees this Bill as bringing the law or laws into compliance with each other, understanding that the flavoring in cigarettes has already been passed. He stated that it makes sense to pass the Bill out on third reading.

Councilmember Tupola stated that her reservations on the measure is because she believes that the State should lead on the issue because the influence is on the youth. She believes the Department of Education needs to be on board also. Councilmember Tupola stated that she is not in favor of legislating something that is out of the Council's jurisdiction and suggested introducing a Resolution to get the powers back to the county.

Councilmember Tulba stated he will be voting with reservations on the measure and echoes a lot of the comments made by Councilmember Tupola. He stated that it is going to be very difficult for the City to regulate and enforce the measure. Councilmember Tulba stated that the intent of the measure is amazing but the responsibility needs to be on the parents and have them be accountable. He also suggested getting the Department of Education involved.

Committee Report 252 was adopted and Bill 46, CD1 passed second reading, as amended.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO*, SAY, TULBA*,
TUPOLA*, WEYER, WATERS – 8.
NOES: SAY – 1.

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

Related communication:

M-480 Testimony on Bill 46

RECESS/RECONVENE

At 12:15 p.m., the Chair called for a recess as noted on the agenda. With 8 members present (Excused: Tulba – 1), the Chair reconvened the meeting at 1:13 p.m.

DEFERRED TO THE END OF THE CALENDAR
BILL 20, CD2 – COMMITTEE REPORT 237

A BILL FOR AN ORDINANCE RELATING TO PARKING.

(Note: Later in the meeting, Committee Report 237 and Bill 20, CD2 was recommitted to the Committee on Transportation. See page 28.)

RECOMMITTAL TO COMMITTEE ON HOUSING, SUSTAINABILITY AND HEALTH
RESOLUTION 23-162, CD1 – COMMITTEE REPORT 253

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 253 and Resolution 23-162, CD1 be recommitted to the Committee on Housing, Sustainability and Health. Seconded by Councilmember Kia'āina.

The following individuals testified:

1. Natalie Iwasa (M-484) (Oppose)
2. Micah Muneata, Ulupono Initiative (M-484) (Support)
3. Angela Young, CARES (General comment)

Councilmember Tupola stated that she is glad that the measure is being recommitted because she has concerns that the fund was changed just last year and she would like to evaluate it. She stated that she is in support of the recommitment of the measure.

Councilmember Cordero stated that she is in support of the recommitment of the measure.

Committee Report 253 and Resolution 23-162, CD1 have been recommitted to the Committee on Housing, Sustainability and Health.

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

NOES: None.

Related communication:

M-484 Testimony on Resolution 23-162, CD1

THIRD READING

BILL 38, CD2 – COMMITTEE REPORT 251

A BILL FOR AN ORDINANCE RELATING TO CONCESSIONS.

Councilmember Weyer moved that Committee Report 251 be adopted and Bill 38, CD1 pass third reading as amended to CD2. Seconded by Councilmember Kia'āina.

There was no public testimony.

Committee Report 251 was adopted and Bill 38, CD2 passed third reading, as amended.

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

NOES: None.

FIRST READING FAILED

RESOLUTION 23-129

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

Councilmember Kia'āina moved that Resolution 23-129 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Denise Iseri-Matsubara, Executive Director, Office of Housing (MM-193) (Oppose)

In response to Councilmember Kia'āina, Denise Iseri-Matsubara, Executive Director, Office of Housing stated that the Mayor is exercising his authority under Section 4-202 under the Charter and that any Council initiated Charter Amendment requires the Mayor's approval. She also stated that administratively the Administration is able to implement what the working group is working on. She believes that the measure is premature and that putting the question on the ballot will confuse the public.

Councilmember Tupola stated that there should be a public conversation to allow other people and all councilmembers to comment and provide their opinions. She stated that she filed Council Communication 248 to show the historical changes that have happened to the Charter that came out of the 2017 Permitted Interaction Group. Councilmember Tupola also would like the Administration to share what the working group is coming up with. She stated that she hopes the measure gets referred to Committee and that there will be more conversations. Councilmember Tupola stated the measure proposes a second deputy of Housing be created in the Department of Community Services.

Resolution 23-129 failed to receive the necessary two-thirds vote of the entire membership of the Council needed to pass on first reading.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, TUPOLA, WATERS – 5.
NOES: OKIMOTO, SAY, TULBA, WEYER – 4.

Related communication:

CC-248 Councilmember Andria Tupola

FIRST READING

BILL 47

A BILL FOR AN ORDINANCE RELATING TO RECYCLING.

Councilmember Kia'āina moved that Bill 47 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

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

Bill 47 passed first reading.

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

FIRST READING
BILL 48

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Kia'āina moved that Bill 48 pass first reading. Seconded by Councilmember Cordero.

The following individual testified:

Natalie Iwasa (Oppose)

Bill 48 passed first reading.

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

NOES: None.

Related communication:

M-487 Testimony on Bill 48

FIRST READING
BILL 49

A BILL FOR AN ORDINANCE RELATING TO SHOPPING CARTS.

Councilmember Kia'āina moved that Bill 49 pass first reading. Seconded by Councilmember Cordero.

The following individual testified:

Natalie Iwasa (M-485) (Oppose)

Bill 49 passed first reading.

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

NOES: None.

Related communication:

M-485 Testimony on Bill 49

FIRST READING

BILL 50

A BILL FOR AN ORDINANCE RELATING TO THE TRANSIT-ORIENTED DEVELOPMENT SPECIAL DISTRICT.

Councilmember Kia'aina moved that Bill 50 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Bill 50 passed first reading.

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

NOES: None.

FIRST READING

BILL 51

A BILL FOR AN ORDINANCE RELATING TO THE REZONING OF LAND SITUATED AT HALAWA, O'AHU, HAWAI'I.

Councilmember Kia'aina moved that Bill 51 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Bill 51 passed first reading.

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

NOES: None.

FIRST READING
BILL 52

A BILL FOR AN ORDINANCE RELATING TO LARGE DWELLINGS.

Councilmember Kia'āina moved that Bill 52 pass first reading. Seconded by Councilmember Cordero.

The following individual testified:

Natalie Iwasa (General comment)

Bill 52 passed first reading.

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

Related communication:

M-479 Testimony on Bill 52

FIRST READING
BILL 53

A BILL FOR AN ORDINANCE RELATING TO REGISTRATION REQUIREMENTS FOR BED AND BREAKFAST HOMES AND TRANSIENT VACATION UNITS.

Councilmember Kia'āina moved that Bill 53 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Bill 53 passed first reading.

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

Related communication:

M-482 Testimony on Bill 53

ADOPTION

RESOLUTION 23-170 – COMMITTEE REPORT 230

RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN RESOURCES TO SUBMIT AN ANNUAL REPORT DETAILING LONG-TERM POSITION VACANCIES.

Councilmember Dos Santos-Tam moved that Committee Report 230 and Resolution 23-170 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 230 and Resolution 23-170 were adopted.

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

NOES: None.

Related communications:

D-636 Department of Human Resources

M-488 Testimony on Resolution 23-170

ADOPTION

RESOLUTION 23-171 – COMMITTEE REPORT 231

RESOLUTION URGING THE CITY ADMINISTRATION TO ESTABLISH, IN CONSULTATION WITH THE PUBLIC EMPLOYEE UNIONS, A FORMAL POLICY FOR THE ABOLISHMENT OF CITY POSITIONS.

Councilmember Dos Santos-Tam moved that Committee Report 231 and Resolution 23-171 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Tupola stated that more needs to be done to fill the vacancies. She noted that the high number of vacancies affects all constituents because the Departments are not able to fully operate which affects public safety, parks, road maintenance, rivers, streams and housing. Councilmember Tupola asked all Departments to put in a line item for incentives and tell the Council how they will pay their employees more equitably so that there can be competitive salaries.

Councilmember Say stated his support for the measure and also stated for the record that instead of looking at it from the Legislative Auditor's recommendation, it should be looked at what is presently on the books in regards to the Hawai'i Revised Statutes. He noted that the Council forgets that they follow Chapters 76 and 77 which is the Civil Service laws and also Chapter 89 which is collective bargaining and some of these recommendations may be in conflict and the City cannot move ahead until the State laws are amended or repealed to address all four counties concerns.

Committee Report 231 and Resolution 23-171 were adopted.

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

NOES: None.

Related communications:

D-637 Department of Human Resources
M-489 Testimony on Resolution 23-171

ADOPTION

RESOLUTION 23-172 – COMMITTEE REPORT 232

RESOLUTION URGING THE CITY ADMINISTRATION TO CONSOLIDATE THE CITY'S FOUR STAND-ALONE, UNLINKED DATABASE SYSTEMS THAT ARE USED FOR THE HIRING, ONBOARDING, AND SEPARATION OF CITY PERSONNEL.

Councilmember Dos Santos-Tam moved that Committee Report 232 and Resolution 23-172 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 232 and Resolution 23-172 were adopted.

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

Related communication:

D-638 Department of Human Resources

ADOPTION

RESOLUTION 23-173, CD1 – COMMITTEE REPORT 233

RESOLUTION URGING THE HAWAI'I STATE LEGISLATURE TO ADOPT
LEGISLATION TO ALLOW THE CITY TO PROVIDE INCENTIVES AND INCREASE
SALARIES FOR HARD-TO-FILL POSITIONS.

Councilmember Dos Santos-Tam moved that Committee Report 233 and
Resolution 23-173, as amended to CD1 be adopted. Seconded by
Councilmember Cordero.

There was no public testimony.

Committee Report 233 and Resolution 23-173, CD1 as amended were adopted.

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

*Councilmember Weyer voted aye with reservations.

Related communications:

D-639 Department of Human Resources
M-486 Testimony on Resolution 23-173

ADOPTION

RESOLUTION 23-178, CD1 – COMMITTEE REPORT 238

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO ALLOW THE CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING UNIT AND OTHER IMPROVEMENTS AT TAX MAP KEY 5-6-001:077 IN MĀLAEKAHANA.

Councilmember Say moved that Committee Report 238 and Resolution 23-178, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

There was no public testimony.

Committee Report 238 and Resolution 23-178, CD1 as amended were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 23-181, CD1 – COMMITTEE REPORT 239

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO ALLOW THE CONSTRUCTION OF TWO NEW ACCESSORY FARM DWELLINGS AT TAX MAP KEY 6-8-003:045 IN MOKULĒ'IA.

Councilmember Say moved that Committee Report 239 and Resolution 23-181, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

There was no public testimony.

Committee Report 239 and Resolution 23-181, CD1 as amended were adopted.

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

NOES: None.

POSTPONED TO THE OCTOBER 4, 2023 COUNCIL MEETING
RESOLUTION 23-183, CD1 – COMMITTEE REPORT 240

RESOLUTION AMENDING RESOLUTION 20-188, CD1, AS AMENDED BY RESOLUTION 22-164, CD1, TO PROVIDE AN EXEMPTION FROM CERTAIN PARK DEDICATION REQUIREMENTS FOR THE HĀLAWA VIEW APARTMENTS AFFORDABLE HOUSING PROJECT DEVELOPED PURSUANT TO § 201H-38, HAWAII REVISED STATUTES.

Councilmember Say moved that Committee Report 240 and Resolution 23-183, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

There was no public testimony.

Councilmember Cordero stated that she supports the measure but feels conflicted as the Aiea Neighborhood Board did not meet last month and did not have an opportunity to hear the presentation on the project from the applicant. She stated that she understands the timing is of the interest to the applicant because of permits but would like her community to hear about this project at the Aiea Neighborhood Board which will meet on Monday.

Councilmember Say stated his support to Councilmember Cordero's concerns. He stated that the project came before the Council in 2020 and at that time they thought the park dedication requirements were met but as they went through the permitting process, a lot of the properties could not be dedicated as a park which resulted in obtaining an exemption. Councilmember Say stated he is in support of the measure.

RECESS/RECONVENE

At 1:58 p.m., the Chair called for a short recess and reconvened the meeting at 2:03 p.m.

Councilmember Cordero moved that Committee Report 240 and Resolution 23-183, CD1 be postponed to the October 4, 2023 Council meeting. Seconded by Councilmember Kia'āina.

Committee Report 240 and Resolution 23-183, CD1 were postponed to the October 4, 2023 Council meeting.

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

ADOPTION

RESOLUTION 23-184, CD1 – COMMITTEE REPORT 241

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO ALLOW THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING, ACCESSORY DWELLING UNIT, AND CARPORT AT 66-153 WALIKANAHELE ROAD AT TAX MAP KEY 6-6-005:046 IN HALE'IWA.

Councilmember Say moved that Committee Report 241 and Resolution 23-184, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

There was no public testimony.

Committee Report 241 and Resolution 23-184, CD1 as amended were adopted.

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

ADOPTION

RESOLUTION 23-180 – COMMITTEE REPORT 248

RESOLUTION ACCEPTING A GIFT OF A VENTILATOR VALUED AT \$3,585.00 TO THE CITY FROM THE HONOLULU ZOO SOCIETY FOR THE HONOLULU ZOO - VETERINARIAN HOSPITAL.

Councilmember Tulba moved that Committee Report 248 and Resolution 23-180 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Committee Report 248 and Resolution 23-180 were adopted.

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

ADOPTION

RESOLUTION 23-187 – COMMITTEE REPORT 249

RESOLUTION ACCEPTING A GIFT OF TWO BASKETBALL COURT BACKBOARDS WITH VINYL ARTWORK, VALUED AT \$1,150, TO THE CITY FROM MĀLAMA KĪPUKA HAWAI'I TO BE INSTALLED AT THE SMITH-BERETANIA PARK.

Councilmember Tulba moved that Committee Report 249 and Resolution 23-187 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Councilmember Dos Santos-Tam invited everyone to the Mid-Autumn Festival at the Smith-Beretania Park on September 30th and the unveiling of the mural.

In response to Councilmember Cordero, Kēhaulani Pu'u, Deputy Director, Department of Parks and Recreation stated that donated art or mural projects will be upkeep by the donors. She also stated that the Department takes gifts or gifts of services whether the donor is a park adopter or not.

Committee Report 249 and Resolution 23-187 were adopted.

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

ADOPTION

RESOLUTION 23-190 – COMMITTEE REPORT 250

RESOLUTION ACCEPTING A GIFT FOR REPLACEMENT AND REPAIRS OF SAFETY PADDING TO THE PLAYGROUND SURFACE, VALUED AT \$9,750.00, TO THE CITY FROM THE HONOLULU ZOO SOCIETY FOR THE HONOLULU ZOO.

Councilmember Tulba moved that Committee Report 250 and Resolution 23-190 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Committee Report 250 and Resolution 23-190 were adopted.

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

ADOPTION

RESOLUTION 23-185, FD1 – COMMITTEE REPORT 254

RESOLUTION URGING THE CITY ADMINISTRATION TO SUPPORT THE DEVELOPMENT OF THE KO'OLAULOA COMMUNITY RESILIENCE HUB.

The following amendment was posted on the agenda:

Resolution 23-185, Proposed FD1

Councilmember Weyer moved that Committee Report 254 and Resolution 23-185 be adopted. Seconded by Councilmember Kia'āina.

Councilmember Weyer moved that the Resolution be amended to the posted FD1. Seconded by Councilmember Kia'āina. Councilmember Weyer explained the FD1 amendment.

The following individuals testified:

1. Dotty Kelly-Paddock, Hui o Hauula (Support)
2. Mike Formby, Managing Director (Support)

Councilmember Weyer thanked Aunt Dotty for all the work she does with the City and all levels of government. He stated that the Resolution is an opportunity to acknowledge the need for a resilience hub and that this is a great place to start because of the infrastructure and the need for the community and hopes that this can be a model that can be replicated across O'ahu and the State.

Resolution 23-185 was amended to the posted FD1.

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

Committee Report 254 and Resolution 23-185, FD1 were adopted.

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

Related communication:

M-493 Testimony on Resolution 23-185

ADOPTION

RESOLUTION 23-127 – COMMITTEE REPORT 257

RESOLUTION APPROVING THE GRANT OF RELOCATED EASEMENT TO KIKIWAI INVESTMENTS LLC OVER, UPON, THROUGH AND ACROSS THE PORTION OF THE CITY'S LAND, TMK: (1) 4-3-055:011.

Councilmember Tupola moved that Committee Report 257 and Resolution 23-127 be adopted. Seconded by Councilmember Say.

There was no public testimony.

Committee Report 257 and Resolution 23-127 were adopted.

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

ADOPTION

RESOLUTION 23-179 – COMMITTEE REPORT 258

RESOLUTION URGING THE CITY ADMINISTRATION TO PARTNER WITH THE HAWAI'I STATE DEPARTMENT OF TRANSPORTATION TO EXTEND THE GROIN AREA OF THE ULEHAWA STREAM AND CANAL.

Councilmember Tupola moved that Committee Report 258 and Resolution 23-179 be adopted. Seconded by Councilmember Say.

The following individuals testified:

1. Clyde Hayashi, Hawai'i Ironworkers Stabilization Fund (Support)
2. Mel Kahele (Support)

In response to councilmembers, Warren Mamizuka, Deputy Director, Department of Facility Maintenance (DFM) and Tyler Sugihara, Chief of Road Maintenance stated that:

- The Roads Division crew have been cleaning the Ulehawa Stream but have been running into problems.
- The crew is working under the Army Corp of Engineers permit to dredge and to open the stream mouth but the sand keeps getting replenished because of the current surf conditions.
- The City met with Director Ed Sniffen of the State Department of Transportation who has a project to replace the Ulehawa Bridge and they are also going to incorporate the groin into the project.

Councilmember Tupola stated that she met with Congresswoman Tokuda and the State Department of Transportation and gave them Council Communication 238 which outlines that DFM has been working to clear the stream three to four times a year but since the Army Corp of Engineers stopped issuing permits the backlog got severe and now the DFM needs to catch up but they are short of workers. She stated that Congresswoman Tokuda is checking to see if the Army Corp of Engineers have any extra funding for the project or if they could offer machinery to be used by the City.

Committee Report 258 and Resolution 23-179 were adopted.

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

NOES: None.

BALANCE OF COMMITTEE REPORTS

<u>EMLACR-234</u>	Request for authorization to settle a case against the City and County of Honolulu entitled The Estate of Dana 'O Keakuako 'Ulunakanawai Brown, et al. v. City and County of Honolulu, et al., Civil No. CV21-00474 HG/KJM (USDC).
<u>EMLACR-235</u>	Request for Authorization to Settle <i>City and County of Honolulu v. Norman Kwock Keong Nip; et. al.</i> , Civil No. 1CCV-22-0000422 (Cir. Ct.).
<u>EMLACR-236</u>	Request for authorization to settle a claim against the City and County of Honolulu entitled Robert C. Marvit v. City and County of Honolulu, Matter ID 23-00845.
<u>PITCR-259</u>	Grant of Sewer Easements 2338, 2339, 2459, 2460, 2461 for public use in Ewa. (Villages of Kapolei – Sewer System). (<u>D-580</u>)

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

There was no public testimony.

Committee Report 234 was adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, SAY, TULBA, TUPOLA, WEYER, WATERS – 8.
NOES: OKIMOTO – 1.

Committee Reports 235, 236 and 259 were adopted.

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

RECOMMITTED TO THE COMMITTEE ON TRANSPORTATION
BILL 20, CD2 – COMMITTEE REPORT 237

A BILL FOR AN ORDINANCE RELATING TO PARKING.

The following amendments were posted on the agenda but not considered:

Bill 20, CD2, Proposed FD1 (OCS2023-0794/8/31/2023 11:05 AM)
Bill 20, CD2, Proposed FD1 (OCS2023-0800/8/31/2023 3:45 PM)

The following amendments were handcarried to the meeting but not considered:

Bill 20, CD2, Proposed FD1 (OCS2023-0810/9/5/2023 12:30 PM)
Bill 20, CD2, Proposed FD1 (OCS2023-0811/9/5/2023 11:53 AM)

Chair Waters asked councilmembers to explain their FDs.

Councilmember Dos Santos-Tam explained his handcarried FD1 (OCS2023-0810/9/5/2023 12:30 PM).

Councilmember Kia'aina explained her posted FD1 (OCS2023-0794/8/31/2023 11:05 AM).

Chair Waters explained his posted FD1 (OCS2023-0800/8/31/2023 3:47 PM) and his handcarried FD1 (OCS2023-0811/9/5/2023 11:53 AM).

The following individuals testified:

1. Natalie Iwasa (M-481) (Oppose)
2. James Manaku, Sr. (General comment)
3. Micah Munekata, Ulupono Initiative (M-481) (Support)

In response to councilmembers, Roger Morton, Director, Department of Transportation Services (DTS) stated that:

- He agrees with the proposal that a restricted parking zone (RPZ) if established requires a Resolution from the Council. He also agrees with the guidance of what the DTS can do. He will be mindful and consider the issue raised by a testifier regarding the shoreline, mountains, and the rights of people to gather fish.
- The proposal that anyone would be allowed to purchase a RPZ would make it less effective.

- He suggested that the fees should go to the Highway Fund without the requirement of keeping track of whether there were special repairs done.
- It would be the Department's preference to do rule-making to set up the parameters for the program but not to require rule making for each RPZ.
- The Department feels that many of the issues are policy issues which should be determined by the Council.
- He prefers to implement a program and then after one or two years have an opportunity to determine exactly what the actual fees are. What the DTS has now are just estimates.
- There are no marked stalls in the current RPZ. When stalls are marked, parking spaces are lost.
- For parking meters the City collects half of what it costs to operate the program.
- The purpose of parking meters is not primarily to generate revenue but to regulate parking in business districts for the benefit of the businesses that do not want all day parking.
- The purpose of an RPZ program is to provide local residents of the area with the ability to park their cars which DTS supports.
- To change speed limits, the Department would need to amend the schedule and publish a notice in the newspaper.
- To establish a tow away zone, DTS would conduct an engineering analysis to determine the effect on traffic flow.
- To ban street parking, a public notice would be published in the paper, DTS would go to the neighborhood board, and have discussions with the community.
- He believes that the Council should decide on whether to have an RPZ and where it should be with a Resolution so that the public has the opportunity to get involved by being able to ask and answer questions.
- The cost of subsidizing transportation in Honolulu is huge and it will continue to be a burden for all residents.

- The purpose for RPZs across the county and here would be to make it a neighborhood focused program to allow the property owners to access parking close to their residences and not a sale of parking spaces.

Councilmember Kia'āina stated that she did not expect to see four floor drafts and would like the measure to be recommitted back to the Committee to have further discussion because the issue is complicated and she would like further guidance.

In response to councilmembers, Duane Pang, Corporation Counsel, Department of the Corporation Counsel stated that:

- The CD2 version states, notwithstanding any provision, the Kalihi Valley RPZ is hereby established and that is established by Ordinance.
- The only way to change the Ordinance is to introduce a Bill and give the Director the authority or discretion to create RPZs.
- Parking would not be considered a traffic violation but it could be treated as an administrative fine.

Councilmembers Cordero, Tupola, and Tulba stated that they support Councilmember Dos Santos-Tam's handcarried FD1.

Councilmember Say stated that he believes the testifiers and hopes that in the future the public roads get privatized. He stated that every community has a parking problem but the issue may be when you have family and friends over to your house and they do not have a parking permit. Councilmember Say stated that he will be voting no on the measure but sympathizes with the residents.

Chair Waters stated for the record that he agrees with Councilmember Say but he would still like to help residents in Kalihi Valley.

Councilmember Kia'āina expressed her concern of having four floor drafts and given the disparity between some of the recommendations being made as well as the continuing concerns expressed by community members, she would prefer the measure be recommitted to the Committee on Transportation. She asked that the Department of Transportation give their comments on all four floor drafts in writing. She stated that if voting today she would be voting with reservations.

Councilmember Okimoto expressed her appreciation for the discussion on the measure but has concerns that she has expressed in Committee regarding the fiscal side of the Bill. She stated that if voting today she will be voting in opposition to the measure and would prefer the measure be recommitted back to the Committee on Transportation.

In response to Chair Waters, Councilmember Dos Santos-Tam stated that the measure has been discussed extensively and if the measure is recommitted, he would entertain changes and discussion but believes that the issues are policy matters or decisions that need to be made. Councilmember Cordero stated that she would not support the measure if the Council has the discretion to approve via ordinance or resolution. He stated that it has to be either the Council has discretion or set parameters and allow the Director to make the determination based on the criteria.

Councilmember Weyer expressed his appreciation for all the work that went into the Bill but prefers the measure go back to Committee for further discussion. He stated his concerns are who is going to get the pass, which communities are going to be involved, and are lower income communities being targeted for accessing street parking. Councilmember Weyer stated that if he had to vote today he would vote with reservations.

Councilmember Cordero gave a brief history on how the RPZ program and stated that she is in support of the Bill.

Councilmember Kia'āina thanked Councilmember Dos Santos-Tam for all his hard work on the measure and stated that she is committed in supporting the Bill moving out of Committee to full Council in October.

Councilmember Kia'āina moved that Committee Report 237 and Bill 20, CD2 be recommitted to the Committee on Transportation. Seconded by Councilmember Okimoto.

Councilmember Kia'āina explained to the members of the public the purpose of her motion to recommit Bill 20.

Committee Report 237 and Bill 20, CD2 were recommitted to the Committee on Transportation.

AYES: KIA'ĀINA, OKIMOTO, SAY, WEYER, WATERS – 5.
NOES: CORDERO, DOS SANTOS-TAM, TULBA, TUPOLA – 4.

Related communication:

M-481 Testimony on Bill 20, CD2

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Tulba wished a happy birthday to Malia Zimmerman of his staff.

ADJOURNMENT

At 4:05 p.m., Councilmember Kia'aina moved that the Council stand adjourned until Wednesday, October 4, 2023, at 10 a.m. at Kapolei Hale. 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:

October 4, 2023