



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
14TH SESSION
WEDNESDAY, OCTOBER 4, 2023

KAPOLEI HALE
1000 ULUOHIA STREET, CONFERENCE ROOMS A, B AND C
KAPOLEI, HAWAII 96707

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 10:15 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 everyone to Kapolei Hale including the City Administration. She noted that the month of October celebrates Honolulu Pride Month, Dyslexic Awareness Month, Filipino American History Month, and Domestic Violence Awareness Month.

APPROVAL OF MINUTES

Councilmember Kia'āina moved that the Minutes of the 13th 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 23-143 – COMMITTEE REPORT 264

RESOLUTION CONFIRMING THE APPOINTMENT OF MUHTADIA RICE TO SERVE ON THE ETHICS COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Dos Santos-Tam moved that Committee Report 264 and Resolution 23-143 be adopted. Seconded by Councilmember Cordero.

The following individuals testified:

1. Muhtadia Rice (General comment)
2. Edward Young (General comment)
3. Angela Young (Support)

Councilmember Tupola stated that she met with Ms. Rice through the appointment process. She stated that Ms. Rice has a proven track record of ethical leadership and that she is impressed with Ms. Rice's servant leadership philosophy which highlights her commitment to community service. Councilmember Tupola stated that Ms. Rice's unique perspective and skills will be invaluable to the Ethics Commission and supports her nomination.

Councilmember Kia'āina thanked Ms. Rice for her willingness to serve on the Ethics Commission. She noted that Ms. Rice's experiences and advocacy, and education and community building will provide a unique perspective to the issues of the Ethics Commission and that she is excited to have her on the Ethics Commission.

Committee Report 264 and Resolution 23-143 were adopted.

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

Mayor Blangiardi thanked the Council for their kind words for the nominees. He stated that when they nominate the appointees to the Boards and Commissions, the Administration looks at these positions as an extension of the cabinet. He noted that the nominees are high quality people and that he is grateful that they volunteer their time and knowledge.

ADOPTION

RESOLUTION 23-192, CD1 – COMMITTEE REPORT 284

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

Councilmember Kia'āina moved that Committee Report 284 and Resolution 23-192, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

The following individuals testified:

1. Joy Kimura (General comment)
2. Pane Meatoga III, Hawai'i Operating Engineers Industry Stabilization Fund (Support)
3. Nathaniel Kinney, Hawai'i Regional Council of Carpenters (Support)
4. Angela Young, CARES (Support)
5. Choon James (General comment)

Councilmember Tupola stated that she supports the nominee and noted her expertise and involvement in numerous organizations. She stated that with the nominee's contributions to society and her blended experience, she will bring the community voices to the Planning Commission. Councilmember Tupola also stated that the nominee will help move forward initiatives that are important for the planning and building of local homes to help keep families in Hawai'i.

Councilmember Kia'āina stated that she looks forward to having the nominee join the Planning Commission. She noted that the Planning Commission is important for the City and County of Honolulu and is hoping that they move Bill 10 forward because the Bill is a major overhaul of the Land Use Ordinance.

Committee Report 284 and Resolution 23-192, CD1 as amended were adopted.

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

NOES: None.

Related communication:

M-521 Testimony on Resolution 23-192

At this juncture, there being no objections from the 9 members present, the Chair considered Resolution 23-191 on page 25 of the agenda.

ADOPTION

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.

Resolution 23-191 was waived to the Council floor by the Chair of the Public Safety Committee (CC-260).

Councilmember Kia'aina moved that Resolution 23-191 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Leslie Hubbard (General comment)

Resolution 23-191 was adopted.

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

NOES: None.

The Council Chair returned to the agenda order.

PUBLIC HEARING/RESOLUTION

RESOLUTION 23-218

RESOLUTION CONFIRMING THE APPOINTMENT OF JOSEPH BOCK TO SERVE ON THE LIQUOR COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Joseph Bock (General comment)

Councilmember Kia'aina stated that the nominee's willingness to serve on the Liquor Commission comes at a time when the agency is under scrutiny. She stated that there is a lot of work to be done to restore the public's trust in the Commission and she is thankful for the nominee's willingness to serve. Councilmember Kia'aina stated that she looks forward to more discussion in the Planning and Economy Committee.

Chair Waters referred Resolution 23-218 to the Committee on Planning and the Economy for further discussion.

Related communications:

MM-207 Office of the Mayor
M-541 Testimony on Resolution 23-218

PUBLIC HEARING/RESOLUTION
RESOLUTION 23-219

RESOLUTION CONFIRMING THE APPOINTMENT OF KEVIN SAKAMOTO TO SERVE ON THE LIQUOR COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Kevin Sakamoto (General comment)

Councilmember Kia'aina stated that the nominee's willingness to serve on the Liquor Commission comes at a time when the agency is under scrutiny. She stated that there is a lot of work to do to restore the public's trust in the Commission and is thankful for the nominee's willingness to serve. Councilmember Kia'aina stated that she looks forward to more discussion in the Planning and Economy Committee.

Chair Waters referred Resolution 23-219 to the Committee on Planning and the Economy for further discussion.

**PUBLIC HEARING/RESOLUTION
RESOLUTION 23-220**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF MR. VINCE OTSUKA TO SERVE ON THE BOARD OF REVIEW III FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Vince Otsuka (General comment)

Chair Waters referred Resolution 23-220 to the Committee on Budget for further discussion.

Related communication:

M-533 Testimony on Resolution 23-220

**PUBLIC HEARING/RESOLUTION
RESOLUTION 23-221**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF MS. KAI NANI KRAUT TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Kai Nani Kraut (General comment)
2. Pane Meatoga III, Hawai'i Operating Engineers Industry Stabilization Fund (Support)

Councilmember Tupola stated that when she met the nominee in July 2022 she was impressed by her background in project management and her previous experience in the private and public sectors. She stated that the Council leans on the Planning Commission to vet things out thoroughly so that when the issue comes to the Council, there would have been adequate discussions and concerns resolved. Councilmember Tupola voiced her support for the reappointment of the nominee and hopes that she can use her background to help things move in the City.

Chair Waters referred Resolution 23-221 to the Committee on Planning and the Economy for further discussion.

Related communication:

M-537 Testimony on Resolution 23-221

PUBLIC HEARING/RESOLUTION
RESOLUTION 23-223

RESOLUTION CONFIRMING THE APPOINTMENT OF JEANNINE SOUKI TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Jeannine Souki (General comment)

Councilmember Kia'āina expressed her gratitude to the Blangiardi Administration for the nomination of the appointee. She noted that she has known and worked with the nominee and believes that with her experience, she will be an asset to the Police Commission.

Chair Waters referred Resolution 23-223 to the Committee on Public Safety for further discussion.

Related communication:

M-518 Testimony on Resolution 23-223

PUBLIC HEARING/SECOND READING
BILL 50, CD1 – COMMITTEE REPORT 272

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

Councilmember Say moved that Committee Report 272 be adopted and Bill 50 pass second reading as amended to CD1. Seconded by Councilmember Dos Santos-Tam.

The following individual testified:

Angela Young (Support)

Councilmember Cordero stated that Bills 50 and 51 are both in her District of Halawa. She thanked the Planning Commission and the communities for their input.

In response to Councilmember Cordero, Timothy Streitz, Acting Transit-Oriented Development (TOD) Administrator, Department of Planning and Permitting (DPP) stated that:

- DPP does significant outreach as part of the plan development including stakeholder meetings, advisory committee meetings, community workshops, outreach through mailed surveys, and accepting feedback throughout the development process. The DPP consultants develop a plan to compile all the information and then the DPP will bring that information back to the community to ensure that they have the appropriate recommendations from the feedback and technical analyses.
- There are a set number of topics that each plan must consider based on the Land Use Ordinance defined in the TOD Special District Section.

Councilmember Cordero stated that testimony was received and there has been discussion at the Planning Commission and community meetings relating to Loko i'a Pā'aiau being included in the Halawa TOD Plan. She noted that she looks forward to working with Mr. Streitz and her community on the Bills.

Committee Report 272 was adopted and Bill 50, CD1 passed second reading, as amended.

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

Related communications:

M-525 Testimony on Bill 50
M-542 Testimony on Bill 50

PUBLIC HEARING/SECOND READING
BILL 51, CD1 – COMMITTEE REPORT 273

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

Councilmember Say moved that Committee Report 273 be adopted and Bill 51 pass second reading as amended to CD1. Seconded by Councilmember Dos Santos-Tam.

The following individuals testified:

1. Trey Gordner (General comment)
2. Angela Young (Support)

See Bill 50 for comments on Bill 51.

Committee Report 273 was adopted and Bill 51, CD1 passed second reading, as amended.

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

Related communications:

M-526 Testimony on Bill 51
M-543 Testimony on Bill 51

PUBLIC HEARING/SECOND READING
BILL 47 – COMMITTEE REPORT 281

A BILL FOR AN ORDINANCE RELATING TO RECYCLING.

Councilmember Weyer moved that Committee Report 281 be adopted and Bill 47 pass second reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Choon James (M-539) (General comment)
2. Angela Young, CARES (Support)

Committee Report 281 was adopted and Bill 47 passed second reading.

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

Related communications:

D-703 Department of Environmental Services
M-539 Testimony on Bill 47

THIRD READING

BILL 20, CD2, FD1 – COMMITTEE REPORT 269

A BILL FOR AN ORDINANCE RELATING TO PARKING.

The following amendments were posted on the agenda:

Bill 20, CD2, Proposed FD1 (OCS2023-0887/9/25/2023 11:51 AM) not considered
Bill 20, CD2, Proposed FD1 (OCS2023-0905/9/28/2023 4:55 PM)

Councilmember Dos Santos-Tam moved that Committee Report 269 be adopted and Bill 20, CD1 pass third reading as amended to CD2. Seconded by Councilmember Cordero.

Councilmember Kia'āina and Councilmember Dos Santos-Tam explained their FDs.

Councilmember Dos Santos-Tam moved that the Bill be amended to the posted FD1 (OCS2023-0905/9/28/2023 4:55 PM). Seconded by Councilmember Cordero.

The following individuals testified:

1. James Manaku, Sr. (General comment)
2. Trey Gordner (M-527) (Oppose)
3. Micah Munekata, Ulupono Initiative (M-527) (Support)
4. Natalie Iwasa (M-527) (Oppose)
5. Choon James (M-527) (General comment)
6. Angela Young, CARES (General comment)

Councilmember Dos Santos-Tam stated that his proposed FD1 covers Councilmember Kia'āina's amendments. He gave a brief history of Bill 20 and stated that the Bill is not perfect for every neighborhood. He also noted that it is 100 percent subsidized by taxpayers.

Councilmember Tupola stated her support for the FD1 amendment from Councilmember Dos Santos-Tam and noted that this Bill is about the quality of life because you cannot have a high quality of life without housing if you have to walk miles

to get home or if you feel unsafe in your own neighborhood. Councilmember Tupola stated that having an organized parking system will result in less conflict in the community, homeowners will have less worry about criminal activity growing out of abandoned vehicles on City streets, and feel safer in their own neighborhoods.

Councilmember Kia'āina stated that this is a complicated Bill and that the councilmembers who introduced the measure had a lot of hearings and a robust discussion. She stated that she defers to them because they know their communities and she looks forward to working with the Department of Transportation Services on other new measures. Councilmember Kia'āina voiced her support to the measure.

Councilmember Weyer stated that he is in support of Transportation Chair's FD1 amendment but will vote with reservations on the final Bill. He stated that all his concerns have been addressed in the amendments but would like to make sure that the communities that have the least access are not the ones that are being most burdened.

Councilmember Cordero stated that the measure has brought communities together by forming neighborhood security watch groups and citizen patrol groups.

Bill 20, CD2 was amended to the posted FD1 (OCS2023-0905/9/28/2023 4:55 PM).

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

Councilmember Say thanked the sponsors of the measure but noted that he will be voting no on the measure. He stated that he does not believe in privatization of the roads in the communities and that it will create a divide in the community. He also stated that he hopes this measure will not have any unintended consequences. Councilmember Say had questions on who will be implementing, enforcing, and who will receive the money from the fines.

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

- The Department is in support of the Bill and the FD1 amendment.
- There are a limited number of places where a Restricted Parking Zone (RPZ) would be a benefit. He believes that there should not be a competition among residents to get available parking spaces on the street.

- Providing parking enforcement for a transportation department makes sense because you can use traffic enforcement for other traffic purposes as well; but there are pros and cons.
- The idea of parking enforcement is to take the pressure off the uniformed officers who can go out and enforce criminal laws.

Councilmember Kia'āina stated that she would like to strike the right balance of making sure that we have the proper oversight and implementation agency for traffic violations but also allow for HPD to be able to do their primary mission which is to safeguard public safety.

Councilmember Okimoto stated that she has expressed concerns on the enforcement, elimination of the program, and the cost burden that will be placed on the taxpayers. She noted that hearing Councilmember Say's comments on how this will impact HPD, she will be voting in opposition.

Committee Report 269 was adopted and Bill 20, CD2, FD1 passed third reading.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, TULBA, TUPOLA, WEYER*,
WATERS* – 7.
NOES: OKIMOTO, SAY – 2.

*Councilmembers Weyer and Waters voted aye with reservations.

Related communication:

M-527 Testimony on Bill 20

THIRD READING

BILL 46, CD2, FD1 – COMMITTEE REPORT 280

A BILL FOR AN ORDINANCE RELATING TO FLAVORED TOBACCO PRODUCTS.

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

Bill 46, CD2, Proposed FD1

The following amendment was handcarried to the meeting:

Bill 46, CD2, Proposed FD1 (OCS2023-0912/10/4/2023 10:05 AM)

Councilmember Weyer moved that Committee Report 280 be adopted and Bill 46, CD1 pass third reading as amended to CD2. Seconded by Councilmember Kia'aina.

Councilmembers Dos Santos-Tam and Weyer explained their FD1 amendments.

The following individuals testified:

1. Cynthia Au, American Cancer Society, Cancer Action Network (M-544) (Oppose)
2. Jill Tamashiro, Department of Health (M-520) (Oppose)
3. Liza Ryan Gill, Campaign for Tobacco-Free Kids (M-520) (Support)
4. Peggy Mierzwa, Hawai'i Public Health Institute (M-520) (General comment)
5. Jasmin Rios (M-520) (Oppose)
6. Pedro Haro, American Lung Association in Hawai'i (M-520) (General comment)
7. Angela Young, CARES (M-520) (Support)
8. Natalie Iwasa (Oppose)
9. Choon James (General comment)
10. Don Weisman, American Heart Association (M-520) (General comment)

Councilmember Tulba stated that there are significant issues with the Bill that have not been addressed. He stated that he will be voting no on the measure. Councilmember Tulba stated that the Council is doing a disservice to the people when laws are passed that are dependent on the State taking action that they have no intention of taking. He also has concerns about the impact to the City of the responsibility of regulating this type of ban.

In response to councilmembers, Captain Mikel Kunishima, Honolulu Police Department (HPD), Community Affairs Division stated that:

- HPD has an alcohol and tobacco grant and once a year they visit over 800 establishments registered to sell tobacco products and about 55 establishments received a citation.
- HPD usually would get a complaint then they would go to the establishment to investigate.
- If you are under 21 you cannot be in possession of the product.
- HPD would not be enforcing the sale of flavored tobacco products; it could be the Department of Health or the Attorney General.
- HPD is not saying that they would oppose the Bill, they would want to know how it will be enforced.

- HPD is always there to enforce the laws that are passed by the Council and the State.
- Department of Health would be able to find a way to dispose of the evidence.
- Once the criminal case is disposed of then there is a disposition of the evidence. After the statute of limitation it is (1) if it is ownership of someone's property, it would be given back and (2) if it is a confiscated item, it would be destroyed.
- If it is State property then the sheriffs may be able to enforce and then perhaps the Attorney General would do the investigation.
- If there are no exemptions then it would make enforcement a lot easier and there will be less grey areas for officers to enforce.

Councilmember Tupola stated her concern on going through the motion of this measure and then it not being enacted while waiting for the State to repeal the law. She stated that since the State law has not been repealed, the Council has time to think this measure through. Councilmember Tupola stated that she is opposed to addictive substances and that the problem lies with the adult role models. She stated that she is in opposition of the measure because the City does not have the authority over this because of State law and there is no enforcement capability. Councilmember Tupola stated that her opposition is not because she approves of tobacco but because she would like to see an effective law get passed and put in place at the right level with the right agency.

In response to Councilmember Dos Santos-Tam, Duane Pang, Corporation Counsel, Department of the Corporation Counsel stated that:

- The sale and distribution of tobacco products are strictly regulated by the State.
- What is in the Bill would apply to retailers. If the Council wants to regulate wholesalers it needs to be added in the Bill.
- There are issues with the preemption. How the Bill is drafted, it is an administrative penalty so the person or retailer would be issued a notice of violation but would be able to challenge the notice and hopefully whoever is going to regulate or enforce this would not destroy the product until that notice of violation is challenged, particularly if a contested hearing is held.
- The Liquor Commission has the same authority. They store the evidence until after the hearing is done then they get permission to destroy the evidence. The City would be liable if products that are not prohibited have been destroyed.

In response to Chair Waters, Jill Tamashiro, State Department of Health (DOH) stated that:

- The State has been in conversation with other jurisdictions across the country who have passed such a bill on who will enforce the measure. She stated that it is possible to set up an outside grant and to work out inspections through that other entity.
- The county would have to figure out who or what entity would employ the inspector. At the DOH, it would either be an employee of the DOH or worked out through the grant which has not been finalized.
- The master settlement funds goes to the Hawai'i Community Foundation and they manage those funds.
- There would need to be a conversation between the Mayor and the State on who would enforce the Bill.

Councilmember Weyer spoke about the enforcement and if the counties get back that power then maybe the Department of Customer Service or the Liquor Commission can be considered but trusts that the Administration would make that decision.

Councilmember Say stated that it is going to be another transfer from the State to the County as far as an unfunded mandate. He suggested that if the City is going to have the responsibility then the State of Hawai'i should set aside 50 percent of the tobacco tax for enforcement purposes.

Chair Waters stated his support for Councilmember Weyer's FD1 amendment.

Councilmember Dos Santos-Tam stated that after reading through Councilmember Weyer's FD1 amendments, he will defer to his FD1 amendment.

Councilmember Weyer moved that the Bill be amended to the handcarried FD1 (OCS2023-0912/10/4/2023 10:05 AM). Seconded by Councilmember Cordero.

Bill 46, CD2 was amended to the handcarried FD1 (OCS2023-0912/10/4/2023 10:05 AM).

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY, WEYER, WATERS – 7.

NOES: TULBA, TUPOLA – 2.

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.

Committee Report 280 was adopted and Bill 46, CD2, FD1 passed third reading.

AYES: CORDERO, DOS SANTOS-TAM*, KIA'ĀINA, OKIMOTO*, SAY, TULBA,
TUPOLA, WEYER, WATERS – 6.
NOES: SAY, TULBA, TUPOLA – 3.

*Councilmembers Dos Santos-Tam and Okimoto voted aye with reservations.

Related communications:

M-520 Testimony on Bill 46
M-544 Testimony on Bill 46

At this juncture, there being no objections from the 9 members present, the Chair considered Resolution 23-208, CD1 on page 21 of the agenda.

ADOPTION

RESOLUTION 23-208, CD1 – COMMITTEE REPORT 279

RESOLUTION ACCEPTING A GIFT OF A SITE MARKER VALUED AT \$3,344 TO THE CITY FROM QWAVES KANAKA PAKIPIKA FOR NĀ PŌHAKU OLA KAPAEMĀHŪ A KAPUNI AT KŪHIŌ BEACH PARK, WAIKĪKĪ.

Councilmember Tulba moved that Committee Report 279 and Resolution 23-208, as amended to CD1 be adopted. Seconded by Councilmember Okimoto.

The following individuals testified:

1. Mike Formby, Managing Director (Support)
2. Mayor Rick Blangiardi (Support)
3. Dean Hamer, Qwaves Kanaka Pakipika (M-532) (Support)
4. Patty Kahanamoku Teruya (Support)
5. Joe Wilson, Qwaves Kanaka Pakipika (M-532) (Support)
6. Jax Gay, Smart Technologies (Support)

7. Laulani Teale (M-532) (General comment)
8. Babette Galang, Na Haumana Laau Lapaau o Papa Auwae (M-532) (Oppose)
9. Kawaiiani Lenchanko Soma (M-532) (Oppose)
10. Angela Young, CARES (Support)
11. Hinaleimoana Wong-Kalu, Qwaves Kanaka Pakipika (M-532) (Support)
12. Choon James (General comment)

Councilmember Tupola thanked everyone for being at the meeting and the discussions. She acknowledged what Kumu Hina said, that not all knowledge comes from one place and that not all knowledge needs to be held in one place. Councilmember Tupola stated that she will be voting in support of the measure and she hopes that both sides can understand and see one another.

Councilmember Kia'āina thanked everyone for their testimony. She noted how difficult consensus can be and stated that she is in support of the Resolution. She also stated that the story needs to be memorialized and told, and also believes that we should be respectful of the Native Hawaiian and Polynesian history, culture, and stories.

Councilmember Cordero stated her support for the Resolution. She noted that the stories and the lessons to be shared are important for the people to be seen and heard.

Councilmember Weyer stated that he is in support of the Resolution and thanked everyone that has been involved in the process and for taking the time to discuss the issue. He stated that he hopes there will be continued discussion after today and that additional healing is needed. Councilmember Weyer stated that he likes the suggestion of Choon James of having opportunities for stories to be told in other ways.

Chair Waters stated for the record that he is in support of testifier, Choon James' idea.

Committee Report 279 and Resolution 23-208, CD1 as amended were adopted.

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

NOES: None.

Related communication:

M-532 Testimony on Resolution 23-208

RECESS/RECONVENE

At 2:02 p.m., the Chair called for a recess as noted on the agenda. With 9 members present, the Chair reconvened the meeting at 2:36 p.m.

The Council Chair returned to the agenda order.

FIRST READING

RESOLUTION 23-239

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

Councilmember Kia'āina moved that Resolution 23-239 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Florencio Baguio, Jr., Assistant Director, Department of Human Resources (DHR) (General comment)

In response to Councilmember Weyer, Assistant Director Baguio stated that there are minimum qualifications set forth in the Charter for some of the Department Directors and there are nine that do not have any. DHR will consult with the Department and subject matter expert to put together the minimum qualifications. Assistant Director Baguio also stated that they will be proposing an amendment to the Resolution to clarify the Deputy Director of Department of Emergency Management is also Civil Service and that there is a provision in the Charter that can be amended.

2. Hiro Toiya, Director, Department of Emergency Management (DEM) (General comment)
3. Angela Young, Kapalama NSW (General comment)

Councilmember Weyer stated that he welcomes the input from DEM and DHR and that part of the goal is to have a consistent foundation by having a baseline minimum qualification in the Charter for the Director of DEM. He stated that he looks forward to more discussion.

Councilmember Tupola stated that this amendment is very timely because what happened in Maui could happen here. She noted that she had a good relationship with a former employee of DEM who always kept her informed and worked with the neighborhood on any emergency situation and she would like to see that same working relationship with the Director of DEM.

Resolution 23-239 passed first reading.

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

Related communication:

M-519 Testimony on Resolution 23-239

FIRST READING

BILL 54

A BILL FOR AN ORDINANCE RELATING TO THE ADAPTIVE REUSE OF COMMERCIAL BUILDINGS.

Councilmember Kia'āina moved that Bill 54 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Bill 54 passed first reading.

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

Related communication:

M-535 Testimony on Bill 54

CANCELLED
BILL 55

A BILL FOR AN ORDINANCE RELATING TO COMMUNITY BENEFITS.

FIRST READING
BILL 56

A BILL FOR AN ORDINANCE RELATING TO A COMMERCIAL PROPERTY ASSESSED FINANCING PROGRAM.

Councilmember Kia'aina moved that Bill 56 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Thomas Nida, C-PACE Alliance (M-522) (Support)
2. Michael Yaki, Petros PACE Finance, LLC (M-522) (Support)
3. Gwen Yamamoto Lau, Hawai'i Green Infrastructure Authority (M-522) (Support)
4. Amanda Samai, CastleGreen Finance (M-522) (Support)
5. Cliff Kellogg, C-PACE Alliance (M-522) (Support)
6. Jessa Coleman, Nuveen Green Capital (M-522) (Support)
7. Maria Tome, Hawai'i State Energy Office (M-522) (Support)
8. William Yuen, C-PACE Alliance (M-522) (Support)

Bill 56 passed first reading.

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

NOES: None.

Related communication:

M-522 Testimony on Bill 56

FIRST READING
BILL 57

A BILL FOR AN ORDINANCE RELATING TO GAME ROOMS.

Councilmember Kia'aina moved that Bill 57 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Mana Olayan, God Forgives Bad Boys and Bad Girls (Support)
2. Patty Kahanamoku Teruya (Support)
3. Germaine Meyers (Support)
4. Jonathan Hoomanawanui, Waianae Neighborhood Board Chairman (Support)
5. Jax Gay (Support)
6. Angela Young, Kapalama NSW (Support)
7. Philip Ganaban Waianae Neighborhood Board (M-528) (Oppose)
8. Choon James (M-528) (General comment)
9. Natalie Iwasa (General comment)

In response to councilmembers, Major Roland Turner, Honolulu Police Department (HPD) stated that:

- The Department is in support of both Bills 57 and 58. He stated that he sees Bill 57 as a plan and Bill 58 as tools to make the plan work.
- The Department of Planning and Permitting (DPP) would be the ones to issue the Notice of Violation but if there may be a dangerous or hazardous condition the HPD would be willing to support the DPP and be present at the situation.
- It is not uncommon to recover weapons from game rooms.
- When there is gambling and there are people hanging around, often times there are drug activities, prostitution and other burdens on the community.
- There is a multi-step process to shut down a game room, from retrieving evidence to making several visits, and obtaining a search warrant. Once all the steps are done and the game room gets shut down, they cease operations for a short period and then resume operations.
- HPD supports the Bill because it will make property owners responsible for the activity on the property. When the owners care enough, then they will decide to take an interest in who is doing what on the property.
- If the HPD has evidence on a building code or fire code violation, they in turn will give that information to the DPP or the Honolulu Fire Department to follow-up.

- The new Bill does not intend to take the property. If the owner brings everything into compliance and they do not allow a game room to exist then they would not lose their property.

Councilmember Dos Santos-Tam stated that he looks forward to having a robust discussion on Bills 57 and 58 in Committee. He noted that Bill 57 is based off of the existing nuisance abatement law dealing with prostitution and will be used to go after gambling nuisances. Councilmember Dos Santos-Tam stated this type of activity is in everyone's district and that we need to go after the landlords who continually allow this type of activity to occur.

Councilmember Cordero thanked Corporal Watson as she has seen through the years how raids would occur but did not work and now she is seeing the collaboration with DPP and she looks forward to more discussion in Committee.

Bill 57 passed first reading.

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

Related communication:

M-528 Testimony on Bill 57

FIRST READING

BILL 58

A BILL FOR AN ORDINANCE RELATING TO AUTHORIZED PERSONNEL.

Councilmember Kia'āina moved that Bill 58 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Patty Kahanamoku Teruya (Support)
2. Germaine Meyers (Support)
3. Jonathan Hoomanawanui (Support)
4. Jax Gay (Support)
5. Philip Ganaban, Waianae Neighborhood Board (M-529) (Oppose)

6. Choon James (General comment)
7. Natalie Iwasa (General comment)

Councilmember Tupola gave examples of authorized personnel situations. She stated that she asked the landowner to stop renting to a tenant that is running an illegal operation. She stated that she would not want a building inspector to go into a business that is running an illegal operation to give them a violation and be put at risk.

See Bill 57 for comments on Bill 58.

Bill 58 passed first reading.

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

Related communication:

M-529 Testimony on Bill 58

FIRST READING

BILL 59

A BILL FOR AN ORDINANCE RELATING TO INCENTIVES FOR FILM STUDIO FACILITIES.

Councilmember Kia'āina moved that Bill 59 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Chris Lee, University of Hawai'i (M-524) (Support)
2. Angela Young (General comment)
3. Natalie Iwasa (General comment)

Bill 59 passed first reading.

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

Related communication:

M-524 Testimony on Bill 59

ADOPTION

RESOLUTION 23-205 – COMMITTEE REPORT 261

RESOLUTION ACCEPTING A GIFT OF TRAVEL, LODGING AND MEAL EXPENSES VALUED AT \$3,347 TO THE CITY FROM THE ASPEN INSTITUTE FOR A PLANNER FROM THE FEDERAL GRANTS UNIT, FISCAL/CIP ADMINISTRATION OF THE DEPARTMENT OF BUDGET AND FISCAL SERVICES (BFS) TO ATTEND THE 2023 BLOOMBERG CITYLAB IN WASHINGTON, D.C. FROM OCTOBER 18-20, 2023.

Councilmember Cordero moved that Committee Report 261 and Resolution 23-205 be adopted. Seconded by Councilmember Weyer.

There was no public testimony.

Committee Report 261 and Resolution 23-205 were adopted.

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

ADOPTION

RESOLUTION 23-211 – COMMITTEE REPORT 262

RESOLUTION URGING THE CITY ADMINISTRATION TO WORK WITH THE STATE OF HAWAI'I TO AUTHORIZE THE CITY TO COLLECT AND RETAIN UNPAID AND DELINQUENT TRAFFIC FINES AND TO DEPOSIT SUCH FINES IN THE CITY GENERAL FUND.

Councilmember Cordero moved that Committee Report 262 and Resolution 23-211 be adopted. Seconded by Councilmember Weyer.

The following individual testified:

Natalie Iwasa (M-540) (Oppose)

Councilmember Say stated that he introduced the Resolution to address the concerns of fines implemented by the Honolulu Police Department that were not collected by the Traffic Violations Bureau. He stated for the record that during the past 10 years almost \$81 million was not collected and felt that if the City could come up with a way to collect those fines it would be another form of generating revenue. Councilmember Say stated that if there are laws that are not going to be enforced, the State should repeal the law. He noted that this Resolution can start the discussion with the State and ask the three other counties for their thoughts.

Chair Waters stated that the vacancy tax was a revenue generating matter. He stated his support of the Resolution and noted that perhaps the State can be the ones enforcing the traffic laws rather than the Honolulu Police Department since the revenues go back to the State.

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

Committee Report 262 and Resolution 23-211 were adopted.

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

Related communication:

M-540 Testimony on Resolution 23-211

ADOPTION

COMMITTEE REPORT 265 (RESOLUTION 23-202 LAID OVER AND PUBLISHED)

RESOLUTION PROVIDING FOR THE ACQUISITION OF EASEMENTS FOR PUBLIC USE FOR THE ROCK SLIDE MITIGATIVE IMPROVEMENTS IN THE VICINITY OF PACIFIC HEIGHTS ROAD SITE 070G, LOCATED AT KEWALO, PAUOA, HONOLULU, O'AHU, HAWAI'I, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION BY EMINENT DOMAIN.

Councilmember Dos Santos-Tam moved that Committee Report 265 be adopted and Resolution 23-202 be laid over and be published. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 265 was adopted and Resolution 23-202 laid over and be published.

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

ADOPTION

RESOLUTION 23-209, CD1 – COMMITTEE REPORT 266

RESOLUTION URGING THE DEPARTMENT OF HUMAN RESOURCES TO WORK WITH THE UNIVERSITY OF HAWAI'I COMMUNITY COLLEGE SYSTEM TO CREATE A GENERAL CIVICS PROGRAM AT THE COMMUNITY COLLEGES ON O'AHU.

Councilmember Dos Santos-Tam moved that Committee Report 266 and Resolution 23-209, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Say stated that he introduced the measure to try to address the shortage of employees working for the City and County of Honolulu. He noted that the City does have a Po'okela Program.

Committee Report 266 and Resolution 23-209, CD1 as amended were adopted.

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

ADOPTION

RESOLUTION 23-212 – COMMITTEE REPORT 270

RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES TO CONDUCT A TRAFFIC STUDY ON THE WAI'ALAE AVENUE CORRIDOR BETWEEN 1ST AVENUE AND 11TH AVENUE, INCLUDING CROSS STREETS.

Councilmember Dos Santos-Tam moved that Committee Report 270 and Resolution 23-212 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 270 and Resolution 23-212 were adopted.

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

ADOPTION
RESOLUTION 23-214 – COMMITTEE REPORT 271

RESOLUTION FEDERAL HIGHWAY ADMINISTRATION AND FEDERAL TRANSIT ADMINISTRATION CANDIDATE PROJECTS FOR CONSIDERATION IN THE NEW FEDERAL FISCAL YEARS 2025-2028 TRANSPORTATION IMPROVEMENT PROGRAM.

Councilmember Dos Santos-Tam moved that Committee Report 271 and Resolution 23-214 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 271 and Resolution 23-214 were adopted.

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

ADOPTION
RESOLUTION 23-216, CD1 – COMMITTEE REPORT 275

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE HOCKING BUILDING AFFORDABLE RENTAL PROJECT IN CHINATOWN, O'AHU.

Councilmember Say moved that Committee Report 275 and Resolution 23-216, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

There was no public testimony.

Committee Report 275 and Resolution 23-216, CD1 as amended were adopted.

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

ADOPTION
RESOLUTION 23-195 – COMMITTEE REPORT 276

RESOLUTION ACCEPTING A GIFT OF CASH IN THE AMOUNT OF \$4,990.00, TO THE CITY FROM THE EYE PRODUCTIONS, INC. FOR THE UPKEEP AND MAINTENANCE OF HO'OMALUHIA BOTANICAL GARDEN.

Councilmember Tulba moved that Committee Report 276 and Resolution 23-195 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Committee Report 276 and Resolution 23-195 were adopted.

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

ADOPTION
RESOLUTION 23-196 – COMMITTEE REPORT 277

RESOLUTION ACCEPTING A GIFT OF GRAPHIC DISPLAY PANELS VALUED AT \$2,718.00, TO THE CITY FROM THE FRIENDS OF THE HONOLULU BOTANICAL GARDENS FOR THE PURPOSE OF EDUCATING THE PUBLIC ABOUT THE BUTTERFLIES OF HAWAI'I AND THE GARDEN PLANTS WHICH SUPPORTS THEIR LIFECYCLES THAT WILL BE DISPLAYED AT THE FOSTER BOTANICAL GARDEN.

Councilmember Tulba moved that Committee Report 277 and Resolution 23-196 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Committee Report 277 and Resolution 23-196 were adopted.

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

ADOPTION

RESOLUTION 23-200, CD1 – COMMITTEE REPORT 278

RESOLUTION ACCEPTING A GIFT OF A LAVA STONE SCULPTURE VALUED AT \$50,000 TO THE CITY FROM CARMEN GUZMAN-SIMPLICIANO FOR THE LATE HANALE KILA HOPFE FOR INSTALLATION AT KŪ'ĪLIOLOA HEIAU.

Councilmember Tulba moved that Committee Report 278 and Resolution 23-200, as amended to CD1 be adopted. Seconded by Councilmember Okimoto.

There was no public testimony.

Councilmember Tupola stated that Kū'īlioloa Heiau has waited 20 years to be recognized by its name and she thanked Kingdom Pathways, Carmen Guzman and Joe Simpliciano for all their work in getting this done. She thanked the Department of Parks and Recreation and the Administration for the work they have done at the park. Councilmember Tupola stated that the signage is up in front of the heiau and encouraged everyone to go out and see it. She noted her support of the Resolution.

Committee Report 278 and Resolution 23-200, CD1 as amended were adopted.

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

Related communication:

CC-269 Councilmember Tupola

(Note: Earlier in the meeting, Committee Report 279 and Resolution 23-208, CD1 were adopted. See page 16.)

ADOPTION

RESOLUTION 23-215 – COMMITTEE REPORT 282

RESOLUTION RELATING TO THE APPOINTMENT OF FREDERICK REPPUN TO SERVE ON THE CLEAN WATER AND NATURAL LANDS ADVISORY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Weyer moved that Committee Report 282 and Resolution 23-215 be adopted. Seconded by Councilmember Kia'āina.

There was no public testimony.

Councilmember Weyer stated for the record that Mr. Reppun was present at the Committee meeting and demonstrated his commitment to the community. He also stated that the nominee's experience will serve the Commission well.

Committee Report 282 and Resolution 23-215 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 23-217, CD1 – COMMITTEE REPORT 283

RESOLUTION AUTHORIZING THE ISSUANCE AND DELIVERY OF A MULTIFAMILY HOUSING REVENUE NOTE IN A PRINCIPAL AMOUNT NOT TO EXCEED \$30,000,000 FOR THE PURPOSE OF MAKING A MORTGAGE LOAN TO PROVIDE FINANCING TO JHW KUHAULUA PARTNERS LP, A HAWAI'I LIMITED PARTNERSHIP, FOR A MULTIFAMILY RENTAL HOUSING DEVELOPMENT; DETERMINING AND PRESCRIBING CERTAIN OTHER MATTERS RELATING THERETO AND APPROVING AND AUTHORIZING RELATED ACTIONS AND THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS AND AGREEMENTS.

Councilmember Weyer moved that Committee Report 283 and Resolution 23-217, as amended to CD1 be adopted. Seconded by Councilmember Kia'āina.

There was no public testimony.

Councilmember Kia'āina stated that this project provides 143 affordable rental housing units to households earning 60 percent area median income and below with 104 one-bedroom units and 39 two-bedroom units with one manager's unit. She thanked the developers for working hard to maintain the affordable rental housing inventory.

Committee Report 283 and Resolution 23-217, CD1 as amended were adopted.

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

Related communication:

D-694 Department of Planning and Permitting

ADOPTION

RESOLUTION 23-199 – COMMITTEE REPORT 286

RESOLUTION ACCEPTING A GIFT OF \$50,065.56 TO THE CITY FROM THE HAWAI'I COUNCIL OF ENGINEERING SOCIETIES FOR THE 2022 STORM WATER QUALITY BEST MANAGEMENT PRACTICES WORKSHOPS.

Councilmember Tupola moved that Committee Report 286 and Resolution 23-199 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 286 and Resolution 23-199 were adopted.

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

ADOPTION

RESOLUTION 23-197, CD1 – COMMITTEE REPORT 285

RESOLUTION URGING THE CITY ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE HAWAI'I GREEN INFRASTRUCTURE AUTHORITY AND TO ESTABLISH A COMMERCIAL PROPERTY ASSESSED FINANCING PROGRAM IN THE CITY AND COUNTY OF HONOLULU.

Councilmember Tupola moved that Committee Report 285 and Resolution 23-197, as amended to CD1 be adopted. Seconded by Councilmember Say.

The following individuals testified:

1. Gwen Yamamoto Lau, Hawai'i Green Infrastructure Authority (M-523) (Support)
2. Michael Yaki, Petros PACE Finance, LLC (M-523) (Support)
3. Amanda Samai, CastleGreen Finance (M-523) (Support)
4. Jessa Coleman, Nuveen Green Capital (M-523) (Support)
5. Clifton Kellogg, C-PACE Alliance (M-523) (Support)
6. Angela Young, CARES (Support)

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

- BFS is in support of the Resolution and is currently in negotiations.
- There can be further discussion in Committee in regards to Bill 56. He has been advised by Corporation Counsel that if the City participates in the State's Hawai'i Green Infrastructure Authority's (HGIA) Commercial Property Assessed Financing Program (C-PACE) an Ordinance is not needed.
- BFS is working on how much it would cost the City if HGIA offers the program.
- Once it moves forward, the City will need to find a way to include this C-PACE loan information into the real estate system and to mold the two together. He agreed with Councilmember Tupola that there should be a Memorandum of Agreement (MOU) that details each party's obligations and responsibilities before moving forward.

Councilmember Tupola stated that an MOU is specifically for the Resolution as was discussed. She noted that it will specify exactly what the City does and what HGIA does. Councilmember Tupola is in support of the Resolution and stated that she is grateful that the Administration is already taking the steps forward. She stated that she looks forward to more conversations in Committee.

In response to Councilmember Weyer, Gwen Yamamoto Lau of HGIA stated that if the City ops to have HGIA administer to program it will be at very little cost. HGIA will be billing the borrowers directly so there will be no need to have the City's Real Property tax billing system reprogramed for that purpose. HGIA will be providing the City with reports regularly on which properties have a C-PACE lien and the status. They are also looking at how to minimize cost, expense, and resources for the City.

Committee Report 285 and Resolution 23-197, CD1 as amended were adopted.

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

Related communications:

MM-212 Office of Climate Change Sustainability and Resiliency
M-523 Testimony on Resolution 23-197, CD1

FILE
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 be filed. Seconded by Councilmember Cordero.

There was no public testimony.

In response to Chair Waters, Lloyd Yoshioka, Office of Council Services stated that the Resolution was placed on the agenda because it failed to pass first reading at the previous Council meeting and under the Council Rules, the measure must be put on the next Council agenda.

Resolution 23-129 was filed.

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

BALANCE OF COMMITTEE REPORTS

<u>EMLACR-267</u>	Request for recommendation to settle a case against the City and County of Honolulu entitled James A. Conant, Jr. Trust v. City & County of Honolulu, et al., Civil No. 1CC181001910 (Cir. Ct.).
<u>EMLACR-268</u>	Request for authorization to settle a claim against the City and County of Honolulu entitled First Insurance as Subrogee for Merrill Gerard v. City and County of Honolulu, Matter ID 22-02187.
<u>ZONCR-274</u>	Granting a 30-day extension of time for <u>Resolution 23-206</u> – Granting a Special Management Area Use Permit to allow the construction of a new single-family detached dwelling, new accessory dwelling unit, and other improvements at 10 Kamani Kai Place, Kailua, Oahu. (Applicant: Peter Vincent Architects) (Deadline: 10/29/23 + 30 days)

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

ADOPTION

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, HAWAI'I REVISED STATUTES.

Councilmember Kia'āina moved that Committee Report 240 and Resolution 23-183, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Cordero stated that at the last Council meeting she requested that the measure be postponed to this meeting so that the applicant could share the amendments to the dedication requirements to the Aiea Neighborhood Board. She stated that the presentation by was done by Isaiah Sato who did a great job and that the Aiea Neighborhood Board had full support for the project. Councilmember Cordero stated her strong support for the Resolution.

Committee Report 240 and Resolution 23-183, CD1 as amended were adopted.

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

NOES: None.

NEW BUSINESS

(Note: Earlier in the meeting, Resolution 23-191 was adopted. See page 4.

ADOPTION
RESOLUTION 23-225

RESOLUTION ACCEPTING A GIFT OF TRAVEL, LODGING AND MEAL EXPENSES VALUED AT \$4,361 TO THE CITY FROM THE ASPEN INSTITUTE FOR THE EXECUTIVE DIRECTOR OF THE OFFICE OF ECONOMIC REVITALIZATION TO ATTEND THE 2023 BLOOMBERG CITYLAB IN WASHINGTON, D.C. FROM OCTOBER 18-20, 2023.

Resolution 23-225 was waived to the Council floor by the Chair of the Planning and the Economy Committee (CC-264).

Councilmember Kia'aina moved that Resolution 23-225 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Resolution 23-225 was adopted.

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

ADOPTION
RESOLUTION 23-229

RESOLUTION ACCEPTING A GIFT TO THE CITY OF AIRFARE, LODGING, AND TRANSPORTATION, VALUED AT \$2,500, FROM SAKAIMACHI, JAPAN, FOR COUNCILMEMBER VAL AQUINO OKIMOTO TO ATTEND THE 35TH ANNUAL TONE RIVER GRAND FIREWORKS SHOW IN SAKAIMACHI, JAPAN.

Councilmember Kia'aina moved that Resolution 23-229 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Resolution 23-229 was adopted.

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

Related communication:

M-534 Testimony on Resolution 23-229

ADOPTION
RESOLUTION 23-232

RESOLUTION ACCEPTING A GIFT OF 100 BOXES OF PREMIUM HAWAIIAN MACADAMIA SHORTBREAD COOKIES VALUED AT \$380 TO THE CITY FROM DIAMOND BAKERY FOR COUNCILMEMBERS ATTENDING THE 2023 HONOLULU-SOUTH KOREA SISTER CITY GOODWILL MISSION TO SHARE WITH MEMBERS OF THE INCHEON AND SEOUL METROPOLITAN GOVERNMENTS.

Councilmember Kia'aina moved that Resolution 23-232 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Resolution 23-232 was adopted.

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

ADOPTION
RESOLUTION 23-233

RESOLUTION ACCEPTING A GIFT OF LODGING, LOCAL TRANSPORTATION, AND A WELCOME LUNCHEON, VALUED AT \$7,500, TO THE CITY FROM THE SEOUL METROPOLITAN COUNCIL, FOR COUNCIL CHAIR TOMMY WATERS, COUNCILMEMBERS RADIANT CORDERO, MATT WEYER, TYLER DOS SANTOS-TAM, AND VAL AQUINO OKIMOTO, AND SISTER CITIES COORDINATOR BRAD KITSU, TO ATTEND THE CELEBRATION OF THE 10TH ANNIVERSARY OF THE SEOUL-HONOLULU FRIENDLY RELATIONSHIP IN SEOUL, REPUBLIC OF KOREA.

Councilmember Kia'aina moved that Resolution 23-233 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

In response to Councilmember Tulba, Chair Waters stated that Mr. Kitsu asked various councilmembers who would be interested in the trip. There were 8 openings, one was for Mr. Kitsu, another for City Council Chair of Kauai, Mel Rapozo and councilmembers who showed an interest were selected. There is also an agenda that the Chair has and will share.

In response to Councilmember Tulba, Lloyd Yoshioka, Office of Council Services stated that as long as councilmembers do not discuss matters before the Board or a matter that may be before the Board it will not violate sunshine laws. The gift is to the City through the City Council and not a gift to an individual councilmember.

Resolution 23-233 was adopted.

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

Related communication:

M-530 Testimony on Resolution 23-233

ADOPTION
RESOLUTION 23-234

RESOLUTION ACCEPTING A GIFT OF 100 MILK CHOCOLATE BARS, VALUED AT \$500, TO THE CITY FROM WAIALUA ESTATE COFFEE AND CHOCOLATE, DOLE FOOD COMPANY HAWAI'I, INC., FOR COUNCILMEMBERS ATTENDING THE 2023 HONOLULU-SOUTH KOREA SISTER CITY GOODWILL MISSION TO SHARE WITH MEMBERS OF THE INCHEON AND SEOUL METROPOLITAN GOVERNMENTS.

Councilmember Kia'aina moved that Resolution 23-234 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Cordero thanked the economic partners in assisting the councilmembers going to Korea to provide gifts of aloha without using the taxpayer's dollars.

Resolution 23-234 was adopted.

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

ADOPTION
RESOLUTION 23-235

RESOLUTION ACCEPTING A GIFT OF ACCOMMODATIONS, LOCAL TRANSPORTATION, AND MEALS, VALUED AT \$5,500, TO THE CITY FROM THE INCHEON METROPOLITAN COUNCIL, FOR COUNCIL CHAIR TOMMY WATERS, COUNCILMEMBERS RADIANT CORDERO, MATT WEYER, TYLER DOS SANTOS-TAM, AND VAL AQUINO OKIMOTO, AND SISTER CITIES COORDINATOR BRAD KITSU, TO ATTEND THE CELEBRATION OF THE 20TH ANNIVERSARY OF THE INCHEON-HONOLULU SISTER CITY RELATIONSHIP IN INCHEON, REPUBLIC OF KOREA.

Councilmember Kia'aina moved that Resolution 23-235 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Resolution 23-235 was adopted.

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

Related communication:

M-531 Testimony on Resolution 23-235

ADOPTION
RESOLUTION 23-236

RESOLUTION ACCEPTING A GIFT OF TUITION, TRAVEL, HOTEL ACCOMMODATIONS, MEALS AND RELATED EXPENSES TO THE CITY FROM THE AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS (AAMVA) VALUED AT \$2,217.73 FOR A PROGRAM ADMINISTRATOR OF THE DEPARTMENT OF CUSTOMER SERVICES TO ATTEND THE STATE-TO-STATE USER GROUP MEETING IN PHILADELPHIA, PENNSYLVANIA FROM OCTOBER 25-26, 2023.

Councilmember Kia'aina moved that Resolution 23-236 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Resolution 23-236 was adopted.

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

ADOPTION
RESOLUTION 23-231

RESOLUTION RELATING TO THE INCLUSION OF A PROPOSAL IN THE 2024 HAWAI'I STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE TO AFFIRM THE AUTHORITY OF COUNTIES TO REGULATE THE SALE OF TOBACCO PRODUCTS AND ELECTRONIC SMOKING DEVICES.

Councilmember Kia'aina moved that Resolution 23-231 be adopted. Seconded by Councilmember Cordero.

The following individuals testified:

1. Jill Tamashiro, Department of Health (M-538) (Support)
2. Liza Ryan-Gill, Campaign for Tobacco-Free Kids (M-538) (Support)
3. Angela Young, CARES (Support)

Resolution 23-231 was adopted.

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

Related communication:

M-538 Testimony on Resolution 23-231

FOR DISCUSSION ONLY
RESOLUTION 23-243

RESOLUTION RELATING TO REAL PROPERTY TAX COMPROMISES.

Chair Waters explained that the Resolution was introduced to address situations where every year people for some reason are caught in the system when they have a spouse pass away and the surviving spouse does not have the home owner's exemption on record so they are automatically put into the Residential A category.

The following individuals testified:

1. Jill Nunokawa (M-536) (Support)
2. Natalie Iwasa (M-536) (General comment)

Councilmember Kia'āina stated that she and other councilmembers are empathetic to the situation and she is looking forward to a robust discussion in the Budget Committee.

Councilmember Weyer stated he supports a continued conversation in the Budget Committee and to move some type of legislation forward.

Related communication:

M-536 Testimony on Discussion of Resolution 23-243

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

At 5:40 p.m., Councilmember Kia'aina moved that the Council stand adjourned until Wednesday, November 1, 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:

November 1, 2023