



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
18TH SESSION
WEDNESDAY, FEBRUARY 28, 2024

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 10:16 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Cordero, Dos Santos-Tam (via video conferencing), Kia'āina, Okimoto, Say, Tulba, Tupola, Weyer, Waters – 9.

INTRODUCTION OF GUESTS

There were no guests.

APPROVAL OF MINUTES

Councilmember Kia'āina moved that the Minutes of the 17th 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 23-305 – COMMITTEE REPORT 53

RESOLUTION CONFIRMING THE APPOINTMENT OF ELENA BRYANT TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kia'āina moved that Committee Report 53 and Resolution 23-305 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Elena Bryant (General comment)

Councilmember Kia'āina expressed her excitement to have Ms. Bryant on the Planning Commission.

Councilmember Tupola echoed the sentiment of Councilmember Kia'āina and stated that she had a great discussion with Ms. Bryant.

Councilmember Cordero echoed the sentiments of both Councilmembers Kia'āina and Tupola. She stated that the Planning Commission will now have a majority of women commissioners.

Committee Report 53 and Resolution 23-305 were adopted.

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

ADOPTION

RESOLUTION 23-307 – COMMITTEE REPORT 54

RESOLUTION CONFIRMING THE REAPPOINTMENT OF JEFFREY HONG TO SERVE ON THE LIQUOR COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kia'āina moved that Committee Report 54 and Resolution 23-307 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Jeffrey Hong (General comment)

Committee Report 54 and Resolution 23-307 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 23-306 – COMMITTEE REPORT 56

RESOLUTION CONFIRMING THE APPOINTMENT OF LAURIE FOSTER TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Okimoto moved that Committee Report 56 and Resolution 23-306 be adopted. Seconded by Councilmember Tulba.

The following individual testified:

Laurie Foster (General comment)

Councilmember Tupola stated that she had a conversation with Ms. Foster and feels that she is fit to serve on the Police Commission. She noted that even though Ms. Foster may not have the background, she has the diligence to serve and problem solve.

Councilmember Kia'āina welcomed Ms. Foster to the Police Commission and noted that the Commission will have a majority of women commissioners. She thanked the Mayor and his Administration for their women nominees to various Commissions.

Councilmember Okimoto echoed the comments of councilmembers. She thanked the nominee for volunteering for the position and making time to meet with councilmembers. Councilmember Okimoto stated that she looks forward to the work that Ms. Foster will be doing as a Police Commissioner.

Committee Report 56 and Resolution 23-306 were adopted.

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

Related communications:

CC-9 Disclosure of Interest Statement submitted by Councilmember Tupola
M-63 Testimony on Resolution 23-306

PUBLIC HEARING/RESOLUTION
RESOLUTION 24-35

RESOLUTION CONFIRMING THE APPOINTMENT OF CYNTHIA LYNCH TO SERVE ON THE ETHICS COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Cynthia Lynch (General comment)

Chair Waters referred Resolution 24-35 to the Committee on Executive Matters and Legal Affairs for further discussion.

Related communication:

M-69 Testimony on Resolution 24-35

PUBLIC HEARING/RESOLUTION
RESOLUTION 24-36

RESOLUTION CONFIRMING THE APPOINTMENT OF MARIE KUMABE TO SERVE ON THE SALARY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Marie Kumabe (General comment)

Chair Waters referred Resolution 24-36 to the Committee on Budget for further discussion.

FIRST READING
RESOLUTION 24-50

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 DEPARTMENT OF OCEAN SAFETY.

Councilmember Kia'āina moved that Resolution 24-50 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Andrew Yani, Hana Pohaku LLC (Support)
2. Tim Garry (General comment)
3. Racquel Achiu (M-58) (Support)

In response to councilmembers, Krishna Jayaram, Deputy Managing Director stated that:

- Communication MM-35 from the Managing Director stated that the report from the Ocean Safety Task Force will be coming out shortly.
- Under the Executive Branch there is room for one more department to be created but he will confirm that and get back to the Council.
- During last year's State of the City, the Mayor did ask the Department of Planning and Permitting to look into splitting up the Department.

In response to Councilmember Okimoto, Dr. James Ireland, Honolulu Emergency Services Department stated that he would like what is best for the entire Department. He stated that his career has been in Emergency Medical Services (EMS) and he has never been in Ocean Safety or a lifeguard and sees the benefits of having separate departments. He stated that he was not on the task force and is looking forward to seeing the report.

In response to Councilmember Okimoto, John Titchen, Chief, Ocean Safety Division stated that he is in strong support of the Resolution. He stated that he is confident that the Mayor will carefully study the report of the task force. He also stated that the community will benefit from having Ocean Safety as a separate department and that he understands that this is just a first step of the process. He noted that it is a privilege for the lifeguards to work alongside the Emergency Medical Services Division.

Councilmember Okimoto stated that she looks forward to seeing the results from the Task Force report.

In response to Councilmember Weyer, Dr. Ireland stated that he asked the Union representing the lifeguards and Chief Titchen for names and he also provided names to form the task force, a group of 12 to 14 people.

Councilmember Tupola stated that Councilmember Tsuneyoshi did introduce a similar Resolution. She noted that in 2021, HB1281 was passed which gave the City full discretion over the EMS. Councilmember Tupola stated that the creation of Kahe Tower and the 17 new lifeguard positions encouraged her to introduce this Bill. She stated that some of the comments that the Mayor made in his State of the City was to create the Task Force and if the well-reasoned solution to a long standing problem involved reorganizing government to better reflect the priorities of our people, that challenge will be faced head on. Councilmember Tupola noted that she looks forward to more discussion in Committee.

Chair Waters stated that this is a Charter amendment which requires three readings and there needs to be a majority of six votes to pass. He noted that there are many steps before it can be put on the ballot and stated that this is the first step.

Resolution 24-50 passed first reading.

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

NOES: None.

Related communications:

MM-35 Office of the Mayor
M-58 Testimony on Resolution 24-50

FIRST READING
BILL 4

A BILL FOR AN ORDINANCE AMENDING ORDINANCE NO. 01-28.

Councilmember Kia'aina moved that Bill 4 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Bill 4 passed first reading.

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

FIRST READING
BILL 5

A BILL FOR AN ORDINANCE RELATING TO NOISE CONTROL.

Councilmember Kia'aina moved that Bill 5 pass first reading. Seconded by Councilmember Cordero.

The following individuals testified:

1. Benjamin Sadoski, UNITE HERE Local 5 (M-66) (Oppose)
2. Joli Tokusato (Oppose)

Councilmember Tupola thanked the testifiers for their comments and noted that she has the same concerns. She stated that she will be voting with reservations on the measure because she is concerned about the Constitution implications of the Bill including references to constitutional rights in the preamble which can underscore the Bill's adherence to fundamental legal principles.

Councilmember Cordero stated her opposition to Bill 5 and that she shares the concerns stated by the testifiers and Councilmember Tupola.

Councilmember Weyer stated that he will be voting no on Bill 5.

Councilmember Dos Santos-Tam stated that he typically would vote yes on all first reading items but he will be voting with reservations on Bill 5.

Bill 5 passed first reading.

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

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

Related communication:

M-66 Testimony on Bill 5

FIRST READING

BILL 6

A BILL FOR AN ORDINANCE RELATING TO PERMITS.

Councilmember Kia'āina moved that Bill 6 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Bill 6 passed first reading.

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

FIRST READING

BILL 7

A BILL FOR AN ORDINANCE RELATING TO DECLARING THE CITY AND COUNTY OF HONOLULU A PURPLE HEART CITY.

Councilmember Kia'āina moved that Bill 7 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Bill 7 passed first reading.

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

Related communications:

MM-34 Office of the Mayor
M-72 Testimony on Bill 7

FIRST READING

BILL 8

A BILL FOR AN ORDINANCE RELATING TO COMMUNITY WORKFORCE AGREEMENTS.

Councilmember Kia'āina moved that Bill 8 pass first reading. Seconded by Councilmember Cordero.

The following individual testified:

Nathaniel Kinney, Hawai'i Regional Council of Carpenters (M-74) (Support)

Bill 8 passed first reading.

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

Related communications:

MM-36 Office of the Mayor
M-74 Testimony on Bill 8

FIRST READING

BILL 9

A BILL FOR AN ORDINANCE RELATING TO TRANSPORTATION.

Councilmember Kia'aina moved that Bill 9 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Bill 9 passed first reading.

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

Related communication:

M-73 Testimony on Bill 9

FIRST READING
BILL 10

A BILL FOR AN ORDINANCE RELATING TO BUILDING PERMITS.

Councilmember Kia'aina moved that Bill 10 pass first reading. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Weyer stated that he will be voting with reservations on Bill 10.

Councilmember Tupola stated that she will be voting with reservations on Bill 10. She stated that she is in favor of removing the affidavit requirement but not in favor of additional fees for any of the permit applications. Councilmember Tupola stated that she would like to have further discussion in Committee regarding penalizing people for clerical errors by charging them more for permits.

Bill 10 passed first reading.

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

*Councilmembers Tupola and Weyer voted aye with reservations.

Related communication:

M-65 Testimony on Bill 10

PUBLIC HEARING/SECOND READING
BILL 2, CD1 – COMMITTEE REPORT 32

A BILL FOR AN ORDINANCE RELATING TO PUBLIC TRANSIT.

Councilmember Cordero moved that Committee Report 32 be adopted and Bill 2 pass second reading as amended to CD1. Seconded by Councilmember Weyer.

There was no public testimony.

Committee Report 32 was adopted and Bill 2, CD1 passed second reading, as amended.

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

NOES: None.

Related communication:

CC-5 Disclosure of Interest Statement submitted by Councilmember Okimoto

PUBLIC HEARING/SECOND READING
BILL 65 (2023), CD1 – COMMITTEE REPORT 48

A BILL FOR AN ORDINANCE RELATING TO THE ADOPTION OF THE STATE BUILDING CODE.

Councilmember Say moved that Committee Report 48 be adopted and Bill 65 (2023) pass second reading as amended to CD1. Seconded by Councilmember Dos Santos-Tam.

The following individuals testified:

1. Ian Robertson (M-62) (Support)
2. Steven Baldrige (M-62) (Oppose)
3. Gary Chock (M-62) (Support)
4. Dave Arakawa, Land Use Research Foundation (Support)

In response to Councilmember Tupola, Jiro Sumada, Deputy Director, Department of Planning and Permitting (DPP) stated that the Department's position is to keep the inspection within DPP and not allow special inspections for the fire rating with the lath and gypsum board.

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

Committee Report 48 was adopted and Bill 65 (2023), 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-62 Testimony on Bill 65 (2023)
M-70 Testimony on Bill 65 (2023)

PUBLIC HEARING/SECOND READING
BILL 1 – COMMITTEE REPORT 51

A BILL FOR AN ORDINANCE RELATING TO HERBAL CIGARETTES.

Councilmember Weyer moved that Committee Report 51 be adopted and Bill 1 pass second reading. Seconded by Councilmember Kia'āina.

The following individual testified:

James Manaku, Sr. (Oppose)

Committee Report 51 was adopted and Bill 1 passed second reading.

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

*Councilmembers Cordero and Okimoto voted aye with reservations.

THIRD READING

RESOLUTION 23-239, CD1, FD1 – COMMITTEE REPORT 38

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

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

Resolution 23-239, CD1, Proposed FD1 (OCS2024-0169/2/22/2024 10:24 AM)

The following amendment was handcarried to the meeting:

Resolution 23-239, CD1, Proposed FD1 (OCS2024-0185/2/23/2024 2:40 PM)

Councilmember Dos Santos-Tam moved that Committee Report 38 be adopted and Resolution 23-239 pass third reading as amended to CD1. Seconded by Councilmember Cordero.

Councilmember Weyer moved that the Resolution be amended to the handcarried FD1 (OCS2024-0185/2/23/2024 2:40 PM). Seconded by Councilmember Cordero. Councilmember Weyer explained the FD1 amendment.

There was no public testimony.

Resolution 23-239, CD1 was amended to the handcarried FD1 (OCS2024-0296/2/23/2024 2:40 PM).

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

NOES: None.

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

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

NOES: None.

Committee Report 38 was adopted and Resolution 23-239, CD1, FD1 passed third reading.

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

NOES: None.

Related communication:

D-120 Department of Human Resources

THIRD READING

BILL 44 (2023), CD1 – COMMITTEE REPORT 37

A BILL FOR AN ORDINANCE RELATING TO FALSE STATEMENTS.

Councilmember Dos Santos-Tam moved that Committee Report 37 be adopted and Bill 44 (2023) pass third reading as amended to CD1. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 37 was adopted and Bill 44 (2023), CD1 passed third reading, as amended.

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

NOES: None.

Related communication:

M-61 Testimony on Bill 44 (2023)

THIRD READING

BILL 63 (2023), CD1 – COMMITTEE REPORT 50

A BILL FOR AN ORDINANCE RELATING TO CONCESSIONS.

Councilmember Tulba moved that Committee Report 50 be adopted and Bill 63 (2023) pass third reading as amended to CD1. Seconded by Councilmember Okimoto.

There was no public testimony.

Committee Report 50 was adopted and Bill 63 (2023), CD1 passed third reading, as amended.

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

NOES: WATERS – 1.

ADOPTION

RESOLUTION 24-13 – COMMITTEE REPORT 33

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Cordero moved that Committee Report 33 and Resolution 24-13 be adopted. Seconded by Councilmember Weyer.

There was no public testimony.

Committee Report 33 and Resolution 24-13 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 24-20, CD1 – COMMITTEE REPORT 34

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Cordero moved that Committee Report 34 and Resolution 24-20, as amended to CD1 be adopted. Seconded by Councilmember Weyer.

There was no public testimony.

Committee Report 34 and Resolution 24-20, CD1 as amended were adopted.

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

NOES: None.

ADOPTION
RESOLUTION 24-21 – COMMITTEE REPORT 35

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Cordero moved that Committee Report 35 and Resolution 24-21 be adopted. Seconded by Councilmember Weyer.

There was no public testimony.

Committee Report 35 and Resolution 24-21 were adopted.

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

NOES: None.

ADOPTION
RESOLUTION 24-25, CD1 – COMMITTEE REPORT 39

RESOLUTION ESTABLISHING A SISTER CITY RELATIONSHIP WITH RAROTONGA,
COOK ISLANDS.

Councilmember Dos Santos-Tam moved that Committee Report 39 and Resolution 24-25, as amended to CD1 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Carlo Capua, Sister Cities International (M-71) (Support)

Councilmember Kia'āina thanked Mr. Capua for his testimony and stated that she and Councilmember Dos Santos-Tam are looking at other areas, the Marshall Islands and Melanesia as sister cities. She stated that the White House is encouraging Honolulu to enter into other relationships in the Pacific. Councilmember Kia'āina encouraged Mr. Capua to work with other cities on the continent especially those with significant Pacific Island populations. She stated that she looks forward to relationship with others in Oceania.

In response to councilmembers, Carlo Capua stated that they are funded through a grant from the State Department to help support cities like Honolulu. He also stated that they have member tool kits, virtual round tables and best practices that they are willing to share with Honolulu to build a portfolio of Pacific Island relationships. He is also willing to help find grant funding to help Honolulu.

Committee Report 39 and Resolution 24-25, CD1 as amended were adopted.

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

NOES: None.

Related communication:

M-71 Testimony on Resolution 24-25

ADOPTION

RESOLUTION 24-32 – COMMITTEE REPORT 40

RESOLUTION TO RETAIN THE LEGAL SERVICES OF KOBAYASHI SUGITA & GODA LLP AS SPECIAL DEPUTY CORPORATION COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF PETITIONER DIRECTOR OF BUDGET AND FISCAL SERVICES, CITY AND COUNTY OF HONOLULU, IN A LEGAL ACTION ENTITLED THE ESTATE OF RICHARD LEE JACKSON; P. NO. 12-1-0425 (CIR. CT.).

Councilmember Dos Santos-Tam moved that Committee Report 40 and Resolution 24-32 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 40 and Resolution 24-32 were adopted.

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

NOES: None.

ADOPTION
RESOLUTION 24-33 – COMMITTEE REPORT 41

RESOLUTION TO AMEND CONTRACT NO. SC-COR-23-00086 TO REQUEST ADDITIONAL FUNDS TO CONTINUE THE SERVICES OF MCCORRISTON MILLER MUKAI MACKINNON LLP AS SPECIAL COUNSEL TO REPRESENT DEFENDANT JAKE BARTOLOME IN THE RELATED LEGAL ACTIONS ENTITLED UALANI GOUVEIA, ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. 1CCV-21-0001150, MATTHEW TABAG-KALUA, ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. 1CCV-22-0000415, AND JONAVEN PERKINS-SINAPATI, ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. 1 CCV-22-0000429 (CIR. CT.) AND TO ALLOW THE REPRESENTATION OF DEFENDANT JAKE BARTOLOME IN UALANI GOUVEIA, ET AL. V. RICK BLANGIARDI, ET AL., CASE NO. 1CV-23-00378 JAO WRP (U.S.D.C.).

Councilmember Dos Santos-Tam moved that Committee Report 41 and Resolution 24-33 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 41 and Resolution 24-33 were adopted.

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

NOES: OKIMOTO – 1.

Related communication:

M-67 Testimony on Resolution 24-33

ADOPTION

RESOLUTION 24-34 – COMMITTEE REPORT 42

RESOLUTION TO AMEND CONTRACT NO. SC-COR-23-00087 TO REQUEST ADDITIONAL FUNDS TO CONTINUE THE SERVICES OF KOBAYASHI SUGITA & GODA LLP AS SPECIAL COUNSEL TO REPRESENT DEFENDANT ERIK SMITH IN THE RELATED LEGAL ACTIONS ENTITLED UALANI GOUVEIA, ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. 1CCV-21-0001150, MATTHEW TABAG-KALUA, ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. 1CCV-22-0000415, AND JONAVEN PERKINS-SINAPATI, ET AL. V. CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. 1CCV-22-0000429 (CIR. CT.) AND TO ALLOW THE REPRESENTATION OF DEFENDANT ERIK SMITH IN UALANI GOUVEIA, ET AL. V. RICK BLANGIARDI, ET AL., CASE NO. 1CV-23-00378 JAO-WRP (U.S.D.C.).

Councilmember Dos Santos-Tam moved that Committee Report 42 and Resolution 24-34 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Councilmember Okimoto stated that she will be voting in opposition of the measure.

Committee Report 42 and Resolution 24-34 were adopted.

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

NOES: OKIMOTO – 1.

Related communication:

M-68 Testimony on Resolution 24-33

ADOPTION

RESOLUTION 24-14, CD1 – COMMITTEE REPORT 49

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA MAJOR PERMIT TO ALLOW FOR THE CONSTRUCTION OF TWO NEW SINGLE-FAMILY DWELLINGS, A SWIMMING POOL, AND A GARAGE IN MOKULĒ'IA, O'AHU.

Councilmember Say moved that Committee Report 49 and Resolution 24-14, as amended to CD1 be adopted. Seconded by Councilmember Dos Santos-Tam.

There was no public testimony.

Committee Report 49 and Resolution 24-14, CD1 as amended were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 24-16 – COMMITTEE REPORT 52

RESOLUTION ADOPTING CLIMATE READY O'AHU AS A CLIMATE ADAPTATION STRATEGY AND GUIDING POLICY DOCUMENT FOR THE CITY AND COUNTY OF HONOLULU.

Councilmember Weyer moved that Committee Report 52 and Resolution 24-16 be adopted. Seconded by Councilmember Kia'āina.

The following individual testified:

Matthew Gonser, Executive Director and Chief Resilience Officer, Office of Climate Change, Sustainability and Resiliency (MM-32) (Support)

Committee Report 52 and Resolution 24-16 were adopted.

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

NOES: None.

Related communication:

M-60 Testimony on Resolution 24-16

ADOPTION
RESOLUTION 24-28 – COMMITTEE REPORT 55

RESOLUTION ACCEPTING A GIFT OF TRAVEL, LODGING, AND MEALS VALUED AT \$1,450 TO THE CITY FROM THE INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL FOR THE INNOVATION AND TECHNOLOGY PROGRAM MANAGER OF THE OFFICE OF ECONOMIC REVITALIZATION TO ATTEND THE ECONOMIC RECOVERY CORPS KICK-OFF TRAINING EVENT IN PORTLAND, OREGON, FROM FEBRUARY 11-13, 2024.

Councilmember Kia'aina moved that Committee Report 55 and Resolution 24-28 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Committee Report 55 and Resolution 24-28 were adopted.

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

ADOPTION
RESOLUTION 24-15 – COMMITTEE REPORT 57

RESOLUTION ACCEPTING A GIFT OF \$17,800 TO THE CITY FROM THE HONOLULU FIREFIGHTERS FOUNDATION (HFF) FOR VARIOUS HONOLULU FIRE DEPARTMENT (HFD) EVENTS.

Councilmember Okimoto moved that Committee Report 57 and Resolution 24-15 be adopted. Seconded by Councilmember Tulba.

There was no public testimony.

Committee Report 57 and Resolution 24-15 were adopted.

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

ADOPTION

RESOLUTION 24-26 – COMMITTEE REPORT 58

RESOLUTION ACCEPTING A GIFT OF APPROXIMATELY 900 PAIRS OF OLUKAI FOOTWEAR, VALUED AT \$66,000.00 TO THE CITY FROM OLUKAI FOR USE BY OCEAN SAFETY LIFEGUARD PERSONNEL IN THE HONOLULU EMERGENCY SERVICES DEPARTMENT.

Councilmember Okimoto moved that Committee Report 58 and Resolution 24-26 be adopted. Seconded by Councilmember Tulba.

There was no public testimony.

Committee Report 58 and Resolution 24-26 were adopted.

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

NOES: None.

Related communication:

M-64 Testimony on Resolution 24-26

BALANCE OF COMMITTEE REPORTS

EMLACR-43

Request for authorization to settle a case against Sheryl Sunia, a former employee of the City and County of Honolulu, in Royne J. Dural, II v. City and County of Honolulu, et al., Civil No. CV21-00461 HG-WRP (U.S.D.C.).

EMLACR-44

Request for authorization to settle a case against Defendants City and County of Honolulu and Susan Ballard, in Debralynn Thomas, Individually and in her capacity as Personal Representative of the Estate of Kyle Thomas v. City and County of Honolulu, et al., Civil No. CV21-00087 JAO-KJM (U.S.D.C.).

EMLACR-45 Request for authorization to settle a case against Defendants Ronald V. Dumlao, Chance C. Correa and Jose J. Villanueva, in Debralyann Thomas, Individually and in her capacity as Personal Representative of the Estate of Kyle Thomas v. City and County of Honolulu, et al., Civil No. CV21-00087 JAO-KJM (U.S.D.C.).

EMLACR-46 Request for authorization to settle a lawsuit against the City and County of Honolulu entitled Association of Unit Owners of Liolio Townhouse, by its Board of Directors v. City and County of Honolulu, Civil No. 1CCV-22-0001207.

EMLACR-47 Request for authorization to settle claims against the City and County of Honolulu by Steven Bose.

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, WEYER, WATERS – 8.

NOES: None.

ABSENT: TUPOLA – 1.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 24-27

RESOLUTION URGING THE LEGISLATURE TO PASS LEGISLATION CLARIFYING THAT THE COUNTIES HAVE THE POWER TO AMORTIZE OR PHASE OUT NONCONFORMING SHORT-TERM RENTALS.

Councilmember Kia'āina moved that Resolution 24-27 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Karin O'Mahony (M-59) (Oppose)

Councilmember Kia'āina stated that she introduced the measure to demonstrate that the City Council supports the State Legislature and to urge the Legislature to pass legislation which is already pending and clarifies that the counties have the authority to phase out short-term rentals by modifying Hawai'i Revised Statutes Chapter 46 which gives the county its land use authorities. She noted that by amending the State law, the City and County would be able to provide relief to residential communities. She stated that her constituents in her community have consistently shared how their quality of life has been impacted with the explosion of short-term rentals or commercial uses in residential communities.

Councilmember Tupola stated that she has always supported the local residents to try to make it a place where families can live for generations but she cannot support the Resolution at this time because it suggests that the State give the counties the power over non-conforming use certificates. Councilmember Tupola stated that she is not in favor of taking away any private property rights or decreasing income for local Hawai'i residents that are legally operating in the county.

Councilmember Weyer stated that he will be voting with reservations. He noted that he understands the nature of non-conforming uses. Councilmember Weyer stated he understands the need for the counties to have powers but he hopes that the City's goal is to focus on the many illegal vacation rentals in the county and not on those who are legally operating and paying their taxes and providing services that many in the community welcome.

Resolution 24-27 was adopted.

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

NOES: TULBA, TUPOLA – 2.

*Councilmembers Okimoto and Weyer voted aye with reservations.

Related communication:

M-59 Testimony on Resolution 24-27

ADOPTION
RESOLUTION 24-37

RESOLUTION ACCEPTING A GIFT OF ANIMAL TRANSPORTATION VIA FEDEX VALUED AT \$45,000 TO THE CITY FROM THE HONOLULU ZOOLOGICAL SOCIETY FOR TRANSPORTATION OF A MALE TIGER AND TWO FEMALE PLAINS ZEBRAS TO THE HONOLULU ZOO AND TO SEND OUT TWO CHIMPANZEES FROM THE HONOLULU ZOO.

Councilmember Kia'āina moved that Resolution 24-37 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

In response to Chair Waters, Dita Holifield, Director, Department of Enterprise Services stated that the Honolulu Zoo is at number four on the USA Today's top 20 zoos. She thanked the Council for being at the press conference and stated that the Honolulu Zoo's attendance and membership has gone up.

Resolution 24-37 was adopted.

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

ADOPTION
RESOLUTION 24-44

RESOLUTION ACCEPTING A GIFT OF REPLACEMENT TURF VALUED AT \$50,000 TO THE CITY FROM HAWAI'I KAI BASEBALL LEAGUE FOR THE BATTING CAGE AT KOKO HEAD DISTRICT PARK.

Councilmember Kia'āina moved that Resolution 24-44 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Chair Waters thanked the Hawai'i Kai community and all those that were involved with the Hawai'i Kai baseball league for the gift. He stated that it took a long time to get the batting cage and it is a great asset to have for the youth baseball leagues that play in Hawai'i Kai.

Resolution 24-44 was adopted.

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

ADOPTION
RESOLUTION 24-47

RESOLUTION ACCEPTING A GIFT OF 30 WASTE BINS WITH ARTWORK VALUED AT \$100,000 TO THE CITY FROM JTB HAWAI'I, INC. THROUGH THE WAIKĪKĪ BUSINESS IMPROVEMENT DISTRICT ASSOCIATION FOR USE IN VARIOUS LOCATIONS ALONG KŪHIŌ BEACH PARK IN WAIKĪKĪ.

Councilmember Kia'āina moved that Resolution 24-47 be adopted. Seconded by Councilmember Cordero.

The following individual testified:

Trevor Abarzua, President and Executive Director, Waikiki Business Improvement District Association (General comment)

Resolution 24-47 was adopted.

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

ADOPTION
RESOLUTION 24-48

RESOLUTION ACCEPTING A GIFT OF CONCRETE SLABS VALUED AT \$4,800.00 TO THE CITY FROM R.M. TOWILL CORPORATION AND ROYAL CONTRACTING COMPANY, LTD. FOR IMPROVEMENTS TO THE KĪLAUEA DISTRICT PARK SOFTBALL FIELD.

City Council Journal
Wednesday, February 28, 2024

Councilmember Kia'aina moved that Resolution 24-48 be adopted. Seconded by Councilmember Cordero.

There was no public testimony.

Resolution 24-48 was adopted.

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

NOES: None.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

At 12:09 p.m., Councilmember Kia'aina moved that the Council stand adjourned until Wednesday, March 27, 2024, 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:

March 25, 2024