



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

ANN H. KOBAYASHI  
INTERIM CHAIR & PRESIDING  
OFFICER  
RON MENOR  
VICE CHAIR  
CAROL FUKUNAGA  
FLOOR LEADER  
IKAIKA ANDERSON  
BRANDON J. C. ELEFANTE  
MICHAEL FORMBY  
JOEY MANAHAN  
KYMBERLY MARCOS PINE  
HEIDI TSUNEYOSHI

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## JOURNAL

REGULAR MEETING  
8TH SESSION  
WEDNESDAY, APRIL 17, 2019

CITY COUNCIL CHAMBER  
3<sup>RD</sup> 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 768-5822.*

### CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Interim Chair and Presiding Officer, Ann H. Kobayashi, at 10:20 a.m.

### ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Elefante, Formby Fukunaga, Manahan, Menor, Pine, Tsuneyoshi, Kobayashi – 9.

### APPROVAL OF MINUTES

Councilmember Menor moved that the Minutes of the 6<sup>th</sup> Session be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Fukunaga.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

## **ORDER OF THE DAY**

### **PUBLIC HEARING/RESOLUTION** **RESOLUTION 19-57**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF MS. RIKI MAY AMANO TO SERVE ON THE ETHICS COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Patricia Mau-Shimizu (M-160) (Support)
2. Natalie Iwasa (General comment)
3. Riki May Amano (General comment)

Chair Kobayashi referred Resolution 19-57 to the Committee on Executive Matters and Legal Affairs for further consideration.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

Related communications:

M-160 Early testimony on Resolution 19-57  
M-180 Additional testimony on Resolution 19-57

### **PUBLIC HEARING/RESOLUTION** **RESOLUTION 19-58**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF MR. GERARD C. GIBSON TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Mufi Hannemann (Support)

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-128).

Chair Kobayashi referred Resolution 19-58 to the Committee on Public Safety and Welfare for further consideration.

AYES:        ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
               PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:        None.

**PUBLIC HEARING/RESOLUTION**  
**RESOLUTION 19-77**

RESOLUTION CONFIRMING THE APPOINTMENT OF MR. RICHARD M. PARRY TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Richard Parry (General comment)

Chair Kobayashi referred Resolution 19-77 to the Committee on Public Safety and Welfare for further consideration.

AYES:        ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
               PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:        None.

**PUBLIC HEARING/RESOLUTION**  
**RESOLUTION 19-55 – COMMITTEE REPORT 115**

RESOLUTION DETERMINING THE REAL PROPERTY TAX RATES FOR THE CITY AND COUNTY OF HONOLULU FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020.

The following amendment posted on the agenda was not considered:

Resolution 19-55, CD1, Proposed FD1

Councilmember Manahan moved that Committee Report 115 be adopted and Resolution 19-55 be amended to CD1 and be referred back to the Committee on Budget. Seconded by Councilmember Pine.

## **RECESS/RECONVENE**

At 10:30 a.m., the Chair called for a short recess and reconvened the meeting at 10:31 a.m.

Councilmember Manahan stated that he would like to withdraw the motion to amend the Resolution and consider amendments in Committee.

Councilmember Anderson noted that he concurs with the Budget Chair's recommendations.

The following individuals testified:

1. Jeff Wagoner, Outrigger Hospitality Group (Oppose)

In response to Councilmember Anderson, Mr. Wagoner stated that:

- Resort fees have increased and there is an increase of the tax related to the resort fee that will create some incremental tax income to the State.
- The average annual occupancy has increased by 4 percent on average.
- Hotels pay \$5 million more per year than five years ago because of increasing assessed values. As an example, a \$45 million renovation was completed on one property. This year \$80 million will be spent on renovations of the Outrigger Reef. Another \$200 million will be used for a modernization program for Waikiki.
- When funds are continuing to be pulled from hotels, it takes away opportunities to create more success, more opportunities, and more jobs for Hawaii.

2. Mufi Hannemann, Hawaii Lodging & Tourism Association (M-181) (Oppose)
3. Dave Kajihira, The Royal Hawaiian Resort (Oppose)
4. Rob Robinson, OLS Hotels & Resorts (M-161) (Oppose)
5. Ben Rafter, Jororo, LLC (Oppose)
6. Rick Egged, Waikiki Improvement Association (M-161) (Oppose)
7. Robert Imoto, Kyo-ya Company (Oppose)
8. Bonnie Kiyabu, Hyatt Regency Waikiki Resort and Spa (M-181) (Oppose)
9. Kaipo Ho, Outrigger Hospitality Group (Oppose)

10. Doug Sears, Hyatt Regency Waikiki (M-181) (Oppose)
11. Glenn Vergara, Waikiki Resort Hotel (M-181) (Oppose)
12. Shantel Burns, Embassy Suites by Hilton Waikiki Beach Walk (M-181) (Oppose)
13. Carol Lopes, Embassy Suites by Hilton Waikiki Beach Walk (M-181) (Oppose)
14. Simeon Miranda, Embassy Suites by Hilton Waikiki Beach Walk (M-181) (Oppose)
15. Wayne Williams, Hyatt Regency Waikiki (M-181) (Oppose)
16. Stephen Hinck, HIGHGATE/Hilton Garden (Oppose)
17. Cheryl Williams, HIGHGATE (Oppose)
18. Matt Grauso (Oppose)
19. Romeo Aguinaldo, Alohilani Resort Waikiki Beach (Oppose)
20. Joseph Yamaoka, Highgate Hotels and Alohilani Resort (Oppose)
21. Dennis Isidro, HIGHGATE/Alohilani Resort (Oppose)
22. Natalie Iwasa (General comment)
23. Tom Calame, Kyoya (Oppose)
24. Roy Nakamura (Oppose)
25. Theresa Harden (Oppose)
26. Banner Fanene (Oppose)
27. Kurt Kishaba, Highgate Hotel (Oppose)
28. Choon James (General comment)
29. Charlene Silva (General comment)
30. Devin Hwang, Prince Hotel (Oppose)

Councilmember Manahan restated the motion that Committee Report 115 be adopted and Resolution 19-55 be referred back to the Committee on Budget. Seconded by Councilmember Pine.

Councilmember Manahan stated his appreciation to the hotel and resort industry. He noted that the Resolution was amended in Committee to reduce the hotel and resort fee by 50 cents. He pointed out the high annual compensation of various Chief Executive Officers. Councilmember Manahan stated that some hotels charge resort fees that are untaxed except for three hotels that pay transient accommodation tax. He noted that with the increase in visitors, the City has to provide more basic City services. Councilmember Manahan asked for members to support moving the measure back to Committee.

Councilmember Formby expressed his appreciation for the opportunity to comment on the measure. He noted that he has been on the Council for a short time and that his comments are not intended to be judgmental and that he respects all councilmembers. Councilmember Formby explained that he voted no in Committee, reconsidered his vote when the amendment was offered to reduce the tax, but still has reservations. He noted his concern with taxing an industry that has given so much to the State and the City and

County. Councilmember Formby stated that he does not have the big picture of the tax needs and looks forward to further discussion in Committee. He noted that he will be voting no on the measure.

Councilmember Pine thanked Budget Chair Manahan for the discussion. She stated that she represents a district with the largest number of hotel workers and speaks on their behalf that whenever cuts are made, it is never made at the top, but always comes from the bottom. Councilmember Pine noted that the workers will be hurt by the tax. She asked hotel leaders to explain how the tax will affect the economy and noted that she looks forward to more discussion in Committee. Councilmember Pine stated that she will support the measure with reservations.

Committee Report 115 was adopted and Resolution 19-55 was referred back to the Committee on Budget.

AYES: ANDERSON, ELEFANTE, FUKUNAGA\*, MANAHAN, MENOR, PINE\*,  
TSUNEYOSHI, KOBAYASHI – 8.

NOES: FORMBY – 1.

\*Councilmembers Fukunaga and Pine voted aye with reservations.

Related communications:

M-161 Early testimony on Resolution 19-55, CD1

M-181 Additional testimony on Resolution 19-55, CD1

**PUBLIC HEARING/SECOND READING**  
**BILL 9, CD1 – COMMITTEE REPORT 107**

A BILL RELATING TO THE LEGISLATIVE BUDGET FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020.

Councilmember Manahan moved that Committee Report 107 be adopted and Bill 9 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

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

Committee Report 107 was adopted and Bill 9, CD1 passed second reading, as amended.

AYES: ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR, PINE,  
TSUNEYOSHI, KOBAYASHI – 8.

NOES: None.

ABSENT: ANDERSON – 1.

Related communication:

M-182 Additional testimony on Bill 9, CD1

**PUBLIC HEARING/SECOND READING**  
**BILL 10, CD1 – COMMITTEE REPORT 108**

A BILL RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM FOR  
THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020.

Councilmember Manahan moved that Committee Report 108 be adopted and Bill 10 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

1. Bryan Mick, Disability and Communication Access Board (General comment)
2. Chu Lan Shubert-Kwock (Support)
3. Barbra Armentrout (General comment)
4. Natalie Iwasa (General comment)

Councilmember Formby stated that interim rail operations would begin possibly in December 2020.

5. Sharlene Chun-Lum (General comment)
6. Choon James (General comment)
7. James Pakele (Support)

Councilmember Elefante expressed his appreciation for the work done by Budget Chair Manahan and the members of the Budget Committee. He noted that the Bill is a work in progress and cuts to essential services need to be re-evaluated for possible restoration. Councilmember Elefante voiced his support of the measure with reservations.

Councilmember Manahan thanked the members of the Budget Committee for their hard work on this measure and all the budget bills. He stated that in the operating budget about \$68 million in cuts to current expenses were proposed but \$27 million was restored, and about \$37 million still needs to be considered. Councilmember Manahan asked councilmembers to support the measure on second reading so further discussions can be held in Committee.

Councilmember Pine recognized James Pakele and Twinkle from the Waianae Boat Harbor Camp for raising \$400,000 to find a new location for a safe zone. She noted that \$21 million was put in the budget for homeless service zones. Councilmember Pine also congratulated Michael Hodge who designed the safe zone. She noted that there needs to be more discussions with councilmembers and their districts to see what solutions would be best for them. Councilmember Pine stated that the City needs to have a comprehensive plan on how to address the homeless. She voiced her support of the measure and thanked Budget Chair Manahan for doing a fabulous job.

Councilmember Formby thanked Budget Chair Manahan for his leadership.

Councilmember Formby noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-115).

Committee Report 108 was adopted and Bill 10, CD1 passed second reading, as amended.

AYES:           ANDERSON, ELEFANTE\*, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
                      PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:           None.

\*Councilmember Elefante voted aye with reservations.

Related communications:

M-162           Early testimony on Bill 10, CD1  
M-183           Additional testimony on Bill 10, CD1



**PUBLIC HEARING/SECOND READING**  
**BILL 11, CD1 – COMMITTEE REPORT 109**

A BILL RELATING TO THE EXECUTIVE CAPITAL BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020.

Councilmember Manahan moved that Committee Report 109 be adopted and Bill 11 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

1. James Pakele (M-184) (Support)
2. Michael Hodge (M-184) (Support)
3. Natalie Iwasa (General comment)
4. Choon James (General comment)

Councilmember Pine stated that her comments for Bill 10 were meant for Bill 11.

Councilmember Formby noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-115).

Councilmember Pine noted for the record that she filed a Disclosure of Interest with the City Clerk's Office (CC-112).

Committee Report 109 was adopted and Bill 11, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

Related communications:

D-269	Kalihi-Palama Neighboard No. 15
M-163	Early testimony on Bill 11, CD1
M-184	Additional testimony on Bill 11, CD1

**PUBLIC HEARING/SECOND READING**  
**BILL 12 – COMMITTEE REPORT 110**

A BILL AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY AND COUNTY OF HONOLULU IN A MAXIMUM PRINCIPAL AMOUNT EQUAL TO THE AGGREGATE OF THE AMOUNTS APPROPRIATED IN THE CAPITAL BUDGET ORDINANCE OF SAID CITY AND COUNTY FOR THE FISCAL YEAR ENDING JUNE 30, 2020, AND SPECIFIED IN SAID ORDINANCE TO BE FINANCED FROM THE PROCEEDS OF THE SALE OF SUCH BONDS AND TO BE EXPENDED FROM THE GENERAL IMPROVEMENT BOND FUND, THE HIGHWAY IMPROVEMENT BOND FUND, SOLID WASTE IMPROVEMENT BOND FUND, OR THE HOUSING DEVELOPMENT SPECIAL FUND.

Councilmember Manahan moved that Committee Report 110 be adopted and Bill 12 pass second reading. Seconded by Councilmember Pine.

The following individual testified:

Natalie Iwasa (General comment)

Committee Report 110 was adopted and Bill 12 passed second reading.

AYES:           ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
                      PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:           None.

**RECESS/RECONVENE**

At 1:01 p.m., the Chair called for a short recess and reconvened the meeting at 1:02 p.m.

**RECOMMITAL TO COMMITTEE ON BUDGET**  
**BILL 13, CD1 – COMMITTEE REPORT 111**

A BILL RELATING TO COLLECTION AND DISPOSAL OF REFUSE.

Councilmember Manahan moved that Committee Report 111 and Bill 13 be recommitted to the Committee on Budget. Seconded by Councilmember Pine.

The following individuals testified:

1. Al Lardizabal, United Public Workers (M-185) (Support)
2. Natalie Iwasa (General comment)
3. Barbra Armentrout (General comment)
4. Sarah Chinen (Support)
5. Linda Wong (General comment)
6. Choon James (General comment)
7. Charlene Silva (General comment)

In response to councilmembers, Lori Kahikina, Director, and Tim Houghton, Deputy Director, Department of Environmental Services stated that:

- The Department appreciates the feedback from the community. At the neighborhood board meetings, the community is giving great feedback to make the bulky pilot project better.
- The environmental groups suggestion for source reduction would be a good solution.
- The pilot project that will be starting in the metro district will have an option to call the Salvation Army or the Big Brothers and Sisters to donate their items instead of sending it to HPOWER.
- This is the first step in charging fees and it will increase in the future.
- In other municipalities if you have a smaller cart, you will be charged less.
- When dropping off refuse at transfer stations, individuals will need to show identification to verify payment of monthly fees in order to drop off their load.
- The current two loads per day will continue.

Councilmember Tsuneyoshi stated for the record that she appreciates Budget Chair Manahan's recommendation to recommit the measure back to Committee. She noted that there are a lot of questions to be worked out. Councilmember Tsuneyoshi stated that although the intention to move forward in improving refuse collection may have unintended consequences. She believes that the fees will continue to increase and noted that she has always voted in opposition to fees.

Councilmember Formby thanked Budget Chair Manahan for recommitment of the measure, and he thanked Director Kahikina and her Deputy for briefing the neighborhood boards. He noted that his constituents expressed concern that the fee will continue to increase. Councilmember Formby stated that he looks forward to more discussion in Committee.

Councilmember Anderson expressed his support for the Budget Chair's recommendation to recommit the measure. He stated his consistent opposition to implementing a refuse collection fee and a recyclable collection fee for single family residences. Councilmember Anderson noted that the City should have never required condominium apartments to pay for private trash collection. He noted that in 2009 the City Administration opposed a refuse collection fee which would have been as much as \$20 per month, and he expressed his concern over how much the fee would be today if that measure had passed.

Councilmember Pine voiced her support to recommit the measure back to Committee. She noted that she did offer an amendment to zero out the trash fee because she believes that trash collection is a basic service included in the property tax. Councilmember Pine noted that employees who provide bulky item pick up in her district have expressed their frustration that the system is not working and that they would support any reforms to the system.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-143).

Committee Report 111 and Bill 13 were referred back to the Committee on Budget.

AYES:           ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
                    PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:           None.

Related communications:

M-164           Early testimony on Bill 13, CD1

M-185           Additional testimony on Bill 13, CD1

At this juncture, Chair Kobayashi left the chambers and Vice Chair Menor assumed the role of Presiding Officer.

**PUBLIC HEARING/SECOND READING**  
**BILL 15, CD1 – COMMITTEE REPORT 112**

A BILL RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION  
OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020.

Councilmember Manahan moved that Committee Report 112 be adopted and Bill 15 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Barbra Armentrout (General comment)
3. Choon James (General comment)
4. Andrew Robbins, Executive Director, Honolulu Authority for Rapid Transportation (HART) (General comment)

Councilmember Tsuneyoshi stated that there was a lot of discussion regarding Public-Private Partnership (P3) in the Budget Committee. She noted that she shares the concerns of testifiers and restated Mr. Pakele's sentiments that "failing to plan is planning to fail." She expressed her concern for the operation and maintenance component of P3 and the financial impacts to the City. Councilmember Tsuneyoshi stated she will vote no on all the HART budget bills. She pointed out that there will be a lot of discussion about what HART and the Department of Transportation Services will be doing as the City moves into these joint ventures and the Council should have information on position counts and that she will propose proviso language regarding expenditure of funds for contracts.

Councilmember Formby noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-116).

Committee Report 112 was adopted and Bill 15, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE – 7.  
NOES: TSUNEYOSHI – 1.  
ABSENT: KOBAYASHI – 1.

Related communication:

M-186 Additional testimony on Bill 15, CD1

## **RECESS/RECONVENE**

At 1:41 p.m., Vice-Chair Menor called for a short recess and returned to his seat. Chair Kobayashi returned and assumed her role as Presiding Officer and reconvened the meeting at 1:42 p.m.

## **PUBLIC HEARING/SECOND READING** **BILL 16, CD1 – COMMITTEE REPORT 113**

A BILL RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION  
CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2019 TO JUNE 30, 2020.

Councilmember Manahan moved that Committee Report 113 be adopted and Bill 16 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Andrew Robbins, Executive Director, Honolulu Authority for Rapid Transportation (General comment)

(Note: See Bill 15 for Councilmember Tsuneyoshi's comments)

Councilmember Formby noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-116).

Committee Report 113 was adopted and Bill 16, CD1 passed second reading, as amended.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA\*, MANAHAN, MENOR,  
              PINE, KOBAYASHI\* – 8.  
NOES:       TSUNEYOSHI – 1.

\*Councilmembers Fukunaga and Kobayashi voted aye with reservations.

**PUBLIC HEARING/SECOND READING**  
**BILL 17 – COMMITTEE REPORT 114**

A BILL AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY AND COUNTY OF HONOLULU IN A MAXIMUM PRINCIPAL AMOUNT EQUAL TO THE AGGREGATE OF THE AMOUNTS APPROPRIATED FOR THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET PROJECTS IN THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET AND PROGRAM ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2020, AND SPECIFIED IN SAID ORDINANCE TO BE FINANCED FROM THE PROCEEDS OF THE SALE OF SUCH BONDS AND TO BE EXPENDED FROM THE TRANSIT IMPROVEMENT BOND FUND.

Councilmember Manahan moved that Committee Report 114 be adopted and Bill 17 pass second reading. Seconded by Councilmember Pine.

There was no public testimony.

Councilmember Formby noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-116).

Committee Report 114 was adopted and Bill 17 passed second reading.

AYES:        ANDERSON, ELEFANTE, FORMBY, FUKUNAGA\*, MANAHAN, MENOR,  
                 PINE, KOBAYASHI\* – 8.  
NOES:        TSUNEYOSHI – 1.

\*Councilmembers Fukunaga and Kobayashi voted aye with reservations.

**PUBLIC HEARING/SECOND READING**  
**BILL 8, CD1 – COMMITTEE REPORT 70**

A BILL FOR AN ORDINANCE RELATING TO PARADES AND ACTIVITIES ON STREETS.

Councilmember Elefante moved that Committee Report 70 be adopted and Bill 8 pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individuals testified:

1. Jim Fulton, Waikiki Improvement District (Support)
2. Linda Wong Diamond Head, Kapahulu, St. Louis Heights Neighborhood Board (D-270) (Support)
3. Dave Moskowitz (M-165) (Support)
4. Barbra Armentrout (General comment)
5. Rick Egged, Waikiki Improvement Association (M-165) (Support)

Councilmember Formby thanked Councilmember Elefante for his support and leadership on the measure. He noted that the community is very active and that the measure is a work in progress. Councilmember Formby asked councilmembers to support the measure.

Committee Report 70 was adopted and Bill 8, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR, PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

Related communications:

D-270 Diamond Head, Kapahulu, St. Louis Heights Neighborhood Board  
M-165 Early testimony on Bill 8, CD1

## **RECESS/RECONVENE**

At 1:54 p.m., the Chair called for a recess as noted on the agenda. With 6 members present (Excused: Anderson, Menor, Pine – 3), the Chair reconvened the meeting at 2:36 p.m.

## **RECESS/RECONVENE**

At 2:37 p.m., the Chair called for a short recess and reconvened the meeting at 2:39 p.m.

At this juncture, there being no objections from the 9 members present, the Chair moved to Bill 73 (2018), CD1 on page 12 of the agenda.



### **THIRD READING**

#### **BILL 73 (2018), CD1 – COMMITTEE REPORT 84**

A BILL FOR AN ORDINANCE RELATING TO PARKING METERS AT PUBLIC PARKS.

Councilmember Manahan moved that Committee Report 84 be adopted and Bill 73 (2018) pass third reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

1. Jackie Graessle (General comment)
2. Choon James (General comment)
3. Linda Wong (General comment)
4. Charlene Silva (General comment)
5. Noela S. von Wiegandt (Oppose)
6. Barbra Armentrout (General comment)

Councilmember Manahan clarified that the Bill amends the hourly rate of the parking meters at the Honolulu Zoo parking lot from \$1 to \$1.50 per hour, and institutes a \$1.50 per hour charge and a 3-hour time limit for parking meters at Kamamalu Neighborhood Park and Aala Park.

Councilmember Anderson stated that Biki does not pay for the on-street parking that they utilize. He did inquire with the Administration but was told that a recent contract renewal had to be discussed prior to Council implementing fees for Biki's use of public places under City jurisdiction. Councilmember Anderson explained that Biki utilizes public space at the expense of the public and should pay for the space. He noted that when parking fees are nominal near attractions such as the Honolulu Zoo, others monopolize the parking and the general public is not able to utilize the spaces and the reason for the meters and time limits is to discourage the monopolizing of City street parking at the expense of the public who actually pay to maintain the streets. Councilmember Anderson stated that for those reasons he will support the measure.

Committee Report 84 was adopted and Bill 73 (2018), CD1 passed third reading, as amended.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

The Chair returned to the agenda order.

**PUBLIC HEARING/SECOND READING**  
**BILL 85 (2018), CD1 – COMMITTEE REPORT 68**

A BILL FOR AN ORDINANCE RELATING TO VACATION RENTALS.

Councilmember Anderson moved that Committee Report 68 be adopted and Bill 85 (2018) pass second reading, as amended to CD1. Seconded by Councilmember Tsuneyoshi.

The following individuals testified on Bill 85 (2018), CD1 and Bill 89 (2018), CD1:

1. Stuart Simmons (M-166, Support Bill 85), (M-173, Oppose Bill 89)
2. Lisa Marten, Lanikai Association (M-166) (Support Bill 85, Oppose Bill 89)
3. Lisa Marten (M-166) (Support Bill 85, Oppose Bill 89)
4. Helena von Sydow (M-166, Oppose Bill 85) (M-173, Oppose Bill 89)
5. Tina Tolentino (Support Bill 85)
6. Wendy Perez (Support Bill 85)
7. Evelyn Peralta (Support Bill 85)
8. Chester Corpuz (Support Bill 85)
9. Victor Geminiani, Hawaii Appleseed Center for Law and Economic Justice (M-166, Support Bill 85) (M-173, Support Bill 89)
10. Judy Bishop (M-166, Support Bill 85) (M-173, Oppose Bill 89)
11. Denise Boisvert (M-166, Support Bill 85) (M-173, Support Bill 89)
12. Vern Hinsvark (M-188, Support Bill 85) (M-189, Oppose Bill 89)
13. Neil Frazer, Frazer-Frantz Family Hui (M-188, Support Bill 85) (M-189, Oppose Bill 89)
14. Ursula Retherford (M-188, Support Bill 85) (M-189, Oppose Bill 89)
15. Robert Retherford (M-188, Support Bill 85) (Oppose Bill 89)
16. Steve Chu (M-188, Oppose Bill 85) (M-189, Oppose Bill 89)
17. Mufi Hannemann, Hawaii Lodging & Tourism Association (Support Bill 85) (M-189, Support Bill 89)

In response to Councilmember Anderson, Mr. Hannemann stated that:

- Whichever measure is passed, the Department of Planning and Permitting will have to be prepared to carry out the enforcement.
- If the measure moves on, the Council will be sending a message to the State Legislature that this is the time to move something forward.

18. Cedar Kehoe (M-173) (Comment)
19. Peggy Taylor (Oppose Bill 89)
20. Carol J. Elias (Oppose Bill 89)
21. Scott Brazwell (M-173) (Oppose Bill 89)
22. Hector Euredjian (Oppose Bills 85 and 89)
23. Jim DiCarlo (Oppose Bill 89)
24. Douglas Chang, Marriott International (Support Bill 89)
25. Richard A. Lowther (M-173) (Oppose Bill 89)
26. Paula Ress (M-173) (Support Bill 85, Oppose Bill 89)
27. Mark Schmalz (M-173) (Oppose Bill 89)
28. Will Page (Oppose Bill 85, Support Bill 89)
29. Megan Arita (M-173) (Oppose Bill 89)
30. Mollie Foti (Support Bill 85, Oppose Bill 89)
31. Ainslie Ports (Oppose Bills 85 and 89)

At this juncture, Chair Kobayashi left the chambers and Vice-Chair Menor assumed the role of Presiding Officer.

32. Geoffrey Chang (Support Bills 85 and 89)
33. Jim Fulton, Waikiki Improvement Association (M-173, Support Bill 89)
34. Mary Lavoie-Olson, Elite Pacific Properties (Oppose Bill 89)
35. Jenny Kono (M-189, Oppose Bill 89)
36. Ann Otteman (M-189, Oppose Bill 89)
37. James Kohara (M-189, Oppose Bill 89)
38. Stephanie Fitzpatrick (M-189, Oppose Bill 89)

At this juncture, Chair Kobayashi returned and assumed her duties as Presiding Officer and Vice-Chair Menor returned to his seat.

39. Theresa Harden (M-189 Oppose Bill 89)
40. Chelsey Larson, Elite Pacific Properties (M-189, Oppose Bill 89)
41. Joclyn "Jackie" Graessle (General comment Bill 89)
42. Kristin Counter (General comment Bill 89)
43. Christine Otto Zaa (Support Bill 85)
44. Chuck Prentiss (Support Bill 85, Oppose Bill 89)
45. Noela S. von Wiegandt (Support Bill 85, Oppose Bill 89)
46. John Rapp (General comment Bill 89)

47. Terry Lodge (General comment Bills 85 and 89)
48. Cleo McKeage (Support Bill 85)
49. Charlene Silva (General comment Bills 85 and 89)
50. Gov. Neil Abercrombie (General comment Bills 85 and 89)
51. Andrea Anxit (Support Bill 85, Oppose Bill 89)
52. Choon James (General comment Bills 85 and 89)

Councilmember Elefante thanked Councilmember Manahan and Council Chair Emeritus Menor for introducing Bill 85. He noted his concern that the measure has unintended consequences, issues with implementation, and could create a potential backlog in the courts. He also noted that there should be a separate tax classification. Councilmember Elefante stated he will support both measures.

Councilmember Menor stated his strong support of Bill 85, CD1. He noted that he and Councilmember Manahan introduced this measure because they believe that the key to addressing the problem of the proliferation of short-term rentals is strong and effective enforcement. Councilmember Menor stated that he would like the measure to be kept alive for more discussion in the Planning Committee. He noted that Bill 89 does not include the strong enforcement provisions that are contained in Bill 85.

Councilmember Anderson thanked Councilmembers Manahan and Menor for introducing Bill 85. As the Chair of the Planning Committee he asked that both measures move forward for more discussion in the Planning Committee. Councilmember Anderson stated that Bill 89 is both an enforcement bill as well as an owner-occupied short-term rental permitting bill that allows for a limited number of owner-occupied units.

Councilmember Formby thanked all that came to testify because he found it very helpful. He is in support of moving both measures out for more discussion in the Planning Committee.

Councilmember Pine stated her support in moving both measures out on second reading. She noted that she believes that the Council can come together to blend many of the ideas from an intellectual point of view.

Councilmember Tsuneyoshi stated that this is a very sensitive issue in her district. She thanked everyone that testified and her fellow councilmembers. Councilmember Tsuneyoshi encouraged all to stay vigilante as the decisions being made will affect future generations and the housing supply.

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office [CC-337(18), CC-130].

Committee Report 68 was adopted and Bill 85 (2018), CD1 passed second reading, as amended.

AYES:       ANDERSON, ELEFANTE\*, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:       None.

\*Councilmember Elefante voted aye with reservations.

Related communications:

D-257       Kailua Neighborhood Board No. 31  
D-261       Department of Planning and Permitting  
M-166       Early testimony on Bill 85 (2018), CD1  
M-188       Additional testimony on Bill 85 (2018), CD1

**PUBLIC HEARING/SECOND READING**  
**BILL 89 (2018), CD1 – COMMITTEE REPORT 69**

A BILL FOR AN ORDINANCE RELATING TO SHORT-TERM RENTALS.

Councilmember Anderson moved that Committee Report 69 be adopted and Bill 89 (2018) pass second reading, as amended to CD1. Seconded by Councilmember Tsuneyoshi.

[Note: See Bill 85 (2018), CD1 for list of testifiers.]

[Note: See Bill 85 (2018), CD1 for councilmembers comments.]

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-129).

Committee Report 69 was adopted and Bill 89 (2018), CD1 passed second reading, as amended.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:       None.

Related communications:

D-259            Kailua Neighborhood Board No. 31  
M-173            Early testimony on Bill 89 (2018), CD1  
M-189            Additional testimony on Bill 89 (2018), CD1

**PUBLIC HEARING/SECOND READING**  
**BILL 6 – COMMITTEE REPORT 96**

A BILL FOR AN ORDINANCE RELATING TO DEVELOPMENT OF LOW-RISE MULTIFAMILY DWELLINGS.

Councilmember Pine moved that Committee Report 96 be adopted and Bill 6 pass second reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Bryan Mick, Disability and Communication Access Board (General comment)

Councilmember Pine thanked members for allowing the Bill to be heard today. She noted that it is easier to build apartments in residential zones than apartments in apartment zones and that something is seriously wrong with the Building Code. Councilmember Pine stated that one thing that will be added is to give some benefits to the developer that rents at low rates and to make sure that vacation rentals will not allow apartment projects. She urged councilmembers to support the measure.

In response to councilmembers, Assistant Chief Bratakos stated that:

- A 36-inch width is the absolute minimum for any kind of stairway in buildings without an elevator and with only one stand pipe for fire operations under the Building Code. The Fire Department recommends that stairwell width be at least 48 inches for the purpose of conducting fire fighting operations and for rescuing patients. The Fire Department wants to educate everyone that the dimensions are for safety reasons.
- Under the current Fire and Building Code standards, elevators may be used as an accessible means of egress under certain conditions.

Committee Report 96 was adopted and Bill 6 passed second reading.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

Related communications:

D-260 Department of Planning and Permitting

M-167 Early testimony on Bill 6

M-190 Additional testimony on Bill 6

**PUBLIC HEARING/SECOND READING**

**BILL 7, CD1 – COMMITTEE REPORT 97**

A BILL FOR AN ORDINANCE RELATING TO AFFORDABLE RENTAL HOUSING.

Councilmember Pine moved that Committee Report 97 be adopted and Bill 7 pass second reading, as amended to CD1. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Bryan Mick, Disability and Communication Access Board (General comment)
2. Mel Kaneshige (Support)

Committee Report 97 was adopted and Bill 7, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

Related communications:

M-168 Early testimony on Bill 7, CD1

M-191 Additional testimony on Bill 7, CD1

**THIRD READING**

**BILL 79 (2018), CD2, FD1 – COMMITTEE REPORT 94**

**A BILL FOR AN ORDINANCE RELATING TO DETACHED DWELLINGS.**

The following amendments posted on the agenda were not considered:

Bill 79 (2018), CD2, Proposed FD1 (OCS2019-0368/4/10/2019 839 AM)

Bill 79 (2018), CD2, Proposed FD1 (OCS2019-0376/4/11/2019 8:42 AM)

The following amendments were handcarried to the meeting:

Bill 79 (2018), CD2, Proposed FD1 (OCS2019-0385/4/15/2019 3:18 PM)

Bill 79 (2018), CD2, Proposed FD1 (OCS2019-0394/4/17/2019 9:33 AM)

Councilmember Pine moved that Committee Report 94 be adopted and Bill 79 (2018), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Fukunaga.

Councilmember Pine moved that the Bill be amended to her handcarried FD1 (OCS2019-0394/4/17/2019 9:33 AM). The FD1 makes the following amendments:

- A. In Section 21-3.70-1(c)(3), provides an exception from the development standards applicable to zoning lots with one-family or two-family detached dwellings or duplexes for cluster housing and planned development housing developed pursuant to Section 21-8.50.
- B. In Section 21-3.70-1(c)(3)(B), clarifies that the maximum number of wet bars on one zoning lot is the aggregate of the number of wet bars in each dwelling unit on the zoning lot.
- C. In Section 21-3.70-1(c)(3)(D), clarifies that the maximum number of bathrooms on one zoning lot is the aggregate of the number of bathrooms in each dwelling unit on the zoning lot.
- D. In Section 21-3.70-1(c)(3)(G), provides that the impervious surface requirements apply to one-family or two-family detached dwellings or duplexes constructed pursuant to building permits applied for after the effective date of this ordinance.



- E. Adds a new SECTION 4 of the bill, which amends Section 21-6.40(c) to provide that for one-family or two-family detached dwellings or duplexes, if three or more off-street parking spaces are required, tandem parking is limited to a configuration where if stacked parking does exist that only one car needs to be moved to allow the car that is blocked to exit the property. Renumbers subsequent SECTIONS.
- F. In renumbered SECTION 5 of the bill:
  - 1. Clarifies the definition of "bathroom";
  - 2. Revises the definition of "impervious surface" to be the same as defined in the City's water quality rules; and
  - 3. Adds a definition of "tandem parking."
- G. Makes miscellaneous technical and nonsubstantive amendments.

Councilmember Tsuneyoshi moved that the Bill be amended to her handcarried FD1 (OCS2019-0385/4/15/2019 3:18 PM). Seconded by Councilmember Anderson. The FD1 makes the following amendments:

- A. In Section 21-3.70-1(c)(3), provides an exception from the development standards applicable to zoning lots with one-family or two-family detached dwellings or duplexes for cluster housing and planned development housing developed pursuant to Section 21-8.50.
- B. In Section 21-3.70-1 (c)(3)(B), clarifies that the maximum number of wet bars on one zoning lot is the aggregate of the number of wet bars in each dwelling unit on the zoning lot.
- C. In Section 21-3.70-1 (c)(3)(D), clarifies that the maximum number of bathrooms on one zoning lot is the aggregate of the number of bathrooms in each dwelling unit on the zoning lot.
- D. Deletes Section 21-3.70-1(c)(3)(G), relating to impervious surface requirements. Realphabetizes the subsequent paragraph.
- E. Adds a new SECTION 4 of the bill, which amends Section 21-6.40(c) to provide that for one-family or two-family detached dwellings or duplexes, if three or more off-street parking spaces are required, tandem parking is limited to a configuration of two stacked parking spaces. Renumbers subsequent SECTIONS.

F. In renumbered SECTION 5 of the bill, which amends Section 21-1 0.1:

1. Clarifies the definition of 'bathroom';
2. Deletes the proposed new definition of "impervious surface."
3. Adds a definition of "tandem parking."

G. Makes miscellaneous technical and nonsubstantive amendments.

Councilmember Tsuneyoshi explained that her proposed amendment removes the impervious surface section of the measure. She stated that based on the fact that the DPP said they are not against the impervious surface requirement she did not want to add another layer of complication to the DPP's permitting process since this is already being handled with the storm water and Board of Water Supply.

The following individuals testified:

1. Dale Moana Gilmartin (M-169) (Support)
2. Linda Legrande (M-169) (Support)
3. Tyler Dos Dantos-Tam, HI Good Neighbor (M-192) (Support Councilmember Pine's FD1)
4. Gladys Marrone, Building Industry Association-Hawaii (M-192) (Support)
5. Jeremy Lam, Manoa Branch of the Outdoor Circle (M-192) (Support)
6. Gov. Neil Abercrombie (General comment)
7. Thalia DeMott (Support)
8. Christine Otto-Zaa (Support Councilmember Pine's FD1)
9. Sarah Chinen (General comment)
10. Keith Kurahashi, R.M. Towill (General comment)
11. Vanessa Distajo (Support Councilmember Pine's FD1)
12. Choon James (General comment)
13. Kathy Sokugawa, Acting Director, Department of Planning and Permitting (DPP) (General comment)

In response to councilmembers, Acting Director Sokugawa stated that:

- The Department does not object to an impervious surface coverage standard but does not think the bill or zoning should cover the matter because storm water quality rules already cover it.

- Presently there are landscaping requirements in special districts.
- The floor draft that Councilmember Tsuneyoshi is proposing will require additional DPP review.
- Under the storm water quality rule, a qualified individual must draw the plan.

### **RECESS/RECONVENE**

At 7:15 p.m., the Chair called for a short recess and reconvened the meeting at 7:16 p.m.

In response to Councilmember Anderson, Acting Director Sokugawa stated that:

- If there is a new regulation being introduced, there will be a two-step compliance. For example, first it will be put on the drawing and then in the field the inspector looks to see if it was built as drawn. Another way would be the drawings could be loosely described, putting more discretionary responsibility on the inspector which would take more time.
- Initially, inspections would take longer until administrative direction as to how to interpret special, unique cases is understood.
- The DPP does not have the history from a building permit and inspection standpoint. Staff has more training with storm water quality regulations.
- If a different amendment needs to be made to the measure, another suggestion would be to come up with a new bill or decide which program might be better suited to address the concerns.

The following individual testified:

Gov. Neil Abercrombie (General comment)

Councilmember Pine spoke in opposition to Councilmember Tsuneyoshi's proposed FD1. She thanked Councilmember Tsuneyoshi as she represents people that build homes and have concerns. Councilmember Pine explained that there have been six separate public meetings discussing impervious surface requirements before the present bill was introduced. She noted that in negotiations with various stakeholders and the DPP, 95 percent of everyone's concern has been negotiated and agreed upon. She commented that she did not understand the impervious surface issue until she visited neighborhoods and saw that they have completely changed forever. Councilmember Pine thanked the Building Industry Association and the over 200 individuals that were represented in the discussion.

Councilmember Elefante expressed his appreciation to the Zoning and Housing Chair's comments relating to impervious surfaces. He stated he will vote no on Councilmember Tsuneyoshi's proposed FD1 but appreciates her amendment and the discussion with the Acting Director Sokugawa. Councilmember Elefante noted that he felt that having the component in the bill is important especially after hearing from the testifiers. He voiced his support for Councilmember Pine's proposed FD1.

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-146, CC-147).

The Chair announced that the motion on the floor is to amend to the handcarried FD1 (OCS2019-0385/4/15/2019 3:18 PM).

Bill 79 (2018), CD2, failed to be amended to FD1 (OCS2019-0385/4/15/2019 3:18 PM) due to lack of a majority vote.

AYES: TSUNEYOSHI – 1.  
NOES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, KOBAYASHI – 8.

The Chair stated that the motion now on the floor is to amend to the handcarried FD1 (OCS2019-0394/4/17/2019 9:33 AM).

Bill 79 (2018), CD2 was amended to FD1 (OCS2019-0394/4/17/2019 9:33 AM).

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

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

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

Committee Report 94 was adopted and Bill 79 (2018), CD2, FD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI\*, KOBAYASHI – 9.

NOES: None.

\*Councilmember Tsuneyoshi voted aye with reservations.

Related communications:

M-169 Early testimony on Bill 79 (2018), CD2

M-192 Additional testimony on Bill 79 (2018), CD2

### **THIRD READING**

#### **BILL 94 (2018), CD2 – COMMITTEE REPORT 95**

A BILL FOR AN ORDINANCE TO AMEND PORTIONS (14.85 ACRES) OF THE STATE LAND USE DISTRICT BOUNDARY MAP (KAHUKU QUADRANGLE) FROM THE AGRICULTURAL DISTRICT TO THE URBAN DISTRICT AND A PORTION (0.03 ACRES) FROM THE URBAN DISTRICT TO THE AGRICULTURAL DISTRICT FOR CERTAIN LANDS SITUATED AT BRINGHAM YOUNG UNIVERSITY – HAWAII, LAIE, OAHU, HAWAII.

Councilmember Pine moved that Committee Report 95 be adopted and Bill 94 (2018), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Fukunaga.

The following individual testified:

Jim Niermann, R.M. Towill (General comment)

Committee Report 95 was adopted and Bill 94 (2018), CD2 passed third reading, as amended.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              TSUNEYOSHI, KOBAYASHI – 8.

NOES:       None.

ABSENT:     PINE – 1.

(Note: Earlier in the meeting, Committee Report 84 was adopted and Bill 73 (2018), CD1 passed third reading. See page 17.)

### **THIRD READING**

#### **BILL 3 – COMMITTEE REPORT 106**

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX EXEMPTIONS.

Councilmember Manahan moved that Committee Report 106 be adopted and Bill 3 pass third reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1.     Banner Fanene (Support)
2.     Choon James (General comment)

In response to Councilmember Anderson, Ms. James stated that there are many ways to cut costs to help and protect residents.

Councilmember Tsuneyoshi thanked Budget Chair Manahan for hearing the Bill and to all councilmembers for their support on the measure. She explained that she discussed the idea of a cap with the Department of Budget and Fiscal Services and she learned what the implications would be. Councilmember Tsuneyoshi stated that the measure is a step in the right direction for property owners and to improve the quality of life for residents.

Councilmember Pine voiced her strong support of the measure. She congratulated Councilmember Tsuneyoshi for working hard on the Bill and fighting for local citizens to be able to stay in Hawaii.

Councilmember Anderson stated that he supports the measure based on the Budget Chair's decision to recommit the real property tax resolution to the Budget Committee. He noted that he looks forward to more discussion in Committee.

Councilmember Manahan spoke in support of the measure. He commended Councilmember Tsuneyoshi for introducing the bill but would have liked to consider some exemptions that should be taken off the books. Councilmember Manahan explained that the measure was fast-tracked and should have gone along with the budget bills to be able to understand what impact the measure would have on the budget.

Councilmember Formby voiced his appreciation to Councilmember Tsuneyoshi. He noted that in Committee, the Department of Budget and Fiscal Services provided additional real property information and statistics which helped in making his decision to support the measure.

Committee Report 106 was adopted and Bill 3 passed third reading.

AYES:         ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN\*, MENOR\*,  
                  PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:         None.

\*Councilmembers Manahan and Menor voted aye with reservations.

Related communications:

M-170         Early testimony on Bill 3  
M-193         Additional testimony on Bill 3

At this juncture, there being no objections from the 9 members present, the Chair moved to Bill 96 on page 25.

### **THIRD READING**

BILL 96 (2018), CD1, FD1 – COMMITTEE REPORT 116

A BILL FOR AN ORDINANCE RELATING TO FIRE SAFETY.

The following amendment was handcarried to the meeting:

Bill 96 (2018), CD1, Proposed FD1 (OCS2019-0406/4/17/2019 3:03 PM)

Councilmember Fukunaga moved that Committee Report 116 be adopted and Bill 96 (2018), CD1, pass third reading, as amended. Seconded by Councilmember Manahan.

Councilmember Fukunaga moved that the Bill be amended to the handcarried FD1. Seconded by Councilmember Manahan. The FD1 makes the following amendments:

- A. Revises SECTION 4 to clarify that the "Egress Routes – Compliant Stairwell Reentry" is assigned the value of "3" for this category.
- B. Revises the reporting requirement under SECTION 7 to include reports every six months for all categories within the first two years following enactment of the ordinance, and annually thereafter, and to read as follows:

SECTION 7. The AHJ shall provide a report to the Council every six months for the first two years following the effective date of this ordinance. The report shall include the following: (a) information on the six categories listed in Section 4: Mobility Status, Vertical Openings, Standpipe System – Class 1 Standpipe, Elevators – Emergency Power, Egress Routes – Compliant Stairwell Reentry, and Table 8; (b) a list of any buildings that are being added to the attachment marked Exhibit B, and the criteria for the addition of the buildings; (c) a list of any buildings that are being removed from the attachment marked Exhibit B, and the criteria for the removal of the buildings; (d) the number of appeals from AHJ determinations that the level of fire safety for a building is unacceptable; (e) the number of buildings that are in compliance with Ordinance 18-14; (f) the number of buildings that are in the process of achieving compliance with the ordinance and the status of the buildings' progress; (g) any issues or concerns that have arisen relating to the implementation of Ordinance 18-14; (h) a list of buildings that have provided the AHJ with their building fire emergency plan that includes a listing and contact information of their frail and vulnerable residents who may require evacuation assistance in an emergency; and (i) any suggested amendments or changes to Ordinance 18-14 or to the building fire and life safety evaluation form. Thereafter, the AHJ shall provide an annual report not less than 20 days from the end of the fiscal year on the progress of the implementation of Ordinance 18-14, which shall include the information listed above."

- C. Adds an updated Exhibit A.
- D. Adds an updated Exhibit B.



- E. Makes miscellaneous technical and nonsubstantive amendments, including amendments to correct grammatical and typographical errors, improve clarity, and conform the bill to recommended drafting style.

The following individuals testified:

1. Assistant Chief Socrates Bratakos, Honolulu Fire Department (Support)
2. Jane Sugimura (Support)

Councilmember Fukunaga shared graphics explaining that the legislation that was passed last year was based on the understanding that there were 361 un-sprinklered buildings in the Honolulu area and of those, 153 buildings are 10 stories and over with interior hallways which would have been the subject of the mandatory sprinkler retrofit requirement. The current measure would require only 155 un-sprinklered buildings with interior hallways to fall under the mandatory requirement. If they decide to install automatic sprinklers before the safety evaluation then they would not need to go through the process and could save some money which could be applied to the sprinkler retrofits. Councilmember Fukunaga encouraged councilmembers to support the amendment.

Councilmember Pine voiced her strong support for the measure and congratulated Councilmember Fukunaga. She stated that this was a complicated situation and commended the Fire Department for compromising and understanding how the measure would affect people living in affordable housing. Councilmember Pine also thanked the stakeholders that worked very hard on the measure and reiterated her strong support for the measure.

Councilmember Fukunaga noted for the record that she filed a Disclosure of Interest with the City Clerk's Office (CC-142).

Bill 96 (2018), CD1, FD1 was amended to the handcarried FD1 (OCS2019-0406/4/17/2019 3:03 PM).

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR, PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

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

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR, PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

Committee Report 116 was adopted and Bill 96 (2018), CD1, FD1 passed third reading.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:       None.

Related communications:

CC-137       Councilmember Carol Fukunaga

CC-149       Councilmember Carol Fukunaga

M-175       Early testimony on Bill 96

The Chair returned to the agenda order.

**FIRST READING**

**RESOLUTION 19-56**

(Executive Matters and Legal Affairs)

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION) RELATING TO THE CREATION OF A PEDESTRIAN SAFETY COMMISSION.

Councilmember Menor moved that Resolution 19-56 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Bryan Mick, Disability and Communication Access Board (M-176) (Support)

Resolution 19-56 passed first reading.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:       None.

**FIRST READING**

**BILL 18**

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO PEDESTRIAN SAFETY.

Councilmember Menor moved that Bill 18 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Bryan Mick, Disability and Communication Access Board (M-177) (Support)

Bill 18 passed first reading.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**FIRST READING**

**BILL 19**

(Budget)

A BILL FOR AN ORDINANCE RELATING TO CAR-SHARING.

Councilmember Menor moved that Bill 19 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 19 passed first reading.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**FIRST READING**

**BILL 20**

(Zoning and Housing)

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

Councilmember Menor moved that Bill 20 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 20 passed first reading.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:       None.

**FIRST READING**

**BILL 21**

(Executive Matters and Legal Affairs)

A BILL FOR AN ORDINANCE ESTABLISHING A CITY DOMESTIC VIOLENCE PROGRAM.

Councilmember Menor moved that Bill 21 pass first reading.   Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 21 passed first reading.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:       None.

**ADOPTION**

**RESOLUTION 18-152, CD1 – COMMITTEE REPORT 71**

RESOLUTION URGING THE CITY ADMINISTRATION, THROUGH THE DEPARTMENT OF TRANSPORTATION SERVICES AND THE HONOLULU POLICE DEPARTMENT, TO IMPLEMENT A TRANSPORTATION SAFETY EDUCATION OUTREACH PROGRAM AND MEDIA CAMPAIGN ADDRESSING ISSUES AND CONFLICTS AMONG MOTORISTS, BICYCLISTS, PEDESTRIANS, MOPED OPERATORS, AND USERS OF GROWING MOBILITY MARKETPLACE OPTIONS, SUCH AS SCOOTERS AND ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES, AND PROVIDE POLICY RECOMMENDATIONS.

Councilmember Elefante moved that Committee Report 71 and Resolution 18-152 be adopted, as amended to CD1. Seconded by Councilmember Menor.

The following individual testified:

Bryan Mick, Disability and Communication Access Board (M-179) (Support)

Committee Report 71 and Resolution 18-152, CD1, as amended were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
TSUNEYOSHI, KOBAYASHI – 8.

NOES: None.

ABSENT: PINE – 1.

#### **ADOPTION**

##### **RESOLUTION 19-62, CD1 – COMMITTEE REPORT 72**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE GANNENMONO COMMITTEE.

Councilmember Tsuneyoshi moved that Committee Report 72 and Resolution 19-62 be adopted, as amended to CD1. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 72 and Resolution 19-62, CD1, as amended were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

#### **ADOPTION**

##### **RESOLUTION 19-63, CD1 – COMMITTEE REPORT 73**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM LYNN WAKATSUKI AND LEI TAKAHASHI.

Councilmember Tsuneyoshi moved that Committee Report 73 and Resolution 19-63 be adopted, as amended to CD1. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 73 and Resolution 19-63, CD1, as amended were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 19-64, CD1 – COMMITTEE REPORT 74**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HONOLULU MARATHON ASSOCIATION.

Councilmember Tsuneyoshi moved that Committee Report 74 and Resolution 19-64 be adopted, as amended to CD1. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 74 and Resolution 19-64, CD1, as amended were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 19-81 – COMMITTEE REPORT 79**

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1900014 TO CONTINUE THE SERVICES OF THE LAW OFFICE OF CARY T. TANAKA, AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF DEFENDANT KATHERINE KEALOHA IN A LEGAL ACTION ENTITLED TRACY T. YOSHIMURA ET AL. V. KEITH M. KANESHIRO ET AL., CIVIL NO. 18-00038-LEK-RLP (USDC).

Councilmember Menor moved that Committee Report 79 and Resolution 19-81 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 79 and Resolution 19-81 were adopted.

AYES: ANDERSON\*, ELEFANTE, FORMBY\*, FUKUNAGA, MANAHAN, MENOR, PINE\*, TSUNEYOSHI\*, KOBAYASHI – 9.

NOES: None.

\*Councilmembers Anderson, Formby, Pine, and Tsuneyoshi voted aye with reservations.

#### **ADOPTION**

##### **RESOLUTION 18-283 – COMMITTEE REPORT 82**

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO CONSIDER USING CARBON DIOXIDE MINERALIZATION CONCRETE FOR ALL FUTURE CITY INFRASTRUCTURE PROJECTS UTILIZING CONCRETE.

Councilmember Fukunaga moved that Committee Report 82 and Resolution 18-283 be adopted. Seconded by Councilmember Manahan.

The following individuals testified:

1. Aki Marceau (M-171) (Support)
2. Christie Gamble, CarbonCure Technologies (M-171) (Support)

Committee Report 82 and Resolution 18-283 were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR, PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

Related communication:

M-171 Early testimony on Resolution 18-283

**ADOPTION**

**RESOLUTION 19-49, CD1 – COMMITTEE REPORT 83**

RESOLUTION URGING THE CITY ADMINISTRATION TO PROVIDE A REPAIR AND MITIGATION PLAN FOR THE INFRASTRUCTURE ISSUES OCCURRING IN PALOLO VALLEY ALONG WAIOMAO ROAD, KUAHEA STREET, AND KUAHEA PLACE.

Councilmember Fukunaga moved that Committee Report 83 and Resolution 19-49 be adopted, as amended to CD1. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 83 and Resolution 19-49, CD1, as amended were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

Related communication:

M-172 Early testimony on Resolution 19-49, CD1

**ADOPTION**

**RESOLUTION 19-59, CD1 – COMMITTEE REPORT 86**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE PACIFIC BIRD CONSERVATION FOR TRAVEL-RELATED EXPENSES TO PARTICIPATE IN THE MARIANA AVIFAUNA CONSERVATION (MAC) PROJECT IN SAIPAN FROM APRIL 20 TO MAY 4, 2019.

Councilmember Manahan moved that Committee Report 86 and Resolution 19-59 be adopted, as amended to CD1. Seconded by Councilmember Fukunaga.

There was no public testimony.



Committee Report 86 and Resolution 19-59, CD1, as amended were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 19-60, CD1 – COMMITTEE REPORT 87**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HONOLULU ZOOLOGICAL SOCIETY.

Councilmember Manahan moved that Committee Report 87 and Resolution 19-60 be adopted, as amended to CD1. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 87 and Resolution 19-60, CD1, as amended were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 19-71 – COMMITTEE REPORT 91**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE ASSOCIATION OF LOCAL GOVERNMENT AUDITORS.

Councilmember Manahan moved that Committee Report 91 and Resolution 19-71 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 91 and Resolution 19-71 were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 19-34, CD1 – COMMITTEE REPORT 85**

RESOLUTION APPROVING THE CITY AND COUNTY OF HONOLULU'S TWENTY-FIFTH YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, HOUSING TRUST FUND, EMERGENCY SOLUTIONS GRANTS AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Councilmember Manahan moved that Committee Report 85 and Resolution 19-34 be adopted, as amended to CD1. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 85 and Resolution 19-34, CD1, as amended were adopted.

AYES:        ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
                 PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:        None.

**ADOPTION**

**RESOLUTION 19-70 – COMMITTEE REPORT 90**

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S TWENTY-FOURTH (24<sup>TH</sup>) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), HOUSING TRUST FUND (HTF), EMERGENCY SOLUTIONS GRANTS (ESG) AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Councilmember Manahan moved that Committee Report 90 and Resolution 19-70 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 90 and Resolution 19-70 were adopted.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:       None.

**ADOPTION**

**RESOLUTION 19-72 – COMMITTEE REPORT 92**

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S TWENTY-SECOND (22<sup>ND</sup>) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), HOUSING TRUST FUND (HTF), EMERGENCY SOLUTIONS GRANTS (ESG) AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Councilmember Manahan moved that Committee Report 92 and Resolution 19-72 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 92 and Resolution 19-72 were adopted.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:       None.

**ADOPTION**

**RESOLUTION 19-65, CD1 – COMMITTEE REPORT 88**

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 88 and Resolution 19-65 be adopted, as amended to CD1. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 88 and Resolution 19-65, CD1, as amended were adopted.

AYES:        ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
               PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:        None.

**ADOPTION**

**RESOLUTION 19-68, FD1 – COMMITTEE REPORT 89**

RESOLUTION APPROVING THE SALE OF THE RESIDENTIAL FEE SIMPLE INTEREST OF PARCEL 35, LOCATED AT 91-1649 OLEHALA STREET, WITHIN THE HO‘AKEA SUBDIVISION, EWA, HAWAII, TMK: 9-1-047-035.

The following amendment was posted on the agenda:

Resolution 19-68, Proposed FD1

Councilmember Manahan moved that Committee Report 89 and Resolution 19-68 be adopted. Seconded by Councilmember Pine.

Councilmember Manahan moved that the Resolution be amended to FD1. Seconded by Councilmember Pine. The FD1 makes the following amendments:

- A.     Amends the title to add a reference to Parcel 35.
- B.     Amends the third WHEREAS clause to note that the homeowner of Parcel 35 was one of three homeowners who did not purchase the fee interest.
- C.     Moves the WHEREAS clause that provides specific information regarding Parcel 35 to be the fourth WHEREAS clause and adds the parcel’s address and Tax Map Key information.
- D.     Amends the fifth WHEREAS clause to note that while Parcel 35 is not surplus real property, the sale of the fee interest would be in the public’s best interest because it would reduce the City’s liability and cost of maintaining records for the leased property.

- E. Amends the seventh WHEREAS clause to note that the Director of BFS, with the concurrence of the Corporation Counsel, has recommended to the City Council the sale of the fee interest of Parcel 35, pursuant to Sections 37-1.3 and 37-1.6 of the Revised Ordinances of Honolulu.
- F. Amends the ninth WHEREAS clause and the second BE IT FURTHER RESOLVED clause to correct the name of the fund in which net proceeds from the sale will be deposited into (from the Community Development Block Grant (CDBG) fund to the Community Development Fund).
- G. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 19-68 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

Committee Report 89 and Resolution 19-68, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

## **ADOPTION**

### **RESOLUTION 19-73 – COMMITTEE REPORT 93**

RESOLUTION URGING THE CITY ADMINISTRATION TO EXPEND AT LEAST \$150,000 FROM THE FISCAL YEAR 2019 EXECUTIVE OPERATING BUDGET TO SUPPLEMENT THE FUNDING FOR THE LEEWARD COAST SUMMER FUN PROGRAM.

Councilmember Manahan moved that Committee Report 93 and Resolution 19-73 be adopted. Seconded by Councilmember Pine.

The following individual testified:

Kapua Keliikoa-Kamai (General comment)

Councilmember Pine thanked the testifier for staying to testify since 10 a.m. She stated how difficult it is for her to see \$40 million allocated for Ala Moana Beach Park when she cannot get \$150,000 to help the children on the Leeward Coast. Councilmember Pine urged councilmembers to support the measure.

Councilmember Anderson sympathized with the Leeward Coast community that hosts a landfill. He noted that in his community they had a landfill for 40 years until it reached capacity and had to close. Councilmember Anderson thanked the two community members for staying at the meeting to testify and voiced his support for the measure.

Committee Report 93 and Resolution 19-73 were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

Related communication:

M-194 Additional testimony on Resolution 19-73

## **ADOPTION**

### **RESOLUTION 19-61 – COMMITTEE REPORT 99**

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO ILILANI AFFORDABLE AND MARKET RATE CONDOMINIUM PROJECT LOCATED AT 615 KEAWE STREET AND 690 HALEKAUWILA STREET, HONOLULU, HAWAII, TAX MAP KEYS: (1)2-1-051:011 AND 012.

Councilmember Pine moved that Committee Report 99 and Resolution 19-61 be adopted. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. William Yuen (Support)
2. Ken Chang (Support)

Committee Report 99 and Resolution 19-61 were adopted.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:       None.

**ADOPTION**

**RESOLUTION 19-67, CD1 – COMMITTEE REPORT 100**

RESOLUTION APPROVING AN EXTENSION OF TIME TO OBTAIN A BUILDING PERMIT FOR THE PROPOSED PLANNED DEVELOPMENT-RESORT PROJECT CONCEPTUALLY APPROVED BY RESOLUTION 16-52, CD1, FD1.

Councilmember Pine moved that Committee Report 100 and Resolution 19-67 be adopted, as amended to CD1. Seconded by Councilmember Fukunaga.

The following individual testified:

Keith Kurahashi, R.M. Towill (General comment)

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-148).

Committee Report 100 and Resolution 19-67, CD1, as amended, were adopted.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES:       None.

**ADOPTION**

**RESOLUTION 19-76 – COMMITTEE REPORT 101**

RESOLUTION AMENDING RESOLUTION 15-89, CD1, AS AMENDED BY RESOLUTION 17-92, TO EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF THE OHANA HALE AFFORDABLE HOUSING PROJECT AT MCCULLY, OAHU, TAX MAP KEY 2-3-028: 004.

Councilmember Pine moved that Committee Report 101 and Resolution 19-76 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Christian O'Connor (Support)

Committee Report 101 and Resolution 19-76 were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 19-53 – COMMITTEE REPORT 103**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE QUEEN'S HEALTH SYSTEMS FOR THE SUPPORT OF EMERGENCY MEDICAL SERVICES OPERATIONS.

Councilmember Formby moved that Committee Report 103 and Resolution 19-53 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 103 and Resolution 19-53 were adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**ADOPTION**

**RESOLUTION 19-79 – COMMITTEE REPORT 104**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE CLEAN ISLANDS COUNCIL.

Councilmember Formby moved that Committee Report 104 and Resolution 19-79 be adopted. Seconded by Councilmember Elefante.



There was no public testimony.

Committee Report 104 and Resolution 19-79 were adopted.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:       None.

**RECOMMITTAL TO COMMITTEE ON PUBLIC SAFETY AND WELFARE**  
**RESOLUTION 18-298, CD1 – COMMITTEE REPORT 102**

RESOLUTION URGING THE FIRE COMMISSION OF THE CITY AND COUNTY OF HONOLULU TO IMMEDIATELY REVIEW THE HONOLULU FIRE DEPARTMENT'S EXISTING OPERATIONS RELATED TO ITS FIRE FIGHTER RECRUIT TRAINING AND TESTING PROGRAMS, AND THEREAFTER MAKE RECOMMENDATIONS TO THE FIRE CHIEF, AS APPROPRIATE.

Councilmember Formby moved that Committee Report 102 and Resolution 18-298, CD1 be recommitted to the Committee on Public Safety and Welfare. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 102 and Resolution 18-298, CD1, were recommitted to the Committee on Public Safety and Welfare.

AYES:       ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:       None.

## **BALANCE OF COMMITTEE REPORTS**

<a href="#"><u>PLNCR-76</u></a>	<a href="#"><u>Bill 46 (2018), CD1</u></a> – Relating to the Haleiwa Special District. Granting a 120-day extension. (Deadline: 5/25/19 + 120 days)
<a href="#"><u>PLNCR-77</u></a>	<a href="#"><u>Bill 47 (2018), CD1</u></a> – Relating to mobile commercial establishments. Granting a 120-day extension. (Deadline: 5/25/19 + 120 days)
<a href="#"><u>PLNCR-78</u></a>	<a href="#"><u>Bill 80 (2018)</u></a> – Relating to detached dwellings. Granting a 120-day extension. (Deadline: 5/31/19 + 120 days)
<a href="#"><u>EMLACR-80</u></a>	Request to Enter into Waimanalo Gulch Sanitary Landfill Consent Decree.
<a href="#"><u>EMLACR-81</u></a>	Request for authorization to settle a case against the City and County of Honolulu entitled <u>Karla Huff v. City and County of Honolulu</u> , Civil No. 17-1-0798-05 JHA (Cir. Ct.).
<a href="#"><u>ZHCR-98</u></a>	<a href="#"><u>Resolution 19-43</u></a> – Granting a Special Management Area Use Permit to allow the renovation of two existing single-family dwelling units, construction of a new single-family dwelling unit and various improvements in Maunaloa. Granting a 120-day extension. (Applicant: Evershine II L.P.) (Deadline: 4/22/19 + 120 days)

### FOR ADOPTION

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Councilmember Menor moved that the Balance of Committee Reports, as listed above, be adopted. Seconded by Councilmember Fukunaga.

The following individual testified on ZHCR-98:

Mark Gathaiya (Support)

The Balance of Committee Reports was adopted.

AYES:        ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
              PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:        None.

Related communication:

M-141        Hawaii Planning, LLC

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

#### **ADOPTION**

#### **RESOLUTION 19-85, FD1**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE SICHUAN TIANFU NEW AREA.

Resolution 19-85 was waived to the Council floor by the Chair of the Committee on Parks, Community Services and Intergovernmental Affairs.

The following amendment was posted on the agenda:

Resolution 19-85, Proposed FD1

Councilmember Menor moved that Resolution 19-85 be adopted. Seconded by Councilmember Fukunaga.

Councilmember Tsuneyoshi moved that the Resolution be amended to FD1. Seconded by Councilmember Manahan. The FD1 makes the following amendments:

- A.        Amends the fourth WHEREAS clause to correct the date of the letter received from the Managing Director to April 3, 2019.

- B. Amends the fourth WHEREAS clause to specify that the gift of all travel expenses is for the Director of the Department of Parks and Recreation, and the Director of the Department of Design and Construction.
- C. Amends the fourth WHEREAS clause to include the date of the Public Park City Forum being attended by both Directors as April 22, 2019.
- D. Amends the BE IT FINALLY RESOLVED CLAUSE to specify the resolution is to also be transmitted to the Director of the Department of Design and Construction.
- E. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 19-85 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

Resolution 19-85, FD1 was adopted.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.  
NOES: None.

Related communication:

CC-119 Councilmember Heidi Tsuneyoshi

## **ADOPTION**

### **RESOLUTION 19-80, FD1**

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S LIST OF FEDERAL HIGHWAY ADMINISTRATION ("FHWA") CANDIDATE PROJECTS FOR CONSIDERATION IN THE FEDERAL FISCAL YEARS 2019-2022 TRANSPORTATION IMPROVEMENT PROGRAM.

Resolution 19-80 was waived to the Council floor by the Chair of the Committee on Transportation.

The following amendment was posted on the agenda:

Resolution 19-80, Proposed FD1

Councilmember Menor moved that Resolution 19-80 be adopted. Seconded by Councilmember Fukunaga.

Councilmember Elefante moved that the Resolution be amended to FD1. Seconded by Councilmember Menor. The FD1 makes the following amendments:

- A. Amends the title of the resolution to add "FOR CONSIDERATION."
- B. In the 6th WHEREAS clause, specifies that the TIP was approved by the Oahu Metropolitan Planning Organization's Policy Committee on July 27, 2018 and the Governor's designee on August 7, 2018.
- C. In the 7th WHEREAS clause:
  - (a) Adds "requiring further Council approval" on the second line; and
  - (b) Adds language mirroring the TIP criteria for actions considered as "amendments" to the TIP, which require further Council approval, i.e., "including adding or deleting a project, modifying the design scope of a programmed project, or revising the amount programmed for a project phase, if all of these thresholds are met: (1) the total estimated project cost, after the revision, exceeds \$10 million; (2) the amount programmed for the federal portion of the project cost is increased by more than 50 percent; and (3) it increases the estimated total project cost is increased by more than \$3 million."
- D. In the 8th WHEREAS clause, adds language describing the project as "relating to the project to widen Salt Lake Boulevard to a multi-lane roadway within the existing 100-foot right-of-way between Maluna Street and Ala Lilikoi Street (Phase 3), attached hereto as Exhibit 1."
- E. Corrects Exhibit 1 to note in the subtext in the first column of the table (under "Project"), that the project is an FHWA project instead of an FTA project.
- F. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 19-80 was amended to FD1.

AYES:        ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
               PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:        None.

Resolution 19-80, FD1 was adopted.

AYES:        ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
               PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES:        None.

Related communication:

CC-120       Councilmember Brandon J. C. Elefante

**REFERRED TO THE COMMITTEE ON PARKS, COMMUNITY SERVICES AND  
INTERGOVERNMENTAL AFFAIRS**  
**RESOLUTION 19-89**

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RESOLUTION GRANTING APPROVAL OF A PRIVATE AGREEMENT BETWEEN THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF PARKS AND RECREATION, DEPARTMENT OF BUDGET AND FISCAL SERVICES, AND THE ROTARY CLUB OF HONOLULU.

Councilmember Menor moved that Resolution 19-89 be adopted. Seconded by Councilmember Fukunaga.

Councilmember Tsuneyoshi stated that there were concerns expressed regarding the Resolution. She deferred to Councilmember Formby to hear his suggestions before making a motion.

Councilmember Formby stated that he read in the paper about the controversy with the Resolution and began receiving texts and emails from his constituents and would like to work on a way to support the agreement and have discussion in Committee.

Councilmember Tsuneyoshi moved that Resolution 19-89 be referred to the Committee on Parks, Community Services and Intergovernmental Affairs. Seconded by Councilmember Formby.

There was no public testimony.

Resolution 19-89 was referred to the Committee on Parks, Community Services and Intergovernmental Affairs.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

**POSTPONED TO A COUNCIL MEETING DATE TO BE DETERMINED**  
**RESOLUTION 19-69 – COMMITTEE REPORT 75**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE ROTARY CLUB OF HONOLULU.

Councilmember Tsuneyoshi moved that Committee Report 75 and Resolution 19-69 be postponed to a Council meeting date to be determined. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 75 and Resolution 19-69 were postponed to a Council meeting date to be determined.

AYES: ANDERSON, ELEFANTE, FORMBY, FUKUNAGA, MANAHAN, MENOR,  
PINE, TSUNEYOSHI, KOBAYASHI – 9.

NOES: None.

[Note: Earlier in the meeting, Committee Report 116 was adopted and Bill 96 (2018), CD1, FD1 passed third reading. See page 31.]

**COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

There was no Executive Session.

## **ANNOUNCEMENTS**

Councilmember Formby noted that this was his last full Council meeting and he expressed his appreciation to each councilmember, councilmembers' staff, Council staff, the Clerk's Office, and the Office of Council Services for the generosity, camaraderie and professionalism that was shown to him. He noted that he will always be an ambassador of the good work done by the Council.

Chair Kobayashi stated that Councilmember Formby has been a great asset to the Council and has participated and represented his district very well.

Councilmember Formby remarked that his understanding is that the City Clerk still has to certify the election, noting for the record that he is being aspirational.

## **ADJOURNMENT**

At 8:53 p.m., Councilmember Menor moved that the Council stand adjourned until Wednesday, May 8, 2019, at 10 a.m. Seconded by Councilmember Fukunaga 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:

May 8, 2019