



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

ERNEST Y. MARTIN
CHAIR & PRESIDING OFFICER
IKAIKA ANDERSON
VICE CHAIR
BREENE HARIMOTO
FLOOR LEADER
STANLEY CHANG
CAROL FUKUNAGA
ANN H. KOBAYASHI
JOEY MANAHAN
RON MENOR
KYMBERLY MARCOS PINE

JOURNAL

REGULAR MEETING
16TH SESSION
WEDNESDAY, FEBRUARY 19, 2014

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: The video of the full proceedings of this meeting can be viewed at <http://honolulucountyhi.igm2.com> or a copy of the video 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 Chair and Presiding Officer, Ernest Y. Martin, at 10:58 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Chang, Fukunaga, Harimoto, Kobayashi, Manahan, Menor, Pine, Martin - 9.

INTRODUCTION OF GUESTS

Councilmember Harimoto introduced the following representatives of Chigasaki City: Council Chair Tadao Hirose, Mayor Nobuaki Hattori, Vice Mayor Takehiko Kimura, and staff members Tomohiro Ishii, Isamu Sato and Ayako Aoki.

Councilmember Harimoto recognized Assets School 9th graders Sangha, Andrew, Iwa, Briana, Greg, John and their teacher, Jason Wagner.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 15th Session (January 29, 2014) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Harimoto.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.

NOES: None.

ORDER OF THE DAY – MORNING CALENDAR

At this juncture, with no objections from the 9 members present, the Chair considered Resolution 14-27, CD1 from page 7 of the agenda.

ADOPTION

RESOLUTION 14-27, CD1 – COMMITTEE REPORT 46

RESOLUTION ESTABLISHING A COUNCIL FRIENDSHIP RELATIONSHIP BETWEEN THE CHIGASAKI CITY ASSEMBLY, KANAGAWA PREFECTURE, JAPAN, AND THE CITY COUNCIL OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Pine moved that Committee Report 46 and Resolution 14-27, CD1 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Councilmember Pine stated that having learned about the similarities between Chigasaki and Honolulu—wearing aloha shirts, surfing and promoting Honolulu's culture—she was proud to enter into a Council friendship relationship with Chigasaki City.

Chair Martin stated that Chigasaki shares many qualities with Hawaii, and that the Council was excited to enter into a friendship relationship and eventually a Sister City relationship with Chigasaki City. He noted that representatives from Chigasaki have demonstrated their enthusiasm for this relationship, first by coming to Honolulu to personally request a friendship relationship and then returning for the adoption of Resolution 14-27, CD1.

Committee Report 46 and Resolution 14-27, CD1 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

RECESS/RECONVENE

At 11:05 a.m., the Chair called for a short recess and reconvened the meeting at 11:10 a.m.

The Council Chair returned to the agenda order, Page 3.

ADOPTION

RESOLUTION 14-17 – COMMITTEE REPORT 26

RESOLUTION RELATING TO THE REAPPOINTMENT OF MARC C. TILKER TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 26 and Resolution 14-17 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Councilmember Chang noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-17 and CC-19).

Councilmember Fukunaga stated that Mr. Tilker responded to all of the questions raised in Committee and she urged councilmembers to support Resolution 14-17.

Committee Report 26 and Resolution 14-17 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

Chair Martin recognized and congratulated Mr. Tilker on his reappointment.

ADOPTION

RESOLUTION 13-284 – COMMITTEE REPORT 27

RESOLUTION RELATING TO THE APPOINTMENT OF ALFRED C. LARDIZABAL TO SERVE ON THE CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Menor moved that Committee Report 27 and Resolution 13-284 be adopted. Seconded by Councilmember Fukunaga.

The nominee, Alfred C. Lardizabal, provided comments.

Councilmember Menor noted that after reviewing the qualifications of Mr. Lardizabal in both the public and private sectors, the Committee concluded that he was eminently qualified to serve on the Civil Service Commission. He urged councilmembers to join him in supporting Resolution 13-284.

Councilmember Anderson stated that Mr. Lardizabal has had a distinguished career in public service and thanked him for his willingness to continue serving the people of the City and County of Honolulu, and he urged councilmembers to join him in voting in support of Resolution 13-284.

Committee Report 27 and Resolution 13-284 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

Chair Martin recognized and congratulated Mr. Lardizabal on his appointment.

RECOMMITTAL TO COMMITTEE ON BUDGET
BILL 70 (2013), CD1 – COMMITTEE REPORT 30

A BILL FOR AN ORDINANCE TO AMEND THE REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED, RELATING TO FEES FOR CERTAIN PERMITS AND SERVICES ADMINISTERED BY THE DEPARTMENT OF PLANNING AND PERMITTING.

Councilmember Kobayashi moved that Committee Report 30 be adopted and Bill 70 (2013), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Chang.

The following individuals testified:

Gladys Marrone, Building Industry Association (M-283) (Oppose)

In response to Councilmember Kobayashi, George Atta, Director, Department of Planning and Permitting (DPP), stated that:

- Individual homeowners, lots or buildings would not be affected because the measure does not involve building permits.
- There was always a nexus in the sense that it costs money for the DPP to process permits and fees.
- The fees have not been increased in over 10 years and have never covered processing costs. The fee increases are reasonable and intended to meet the rising cost of government. Fees are not specifically tied to increased personnel or efficiency.
- The additional staff approved by the Council in 2013 and upgraded computers and processes should result in improved efficiency.
- The fees go into the General Fund. The DPP has the ability to track fee increases through its process system and computer software.

Councilmember Kobayashi moved that the Committee Report and Bill be recommitted to the Committee on Budget. Seconded by Councilmember Chang.

Councilmember Kobayashi stated that the Committee needs to address concerns about the effect of increased fees on housing and the establishment of a nexus so that the public knows how the fee increases will be utilized.

Committee Report 30, Bill 70 (2013), CD1 and proposed CD2 were recommitted to the Committee on Budget.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

Related communication:

M-260 The Chamber of Commerce of Hawaii

FIRST READING

BILL 9

(Budget)

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 9, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED, RELATING TO CITY-PROVIDED REFUSE SERVICES.

Councilmember Anderson moved that Bill 9 pass first reading. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Mayor Kirk Caldwell (Support)
2. Davin H. Takahashi (Oppose)
3. Barbra Armentrout (Oppose)
4. Natalie Iwasa (General comment)
5. Lori Kahikina, Director, Department of Environmental Services (ENV) (General comment)

In response to Councilmember Pine, Director Kahikina stated that the Administration would look for ways to mitigate the impact of the fee on low income households.

6. Lisa Maruyama, Hawaii Alliance of Nonprofit Organizations (M-284) (Oppose)

Requesting that his comments be reflected in the minutes, Councilmember Menor spoke in support of Bill 9 with reservations because of constituent opposition and to hear further discussion on the merits of the measure. He advised the Administration to prepare a compelling justification for the measure in Committee and to clearly demonstrate that the

imposition of the fee increase would improve trash pick-up and services provided to residents.

Councilmember Kobayashi stated it was good to hear the Mayor say that there should be a nexus between the fee and the Fund.

Councilmember Pine stated that she would also be voting with reservations. She expressed the hope that discussion in Committee will include why other counties charge a fee and Honolulu currently does not. She urged the Committee to examine the ENV budget and prepare a comprehensive comparison on the effect a trash fee would have on all households.

Councilmember Chang stated that he would also be voting with reservations. He noted that residential waste pick-up is one of the most expensive services provided by the City and is currently funded by real property taxes and other revenues. He stated that the \$21 million garnered by the proposed fee would move the fund towards financial self-sustainability. He noted the valid concerns raised by the community, such as the effect on non-profits and those unable to pay, the large increases in property taxes facing residents, slow service, and delays in trash collection and bulky item pick-up. He expressed the hope that the proposed fee would result in enhanced and consistent residential service in the future.

Councilmember Manahan spoke in opposition to Bill 9. He noted that District 7 residents pay some of the highest property taxes on the island, but do not get a full range of refuse services (i.e., some areas do not have curbside recycling). He questioned the rationale of the Administration putting forth revenue enhancing measures before considering the entire City budget.

Councilmember Harimoto urged councilmembers to keep Bill 9 alive for further discussion. He noted that the burden would fall on the Council to balance the \$150 million budget shortfall should it oppose any revenue enhancing measures proposed by the Administration.

Councilmember Anderson stated that he would be voting with reservations at first reading to allow full discussion in Committee. He expressed concerns about the potential public health impact of implementing a separate trash collection fee because the opala of those who cannot or do not pay the fee would end up littering the community. He also raised the concern that if the Administration continues to initiate separate fees for basic services (i.e., sewer, refuse, police, fire, and ambulance), the City would have difficulty justifying charging

real property taxes. He urged the Administration to consider open and honest public discussion on real property tax rates during the annual budget review process.

Chair Martin joined Councilmember Manahan and spoke in opposition to Bill 9. He stated that rubbish pick-up is not free, but is subsidized by those who pay property taxes but do not receive pick-up service. He advised the Administration that it needs to make a very compelling case to allow the measure to move forward. He noted that District 2 residents also pay some of the highest real property taxes but do not have a recycling program. He concurred with Councilmember Harimoto that if the Bill fails to advance, the burden will fall on the Council to make tough decisions in order to balance the budget.

Bill 9 passed first reading.

AYES: ANDERSON*, CHANG*, FUKUNAGA, HARIMOTO, KOBAYASHI, MENOR*,
PINE* – 7.

NOES: MANAHAN, MARTIN – 2.

*Councilmembers Anderson, Chang, Menor and Pine voted aye with reservations.

Related communications:

M-258 Garry P. Smith
M-285 Robert Gould and Gretchen Gould

ADOPTION

RESOLUTION 14-15 – COMMITTEE REPORT 25

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE NORTH SHORE LIFEGUARD ASSOCIATION FOR THE HONOLULU EMERGENCY SERVICES DEPARTMENT, OCEAN SAFETY AND LIFEGUARD SERVICES DIVISION.

Councilmember Fukunaga moved that Committee Report 25 and Resolution 14-15 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 25 and Resolution 14-15 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 PINE, MARTIN – 8.
NOES: None.
ABSENT: HARIMOTO – 1.

ADOPTION

RESOLUTION 14-26, CD1 – COMMITTEE REPORT 28

RESOLUTION URGING THE CLERK OF THE CITY AND COUNTY OF HONOLULU TO INCREASE THE NUMBER OF EARLY WALK-IN VOTING LOCATIONS.

Councilmember Menor moved that Committee Report 28 and Resolution 14-26, CD1 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Menor spoke in support of the intent and purpose of Resolution 14-26, CD1, and he urged the Office of the City Clerk to consider budgetary and cost impacts before implementing additional walk-in voting sites.

Committee Report 28 and Resolution 14-26, CD1 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

Related communication:

M-259 Richard Mizusawa, Associated Students of the University of Hawai‘i at
 Manoa

ADOPTION

RESOLUTION 14-33 – COMMITTEE REPORT 29

RESOLUTION TO RETAIN THE SERVICES OF A SPECIAL DEPUTY TO REPRESENT RANDALL LORENZO, AN EMPLOYEE OF THE CITY AND COUNTY OF HONOLULU, DEPARTMENT OF ENVIRONMENTAL SERVICES IN A LEGAL ACTION ENTITLED: STATE OF HAWAII V. RANDALL LORENZO; 1DTC-13-038244.

Councilmember Menor moved that Committee Report 29 and Resolution 14-33 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 29 and Resolution 14-33 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 14-18, FD1 – COMMITTEE REPORT 33

RESOLUTION SELECTING MEMBERS FOR THE CDBG AND HOME PROJECTS SELECTION COMMITTEE.

The following amendment was posted on the agenda:

Resolution 14-18, Proposed FD1

Councilmember Kobayashi moved that Committee Report 33 and Resolution 14-18 be adopted. Seconded by Councilmember Chang.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Chang. The amendment includes the names of the three Council appointees and the one jointly selected appointee to serve on the CDBG and HOME Projects Selection Committee.

The following individual testified:

Natalie Iwasa (General comment)

Councilmembers Pine (CC-35) and Chang (CC-38) noted for the record that they filed Disclosures of Interest with the City Clerk's Office.

Resolution 14-18 was amended to FD1.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
MENOR, PINE, MARTIN – 9.
NOES: None.

Committee Report 33 and Resolution 14-18, FD1 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
MENOR, PINE, MARTIN – 9.
NOES: None.

ADOPTION

RESOLUTION 14-19 – COMMITTEE REPORT 35

RESOLUTION URGING THE BOARD OF WATER SUPPLY TO IMPROVE ITS BILL ESTIMATING SYSTEM AND RETROACTIVE BILLING PRACTICES.

Councilmember Chang moved that Committee Report 35 and Resolution 14-19 be adopted. Seconded by Councilmember Kobayashi.

The following individual testified:

Ellen Kitamura, Deputy Manager and Chief Engineer, Board of Water Supply (BWS) (D-101) (General comment)

In response to Councilmember Pine, Deputy Manager Kitamura and Henderson Nuuhiwa, Information Technology Program Administrator, stated that:

- When a bill indicates three times the normal usage for a particular account, an algorithm in the BWS billing system flags the account for investigation.

- High billing charges are reviewed on a case-by-case basis. Customers are contacted, investigators are sent out to check for leaks and water meters, and customer service representatives and pre-audit clerks research the history of the account. If it is determined that there is a leak, the customer is notified, and once the leak has been repaired, the BWS issues a credit. If there is no leak, the BWS works out a payment plan with the customer.
- When the bills that were over-estimated were recalculated, some customers received multiple bills during the process to correct the problem.

Committee Report 35 and Resolution 14-19 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

RECESS/RECONVENE

At 12:05 p.m., the Chair called for a short recess and reconvened the meeting at 12:07 p.m.

ADOPTION

RESOLUTION 14-23 – COMMITTEE REPORT 36

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO CONDUCT AN ASSESSMENT STUDY TO IDENTIFY AND REPAIR HAZARDOUS SIDEWALK CONDITIONS IN URBAN HONOLULU.

Councilmember Chang moved that Committee Report 36 and Resolution 14-23 be adopted. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Shannon Wood (Support)
2. Barbra Armentrout (Support)
3. Rose Pou (Support)

Committee Report 36 and Resolution 14-23 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
MENOR, PINE, MARTIN – 9.
NOES: None.

ADOPTION

RESOLUTION 14-22 – COMMITTEE REPORT 42

RESOLUTION REQUESTING THAT THE DEPARTMENT OF PLANNING AND PERMITTING INVESTIGATE THE HAWAII KAI MEMORIAL PARK.

Councilmember Anderson moved that Committee Report 42 and Resolution 14-22 be adopted. Seconded by Councilmember Harimoto.

The following individual testified:

Natalie Iwasa (M-286) (Support)

Committee Report 42 and Resolution 14-22 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
MENOR, PINE, MARTIN – 9.
NOES: None.

ADOPTION

RESOLUTION 14-29, CD1 – COMMITTEE REPORT 44

RESOLUTION SUPPORTING AMENDMENTS TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY (HCDA).

Councilmember Anderson moved that Committee Report 44 and Resolution 14-29, CD1 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Councilmember Anderson urged councilmembers to support Resolution 14-29, CD1. He noted that after hearing testimony from the DPP Director that it is not a simple task and it would take time to assume jurisdiction over the HCDA districts since that area has different

development standards from the City, he instead amended the Resolution to include the DPP Director as a voting member of the HCDA Board. The DPP Director would bring a wealth of professional experience and knowledge. He also amended the Resolution to provide that Council nominees to the Board would be approved by the Council and would not need the Governor's approval.

Committee Report 44 and Resolution 14-29, CD1 were adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

(Note: Committee Report 46 and Resolution 14-27, CD1, were considered earlier in the meeting. See page 2.)

BALANCE OF COMMITTEE REPORTS

BCR-34 Real property tax compromise of \$7,235.40 for the 2013-2014 real property tax due on property located at 920 Kilani Avenue, Tax Map Key 7-4-006-015. (D-43)

ZPCR-38 Bill 71 (2013) – Relating to interim Planned Development Permits for transit-oriented development within close proximity to future rail stations. Granting a 90-day extension of time. (Deadline: 3/19/14 + 90 days)

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

There was no public testimony.

The Balance of Committee Reports was adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 14-25

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HAWAII UNITED OKINAWA ASSOCIATION.

Resolution 14-25 was waived to the Council floor by the Chair of the Parks and Customer Services Committee.

Councilmember Anderson moved that Resolution 14-25 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Resolution 14-25 was adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN - 9.

NOES: None.

ADOPTION

RESOLUTION 14-31

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE FRIENDS OF HAWAII CHARITIES, INC.

Resolution 14-25 was waived to the Council floor by the Chair of the Parks and Customer Services Committee.

Councilmember Anderson moved that Resolution 14-31 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Resolution 14-31 was adopted.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
MENOR, PINE, MARTIN - 9.
NOES: None.

SUNSHINE/EXTENSION OF TIME
BILL 56 (2013), CD1

A BILL FOR AN ORDINANCE RELATING TO FLOOD HAZARD AREAS.

Pursuant to HRS Section 92-7, the Sunshine Law, Councilmember Anderson moved that Bill 56 (2013), CD1 be added to the agenda. Seconded by Councilmember Harimoto.

Bill 56 (2013), CD1 was added to the agenda.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
MENOR, PINE, MARTIN - 9.
NOES: None.

Councilmember Anderson moved that Bill 56 (2013), CD1 be granted a 90-day extension of time, subject to receipt of a written request from the Applicant. Seconded by Councilmember Harimoto.

There was no public testimony.

Chair Martin noted for the record that the Council received a letter dated February 19, 2014 from the Department of Planning and Permitting (D-112) requesting a 90-day extension for consideration of the Bill.

Bill 56 (2013), CD1 was granted a 90-day extension of time.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
MENOR, PINE, MARTIN - 9.
NOES: None.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

RECESS/RECONVENE

At 12:20 p.m., the Chair called for a recess and reconvened the meeting at 2:03 p.m.

Excused: Councilmembers Anderson, Fukunaga and Menor – 3.

EXECUTIVE SESSION ITEMS

There were no Executive Session items.

ORDER OF THE DAY - AFTERNOON CALENDAR

APPOINTMENTS

PUBLIC HEARING

KEONE J. NAKOA, CIVIL SERVICE COMMISSION (MM-16)

There was no public testimony.

The Chair acknowledged the presence of the Mayor's nominee and referred the matter and Communication MM-16 to the Committee on Executive Matters and Legal Affairs for further consideration.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,
 PINE, MARTIN – 8.

NOES: None.

ABSENT: FUKUNAGA – 1.

SECOND READING/PUBLIC HEARING
BILL 1, CD1 – COMMITTEE REPORT 31

A BILL FOR AN ORDINANCE RELATING TO PARKING.

Councilmember Kobayashi moved that Committee Report 31 be adopted and Bill 1 pass second reading, as amended to CD1. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 31 adopted and Bill 1, CD1 passed second reading, as amended.

AYES: ANDERSON, CHANG, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,
 PINE, MARTIN – 8.
NOES: None.
ABSENT: FUKUNAGA – 1.

SECOND READING/PUBLIC HEARING
BILL 6, CD1 – COMMITTEE REPORT 32

A BILL FOR AN ORDINANCE RELATING TO LEASING OF CITY AFFORDABLE HOUSING PROJECTS.

Councilmember Kobayashi moved that Committee Report 32 be adopted and Bill 6 pass second reading, as amended to CD1. Seconded by Councilmember Chang.

There was no public testimony.

In response to Councilmembers' questions, Pam Witty-Oakland, Director, Department of Community Services noted that the Administration intends to present a new Request For Proposal (RFP) to the Council by March 7, 2014 and requests that it be posted on the agenda for the Committee on Budget's meeting on March 19, 2014. The terms and details of the RFP are still in the works; it has not yet been decided if the RFP will encompass all 12 housing projects collectively or separately.

Committee Report 32 adopted and Bill 6, CD1 passed second reading, as amended.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

SECOND READING/PUBLIC HEARING
BILL 4 – COMMITTEE REPORT 39

A BILL FOR AN ORDINANCE RELATING TO THE USE OF INDIGENOUS AND POLYNESIAN INTRODUCED PLANTS IN PUBLIC LANDSCAPING.

Councilmember Anderson moved that Committee Report 39 be adopted and Bill 4 pass second reading. Seconded by Councilmember Harimoto.

The following individual testified in support of Bill 4:

Thomas Galioto (M-288)

In response to Councilmembers' questions, Mr. Galioto explained that most indigenous plants are easy to propagate without the need for expensive maintenance.

Committee Report 39 adopted and Bill 4 passed second reading.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

Related communications:

D-111	Toni P. Robinson, Department of Parks and Recreation
M-263	Rick Barboza
M-264	C. Burghardt
M-265	Teri Skillman
M-266	Miles Thomas
M-267	Chris Cramer

There being no objections from the members present, Council Chair Martin noted that Bill 68 (2013) and Resolution 14-30 on page 5, relating to the “Live, Work, Play Aiea” project, would be taken up together.

SECOND READING/PUBLIC HEARING
BILL 68 (2013) – COMMITTEE REPORT 37

A BILL FOR AN ORDINANCE TO REZONE LAND SITUATED AT WAIMALU, OAHU, HAWAII.

Councilmember Anderson moved that Committee Report 37 be adopted and Bill 68 (2013) pass second reading. Seconded by Councilmember Harimoto.

PUBLIC HEARING
RESOLUTION 14-30 – COMMITTEE REPORT 45

RESOLUTION ACCEPTING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY AND COUNTY OF HONOLULU AND CP KAM PROPERTIES, LLC FOR THE LIVE, WORK, PLAY AIEA PROJECT AND AUTHORIZING THE CITY AND COUNTY OF HONOLULU TO ENTER INTO THE SAME.

Councilmember Anderson moved that Committee Report 45 be adopted and Resolution 14-30 be referred back to the Committee on Zoning and Planning. Seconded by Councilmember Harimoto.

The following individuals testified on Bill 68 (2013) and Resolution 14-30:

1. Lynn Vasquez (M-254) (Support)
2. Cindy McMillan, The Pacific Resource Partnership (M-255, M-256) (Support)
3. Walter Kuwasaki (Oppose)
4. Stan Oshiro (Oppose)
5. Donald Samuel (Oppose)

In response to Councilmembers’ questions, Deborah Chang, representing the developer, CP Kam Properties, LLC, noted that they have been in discussions with the State Department of Education (DOE) to address their concerns.

In response to Councilmembers' questions, George Atta, Director, Department of Planning and Permitting, explained the language in Exhibit E, Public Benefits of the Development Agreement relating to affordable housing. The current Affordable Housing Rules require 30 percent of the total number of dwelling units in a project to be affordable for households with incomes not exceeding a certain percentage of the Average Median Income. Affordable units are supposed to be built within the different phases of a project. However, towards the end of the project, if the affordable housing requirement is not satisfied, the developer has the flexibility to pay in-lieu fees for up to five percent of the 30 percent affordable housing requirement.

Councilmember Harimoto, the project's district Councilmember, stated his support of the project and commended the developers for working with the community over the past four years to address concerns and gain input. He is satisfied with the overall final plans and the proposed public benefits, which would provide positive impacts and opportunities for the community. He added that the developer is considering the option to forego certain benefits, such as plans for a community meeting room, and instead look into establishing an annual endowment to be entrusted to the community.

Councilmember Anderson thanked Councilmember Harimoto for his due diligence in working with the developer and the community to address concerns and issues. He looks forward to additional discussion relating to the affordable housing and sustainable and renewable energy sources components of the project.

Committee Report 37 was adopted and Bill 68 (2013) passed second reading.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 9.

NOES: None.

Committee Report 45 adopted and Resolution 14-30 referred back to the Committee on Zoning and Planning.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI*, MANAHAN, MENOR, PINE, MARTIN – 9.

NOES: None.

*Councilmember Kobayashi voted aye with reservations.

Related communications:

M-261	Kathryn S. Matayoshi (State Department of Education)
M-262	Maxine Takashiba
M-268	Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust
M-269	Gladys Marrone, Building Industry Association of Hawaii
M-270	Kika G. Bukoski, Hawaii Building and Construction Trades Council
M-287	General Contractors Association of Hawaii
P-3	Petition, Manny Balidio et. al. (1196 Signatures)

There being no objections from the members present, Council Chair Martin noted that the resolutions on page 6, relating to affordable housing requirements in Unilateral Agreements, would be taken up together.

PUBLIC HEARING

RESOLUTION 13-168 AND PROPOSED CD1 – COMMITTEE REPORT 40

RESOLUTION AMENDING THE CITY POLICY WITH RESPECT TO HOUSEHOLD INCOME THRESHOLDS FOR AFFORDABLE FOR-SALE AND/OR RENTAL HOUSING REQUIRED BY UNILATERAL AGREEMENTS.

Councilmember Anderson moved that Committee Report 40 be adopted and Resolution 13-168 and the Proposed CD1 be referred back to the Committee on Zoning and Planning. Seconded by Councilmember Harimoto.

PUBLIC HEARING

RESOLUTION 13-202 AND PROPOSED CD1 – COMMITTEE REPORT 41

RESOLUTION REQUESTING THAT THE DEPARTMENT OF PLANNING AND PERMITTING AMEND ITS AFFORDABLE HOUSING RULES FOR UNILATERAL AGREEMENTS.

Councilmember Anderson moved that Committee Report 41 be adopted and Resolution 13-202 and Proposed CD1 be referred back to the Committee on Zoning and Planning. Seconded by Councilmember Harimoto.

The following individuals testified in support of Resolution 13-168 and Resolution 13-202, and the Proposed CD1 versions for both resolutions:

1. Rev. Bob Nakata (M-272)
2. Betty Lou Larson, Partners in Care (M-271)
3. Trisha Kajimura, Catholic Charities Hawaii (M-273, M-274)
4. Jenny Lee, Hawaii Appleseed Center for Law & Economic Justice (M-277)
5. Dr. Lawrence W. Boyd (M-278)

In response to Councilmembers' questions, George Atta, Director, Department of Planning and Permitting (DPP), explained that the DPP is in the process of meeting with stakeholders and anticipates submitting a proposed draft of the revised Affordable Housing Rules for the Council's review in three to four months. The Administration hopes to have the policy in place before major rezoning or development agreements come before the City. He assured that the DPP would consider the view points from both the development industry and affordable housing advocates.

Councilmember Menor stated his support for continued discussions in Committee based on the commitment from the Administration to consider the Council's proposals in revising the City's Affordable Housing Rules. He emphasized the importance for a balanced perspective in addressing the issue on affordable housing.

Committee Report 40 adopted and Resolution 13-168 and the Proposed CD1 referred back to the Committee on Zoning and Planning.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 9.

NOES: None.

Committee Report 41 adopted and Resolution 13-202 and the Proposed CD1 referred back to the Committee on Zoning and Planning.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-275 Scott Morishige, PHOCUSED
M-276 Scott Morishige, PHOCUSED
M-279 Kevin R. Carney, EAH Housing

City Council Journal
Wednesday, February 19, 2014

M-280 Guy K. Fujimura, International Longshore and Warehouse Union
M-281 Unite Here! Local 5 Hawaii

PUBLIC HEARING
RESOLUTION 14-28 – COMMITTEE REPORT 43

RESOLUTION ESTABLISHING A CITY AFFORDABLE HOUSING STRATEGY.

Councilmember Anderson moved that Committee Report 43 be adopted and Resolution 14-28 be referred back to the Committee on Zoning and Planning. Seconded by Councilmember Harimoto.

There was no public testimony.

Councilmember Anderson stated his support of the Resolution and looks forward to further discussions in Committee.

Committee Report 43 adopted and Resolution 14-28 referred back to the Committee on Zoning and Planning.

AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN,
 MENOR, PINE, MARTIN – 9.
NOES: None.

Related communication:

M-257 Cindy McMillan, The Pacific Resource Partnership

ANNOUNCEMENTS

Council Chair Martin announced that the next Council meeting scheduled for March 12, 2014 will be held at the University of Hawaii West Oahu campus.

ADJOURNMENT

At 3:04 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, March 12, 2014, at 10:00 a.m. at the University of Hawaii West Oahu. Seconded by Councilmember Harimoto and there being no objections from the 9 members present, it was so ordered by the Chair.

Respectfully submitted,


BERNICE K.N. MAU
City Clerk

vc/el

DATE APPROVED:

March 12, 2014