



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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

JOURNAL

REGULAR MEETING
17TH SESSION
WEDNESDAY, MARCH 12, 2014

UNIVERSITY OF HAWAI'I - WEST O'AHU MULTI-PURPOSE BALLROOM
91-1001 FARRINGTON HIGHWAY, ROOM C208
KAPOLEI, HI 96707

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 10:22 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 from the University of Hawaii – West Oahu: Chancellor Rockne Freitas, Vice Chancellor Donna Kiyosaki, Vice Chancellor Linda Randall, Vice Chancellor Lui Hokoana, Associate Vice Chancellor Eun Ahn, Faculty Senate Chair Susan Adler and members of the faculty, and Chris Lee from the Academy of Creative Media.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 16th Session (February 19, 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

ADOPTION

RESOLUTION 14-37 – COMMITTEE REPORT 52

RESOLUTION RELATING TO THE APPOINTMENT OF KEONE J. NAKOA TO SERVE ON THE CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Menor moved that Committee Report 52 and Resolution 14-37 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Menor urged councilmembers to join him in support of Resolution 14-37. He noted that the nominee is qualified to serve on the Civil Service Commission and he commended Mr. Nakoa for his willingness to serve and become actively involved in public service while still a graduate student.

Committee Report 52 and Resolution 14-37 were adopted.

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

NOES: None.

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

THIRD READING

BILL 60 (2013), CD1, FD1 – COMMITTEE REPORT 47

A BILL FOR AN ORDINANCE RELATING TO PUBLICATION DISPENSING RACKS.

The following amendment was posted on the agenda:

Bill 60 (2013), CD1, Proposed FD1

Councilmember Fukunaga moved that Committee Report 47 be adopted and Bill 60 (2013) pass third reading, as amended to CD1. Seconded by Councilmember Pine.

Councilmember Fukunaga moved that the Bill be amended to FD1. Seconded by Councilmember Pine. The amendment revises the enforcement provision to clarify that police officers have the authority to enforce the ordinance by issuing a written citation or making a physical arrest, and makes other technical amendments.

The following individual testified:

Captain Lisa Mann, Honolulu Police Department (HPD) (Support)

Councilmember Fukunaga noted that the Committee on Public Safety and Economic Development worked very closely with the Department of the Corporation Counsel and the HPD to address concerns, and she encouraged councilmembers to support the FD1 amendment.

Bill 60 (2013), CD1 was amended to FD1.

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

NOES: None.

Committee Report 47 was adopted and Bill 60 (2013), CD1, FD1 passed third reading.

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

NOES: None.

THIRD READING

BILL 66 (2013), CD1 – COMMITTEE REPORT 48

A BILL FOR AN ORDINANCE RELATING TO ALARM SYSTEMS.

Councilmember Fukunaga moved that Committee Report 48 be adopted and Bill 66 (2013) pass third reading, as amended to CD1. Seconded by Councilmember Pine.

The following individual testified:

Major Thomas Nitta, Honolulu Police Department (HPD) (Oppose)

Councilmember Fukunaga stated that the current version of the Bill requires alarm companies to provide anyone purchasing or leasing an alarm system with written notification of permit requirements, and the measure should not increase the workload of the HPD.

Committee Report 48 was adopted and Bill 66 (2013), CD1 passed third reading. as amended.

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

NOES: None.

THIRD READING

BILL 70 (2013), CD2 – COMMITTEE REPORT 57

A BILL FOR AN ORDINANCE RELATING TO FEES FOR CERTAIN PERMITS AND SERVICES ADMINISTERED BY THE DEPARTMENT OF PLANNING AND PERMITTING (DPP).

Councilmember Kobayashi moved that Committee Report 57 be adopted and Bill 70 (2013), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Chang.

The following individuals testified:

1. David Arakawa, Land Use Research Foundation of Hawaii (M-542) (Oppose)

In response to Councilmember Pine, Mr. Arakawa stated that:

- Currently there is no charge for development plan review approvals.
- Bill 70, CD2 proposes a \$10,000 application fee for development agreements with an additional \$1,000 per acre involved or any major fraction thereof up to a maximum fee of \$30,000, and the fees would not be refundable.
- When a development agreement or zone change is approved, the real property tax value of the area increases City revenue. Rather than increasing development costs, the City should encourage responsible and reasonable development and affordable housing.

2. Gladys Marrone, Building Industry Association Hawaii (M-461) (Oppose)

Councilmember Kobayashi noted that the Department of Budget and Fiscal Services (BFS) stated that the fees collected by the DPP are deposited into a separate account in the General Fund; therefore, language requiring that the monies collected from the fees be deposited in a Land Use Permit Account in the General Fund was not included in the CD2 version.

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

- The DPP keeps track of permit fees collected.
- The BFS will keep track of the increased fees and the increases will be allocated to the DPP.
- The DPP's 2015 budget includes the \$1.5 million anticipated from the increased fees.
- After studying half a dozen other cities of comparable size, the proposed fee in Bill 70 brings Honolulu more on par with other West Coast cities.
- Having just gone through the development agreement process for the first time, the proposed fee reflects a range of the work and time that would be

required to process a development agreement. A \$30,000 fee would cover only a portion of the processing costs.

Committee Report 57 was adopted and Bill 70 (2013), CD2 passed third reading, as amended.

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

NOES: None.

Councilmember Menor voted aye with reservations.

Related communications:

M-512 Harry A. Saunders, Castle & Cooke Hawaii

M-513 Michael Watanabe

THIRD READING

BILL 1, CD2, FD1 – COMMITTEE REPORT 58

A BILL FOR AN ORDINANCE RELATING TO PARKING.

The following amendment was posted on the agenda:

Bill 1, CD2, Proposed FD1

Councilmember Kobayashi moved that Committee Report 58 be adopted and Bill 1, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Chang.

Councilmember Kobayashi moved that the Bill be amended to FD1. Seconded by Councilmember Chang. The amendment provides that the DES Director include in each concession contract the location for which the permit applies; a reference to the Hawaii Capital District is corrected to the Hawaii Capital Special District, and makes other technical and nonsubstantive amendments.

The following individuals testified:

1. Barbra Armentrout (Support)
2. Polly Grace (Support)

Bill 1, CD2 was amended to FD1.

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

In response to councilmembers, Director Mike Formby, Department of Transportation Services (DTS), and Director Gerald Saito, Department of Enterprises Services (DES), stated that:

- The intent of the measure is to allow legitimate trucks to park in legitimate stalls and not have to camp out from the morning for a stall, and at the same time, give the City an opportunity to earn some revenue.
- Food truck vendors have not testified at prior hearings. The DTS has not had any discussions with food truck vendors.
- Historically, the minimum bid per month per food truck is \$400. The DES does not know how much total revenue would be generated nor how many existing food trucks would be displaced should the measure pass.
- The Waimea Bay concession bid was for \$5,000 a month.
- The DTS is looking at a minimum of five super stalls for food trucks in the Capital Special District.
- The DTS will establish rules, including a fine for the inappropriate use of the super stalls and the possibility of towing illegally parked cars. The rules would clarify that it is an exclusive system that would prohibit vendors who have not gone through the concession bid process. The Administration hopes to generate more interest in the food truck business by assuring operators that winning bids would reserve the stall five days a week from 10:30 a.m. to 1:30 p.m.
- There are no current fees associated with street usage and the DTS does not plan to charge any administrative fee.
- There would be no additional cost for the permit.
- The DES will notify vendors of the rules and bid process.

Councilmember Harimoto stated he would not support Bill 1, CD2 due to his concerns that there has been no input from the food truck industry and that the measure would be another instance of the government restricting private enterprise since only permitted food trucks would be able to do business.

Councilmember Kobayashi stated that Bill 1, CD2 does not interfere with private business but would allow food truck vendors to park in public parking spaces on public streets without having to park there early in the morning to save the space. She noted that the Council has received very positive testimony on the measure.

Councilmember Manahan stated that he would be voting in opposition to Bill 1, CD2 at final reading. He noted that while there are good components to the Bill in terms of reserving a stall and guaranteeing a spot, a lot of work still needs to be done on the measure once the impact on food truck vendors is known.

Councilmember Menor spoke in support of Bill 1, CD2. He noted that the Bill proposes a two-year pilot project after which the City would have an opportunity to evaluate the concerns and issues raised by Councilmembers Manahan and Harimoto

Chair Martin urged councilmembers to join him in voting in support of Bill 1, CD2. He noted that he introduced the Bill after hearing prior testimony from food truck vendors recommending exclusive zones for food trucks. He stated that there may be some adverse consequences; therefore, the measure calls for a two-year pilot program.

Committee Report 58 was adopted and Bill 1, CD2, FD1 passed third reading.

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

NOES: HARIMOTO, MANAHAN – 2.

THIRD READING

BILL 4 – COMMITTEE REPORT 67

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

Councilmember Anderson moved that Committee Report 67 be adopted and Bill 4 pass third reading. Seconded by Councilmember Harimoto.

The following individual testified:

Choon James (Support)

Councilmember Kobayashi thanked Zoning Chair Anderson for moving Bill 4 along. She noted that the Administration testified that there is already a State law in place; however, the City has not been following the law, so it is important to have Bill 4 in place.

Councilmember Pine thanked Councilmembers Kobayashi and Fukunaga for introducing Bill 4. She stated that her West coast community has successfully made use of indigenous and Polynesian plants and noted that she looked forward to working with the Administration in implementing the use of these plants.

Councilmember Anderson also thanked Councilmembers Kobayashi and Fukunaga for introducing Bill 4. He noted that being of part Hawaiian ancestry, he was especially pleased that the measure would allow for additional indigenous plants to be used in City landscaping, provide a greater opportunity to observe the Hawaiian culture in all communities, and provide an opportunity for the public to learn about the Hawaiian culture. He noted that the measure is a positive step in the right direction and that councilmembers look forward to working with the Administration to implement the use of these plants.

Committee Report 67 was adopted and Bill 4 passed third reading.

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

NOES: None.

Related communications:

M-478 Hinano Tangaro
M-514 Thomas T. Shirai, Jr.

FIRST READING

BILL 10

(Zoning and Planning)

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

Councilmember Anderson moved that Bill 10 pass first reading. Seconded by Councilmember Harimoto.

There was no public testimony.

Bill 10 passed first reading.

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

NOES: None.

FIRST READING

BILL 11

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE LEGISLATIVE BUDGET FOR THE FISCAL YEAR JULY 1, 2014 TO JUNE 30, 2015.

Councilmember Anderson moved that Bill 11 pass first reading. Seconded by Councilmember Harimoto.

The following individuals testified:

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

Bill 11 passed first reading.

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

NOES: None.

FIRST READING

BILL 12

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2014 TO JUNE 30, 2015.

Councilmember Anderson moved that Bill 12 pass first reading. Seconded by Councilmember Harimoto.

The following individuals testified:

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

Bill 12 passed first reading.

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

FIRST READING

BILL 13

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE CAPITAL BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2014 TO JUNE 30, 2015.

Councilmember Anderson moved that Bill 13 pass first reading. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Frank Genadio (M-477) (General comment)
3. Choon James (General comment)

Bill 13 passed first reading.

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

FIRST READING

BILL 14

(Budget)

A BILL FOR AN ORDINANCE 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, 2015, 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 Anderson moved that Bill 14 pass first reading. Seconded by Councilmember Harimoto.

The following individual testified:

Choon James (General comment)

Bill 14 passed first reading.

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

NOES: None.

FIRST READING

BILL 15

(Budget)

A BILL FOR AN ORDINANCE DETERMINING THE REAL PROPERTY TAX RATES FOR THE CITY AND COUNTY OF HONOLULU FOR THE FISCAL YEAR JULY 1, 2014 TO JUNE 30, 2015.

Councilmember Anderson moved that Bill 15 pass first reading. Seconded by Councilmember Harimoto.

The following individual testified:

Natalie Iwasa (Support setting real property tax rates by bill)

In response to Councilmember Anderson, Director Nelson Koyanagi, Department of Budget and Fiscal Services, stated that:

- In the past, real property tax rates have been set by resolution.
- The current process for setting real property tax rates is for the Administration to submit a bill to the City Council pursuant to the Charter. Bill 15 proposes to establish a new policy to set real property tax rates by bill pursuant to the Charter.
- The City Council is required to adopt a balanced budget. If the Mayor were to veto a real property tax rate setting bill passed by the Council, the budget passed by the Council could be out of balance. If Council failed to override the Mayor's veto of the real property tax rate setting bill, the Mayor's originally submitted budget bills would take effect.
- He would let the Council know how long the Council would have to consider overriding the real property tax rate setting bill or revisiting the budget process should the Mayor veto a real property tax rate setting bill.

Councilmember Anderson stated that he would be voting with strong reservations at first reading. He noted that he looked forward to discussions with the Administration regarding his concerns that the Mayor would be allowed to veto real property tax rates set by the Council and by default the Mayor's budgets would take effect.

Bill 15 passed first reading.

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

NOES: None.

*Councilmembers Anderson and Menor voted aye with reservations.

FIRST READING

BILL 16

(Budget)

A BILL FOR AN ORDINANCE RELATING TO CONDOMINIUMS.

Councilmember Anderson moved that Bill 16 pass first reading. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Cade Watanabe, Unite HERE Local 5 (M-534) (Support)

At this juncture, Chair Martin left and Vice-Chair Anderson assumed the role of Presiding Officer.

2. Joli Tokusato, Unite HERE Local 5 (M-543) (Support)
3. Meynard Duyao, Unite HERE Local 5 (M-532) (Support)
4. Gemma Conn, Unite HERE Local 5 (M-544) (Support)

At this juncture, Chair Martin returned and assumed his duties as Presiding Officer.

5. Rodney Nakashima, Unite HERE Local 5 (M-479) (Support)
6. Marites Uy, Unite HERE Local 5 (M-518) (Support)
7. Evangeline Bautista, Unite HERE Local 5 (M-533) (Support)
8. Paola Rodelas, Young Nonprofit Professional Network-Hawaii Chapter (M-545) (Support)
9. Choon James (General comment)

Councilmember Menor urged councilmembers to join him in voting to move Bill 16 forward on first reading for further discussion and consideration in the Budget Committee. He noted that he introduced the measure to stimulate public discussion on the impact that the conversion of hotels to condominiums has had on the economy and the community at large. He stated that there is strong evidence of the negative impact of condo conversions (i.e., the loss of thousands of local hotel jobs and the loss of State and County tax revenues).

Councilmember Manahan spoke in strong support of Bill 16. He noted that the measure is necessary to protect hotel workers, is reasonable and well crafted, and merely asks for prior notification if a hotel is going to be converted into condominiums.

Councilmember Harimoto stated that he would be voting with reservations and noted that he hoped that his concerns about the legality of the Bill and whether the City has jurisdiction over the issue could be clarified in Committee.

Bill 16 passed first reading.

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

Councilmember Harimoto voted aye with reservations.

Related communications:

M-462	Wayne Tanaka
M-463	Jake Manegdeg, Filipino American Citizens League
M-464	Charlene Cuaresma, Filipino Coalition for Solidarity
M-465	Rouel Velasco, National Federation of Filipino American Associations
M-466	Beatrice Ramos-Razon, Nursing Advocates and Mentors, Inc.
M-467	John and Lucy Witeck
M-480	Laura Moye
M-481	Amy Perruso
M-511	Ivan H.
M-515	April Kamilah B. Bautista
M-516	Deanna Espinas, National Federation of Filipino American Associations
M-517	Mandy Salis
M-546	Darlene Rodrigues
M-547	Raymund Liongson
M-548	Juanita Brown Kawamoto
M-549	Michael Gabriel Madayag
M-550	Lisabel Asuncion
M-551	Susan Milton

FIRST READING

BILL 17

(Zoning and Planning)

A BILL FOR AN ORDINANCE RELATING TO SHORELINE SETBACKS.

Councilmember Anderson moved that Bill 17 pass first reading. Seconded by Councilmember Harimoto.

There was no public testimony.

Bill 17 passed first reading.

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

FIRST READING

BILL 18

(Budget)

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

Councilmember Anderson moved that Bill 18 pass first reading. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Donald Bunnell (General comment)
3. Choon James (General comment)

Councilmember Harimoto noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-55).

Bill 18 passed first reading.

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

FIRST READING

BILL 19

(Budget)

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

Councilmember Anderson moved that Bill 19 pass first reading. Seconded by Councilmember Harimoto.

The following individual testified:

Natalie Iwasa (General comment)

Bill 19 passed first reading.

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

NOES: None.

FIRST READING

BILL 20

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2014 TO JUNE 30, 2015.

Councilmember Anderson moved that Bill 20 pass first reading. Seconded by Councilmember Harimoto.

The following individual testified:

Natalie Iwasa (General comment)

Bill 20 passed first reading.

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

NOES: None.

FIRST READING

BILL 21

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2014 TO JUNE 30, 2015

Councilmember Anderson moved that Bill 21 pass first reading. Seconded by Councilmember Harimoto.

The following individual testified:

Natalie Iwasa (General comment)

Bill 21 passed first reading.

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

FIRST READING

BILL 22

(Budget)

A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION (GO) 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, 2015, 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 Anderson moved that Bill 22 pass first reading. Seconded by Councilmember Harimoto.

There was no public testimony.

Councilmember Manahan stated that he would be voting with reservations and noted that he looked forward to more discussion in Committee. He raised the concern that there has been no proposal to pay the City back for the use of County bonds for the project. He urged the HART to consider making the State a stakeholder and using State GO bonds for the project.

Bill 22 passed first reading.

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

*Councilmember Manahan voted aye with reservations.

FIRST READING

BILL 23

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Anderson moved that Bill 23 pass first reading. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Natalie Iwasa (Oppose)
2. Polly Grace (General comment)

Councilmember Anderson stated that he would be voting with reservations at first reading to allow the measure to go the appropriate committee. He commended Chair Martin for introducing the Bill and his work on the issue. He stated that before placing short-term rentals into a separate tax category, the City should first consider legislation permitting limited additional short-term rental units together with strict enforcement, ensuring that the Administration has tough parameters to ensure compliance with those strict enforcement rules.

Councilmember Harimoto stated that he would be voting with reservations and noted his large concerns about creating a new tax classification and that he shared many of the concerns voiced by Councilmember Anderson.

Bill 23 passed first reading.

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

*Councilmembers Anderson and Harimoto voted aye with reservations.

Related communications:

M-519	Susan Bryson
M-520	Barbara Machado, Pillows in Paradise
M-552	Capt. Ken Middleton
M-553	Shawn Reed
M-556	Angela Reed
M-557	J. Nielsen
M-558	William Page

RECESS/RECONVENE

At 12:14 p.m., the Chair called for a short recess and reconvened the meeting at 12:26 p.m.

ADOPTION

RESOLUTION 14-36 – COMMITTEE REPORT 51

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY AND COUNTY OF HONOLULU FOR THE HONOLULU POLICE DEPARTMENT TO HONOR THEIR OUTSTANDING OFFICER, PARENT, RESERVE OFFICER, CIVILIAN EMPLOYEE, AND CITIZEN FOR NATIONAL POLICE WEEK 2014.

Councilmember Fukunaga moved that Committee Report 51 and Resolution 14-36 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 51 and Resolution 14-36 were adopted.

AYES: FUKUNAGA, HARIMOTO, KOBAYASHI, PINE, MARTIN – 5.
NOES: None.
ABSENT: ANDERSON, CHANG, MANAHAN, MENOR – 4.

ADOPTION

RESOLUTION 14-2 – COMMITTEE REPORT 50

RESOLUTION URGING THE MAYOR TO PARTICIPATE IN THE "*LET'S MOVE!* CITIES, TOWNS, & COUNTIES" INITIATIVE TO HELP COMBAT CHILDHOOD OBESITY AND ENCOURAGE HEALTHY EATING AND LIVING.

Councilmember Fukunaga moved that Committee Report 50 and Resolution 14-2 be adopted. Seconded by Councilmember Pine.

The following individual testified:

Catherine Richards, Department of Health (M-536) (Support)

Councilmember Harimoto stated that the Department of Health has been a great partner on all health issues, including childhood obesity and its lifelong impact on health.

Committee Report 50 and Resolution 14-2 were adopted.

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

Related communication:

M-559 Phyllis Dendle, Kaiser Permanente

ADOPTION

RESOLUTION 14-39 – COMMITTEE REPORT 53

RESOLUTION ACCEPTING A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM THE ASSOCIATION OF GOVERNMENT ACCOUNTANTS (AGA) FOR TRAVEL EXPENSES FOR THE 2014 AGA PROFESSIONAL DEVELOPMENT TRAINING CONFERENCE.

Councilmember Menor moved that Committee Report 53 and Resolution 14-39 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 53 and Resolution 14-39 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-40 – COMMITTEE REPORT 54

RESOLUTION AUTHORIZING THE DEFENSE AND INDEMNIFICATION OF THE MEMBERS OF THE DEFERRED COMPENSATION COMMITTEE.

Councilmember Menor moved that Committee Report 54 and Resolution 14-40 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 54 and Resolution 14-40 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-41, CD1 – COMMITTEE REPORT 61

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM W. PHILIP KAU, BS, MS, DVM.

Councilmember Kobayashi moved that Committee Report 61 and Resolution 14-41, CD1 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 61 and Resolution 14-41, CD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-42 – COMMITTEE REPORT 62

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU ZOO SOCIETY.

Councilmember Kobayashi moved that Committee Report 62 and Resolution 14-42 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 62 and Resolution 14-42 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-43 – COMMITTEE REPORT 63

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU ZOO SOCIETY.

Councilmember Kobayashi moved that Committee Report 63 and Resolution 14-43 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 63 and Resolution 14-43 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-44, FD1 – COMMITTEE REPORT 64

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU ZOO SOCIETY.

The following amendment was posted on the agenda:

Resolution 14-44, Proposed FD1

Councilmember Kobayashi moved that Committee Report 64 and Resolution 14-44 be adopted. Seconded by Councilmember Chang.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Chang. The amendment replaces the gift declaration form, removes the reference to the attached letter from the Department of Enterprise Services in the Be It Resolved clause, and makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 14-44 was amended to FD1.

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

Committee Report 64 and Resolution 14-44, FD1 were adopted.

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

Related communication:

D-153 Gerald H. Saito, Department of Enterprise Services

ADOPTION

RESOLUTION 14-45 – COMMITTEE REPORT 65

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU ZOO SOCIETY.

Councilmember Kobayashi moved that Committee Report 65 and Resolution 14-45 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 65 and Resolution 14-45 were adopted.

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

ADOPTION

RESOLUTION 14-9, CD1, FD1 – COMMITTEE REPORT 59

RESOLUTION URGING THE HONOLULU FIRE DEPARTMENT TO ALLOW THE EXCHANGE OF ANY UNUSED EXPIRED FIREWORKS PERMITS FOR ANOTHER CALENDAR YEAR.

The following amendment was posted on the agenda:

Resolution 14-9, CD1, Proposed FD1

Councilmember Kobayashi moved that Committee Report 59 and Resolution 14-9, CD1 be adopted. Seconded by Councilmember Chang.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Chang. The amendment modifies the title to read: Urging the Honolulu Fire Department to allow for the exchange of any unused expired fireworks permits for another calendar year, and makes miscellaneous technical and nonsubstantive changes.

The following individual testified:

Assistant Chief Socrates Bratakos, Honolulu Fire Department (Support)

In response to Councilmember Manahan, Assistant Chief Bratakos stated that the Resolutions allows a credit or exchange for unused 2013 New Year's Eve fireworks permits.

Resolution 14-9, CD1 was amended to FD1.

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

Committee Report 59 and Resolution 14-9, CD1, FD1 were adopted.

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

ADOPTION

RESOLUTION 14-34, CD1 – COMMITTEE REPORT 60

RESOLUTION ESTABLISHING A COUNCIL POLICY CONCERNING THE DEVELOPMENT OF A SENIOR AFFORDABLE HOUSING COMPLEX ON A CITY-OWNED PARCEL LOCATED ON RIVER STREET.

Councilmember Kobayashi moved that Committee Report 60 and Resolution 14-34, CD1 be adopted. Seconded by Councilmember Chang.

The following individuals testified:

1. Barbra Armentrout (Support)
2. Polly Grace (Support)

Councilmember Fukunaga noted that there was a large number of organizations in Chinatown who have expressed support for Resolution 14-34, CD1.

Councilmember Kobayashi thanked Councilmember Fukunaga who was instrumental in moving Resolution 14-34, CD1 forward and working very diligently with the community.

Committee Report 60 and Resolution 14-34, CD1 were adopted.

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

NOES: None.

Related communications:

M-482	Kehaulani Lum
M-483	Kenneth Lum
M-484	Anna Chan
M-485	Mona Lam
M-486	Emil Lim
M-487	Victor Lim
M-488	Bernard Lum and Edwina Lum
M-489	Betsy Lum
M-490	Vina Quick

M-535 Liana Lau Ben, Royal Kitchen
M-560 Howard Lum

ADOPTION
RESOLUTION 14-32 – COMMITTEE REPORT 66

RESOLUTION URGING THE CITY ADMINISTRATION TO REVIEW AND, WHERE APPROPRIATE, UPDATE DEPARTMENTAL POLICIES AND PROCEDURES FOR THE GRANTING OF SEWER SERVICE CONNECTION APPLICATIONS.

Councilmember Chang moved that Committee Report 66 and Resolution 14-32 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 66 and Resolution 14-32 were adopted.

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

ADOPTION
RESOLUTION 14-35 – COMMITTEE REPORT 69

RESOLUTION SUPPORTING BIKESHARE IN THE CITY AND COUNTY OF HONOLULU.

Councilmember Harimoto moved that Committee Report 69 and Resolution 14-35 be adopted. Seconded by Councilmember Manahan.

The following individuals testified:

1. Cindy McMillan, The Pacific Resource Partnership (M-469) (Support)
2. Natalie Iwasa, Cycle on Hawaii (Support)
3. Barbra Armentrout (Support)
4. Heidi Hansen Smith, Department of Health (M-537) (Support)

Councilmember Harimoto spoke in support of Resolution 14-35 and he thanked the Federal government, the State Department of Health, the City Department of Transportation

Services and the Department of Planning and Permitting, and all of the other organizations for their hard work over the past year to propel the program forward.

Committee Report 69 and Resolution 14-35 were adopted.

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

NOES: None.

Related communications:

M-470	Aaron Landry
M-471	Jennifer Lieu
M-472	Dawn Marie
M-473	Patrick Williams
M-474	Malachi J. H. Maglaya
M-475	Stephanie Chang
M-476	Liane Hu
M-491	Chad Taniguchi, Hawaii Bicycling League
M-492	Blue Planet Foundation
M-493	Daniel Simonich
M-494	Jolyon Thomas
M-495	Christine Strobel
M-496	Robert J. Evans
M-497	Richard G. Galluzzi
M-498	Sam Suen
M-499	Trish Campbell
M-500	Russell Seeney
M-501	John Q. Murray
M-502	John LeBlanc
M-503	Maaza C. Mekuria
M-504	Michelle
M-505	May
M-506	Michelle Kwock
M-507	Asia Yeary
M-508	Amy K. Brinker
M-509	Marsha Johnson
M-521	John Goody
M-522	John Hagihara
M-523	Jon Lott
M-524	Yukiko Morimoto

M-525	Andrew K. Smith
M-526	Lucas Hussey
M-527	Spencer Toyama, Sudokrew Solutions, LLC
M-554	Henk Rogers
M-555	Karen Shishido
M-561	John M. Kirimitsu, Kaiser Permanente
M-562	Cortney Silva
M-563	June Sugakawa
M-564	David V. Hiple
M-565	Roger Au
M-566	Karin Lynn
M-567	Forrest Furman
M-568	Kristen Lindsey-Dudley
M-569	Justine Espiritu
M-570	Jason Swanson
M-571	Kate Paine
M-572	Caterine Picardo
M-573	Nicole Hori
M-574	Carlo J. Brand
M-575	Jonas Vibell
M-576	Anna Leonardo
M-577	Robert Bengtson
M-578	Greg
M-579	Carlos Kelton
M-580	Aydee Zielke
M-581	Joshua F. Powell
M-582	Melani Nash
M-583	Zach Watson
M-584	Jessie Sur
M-585	Wayson W. Kobelansky
M-586	Jennifer Lieu

ADOPTION

RESOLUTION 14-38, CD1 – COMMITTEE REPORT 70

RESOLUTION APPROVING A 350-FOOT-HIGH BUILDING AT 2139 KUHIO AVENUE IN WAIKIKI, OAHU.

Councilmember Anderson moved that Committee Report 70 and Resolution 14-38, CD1 be adopted. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Cindy McMillan, The Pacific Resource Partnership (M-468) (Support)
2. Rick Egged, Waikiki Improvement Association (M-538) (Support)
3. Dave Erdman, PacRim Marketing Group, Inc. (M-587) (Support)
4. Benjamin Sadoski, Unite HERE Local 5 (M-588) (Oppose)
5. Natalie Iwasa (Oppose)
6. Barbra Armentrout (General comment)
7. Mark Monoscalco, Central Waikiki Neighborhood Association (M-510) (Oppose)
8. Kika Bukoski, Hawaii Building and Construction Trades Council (M-528) (Support)
9. Tyler Dos Santos-Tam, Hawai'i Construction Alliance (M-589) (Support)
10. Brad Jencks (Support)
11. William Tanaka (Support)

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

- In evaluating the extent to which the added height would be visible within the view cones from Fort DeRussy looking out towards the Koolaus, the DPP took into account the entire Kalakaua Avenue frontage from Ala Moana Boulevard to Saratoga Avenue. From the Kalakaua frontage of Fort DeRussy, much of the views of the Koolaus are blocked by existing buildings. Looking straight mauka from the middle of Fort DeRussy, there are gaps between the buildings where portions of the Koolaus are visible.

In response to Councilmember Harimoto's request that the responses to his questions be reflected in the minutes, Director Atta stated that:

- The Council can allow the 50-foot flexibility, not the DPP Director.
- The initial plans showed a Ewa-Diamond Head orientation. He requested that the developer come up with a mauka-makai alignment and the existing canted angle is a compromise between a mauka-makai and a horizontal alignment.
- The higher height opens up more space between buildings and increases the actual views between the buildings. The increased height also allows the building to be set back to create a much wider street experience.

- The guidelines are flexible, adjustable and are followed parcel by parcel, project by project.

Councilmember Anderson requested that his questions and Director Atta's responses be reflected in the minutes.

Q: Does the Council have jurisdiction over the layout and design of the proposed building, such as the mauka-makai Waikiki Special Design District (WSDD) recommendations?

A: That is not the general purview of the Council.

Q: Does the Council have jurisdiction over requiring the applicant to provide benefits to the community as a condition of the approval of the height extension?

A: No, they do not.

Q: So which entity has jurisdiction over these two items?

A: In this one, the DPP is the one that would set the conditions with the WSDD.

Q: What criteria must be met for your Department to require a certain improvement or improvements to be required by an applicant?

A: That's a very general statement. It depends on which attribute you're looking at. Is it a setback? Is it a height? Is it a façade treatment? Is it parking? All of those attributes to the project have conditions that are based on both the WSDD and the Land Use Ordinance in general.

Q: But in general, your Department looks at and considers the proposed applicant's project and its impact to the immediate community?

A: Yes.

Q: And you need to weigh the impact to that immediate community to determine whether or not there is a nexus between that impact and the proposed benefit that you are requiring?

A: Yes. The nexus between impact and condition must be made, otherwise it would not be legal basically.

Q: Your Department can ask for and require certain types of improvements?

A: Yes.

Q: But you cannot ask for a certain dollar amount or you cannot require that a certain dollar amount be expended on said improvement? In other words, you can only ask for the improvement, you cannot put a dollar amount on it?

A: We would not put the dollar amount. The improvement has to be related to the impact that we are trying to mitigate.

Q: Are you allowed to ask for a dollar amount?

A: Not through the WSDD. There is no financial mechanism in the WSDD for monetary payments.

Q: Can the Council require a cash contribution to the City from an applicant as a condition of approval of the height extension?

A: I am not aware that the Council can, but that is a legal question, but I am not aware of anything in the WSDD that allows that.

Q: Can your Department require a cash contribution?

A: No, we cannot. My understanding is that we cannot and we have never done so in the past with the WSDD.

Councilmember Chang spoke in support of Resolution 14-38, CD1. He thanked the Chair of the Zoning and Planning Committee and everyone for their hard work on the measure. He noted that the economic benefits of the proposed project have been discussed at great length and the CD1 version is a very reasonable accommodation and holds the developer accountable on several aspects that will benefit the public (i.e., the space between the towers, the open space at ground level, and traffic and sewer improvements), and illustrates the Council's commitment to ensure that the project is good for its neighbors, as well as for everyone in the community. He stated that the Council needs to continue to track the progress of the project to ensure that the developer is following all of the stipulations in the Resolution, is continuing to work with the community, the Council and the Administration, and is following all relevant County, State and Federal laws.

Councilmember Harimoto spoke in full support of Resolution 14-38, CD1 and he noted that the project was needed for Waikiki. He stated that he fully understands and believes in the

concept of slimmer, taller buildings to create more open space and greenery. He noted that he was provided with a list of community meetings and a summary of the shadow report, and his concerns have been addressed by representatives of the developer. He stated that even a 300-foot building would cast a shadow on the pool across the street; however, with a slimmer 350-foot tower, the shadow would pass more quickly across the pool.

Requesting that his comments be reflected in the minutes, Councilmember Anderson noted that just last week his campaign committee returned more than \$10,000 in contributions. He urged councilmembers to approve Resolution 14-38, CD1. He thanked the community for staying involved and working with the Council, the applicant and fellow community members. He noted that the Zoning and Planning Committee deferred a vote on the measure at its February 27 meeting and he held a public meeting with the community, the applicant and the Administration to discuss community concerns. He stated that he proposed that the developer provide a 75-foot space separation between the two towers instead of the 50-foot separation originally proposed. He noted that the CD1 version requires that the developer provide additional open space and landscaping; improvements in the public right-of-way along the project's frontage on Kuhio Avenue; on the adjacent City-owned parcel containing a sewer pump station, provide open space and landscaping improvements beyond what was originally required by the Land Use Ordinance; traffic and pedestrian safety improvements in the area; and sewer line improvements. He stated that the DPP testified that these improvements will amount to millions of dollars.

Committee Report 70 and Resolution 14-38, CD1 were adopted.

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

NOES: None.

*Councilmembers Manahan, Menor and Pine voted aye with reservations.

Related communication:

M-529 John R. Monis, Hawaii Operating Engineers Industry Stabilization Fund

BALANCE OF COMMITTEE REPORTS

EMLACR-55 To request authorization to settle a claim against the City entitled, Okada Trucking Co., LTD. v. City, et al., Civil No. 12-1-000333 (JHC)

EMLACR-56 To request authorization to settle a claim against the City entitled, Wayne Medeiros, Sr., et al. v. City, et al., CV 11-0221 RLP, APP No. 13-16460.

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

There was no new business.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

RECESS/RECONVENE

At 1:23 p.m., the Chair called for a recess and reconvened the meeting at 2:04 p.m.

Excused: Councilmember Anderson – 1.

EXECUTIVE SESSION ITEMS

There were no Executive Session items.

ORDER OF THE DAY - AFTERNOON CALENDAR

SECOND READING/PUBLIC HEARING

BILL 67 (2013), CD1 – COMMITTEE REPORT 49

A BILL FOR AN ORDINANCE RELATING TO PUBLICATION DISPENSING RACKS AND PUBLICATION DISPENSING RACK ENCLOSURES IN WAIKIKI.

Councilmember Fukunaga moved that Committee Report 49 be adopted and Bill 67 (2013), pass second reading, as amended to CD1. Seconded by Councilmember Pine.

The following individuals testified:

1. Kathleen Pahinui, Morris Visitor Publications (Comments)
2. Lester Kodama, Honolulu Star-Advertiser (Comments)
3. Meredith Low, Modern Luxury Magazines (M-541) (Comments)
4. Rick Egged, Waikiki Improvement Association (M-540) (Support)
5. Dave Erdman, Pacific Journey Magazine (Comments)
6. Kuakini Hind, Waikiki News (Comments)
7. Craig Furuya, This Week Publications (Comments)

In response to Councilmembers' questions, Sheri Kajiwara, Director, Department of Customer Services (CSD), explained that the publication dispensing rack permit fee of \$108 per triennium was established over a decade ago based on the cost for CSD to manage the program; however, repair and maintenance costs were not factored into the

fee. The cost for the CSD to manage the program over a three-year period is \$165,000; while the repair and maintenance cost for the Department of Facility Maintenance is \$512,000. The proposed new permit fee of \$443 for a three-year period was formulated by dividing the estimated cost of \$650,000 by the total number of publication racks of 1,534. Further breakdown of the cost over a three-year period amounts to \$148 a year or \$12 month or \$3 a week. The City's goal for the publication dispensing racks is to be self-sustaining without having taxpayers subsidize the program.

Director Kajiwara also noted that the CSD has been working with Councilmember Chang and the various publishers to address concerns and develop an amenable solution. The CSD is also open to discussions of creating public-private partnerships for the program.

Councilmember Fukunaga noted that she looks forward to further discussions and possible amendments as the Bill is referred back to the Committee on Public Safety and Economic Development for consideration.

Councilmember Manahan questioned whether or not the program is a core service that the City should provide.

Committee Report 49 adopted and Bill 67 (2013), CD1 passed second reading, as amended.

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

NOES: None.

Related communication:

M-530 Nick Tinebra, Honolulu Publishing Company, Ltd.

PUBLIC HEARING

RESOLUTION 14-47 AND PROPOSED CD1 – COMMITTEE REPORT 68

RESOLUTION APPROVING THE WAIPAHU NEIGHBORHOOD TRANSIT-ORIENTED DEVELOPMENT (TOD) PLAN.

Councilmember Anderson moved that Committee Report 68 be adopted and Resolution 14-47 and the Proposed CD1 be referred back to the Committee on Zoning and Planning. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 68 adopted and Resolution 14-47 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 communication:

M-531 Cindy McMillan, The Pacific Resource Partnership

ANNOUNCEMENTS

Chair Martin thanked Chancellor Rockne Freitas and the staff of University of Hawaii West Oahu for accommodating the Council to hold its meeting on campus. The Chair also announced that the next Council meeting scheduled for April 16, 2014 will be held at the Mission Memorial Auditorium.

ADJOURNMENT

At 2:22 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, April 16, 2014, at 10:00 a.m. at the Mission Memorial Auditorium. 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:

April 16, 2014