



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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RON MENOR
KYMBERLY MARCOS PINE

JOURNAL

REGULAR MEETING
20TH SESSION
WEDNESDAY, JUNE 4, 2014

MISSION MEMORIAL AUDITORIUM
ON THE GROUNDS OF HONOLULU HALE

Note: The video of the full proceedings of this meeting can be viewed at <http://honolulucountyhi.igfm2.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 10:20 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 Anderson introduced his father, John Puchalski.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 19th Session (May 7, 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 14-119, CD1 – COMMITTEE REPORT 170

RESOLUTION RELATING TO THE APPOINTMENT OF CRUZ J. VINA, JR. TO SERVE ON THE TRANSPORTATION COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Harimoto moved that Committee Report 170 and Resolution 14-119, CD1 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Harimoto urged councilmembers to join him in strong support of Resolution 14-119, CD1. He noted that Mr. Vina attends all the transportation meetings in the various communities and he will be a great addition to the Transportation Commission.

Committee Report 170 and Resolution 14-119, CD1 were adopted.

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

The Chair recognized and congratulated Mr. Vina.

THIRD READING

BILL 71 (2013), CD2, FD1– COMMITTEE REPORT 163

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED (THE LAND USE ORDINANCE), RELATING TO INTERIM PLANNED DEVELOPMENT PERMITS FOR TRANSIT-ORIENTED DEVELOPMENT WITHIN CLOSE PROXIMITY TO FUTURE RAIL STATIONS.

The following amendment was posted on the agenda:

Bill 71 (2013), CD2, Proposed FD1
(The above version was not considered)

The following amendment was handcarried to the meeting:

Bill 71 (2013), CD2, Proposed FD1 (OCS/060314/01:25/YL)

Councilmember Anderson moved that Committee Report 163 be adopted and Bill 71 (2013), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Menor.

Councilmember Anderson moved that the Bill be amended to the handcarried FD1. Seconded by Councilmember Harimoto. The handcarried FD1 further amends the posted FD1 as follows:

- Amends Section 21-9.100-5(d)(1)(A) of the Bill to provide that if a draft or approved neighborhood transit-oriented development (TOD) plan specifies a density greater than 7.5 floor area ratio, a project consistent with the density of the neighborhood TOD plan may be considered.
- Amends Revised Ordinances of Honolulu, Section 21-9.100-5(b)(1)(D) to provide that a portion of the project's affordable housing requirement may be provided off-site within one-half mile of any identified rail transit station, subject to certain requirements; and establishes the requirements for off-site affordable housing, which includes requirements that the off-site housing must be affordable rental units provided to households with incomes not exceeding 60 percent or 80 percent of the area median income for specified time periods.
- Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Tom Schmidt (Support)
2. Brigida Schmidt (Support)

Bill 71 (2013), CD2 was amended to FD1 (OCS/060314/01:25/YL).

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

NOES: None.

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

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

NOES: None.

Committee Report 163 was adopted and Bill 71 (2013), CD2, FD1 passed third reading.

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

NOES: None.

Related communication:

M-1387 Cindy McMillan, The Pacific Resource Partnership

THIRD READING

BILL 10 – COMMITTEE REPORT 164

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

Councilmember Anderson moved that Committee Report 164 be adopted and Bill 10 pass third reading. Seconded by Councilmember Harimoto.

There was no public testimony.

Councilmember Anderson urged councilmembers to join him in support of Bill 10. He noted that the Committee on Zoning and Planning extensively reviewed the Bill and worked with the Applicant and their agent on the measure.

Chair Martin thanked Vice-Chair Anderson for moving Bill 10 and Bill 29 forward. He noted that both zone changes are within his district and are strongly supported by his office and the affected neighborhood boards.

Committee Report 164 was adopted and Bill 10 passed third reading.

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

NOES: None.

Related communication:

D-422 Don S. Kitaoka, Department of the Corporation Counsel

THIRD READING

BILL 29 – COMMITTEE REPORT 166

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

Councilmember Anderson moved that Committee Report 166 be adopted and Bill 29 pass third reading. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Jim Niermann, R.M. Towill Corporation (Support)
2. Arline Wilson (Support)
3. Rose Pou (Oppose)

Councilmember Anderson requested that councilmembers support Bill 29. He stated that the Committee on Zoning and Planning carefully considered the measure and worked with the Applicant and their agent on the Bill.

Committee Report 166 was adopted and Bill 29 passed third reading.

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

NOES: None.

Related communication:

D-423 Don S. Kitaoka, Department of the Corporation Counsel

THIRD READING

BILL 32, CD1 – COMMITTEE REPORT 167

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

Councilmember Anderson moved that Committee Report 167 be adopted and Bill 32, CD1 pass third reading. Seconded by Councilmember Harimoto.

There was no public testimony.

Councilmember Anderson spoke in support of Bill 32, CD1 and noted that the Committee on Zoning and Planning worked extensively with the Applicant and their agent. He stated that the Applicant is seeking to down-zone the property from Agricultural to Preservation in order to comply with existing State law and to move forward with the golf course. He noted that the Applicant has become more active in the community and a better civic and community partner.

Committee Report 167 was adopted and Bill 32, CD1 passed third reading.

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

NOES: None.

Related communication:

D-428 Don S. Kitaoka, Department of the Corporation Counsel

RECOMMENDED TO THE COMMITTEE ON BUDGET
BILL 6, CD2 – COMMITTEE REPORT 177

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

Councilmember Kobayashi moved that Committee Report 177 be adopted and Bill 6, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Chang.

The following individuals testified:

1. Lynne Ditchen (Oppose)
2. Anthony D. Marlin, OH-NO Tenant Association (Support)
3. Marsha Joyner (General comment)
4. Barbra Armentrout (General comment)
5. Rose Pou (Oppose)
6. Bob Nakata, Faith Action for Community Equity (Support)
7. Connie Geisler (Support)
8. Choon James (General comment)

In response to councilmembers, Director Pamela Witty-Oakland, Department of Community Services, and Managing Director Ember Shinn, stated that:

- The data in Exhibit E is accurate. When the Environmental Impact Statement was prepared, the property was built for specific target income households. It would be a violation to have a family with an income higher than the target income in a unit, but not a family with an income lower than the target income. Management has been able to lease the units to families with lower than the originally targeted income because:
 - ❖ Rents have not kept up with the HUD allowable rents or market rents and have become affordable for lower-income families;
 - ❖ Council's 2008 policy allows and encourages 60 percent AMI households to be placed in all of the City's housing portfolio whenever a vacancy is available; and
 - ❖ The greatest need in our community is for affordable housing.

- There are 52 units at Harbor Village currently occupied by residents at 60 percent average median income (AMI) and below which is consistent with Council policy.
- There are 53 units at Marin Tower currently occupied by resident who are at 60 percent AMI and below, which is consistent with Council policy to target households at 60 percent AMI through the natural turnover of units.
- The Administration is not requesting that Bill 6 be deferred.
- Without the \$250,000 appropriation in the budget, it is unlikely that the Administration would be able to hire a consultant to perform the due diligence required for the Honolulu Affordable Housing Preservation Initiative (HAHPI) sale. The Administration is looking at alternative sources of funding.
- Mixed income properties are good, but what has happened in Chinatown is not a bad thing. There is a misconception that it is not good to have low-income tenants in one location. Tenants seeking housing in Chinatown are working-class people—secretaries, phlebotomists, waitresses, cashiers—who work in Chinatown and purchase the goods and services in Chinatown.
- The City's original Request for Proposals (RFP) process focused on more units at the 60 percent AMI level because those purchasers would be able to take advantage of low-income housing tax credits.
- Should the City move forward with the HAHPI sale, the following mechanisms would be put in place:
 - ❖ A financial analysis to evaluate the financial feasibility of the price and the proposed funding mechanisms in the proposals;
 - ❖ The RFP would include a further requirement that the bidders provide the City with financial information;
 - ❖ The deposit would have an earlier non-refundable cutoff.
- The City made modest rental increases at properties consistent with directives and prior notification given to the property management and the residents before the HAHPI sale collapsed. Councilmember Anderson was involved in the negotiations to increase the rents at Kulana Nani.

- There will be no displacement of tenants in order to create a different mix of income levels at the various housing projects.

RECESS/RECONVENE

At 11:19 a.m., the Chair called for a short recess and reconvened the meeting at 11:31 a.m.

Councilmember Kobayashi moved that Committee Report 177 and Bill 6, CD2 be deferred until after action was taken on Resolution 14-121 on page 22 of the agenda. There being no objections from the 9 members present, it was so ordered by the Chair.

(Note: Committee Report 177 and Bill 6, CD2 were recommitted to the Committee on Budget. See page 48.)

THIRD READING

BILL 24 – COMMITTEE REPORT 143

A BILL FOR AN ORDINANCE RELATING TO FEES AND CHARGES FOR USE OF PARKS AND RECREATION FACILITIES.

Councilmember Kobayashi moved that Committee Report 143 be adopted and Bill 24 pass third reading. Seconded by Councilmember Chang.

The following individuals testified:

1. Polly Grace (Oppose)
2. Choon James (General comment)

In response to Councilmember Pine, Director Michele Nekota, Department of Parks and Recreation, stated that the Bill reduces the \$321.50 fee to \$187.50 for groups of 100 to 250 people.

Committee Report 143 was adopted and Bill 24 passed third reading, as amended.

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

NOES: None.

THIRD READING

BILL 26, CD1 – COMMITTEE REPORT 144

A BILL FOR AN ORDINANCE RELATING TO COLLECTION AND DISPOSAL CHARGES.

Councilmember Kobayashi moved that Committee Report 144 be adopted and Bill 26 pass third reading, as amended to CD1. Seconded by Councilmember Chang.

The following individuals testified:

1. Polly Grace (Oppose)
2. Marissa Capelouto (Oppose)

Councilmember Kobayashi stated that commercial disposal businesses that take refuse to H-POWER will now have 30 days instead of 60 days to pay their bills which is in line with everyone who owes the City money.

Committee Report 144 was adopted and Bill 26, CD1 passed third reading, as amended.

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

NOES: None.

THIRD READING

BILL 11, CD1 – COMMITTEE REPORT 136

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

Councilmember Kobayashi moved that Committee Report 136 be adopted and Bill 11 pass third reading, as amended to CD1. Seconded by Councilmember Chang.

The following individual testified:

Natalie Iwasa (General comment)

Committee Report 136 was adopted and Bill 11, CD1 passed third reading, as amended.

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

THIRD READING

BILL 12, CD2, FD1 – COMMITTEE REPORT 137

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

The following amendment was posted on the agenda:

Bill 12, CD2, Proposed FD1

Councilmember Kobayashi moved that Committee Report 137 be adopted and Bill 12, 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 Proposed FD1 makes the following amendments:

- Restores \$16,500 for the Neighborhood Commission;
- Adds \$75,000 and a proviso for the Office of Housing;
- Restores \$13,000 for the Real Property Division;
- Adds \$250,000 and a proviso for the Department of Information Technology;
- Adds \$200,000 and proviso for the Department of Community Services (DCS);
- Adds \$500,000 and proviso for the DCS; and
- Adds \$27,000 for the Department of Parks and Recreation.

The following individuals testified:

1. Marie Hughes, Hina Mauka (M-1413) (Support)
2. Flora Obayashi (Oppose FD1)
3. Sylvia Young, Neighborhood Commission (D-431) (Support funding for Neighborhood Commission Office)

4. Barbara Armentrout (Support funding for Neighborhood Commission Office)
5. Dennis Egge, Neighborhood Board No. 13 (Support funding for Neighborhood Commission Office)
6. Matthew Doherty (Support funding for Housing First)

In response to councilmembers, Mr. Doherty stated that:

- There are 657 people at any given time experiencing chronic homelessness on Oahu and any investment of resources helps bring that number closer to zero.
- Communities across the country have demonstrated that the cost of individuals visiting emergency rooms and police services actually adds up to more than providing permanent housing solutions.
- President Obama's budget requests more than \$300 million for permanent support of housing across the country, in addition to the existing \$1.8 billion Federal budget focused on homeless assistance grant programs.
- He will provide data on how much jurisdictions of comparable size or comparable numbers of chronically homeless are spending on Housing First programs.
- Housing First is a proven strategy for permanently ending homelessness among people who are the most disabled and vulnerable in our communities. Housing First practices and programs have been successfully implemented in New York, Seattle, and Philadelphia. Widespread community education and public awareness is needed to demonstrate that Housing First is the way that a community and government can create opportunities, enhance public safety, and better utilize resources.

7. Colin Kippen (Support funding for Housing First)

In response to councilmembers, Mr. Kippen stated that:

- The State has budgeted \$1.5 million for Housing First Request for Proposals and to continue the State's initial pilot project.

- The State's plan to end homelessness consists of:
 - ❖ Changing how to address and respond to homelessness;
 - ❖ Increasing the health and well-being of those who are homeless;
 - ❖ Building more affordable housing units at a reduced cost; and
 - ❖ Involving the private sector and foundations in the solution.
 - The State has allocated \$25 million for transitional shelters, emergency shelters, outreach and various homeless programs.
 - The Legislature increased the percentage for the Rental Housing Trust Fund which will result in more money for affordable housing.
 - The City, State, and private sector need to work together and combine their resources in order to solve the homelessness.
8. Choon James (General comment)
 9. Lyn Moku, Lanakila Meals on Wheels (M-1472) (Support funding for Lanakila Meals on Wheels)
 10. Natalie Iwasa (General comment)
 11. Polly Grace (Support funding for Housing First)

Councilmembers Pine (CC-91, CC-125), Manahan (CC-95), Kobayashi (CC-98), Chang (CC-100), Menor (CC-114) and Fukunaga (CC-141) stated that they filed Disclosure of Interest Statements with the City Clerk's Office.

Councilmember Harimoto spoke in opposition to Bill 12, CD2, FD1. He noted his continued concerns regarding:

- Justification for adding \$3.2 million to the Grants-in-Aid Fund;
- Removal of the \$250,000 for a consultant to perform due diligence on prospective buyers of the City's affordable housing properties; and
- The City's budget priorities.

Councilmember Manahan spoke in support of Bill 12, CD2 and in opposition to the proposed FD1.

Bill 12, CD2 was amended to FD1.

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

NOES: HARIMOTO, MANAHAN – 2.

Councilmember Kobayashi spoke in support of Bill 12, CD2, FD1 and noted that the amendment:

- Adds \$200,000 for Project Homeless Connect which will give free medical treatment to the homeless, determine their needs, and gather data on the homeless population;
- Adds \$27,000 for torch lighting in Waikiki;
- Restores \$16,000 for neighborhood board election expenses;
- Adds \$75,000 to the Affordable Housing Fund for current consultant expenses; and
- Restores \$13,000 to the Real Property Tax Division.

Councilmember Anderson spoke in support of Bill 12, CD2, FD1. He commended the Budget Committee Chair and members for their due diligence and work in crafting the budget. He noted that the operating budget allows the City to provide core services—ambulance, police, fire, sewage; refuse and recyclable pick-up—to the residents of the City and County of Honolulu. While he has some concerns regarding the increase to the Grants-in-Aid Fund, he realizes that the non-profit sector reduces the burden on the government.

Councilmember Manahan stated that he would be voting aye with reservations. He clarified that his objection to the FD1 was based on the fact that amending the budget at this point would be like submitting a new budget which has not gone through the budget process

Committee Report 137 was adopted and Bill 12, CD2, FD1 passed third reading.

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

NOES: HARIMOTO – 1.

*Councilmember Manahan voted aye with reservations.

Related communications:

CC-152	Councilmember Ann Kobayashi
MM-54	Mayor Kirk Caldwell
M-1360	Sandra Pohl
M-1373	Robert Finley
M-1374	Sandra Pohl
M-1375	J. J. Niebuhr and Don Murphy, Arts District Merchants Association
M-1376	Andrew D. Friedlander, Colliers International
M-1377	Jeff Mull
M-1378	Stanley Oswald
M-1385	Gene Yokoi, Fort Street Mall Business Improvement District Association
M-1396	Dan Daoang
M-1430	David Stewart
M-1434	Liana Lau Benn, Royal Kitchen
M-1445	Chu Lan Schubert-Kwock, Chinatown Business and Community Association
M-1451	Estria Miyashiro, Mele Murals
M-1456	Ernest Hunt
M-1474	Kenya Shiimura, Toridoll USA Corporation
M-1475	Marie Owens Mull
M-1476	Travis Idol, Hawai'i Forest Institute
M-1477	Flora Obayashi
M-1483	Roland Louie

THIRD READING

BILL 13, CD2, FD1 – COMMITTEE REPORT 138

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

The following amendment was posted on the agenda:

Bill 13, CD2, Proposed FD1
(The above amendment was not considered)

The following amendment was handcarried to the meeting:

Bill 13, CD2, Proposed FD1 (OCS/060314/04:10/YL)

Councilmember Kobayashi moved that Committee Report 138 be adopted and Bill 13, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Chang.

Councilmember Anderson moved that the Bill be amended to the handcarried FD1. Seconded by Councilmember Kobayashi. The Proposed FD1 makes the following amendments:

- Rehabilitation of Streets—Does not decrease the project by \$32 million. The total for the project is \$132 million.
- Homeless Relocation Initiative—\$32 million for the acquisition, development, and/or renovation of facilities to relocate homeless individuals and families from parks, facilities and other public areas to emergency, transitional and/or permanent housing. Consideration shall be given to working homeless and homeless families with children.
- Pyrolysis Carbonization System at Sand Island Wastewater Treatment Plant—\$2 million for the planning and design to integrate a pyrolysis carbonization system to recycle sewage sludge into a biomass solid fuel for renewable electric power generation at the Sand Island Wastewater Treatment Plant.
- Family Justice Center—Amends the description to read as follows: "For the acquisition of a facility to be used in perpetuity to provide housing for victims of domestic violence, sexual assault and human trafficking earning less than 50 percent of the median household income, as referred by the Family Justice Center."
- Housing Partnership Program—\$8,256,000 in Affordable Housing Funds and amends the description to read as follows: "Provide funds through a Request for Proposals solicitation to undertake the development or preservation of affordable housing for the chronically homeless through the Housing First Model."

- Repairs and Renovations to City Housing Facilities—\$500,000 in Affordable Housing Funds for repairs and renovations to City housing facilities for a short-term pilot project not to exceed 24 months to provide services to homeless individuals with mental health and/or chemical dependency issues, in addition to serving current low-income residents.
- Crane Community Park—\$115,000 to plan, design and reconstruct the restroom facilities at Crane Community Park.
- Kawela Bay to Kahuku Point Land Conservation—\$3.5 million in Clean Water and Natural Land Funds to acquire land from Kawela Bay to Kahuku Point.
- Recreation District No. 1 Improvements—Amends description to read as follows: "Plan, design, construct, inspect and provide related equipment for improvements at existing staffed park facilities, including Manukai Street in Waikiki."

The following individuals testified:

1. Christina Aiu, Hawaiian Islands Land Trust (M-1473) (Support funding for purchase of Pupukea Ranch)
2. Grace Caligten (Support funding for Kokua Kalihi Valley)
3. Malaya Caligten-Tran (Support funding for Hoo'oulu Aina)
4. Jonah Nainoa Reyes, Kokua Kalihi Valley (Support funding for Hoo'oulu Aina)
5. Rusty Ann Jackson, Kokua Kalihi Valley (Support funding for Hoo'oulu Aina)
6. Laura Kaakua, The Trust for Public Land (M-1471) (Support funding for Hoo'oulu Aina)
7. Kanoa O'Connor, Hoo'oulu Aina (Support funding for Hoo'oulu Aina)
8. Robert Stubbs, Neighborhood Board No. 14 (D-427) (Support funding for Complete Streets)
9. Joseph Miller, Kokua Kalihi Valley (Support funding for Hoo'oulu Aina)
10. Mary Ellen Miller (Support funding for Hoo'oulu Aina)
11. Waiiau Kilipele Miller (Support funding for Hoo'oulu Aina)
12. Marjorie Ziegler (Support funding for purchase of Pupukea Ranch)
13. Trevor Ozawa (Support funding for District 4 parks)

In response to Councilmember Kobayashi, Mr. Ozawa stated that he uses Kapaolono Park quite often and it took almost eight months to fix a latch on the gate, and it took too long to repair the comfort station at Maunalua Bay.

14. Veronika Geronimo (Support funding for Hoo'oulu Aina)
15. Rafael Bergstrom (Support funding for Hoo'oulu Aina)

16. Natalie Iwasa (General comment)
17. Polly Grace (Support funding for Hoo'oulu Aina)

RECESS/RECONVENE

At 1:13 p.m., the Chair called for a short recess and reconvened the meeting at 1:25 p.m.

In response to councilmembers, Managing Director Ember Shinn stated that:

- Even if the \$900,000 was restored in the budget, the purchase of the Wilson Tract land would not be one of the next projects on the City's priority list.
- The Administration supports the proposed FD1 amendment.

Councilmember Harimoto stated that he would be voting aye with reservations and expressed his concern over the significant changes being proposed at this time, particularly the \$32 million increase in debt service.

Bill 13, CD2 was amended to FD1 (OCS/060314/04:10/YL).

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

NOES: None.

*Councilmember Harimoto voted aye with reservations.

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

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

NOES: None.

Councilmember Menor (CC-115) stated that he filed a Disclosure of Interest Statement with the City Clerk's Office.

Councilmember Kobayashi thanked everyone for their hard work on the budget—Budget Committee members Chang, Fukunaga, Pine and Manahan; Council Chair Martin, Councilmembers Anderson, Harimoto and Menor; Laura Figueira and Mike Sakata from the Council Chair's office; Lyndsey Garcia from Councilmember Chang's office; Chris Delaunay

from Councilmember Fukunaga's office; Matthew Caires from Councilmember Pine's office; Pia Boisvert from Councilmember Manahan's office; Lloyd Yoshioka, Catherine Pilgavko and Gavin Kennedy of the Office of Council Services; Cynthia Nakazaki of the Office of City Clerk, and Milton Holt and Michele Sansone from her office. She noted that the budget was the result of working with the communities, Director Nelson Koyanagi and Deputy Director Gary Kurokawa of the Department of Budget and Fiscal Services and the rest of the Administration. She also thanked the media for their coverage of all of the hearings.

Councilmember Pine spoke in support of Bill 13, CD2, FD1. She praised the Council for its efforts to deal with homelessness. On behalf of Council District 1, she thanked councilmembers for the \$1.5 million Leeward Coast benefits package, \$18 million to expand and upgrade the H-POWER plant, \$2 million to recycle sewage to fuel; \$5 million for improvements to bus routes; \$1.7 million to build a new Waianae police station, improve the fire stations in Kapolei and Makakilo and improve Waianae District Park, Oneula Beach Park, Kamokila Community Park, Geiger Community Park and Puuohulu Community Park; \$11 million for odor control at Honouliuli Wastewater Plant; and \$200,000 to fight cybercrime. She thanked Councilmember Kobayashi for balancing the needs of every district.

Councilmember Manahan thanked Council Chair Martin and Budget Chair Kobayashi for funding Kokua Kalihi Valley even though the Administration will not be able to move the project forward. He expressed his commitment to work with Kokua Kalihi Valley and the Administration on the purchase of the Wilson Tract land.

Councilmember Anderson spoke in support of Bill 13, CD2, FD1. He commended Budget Chair Kobayashi and the Budget Committee for their work with councilmembers, the Administration, affected communities and stakeholders. He noted that the budget includes more than \$8 million to assist the homeless through the implementation of a Housing First initiative and has restored \$32 million to the City's road repaving budget. He stated that the State Legislature repeatedly limits Honolulu's portion of the Transit Accommodations Tax (TAT) and retains a significant portion of the General Excise Tax (GET) rail monies while continuing to expect the City to do more with less. He thanked the Council Chair, Budget Chair Kobayashi and councilmembers for moving the measure forward and he urged the State to step up and work with the Council and the City Administration to meet the needs of taxpayers.

Chair Martin thanked Budget Chair Kobayashi for capably handling such a difficult assignment and councilmembers for their hard work on the budget. He also thanked everyone who testified on the Clean Water Act and Natural Lands Fund and stated that he would recommend that the Kokua Kalihi Valley projects be included in the 2016 budget.

Committee Report 138 was adopted and Bill 13, CD2, FD1 passed third reading.

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

NOES: None.

Related communications:

CC-153	Councilmember Ann Kobayashi
D-409	Michele K. Nekota, Department of Parks and Recreation
M-1360	Sandra Pohl
M-1364	Joy Kalke
M-1379	Gerrit Osborne
M-1380	Sandra Pohl
M-1381	J. J. Niebuhr and Don Murphy, Arts District Merchants Association
M-1382	Andrew D. Friedlander, Colliers International
M-1383	Jeff Mull
M-1386	Gene Yokoi, Fort Street Mall Business Improvement District Association
M-1397	Sharon Uesugi
M-1398	Francine Yamate
M-1399	Clara Matsuzaki
M-1400	Marjorie Serikawa
M-1401	Miriam Sarae
M-1402	Sylvian Kouchi
M-1403	Carolyn Kuwana
M-1404	Jane “bobs” Akita
M-1405	James T. Miyashiro
M-1406	Marilyn Au Hoy
M-1407	Jean Yamamoto
M-1408	Grace Nakamura
M-1409	Alice N. Kishimori
M-1410	Joan Yoshida
M-1411	Pearl
M-1426	Bernice S. Ushiroda
M-1427	Katherine Hadano
M-1428	Muriel Arakaki
M-1431	David Stewart
M-1432	David Stewart
M-1433	John Monis, Hawaii Operating Engineers Industry Stabilization Fund
M-1434	Liana Lau Benn, Royal Kitchen

M-1446 Chu Lan Schubert-Kwock, Chinatown Business and Community Association
M-1457 Ernest Hunt
M-1478 Kenya Shiimura, Toridoll USA Corporation
M-1479 Marie Owens Mull
M-1480 General Contractors Association of Hawaii
M-1481 David Penn
M-1482 Walter T. C. Chang and Karen Motosue, Hawaii Heritage Center
M-1483 Roland Louie
M-1484 Leslie Chan

THIRD READING

BILL 14 – COMMITTEE REPORT 139

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 Kobayashi moved that Committee Report 139 be adopted and Bill 14 pass third reading. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 139 was adopted and Bill 14 passed third reading.

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

ADOPTION

RESOLUTION 14-53, CD1 – COMMITTEE REPORT 145

RESOLUTION 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 Kobayashi moved that Committee Report 145 and Resolution 14-53, CD1 be adopted. Seconded by Councilmember Chang.

The following individuals testified:

1. Jack Legal, Honolulu Board of Realtors (M-1447) (Oppose)
2. Elise Lee, Honolulu Board of Realtors City Affairs Committee (M-1447) (Oppose)
3. Ursula Rutherford (Oppose)
4. Julie Meyers (Oppose)
5. Shannon Wood (Oppose)
6. Natalie Iwasa (Oppose)
7. Marissa Capelouto (Oppose)
8. Polly Grace (Oppose)

Councilmember Kobayashi stated that the \$1 million threshold for the Residential A tax classification was established because most renters do not rent homes valued at more than \$1 million. She noted that thanks to Councilmember Manahan, Resolution 13-297 established an annual review of the Residential A tax classification which will help to determine whether the threshold should be adjusted.

Councilmember Harimoto spoke in opposition to Resolution 14-53 and reiterated his concern that the Council is raising property taxes while giving over \$8 million to the non-profit sector.

Councilmember Chang spoke in opposition to Resolution 14-53 and expressed his concern about the Residential A classification and the proposed higher rates. After listening to public testimony, he stated that now is not the time to burden hardworking property owners with an increase in the Residential A tax rate.

Councilmember Anderson stated that he would be voting aye with reservations. He noted that the cost of providing government services continues to rise and the challenge for government continues to be how to provide core services without an increase in revenues. He stated that the Council will review the amount of revenue generated and determine whether or not to adjust the Residential A rate which is better than implementing new fees. He reiterated that the State continues to raid the counties' TAT and Honolulu's GET while

continuing to expect the counties to do more with less—to address homelessness, affordable housing and provide core services. He urged the State Legislature to take into serious consideration the services county governments provide during the next legislative session.

Councilmember Manahan spoke in support Resolution 14-53. While apprehensive about the creation of the Residential A classification, he stated that revenue enhancements are needed for a balanced budget to pay for core services. He noted that tax revenues will be reviewed next year, at which time the rates can be re-evaluated.

Committee Report 145 and Resolution 14-53, CD1 were adopted.

AYES: ANDERSON*, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
 MARTIN – 7.
NOES: CHANG, HARIMOTO – 2.

*Councilmember Anderson voted aye with reservations.

Related communications:

MM-54	Mayor Kirk Caldwell
M-1460	Eric Wong
M-1485	Patti Ann Hokama
M-1486	Norman M. Noguchi
M-1487	Max Sword, Outrigger Enterprises Group

THIRD READING

BILL 20 – COMMITTEE REPORT 140

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 Kobayashi moved that Committee Report 140 be adopted and Bill 20 pass third reading. Seconded by Councilmember Chang.

The following individuals testified:

1. Barbara Armentrout (Support)
2. Tom Berg (M-1488) (Oppose)

3. Natalie Iwasa (General comment)
4. Marissa Capelouto (Oppose)
5. Rose Pou (Oppose)
6. Polly Grace (Oppose)

In response to councilmembers, Director Daniel Grabauskas, Honolulu Authority for Rapid Transportation (HART), stated that:

- HART issued a Request for Proposals for a consultant in Washington, and Dennis Dwyer of Williams and Jensen was selected. He has a three year contract at \$300,000 each year. Mr. Dwyer provides the following services:
 - ❖ Works with the various congressional committees;
 - ❖ Coordinates with Hawaii's congressional delegation in Washington, D.C., during the annual appropriations process in Congress to ensure that HART obtains the full funding amount each year; and
 - ❖ Negotiates with the Department of Interior, the United States Navy and Congress for the City's acquisition of Federal property for the project.
- The Massachusetts Bay Transportation Authority in Boston had a consultant in Washington to coordinate work on Federal grants for various projects.
- After a Full Funding Agreement has been signed, some municipalities have not gotten the full amount for some fiscal years; however, the missing funds were received during subsequent fiscal years.
- Included in the \$1.57 million worth of change orders are delay claims going back to 2009, 2010 and 2011 that were finally settled.

Requesting that his comments be reflected in the minutes, Councilmember Menor noted that he would be voting aye with reservations with respect to the consultant contract.

Councilmember Kobayashi voiced concern regarding the consultant contract. She noted that even if the Council removed the funds, the contract has already been signed and HART would have to find the money.

Committee Report 140 was adopted and Bill 20 passed third reading.

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

NOES: None.

*Councilmembers Fukunaga, Kobayashi and Menor voted aye with reservations.

Related communications:

M-1384 Cindy McMillan, The Pacific Resource Partnership
M-1435 John Monis, Hawaii Operating Engineers Industry Stabilization Fund
M-1455 General Contractors Association of Hawaii

THIRD READING

BILL 21, CD1 – COMMITTEE REPORT 141

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 Kobayashi moved that Committee Report 141 be adopted and Bill 21, CD1 pass third reading. Seconded by Councilmember Chang.

The following individuals testified:

1. Marissa Capelouto (Oppose)
2. Barbara Armentrout (General comment)
3. Rose Pou (Oppose)

Committee Report 141 was adopted and Bill 21, CD1 passed third reading.

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

NOES: None.

*Councilmember Kobayashi voted aye with reservations.

Related communications:

M-1384 Cindy McMillan, The Pacific Resource Partnership
M-1435 John Monis, Hawaii Operating Engineers Industry Stabilization Fund
M-1455 General Contractors Association of Hawaii

THIRD READING

BILL 22 – COMMITTEE REPORT 142

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 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 Chang moved that Committee Report 142 be adopted and Bill 22 pass third reading. Seconded by Councilmember Anderson.

The following individuals testified:

1. Barbara Armentrout (General comment)
2. Tom Berg (M-1488) (Oppose)
3. Shannon Alivado, General Contractors Association (M-1455) (Support)
4. Marissa Capelouto (Oppose)

Councilmember Kobayashi spoke in opposition to Bill 22 and using City dollars for the rail project. She thanked Budget Vice-Chair Chang for making the motion.

Councilmember Manahan spoke in opposition to Bill 22 and using City bonds for the rail project.

Committee Report 142 was adopted and Bill 22 passed third reading.

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

NOES: KOBAYASHI, MANAHAN – 2.

Councilmember Fukunaga voted aye with reservations.

Related communications:

M-1384 Cindy McMillan, The Pacific Resource Partnership

M-1435 John Monis, Hawaii Operating Engineers Industry Stabilization Fund

M-1455 General Contractors Association of Hawaii

RECESS/RECONVENE

At 2:54 p.m., the Chair called for a short recess and reconvened the meeting at 3:42 p.m.

FIRST READING

BILL 40

(Public Works and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO DISPOSABLE FOOD CONTAINERS.

Councilmember Anderson moved that Bill 40 pass first reading. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Gene Bennett, Surfrider Foundation (M-1393, M-1415) (Support)
2. Lauren Zirbel, Hawaii Food Industry Association (M-1417) (Oppose)

In response to Councilmember Pine, Ms. Zirbel stated that there is a significant difference between the cost of Styrofoam and compostable containers.

3. Carmelita Dayao-Phillips, KYD, Inc. (M-1462) (Oppose)

In response to Councilmember Pine, Ms. Dayao-Phillips stated that:

- Compostable containers cost three times as much as Styrofoam containers.
- It would take too long and cost too much to retrofit their plant.
- Their company is located on Umi Street in Kalihi.

4. Stella Yasuda, KYD, Inc. (M-1461) (Oppose)

5. Ari Patz, Styrophobia (Support)

6. Stuart Coleman, Surfrider Foundation (M-1436) (Support)

7. Suzanne Frazer, Beach Environmental Awareness Campaign Hawaii (M-1489) (Support)

8. Rafael Bergstrom, Surfrider Foundation (M-1437) (Support)

9. Dean Otsuki (M-1490) (Support)

10. Kahi Pacarro (M-1438) (Support)

11. Barbra Armentrout (Support)

12. Chad Taniguchi (Support)

13. Bob Kline (Oppose)

14. Louise Pacarro (Support)

In response to Councilmember Pine, Director Lori Kahikina, Department of Environmental Services, stated that Styrofoam trash goes to H-POWER, so it does create energy.

Bill 40 passed first reading.

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

NOES: None.

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

Related communications:

M-1371 Ben Robinson

M-1388 Victor Lim, McDonald's Hawaii

M-1412 Jon Lott

M-1416 Doora Shin

M-1418 Eddie Flores, Jr., L & L Hawaiian Barbecue

M-1419 ckhawaii@ymail.com

M-1420 Kathleen (kkrieger47@gmail.com)
M-1421 CiCi
M-1422 Anastasia Emmons
M-1423 Jennifer Wheeler
M-1424 Sara Perry
M-1425 Rachel Schackne
M-1429 Jonathan Pettit
M-1439 Phil Potter
M-1440 Heidi Better
M-1448 ahuntemer@aol.com
M-1449 Ari Patz, World Centric
M-1452 Julia Parish
M-1454 Aaron B. Rosa
M-1458 Holly Kessler, Hawaii Food Manufacturers Association
M-1491 Nicole Chatterson
M-1492 Cecile Kim
M-1493 Paul Perretta
M-1494 Lawrence R. Blackburn, ENSO Plastics
M-1495 Victor Lim
M-1496 Bryce Delmar
M-1497 Natalie McKinney, Kokua Hawai'i Foundation
M-1498 Jennifer Milholen
M-1499 Marvin Heskett
M-1500 Tammy L. Cotton-Jennings
M-1501 Kathleen Crabill
M-1502 Jason Hills
M-1503 Elliot Van Wie, Livable Communities Hawaii
M-1504 Kristie Reilly
M-1511 Michelle K
M-1512 Doorae Shin

FIRST READING

BILL 41

(Public Works and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO COLLECTION AND DISPOSAL OF REFUSE.

Councilmember Anderson moved that Bill 41 pass first reading. Seconded by Councilmember Harimoto.

The following individual testified:

Dennis Egge (General comment)

Councilmember Harimoto stated that he would be voting aye with reservations. He expressed concern that charging a fee for bulky item pick-up could be very problematic.

Bill 41 passed first reading.

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

NOES: None.

*Councilmember Harimoto voted aye with reservations.

ADOPTION

RESOLUTION 14-96 – COMMITTEE REPORT 147

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM D.A.R.E. AMERICA FOR THE 2014 DRUG ABUSE RESISTANCE EDUCATION (D.A.R.E.) COORDINATORS' MEETING IN GRAPEVINE, TEXAS, ON JULY 7, 2014.

Councilmember Fukunaga moved that Committee Report 147 and Resolution 14-96 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 147 and Resolution 14-96 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-92, CD1 – COMMITTEE REPORT 146

RESOLUTION RELATING TO THE EXPANSION OF THE MILILANI HIGH TECHNOLOGY PARK/WAHIAWA ENTERPRISE ZONE NO. 2.

Councilmember Fukunaga moved that Committee Report 146 and Resolution 14-92, CD1 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 146 and Resolution 14-92, CD1 were adopted.

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

NOES: None.

Related communication:

M-1441 James J. Nakatani, State Agribusiness Development Corporation

ADOPTION

RESOLUTION 14-88 – COMMITTEE REPORT 148

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE USA DANCE INC., HONOLULU CHAPTER.

Councilmember Manahan moved that Committee Report 148 and Resolution 14-88 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 148 and Resolution 14-88 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-101 – COMMITTEE REPORT 149

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE FAMILY OF CLARA JOYCE PUANANI OLDS.

Councilmember Manahan moved that Committee Report 149 and Resolution 14-101 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 149 and Resolution 14-101 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-102 – COMMITTEE REPORT 150

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM ELECTRICIANS, INC. FOR THE ANNUAL LEI DAY CELEBRATION EVENTS AND ACTIVITIES.

Councilmember Manahan moved that Committee Report 150 and Resolution 14-102 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 150 and Resolution 14-102 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-103 – COMMITTEE REPORT 151

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE FAMILY AND FRIENDS OF JOANN B. BEST.

Councilmember Manahan moved that Committee Report 151 and Resolution 14-103 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 151 and Resolution 14-103 were adopted.

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

ADOPTION

RESOLUTION 14-104 – COMMITTEE REPORT 152

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU MARATHON ASSOCIATION.

Councilmember Manahan moved that Committee Report 152 and Resolution 14-104 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 152 and Resolution 14-104 were adopted.

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

ADOPTION

RESOLUTION 14-108 – COMMITTEE REPORT 153

RESOLUTION ACCEPTING A GIFT TO THE CITY FOR RESTROOM CLEANING AT HALEIWA ALII BEACH PARK.

Councilmember Manahan moved that Committee Report 153 and Resolution 14-108 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 153 and Resolution 14-108 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-113 – COMMITTEE REPORT 155

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM MALAMA PUPUKEA-WAIMEA.

Councilmember Manahan moved that Committee Report 155 and Resolution 14-113 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 155 and Resolution 14-113 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-112 – COMMITTEE REPORT 154

RESOLUTION URGING THE DEPARTMENT OF PARKS AND RECREATION TO IMPLEMENT RECOMMENDATIONS OF THE NATIONAL RIFLE ASSOCIATION OF AMERICA'S RANGE EVALUATION REPORT FOR THE KOKO HEAD SHOOTING COMPLEX.

Councilmember Manahan moved that Committee Report 154 and Resolution 14-112 be adopted. Seconded by Councilmember Menor.

The following individual testified:

Natalie Iwasa (Support)

Committee Report 154 and Resolution 14-112 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-124 – COMMITTEE REPORT 160

RESOLUTION REQUESTING THE CONSENT AND APPROVAL OF THE CITY COUNCIL TO INITIATE LEGAL ACTION AGAINST SHOSHANNAH WONG REGARDING DAMAGE TO CITY PROPERTY DUE TO MOTOR VEHICLE ACCIDENT ON JULY 10, 2012.

Councilmember Menor moved that Committee Report 160 and Resolution 14-124 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 160 and Resolution 14-124 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-105 – COMMITTEE REPORT 161

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL SERVICES, CITY AND COUNTY OF HONOLULU OR THE DIRECTOR'S DESIGNEE TO ENTER INTO AN INTER-GOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII DEPARTMENT OF HEALTH, CLEAN WATER BRANCH TO DEVELOP A WATERSHED BASED PLAN FOR THE WAIALUA-KAIAKA WATERSHED THAT WILL BE JOINTLY FUNDED THROUGH AN U.S. ENVIRONMENTAL PROTECTION AGENCY NONPOINT SOURCE FEDERAL GRANT AWARDED TO THE STATE UNDER SECTION 319(H) OF THE CLEAN WATER ACT.

Councilmember Chang moved that Committee Report 161 and Resolution 14-105 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 161 and Resolution 14-105 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-110 – COMMITTEE REPORT 162

RESOLUTION URGING THE STATE DEPARTMENT OF HEALTH TO TAKE IMMEDIATE AND DECISIVE ACTIONS TO MITIGATE POTENTIAL ADVERSE IMPACTS TO GROUNDWATER RESOURCES FROM LEAKS OR SPILLS AT THE UNITED STATES NAVY'S RED HILL UNDERGROUND FUEL STORAGE FACILITY.

Councilmember Chang moved that Committee Report 162 and Resolution 14-110 be adopted. Seconded by Councilmember Kobayashi.

The following individual testified:

Ernest Lau, Board of Water Supply (D-429) (Support)

Committee Report 162 and Resolution 14-110 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-50 – COMMITTEE REPORT 168

RESOLUTION REQUESTING THAT THE DEPARTMENT OF PLANNING AND PERMITTING AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990 (THE LAND USE ORDINANCE) TO PROVIDE FLEXIBILITY FOR SITING SENIOR CARE HOMES.

Councilmember Anderson moved that Committee Report 168 and Resolution 14-50 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 168 and Resolution 14-50 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-84, CD1, FD1 – COMMITTEE REPORT 133

RESOLUTION RELATING TO APPOINTMENTS AND NOMINATIONS FOR THE HAWAII STATE ASSOCIATION OF COUNTIES (HSAC).

The following amendment was posted on the agenda:

Resolution 14-84, CD1, Proposed FD1

Councilmember Pine moved that Committee Report 133 and Resolution 14-84, CD1 be adopted. Seconded by Councilmember Harimoto.

Councilmember Pine moved that the Resolution be amended to FD1. Seconded by Councilmember Harimoto. The proposed FD1:

- Designates Council Chair Ernest Y. Martin to serve as an officer on the HSAC Executive Committee during Fiscal Year 2014 to 2015 with Councilmember Ikaika Anderson as his alternate.
- Proposes Council Chair Ernest Y. Martin for the HSAC Executive Committee's consideration to be nominated for an at-large National Association of Counties (NACo) Presidential appointment to the NACo Board of Directors.
- Makes technical and nonsubstantive changes.

There was no public testimony.

Resolution 14-84, CD1 was amended to FD1.

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

NOES: None.

Committee Report 133 and Resolution 14-84, CD1, FD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 13-175, CD1 – COMMITTEE REPORT 171

RESOLUTION URGING THE UNITED STATES HOUSE OF REPRESENTATIVES TO
ADOPT COMPREHENSIVE IMMIGRATION REFORM LEGISLATION.

Councilmember Pine moved that Committee Report 171 and Resolution 13-175, CD1 be adopted. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Gabriela Andrade (Support)
2. Stanley Bain (M-1392, M-1506) (Support)

Councilmember Manahan urged councilmembers to support Resolution 13-175, CD1 and Resolution 14-74, CD1. He stated that delaying a vote or action on a comprehensive immigration reform bill would be a delay or denial of justice. He thanked Chair Martin for hearing the measures.

Councilmember Pine thanked councilmembers for supporting Resolution 13-175, CD1. She thanked Mr. Bain and his organization for working on the measure and helping immigrant families.

Committee Report 171 and Resolution 13-175, CD1 were adopted.

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

NOES: None.

Related communications:

M-1361 Charlene Cuaresma, Filipino Coalition for Solidarity
M-1362 Jake Manegdeg, Filipino American Citizens League
M-1363 Rouel Velasco, National Federation of Filipino American Associations

ADOPTION

RESOLUTION 14-74, CD1 – COMMITTEE REPORT 172

RESOLUTION EXPRESSING SUPPORT FOR COMPREHENSIVE FEDERAL IMMIGRATION REFORM.

Councilmember Pine moved that Committee Report 172 and Resolution 14-74, CD1 be adopted. Seconded by Councilmember Harimoto.

The following individuals testified:

1. Gabriela Andrade (M-1505) (Support)
2. Stanley Bain (M-1392, M-1506) (Support)

Committee Report 172 and Resolution 14-74, CD1 were adopted.

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

NOES: None.

Related communications:

M-1361 Charlene Cuaresma, Filipino Coalition for Solidarity
M-1362 Jake Manegdeg, Filipino American Citizens League
M-1363 Rouel Velasco, National Federation of Filipino American Associations
M-1389 Marcella Alohalani Boido
M-1442 Deanna Espinas

M-1507 Clare M. Hanusz, American Immigration Lawyers Association
M-1508 Veronika Geronimo, Hawaii Coalition for Immigration Reform

ADOPTION

RESOLUTION 14-89 – COMMITTEE REPORT 173

RESOLUTION REQUESTING THE SECRETARY OF HOMELAND SECURITY TO GRANT TEMPORARY PROTECTED STATUS TO ELIGIBLE FILIPINO CITIZENS CURRENTLY IN THE UNITED STATES.

Councilmember Pine moved that Committee Report 173 and Resolution 14-89 be adopted. Seconded by Councilmember Harimoto.

The following individual testified:

Stanley Bain (M-1392) (Support)

Councilmember Manahan clarified that Resolution 14-89 requests the Secretary of Homeland Security to grant temporary protected status for those who have been affected by the recent typhoon in the Philippines. He noted that temporary protected status is a form of humanitarian aid that the United States gives to countries that have experienced an unnatural occurrence or a natural disaster. He stated that these individuals are here with no status because there is nothing, no home to return to, and this type of humanitarian aid would allow them to work for a temporary period of time, earn some money, rebuild their lives and eventually return home.

Committee Report 173 and Resolution 14-89 were adopted.

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

NOES: None.

Related communications:

M-1361 Charlene Cuaresma, Filipino Coalition for Solidarity
M-1362 Jake Manegdeg, Filipino American Citizens League
M-1363 Rouel Velasco, National Federation of Filipino American Associations
M-1390 Marcella Alohalani Boido

M-1443 Deanna Espinas
M-1509 Veronika Geronimo, Hawaii Coalition for Immigration Reform

ADOPTION

RESOLUTION 14-93, CD1 – COMMITTEE REPORT 174

RESOLUTION AUTHORIZING THE DIRECTOR OF TRANSPORTATION SERVICES OR THE DIRECTOR'S DESIGNEE TO ENTER INTO GRANT AGREEMENTS HI-37-X009 AND HI-57-X009 WITH THE FEDERAL TRANSIT ADMINISTRATION FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23, UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION.

Councilmember Pine moved that Committee Report 174 and Resolution 14-93, CD1 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 174 and Resolution 14-93, CD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-97 – COMMITTEE REPORT 175

RESOLUTION AUTHORIZING THE DIRECTOR DESIGNATE OF THE DEPARTMENT OF PARKS AND RECREATION TO EXECUTE AND SUBMIT A SPONSOR APPLICATION TO PARTICIPATE IN THE UNITED STATES DEPARTMENT OF AGRICULTURE SUMMER FOOD SERVICE PROGRAM FOR CHILDREN AND EXECUTE AN AGREEMENT WITH THE STATE DEPARTMENT OF EDUCATION FOR THE PROVISION OF SUMMER FUN FOOD SERVICE MEALS.

Councilmember Pine moved that Committee Report 175 and Resolution 14-97 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 175 and Resolution 14-97 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-99, CD1 – COMMITTEE REPORT 176

RESOLUTION AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES OR THE DIRECTOR'S DESIGNEE TO APPLY FOR GRANT FUNDS UNDER THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S 2013 CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAMS AND TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS RELATED THERETO.

Councilmember Pine moved that Committee Report 176 and Resolution 14-99, CD1 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 176 and Resolution 14-99, CD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-87 – COMMITTEE REPORT 178

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

Councilmember Kobayashi moved that Committee Report 178 and Resolution 14-87 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 178 and Resolution 14-87 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-111 – COMMITTEE REPORT 182

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

Councilmember Kobayashi moved that Committee Report 182 and Resolution 14-111 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 182 and Resolution 14-111 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-98 – COMMITTEE REPORT 179

RESOLUTION RELATING TO TRANSFER OF FUNDS.

Councilmember Kobayashi moved that Committee Report 179 and Resolution 14-98 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 179 and Resolution 14-98 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-100 – COMMITTEE REPORT 180

RESOLUTION RELATING TO TRANSFER OF FUNDS.

Councilmember Kobayashi moved that Committee Report 180 and Resolution 14-100 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 180 and Resolution 14-100 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 14-106 – COMMITTEE REPORT 181

RESOLUTION RELATING TO TRANSFER OF FUNDS.

Councilmember Kobayashi moved that Committee Report 181 and Resolution 14-106 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 181 and Resolution 14-106 were adopted.

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

NOES: None.

RECOMMITTED TO THE COMMITTEE ON BUDGET
RESOLUTION 14-121 – COMMITTEE REPORT 183

RESOLUTION AMENDING CITY COUNCIL POLICY GOVERNING QUALIFICATIONS FOR PROSPECTIVE DEVELOPERS/OWNERS/MANAGERS OF THE CITY'S AFFORDABLE HOUSING PROJECTS.

The following amendment was posted on the agenda:

Resolution 14-121, Proposed FD1
(The above amendment was not considered.)

The following amendment was handcarried to the meeting:

Resolution 14-121, Proposed FD1 (OCS/060414/12:39/CT)

Councilmember Kobayashi moved that Committee Report 183 and Resolution 14-121 be adopted. Seconded by Councilmember Chang.

Councilmember Fukunaga moved that the Resolution be amended to the handcarried FD1. Seconded by Councilmember Kobayashi. The amendment provides that for mixed income housing projects in mixed income commercial-residential neighborhoods, the proportions of mixed income tenants shall be restored to original proportions when the projects were constructed in order to preserve the economic stability of the surrounding neighborhood; the City shall provide assistance to those at 60 percent or below who are at risk of displacement; and for those tenants at 80 percent AMI or below who are at risk of displacement as a result of increased rents, the City shall report to the City Council on the number of tenants who are affected.

The following individuals testified:

1. Barbra Armentrout (General comment)
2. Natalie Iwasa (General comment)
3. Ember Shinn, Managing Director (Oppose)
4. Bob Nakata, Faith Action for Community Equity (Oppose)

In response to Councilmember Fukunaga, Mr. Nakata stated that:

- Chinatown has some of the only housing for those at the 60 percent or below AMI income level.

- With no housing at that income level being produced, 309 tenants could be displaced with nowhere to go.
- There is no definition of the assistance displaced tenants would receive.

5. Pamela Witty-Oakland, Department of Community Services (General comment)

In response to councilmembers, Director Witty-Oakland stated that:

- Originally, of the 526 units in Chinatown Gateway, Marin Tower and Harbor Village, only 157 were designated for 80 percent AMI and below. Currently, of the 381 residents at the 80 percent AMI and below, 309 are at 60 percent AMI and below.
- The City could preserve the current income mix, not displace anyone, and implement the Council's policy through attrition—when a tenant leaves, the new tenant would be at a different income level.
- If the intent is to change the income levels within a compressed time frame, there would be a big price tag for the City. State and Federal relocation laws would go into effect for those tenants who do not voluntarily choose to leave. The City would be required to pay the difference between the tenant's current rent and their new rent. Section 8 subsidy vouchers average \$1,000 a month; \$12,000 a year times 300 people would mean the City could pay \$3.6 million a year for five years.
- The Rental Assistance Program provides up to \$300 maximum per month per unit while the tenant remains in the building. It is not a portable subsidy and would terminate once the tenant moves to another building.

6. Anthony D. Marlin (Oppose)

7. Charles Wathen (General comment)

In response to councilmembers, Director Witty-Oakland stated that:

- Without knowing the income level proportions in effect in 2010, she was not prepared to offer a comment.
- The effective date of the Council's 2008 policy may be the date to go back to.

Councilmember Menor spoke in opposition to the proposed FD1. He raised the concern that the current wording is problematic and could be interpreted as requiring displacement. He thanked Councilmember Fukunaga for her efforts to come up with a compromise to address her concerns and to further the objectives of the sale of the affordable housing projects. He recommended deferring the Resolution or recommitting it back to the Budget Committee.

Councilmember Harimoto stated that the Council is trying to set policy in a vacuum, without understanding the constraints, rules or laws. He urged councilmembers to work in collaboration with the Administration who have the experts and data, and understand the rules and laws. He stated that the Council must move forward with a good policy and not displace tenants at 60 percent AMI and below income level.

Councilmember Manahan echoed the concerns of Councilmembers Menor and Harimoto, and stated that he would support a deferral or recommitment to the Budget Committee.

Chair Martin noted that it was difficult to resolve all of the concerns that have been raised and that the Council should not pass out a measure that could be detrimental in the long run. He recommended that Resolution 14-121 and Bill 6 be recommitted back to the Committee on Budget.

Councilmember Fukunaga spoke in support of Chair Martin's recommendation to recommit the measures back to the Committee on Budget.

Councilmember Kobayashi moved that Committee Report 183 and Resolution 14-121 be recommitted to the Committee on Budget. Seconded by Councilmember Chang.

Committee Report 183 and Resolution 14-121 were recommitted to the Committee on Budget.

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

NOES: None.

Related communications:

M-1444 Representative Karl Rhoads, House District 29
M-1450 Chu Lan Schubert-Kwock, Chinatown Business and Community
 Association

M-1459 Senator Suzanne N. J. Chun Oakland, Senate District 13
M-1510 E. Lee Stack, Chinatown Improvement District

The Council Chair returned to page 6 of the agenda.

RECOMMITTED TO THE COMMITTEE ON BUDGET
BILL 6, CD2 – COMMITTEE REPORT 177

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

Councilmember Kobayashi moved that Committee Report 177 and Bill 6, CD2 be recommitted to the Committee on Budget. Seconded by Councilmember Chang.

Committee Report 177 and Bill 6, CD2 were recommitted to the Committee on Budget.

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

Related communication:

M-1391 Charles P. Wathen

The Council Chair resumed the agenda order (page 22).

ADOPTION
RESOLUTION 14-122 – COMMITTEE REPORT 184

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY AND COUNTY OF HONOLULU TO REQUEST THE GOVERNOR OF THE STATE OF HAWAII TO RELEASE FUNDS APPROPRIATED BY THE STATE LEGISLATURE FOR WAIPIO NEIGHBORHOOD PARK.

Councilmember Kobayashi moved that Committee Report 184 and Resolution 14-122 be adopted. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 184 and Resolution 14-122 were adopted.

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

NOES: None.

BALANCE OF COMMITTEE REPORTS

EMLACR-159 To request authorization to settle a case against the City and County of Honolulu entitled, Sarah Anne Porter v. City and County of Honolulu, Civil No. 14-1-1073-04 (KTN).

ZPCR-165 Bill 28, CD1 – To rezone land situated at Kaneohe, Oahu, Hawaii. Granting a 90-day extension of time. (Deadline: 6/29/14 + 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, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MENOR,
PINE, MARTIN – 8.

NOES: None.

ABSENT: CHANG – 1.

UNFINISHED BUSINESS

RECOMMITTAL TO COMMITTEE ON PARKS AND CUSTOMER SERVICES
BILL 59 (2012), CD2, FD1 – COMMITTEE REPORT 355 (2012)

A BILL FOR AN ORDINANCE RELATING TO EXCEPTIONAL TREES.

Councilmember Anderson moved that Committee Report 355 (2012) and Bill 59 (2012), CD2, FD1 be recommitted to the Committee Parks and Customer Services. Seconded by Councilmember Harimoto.

There was no public testimony.

Committee Report 355 (2012) and Bill 59 (2012), CD2, FD1 were recommitted to the Committee Parks and Customer Services.

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

NOES: None.

ABSENT: CHANG – 1.

NEW BUSINESS

ADOPTION

RESOLUTION 14-123

RESOLUTION RELATING TO APPOINTMENTS AND NOMINATIONS FOR THE HAWAII STATE ASSOCIATION OF COUNTIES.

Councilmember Anderson moved that Resolution 14-123 be adopted. Seconded by Councilmember Harimoto.

There was no public testimony.

Resolution 14-123 was adopted.

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

NOES: None.

ABSENT: CHANG – 1.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

RECESS/RECONVENE

At 5:16 p.m., the Chair called for a recess and reconvened the meeting at 5:23 p.m.

Excused: Councilmembers Manahan and Pine – 2.

EXECUTIVE SESSION ITEMS

There were no Executive Session items.

ORDER OF THE DAY - AFTERNOON CALENDAR

APPOINTMENTS

PUBLIC HEARING

JASON C. TAKARA, BUILDING BOARD OF APPEALS (MM-52)

There was no public testimony.

The Chair acknowledged the nominee's presence earlier in the meeting. He referred the matter and Communication MM-52 to the Committee on Zoning and Planning for further consideration.

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

NOES: None.

ABSENT: MANAHAN – 1.

PUBLIC HEARING

ANTHONY J. SILVA, COMMISSION ON CULTURE AND THE ARTS (MM-53)

There was no public testimony.

The Chair acknowledged the nominee's presence earlier in the meeting. He referred the matter and Communication MM-53 to the Committee on Parks and Customer Services for further consideration.

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

SECOND READING/PUBLIC HEARING
BILL 31, CD1 – COMMITTEE REPORT 156

A BILL FOR AN ORDINANCE RELATING TO AGENCY REPORTING REQUIREMENTS.

Councilmember Menor moved that Committee Report 156 be adopted and Bill 31 pass second reading, as amended to CD1. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 156 adopted and Bill 31, CD1 passed second reading.

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

SECOND READING/PUBLIC HEARING
RESOLUTION 14-63 – COMMITTEE REPORT 157

INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO THE BOARD OF WATER SUPPLY.

Councilmember Menor moved that Committee Report 157 be adopted and Resolution 14-63 pass second reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Ernest Y. W. Lau, P.E., Board of Water Supply (BWS) (D-424) (Oppose)

In response to Councilmember's questions, Mr. Lau noted that the Council's suggestion for the BWS to have at least one member with expertise in hydrology and knowledge of public utility regulations was discussed by the Board at its last meeting in May; however, the Board did not agree with the suggestion.

2. Dan Purcell (Support)
3. Natalie Iwasa (Oppose)

Councilmember Harimoto spoke in opposition to the Resolution. He noted concerns that the proposed Charter amendment would impact operations of the BWS, as well as its status as a semi-autonomous agency of the City.

Councilmember Chang explained that he would be voting aye with reservations. He acknowledged concerns regarding the governance of the Board; however, since an audit is currently in process, he prefers to wait for the City Auditor's recommendations on how to improve operations and services of the BWS.

Committee Report 157 adopted and Resolution 14-63 passed second reading.

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

NOES: HARIMOTO – 1.

ABSENT: MANAHAN – 1.

*Councilmember Chang voted aye with reservations.

Related communication:

M-1464 Mahealani Cypher

SECOND READING/PUBLIC HEARING
RESOLUTION 14-91, CD1 – COMMITTEE REPORT 158

INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO THE CLEAN WATER AND NATURAL LANDS FUND.

Councilmember Menor moved that Committee Report 158 be adopted and Resolution 14-91 pass second reading, as amended to CD1. Seconded by Councilmember Fukunaga.

The following individuals testified in opposition to the Resolution:

1. Laura Kaakua, The Trust for Public Land (M-1394)
2. Teresa Makuakane-Drechsel, Ka Huli O Haloa

3. Doug Cole, North Shore Community Land Trust (M-1463)
4. Christina Aiu, Hawaiian Islands Land Trust (M-1466)
5. Natalie Iwasa
6. Marjorie Ziegler, Conservation Council for Hawaii

Councilmember Menor recommended that the Council pass the Resolution on second reading for further consideration and discussion by the Committee on Executive Matters and Legal Affairs. He stated his concerns on whether or not the Resolution is consistent with the intent of the original Charter amendment that established the Clean Water and Natural Lands Fund, as well as the impacts on the availability of funds.

Councilmember Harimoto explained that he shares the concerns presented in public testimony, and therefore, he will be voting against the Resolution.

Councilmember Pine noted that she will be voting aye with reservations. Although funds are direly needed for parks, the Council has received compelling testimony against the proposed Charter amendment.

Committee Report 158 adopted and Resolution 14-91, CD1 passed second reading.

AYES: ANDERSON, CHANG*, FUKUNAGA, KOBAYASHI, MENOR, PINE*,
MARTIN – 7.
NOES: HARIMOTO – 1.
ABSENT: MANAHAN – 1.

*Councilmembers Chang and Pine voted aye with reservations.

SECOND READING/PUBLIC HEARING
BILL 39, CD1 – COMMITTEE REPORT 169

A BILL FOR AN ORDINANCE RELATING TO PARKING FOR PERSONS WITH DISABILITIES.

Councilmember Harimoto moved that Committee Report 169 be adopted and Bill 39 pass second reading, as amended to CD1. Seconded by Councilmember Chang.

There was no public testimony.

Committee Report 169 adopted and Bill 39, CD1 passed second reading.

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

ANNOUNCEMENTS

Council Chair Martin announced that Honolulu is hosting the 2014 Hawaii State Association of Counties Conference on June 12 and 13 at the Moana Surfrider Hotel. He also noted that the next Council meeting on July 9, 2014 will be held at Windward Community College.

ADJOURNMENT

At 5:53 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, July 9, 2014, at 10:00 a.m., at Windward Community College. Seconded by Councilmember Harimoto and there being no objections from the 8 members present (Absent: Manahan – 1), it was so ordered by the Chair.

Respectfully submitted,


For BERNICE K.N. MAU
City Clerk

vc/el

DATE APPROVED:

July 9, 2014