



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

ERNEST Y. MARTIN
CHAIR & PRESIDING OFFICER
IKAIKA ANDERSON
VICE CHAIR
RON MENOR
FLOOR LEADER
BRANDON J. C. ELEFANTE
CAROL FUKUNAGA
ANN H. KOBAYASHI
JOEY MANAHAN
TREVOR OZAWA
KYMBERLY MARCOS PINE

JOURNAL

REGULAR MEETING
12TH SESSION
WEDNESDAY, SEPTEMBER 2, 2015

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

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 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 10:54 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Elefante, Fukunaga, Kobayashi, Manahan, Menor, Ozawa, Pine, Martin – 9.

INTRODUCTION OF GUESTS

Chair Martin acknowledged and recognized Mr. Gordon Pang of the Honolulu Star Advertiser and Mr. Wayne Yoshioka of Hawaii Public Radio for their performances in the Gridiron Show.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 11th Session (August 5, 2015) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Menor.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

ORDER OF THE DAY

MAYOR'S MESSAGE 119

AUGUST 19, 2015 – FROM MAYOR KIRK CALDWELL, RETURNING VETOED BILL 44, FD1, RELATING TO PUBLIC PEDESTRIAN MALLS IN THE DOWNTOWN AND CHINATOWN AREAS.

Pursuant to Section 3-203, Revised Charter of the City and County of Honolulu 1973, as amended, and with no objections from the 9 members present, the Chair noted that Mayor's Message 119 would be entered into the Council Journal.

FINAL READING
BILL 44, FD1

A BILL FOR AN ORDINANCE RELATING TO PUBLIC PEDESTRIAN MALLS IN THE DOWNTOWN AND CHINATOWN AREAS.

Councilmember Anderson moved that Bill 44, FD1 pass final reading, the Mayor's veto to the contrary notwithstanding. Seconded by Councilmember Menor.

The following individuals testified:

1. Don Crescimanno (M-2870) (support)
2. Arvid T. Youngquist (M-2827) (comments)
3. David Cannell (M-2868) (comments)
4. Judy Lind, Kukui Childrens Foundation (M-2832) (support override of veto)

RECESS/RECONVENE

At 11:07 a.m., the Chair called for a short recess to allow the Administration to make their presence at the meeting. The Chair reconvened the meeting at 11:12 a.m.

In response to councilmembers, Managing Director Roy Amemiya and Corporation Counsel provided the following remarks:

- The Administration will discuss the measure with the Corporation Counsel and the Honolulu Police Department before enforcing the Bill.
- Bill 44 is indefensible because the Administration is not convinced that the people who are sitting and lying are impacting commerce, which is the basis for the law to be constitutional. Furthermore, the Bill extends the hours of prohibition on the public malls to when businesses are closed, making it difficult to justify.
- A timeline schedule has not yet been established for the enforcement on Kapalama Canal, but the intent is to enforce as soon as possible.
- The Managing Director was not aware of the issue involving Resolution 15-158, which was initiated by the Council to remedy an error in the zoning designation of A-2 residential use for a property in Palama that has been used for 20-plus years as a business and as such, was taken out of prior sit-lie legislation in order to meet the constitutional criteria. The Resolution requests the Administration to correct the zoning designation which would then allow the property to qualify to be a part of sit-lie legislation. He gave his assurance that he would look into the matter.
- All monies appropriated by the Council for Housing First will be expended on the project. The current contract, which commenced last year, does not expire until later in the year. The Managing Director could not provide a dollar figure as to how much monies were expended since July 1, 2015.
- The Administration has identified several areas, besides Sand Island, that could become potential sites for homeless shelters: three parcels in Waianae; a parcel in Makiki; a building in Iwilei; and a building in the airport industrial area. The Managing Director preferred not to publicly disclose the exact locations at the time due to ongoing discussions with all parties involved. Each facility could house up to 100 individuals.
- Given that the State of Hawaii has identified areas where the homeless can be sheltered, notices were passed out in the Kaka'ako encampment areas on

September 1, 2015. The Honolulu Police Department will begin conducting “phased” (street by street in different areas) enforcements, not “sweeps”, effective Tuesday, September 8, 2015. The Administration is hopeful that the Kaka’ako area would be cleared by the end of the year.

- With the experimentation of trailers or modulars at Sand Island, if the concept works, the intent is to provide similar shelters in smaller areas throughout the island instead of in one large area. The Administration asked for the Council’s assistance in identifying potential sites within their districts.
- Deputy Corporation Counsel Jennifer Waihe’e stated that they have some concerns of the Bill and she would prefer to discuss them more specifically in Executive Session. She cited the 9th Circuit of Appeals case, Jones v. the City of Los Angeles, as one specific case law that shut down a sit-lie ordinance.
- Deputy Corporation Counsel Dawn Spurlin confirmed that Bill 44 would become law once the Council overrides the Mayor’s veto to the contrary notwithstanding. To her knowledge, there is no direct ruling against the City with regard to the constitutionality of sit-lie in general.
- Deputy Corporation Counsel Spurlin was uncertain of the Mayor’s authority in choosing to enforce only some of the laws and not all of the laws of the City.

Council Chair Martin asked that Deputy Corporation Counsel Spurlin provide a more detailed response with regard to his question as to under what authority does the Mayor have to choose to enforce only some of the laws of the City and not all of the laws.

Councilmembers Elefante and Pine spoke in opposition to the measure, as they have done on all sit-lie measures.

Councilmember Manahan spoke in support of the measure.

Councilmember Fukunaga spoke in support of the measure and encouraged her colleagues to offer the same level of support and assistance as were provided in other neighborhoods covered by Bill 6.

Councilmember Ozawa spoke in strong support of the measure.

Councilmember Anderson spoke in support of the measure and asked for the members support. He stated that a community leader in his district suggested a potential site within the ahupua’a for a shelter, which he would be sharing with the Administration.

Chair Martin spoke in support of the measure and asked that the Council work very cooperatively with the Administration in identifying sites in their districts to help move the process along more quickly.

Bill 44, FD1 passed final reading, the Mayor's veto to the contrary notwithstanding.

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

*Councilmember Menor voted aye with reservations.

Related communications:

M-2808 John Kaneshiro, HawaiiUSA Federal Credit Union
M-2869 Richard T. Miyao

PUBLIC HEARING
RESOLUTION 15-237

RESOLUTION RELATING TO THE REAPPOINTMENT OF JOHN E. KOBAYASHI TO SERVE ON THE CITIZENS ADVISORY COMMISSION ON CIVIL DEFENSE OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Arvid T. Youngquist (comments)

The Chair referred Resolution 15-237 to the Committee on Public Health, Safety and Welfare for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

PUBLIC HEARING
RESOLUTION 15-238

RESOLUTION RELATING TO THE REAPPOINTMENT OF CAROLYN T. ONAGA TO SERVE ON THE CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Al Lardizabal (support)
2. Carolyn T. Onaga, appointee (comments)

The Chair referred Resolution 15-238 to the Committee on Executive Matters and Legal Affairs for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION
RESOLUTION 15-184 – COMMITTEE REPORT 333

RESOLUTION RELATING TO THE APPOINTMENT OF BRYAN P. ANDAYA TO SERVE ON THE BOARD OF WATER SUPPLY OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 333 and Resolution 15-184 be adopted. Seconded by Councilmember Anderson.

The following individuals testified:

1. Ernest Lau, Board of Water Supply (D-623) (support)
2. Bryan Andaya, appointee (comments)

Councilmembers Manahan (CC-279) and Elefante (CC-251, CC-281, CC-282) stated that they filed Disclosure of Interest Statements with the City Clerk's Office.

Councilmember Pine spoke in support of the measure.

Councilmember Fukunaga spoke in strong support of the measure and pointed out that Mr. Andaya provided extensive written comments and responses to questions from the members of the Committee on Public Works, Infrastructure and Sustainability.

Councilmember Ozawa commended Mr. Andaya for being a great member of the community and for getting involved in a more in-depth process.

Councilmember Anderson spoke in support of the measure and thanked Mr. Andaya for his willingness to serve and for his commitment to public service.

Committee Report 333 and Resolution 15-184 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

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

Related communications:

M-2828 Amy Agbayani, Filipinos for Affirmative Action
M-2871 Charlene Cuaresma, National Federation of Filipino American
 Associations Region 12
M-2872 Beatrice Ramos-Razon, Nursing Advocacy, Mentors, Inc.
M-2873 Jake Manegdeg, Filipino American Citizens League
M-2874 Alex Vergara, Oahu Filipino Community Council

ADOPTION

RESOLUTION 15-209 – COMMITTEE REPORT 339

RESOLUTION RELATING TO THE APPOINTMENT AND REAPPOINTMENT OF
LYLE M. ISHIDA TO THE ZONING BOARD OF APPEALS.

Councilmember Anderson moved that Committee Report 339 and Resolution 15-209 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Councilmember Anderson spoke in support of the measure.

Committee Report 339 and Resolution 15-209 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

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

ADOPTION

RESOLUTION 15-210 – COMMITTEE REPORT 340

RESOLUTION RELATING TO THE APPOINTMENT OF THERESIA C. MCMURDO TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Anderson moved that Committee Report 340 and Resolution 15-210 be adopted. Seconded by Councilmember Ozawa.

The following individual testified:

Arvid Youngquist (support)

Councilmember Manahan (CC-286) stated that he filed a Disclosure of Interest Statement with the City Clerk's Office.

Councilmember Fukunaga spoke in support of the measure. She commended Ms. McMurdo on an outstanding job in her prior service and looks forward to her full participation in other affairs of the Council.

Councilmember Ozawa spoke in support of the measure and looks forward to working with Ms. McMurdo.

Councilmember Anderson spoke in support of the measure and thanked Ms. McMurdo for her willingness to continue serving the community.

Councilmember Pine spoke in support of the measure and commended Ms. McMurdo on many years of helping to build the City of Kapolei.

Committee Report 340 and Resolution 15-210 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Chair Martin recognized and congratulated Ms. McMurdo on her appointment.

Related communication:

M-2875 Brooke Wilson, The Pacific Resource Partnership

At this juncture, with no objections from the 9 members present, the Chair considered Resolution 15-218, CD1 from page 15 of the agenda.

ADOPTION

RESOLUTION 15-218, CD1 – COMMITTEE REPORT 316

RESOLUTION PLACING A MEMORIAL PLAQUE AT MAUNALUA BAY BEACH PARK HONORING JOE LUKELA.

Councilmember Pine moved that Committee Report 316 and Resolution 15-218, CD1 be adopted. Seconded by Councilmember Menor.

The following individuals testified:

1. Sandra Park (M-2831) (support)
2. Chris Cramer, Maunalua Fishpond Heritage Center (M-2922) (support)
3. Renwick Tassill (support)
4. Ann Marie Kirk, Maunalua.net (M-2844) (support)
5. Don Aweau (support)

Councilmember Ozawa thanked the community for their support and expressed his gratitude for the opportunity to honor Mr. Lukela.

Councilmember Pine stated that she enjoyed meeting Mr. Lukela's family and supporters and thanked Councilmember Ozawa and Chair Martin for keeping his memory alive.

Councilmember Anderson spoke in support of the measure and thanked Mr. Lukela's family for his contributions and generosity to the people of Hawaii.

Chair Martin acknowledged the support of the Department of Parks and Recreation on the effort.

Committee Report 316 and Resolution 15-218, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-2845 Joe Kumukoa
M-2846 Livable Hawaii Kai Hui, Cultural Committee
M-2847 Helen de la Rocha
M-2848 Lukela 'Ohana

RECESS/RECONVENE

At 12:40 p.m., the Chair called for a recess as noted on the agenda. With 6 members present (Excused: Anderson, Kobayashi, Pine – 3), the Chair reconvened the meeting at 1:38 p.m.

The Chair returned to the agenda order on page 6.

SECOND READING/PUBLIC HEARING **BILL 56, CD1 – COMMITTEE REPORT 309**

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

Councilmember Menor moved that Committee Report 309 be adopted and Bill 56 pass second reading, as amended to CD1. Seconded by Councilmember Elefante.

The following individuals testified:

1. Becky Harrison, Habilitat, Inc. (P-21) (Support)
2. Ryan Spencer, Habilitat, Inc. (Support)
3. Jared Higashi, Hawaii Lodging and Tourism Association (M-2877) (Support)
4. Gayle Miyashiro, Waikiki Resort Hotel (M-2876) (Support)
5. Battalion Chief Terry Seelig, Honolulu Fire Department (Oppose CD1)
6. Scott Ryan, Habilitat, Inc. (General comment)

Councilmember Anderson urged councilmembers to join him in moving Bill 56, CD1 forward. He explained that upon learning that imitation Christmas trees can be a source of lead poisoning, he proposed the CD1 amendment to allow live Christmas trees in public displays. He noted that the Healthy Child, Healthy World Organization strongly recommends not allowing children near plastic Christmas trees and that California Proposition 65 requires that imitation trees made in China be labeled due to their potential for lead poisoning. He stated that allowing live Christmas trees is good public policy. He expressed the hope that live Christmas trees would be allowed during the 2015 holiday season.

Committee Report 309 was adopted and Bill 56, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

- | | |
|--------|---|
| M-2817 | Henry Perez, Hilton Grand Vacations Club |
| M-2833 | Julie Arigo, Waikiki Parc Hotel |
| M-2834 | Gifford Chang, Chinatown Merchants Association |
| M-2850 | Blake Oshiro, American Resort Development Association (ARDA) Hawaii |
| M-2855 | Carmine Iommazzo, The Kahala Hotel & Resort |
| M-2856 | Frederick Orr, Sheraton Princess Kaiulani Hotel |
| M-2857 | Ulrich Krauer, Halekulani |
| M-2878 | Don Murphy, Murphy's Bar and Grill |
| M-2879 | Rob Robinson, Pacific Beach Hotel |

SECOND READING/PUBLIC HEARING
BILL 55, CD1 – COMMITTEE REPORT 329

A BILL FOR AN ORDINANCE RELATING TO AFFORDABLE RENTAL HOUSING LEASES.

Councilmember Kobayashi moved that Committee Report 329 be adopted and Bill 55 pass second reading, as amended to CD1. Seconded by Councilmember Manahan.

The following individual testified:

Makani Maeva (Support)

Councilmember Kobayashi introduced Spencer Fong, an intern in her office who has been working on Bill 55. She noted that Spencer is a senior at the University of Hawaii and will be graduating at the end of the year.

Committee Report 329 was adopted and Bill 55, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

SECOND READING/PUBLIC HEARING
BILL 57, CD1 – COMMITTEE REPORT 336

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

Councilmember Anderson moved that Committee Report 336 be adopted and Bill 57 pass second reading, as amended to CD1. Seconded by Councilmember Ozawa.

The following individuals testified:

1. Christine Ruotola, Group 70 (M-2880) (Support)
2. Linda Wong (M-2881) (General comment)
3. Rick Egged, Waikiki Improvement Association (Support)

Committee Report 336 was adopted and Bill 57, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

SECOND READING/PUBLIC HEARING
BILL 58, CD1 – COMMITTEE REPORT 337

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED (THE LAND USE ORDINANCE), RELATING TO THE WAIKIKI SPECIAL DISTRICT.

Councilmember Anderson moved that Committee Report 337 be adopted and Bill 58 pass second reading, as amended to CD1. Seconded by Councilmember Ozawa.

The following individual testified:

Christine Ruotola, Group 70 (M-2880) (Support)

Councilmember Anderson explained that Bill 58 amends the Waikiki Special District Zoning Map to conform with the amendments to Zoning Map No. 3 which relates to Bill 57 which just passed on second reading.

Committee Report 337 was adopted and Bill 58, CD1 passed second reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-2809 Daisy Murai
M-2882 Linda Wong

SECOND READING/PUBLIC HEARING
BILL 59 – COMMITTEE REPORT 343

A BILL FOR AN ORDINANCE RELATING TO COMPLETE STREETS.

Councilmember Manahan moved that Committee Report 343 be adopted and Bill 59 pass second reading. Seconded by Councilmember Kobayashi.

The following individual testified:

Natalie Iwasa (Support)

Committee Report 343 was adopted and Bill 59 passed second reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

SECOND READING/PUBLIC HEARING
BILL 60 – COMMITTEE REPORT 344

A BILL FOR AN ORDINANCE RELATING TO PARADES.

Councilmember Manahan moved that Committee Report 344 be adopted and Bill 60 pass second reading. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Linda Wong (M-2858) (Oppose)
2. Tatsuo Tanabe, Honolulu Festival (Support)
3. Rick Egged, Waikiki Improvement Association (Support)
4. Carol Hopkins (General comment)

Committee Report 344 was adopted and Bill 60 passed second reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

Related communications:

M-2883 Tsukasa Harufuku, Honolulu Festival Foundation
M-2884 Ralph Whitaker III, Unity Church of Hawaii

RECOMMITTAL TO COMMITTEE ON BUDGET
BILL 25, CD2 – COMMITTEE REPORT 327

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU ZOO.

The following amendment was posted on the agenda:

Bill 25, CD2, Proposed FD1

(Note: The above amendment was not considered.)

Councilmember Kobayashi moved that Committee Report 327 and Bill 25, CD2 be recommitted to the Committee on Budget. Seconded by Councilmember Manahan.

The following individual testified:

Carol Hopkins, Kapiolani Park Preservation Society (M-2902) (Oppose Bill 25, CD2)

Committee Report 327 and Bill 25, CD2 were recommitted to the Committee on Budget.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-2901 Donna L. Ching
M-2903 Alethea Rebman/Richard Gronna, Kapiolani Park Preservation Society

THIRD READING

BILL 20, CD1 – COMMITTEE REPORT 335

A BILL FOR AN ORDINANCE RELATING TO ACCESSORY DWELLING UNITS.

Councilmember Anderson moved that Committee Report 335 be adopted and Bill 20 pass third reading, as amended to CD1. Seconded by Councilmember Ozawa.

The following individuals testified:

1. Jenny Lee, Hawaii Appleseed Center for Law & Economic Justice (M-2806) (Support)
2. Chuck Prentiss, Kailua Neighborhood Board (D-624) (Support)
3. Candace Chase, Family Farmer (M-2830) (General comment)
4. Reverend Bob Nakata, FACE (M-2829) (Support)
5. Joli Tokusato, Unite Here Local 5 (M-2885) (Support CD1)
6. Ann Bendon, Kalea Properties LLC (M-2887) (General comment)
7. Tim Vandever (Support)
8. Renee Ing (Support)
9. James K. Manaku, Sr. (General comment)
10. Don Crescimanno (General comment)
11. Renwick Tassill (General comment)
12. Tom Dinell (M-2851) (Support)
13. Stu Simmons (M-2886) (Support)

Councilmember Elefante (CC-179) stated that he filed a Disclosure of Interest Statement with the City Clerk's Office.

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

- ❖ The DPP should be able to enforce the measure with its current staff of inspectors; however, a few more inspectors would better facilitate enforcement.
- ❖ The main problem with enforcement has been providing the body of evidence required for conviction. Being able to utilize advertising as prima facie evidence gives the DPP the best tool to use before the Zoning Board of Appeals.

- ❖ The type of violation would determine what corrective action the DPP would request. For example, if construction was not done properly, the DPP would issue a notice violation. If a building is constructed without a permit, the DPP would require the homeowner to apply for an after-the-fact permit to ensure that the structure meets codes and life safety standards.

Councilmember Menor spoke in strong support of Bill 20, CD1. He noted that affordable housing advocates believe the measure represents one of the most significant pieces of housing legislation considered in years. Some of the benefits of accessory dwelling units (ADUs) include:

- ❖ An increase in the stock of affordable rental units should a significant percentage of the approximately 20,000 properties eligible for development of ADUs construct affordable rentals.
- ❖ The supplemental rental income for homeowners could offset the high cost of a home mortgage, insurance, utilities, and property taxes.
- ❖ Rental income could provide a sense of security for older homeowners.

Councilmember Menor acknowledged the Hawaii Appleseed Center for Law and Economic Justice who approached him a year ago with the idea of accessory dwelling units. He thanked Chair Anderson and the members of the Zoning Committee for moving the Bill out for final consideration; all of the affordable housing advocates and community organizations that supported the measure throughout the process; and Director Atta and his staff at the DPP for their assistance in developing the provisions in the Bill. He expressed belief that Bill 20, CD1 demonstrates the positive results that can be achieved when there is collaboration between the Administration and the City Council. He urged councilmembers to join him in support of this very important affordable housing measure.

Councilmember Elefante spoke in strong support of Bill 20, CD1. He also thanked the various stakeholders involved in working on the measure. After viewing an ADU model with the living space mapped out, he noted that it would provide another tool to add to the housing supply. He concurred with Councilmember Menor that the measure would provide homeowners with additional income and would also provide a much-needed source of housing. He stated that it was recently reported that Honolulu is now the most expensive city for singles to be living in and the Bill would increase the supply of available units.

Councilmember Pine spoke in full support of Bill 20, CD1. In visits with the homeless in her community, she learned that local people become homeless because they can no longer afford their rents. She expressed pride in the Council for advancing the measure and the communities for recognizing that many locals are suffering. Enabling ADUs is one of the fastest ways to solve homelessness. She thanked the members of the Council, the Hawaii Applesseed Center for Law and Economic Justice, and Faith Action for Community Equity.

Councilmember Anderson urged councilmembers to join him in support of Bill 20, CD1. He thanked Councilmember Menor and his staff for their work on the City Council's version of the ADU policy. He stated that the measure is one of the most significant policies implemented by the Council that will positively impact affordable housing in the City. He noted that the 800 square foot size limitation would go a long way in ensuring affordable rental rates, and the Committee on Zoning and Planning included language requiring a 180-day minimum rental contract in order to prevent short-term rentals. He concurred with the DPP request for time to implement the provisions in the Bill and the opportunity to consult with the agricultural community at large before revisiting the possibility of including agricultural districts in the ADU policy.

Councilmember Ozawa spoke in support of Bill 20, CD1. He commended Zoning Chair Anderson, the members of the Zoning Committee, Councilmember Menor, and the DPP for working together on the Bill. He thanked Director Atta for attending an Aina Haina Neighborhood Board meeting and addressing all of the concerns listed in the news article critiquing the measure. He clarified that the policy is not poor planning, but rather is an issue that has been discussed thoroughly by the City Council, the Administration and various communities numerous times, and is a move in the right direction to alleviate the housing shortage without increasing development.

Committee Report 335 was adopted and Bill 20, CD1 passed third reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-2807 Kali Watson, Sovereign Councils of the Hawaiian Homelands Assembly
M-2815 Christopher R. Laird, Self Need
M-2818 Steve Villiger, Save North Shore Neighborhoods
M-2819 Finney Bryant
M-2820 Kandis McNulty

M-2821	John A. and Sharon H. Moore
M-2822	Jeff Gilbreath, Hawaiian Community Assets
M-2836	Reverend Steven Costa, Episcopal Church West Oahu FACE
M-2835	Alika Campbell
M-2859	Serge Krivatsy
M-2860	Gladys Marrone, Building Industry Association of Hawaii
M-2888	Robert Joseph
M-2889	Reverend Samuel L. Domingo, FACE/Kilohana United Methodist Church
M-2890	Susan Smith
M-2891	Pauline Mac Neil
M-2892	Robert Varner
M-2893	Kathy Jaycox
M-2894	Kathleen M. Pahinui
M-2895	Trisha Kajimura, Catholic Charities Hawaii
M-2896	Jonas Degnan
M-2897	Jeanne Y. Ohta, 'Aina Haina Community Association
M-2898	Dawn Bruns
M-2899	Kohl Christensen
M-2900	Jennifer Smith & Ohana

FIRST READING

BILL 62

(Zoning and Planning)

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

Councilmember Anderson moved that Bill 62 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Mary Freeman (Support)
2. Kerrie Prowse (Support)

Chair Martin noted that there being no objections from the nine members present, the request from HASEKO (Ewa), Inc. (M-2660) for a 120-day extension of time for Bill 62 is approved.

Bill 62 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

D-626 George Atta, Department of Planning and Permitting
M-2837 Nolan Moriwaki, Masons Union Local #1 IUBAC
M-2838 Clyde T. Hayashi, Hawaii Laborers Employers Cooperation and Education
Trust
M-2840 Kristi Hirota-Schmidt, West Oahu Economic Development Association
M-2841 Michelle Awana
M-2904 Michael Johnson
M-2905 Carol Johnson
M-2906 William Prindle
M-2907 Eileen Y. Hirota, Keone'ula Elementary School
M-2908 William Gritton
M-2909 Illegible
M-2910 Illegible
M-2911 Eugene Gino Soquena, Laborers' International Union of North America
Local 368
M-2912 Carmen Mitsuyasu-Gapero
M-2929 Maki Eto
M-2930 Ronald B. FitzGerald
P-22 Elmer Barayuga, et al.
P-23 Charlie Blair, et al.
P-24 Kristen Kobayashi, et al.
P-25 Samantha Maeda-Racoma, et al.
P-26 Karliann Uza, et al.
P-27 Kaialynn Kobayashi, et al.
P-28 Samson Woodlyn, et al.
P-29 Kristel Young, et al.
P-30 Emman Ray Bihag, et al.

FIRST READING

BILL 63

(Zoning and Planning)

A BILL FOR AN ORDINANCE TO AMEND PORTIONS OF BOUNDARIES OF THE SPECIAL MANAGEMENT AREA MAP FOR EWA, OAHU, HAWAII.

Councilmember Anderson moved that Bill 63 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Mary Freeman (Support)
2. Kerrie Prowse (Support)

Bill 63 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

- M-2839 Clyde T. Hayashi, Hawaii Laborers Employers Cooperation and Education Trust
- M-2840 Kristi Hirota-Schmidt, West Oahu Economic Development Association
- M-2841 Michelle Awana
- M-2904 Michael Johnson
- M-2905 Carol Johnson
- M-2906 William Prindle
- M-2907 Eileen Y. Hirota, Keone'ula Elementary School
- M-2908 William Gritton
- M-2909 Illegible
- M-2910 Illegible
- M-2913 Eugene Gino Soquena, Laborers' International Union of North America Local 368
- M-2914 Carmen Mitsuyasu-Gapero
- M-2929 Maki Eto
- M-2930 Ronald B. FitzGerald
- P-22 Elmer Barayuga, et al.
- P-23 Charlie Blair, et al.
- P-24 Kristen Kobayashi, et al.

P-25 Samantha Maeda-Racoma, et al.
P-26 Karliann Uza, et al.
P-27 Kaialynn Kobayashi, et al.
P-28 Samson Woodlyn, et al.
P-29 Kristel Young, et al.
P-30 Emman Ray Bihag, et al.

FIRST READING

BILL 64

(Public Works, Infrastructure and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO SOLAR PHOTOVOLTAIC SYSTEMS.

Councilmember Anderson moved that Bill 64 pass first reading. Seconded by Councilmember Menor.

The following individual testified:

Natalie Iwasa (General comment)

Bill 64 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

FIRST READING

BILL 65

(Executive Matters and Legal Affairs)

A BILL FOR AN ORDINANCE RELATING TO DISCRIMINATION.

Councilmember Anderson moved that Bill 65 pass first reading. Seconded by Councilmember Menor.

The following individual testified:

Mary Wahlman, League of Women Voters (M-2862) (Support)

Bill 65 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-2810 T.J. Davies, AARP Chapter 60
M-2823 Lori Kamemoto and Greigh Hirata, American Congress of Obstetricians
and Gynecologists, Hawaii (Guam & American Samoa) Section
M-2824 Nanci Kriedman, Domestic Violence Action Center
M-2825 Mary A. Guinger
M-2842 Gretchen Gould, American Association of University Women
M-2843 Martha E. Martin
M-2852 Cathy Betts, Hawaii State Commission on the Status of Women
M-2861 John Bickel
M-2863 Rita Braun, American Association of University Women
M-2864 Margaret Elcock, American Association of University Women
M-2865 Representative Della Au Belatti, Representative Rosalyn H. Baker,
Representative Cynthia Thielen, Senator Suzanne Chun Oakland,
Women’s Legislative Caucus
M-2866 Laurie Field, Planned Parenthood Votes Northwest and Hawaii
M-2915 Jeanne Y. Ohta, Hawaii State Democratic Women’s Caucus
M-2816 Mary Jo Morrow, American Association of University Women
M-2917 Noriko Namiki, Young Women’s Christian Association of Oahu
M-2918 Susan J. Wurtzburg, American Association of University Women-Hawaii
M-2819 Rachel James

FIRST READING

BILL 66

(Budget)

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

Councilmember Anderson moved that Bill 66 pass first reading. Seconded by Councilmember Menor.

The following individual testified:

Natalie Iwasa (General comment)

Bill 66 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.
NOES: None.

FIRST READING

BILL 67

(Budget)

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

Councilmember Anderson moved that Bill 67 pass first reading. Seconded by Councilmember Menor.

The following individual testified:

Natalie Iwasa (General comment)

Bill 67 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.
NOES: None.

ADOPTION

RESOLUTION 15-207 – COMMITTEE REPORT 310

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT FROM THE WAIKIKI BUSINESS IMPROVEMENT DISTRICT ASSOCIATION (WBIDA) TO ADDRESS VARIOUS ILLEGAL ACTIVITIES ON THE PUBLIC SIDEWALKS IN SPECIFIC AREAS IN WAIKIKI AND TO UPGRADE THE EXISTING SECURITY CAMERA SYSTEM ALONG KALAKAUA AVENUE.

Councilmember Menor moved that Committee Report 310 and Resolution 15-207 be adopted. Seconded by Councilmember Elefante.

The following individuals testified:

1. Michael Daly (M-2921) (Oppose)
2. Natalie Iwasa (General comment)

Committee Report 310 and Resolution 15-207 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

M-2920 Daniel M. Gluck, American Civil Liberties Union of Hawaii

ADOPTION
RESOLUTION 15-213 – COMMITTEE REPORT 311

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU FIREFIGHTERS FOUNDATION FOR VARIOUS HONOLULU FIRE DEPARTMENT PROJECTS AND EVENTS.

Councilmember Menor moved that Committee Report 311 and Resolution 15-213 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 311 and Resolution 15-213 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-224 – COMMITTEE REPORT 312

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM THE FRIENDS OF THE MISSING CHILD CENTER – HAWAII FOR THE HONOLULU POLICE DEPARTMENT’S SPECIALIZED SERVICES DIVISION CANINE UNIT.

Councilmember Menor moved that Committee Report 312 and Resolution 15-224 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 312 and Resolution 15-224 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-225 – COMMITTEE REPORT 313

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM KICK START KARATE FOR SIX MEMBERS OF THE HONOLULU POLICE DEPARTMENT TO ATTEND THE 13TH ANNUAL TASTE OF KICK START FUND-RAISER ON SEPTEMBER 6, 2015.

Councilmember Menor moved that Committee Report 313 and Resolution 15-225 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 313 and Resolution 15-225 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-226 – COMMITTEE REPORT 314

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM SOLARCITY CORPORATION FOR A PHOTOVOLTAIC SYSTEM FOR FAMILIARIZATION AND REFRESHER TRAINING.

Councilmember Menor moved that Committee Report 314 and Resolution 15-226 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 314 and Resolution 15-226 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-212 – COMMITTEE REPORT 315

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM SHINNYO-EN HAWAII FOR ALA MOANA REGIONAL PARK AND MCCOY PAVILION.

Councilmember Pine moved that Committee Report 315 and Resolution 15-212 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 315 and Resolution 15-212 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

(Note: Committee Report 316 and Resolution 15-218, CD1, were considered earlier in the meeting. See page 9.)

ADOPTION

RESOLUTION 15-217, CD1 – COMMITTEE REPORT 317

RESOLUTION RELATING TO THE INCLUSION IN THE 2016 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PACKAGE OF A PROPOSAL THAT WOULD REQUIRE MOPEDS TO BE SUBJECT TO THE STATE'S SAFETY CHECK PROGRAM.

Councilmember Ozawa moved that Committee Report 317 and Resolution 15-217, CD1 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 317 and Resolution 15-217, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-220 – COMMITTEE REPORT 318

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY IDENTIFIED AS TAX MAP KEY 1-1-016-009 (PORTION).

Councilmember Ozawa moved that Committee Report 318 and Resolution 15-220 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 318 and Resolution 15-220 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-221, CD1 – COMMITTEE REPORT 319

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY IDENTIFIED AS TAX MAP KEYS 1-2-009-011 AND 1-2-009-098 (PORTIONS).

Councilmember Ozawa moved that Committee Report 319 and Resolution 15-221, CD1 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 319 and Resolution 15-221, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-222 – COMMITTEE REPORT 320

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY IDENTIFIED AS TAX MAP KEY 1-5-007-016 (PORTION).

Councilmember Ozawa moved that Committee Report 320 and Resolution 15-222 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 320 and Resolution 15-222 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-223 – COMMITTEE REPORT 321

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY IDENTIFIED AS TAX MAP KEY 2-1-014-006 (PORTION).

Councilmember Ozawa moved that Committee Report 321 and Resolution 15-223 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 321 and Resolution 15-223 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-239 – COMMITTEE REPORT 322

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1300044 TO CONTINUE THE SERVICES OF AYABE CHONG NISHIMOTO SIA & NAKAMURA AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT DEFENDANT CITY AND COUNTY OF HONOLULU IN A LEGAL ACTION ENTITLED: SERGEANT SHERMON DEAN DOWKIN, ET AL. V. THE CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV 10-00087 SOM-RLP.

Councilmember Ozawa moved that Committee Report 322 and Resolution 15-239 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 322 and Resolution 15-239 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-240 – COMMITTEE REPORT 323

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1300045 TO CONTINUE THE SERVICES OF CHUNG & IKEHARA AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT DEFENDANTS RALSTAN TANAKA AND COLBY KASHIMOTO IN A LEGAL ACTION ENTITLED: SERGEANT SHERMON DEAN DOWKIN, ET AL. V. THE CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV 10-00087 SOM-RLP.

Councilmember Ozawa moved that Committee Report 323 and Resolution 15-240 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 323 and Resolution 15-240 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-241 – COMMITTEE REPORT 324

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1300060 TO CONTINUE THE SERVICES OF THE LAW OFFICES OF CARY T. TANAKA FKA TANAKA & TAKASE AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT DEFENDANTS WAYNE FERNANDEZ AND DAN KWON IN A LEGAL ACTION ENTITLED: SERGEANT SHERMON DEAN DOWKIN, ET AL. V. THE CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV 10-00087 SOM-RLP.

Councilmember Ozawa moved that Committee Report 324 and Resolution 15-241 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 324 and Resolution 15-241 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-242 – COMMITTEE REPORT 325

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1300046 TO CONTINUE THE SERVICES OF FUKUNAGA MATAYOSHI HERSHEY & CHING, LLP AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT DEFENDANT WILLIAM AXT IN A LEGAL ACTION ENTITLED: SERGEANT SHERMON DEAN DOWKIN, ET AL. V. THE CITY AND COUNTY OF HONOLULU, ET AL., CIVIL NO. CV 10-00087 SOM-RLP.

Councilmember Ozawa moved that Committee Report 325 and Resolution 15-242 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Fukunaga (CC-277) stated that she filed a Disclosure of Interest Statement with the City Clerk's Office.

Committee Report 325 and Resolution 15-242 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-215, CD1, FD1 – COMMITTEE REPORT 330

RESOLUTION REQUESTING THE ADMINISTRATION TO REPORT TO THE COUNCIL ON THE CONTENT AND STATUS OF ITS REQUEST FOR PROPOSALS TO REPLACE ITS CURRENT CITY STREETLIGHTS WITH LIGHT-EMITTING DIODE LIGHTING.

The following amendment was posted on the agenda:

Resolution 15-215, CD1, Proposed FD1
(Note: The above version was not considered.)

The following amendments were handcarried to the meeting:

Resolution 15-215, CD1, Proposed FD1 (OCS2015-0855/9/1/2015 1:14 PM)
(Note: The above version was not considered.)

Resolution 15-215, CD1, Proposed FD1 (OCS2015-0863/9/2/2015 1:48 PM)

Councilmember Kobayashi moved that Committee Report 330 and Resolution 15-215, CD1 be adopted. Seconded by Councilmember Manahan.

Councilmember Kobayashi moved that the Resolution be amended to the handcarried FD1 (OCS2015-0863/9/2/2015 1:48 PM). Seconded by Councilmember Manahan. The FD1 makes the following amendments:

- A. Amends the first WHEREAS clause to change a reference from low pressure sodium lights to high-pressure sodium lights.
- B. Amends the BE IT RESOLVED clause to include the deadline of December 31, 2015, for the report to the Council.
- C. Amends the BE IT FURTHER RESOLVED clause to request additional components to the report:
 - 1. An explanation of why the administration chose to require the installation of a specific type of LED street light even though the Outdoor Circle, the University of Hawaii and other experts recommended against this type of light due to damage to the ecosystem and the negative impact of the light on observations made from University of Hawaii telescopes;
 - 2. An explanation of why the controllers were not included in the RFP, which now necessitates the controllers to be installed at a later date;
 - 3. An explanation of why the administration disqualified certain bidders for procedural irregularities; and

4. An explanation of why the administration did not consider any other type of LED street light except for the type required in the RFP.

D. Makes miscellaneous and nonsubstantive amendments

The following individuals testified:

1. Richard Wainscott, University of Hawaii (M-2849) (General comment)

In response to Councilmember Kobayashi, Mr. Wainscott stated that the Administration has not responded to his recommendations.

2. Natalie Iwasa (Support)

Resolution 15-215, CD1 was amended to FD1 (OCS2015-0863/9/2/2015 1:48 PM).

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

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

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN - 9.

NOES: None.

Councilmember Kobayashi noted that the State will be using lighting which has been approved by the University of Hawaii and the Federal government. She urged the Administration to work collaboratively with all interested parties on the report to replace current City streetlights.

Committee Report 330 and Resolution 15-215, CD1, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

M-2924 Kevin Jim

RECESS/RECONVENE

At 3:26 p.m., the Chair called for a short recess and left the meeting. Vice Chair Anderson assumed the role of Presiding Officer and reconvened the meeting at 3:36 p.m.

ADOPTION

RESOLUTION 15-228 – COMMITTEE REPORT 331

RESOLUTION AMENDING THE CITY COUNCIL POLICY RELATING TO REAL PROPERTY TAX COMPROMISES.

Councilmember Kobayashi moved that Committee Report 331 and Resolution 15-228 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Natalie Iwasa (Oppose)

In response to Councilmember Elefante, Deputy Director Gary Kurokawa, Department of Budget and Fiscal Services (BFS) stated for the record that the BFS opposes Resolution 15-228 because of concerns about uniformity of the application of the dates for filing for exemptions.

Councilmember Kobayashi stated that Resolution 15-228 seeks to amend the policy to resolve or provide an alternative solution for real property tax compromises.

Councilmember Elefante stated that he would be voting in opposition to Resolution 15-228 based on concerns raised by the BFS, including the statement that tax compromises approved by the Council by way of the Resolution would occur after the Assessment List has been certified and as a result, would disrupt the approved balanced budget in violation of the City Charter.

Committee Report 331 and Resolution 15-228 were adopted.

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

ADOPTION

RESOLUTION 15-229 – COMMITTEE REPORT 332

RESOLUTION APPROVING THE FOUR-YEAR AREA PLAN ON AGING UNDER THE OLDER AMERICANS ACT OF 1965, AS AMENDED IN 2006, AND AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR STATE AND FEDERAL GRANT FUNDS, AND TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS IN SUPPORT OF THIS PLAN.

Councilmember Kobayashi moved that Committee Report 332 and Resolution 15-229 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 332 and Resolution 15-229 were adopted.

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

ADOPTION

RESOLUTION 15-216 – COMMITTEE REPORT 334

RESOLUTION URGING THE ADMINISTRATION TO EXPEDITE COMPLETION OF REPAVING PROJECTS ON NORTH KING STREET AND MIDDLE STREET GIVEN THE IMMINENT COMMENCEMENT OF CONSTRUCTION FOR THE RAIL PROJECT IN KALIHI.

Councilmember Fukunaga moved that Committee Report 334 and Resolution 15-216 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 334 and Resolution 15-216 were adopted.

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

ADOPTION

RESOLUTION 15-219 – COMMITTEE REPORT 341

RESOLUTION URGING THE DEPARTMENT OF PLANNING AND PERMITTING TO EXPEDITE ALL PERMITTING REQUESTS FOR THE IMPROVEMENT OF STATE PUBLIC HOUSING.

Councilmember Ozawa moved that Committee Report 341 and Resolution 15-219 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 341 and Resolution 15-219 were adopted.

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

Related communications:

M-2853 Ricky Cassiday
M-2925 Dayton Nakanelua, United Public Workers AFSCME, Local 646, AFL-CIO

RECESS/RECONVENE

At 3:42 p.m., Acting Chair Anderson called for a short recess and reconvened the meeting at 3:43 p.m.

ADOPTION

RESOLUTION 15-230 – COMMITTEE REPORT 342

RESOLUTION PROPOSING AN UNCODIFIED ORDINANCE RELATING TO THE RENEWAL OF CERTAIN NONCONFORMING USE CERTIFICATES FOR BED AND BREAKFAST HOMES.

Councilmember Ozawa moved that Committee Report 342 and Resolution 15-230 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 342 and Resolution 15-230 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE – 8.

NOES: None.

ABSENT: MARTIN – 1.

Related communications:

M-2816 Robert Klein, McCorriston Miller Mukai MacKinnon LLP
M-2854 Ross Yamasaki, Kaneohe Bay BNB (M-2854)

BALANCE OF COMMITTEE REPORTS

EMLACR-326 To request authorization to settle a civil lawsuit against the City and County of Honolulu entitled, John W. Helm III and Jonah B. Wellins v. Calvin Domingo, City and County of Honolulu, et al., Civil No. 13-00440 ACK-KSC.

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

There was no public testimony.

The Balance of Committee Reports was adopted.

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

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 15-234

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNIVERSITY OF HAWAII FOR AN EDUCATIONAL AND INTERPRETATIVE PROGRAM FOR THE HANAUMA BAY NATURE PRESERVE.

Councilmember Menor moved that Resolution 15-234 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Kobayashi agreed that Resolution 15-234 authorizes a good agreement; however, she expressed the following concerns:

- ◆ The communication transmitting the agreement is dated August 5, almost two weeks before the Clerk's Office received the agreement and seven days prior to the August 13 posting of the Budget Committee's August 19 agenda.
- ◆ The City Council received the agreement on August 17, more than a month and a half after the July 1 start date.
- ◆ The Budget Committee did not have an opportunity to consider the measure.

- ◆ The steadily increasing amount the City pays to the University of Hawaii.

Resolution 15-234 was adopted.

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

Related communications:

D-594 Michele K. Nekota, Department of Parks and Recreation
M-2811 Darren T. Lerner, University of Hawai'i Sea Grant College Program

ADOPTION
RESOLUTION 15-244

RESOLUTION NAMING KAILUA DISTRICT PARK RECREATION CENTER POOL THE
ALBERT MINN AQUATIC CENTER.

Councilmember Menor moved that Resolution 15-244 be adopted. Seconded by
Councilmember Kobayashi.

There was no public testimony.

Resolution 15-244 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE – 7.
NOES: None.
ABSENT: OZAWA, MARTIN – 2.

Related communication:

M-2867 Representative Cynthia Thielen

ADOPTION
RESOLUTION 15-246

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM DANKOOK UNIVERSITY.

Councilmember Menor moved that Resolution 15-246 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Resolution 15-246 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE – 7.
NOES: None.
ABSENT: OZAWA, MARTIN – 2.

ADOPTION
RESOLUTION 15-248

RESOLUTION AUTHORIZING THE MANAGING DIRECTOR OR HIS DESIGNEE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE HAWAII TOURISM AUTHORITY, STATE OF HAWAII, FOR THE ACCEPTANCE AND DISBURSEMENT OF FUNDS TO IMPLEMENT THE COUNTY PRODUCT ENRICHMENT PROGRAM.

Resolution 15-248 was waived to the Council floor by the Chair of the Business, Economic Development & Tourism Committee.

Councilmember Menor moved that Resolution 15-248 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Resolution 15-248 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE – 7.
NOES: None.
ABSENT: OZAWA, MARTIN – 2.

Related communications:

CC-285 Councilmember Brandon J. C. Elefante
MM-122 Nicole A. Velasco, Office of Economic Development

ADOPTION
RESOLUTION 15-250

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

Councilmember Menor moved that Resolution 15-250 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Resolution 15-250 was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
PINE – 7.
NOES: None.
ABSENT: OZAWA, MARTIN – 2.

APPROVAL
COMMUNICATION D-619

FROM THE DEPARTMENT OF PLANNING AND PERMITTING, REQUESTING A 120-DAY EXTENSION OF TIME ON BILL 22, AMENDING CHAPTER 21, REVISED ORDINANCES OF HONOLULU 1990, AS AMENDED (THE LAND USE ORDINANCE), RELATING TO REGULATION OF CERTAIN VISITOR ACCOMMODATIONS.

Councilmember Menor moved that Communication D-619 be approved. Seconded by Councilmember Kobayashi.

The following individual testified:

Lisa Martin (Support)

Communication D-619 was approved.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 PINE – 7.
NOES: None.
ABSENT: OZAWA, MARTIN – 2.

Related communications:

D-631	Chuck Prentiss, Kailua Neighborhood Board
M-2826	John A. and Sharon H. Moore
M-2926	Stu Simmons
M-2927	Catherine Courtney
M-2928	Andrea Davis

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

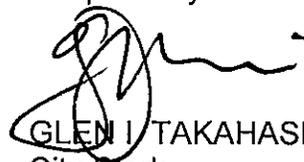
Councilmember Manahan thanked the organizers and everyone who attended the town hall meeting at Aliamanu School to discuss the housing crisis. He noted that almost everyone dreams of owning an affordable home, not a huge \$40 million mansion.

Acting Chair Anderson reminded councilmembers that the next regular Council meeting will take place on October 7 at Kapolei Hale.

ADJOURNMENT

At 3:53 p.m., Councilmember Menor moved that the Council stand adjourned until Wednesday, October 7, 2015, at 10 a.m. at Kapolei Hale. Seconded by Councilmember Kobayashi and there being no objections from the 7 members present (Excused: Ozawa, Martin – 2), it was so ordered by the Acting Chair.

Respectfully submitted,



GLENN I. TAKAHASHI
City Clerk

po/vc

DATE APPROVED:

October 7, 2015