



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
21ST SESSION
WEDNESDAY, FEBRUARY 17, 2016

KAPOLEI HALE
1000 ULUOHIA STREET, CONFERENCE ROOMS A, B AND C
KAPOLEI, HAWAII 96707

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 10:17 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

There were no guests.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 20th Session (January 27, 2016) 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

ADOPTION

RESOLUTION 16-15 – COMMITTEE REPORT 40

RESOLUTION RELATING TO THE REAPPOINTMENT OF AVELINO J. HALAGAO, JR., TO SERVE ON THE GRANTS IN AID ADVISORY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 40 and Resolution 16-15 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Mr. Halagao expressed how honored he was to have served on the Grants in Aid Advisory Commission and that he would be willing to continue serving for another term.

Councilmember Kobayashi commended Mr. Halagao for his superb performance on the Commission. She thanked him for his willingness to continue to serve on the Commission.

Councilmember Ozawa spoke in strong support of Mr. Halagao's appointment.

Committee Report 40 and Resolution 16-15 were adopted.

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

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

SECOND READING/PUBLIC HEARING
BILL 9, CD1 – COMMITTEE REPORT 29

A BILL FOR AN ORDINANCE RELATING TO CULTURAL SITES.

Councilmember Pine moved that Committee Report 29 be adopted and Bill 9 pass second reading, as amended to CD1. Seconded by Councilmember Menor.

The following individuals testified:

1. Mikiala Lidstone, Ulu A'e Learning Center (M-318) (support)
2. Shad Kane (M-321) (support)
3. James K. Manaku, Sr. (support)
4. Kurt Fevella (support)

Councilmember Pine expressed her gratitude to the Council for considering the measure because it matters greatly to the constituents who are fighting to preserve ancient and very sacred places.

Committee Report 29 was adopted and Bill 9, CD1 passed second reading.

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

NOES: None.

SECOND READING/PUBLIC HEARING
BILL 61 (2015), CD1 – COMMITTEE REPORT 37

A BILL FOR AN ORDINANCE RELATING TO INDUSTRIAL LANDS.

Councilmember Kobayashi moved that Committee Report 37 be adopted and Bill 61 (2015) pass second reading, as amended to CD1. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 37 was adopted and Bill 61 (2015), CD1 passed second reading.

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

NOES: None.

*Councilmember Elefante voted aye with reservations.

SECOND READING/PUBLIC HEARING
BILL 84 (2015), CD1 – COMMITTEE REPORT 39

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTION OF BUDGET ORDINANCES.

Councilmember Kobayashi moved that Committee Report 39 be adopted and Bill 84 (2015) pass second reading, as amended to CD1. Seconded by Councilmember Manahan.

The following individuals testified:

1. Daniel Alexander, Hawaii Bicycling League (M-372) (oppose)

In response to a question posed by Councilmember Ozawa, Mr. Alexander stated that in the 2006 General Election, 72% was the percentage of votes cast in support of a Charter Amendment question: Should one of the priorities of the Department of Transportation Services be to make Honolulu a pedestrian- and bicycle-friendly city, and should the powers, duties, and functions of the Director of Transportation Services include bikeway systems?

2. Natalie Iwasa (oppose)
3. Kurt Fevella (support)

Councilmember Elefante stated that he would be voting with reservations on the measure because of the impacts it would have on major street projects that could be categorized as Complete Streets and on bikeways or trail ways.

Councilmember Fukunaga explained that the measure provides an opportunity for residents and businesses alike to ascertain what is being planned in their areas and to voice their opinions/concerns. It is not intended to impede the implementation of Complete Streets. She noted that there are often times when the Complete Streets plans are not fully disclosed to the neighborhoods being impacted.

Councilmember Manahan spoke in strong support of the measure and reiterated that the measure does not impede the Complete Streets process. The measure establishes consistency, accountability, and transparency from the Administration in the Legislative process.

Councilmember Kobayashi spoke in support of Complete Streets and noted that Complete Streets are meant for the safety of everyone, including pedestrians. She requested that the Administration also focus their attention on sidewalks and not solely on bike lanes.

Councilmember Ozawa opined that the Administration has not been fully compliant of the Complete Streets ordinance, citing examples of project delays. He concurred with Councilmember Kobayashi that Complete Streets are for the safety of everyone from pedestrians to vehicles, citing very dangerous areas in his district for pedestrians. He spoke in support of the measure because more oversight and a better process would result in better projects.

Committee Report 39 was adopted and Bill 84 (2015), CD1 passed second reading.

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

*Councilmembers Elefante and Menor voted aye with reservations.

SECOND READING/PUBLIC HEARING
BILL 2, CD1 – COMMITTEE REPORT 36

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX RELIEF FOR PROPERTIES USED FOR LOW-INCOME RENTAL HOUSING.

Councilmember Kobayashi moved that Committee Report 36 be adopted and Bill 2 pass second reading, as amended to CD1. Seconded by Councilmember Manahan.

The following individuals testified:

1. Natalie Iwasa (oppose)

In response to questions posed by Councilmember Pine, Ms. Iwasa stated her opposition to the way the issue is currently being addressed. She requested that the \$1 million threshold be increased because every year more properties are added

to the Residential A category, which has already risen from 7,200 properties to over 9,000 and many of the owners are Hawaii residents, not out-of-state investors.

2. Barbra Armentrout (comments)

In response to questions posed by Councilmember Ozawa, Ms. Armentrout explained that upon relocation to Hawaii from the state of Ohio seven years ago, the Section 8 voucher that she hand-carried in from Ohio was transferred to the Section 8 in Hawaii. Ohio's voucher was valid for a 2-bedroom rental; however, due to the absorption of 2-bedroom rentals through Hawaii's Section 8, she was offered a studio. She declined the studio due to claustrophobia and settled for a 1-bedroom rental.

3. James K. Manaku, Sr. (comments)

Councilmember Manahan spoke in strong support of the measure. He asked for the members support and asked that they keep an open mind because it is still a work in progress. Additionally, he indicated that the measure would help landlords affected maintain affordable rents for their tenants and help transit-oriented development areas where assessments will rise quickly.

Councilmember Kobayashi also iterated that the measure is a work in progress. She disclosed the intention to amend the Bill back to its original form when it is heard in the Budget Committee.

Councilmember Pine spoke in support of the measure.

Committee Report 36 was adopted and Bill 2, CD1 passed second reading.

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

NOES: None.

SECOND READING/PUBLIC HEARING
BILL 3 – COMMITTEE REPORT 50

A BILL FOR AN ORDINANCE RELATING TO THE BUILDING CODE.

Councilmember Anderson moved that Committee Report 50 be adopted and Bill 3 pass second reading. Seconded by Councilmember Ozawa.

There was no public testimony.

Councilmember Anderson asked for the members continued support on the measure.

Committee Report 50 was adopted and Bill 3 passed second reading.

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

SECOND READING/PUBLIC HEARING
BILL 6 – COMMITTEE REPORT 51

A BILL FOR AN ORDINANCE RELATING TO NONCONFORMING USE CERTIFICATES.

Councilmember Anderson moved that Committee Report 51 be adopted and Bill 6 pass second reading. Seconded by Councilmember Ozawa.

The following individual testified:

Ross Yamasaki, Kaneohe Bay BNB (M-375) (stand on written testimony)

Committee Report 51 was adopted and Bill 6 passed second reading.

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

SECOND READING/PUBLIC HEARING
BILL 4 – COMMITTEE REPORT 58

A BILL FOR AN ORDINANCE RELATING TO PARKING.

Councilmember Manahan moved that Committee Report 58 be adopted and Bill 4 pass second reading. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Frances Tapiz-Adrian (support)
2. Esperanza Tapiz (support)
3. Davina Elgarico (support)
4. Kurt Fevella (comments)
5. Barbra Armentrout (support)

Councilmember Menor stated that he introduced the Bill in response to concerns from his constituents regarding parking problems. He clarified that the intent of the Bill allows for parking exceptions on a few streets in Ewa Villages only. In time, an assessment will be made to see whether or not provisions of the Bill might be applied to other streets on an island-wide basis. He asked for the members support in moving the Bill forward for further review and consideration.

Committee Report 58 was adopted and Bill 4 passed second reading.

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

NOES: None.

SECOND READING/PUBLIC HEARING
BILL 8 – COMMITTEE REPORT 59

A BILL FOR AN ORDINANCE RELATING TO COMPLETE STREETS.

Councilmember Manahan moved that Committee Report 59 be adopted and Bill 8 pass second reading. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Daniel Alexander, Hawaii Bicycling League (M-382) (comments)
2. Donald B. Weisman, American Heart Association (M-383) (oppose)

In response to questions posed by Councilmember Ozawa, Mr. Weisman stated that he is the Government Relations and Communications Director and was speaking on behalf of the American Heart Association (AHA). The AHA is opposed to the Bill because it would disparage some of the effectiveness of the Complete Streets law and processing of the Complete Streets projects would become more cumbersome and longer.

3. Barbra Armentrout (support)
4. Kurt Fevella (support)
5. Natalie Iwasa (oppose)

In response to questions posed by the members, Ms. Iwasa deemed that amending the Bill to allow funding for the planning phase would only mitigate some of her concerns. She believes that enough opportunities were given to the public to provide input on the projects.

Councilmember Ozawa alluded that the problem often stems from lack of communication and lack of information furnished to the communities that are most impacted by the projects. He pointed out that the Council serves as the check-and-balance to the Complete Streets ordinance ensuring that the Administration follows through in an orderly and complete manner.

In response to questions posed by Councilmember Elefante, Director Michael Formby, Department of Transportation Services stated that the Administration has concerns with the Bill. However, the Director looks forward to working with the Council in forging a path toward better public engagement and process.

Councilmember Elefante spoke in opposition to the measure because of the concerns of the testifiers and his belief that it would create more bureaucratic red tape. He looks forward to working with the members and the Administration in seeking solutions to making the streets of Honolulu safer for everyone.

Councilmember Manahan acknowledged that the Bill is a work in progress and thanked Director Formby for his willingness to work with the Council to make the Bill more palatable. He spoke on behalf of the Transportation Committee saying that no one is trying to impede Complete Streets but instead striving to establish a more consistent and transparent process for all modes of transportation.

Councilmember Menor stated that he would be voting with reservations with the understanding that the Bill is a work in progress and is subject to revisions and amendments. He looks forward to working with Director Formby in making the Bill more acceptable and reasonable.

Councilmember Ozawa stated that the Complete Streets ordinance should be implemented; however, there must be more public input in the process. Additionally, the Council should inquire into the Oahu Bike Plan for revisions and approval.

Committee Report 59 was adopted and Bill 8 passed second reading.

AYES: FUKUNAGA, KOBAYASHI, MANAHAN, MENOR*, OZAWA, PINE,
MARTIN – 7.

NOES: ELEFANTE – 1.

ABSENT: ANDERSON – 1.

*Councilmember Menor voted aye with reservations.

THIRD READING

BILL 50 (2015), CD1, FD1 – COMMITTEE REPORT 328

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

The following amendment was posted on the agenda:

Bill 50 (2015), CD1, Proposed FD1

(Note: The above amendment was not considered.)

The following amendment was handcarried to the meeting:

Bill 50 (2015), CD1, Proposed FD1 (OCS/2016-0165/2/16/2016 3:25 PM)

Councilmember Kobayashi moved that Committee Report 328 be adopted and Bill 50 (2015) pass third reading, as amended to CD1. Seconded by Councilmember Manahan.

Councilmember Kobayashi further moved that the Bill be amended to the handcarried FD1 (OCS/2016-0165/2/16/2016 3:25 PM). Seconded by Councilmember Manahan. The FD1 amends subsection (c) by changing the unit charge discount from the recycler paying 50 percent of the unit charge to the recycler paying 75 percent of the unit charge; changes the effective date to January 1, 2017; and makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Natalie Iwasa (oppose)
2. Timothy Houghton, Department of Environmental Services (oppose)
3. James K Manaku, Sr. (comments)

4. Melissa Pavlicek, Schnitzer Steel (support)
5. Allen Evans, Refrigerant Recycling, Inc. (support)
6. Paul Perry, Leeward Auto Recycling (support)
7. Kie Ho Cynn, Discount Auto Parts (support)

Bill 50 (2015), CD1 was amended to FD1 (OCS/2016-0165/2/16/2016 3:25 PM).

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

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

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

Councilmember Elefante spoke in opposition to the measure because of the potential loss of revenue and the impact it would have on operating expenses for the Department of Environmental Services.

Committee Report 328 was adopted and Bill 50 (2015), CD1, FD1 passed third reading.

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

THIRD READING

BILL 77 (2015), CD1 – COMMITTEE REPORT 38

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

Councilmember Manahan moved that Committee Report 38 be adopted and Bill 77 (2015) pass third reading, as amended to CD1. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 38 was adopted and Bill 77 (2015), CD1 passed third reading.

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

NOES: None.

ABSENT: KOBAYASHI – 1.

FIRST READING

BILL 10

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO TAXICABS.

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

The following individual testified:

Barbra Armentrout (comments)

Bill 10 passed first reading.

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

NOES: None.

FIRST READING

BILL 11

(Zoning and Planning)

A BILL FOR AN ORDINANCE REGULATING FOR AN INTERIM PERIOD THE ISSUANCE OF BUILDING PERMITS IN THE AREA COMMONLY REFERRED TO AS AIEA, RED HILL, MOANALUA AND SALT LAKE IN THE CITY AND COUNTY OF HONOLULU.

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

The following individual testified:

Lori Lum, Douglas Emmett, Inc. (oppose)

Councilmember Elefante noted for the record that he would be filing a Disclosure of Interest Statement with the City Clerk's Office (CC-23).

Councilmember Elefante stated that he would be voting with reservations on the measure.

Councilmember Fukunaga explained that the Exhibit A map attached to Bill 11 contained an error; therefore, a corrected version would be forthcoming. She also noted how appreciative the area legislators were of the efforts of Douglas Emmett, Inc. for addressing the many concerns of the community. The community, however, is very concerned with the lack of comprehensive action by the State Department of Transportation and the City's Department of Transportation Services.

Bill 11 passed first reading.

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

*Councilmember Elefante voted aye with reservations.

FIRST READING
BILL 12

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX RELIEF FOR PROPERTIES USED FOR FAMILY MEMBER RENTAL HOUSING.

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

The following individuals testified:

1. Natalie Iwasa (comments)
2. Barbra Armentrout (comments)

Bill 12 passed first reading.

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

NOES: None.

ADOPTION

RESOLUTION 16-20 – COMMITTEE REPORT 27

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM KUKUI EAH/DGI ASSOCIATES, L.P., FOR OFFICE SPACE FOR THE HONOLULU POLICE DEPARTMENT'S DISTRICT 1 COMMUNITY POLICING TEAM.

Councilmember Menor moved that Committee Report 27 and Resolution 16-20 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 27 and Resolution 16-20 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-21 – COMMITTEE REPORT 28

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE INSTITUTION OF FIRE ENGINEERS U.S.A. BRANCH TO PAY FOR TRAVEL EXPENSES FOR FIRE CHIEF MANUEL P. NEVES TO ATTEND THE VISION 20/20 MODEL PERFORMANCE IN FIRE PREVENTION SYMPOSIUM ON MARCH 10-12, 2016.

Councilmember Menor moved that Committee Report 28 and Resolution 16-21 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 28 and Resolution 16-21 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-8 – COMMITTEE REPORT 30

RESOLUTION URGING THE HAWAII STATE LEGISLATURE TO ENACT LEGISLATION DIRECTING THE STATE DEPARTMENT OF HEALTH TO ADOPT ADMINISTRATIVE RULES FOR THE ESTABLISHMENT AND ENFORCEMENT OF RESIDENTIAL AND COMMERCIAL NOISE STANDARDS.

Councilmember Ozawa moved that Committee Report 30 and Resolution 16-8 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 30 and Resolution 16-8 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-33 – COMMITTEE REPORT 31

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 LEK-RLP.

Councilmember Ozawa moved that Committee Report 31 and Resolution 16-33 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 31 and Resolution 16-33 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-34 – COMMITTEE REPORT 32

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 LEK-RLP.

Councilmember Ozawa moved that Committee Report 32 and Resolution 16-34 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 32 and Resolution 16-34 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-35 – COMMITTEE REPORT 33

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1300060 TO CONTINUE THE SERVICES OF THE LAW OFFICES OF CARY T. TANAKA 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 LEK-RLP.

Councilmember Ozawa moved that Committee Report 33 and Resolution 16-35 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 33 and Resolution 16-35 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-36 – COMMITTEE REPORT 34

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1600040 TO CONTINUE THE SERVICES OF MCCORRISTON MILLER MUKAI MACKINNON LLP AS SPECIAL DEPUTY CORPORATION COUNSEL FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT DEFENDANT CITY AND COUNTY OF HONOLULU IN A LEGAL ACTION ENTITLED TABATHA MARTIN, ET AL. V. CITY AND COUNTY OF HONOLULU, CIVIL NO. CV15-00363 HG-KSC.

Councilmember Ozawa moved that Committee Report 34 and Resolution 16-36 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 34 and Resolution 16-36 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-30, CD1 – COMMITTEE REPORT 46

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

Councilmember Kobayashi moved that Committee Report 46 and Resolution 16-30, CD1 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 46 and Resolution 16-30, CD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-18, CD1, FD1 – COMMITTEE REPORT 41

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY SERVICES OR THE DIRECTOR'S DESIGNEE TO APPLY FOR AND, IF APPROVED, ACCEPT AND EXPEND FUNDS FROM THE STATE DEPARTMENT OF HEALTH, ALCOHOL AND DRUG ABUSE DIVISION FOR THE WORKHAWAII DIVISION AND TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE DEPARTMENT OF HEALTH, ALCOHOL AND DRUG ABUSE DIVISION, FOR SAID FUNDS.

The following amendment was handcarried to the meeting:

Resolution 16-18, CD1, Proposed FD1 (OCS2016-0156/2/12/2016 1:28 PM)

Councilmember Kobayashi moved that Committee Report 41 and Resolution 16-18, CD1 be adopted. Seconded by Councilmember Manahan.

Councilmember Kobayashi further moved that the Resolution be amended to FD1. Seconded by Councilmember Manahan. The FD1 amendment attaches the Department of Community Services' completed Application to the Request for Proposals No. HTH 440-17-16G as Exhibit A and makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 16-18, CD1 was amended to FD1.

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

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

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

Committee Report 41 and Resolution 16-18, CD1, FD1 (OCS2016-0156/2/12/2016 1:28 PM) were adopted.

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

ADOPTION

RESOLUTION 16-19, CD1, FD1 – COMMITTEE REPORT 42

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY SERVICES OR THE DIRECTOR'S DESIGNEE TO APPLY FOR AND, IF APPROVED, ACCEPT AND EXPEND FUNDS FROM THE STATE DEPARTMENT OF HEALTH, ALCOHOL AND DRUG ABUSE DIVISION FOR THE WORKHAWAII DIVISION AND TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE DEPARTMENT OF HEALTH, ALCOHOL AND DRUG ABUSE DIVISION, FOR SAID FUNDS.

The following amendment was handcarried to the meeting:

Resolution 16-19, CD1, Proposed FD1 (OCS2016-0157/2/12/2016 1:38 PM)

Councilmember Kobayashi moved that Committee Report 42 and Resolution 16-19, CD1 be adopted. Seconded by Councilmember Manahan.

Councilmember Kobayashi further moved that the Resolution be amended to FD1. Seconded by Councilmember Manahan. The FD1 amendment attaches the Department of Community Services' completed Application to the Request for Proposals No. HTH 440-17-16BG-G as Exhibit A and makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 16-19, CD1 was amended to FD1.

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

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

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

Committee Report 42 and Resolution 16-19, CD1, FD1 (OCS2016-0157/2/12/2016 1:38 PM) were adopted.

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

ADOPTION

RESOLUTION 16-24 – COMMITTEE REPORT 43

RESOLUTION URGING THE CITY ADMINISTRATION TO EXPEDITIOUSLY REVIEW AND GRANT THE NECESSARY APPROVALS TO ALLOW THE HAWAII THEATER CENTER TO INSTALL BEAUTIFICATION IMPROVEMENTS AT THE SUN YAT SEN MEMORIAL PARK.

Councilmember Kobayashi moved that Committee Report 43 and Resolution 16-24 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 43 and Resolution 16-24 were adopted.

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

ADOPTION

RESOLUTION 16-27 – COMMITTEE REPORT 44

RESOLUTION URGING THE CITY ADMINISTRATION TO WORK WITH THE HAWAII STATE DEPARTMENT OF EDUCATION AND THE HAWAII STATE LEGISLATURE TO DEVELOP A MIXED-USE AFFORDABLE HOUSING PROJECT.

Councilmember Kobayashi moved that Committee Report 44 and Resolution 16-27 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 44 and Resolution 16-27 were adopted.

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

ADOPTION

RESOLUTION 16-28 – COMMITTEE REPORT 45

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY SERVICES OR THE DIRECTOR'S DESIGNEE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE DIRECTOR'S OFFICE FOR CAREER TECHNICAL EDUCATION FOR THE NATIONAL CONVENING ON CAREER DEVELOPMENT.

Councilmember Kobayashi moved that Committee Report 45 and Resolution 16-28 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 45 and Resolution 16-28 were adopted.

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

ADOPTION

RESOLUTION 15-249, CD1 – COMMITTEE REPORT 52

RESOLUTION REQUESTING THE ADOPTION AND PRESENTATION TO THE COUNCIL OF NEW EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE STATE FIRE CODE, THE UNIFORM PLUMBING CODE, THE NATIONAL ELECTRICAL CODE, AND OTHER CODES AND STANDARDS IDENTIFIED IN HRS SECTION 107-25 ON A TIMELIER BASIS.

Councilmember Anderson moved that Committee Report 52 and Resolution 15-249, CD1 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 52 and Resolution 15-249, CD1 were adopted.

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

ADOPTION

RESOLUTION 16-16, CD1 – COMMITTEE REPORT 53

RESOLUTION URGING THE HAWAII STATE LEGISLATURE TO ENACT LEGISLATION THAT WOULD AUTHORIZE THE COUNTIES TO REQUEST NATIONAL CRIMINAL BACKGROUND CHECKS FROM THE FEDERAL BUREAU OF INVESTIGATION FOR DRIVERS OF PRIVATELY-OPERATED PUBLIC PASSENGER VEHICLE SERVICES.

Councilmember Manahan moved that Committee Report 53 and Resolution 16-16, CD1 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Manahan explained that Resolution 16-16 was amended to CD1 to include all operators who drive private vehicles to pick up and discharge passengers from point A to point B and receive money for the fare.

Committee Report 53 and Resolution 16-16, CD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-17 – COMMITTEE REPORT 54

RESOLUTION REQUESTING THE DEPARTMENT OF CUSTOMER SERVICES TO IMPROVE ITS PROCEDURES IN MONITORING TAXICAB DRIVERS.

Councilmember Manahan moved that Committee Report 54 and Resolution 16-17 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 54 and Resolution 16-17 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-22, CD1 – COMMITTEE REPORT 55

RESOLUTION AUTHORIZING THE CITY AND COUNTY OF HONOLULU TO ACCEPT AND EXPEND FUNDS APPROPRIATED BY THE STATE LEGISLATURE FOR A COUNTY-LEVEL VANPOOL PROGRAM THROUGH THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION SERVICES OR DESIGNEE.

Councilmember Manahan moved that Committee Report 55 and Resolution 16-22, CD1 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 55 and Resolution 16-22, CD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 16-23, CD1 – COMMITTEE REPORT 56

RESOLUTION RATIFYING A CITY INVOLVED WORK ELEMENT INCLUDED IN THE FISCAL YEAR 2015 OVERALL WORK PROGRAM.

Councilmember Manahan moved that Committee Report 56 and Resolution 16-23, CD1 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 56 and Resolution 16-23, CD1 were adopted.

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

NOES: None.

BALANCE OF COMMITTEE REPORTS

<u>EMLACR-35</u>	To request authorization to settle a case against the City and County of Honolulu entitled <u>Tabatha Martin, et al v. City and County of Honolulu</u> , Civil No. CV15-00363 HG-KSC.
<u>PWISCR-47</u>	Deed conveying roadway Lots 168-172; Grant of Drain Easements 3 and 53; and Grant of Access Easements 55, 56, and 57 (Sea Country Area 7 Phase 1 Subdivision). (<u>D-26</u>)
<u>PWISCR-48</u>	Deed conveying roadway Lots 120-123; Grant of Drain Easements 1, 2, and 43; Grant of Flowage Easements I and 2 (Sea Country Area 7 Phase 2 Subdivision). (<u>D-39</u>)
<u>PWISCR-49</u>	Grant of Drain Easement 10292 for public use in Kapolei. (<u>D-49</u>)

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

There was no public testimony.

Councilmember Pine expressed her appreciation to the management and staff of the Department of Planning and Permitting for their intensive work in conveying the drainage areas, roadway lots, sidewalks, etc., on the properties even though the City has not yet taken ownership of the once privately-owned properties.

The Balance of Committee Reports was adopted.

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

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 16-29

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM BANK OF HAWAII.

Resolution 16-29 was waived to the Council floor by the Chair of the Parks, Community and Customer Services Committee.

Councilmember Anderson moved that Resolution 16-29 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Resolution 16-29 was adopted.

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

NOES: None.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

At 12:21 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, March 16, 2016, at 10 a.m at Honolulu Hale. Seconded by Councilmember Menor and there being no objections from the 9 members present, it was so ordered by the Chair.

Respectfully submitted,



GLEN I. TAKAHASHI
City Clerk

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DATE APPROVED:

March 16, 2016