



# 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

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## JOURNAL

REGULAR MEETING  
26TH SESSION  
WEDNESDAY, JULY 6, 2016

UNIVERSITY OF HAWAI'I - WEST O'AHU MULTI-PURPOSE BALLROOM  
91-1001 FARRINGTON HIGHWAY, ROOM C208  
KAPOLEI, HI 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 10:15 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 25th Session (June 1, 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**

**PUBLIC HEARING**  
RESOLUTION 16-152

RESOLUTION RELATING TO THE APPOINTMENT OF LORETTA A. SHEEHAN TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

The Chair referred Resolution 16-152 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 16-153

RESOLUTION RELATING TO THE REAPPOINTMENT OF MAX J. SWORD TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-175).

The Chair referred Resolution 16-153 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 16-161**

RESOLUTION RELATING TO THE APPOINTMENT OF RICHARD L. QUINN TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

The Chair referred Resolution 16-161 to the Committee on Parks, Community and Customer Services for further consideration.

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

Related communications:

M-1885        Wendie McAllaster  
M-1886        David Curry  
M-1887        Lester H. Inouye

**ADOPTION**  
**RESOLUTION 16-132, FD1 – COMMITTEE REPORT 188**

RESOLUTION RELATING TO AN APPOINTMENT TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION (HART) BOARD OF DIRECTORS.

The following amendment was posted on the agenda:

Resolution 16-132, Proposed FD1

Councilmember Ozawa moved that Committee Report 188 and Resolution 16-132 be adopted. Seconded by Councilmember Fukunaga.

Councilmember Ozawa moved that the Resolution be amended to FD1. Seconded by Councilmember Fukunaga. The amendment names John Henry Felix as the appointee to serve on the HART Board for a term to expire June 30, 2021.

There was no public testimony.

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

- ◆ In a study of 258 projects, in every case the projections for funding and ridership were not correct.
- ◆ The rail project's construction costs have been underestimated and ridership numbers have been overestimated. These projections and all route options must be reassessed realistically.
- ◆ By working together, the Administration, City Council, and all the players should be able to come up with a viable program to salvage the budget.

Resolution 16-132 was amended to FD1.

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

NOES:           None.

Councilmember Anderson spoke in support of Resolution 16-132, FD1. He commended and thanked Dr. Felix for his willingness to serve the people of the City and County of Honolulu.

Chair Martin stated that he valued Mr. Felix's judgment and professionalism and thanked him for his willingness to serve on the HART Board

Committee Report 188 and Resolution 16-132, FD1 were adopted.

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

NOES: None.

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

**ADOPTION**

**RESOLUTION 16-116, CD1 – COMMITTEE REPORT 192**

RESOLUTION RELATING TO THE APPOINTMENT OF JOSEPH J. MILLER TO SERVE ON THE CITIZENS ADVISORY COMMISSION ON CIVIL DEFENSE OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Menor moved that Committee Report 192 and Resolution 16-116, CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-167).

Committee Report 192 and Resolution 16-116, CD1 were adopted.

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

NOES: None.

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

Related communication:

M-1889 Rodney Boucher

**ADOPTION**

**RESOLUTION 16-143, CD1 – COMMITTEE REPORT 198**

RESOLUTION RELATING TO THE APPOINTMENT OF KEVIN M. RATHBUN TO SERVE ON THE NEIGHBORHOOD COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Pine moved that Committee Report 198 and Resolution 16-143, CD1 be adopted. Seconded by Councilmember Menor.

The following individuals testified:

1. Sylvia Young (M-1890) (Support)
2. Barbra Armentrout (Support)

Councilmember Pine noted for the record that she filed a Disclosure of Interest with the City Clerk's Office (CC-166).

Councilmember Pine strongly recommended support for Resolution 16-143, CD1. She noted that Mr. Rathbun will assist neighborhood boards to resolve issues in a respectful manner that works to unite everyone.

Councilmember Menor also spoke in support of Resolution 16-143, CD1. He stated that Mr. Rathbun is a hard-working, dedicated community leader who will be an outstanding and proactive member of the Neighborhood Commission.

Committee Report 198 and Resolution 16-143, CD1 were adopted.

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

NOES: None.

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

Related communication:

M-1888 Rodney Boucher

**ADOPTION**  
**RESOLUTION 16-113 – COMMITTEE REPORT 211**

RESOLUTION RELATING TO THE REAPPOINTMENT OF KAIULANI K. SODARO TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Anderson moved that Committee Report 211 and Resolution 16-113 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 211 and Resolution 16-113 were adopted.

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

NOES: None.

Chair Martin recognized and congratulated Ms. Sodaro on her reappointment.

**PUBLIC HEARING/SECOND READING**  
**BILL 38, CD1 – COMMITTEE REPORT 203**

A BILL FOR AN ORDINANCE RELATING TO THE KAPALAMA HALE PARKING FACILITY.

Councilmember Kobayashi moved that Committee Report 203 be adopted and Bill 38 pass second reading, as amended to CD1. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 203 was adopted and Bill 38, CD1 passed second reading, as amended.

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

NOES: None.

**PUBLIC HEARING/SECOND READING**  
**BILL 40 – COMMITTEE REPORT 206**

A BILL FOR AN ORDINANCE RELATING TO MAINTENANCE OF PRIVATE STREETS AND ROADS.

Councilmember Fukunaga moved that Committee Report 206 be adopted and Bill 40 pass second reading. Seconded by Councilmember Anderson.

The following individual testified:

Barbra Armentrout (General comment)

Committee Report 206 was adopted and Bill 40 passed second reading.

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

NOES: None.

**PUBLIC HEARING/SECOND READING**  
**BILL 41 – COMMITTEE REPORT 207**

A BILL FOR AN ORDINANCE RELATING TO THE INFRASTRUCTURE.

Councilmember Fukunaga moved that Committee Report 207 be adopted and Bill 41 pass second reading. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 207 was adopted and Bill 41 passed second reading.

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

NOES: None.

**PUBLIC HEARING/SECOND READING**  
**BILL 39 – COMMITTEE REPORT 210**

A BILL FOR AN ORDINANCE TO REZONE LAND SITUATED AT WAIMANALO, OAHU, HAWAII (AMENDING PORTION OF ZONING MAP NO. 24, WAIMANALO, ORDINANCE 86-125).

Councilmember Anderson moved that Committee Report 210 be adopted and Bill 39 pass second reading. Seconded by Councilmember Ozawa.

The following individual testified:

Shannon Alivado, Kole Group LLC (Support)

Councilmember Anderson urged councilmembers to support Bill 39. He noted that the Alivados are a very respected family in Waimanalo and have been participating in the Waimanalo Farmer's Market for some time. He stated that the rezoning will allow the Alivados to enhance their participation in the Farmer's Market.

Committee Report 210 was adopted and Bill 39 passed second reading.

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

**THIRD READING**  
**BILL 61 (2015), CD2, FD1 – COMMITTEE REPORT 200**

A BILL FOR AN ORDINANCE RELATING TO INDUSTRIAL LANDS.

The following amendment was posted on the agenda:

Bill 61 (2015), CD2, Proposed FD1

Councilmember Kobayashi moved that Committee Report 200 be adopted and Bill 61 (2015), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Manahan.

Councilmember Fukunaga moved that the Bill be amended to FD1. Seconded by Councilmember Manahan. The FD1 makes the following amendments:

- A. Amends Section 1 of the Bill by deleting language that was added to the CD1 version of the Bill.
- B. Replaces Section 3 of the Bill with a new Section 3 that sets forth procedures and penalties regarding the filing of claims for exemptions provided under the Bill and a requirement for recertification every two years by the Hawaii Community Development Authority confirming that the property is still subject to the maximum floor area ratio of 1.5 as required by Hawaii Administrative Rules, Section 15-217-57.
- C. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Bill 61 (2015), CD2 was amended to FD1.

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

NOES: None.

Councilmember Elefante expressed support for the intent to assist businesses in Kakaako affected by future rail construction. However, he noted that the purpose clause no longer applies to the body of the Bill and that there are other ways to assist businesses impacted by rail construction (i.e., the Small Business Development Corporation provides free consultation services for any small business). Because of these concerns about the measure and how it would be implemented, he stated that he would be voting in opposition to Bill 61 (2015), CD2, FD1.

Councilmember Fukunaga explained that the FD1 was drafted to address some of the concerns raised by the Department of Budget and Fiscal Services (BFS) and the language cleans up the purpose and defines a very specific exemption for a designated area in which a number of properties are unable to utilize the properties in the manner allowed by the HCDA and offers some relief from spiraling property taxes caused by increased development in the area. She noted that the purpose is still to promote and preserve industrial areas within the transit-oriented development zones, and includes certification by the HCDA and the City property tax exemption.

Councilmember Manahan spoke in support of Bill 61 (2015), CD2, FD1. He expressed his desire to see how this first model of a transit mitigation fund works and whether it could be duplicated for other areas where businesses are being impacted.

Committee Report 200 was adopted and Bill 61 (2015), CD2, FD1 passed third reading.

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

NOES:           ELEFANTE – 1.

Related communications:

M-1859         Robert B. Emami  
M-1860         Dexter Okada, U. Okada & Co., Ltd.  
M-1861         Clara K. Morikawa  
M-1862         Sharon Y. Moriwaki, Kaka'ako United  
M-1863         Ryan Tam, Ala Moana/Kaka'ako Neighborhood Board No. 11  
M-1864         Neal Morisato  
M-1865         John P. Whalen, FAICP  
M-1866         Van Takemoto, Island Fender

**RECOMMITTAL TO COMMITTEE ON BUDGET**  
**BILL 34, CD1 – COMMITTEE REPORT 201**

A BILL FOR AN ORDINANCE RELATING TO THE USE OF PUBLIC SCHOOL LANDS.

Councilmember Kobayashi moved that Committee Report 201 and Bill 34, CD1 be recommitted to the Committee on Budget. Seconded by Councilmember Manahan.

The following individual testified:

Ken Masden, Department of Education (M-1861) (Support)

Councilmember Kobayashi explained that after discussion with area legislators, additional time is required to work on the measure.

Committee Report 201 and Bill 34, CD1 were recommitted to the Committee on Budget.

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

NOES: None.

**THIRD READING**

**BILL 35, CD1 – COMMITTEE REPORT 202**

A BILL FOR AN ORDINANCE RELATING TO THE REAL PROPERTY TAX CREDIT FOR LOW INCOME HOMEOWNERS.

Councilmember Kobayashi moved that Committee Report 202 be adopted and Bill 35 pass third reading, as amended to CD1. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 202 was adopted and Bill 35, CD1 passed third reading, as amended.

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

NOES: None.

Related communication:

M-1893 Natalie Iwasa

**THIRD READING**

**BILL 27, CD2 – COMMITTEE REPORT 209**

A BILL FOR AN ORDINANCE RELATING TO INCENTIVES FOR ACCESSORY DWELLING UNITS PRODUCTION.

Councilmember Anderson moved that Committee Report 209 be adopted and Bill 27, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 209 was adopted and Bill 27, CD2 passed third reading, as amended.

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

NOES: None.

Related communications:

M-1894 Jeanne Y. Ohta, Aina Haina Community Association

M-1895 Gladys Marrone, Building Industry Association of Hawaii

**FIRST READING**

BILL 42

(Parks, Community and Customer Services)

A BILL FOR AN ORDINANCE RELATING TO TREES, HEDGES, AND SHRUBS IN PUBLIC RIGHTS OF WAY.

Councilmember Anderson moved that Bill 42 pass first reading. Seconded by Councilmember Menor.

There was no public testimony.

Bill 42 passed first reading.

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

NOES: None.

Related communication:

M-1896 Pauline MacNeil

**FIRST READING**

BILL 43

(Public Works, Infrastructure and Sustainability,  
Zoning and Planning)

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 19 OF THE REVISED ORDINANCES OF HONOLULU 1990, RELATING TO THE PLUMBING CODE.

Councilmember Anderson moved that Bill 43 pass first reading. Seconded by Councilmember Menor.

There was no public testimony.

Bill 43 passed first reading.

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

NOES: None.

**FIRST READING**

**BILL 44**

(Zoning and Planning)

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 21A, REVISED ORDINANCES OF HONOLULU 1990, (FLOOD HAZARD AREA ORDINANCE), RELATING TO FLOOD HAZARD AREAS.

Councilmember Anderson moved that Bill 44 pass first reading. Seconded by Councilmember Menor.

There was no public testimony.

Bill 44 passed first reading.

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

NOES: None.

Related communication:

M-1897 John Bond, Kanehili Cultural Hui

**ADOPTION**

**RESOLUTION 16-140 – COMMITTEE REPORT 194**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE NATIONAL FIRE PROTECTION ASSOCIATION TO PAY FOR TRAVEL EXPENSES FOR FIRE CHIEF MANUEL P. NEVES TO ATTEND THE 2016 STATE FIRE MARSHALS' FORUM ON NOVEMBER 2-4, 2016.

Councilmember Menor moved that Committee Report 194 and Resolution 16-140 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 194 and Resolution 16-140 were adopted.

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

NOES:           None.

**ADOPTION**

**RESOLUTION 16-144 – COMMITTEE REPORT 195**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE NATIONAL ASSOCIATION OF STATE FIRE MARSHALS TO PAY FOR TRAVEL EXPENSES FOR FIRE CHIEF MANUEL P. NEVES TO ATTEND THE 2016 NATIONAL ASSOCIATION OF STATE FIRE MARSHALS' CONFERENCE ON JULY 19-21, 2016.

Councilmember Menor moved that Committee Report 195 and Resolution 16-144 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 195 and Resolution 16-144 were adopted.

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

NOES:           None.

**ADOPTION**

**RESOLUTION 16-138, CD1 – COMMITTEE REPORT 193**

RESOLUTION AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU TO PREVENT AND DETER GENERAL CRIMINAL ACTIVITY AND ACHIEVE THE LEGITIMATE LAW ENFORCEMENT OBJECTIVE AND LEGITIMATE PUBLIC PURPOSE OF ENSURING A SAFE AND SECURE 2016 INTERNATIONAL UNION FOR CONSERVATION OF NATURE AND NATURAL RESOURCES (IUCN), 2016 IUCN WORLD CONSERVATION CONGRESS.

Councilmember Menor moved that Committee Report 193 and Resolution 16-138, CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 193 and Resolution 16-138, CD1 were adopted.

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

NOES: None.

**ADOPTION**

**RESOLUTION 16-151 – COMMITTEE REPORT 196**

RESOLUTION AUTHORIZING THE CHIEF OF POLICE OF THE HONOLULU POLICE DEPARTMENT TO APPLY FOR AND TO ENTER INTO AN AGREEMENT WITH THE BUREAU OF JUSTICE ASSISTANCE, U.S. DEPARTMENT OF JUSTICE, FOR FUNDS FROM THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FY2016 LOCAL SOLICITATION.

Councilmember Menor moved that Committee Report 196 and Resolution 16-151 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 196 and Resolution 16-151 were adopted.

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

NOES: None.

**ADOPTION**

**RESOLUTION 16-139 – COMMITTEE REPORT 197**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM REGION IV, AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS TO ATTEND REGION IV CHIEF ADMINISTRATOR'S MEETING IN PORTLAND, OREGON, ON MAY 16 THROUGH MAY 19, 2016.

Councilmember Pine moved that Committee Report 197 and Resolution 16-139 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 197 and Resolution 16-139 were adopted.

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

NOES: None.

**ADOPTION**

**RESOLUTION 16-148 – COMMITTEE REPORT 199**

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE ASSOCIATION OF RECORDS MANAGERS AND ADMINISTRATORS (ARMA) HAWAII CHAPTER FOR TRAVEL TO ATTEND THE PACIFIC/GREATER NORTHWEST LEADERSHIP MEETING AT RENO, NEVADA FROM JULY 28, 2016 TO JULY 30, 2016.

Councilmember Pine moved that Committee Report 199 and Resolution 16-148 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 199 and Resolution 16-148 were adopted.

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

NOES: None.

**RECOMMITTAL TO COMMITTEE ON BUDGET**  
**RESOLUTION 16-156, CD1 – COMMITTEE REPORT 204**

RESOLUTION AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR FUNDS FROM THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION (HHFDC) FOR THE NATIONAL HOUSING TRUST FUND (NHTF) PROGRAM.

Councilmember Kobayashi moved that Committee Report 204 and Resolution 16-156, CD1 be recommitted to the Committee on Budget. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 204 and Resolution 16-156, CD1 were recommitted to the Committee on Budget.

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

NOES: None.

**ADOPTION**  
**RESOLUTION 16-157, CD1 – COMMITTEE REPORT 205**

RESOLUTION APPROVING THE CITY AND COUNTY OF HONOLULU'S PROPOSED AMENDED CONSOLIDATED PLAN FOR PROGRAM YEARS 2016 - 2020 IN COMPLIANCE WITH SECTION 1-8.3 OF THE REVISED ORDINANCES OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 205 and Resolution 16-157, CD1 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 205 and Resolution 16-157, CD1 were adopted.

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

NOES:           None.

**ADOPTION**

**RESOLUTION 16-147, FD1 – COMMITTEE REPORT 208**

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES OR THE DIRECTOR OF BUDGET AND FISCAL SERVICES' DESIGNEE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH FOR THE ALLOTMENT OF FUNDS FOR OPERATING AND MAINTAINING A GLASS RECYCLING PROGRAM.

The following amendment was posted on the agenda:

Resolution 16-147, Proposed FD1

Councilmember Fukunaga moved that Committee Report 208 and Resolution 16-147 be adopted. Seconded by Councilmember Anderson.

Councilmember Fukunaga moved that the Resolution be amended to FD1. Seconded by Councilmember Anderson. The FD1 makes the following amendments:

A.     Changes the references in the Resolution from the Department of Environmental Services to the City and from the Director of Budget and Fiscal Services to the Mayor or the Mayor's designee; and

B.     Adds a new BE IT FURTHER RESOLVED clause which reads as follows:

“BE IT FURTHER RESOLVED that the agreement with the State of Hawaii is hereby consented to and approved; and”

C.     Adds a new BE IT FURTHER RESOLVED clause which reads as follows:

“BE IT FURTHER RESOLVED that the Director of the Department of Environmental Services is directed to provide the following in writing within thirty days of the Resolution's adoption:

1. A response to the questions presented by Councilmembers during the Public Works, Infrastructure and Sustainability Committee meeting held on June 15, 2016; and
2. Recommendations for alternatives other than landfill disposal to address the program's financing shortfalls; and"

D. Makes miscellaneous technical and non-substantive amendments.

The following individual testified:

Tim Houghton, Department of Environmental Services (General comment)

Resolution 16-147 was amended to FD1.

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

NOES: None.

Committee Report 208 and Resolution 16-147, FD1 were adopted.

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

NOES: None.

### **ADOPTION**

#### **RESOLUTION 16-130 – COMMITTEE REPORT 212**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO ALLOW FLOOD MITIGATION MEASURES, THE RESTORATION OF PUNALUU STREAM, AND THE ENHANCEMENT OF THE SURROUNDING ECOSYSTEM.

Councilmember Anderson moved that Committee Report 212 and Resolution 16-130 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 212 and Resolution 16-130 were adopted.

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

NOES:           None.

**ADOPTION**

**RESOLUTION 16-133, CD1 – COMMITTEE REPORT 187**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR A NEW SINGLE-STORY RETAIL STRUCTURE, INDIVIDUAL WASTEWATER SYSTEM, PARKING LOT, SIDEWALK, AND APPURTENANT SITE IMPROVEMENTS.

Councilmember Anderson moved that Committee Report 187 and Resolution 16-133, CD1 be adopted. Seconded by Councilmember Ozawa.

The following individuals testified:

1.     David Frankel, Native Hawaiian Legal Corporation (M-1875) (Oppose)
2.     Bill Quinlan (M-1867) (Oppose)

In response to councilmembers, Mr. Quinlan stated that:

- Allowing the gas station 40 years ago was a mistake and should not be continued.
- The Queen Liliuokalani Trust declined the offer by the North Shore Community Land Trust to find funding for a conservation easement that would replace the income that the Trust would get from the proposed project.
- He expressed concern over the contamination existing in the area.
- He believes a museum to promote the Hawaiian culture would be a better solution for the community and provide income for the Trust.

3.     LeeAnn Crabbe, Queen Liliuokalani Trust (Support)

In response to Councilmember Anderson, Ms. Crabbe stated that the Trust supports moving forward with the project and has no desire to consider any other option.

4. Jeff Overton, Group 70 (Support)

Councilmember Anderson stated that he is not open to entertaining another offer for the property because the landowner, the Queen Liliuokalani Trust, has expressed the desire to move forward with the project. He noted that downzoning the property could give rise to legal challenges.

Chair Martin stated that as the councilmember of the district, he worked with the Zoning Chair to defer the measure to allow the parties involved to reach an agreement. He noted that if the property owner, the Queen Liliuokalani Trust, is comfortable with the project proceeding, it would be difficult for the Council to rule otherwise. He concurred with Vice-Chair Anderson with respect to what is legal and the Council's obligations on the particular matter. He thanked all of the parties for coming forward.

Committee Report 187 and Resolution 16-133, CD1 were adopted.

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

NOES: None.

Related communications:

M-1868	Kerry Germain, North Shore Outdoor Circle
M-1869	Ruth Holmberg
M-1870	J. Morgan-Dorr
M-1871	David Orr
M-1872	Peggy Cutting
M-1876	Leinau Roberts
M-1877	Finney & Sophie Bryant
M-1878	James Frisbie
M-1898	Antya Miller
M-1899	Kathy Whitmire

**ADOPTION**

**RESOLUTION 16-155, CD1 – COMMITTEE REPORT 213**

RESOLUTION APPROVING A CONCEPTUAL PLAN FOR A PLANNED DEVELOPMENT-RESORT PROJECT FOR THE REDEVELOPMENT OF 4.05 ACRES WITH A MIXED USE RETAIL, HOTEL, AND RESIDENTIAL PROJECT IN WAIKIKI, OAHU.

Councilmember Anderson moved that Committee Report 213 and Resolution 16-155, CD1 be adopted. Seconded by Councilmember Ozawa.

The following individuals testified:

1. Robert Finley, Waikiki Neighborhood Board (M-1874) (Oppose)
2. Jim Niermann, R.M. Towill Corp. (Support)
3. Stacy Ellamar, Pacific Resource Partnership (M-1879) (Support)
4. Peter Lee, Hawaii Laborers-Employers Cooperation and Education Trust (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-176, CC-177, CC-179, and CC-180).

Councilmember Ozawa spoke in support of Resolution 16-155, CD1. He stated that the project will: (1) increase jobs, (2) increase inventory, and (3) revitalize the back side of Kuhio Avenue. He noted that revitalization of Waikiki is an investment in the community. He explained that there was no rational nexus for additional community give-backs.

Committee Report 213 and Resolution 16-155, CD1 were adopted.

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

Related communications:

M-1855 Jason Grosfeld, PACREP LLC  
M-1858 Helene "Sam" Shenkus, Royal Hawaiian Center  
M-1873 Tyler Dos Santos-Tam, Hawaii Construction Alliance  
M-1880 Mufi Hannemann, Hawai'i Lodging & Tourism Association  
M-1900 Rick Egged, Waikiki Improvement Association  
M-1901 UNITE HERE! Local 5 Hawaii  
M-1908 Natalie Iwasa

**ADOPTION**

**RESOLUTION 16-145 – COMMITTEE REPORT 214**

RESOLUTION AUTHORIZING THE DIRECTOR OF TRANSPORTATION SERVICES OR THE DIRECTOR'S DESIGNEE TO APPLY FOR, AND ACCEPT AND EXPEND, FEDERAL HIGHWAY ADMINISTRATION FUNDS AUTHORIZED BY 23 CFR PART 630 AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL HIGHWAY ADMINISTRATION FOR BIKEWAY IMPROVEMENTS PROGRAM, HAMAKUA DRIVE.

Councilmember Manahan moved that Committee Report 214 and Resolution 16-145 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 214 and Resolution 16-145 were adopted.

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

NOES:           None.

Related communication:

M-1907         Natalie Iwasa

**ADOPTION**

**RESOLUTION 16-149 – COMMITTEE REPORT 215**

RESOLUTION AUTHORIZING THE DIRECTOR OF TRANSPORTATION SERVICES OR THE DIRECTOR'S DESIGNEE TO APPLY FOR, AND ACCEPT AND EXPEND, FEDERAL HIGHWAY ADMINISTRATION FUNDS AUTHORIZED BY 23 CFR PART 630 AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL HIGHWAY ADMINISTRATION FOR TRAFFIC SIGNALS AT VARIOUS LOCATIONS, PHASE 19.

Councilmember Manahan moved that Committee Report 215 and Resolution 16-149 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 215 and Resolution 16-149 were adopted.

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

NOES: None.

### **BALANCE OF COMMITTEE REPORTS**

There was no balance of committee reports.

### **UNFINISHED BUSINESS**

There was no Unfinished Business.

### **RECESS/RECONVENE**

At 11:24 a.m., the Chair called for a short recess and reconvened the meeting at 11:59 a.m.

### **NEW BUSINESS**

#### **SUNSHINE/ADOPTION** **RESOLUTION 16-168**

RESOLUTION ESTABLISHING A PERMITTED INTERACTION GROUP TO INVESTIGATE HOMELESS PROGRAMS AND FACILITIES.

Pursuant to HRS Section 92-7, the Sunshine Law, Councilmember Anderson moved that Resolution 16-168 be added to the agenda. Seconded by Councilmember Menor.

Resolution 16-168 was added to the agenda.

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

NOES: None.

ABSENT: PINE – 1.

Councilmember Anderson moved that Resolution 16-168 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Resolution 16-168 was adopted.

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

NOES: None.

**ADOPTION**  
**RESOLUTION 16-160**

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 UNITED STATES DEPARTMENT OF LABOR (USDOL) FOR THE YOUTHBUILD HONOLULU PROGRAM AND TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF LABOR FOR SAID FUNDS.

Resolution 16-160 was waived to the Council floor by the Chair of the Budget Committee.

Councilmember Anderson moved that Resolution 16-160 be adopted. Seconded by Councilmember Menor.

The following individual testified:

Gary Nakata, Director, Department of Community Services (Support)

Resolution 16-160 was adopted.

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

NOES: None.

Related communication:

CC-172 Councilmember Ann Kobayashi

**SUNSHINE/ADOPTION**  
**RESOLUTION 16-163**

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY SERVICES, OR THE DIRECTOR'S DESIGNEE TO APPLY FOR, ACCEPT, AND EXPEND FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE (DOJ), OFFICE OF VIOLENCE AGAINST WOMEN, FOR THE HONOLULU SEXUAL ASSAULT JUSTICE INITIATIVE AND TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR SAID FUNDS.

Resolution 16-163 was waived to the Council floor by the Chair of the Budget Committee.

Pursuant to HRS Section 92-7, the Sunshine Law, Councilmember Anderson moved that Resolution 16-163 be added to the agenda. Seconded by Councilmember Menor.

Resolution 16-163 was added to the agenda.

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

NOES: None.

Councilmember Anderson moved that Resolution 16-163 be adopted. Seconded by Councilmember Menor.

The following individual testified:

Gary Nakata, Director, Department of Community Services (Support)

Resolution 16-163 was adopted.

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

NOES: None.

Related communication:

CC-174 Councilmember Ann Kobayashi

**FILE**  
**RESOLUTION 16-167**

**RESOLUTION RELATING TO THE OFFICERS OF THE COUNCIL OF THE CITY AND COUNTY OF HONOLULU.**

Councilmember Ozawa moved that Resolution 16-167 be filed. Seconded by Councilmember Menor.

There was no public testimony.

Councilmember Ozawa stated that what was reported in the media—that Resolution 16-167 was initiated because of a personal conflict or dispute—could not be further from the truth. He noted that disagreements at a committee meeting may result when councilmembers passionately advocate for their respective districts; however, all members have been very cordial, professional and respectful of each other. He stated that he looked forward to moving ahead and continuing to work with everyone for the people of the City and County of Honolulu, focusing on improving the quality of life for all. He urged councilmembers to support the motion to file Resolution 16-167 and working together in a professional and respectful manner.

Councilmember Manahan spoke in support of the motion to file Resolution 16-167. He commended Councilmember Ozawa for his leadership, continued commitment to the stability of the Council, and his willingness to continue working with members to flush out any issues.

Chair Martin also spoke in support of the motion to file Resolution 16-167. He stated that members will always have differences of opinion, sometimes disagreements, and sometimes those disagreements will get heated; however, the Council is a very tight and close-knit group that acts in a professional manner to serve the public.

Councilmember Anderson spoke in support of the motion to file Resolution 16-167. He stated that communication is the key to any relationship. He suggested that when there is a disagreement, it is best for the individuals involved to communicate directly with one another rather than going through intermediaries.

Councilmember Pine urged councilmembers to stay focused on public business. She stated that District 1 supports and continues to need the rail project to relieve traffic congestion. She asked members to work together to come up with a creative solution to finish the complete project without raising taxes. She commended Councilmember Anderson for his grace under tremendous stress.

Resolution 16-167 was filed.

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

#### **COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

There was no Executive Session.

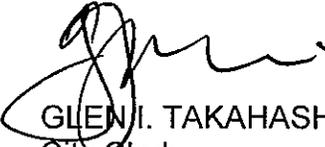
#### **ANNOUNCEMENTS**

There were no announcements.

**ADJOURNMENT**

At 12:12 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, August 3, 2016, at 10 a.m. Seconded by Councilmember Menor and there being no objections from the 9 members present, it was so ordered by the Chair.

Respectfully submitted,



GLEN J. TAKAHASHI  
City Clerk

vc

DATE APPROVED:

August 3, 2016