



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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

JOURNAL

REGULAR MEETING
9TH SESSION
WEDNESDAY, JULY 12, 2017

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, Ron Menor, at 11:02 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Elefante, Fukunaga, Kobayashi, Manahan, Martin, Pine, Menor - 8.

Excused: Ozawa – 1.

INTRODUCTION OF GUESTS

There were no guests.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 8th Session (June 7, 2017) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Pine.

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

ORDER OF THE DAY

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-179

RESOLUTION RELATING TO THE REAPPOINTMENT OF RICHARD J. PETERSON TO SERVE ON THE CITIZENS ADVISORY COMMISSION ON CIVIL DEFENSE OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-179 to the Committee on Public Health, Safety and Welfare for further consideration.

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

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-180

RESOLUTION RELATING TO THE APPOINTMENT OF RUTH M.F. LIN TO SERVE ON THE BOARD OF REVIEW II FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Council Chair Menor referred Resolution 17-180 to the Committee on Budget for further consideration.

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

NOES: None.

ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-181

RESOLUTION RELATING TO THE REAPPOINTMENT OF IRENE L.A. PUUOHOU TO SERVE ON THE ETHICS BOARD OF APPEALS.

The following individuals testified:

1. Irene Puuohau (General comment)
2. Arvid Youngquist (Support)

Council Chair Menor referred Resolution 17-181 to the Committee on Executive Matters and Legal Affairs for further consideration.

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

NOES: None.

ABSENT: OZAWA – 1.

Related communication:

M-3516 Randy Perreira, Hawaii Government Employees Association

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-182

RESOLUTION RELATING TO THE REAPPOINTMENT OF FERNANDO T. PACHECO TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Misty Kela'i, Executive Director, Mayor's Office of Culture and Arts (Support)

Council Chair Menor referred Resolution 17-182 to the Committee on Parks, Community and Customer Services for further consideration.

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

NOES: None.

ABSENT: OZAWA – 1.

Related communication:

M-3412 Kutmaster Spaz, President/CEO, DIS-N-DAT Media Group LLC

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-183

RESOLUTION RELATING TO THE REAPPOINTMENT OF GALYN Y. WONG TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Misty Kela'i, Executive Director, Mayor's Office of Culture and Arts (Support)

Council Chair Menor referred Resolution 17-183 to the Committee on Parks, Community and Customer Services for further consideration.

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

NOES: None.

ABSENT: OZAWA – 1.

PUBLIC HEARING/RESOLUTION
RESOLUTION 17-184

RESOLUTION RELATING TO THE APPOINTMENT OF LEIGHTON K.F. LIU TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Misty Kela'i, Executive Director, Mayor's Office of Culture and Arts (Support)

Council Chair Menor referred Resolution 17-184 to the Committee on Parks, Community and Customer Services for further consideration.

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

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

M-3413 Tom Klobe
M-3414 Mamoru Sato
M-3416 Barry John Baker
M-3517 Duane Preble

PUBLIC HEARING/ADOPTION
RESOLUTION 17-178 – COMMITTEE REPORT 285

RESOLUTION CONFIRMING THE APPOINTMENT OF CHERYL D. SOON TO SERVE AS CHAIR OF THE RATE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Anderson moved that Committee Report 285 and Resolution 17-178 be adopted. Seconded by Councilmember Pine.

The following individuals testified:

1. Choon James (General comment)
2. Arvid Youngquist (Support)
3. Jon Nouchi, Deputy Director, Department of Transportation Services (Support)
4. Barbra Armentrout (General comment)

Councilmember Anderson voiced his strong support for Ms. Soon's appointment and asked for councilmembers' support.

Committee Report 285 and Resolution 17-178 were adopted.

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

ADOPTION

RESOLUTION 17-122, CD1 – COMMITTEE REPORT 247

RESOLUTION RELATING TO THE REAPPOINTMENT OF PAMELA BELL MARTIN TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 247 and Resolution 17-122, CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 247 and Resolution 17-122, CD1 were adopted.

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

ADOPTION
RESOLUTION 17-155 – COMMITTEE REPORT 252

RESOLUTION RELATING TO THE REAPPOINTMENT OF ROGER A. DEQUINA TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 252 and Resolution 17-155 be adopted. Seconded by Councilmember Anderson.

The following individual testified:

Choon James (General comment)

Councilmember Kobayashi noted that in the Parks Committee hearing the measure passed unanimously. She thanked Mr. Dequina for doing a good job and for his willingness to serve.

Committee Report 252 and Resolution 17-155 were adopted.

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

ADOPTION
RESOLUTION 17-153 – COMMITTEE REPORT 261

RESOLUTION RELATING TO THE APPOINTMENT OF MICHAEL J. GOLOJUCH, SR. TO SERVE ON THE BOARD OF REVIEW III FOR REAL PROPERTY TAX APPEALS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Manahan moved that Committee Report 261 and Resolution 17-153 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (General comment)

Councilmember Anderson thanked Mr. Golojuch for his willingness to serve and asked councilmembers to support the appointment.

Committee Report 261 and Resolution 17-153 were adopted.

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

ADOPTION

RESOLUTION 17-152 – COMMITTEE REPORT 283

RESOLUTION RELATING TO THE APPOINTMENT OF JAY T. HIGASHI TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Anderson moved that Committee Report 283 and Resolution 17-152 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 283 and Resolution 17-152 were adopted.

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

ADOPTION

RESOLUTION 17-154 – COMMITTEE REPORT 284

RESOLUTION RELATING TO THE REAPPOINTMENT OF STEVEN S.C. LIM TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Anderson moved that Committee Report 284 and Resolution 17-154 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 284 and Resolution 17-154 were adopted.

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

At this juncture, there being no objections from the 9 members present, the Chair considered Resolution 17-172, CD1 and Resolution 17-173 on page 18 of the agenda.

ADOPTION

RESOLUTION 17-172, CD1 – COMMITTEE REPORT 265

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FISCAL SERVICES OF THE CITY AND COUNTY OF HONOLULU OR THE DIRECTOR'S DESIGNEE TO AMEND AND RESTATE A MEMORANDUM OF UNDERSTANDING WITH THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION ("HART") REGARDING THE GENERAL OBLIGATION BONDS.

Councilmember Manahan moved that Committee Report 265 and Resolution 17-172, CD1 be adopted. Seconded by Councilmember Elefante.

The following individuals testified:

1. Bob Nakata, FACE & Housing NOW Coalition (M-3437) (Support)
2. Elaine Kam (Oppose)
3. Arvid Youngquist (Support)
4. Marjoire Morgan (Oppose)
5. Cynthia Frith (Oppose)

In response to Chair Menor, Ms. Frith stated that she supports the bond authorization if the bond would be used for work up to Middle Street and would cover only the signed contracts and no new contracts.

6. Bobbie Slater (Oppose)
7. Nancy Nagamine (Oppose)
8. Roy Nakamura (Oppose)
9. Natalie Iwasa (General comment)
10. Carolyn Golojuch (Support)

11. Amy Wake (Support)
12. Dave Woskwitz (M-3531) (General comment)
13. James Manaku, Sr. (Oppose)
14. Ricky Cassidy (General comment)
15. Cliff Slater (Oppose)
16. Randall Roth (Oppose)
17. Rev. George Clifford (Support)
18. A. Makana Paris, Ironworkers Stabilization Fund (Support)
19. Michael Golojuch, Jr. (Support)
20. Blu Hoohuli (Support)
21. Kaison Hoohuli (Support)
22. Kai Hoohuli (Support)
23. Peter Lee, Hawaii LECET (Support)
24. Lance Inouye (Support)
25. Choon James (General comment)

Councilmember Elefante voiced his strong support for both measures. He noted that his constituents have to deal with traffic conditions for hours every day and rail is the only other option. He stated that the City needs to move forward and stay committed to building the rail to Ala Moana.

Councilmember Manahan asked for councilmembers' support for both Resolutions. He stated that Resolution 17-172 includes necessary housekeeping amendments that incorporate Charter Amendment changes approved by the voters. He noted that the Memorandum of Understanding (MOU) includes language transferring operation and maintenance responsibilities for HART to the Department of Transportation Services (DTS), and maintains that HART makes timely bond repayments to the City. The MOU guarantees that no more bonds can be floated than it can be paid back. Resolution 17-173 is needed to continue construction and to get rail to Middle Street.

Chair Emeritus Martin stated that he will continue to vote no on the two measures. He noted that he always supported rail and believes it is the right thing to do, but in representing 40 percent of the land mass on Oahu, the largest Council District, he needs to ensure that there is an equitable distribution of resources. He stated his district will not be served by the rail project. He noted that while the current and past Budget Chairs have made significant appropriations for projects in his district, the projects have yet to be started.

In response to councilmembers, Glen Nohara, HART Board Member and Krishniah Murthy, Interim Executive Director, and Robert Yu, Chief Financial Officer (CFO), HART, stated that:

- In January HART went through an American Public Transportation Association (APTA) peer review. HART has begun implementing APTA's 21 suggestions and the Board felt that spending an additional \$250,000 on another audit would not be necessary and would cause further delays.
- The bonds will be used to finance contracts that have already been awarded for work up to Middle Street.
- There are no new construction contracts beyond Middle Street except for utility relocation work.
- If the project were to be stopped today, the cost would be almost \$3 billion, which includes repaying the Federal Transit Administration (FTA).
- The total amount of existing contracts that have been signed and executed is about \$4.4 billion and of that about \$1.7 billion is outstanding.
- Currently the FTA Project Management Oversight Contractor (PMOC) is at HART's office reviewing the books to determine what stage the project is at.
- Part of the \$350 million will be used to pay off approximately \$80 million of the commercial paper.
- HART plans to build to Ala Moana Center which is the commitment made in the Full Funding Grant Agreement (FFGA).
- The recovery plan has an Option B which is to build to cost. If the rail stops anywhere else than Ala Moana, that would need to go through the whole process again with a new environmental study and other requirements.
- Under the FFGA, the total General Obligation bond financing is \$2.4 billion and \$700 million is in commercial paper. Commercial paper and general obligation bonds were always part of the financial plan. The advantage of commercial paper is it is short term with a much lower interest rate. When the General Excise Tax monies come in, the commercial paper will be paid off.

In response to councilmembers, Nelson Koyanagi, Director, Department of Budget and Fiscal Services (BFS) stated that:

- The cost would definitely be more if the City were to do separate bond floats. Legal fees and any other fees would increase.
- If the Resolution is not passed today then the City may look at postponing the bond issuance at this time for both HART and the City but one risk would be having to pay more for everything, but the Administration will adjust to the situation.
- HART's cash flow is low. If the Resolution is passed, then the \$350 million would be available in mid-August. Based on HART's cash flow and expenditures, they would last three to four months. HART needs to request approval for cash each fiscal year.
- HART requested another \$20 million and has \$100 million in outstanding commercial paper. If the Council approves the \$350 million there would be another \$250 million of commercial paper available. By the end of Fiscal Year 2018, HART will draw and will have drawn \$240 million in commercial paper.
- BFS is confident that HART will be able to pay off the \$350 million with the GET monies anticipated within the next 10 years.
- The MOU will be strengthened with the amendment. An adjustment was made to the monthly payment section because the initial MOU was based on issuing only a fixed type of debt. If HART has any variable rate that is outstanding, they would pay 1/12 of the debt service amount for both principal and interest every month and by the time the debt service is due, it should have built up sufficient funds to pay for the debt service.

In response to Councilmember Ozawa, Krishniah Murthy, Interim Executive Director, Robert Yu, CFO, HART, and Nelson Koyanagi, Director, BFS stated that:

- HART was awarded a total of \$806 million by the FTA and is preparing to use the last \$11 million drawdown. There is \$743 million outstanding that the FTA has not yet awarded.
- Drawdowns are reimbursement based, so HART would need to tabulate its actual expenses and the eligible costs to request a drawdown.

- Bonds issued for the City are based on projected amounts. The City goes out annually or every 18 months to issue bonds to pay for capital projects.

Councilmember Anderson stated that HART has made it clear that bond authorization will be used to finance contracts awarded for construction up to Middle Street and the cost to stop the project at this point would be approximately \$3 billion. He noted that he is not prepared to use property taxes to pay for the project. He urged the State Legislature to take a look at the GET extension. He asked for councilmembers' support on the measure.

Councilmember Pine noted that she has organized job fairs on the Leeward Coast so that her constituents can work where they live and not have to fight traffic to come to town. She stated that she will vote in support of the measures.

Councilmember Ozawa stated that the vote is about obligations owned on the contracts that have been already signed for construction to Middle Street. He noted he will never support property taxes for the construction of rail. He stated that he will vote in support of the measures.

Chair Menor stated that he will vote in support of the measures and asked for councilmember support. He expressed appreciation for the extensive discussion and noted that he realizes how difficult, challenging and complex the project is.

Councilmembers Ozawa (CC-249) and Elefante (CC-251, CC-252, CC-253) noted for the record that they filed Disclosure of Interest Statements with the City Clerk Office.

Committee Report 265 and Resolution 17-172, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, MANAHAN, OZAWA, PINE, MENOR – 6.
NOES: FUKUNAGA, KOBAYASHI, MARTIN – 3.

Related communications:

M-3447 Stacy Ellamar, Pacific Resource Partnership
M-3460 Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust
M-3461 Tyler Dos Santos-TAM, Hawai'i Construction Alliance
M-3507 Operative Plasterers' and Cement Masons' International Association Local #630, AFL-CIO

ADOPTION

RESOLUTION 17-173 – COMMITTEE REPORT 266

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$350,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU TO FINANCE CAPITAL COSTS OF THE HONOLULU RAIL TRANSIT PROJECT.

Councilmember Manahan moved that Committee Report 266 and Resolution 17-173 be adopted. Seconded by Councilmember Elefante.

The following individuals testified:

1. Bob Nakata, FACE & Housing NOW Coalition (M-3437) (Support)
2. Elaine Kam (Oppose)
3. Arvid Youngquist (Support)
4. Marjore Morgan (Oppose)
5. Gladys Marrone, BIA-Hawaii (M-3446) (Support)
6. Jonathan Ching (M-3508) (Support)
7. Ken Farm (M-3511) (Support)
8. Joe Kent, Grassroot Institute of Hawaii (General comment)
9. Cynthia Frith (General comment)
10. Bobbi Slater (Oppose)
11. Nancy Nagamine (Oppose)
12. Roy Nakamura (Oppose)
13. Natalie Iwasa (General comment)
14. Katherine Kupukaa (Oppose)
15. Carolyn Golojuch (Support)
16. Shem Lawlor (Support)
17. Amy Wake (Support)
18. Dave Moskowitz (M-3531) (Support)
19. James Manaku, Sr. (Oppose)
20. Ricky Cassiday (General comment)
21. Junior Padasdao (Support)
22. Dione Kalaola, Hawaii Carpenters Union (Support)
23. Cliff Slater (Oppose)
24. Randall Roth (Oppose)
25. Rev. George Clifford (Support)
26. A. Makana Paris, Ironworkers Stabilization Fund (Support)
27. Shannon Alivado, General Contractors Association (Support)

28. Michael Golojuch, Jr. (Support)
29. Blu Hoohuli (Support)
30. Kaison Hoohuli (Support)
31. Kai Hoohuli (Support)
32. Peter Lee, Hawaii LECET (Support)
33. Lance Inouye (Support)
34. Choon James (General comment)

Councilmembers Elefante (CC-232, CC-254, CC-255) and Ozawa (CC-250) noted for the record that they filed Disclosure of Interest Statements with the City Clerk's Office.

Committee Report 266 and Resolution 17-173 were adopted.

AYES: ANDERSON, ELEFANTE, MANAHAN, OZAWA, PINE, MENOR – 6.
NOES: FUKUNAGA, KOBAYASHI, MARTIN – 3.

Related communications:

- CC-241 Councilmember Trevor Ozawa
- M-2509 Michelle S. Foyt
- M-3428 Mike Gologuch
- M-3429 Siddartha Savara
- M-3430 John Lopinto
- M-3436 Stephen Yoshida, CFO and Human Resource Manager, Jayar Construction, Inc.
- M-3445 Arthur G. Foyt
- M-3447 Stacy Ellamar, Pacific Resource Partnership
- M-3448 Ralph S. Inouye, Ltd.
- M-3449 Joseph P. Majkut, President, Hawaiian Dredging Construction Company, Inc.
- M-3462 Clyde T. Hayashi, Hawaii Laborers-Employers Cooperation and Education Trust
- M-3463 Tyler Dos Santos-TAM, Hawai'i Construction Alliance
- M-3478 Heather Robertson
- M-3510 James K. Mee, NAIOP
- M-3512 General Contractors Association
- M-3513 Kiran Polk, Executive Director, Kapolei Chamber of Commerce
- M-3514 Operative Plasterers' and Cement Masons' International Association Local #630, AFL-CIO
- M-3515 Donald R. Koelper
- M-3524 Frank Genadio
- M-3525 Keli'i Akina, Grassroot Institute of Hawaii

M-3526 Norma Kehrberg
M-3527 Mona Bomgaars
M-3528 Chad Taniguchi, Executive Director and Daniel Alexander, Advocay,
Planning and Communication Director, Hawaii Bicycling League
M-3529 Maurice Morita
M-3530 Richard A. Helzel, President, Healy Tibbits Builders, Inc.
M-3532 Shem Lawlor, Blue Planet Foundation/Sustainable Transportation
Coalition of Hawaii (STCH)

RECESS/RECONVENE

At 2:18 p.m., the Chair called for a recess as noted on the agenda. With 7 members present (Excused: Menor, Pine – 2), Vice-Chair Anderson assumed the role of Presiding Officer and reconvened the meeting at 3:17 p.m. and returned to the agenda order.

PUBLIC HEARING/SECOND READING **BILL 50, CD1 – COMMITTEE REPORT 255**

A BILL FOR AN ORDINANCE RELATING TO CITY BOARDS AND COMMISSIONS.

Councilmember Fukunaga moved that Committee Report 255 be adopted and Bill 50 pass second reading, as amended to CD1. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (General comment)

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-230).

Committee Report 255 was adopted and Bill 50, CD1 passed second reading, as amended.

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

PUBLIC HEARING/SECOND READING
BILL 57 – COMMITTEE REPORT 256

A BILL FOR AN ORDINANCE RELATING TO ETHICS COMMISSION STAFF.

Councilmember Fukunaga moved that Committee Report 256 be adopted and Bill 57 pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 256 was adopted and Bill 57 passed second reading.

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

PUBLIC HEARING/SECOND READING
BILL 66 – COMMITTEE REPORT 257

A BILL FOR AN ORDINANCE RELATING TO PUBLIC SIDEWALKS.

Councilmember Fukunaga moved that Committee Report 257 be adopted and Bill 66 pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Elefante noted his opposition for all sit-lie measures and stated he will vote no on the measure.

Councilmember Kobayashi noted that this is the second attempt to have King Street included in the sit-lie ordinance and asked for councilmembers' support on the measure.

Vice-Chair Anderson asked councilmembers to support Councilmember Kobayashi and her constituents and vote in support of the measure.

Committee Report 257 was adopted and Bill 66 passed second reading.

AYES: ANDERSON, FUKUNAGA, KOBAYASHI, MANAHAN, MARTIN, OZAWA – 6.
NOES: ELEFANTE – 1.
ABSENT: PINE, MENOR – 2.

Related communication

M-3418 Siddartha Savara

PUBLIC HEARING/SECOND READING
BILL 52, CD1 – COMMITTEE REPORT 260

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

Councilmember Manahan moved that Committee Report 260 be adopted and Bill 52 pass second reading, as amended to CD1. Seconded by Councilmember Elefante.

The following individuals testified:

1. Robert Gentry, President, The Tahitiene, Inc. (M-3472) (Oppose)
2. Natalie Iwasa (Support)

Councilmember Fukunaga noted the concerns from her constituents and that she will be voting with reservations on the measure.

Committee Report 260 was adopted and Bill 52, CD1 passed second reading, as amended.

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

*Councilmembers Fukunaga and Pine voted aye with reservation.

Related communications:

M-3397	Cosette Morrison Harms
M-3419	Shayne Stambler
M-3420	S. Swartz (shayne3@gmx.com)
M-3421	Siddartha Savara
M-3422	Robert E. Fox
M-3423	Michael Speer
M-3424	Susan & Richard Mirikitani
M-3435	Mark R. James
M-3440	Joshua Feldman
M-3441	Stephen P. Davies
M-3442	Juls Feldman
M-3443	Sanford Lung
M-3454	Sharon Au
M-3455	Tyler Middleton
M-3456	Kiersten Faulkner, Executive Director, Historic Hawai'i Foundation
M-3473	Pat Henry
M-3474	Joani Taylor, Tahitienne, Inc.
M-3475	Richard Dulcich
M-3518	Alfred Sturgis
M-3519	Lorraine Minatoishi, PhD., AIA

RECESS/RECONVENE

At 3:28 p.m., the Chair called for a short recess and reconvened the meeting at 3:39 p.m.

PUBLIC HEARING/SECOND READING
BILL 53 – COMMITTEE REPORT 271

A BILL FOR AN ORDINANCE RELATING TO NONCONFORMING STRUCTURES.

Councilmember Pine moved that Committee Report 271 be adopted and Bill 53 pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Elefante noted that he will have questions for the Department of Planning and Permitting when the measure is referred back to Committee. He stated he will be voting with reservations.

Committee Report 271 was adopted and Bill 53 passed second reading.

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

*Councilmember Elefante voted aye with reservation.

PUBLIC HEARING/SECOND READING
BILL 54 – COMMITTEE REPORT 272

A BILL FOR AN ORDINANCE RELATING TO WIND MACHINES.

Councilmember Pine moved that Committee Report 272 be adopted and Bill 54 pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 272 was adopted and Bill 54 passed second reading.

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

PUBLIC HEARING/SECOND READING
BILL 58, CD1 – COMMITTEE REPORT 273

A BILL FOR AN ORDINANCE ESTABLISHING AN AFFORDABLE HOUSING REQUIREMENT.

Councilmember Pine moved that Committee Report 273 be adopted and Bill 58 pass second reading, as amended to CD1. Seconded by Councilmember Elefante.

The following individuals testified:

1. Frank Orrell, Project Manager, Avalon Development Company LLC (M-3485) (Oppose)
2. Bob Nakata (General comment)
3. Kathleen Algire, YWCA (M-3520) (General comment)
4. Mayor Kirk Caldwell (General comment)

At this juncture, Chair Menor returned and assumed his duties as Presiding Officer and Vice-Chair Anderson returned to his seat.

5. Office of Hawaiian Affairs (M-3523) (Support)

Chair Emeritus Martin thanked the Mayor for his testimony and introduction of the measures. He noted his experience growing up in public housing and the need for true affordable housing. He stated he will vote no on the measures because he believes that the Zoning Committee Chair and Members can develop a policy to address the critical need for affordable housing.

Councilmembers Elefante (CC-234, CC-235) and Ozawa (CC-208, CC-244) noted for the record that they filed Disclosure of Interest Statements with the City Clerk's Office.

Committee Report 273 was adopted and Bill 58, CD1 passed second reading, as amended.

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

NOES: MARTIN – 1.

Related communications:

M-3425	Siddartha Savara
M-3444	Gladys Marrone, BIA-Hawaii
M-3479	Nicole Woo
M-3480	Cu Ri Lee
M-3481	Jean Lilley, Hawaii Habitat for Humanity Association
M-3482	Yvonne Mahelona
M-3483	Anne Au
M-3484	Nanea C. Lo
M-3486	Kamuela Cobb-Adams, O'ahu Senior Director, Kamehameha Schools

M-3487 Land Use Research Foundation of Hawaii
M-3488 Timothy Zhu
M-3521 George Turner
M-3522 Elliot Van Wie, Conservation Chair & Smart Growth Chair, Sierra Club of
Hawai'i O'ahu Group

PUBLIC HEARING/SECOND READING
BILL 59, CD1 – COMMITTEE REPORT 274

A BILL FOR AN ORDINANCE RELATING TO AFFORDABLE HOUSING INCENTIVES.

Councilmember Pine moved that Committee Report 274 be adopted and Bill 59 pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individuals testified:

1. Bob Nakata (General comment)
2. Mayor Kirk Caldwell (General comment)
3. Frank Orrell, Project Manager, Avalon Development Company LLC (M-3492) (Support)

Councilmembers Elefante (CC-214, CC-236, CC-237) and Ozawa (CC-209, CC-245) noted for the record that they filed Disclosure of Interest Statements with the City Clerk's Office.

Committee Report 274 was adopted and Bill 59, CD1 passed second reading, as amended.

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

NOES: MARTIN – 1.

Related communications:

M-3426 Siddartha Savara
M-3451 Stacy Ellamar, Pacific Resource Partnership
M-3489 Daniel Simonich, Assistant Project Manager, ProsPac Holdings LLC
M-3490 Elliot Van Wie, Conservation Chair & Smart Growth Chair, Sierra Club of
Hawai'i O'ahu Group
M-3491 Jean Lilley, Hawaii Habitat for Humanity Association

M-3486 Kamuela Cobb-Adams, O'ahu Senior Director, Kamehameha Schools
M-3493 Land Use Research Foundation of Hawaii
M-3521 George Turner

PUBLIC HEARING/SECOND READING
BILL 62, CD1 – COMMITTEE REPORT 275

A BILL FOR AN ORDINANCE RELATING TO JOINT DEVELOPMENT.

Councilmember Pine moved that Committee Report 275 be adopted and Bill 62 pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

There was no public testimony.

Councilmember Ozawa noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-210, CC-246).

Committee Report 275 was adopted and Bill 62, CD1 passed second reading, as amended.

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

PUBLIC HEARING/SECOND READING
BILL 63 – COMMITTEE REPORT 276

A BILL FOR AN ORDINANCE RELATING TO SPECIAL IMPROVEMENT DISTRICTS.

Councilmember Pine moved that Committee Report 276 be adopted and Bill 63 pass second reading. Seconded by Councilmember Anderson.

The following individuals testified:

1. Gareth Sakakida, Managing Director, Hawaii Transportation Association (M-3452)
(Support)

2. Rick Egged, Waikiki Improvement Association (WIA) (M-3494) (Support)

In response to Councilmember Elefante, Mr. Egged responded that the objectives of the Special Improvement District include:

- Studying curb management for loading and unloading in Waikiki.
- Working with the City to improve availability of on-street parking.
- The Waikiki Special Improvement District would have no assessment on property owners.
- Providing consistent enforcement by working with the Honolulu Police Department and the special duty officers.
- The WIA is looking to improve services to their properties.
- Establishing a way of working through the plans and including all stakeholders to ensure fairness. All stakeholders would be represented by the WIA which would answer to the City.
- The ultimate authority would remain with the City and County.
- Working with the Department of Transportation Services (DTS) to provide better management.
- Any administrative rules or changes to the ordinance would be approved by DTS or the Council.
- Public meetings would be held in Waikiki and anyone could attend.

3. Maki Kuroda (Support)

Committee Report 276 was adopted and Bill 63 passed second reading.

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

NOES: None.

Related communications:

D-533 Robert Finley, Chair, Waikiki Neighborhood Board No. 9
M-3468 Eric Masutomi, Chair, Waikiki Transportation Stakeholders Oversight Committee

PUBLIC HEARING/SECOND READING
BILL 64 – COMMITTEE REPORT 277

A BILL FOR AN ORDINANCE RELATING TO THE ESTABLISHMENT OF THE WAIKIKI TRANSPORTATION MANAGEMENT ASSOCIATION SPECIAL IMPROVEMENT DISTRICT NO. 4.

Councilmember Pine moved that Committee Report 277 be adopted and Bill 64 pass second reading. Seconded by Councilmember Anderson.

The following individuals testified:

1. Gareth Sakakida, Managing Director, Hawaii Transportation Association (M-3452) (Support)
2. Rick Egged, Waikiki Improvement Association (M-3494) (Support)
3. Natalie Iwasa (General comment)

Committee Report 277 was adopted and Bill 64 passed second reading.

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

NOES: None.

Related communications:

D-533 Robert Finley, Chair, Waikiki Neighborhood Board No. 9
M-3468 Eric Masutomi, Chair, Waikiki Transportation Stakeholders Oversight Committee
M-3495 Marc Rubenstein, Royal Star Hawaii

PUBLIC HEARING/SECOND READING
BILL 51, CD1 – COMMITTEE REPORT 280

A BILL FOR AN ORDINANCE RELATING TO PARKING TIME LIMITS.

Councilmember Anderson moved that Committee Report 280 be adopted and Bill 51 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 280 was adopted and Bill 51, CD1 passed second reading, as amended.

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

NOES: None.

Related communication:

M-3496 Nancy Ravelo

PUBLIC HEARING

RESOLUTION 16-247 AND PROPOSED CD1 – COMMITTEE REPORT 281

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

Councilmember Anderson moved that Committee Report 281 be adopted and Resolution 16-247 and the Proposed CD1 be referred back to the Committee on Transportation and Planning. Seconded by Councilmember Pine.

The following individual testified:

John Chamness, The Salvation Army (M-3498) (Support)

Councilmember Ozawa noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-248).

Committee Report 281 adopted and Resolution 16-247 and the Proposed CD1 referred back to the Committee on Transportation and Planning.

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

NOES: None.

Related communications:

CC-242 Councilmember Ikaika Anderson
M-3467 Kiersten Faulkner, Executive Director, Historic Hawai'i Foundation
M-3497 Earl Fusato, Executive Director, Palama Settlement

THIRD READING

BILL 59 (2016), FD1, CD3 – COMMITTEE REPORT 268

A BILL FOR AN ORDINANCE RELATING TO THE USE OF BAGS PROVIDED TO CUSTOMERS.

Councilmember Fukunaga moved that Committee Report 268 be adopted and Bill 59, (2016), FD1 pass third reading, as amended to CD3. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Dean Otsuki (M-3457) (Support)
2. Suzanne Frazer, Beach Environmental Awareness Campaign Hawai'i (M-3458) (Support)
3. Lauren Zirbel, Executive Director, Hawaii Food Industry Association (M-3470) (Support)
4. Tina Yamaki, Retail Merchants of Hawaii (M-3499) (Support)
5. Stuart Coleman, Surfrider Foundation (M-3500) (Support)
6. Sharla Lee-Hayes (Support)
7. Katherine Kupukaa (Oppose)
8. Malia Hosoi-Gallucci
9. Alakai Hayes (Support)
10. Kula'i Koa Hayes (Support)
11. Natalie Iwasa (Oppose)
12. Kahi Pacarro (M-3501) (Support)

Councilmember Fukunaga thanked everyone for their hard work on the Bill. In response to a concern from a testifier regarding the Corporation Counsel's (COR) concerns she stated that COR recommended technical and for more clarity. Councilmember Fukunaga asked that the CD3 be adopted and that any minor or technical amendments be taken up separately in the future. She acknowledged the work that stakeholders from the environmental side and the retail industry side have done and also Councilmember Elefante for his leadership and commitment in seeing the measure through.

Councilmember Elefante noted his support for the measure. He thanked Councilmember Fukunaga, Chair of the Committee on Public Works, Infrastructure and Sustainability and councilmembers for their hard work. He noted that the main issue was to close the loophole and ensure that by 2020 plastic bags will not be allowed in grocery stores. He stated that this is a great win for the City and County of Honolulu and the environment.

Councilmember Pine voiced how proud she was that the City Council came to an agreement on banning plastic bags on Oahu, making our island more sustainable. She thanked Councilmembers Fukunaga and Elefante for working together and hearing all sides of the measure.

Councilmember Ozawa thanked Councilmembers Elefante and Fukunaga for showing great patience and compromising on the measure. He also thanked his constituents, The B.E.A.C.H. coalition and Kahi Pacarro.

Chair Emeritus Martin commended the members of the Committee on Public Works, Infrastructure and Sustainability for all their hard work, especially Committee Chair, Carol Fukunaga for her leadership.

Councilmember Kobayashi stated her support for the measure and thanked Committee Chair Carol Fukunaga for her leadership in bringing all the groups together.

Chair Menor echoed all the thanks expressed to Councilmember Fukunaga. He noted that at the last Council meeting, he supported a motion to recommit Bill 59, and strong concerns were expressed. He commended Councilmember Fukunaga for her hard work and effort in crafting a measure that all stakeholders support. He also commended Councilmember Elefante for his efforts on a measure that will promote environmental protection for residents and future generations.

Councilmember Anderson voiced his congratulations to Councilmembers Fukunaga and Councilmember Elefante. He thanked Councilmember Elefante for his perseverance in continuing to move the measure forward and for his willingness to compromise and work with all stakeholders.

Councilmember Manahan thanked all parties and stakeholders for compromising on the measure.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-79).

Committee Report 268 was adopted and Bill 59 (2016), FD1, CD3 passed third reading, as amended.

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

NOES: None.

Related communications:

M-3453	Adrian Hong, President, Island Plastic Bags, Inc.
M-3459	Justin Tanoue
M-3469	Chai Blair-Stahn
M-3471	Susan Lord
M-3476	Jodi Malinoski, Sierra Club O'ahu Group Coordinator
M-3477	Deborah Bukala
M-3502	Ted Bohlen
M-3503	Rebecca Pang
M-3504	Doris Reach
M-3505	Mary Smart
M-3506	Eric Hayes

At this juncture, there being no objections from the 9 members present, the Chair considered Resolution 17-176, CD1 on page 26 of the agenda.

ADOPTION

RESOLUTION 17-176, CD1 – COMMITTEE REPORT 278

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE ADDITION OF ACCESSORY USES AND STRUCTURES TO THE OHANA OLA O KAHUMANA PROJECT AT LUALUALEI, OAHU, HAWAII, TAX MAP KEY 8-6-006: 001.

Councilmember Pine moved that Committee Report 278 and Resolution 17-176, CD1 be adopted. Seconded by Councilmember Anderson.

The following individuals testified:

1. Father Philip Harmon (General comment)
2. Sue Austin (General comment)

Councilmember Pine urged councilmembers support on the measure. She encouraged all to visit Kahumana Farms and support the program.

Chair Emeritus Martin thanked Father Phil for the beautiful lei. He stated that he is doing what his constituents elected him to do and noted that he was a project officer for the City when Kahumana was at its beginning stages and he has seen how far Father Phil has taken the project. He stated how proud he is of Father Phil for what he has done for the unfortunate people on the West Side and urged him to continue his good work.

Committee Report 278 and Resolution 17-176, CD1 were adopted.

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

NOES: None.

Related communication:

D-536 Ernest Y.W. Lau, P.E. Manager and Chief Engineer, Board of Water Supply

The Council Chair returned to the agenda order.

THIRD READING

BILL 43, CD1 – COMMITTEE REPORT 269

A BILL FOR AN ORDINANCE RELATING TO THE MAINTENANCE OF CHANNELS, STREAMBEDS, STREAMBANKS AND DRAINAGEWAYS.

Councilmember Fukunaga moved that Committee Report 269 be adopted and Bill 43 pass third reading, as amended to CD1. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Pine noted for the record that she filed a Disclosure of Interest with the City Clerk's Office (CC-243).

Committee Report 269 was adopted and Bill 43, CD1 passed third reading, as amended.

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

NOES: None.

Related communication:

M-3427 Leslie Lewis

THIRD READING

BILL 79 (2015), CD2 – COMMITTEE REPORT 270

A BILL FOR AN ORDINANCE RELATING TO LAND USE ORDINANCE.

Councilmember Pine moved that Committee Report 270 be adopted and Bill 79 (2015), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 270 was adopted and Bill 79 (2015), CD2 passed third reading, as amended.

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

FIRST READING

BILL 67

(Transportation and Planning)

A BILL FOR AN ORDINANCE RELATING TO CURB RAMPS.

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

There was no public testimony.

Bill 67 passed first reading.

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

FIRST READING

BILL 68

(Transportation and Planning)

A BILL FOR AN ORDINANCE RELATING TO SPECIAL TRANSIT SERVICE.

Councilmember Anderson moved that Bill 68 pass first reading. Seconded by Councilmember Pine.

There was no public testimony.

Bill 68 passed first reading.

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

Note: Committee Report 265 and Resolution 17-172, CD1 and Committee Report 266 and Resolution 17-173 were considered earlier in the meeting. See page 9.

ADOPTION

RESOLUTION 17-156, CD1 – COMMITTEE REPORT 243

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HAWAIIAN LIFEGUARD ASSOCIATION.

Councilmember Elefante moved that Committee Report 243 and Resolution 17-156, CD1 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 243 and Resolution 17-156, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, MENOR – 7.

NOES: None.

ABSENT: MARTIN, OZAWA – 2.

ADOPTION

RESOLUTION 17-158, CD1 – COMMITTEE REPORT 244

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM ADVANCED SHELTER SYSTEMS.

Councilmember Elefante moved that Committee Report 244 and Resolution 17-158, CD1 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 244 and Resolution 17-158, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, MENOR – 7.

NOES: None.

ABSENT: MARTIN, OZAWA – 2.

ADOPTION

RESOLUTION 17-167 – COMMITTEE REPORT 245

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY AND COUNTY OF HONOLULU FOR THE HONOLULU POLICE DEPARTMENT TO HONOR THEIR OUTSTANDING OFFICER, PARENT, RESERVE OFFICER, CIVILIAN SUPERVISOR AND EMPLOYEE, AND CITIZEN FOR NATIONAL POLICE WEEK 2018.

Councilmember Elefante moved that Committee Report 245 and Resolution 17-167 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 245 and Resolution 17-167 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, MENOR – 7.

NOES: None.

ABSENT: MARTIN, OZAWA – 2.

ADOPTION

RESOLUTION 17-171, CD1 – COMMITTEE REPORT 246

RESOLUTION PROVIDING FOR THE APPROVAL OF THE INTERIM UPDATED MULTI-HAZARD PRE-DISASTER MITIGATION PLAN FOR THE CITY AND COUNTY OF HONOLULU UNDER THE PROVISIONS OF THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT, AS AMENDED BY THE DISASTER MITIGATION ACT OF 2000.

Councilmember Elefante moved that Committee Report 246 and Resolution 17-171, CD1 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 246 and Resolution 17-171, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, MENOR – 7.

NOES: None.

ABSENT: MARTIN, OZAWA – 2.

Councilmember Kobayashi moved that the committee reports and resolutions listed on pages 21 and 22 of the agenda be adopted. Seconded by Councilmember Anderson.

ADOPTION

RESOLUTION 17-131, CD1 – COMMITTEE REPORT 248

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM BENESEED CO., LTD. TO ASSIST WITH THE DESIGN AND ERECTION OF KING KAMEHAMEHA III STATUE IN THOMAS SQUARE.

Councilmember Kobayashi moved that Committee Report 248 and Resolution 17-131, CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 248 and Resolution 17-131, CD1 were adopted.

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

NOES: None.

ABSENT: MARTIN – 1.

ADOPTION

RESOLUTION 17-132, CD1 – COMMITTEE REPORT 249

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM NAGOYA TOYOPET INC. TO ASSIST WITH REPLACEMENT COSTS OF THE WAIKIKI HISTORIC TRAIL MARKER "ALA MOANA PARK."

Councilmember Kobayashi moved that Committee Report 249 and Resolution 17-132, CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 249 and Resolution 17-132, CD1 were adopted.

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

RECESS/RECONVENE

At 5:07 p.m., the Chair called for a short recess and reconvened the meeting at 5:08 p.m.

ADOPTION

RESOLUTION 17-140, CD1 – COMMITTEE REPORT 251

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE GARDEN CLUB OF HONOLULU AND THE FRIENDS OF HONOLULU BOTANICAL GARDENS.

Councilmember Kobayashi moved that Committee Report 251 and Resolution 17-140, CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 251 and Resolution 17-140, CD1 were adopted.

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

ADOPTION

RESOLUTION 17-157, CD1 – COMMITTEE REPORT 253

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE FAMILY AND FRIENDS OF GUY T. NAKAGAWA.

Councilmember Kobayashi moved that Committee Report 253 and Resolution 17-157, CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 253 and Resolution 17-157, CD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 17-133 – COMMITTEE REPORT 250

RESOLUTION REQUESTING THE CITY'S DEPARTMENT OF PARKS AND RECREATION TO ESTABLISH AN OFF-LEASH DOG PARK IN DOWNTOWN HONOLULU-KAKA'AKO.

Councilmember Kobayashi moved that Committee Report 250 and Resolution 17-133 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 250 and Resolution 17-133 were adopted.

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

NOES: None.

Related communications:

- M-3415 Lynne Matusow
- M-3431 Ryan Tam, Chair, Ala Moana-Kakaako Neighborhood Board No. 11
- M-3432 John Shockley
- M-3433 Sharon Moriwaki, President, Kaka'ako United
- M-3434 Bernard Nunies
- M-3450 Hadley Nunes
- M-3464 Stephanie Kendrick, Hawaiian Humane Society
- M-3533 Daniel S. Stevens
- M-3534 Louise Black

ADOPTION

RESOLUTION 17-162 – COMMITTEE REPORT 254

RESOLUTION DIRECTING THE DIRECTOR OF PARKS AND RECREATION TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE ADULT/JUVENILE COMMUNITY SERVICE AND RESTITUTION UNIT OF THE FIRST JUDICIAL CIRCUIT, HAWAII STATE JUDICIARY, FOR THE PURPOSE OF ESTABLISHING THE DEPARTMENT OF PARKS AND RECREATION AS A WORKSITE AGENCY FOR COMMUNITY SERVICE REFERRALS.

Councilmember Kobayashi moved that Committee Report 254 and Resolution 17-162 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 254 and Resolution 17-162 were adopted.

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

NOES: None.

Related communication:

M-3535 Dayton M. Nakanelua, State Director, United Public Workers

ADOPTION

RESOLUTION 17-185 – COMMITTEE REPORT 258

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC-COR-1400106 TO CONTINUE THE SERVICES OF EDGCOMB LAW GROUP LLP AS SPECIAL DEPUTY CORPORATION COUNSEL FOR THE CITY AND COUNTY OF HONOLULU TO REPRESENT THE CITY AND COUNTY OF HONOLULU IN LEGAL PROCEEDINGS ARISING OUT OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT REAPPLICATION PROCESS.

Councilmember Fukunaga moved that Committee Report 258 and Resolution 17-185 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 258 and Resolution 17-185 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 17-174 – COMMITTEE REPORT 267

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE COUNTY COUNCIL OF MAUI.

Councilmember Manahan moved that Committee Report 267 and Resolution 17-174 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 267 and Resolution 17-174 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 17-168 – COMMITTEE REPORT 262

RESOLUTION RELATING TO APPROVING THE GRANT OF EASEMENT 10000 TO THE STATE OF HAWAII, DEPARTMENT OF LAND AND NATURAL RESOURCES WITHIN A PORTION OF THE CITY'S PROPOSED H-POWER EXPANSION PROPERTY, TMK: 9-1-026:035.

Councilmember Manahan moved that Committee Report 262 and Resolution 17-168 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 262 and Resolution 17-168 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 17-169 – COMMITTEE REPORT 263

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$500,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU FOR FINANCING THE AMOUNTS APPROPRIATED IN CERTAIN CAPITAL BUDGET ORDINANCES OF THE CITY AND COUNTY OF HONOLULU SPECIFIED IN SUCH CAPITAL BUDGET ORDINANCES.

The following amendment was posted on the agenda:

Resolution 17-169, Proposed FD1

Councilmember Manahan moved that Committee Report 263 and Resolution 17-169 be adopted. Seconded by Councilmember Elefante.

Councilmember Manahan moved that Resolution 17-169 be amended to the posted FD1. Seconded by Councilmember Elefante. The proposed FD1 makes the following amendments:

- A. The second WHEREAS paragraph replace the Ordinance “17-__” with “17-26”.
- B. The first RESOLVE paragraph replace Ordinance No. “17-__” with “17-26”.
- C. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 17-169 was amended to FD1.

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

NOES: None.

Committee Report 263 and Resolution 17-169, FD1 were adopted.

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

NOES: None.

Related communication:

D-513 Nelson H. Koyanagi, Jr., Director, Dept. of Budget and Fiscal Services

ADOPTION

RESOLUTION 17-170, CD1 – COMMITTEE REPORT 264

RESOLUTION APPROVING THE CITY AND COUNTY OF HONOLULU'S TWENTY-THIRD (23RD) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIPS, EMERGENCY SOLUTIONS GRANTS AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

The following amendment was handcarried to the meeting:

Resolution 17-170, CD1, Proposed FD1

Councilmember Manahan moved that Committee Report 264 and Resolution 17-170, CD1 be adopted. Seconded by Councilmember Elefante.

Councilmember Manahan moved that Committee Report 264 and Resolution 17-170, CD1 be amended to the handcarried FD1. Seconded by Councilmember Anderson. The FD1 makes the following amendments:

- Revises the footer from “Annual Action Plan 2016” to “Annual Action Plan 2017”;

- Reflects changes to the funding amounts for ESG and HOPWA projects based on the current formula allocations;
- Includes supplemental ESG funding in the amount of \$1,281,866 for Rapid Re-Housing or other critical activities; and
- Updates AP-IO Consultation — 91.100, 91 .200(b), 91.215(l), to include language that the City consulted with “Partners In Care — Oahu Continuum of Care” (PIC) regarding the ESG allocation, as required by HUD.

There was no public testimony.

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk’s Office (CC-223, CC-224, CC-225, CC-226, CC-227, CC-228, CC-229).

Resolution 17-170, CD1 was amended to the handcarried FD1.

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

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

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

Committee Report 264 and Resolution 17-170, CD1, FD1 were adopted.

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

Note: Committee Report 278 and Resolution 17-176, CD1 were considered earlier in the meeting. See page 29.

ADOPTION

RESOLUTION 17-177, CD1 – COMMITTEE REPORT 279

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE KEAHUMOA PLACE AFFORDABLE HOUSING PROJECT AT KAPOLEI, OAHU, HAWAII TAX MAP KEY 9-1-017: 109.

Councilmember Pine moved that Committee Report 279 and Resolution 17-177, CD1 be adopted. Seconded by Councilmember Anderson.

The following individual testified:

Liz Char, Development Officer, Michaels Development Company (General comment)

Councilmember Pine urged councilmembers to support the measure. She noted that seeing all the discussion about helping affordable housing developers actually happening is so wonderful.

Councilmember Anderson voiced his support for the measure. He noted that he is pleased to see the project moving forward.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-233).

Committee Report 279 and Resolution 17-177, CD1 were adopted.

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

NOES: None.

Related communications:

D-537 Ernest Y.W. Lau, P.E. Manager and Chief Engineer, Board of Water Supply
M-3465 Tyler Dos Santos-Tam, Hawai'i Construction Alliance

RECOMMITTAL TO COMMITTEE ON TRANSPORTATION AND PLANNING
RESOLUTION 16-293, CD1 – COMMITTEE REPORT 282

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

Councilmember Anderson moved that Committee Report 282 and Resolution 16-293, CD1 be recommitted. Seconded by Councilmember Pine.

There was no public testimony.

Councilmember Kobayashi thanked the Chair of the Committee on Transportation and Planning for recommitting the measure.

Councilmembers Elefante (CC-188, CC-212) and Ozawa (CC-211, CC-247) noted for the record that they filed Disclosure of Interest Statements with the City Clerk's Office.

Committee Report 282 and Resolution 16-293, CD1 were recommitted to the Committee on Transportation and Planning.

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

NOES: None.

Related communication:

M-3466 Kiersten Faulkner, Executive Director, Historic Hawai'i Foundation

BALANCE OF COMMITTEE REPORTS

There was no balance of committee reports

RECESS/RECONVENE

At 5:28 p.m., the Chair called for a short recess and reconvened the meeting at 5:29 p.m.

UNFINISHED BUSINESS

DEFERRED TO END OF THE CALENDAR
BILL 6, CD2, FD1 – COMMITTEE REPORT 211

A BILL FOR AN ORDINANCE RELATING TO MOBILE ELECTRONIC DEVICES.

Councilmember Ozawa noted that there was a typo in the posted FD1 and the Office of Council Services (OCS) is working on the amendment.

In response to Councilmember Elefante, Councilmember Ozawa stated that the definition section e, digital video recording device was added to the FD1 but the intent was to allow for video recording and OCS is correcting the measure.

There was no public testimony.

There being no objections, the Chair deferred Bill 6, CD2, FD1 to the end of the calendar.

NEW BUSINESS

ADOPTION

RESOLUTION 17-186

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE NORTH SHORE CHAMBER OF COMMERCE.

Councilmember Anderson moved that Resolution 17-186 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Resolution 17-186 was adopted.

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

NOES: None.

ADOPTION

RESOLUTION 17-188

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HAWAII STATE ASSOCIATION OF COUNTIES.

Councilmember Anderson moved that Resolution 17-188 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Councilmember Elefante thanked Chair Menor for putting the item on the agenda. He thanked the Hawaii State Association of Counties and the members for the gift of \$275 for the conference registration fee.

Chair Menor stated he will vote in favor of the measure. He noted that Councilmember Elefante did a good job as a speaker on the millennial panel at the conference and he asked councilmembers to support the measure.

Resolution 17-188 was adopted.

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

RECESS/RECONVENE

At 5:34 p.m., the Chair called for a short recess and reconvened the meeting at 5:35 p.m.

SUNSHINE/APPROVAL **COMMUNICATION M-3417**

FROM HAWAII CITY PLAZA, LP, REQUESTING A 120-DAY EXTENSION OF TIME ON RESOLUTION 16-280 RELATING TO THE HAWAII CITY PLAZA CONDOMINIUM DEVELOPMENT PROJECT.

Pursuant to HRS Section 92-7, the Sunshine Law, Councilmember Anderson moved that Communication M-3417 be added to the agenda. Seconded by Councilmember Pine.

Communication M-3417 was added to the agenda.

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

Councilmember Pine moved that Communication M-3417 be approved. Seconded by Councilmember Anderson.

There was no public testimony.

Councilmember Anderson stated his opposition to the measure. He noted that he cannot support the request for an extension of time because the developer has stated that public transit users are too poor to buy into the project. If the extension of time is approved, he will wait to see what the developer presents to the Committee.

Councilmember Kobayashi thanked Chair Pine for giving the developer another opportunity. She acknowledged Councilmember Anderson's concerns and noted that there has been a communication breakdown, but the intent of the company is to provide affordable housing. She asked councilmembers to support the extension of time.

Councilmember Pine spoke in support of the measure. She did meet with the developers on affordable housing and once the developer submits that in writing and councilmembers' concerns are addressed, it will be a good project. Councilmember Pine expressed her appreciation to Councilmember Kobayashi for her hard work on the measure.

Chair Menor stated for the record that he shares the strong concerns expressed by Vice-Chair Anderson and is especially concerned that the developer or a representative is not present to comment on the request for the extension of time. He noted that he hopes that when the measure is heard in Committee, the developer will be present for the discussion. As Council Chair, he stated that he supports the recommendation of the subject matter chair and the councilmember of the district and requested that councilmembers support the measure.

Communication M-3417 was approved.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MARTIN, OZAWA, PINE,
MENOR - 7.

NOES: ANDERSON, MANAHAN - 2.

RECESS/RECONVENE

At 5:47 p.m., the Chair called for a short recess and reconvened the meeting at 5:48 p.m.

THIRD READING

BILL 6, CD2, FD2 – COMMITTEE REPORT 211

A BILL FOR AN ORDINANCE RELATING TO MOBILE ELECTRONIC DEVICES.

The following amendment was handcarried to the meeting:

Bill 6, CD2, FD1, Proposed FD2

Councilmember Ozawa moved that the Bill be amended to the handcarried FD2. Seconded by Councilmember Elefante. The FD2 makes the following amendments:

In Section 2 further amended Section 15-24.23 Revised Ordinances of Honolulu 1990 entitled mobile electronic devices as follows:

1. It adds a new subsection d that specifies that any person violating ROH Section 15-24.23 would be subject to the following fines.
 - A. For a first violation a fine of not less than \$15 but not more than \$35.
 - B. For a second violation committed within 1 year after the date of the first violation. A fine of not less than \$35 but not more than \$75.
 - C. For a third violation or subsequent violation that is within 1 year after the date of the first violation. A fine of not less than \$75 but not more than \$99.

In response to councilmembers, Major Ryan Nishibun, Honolulu Police Department (HPD), Traffic Division stated that:

- HPD has no issues with the FD2 amendments.
- Next month is pedestrian safety month and HPD will include education on the measure.
- Someone taking a picture in the neighborhood would not be an issue for HPD.

Councilmember Ozawa expressed his appreciation to Councilmember Elefante for allowing him to amend the Bill and for working with his office to address concerns on the measure.

Councilmember Elefante thanked councilmembers and asked for their support on the measure. He also thanked Councilmember Ozawa for offering the proposed handcarried FD2. He stated that this is a very good measure that promotes safety for pedestrians. This idea was generated by the community, Waipahu High School, and Aiea High School as they are very concerned about their peers and distracted pedestrians. He expressed his appreciation to Major Inouye who has since retired from HPD and also to Captain Taflinger for providing input and guidance on the measure.

Councilmember Manahan spoke in support of the measure. He commended the introducer, Councilmember Elefante, and Councilmember Ozawa for working together and coming up with a good Bill. He noted that he would like to see an exemption for people with disabilities, as they may use their phones to navigate their daily commute.

Bill 6, CD2, FD1 was amended to FD2

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

NOES: None.

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

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

NOES: None.

Committee Report 211 and Bill 6, CD2, FD2 passed third reading, as amended.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, MANAHAN, OZAWA, PINE, MENOR – 7.

NOES: KOBAYASHI, MARTIN – 2.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Ozawa noted that he may not be at the August 9, 2017 Council meeting as he and his wife are expecting their second daughter on August 8, 2017.

Chair Menor wished Councilmember Ozawa and his wife the best and noted that having a new child is a blessing.

ADJOURNMENT

At 5:58 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, August 9, 2017, at 10 a.m. Seconded by Councilmember Pine and there being no objections from the 9 members present, it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

jy

DATE APPROVED:

August 9, 2017