



# 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

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## JOURNAL

REGULAR MEETING  
18TH SESSION  
WEDNESDAY, FEBRUARY 28, 2018

CITY COUNCIL CHAMBER  
3<sup>RD</sup> 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 11:08 a.m.

### ROLL CALL

Roll call showed the following Councilmembers present:

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

### INTRODUCTION OF GUESTS

There were no guests.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 16th Session (January 31, 2018) and 17th Session (February 13, 2018) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Pine.

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

**ORDER OF THE DAY**

**ADOPTION**

REPORT OF INVESTIGATION ON MATTERS RELATING TO FIRE SAFETY IN  
RESIDENTIAL BUILDINGS

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COUNCIL COMMUNICATION 34

January 24, 2018 - From Councilmembers Ann Kobayashi, Carol Fukunaga and Trevor Ozawa, submitting a Report pursuant to Resolution 17-341 establishing a permitted interaction group of councilmembers to investigate measures in residential buildings, the financial impacts of such measures, and measures to mitigate these financial impacts.

Councilmember Anderson moved that Council Communication 34 be adopted as the Findings of the Council. Seconded by Councilmember Pine.

The following individual testified:

Robert Reed (M-125) (Oppose)

Council Communication 34 was adopted as the Findings of the permitted interaction group.

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

**DEFERRED TO LATER IN THE MEETING**  
**RESOLUTION 18-22 – COMMITTEE REPORT 91**

RESOLUTION RELATING TO THE COUNCIL'S APPOINTEES TO SERVE ON THE RATE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Elefante moved that Committee Report 91 and Resolution 18-22 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Barbra Armentrout (General comment)

Councilmember Elefante stated that Mr. Burke is well qualified and will be an asset to the Commission. He has worked for the City for over 20 years in the Department of Transportation Services and the Honolulu Public Transit Authority. He urged support from councilmembers.

Resolution 18-22 was considered later in the meeting.

(Note: Later in the meeting, Committee Report 91 and Resolution 18-22 were adopted. See page 4.)

The Chair moved to the next item on page 4 of the agenda.

**ADOPTION**  
**RESOLUTION 17-352 – COMMITTEE REPORT 93**

RESOLUTION RELATING TO THE APPOINTMENT OF SHANNON L. ALIVADO TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Ozawa moved that Committee Report 93 and Resolution 17-352 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Barbra Armentrout (Support)

Councilmember Ozawa stated his strong support for Ms. Alivado. He noted that she took time out of her busy schedule to meet with councilmembers and expressed her willingness to serve on the Commission.

Councilmember Anderson voiced his support for the nominee. He noted her involvement with the Waimanalo Community serving on the Neighborhood Board and within the agricultural community. He urged councilmembers to support the nominee.

Committee Report 93 and Resolution 17-352 were adopted.

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

NOES: None.

The Chair noted for clarification that in the past he has entertained blanket motions but will be limiting those motions for situations where the measures have not been amended.

At this juncture, the Chair returned to Resolution 18-22.

### **ADOPTION**

#### **RESOLUTION 18-22 – COMMITTEE REPORT 91**

RESOLUTION RELATING TO THE COUNCIL'S APPOINTEES TO SERVE ON THE RATE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

In response to Councilmember Ozawa, Wes Frysztacki, Director of the Department of Transportation Services stated that the Rate Commission has met five or six times and has experienced difficulty achieving quorum.

Committee Report 91 and Resolution 18-22 were adopted.

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

NOES: None.

ABSENT: MARTIN – 1.

The Chair returned to page 5 of the agenda.

**PUBLIC HEARING/SECOND READING**  
**BILL 104 (2017) – COMMITTEE REPORT 73**

A BILL FOR AN ORDINANCE RELATING TO THE ESTABLISHMENT OF FEES AND CHARGES FOR SERVICES OF THE DEPARTMENT OF THE MEDICAL EXAMINER.

Councilmember Manahan moved that Committee Report 73 be adopted and Bill 104 (2017) pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

Jay Morford, Hawaii Funeral and Cemetery Association (M-136) (Oppose)

Councilmember Manahan thanked the Hawaii Funeral and Cemetery Association and the Office of the Medical Examiner for their support and agreeing to work together on the language of the measure. He noted that in Committee, amendments were needed but they agreed to move the Bill forward and continue the discussion in Committee.

Councilmember Anderson noted for the record that he filed a Disclosure of Interest with the City Clerk's Office [CC-396 (2017)].

Committee Report 73 was adopted and Bill 104 (2017) passed second reading.

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

NOES: None.

**PUBLIC HEARING/SECOND READING**  
**BILL 109 (2017), CD1 – COMMITTEE REPORT 74**

A BILL FOR AN ORDINANCE RELATING TO FEES FOR USE OF MUNICIPAL GOLF COURSES.

Councilmember Manahan moved that Committee Report 74 be adopted and Bill 109 (2017) pass second reading, as amended to CD1. Seconded by Councilmember Elefante.

The following individual testified:

Calvin Hulihee (General comment)

Councilmember Manahan noted that the Department of Enterprise Services (DES) testified in Committee that the measure is needed to be able to maintain operations at the current level; it is not revenue enhancement. He explained that the measure does not affect the amendments made by Councilmember Ozawa during the last budget; the free program for juniors will continue.

Councilmember Ozawa noted that he does not support fee increases but is in support of the measure as the Budget Chair noted that the Bill will not affect the youth program. He thanked the DES and the Budget Chair for allowing his initiative to move forward last year and making it free for the local youths to golf.

In response to councilmembers, Guy Kaulukukui, Director, Department of Enterprise Services stated that:

- The cart fees will be increased over a three year period.
- The fee at Kahuku Golf Course for a round of 18-holes will be increased to \$22.
- The Department has a contract for golf carts and will provide that information to the Council. He will also present this information at the Committee meeting.
- For the record, the increase will not impact the junior golfers with a golf card who golf for free.
- The Department noted that they adjusted the fees because it was cheaper to play two 9-hole rounds instead of 18-holes.
- The green fee increase only applies to the Kahuku Golf Course. The cart fee applies to courses with carts. Kahuku Golf Course does not have carts.

Committee Report 74 was adopted and Bill 109 (2017), CD1 passed second reading, as amended.

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

NOES: None.

**PUBLIC HEARING/SECOND READING**  
**BILL 1 – COMMITTEE REPORT 75**

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

Councilmember Manahan moved that Committee Report 75 be adopted and Bill 1 pass second reading. Seconded by Councilmember Elefante.

The following individuals testified:

1. Roy Nakamura (Support)
2. Rose Pou (Support)

Committee Report 75 was adopted and Bill 1 passed second reading.

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

NOES: None.

\*Councilmember Elefante voted aye with reservations.

**PUBLIC HEARING/SECOND READING**  
**BILL 3 – COMMITTEE REPORT 76**

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Manahan moved that Committee Report 76 be adopted and Bill 3 pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (M-135) (Support)

Committee Report 76 was adopted and Bill 3 passed second reading.

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

NOES: None.

\*Councilmember Elefante voted aye with reservations.

**PUBLIC HEARING/SECOND READING**  
**BILL 76 (2017) – COMMITTEE REPORT 84**

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

Councilmember Pine moved that Committee Report 84 be adopted and Bill 76 (2017) pass second reading. Seconded by Councilmember Anderson.

The following individuals testified:

1. Diana Agsalda (M-137) (Support)
2. Aaron Agsalda (Support)
3. Daniel Adams (M-137) (Support)
4. Roy Nakamura (Oppose)
5. Calvin Hulihee (General comment)

Chair Emeritus Martin asked for councilmembers' support to move the measure forward. He noted that this project is different from the project being proposed at Dillingham Ranch. He thanked the Zoning Chair for her respect and courtesy in consulting with his office prior to moving the measure forward. He stated that the developer is sincere in his proposal to provide affordable housing units for the project.

Councilmember Anderson stated his support for the measure. He explained that the Oahu General Plan states the future development is to occur in the second City of Kapolei which is located in Central West Oahu. He stated that this project is very worthy and deserves the support of the Council.

Committee Report 84 was adopted and Bill 76 (2017) passed second reading.

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

NOES: None.

Related communications:

CC-63	Councilmember Kymberly Marcos Pine
M-103	Aaron Jones, Owner, Leo'Ole LLC
M-137	Additional testimony on Bill 76 (2017)

**PUBLIC HEARING/SECOND READING**  
**BILL 92 (2017), CD1 – COMMITTEE REPORT 85**

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

Councilmember Pine moved that Committee Report 85 be adopted and Bill 92 (2017) pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individual testified:

Roy Nakamura (General comment)

Councilmember Anderson stated that the rezone was requested by the family that owns the parcel and wants to enhance the property. He noted that the measure deserves to move forward and continue through the process.

Committee Report 85 was adopted and Bill 92 (2017), CD1 passed second reading, as amended.

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

Related communications:

CC-63            Councilmember Kymberly Marcos Pine  
M-124            Oswald K. Stender

**PUBLIC HEARING/SECOND READING**  
**BILL 111 (2017), CD1 – COMMITTEE REPORT 88**

A BILL FOR AN ORDINANCE RELATING TO BICYCLE PATHS.

Councilmember Elefante moved that Committee Report 88 be adopted and Bill 111 (2017) pass second reading, as amended to CD1. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Elefante urged councilmembers to support the measure. He noted that Bill 111 would conform to the agreement with the United States Navy for the Pearl Harbor Historic Trail. He stated that the Bill would also prohibit hazardous materials and intoxicating beverages along the bicycle paths.

Councilmember Ozawa expressed concerned with the public's right to fish along the Pearl Harbor Bike Path. He noted that he would like to hear from the Department of Land and Natural Resources on how the measure would affect the fishermen in the area. He suggested expanding the sit lie measure to include this area as he feels this is a sit lie measure. He voiced his opposition for the measure.

Chair Emeritus Martin stated he will vote in opposition to the measure.

Committee Report 88 was adopted and Bill 111 (2017), CD1 passed second reading, as amended.

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

\*Councilmember Pine voted aye with reservations.

**PUBLIC HEARING/SECOND READING**  
**BILL 112 (2017), CD1 – COMMITTEE REPORT 89**

A BILL FOR AN ORDINANCE RELATING TO MOPEDS.

Councilmember Elefante moved that Committee Report 89 be adopted and Bill 112 (2017) pass second reading, as amended to CD1. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Elefante urged councilmembers to support the measure. He noted that the measure would conform to the Hawaii Revised Statutes and the Revised Ordinances of Honolulu.

Committee Report 89 was adopted and Bill 112 (2017), CD1 passed second reading, as amended.

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

NOES:           None.

**DEFERRED TO END OF THE CALENDAR**  
**BILL 42 (2017) – COMMITTEE REPORT 175 (2017)**

A BILL FOR AN ORDINANCE TO FUNDING FOR TRANSIT.

There being no objections from the 9 members present, Chair Menor deferred Bill 42 (2017) to the end of the calendar.

(Note: Later in the meeting, Committee Report 175 (2017) and Bill 42 (2017) were recommitted to the Committee on Budget. See page 37.)

**THIRD READING**  
**RESOLUTION 17-288, CD1 – COMMITTEE REPORT 66**

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION), RELATING TO THE BOARD OF THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION.

Councilmember Fukunaga moved that Committee Report 66 be adopted and Resolution 17-288 pass third reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individual testified:

Natalie Iwasa (General comment)

In response to Chair Menor, Robert Yu, Honolulu Authority for Rapid Transportation (HART) stated that HART is in agreement with the quorum issue and is aware that if the measure is adopted, it will be on the 2018 general election ballot for voters to decide.

Committee Report 66 was adopted and Resolution 17-288, CD1 passed third reading, as amended.

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

NOES:           None.

Related communication:

CC-62                   Councilmember Ron Menor

**THIRD READING**

**BILL 101 (2017), CD1 – COMMITTEE REPORT 71**

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Manahan moved that Committee Report 71 be adopted and Bill 101 (2017) pass third reading, as amended to CD1. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (General comment)

Councilmember Manahan clarified that the purpose of the measure is to provide real property tax relief in the form of a tax credit to property owners who install an automatic sprinkler system. The Bill includes a \$2,000 tax credit. He noted that the measure does not mandate sprinkler systems, but assists qualified owners who would like to install a system. Councilmember Manahan asked for councilmembers to support the measure.

Committee Report 71 was adopted and Bill 101 (2017), CD1 passed third reading, as amended.

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

NOES:           None.

Related communication:

M-126                      Early testimony on Bill 101 (2017), CD1

**THIRD READING**

**BILL 102 (2017), CD1, FD1 – COMMITTEE REPORT 72**

A BILL FOR AN ORDINANCE RELATING TO FEES.

The following amendment was posted on the agenda:

Bill 102 (2017), CD1, Proposed FD1

Councilmember Manahan moved that Committee Report 72 be adopted and Bill 102 (2017) pass third reading, as amended to CD1. Seconded by Councilmember Elefante.

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

- A. Amends the language of ROH Section 18-6.5 to conform to the amendments made by Ordinance 18-1.
- B. Amends Section 4 of the bill to clarify that the ordinance shall not be deemed to affect the subsequent repeal of ROH Section 18-6.5(f), (g), and (h) pursuant to prior ordinances.
- C. Makes miscellaneous technical and nonsubstantive amendments.

The following individual testified:

Natalie Iwasa (General comment)

Councilmember Anderson stated his support for the measure with reservations.

Bill 102 (2017), CD1 was amended to FD1.

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

NOES:            None.

Committee Report 71 was adopted and Bill 102 (2017), CD1, FD1 passed third reading.

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

NOES: None.

\*Councilmember Anderson voted aye with reservations.

Related communication:

M-127 Early testimony on Bill 102 (2017), CD1

### **THIRD READING**

#### **BILL 86 (2017), CD1 – COMMITTEE REPORT 79**

A BILL FOR AN ORDINANCE RELATING TO THE DISPOSAL OF WEEDS, GARBAGE, TRASH, AND WASTE FROM PROPERTY.

Councilmember Fukunaga moved that Committee Report 79 be adopted and Bill 86 (2017), CD1 pass third reading. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 79 was adopted and Bill 86 (2017), CD1 passed third reading.

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

NOES: None.

### **FIRST READING**

#### **BILL 7** (Public Health, Safety and Economic Development)

A BILL FOR AN ORDINANCE RELATING TO THE TRAFFIC CODE AND PUBLIC SAFETY.

Councilmember Anderson moved that Bill 7 pass first reading. Seconded by Councilmember Pine.

The following individual testified:

Barbra Armentrout (Support)

Bill 7 passed first reading.

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

Related communications:

M-128 Early testimony on Bill 7  
M-139 Additional testimony on Bill 7

**FIRST READING**

**BILL 8**

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO BUSES.

Councilmember Anderson moved that Bill 8 pass first reading. Seconded by Councilmember Pine.

There was no public testimony.

Bill 8 passed first reading.

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

**FIRST READING**

**BILL 9**

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE TRANSIT CONSTRUCTION MITIGATION FUND.

Councilmember Anderson moved that Bill 9 pass first reading. Seconded by Councilmember Pine.

There was no public testimony.

Bill 9 passed first reading.

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

NOES: None.

**FIRST READING**

**BILL 10**

(Public Works, Infrastructure and Sustainability)

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

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

There was no public testimony.

Bill 10 passed first reading.

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

NOES: None.

**FIRST READING**

**BILL 11**

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

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

There was no public testimony.

Bill 11 passed first reading.

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

NOES: None.

Related communication:

M-129 Early testimony on Bill 11

**ADOPTION**

**RESOLUTION 18-32 – COMMITTEE REPORT 67**

RESOLUTION OPPOSING THE CHANGE OF PUBLIC, EDUCATIONAL AND GOVERNMENTAL PROGRAMMING CHANNEL NUMBERS BY SPECTRUM.

Councilmember Fukunaga moved that Committee Report 67 and Resolution 18-32 be adopted. Seconded by Councilmember Anderson.

The following individuals testified:

1. Angela Angel, Olelo Community Media (Support)
2. Rose Pou (Support)

Committee Report 67 and Resolution 18-32 were adopted.

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

NOES: None.

Related communication:

CC-62 Councilmember Ron Menor

**ADOPTION**

**RESOLUTION 18-41 – COMMITTEE REPORT 68**

RESOLUTION TO RETAIN THE LEGAL SERVICES OF KOBAYASHI SUGITA & GODA AS SPECIAL DEPUTY CORPORATION COUNSEL FOR THE CITY AND COUNTY OF HONOLULU IN ANY AND ALL LEGAL PROCEEDINGS RELATED TO THE CONSTRUCTION OF THE JOINT TRAFFIC MANAGEMENT CENTER BY WATTS CONSTRUCTORS LLC.

Councilmember Fukunaga moved that Committee Report 68 and Resolution 18-41 be adopted. Seconded by Councilmember Anderson.

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-50).

Committee Report 68 and Resolution 18-41 were adopted.

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

NOES: None.

Related communication:

CC-62 Councilmember Ron Menor

**ADOPTION**

**RESOLUTION 18-29, CD1 – COMMITTEE REPORT 77**

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 77 and Resolution 18-29, as amended to CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 77 and Resolution 18-29, CD1 as amended were adopted.

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

NOES:           None.

**ADOPTION**

**RESOLUTION 18-31 – COMMITTEE REPORT 78**

RESOLUTION URGING THE CITY ADMINISTRATION TO ACQUIRE ACTION HUNGER VENDING MACHINES TO PROVIDE BASIC NECESSITIES TO HOMELESS INDIVIDUALS.

Councilmember Manahan moved that Committee Report 78 and Resolution 18-31 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 78 and Resolution 18-31 were adopted.

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

NOES:           None.

**ADOPTION**

**RESOLUTION 17-340, CD1 – COMMITTEE REPORT 80**

RESOLUTION URGING THE CITY ADMINISTRATION TO DEVELOP COMPOSTING FACILITIES CAPABLE OF PROCESSING CERTAIN SOLID WASTE THAT IS CURRENTLY DISPOSED OF AT THE CITY'S H-POWER FACILITY, INCLUDING SINGLE-USE DISPOSABLE FOOD SERVICE CONTAINERS.

Councilmember Fukunaga moved that Committee Report 80 and Resolution 17-340, as amended to CD1 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 80 and Resolution 17-340, CD1 as amended were adopted.

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

NOES:           None.

Related communication:

M-130                 Early testimony on Resolution 17-340, CD1

**ADOPTION**

**RESOLUTION 18-33, CD1 – COMMITTEE REPORT 81**

RESOLUTION APPROVING THE GRANT OF EASEMENT A TO HAWAIIKI SUBMARINE CABLE USA LLC WITHIN A PORTION OF THE CITY'S KAHE POINT BEACH PARK  
TMK: 9-2-049-001.

Councilmember Fukunaga moved that Committee Report 81 and Resolution 18-33, as amended to CD1 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 81 and Resolution 18-33, CD1 as amended were adopted.

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

NOES:           None.

**ADOPTION**

**RESOLUTION 18-35, CD1 – COMMITTEE REPORT 82**

RESOLUTION REQUESTING THE OFFICE OF THE CITY AUDITOR TO EVALUATE THE USE AND IMPACTS OF SINGLE-USE FOOD SERVICE CONTAINERS AND SINGLE-USE PLASTIC BAGS.

Councilmember Fukunaga moved that Committee Report 82 and Resolution 18-35, as amended to CD1 be adopted. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Kevin Wong, KYD, Inc. (M-133) (Support)
2. Katherine Kupukaa (M-140) (Oppose)

Committee Report 82 and Resolution 18-35, CD1 as amended were adopted.

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

NOES: None.

Related communications:

M-133 Early testimony on Resolution 18-35, CD1  
M-140 Additional testimony on Resolution 18-35, CD1

## **RECESS/RECONVENE**

At 12:33 p.m., the Chair called for a recess as noted on the agenda. With 8 members present (Excused: Fukunaga – 1), the Chair reconvened the meeting at 1:47 p.m.

## **ADOPTION**

### **RESOLUTION 17-333, CD1 – COMMITTEE REPORT 52**

RESOLUTION APPROVING A CONCEPTUAL PLAN FOR AN INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECT FOR THE DEVELOPMENT OF THE PROSPAC TOWER-RESIDENTIAL CONDOMINIUM AND COMMERCIAL DEVELOPMENT PROJECT.

The following amendment was posted on the agenda:

Resolution 17-333, CD1, Proposed FD1

Councilmember Pine moved that Committee Report 52 and Resolution 17-333, as amended to CD1 be adopted. Seconded by Councilmember Anderson.

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

- A. In Condition F (affordable housing requirements), revises the third paragraph to provide that in the Second Marketing Period and thereafter the affordable dwelling unit must be offered at a price affordable to households earning 120 percent or below of the AMI, notwithstanding the fact that the unit may be marketed to households with higher AMI.
- B. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

- 1. Junior Padasdao, Hawaii Regional Council of Carpenters (Support)
- 2. Dione Kalaola, Hawaii Regional Council of Carpenters (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office [CC-392 (2017), CC-31, CC-32, CC-65, CC-66]

Resolution 17-333, CD1, was amended to FD1.

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

Committee Report 52 and Resolution 17-333, CD1, FD1 were adopted.

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

Related communications:

M-131 Early testimony on Resolution 17-333, CD1  
M-141 Additional testimony on Resolution 17-333, CD1

**ADOPTION**

**RESOLUTION 18-19, CD1 – COMMITTEE REPORT 86**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO THE HAWAIIAN ELECTRIC COMPANY, INC., FOR A VARIETY OF MINOR PROJECTS AT ITS WAI'IAU GENERATING STATION.

Councilmember Pine moved that Committee Report 86 and Resolution 18-19, as amended to CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 86 and Resolution 18-19, CD1 as amended were adopted.

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

NOES: None.

Related communication:

CC-63 Councilmember Kymberly Marcos Pine

**ADOPTION**

**RESOLUTION 18-36, CD1 – COMMITTEE REPORT 87**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO THE DEPARTMENT OF ENVIRONMENTAL SERVICES, FOR A NEW SEWER FORCE MAIN.

Councilmember Pine moved that Committee Report 87 and Resolution 18-36, as amended to CD1 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 87 and Resolution 18-36, CD1 as amended were adopted.

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

NOES: None.

Related communication:

CC-63                      Councilmember Kymberly Marcos Pine

**ADOPTION**

**RESOLUTION 17-328, CD1 – COMMITTEE REPORT 90**

RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES, THE DEPARTMENT OF HUMAN RESOURCES, AND THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION TO CONDUCT A WORKFORCE STUDY.

Councilmember Elefante moved that Committee Report 90 and Resolution 17-328, as amended to CD1 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Katherine Kupukaa (M-142) (Oppose)

Committee Report 90 and Resolution 17-328, CD1 as amended were adopted.

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

NOES:            None.

\*Councilmember Kobayashi voted aye with reservations.

**ADOPTION**

**RESOLUTION 18-38 – COMMITTEE REPORT 92**

RESOLUTION ESTABLISHING A PERMITTED INTERACTION GROUP OF COUNCILMEMBERS TO MEET WITH FEDERAL OFFICIALS TO DISCUSS THE FEDERAL TRANSIT ADMINISTRATION'S REVIEW AND APPROVAL OF THE CITY'S SEPTEMBER 15, 2017 RECOVERY PLAN.

Councilmember Elefante moved that Committee Report 92 and Resolution 18-38 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Katherine Kupukaa (M-143) (Oppose)

Councilmember Anderson spoke in support of the measure. He noted that Chair Menor, Councilmember Elefante and he are part of the permitted interaction group and they will be travelling to Washington, D.C. to participate in the National Association of Counties. While in Washington, D.C., they will schedule a meeting with the Federal Transit Administration.

Committee Report 92 and Resolution 18-38 were adopted.

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

NOES: None.

## **BALANCE OF COMMITTEE REPORTS**

### [EMLACR-69](#)

Request for authorization to settle a case against the City and County of Honolulu entitled Shizuko Matsuda v. City and County of Honolulu, et al.; Civil No. 14-1-0921-04 KKH

### [EMLACR-70](#)

Request for authorization to settle a case against the City and County of Honolulu entitled Ana Sofia Krogh-Doyle, et al. v. City and County of Honolulu, et al.; Civil No. 12-1-3121-12 (BIA)

### [ZHCR-83](#)

[Bill 15 \(2017\), CD1](#) – Amending The Land Use Ordinance, relating to Interim Planned Development permits for Transit-Oriented Development within close proximity to future rail stations. Granting a 90-day extension of time. (Deadline: 3/27/18 + 90 days)

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

There was no public testimony.

The Balance of Committee Reports was adopted.

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

NOES:           None.

Related communications:

CC-62	Councilmember Ron Menor
CC-63	Councilmember Kymberly Marcos Pine
D-108	Department of Planning and Permitting

## **UNFINISHED BUSINESS**

### **THIRD READING**

#### **BILL 110 (2017), CD2, FD1 – COMMITTEE REPORT 65**

A BILL FOR AN ORDINANCE REGULATING FOR AN INTERIM PERIOD THE ISSUANCE OF BUILDING PERMITS FOR THE PLANNING AND DEVELOPMENT OF LARGE RESIDENTIAL STRUCTURES IN RESIDENTIAL DISTRICTS IN ORDER TO PROVIDE TIME FOR THE CITY TO ESTABLISH APPROPRIATE POLICIES IN ITS LONG-RANGE PLANS AND ZONING ORDINANCES TO ADDRESS THE IMPACTS OF SUCH STRUCTURES.

The following amendments posted on the agenda were not considered:

Bill 110 (2017), CD2, Proposed FD1 (OCS2018-0133/2/7/2018 11:57 AM)

Bill 110 (2017), CD2, Proposed FD1 (OCS2018-0170/2/9/2018 3:24 PM)

Bill 110 (2017), CD2, Proposed FD1 (OCS2018-0189/2/13/2018 2:05 PM)

Bill 110 (2017), CD2, Proposed FD1 (DPPADM022018)

Bill 110 (2017), CD2, Proposed FD1 (OCS2018-0212/2/22/2018 10:55 AM)

Bill 110 (2017), CD2, Proposed FD1 (OCS2018-0222/2/22/2018 4:06 PM)

The following amendments were handcarried to the meeting:

Bill 110 (2017), CD2, Proposed FD1 (OCS2018-0227/2/26/2018 8:52 AM)  
(Note: This version was not considered)

Bill 110 (2017), CD2, Proposed FD1 (OCS2018-0231/2/26/2018 4:17 PM)  
(Note: This version was not considered)

Bill 110 (2017), CD2, Proposed FD1 (OCS2018-0212/2/22/2018 10:55 AM)

Councilmember Anderson explained that his FD1 (OCS2018-0212/2/22/2018 10:55 AM) makes the following amendments:

- A. In Section 2, defines “bathroom” to mean a room that is equipped for taking a bath or shower and that includes a sink and toilet. A 0.5 bathroom means a room that is equipped with a sink and toilet.
- B. In Section 2, amends the definition of “large detached dwelling” to mean a one-family or two-family detached dwelling with a floor area that exceeds a floor area ratio of 0.70 for the zoning lot.
- C. In Section 2, amends the definition of “laundry room” to mean a utility room in a dwelling unit that is used for washing and cleaning clothes and other fabrics, and which contains items such as a washing machine, utility sink, and clothes dryer.
- D. In Section 2, amends the definition of “wet bar” to mean a serving counter in a dwelling or lodging unit that is equipped with a small single compartment sink that is not part of a kitchen, bathroom, or laundry room.
- E. Adds a new Section 3.A.4, which includes in the moratorium a two-family detached dwelling in the R-5 residential district on a zoning lot with a lot area of less than 10,000 square feet.
- F. Amends Section 3.B to provide that the DPP may accept and process a building permit application, and issue a building permit, for a large detached dwelling, accessory dwelling unit, or two-family detached dwelling in the R-5 residential district that is subject to the restriction in Section 3.A, if the application demonstrates that the dwelling satisfies certain enumerated development standards.

- G. In Section 3.B.4, revises the applicable off-street parking requirements to read as follows:

Dwelling size (square feet) including the area of lanais	Required off-street parking spaces
Up to 2,500	2
2,501 to 3,500	3
3,501 to 4,500	5
4,501 to 5,500	7
5,501 to 6,500	9
6,501 to 7,500	11
7,501 and up	11 plus one for every 1,000 square feet of floor area or portion thereof above 7,501

subject to additional requirements where four or more parking spaces are required.

- H. Adds a new Section 3.B.5, which provides that the number of bathrooms in each dwelling unit cannot exceed the following:

Lot size (square feet)	Number of bathrooms cannot exceed:
Up to 4,000	2.5
4,001 to 5,000	3.5
5,001 to 6,000	4.5
6,001 to 7,000	5.5
7,001 to 8,000	6.5
8,001 and up	7.5 plus one for every 1,000 square feet of lot area or portion thereof above 8,001

- I. Deletes Section 3.C relating to Council approval of building permit applications accepted and processed by the DPP under Section 3.B. Realphabetizes subsequent subsections accordingly.

- J. In realphabetized Section 3.C.4, which provides for an exception to the moratorium for certain 201 H projects, plan review use approvals, and special management area use permits, adds exceptions for cluster housing, planned development housing, and zero lot line housing; provided that a discretionary permit has been lawfully issued by any government agency, and is in effect on the effective date of the ordinance.
- K. Makes miscellaneous technical and nonsubstantive amendments.

Councilmember Kobayashi explained that her FD1 (OCS2018-0222/2/22/2018 4:06 PM) makes the following amendments:

- A. Adds a new Section 4 to direct the Administration to conduct enforcement of the current building code and land use ordinance for a 120-day period prior to the commencement of the moratorium.
- B. Delays commencement of the moratorium to 120 days after the enactment of the ordinance.
- C. Makes miscellaneous technical and nonsubstantive amendments.

The following amendments were handcarried to the meeting:

Councilmember Manahan explained that his FD1 (OCS2018-0227/2/26/2018 8:52 AM) makes the following amendments:

- Supports the enforcement actions being proposed.
- Addresses the need to enforce existing laws and to study on how to best do that.
- Puts together a task for consisting of the Honolulu Fire Department for any Fire Code violation, the Honolulu Police Department for any illegal violations, the Department of Planning and Permitting, the Department of Environmental Services, a member from the Building Industry Association, a member from the Architects Industry Association, and three Council appointees.

Councilmember Ozawa explained his posted FD1 (OCS2018-0133/2/7/2018 11:57 AM) makes the following amendments:

- A. Amends the definition of "large detached dwelling" to read as follows: "Large detached dwelling" means a one-family or two-family detached dwelling with a floor area that exceeds a floor area ratio of 0.70 for the zoning lot.
- B. In Section D.4, which provides for an exception to the moratorium for certain 201H projects, plan review use approvals, and special management area use permits, adds exceptions for cluster housing, planned development housing, and zero lot line housing; provided that a discretionary permit has been lawfully issued by any government agency, and is in effect on the effective date of the ordinance.
- C. Makes miscellaneous technical and non-substantive amendments

Councilmember Ozawa explained that his handcarried FD1 (OCS2018-0231/2/26/2018 4:17 PM) makes the following amendments:

- A. In Section 2, defines "bathroom" to mean a room that is equipped for taking a bath or shower and that includes a sink and toilet. A 0.5 bathroom means a room that is equipped with a sink and toilet.
- B. In Section 2, amends the definition of "large detached dwelling" to mean a one-family or two-family detached dwelling, except for an accessory dwelling unit, with a floor area that exceeds a floor area ratio of 0.70 for the zoning lot.
- C. In Section 2, amends the definition of "laundry room" to mean a utility room in a dwelling unit that is used for washing and cleaning clothes and other fabrics, and which contains items such as a washing machine, utility sink, and clothes dryer.
- D. In Section 2, amends the definition of "wet bar" to mean a serving counter in a dwelling or lodging unit that is equipped with a small single compartment sink that is not part of a kitchen, bathroom, or laundry room.
- E. Amends Section 3.B to provide that the DPP may accept, and process a building permit application, and issue a building permit, for a large detached dwelling or accessory dwelling unit that is subject to the restriction in Section 3.A, if the application demonstrates that the dwelling satisfies certain enumerated development standards.

- F. In Section 3.B.4, revises the applicable off-street parking requirements to read as follows:

Dwelling size (square feet)	Required off-street parking spaces
Up to 2,500	2
2,501 to 3,500	3
3,501 to 4,500	5
4,501 to 5,500	7
5,501 to 6,500	9
6,501 to 7,500	11
7,501 and up	11 plus one for every 1,000 square feet of floor area or portion thereof above 7,501

subject to additional requirements where four or more parking spaces are required.

- G. Adds a new Section 3.B.5, which provides that the number of bathrooms in each dwelling unit cannot exceed the following:

Lot size (square feet)	Number of bathrooms cannot exceed:
Up to 4,000	3.5
4,001 to 5,000	4.5
5,001 to 6,000	5.5
6,001 to 7,000	6.5
7,001 to 8,000	7.5
8,001 and up	8.5 plus one for every 1,000 square feet of lot area or portion thereof above 8,001

- H. In Section 3.C, deletes reference to Council approval of building permit applications accepted and processed by the DPP under Section 3.B. Realphabetizes subsequent subsections accordingly.

- I. In realphabetized Section 3.C.4, which provides for an exception to the moratorium for certain 201 H projects, plan review use approvals, and special management area use permits, adds exceptions for cluster housing, planned development housing, and zero lot line housing; provided that a discretionary permit has been lawfully issued by any government agency, and is in effect on the effective date of the ordinance.
- J. Makes miscellaneous technical and nonsubstantive amendments.

Councilmember Anderson explained that his posted FD1 includes Councilmember Fukunaga and Councilmember Ozawa's amendments. He stated that he has the Office of Council Services preparing a further amendment which will incorporate Councilmember Kobayashi's amendment to seek additional enforcement from the DPP but no delay to the moratorium, and Councilmember Manahan's proposed task force.

Kathy Sokugawa, Acting Director, DPP explained that the Department's FD1 (DPPADM022018):

- Incorporated what she thought was on the table and what the DPP could live with.
- Did not include provisions on restricting bathrooms.
- Amended the definition of large detached dwelling to clarify the applicability of accessory dwelling units.
- Clarified language on the definition for laundry room and wet bar.
- Corrected the off-street parking requirements.
- Deleted the escape clause or relief option entirely.

She stated that the DPP is not opposed to listing stakeholders who should be consulted regarding the final LUO amendments. She noted a concern that creating a task force would increase administrative costs, but she is not opposed to the Council stating that the DPP should consult at minimum with the specific groups.

In response to councilmembers, Acting Director Sokugawa stated that:

- A complete application would be grandfathered in and would not fall under the moratorium. Once an applicant receives an official building permit application number, the application is deemed complete.

- Under the moratorium, the large detached dwelling has to qualify. If there are interior renovations that do not increase the core requirements, the applicant can proceed, but if the renovations go beyond the limits of the moratorium, a building permit would not be granted.
- An application would not be approved for additional floor area, if parking is not provided, or there are more bathrooms or wet bars than allowed.
- Two single family detached dwellings are considered two separate houses.
- There is a slight difference in lot area allowance for a two-family detached and two single family detached dwellings.
- You can have a two family detached dwelling that is attached by a firewall and an additional dwelling unit (ADU) – three units in one building, two single family detached dwelling and an ADU.
- The DPP will commit to having a staff member at the task force meetings.
- Under the student housing definition, five unrelated people would be a family. Care homes are an exception because they are licensed by the State and State law allows care homes to have eight unrelated people, the resident manager and their family.
- The DPP investigates complaints received by visiting the site and conducting interviews.
- The DPP has to go to the Planning Commission with a permanent LUO amendment by September, and may also propose amendments to other codes or ordinances.
- The DPP will provide the information requested by Councilmember Ozawa before or when the final LUO amendments are done.
- Since August, there have been new storm water rules. Water quality rules apply in cases where there is flooding into the public realm.
- The DPP staff is taking steps to be more proactive in enforcing the law.
- The DPP has met with the BIA, and would welcome the help of the private industry to identify violations.

- Since December when the moratorium (Bill 110) was introduced, there have been a few new applications. The DPP has been adjusting internal procedures and been more visible and vigilante in responding to complaints.
- There have been 44 citations issued on apartments in residential areas. The violators have 30 days to correct the problem and if the violations have not been corrected then they will be fined.
- If the DPP suspects that a building is going to be used for something that is not allowed, they require a restrictive covenant that declares the applicant understand that the permit is specific and other activities are not allowed.

The following individuals testified:

1. Victor Yeung (Oppose)

In response to councilmembers, Mr. Yeung stated that:

The seven foot setback will affect the lot size. The house may be shorter or there will not be a big yard. The current setbacks are okay but the FAR could be .75 or .8. He voiced his appreciation for the work that the Council has been doing. He agreed with the requirement for green space.

2. Steven Yamashiro (M-132) (Support)
3. Gladys Marrone, BIA-Hawaii (M-132) (Oppose)
4. Thomas Bena (M-144) (Support)
5. Melissa Maii (M-144) (Support)
6. Sarah Chinen (M-144) (Support)
7. Christine Otto Zaa (M-144) (Support)
8. Mark Shertzer (Support)
9. Wendy Athans (Support)
10. Bertha Shertzer (General comment)
11. Natalie Iwasa (General comment)

In response to Councilmember Anderson, Ms. Iwasa stated that some homes are illegal because of their height limits. She will provide information on the illegal homes she has seen.

12. Wendell Murakawa (General comment)

In response to councilmembers, Mr. Murakawa expressed concerns about the Kapahulu area – the limited parking and the danger to pedestrians because some areas have no sidewalks and cars are illegally parked. He also stated that the monster homes are affecting the quality of life of the long time neighbors.

Councilmember Anderson moved that the Bill be amended to FD1 (OCS2018-0235/2/28/2018 2:38 PM). Seconded by Councilmember Elefante.

Councilmember Ozawa stated he would like to amend Section 6, the task force, to have each councilmember submit a name to the Chair by a specific date and if they fail to do so, the Chair would provide a name. He noted that he would also like to consider removing the representative from the Honolulu Police Department and Honolulu Fire Department.

Chair Menor explained that there would be further discussion on Vice Chair Anderson's proposed FD1, then the vote would be taken. If the amendment passes, then Councilmember Ozawa could propose a further amendment.

Councilmember Ozawa moved that the Bill be further amended to FD1. Seconded by Chair Emeritus Martin. He stated that the amendment would remove the Honolulu Police Department and Honolulu Fire Department representatives from Section 6, and add that each councilmember submit a name to the Chair and if there is no name submitted then the Chair would provide a name.

**RECESS/RECONVENE**

At 3:54 p.m., the Chair called for a short recess and reconvened the meeting at 4:06 p.m.

Councilmember Ozawa withdrew his motion to further amend to FD1. He noted that his intentions were to have his constituents be involved with the task force. Councilmember Ozawa stated that if there needs to be clarification, he would do so by Resolution.

Councilmember Kobayashi thanked Councilmember Ozawa for his idea to set up a citizen task force to assist the DPP in enforcing the laws, and she stated that could be done by Resolution.

Councilmember Manahan thanked Councilmember Ozawa for his consideration of the proposal and also to Councilmember Kobayashi for helping with the task force issue.

Bill 110 (2017), CD2 was amended to the handcarried FD1 (OCS2018-0235/2/28/2018 2:38 PM)

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

Councilmember Ozawa thanked the Planning Committee and the City Council for listening and considering all the amendments. He also thanked all his constituents for their emails, testimonies and tireless efforts to address the monster home issue. Although the measure is not perfect, he expressed support for moving the measure forward. He noted that monster homes have affected the majority of the Council districts and the homes are not being used for the purpose stated on the application to the DPP and such applications should not continue to be approved. He stated that monster homes increase the assessed values of homes, increase property taxes, and change the character of existing neighborhoods.

Councilmember Anderson thanked the members of the Planning Committee for their hard work and dedication on the measure. He also thanked the members of the communities, the stakeholders and the DPP. He expressed the hope that the DPP will utilize the enforcement language. He asked councilmembers to vote in support for the measure.

Chair Menor commended all councilmembers for their hard work in putting together the amendments. He noted that there were concerns when he made the recommendations to defer the measure at the last Council meeting to give councilmembers an opportunity to make improvements to the measure, but that the time has allowed improvements to the measure.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-21).

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 65 was adopted and Bill 110 (2017), CD2, FD1 passed third reading.

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

NOES:           None.

Related communications:

CC-55	Councilmember Trevor Ozawa
CC-56	Councilmember Trevor Ozawa
CC-58	Councilmember Trevor Ozawa
D-103	Department of Planning and Permitting
M-132	Early testimony on Bill 110 (2017), CD2
M-144	Additional testimony on Bill 110 (2017), CD2

## **RECESS/RECONVENE**

At 4:23 p.m., the Chair called for a short recess and reconvened the meeting at 4:25 p.m.

The Chair returned to page 9 of the agenda.

## **RECOMMITTAL TO THE COMMITTEE ON BUDGET** **BILL 42 (2017) – COMMITTEE REPORT 175 (2017)**

A BILL FOR AN ORDINANCE TO FUNDING FOR TRANSIT.

Councilmember Manahan explained that Bill 42 (2017) would lift the restriction on the City to be able to use property taxes for rail construction. He recommended recommitment of the Bill for further discussion.

Councilmember Manahan moved that Committee Report 175 (2017) and Bill 42 (2017) be recommitted to the Committee on Budget. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (General comment)

Councilmember Pine thanked Councilmember Manahan for recommitting the measure. She stated that the measure should be rewritten to be more specific as to what the monies will be used for and where the funds will come from.

Committee Report 175 (2017) and Bill 42 (2017) were recommitted to the Committee on Budget.

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

NOES: None.

ABSENT: OZAWA – 1.

Related communications:

M-134 Early testimony on Bill 42 (2017)

M-138 Additional testimony on Bill 42 (2017)

The Chair returned to page 22 of the agenda.

## **NEW BUSINESS**

### **CANCELLED**

#### **RESOLUTION 18-34**

RESOLUTION APPROVING A NON-EXCLUSIVE LICENSE AGREEMENT WITH MOBILITIE, LLC, TO INSTALL SMALL CELL TELECOMMUNICATIONS FACILITIES ON CITY-OWNED STREET LIGHTS WITHIN THE CITY'S RIGHTS-OF-WAY.

Note: Prior to the start of the meeting, the Chair announced that Resolution 18-34, approving a non-exclusive license agreement with Mobilitie, LLC to install small cell telecommunications facilities on City-owned street lights within the City's Right-of-Way posted on the Council agenda would not be considered and would be referred to the Committee on Budget.

Related communication:

CC-57                      Councilmember Joey Manahan

**SUNSHINE/ADOPTION**  
**RESOLUTION 18-47**

RESOLUTION RELATING TO THE HAWAII STATE ASSOCIATION OF COUNTIES EXECUTIVE COMMITTEE'S NOMINATION TO THE WESTERN INTERSTATE REGION BOARD OF DIRECTORS.

Pursuant to HRS Section 92-7, the Sunshine Law, Councilmember Anderson moved that Resolution 18-47 be added to the agenda. Seconded by Councilmember Pine.

Resolution 18-47 was added to the agenda.

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

NOES:            None.

ABSENT:        OZAWA – 1.

Councilmember Anderson moved that Resolution 18-47 be adopted. Seconded by Councilmember Pine.

There was no public testimony.

Resolution 18-47 was adopted.

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

NOES:            None.

ABSENT:        OZAWA – 1.

**COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

There was no Executive Session.

**ANNOUNCEMENTS**

There were no announcements.

**ADJOURNMENT**

At 4:32 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, March 28, 2018, at 10 a.m. Seconded by Councilmember Pine and there being no objections from the 8 members present (Absent: Ozawa – 1), it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI  
City Clerk

jy

DATE APPROVED:

March 28, 2018