



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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

JOURNAL

REGULAR MEETING
25TH SESSION
WEDNESDAY, AUGUST 15, 2018

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

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ernest Y. Martin, at 10:27 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

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

INTRODUCTION OF GUESTS

Councilmember Kobayashi introduced the 8th graders from Scout Troop 325 chartered by Iolani School. They are here to observe the Council meeting as part of their Citizenship in the Community merit badge.

APPROVAL OF MINUTES

Councilmember Pine moved that the Minutes of the 24th Session (July 11, 2018) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Fukunaga.

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

RECESS/RECONVENE

At 10:29 a.m., the Chair called for a short recess and reconvened the meeting at 10:30 a.m.

ORDER OF THE DAY

ENTER INTO THE COUNCIL JOURNAL MAYOR'S MESSAGE 105

July 25, 2018 – From Kirk Caldwell, returning vetoed Bill 91 (2017), CD2, relating to real property tax.

The Council Chair entered Mayor's Message 105 into the Council's Journal.

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-176).

FINAL READING BILL 91 (2017), CD2

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXES.

Councilmember Pine moved that Bill 91 (2017), CD2 pass final reading, the Mayor's veto to the contrary notwithstanding. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Hansol Kang, Hawaii National Guard Enlisted Association (Support)

In response to Councilmember Pine, Mr. Kang stated that some National Guard members who assisted on the Big Island during the volcano situation did not receive compensation, and were not able to pay their rent or mortgage.

2. Manuel Valbuena, Deputy Director, Department of Budget and Fiscal Services (General comment)

In response to Councilmember Pine, Deputy Director Valbuena stated that about \$100 million was budgeted and not spent.

3. Natalie Iwasa (Oppose)
4. Arvid Youngquist (General comment)
5. Harry Wasson (General comment)
6. Choon James (General comment)
7. Kalani Asam (General comment)

Councilmember Manahan stated that the Bill is well-intended. He noted that the 2017 Oahu Real Property Tax Advisory Commission expressed concerns with the measure and offered recommendations in their report. Councilmember Manahan stated that his office received phone calls and e-mails from 125 people and only one person, Sergeant Maui Quizon, supported the measure. He noted that the measure would come at the expense of residents and tax payers, and for those reasons he is in opposition to overriding the Mayor's veto.

Councilmember Elefante expressed his appreciation to the military's service and dedication. He noted his concerns that exemptions should be need based, the fiscal impacts are unknown, and that only one group should have this special consideration. Councilmember Elefante stated that he is in opposition to overriding the Mayor's veto.

Councilmember Anderson noted that communications to his office overwhelmingly opposed an override of the Mayor's veto. He stated that it would be difficult to provide the property tax benefit to other deserving professions while still being able to provide City services. Councilmember Anderson stated that he will support the Mayor's veto.

Chair Martin stated that he introduced the Bill at the request of service members. He noted that the Administration expressed concern over the lack of available data on the financial impact the Bill would have on the City. He stated that the Administration has moved forward with projects that lacked the support of the community. He explained that at the last full Council meeting, there were discussions to consider other groups for the measure but no amendment was offered. Chair Martin voiced his strong support of the measure.

Bill 91 (2017), CD2 failed to receive the necessary two-thirds vote of the entire membership of the Council needed to override the Mayor's veto and was deemed finally lost.

AYES: FUKUNAGA, KOBAYASHI, OZAWA, PINE, MARTIN – 5.
NOES: ANDERSON, ELEFANTE, MANAHAN, MENOR – 4.

Related communications:

M-382 Early testimony on Bill 91 (2017), CD2
M-392 Additional testimony on Bill 91 (2017), CD2

PUBLIC HEARING/RESOLUTION
RESOLUTION 18-142

RESOLUTION CONFIRMING TO THE REAPPOINTMENT OF TONI P. ROBINSON TO SERVE ON THE BOARD OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Toni Robinson (General comment)

Chair Martin referred Resolution 18-142 to the Committee on Parks, Community and Customer Services for further consideration.

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

PUBLIC HEARING/RESOLUTION
RESOLUTION 18-143

RESOLUTION CONFIRMING THE REAPPOINTMENT OF GLENNA J. WONG TO SERVE ON THE CITIZENS ADVISORY COMMISSION ON CIVIL DEFENSE OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-239).

Chair Martin referred Resolution 18-143 to the Committee on Public Health, Safety and Welfare for further consideration.

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

NOES: None.

PUBLIC HEARING/RESOLUTION
RESOLUTION 18-156

RESOLUTION RELATING TO THE APPOINTMENT OF CARRIE K.S. OKINAGA TO SERVE ON THE POLICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Elizabeth Char (M-383) (Support)
2. Shannon Alivado (Support)

Chair Martin referred Resolution 18-156 to the Committee on Public Health, Safety and Welfare for further consideration.

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

NOES: None.

Related communication:

M-383 Early testimony on Resolution 18-156

ADOPTION

RESOLUTION 18-119 – COMMITTEE REPORT 258

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

Councilmember Ozawa moved that Committee Report 258 and Resolution 18-119 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Kobayashi thanked Ms. Lin for accepting to serve on the Board of Review I for Real Property Tax Appeals. She recognized Ms. Lin's many years of service and doing an excellent job on various boards and commissions.

Committee Report 258 and Resolution 18-119 were adopted.

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

PUBLIC HEARING/SECOND READING

BILL 54, CD1 – COMMITTEE REPORT 249

A BILL FOR AN ORDINANCE RELATING TO AGE-FRIENDLY HONOLULU.

Councilmember Kobayashi moved that Committee Report 249 be adopted and Bill 54 pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individuals testified:

1. Barbara Kim Stanton, American Association of Retired Persons Hawaii (M-393)
 (Support)
2. Barbra Armentrout (General comment)

Committee Report 249 was adopted and Bill 54, CD1 passed second reading, as amended.

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

NOES: None.

Related communications:

M-384 Early testimony on Bill 54, CD1

M-393 Additional testimony on Bill 54, CD1

PUBLIC HEARING/SECOND READING
BILL 1 (2017), CD1 – COMMITTEE REPORT 245

A BILL FOR AN ORDINANCE TO ADOPT THE REVISED KOOLAU LOA SUSTAINABLE COMMUNITIES PLAN.

Councilmember Kobayashi moved that Committee Report 245 be adopted and Bill 1 (2017) pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individuals testified:

1. Keola Wayne Kaleimamahu (M-385) (Oppose)
2. Joe Wilson (M-385) (Oppose)
3. Fred Karger (Oppose)
4. Harry Wasson (M-385) (Oppose)
5. Andrea Anixt (General comment)
6. Joan H. Koff (M-385) (Oppose)
7. Alan Poh (M-385) (Oppose)
8. Dean Hamer (M-385) (Oppose)

Councilmember Pine requested that testifiers provide testimony based on facts and to refrain from comments about the green shirts and white shirts.

Chair Martin explained that everyone is welcome to testify and testifiers should address the Bill itself and not single out a particular party wearing a colored shirt.

9. Vanley Auna (Support)
10. Michael Kirk-Kuwaye (M-394) (Oppose)
11. Margaret Primacio, Defend Oahu Coalition (M-394) (Oppose)

12. Choon James (M-394) (General comment)
13. Rosalind Ram (M-394) (Support)
14. Arapata Meha (M-394) (Support)
15. Alfred Grace, Polynesian Cultural Center (Support)
16. Lucia You (M-394) (Oppose)
17. Charlene Latu (M-394) (Support)
18. Leilani Guerrero (M-394) (Support)
19. Eugenia Solia, Laie Community Association (M-394) (Support)
20. Kalani Asam (General comment)
21. Gwen Kim (Support)
22. James Manaku, Sr. (Support)
23. Gil Riviere (Oppose)
24. Arvid Youngquist (General comment)
25. Verna Eguires (Support)
26. Elisabeth Levi (Support)
27. Vonn Logan (Support)
28. Grace Alaiasa (Support)
29. Natalie Iwasa (Oppose)

Councilmember Pine clarified that Bill 1 (2017) was not on the August 13, 2018 Special Zoning and Housing meeting agenda.

30. Richard Vierra (Support)
31. Eric Beaver, Hawaii Reserves, Inc. (HRI) (General comment)

In response to councilmembers, Mr. Beaver stated that:

- There is a sewer plant in Laie that will be turned over to the City and County of Honolulu. The plant can process 900,000 gallons a day. Currently, it is processing about 450,000 gallons a day and has ample capacity for the new development.
- The density approach is one way to allow higher density type of units which would be smaller lots, smaller units on smaller pieces of land. The amount of units will be determined during the next step in the process.
- HRI is open to working with the government and the community on solutions to create affordable housing.
- Tax Map Key parcels includes property in Laie and Malaekahana Ahupua'a. The development would be in the Laie portion.

32. Saili Levi (Support)
33. Kapua Keliikoa-Kamai (Oppose)
34. Larry Mcelheny (Oppose)
35. Danielle Tucker (Oppose)

RECESS/RECONVENE

At 1:04 p.m., the Chair called for a recess as noted on the agenda. With 9 members present, the Chair reconvened the meeting at 2:04 p.m.

In response to councilmembers, Kathy Sokugawa, Acting Director, Department of Planning and Permitting (DPP) stated that:

- The process of the project has a long way to go. There needs to be an Environmental Impact Statement, Land Use Commission approval, Council zoning approval, and other permits may be required. During the process, much can change, and the maps are not intended to be specific. If there are discrepancies between the map and the text of the plan, the text prevails.
- From the records, the plans intent is to have residential development limited to only Laie. The Council should amend the plan to specifically state that the intent is to limit residential growth to only Laie, referencing the area and include language that there would be no more than 200 dwelling units or the equivalent on approximately 50 acres of land.

Councilmember Elefante thanked everyone for taking the time to participate in the discussion. He noted that it is time to move the plan forward and suggested that approval of the expansion of units on only the campus be considered. This would allow faculty and staff to move into the development and free up housing off campus for the surrounding community. Councilmember Elefante stated that he is in opposition to the CD1 version.

In response to councilmembers, Eric Beaver, HRI stated that:

- Originally, 875 housing units were proposed by the Department of Planning and Permitting.
- Presently, 400 units are being proposed with 200 units in North Laie and 200 units behind Brigham Young University for staff, professor and faculty and Polynesian Culture Center staff.

- The intent of HRI is to have as many affordable housing as possible. HRI would need to meet with the development community and all those involved to determine the number of units that would be in the affordable category for rent or for sale.
- HRI does not have any price points. Based on information about the community, some of the households would not be able to afford the mortgage payments.
- HRI will continue to try and reduce costs, facilitate the building of homes, and price units that would be affordable for median income households. More rentals may be more feasible.
- HRI would have to apply for a rezone through the State Land Use Boundary Amendment process.

Councilmember Anderson stated that many people who desire housing opportunities in Koolau Loa have shared their displeasure that the current draft does not provide enough additional housing. Some of them would like no further development permitted. He noted that Bill 1 seeks to balance limited housing opportunities in Koolau Loa and preserving the rural character of the wahi pana. He expressed that the measure is only a planning document and does not rezone the land. A separate rezone application needs to be prepared and presented to the City Council for approval. Approval from the State Land Use Commission would also be required. Councilmember Anderson urged councilmembers to support the measure.

Councilmember Ozawa stated that HRI's plans have changed since two years ago when they provided detailed plans. They stated that their goal is to have as many affordable units as possible. Councilmember Ozawa noted that he is skeptical about the new proposal and the lack of detailed commitment. He stated that because of the changes, some that supported the project no longer supporting it. He expressed that HRI should guarantee the project will be 100 percent long-term affordable whether rental or sale. Councilmember Ozawa stated he will vote in opposition to the measure.

Chair Martin stated that he represents this district and this has been a controversial issue from the beginning. He noted that he has opposed any housing in Malaekahana. He shares the concerns expressed by Councilmember Ozawa. Chair Martin stated that the measure should not move forward.

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-384, CC-385, CC-386).

Committee Report 245 was adopted and Bill 1 (2017), CD1 passed second reading, as amended.

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

*Councilmembers Fukunaga, Kobayashi, Pine voted aye with reservations.

Related communications:

M-385 Early testimony on Bill 1 (2017), CD1
M-394 Additional testimony on Bill 1 (2017), CD1

At this juncture, there being no objections from the 9 members present, the Chair considered Resolution 18-169, CD1 on page 16 of the agenda.

RECESS/RECONVENE

At 2:46 p.m., the Chair called for a short recess and reconvened the meeting at 2:47 p.m.

SUNSHINE/ADOPTION

RESOLUTION 18-169, CD1 – COMMITTEE REPORT 267

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE CENTRAL ALA MOANA AFFORDABLE AND MARKET RATE CONDOMINIUM PROJECT LOCATED AT 1391 KAPIOLANI BOULEVARD, HONOLULU, HAWAII, TAX MAP KEY: (1)2-3-039:011.

Pursuant to Sunshine Law, HRS, Chapter 92, Councilmember Pine moved that Committee Report 267 be added to the agenda. Seconded by Councilmember Fukunaga. Committee Report 267 was added to the agenda.

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

Councilmember Pine moved that Committee Report 267 and Resolution 18-169 be adopted, as amended to CD1. Seconded by Councilmember Fukunaga.

Councilmember Pine clarified that the Council did not need to take any action on the Resolution as it would have been automatically approved after 45 days. She stated that the new Council leadership believes in open and transparent government and wanted the public to have the opportunity to testify and allow councilmembers to express their opinion on the project.

In response to Councilmember Pine, Lori Kahikina, Director, Department of Environmental Services (ENV) stated that:

- It was an oversight that her Department did not know of the proposed exemptions to the definitions of low-income and low-income housing projects in the Resolution. After Acting Director Kathy Sokugawa, Department of Planning and Permitting brought it to her attention, Deputy Director Tim Houghton prepared testimony in opposition to the proposed exemptions (Communication D-543).
- By ordinance, the definition of low-income is 80%.

The following individual testified:

Arvid Youngquist (General comment)

In response to councilmembers, Rick Prahler, Developmental Branch Chief, Hawaii Housing Finance and Development Corporation (HHFDC) stated that:

- The HHFDC has the same 201H rights as the City. He noted that there are some differences in the rules but the project ultimately comes back to the Council for final action.
- The minimum requirements for the sale of affordable housing is at least 50 percent plus one. The medium income limit goes up to 140 percent. At times there may be a trade-off between exemptions granted for height or density.
- If a developer requests general excise tax exemptions for the construction of a project, then 60 percent of the units need to be affordable at up to 140 percent.
- The sale program has a 10 year owner occupancy buyback provision whereby the HHFDC would buy the unit back for basically 1 percent of appreciation per year and resell it to another affordable buyer and reinstate the 10 year owner occupancy buyback.

In response to councilmembers, Acting Director Sokugawa, Department of Planning and Permitting (DPP) stated that:

- In anticipation that the Resolution would be approved, the DPP requested four amendments: (1) to extend the affordability period from 10 years to 30 years; (2) to incorporate the standard transportation conditions that is usually put on major projects; (3) to pivot the building by 90 degrees to achieve a Mauka Makai access; and (4) to deny the landscape exemption for the front yard along Kapiolani and Kona Iki.
- The DPP did participate in the Draft Environmental Assessment (EA). They also wrote a letter to the applicant and to Mr. Craig Hirai of HHFDC after the Final EA was accepted regarding a continuing concern.

Councilmember Elefante stated that he has concerns regarding the affordability as the rates are set by the Department of Housing and Urban Development (HUD) and is defined as no more than 38 percent of the buyer's income that can be used for principal, interest, condo fees, mortgage insurance and real property tax. He noted that when calculating the amount a person would need to pay for a mortgage, it would be nearly half of their take home pay and that is clearly not affordable. He expressed that another concern is the park dedication waiver, as it is not only for affordable units but for market units as well. He added that his third concern is regarding the steep reduction of the wastewater system facility charges. Councilmember Elefante is concerned that the development will open up to foreign investors after units have been marketed for 30 days. He expressed support for the affordable housing options and stated that he will support the measure with reservations.

Councilmember Manahan stated that he has supported the project since the beginning. He noted that in his letter of support, he urged the developer to partner with the City Department of Land Management to keep the units affordable for 30 years. He stated that the monies were not included in this year's budget and the Council has not adopted the transit-oriented development area plans. Councilmember Manahan voiced his support for the measure.

Councilmember Pine expressed that the project has been treated unfairly by the Administration. She noted that as the Chair of the Zoning and Housing Committee, she meets a lot of developers and this developer stated their goal was to help the local people. Councilmember Pine expressed concern that the developer may be treated unfairly when they apply for their permits. She reiterated that the measure did not have to be heard and would have been automatically approved, but she wanted to have an open and transparent

discussion. She also stated that she would like to work with the Departments when another 201H project is presented to make sure the project is treated fairly and equitably. She asked councilmembers to help the local people have affordable housing right next to Ala Moana Center.

Councilmember Ozawa stated that this is the second Sam Koo project in his district. He noted that given the opportunity to build affordable housing in Honolulu in a very expensive area, Sam Koo followed through and his first project is almost complete. Councilmember Ozawa expressed his support for high density because of this project. He believes there is an ability to put in a transit center and that the Administration should work with Sam Koo and the owners of Ala Moana Center.

Councilmember Anderson stated his support for the measure. He noted that this is a solid project and will benefit the community in providing affordable housing. He praised the developer for keeping the community in mind and providing affordable housing.

Chair Martin stated that Sam Koo Development was frustrated with the lack of progress and support they received from the Administration and considered terminating the project, but he is glad that they reconsidered and moved forward with the project. He commended Zoning Chair Pine for hearing the measure in Committee on Monday to give the public and the Mayor an opportunity to testify. Chair Martin stated that this project should move forward quickly.

Committee Report 267 and Resolution 18-169, CD1 as amended were adopted.

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

NOES: None.

*Councilmembers Elefante and Menor voted aye with reservations.

Related communications:

CC-240 Councilmember Kymberly Marcos Pine
D-542 Department of Planning and Permitting
M-405 Additional testimony on Resolution 18-169

The Chair returned to the agenda order.

PUBLIC HEARING/SECOND READING
BILL 50 – COMMITTEE REPORT 246

A BILL FOR AN ORDINANCE RELATING TO REGULATING FOR AN INTERIM PERIOD THE ISSUANCE OF BUILDING PERMITS FOR THE PLANNING AND DEVELOPMENT OF LARGE RESIDENTIAL STRUCTURES IN RESIDENTIAL DISTRICTS.

Councilmember Pine moved that Committee Report 246 be adopted and Bill 50 pass second reading. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 246 was adopted and Bill 50 passed second reading.

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

NOES: None.

*Councilmember Elefante voted aye with reservations.

Related communications:

M-386 Early testimony on Bill 50

M-395 Additional testimony on Bill 50

PUBLIC HEARING/SECOND READING
BILL 53, CD1 – COMMITTEE REPORT 247

A BILL FOR AN ORDINANCE RELATING TO THE BUILDING CODE.

Councilmember Pine moved that Committee Report 247 be adopted and Bill 53 pass second reading, as amended to CD1. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 247 was adopted and Bill 53, CD1 passed second reading, as amended.

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

NOES: None.

Related communications:

M-387 Early testimony on Bill 53, CD1
M-396 Additional testimony on Bill 53, CD1

THIRD READING
BILL 39, CD1 – COMMITTEE REPORT 248

A BILL FOR AN ORDINANCE RELATING TO THE DEPARTMENT OF CUSTOMER SERVICES.

Councilmember Kobayashi moved that Committee Report 248 be adopted and Bill 39, CD1 pass third reading. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 248 was adopted and Bill 39, CD1 passed third reading.

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

THIRD READING
BILL 111 (2017), CD2 – COMMITTEE REPORT 109

A BILL FOR AN ORDINANCE RELATING TO BICYCLE PATHS.

Councilmember Manahan moved that Committee Report 109 be adopted and Bill 111 (2017), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Anderson.

There was no public testimony.

Councilmember Elefante stated that the Bill conforms to City Ordinances and the requirements of the United States Navy Lease Agreement for the Pearl Harbor Historic Trail. He noted that the measure also prohibits the use of intoxicated beverages and possession of hazardous materials. Councilmember Elefante urged councilmembers to support the measure.

Councilmember Pine spoke in support of the measure. She noted that better cooperation with the Navy and the City would be helpful in terms of the bike path.

Committee Report 109 was adopted and Bill 111 (2017), CD2 passed third reading, as amended.

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

*Councilmembers Kobayashi and Ozawa voted aye with reservations.

FIRST READING

BILL 57

(Budget)

A BILL FOR AN ORDINANCE ESTABLISHING A PROGRAM FOR THE OPERATION OF ALTERNATIVE MODES OF TRANSPORTATION IN THE CITY.

Councilmember Pine moved that Bill 57 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Bryan Mick, Disability and Communication Access Board (M-391) (General comment)
2. Rose Pou (Oppose)
3. Natalie Iwasa (General comment)

Bill 57 passed first reading.

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

Related communications:

M-391 Early testimony on Bill 57
M-397 Additional testimony on Bill 57

FIRST READING

BILL 58

(Executive Matters and Legal Affairs)

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

Councilmember Pine moved that Bill 58 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 58 passed first reading.

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

NOES: None.

FIRST READING

BILL 59

(Public Works, Infrastructure and Sustainability)

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

Councilmember Pine moved that Bill 59 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Lauren Zirbel, Hawaii Food Industry Association (M-388) (General comment)
2. Alison Riggs, Down to Earth (M-388) (Oppose)
3. Tina Yamaki, Retail Merchants of Hawaii (M-388) (Support)

In response to Councilmember Pine, Ms. Yamaki stated that:

- Stores have multiple entries and exists and additional staff would be required to check receipts.
- With the low unemployment rate, it is difficult to find qualified people to hire.
- Businesses would need to pay for medical coverage of the new employees which would increase the cost of doing business.

- People bring in their own bags which may not be clean and when merchandise placed in the bag gets damaged, customers return the merchandise.
- Local businesses are trying to keep costs and prices down so that customers do not shop on-line and continue to support local businesses.

4. Doorae Shin, Kokua Hawaii Foundation (M-398) (Oppose)

Councilmember Ozawa thanked everyone that testified. He stated that he introduced the measure on behalf of constituents that have small businesses. Councilmember Ozawa noted that some businesses that were being affected by unintended consequences. He stated that he has been contacted by dentists who would like to be included in the medical exception.

Bill 59 passed first reading.

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

*Councilmembers Anderson, Elefante, Manahan, and Menor voted aye with reservations.

Related communications:

M-388 Early testimony on Bill 59
M-398 Additional testimony on Bill 59

FIRST READING

BILL 60

(Zoning and Housing)

A BILL FOR AN ORDINANCE RELATING TO VIOLATIONS OF STOP WORK ORDERS.

Councilmember Pine moved that Bill 60 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 60 passed first reading.

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

NOES: None.

Related communications:

M-389 Early testimony on Bill 60

M-399 Additional testimony on Bill 60

FIRST READING

BILL 61

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO CROSSWALKS.

Councilmember Pine moved that Bill 61 pass first reading. Seconded by
Councilmember Fukunaga.

The following individuals testified:

1. Rose Pou (Oppose)
2. Barbra Armentrout (Support)
3. Ken Farm, Neighborhood No. 15 (Support)
4. Arvid Youngquist (General comment)
5. Natalie Iwasa (General comment)

Bill 61 passed first reading.

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

NOES: None.

Related communication:

M-400 Additional testimony on Bill 61

FIRST READING

BILL 62

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION.

Councilmember Pine moved that Bill 62 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Arvid Youngquist (General comment)

Bill 62 passed first reading.

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

NOES: None.

FIRST READING

BILL 63

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Pine moved that Bill 63 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Arvid Youngquist (General comment)

Bill 63 passed first reading.

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

NOES: None.

Related communication:

M-401 Additional testimony on Bill 63

FIRST READING

BILL 64

(Zoning and Housing)

A BILL FOR AN ORDINANCE RELATING TO BUILDING PERMITS.

Councilmember Pine moved that Bill 64 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Arvid Youngquist (General comment)

Bill 64 passed first reading.

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

NOES: None.

Related communication:

M-402 Additional testimony on Bill 64

FIRST READING

BILL 65

(Public Works, Infrastructure and Sustainability)

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

Councilmember Pine moved that Bill 65 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Arvid Youngquist (General comment)

Bill 65 passed first reading.

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

NOES: None.

ADOPTION

RESOLUTION 18-146 – COMMITTEE REPORT 250

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM SHINNYO-EN HAWAII.

Councilmember Kobayashi moved that Committee Report 250 and Resolution 18-146 be adopted. Seconded by Councilmember Ozawa.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 250 and Resolution 18-146 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 18-155 – COMMITTEE REPORT 251

RESOLUTION RELATING TO EFFORTS TO SAVE THE BANYAN TREE LOCATED ON PROPERTY AT 965 PROSPECT STREET.

Councilmember Kobayashi moved that Committee Report 251 and Resolution 18-155 be adopted. Seconded by Councilmember Pine.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 251 and Resolution 18-155 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 18-153 – COMMITTEE REPORT 252

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

Councilmember Menor moved that Committee Report 252 and Resolution 18-153 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (General comment)

Councilmember Anderson stated that the Resolution appoints Maui County Councilmember Ricky Hokama to fill the upcoming vacancy on the Western Interstate Region Board of Directors. The current member, Maui County Council Chair Mike White will be retiring.

Committee Report 252 and Resolution 18-153 were adopted.

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

NOES: None.

ABSENT: PINE – 1.

ADOPTION

RESOLUTION 18-154, CD1 – COMMITTEE REPORT 253

RESOLUTION RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION'S NOTIFICATION REGARDING THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN REAL PROPERTY.

Councilmember Menor moved that Committee Report 253 and Resolution 18-154 be adopted, as amended to CD1. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 253 and Resolution 18-154, CD1 as amended were adopted.

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

ADOPTION

RESOLUTION 18-163 – COMMITTEE REPORT 254

RESOLUTION TO RETAIN THE SERVICES OF A SPECIAL DEPUTY CORPORATION COUNSEL TO REPRESENT THE CITY AND COUNTY OF HONOLULU IN A LEGAL ACTION ENTITLED: CLIFFORD MCARTHUR RIGSBEE AS PERSONAL REPRESENTATIVE OF THE ESTATE OF CLIFFORD MEREDITH RIGSBEE, DECEASED V. THE CITY AND COUNTY OF HONOLULU, CIV. 17-00532 HG-KSC (USDC).

Councilmember Menor moved that Committee Report 254 and Resolution 18-163 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 254 and Resolution 18-163 were adopted.

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

ADOPTION

RESOLUTION 18-145 – COMMITTEE REPORT 259

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE ASSOCIATION OF LOCAL GOVERNMENT AUDITORS TO PAY FOR THE COST OF ONE PEER REVIEW TEAM MEMBER TO TRAVEL FROM HONOLULU TO LAS VEGAS, NEVADA TO CONDUCT A PEER REVIEW OF THE CLARK COUNTY AUDIT DEPARTMENT.

Councilmember Ozawa moved that Committee Report 259 and Resolution 18-145 be adopted. Seconded by Councilmember Kobayashi.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 259 and Resolution 18-145 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 18-159, FD1 – COMMITTEE REPORT 260

RESOLUTION RELATING TO REAL PROPERTY TAX FUNDS.

The following amendment was posted on the agenda:

Resolution 18-159, Proposed FD1

Councilmember Ozawa moved that Committee Report 259 and Resolution 18-145 be adopted. Seconded by Councilmember Kobayashi.

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

- A. Changes the title from “RELATING TO REAL PROPERTY TAX COMPROMISES” to “RELATING TO REAL PROPERTY TAX REFUNDS”.

- B. Changes the WHEREAS clauses to establish that Kalani Gardens is entitled to a refund of \$61,734.60 for the overpayment of taxes for the tax year beginning July 1, 2015.
- C. Changes the BE IT RESOLVED clause to urge the Director of Budget and Fiscal Services to provide Kalani Gardens with a refund of \$61,734.60.

The following individual testified:

Arvid Youngquist (General comment)

Resolution 18-159 was amended to FD1.

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

Committee Report 260 and Resolution 18-159, FD1 were adopted.

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

ADOPTION

RESOLUTION 18-151– COMMITTEE REPORT 261

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE GALLO BUSINESS MEDIA.

Councilmember Fukunaga moved that Committee Report 261 and Resolution 18-151 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 261 and Resolution 18-151 were adopted.

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

NOES: None.

ABSENT: PINE – 1.

ADOPTION

RESOLUTION 18-157, FD1 – COMMITTEE REPORT 262

RESOLUTION URGING THE HONOLULU FIRE DEPARTMENT TO HOLD ITS GUIDANCE FOR USE OF THE BUILDING FIRE AND LIFE SAFETY EVALUATION WORKSHEET PENDING PUBLIC REVIEW.

The following amendment was posted on the agenda:

Resolution 18-157, Proposed FD1

Councilmember Fukunaga moved that Committee Report 262 and Resolution 18-157 be adopted. Seconded by Councilmember Manahan

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

A. Amends the 6th WHEREAS clause to read as follows:

WHEREAS, the HFD recently published on its website an "Evaluation Worksheet for High-Rise Residential Buildings User's Guide" ("Guide"), attached hereto as Exhibit A, and HFD testified that it was intended for use by licensed design professionals in conducting building fire and life safety evaluations, and not for use by the general public; and

B. Amends the 7th WHEREAS clause to read as follows:

WHEREAS, the HFD testified that the Guide was developed by a RFSAC working group and presented to RFSAC for approval, however, some RFSAC members reported at the Council's Public Works, Infrastructure and Sustainability Committee meeting held on July 25, 2018, that they had not seen the Guide until it was posted online by HFD; and

- C. Adds a new 8th WHEREAS clause to read as follows:

WHEREAS, HFD posted the Guide online without first having established any educational or training workshops for the users of the Guide, or for those whose buildings would be subject to the Guide's requirements; and

- D. Adds a new 9th WHEREAS clause to read as follows:

WHEREAS, the Council finds that HFD's posting of the Guide online in the absence of any established educational or training programs that would explain how the Guide works and how the Guide's implementation comports with the requirements of Ordinance 18-14 has generated widespread concerns among condominium association members, residents and owners, and management representatives; and

- E. Adds a new 10th WHEREAS clause to read as follows:

WHEREAS, the Council further finds that educational and training workshops for licensed design professionals, condominium associations, residents and owners, management representatives, and other interested stakeholders will provide an opportunity to clarify and correct any misinformation that has been published, and provide a common starting point for all of the interested stakeholders and participants to be on the same page as HFD and the City agencies that are charged with enforcing Ordinance 18-14; and

- F. Amends the 11th WHEREAS clause to read as follows:

WHEREAS, property managers whose high-rise residential buildings are subject to the building fire and life safety evaluation process have raised concerns that the Guide may impose requirements more onerous than those discussed by RFSAC and contemplated during the legislative process that produced Ordinance 18-14; and

- G. Adds a new 15th WHEREAS clause to read as follows:

WHEREAS, the Council further finds that because HFD's use of the Guide to implement and interpret the department's building fire and life safety evaluation form established under Ordinance 18-4 will affect private rights and procedures, HFD's development of the Guide through the RFSAC working group constitutes rulemaking within the meaning of Hawaii Revised Statutes ("HRS") Chapter 91, and should be subject to the notice and public hearing requirements of HRS Section 91-3; and

- H. Amends the 16th WHEREAS clause to read as follows:

WHEREAS, for these reasons the Council believes the HFD's guidance for use of the building fire and life safety evaluation worksheet by licensed design professionals should undergo public review and include educational and training workshops for licensed design professionals, condominium association members, residents, owners, management representatives, and other interested stakeholders, and duly noticed public hearings before being put into practice; now, therefore,

- I. Amends the BE IT RESOLVED clause to read as follows:

BE IT RESOLVED by the Council of the City and County of Honolulu that it urges the Honolulu Fire Department to hold in abeyance its guidance for use of the building fire and life safety evaluation worksheet pending public review, including duly noticed public hearings, and to establish educational and training workshops for licensed design professionals, condominium association members, residents and owners, management representatives, and other interested stakeholders; and

- J. Amends the second BE IT FURTHER RESOLVED clause to read as follows:

BE IT FURTHER RESOLVED that the Honolulu Fire Department is requested to report back to the Council with a progress report on the outcomes of its educational and training outreach efforts prior to the department's implementation of the building fire and life safety evaluation process under Ordinance 18-14 or within 60 days of the adoption of this resolution, whichever is sooner; and

- K. Adds a third BE IT FURTHER RESOLVED clause to read as follows:

BE IT FURTHER RESOLVED that the progress report must include at a minimum:

1. The educational and training materials used for the workshops;
2. The numbers and types of participants that attended the educational and training workshops; and
3. Any modifications to the Guide as may have been adopted by the Honolulu Fire Department, as a result of input received from the educational and training workshops; and

L. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Jane Sugimura, Hawaii Council of Associations of Apartment Owners (M-403) (Support)
2. Arvid Youngquist (General comment)
3. Socrates Bratakos, Assistant Fire Chief, Honolulu Fire Department (General comment)

Resolution 18-157 was amended to FD1.

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

Committee Report 262 and Resolution 18-157, FD1 were adopted.

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

Related communications:

M-390 Early testimony on Resolution 18-157
M-403 Additional testimony on Resolution 18-157

ADOPTION

RESOLUTION 18-158, FD1 – COMMITTEE REPORT 263

RESOLUTION REQUESTING AN UPDATE ON THE STATUS OF THE CITY ADMINISTRATION'S ACTION PLAN ADDRESSING THE PUBLIC HEALTH AND SAFETY ISSUES ASSOCIATED WITH CONCENTRATIONS OF HOMELESS PERSONS IN THE CITY AND COUNTY OF HONOLULU WHO MAY BE SUBJECT TO PROHIBITIONS AGAINST OBSTRUCTIONS ON PUBLIC SIDEWALKS OR ILLEGAL LODGING.

The following amendment was posted on the agenda:

Resolution 18-158, Proposed FD1

Councilmember Fukunaga moved that Committee Report 263 and Resolution 18-158 be adopted. Seconded by Councilmember Manahan

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

A. Adds a new 11th WHEREAS paragraph to read:

WHEREAS, community members who live or work in existing sit-lie zones have expressed their frustrations because of inadequate and inconsistent sit-lie ordinance enforcement, the daily impacts of inadequate homelessness support services and facilities, including the prevalence of mental illness and violent behavior, the accumulation of bodily wastes and garbage, and a decline in local business traffic and social visitations; and

B. Adds a new 13th WHEREAS paragraph to read:

WHEREAS, the City's ability to implement and enforce Bill 51 (2018) and Bill 52 (2018), which would take effect upon approval, is a matter of concern, especially in view of current "limited zone" sit-lie ordinance implementation and enforcement issues, such as City staffing shortages, insufficient shelter space, and short- and long-term impacts on City financial resources; and

C. Adds a new 14th WHEREAS paragraph to read:

WHEREAS, the removal of public sidewalk obstructions and illegal lodging addressed by Bill 51 (2018) and Bill 52 (2018) will be unenforceable unless immediate steps are taken to:

- Increase the number of shelter beds in shelters throughout Oahu that would be appropriate for the needs of particular individuals and communicate such information to enforcement officers,
- Provide additional hygiene centers, urgent medical and mental health care facilities and services, social services, and related assistance, and

- Develop solutions for housing, services, and treatments appropriate for homeless populations within each of the nine Council districts; and
- D. Amends the 1st RESOLVED paragraph by adding the 8th, 9th, 10th, and 11th items to read as follows:
- The City's overall strategy and plans for implementing Bills 51 (2018) and 52 (2018) upon approval of the measures;
 - Current financial, staffing, and other resources to implement an islandwide removal of obstructions or illegal lodgings from sidewalks and other public areas;
 - The amount, source of funding, and timetable for release of FY2019 funds to expedite actions to implement Bills 51 (2018) and 52 (2018); and
 - The identification of additional resources that will be required for City agencies to implement the island-wide removal of obstructions or illegal lodgings from sidewalks and other public areas; and
- E. Makes miscellaneous technical and nonsubstantive amendments.

The following individual testified:

Arvid Youngquist (General comment)

Resolution 18-158 was amended to FD1.

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

NOES: None.

ABSENT: ANDERSON, PINE – 2.

Committee Report 263 and Resolution 18-158, FD1 were adopted.

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

NOES: None.

ABSENT: ANDERSON, PINE – 2.

Related communications:

MM-112 Office of the Mayor
M-404 Additional testimony on Resolution 18-158

ADOPTION
RESOLUTION 18-160 – COMMITTEE REPORT 265

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE WAIKIKI BUSINESS IMPROVEMENT DISTRICT ASSOCIATION (WBIDA).

Councilmember Elefante moved that Committee Report 265 and Resolution 18-160 be adopted. Seconded by Councilmember Menor.

The following individuals testified:

1. Arvid Youngquist (General comment)
2. Captain Eric Yosemite, Honolulu Police Department (Support)

Committee Report 265 and Resolution 18-160 were adopted.

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

NOES: None.

ABSENT: ANDERSON, PINE – 2.

SUNSHINE/ADOPTION
RESOLUTION 18-148, CD1 – COMMITTEE REPORT 266

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR THE RECONSTRUCTION OF A CONVENIENCE STORE IN HAUULA.

Pursuant to Sunshine Law, HRS, Chapter 92, Councilmember Ozawa moved that Committee Report 266 be added to the agenda. Seconded by Councilmember Manahan.

Committee Report 266 was added to the agenda.

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

Councilmember Ozawa moved that Committee Report 266 and Resolution 18-148 be adopted, as amended to CD1. Seconded by Councilmember Manahan.

The following individual testified:

Arvid Youngquist (General comment)

Committee Report 266 and Resolution 18-148, CD1 as amended were adopted.

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

Related communication:

CC-240 Councilmember Kymberly Marcos Pine

(Note: Earlier in the meeting, Committee Report 267 and Resolution 18-169, CD1 were adopted. See page 11.)

BALANCE OF COMMITTEE REPORTS

[EMLACR-255](#) Request for authorization to settle a case against the City and County of Honolulu entitled John C. Ferguson, M.D. v. City and County of Honolulu et al.; Civil No. CV18-00088 JMS/KSC.

[EMLACR-256](#) Request for authorization to settle a case against the City and County of Honolulu entitled Mariah Tinay v. City and County of Honolulu et al.; Civil No. 15-1-1858-09 RAN/JHA (as consolidated with Mariah Tinay v. Jefalyn Fiesta et al.; Civil No. 15-1-0341-02 RAN/JHA).

[PWISCR-264](#) Deed conveying roadway Lots 18867, 18868 and 18869; Grant of Sewer Easements 10301, 10302, 10303 and 10315 (Ocean Pointe Area IV C Subdivision). ([D-473](#))

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

The following individual testified:

Arvid Youngquist (General comment)

The Balance of Committee Reports was adopted.

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

NOES: None.

ABSENT: ANDERSON, PINE – 2.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

ADOPTION

RESOLUTION 18-171, FD1

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM CRIMESTOPPERS HONOLULU, INC.

The following amendment was posted on the agenda:

Resolution 18-171, Proposed FD1

Councilmember Ozawa moved that Resolution 18-171 be adopted. Seconded by Councilmember Fukunaga.

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

- A. Corrects typographical errors and converts the resolution to follow standard format; and
- B. Makes miscellaneous technical and nonsubstantive amendments.

The following individual testified:

Arvid Youngquist (General comment)

Resolution 18-171 amended to FD1

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

NOES: None.

ABSENT: ANDERSON, PINE – 2.

Resolution 18-171, FD1 was adopted.

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

NOES: None.

ABSENT: ANDERSON, PINE – 2.

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Manahan asked for a moment of silence for Sgt. 1st Class Reymund R. Transfiguracion of Waikoloa, Hawaii who died on August 12, 2018 from wounds sustained as a result of an Improvised Explosive Device in Helmand Province, Afghanistan. He was born in the Philippines in May 1982 and was enlisted in the Hawaii National Guard in 2001.

ADJOURNMENT

At 4:39 p.m., Councilmember Ozawa moved that the Council stand adjourned until Wednesday, September 12, 2018, at 10 a.m. Seconded by Councilmember Fukunaga and there being no objections from the 7 members present (Absent: Anderson, Pine – 2), it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

jy

DATE APPROVED:

September 12, 2018