



# 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

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## JOURNAL

REGULAR MEETING  
27TH SESSION  
WEDNESDAY, OCTOBER 3, 2018

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

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

### CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ernest Y. Martin, at 10:36 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 Fukunaga recognized former Councilmember Randall Iwase and his wife.

APPROVAL OF MINUTES

Councilmember Pine moved that the Minutes of the 26th Session (September 12, 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.

**ORDER OF THE DAY**

**ADOPTION**

RESOLUTION 18-194 – COMMITTEE REPORT 309

RESOLUTION ACCEPTING OF A GIFT TO THE CITY FROM RANDALL AND JAN IWASE.

Councilmember Kobayashi moved that Committee Report 309 and Resolution 18-194 be adopted. Seconded by Councilmember Anderson.

The following individual testified:

Randall Iwase (General comment)

Councilmember Kobayashi thanked the Iwase's for their gift to the City. She noted that even though they have been through painful times, they have done many positive things for the community.

Committee Report 309 and Resolution 18-194 were adopted.

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

**RECESS/RECONVENE**

At 10:40 a.m., the Chair called for a short recess and reconvened the meeting at 10:41 a.m.

**PUBLIC HEARING/RESOLUTION  
RESOLUTION 18-202**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF DR. GLENN MEDEIROS TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

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

Chair Martin referred Resolution 18-202 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 18-203**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF ANTHONY J. SILVA, JR. TO SERVE ON THE COMMISSION ON CULTURE AND THE ARTS OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

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

Chair Martin referred Resolution 18-203 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 18-204**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF MR. ARTHUR B. TOLENTINO TO SERVE ON THE PLANNING COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individual testified:

Arthur Tolentino (General comment)

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-264).

Chair Martin referred Resolution 18-204 to the Committee on Planning for further consideration.

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

NOES:           None.

**ADOPTION**  
**RESOLUTION 18-172 – COMMITTEE REPORT 324**

RESOLUTION RELATING TO THE APPOINTMENT OF MAX J. SWORD TO SERVE ON THE BOARD OF WATER SUPPLY OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 324 and Resolution 18-172 be adopted. Seconded by Councilmember Manahan.

The following individuals testified:

1. Ellen Kitamura, Board of Water Supply (D-641) (Support)
2. Barbra Armentrout (Support)

Councilmember Fukunaga urged councilmembers to support the nomination of Mr. Sword. She noted that Mr. Sword attended the Committee on Public Works, Infrastructure and Sustainability and answered questions that were posed to him.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-257).

Committee Report 324 and Resolution 18-172 were adopted.

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

**ADOPTION**

**RESOLUTION 18-173, CD1 – COMMITTEE REPORT 329**

RESOLUTION RELATING TO THE REAPPOINTMENT OF KEN C. KAWAHARA TO THE ZONING BOARD OF APPEALS.

Councilmember Pine moved that Committee Report 329 and Resolution 18-173 be adopted, as amended to CD1. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 329 and Resolution 18-173, CD1 as amended were adopted.

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

Related communications:

CC-263 Councilmember Kymberly Marcos Pine  
M-511 Additional testimony on Resolution 18-173, CD1

**ADOPTION**

**RESOLUTION 18-182, CD1 – COMMITTEE REPORT 330**

RESOLUTION CONFIRMING THE REAPPOINTMENT OF JASON C. TAKARA TO SERVE ON THE BUILDING BOARD OF APPEALS OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Pine moved that Committee Report 330 and Resolution 18-182 be adopted, as amended to CD1. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 330 and Resolution 18-182, CD1 as amended were adopted.

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

NOES: None.

Related communication:

CC-263 Councilmember Kymberly Marcos Pine

**PUBLIC HEARING/ADOPTION**

**COMMITTEE REPORT 312**

RECOMMENDATION ON THE REVIEW AND EVALUATION OF THE NEIGHBORHOOD COMMISSION.

Councilmember Kobayashi moved that Committee Report 312 be adopted. Seconded by Councilmember Anderson.

The following individuals testified:

1. Shawn Hamamoto, Executive Secretary, Neighborhood Commission (General comment)
2. Barbra Armentrout (General comment)

Councilmember Kobayashi thanked Shawn Hamamoto and his staff for the great job they do at neighborhood board meetings and for continuing to improve the election process.

Committee Report 312 was adopted.

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

**PUBLIC HEARING/SECOND READING**  
**BILL 63, CD1 – COMMITTEE REPORT 317**

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Ozawa moved that Committee Report 317 be adopted and Bill 63 pass second reading, as amended to CD1. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 317 was adopted and Bill 63, CD1 passed second reading, as amended.

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

Related communications:

M-489 Early testimony on Bill 63, CD1  
M-507 Additional testimony on Bill 63, CD1

**PUBLIC HEARING/SECOND READING**  
**BILL 70 – COMMITTEE REPORT 318**

A BILL FOR AN ORDINANCE RELATING TO RESTRICTED PARKING ZONES.

Councilmember Ozawa moved that Committee Report 318 be adopted and Bill 70 pass second reading. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Rose Pou (General comment)
2. Natalie Iwasa (General comment)
3. Barbra Armentrout (Support)

Committee Report 318 was adopted and Bill 70 passed second reading.

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

NOES: None.

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

Related communication:

M-490 Early testimony on Bill 70

**PUBLIC HEARING/SECOND READING**  
**BILL 68 – COMMITTEE REPORT 322**

A BILL FOR AN ORDINANCE RELATING TO CITY STREAMS.

Councilmember Fukunaga moved that Committee Report 322 be adopted and Bill 68 pass second reading. Seconded by Councilmember Manahan.

The following individual testified:

Rose Pou (Support)

Councilmember Ozawa stated that the safety of the constituents are critical and that City streams need to be regularly maintained. He noted that at the committee meeting, Director Ross Sasamura, Department of Facilities Maintenance indicated that there are about 170 streams that the Department is responsible for. Director Sasamura made a commitment to work with the Council to focus on providing natural streams with regularly scheduled maintenance, inspection, clean up, and repair.

Councilmember Fukunaga noted that the Department of Facility Maintenance opposed the measure. She stated that the Committee Report included a request that the Department provide a list of the 170 streams owned by the City so that the Council can assist in identifying the streams that are most vulnerable to extreme weather conditions. Councilmember Fukunaga asked councilmembers to support the measure.

Committee Report 322 was adopted and Bill 68 passed second reading.

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

NOES: None.

\*Councilmember Elefante voted aye with reservations.

Related communication:

M-491 Early testimony on Bill 68

**PUBLIC HEARING/SECOND READING**  
**BILL 72 – COMMITTEE REPORT 323**

A BILL FOR AN ORDINANCE RELATING TO FIRE SAFETY.

Councilmember Fukunaga moved that Committee Report 323 be adopted and Bill 72 pass second reading. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Fukunaga stated that there have been situations where questions have arisen and needed clarification. She noted that Bill 72 provided clarification to Ordinance 18-14.

Committee Report 323 was adopted and Bill 72 passed second reading.

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

NOES: None.

Related communication:

D-638 Honolulu Fire Department

**PUBLIC HEARING/SECOND READING**  
**BILL 71 – COMMITTEE REPORT 328**

A BILL FOR AN ORDINANCE RELATING TO EXCEPTIONS FOR BUILDING PERMITS.

Councilmember Pine moved that Committee Report 328 be adopted and Bill 71 pass second reading. Seconded by Councilmember Ozawa.

The following individual testified:

Alicia Maluafiti, Poi Dogs & Popoki (M-508) (Support)

Committee Report 328 was adopted and Bill 71 passed second reading.

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

NOES: None.

Related communications:

CC-263 Councilmember Kymberly Marcos Pine  
M-492 Early testimony on Bill 71  
M-508 Additional testimony on Bill 71

**PUBLIC HEARING/SECOND READING**  
**BILL 30, CD1 – COMMITTEE REPORT 331**

A BILL FOR AN ORDINANCE RELATING TO THE ACQUISITION OF REAL PROPERTY FOR CITY FACILITIES AND PURPOSES.

Councilmember Manahan moved that Committee Report 331 be adopted and Bill 30 pass second reading, as amended to CD1. Seconded by Councilmember Pine.

There was no public testimony.

Committee Report 331 was adopted and Bill 30, CD1 passed second reading, as amended.

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

NOES:           None.

Related communication:

M-493           Early testimony on Bill 30, CD1

**POSTPONED TO NOVEMBER 14, 2018 COUNCIL MEETING**  
**BILL 2, CD1 – COMMITTEE REPORT 163**

A BILL FOR AN ORDINANCE RELATING TO PUBLIC PARKS.

Councilmember Kobayashi moved that Committee Report 163 be adopted and Bill 2 pass third reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individual testified:

James Manaku, Sr. (General comment)

Councilmember Kobayashi moved that Committee Report 163 and Bill 2, CD1 be postponed to the November 14, 2018 Council meeting. Seconded by Councilmember Anderson.

Councilmember Anderson voiced his support on the motion to postpone the measure. He urged the Honolulu Film Commission Office to work with the Committee Chair to address its concerns.

Chair Martin thanked Councilmember Anderson for the discussion on the measure. Chair Martin noted his disappointment that the Administration has only expressed its concerns when the measure is ready to be adopted. He asked Councilmember Anderson to continue to provide his expertise on future amendments.

Committee Report 163 and Bill 2, CD1 were postponed to the November 14, 2018 Council meeting.

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

NOES:           None.

Related communications:

M-494           Early testimony on Bill 2, CD1  
M-501           Additional testimony on Bill 2, CD1

### **THIRD READING**

#### **BILL 54, CD2 – COMMITTEE REPORT 308**

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

Councilmember Kobayashi moved that Committee Report 308 be adopted and Bill 54, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Anderson.

The following individuals testified:

1.     Barbara Kim Stanton, American Association of Retired People (AARP) Hawaii (M-504) (Support)
2.     Barbra Armentrout (Support)
3.     Sharlene Chun-Lum (M-504) (General comment)

Councilmember Kobayashi asked for councilmembers to support the measure. She noted the importance for Honolulu to become age friendly and to better the environment.

Councilmember Ozawa voiced his support of the measure and thanked Councilmember Kobayashi for her leadership. He stated that the Age-Friendly City Working Group worked very hard and thanked Tom Dinell and AARP for their support of the measure.

Committee Report 308 was adopted and Bill 54, CD2 passed third reading, as amended.

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

NOES: None.

Related communication:

M-504 Additional testimony on Bill 54, CD2

**THIRD READING**

**BILL 58 – COMMITTEE REPORT 313**

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

Councilmember Menor moved that Committee Report 313 be adopted and Bill 58 pass third reading. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 313 was adopted and Bill 58 passed third reading.

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

NOES: None.

**THIRD READING**

**BILL 51, CD2 – COMMITTEE REPORT 320**

A BILL FOR AN ORDINANCE RELATING TO OBSTRUCTIONS ON PUBLIC SIDEWALKS.

Councilmember Fukunaga moved that Committee Report 320 be adopted and Bill 51, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Manahan.

The following individuals testified on Bill 51, CD2 and Bill 52, CD2:

1. Mateo Caballero, American Civil Liberties Union of Hawaii (M-495) (Oppose)
2. John Montanona (M-502) (Oppose)

3. Ricardo Derek Stabilio (Oppose)
4. Daniel Briones Quiral, Jr. (M-502) (Oppose)
5. Todd Mike Fernandez (M-502) (Oppose)
6. Kelli Paaluhi (M-502) (Oppose)
7. Rose Pou (General comment)
8. John Kaulupali (Oppose)
9. James Manaku, Sr. (General comment)
10. Jim Fulton, Waikiki Improvement Association (Support)
11. Natallie Iwasa (General comment)
12. Pam Witty-Oakland, Director, Department of Community Services (Support)

In response to councilmembers, Director Witty-Oakland stated that:

- The Administration will be submitting their report to the Council on October 10.
- The Administration appreciates the cooperative efforts but believes that the measure will be held up because of the report being required.
- She will relay to the Administration that the paragraph about the report is in the measure to have a plan where the individuals will go and is not about delaying implementation of the measure.
- In preparing the report, the Administration looked at the 2013 report and what the City has accomplished. The end goal is the need for affordable housing.

13. Barbara Armentrout (General comment)
14. Natalie Rita (Oppose)
15. Dave Moskowitz (Support)
16. Rob Johnson, Ilikai (Support)

Councilmember Manahan stated that he does not want to see the implementation of homeless solutions delayed because of a pending report when these solutions are greatly needed. He noted that the measure is not only for the unsheltered population but for curb management. Councilmember Manahan stated his opposition for the measure.

Councilmember Elefante stated he will vote in opposition to both measures. He noted that more emphasis is needed on Housing First and those that may be experiencing mental health issues. Councilmember Elefante thanked all testifiers who came to testify, especially those experiencing homelessness, for sharing their stories and perspectives.

Councilmember Fukunaga stated that one of the biggest complaints from business owners and constituents is that there is no enforcement. She noted that the City agencies have difficulties because there is not enough adequate shelter or bed availability when enforcement is conducted. Councilmember Fukunaga noted that Bill 51 and 52 requires an update of the prior action plan and which should help the Council and the Administration with efforts to provide adequate enforcement on sidewalks, provide homeless solutions and shelter spaces within our communities. Councilmember Fukunaga asked for councilmembers to support the measure.

Councilmember Pine voiced her support with reservations on the measure. She stated her opposition to sit lie bills because it moves people from one street to the next. Councilmember Pine urged the Governor, Mayor, House, Senate and City Councils to work together and use all resources to solve this problem.

Councilmember Ozawa stated that the Administration and the Mayor should provide a long-term comprehensive plan for each Council district. He noted that the Council works with the Mayor to pass policies which are executed by the Executive Branch. Councilmember Ozawa expressed his concerns with the lack of enforcement and that he believes a plan would hold the Mayor accountable and explain how enforcement would be handled in each district. He noted in the Waikiki business district, sidewalks are cluttered with signs and kiosks, and he urged the Administration to enforce the Bills from day one.

In response to Councilmember Anderson, Marc Alexander, Executive Director, Office of Housing stated that:

- The Administration has been implementing a comprehensive plan, a system approach that is data driven based on research obtained from the Homeless Management Information System. The point in time count has decreased since 2009.
- The plan focuses on evidence based best practices research derived from the United States Interagency Council on Homelessness and the National Alliance to End Homelessness.
- The plan includes the Mayor's commitment to provide affordable housing and involves community engagement.
- There may be a delay depending on whether the Council chooses to accept the report and the redeveloped modified strategy from the Administration.

Chair Martin asked for councilmember to support Bills 51 and 52. He noted his disappointment by the Mayor's press conference which contradicted his own philosophy on the issue. Chair Martin stated that there have been a number of proposals on sit lie and the Administration did not offer any amendment. He thanked Councilmember Manahan for his discussion that his district benefited significantly. Chair Martin explained that although there may be differences, at the end of the day, it is a privilege to have the opportunity to serve. He commended Councilmember Fukunaga for her leadership in proposing the amendment.

Councilmember Anderson stated that he supports most of the legislation except for a concern with the last line of the floor draft that states subject to acceptance of the report by the Council. He noted that his constituents asked that public sidewalks be returned to the public but requirement of the report may delay this. Councilmember Anderson stated he will vote no because there is no definitive date to the measure.

In response to Councilmember Pine, Chair Martin stated that if a new bill is introduced tomorrow, it will go on the November 14 Council agenda as a first reading item. It will then take, at the earliest, two months for the bill to become legislation.

Committee Report 320 was adopted and Bill 51, CD2 passed third reading, as amended.

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

\*Councilmembers Menor and Pine voted aye with reservations.

Related communications:

M-495 Early testimony on Bill 51, CD2  
M-502 Additional testimony on Bill 51, CD2

**THIRD READING**  
**BILL 52, CD2, FD1 – COMMITTEE REPORT 321**

A BILL FOR AN ORDINANCE RELATING TO ILLEGAL LODGING.

The following amendment was handcarried to the meeting:

Bill 52, CD2, Proposed FD1 (OCS2018-0946/10/2/2018 7:46 AM)

Councilmember Fukunaga moved that Committee Report 321 be adopted and Bill 52, CD1 pass third reading, as amended to CD2. Seconded by Councilmember Manahan.

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

- A. Represents the version of the bill recommended for passage for Third Reading by the Public Works, Infrastructure, and Sustainability committee at its meeting on September 19, 2018.

(Note: See Bill 51 for list of testifiers.)

Bill 52, CD2 was amended to FD1 (OCS2018-0946/10/2/2018 7:46 AM).

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

NOES: None.

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

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

NOES: None.

Committee Report 321 was adopted and Bill 52, CD2, FD1 passed third reading.

AYES: FUKUNAGA, KOBAYASHI, MENOR\*, OZAWA, PINE, MARTIN – 6.

NOES: ANDERSON, ELEFANTE, MANAHAN – 3.

\*Councilmember Menor voted aye with reservations.

Related communications:

M-496 Early testimony on Bill 52, CD2

M-503 Additional testimony on Bill 52, CD2

**THIRD READING**

**BILL 60, CD1 – COMMITTEE REPORT 327**

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

Councilmember Pine moved that Committee Report 327 be adopted and Bill 60 pass third reading, as amended to CD1. Seconded by Councilmember Ozawa.

There was no public testimony.

Committee Report 327 was adopted and Bill 60, CD1 passed third reading, as amended.

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

Related communications:

CC-263         Councilmember Kymberly Marcos Pine  
M-505         Additional testimony for Bill 60, CD1

**RECOMMITAL TO COMMITTEE ON TRANSPORTATION**

**BILL 61, CD1 – COMMITTEE REPORT 332**

A BILL FOR AN ORDINANCE RELATING TO CROSSWALKS.

Councilmember Manahan moved that Committee Report 332 and Bill 61, CD1 be recommitted to the Committee on Transportation. Seconded by Councilmember Pine.

The following individuals testified:

1.     James Manaku, Sr. (General comment)
2.     Rose Pou (General comment)
3.     Barbra Armentrout (General comment)
4.     Natalie Iwasa (Oppose)

Committee Report 332 and Bill 61, CD1 were recommitted to the Committee on Transportation.

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

NOES: None.

Related communications:

M-497 Early testimony on Bill 61, CD1

M-506 Additional testimony on Bill 61, CD1

### **RECESS/RECONVENE**

At 12:49 p.m., the Chair called for a recess as noted on the agenda. With 9 members present, the Chair reconvened the meeting at 1:49 p.m.

### **FIRST READING**

#### **BILL 73**

(Budget)

A BILL FOR AN ORDINANCE RELATING TO PARKING METERS AT PUBLIC PARKS.

Councilmember Pine moved that Bill 73 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 73 passed first reading.

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

NOES: None.

### **FIRST READING**

#### **BILL 74**

(Budget)

A BILL FOR AN ORDINANCE RELATING TO PENALTIES.

Councilmember Pine moved that Bill 74 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 74 passed first reading.

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

NOES: None.

**FIRST READING**

**BILL 75**

(Public Works, Infrastructure and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO SIDEWALKS.

Councilmember Pine moved that Bill 75 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Bruce Lum (M-498) (Support)
2. Brad Frye (M-498) (General comment)
3. Sharlene Chun-Lum (M-509) (Support)

Bill 75 passed first reading.

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

NOES: None.

Related communications:

M-498 Early testimony on Bill 75

M-509 Additional testimony on Bill 75

**FIRST READING**

**BILL 76**

(Parks, Community and Customer Services)

A BILL FOR AN ORDINANCE RELATING TO PARKS.

Councilmember Pine moved that Bill 76 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Bruce Lum (M-499) (Support)
2. Brad Frye (M-499) (Support)
3. Sharlene Chun-Lum (M-499) (Support)

Bill 76 passed first reading.

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

NOES: None.

Related communications:

M-499 Early testimony on Bill 76

M-510 Additional testimony on Bill 76

**ADOPTION**

**RESOLUTION 18-196 – COMMITTEE REPORT 310**

RESOLUTION ACCEPTING OF A GIFT TO THE CITY FROM AMERICAN SAVINGS BANK.

Councilmember Kobayashi moved that Committee Report 310 and Resolution 18-196 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 310 and Resolution 18-196 were adopted.

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

NOES: None.

Related communication:

M-512 Additional testimony on Resolution 18-186

**ADOPTION**

**RESOLUTION 18-197 – COMMITTEE REPORT 311**

RESOLUTION URGING THE CITY ADMINISTRATION TO UTILIZE ENERGY SAVINGS PERFORMANCE CONTRACTING TO MAKE IMPROVEMENTS AT CITY PARKS AND RECREATIONAL FACILITIES.

Councilmember Kobayashi moved that Committee Report 311 and Resolution 18-197 be adopted. Seconded by Councilmember Anderson.

There was no public testimony.

Committee Report 311 and Resolution 18-197 were adopted.

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

NOES: None.

**ADOPTION**

**COMMITTEE REPORT 314 (RESOLUTION 18-195 LAID OVER AND PUBLISHED)**

RESOLUTION PROVIDING FOR THE ACQUISITION OF AN EASEMENT FOR PUBLIC USE, TO WIT: DOWSETT HIGHLANDS RELIEF SEWER – JACK LANE, SITUATE AT NUUANU, HONOLULU, OAHU, HAWAII, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN.

Councilmember Menor moved that Committee Report 314 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 314 was adopted.

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

NOES: None.

Resolution 18-195 was laid over and published, pursuant to the Revised Charter of the City and County of Honolulu 1973, as amended, Section 3-202.9.

**ADOPTION**

**RESOLUTION 18-186 – COMMITTEE REPORT 319**

RESOLUTION URGING THE DEPARTMENT OF THE MEDICAL EXAMINER TO WORK WITH INTERESTED STAKEHOLDERS TO ADDRESS ISSUES AND CONCERNS WITH BILL 104 (2017) (“RELATING TO THE ESTABLISHMENT OF FEES AND CHARGES FOR SERVICES OF THE DEPARTMENT OF THE MEDICAL EXAMINER”).

Councilmember Ozawa moved that Committee Report 319 and Resolution 18-186 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 319 and Resolution 18-186 were adopted.

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

NOES: None.

**ADOPTION**

**RESOLUTION 18-189 – COMMITTEE REPORT 325**

RESOLUTION APPROVAL TO ENTER INTO A REVOCABLE PERMIT WITH THE STATE OF HAWAII, DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, TO USE AND OCCUPY LANDS UNDERLYING THE H-1 NIMITZ HIGHWAY VIADUCT AT THE MIDDLE STREET/KEEHI INTERCHANGE (INTERSTATE HIGHWAY FAP NO. I-HI-1(82), TMK: (1)1-1-003: PORTION OF ROAD, FOR THE PURPOSE OF STAGING OF EQUIPMENT FOR THE HART CONSTRUCTION OF RAIL — AIRPORT SEGMENT.

The following amendment was posted on the agenda.

Resolution 18-189, Proposed FD1

Councilmember Fukunaga moved that Committee Report 325 and Resolution 18-189 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. Replaces the Exhibit A, which was the colored map that was originally attached to the resolution and revocable permit, with a Right of Way Map provided by the State Department of Transportation that was transmitted by the Department of Land Management by Departmental Communication 603, dated September 18, 2018.
- B. Replaces the Exhibit B, which was the revocable permit that was originally attached to the resolution, with a revised revocable permit that was transmitted by the Department of Land Management by Departmental Communication 594, dated August 27, 2018. Additionally, the Right of Way Map has been attached to the revocable permit.
- C. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Resolution 18-189 was amended to FD1.

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

NOES: None.

Committee Report 325 and Resolution 18-189, FD1 were adopted.

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

NOES: None.

**ADOPTION**

**RESOLUTION 18-198 – COMMITTEE REPORT 334**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM HAWAIIAN AIRLINES, INC.

Councilmember Elefante moved that Committee Report 334 and Resolution 18-198 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 334 and Resolution 18-198 were adopted.

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

**ADOPTION**

**RESOLUTION 18-183 – COMMITTEE REPORT 333**

RESOLUTION AUTHORIZING THE USE OF OVERT VIDEO MONITORING IN THE CITY AND COUNTY OF HONOLULU TO PREVENT AND DETER GENERAL CRIMINAL ACTIVITY AND ACHIEVE THE LEGITIMATE LAW ENFORCEMENT OBJECTIVE AND LEGITIMATE PUBLIC PURPOSE OF ENSURING A SAFE AND SECURE 2018 HONOLULU MARATHON EVENT.

Councilmember Elefante moved that Committee Report 333 and Resolution 18-183 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 333 and Resolution 18-183 were adopted.

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

## **BALANCE OF COMMITTEE REPORTS**

- [EMLACR-315](#) Request for authorization to settle Sharon Berinobis v. City and County of Honolulu, Civil No. 15-1-1929-10 JHC (Cir. Ct).
- [EMLACR-316](#) Request for authorization to settle a case against the City and County of Honolulu Entitled Nicolas Wright v. City and County of Honolulu, et al., Civil No. 15-1-2044-10 KKH (Cir. Ct).
- [ZHCR-326](#) [Bill 15 \(2017\), CD1](#) – Relating to Interim Planned Development-Permits for Transit-Oriented Development. Granting a 108-day extension of time. (Deadline: 10/23/18 + 108 days).

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

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosures of Interest with the City Clerk's Office for ZHCR-326 [CC-164(17), CC-165(17)].

The Balance of Committee Reports was adopted.

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

Related communications:

CC-263 Councilmember Kymberly Marcos Pine  
D-635 Department of Planning and Permitting

## **UNFINISHED BUSINESS**

There was no unfinished business.

**RECESS/RECONVENE**

At 2:09 p.m., the Chair called for a short recess and reconvened the meeting at 2:10 p.m.

**NEW BUSINESS**

**ADOPTION**

RESOLUTION 18-208, FD1

RESOLUTION ESTABLISHING A PERMITTED INTERACTION GROUP OF COUNCILMEMBERS TO INVESTIGATE MATTERS RELATING TO THE DELAYS IN THE PERMITTING PROCESS AT THE DEPARTMENT OF PLANNING AND PERMITTING.

The following amendment was handcarried to the meeting:

Resolution 18-208, Proposed FD1 (OCS2018-0948/10/2/2018 2:08 PM)

Councilmember Pine moved that Resolution 18-208 be adopted. Seconded by Councilmember Fukunaga.

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

- A. In the BE IT RESOLVED clause, lists Councilmembers Carol Fukunaga, Ann Kobayashi, Trevor Ozawa, and Kymberly Marcos Pine as members of the permitted interaction group.
- B. Makes miscellaneous technical and nonsubstantive amendments.

The following individual testified:

Natalie Iwasa (General comment)

Resolution 18-208 was amended to FD1 (OCS2018-0948/10/2/2018 2:08 PM).

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

NOES: None.

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

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

NOES: None.

Resolution 18-208, FD1 was adopted.

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

NOES: None.

Related communication:

M-514 Additional testimony on Resolution 18-208

#### **ADOPTION**

#### **RESOLUTION 18-193, FD1**

RESOLUTION OPPOSING THE PROPOSED CONSTITUTIONAL AMENDMENT THAT WOULD ALLOW THE HAWAII STATE LEGISLATURE TO ESTABLISH A TAX SURCHARGE ON INVESTMENT REAL PROPERTY TO SUPPORT PUBLIC EDUCATION.

Resolution 18-193 was waived to the Council floor by the Chair of the Committee on Executive Matters and Legal Affairs.

The following amendment was handcarried to the meeting:

Resolution 18-193, Proposed FD1

Councilmember Pine moved that Resolution 18-193 be adopted. Seconded by Councilmember Fukunaga.

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

- A. Deletes the "BE IT FURTHER RESOLVED" clause that urges the electorate to cast a no vote for the proposed constitutional amendment on the 2018 general election ballot.

B. Makes miscellaneous technical and nonsubstantive amendments.

The following individual testified:

Natalie Iwasa (Support)

Councilmember Anderson voiced his support of the measure and urged Honolulu voters to vote no on the Constitutional Amendment in the 2018 General Election. He expressed his concern that there is no definition of what types of property will be defined as investment real property and that monies will be used to increase teacher's pay. Councilmember Anderson stated that the Hawaii State Association of Counties Executive Committee opposes the Constitutional Amendment.

Resolution 18-193 was amended to FD1 (OCS2018-0945/10/2/2018 7:52 AM).

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

NOES: None.

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

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

NOES: None.

Resolution 18-193, FD1 was adopted.

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

NOES: None.

Related communications:

CC-262 Councilmember Ron Menor  
M-193 Early testimony on Resolution 18-193  
M-513 Additional testimony on Resolution 18-193

**SUNSHINE/ADOPTION**  
**RESOLUTION 18-220**

RESOLUTION ESTABLISHING A PERMITTED INTERACTION GROUP OF COUNCILMEMBERS TO VISIT THE HEADQUARTERS OF ANSALDO STS USA AND INVESTIGATE AND DISCUSS CERTAIN MATTERS RELATING TO THE HONOLULU HIGH-CAPACITY TRANSIT CORRIDOR PROJECT.

Pursuant to HRS Section 92-7, the Sunshine Law, Councilmember Pine moved that Resolution 18-220 be added to the agenda. Seconded by Councilmember Fukunaga.

Resolution 18-220 was added to the agenda.

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

Councilmember Pine moved that Resolution 18-220 be adopted. Seconded by Councilmember Fukunaga.

The following individual testified:

Natalie Iwasa (General comment)

Resolution 18-220 was adopted.

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

**COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

There was no Executive Session.

**ANNOUNCEMENTS**

There were no announcements.

**ADJOURNMENT**

At 2:20 p.m., Councilmember Pine moved that the Council stand adjourned until Wednesday, November 14, 2018, at 10 a.m. Seconded by Councilmember Fukunaga and there being no objections from the 9 members present, it was so ordered by the Chair.

Respectfully submitted,



 GLEN I. TAKAHASHI  
City Clerk

jy

DATE APPROVED:

November 14, 2018