



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

ERNEST Y. MARTIN
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FLOOR LEADER
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BRANDON J. C. ELEFANTE
ANN H. KOBAYASHI
JOEY MANAHAN
RON MENOR
TREVOR OZAWA

JOURNAL

SPECIAL MEETING
29TH SESSION
TUESDAY, OCTOBER 30, 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

The special meeting of the City Council was called to order by the Chair and Presiding Officer, Ernest Y. Martin, at 1:07 p.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Elefante, Fukunaga, Kobayashi, Manahan, Ozawa, Martin - 6.

Excused: Councilmembers Anderson, Menor, Pine – 3.

ORDER OF THE DAY

SECOND READING

BILL 64 – COMMITTEE REPORT 358

A BILL FOR AN ORDINANCE RELATING TO BUILDING PERMITS.

Councilmember Ozawa moved that Committee Report 358 be adopted and Bill 64 pass second reading. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Greg Thielen, President, Complete Construction Services Corp. (M-547) (Support)
2. JR Morehead (General comment)
3. Bruce Kim (General comment)
4. Marshall Hickox, Homeworks Construction (General comment)

In response to Councilmember Menor, Mr. Hickox stated that once the plans are reviewed for the proper zoning, the architect and builder should ensure additional codes are met. He also noted that if a comment is noted on the plan for a minor issue, the inspector could resolve the issue in the field, rather than returning the plan to the Department for approval.

5. Joshua Vasconcellos (General comment)

In response to Councilmember Menor, Timothy Hiu, Deputy Director, Department of Planning and Permitting (DPP) stated that:

- The DPP would need to create rules for equitable enforcement for all applicants.
- The process would require cooperation from the applicant, the designer, and the DPP staff.
- Any process created by the DPP would be a sustainable process.
- The DPP would be able to meet the time frame specified in the measure.

Committee Report 358 was adopted and Bill 64 passed second reading.

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

NOES: None.

Related communications:

M-547 Early testimony on Bill 64

M-566 Additional testimony on Bill 64

THIRD READING

BILL 68, CD1 – COMMITTEE REPORT 354

A BILL FOR AN ORDINANCE RELATING TO CITY STREAMS.

Councilmember Fukunaga moved that Committee Report 354 be adopted and Bill 68 pass third reading, as amended to CD1. Seconded by Councilmember Manahan.

The following individual testified:

Natalie Iwasa (Oppose)

Councilmember Fukunaga stated that at the Committee on Public Works, Infrastructure and Sustainability meeting, the Bill was revised to address Director Sasamura's concern and that the Department supports the amendment.

Councilmember Ozawa stated that at a Town Hall Meeting he hosted, the community supported having annual stream clean ups. He noted his appreciation for the measure and stated that monies for storm related events should always be put into the operating budget.

Committee Report 354 was adopted and Bill 68, CD1 passed third reading, as amended.

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

NOES: None.

Related communication:

M-560 Early testimony on Bill 68, CD1

CANCELLED
BILL 72, CD1

A BILL FOR AN ORDINANCE RELATING TO FIRE SAFETY.

Note: Prior to the start of the meeting, the Chair announced that Bill 72, CD1, relating to fire safety posted on the Council agenda was cancelled and would not be considered.

ADOPTION
RESOLUTION 18-206, CD1 – COMMITTEE REPORT 359

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE HALE MAKANA O MAILI AFFORDABLE HOUSING PROJECT AT MAILI, OAHU, HAWAII TAX MAP KEY 8-7-001: 016.

The following amendment was posted on the agenda.

Resolution 18-206, CD1, Proposed FD1

Councilmember Pine moved that Committee Report 359 and Resolution 18-206 be adopted, as amended to CD1. Seconded by Councilmember Ozawa.

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

- A. In the first WHEREAS clause of the resolution, corrects the Project site owner of record to Laulima Maili LP (ownership of the Project site changed while the 201H application was being processed).
- B. In Section 5.B(3) of the Attachment 1 Development Agreement, provides that the Developer may condominiumize the 2.78-acre Project Land into seven (instead of two) separate parcels or units.
- C. Makes miscellaneous technical and nonsubstantive amendments to the resolution and the Development Agreement.

There was no public testimony.

Resolution 18-206, CD1 was amended to FD1.

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

NOES: None.

Committee Report 359 and Resolution 18-206, CD1, FD1 were adopted.

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

NOES: None.

ADOPTION

RESOLUTION 18-210, CD1 – COMMITTEE REPORT 360

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE POKAI BAY SELF-HELP HOUSING AFFORDABLE HOUSING PROJECT AT WAIANAE, OAHU, HAWAII, TAX MAP KEYS 8-6-027: 001 THROUGH 004, 049 THROUGH 054, AND 064 THROUGH 123.

Councilmember Pine moved that Committee Report 360 and Resolution 18-210 be adopted, as amended to CD1. Seconded by Councilmember Ozawa.

The following individual testified:

Claudia Shay, Self-Help Housing Corporation of Hawaii (M-559) (Support)

Committee Report 360 and Resolution 18-210, CD1, as amended were adopted.

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

NOES: None.

Related communication:

M-559 Early testimony on Resolution 18-210, CD1

RECESS/RECONVENE

At 1:36 p.m., the Chair called for a short recess and reconvened the meeting at 1:37 p.m.

THIRD READING

BILL 42 (2017), CD2 – COMMITTEE REPORT 368

A BILL FOR AN ORDINANCE RELATING TO FUNDING FOR TRANSIT.

Councilmember Pine moved that Committee Report 368 be adopted and Bill 42 (2017), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Nathaniel Kinney, Hawaii Construction Alliance (M-548) (Support)
2. Ryan Kobayashi, Laborers Local 368 (M-548) (Support)
3. Rod Tam (Oppose)
4. Elaine Kam (Oppose)
5. Charles Carole (Oppose)
6. Jack De Feo (Oppose)
7. Frank Genadio (Oppose)
8. Calvin Hulihee (General comment)
9. Joy Kimura, Hawaii Laborers Employers Cooperation and Education Trust (LECET) (M-548) (Support)
10. Natalie Iwasa (Oppose)
11. Pane Meatoga III, Hawaii Operating Engineers Industry Stabilization Fund (M-548) (Support)

Councilmember Manahan stated that there is a lot of confusion with regard to the \$44 million. He noted that when the Mayor submitted his budget, the \$44 million was placed in the City's Capital Improvement budget so the City could maintain control over how the money was spent. He stated at that time the FTA was not demanding that bonds be issued but as time went on, delays in taking action with regard to the recovery plan resulted in the FTA demanding funding and bonds to be issued. Councilmember Manahan stated Act 1 required the Council to reconsider its policy to use property taxes in order to proceed with the rail project. He stated that he will support the measure.

Councilmember Elefante stated that Act 1 requires the City to provide administrative costs directly from the City's budget. He noted that the action required today will not raise anyone's taxes, but the goal is to meet the requirements of the FTA so that the Federal Government will release the \$700 million due to the project. Councilmember Elefante noted that this is a transformative project for Oahu and will expand transportation options and offer economic development and housing opportunities along the rail line and beyond. He stated that transit oriented development (TOD) is a crucial part to forming our City and without rail, there would be no TOD as rail is the spine to create TOD development type districts. He stated that the responsible thing to do is to continue efforts to control costs and complete the rail line to Ala Moana Center. For the reasons noted, he stated he will support the measure.

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-276, CC-277, CC-291, and CC-292).

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 368 was adopted and Bill 42 (2017), CD2 passed third reading, as amended.

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

NOES: KOBAYASHI, OZAWA – 2.

Related communications:

CC-285 Chair Ernest Y. Martin

M-548 Early testimony on Bill 42 (2017), CD1

M-567 Additional testimony on Bill 42 (2017), CD1

ADOPTION

RESOLUTION 18-127 – COMMITTEE REPORT 369

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$450,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU TO FINANCE CAPITAL COSTS OF THE HONOLULU RAIL TRANSIT PROJECT.

Councilmember Pine moved that Committee Report 369 and Resolution 18-127 be adopted. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Nathaniel Kinney, Hawaii Construction Alliance (Support)
2. Ryan Kobayashi, Laborers Local 368 (M-549) (Support)
3. Rod Tam (Oppose)
4. Elaine Kam (Oppose)
5. Charles Carole (Oppose)
6. Jack De Feo (Oppose)
7. Frank Genadio (Oppose)
8. Calvin Hulihee (General comment)
9. Joy Kimura, Hawaii Laborers Employers Cooperation and Education Trust (LECET) (M-549) (Support)
10. Natalie Iwasa (Oppose)
11. Pane Meatoga III, Hawaii Operating Engineers Industry Stabilization Fund (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-287, CC-297, and CC-298).

Committee Report 369 and Resolution 18-127 were adopted.

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

NOES: KOBAYASHI – 1.

Related communications:

CC-285 Chair Ernest Y. Martin
M-549 Early testimony on Resolution 18-127
M-568 Additional testimony on Resolution 18-127

ADOPTION

RESOLUTION 18-132 – COMMITTEE REPORT 370

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$44,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU FOR THE PURPOSE OF FINANCING CAPITAL COSTS OF THE HONOLULU RAIL TRANSIT PROJECT.

Councilmember Pine moved that Committee Report 370 and Resolution 18-132 be adopted. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Nathaniel Kinney, Hawaii Construction Alliance (Support)
2. Ryan Kobayashi, Laborers Local 368 (M-550) (Support)
3. Rod Tam (Oppose)
4. Elaine Kam (Oppose)
5. Charles Carole (Oppose)
6. Jack De Feo (Oppose)
7. Frank Genadio (Oppose)
8. Calvin Hulihee (General comment)
9. Joy Kimura, Hawaii Laborers Employers Cooperation and Education Trust (LECET) (M-550) (Support)
10. Natalie Iwasa (Oppose)
11. Pane Meatoga III, Hawaii Operating Engineers Industry Stabilization Fund (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-286, CC-295, and CC-296).

Committee Report 370 and Resolution 18-132 were adopted.

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

NOES: KOBAYASHI, OZAWA – 2.

Related communications:

CC-285 Chair Ernest Y. Martin
M-550 Early testimony on Resolution 18-127
M-569 Additional testimony on Resolution 18-127

ADOPTION

RESOLUTION 18-237 – COMMITTEE REPORT 371

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF BUDGET AND FISCAL SERVICES OF THE CITY AND COUNTY OF HONOLULU OR THE DIRECTOR'S DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION ("HART") REGARDING ISSUANCE AND SALE IN ONE OR MORE SERIES NOT TO EXCEED \$44,000,000 PRINCIPAL AMOUNT OF THE GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU FOR THE PURPOSE OF FINANCING CAPITAL COSTS OF THE HONOLULU RAIL TRANSIT PROJECT.

Councilmember Pine moved that Committee Report 371 and Resolution 18-237 be adopted. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Nathaniel Kinney, Hawaii Construction Alliance (Support)
2. Ryan Kobayashi, Laborers Local 368 (M-551) (Support)
3. Rod Tam (Oppose)
4. Elaine Kam (Oppose)
5. Charles Carole (Oppose)
6. Jack De Feo (Oppose)
7. Frank Genadio (Oppose)
8. Calvin Hulihee (General comment)
9. Joy Kimura, Hawaii Laborers Employers Cooperation and Education Trust (LECET) (M-551) (Support)
10. Natalie Iwasa (Oppose)
11. Pane Meatoga III, Hawaii Operating Engineers Industry Stabilization Fund (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-289, CC-293, and CC-294).

Committee Report 371 and Resolution 18-237 were adopted.

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

Related communications:

CC-285 Chair Ernest Y. Martin
M-551 Early testimony on Resolution 18-237
M-570 Additional testimony on Resolution 18-237

RECESS/RECONVENE

At 2:12 p.m., the Chair called for a short recess and reconvened the meeting at 2:23 p.m.

ADOPTION

RESOLUTION 18-239, CD1 – COMMITTEE REPORT 372

RESOLUTION APPROVING THE 2018 RECOVERY PLAN FOR THE HONOLULU RAIL TRANSIT PROJECT TO BE SUBMITTED TO THE FEDERAL TRANSIT ADMINISTRATION.

The following amendment was handcarried to the meeting:

Resolution 18-239, CD1, Proposed FD1 (No OCS number)

Councilmember Pine moved that Committee Report 372 and Resolution 18-239 be adopted, as amended to CD1. Seconded by Councilmember Fukunaga.

Councilmember Menor moved that the Resolution be amended to the handcarried FD1 (No OCS number). Seconded by Councilmember Elefante. The FD1 makes the following amendments:

- A. Amends the seventh WHEREAS clause to insert “billion” after 8.299.
- B. Amends the eighth WHEREAS clause to clarify that the version of the revised recovery plan presented by HAART to the Council, and to be presented to the HART Board of Directors on or about November 1, 2018, is dated October 24, 2018.
- C. Amends the eighth WHEREAS clause to correct the date of the Final Risk Refresh Report to June 29, 2018.

- D. Amends the Be It Resolved Clause to state that the Council approves the 2018 Recovery Plan, provided that it shall be amended to reflect that the Pearl Highlands Parking Garage and Transit Center is an integral component of the Rail Project.

The following individuals testified:

1. Nathaniel Kinney, Hawaii Construction Alliance (Support)
2. Ryan Kobayashi, Laborers Local 368 (M-552) (Support)
3. Rod Tam (Oppose)
4. Elaine Kam (Oppose)
5. Charles Carole (Oppose)
6. Jack De Feo (Oppose)
7. Frank Genadio (Oppose)
8. Calvin Hulihee (General comment)
9. Joy Kimura, Hawaii Laborers Employers Cooperation and Education Trust (LECET) (M-552) (Support)
10. Natalie Iwasa (Oppose)
11. Pane Meatoga III, Hawaii Operating Engineers Industry Stabilization Fund (Support)

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-288, CC-299, and CC-300).

Resolution 18-239, CD1 was amended to FD1 (No OCS number).

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 372 and Resolution 18-239, CD1, FD1 were adopted.

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

*Councilmember Ozawa voted aye with reservations.

Related communications:

CC-285 Chair Ernest Y. Martin
M-552 Early testimony on Resolution 18-239
M-571 Additional testimony on Resolution 18-239

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Chair Martin asked for a moment of silence for our family member, Trina Ishii, who passed away on October 19 after a tough battle with breast cancer.

ADJOURNMENT

At 2:27 p.m., Councilmember Pine moved that the Council stand adjourned until Wednesday, November 7, 2018, at 10:30 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,



fo GLEN I. TAKAHASHI
City Clerk

jy

DATE APPROVED:

November 14, 2018