



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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JOURNAL

REGULAR MEETING
22ND SESSION
WEDNESDAY, JANUARY 29, 2020

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, Ikaika Anderson, at 11:17 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Elefante, Fukunaga, Kobayashi, Manahan, Menor, Pine, Tsuneyoshi, Waters, Anderson – 9.

INTRODUCTION OF GUESTS

Councilmember Kobayashi introduced her intern Jia Audrey Jing Tong.

APPROVAL OF MINUTES

Councilmember Kobayashi moved that the Minutes of the 21st Session be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Fukunaga.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

MOMENT OF SILENCE

A moment of silence was called by the Chair to honor Honolulu Police Officers Tiffany Enriquez and Kaulike Kalama who gave their lives to serve and protect the people of the City and County of Honolulu and to also remember the families of the officers.

RECESS/RECONVENE

At 11:20 a.m., the Chair called for a short recess and reconvened the meeting at 11:21 a.m.

ORDER OF THE DAY

At this juncture, there being no objections from the 9 members present, Chair Anderson considered Resolution 19-334 on page 18 of the agenda.

RECESS/RECONVENE

At 11:21 a.m., the Chair called for a short recess and reconvened the meeting at 11:22 a.m.

ADOPTION
RESOLUTION 19-334 – COMMITTEE REPORT 20

RESOLUTION AUTHORIZING THE DIRECTOR OF BUDGET AND FISCAL SERVICES TO ISSUE AND SELL IN ONE OR MORE SERIES NOT TO EXCEED \$375,000,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE CITY AND COUNTY OF HONOLULU TO FINANCE CAPITAL COSTS OF THE HONOLULU RAIL TRANSIT PROJECT.

Councilmember Manahan moved that Committee Report 20 and Resolution 19-334 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (M-79) (General comment)

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

- In 2017 when the Honolulu Authority for Rapid Transportation (HART) needed cash flow funds, the City issued \$350 million of floating rate notes and this Resolution is to refund the notes and issue fixed rate bonds.
- The State allows a 5-year delay in principal payments which HART has taken advantage of. HART paid back Tax Exempt Commercial Paper (TECP).
- HART is borrowing money to repay borrowed money. The notes were issued for a specific reason and the City is looking to repay the floating rate notes by issuing fixed rate bonds while interest rates are favorable.
- HART cannot issue their own bonds so all the bonds are City bonds.

Councilmember Tsuneyoshi thanked Director Koyanagi for providing a list of bonds that have been floated. She noted in Committee her concern that although the repayment was for \$350 million, \$375 million is being floated and the \$205 million is a cushion. HART was asked to provide information and they indicated that personnel costs are included in the capital cost. For those reasons stated, Councilmember Tsuneyoshi stated she will vote in opposition of the measure.

Committee Report 20 and Resolution 19-334 were adopted.

AYES: ELEFANTE, MANAHAN, MENOR, PINE, WATERS, ANDERSON – 6.
NOES: FUKUNAGA, KOBAYASHI, TSUNEYOSHI – 3.

Related communications:

CC-24 Councilmember Joey Manahan
M-79 Testimony on Resolution 19-334

At this juncture, there being no objections from the 9 members present, Chair Anderson considered Resolution 19-332, CD1 on page 20 of the agenda.

ADOPTION

RESOLUTION 19-332, CD1, FD1 – COMMITTEE REPORT 31

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS RELATING TO THE DEVELOPMENT OF THE KOKUA SENIOR AFFORDABLE HOUSING PROJECT AT HONOLULU, OAHU, HAWAII, TAX MAP KEY 2-1-010: 050.

The following amendments were handcarried to the meeting:

Resolution 19-332, CD1, Proposed FD1 (OCS2020-0121/1/28/2020 4:13 PM)

Resolution 19-332, CD1, Proposed FD1 (OCS2020-0123/1/29/2020 9:20 AM)

Councilmember Menor moved that Committee Report 31 and Resolution 19-332, as amended to CD1, be adopted. Seconded by Councilmember Waters.

Councilmember Menor moved that the Resolution be amended to the handcarried FD1 (OCS2020-0123/1/29/2020 9:20 AM). Seconded by Councilmember Waters. The FD1 makes the following amendments:

- A. Allows the Applicant to reduce the number of affordable units in the Project from 233 to 222, as follows: In the second WHEREAS clause, revises the Project description to provide that the Project involves the development of a 16 to 20- story (instead of 20-story), 223 to 234-unit (instead of 234 unit) senior affordable rental housing tower.
- B. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Joy Kimura, Hawaii Laborers-Employers Cooperation and Education Trust (M-54) (Support)
2. Robert Allen, The Pinnacle Honolulu AOA (M-82) (General comment)
3. Ryan Kobayashi, Hawaii Laborers' Union (M- 54 (Support)
4. Barbra Armentrout (General comment)
5. Audrey Lee (Oppose)

In response to councilmembers, Christian O'Conner, Coastal Rim Properties stated that:

- After meeting with The Pinnacle, the plan was revised in response to feedback received from residents. They would like to continue to work with The Pinnacle on better opportunities and a flexible solution.
- If the amendment offered by Councilmember Fukunaga is adopted, there will be no project because it will be difficult to construct a project with all the challenges and commitments made to the State.

In response to councilmembers, Kathy Sokugawa, Acting Director, Department of Planning and Permitting (DPP) stated that the DPP can work with the changes in Councilmember Menor's amendment. The applicant has the financing and approval from the Hawaii Housing Finance and Development Corporation and the DPP would like to move any affordable housing project along.

Councilmember Elefante noted for the record that he filed Disclosures of Interest with the City Clerk's Office (CC-21 and CC-28).

Resolution 19-332, CD1, FD1 was amended to handcarried FD1 (OCS2020-0123/1/292020 9:20 AM)

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

NOES: None.

ABSENT: TSUNEYOSHI – 1.

Councilmember Fukunaga moved that the Resolution be further amended to the handcarried FD1 (OCS2020-0121/1/28/2020 4:13 PM). Seconded by Councilmember Kobayashi. The FD1 makes the following amendments:

- A. Deletes the height setback exemptions in Exemption 10, which allowed the residential tower to encroach 133 feet vertically and 56 feet horizontally into the Beretania Street height setback, and encroach 132 feet vertically and 49 feet horizontally into the Alakea Street height setback. Renumbers subsequent exemptions.
- B. In Condition A, requires that Exhibits C-1 through C-10 be revised to reflect compliance with height setback requirements and Conditions B, C, E, and I. Further requires the Applicant and the DPP to resubmit to the Council for approval by separate resolution exhibits for the Project that are consistent with height setback requirements and Conditions B, C, E, and I.
- C. Adds a new Condition E.2 to require the Applicant to submit to the DPP for review and approval a revised plan showing the location of any proposed air conditioning and related equipment. All air conditioning and related equipment, including but not limited to conduits and piping, must be installed internal to the building or on the roof of the tower. Renumbers subsequent paragraphs in Condition E.
- D. In Condition F.2, requires that the construction management plan ("CMP") identify potential impacts of construction-related dust, noise, and traffic on neighboring properties, particularly with regard to the adjoining Pinnacle property, and recommend actions to mitigate these impacts. Requires the Applicant to implement recommended mitigative actions identified in the CMP.
- E. Adds a new Condition I to require the Applicant to install windows in all dwelling units that are designed to minimize heat transmitted into the units and shield visibility into the units for privacy purposes. Alternatively, the Applicant may install in all dwelling units interior window treatments that are designed for similar heat and visibility controls.
- F. Adds a new Condition J that requires that the Project's preliminary plans and outline specifications be revised to comply with the height setback requirements and Conditions B, C, E, and I. Further requires the Applicant and the DPP to resubmit to the Council for approval by separate resolution preliminary plans and specifications for the Project that are consistent with height setback requirements and Conditions B, C, E, and I.

- G. Deletes the fifth BE IT FURTHER RESOLVED clause, relating to the final plans and specifications for the Project.
- H. Makes miscellaneous technical and nonsubstantive amendments.

In response to councilmembers, Mr. Allen stated that:

- He learned about the encroachment issue about a year ago. At a Neighborhood Board meeting, he suggested the developer modify their design so they would not encroach on the zoning requirement.
- On January 15, 2020, The Pinnacle learned that there were substantial changes to the design.
- After the Committee meeting, The Pinnacle owners met with the developer and asked that the design be changed and improved not only for themselves but also for the neighbors. They were told that their suggestion would be considered but the developer would not be able to get back to residents before the Council meeting.
- The residents would not be happy with a 400-foot high building. Their idea was to reduce the size of the parking structure, increase the number of living units, and change the design of the building to a reverse L shape.

Councilmember Fukunaga stated that her proposed amendment was in response to Councilmember Menor's challenge that if there were concerns with the decision the Committee made, to work with residents and drafting agency to address the community's concerns. She stated that her amendment addressed concerns from residents that the current zoning without the exemption would allow the project to go up to 400 feet, and there had been no opportunity for community review and follow up to address concerns and come up with solutions. She urged councilmembers to support her amendment for the removing the exemption for the encroachment into the South Beretania and Alakea Street areas.

Councilmember Menor asked councilmembers to support his proposed FD1. He noted that the project is on a tight timeframe as stated by Acting Director Sokugawa. The Council has until January 31, 2020 to take final action. Councilmember Menor stated that if Councilmember Fukunaga's amendment were to pass, there would be no project and that cannot be allowed to happen. There is currently an affordable housing crisis and unless the City partners with private developers to build more affordable rentals for seniors, some

of them may wind up on the streets. Councilmember Menor noted that this project is 100 percent affordable, 60 percent area median income (AMI) and below. He also noted that the developer is still willing to meet with the residents. Councilmember Menor asked councilmembers to support his amendment.

Resolution 19-332, CD1, FD1 failed to be amended to the handcarried FD1 (OCS2020-0121/1/28/2020 4:13 PM) due to a lack of a majority vote.

AYES: FUKUNAGA, KOBAYASHI, PINE, TSUNEYOSHI – 4.
NOES: ELEFANTE, MANAHAN, MENOR, WATERS, ANDERSON – 5.

Chair Anderson noted that with 5 objections for the handcarried floor draft offered by Councilmember Fukunaga, the handcarried floor draft offered by Chair Emeritus Menor was on the floor.

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

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Councilmember Pine voiced her support with reservations. She stated her concern that the councilmember of the district was not aware of the measure being on the agenda. Councilmember Pine noted that there should be a rule or a law that states any applicant of a project that has 45 days to take action needs to contact the Council six months in advance.

Councilmember Menor clarified that the 201H application was accepted by the DPP on August 28, 2019 and was not officially submitted to the Council until December 12, 2019. For the record, he stated that the compression of time raises legitimate concerns that the DPP and/or the State Legislature look at the 201H process to see if it can be amended to lengthen the timeline to give the community an opportunity to respond to these major projects.

Councilmember Fukunaga stated that the application was filed on December 17, 2019 with the Council and not December 12, 2019 and she understood how difficult it was being close to the holidays. She stated that if the State Legislature amends the law regarding public notification requirements, it would make sense for the City Council to impose more stringent requirements on the approving agencies to ensure the lack of notice or lack of opportunity to work through the problems never occurs again. Councilmember Fukunaga stated that the project is going to be presented to the Downtown Neighborhood Board on February 6, 2020, after the Council's action, which demonstrates the broken process.

Councilmember Waters stated his support for the measure. He reminded councilmembers that 222 units at 60 percent AMI are being built for seniors. Councilmember Waters noted that while The Pinnacle residents will be impacted, ultimately building affordable units for senior citizens is needed.

Chair Anderson stated that he understands the points raised by Councilmember Fukunaga and would like to see the process lengthened. He noted that he cannot vote against the affordable housing project but has reservations based on the community's concern. Chair Anderson stated that he will vote with reservations out of respect for the community. He thanked the Committee Chair and Vice Chair for their work.

Committee Report 31 and Resolution 19-332, CD1, FD1 were adopted.

AYES: ELEFANTE, KOBAYASHI*, MANAHAN, MENOR, PINE*, WATERS,
ANDERSON* – 7.
NOES: FUKUNAGA, TSUNEYOSHI – 2.

*Councilmembers Kobayashi, Pine, and Anderson voted aye with reservations.

Related communications:

CC-25 Councilmember Ron Menor
CC-29 Councilmember Carol Fukunaga
M-54 Testimony on Resolution 19-332, CD1
M-82 Testimony on Resolution 19-332, CD1

At this juncture, there being no objections from the 9 members present, Chair Anderson considered Bill 51 (2019), FD1, CD2 on page 9 of the agenda.

THIRD READING

BILL 51 (2019), FD1, CD2 – COMMITTEE REPORT 9

A BILL FOR AN ORDINANCE RELATING TO TOURISM.

Councilmember Waters moved that Committee Report 9 be adopted and Bill 51 (2019), FD1, pass third reading, as amended to CD2. Seconded by Councilmember Tsuneyoshi.

The following individual testified:

Rylee Brooke Kamahele (Support)

Councilmember Pine thanked councilmembers for supporting this very important measure for the children. She noted that the Committee on Business, Economic Development and Tourism decided to do something about tourism because the number of increasing tourists has reached 10 million a year. Councilmember Pine stated that she is proud to be the first City with a tourism pledge. She urged councilmembers to support the measure and to keep Hawaii Hawaii.

Committee Report 9 was adopted and Bill 51 (2019), FD1, CD2 passed third reading, as amended.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communication:

M-49 Testimony on Bill 51 (2019), FD1, CD2

At this juncture, there being no objections from the 9 members present, Chair Anderson considered Resolution 20-12 on page 16 of the agenda.

ADOPTION

RESOLUTION 20-12, FD1 – COMMITTEE REPORT 7

RESOLUTION URGING THE CITY DEPARTMENT OF PARKS AND RECREATION AND THE STATE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ADOPT NEW RULES RELATING TO CITY AND STATE PERMITS ISSUED TO SURFING CONTEST PROMOTERS TO ENSURE GENDER EQUITY FOR ALL COMPETITIVE SURFING EVENTS HELD ON THE NORTH SHORE OF OAHU.

The following amendment was posted on the agenda:

Resolution 20-12, Proposed FD1

Councilmember Tsuneyoshi moved that Committee Report 7 and Resolution 20-12 be adopted. Seconded by Councilmember Kobayashi.

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

1. In the first BE IT FURTHER RESOLVED clause, amends the first bullet point by adding additional language (underscored), to read as follows:
 - Beginning with the 2020 North Shore surf season, ensure that the Mayor's Surf Advisory Committee is composed of an equal number of women and men, with equitable terms for committee members, and that any recommendations made by the committee be forwarded immediately to the Mayor and the Department of Parks and Recreation for inclusion in department rules as soon as possible;
2. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

1. Sabrina Brennan, Committee for Equity in Women's Surfing & Sport Equity (M-52) (Support)
2. Betty Depolito (M-52) (Support)
3. Carol Philips (M-52) (Support)
4. Jenn Marr (M-75) (Support)
5. Joy McMcDougall
6. Keala Kennelly (Support)
7. Irie FitzGerald, Guahan Napu (Support)
8. Raquel Heckut (Support)
9. Brian FitzGerald, Guahan Napu (Support)

In response to Councilmember Pine, Ms. Depolito and Ms. Philips stated that they have been to Neighborhood Board meetings and brought up the situation on permits to the Mayor's representative, and have also submitted complaints in writing to the Department of Parks and Recreation.

Councilmember Kobayashi recognized Rell Sunn who was the champion of women's surfing. She stated that even when Ms. Sunn developed cancer, she continued to promote surfing and encouraged young women to continue surfing.

Councilmember Tsuneyoshi noted that people came from California and Guam to testify on this important Resolution. She thanked the Committee for Equity in Women's Surfing who came to support the Resolution. Councilmember Tsuneyoshi stated that the late Congresswoman Patsy Mink introduced Title 9 that was passed in the 1970's and that more work needs to be done. She thanked councilmembers for their support for the measure.

Councilmember Waters thanked the introducer of the Resolution. He expressed his frustration that when the Department of Parks and Recreation issues a permit they should automatically issue a permit for both men and women's event. He noted that perhaps the Resolution could be amended in the future to include South Shore events. Councilmember Waters thanked everyone who came to testify.

Councilmember Menor noted for the record his strong support of the measure. He stated that with the passage of the Resolution, he hopes it will lead to the adoption of policies by the City to ensure fair and equitable treatment for female athletes. Councilmember Menor thanked the testifiers for their support.

Councilmember Pine stated her support of the measure and thanked the introducer of the Resolution. She noted that the City needs to follow the Federal law. Councilmember Pine expressed that we should see women succeed without any discrimination. She thanked Carol for coming to testify and not giving up.

Chair Anderson shared that his grandmother's generation had to work for more than 25 years before the Women's Molokai to Oahu Canoe Race became a sanctioned event. He agreed with Councilmember Waters that if need be, introduce a Bill which he would support. He thanked everyone for their testimony and support on the Resolution.

Resolution 20-12 was amended to FD1.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Committee Report 7 and Resolution 20-12, FD1 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Related communications:

M-52 Testimony on Resolution 20-12
M-75 Testimony on Resolution 20-12

Chair returned to the agenda order.

PUBLIC HEARING/RESOLUTION
RESOLUTION 19-322

RESOLUTION RELATING TO THE REAPPOINTMENT OF ALLENE SUEMORI TO SERVE ON THE ETHICS COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Allene Suemori (General comment)
2. Natalie Iwasa (Oppose)

Chair Anderson referred Resolution 19-322 to the Committee on Executive Matters and Legal Affairs for further consideration.

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

Related communication:

M-60 Testimony on Resolution 19-322

PUBLIC HEARING/RESOLUTION
RESOLUTION 19-327

RESOLUTION CONFIRMING THE REAPPOINTMENT OF VINCENT BALDEMOR TO SERVE ON THE GRANTS IN AID ADVISORY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Chair Anderson referred Resolution 19-327 to the Committee on Budget for further consideration.

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

NOES: None.

ABSENT: KOBAYASHI, WATERS – 2.

PUBLIC HEARING/RESOLUTION
RESOLUTION 19-328

RESOLUTION CONFIRMING THE REAPPOINTMENT OF JONI C. TANIMOTO TO SERVE ON THE CIVIL SERVICE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

There was no public testimony.

Chair Anderson referred Resolution 19-328 to the Committee on Executive Matters and Legal Affairs for further consideration.

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

NOES: None.

ABSENT: KOBAYASHI, WATERS – 2.

PUBLIC HEARING/RESOLUTION
RESOLUTION 20-3

RESOLUTION RELATING TO THE NOMINATION OF JAMES R. SKIZEWSKI TO SERVE AS THE EXECUTIVE SECRETARY TO THE NEIGHBORHOOD COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Tim Streitz, Chair, McCully Moiliili Neighborhood Board (Support)
2. Barbra Armentrout (Support)
3. James Skizewski (General comment)

Chair Anderson referred Resolution 20-3 to the Committee on Parks, Community Services and Intergovernmental Affairs for further consideration.

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

NOES: None.

ABSENT: WATERS – 1.

Related communications:

D-61 Mililani/Waipio/Melemanu Neighborhood Board No. 25

M-47 Testimony on Resolution 20-3

M-61 Testimony on Resolution 20-3

PUBLIC HEARING/RESOLUTION
RESOLUTION 20-4

RESOLUTION CONFIRMING THE REAPPOINTMENT OF DANA KAPUAALA SPROAT TO SERVE ON THE BOARD OF WATER SUPPLY OF THE CITY AND COUNTY OF HONOLULU.

The following individuals testified:

1. Dana Kapuaala Sproat (General comment)
2. Ernest Lau, Manager and Chief Engineer, Board of Water Supply (D-69) (Support)

Chair Anderson referred Resolution 20-4 to the Committee on Public Infrastructure, Technology and Sustainability for further consideration.

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

NOES: None.

ABSENT: WATERS – 1.

ADOPTION
RESOLUTION 19-284 – COMMITTEE REPORT 11

RESOLUTION RELATING TO THE REAPPOINTMENT OF VICTORIA MARKS TO SERVE ON THE ETHICS COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Menor moved that Committee Report 11 and Resolution 19-284 be adopted. Seconded by Councilmember Kobayashi.

The following individual testified:

Natalie Iwasa (Oppose)

Councilmember Menor stated his support for Judge Marks. He stated that the Committee on Executive Matters and Legal Affairs had the opportunity to carefully review the testimonies and documents provided. Councilmember Menor noted Judge Marks' impressive record and credentials. He noted that she has been trying to improve operations in the Ethics Commission. Councilmember Menor asked councilmembers to support the measure.

Chair Anderson joined Councilmember Menor in strong support of the reappointment of Judge Marks. He thanked her for her willingness to serve and noted that he found her to be very qualified for the position.

Committee Report 11 and Resolution 19-284 were adopted.

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

Chair Anderson recognized and congratulated Ms. Marks.

Related communication:

M-62 Testimony on Resolution 19-284

ADOPTION
RESOLUTION 19-310 – COMMITTEE REPORT 19

RESOLUTION RELATING TO THE APPOINTMENT OF KAIPO KUKAHIKO, TO SERVE ON THE GRANTS IN AID ADVISORY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Manahan moved that Committee Report 19 and Resolution 19-310 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Tsuneyoshi thanked Mr. Kukahiko for his willingness to serve and stated that he has done great work in the Kahaluu area and will do well in this capacity. She voiced her support of the nominee.

Committee Report 19 and Resolution 19-310 were adopted.

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

NOES: None.

ABSENT: WATERS – 1.

Chair Anderson recognized and congratulated Mr. Kukahiko.

Related communications:

CC-24 Councilmember Joey Manahan
M-63 Testimony on Resolution 19-310

ADOPTION

RESOLUTION 19-311 – COMMITTEE REPORT 24

RESOLUTION CONFIRMING THE NOMINATION OF MARK K. YONAMINE TO SERVE AS THE DIRECTOR OF DESIGN AND CONSTRUCTION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 24 and Resolution 19-311 be adopted. Seconded by Councilmember Pine.

The following individual testified:

Mark Yonamine, Director, Department of Design and Construction (General comment)

Councilmember Fukunaga urged councilmembers to review the testimonies that were submitted in support of Mr. Yonamine. She stated that he will demonstrate his capabilities as the Director of the Department of Design and Construction.

Councilmember Elefante stated his strong support of the Resolution. He noted that Mr. Yonamine is very responsive in getting back with information requested and that he appreciates his genuineness.

Committee Report 24 and Resolution 19-311 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Chair Anderson recognized and congratulated Director Yonamine.

Related communications:

D-60 Board of Water Supply
M-64 Testimony on Resolution 19-311

ADOPTION
RESOLUTION 19-282 – COMMITTEE REPORT 36

RESOLUTION CONFIRMING THE NOMINATION OF DR. MASAHIKO KOBAYASHI, TO SERVE AS THE MEDICAL EXAMINER OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Waters moved that Committee Report 36 and Resolution 19-282 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Councilmember Waters stated his support for Dr. Kobayashi and urged councilmembers to support the measure.

Committee Report 36 and Resolution 19-282 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Chair Anderson recognized and congratulated Dr. Kobayashi.

Related communication:

M-65 Testimony on Resolution 19-282

ADOPTION
RESOLUTION 19-312 – COMMITTEE REPORT 38

RESOLUTION RELATING TO THE REAPPOINTMENT OF STEFANIE LEE TO SERVE ON THE FIRE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Waters moved that Committee Report 38 and Resolution 19-312 be adopted. Seconded by Councilmember Tsuneyoshi.

The following individual testified:

Lionel E. Camara, Jr., Deputy Chief, Honolulu Fire Department (Support)

Committee Report 38 and Resolution 19-312 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,
TSUNEYOSHI, WATERS, ANDERSON – 9.
NOES: None.

Chair Anderson recognized and congratulated Ms. Lee.

Related communication:

M-58 Testimony on Resolution 19-312

Councilmember Kobayashi introduced Kimery Lynch from Virginia. She is an intern at the East West Center in the Asian Studies Program and is also looking at government relations.

At this juncture, there being no objections from the 9 members present, Chair Anderson considered Resolution 20-13 on page 24 of the agenda.

ADOPTION
RESOLUTION 20-13

RESOLUTION RELATING TO THE APPOINTMENT OF MALIA MANOL ESPINDA TO SERVE ON THE SALARY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Resolution 20-13 be adopted. Seconded by Councilmember Manahan.

The following individual testified:

Malia Manol Espinda (General comment)

Resolution 20-13 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE, TSUNEYOSHI, WATERS, ANDERSON – 9.

NOES: None.

Chair Anderson recognized and congratulated Ms. Espinda.

RECESS/RECONVENE

At 1:22 p.m., the Chair called for a recess as noted on the agenda. With 7 members present (Excused: Fukunaga, Menor – 2), the Chair reconvened the meeting at 2:41 p.m.

PUBLIC HEARING/SECOND READING
BILL 34 (2019), CD1 – COMMITTEE REPORT 8

A BILL FOR AN ORDINANCE RELATING TO THE OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY.

Councilmember Pine moved that Committee Report 8 be adopted and Bill 34 (2019), pass second reading, as amended to CD1. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 8 was adopted and Bill 34 (2019), CD1 passed second reading, as amended.

AYES: ELEFANTE, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 7.

NOES: None.

ABSENT: FUKUNAGA, MENOR – 2.

Related communication:

M-57 Testimony on Bill 34 (2019), CD1

PUBLIC HEARING/SECOND READING
BILL 61 (2019) – COMMITTEE REPORT 17

A BILL FOR AN ORDINANCE RELATING TO BUILDING PERMIT FEES.

Councilmember Manahan moved that Committee Report 17 be adopted and Bill 61 (2019) pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

James K. Manaku, Sr. (General comment)

Committee Report 17 was adopted and Bill 61 (2019) passed second reading.

AYES: ELEFANTE, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 7.

NOES: None.

ABSENT: FUKUNAGA, MENOR – 2.

Related communications:

CC-24 Councilmember Joey Manahan

M-66 Testimony on Bill 61 (2019)

PUBLIC HEARING/SECOND READING
BILL 62 (2019) – COMMITTEE REPORT 22

A BILL FOR AN ORDINANCE RELATING TO STORM WATER, FLOOD, AND EROSION DAMAGE.

Councilmember Waters moved that Committee Report 22 be adopted and Bill 62 (2019) pass second reading. Seconded by Councilmember Pine.

The following individual testified:

James K. Manaku, Sr. (General comment)

Committee Report 22 was adopted and Bill 62 (2019) passed second reading.

AYES: ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

*Councilmember Elefante voted aye with reservations.

PUBLIC HEARING/SECOND READING
BILL 64 (2019) – COMMITTEE REPORT 23

A BILL FOR AN ORDINANCE RELATING TO UNLAWFUL DISPOSAL OF REFUSE OR BULKY WASTE.

Councilmember Fukunaga moved that Committee Report 23 be adopted and Bill 64 (2019) pass second reading. Seconded by Councilmember Pine.

The following individual testified:

James K. Manaku, Sr. (General comment)

Committee Report 23 was adopted and Bill 64 (2019) passed second reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

M-67 Testimony on Bill 64 (2019)

THIRD READING

BILL 59 (2019), CD2, FD2 – COMMITTEE REPORT 1

A BILL FOR AN ORDINANCE RELATING TO ANIMALS.

The following amendment posted on the agenda was not considered:

Bill 59 (2019), FD1, CD2, Proposed CD2, FD2 (OCS2020-0101/1/23/2020 4:00 PM)

The following amendment was handcarried to the meeting:

Bill 59 (2019), FD1, CD2, Proposed CD2, FD2 (OCS2020-0118/1/28/2020 2:56 PM)

Councilmember Tsuneyoshi moved that Committee Report 1 be adopted and Bill 59 (2019), FD1 pass third reading, as amended to CD2. Seconded by Councilmember Kobayashi.

Councilmember Tsuneyoshi moved that the Bill be amended to FD2. Seconded by Councilmember Kobayashi. The FD2 makes the following amendments:

- A. Removes a reference to Chapter 143, Hawaii Revised Statutes, from Section 7- 4.3, Revised Ordinances of Honolulu 1990 ("ROH"), which deals with the impounding of dogs.
- B. Adds a new section to both ROH Chapter 7, Article 4 that deals with the regulation of dogs and ROH Chapter 7, Article 6 that deals with the cat identification program to require that the animal control contractor must make certain determinations as to the dog or cat's health or behavior, or be requested by the dog or cat's owner to euthanize the animal, before the animal control contractor may euthanize a dog or cat in its custody.
- C. Adds another reporting requirement to the annual report relating to the impounding of stray dogs and cats required to be submitted by the animal control contractor to the Department of Customer Services, to include the number of dogs and cats that were placed in foster care.
- D. Makes changes to comport with current drafting conventions.

E. Makes miscellaneous technical and nonsubstantive amendments

The following individuals testified:

1. Sharon Williams (Oppose)
2. Kasey Carter (M-48) (Support)
3. Ricky Baker (M-48) (Oppose)
4. Stephanie L. Kendrick, Hawaiian Humane Society (M-68) (Support)
5. Martha Randolph (M-68) (Support)
6. Alicia Maluafiti, Poi Dogs & Popoki (Oppose)
7. Daniel Roselle, Hawaiian Humane Society (Support)
8. Rylee Brooke Kamahale (Oppose)
9. Dr. Karen Tyson, KAT Charities (Oppose)
10. Josie Kaanehe (Oppose)
11. Ginny Tiu (Support)

Councilmember Kobayashi stated that it was difficult to put the Bill together because the welfare of the animals was on everyone's mind. She noted that the Bill includes steps for euthanasia and once the Bill is passed, more work needs to be done, but the main thing is the welfare of the animals. Councilmember Kobayashi asked for councilmembers support and noted that this is a beginning of a relationship with the Humane Society and all the organizations that love animals.

Councilmember Pine stated her support with reservations. She pointed out that she was concerned about the euthanasia section of the measure during the first reading of the measure and thanked Councilmember Kobayashi for addressing her concerns. Councilmember Pine stated that she is hopeful that with the leadership change at the Humane Society, all the organizations can work together. She also noted that if the Humane Society cannot care for the animal, another organization may be a better choice and maybe during the budget period, they could be compensated.

Bill 59 (2019), FD1, CD2 was amended to FD2.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

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

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Committee Report 1 was adopted and Bill 59 (2019), CD2, FD2 passed third reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE*, TSUNEYOSHI,
WATERS*, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

*Councilmembers Pine and Waters voted aye with reservations.

Related communications:

M-48 Testimony on Bill 59 (2019), FD1, CD2

M-68 Testimony on Bill 59 (2019), FD1, CD2

(Note: Earlier in the meeting, Committee Report 9 was adopted and Bill 51 (2019), FD1, CD2 passed third reading. See page 9.)

THIRD READING

RESOLUTION 19-35 – COMMITTEE REPORT 10

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION) TO ESTABLISH A TERM LIMIT FOR THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Fukunaga moved that Committee Report 10 be adopted and Resolution 19-35 pass third reading. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 10 was adopted and Resolution 19-35 passed third reading.

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

Related communication:

M-69 Testimony on Resolution 19-35

FIRST READING

RESOLUTION 19-329

(Executive Matters and Legal Affairs)

A BILL FOR AN ORDINANCE INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION), AS AMENDED, RELATING TO THE CREATION OF A YOUTH COMMISSION.

Councilmember Kobayashi moved that Resolution 19-329 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Resolution 19-329 passed first reading.

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

FIRST READING

RESOLUTION 19-330

(Executive Matters and Legal Affairs)

A BILL FOR AN ORDINANCE INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION), RELATING TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY.

Councilmember Kobayashi moved that Resolution 19-330 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Natalie Iwasa (Oppose)
2. Lynn Costales, Acting First Deputy, Department of the Prosecuting Attorney (General comment)

Councilmember Waters stated that a recent controversy involving the Office of the Prosecuting Attorney has revealed the gap in the City Charter where an elected official can voluntarily go on paid leave and allow an unelected appointee to fill that position indefinitely. He noted that having an appointment process similar to the Maui County Prosecutor or the Attorney General of the State of Hawaii would allow for community input during the public hearing process. The process would create a mechanism for a check and balance on the power of the Prosecuting Attorney and help restore trust in our criminal justice system.

Resolution 19-330 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

FIRST READING

RESOLUTION 19-331

(Executive Matters and Legal Affairs)

A BILL FOR AN ORDINANCE INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION), RELATING TO THE HONOLULU ETHICS COMMISSION.

Councilmember Kobayashi moved that Resolution 19-331 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Natalie Iwasa (Support)

Councilmember Waters stated that the proposal will grant the Ethics Commission greater autonomy over its budget by prohibiting the withholding of funds once the budget has been appropriated by the City Council. The Commission would then be able to carry out its Charter prescribed duties and fulfill its strategic plan of doubling its staff.

Resolution 19-331 passed first reading.

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

FIRST READING

BILL 68 (2019)

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE SPECIAL IMPACT FUND.

Councilmember Kobayashi moved that Bill 68 (2019) pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Natalie Iwasa (Oppose)

Bill 68 (2019) passed first reading.

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

FIRST READING

BILL 1

(Budget)

A BILL FOR AN ORDINANCE RELATING TO CITY ADVERTISEMENTS.

Councilmember Kobayashi moved that Bill 1 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 1 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

FIRST READING

BILL 2

(Zoning, Planning and Housing)

A BILL FOR AN ORDINANCE RELATING TO OFF-STREET PARKING AND LOADING.

Councilmember Kobayashi moved that Bill 2 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 2 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

M-50 Testimony on Bill 2

FIRST READING

BILL 3

(Business, Economic
Development and Tourism)

A BILL FOR AN ORDINANCE RELATING TO THE ESTABLISHMENT OF A KEEP HAWAII HAWAII PASS PROGRAM.

Councilmember Kobayashi moved that Bill 3 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. James K. Manaku, Sr. (General comment)
2. Natalie Iwasa (General comment)

Bill 3 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

M-51 Testimony on Bill 3

FIRST READING

BILL 4

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Kobayashi moved that Bill 4 pass first reading. Seconded by Councilmember Fukunaga.

The following individuals testified:

1. Natalie Iwasa (Support)
2. Diane Chong (Support)

Bill 4 passed first reading.

AYES: ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

*Councilmember Elefante voted aye with reservations.

Related communication:

M-70 Testimony on Bill 4

FIRST READING

BILL 5

(Budget)

A BILL FOR AN ORDINANCE RELATING TO THE AFFORDABLE HOUSING FUND.

Councilmember Kobayashi moved that Bill 5 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 5 passed first reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

FIRST READING

BILL 6

(Public Safety and Welfare)

A BILL FOR AN ORDINANCE RELATING TO CITY-OWNED STREAMS AND RIPARIAN ZONES.

Councilmember Kobayashi moved that Bill 6 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Bill 6 passed first reading.

AYES: ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

*Councilmember Elefante voted aye with reservations.

Related communication:

M-71 Testimony on Bill 6

ADOPTION

RESOLUTION 19-321, CD1 – COMMITTEE REPORT 3

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE KOKO HEAD POTTERS.

Councilmember Tsuneyoshi moved that Committee Report 3 and Resolution 19-321, as amended to CD1, be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 3 and Resolution 19-321, CD1, as amended were adopted.

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

ADOPTION

RESOLUTION 20-9 – COMMITTEE REPORT 5

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM KAHO'OMIKI.

Councilmember Tsuneyoshi moved that Committee Report 5 and Resolution 20-9 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Kobayashi stated that this is a great project being done by the American Association of Retired Persons (AARP) and the Blue Zones Project. They are beautifying the Old Stadium Park by working on a mural and including the Neighborhood Board and the school children.

Committee Report 5 and Resolution 20-9 were adopted.

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

ADOPTION

RESOLUTION 19-178, FD1 – COMMITTEE REPORT 2

RESOLUTION RELATING TO KING KAMEHAMEHA III AT THOMAS SQUARE.

The following amendment was posted on the agenda:

Resolution 19-178, Proposed FD1

Councilmember Tsuneyoshi moved that Committee Report 2 and Resolution 19-178 be adopted. Seconded by Councilmember Kobayashi.

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

1. That Thomas Square may be recognized as King Kamehameha III at Square and makes conforming changes to the title and the WHEREAS clauses.
2. Technical and nonsubstantive amendments.

The following individual testified:

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

Resolution 19-178 was amended to FD1.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Committee Report 2 and Resolution 19-178, FD1 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

M-72 Testimony on Resolution 19-178

ADOPTION

RESOLUTION 19-333 – COMMITTEE REPORT 4

RESOLUTION URGING THE CITY ADMINISTRATION TO CREATE ADDITIONAL PARK RANGER POSITIONS AND EXPAND THE CITY'S PARK RANGER PROGRAM ISLAND-WIDE.

Councilmember Tsuneyoshi moved that Committee Report 4 and Resolution 19-333 be adopted. Seconded by Councilmember Kobayashi.

The following individual testified:

James K. Manaku, Sr. (General comment)

Councilmember Pine thanked the Parks Chair. She stated that an expanded park ranger program could allow higher security for homes near the parks. She expressed her appreciation to the Mayor for placing park rangers in a few parks but stated that it is time to expand it to the rest of the island. Councilmember Pine urged councilmembers to support the measure.

Committee Report 4 and Resolution 19-333 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communications:

M-59 Testimony on Resolution 19-333

M-73 Testimony on Resolution 19-333

ADOPTION

RESOLUTION 20-11 – COMMITTEE REPORT 6

RESOLUTION URGING THE CITY ADMINISTRATION TO CONSTRUCT A CANOE HALAU AT HALEIWA BEACH PARK MAUKA.

Councilmember Tsuneyoshi moved that Committee Report 6 and Resolution 20-11 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Tsuneyoshi stated that Haleiwa North Shore Community has been awaiting a canoe halau and have come together in support of construction of the project.

Committee Report 6 and Resolution 20-11 were adopted.

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

Related communication:

M-74 Testimony on Resolution 20-11

(Note: Earlier in the meeting, Committee Report 7 and Resolution 20-12, FD1 were adopted. See page 10.)

ADOPTION

RESOLUTION 20-17 – COMMITTEE REPORT 12

RESOLUTION TO RETAIN THE LEGAL SERVICES OF MCCORRISTON MILLER MUKAI & MACKINNON LLP AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF DEFENDANT KEITH M. KANESHIRO IN A LEGAL ACTION ENTITLED JULIE M. AKE V. KEITH M. KANESHIRO, ET AL., CIVIL NO. 19-1-0730-05 (BIA).

Councilmember Waters moved that Committee Report 12 and Resolution 20-17 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 12 and Resolution 20-17 were adopted.

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

Related communication:

M-76 Testimony on Resolution 20-17

ADOPTION
RESOLUTION 20-18 – COMMITTEE REPORT 13

RESOLUTION TO REQUEST ADDITIONAL FUNDS FOR CONTRACT NO. SC COR-1800068 TO CONTINUE THE SERVICES OF KOBAYASHI SUGITA & GODA, LLP AS SPECIAL DEPUTY CORPORATION COUNSEL FOR THE CITY AND COUNTY OF HONOLULU IN THE CIVIL ACTION ENTITLED PARSONS RCI, INC. V. CITY AND COUNTY OF HONOLULU; CIVIL NO. 18-1-1057-07 DEO (CIR. CT.).

Councilmember Waters moved that Committee Report 13 and Resolution 20-18 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Elefante noted for the record that he filed Disclosure of Interest Statements with the City Clerk's Office (CC-16 and CC-17).

Committee Report 13 and Resolution 20-18 were adopted.

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

Related communication:

M-77 Testimony on Resolution 20-18

ADOPTION

RESOLUTION 20-19 – COMMITTEE REPORT 14

RESOLUTION TO RETAIN THE LAW OFFICE OF MCCORRISTON MILLER MUKAI MACKINNON LLP TO PROVIDE LEGAL SERVICES AS SPECIAL COUNSEL FOR THE CITY AND COUNTY OF HONOLULU ON BEHALF OF DEFENDANT KEITH M. KANESHIRO IN A LEGAL ACTION ENTITLED TRACY YOSHIMURA V. KEITH M. KANESHIRO, ET AL., CIVIL NO. 1CSP-19-0000014 (JMT).

Councilmember Waters moved that Committee Report 14 and Resolution 20-19 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Committee Report 14 and Resolution 20-19 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

M-78 Testimony on Resolution 20-19

ADOPTION

RESOLUTION 19-306 – COMMITTEE REPORT 18

RESOLUTION RELATING TO THE TRANSFER OF FUNDS.

Councilmember Manahan moved that Committee Report 18 and Resolution 19-306 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 18 and Resolution 19-306 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

CC-24 Councilmember Joey Manahan

(Note: Earlier in the meeting, Committee Report 20 and Resolution 19-334 were adopted.
See page 3.)

ADOPTION

RESOLUTION 20-10, CD1 – COMMITTEE REPORT 21

RESOLUTION APPROVING COLLECTIVE BARGAINING COST ITEMS FOR THE INCLUDED AND EXCLUDED EMPLOYEES OF THE CITY AND COUNTY OF HONOLULU IN BARGAINING UNIT 3 (HAWAII GOVERNMENT EMPLOYEES ASSOCIATION).

Councilmember Manahan moved that Committee Report 21 and Resolution 20-10, as amended to CD1, be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest Statement with the City Clerk's Office (CC-18).

Committee Report 21 and Resolution 20-10, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communications:

CC-24 Councilmember Joey Manahan
M-80 Testimony on Resolution 20-10, CD1

ADOPTION
RESOLUTION 19-335 – COMMITTEE REPORT 25

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO IMMEDIATELY CONVENE A WORKING GROUP OF RELEVANT CITY DEPARTMENTS AND AGENCIES TO EXECUTE A MEMORANDUM OF UNDERSTANDING REGARDING THE WAIANAE COAST EMERGENCY ACCESS ROAD IN ORDER THAT IT MAY BE TIMELY OPENED DURING EMERGENCY SITUATIONS.

Councilmember Fukunaga moved that Committee Report 25 and Resolution 19-335 be adopted. Seconded by Councilmember Pine.

The following individual testified:

James K. Manaku, Sr. (General comment)

Councilmember Pine thanked Mr. Manaku for all the work he has done for the community and for his help in creating the Waianae Emergency Access Road. She stated that the roads are not open or not open on a timely basis and she would like to go over the Memorandum of Understanding and invite Mr. Manaku to discuss what can be done to keep the road open on a timely and efficient basis.

Committee Report 25 and Resolution 19-335 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communications:

M-53 Testimony on Resolution 19-335
M-81 Testimony on Resolution 19-335

(Note: Earlier in the meeting, Committee Report 31 and Resolution 19-332, CD1, FD1 were adopted. See page 4.)

ADOPTION

RESOLUTION 20-6, CD1 – COMMITTEE REPORT 32

RESOLUTION AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND COUNTY OF HONOLULU AND KG KAPOLEI PARKWAY, LLC, FOR THE DEVELOPMENT OF AN AFFORDABLE RENTAL HOUSING PROJECT IN KAPOLEI.

Councilmember Waters moved that Committee Report 32 and Resolution 20-6, as amended to CD1, be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Councilmember Pine thanked Sandy Pfund from the Department of Land Management for taking the time to find out what the needs of the district were. She commended the Department and KG Kapolei Parkway, LLC for delivering the vision to the people who have not had a lot of hope. Councilmember Pine expressed her excitement for the project.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest Statement with the City Clerk's Office (CC-19).

Committee Report 32 and Resolution 20-6, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communications:

CC-25 Councilmember Ron Menor
M-83 Testimony on Resolution 20-6, CD1

ADOPTION

RESOLUTION 19-309, CD1 – COMMITTEE REPORT 33

RESOLUTION URGING THE LEGISLATURE OF THE STATE OF HAWAII TO INCREASE THE DRIVER'S LICENSE RENEWAL PERIOD FOR CERTAIN SENIOR DRIVERS.

Councilmember Elefante moved that Committee Report 33 and Resolution 19-309, as amended to CD1, be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 33 and Resolution 19-309, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

M-55 Testimony on Resolution 19-309, CD1

ADOPTION

RESOLUTION 19-318, CD1 – COMMITTEE REPORT 34

RESOLUTION REQUESTING THE CITY ADMINISTRATION TO IMMEDIATELY RELEASE FUNDS TO PROVIDE FOR SPEED MITIGATION MEASURES AND PEDESTRIAN SAFETY IMPROVEMENTS IN KAPOLEI.

Councilmember Elefante moved that Committee Report 34 and Resolution 19-318, as amended to CD1, be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 33 and Resolution 19-318, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

ADOPTION

RESOLUTION 20-2 – COMMITTEE REPORT 35

RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION SERVICES TO WORK WITH THE STATE DEPARTMENT OF TRANSPORTATION TO STUDY, ANALYZE, AND MAKE RECOMMENDATIONS ON THE POTENTIAL USE OF CONTRAFLOW LANES, INCLUDING DYNAMIC LANE USE CONTROL SIGNALS, ON FORT WEAVER ROAD IN EWA TO ALLEVIATE TRAFFIC CONGESTION DURING PEAK TRAVEL TIMES.

Councilmember Elefante moved that Committee Report 35 and Resolution 20-2 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 35 and Resolution 20-2 were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

ADOPTION

RESOLUTION 19-308, CD1 – COMMITTEE REPORT 37

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM MS. JO ANN TRASK.

Councilmember Waters moved that Committee Report 37 and Resolution 19-308, as amended to CD1, be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 37 and Resolution 19-308, CD1, as amended were adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI, WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

ADOPTION

RESOLUTION 19-319 – COMMITTEE REPORT 39

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HONOLULU FIREFIGHTERS FOUNDATION (HFF).

Councilmember Waters moved that Committee Report 39 and Resolution 19-319 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 39 and Resolution 19-319 were adopted.

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

ADOPTION

RESOLUTION 20-5 – COMMITTEE REPORT 40

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM THE HONOLULU POLICE COMMUNITY FOUNDATION.

Councilmember Waters moved that Committee Report 40 and Resolution 20-5 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Committee Report 40 and Resolution 20-5 were adopted.

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

BALANCE OF COMMITTEE REPORTS

- EMLACR-15 Request for Authorization to Make a Hawaii Rules of Civil Procedure Rule 68 Offer of Settlement on behalf of the City and County of Honolulu in a case entitled Parsons RCI, Inc. v. City and County of Honolulu; Civil No. 18-1-1057-07 DEO (Cir. Ct.).
- EMLACR-16 Request for Authorization to Settle a Pre-litigation claim against the City and County of Honolulu relating to delinquent common area maintenance and expenses for the City managed portion of Hale Pauahi Project.
- PITSCR-26 Requesting consideration of Grant of Sewer Easement 4 for public use in Waikiki (325 Seaside Avenue) [D-820(19)]
- ZHCR-27 Granting a 90-day extension of time for Bill 27 (2019) - To rezone land situated at Kaneohe, Oahu Hawaii. (Deadline: 2/14/20 + 90 days)
- ZHCR-28 Granting a 120-day extension of time for Bill 63 (2019) – Relating to condominium property regimes. (Deadline: 2/24/20 + 120 days)
- ZHCR-30 Granting a 90-day extension of time for Resolution 19-224 – Approving a conceptual plan for an Interim Planned Development-Transit project for the Keeaumoku Development Condominium and Commercial Project. (Deadline: 2/6/20 + 90 days)

Councilmember Kobayashi 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 Disclosures of Interest with the City Clerk's Office [CC-14, CC-15 for EMLACR-15; CC-203(19), CC-204(19) for ZHCR-27; and CC-343(19), and CC-345(19) for ZHCR-30].

Committee Reports 15, 16, 26, 28, and 30 were adopted.

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

Committee Report 27 was adopted.

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

*Councilmembers Elefante, Pine, Waters, and Anderson voted aye with reservations.

Related communication:

CC-25 Councilmember Ron Menor

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

(Note: Earlier in the meeting, Resolution 20-13 was adopted. See page 20.)

ADOPTION

RESOLUTION 20-15

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM CAROLE KAI ONOUYE.

The following amendment was posted on the agenda:

Resolution 20-15, Proposed FD1

Councilmember Kobayashi moved that Resolution 20-15 be adopted. Seconded by Councilmember Fukunaga.

RECESS/RECONVENE

At 4:15 p.m., the Chair called for a short recess and reconvened the meeting at 4:16 p.m.

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

- A. Corrects the event date in the 4th WHEREAS clause to be consistent with the Declaration of Gift form.

There was no public testimony.

Resolution 20-15 was amended to FD1.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Resolution 20-15, FD1 was adopted.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

APPROVAL

COMMUNICATION D-830 (2019)

FROM THE DEPARTMENT OF DESIGN AND CONSTRUCTION REQUESTING CONSIDERATION OF DEED CONVEYING ROADWAY LOTS 130 AND 131; GRANT OF DRAIN EASEMENTS 20 AND 21; GRANT OF FLOWAGE EASEMENT 20; GRANT OF SEWER EASEMENT 20 FOR PUBLIC USE IN EWA.

Communication D-830 (2019) was waived to the Council floor by the Chair of the Committee on Public Infrastructure, Technology and Sustainability.

City Council Journal
Wednesday, January 29, 2020

Councilmember Kobayashi moved that Communication D-830 (2019) be approved.
Seconded by Councilmember Fukunaga.

There was no public testimony.

Communication D-830 (2019) was approved.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, PINE, TSUNEYOSHI,
WATERS, ANDERSON – 8.

NOES: None.

ABSENT: MENOR – 1.

Related communication:

CC-9 Councilmember Carol Fukunaga

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Pine wished Councilmember Manahan a happy birthday.

ADJOURNMENT

At 4:19 p.m., Councilmember Kobayashi moved that the Council stand adjourned until Wednesday, February 19, 2020, at 10 a.m. Seconded by Councilmember Fukunaga and there being no objections from the 8 members present (Absent: Menor – 1), it was so ordered by the Chair.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

jy

DATE APPROVED:

February 19, 2020