



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

IKAIKA ANDERSON  
CHAIR & PRESIDING OFFICER  
ANN H. KOBAYASHI  
VICE CHAIR  
CAROL FUKUNAGA  
FLOOR LEADER  
BRANDON J. C. ELEFANTE  
JOEY MANAHAN  
RON MENOR  
KYMBERLY MARCOS PINE  
HEIDI TSUNEYOSHI  
TOMMY WATERS

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## JOURNAL

REGULAR MEETING  
27TH SESSION  
WEDNESDAY, APRIL 15, 2020

CITY COUNCIL CHAMBER  
3<sup>RD</sup> FLOOR, HONOLULU HALE  
HONOLULU, HAWAII 96813

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

### CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ikaika Anderson, at 10:12 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

There were no guests.

### APPROVAL OF MINUTES

Councilmember Kobayashi moved that the Minutes of the 24<sup>th</sup>, 25<sup>th</sup> and 26<sup>th</sup> Sessions 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.

### **ORDER OF THE DAY**

### **DISCUSSION**

#### **UPDATE FROM THE ADMINISTRATION ON COVID-19 RELATED EXPENDITURES AND BUDGETARY IMPACTS; EXPERIENCED AND PROJECTED.**

Gary Kurokawa, Chief of Staff gave an update of the expenditures relating to the COVID-19 pandemic. He stated that the City has spent between \$3.5 to 4 million which does not include overtime for staff. The expenses were mainly for sanitation and personal protective equipment (PPE) for the emergency responders and sanitation of which a large part was for cleaning the buses and handi-vans. The City applied for the CARES Act funding and should receive approximately \$387 million. The City did engage with the Federal government for clarification and guidelines on what the monies could be used for.

Nelson Koyanagi, Director, Department of Budget and Fiscal Services (BFS) stated that each state gets an allocation from the CARES Act. The State of Hawaii will get \$1.25 billion. He also noted that any city or county that has a population of over 500,000 can request the money be directly deposited into their account. The \$387 million will be coming soon and will be deposited into the City's account. In addition, the City will be receiving \$90.8 million transportation grant from the Federal Transit Administration. The Department of Community Services and the Department of Budget and Fiscal Services have been working with the Department of Housing and Urban Development to get Community Development Block Grant monies.

In response to councilmembers, Gary Kurokawa, Chief of Staff and Nelson Koyanagi, Director, BFS stated that:

- The monies can be used for 5307 funding which is operation and equipment acquisition. The timeframe to use the funds is between March 1, 2020 and December 31, 2020. Any monies not expended will need to be returned to the Federal government.
- Approximately 3 percent of the workforce is unable to work from home. Some are helping at the City phone bank and the Administration is looking at other areas they can be of assistance, like food deliveries or helping non-profits.
- The Administration's understanding of the Heroes Program was to provide a place of respite for first responders who did not test positive.
- The Administration is looking at allocating some of the money from the CARES Act to set up a resilience office to plan for economic recovery. The City would do testing to obtain data before setting up the office and use some of the money for testing and tracking people with the disease to know where they are in the community, and then plan for the City's recovery.
- None of the Rainy Day Fund has been spent. The Departments were asked to find savings in their budget for COVID related expenses. When the CARES Act money is received the Departments can be reimbursed.
- The Administration asked the Departments to submit their plans to utilize the CARES Act money.
- The Administration believes that 30 to 40 percent of the monies would be for police, fire, EMS or lifeguards; 38 to 40 percent would be for community services; with the remainder for equipment and other small expenses.
- The money is to be used for COVID-related expenses so it could not be used to replace property tax revenues. The Administration will send the Council a summary from the Congressional delegation that shows the source of the monies.
- The Administration is asking the Corporation Counsel to clarify the process. This would probably be considered multi-purpose money, but because of the tight timeframe, Chief of Staff Kurokawa stated he sent a memo to the Mayor and because of the Governor's proclamation, that provision has been waived so the money will be deposited and the City can begin spending it.

- The State has a different type of cash flow than the City for their budget. The State relies on Transient Accommodations Tax which is almost non-existent. The City's main source of revenue is real property taxes which were collected in February so the City will be funded until June.
- The City needs to be careful and watch to make sure there is enough cash to operate the City and at this time there is enough. The real property tax collection in August will show if there still is enough cash to operate the City. The Administration needs to find a balance on how to help taxpayers but be able to continue to run the City. Hopefully the COVID money can help some of the small businesses.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Rick Egged, Waikiki Improvement Association (General comment)

**PUBLIC HEARING/RESOLUTION**  
**RESOLUTION 20-64**

RESOLUTION DETERMINING THE REAL PROPERTY TAX RATES FOR THE CITY AND COUNTY OF HONOLULU FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

The following individual testified:

Natalie Iwasa (Oppose)

Chair Anderson referred Resolution 20-64 to the Committee on Budget for further consideration.

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

Related communications:

M-194 Testimony on Resolution 20-64  
M-207 Testimony on Resolution 20-64

**PUBLIC HEARING/SECOND READING**  
**BILL 19**

A BILL FOR AN ORDINANCE RELATING TO THE LEGISLATIVE BUDGET FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

Councilmember Manahan moved that Bill 19 pass second reading. Seconded by Councilmember Elefante.

The following individuals testified:

1. Barbara Armentrout (General comment)
2. Natalie Iwasa (General comment)

In response to Councilmember Pine, Chair Anderson stated that the Resolution includes pay raises for legislative staff. He noted that when the Legislative budget was prepared in November-December 2019, pay increases for the legislative staff were included, but the world situation has changed, and the pay increases have been discussed with the Budget Chair.

Councilmember Pine stated that she will respectfully vote no. She noted that there was no time to make changes to the budget and that this does not reflect how councilmembers feel. Councilmember Pine stated that she has been receiving calls from constituents saying they cannot pay for rent, food and medicine. She noted that this is not the time to use taxpayer's money for pay raises and until we get out of this crisis, people would understand the position taken.

Chair Anderson stated that when the budget comes back for third reading, he expects that there will be changes made.

Councilmember Tsuneyoshi shared the sentiments of Councilmember Pine and the testifiers that this is a good time for councilmembers to reflect on the fiscally responsible activities and try to decrease the budget. She stated that she looks forward to changes being made to the Legislative budget.

Chair Anderson thanked Councilmember Manahan for working with his office and looks forward to continued discussions.

Bill 19 passed second reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,  
TSUNEYOSHI\*, WATERS, ANDERSON – 8.  
NOES: PINE – 1.

\*Councilmember Tsuneyoshi voted aye with reservations.

Related communications:

M-195 Testimony on Bill 19  
M-208 Testimony on Bill 19

**PUBLIC HEARING/SECOND READING**  
**BILL 20**

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

Councilmember Manahan moved that Bill 20 pass second reading. Seconded by Councilmember Elefante.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Choon James (General comment)

Councilmember Tsuneyoshi stated that the budget includes a 5.1 percent increase and she submitted amendments to bring that number down. She asked for a representative from the Department of Transportation Services or the Honolulu Authority for Rapid Transportation to answer questions on line items in their budget and if those numbers can be brought down to the same amount as the last budget.

Bill 20 passed second reading.

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

\*Councilmember Tsuneyoshi voted aye with reservations.

Related communications:

M-202          Testimony on Bill 20  
M-209          Testimony on Bill 20

**PUBLIC HEARING/SECOND READING**  
**BILL 21**

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

Councilmember Manahan moved that Bill 21 pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (General comment)

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

- The \$26 million represents the City subsidy in the Honolulu Authority for Rapid Transportation (HART) Recovery Plan. That is the amount that the Federal Transit Authority (FTA) has required the City to pay every year and that is why the \$26 million is in Fiscal Year 2021.
- The \$26 million is not part of the Capital Improvement Project (CIP) program. This is a payment to HART for their capital program. The \$26 million is in the capital budget because the City will make the payment by using General Obligation bonds and provide the cash to HART to be used for capital purposes only. There is a third party that reviews, on an annual basis, that the money is used for capital purposes only.

In response to Councilmember Tsuneyoshi, Ruth Lohr, Chief Financial Officer, Honolulu Authority for Rapid Transportation stated that:

- HART is spending down the money according to what is in compliance with the Internal Revenue Service (IRS) rules, and personnel costs are inclusive to that. The money was used for the capital portion of the project.

- As required, HART provides a report to the third party for review of the monies being spent down. A report can also be provided to the Council.

In response to Councilmember Tsuneyoshi, Director Koyanagi stated that the personnel costs that Ms. Lohr is referring to are costs related directly to construction. As an example, an engineer that is doing work on the project can be paid with bonds because that is a capital cost.

At this juncture, the Chair returned to Bill 20 for questioning of the Department of Transportation Services.

#### **PUBLIC HEARING/SECOND READING** **BILL 20**

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

In response to Councilmember Tsuneyoshi, Wes Fryszacki, Director, Department of Transportation Services stated that:

- Object code 3049 consists of rail operations and maintenance, the Hitachi P3 contractor, landscaping, level 2 security guideway maintenance, elevated facility inspection services to ensure safety and integrity of rail related structures and to construct temporary overflow gravel parking. One component in object code 3049 is a monthly payment that is required to be paid to Hitachi Rail Honolulu Joint Venture (HRHJV). In addition, there were certain items not in the original scope.
- The new P3 will absorb a lot of additional things that the Hitachi contract did not include. If there is a gap when the City becomes responsible for the system and the P3 preferred operator is selected, the \$40 million is to provide security for the system. This amount is not part of the P3 or the current HRHJV contract.
- The HOLO card and the electronic fare collection are two different systems. One refers to the equipment and the other refers to the management of the program.
- He will be presenting a more fiscally responsible budget.

At this juncture, the Chair returned to Bill 21.

**PUBLIC HEARING/SECOND READING**  
**BILL 21**

A BILL FOR AN ORDINANCE RELATING TO THE EXECUTIVE OPERATING BUDGET AND PROGRAM FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

Councilmember Manahan stated that the Budget Committee is going to have their work cut out for them because the revenue assumptions are not going to move forward for this fiscal year as mentioned by the Budget Director. The Budget Committee is looking at making an adjustment of over \$100 million and cuts of 5 percent across the board.

Bill 21 passed second reading.

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

\*Councilmember Tsuneyoshi voted aye with reservations.

Related communications:

M-203 Testimony on Bill 21  
M-210 Testimony on Bill 21

**PUBLIC HEARING/SECOND READING**  
**BILL 22**

A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY AND COUNTY OF HONOLULU IN A MAXIMUM PRINCIPAL AMOUNT EQUAL TO THE AGGREGATE OF THE AMOUNTS APPROPRIATED IN THE CAPITAL BUDGET ORDINANCE OF SAID CITY AND COUNTY FOR THE FISCAL YEAR ENDING JUNE 30, 2021, AND SPECIFIED IN SAID ORDINANCE TO BE FINANCED FROM THE PROCEEDS OF THE SALE OF SUCH BONDS AND TO BE EXPENDED FROM THE GENERAL IMPROVEMENT BOND FUND, THE HIGHWAY IMPROVEMENT BOND FUND, SOLID WASTE IMPROVEMENT BOND FUND, OR THE HOUSING DEVELOPMENT SPECIAL FUND.

Councilmember Manahan moved that Bill 22 pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (General comment)

Bill 22 passed second reading.

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

\*Councilmember Tsuneyoshi voted aye with reservations.

**PUBLIC HEARING/SECOND READING**  
**BILL 24**

A BILL FOR AN ORDINANCE RELATING TO FUNDS.

Councilmember Manahan moved that Bill 24 pass second reading. Seconded by Councilmember Elefante.

In response to Councilmember Tsuneyoshi, Wes Fryszacki, Director, Department of Transportation Services stated that Bill 24 makes an administrative change from the Bus Transportation Fund to a Transportation Fund which would include revenue from rail operations.

In response to Councilmember Tsuneyoshi, Nelson Koyanagi, Director, Department of Budget and Fiscal Services stated that all the funds are transportation related so it will go into one fund and within the fund there will be separate accounts to track the bus and handi-van and then rail separately. The system allows for separate revenue accounts that will consist of specific rail revenue accounts, specific bus revenue accounts so that you can track where the money is coming from and where it is spent.

The following individuals testified:

1. Barbra Armentrout (General comment)
2. Choon James (General comment)

Bill 24 passed second reading.

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

NOES: None.

Related communication:

D-265 Department of Transportation Services

**PUBLIC HEARING/SECOND READING**

**BILL 25**

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

Councilmember Manahan moved that Bill 25 pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Bill 25 passed second reading.

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

NOES: None.

Related communication:

M-211 Testimony on Bill 25

**PUBLIC HEARING/SECOND READING**

**BILL 26**

A BILL FOR AN ORDINANCE RELATING TO FEES FOR CERTAIN PERMITS AND SERVICES ADMINISTERED BY THE DEPARTMENT OF PLANNING AND PERMITTING.

Councilmember Manahan moved that Bill 26 pass second reading. Seconded by Councilmember Elefante.

There was no public testimony.

Bill 26 passed second reading.

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

NOES: None.

\*Councilmembers Fukunaga and Pine voted aye with reservations.

Related communication:

M-212 Testimony on Bill 26

**PUBLIC HEARING/SECOND READING**  
**BILL 27**

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION OPERATING BUDGET FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

Councilmember Manahan moved that Bill 27 pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (General comment)

In response to Councilmember Tsuneyoshi, Andrew Robbins, Executive Director, Honolulu Authority for Rapid Transportation stated that:

- The major increase in the operating budget is due to the need to relocate offices which is an unavoidable expense. It also includes IT which needs to be connected to fiber optic.
- Two years ago, a transition plan was developed from construction to operational readiness and activation which is still HART's responsibility to get the trains ready to operate. There is still work that needs to be accomplished by HART personnel to make the system operational and ready to receive the safety certification.

- The plan two years ago was to not hire all the people and the Department of Transportation Services (DTS) would come in with their staff. The budget request from DTS includes staff that will actually be staying once the trains are operating. HART's staff is involved in operational readiness, activation and safety certification. There is still HART staff for the ongoing construction. The project is close to 60 percent complete. All the personnel on both the capital and operating sides are necessary.
- The office relocation has personnel from both DTS and HART and that is why both budgets show money for relocation.

In response to councilmembers, Andrew Robbins, Executive Director and Ruth Lohr, Chief Financial Officer, Honolulu Authority for Rapid Transportation stated that:

- The current expenses and equipment items are for items over \$50,000 and are not aligning in Communication 6. HART can provide what amounts make up the object code so the amounts align.
- HART is using a conservative reduction in revenues. This is going to be discussed at the next HART Board meeting. They will be looking at a decrease in next quarter's collections because there tends to be a delay in collection when there is a decrease. For the General Excise Tax (GET) collections, there was a 4 percent increase over last year's March collection which has not been reflected and will be changed along the way. HART is using a more conservative assumption that at the end of March, a 20 to 25 percent reduction in GET and Transient Accommodation Tax (TAT) which means a \$80 million reduction in funding for Fiscal Year 2021.
- HART is looking at how to cover the gap in funding sources and is looking at the stimulus bill. One challenge in cutting the capital budget would be stopping work in certain areas which would result in additional costs because of delays in the current contract.
- The move is required and the biggest increase in the budget and HART is looking to minimize the cost as much as possible. The budget for the move is spread across all the Departments that are involved. The budget was prepared a few months ago and now there is more specific information on the move so they will look for reductions.
- There will be no raises for HART staff.
- HART has been criticized for staff vacancies but is looking to see if they can do without some positions.

- Because of the large decrease in the next two quarters from the GET and TAT collections, HART would need a supplement if there is no cash flow or disbursements from the Federal government. If HART does not have the first \$100 million identified in the Recovery Plan, they would have to finance the amount to cover the cash flow. HART is working to get the financing information to the Federal government.

Bill 27 passed second reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
WATERS, ANDERSON – 8.  
NOES: TSUNEYOSHI – 1.

**PUBLIC HEARING/SECOND READING**  
**BILL 28**

A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR JULY 1, 2020 TO JUNE 30, 2021.

Councilmember Manahan moved that Bill 28 pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (General comment)

In response to councilmembers, Andrew Robbins, Executive Director and Ruth Lohr, Chief Operating Office, Honolulu Authority for Rapid Transportation (HART) stated that:

- HART is trying to get a contract for signalized crossing. Because it is a safety issue, it would need to be installed before the interim service begins. HART works closely with DTS and will look at other funding sources to restore some projects that have merit.
- HART has been working with the bidders for the P3 contract and was ready to receive bids at the end of the month but because of the COVID-19 situation, they met with the City and determined to grant an extension. He will meet with the Board tomorrow and ask for a three month extension which will bring the due date from April 22 to July 27.

- There are no construction capital costs in the Fiscal Year 2021 budget. The project is over 60 percent complete. Last year's CIP budget was around \$2.4 billion and this year it is closer to \$878 million. HART will provide a breakdown as to what is remaining to fund for next fiscal year.

Bill 28 passed second reading.

AYES: ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, PINE,  
WATERS, ANDERSON – 8.  
NOES: TSUNEYOSHI – 1.

**PUBLIC HEARING/SECOND READING**  
**BILL 29**

A BILL FOR AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS AND BOND ANTICIPATION NOTES OF THE CITY AND COUNTY OF HONOLULU IN A MAXIMUM PRINCIPAL AMOUNT EQUAL TO THE AGGREGATE OF THE AMOUNTS APPROPRIATED FOR THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET PROJECTS IN THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET AND PROGRAM ORDINANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2021, AND SPECIFIED IN SAID ORDINANCE TO BE FINANCED FROM THE PROCEEDS OF THE SALE OF SUCH BONDS AND TO BE EXPENDED FROM THE TRANSIT IMPROVEMENT BOND FUND.

Councilmember Manahan moved that Bill 29 pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

Natalie Iwasa (General comment)

Bill 29 passed second reading.

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

**PUBLIC HEARING/SECOND READING**  
**BILL 36**

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A BILL FOR AN ORDINANCE RELATING TO FUNDS.

Councilmember Manahan moved that Bill 36 pass second reading. Seconded by Councilmember Elefante.

The following individual testified:

Barbra Armentrout (General comment)

Bill 36 passed second reading.

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

NOES: None.

Related communication:

D-266 Department of Transportation Services

**FIRST READING**

**RESOLUTION 20-83**

(Executive Matters and Legal Affairs)

RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973 (2017 EDITION), AS AMENDED, RELATING TO ETHICS COMMISSION STAFF.

Councilmember Kobayashi moved that Resolution 20-83 pass first reading. Seconded by Councilmember Fukunaga.

**RECESS/RECONVENE**

At 12:22 p.m., the Chair called for a short recess and reconvened the meeting at 12:24 p.m.

The following individual testified:

Jan Yamane, Executive Director, Ethics Commission (D-263) (Support)

Resolution 20-83 passed first reading.

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

NOES: None.

Related communication:

M-206 Resolution 20-83

**FIRST READING**

BILL 40

(Budget)

A BILL FOR AN ORDINANCE RELATING TO COMMUNITY WORKFORCE AGREEMENTS.

Councilmember Kobayashi moved that Bill 40 pass first reading. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Tsuneyoshi stated that the Bill relates to changes to Ordinance 19-24 and noted that there were discussions about packaging the work force agreement. She stated that she looks forward to hearing from the industry and the Administration on how they feel about the new changes to the work force agreement package.

Bill 40 passed first reading.

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

NOES: None.

Related communications:

M-204 Testimony on Bill 40

M-213 Testimony on Bill 40

**FIRST READING**

**BILL 41**

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAXATION.

Councilmember Kobayashi moved that Bill 41 pass first reading. Seconded by Councilmember Fukunaga.

The following individual testified:

Choon James (General comment)

Councilmember Tsuneyoshi stated that she looks forward to more discussion on how to help businesses and residents during this time of the COVID-19 downturn.

Bill 41 passed first reading.

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

NOES: None.

Related communication:

M-196 Testimony on Bill 41

**BALANCE OF COMMITTEE REPORTS**

**[EMLACR-78](#)**

Request for authorization to settle a case against the City and County of Honolulu entitled Timothy J. Mort and Jodi A. Mort v. City and County of Honolulu, et al.; Civil No. 18-1-2073-12 DEO (Cir. Ct.)

**[EMLACR-79](#)**

Request for authorization to settle a case against the City and County of Honolulu entitled Shannon Gripper; Kelsey Edith Dorogi v. City and County of Honolulu, et al.; Civil No. 17-1-2024-12 JHA (Cir. Ct.)

[EMLACR-80](#)

Request for authorization to settle a case against the City and County of Honolulu entitled Leilani P. Conte v. City and County of Honolulu, Honolulu Police Department; Civil No. 17-1-0540-03 (GWBC) (Cir. Ct.)

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

There was no public testimony.

Councilmember Kobayashi thanked the Chair for putting the items on the agenda. She stated that the first two items relate to properties in Palolo that are being affected by movement of the earth causing the houses to split, destroyed, or fall onto other houses.

The Balance of Committee Reports was adopted.

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

NOES: None.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

**ADOPTION**

**RESOLUTION 20-82**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM BUILD YOUR DREAMS (BYD).

Resolution 20-82 was waived to the Council floor by the Chair of the Committee of Public Safety and Welfare.

Councilmember Kobayashi moved that Resolution 20-82 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Councilmember Manahan expressed his strong support for the Resolution. He stated that the gift to the City is for personal protective equipment for the first responders. Councilmember Manahan noted that the generous gift was donated by Build Your Dreams who is the vendor for the electric busses.

Resolution 20-82 was adopted.

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

Related communication:

CC-107 Councilmember Tommy Waters

**ADOPTION**  
**RESOLUTION 20-92**

RESOLUTION ACCEPTING A GIFT TO THE CITY FROM MR. GEOFFREY LING AND MRS. CYNTHIA WANG.

Councilmember Kobayashi moved that Resolution 20-92 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

Resolution 20-92 was adopted.

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

**ADOPTION**  
**RESOLUTION 20-69, FD1**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT FOR FACILITY EXPANSION AND UPGRADES TO THE SAND ISLAND WASTEWATER TREATMENT PLANT.

Resolution 20-69 was waived to the Council floor by the Chair of the Committee of Zoning, Planning and Housing.

The following amendment was posted on the agenda:

Resolution 20-69, Proposed FD1

Councilmember Kobayashi moved that Resolution 20-69 be adopted. Seconded by Councilmember Fukunaga.

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

- A. Simplifies and clarifies the Project description in the resolution title, first WHEREAS clause, and newly added second WHEREAS clause.
- B. In the fourth WHEREAS clause, provides that the DPP considered any cumulative impacts of the Project and Resolution 20-70, which would approve an SMA Use Permit and Shoreline Setback Variance for improvements and repairs to an existing wastewater outfall pipeline that extends from the Sand Island WWTP to the ocean.
- C. In the fifth WHEREAS clause, adds March 10, 2020 as the date the Council received the DPP's findings and recommendation by Departmental Communication 168 (2020).
- D. In Condition D, provides that all trees on the Project site of at least a two-inch caliper that are removed must be relocated onsite or offsite per a DPP-approved landscape plan or replaced. Removes the requirement that tree replacements have a minimum eight-foot clear trunk height. Also removes the reference to LUO Section 21-9.80-4(f)(2), which applies to the Waikiki Special District.
- E. Makes miscellaneous technical and nonsubstantive amendments.

The following individuals testified:

- 1. Vincent Shigekuni, PBR of Hawaii (General comment)
- 2. Rae Loui, AECOM (General comment)

In response to Councilmember Menor, Kathy Sokugawa, Acting Director, Department of Planning and Permitting stated that there is a requirement that permits should not be segmented but in this case there were two different projects coming in at the same time and on the same property. One project is to improve the plant and the other project is replacing the revetment in terms of protection from beach processes.

Councilmember Manahan thanked Chair Anderson and Chair Emeritus Menor for allowing the Resolution to be heard. He stated that this is a very important project and it is part of the City's economic recovery to keep the labor force working. Councilmember Manahan encouraged councilmembers to support the measure.

Councilmember Elefante noted for the record that he filed a Disclosure of Interest with the City Clerk's Office (CC-110).

Resolution 20-69 was amended to FD1.

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

NOES: None.

Resolution 20-69, FD1 was adopted.

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

NOES: None.

Related communications:

CC-106 Councilmember Ron Menor  
D-264 Department of Environmental Services

## **ADOPTION**

### **RESOLUTION 20-70, FD1**

RESOLUTION GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT AND SHORELINE SETBACK VARIANCE FOR IMPROVEMENTS AND REPAIRS TO THE ONSHORE SEGMENT OF AN EXISTING WASTEWATER OUTFALL PIPELINE ON SAND ISLAND.

Resolution 20-70 was waived to the Council floor by the Chair of the Committee of Zoning, Planning and Housing.

The following amendment was posted on the agenda:

Resolution 20-70, Proposed FD1

Councilmember Kobayashi moved that Resolution 20-70 be adopted. Seconded by Councilmember Fukunaga.

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

- A. Simplifies and clarifies the Project description in the resolution title, first WHEREAS clause, and newly added second WHEREAS clause.
- B. In the fourth WHEREAS clause, adds references to ROH Section 23-1.9 and HRS Section 205A-46, and provides that the DPP considered any cumulative impacts of the Project and Resolution 20-69, which would approve an SMA Use Permit for facility upgrades to the City's Sand Island Wastewater Treatment Plant.
- C. In the fifth WHEREAS clause, adds March 10, 2020, as the date the Council received the DPP's findings and recommendation by Departmental Communication 169 (2020).
- D. Combines Conditions A and B into one condition relating to general conformity, and revises the condition to conform to the standard language for the condition. Redesignates subsequent conditions accordingly.
- E. Clarifies realphabetized Condition C, relating to protection of the white tern and Hawaiian hoary bat habitats during construction.
- F. In realphabetized Condition E, clarifies that all construction activity is restricted to daylight hours (instead of prohibiting construction activity during nighttime hours).
- G. Makes miscellaneous technical and nonsubstantive amendments.

The following individual testified:

Carlos Kelton, SSFM International (General comment)

Resolution 20-70 was amended to FD1.

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

NOES: None.

Resolution 20-70, FD1 was adopted.

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

NOES: None.

Related communication:

CC-108 Councilmember Ron Menor

## **RECESS/RECONVENE**

At 12:46 p.m., the Chair called for a recess as noted on the agenda. With 6 members present (Excused: Fukunaga, Manahan, Waters – 3), the Chair reconvened the meeting at 1:27 p.m.

## **ADOPTION**

### **RESOLUTION 20-81**

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S LIST OF FEDERAL TRANSIT ADMINISTRATION AND FEDERAL HIGHWAY ADMINISTRATION CANDIDATE PROJECTS IN THE FEDERAL FISCAL YEARS 2019-2022 TRANSPORTATION IMPROVEMENT PROGRAM.

Resolution 20-81 was waived to the Council floor by the Chair of the Committee of Transportation.

Councilmember Kobayashi moved that Resolution 20-81 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Resolution 20-81 was adopted.

AYES: ELEFANTE, KOBAYASHI, MENOR, PINE, TSUNEYOSHI, ANDERSON – 6.  
NOES: None.  
ABSENT: FUKUNAGA, MANAHAN, WATERS – 3.

Related communication:

CC-103 Councilmember Brandon Elefante

**ADOPTION**  
**RESOLUTION 20-85**

RESOLUTION URGING THE CITY ADMINISTRATION TO STREAMLINE THE BUILDING PERMIT APPLICATION REVIEW AND APPROVAL PROCESS TO ENHANCE ECONOMIC RECOVERY FROM THE EFFECTS OF THE COVID-19 PANDEMIC.

Councilmember Kobayashi moved that Resolution 20-85 be adopted. Seconded by Councilmember Tsuneyoshi.

The following individual testified:

Randy Trager, Trager Design (M-197) (Support)

Councilmember Pine stated that she introduced the Resolution at the request of some in the building industry who are still struggling to get their permits on time. She noted that the Department of Planning and Permitting has not implemented the recommendations made by the City Council and stated that the Mayor can use his emergency powers to use the funds that the Council provided to hire additional consultants to assist in streamlining the permit process. Councilmember Pine stated that this is part of the economy that is going to keep people working. She asked for councilmembers to support the measure.

Resolution 20-85 was adopted.

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

Related communications:

M-197        Testimony on Resolution 20-85  
M-214        Testimony on Resolution 20-85

**ADOPTION**  
**RESOLUTION 20-86**

RESOLUTION URGING THE MAYOR TO UTILIZE THE EMERGENCY POWERS AUTHORIZED BY THE PROCLAIMED STATE AND CITY STATES OF EMERGENCY DUE TO THE COVID-19 PANDEMIC TO PROVIDE IMMEDIATE EMERGENCY HOUSING AND PUBLIC HEALTH INFRASTRUCTURE.

Councilmember Kobayashi moved that Resolution 20-86 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Councilmember Pine voiced her support for the Resolution that she co-sponsored with Chair Anderson. She stated that there was effort by the affordable housing community and the homeless advocate community to look at Kauhale as the future of housing in Hawaii. Councilmember Pine stated that the Mayor has access to \$387 million in funding and this measure supports a housing solution that is affordable and could help to end homelessness in Hawaii. She urged councilmembers to support the measure.

Resolution 20-86 was adopted.

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

Related communication:

M-198        Testimony on Resolution 20-86

**ADOPTION**  
**RESOLUTION 20-87**

RESOLUTION APPROVING THE REPROGRAMMING OF FUNDS TO REINSTATE FUNDING FOR PROJECTS IDENTIFIED IN THE CITY AND COUNTY OF HONOLULU'S TWENTY-SECOND (22ND) AND TWENTY-THIRD (23RD) YEAR ACTION PLANS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), HOUSING TRUST FUND (HTF), EMERGENCY SOLUTIONS GRANTS (ESG) AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS, FOR THE PURPOSES AND AMOUNTS ORIGINALLY SPECIFIED.

Councilmember Kobayashi moved that Resolution 20-87 be adopted. Seconded by Councilmember Tsuneyoshi.

There was no public testimony.

Resolution 20-87 was adopted.

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

**ADOPTION**  
**RESOLUTION 20-88**

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S TWENTY-THIRD (23RD) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), HOUSING TRUST FUND (HTF), EMERGENCY SOLUTIONS GRANTS (ESG) AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Councilmember Kobayashi moved that Resolution 20-88 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Resolution 20-88 was adopted.

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

NOES: None.

ABSENT: FUKUNAGA – 1.

**ADOPTION**

**RESOLUTION 20-89**

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S TWENTY-FIFTH (25TH) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), HOUSING TRUST FUND (HTF), EMERGENCY SOLUTIONS GRANTS (ESG) AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Councilmember Kobayashi moved that Resolution 20-89 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Resolution 20-89 was adopted.

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

NOES: None.

ABSENT: FUKUNAGA – 1.

**ADOPTION**

**RESOLUTION 20-90**

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S TWENTY-FOURTH (24TH) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), HOUSING TRUST FUND (HTF), EMERGENCY SOLUTIONS GRANTS (ESG) AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Councilmember Kobayashi moved that Resolution 20-90 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Resolution 20-90 was adopted.

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

NOES: None.

ABSENT: FUKUNAGA – 1.

**ADOPTION**  
**RESOLUTION 20-91**

RESOLUTION APPROVING AN AMENDMENT TO THE CITY AND COUNTY OF HONOLULU'S TWENTY-FIFTH (25TH) YEAR ACTION PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIPS (HOME), HOUSING TRUST FUND (HTF), EMERGENCY SOLUTIONS GRANTS (ESG) AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAM FUNDS, AND AUTHORIZING ITS SUBMITTAL TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Councilmember Kobayashi moved that Resolution 20-91 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Resolution 20-91 was adopted.

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

NOES: None.

ABSENT: FUKUNAGA – 1.

Related communication:

M-199 Testimony on Resolution 20-91

**ADOPTION**  
**RESOLUTION 20-93, FD1**

RESOLUTION URGING THE HAWAII DEPARTMENT OF HEALTH TO AGGRESSIVELY EXPAND COVID-19 TESTING AND PROVIDE ADEQUATE STAFFING TO ENHANCE TRACKING OF PERSONS WHO HAVE BEEN IN CONTACT WITH INFECTED PERSONS.

The following amendment was handcarried to the meeting:

Resolution 20-93, Proposed FD1 (OCS2020-0401/4/14/2020 4:03 PM)

Councilmember Kobayashi moved that Resolution 20-93 be adopted. Seconded by Councilmember Manahan.

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

- A. Amends the title of the resolution to read: "RESOLUTION URGING THE HAWAII DEPARTMENT OF HEALTH TO AGGRESSIVELY EXPAND COVID-19 TESTING AND PROVIDE ADEQUATE STAFFING TO ENHANCE TRACKING OF PERSONS WHO HAVE BEEN IN CONTACT WITH INFECTED PERSONS."

Makes conforming changes to the 1<sup>st</sup> RESOLVED clause.

- B. Adds a new 13<sup>th</sup> WHEREAS clause addressing the Food and Drug Administration's recent COVID-19-related approvals of a serological antibody test and a rapid portable isothermal test.
- C. Adds a new 14<sup>th</sup> WHEREAS clause addressing Apple's and Google's joint effort to develop a digital contact tracing app.
- D. Amends the 3<sup>rd</sup> RESOLVED clause to add that the State of Hawaii administration is urged to utilize police officers, teachers, and other workers as feasible, as recommended in the UHERO report dated April 3, 2020, for the tracking of contacts of persons infected with COVID-19 and to reach out to Google and Apple regarding possible use of a contact tracing app.
- E. Adds a new 4<sup>th</sup> RESOLVED clause to urging the Hawaii DOH is urged to work with hospitals, laboratories, and health agencies of other governments to expand the State's testing capacity and acquire and utilize state-of-the-art testing technologies, such as serological antibody testing and rapid point-of-care testing machines; and

F. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Councilmember Menor stated that there is a strong consensus among all public officials and health care experts that expanding COVID-19 testing is critical for the long term containment of the virus. He noted that based on the recommendation of medical experts, there needs to be an aggressive testing program. Councilmember Menor urged the Department of Health to look into expanding lab testing capacity to achieve more timely results. He stated that he had a test done in March and it took 14 days for him to receive the result.

Councilmember Waters voiced his strong support for the measure that he co-introduced. He voiced his support to have more testing to help take COVID-19 out. Councilmember Waters stated that he likes the creativity of having Google and Apple trace the applicants; however, he noted that as Natalie Iwasa pointed out this should not be used to trace our citizens' every move.

Resolution 20-93 was amended to FD1 (OCS2020-0401/4/14/2020 4:03 PM)

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

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

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

Resolution 20-93, FD1 was adopted.

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



**ADOPTION**  
RESOLUTION 20-95, FD1

RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO BAN ALL NON-ESSENTIAL TRAVEL TO THE STATE OF HAWAII AND URGING HAWAII'S TOURISM INDUSTRY AND TOURIST ACCOMMODATIONS TO CEASE ALL ACTIVITIES AIMED AT BRINGING VISITORS TO HAWAII DURING THE CURRENT STATE OF EMERGENCY, AND URGING THE GOVERNOR TO MODIFY HIS SECOND AND FOURTH SUPPLEMENTARY PROCLAMATIONS, ALL IN ORDER TO PRESERVE AND PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF HAWAII.

The following amendment was handcarried to the meeting:

Resolution 20-95, Proposed FD1 (OCS2020-0402/4/14/2020 4:00 PM)

Councilmember Kobayashi moved that Resolution 20-95 be adopted. Seconded by Councilmember Manahan.

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

1. Updates the statistics in the bullet points of the last WHEREAS clause on pages 2 and 3 to reflect the most recent figures as of April 13, 2020. Conforms the first full WHEREAS clause on page 3 to this same date.
2. Makes specific references and limitations to "visitors" in the fourth and the last WHEREAS clauses on page 3, and the second and third BE IT FURTHER RESOLVED clauses on page 4.
3. Clarifies in the second BE IT FURTHER RESOLVED clause that visitor accommodations can be short- or long-term visitor accommodations.
4. Amends the third BE IT FURTHER RESOLVED clause to request that the Governor modify his 2nd and 4th Supplementary Proclamations to prohibit visitors from utilizing rentals, including TVUs, B&Bs, and rental units that are operating under a rental agreement whose terms is 30 days or longer, as places to quarantine.
5. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Councilmember Menor stated that the Resolution that he introduced urges the implementation of measures that would further constrict the number of visitors coming into the state, and also supports the position taken by Mayor Caldwell and the mayors of the county of Maui and Kauai requesting the President of the United States to issue an order restricting non-essential travel to Hawaii. He also stated that the measure urges key players in the tourism industry to cease activities aimed at bringing visitors to Hawaii and for the Governor to modify his emergency proclamation to prohibit travelers from utilizing vacation rentals as a place to quarantine. Councilmember Menor urged for the Resolution to be adopted.

Resolution 20-95 was amended to FD1 (OCS2020-0402/4/14/2020 4:00 PM)

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

NOES: None.

ABSENT: FUKUNAGA – 1.

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

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

NOES: None.

ABSENT: FUKUNAGA – 1.

Resolution 20-95, FD1 was adopted.

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

NOES: None.

ABSENT: FUKUNAGA – 1.

Related communication:

M-216 Testimony on Resolution 20-95

**ADOPTION**  
RESOLUTION 20-96, FD1

RESOLUTION REQUESTING THE GOVERNOR TO INSTITUTE AN EMERGENCY MORATORIUM ON COMMERCIAL AND RESIDENTIAL TENANT EVICTIONS AND HOMEOWNER FORECLOSURES BEYOND RELIEF THAT MAY BE PROVIDED BY THE FEDERAL CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT DUE TO STATEWIDE UNEMPLOYMENT AND REDUCED STATE REVENUES ARISING FROM THE OUTBREAK OF THE COVID-19 VIRUS IN THE STATE.

The following amendment was handcarried to the meeting:

Resolution 20-96, Proposed FD1 (OCS2020-0399/4/14/2020 1:35 PM)

Councilmember Kobayashi moved that Resolution 20-96 be adopted. Seconded by Councilmember Manahan.

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

- A. Revises the eighth WHEREAS clause to clarify that the Governor's Third Supplementary Proclamation imposes a stay-at-home order statewide that is similar to the Mayor's March 22, 2020, Emergency Order No. 2020-02, a "STAY AT HOME/WORK FROM HOME ORDER," that required all City residents to remain at home, except to engage in certain specified essential activities, essential governmental functions, or the operation of essential businesses.
- B. Revises the thirteenth WHEREAS clause to note that the Council's concerns arise from the statewide unemployment and business closures, and their impacts upon many Oahu commercial and residential tenants and homeowners not being able to pay their rents or mortgages and facing evictions or foreclosures.
- C. Adds a new seventeenth WHEREAS clause that specifies additional economic impacts that have ensued from the various State and City emergency and stay-at-home orders proscribing travel to non-essential businesses and dining in restaurants and bars, and travel quarantines that have caused the closure of major hotels and resorts, and essentially shutdown the visitor industry, which are critical segments of the State's economy.

- D. Revises the eighteenth WHEREAS clause to clarify that the Council on Revenues lowered revenue projections is due to the overall impacts of COVID-19 on the state's economy.
- E. Revises the last WHEREAS clause to state that in light of the statewide shutdown of non-essential businesses, travel quarantines, and the ensuing increase in the unemployment rate and the drastically reduced State revenue projections, commercial and residential tenants and homeowner mortgagors who are not afforded relief under the CARES Act need relief or protection from evictions or foreclosures for non-payments or delayed payments of rent and mortgage obligations during and immediately following the State's declaration of emergency, which may extend beyond the national state of emergency under the CARES Act, for a sufficient period time in order to allow them time to catch-up on their lease, rental, or mortgage payments.
- F. Revises the BE IT RESOLVED clause to clarify that the request for an emergency order or proclamation instituting a moratorium on all commercial and residential tenant evictions and homeowner mortgagor foreclosures in the State is for non-payments or delayed payments of rent or mortgage obligations that are directly attributable to the COVID-19 health crisis (and to the Governor's and Mayor's proclamations and orders relating thereto), to the extent that such relief or protection is not currently provided under the CARES Act, and to declare the existence of an economic emergency due to the unprecedented level of unemployment claims, business closures, visitor industry shutdown, and severely lowered State revenue projections.
- G. Revises the BE IT FURTHER RESOLVED clause to reiterate that the requested emergency relief beyond the CARES Act will be for the non-payment or delayed payment of rent or mortgage obligations, and to request that the relief period extend beyond the covered period in the CARES Act in order to provide commercial and residential tenants and homeowners sufficient time to bring their lease, rental, or mortgage payments current.
- H. Adds a new BE IT FURTHER RESOLVED clause that requests the Governor, to the extent practicable, to take into consideration, when crafting the order, the adverse impacts the emergency relief may have upon commercial and residential landlords and the mortgage lending industry.
- I. Makes miscellaneous technical and nonsubstantive amendments.

There was no public testimony.

Councilmember Menor stated he introduced the Resolution because of the severe financial hardship that residents and businesses are suffering as a result of the Coronavirus public health crisis. He noted that with the number of people that are unemployed and the businesses that had to close, many will not be able to pay for rent or mortgage which will result in evictions and foreclosures. Councilmember Menor stated that the Federal CARES Act does not extend to approximately 40 percent of homeowners. He urged the Governor to institute an emergency moratorium on commercial and residential tenant evictions for non-payment or delayed payment for a sufficient period of time in order to allow everyone to get back on their feet financially. Councilmember Menor pointed out that Congress will probably take up a fourth economic stimulus bill in the coming weeks and urged the congressional delegation to include the provision for rent and mortgage assistance for tenants and borrowers who are unable to make their payments. He asked councilmembers to support the measure.

Councilmember Kobayashi noted for the record that she filed a Disclosure of Interest with the City Clerk's Office (CC-111).

Resolution 20-96 was amended to FD1 (OCS2020-0399/4/14/2020 1:35 PM)

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

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

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

Resolution 20-96, FD1 was adopted.

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

Related communication:

M-200 Testimony on Resolution 20-96

**APPROVAL**  
**COMMUNICATION D-230**

FROM THE DEPARTMENT OF PLANNING AND PERMITTING, REQUESTING A 120-DAY EXTENSION OF TIME FOR BILL 63 (2019), RELATING TO CONDOMINIUM PROPERTY REGIMES.

Councilmember Kobayashi moved that Communication D-230 be approved. Seconded by Councilmember Fukunaga.

There was no public testimony.

Communication D-230 was approved.

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

NOES: None.

Related communication:

CC-102 Councilmember Ron Menor

**APPROVAL**  
**COMMUNICATION M-187**

FROM PBR HAWAII AND ASSOCIATES, INC., REQUESTING A 210-DAY EXTENSION OF TIME FOR BILL 58 (2019), TO REZONE LAND SITUATED AT HALEIWA, OAHU, HAWAII.

Councilmember Kobayashi moved that Communication M-187 be approved. Seconded by Councilmember Fukunaga.

There was no public testimony.

Communication M-187 was approved.

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

NOES: None.

Related communication:

CC-102 Councilmember Ron Menor

**APPROVAL**  
**COMMUNICATION M-191**

FROM IRIS KAHAULELIO, REQUESTING A 210-DAY EXTENSION OF TIME FOR BILL 18, TO REZONE LAND SITUATED AT WAIALUA, OAHU, HAWAII.

Councilmember Kobayashi moved that Communication M-191 be approved. Seconded by Councilmember Fukunaga.

There was no public testimony.

Communication M-191 was approved.

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

NOES: None.

Related communications:

CC-102 Councilmember Ron Menor  
M-201 Testimony on Communication M-191  
M-217 Testimony on Communication M-191

**APPROVAL**  
**COMMUNICATION M-192**

FROM OCEANIT, REQUESTING A 210-DAY EXTENSION OF TIME FOR RESOLUTION 20-57, GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT AND SHORELINE SETBACK VARIANCE FOR MODIFICATIONS TO THE STORMWATER DRAINAGE SYSTEM ALONG KAWAILOA AND ALALA ROADS IN KAILUA.

Councilmember Kobayashi moved that Communication M-192 be approved. Seconded by Councilmember Fukunaga.

There was no public testimony.

Communication M-192 was approved.

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

NOES: None.

Related communication:

CC-102 Councilmember Ron Menor

### **COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

There was no Executive Session.

### **ANNOUNCEMENTS**

In response to Councilmember Elefante, Chair Anderson stated that the May 6, 2020 Council Meeting will be held at Honolulu Hale.

Councilmember Elefante wished April and Jan of his staff a happy birthday.

Chair Anderson thanked all of the councilmembers' staff and the employees of the Legislative Branch for their continued support in providing excellent service to the people of the City and County of Honolulu. He noted that about a month ago, the Council made a decision to have the majority of their employees work from home which some from the community thought was premature but he believes that it was prudent and timely. Chair Anderson believes that we are still able to move the City forward and will expand the guideline for legislation to be considered by the Council in the future to ensure that to the extent possible we quickly move legislation to improve the resiliency of our City and rebuild our local economy when we can finally reopen for business. He asked councilmembers to continue their hard work. Chair Anderson reiterated that the May 6, 2020 Council Meeting will be held at Honolulu Hale. He also reminded councilmembers that if anyone desires to participate remotely, he has been assured that there is technological capability to do that.

**ADJOURNMENT**

At 2:08 p.m., Councilmember Kobayashi moved that the Council stand adjourned until Wednesday, May 6, 2020, 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:

May 6, 2020