

CITY AFFAIRS UPDATE

KEEPING HONOLULU REALTORS® INFORMED & INVOLVED IN HBR'S PUBLIC POLICY AGENDA

HBR Voter Guide Available

Download a copy of the 2010 Voter Guide featuring candidates for Honolulu City Council. Candidates were allowed up to 100 words to respond to questions impacting the real estate industry. Candidates interested in receiving a contribution from the Realtor Political Action Committee (RPAC) were evaluated on their responses to the questions, participation in HBR-sponsored forums, and other key areas such as electability, viability, political influence and demonstrated leadership.

Currently – six candidates are vying for three open seats after winning the majority of votes in the primary election. If not winning 50 percent plus 1 of the vote in the primary, the top two candidates in each race face off in the general election.

District 2 (Mililani to North Shore to Ahuimanu)

- Ernie Martin
- John White

District 4 (Hawaii Kai to Diamond Head)

- Stanley Chang
- Rich Turbin

District 6 (Kalihi Valley/Kalihi to Papakolea/Pauoa and Downtown)

- Sesnita Moepono
- Tulsi Tamayo

With no competition in the primary race, Breene Harimoto won the District 8 (Pearl City/Aiea) council seat. Please take a moment to learn more about the candidates for City Council and share the voter guide with family, friends and clients. Download the guide at www.hicentral.com.

Primary Election Results for Outgoing Council Members

Due to City and County of Honolulu term limits for Mayor and City Council, a number of elected officials tested their luck at other offices – many unsuccessfully. Leading the headlines were the losses of former Mayor Mufi Hannemann in his gubernatorial race against Neil Abercrombie and acting Mayor Kirk Caldwell's loss to Prosecuting Attorney Peter Carlisle. Former council member Rod Tam did not favor well in his Mayoral bid likely due to ethics violations on his spending habits.

But outgoing council member Donovan Dela Cruz won a very challenging Democratic primary race for the open Senate seat vacated when Robert Bunda ran unsuccessfully for Lt. Governor. Dela Cruz beat out former elected official Gerald Hagino and House majority leader Michael Magaoay who resigned to run for the Senate seat. Dela Cruz had initially indicated interest in running for Lt. Governor and Mayor

Upcoming Council and Committee Meetings

Monday, November 22

- 10:00 a.m. City Council – Morning Session
- 2:00 p.m. City Council – Afternoon Session

Tuesday, November 9

- 9:00 a.m. Committee on Zoning
Chair: Ikaika Anderson
- 1:00 p.m. Committee on Public Infrastructure
Chair: Ann Kobayashi

Wednesday, November 12

- 9:00 a.m. Committee on Budget
Chair: Nestor Garcia
- 1:00 p.m. Committee on Executive Matters & Legal Affairs
Chair: Donovan Dela Cruz

Friday, November 14

- 9:00 a.m. Committee on Planning
Chair: Rod Tam
- 10:30 a.m. Committee on Transportation
Chair: Gary Okino
- 1:00 p.m. Committee on Public Safety & Services
Chair: Lee Donohue
- 2:30 p.m. Boards & Commissions
Chair: Romy Cachola

**City Clerk Furlough—Friday, November 5 & Friday, November 26*

of Honolulu, but instead focused on the open Senate seat which aligns closely with his former council district which may have aided in his name recognition. Dela Cruz now faces a general election opponent.

Losing his bid for the State House was former council member Gary Okino who ran against incumbent Democrat Blake Oshiro for the Aiea house seat. Okino's campaign was heavily focused on an anti-gay/anti-civil union platform after Rep. Oshiro successfully spearheaded passage of a civil union bill in the state house. Oshiro's sound defeat of Okino may be considered a referendum on the issue of equal rights for gays and lesbians, but Oshiro believes that jobs and the economy were the priorities in most people's lives therefore Okino's anti-civil unions message failed to resonate with voters in the district.

Bill 35 Eliminates Homeowner Classification

Council member Todd Apo – as one of his outgoing initiatives – introduced Bill 35 to eliminate the homeowner/non-homeowner real property tax classification established a year ago. The bill will return the property tax classification to its former designation as “residential” and removes the distinction based on occupancy which was rife with problems. Councilmembers Donovan Dela Cruz and Ann

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Kobayashi had previously introduced Bill 21 to revise the definition of properties eligible for the homeowner class in order to clarify that properties improved with more than one dwelling, such as ohana dwellings, are eligible for the homeowner class. The homeowner class was a means of reducing tax rates for owner occupants, but one of the qualifications for the homeowner class was that the property has a home exemption for each dwelling unit on the parcel. In the administration's implementation of Ordinance 09-32, the requirements for the homeowner class for properties improved with two or more homes has caused confusion amongst home owners therefore Apo's proposal attempts to remove the new classification.

Resolution 269 Calls for Audit of Real Property Assessment Division

Council member Donovan Dele Cruz has introduced a resolution requesting an audit of the real property tax division. According to "2009 Departmental and Agency Reports of the City and County of Honolulu," the real property assessment division of the department of budget and fiscal services ensures real property assessment values are fair and equitable, based on market value and in accordance to applicable standards and laws. The report also states that the division's mission is to annually provide the city council with a certified assessment roll, which the council uses to set the tax rates for the various land classes and generate property tax revenues for the city. Since real property taxes are the primary source of revenues for the city, the council needs assurance that the certified assessment roll is accurate because they rely on this information to set the real property tax rates at appropriate levels. Concerns have been raised resulting from the real property tax assessment division's reclassification of a number of properties from residential to the industrial or commercial class of real property after many years of classification as residential. Delacruz's bill requests that the city auditor conduct a performance audit of the division regarding its process of classification, reclassification, valuation, and assessment of real property for taxation purposes.

Kobayashi Introduces Bill 39 to Regulate Sidewalks

The purpose of Bill 39 is to regulate sidewalk usage to provide for pedestrian safety by establishing a pedestrian use zone. Under federal and state law, local governments have primary responsibility for the management of public sidewalks. The proper regulation of public sidewalks must provide for multiple beneficial uses including the safety of sidewalk users, the efficient movement of people and delivery of goods and services, and access to public spaces for full lawful use. A pedestrian use zone dedicated to, and protected for, the use of pedestrians that allows other

beneficial uses on a substantial portion of adjacent sidewalk or by permit or proper exception would serve compelling interests of the City in high pedestrian traffic areas. It is important that the public be able to use sidewalks as places of permitted commerce and to socialize, gather and speak. Public sidewalks are a public service and pedestrian facility that must be designed and operated in compliance with the accessibility standards in the *Architectural Barriers Act of 1968*, the *Rehabilitation Act of 1973 (Section 504)*, and the *Americans with Disabilities Act of 1990*. A pedestrian use zone eight feet wide extending from the frontage line and permitted frontage-side uses would adequately serve the City's compelling need to protect pedestrian travel while providing room for other beneficial uses.

HONOLULU BOARD OF REALTORS® 2010 CITY AFFAIRS COMMITTEE

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