



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

Voting Members:

Andria Tupola, Chair
Carol Fukunaga, Vice Chair
Radiant Cordero
Brandon J.C. Elefante
Esther Kia'āina
Calvin Say
Heidi Tsuneyoshi
Augie Tulba
Tommy Waters

AGENDA

REGULAR MEETING
CITY COUNCIL CHAMBER
TUESDAY, AUGUST 24, 2021
1:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Governor David Ige's Emergency Proclamation Related to the COVID-19 Response, issued on August 5, 2021, in order to allow public participation in a manner consistent with safe practices and social distancing requirements, this meeting will be conducted as a remote meeting by interactive conference technology, with the following procedures in effect for the meeting:

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

Members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast. The meeting will be viewable: (1) by internet live streaming through www.honolulucitycouncil.com and (2) by televised live broadcast on Olelo TV Channel 54.

After the meeting, the meeting will be viewable on demand at <https://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822; charges may apply.

Some Councilmembers and presenters may be participating in the meeting by interactive conference technology from remote locations.

ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. Persons may submit oral testimony remotely through the Webex video conferencing platform. To participate, persons should visit www.webex.com, click "Join," enter meeting number **146 411 1590**, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either phone or video conference. Webex testifiers are strongly

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encouraged to register at least 24 hours before the start of the meeting. Remote testimony will be taken at the start of the agenda and then closed.

2. Each speaker may not have anyone else read their statement and is limited to a one-minute presentation.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826, transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html>, or mailed to Office of the City Clerk, Attention: Information Section, 530 South King Street, Room 100, Honolulu, HI 96813. If submitted, written testimonies, including the testifier's address, email address and phone number, will be available to the public on both the City's Council's pilot website: www.honolulu.citycouncil.com and at <https://hnlidoc.ehawaii.gov>. Written testimony will not be accepted in person at the meeting.

Should you have any questions, please call 768-3825 or send an email to potto1@honolulu.gov.

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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at <https://hnlidoc.ehawaii.gov/hnlidoc/browse/agendas> by clicking on the appropriate Committee meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3825 or send an email to potto1@honolulu.gov at least three working days prior to the meeting.

FOR ACTION

1. **RESOLUTION 21-114 – (FOR CONDEMNATION) ACQUISITION OF EASEMENTS FOR PUBLIC USE.** Providing for the acquisition of easements for public use for the rehabilitation of Numana Road Bridge over Kalihi Stream, Bridge No. 129, located at Kaahaloa, Kupehau, or Laelae, Kalihi Valley, Honolulu, Oahu, to improve service to the residents of the area, and determining and declaring the necessity of the acquisition by eminent domain. (Committee postponed action 6/15/21)

PROPOSED CD1 TO RESOLUTION 21-114 – The CD1 corrects a typographical error to the Tax Map Key for Parcel 3A from 4-1-017-road to 1-4-017-road.

2. **RESOLUTION 21-148 – (FOR CONDEMNATION) ACQUISITION OF LAND FOR PUBLIC USE.** Providing for the acquisition of land for public use of 1615 Ala Wai Boulevard, Parcels 1 and 2 (TMK: 2-6-011-033) and Parcel 3 (TMK: 2-6-011-036), located at Kalia, Waikiki, Honolulu, Oahu to renovate and/or develop affordable rental housing, and determining and declaring the necessity of the acquisition by eminent domain. (Transmitted by Communication D-390)

EXECUTIVE SESSION

The Committee anticipates convening into Executive Session pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), to consult in a closed meeting with the attorneys for the Council's Executive Matters and Legal Affairs Committee on questions and issues pertaining to claims and other matters on the Council's powers, duties, privileges, immunities and/or liabilities.

3. Request for authorization to settle a wrongful termination claim made by Michele K. Nekota against the City and County of Honolulu.
4. Request for authorization to settle a claim made by Chase J. Stanford against the City and County of Honolulu.
5. Request for authorization to settle a case against the City and County of Honolulu entitled Mark Blackburn v. City and County of Honolulu, et al., Civil No. 1-CCV-20-0000989 DEO (Cir. Ct.).
6. Request for authorization to settle a case against the City and County of Honolulu entitled Jay R. Chrisman v. City and County of Honolulu, et al., Civil No. 1CCV-20-0000568 BIA (Cir. Ct.).

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7. Request for authorization to settle a case against the City and County of Honolulu entitled Hakim Ouansafi, et al. v. City and County of Honolulu, et al., Civil No. 18-1-1641-10 JHA (Cir. Ct.).
8. Request for authorization to settle a case against the City and County of Honolulu entitled Rhys Nakakura v. City and County of Honolulu, et al., Civil No. CV19-00320 DKW/KJM (USDC).
9. Request for authorization to settle a case against the City and County of Honolulu entitled Eliana Smaglinski v. City and County of Honolulu, et al., Civil No. 1CCV-19-0002050 (Cir. Ct.).
10. Resolution to retain the legal services of the Law Offices of Cary T. Tanaka as Special Counsel for the City and County of Honolulu, on behalf of Sheldon Watts, in a legal action entitled Melissa-Iris E. Lau, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-20-0001699 (Cir. Ct.) and as Special Counsel to represent Sheldon Watts for all other claims and cases arising from January 28, 2019 incident.
11. Resolution to retain the legal services of Farm Benedict Sugihara A Limited Liability Law Partnership LLP as Special Counsel for the City and County of Honolulu, in a legal action entitled Melissa-Iris E. Lau, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-20-0001699 (Cir. Ct.) and as Special Counsel to represent the City for all other claims and cases arising from January 28, 2019 incident.
12. Request for authorization to settle a claim made by Daniel Grabauskas against the City and County of Honolulu for prior legal expenses incurred in matters relating to the federal investigation of the Honolulu Rail Transit Project.
13. Resolution to retain the legal services of Goodwin Procter LLP as Special Counsel for Daniel Grabauskas in matters relating to the federal investigation of the Honolulu Rail Transit Project.

ANDRIA TUPOLA, Chair
Committee on Executive Matters
and Legal Affairs