



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

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### 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

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## AGENDA

REGULAR MEETING  
CITY COUNCIL CHAMBER  
TUESDAY, SEPTEMBER 21, 2021  
1:00 P.M.

### Webex Link

Meeting Number: 24927926891  
Password: 092121EMLA

### **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](http://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](http://www.webex.com),

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click “Join,” enter meeting number **24927926891**, 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 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. To audio conference on the day of the meeting call **+1-408-418-9388**, enter access code **24927926891**, and numeric password **09212136**.
3. 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 at both <https://hnlidoc.ehawaii.gov> and on the City Council’s pilot website: [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com). 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](mailto: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](mailto:potto1@honolulu.gov) at least three working days prior to the meeting.

**FOR ACTION**

1. **RESOLUTION 21-182 – CHARTER AMENDMENT, PURSUANT TO THE MAYOR’S EXECUTIVE REORGANIZATION AUTHORITY, RELATING TO THE OFFICE OF HOUSING.** Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (2017 Edition), pursuant to the Mayor’s Executive Reorganization Authority, relating to renaming the Office of Housing to the Office of Housing and Homelessness, and adjusting the duties and functions of the Office of Housing to bring focus to addressing homelessness as a community issue. (Transmitted by Communication MM-119)
2. **RESOLUTION 21-156 – CHARTER AMENDMENT RELATING TO THE PLANNING COMMISSION.** Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), relating to membership on the Planning Commission. (Resolution passed First Reading 8/11/21)
3. **RESOLUTION 21-212 – AMENDING SISTER CITY GUIDELINES.** Amending the City’s Policy Guidelines for Sister City Relationships to provide for an establishment and maintenance of Friendship City and Emeritus Relationships to enhance the Sister City Program for Honolulu.
4. **BILL 25 (2021) – RELATING TO ANTI-BIAS AND INCLUSION POLICY.** Establishing a policy of anti-bias and inclusion for all City officers and employees and requiring the establishment of a similar policy by certain private contractors having contracts with the City to promote an environment that embraces diversity and safety for the citizenry and employees of the City. (Bill passed First Reading 5/5/21)

PROPOSED CD1 TO BILL 25 (2021) (Submitted by Councilmember Fukunaga) – The CD1 (OCS2021-0581/6/9/2021 11:27 AM) makes the following amendments:

- A. In SECTION 1, amends the purpose statement to delete the requirement for the establishment of a similar policy by certain private contractors having contracts with the City.
- B. In SECTION 2, in proposed new Sec. 1-\_\_1:
  - (1) Amends the definitions of "Anti-bias" and "Inclusion" to read as follows:

"Anti-bias" means opposing or preventing discrimination against people based on race, color, religion, gender, national origin, age,

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disability, or other protected characteristics, including stereotyped attributions of particular qualities toward an individual or group.

"Inclusion" means creating environments in which any individual or group can, on an ongoing basis, be welcomed, respected, supported, and valued to fully participate.

- (2) Deletes the definitions for "Contractor" and "Public-facing functions."
- C. In SECTION 2, amends proposed new Sec. 1-\_\_3 to (and reletters the subsections accordingly):
- (1) Delete specific descriptions of certain best practices and information from experts required for the training;
  - (2) Change the training requirement from annually to biennially;
  - (3) Delete the requirement that city departments or offices submit quarterly records of those completing the training; and
  - (4) Clarify that the director or director's designee shall retain the training records demonstrating that city officers and employees have received the training provided pursuant to this article.
- D. In SECTION 2, deletes proposed new Sec. 1-\_\_.4 ("Anti-bias and inclusion policy required of contractor") and renumbers the subsequent section accordingly.
- E. In SECTION 3, changes the effective date to a blank (to be filled in during the legislative process).
- F. Makes miscellaneous technical and nonsubstantive amendments.

## 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.

5. Request for authorization to settle a case against the City and County of Honolulu entitled Melissa-Iris E. Lau, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-20-0001699 (Cir. Ct.)
6. Resolution to Request Additional Funds and Extend Time for Contract No. SC-COR-1700063 to continue the services of O'Connor & Dyet, P.C. formerly known as O'Connor & Campbell of Tempe, Arizona, as Special Deputy Corporation Counsel for the Honolulu Police Department and its Custodian(s) of Record in a legal action entitled State of Arizona v. Miti Maugaotega, Criminal No. CR 2010-01172 (Superior Court of the State of Arizona, Pinal County).

ANDRIA TUPOLA, Chair  
Committee on Executive Matters  
and Legal Affairs