



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 Kiaʻāina
Calvin Say
Heidi Tsuneyoshi
Augie Tulba
Tommy Waters

WRITTEN SUMMARY FOR VIDEO RECORD

REGULAR MEETING
TUESDAY, JULY 26, 2022

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of a DVD of the full proceedings of this meeting may be requested by calling the City Clerk's Office at (808) 768-5822 or the video may be viewed at https://honolulu.granicus.com/player/clip/1904?view_id=3&redirect=true.

The time references below indicate the point in the video recording when the stated actions began.

CALL TO ORDER

The regular meeting of the Committee on Executive Matters and Legal Affairs was called to order by Committee Chair Andria Tupola at 1:12 p.m. Councilmembers Elefante, Kiaʻāina, Say, and Tulba were present at the meeting. Councilmembers Cordero, Fukunaga, Tsuneyoshi, and Waters were excused from the meeting. (All Councilmembers are voting members.)

ORDER OF BUSINESS

FOR ACTION

[1:13 p.m.]

1. RESOLUTION 22-153 – COMMITTEE REPORT 192

REAPPOINTMENT OF DAVID B. MONK TO THE ETHICS COMMISSION.
Confirming the reappointment of Mr. David B. Monk to serve on the Ethics Commission of the City and County of Honolulu for a term expiring on December 31, 2026.

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[1:13 p.m.]

There was no public testimony.

[1:20 p.m.]

Resolution 22-153 reported out for adoption.

AYES: ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 5.
NOES: None.
EXCUSED: CORDERO, FUKUNAGA, TSUNEYOSHI, WATERS – 4.

[1:20 p.m.]

2. RESOLUTION 22-168

RECORDS RETENTION SCHEDULE FOR THE LIQUOR COMMISSION.
Authorizing the adoption of the agency-specific records retention schedule for the Honolulu Liquor Commission to allow the Commission to destroy the records on the retention schedule at the end of the stated retention periods.

[1:21 p.m.]

There was no public testimony.

[1:27 p.m.]

Resolution 22-168 amended to CD1 (OCS2022-0612/7/22/2022 9:34 AM).

AYES: ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 5.
NOES: None.
EXCUSED: CORDERO, FUKUNAGA, TSUNEYOSHI, WATERS – 4.

[1:28 p.m.]

Action on Resolution 22-168 postponed to the August 23, 2022 Committee on Executive Matters and Legal Affairs meeting.

AYES: ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 5.
NOES: None.
EXCUSED: CORDERO, FUKUNAGA, TSUNEYOSHI, WATERS – 4.

[1:28 p.m.]

3. BILL 25 (2022) – COMMITTEE REPORT 190

RELATING TO THE NOTARY REQUIREMENT FOR LOBBYIST FILINGS.
Removing the notary requirement for lobbyist filings with the Honolulu Ethics Commission.

[1:28 p.m.]

There was no public testimony.

[1:31 p.m.]

Bill 25 (2022) amended to CD1 (OCS2022-0509/6/15/2022 2:08 PM) and reported out for passage on second reading and scheduling of a public hearing.

AYES: ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 5.
NOES: None.
EXCUSED: CORDERO, FUKUNAGA, TSUNEYOSHI, WATERS – 4.

[1:32 p.m.]

4. BILL 26 (2022) – COMMITTEE REPORT 191

RELATING TO GIFTS. Clarifying gifts to the Mayor, the Prosecuting Attorney, Councilmembers, and City Officers and employees.

[1:32 p.m.]

Committee Chair Tupola proceeded with oral remote testimony via videoconference or phone and in-person testimony in the Council Chamber.

[1:35 p.m.]

Bill 26 (2022) amended to CD1 (OCS2022-0510/6/15/2022 4:16 PM) and reported out for passage on second reading and scheduling of a public hearing.

AYES: ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 5.
NOES: None.
EXCUSED: CORDERO, FUKUNAGA, TSUNEYOSHI, WATERS – 4.

EXECUTIVE SESSION

[1:36 p.m.]

Before convening into Executive Session, Committee Chair Tupola took up the Executive Session items individually to allow for oral public testimony on each item.

5. Request for authorization to settle a case against the City and County of Honolulu entitled Fong Inn Estate Co. LLP v. City and County of Honolulu, et al., Civil No. 1DRC-21-0005172 (Dist. Ct.)

There was no public testimony.

[1:36 p.m.]

6. Request for authorization to settle a case against the City and County of Honolulu entitled Hawaiian Electric Company, Inc. v. Cupid Joseph, et al., Civil No. 1CCV-20-0000600 (Cir. Ct.)

There was no public testimony.

[1:36 p.m.]

Councilmember Cordero entered the Council Chamber.

At 1:37 p.m., with no objections from the six members present (Ayes: Cordero, Elefante, Kia'aina, Say, Tulba, Tupola – 6), the Committee resolved into a closed meeting pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), to consult with the attorneys for the Council's Committee on Executive Matters and Legal Affairs on questions and issues pertaining to claims and other matters on the Council's powers, duties, privileges, immunities and/or liabilities.

MEETING RESUMED IN OPEN SESSION

At 2:00 p.m., with six members present (Cordero, Elefante, Kia'aina, Say, Tulba, Tupola), the Committee resumed the meeting in open session.

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[2:01 p.m.]

5. COMMITTEE REPORT 193

Request for authorization to settle a case against the City and County of Honolulu entitled Fong Inn Estate Co. LLP v. City and County of Honolulu, et al., Civil No. 1DRC-21-0005172 (Dist. Ct.)
Committee Report 193 reported out for adoption.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 6.
NOES: None.
EXCUSED: FUKUNAGA, TSUNEYOSHI, WATERS – 3.

[2:01 p.m.]

6. COMMITTEE REPORT 194

Request for authorization to settle a case against the City and County of Honolulu entitled Hawaiian Electric Company, Inc. v. Cupid Joseph, et al., Civil No. 1CCV-20-0000600 (Cir. Ct.)

Committee Report 194 reported out for adoption.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 6.
NOES: None.
EXCUSED: FUKUNAGA, TSUNEYOSHI, WATERS – 3.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:01 p.m.