



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 23, 2022
10:30 A.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Act 220, Session Laws of Hawaii 2021, in order to allow public participation in a manner consistent with safe COVID-19 practices, 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

The meeting will be viewable: (1) by internet live streaming through <https://www.honolulucitycouncil.org/meetings> or [olelo.org](https://www.olelo.org); (2) by televised live broadcast on 'Ōlelo TV Channel 54; and (3) on the monitor situated outside the Council Chamber. Viewers who experience a loss of viewing signal should try switching to another viewing option.

After the meeting, the meeting will be viewable on demand at <https://www.honolulucitycouncil.org/meetings>. Copies of older meeting videos may be requested by calling the City Clerk's Office at (808) 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:

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

Committee on Executive Matters and Legal Affairs Agenda
Tuesday, August 23, 2022

Remote Testimony

1. Persons may submit oral testimony remotely through the Zoom video conferencing platform. To participate, persons should visit <https://hnldoc.ehawaii.gov/hnldoc/testimony>. Videoconference access information will be provided upon submission of testimony/registration. Zoom testifiers are strongly encouraged to register at least 24 hours before the start of the meeting.
2. To submit oral testimony by phone only, please contact the Council Information Section at (808) 768-5822 to register and obtain telephone access information.

In-Person Testimony in the Council Chamber

Persons may also submit oral testimony in the Council Chamber.

Persons wishing to testify are requested to register by 10:30 a.m. by filling out the registration form in person outside the Council Chamber. Persons who have not registered will be given an opportunity to speak following the oral testimonies of the registered speakers.

Members of the public entering the Council Chamber are requested to spread themselves out. If the Chamber becomes crowded, members of the public may be requested to wait outside the Chamber until called to testify.

Oral testimony, both remote and in-person, on each agenda item will be allowed when the item is taken up, in the following order:

1. **Remote testimony;**
2. **In-person testimony in the Council Chamber.**

WRITTEN TESTIMONY

Written testimony may be uploaded via the internet at <https://hnldoc.ehawaii.gov/hnldoc/testimony>, 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, e-mail address, and phone number, will be available to the public at <https://hnldoc.ehawaii.gov>.

Should you have any questions, please call (808) 768-3825 or send an email to potto1@honolulu.gov.

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Committee on Executive Matters and Legal Affairs Agenda
Tuesday, August 23, 2022

MATERIALS AVAILABLE FOR INSPECTION

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

Accommodations are available upon request to persons with disabilities. Please call (808) 768-3825 or send an email to potto1@honolulu.gov at least three working days prior to the meeting.

FOR ACTION

1. **RESOLUTION 22-168 – AGENCY-SPECIFIC 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. (The Committee amended to CD1 and postponed action on the Resolution at its July 26, 2022 meeting.)

CD1 TO RESOLUTION 22-168 (Approved by the Committee at its July 26, 2022 meeting) – The CD1 (OCS2022-0612/7/22/2022 9:34 AM) makes the following amendments:

- A. Amends the BE IT RESOLVED clause to include the language, "by the Council of the City and County of Honolulu," as required by Section 3-201 of the Revised Charter of the City and County of Honolulu 1978 (2017 Edition.
- B. Amends the third BE IT FURTHER RESOLVED clause to add "except as otherwise provided herein."
- C. Amends the fourth BE IT FURTHER RESOLVED clause to note that the "2016 General Retention Schedule" for City records referenced therein is the Schedule attached to Council Resolution 16-250.
- D. Makes miscellaneous technical and nonsubstantive amendments.

Related communication:

D-591 Department of Budget and Fiscal Services, submitting approval of Resolution 22-168, Proposed CD1

2. **BILL 25 (2022), CD1 – RELATING TO THE NOTARY REQUIREMENT FOR LOBBYIST FILINGS.** Removing the notary requirement for lobbyist filings with the Honolulu Ethics Commission. (Bill passed second reading and public hearing 8/10/22)
3. **BILL 26 (2022), CD1 – RELATING TO GIFTS.** Clarifying gifts to the Mayor, the Prosecuting Attorney, Councilmembers, and City Officers and employees. (Bill passed second reading and public hearing 8/10/22)

Committee on Executive Matters and Legal Affairs Agenda
Tuesday, August 23, 2022

PROPOSED CD2 TO BILL 26 (2022), CD1 (Submitted by Councilmember Tupola)
– The CD2 (OCS2022-0671/8/17/2022 3:41 PM) makes the following amendments:

- A. Removes the "Table of Consanguinity" attached to the bill.
- B. In SECTION 5, makes clear that the ordinance will operate prospectively by providing that it does not apply to gifts solicited, accepted, or received prior to its effective date.
- C. Makes miscellaneous technical and nonsubstantive amendments.

Related communication:

D-589 Honolulu Ethics Commission, submitting testimony on Bill 26 (2022), CD1 with an additional amendment for the August 10, 2022 Council meeting

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.

- 4. Request for authorization to partially settle a case against the City and County of Honolulu entitled The Norman E. Sato Revocable Living Trust, et al. v. City and County of Honolulu, Civil No. 1CCV-21-0000667 (JHA) (Cir. Ct.).
- 5. Request for authorization to settle a claim against the City and County of Honolulu entitled Palolo Chinese Home v. City and County of Honolulu.
- 6. Resolution to request to authorize the Department of the Corporation Counsel to initiate legal action against E.M.O. to recover publicly objectionable license plate FCKBLM.

ANDRIA TUPOLA, Chair
Committee on Executive Matters
and Legal Affairs