



# 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'aina  
Calvin Say  
Heidi Tsuneyoshi  
Augie Tulba  
Tommy Waters

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## WRITTEN SUMMARY FOR VIDEO RECORD

REGULAR MEETING  
TUESDAY, AUGUST 23, 2022

CITY COUNCIL CHAMBER  
3<sup>RD</sup> 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/1920?view\\_id=3&redirect=true&h=3cd5302afca8f59eefe0848091c98be2](https://honolulu.granicus.com/player/clip/1920?view_id=3&redirect=true&h=3cd5302afca8f59eefe0848091c98be2)

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 10:36 a.m. Councilmembers Cordero, Elefante, Kia'aina, Say, and Tulba were present at the meeting. Councilmembers Fukunaga, Tsuneyoshi, and Waters were excused from the meeting. (All Councilmembers are voting members.)

### **ORDER OF BUSINESS**

#### FOR ACTION

[10:37 a.m.]

#### 1. RESOLUTION 22-168 – COMMITTEE REPORT 206

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.

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[10:38 a.m.]

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

[10:38 a.m.]

Committee Chair Tupola noted that the Committee amended the Resolution to a CD1 version at its July 26, 2022 meeting and postponed further action in order to allow time for the Department of Budget and Fiscal Services to respond to the matter.

[10:39 a.m.]

Resolution 22-168, CD1 reported out for adoption.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 6.

NOES: None.

EXCUSED: FUKUNAGA, TSUNEYOSHI, WATERS – 3.

[10:39 a.m.]

2. BILL 25 (2022), CD1 – COMMITTEE REPORT 205

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

[10:40 a.m.]

There was no public testimony.

[10:40 a.m.]

Bill 25 (2022), CD1 reported out for passage on third reading.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA – 6.

NOES: None.

EXCUSED: FUKUNAGA, TSUNEYOSHI, WATERS – 3.

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[10:40 a.m.]

3. BILL 26 (2022), CD1

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

[10:41 a.m.]

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

[10:44 a.m.]

Council Chair Waters entered the Council Chamber.

[10:48 a.m.]

Action on Bill 26 (2022), CD1 postponed to the next Committee on Executive Matters and Legal Affairs meeting on September 20, 2022.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA, WATERS – 7.

NOES: None.

EXCUSED: FUKUNAGA, TSUNEYOSHI – 2.

EXECUTIVE SESSION

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

[10:49 a.m.]

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.)

There was no public testimony.

[10:49 a.m.]

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.

There was no public testimony.

[10:50 a.m.]

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.

There was no public testimony.

At 10:51 a.m., with no objections from the seven members present (Ayes: Cordero, Elefante, Kia'aina, Say, Tulba, Tupola, Waters – 7), 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 11:07 a.m., with seven members present (Cordero, Elefante, Kia'aina, Say, Tulba, Tupola, Waters), the Committee resumed the meeting in open session.

[11:07 a.m.]

#### 4. COMMITTEE REPORT 208

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.)

Committee Report 208 reported out for adoption.

AYES: CORDERO, ELEFANTE, KIA'AINA, SAY, TULBA, TUPOLA, WATERS – 7.

NOES: None.

EXCUSED: FUKUNAGA, TSUNEYOSHI – 2.

[11:07 a.m.]

5. COMMITTEE REPORT 209

Request for authorization to settle a claim against the City and County of Honolulu entitled Palolo Chinese Home v. City and County of Honolulu.

Committee Report 209 reported out for adoption.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA, WATERS – 7.

NOES: None.

EXCUSED: FUKUNAGA, TSUNEYOSHI – 2.

[11:07 a.m.]

6. RESOLUTION 22-208 – COMMITTEE REPORT 207

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.

Resolution 22-208 reported out for adoption.

AYES: CORDERO, ELEFANTE, KIA'ĀINA, SAY, TULBA, TUPOLA, WATERS – 7.

NOES: None.

EXCUSED: FUKUNAGA, TSUNEYOSHI – 2.

[11:08 a.m.]

Committee Chair Tupola announced that a meeting of the Kapiolani Park Trustees would be scheduled for Tuesday, August 30, 2022.

ADJOURNMENT

There being no further business, the meeting was adjourned at 11:08 a.m.