



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

Voting Members:

Tyler Dos Santos-Tam, Chair
Radiant Cordero, Vice Chair
Esther Kia'āina
Val A. Okimoto
Calvin K.Y. Say
Augie Tulba
Andria Tupola
Tommy Waters
Matt Weyer

WRITTEN SUMMARY FOR VIDEO RECORD

REGULAR MEETING
TUESDAY, FEBRUARY 28, 2023

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 768-5822 or the video may be viewed at https://honolulu.granicus.com/player/clip/2039?view_id=3&redirect=true&h=3fef02598270ac655ae05eac005baf66.

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 Tyler Dos Santos-Tam at 1:26 p.m. Councilmembers Tulba, Tupola, Waters, and Weyer were present at the meeting. (All Councilmembers are voting members.)

ORDER OF BUSINESS

FOR ACTION

[1:27 p.m.]

1. RESOLUTION 23-21 – COMMITTEE REPORT 54

AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973. Initiating amendments to the Revised Charter of the City and County of Honolulu 1973, as amended, pursuant to the Mayor's Executive Reorganization Authority, relating to the Department of Budget and Fiscal Services and the Department of Land Management.

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[1: 28 p.m.]

Councilmembers Say entered the Council Chamber.

The following individual testified:

Catherine Taschner, Deputy Director, Department of Land Management (Support)

[1:30 p.m.]

Councilmember Kia'āina entered the Council Chamber.

[1:32 p.m.]

Resolution 23-21 reported out for adoption.

AYES: DOS SANTOS-TAM, KIA'ĀINA, SAY, TULBA, TUPOLA, WATERS,
WEYER – 7.

NOES: None.

ABSENT: CORDERO, OKIMOTO – 2.

[1:33 p.m.]

2. BILL 1 (2023) – COMMITTEE REPORT 51

REPORTING REQUIREMENTS. Directing the Office of Council Services to prepare a consolidated table of reporting requirements found in the Revised Ordinances of Honolulu 2021, and to insert the table in the Revised Ordinance of Honolulu 2021.

There was no public testimony.

[1:34 p.m.]

Bill 1 (2023) reported out for passage on third reading.

AYES: DOS SANTOS-TAM, KIA'ĀINA, SAY, TULBA, TUPOLA, WATERS,
WEYER – 7.

NOES: None.

ABSENT: CORDERO, OKIMOTO – 2.

[1:34 p.m.]

3. BILL 3 (2023) – COMMITTEE REPORT 52

PUBLIC SIDEWALKS. Expanding the commercial areas subject to the City’s current restrictions on persons sitting or lying on public sidewalks in Kapalama and to make non-substantive changes as needed.

The following individuals testified:

1. William Iaela (M-84) (Oppose)
2. Angela Young, CARES (Comment)
3. Carson Peapealalo (M-84) (Comment)
4. Bob Haus (M-84) (Support)
5. Doris Haus (M-84) (Support)

[1: 37 p.m.]

Councilmembers Say exited the Council Chamber.

[1:40 p.m.]

Councilmember Say entered the Council Chamber.

[1:50 p.m.]

Bill 3 (2023) reported out for passage on second reading and scheduling of a public hearing.

AYES: DOS SANTOS-TAM, KIA‘ĀINA*, SAY, TULBA*, TUPOLA*,
WATERS, WEYER* – 7.

NOES: None.

ABSENT: CORDERO, OKIMOTO – 2.

*Ayes with reservations

Related communications:

M-84 Testimony on Bill 3 (2023)

M-96 Testimony on Bill 3 (2023)

[1:53 p.m.]

4. BILL 5 (2023) – COMMITTEE REPORT 53

RELATING TO REPORTING REQUIREMENTS. Adding provisions relating to reporting requirements.

[1:53 p.m.]

There was no public testimony.

[1:53 p.m.]

Councilmember Kia'āina exited the Council Chamber.

[1:53 p.m.]

Bill 5 (2023) reported out for passage on second reading and scheduling of a public hearing.

AYES: DOS SANTOS-TAM, SAY, TULBA, TUPOLA, WATERS,
WEYER – 6.

NOES: None.

ABSENT: CORDERO, KIA'ĀINA, OKIMOTO – 3.

[1:54 p.m.]

5. BILL 57 (2022) – COMMITTEE REPORT 50

PUBLIC CARRY OF FIREARMS. Relating to the public carry of firearms.

[1:55 p.m.]

Councilmember Kia'āina entered the Council Chamber.

[1:57 p.m.]

Councilmember Okimoto entered the Council Chamber.

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[1:58 p.m.]

The following individuals testified:

1. Deb Nehmad, Brady Hawai'i (M-79) (Support)
2. William Iaela (M-79) (Oppose)
3. Sash Fitzsimmons (Oppose)
4. Steven Lee (M-79) (Oppose)
5. Melissa Pavlicek, Everytown for Gun Safety (Support)
6. James Manaku Sr. (Comment)
7. Michael Rice (M-79) (Oppose)
8. Marcus Tanaka (M-79) (Oppose)
9. Osa Tsui, Hawai'i State Teachers Association (M-79) (Support)
10. Jerry Yuen, Pu'u'loa Rifle and Pistol Club (M-79) (Oppose)
11. Cindy McMillan, Hawai'i State Public Library System (M-79) (Support)
12. Dirck Sielken (M-79) (Oppose)
13. Sarah Sumadi, Everytown for Gun Safety (M-79) (Support)
14. Andrew Namiki Roberts, Hawai'i Firearms Coalition (Oppose)
15. Devin Sasai (M-79) (Comment)
16. Kaleo Nakoa (M-79) (Comment)
17. Todd Yukutake (M-79) (Oppose)
18. Angela Young, CARES (M-79) (Support)

[2:08 p.m.]

Councilmember Cordero entered the Council Chamber.

[2:12 p.m.]

Councilmember Okimoto exited the Council Chamber.

[2:14 p.m.]

Councilmember Okimoto entered the Council Chamber.

[2:18 p.m.]

Councilmember Cordero exited the Council Chamber.

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[2:26 p.m.]

Councilmember Weyer exited the Council Chamber.

[2:29 p.m.]

Councilmember Cordero entered the Council Chamber.

[3:01 p.m.]

Bill 57 (2022) amended to CD2 (OCS2023-0202/3/8/2023 9:20 AM) and reported out for passage on third reading.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, SAY*, WATERS – 5.
NOES: OKIMOTO, TULBA, TUPOLA – 3.
ABSENT: WEYER – 1.

*Ayes with reservations

Related communications:

M-79 Testimony on Bill 57 (2022)
M-91 Testimony on Bill 57 (2022)

[3:03 p.m.]

EXECUTIVE SESSION

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

[3:03 p.m.]

6. Request for authorization to settle a case against the City and County of Honolulu entitled Gerard K Puana, et al. v. Katherine P. Kealoha, et al., Civil No. CV16-00659 LEK-WRP (U.S. District Court)

There was no public testimony.

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[3:03 p.m.]

7. Request for authorization to settle a case against the City and County of Honolulu entitled Paulia Gilbert, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000213 (Cir. Ct.)

There was no public testimony.

[3:03 p.m.]

8. Request for authorization to settle a case against the City and County of Honolulu entitled Sarasa Koide Coyle (aka "Sarasa Koide") v. Bank of Hawaii, et al., Civil No. 1CCV-21-0000811 (Cir. Ct.)

There was no public testimony.

[3:03 p.m.]

9. Request for authorization to settle charges of discrimination against the City and County of Honolulu/Honolulu Police Department entitled In re Angela Payne-Vasquez, Charge Nos. 480-2018-00236, 486-2019-00008, 486-2020-00184 (Equal Employment Opportunity Commission)

There was no public testimony.

At 3:04 p.m., with no objections from the nine members present (Ayes: Cordero, Dos Santos-Tam, Kia'aina, Okimoto, Say, Tulba, Tupola, Waters – 8; Excused: Weyer – 1.), 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

With seven members present (Cordero, Dos Santos-Tam, Kia'aina, Okimoto, Say, Tulba, Tupola), the Committee resumed the meeting in open session at 3:58 p.m.

[3:58 p.m.]

6. COMMITTEE REPORT 55

Request for authorization to settle a case against the City and County of Honolulu entitled Gerard K Puana, et al. v. Katherine P. Kealoha, et al., Civil No. CV16-00659 LEK-WRP (U.S. District Court)

Committee Report 55 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TULBA, TUPOLA – 7.
NOES: None.
ABSENT: WATERS, WEYER – 2.

[3:59 p.m.]

7. COMMITTEE REPORT 56

Request for authorization to settle a case against the City and County of Honolulu entitled Paulia Gilbert, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000213 (Cir. Ct.)

Committee Report 56 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TULBA, TUPOLA – 7.
NOES: None.
ABSENT: WATERS, WEYER – 2.

[3:59 p.m.]

8. COMMITTEE REPORT 57

Request for authorization to settle a case against the City and County of Honolulu entitled Sarasa Koide Coyle (aka "Sarasa Koide") v. Bank of Hawaii, et al., Civil No. 1CCV-21-0000811 (Cir. Ct.)

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Committee Report 57 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TULBA, TUPOLA – 7.

NOES: None.

ABSENT: WATERS, WEYER – 2.

[3:59 p.m.]

9. COMMITTEE REPORT 58

Request for authorization to settle charges of discrimination against the City and County of Honolulu/Honolulu Police Department entitled In re Angela Payne-Vasquez, Charge Nos. 480-2018-00236, 486-2019-00008, 486-2020-00184 (Equal Employment Opportunity Commission)

Committee Report 58 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TULBA, TUPOLA – 7.

NOES: None.

ABSENT: WATERS, WEYER – 2.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:00 p.m.