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 Kiaʻāina
Val A. Okimoto
Calvin K.Y. Say
Augie Tulba
Andria Tupola
Tommy Waters
Matt Weyer

WRITTEN SUMMARY FOR VIDEO RECORD

REGULAR MEETING
TUESDAY, JUNE 20, 2023

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 768-5822 or the video may be viewed at https://honolulu.granicus.com/player/clip/2151?view_id=3&redirect=true&h=4ff649b69322ef0955ee6c40baa829c5.

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 1:02 p.m. Councilmembers Cordero, Kiaʻāina, Say, Okimoto, Tulba, Tupola (via videoconference), Waters and Weyer were present at the meeting. (All Councilmembers are voting members.)

ORDER OF BUSINESS

FOR ACTION

[1:04 p.m.]

1. RESOLUTION 23-126 – COMMITTEE REPORT 181

   ACCEPTANCE OF GIFTS (MDO). Accepting a gift to the City from the Honolulu Festival Foundation, valued at $3,500 for the Deputy Managing Director to attend a cultural exchange trip to Japan from July 31, 2023 – August 5, 2023.

[1:05 p.m.]

The following individual testified:

1. Angela Young, CARES (M-341) (Support)

[1:11 p.m.]

Resolution 23-126 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIAʻĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WATERS, WEYER – 9.
NOES: None.

Related communications:

MM-115 Managing Director
M-341 Testimony on Resolution 23-126

[1:11 p.m.]

2. RESOLUTION 23-120 – COMMITTEE REPORT 180

(FOR CONDEMNATION) ACQUISITION OF EASEMENTS FOR PUBLIC USE. Providing for the acquisition of easements for public use for the rehabilitation of Numana Road Bridge over Kalihi Stream, Bridge No. 129, located at Laelae, Kalihi Valley, Honolulu, Oahu, Hawaii and determining and declaring the necessity of the acquisition by eminent domain.

[1:16 p.m.]

There was no public testimony.

[1:17 p.m.]

Resolution 23-120 reported out, in accordance with the City Charter, to be laid over for at least one week following the next Council meeting, that notice thereof be published; and that it thereafter be adopted.

AYES: CORDERO, DOS SANTOS-TAM, KIAʻĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WATERS, WEYER – 9.
NOES: None.

Related communication:

D-355 Design and Construction

[1:17 p.m.]

3. RESOLUTION 23-136 – COMMITTEE REPORT 182

NEIGHBORHOOD BOARD ELECTION PROCEDURES. Urging the Neighborhood Board Commission Office and the Department of Information Technology to provide an update on the status of the neighborhood board election procedures.

[1:33 p.m.]

There was no public testimony.

[1:33 p.m.]

The following individuals testified:

1. Angela Young, Kapalama Neighborhood Security Watch (General comment)

[1:37 p.m.]

Resolution 23-136 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIAʻĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WATERS, WEYER – 9.
NOES: None.

Related communication:

M-324 Testimony on Resolution 23-136

[1:37 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.

[1:38 p.m.]

4. Resolution to Request Additional Funds for Contract No. SC-COR-2200097 to Continue the Services of Farm Benedict Sugihara, a Limited Liability Law Partnership LLP, as Special Counsel to represent Defendants City and County of Honolulu and Susan Ballard in a legal action entitled Debralynn Thomas, Individually and in her capacity as Personal Representative of the Estate of Kyle Thomas v. City and County of Honolulu, et al., Civil No. CV2I-00087 JAO/KJM (USDC).

[1:38 p.m.]

There was no public testimony.

[1:38 p.m.]

5. Request for authorization to settle a claim made by Kelley Ann Y. Puuohau against the City and County of Honolulu.

[1:38 p.m.]

There was no public testimony.

[1:38 p.m.]

6. Resolution to retain the legal services of Lynn E. Panagakos, Attorney at Law, as Special Counsel to represent Defendant Donna Yuk Lan Leong in a matter entitled United States v. Donna Yuk Lan Leong, et al., Criminal No. CR21-00142 LEK (USDC).

[1:38 p.m.]

There was no public testimony.

[1:39 p.m.]

7. Request for authorization to settle a case against the City and County of Honolulu entitled Michael Santucci v. City & County of Honolulu, et al.; Civil No. 22-00142 DKW/KJM (USDC).

[1:39 p.m.]

There was no public testimony.

[1:39 p.m.]

8. Request for authorization to settle a claim made by the Friends of Hanauma Bay against the City and County of Honolulu.

[1:39 p.m.]

There was no public testimony.

At 1:40 p.m., with no objections from the nine members present (Ayes: Cordero, Dos Santos-Tam, Kia‘āina, Okimoto, Say, Tulba, Tupola [via phone], Waters, Weyer – 9.), 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 eight members present (Cordero, Dos Santos-Tam, Kia‘āina, Okimoto, Say, Tulba, Tupola [via videoconference], Waters), the Committee resumed the meeting in open session at 3:03 p.m.

[3:04 p.m.]

4. RESOLUTION 23-141 - COMMITTEE REPORT 183

Resolution to Request Additional Funds for Contract No. SC-COR-2200097 to Continue the Services of Farm Benedict Sugihara, a Limited Liability Law Partnership LLP, as Special Counsel to represent Defendants City and County of Honolulu and Susan Ballard in a legal action entitled Debralynn Thomas, Individually and in her capacity as Personal Representative of the Estate of Kyle Thomas v. City and County of Honolulu, et al., Civil No. CV2I-00087 JAO/KJM (USDC).

5. COMMITTEE REPORT 185

Request for authorization to settle a claim made by Kelley Ann Y. Puuohau against the City and County of Honolulu.

6. RESOLUTION 23-142 - COMMITTEE REPORT 184

Resolution to retain the legal services of Lynn E. Panagakos, Attorney at Law, as Special Counsel to represent Defendant Donna Yuk Lan Leong in a matter entitled United States v. Donna Yuk Lan Leong, et al., Criminal No. CR21-00142 LEK (USDC).

7. COMMITTEE REPORT 186

Request for authorization to settle a case against the City and County of Honolulu entitled Michael Santucci v. City & County of Honolulu, et al.; Civil No. 22-00142 DKW/KJM (USDC).

8. COMMITTEE REPORT 187

Request for authorization to settle a claim made by the Friends of Hanauma Bay against the City and County of Honolulu.

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, June 20, 2023

[3:05 p.m.]

Resolution 23-141, Committee Report 185, Resolution 23-142, Committee Report 186 and Committee Report 187 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIAʻĀINA, OKIMOTO, SAY, TULBA, TUPOLA, WATERS – 8.
NOES: None.
ABSENT: WEYER – 1.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:06 p.m.