



HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

**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, AUGUST 22, 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 808-768-5822 or the video may be viewed at https://honolulu.granicus.com/player/clip/2190?view_id=3&redirect=true&h=5772c4a41484896626bb5a77004f65ed.

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 1:03 p.m. Councilmembers Cordero, Kia'āina, Okimoto, Say, Tulba, Tupola, Waters and Weyer were present at the meeting. (All Councilmembers are voting members.)

ORDER OF BUSINESS

FOR ACTION

[1:05 p.m.]

1. **BILL 44 (2023)**

RELATING TO FALSE STATEMENTS. Deterring persons from making or inciting the making of a false statement to a public servant.

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[1:18 p.m.]

The following individual testified:

Angela Young, CARES (M-451) (General comment)

[1:23 p.m.]

Bill 44 (2023) amended to CD1 (OCS2023-0743/8/16/2023 10:13 AM) and postponed to the next scheduled Committee on Executive Matters and Legal Affairs meeting on Tuesday, September 12, 2023.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TULBA, TUPOLA, WATERS, WEYER – 9.

NOES: None.

Related communication:

M-451 Testimony on Bill 44 (2023)

[1:23 p.m.]

2. BILL 45 (2023) – COMMITTEE REPORT 228

RELATING TO HUMAN RESOURCES. Addressing powers, duties, and functions of the Director of Human Resources.

[1:23 p.m.]

Councilmember Say exited the Council Chamber.

[1:26 p.m.]

Councilmember Say entered the Council Chamber.

[1:43 p.m.]

The following individual testified:

Angela Young, CARES (General comment)

[1:46 p.m.]

Bill 45 (2023) amended to CD1 (OCS2023-0674/7/27/2023 2:41 PM) and reported out for passage on second reading and scheduling of a public hearing.

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

[1:46 p.m.]

3. RESOLUTION 23-170 – COMMITTEE REPORT 230

ANNUAL REPORT ON LONG-TERM POSITION VACANCIES. Requesting the Department of Human Resources to submit an annual report detailing long-term position vacancies.

[1:47 p.m.]

There was no public testimony.

[1:49 p.m.]

Resolution 23-170 reported out for adoption.

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

Related communication:

M-446 Testimony on Resolution 23-170

[1:49 p.m.]

4. RESOLUTION 23-171 – COMMITTEE REPORT 231

ABOLISHMENT OF CITY POSITIONS. Urging the City Administration to establish, in consultation with the public employee unions, a formal policy for the abolishment of City positions.

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[1:52 p.m.]

The following individual testified:

Angela Young, CARES (General comment)

[1:54 p.m.]

Resolution 23-171 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TULBA, TUPOLA, WATERS, WEYER – 9.

NOES: None.

Related communication:

M-468 Testimony on Resolution 23-171

[1:54 p.m.]

5. RESOLUTION 23-172 – COMMITTEE REPORT 232

CONSOLIDATING THE CITY'S FOUR STAND-ALONE, UNLINKED DATABASE SYSTEMS. Urging the City Administration to consolidate the City's four stand-alone, unlinked database systems that are used for the hiring, onboarding, and separation of City personnel.

[2:06 p.m.]

There was no public testimony.

[2:06 p.m.]

Resolution 23-172 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TULBA, TUPOLA, WATERS, WEYER – 9.

NOES: None.

[2:06 p.m.]

6. RESOLUTION 23-173 – COMMITTEE REPORT 233

INCENTIVES AND INCREASE SALARIES FOR HARD-TO-FILL POSITIONS.
Urging the Hawaii State Legislature to adopt legislation to allow City to provide incentives and increase salaries for hard-to-fill positions.

[2:06 p.m.]

Councilmember Cordero exited the Council Chamber.

[2:11 p.m.]

Councilmember Cordero entered the Council Chamber.

[2:29 p.m.]

Councilmember Tulba exited the Council Chamber.

[2:30 p.m.]

There was no public testimony.

[2:30 p.m.]

Resolution 23-173 amended to CD1 (OCS2023-0766/8/17/2023 2:49 PM).

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TUPOLA, WATERS, WEYER – 8.

NOES: None.

ABSENT: TULBA – 1.

Resolution 23-173, CD1 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, KIA'ĀINA, OKIMOTO, SAY,
TUPOLA, WATERS, WEYER* – 8.

NOES: None.

ABSENT: TULBA – 1.

* Councilmember Weyer voted with aye with reservations.

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Related communication:

M-457 Testimony on Resolution 23-173

At this juncture, the Committee Chair took Agenda Item No. 8, Resolution 23-143, out of order.

[2:31 p.m.]

8. RESOLUTION 23-143

APPOINTMENT OF MUHTADIA RICE TO SERVE ON THE ETHICS COMMISSION. Confirming the appointment of Muhtadia Rice to serve on the Ethics Commission of the City and County of Honolulu.

The Committee Chair returned to the agenda order.

[2:32 p.m.]

7. RESOLUTION 23-161 – COMMITTEE REPORT 229

CHARTER AMENDMENTS RELATING TO COMMUNITY-BASED CAPITAL IMPROVEMENT PROJECTS. Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (amended 2017 version), as amended, relating to community-based capital improvement projects.

[2:36 p.m.]

Councilmember Tulba entered the Council Chamber.

[2:41 p.m.]

The following individual testified:

Angela Young, CARES (General comment)

[2:56 p.m.]

Resolution 23-161 reported out for passage on second reading and scheduling of a public hearing.

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

NOES: CORDERO, KIA‘ĀINA, SAY – 3.

*Councilmembers Okimoto, Tulba, Tupola, and Weyer voted aye with reservations.

Related communication:

M-459 Testimony on Resolution 23-161

[2:58 p.m.]

8. RESOLUTION 23-143

APPOINTMENT OF MUHTADIA RICE TO SERVE ON THE ETHICS COMMISSION. Confirming the appointment of Muhtadia Rice to serve on the Ethics Commission of the City and County of Honolulu.

[2:58 p.m.]

There was no public testimony.

Related communications:

MM-122 Office of the Mayor
M-452 Testimony on Resolution 23-143

[2:58 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.

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[2:59 p.m.]

9. Request for authorization to settle a case against the City and County of Honolulu entitled *The Estate of Dana 'O Keakuako 'Ulunakanawai Brown, et al. v. City and County of Honolulu, et al.*, Civil No. CV21-00474 HG/KJM (USDC)

There was no public testimony.

[2:59 p.m.]

10. Request for Authorization to Settle *City and County of Honolulu v. Norman Kwock Keong Nip; et. al.*, Civil No. 1CCV-22-0000422 (Cir. Ct.)

There was no public testimony.

[3:00 p.m.]

11. Request for authorization to settle a claim against the City and County of Honolulu entitled *Robert C. Marvit v. City and County of Honolulu*, Matter ID 23-00845

There was no public testimony.

[3:00 p.m.]

Councilmember Kia'āina exited the Council Chamber.

At 3:01 p.m., with no objections from the eight members present (Ayes: Cordero, Dos Santos-Tam, Okimoto, Say, Tulba, Tupola, Waters, Weyer – 8), 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, Waters), the Committee resumed the meeting in open session at 3:27 p.m.

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[3:27 p.m.]

9. COMMITTEE REPORT 234

Request for authorization to settle a case against the City and County of Honolulu entitled The Estate of Dana 'O Keakuako 'Ulunakanawai Brown, et al. v. City and County of Honolulu, et al., Civil No. CV21-00474 HG/KJM (USDC)

10. COMMITTEE REPORT 235

Request for Authorization to Settle *City and County of Honolulu v. Norman Kwock Keong Nip; et. al.*, Civil No. 1CCV-22-0000422 (Cir. Ct.)

11. COMMITTEE REPORT 236

Request for authorization to settle a claim against the City and County of Honolulu entitled Robert C. Marvit v. City and County of Honolulu, Matter ID 23-00845

[3:28 p.m.]

Committee Report 234, Committee Report 235, and Committee Report 236 reported out for adoption.

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:28 p.m.