



**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

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## **WRITTEN SUMMARY FOR VIDEO RECORD**

REGULAR MEETING  
TUESDAY, SEPTEMBER 12, 2023

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/2218?view\\_id=3&redirect=true&h=b98ab1f1913a23a844286e0d0f1a4685](https://honolulu.granicus.com/player/clip/2218?view_id=3&redirect=true&h=b98ab1f1913a23a844286e0d0f1a4685).

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 Kia'āina, Okimoto, Say, Tulba, Tupola and Waters were present at the meeting. (All Councilmembers are voting members.)

[1:03 p.m.]

Councilmembers Cordero and Weyer entered the Council Chamber.

## ORDER OF BUSINESS

### FOR ACTION

[1:05 p.m.]

1. BILL 45 (2023), CD1 – COMMITTEE REPORT 263

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

[1:07 p.m.]

The following individual testified:

Angela Young, CARES (Support)

[1:09 p.m.]

Bill 45 (2023), CD1 amended to CD2 (OCS2023-0833/9/8/2023 4:19 PM) and reported out for passage on third reading.

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

NOES: None.

Related communication:

D-650 Human Resources

[1:10 p.m.]

2. 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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[1:14 p.m.]

The following individual testified:

Angela Young, CARES (General comment)

[1:21 p.m.]

Action on Bill 44 (2023) postponed to a time and date to be determined by the Committee Chair.

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

NOES: None.

Related communication:

M-505 Testimony on Bill 44 (2023)

[1:21 p.m.]

3. RESOLUTION 23-202 – COMMITTEE REPORT 265

(FOR CONDEMNATION) ACQUISITION OF EASEMENT FOR PUBLIC USE.  
Providing for the acquisition of easements for public use for the rock slide mitigative improvements in the vicinity of Pacific Heights Road Site 070G, located at Kewalo, Pauoa, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition by eminent domain.

[1:23 p.m.]

There was no public testimony.

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[1:30 p.m.]

Resolution 23-202 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, KIA'ĀINA, OKIMOTO, SAY,  
TULBA, TUPOLA, WATERS, WEYER – 9.  
NOES: None.

Related communication:

D-619 Design and Construction

[1:30 p.m.]

4. RESOLUTION 23-143 – COMMITTEE REPORT 264

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 for a term to expire on December 31, 2026.

[1:36 p.m.]

The following individuals testified:

1. Angela Young (Support)
2. Jodi Endicott (Support)

Related communication:

M-497 Testimony on Resolution 23-143

[1:41 p.m.]

Resolution 23-143 reported out for adoption.

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

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Related communications:

M-495 Testimony on Resolution 23-143

M-497 Testimony on Resolution 23-143

[1:41 p.m.]

5. RESOLUTION 23-209 – COMMITTEE REPORT 266

GENERAL CIVICS PROGRAM AT THE COMMUNITY COLLEGES ON O'AHU.  
Urging the Department of Human Resources to work with the University of Hawai'i community colleges system to create a general civics program at the Community Colleges on O'ahu.

[1:45 p.m.]

Councilmember Tulba exited the Council Chamber.

[1:47 p.m.]

Councilmember Tulba entered the Council Chamber.

[1:47 p.m.]

The following individuals testified:

1. Angela Young, CARES (Support)

2. Della Teraoka (M-502) (Support)

[1:54 p.m.]

Resolution 23-209 amended to CD1 (OCS2023-0853/9/14/2023 9:44 AM) and reported out for adoption.

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

NOES: None.

Related communication:

M-502 Testimony on Resolution 23-209

[1:55 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.

[1:55 p.m.]

6. Request for recommendation to settle a case against the City and County of Honolulu entitled James A. Conant, Jr. Trust v. City & County of Honolulu, et al., Civil No. 1CC181001910 (Cir. Ct.)

There was no public testimony.

[1:56 p.m.]

7. Request for authorization to settle a claim against the City and County of Honolulu entitled First Insurance as Subrogee for Merrill Gerard v. City and County of Honolulu, Matter ID 22-02187

There was no public testimony.

[1:56 p.m.]

Council Chair Waters and Councilmember Tupola exited the Council Chamber.

At 1:57 p.m., with no objections from the eight members present (Ayes: Cordero, Dos Santos-Tam, Kia'āina, Okimoto, Say, Tulba, Weyer – 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

With nine members present (Cordero, Dos Santos-Tam, Kia'āina, Okimoto, Say, Tulba, Tupola, Waters, Weyer), the Committee resumed the meeting in open session at 2:17 p.m.

[2:17 p.m.]

6. COMMITTEE REPORT 267

Request for recommendation to settle a case against the City and County of Honolulu entitled James A. Conant, Jr. Trust v. City & County of Honolulu, et al., Civil No. 1CC181001910 (Cir. Ct.)

[2:17 p.m.]

Committee Report 267 reported out for adoption.

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

[2:18 p.m.]

7. COMMITTEE REPORT 268

Request for authorization to settle a claim against the City and County of Honolulu entitled First Insurance as Subrogee for Merrill Gerard v. City and County of Honolulu, Matter ID 22-02187

[2:18 p.m.]

Committee Report 268 reported out for adoption.

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

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:18 p.m.