



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

AGENDA

REGULAR MEETING
CITY COUNCIL CHAMBER
TUESDAY, NOVEMBER 14, 2023
12:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Section 92-3.7, Hawai'i Revised Statutes, this meeting will be conducted as a remote meeting by interactive conference technology, with the following procedures in effect for the meeting:

VIEWING THE MEETING

The meeting will be viewable: (1) by internet live streaming through <https://www.honolulucitycouncil.org/meetings>; (2) by televised live broadcast on 'Ōlelo TV Channel 54; and (3) on the monitor situated outside the Council Chamber. Viewers who experience a loss of viewing signal should try switching to another viewing option.

After the meeting, the meeting will be viewable on demand at <https://www.honolulucitycouncil.org/meetings>. Copies of older meeting videos may be requested by calling the City Clerk's Office at (808) 768-5822, charges may apply.

Some Councilmembers and presenters may be participating in the meeting by interactive conference technology from remote locations.

ORAL TESTIMONY

Oral testimony will be permitted on all items on the agenda. Each speaker may not have anyone else read their statement and is limited to a one-minute presentation.

Remote Testimony

1. For direct access to submit oral testimony call: +1-253-215-8782, enter ID **83981762130** and Passcode **253204**.
2. To testify by videoconference visit: <https://hnlidoc.ehawaii.gov/hnlidoc/testimony>. Videoconference access information will be provided upon registration. Testifiers are encouraged to register/submit testimony at least 24 hours prior to the meeting.

In-Person Testimony in the Council Chamber

Persons wishing to testify are requested to register by 12:00 p.m. by filling out the registration form in person outside the Council Chamber. Persons who have not registered will be given an opportunity to speak following the oral testimonies of the registered speakers.

Oral testimony will be allowed when each agenda item is taken up, in the following order:

- 1. In-person testimony in the Council Chamber;**
- 2. Remote testimony.**

WRITTEN TESTIMONY

Written testimony may be uploaded at <https://hnlldoc.ehawaii.gov/hnlldoc/testimony> or mailed to Office of the City Clerk, Attention: Information Section, 530 South King Street, Room 100, Honolulu, HI 96813. If submitted, written testimonies, including the testifier's address, email address, and phone number, will be available to the public at <https://hnlldoc.ehawaii.gov>.

Should you have any questions, please call (808) 768-9230 or send an email to sherry.arca@honolulu.gov.

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MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at <https://hnlldoc.ehawaii.gov/hnlldoc/browse/agendas> by clicking on the appropriate Committee meeting.

If you need an auxiliary aid/service or other accommodation due to a disability or an interpreter for a language other than English, contact the Office of the City Clerk Information Section at (808) 768-5822 between 7:45 a.m. and 4:30 p.m. or send an email to sherry.arca@honolulu.gov as soon as possible or at least three (3) business days before the scheduled meeting. Requests made as early as possible have a greater likelihood of being fulfilled.

FOR ACTION

1. **RESOLUTION 23-261 – SISTER CITY RELATIONSHIP WITH SHIBUYA, TOKYO, JAPAN.** Establishing a Sister City relationship with Shibuya, Tokyo, Japan. (Transmitted by Communication MM-223)
2. **RESOLUTION 23-239 – CHARTER AMENDMENTS RELATING TO THE QUALIFICATIONS OF THE DIRECTOR OF EMERGENCY MANAGEMENT.** Initiating amendments to the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition), as amended, relating to the qualifications of the Director of Emergency Management. (Resolution passed first reading 10/04/23)
3. **RESOLUTION 23-227 – (FOR CONDEMNATION) ACQUISITION OF LAND FOR PUBLIC USE.** Providing for the acquisition of land for public use of 1421 Pensacola Street, located at Kulaokahua, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition by eminent domain. (Transmitted by Communication D-670)

EXECUTIVE SESSION

The Committee anticipates convening into Executive Session pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), to consult in a closed meeting with the attorneys for the Council's Executive Matters and Legal Affairs Committee on questions and issues pertaining to claims and other matters on the Council's powers, duties, privileges, immunities and/or liabilities.

4. Resolution to Request Additional Funds for Contract No. SC-COR-2200087 to continue the services of Kobayashi Sugita & Goda LLP as Special Counsel to represent Defendants Honolulu Liquor Commission, Jacob Fears, and Catherine Fontaine in the legal action entitled Scarlet Honolulu, Inc., et al. v. Honolulu Liquor Commission, et al., Case No. CV21-00457 KJM (USDC)

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5. Resolution to Retain legal services of Kobayashi Sugita & Goda, LLP, as Special Deputy Corporation Counsel to represent Defendants Honolulu Liquor Commission, Jacob Fears, Glen Nishigata, and Catherine Fontaine in the legal action entitled Jhumar Ray Waite v, Honolulu Liquor Commission, et al., Case No. CV23-00356 (USDC)

6. Resolution to Request Additional Funds for Contract No. SC-COR-2200096 to Continue the Services of Kobayashi Sugita & Goda LLP as Special Counsel to represent Defendants Ronald V. Dumlao, Chance C. Correa and Jose J. Villanueva in the 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. CV21-00087 JAO/KJM (USDC)

7. Resolution to Request Additional Funds and Extend Time for Contract No. SC-COR-1700063 to Continue the Services of O'Connor & Dyet, P.C., Formerly Known as O'Connor & Campbell of Tempe, Arizona as Special Deputy Corporation Counsel for the Honolulu Police Department and its Custodian(s) of Records in a legal action entitled State of Arizona v. Miti Maugaotega, Criminal No. CR 2010-001172 (Superior Court of the State of Arizona, Pinal County)

8. Resolution to request additional funds for Contract No. SC-COR-1800062 to continue the services of Fukunaga Matayoshi Ching & Kon-Herrera LLP as Special Counsel to represent Dru Akagi in the legal action entitled Gerard K. Puana, et al. v. Katherine P. Kealoha, et al., Civil No. CV16-00659 LEK/WRP (U.S.D.C.)

9. Resolution to request additional funds for Contract No. SC-COR-2200098 to continue the services of McCorrison Miller Mukai MacKinnon LLP as Special Counsel to represent Sheryl Sunia in the legal action entitled Roynes J. Dural II v. City and County of Honolulu, et al., Case No. CV21-00461 HG/WRP (U.S.D.C.) and all related matters, including but not limited to Golden "Corina" Silva and Taishay Dural v. City and County of Honolulu, et al., Civil No. 1CCV-21-0001590 (Cir. Ct.)

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10. Request for authorization to settle a case against the City and County of Honolulu entitled Scot Paiva, et al. v. City and County of Honolulu, et al.; Civ. No. 18-1-0535-09 (Cir. Ct.)
11. Request for authorization to settle a claim against the City and County of Honolulu entitled Government Employees Insurance company and James H. Sibert v. City and County of Honolulu, et al., Civil No. 1DRC-20-0002661 (Hon. Dist. Ct.)
12. Request for authorization to settle a claim against the City and County of Honolulu entitled Leticia M. Lucas v. City and County of Honolulu, Matter ID 23-00668
13. Request for authorization to settle a claim against the City and County of Honolulu entitled Benjamin Jelf behalf of B.J., a Minor, Claim No. 21-01569
14. Request for authorization to settle a case entitled Justin Matsuda v. City and County of Honolulu, et al.; Civil No. 1CCV-21-0000377 (KTM) (Cir. Ct.)
15. Request for recommendation to settle a lawsuit entitled Souriya Xoumanivong v. Corey Morgan, et al., Civil No. 1CCV-21-0000811 (DEO) (Cir. Ct.)

TYLER DOS SANTOS-TAM, Chair
Committee on Executive Matters
and Legal Affairs