



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, FEBRUARY 6, 2024

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/2307?view_id=3&redirect=true.

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 1:05 p.m. Councilmembers Kia'āina, Okimoto, Say, and Weyer were present at the meeting. Councilmember Tupola was excused from the meeting. (All Councilmembers are voting members.)

[1:05 p.m.]

Councilmember Kia'āina exited the Council Chamber.

[1:06 p.m.]

Councilmember Tulba entered the Council Chamber.

ORDER OF BUSINESS

FOR ACTION

[1:06 p.m.]

1. RESOLUTION 23-239 – COMMITTEE REPORT 38

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.

[1:07 p.m.]

Councilmember Kia'āina entered the Council Chamber.

[1:09 p.m.]

Councilmember Cordero entered the Council Chamber.

[1:10 p.m.]

There was no public testimony.

[1:12 p.m.]

Resolution 23-239 amended to CD1 (OCS2024-0021/1/9/2024 8:20 AM) and reported out for passage on third reading.

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

NOES: None.

ABSENT: TUPOLA, WATERS – 2.

Related communications:

D-83(24) Department of Human Resources
M-46(24) Testimony on Resolution 23-239

[1:13 p.m.]

2. BILL 44 (2023) – COMMITTEE REPORT 37

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

[1:14 p.m.]

The following individuals testified:

1. Joli Tokusato, unite Local 5 (M-45) (Support)
2. Sarah Chinen (M-45) (General comment)

[1:17 p.m.]

Council Chair Waters entered the Council Chamber.

[1:26 p.m.]

Councilmember Kia'āina exited the Council Chamber.

[1:27 p.m.]

Councilmember Kia'āina entered the Council Chamber.

[1:32 p.m.]

Bill 44 (2023) amended to CD1 (OCS2024-0082/2/2/2024 1:40 PM) and reported out for passage on third reading.

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

NOES: None.

ABSENT: TUPOLA – 1.

Related communications:

M-45(24) Testimony on Bill 44 (2023)

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[1:32 p.m.]

Council Chair Waters exited the Council Chamber.

[1:33 p.m.]

3. RESOLUTION 24-25 – COMMITTEE REPORT 39

SISTER CITY RELATIONSHIP WITH RAROTONGA, COOK ISLANDS.
Establishing a sister city relationship with Rarotonga, Cook Islands.

[1:36 p.m.]

Council Chair Waters entered the Council Chamber.

Council Chair Waters exited the Council Chamber.

Council Chair Waters entered the Council Chamber.

[1:40 p.m.]

The following individual testified:

1. Teanaroa Paka Worthington (Support)

[1:46 p.m.]

Resolution 24-25 amended to CD1 (OCS2024-0101/2/5/2024 3:51 PM) and reported out for adoption.

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

NOES: None.

ABSENT: TUPOLA – 1.

Related communication:

MM-12 Office of the Mayor

[1:46 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.

[1:46 p.m.]

4. Request for authorization to settle a case against Sheryl Sunia, a former employee of the City and County of Honolulu, in Royne J. Dural, II v. City and County of Honolulu, et al., Civil No. CV21-00461 HG-WRP (U.S.D.C.)

There was no public testimony.

[1:46 p.m.]

Council Chair Waters and Councilmember Kia'āina exited the Council Chamber.

[1:47 p.m.]

Council Chair Waters and Councilmember Kia'āina entered the Council Chamber.

[1:47 p.m.]

5. Request for authorization to settle a case against Defendants City and County of Honolulu and Susan Ballard, in 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 (U.S.D.C.)

[1:47 p.m.]

There was no public testimony.

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[1:47 p.m.]

6. Request for authorization to settle a case against Defendants Ronald V. Dumlao, Chance C. Correa and Jose J. Villanueva, in 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 (U.S.D.C.)

There was no public testimony.

[1:48 p.m.]

7. Resolution to Retain the Legal Services of Kobayashi Sugita & Goda LLP as Special Deputy Corporation Counsel for the City and County of Honolulu on Behalf of Petitioner Director of Budget and Fiscal Services, City and County of Honolulu in a Legal Action Entitled The Estate of Richard Lee Jackson; P. No. 12-1-0425 (Cir. Ct.)

There was no public testimony.

[1:48 p.m.]

8. Request for authorization to settle a lawsuit against the City and County of Honolulu entitled Association of Unit Owners of Liolio Townhouse, by its Board of Directors v. City and County of Honolulu, Civil No. 1CCV-22-0001207

There was no public testimony.

[1:49 p.m.]

9. Resolution to amend Contract No. SC-COR-2300086 to request additional funds to continue the services of McCorriston Miller Mukai MacKinnon LLP as Special Counsel to represent Defendant Jake Bartolome in the related legal actions entitled Ualani Gouveia, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-21-0001150, Matthew Tabag-Kalua, et al. v. City and County of Honolulu, et al., 1CCV-22-0000415, and Jonaven Perkins-Sinapati, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000429 (Cir. Ct.) and to allow the representation of Defendant Jake Bartolome in Ualani Gouveia, et al. v. Rick Blangiardi, et al.; Case No. 1CV-23-00378- JAO-WRP (U.S.D.C.)

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There was no public testimony.

[1:49 p.m.]

Council Chair Waters exited the Council Chambers.

[1:50 p.m.]

10. Resolution to amend Contract No. SC-COR-2300087 to request additional funds to continue the services of Kobayashi Sugita & Goda, LLP as Special Counsel to represent Defendant Erik Smith in the related legal actions entitled Ualani Gouveia, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-21-0001150, Matthew Tabag-Kalua, et al. v. City and County of Honolulu, et al., 1CCV-22-0000415, and Jonaven Perkins-Sinapati, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000429 (Cir. Ct.) and to allow the representation of Defendant Erik Smith in Ualani Gouveia, et al. v. Rick Blangiardi, et al.; Case No. 1CV-23-00378-JAO-WRP (U.S.D.C.)

There was no public testimony.

[1:51 p.m.]

11. Request for authorization to settle claims against the City and County of Honolulu by Steven Bose

[1:51 p.m.]

There was no public testimony.

At 1:52 p.m., with no objections from the seven members present (Ayes: Cordero, Dos Santos-Tam, Kia'aina, 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 seven members present (Cordero, Dos Santos-Tam, Kia'āina, Okimoto, Say, Tulba, Weyer), the Committee resumed the meeting in open session at 2:28 p.m.

[2:28 p.m.]

4. COMMITTEE REPORT 43

Request for authorization to settle a case against Sheryl Sunia, a former employee of the City and County of Honolulu, in Roynes J. Dural, II v. City and County of Honolulu, et al., Civil No. CV21-00461 HG-WRP (U.S.D.C.)

5. COMMITTEE REPORT 44

Request for authorization to settle a case against Defendants City and County of Honolulu and Susan Ballard, in 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 (U.S.D.C.)

6. COMMITTEE REPORT 45

Request for authorization to settle a case against Defendants Ronald V. Dumlao, Chance C. Correa and Jose J. Villanueva, in 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 (U.S.D.C.)

7. RESOLUTION 24-32 - COMMITTEE REPORT 40

Resolution to Retain the Legal Services of Kobayashi Sugita & Goda LLP as Special Deputy Corporation Counsel for the City and County of Honolulu on Behalf of Petitioner Director of Budget and Fiscal Services, City and County of Honolulu in a Legal Action Entitled The Estate of Richard Lee Jackson; P. No. 12-1-0425 (Cir. Ct.)

8. COMMITTEE REPORT 46

Request for authorization to settle a lawsuit against the City and County of Honolulu entitled Association of Unit Owners of Liolio Townhouse, by its Board of Directors v. City and County of Honolulu, Civil No. 1CCV-22-0001207

9. RESOLUTION 24-33 - COMMITTEE REPORT 41

Resolution to amend Contract No. SC-COR-2300086 to request additional funds to continue the services of McCorriston Miller Mukai MacKinnon LLP as Special Counsel to represent Defendant Jake Bartolome in the related legal actions entitled Ualani Gouveia, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-21-0001150, Matthew Tabag-Kalua, et al. v. City and County of Honolulu, et al., 1CCV-22-0000415, and Jonaven Perkins-Sinapati, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000429 (Cir. Ct.) and to allow the representation of Defendant Jake Bartolome in Ualani Gouveia, et al. v. Rick Blangiardi, et al.; Case No. 1CV-23-00378- JAO-WRP (U.S.D.C.)

10. RESOLUTION 24-34 - COMMITTEE REPORT 42

Resolution to amend Contract No. SC-COR-2300087 to request additional funds to continue the services of Kobayashi Sugita & Goda, LLP as Special Counsel to represent Defendant Erik Smith in the related legal actions entitled Ualani Gouveia, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-21-0001150, Matthew Tabag-Kalua, et al. v. City and County of Honolulu, et al., 1CCV-22-0000415, and Jonaven Perkins-Sinapati, et al. v. City and County of Honolulu, et al., Civil No. 1CCV-22-0000429 (Cir. Ct.) and to allow the representation of Defendant Erik Smith in Ualani Gouveia, et al. v. Rick Blangiardi, et al.; Case No. 1CV-23-00378-JAO-WRP (U.S.D.C.)

11. COMMITTEE REPORT 47

Request for authorization to settle claims against the City and County of Honolulu by Steven Bose

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[2:32 p.m.]

Committee Report 43, Committee Report 44, Committee Report 45, Resolution 24-32, Committee Report 46, Resolution 24-33, Resolution 24-34 and Committee Report 47 were reported out for adoption.

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

NOES: None.

ABSENT: TUPOLA, WATERS – 2.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:32 p.m.