



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

WRITTEN SUMMARY FOR VIDEO RECORD

REGULAR MEETING
TUESDAY, APRIL 2, 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/2362?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 2:24 p.m. Councilmembers Cordero, Say, Tulba, and Waters were present at the meeting. (All Councilmembers are voting members.)

[2:24 p.m.]

Councilmember Okimoto entered the Council Chamber.

[2:25 p.m.]

Councilmember Weyer entered and Council Chair Waters exited the Council Chamber.

[2:26 p.m.]

Councilmember Tupola entered the Council Chamber.

ORDER OF BUSINESS

FOR ACTION

[2:26 p.m.]

1. **RESOLUTION 24-35 – COMMITTEE REPORT 100**

APPOINTMENT OF CYNTHIA LYNCH TO SERVE ON THE ETHICS COMMISSION. Confirming the appointment of Cynthia Lynch to serve on the Ethics Commission of the City and County of Honolulu for a term to expire on December 31, 2028.

[2:28 p.m.]

There was no public testimony.

[2:29 p.m.]

Resolution 24-35 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, OKIMOTO, SAY, TULBA, TUPOLA, WEYER – 7.

NOES: None.

ABSENT: KIA'ĀINA, WATERS – 2.

Related communications:

MM-23 Office of the Mayor

M-129 Testimony on Resolution 24-35

[2:29 p.m.]

2. **BILL 7 (2024) – COMMITTEE REPORT 98**

DECLARING THE CITY AND COUNTY OF HONOLULU A PURPLE HEART CITY. Relating to declaring the City and County of Honolulu a Purple Heart City.

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, April 2, 2024

[2:29 p.m.]

Council Chair Waters entered the Council Chamber.

[2:29 p.m.]

There was no public testimony.

[2:30 p.m.]

Bill 7 (2024) reported out for passage on third reading.

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

Related communication:

M-136 Testimony on Bill 7 (2024)

[2:30 p.m.]

3. BILL 8 (2024)

COMMUNITY WORKFORCE AGREEMENTS. Addressing community workforce agreements.

[2:34 p.m.]

Councilmember Kia'āina entered the Council Chamber.

[2:36 p.m.]

The following individuals testified:

1. Chris Delaunay, Pacific Resource Partnership (Support)
2. Pane Meatoga III, Operating Engineers Local 3 (Support)

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, April 2, 2024

[2:39 p.m.]

Action on Bill 8 (2024) postponed to a date and time 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:

MM-57 Managing Director

[2:39 p.m.]

4. BILL 21 (2024) – COMMITTEE REPORT 99

BOARDS AND COMMISSIONS. Amending or repealing ordinances related to the City and County of Honolulu's boards and commissions.

[2:42 p.m.]

There was no public testimony.

[2:43 p.m.]

Bill 21 (2024) amended to CD1 (OCS2024-0276/3/27/2024 12:15 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.

[2:43 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.

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, April 2, 2024

[2:43 p.m.]

5. Request for authorization to settle a case against Kone, Inc. in HAUNANI KAHEA v. KONE INC., Civil No. 1CC171001413

There was no public testimony.

[2:44 p.m.]

6. Request for authorization to settle a case against the Honolulu Liquor Commission in SCARLET HONOLULU, INC., et al., v. HONOLULU LIQUOR COMMISSION, Civil No. 21-cv-00457 MWJS-KJM

There was no public testimony.

[2:45 p.m.]

Committee Chair Dos Santos-Tam announced that he would take up Items 7 and 8 together.

7. Resolution to retain the legal services of Clay Iwamura Pulice & Nervell as Special Counsel to represent Defendant Robert Lewis III in the legal action entitled Ualani Gouveia, et al. v. Rick Blangiardi, et al., Case No. 1CV-23-00378-JAO-WRP (U.S.D.C.)
8. Resolution to retain the legal services of Farm Benedict Sugihara A Limited Liability Law Partnership LLP as Special Counsel to represent Defendant Joshua Nahulu in the legal action entitled 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.

[2:46 p.m.]

9. Request for authorization to settle claims made by FRIENDS OF HANAUMA BAY, a Hawai'i nonprofit corporation, against the City and County of Honolulu

The following individual testified:

Lisa Bishop, Friends of Hanauma Bay (M-121) (Support)

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, April 2, 2024

[2:48 p.m.]

Councilmember Weyer exited the Council Chamber.

[2:48 p.m.]

Committee Chair Dos Santos-Tam announced that he would take up Items 10 through 15 together.

10. Request for authorization to settle a case against the City and County of Honolulu entitled Maile Rego v. City and County of Honolulu, et al.; Civ. No. 1CCV-21-0001035 (Cir. Ct.)
11. Request for authorization to settle a case against the City and County of Honolulu entitled Nicholas Porter v. Charles P. Iguchi et al., Civil No. 1CCV-22-0001236 JMT (Cir. Ct.)
12. Request for authorization to settle a case against the City and County of Honolulu entitled Allstate Insurance Company as Subrogee of Aja-Marie Paro v. City and County of Honolulu; Civil No. 1CCV-23-0000264 GWBC (Cir. Ct.)
13. Request for authorization to settle attorneys' fees and costs in a case against the City and County of Honolulu entitled Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu, Civil No. 1:22-cv-00247-DKW-RT
14. Resolution to Retain Legal Services in Nelson, et al. v. Honolulu City and County, 24-cv-00100-MWJS-RT (D. Haw.)
15. Resolution to Retain Legal Services and Initiate Litigation Pursuant to Act 28

There was no public testimony.

At 2:52 p.m., with no objections from the nine members present (Ayes: Cordero, Dos Santos-Tam, Kia'aina, Okimoto, Say, Tulba, Tupola, Waters, Weyer – 9), the Committee resolved into a closed meeting pursuant to Hawai'i 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, Okimoto, Say, Tulba, Tupola, Waters, Weyer), the Committee resumed the meeting in open session at 4:37 p.m.

[4:37 p.m.]

Committee Chair Dos Santos-Tam announced that he would take up Items 5 and 6 together.

5. COMMITTEE REPORT 105

Request for authorization to settle a case against Kone, Inc. in HAUNANI KAHEA v. KONE INC., Civil No. 1CC171001413

6. COMMITTEE REPORT 106

Request for authorization to settle a case against the Honolulu Liquor Commission in SCARLET HONOLULU, INC., et al., v. HONOLULU LIQUOR COMMISSION, Civil No. 21-cv-00457 MWJS-KJM

Committee Report 105 and Committee Report 106 reported out for adoption.

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

NOES: None.

ABSENT: KIA'ĀINA – 1.

Related communication:

M-133 Testimony on Request for authorization to settle a case against the Honolulu Liquor Commission in SCARLET HONOLULU, INC., et al., v. HONOLULU LIQUOR COMMISSION

[4:38 p.m.]

Councilmember Kia'āina entered the Council Chamber.

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, April 2, 2024

[4:38 p.m.]

Committee Chair Dos Santos-Tam announced that he would take up Items 7 and 8 together.

7. RESOLUTION 24-97 – COMMITTEE REPORT 101

Resolution to retain the legal services of Clay Iwamura Pulice & Nervell as Special Counsel to represent Defendant Robert Lewis III in the legal action entitled Ualani Gouveia, et al. v. Rick Blangiardi, et al., Case No. 1CV-23-00378-JAO-WRP (U.S.D.C.)

8. RESOLUTION 24-98 – COMMITTEE REPORT 102

Resolution to retain the legal services of Farm Benedict Sugihara A Limited Liability Law Partnership LLP as Special Counsel to represent Defendant Joshua Nahulu in the legal action entitled Ualani Gouveia, et al. v. Rick Blangiardi, et al., Case No. 1CV-23-00378-JAO-WRP (U.S.D.C.)

Resolution 24-97 reported out for adoption.

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

Resolution 24-98 reported out for adoption.

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

*Councilmember Okimoto voted aye with reservations.

[4:39 p.m.]

Committee Chair Dos Santos-Tam announced that he would take up Items 9 through 13 together.

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, April 2, 2024

9. COMMITTEE REPORT 107

Request for authorization to settle claims made by FRIENDS OF HANAUMA BAY, a Hawai'i nonprofit corporation, against the City and County of Honolulu

10. COMMITTEE REPORT 108

Request for authorization to settle a case against the City and County of Honolulu entitled Maile Rego v. City and County of Honolulu, et al.; Civ. No. 1CCV-21-0001035 (Cir. Ct.)

11. COMMITTEE REPORT 109

Request for authorization to settle a case against the City and County of Honolulu entitled Nicholas Porter v. Charles P. Iguchi et al., Civil No. 1CCV-22-0001236 JMT (Cir. Ct.)

12. COMMITTEE REPORT 110

Request for authorization to settle a case against the City and County of Honolulu entitled Allstate Insurance Company as Subrogee of Aja-Marie Paro v. City and County of Honolulu; Civil No. 1CCV-23-0000264 GWBC (Cir. Ct.)

13. COMMITTEE REPORT 111

Request for authorization to settle attorneys' fees and costs in a case against the City and County of Honolulu entitled Hawaii Legal Short-Term Rental Alliance v. City and County of Honolulu, Civil No. 1:22-cv-00247-DKW-RT

Committee Report 107, Committee Report 108, Committee Report 109, reported out for adoption.

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

NOES: None.

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, April 2, 2024

Related communication:

M-121 Testimony on Request for authorization to settle claims made by Friends of Hanauma Bay, a Hawai'i nonprofit corporation, against the City and County of Honolulu

[4:40 p.m.]

Councilmember Kia'aina exited the Council Chamber.

[4:40 p.m.]

Committee Report 110 and Committee Report 111 reported out for adoption.

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

NOES: None.

ABSENT: KIA'AINA – 1.

[4:41 p.m.]

14. RESOLUTION 24-99 – COMMITTEE REPORT 103

Resolution to retain the legal services of the Giffords Law Center to Prevent Gun Violence as Special Deputy Corporation Counsel for the City and County of Honolulu in a legal action entitled *Nelson, et al. v. Honolulu City and County*, 24-CV-00100-MWJS-RT (D. HAW.)

Resolution 24-99 reported out for adoption.

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

NOES: None.

ABSENT: KIA'AINA – 1.

Committee on Executive Matters and Legal Affairs
Written Summary of Video Record
Tuesday, April 2, 2024

[4:41 p.m.]

15. RESOLUTION 24-100 – COMMITTEE REPORT 104

Resolution to authorize the Department of the Corporation Counsel to initiate legal action against a firearm industry member and to retain attorneys as Special Deputies Corporation Counsel.

Resolution 24-100 reported out for adoption.

AYES: CORDERO, DOS SANTOS-TAM, SAY, WATERS, WEYER – 5.
NOES: OKIMOTO, TULBA, TUPOLA – 3.
ABSENT: KIA'ĀINA – 1.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:43 p.m.