



# 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

---

## AGENDA

REGULAR MEETING  
CITY COUNCIL CHAMBER  
TUESDAY, SEPTEMBER 24, 2024  
1:00 P.M.

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:

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.

Remote and in-person oral testimony will be permitted on all items on the agenda when each agenda item is taken up. 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 **82326943939** and Passcode **967186**.
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.

Persons wishing to testify in-person in the Council Chamber are requested to register by 1:00 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.

Committee on Executive Matters and Legal Affairs Agenda  
Tuesday, September 24, 2024

Written testimony may be uploaded at <https://hnldoc.ehawaii.gov/hnldoc/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, e-mail address, and phone number, will be available to the public at <https://hnldoc.ehawaii.gov>.

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

Meeting materials ("*board packet*" under HRS Section 92-7.5) are accessible at <https://hnldoc.ehawaii.gov/hnldoc/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, please call 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](mailto: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. **BILL 32 (2024) – NONDISCRIMINATION POLICY.** Making revisions to the City's nondiscrimination policy applicable to employment and the provision of services. (Bill passed second reading and public hearing held on 6/5/24)

PROPOSED CD1 TO BILL 32 (2024) (Submitted by Councilmember Dos Santos-Tam)  
- The CD1 (OCS2024-0727/8/1/2024 9:22 AM) makes the following amendments:

- A. In SECTION 2 of the bill:
  1. Amends SECTION 2 by limiting the amendments to ROH Section 1-11.1 instead of the entire ROH Article;
  2. Amends the definition of "Discriminatory Practices";
  3. Replaces the proposed definition for "Discriminatory Practices in Employment" with a new definition for "Discriminatory Practices in City Employment"; and
  4. Amends the definition of "Discriminatory Practices in the Provision of City Programs and Services."
- B. Adds a new SECTION 3 to the bill to amend ROH Section 1-11.2 by listing the types of activities from which the City is to refrain, including discriminatory practices in City employment and in the provision of City programs and services, as well as retaliating against applicants, employees, or individuals who seek to participate or participate in city programs or services or who oppose discrimination or participate in an investigation or proceeding that alleges discrimination. Renumbers subsequent SECTIONS.
- C. Makes miscellaneous technical and nonsubstantive amendments.

Committee on Executive Matters and Legal Affairs Agenda  
Tuesday, September 24, 2024

2. **RESOLUTION 24-229 – ACCEPTANCE OF A GIFT (MAY)**. Accepting a gift of conference registration and lodging to the City valued at \$4,263.94 from the Hawai'i Executive Collaborative for the Mayor and Managing Director to attend the Hawai'i Executive Conference on the Island of Hawai'i, October 2-5, 2024. (Transmitted by Communication MM-165)
  
3. **RESOLUTION 24-212 – APPOINTMENT OF HAZEL BECK TO SERVE ON THE CIVIL SERVICE COMMISSION**. Confirming the appointment of Hazel Beck to serve on the Civil Service Commission of the City and County of Honolulu for a term to expire on June 30, 2027. (Transmitted by Communication MM-150; Public hearing held 9/4/24)
  
4. **RESOLUTION 24-171 – APPOINTMENT OF JEFFREY PORTNOY TO SERVE ON THE CIVIL SERVICE COMMISSION**. Confirming the appointment of Jeffrey Portnoy to serve on the Civil Service Commission of the City and County of Honolulu for a term to expire on June 30, 2026. (Transmitted by Communication MM-103; Public hearing held 7/10/24)

## EXECUTIVE SESSION

The Committee anticipates convening into Executive Session pursuant to Hawai'i 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.

5. Request for Authorization to Settle a Case Against the City and County of Honolulu Entitled Department of Health, State of Hawaii, Clean Water Branch vs. City and County of Honolulu NPDES Permit No. HI0021296 (Kailua Regional Wastewater Treatment Plant); Docket No. 23 CW-EO-20

Committee on Executive Matters and Legal Affairs Agenda  
Tuesday, September 24, 2024

6. Request for authorization to settle a case against the City and County of Honolulu entitled L. Lindsay Myeni v. City and County of Honolulu et al., Civil No. 1CCV-21-0000504 (Cir. Ct.)
7. Resolution to Request Additional Funds for Contract No. SC-COR-2400089 to Continue the 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 a legal action entitled Jhumar Ray Waite v. Honolulu Liquor Commission, et al., Civil No. CV23-00356 JAO/RT (USDC).
8. Request for authorization to settle a case against the City and County of Honolulu entitled Huntington, et al. v. City and County of Honolulu, et al.; CIVIL NO. 1CCV-23-0000709 SMK (Cir. Ct.)
9. Request for authorization to settle a claim against the City and County of Honolulu for attorneys' fees and costs in *Nelson et al. v. City and County of Honolulu*, Case No. 1:24-cv-00100-MWJS-RT (U.S. District Court)

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