



RESOLUTION

REQUESTING THE CONSENT AND APPROVAL OF THE CITY COUNCIL TO INITIATE LEGAL ACTION AGAINST SHARON BLACK REGARDING THE ENFORCEMENT OF A MEDIATION AGREEMENT REACHED SEPTEMBER 23, 2010.

WHEREAS, the City entered into good faith mediation negotiations with Sharon Black which resulted in a complete settlement of all known claims, judgments and appeals between City and Black, which mediated settlement agreement was placed on the record before the Mediator, Keith W. Hunter, of Dispute Prevention and Resolution, on September 23, 2010, and was agreed to by all parties; and

WHEREAS, City has made, and continues to make, certain payments to Black which are part of the September 23, 2010 Mediated Settlement Agreement; and

WHEREAS, Black now refuses to sign documents related to the Mediated Settlement Agreement, and Black refuses to honor the agreement; and

WHEREAS, City wishes to seek enforcement of the Mediated Settlement Agreement, and it is deemed necessary to initiate a lawsuit against Sharon Black to resolve this issue; and

WHEREAS, Section 2-3.2(b), Revised Ordinances of Honolulu 1990, as amended, requires that the Corporation Counsel obtain the consent and approval of the City Council before bringing legal action against private persons; now therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that:

Pursuant to Section 2-3.2(b), Revised Ordinances of Honolulu 1990, as amended, the Corporation Counsel is authorized to initiate legal action against Sharon Black to pursue the City's claims and remedies arising out of the default or failure by Sharon Black to execute documents and pleadings required to perform her obligations under the Mediated Settlement Agreement reached on September 23, 2010;



RESOLUTION

BE IT FINALLY RESOLVED by the Council that the Clerk be and hereby is directed to transmit copies of this Resolution to the Corporation Counsel.

INTRODUCED BY:

Sam M. Luchi (B/R)

DATE OF INTRODUCTION:

JAN 10 2011
Honolulu, Hawaii

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 11-6

Introduced: 01/10/11 By: ROMY CACHOLA (BR)

Committee: EXECUTIVE MATTERS
AND LEGAL AFFAIRS

Title: RESOLUTION REQUESTING THE CONSENT AND APPROVAL OF THE CITY COUNCIL TO INITIATE
LEGAL ACTION AGAINST SHARON BLACK REGARDING THE ENFORCEMENT OF A MEDIATION
AGREEMENT REACHED SEPTEMBER 23, 2010.

Links: [RES11-6](#)
[CR-6](#)

Voting Legend: Y= Aye, Y* = Aye w/Reservations, N = No, A = Absent, ABN = Abstain

EXECUTIVE 01/10/11 CR-6 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
MATTERS AND
LEGAL AFFAIRS
(EXECUTIVE
SESSION)

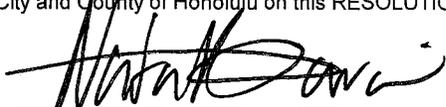
NOTE: COUNCILMEMBER BERG TOOK OFFICE ON WEDNESDAY, JANUARY 19, 2011
FILLING THE VACANCY FOR DISTRICT I.

COUNCIL 01/26/11 CR-6 AND RESOLUTION 11-6 WERE ADOPTED.

ANDERSON	Y	BERG	Y	CACHOLA	A	CHANG	Y	GABBARD	TAMAYO	Y
GARCIA	Y	HARIMOTO	Y	KOBAYASHI	Y	MARTIN	Y			

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.


BERNICE K. N. MAU, CITY CLERK


NESTOR R. GARCIA, CHAIR AND PRESIDING OFFICER