

**REPORT OF THE COMMITTEE ON
EXECUTIVE MATTERS AND LEGAL AFFAIRS**

Voting Members

Ron Menor, Chair; Carol Fukunaga, Vice-Chair,
Ikaika Anderson, Stanley Chang, Breene Harimoto, Ann H. Kobayashi,
Joey Manahan, Ernest Y. Martin, Kymberly Marcos Pine

Committee Meeting Held
October 29, 2013

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Executive Matters and Legal Affairs, to which was referred Resolution 13-221 entitled:

"RESOLUTION INITIATING AMENDMENTS TO THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU 1973, AS AMENDED, RELATING TO EMINENT DOMAIN,"

introduced on September 16, 2013 and which passed First Reading at the September 11, 2013 Council meeting, reports as follows:

The purpose of this Resolution is to amend the Revised City Charter to provide that the steps necessary to acquire private property through eminent domain shall commence by the City Administration within 90 days of the Council's adoption of a resolution for such action.

Director Chris Takashige of the Department of Design and Construction, testified in opposition to Resolution 13-221 and stated that the resolution is: (1) contrary to the City's current practice of providing advance notice to owners of property that may be condemned by the City as required by Revised Ordinances of Honolulu 1990, (2) inconsistent with the standard City land acquisition/condemnation process and practice, and (3) violates fundamental principles of separation of powers in government.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON NOV 13 2013

COMMITTEE REPORT NO. 332

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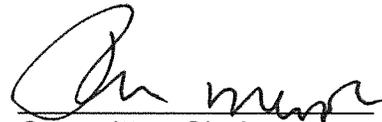
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Your committee received oral testimony from Ms. Choon James who provided general comments.

Your Committee on Executive Matters and Legal Affairs is in accord with the intent and purpose of Resolution 13-221 and recommends that it pass Second Reading and be scheduled for a Public Hearing. (Ayes: Anderson, Chang, Harimoto, Kobayashi, Martin, Pine, Menor - 7; Noes: None; Excused: Fukunaga, Manahan - 2.)

Respectfully submitted,


Committee Chair

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