



## RESOLUTION

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TO RETAIN THE SERVICES OF A SPECIAL DEPUTY TO REPRESENT RANDALL LORENZO, AN EMPLOYEE OF THE CITY AND COUNTY OF HONOLULU, DEPARTMENT OF ENVIRONMENTAL SERVICES IN A LEGAL ACTION ENTITLED: STATE OF HAWAII V. RANDALL LORENZO; 1DTC-13-038244

WHEREAS, Section 5-203 of the Revised Charter of the City and County of Honolulu ("RCH") 1973 (supp. 1993) provides:

The corporation counsel shall serve as the chief legal adviser and legal representative of all agencies, the council and all officers and employees in matters relating to their official powers and duties. Except as otherwise provided by federal or state law, the determination whether a matter relates to official powers and duties shall be made by the corporation counsel and shall include, among other things, consideration of case law applicable to the concept of course and scope of employment. The corporation counsel shall represent the city in all legal proceedings, except as otherwise provided in this charter. The corporation counsel shall perform all other services incident to the office as may be required by this charter or by law.

and

WHEREAS, RCH Section 5-204.1 provides that:

Special deputies may be appointed by the corporation counsel, with the approval of the city council. Such appointments shall be based on a contract specifying the compensation, if any, to be paid a special deputy. The compensation shall be based on the prevailing rate for the specified services to be rendered.

WHEREAS, on or about May 9, 2013, Randall Lorenzo, an employee of the Department of Environmental Services, was involved in a one-vehicle accident while operating a City and County refuse truck in Haleiwa during the course of his employment;

WHEREAS, Mr. Lorenzo was subsequently issued a criminal traffic citation for leaving the scene of the accident;



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WHEREAS, the Department of the Corporation Counsel does not currently have the expertise to provide adequate legal representation in criminal matters;

WHEREAS the Department of the Corporation Counsel seeks to retain Jeffrey A. Hawk of Hawk Sing & Ignacio to be prepared to immediately respond or appear in court as Special Deputy for Randall Lorenzo; now

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

(1) Pursuant to the mandate of RCH Sections 5-203 and 5-204.1, it authorizes the retention of Jeffrey A. Hawk of Hawk Sing & Ignacio as Special Deputy to represent Randall Lorenzo in defense of the above referenced matter;

(2) The total sum to be expended to pay the Special Deputy shall not exceed \$25,000.00, but this amount may be increased by Council if it is satisfied with the justification made upon the recommendation of the Corporation Counsel for an increase in the stated maximum amount; and

(3) The Special Deputy may be paid monthly for his services; provided that he submits to the Corporation Counsel, an itemized monthly statement reflecting the specific services rendered, together with the total number of hours billed for the specific services at one-tenth of an hour, and such monthly statement shall be reviewed and approved by the Corporation Counsel before any payments may be made by the City.

(4) The Director of Budget and Fiscal Services is authorized to execute a contract with Jeffery A. Hawk of Hawk Sing & Ignacio for the legal representation of Randall Lorenzo in the above referenced matter;

and

BE IT FINALLY RESOLVED by this Council that the Clerk be and is hereby directed to transmit copies of this resolution to Deputy Corporation Counsel Matthew S. K. Pyun, Department of the Corporation Counsel and Jeffery A. Hawk, Hawk Sing & Ignacio, 1130 N. Nimitz Highway, Suite B-299, Honolulu, Hawaii 96822.



RESOLUTION

INTRODUCED BY:

Ron Mauro (br)

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DATE OF INTRODUCTION:

**FEB 05 2014**

Honolulu, Hawaii

Councilmembers

CORLORENZO.R13

CITY COUNCIL  
CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII  
CERTIFICATE

**RESOLUTION 14-33**

Introduced: 02/05/14 By: RON MENOR (BR)

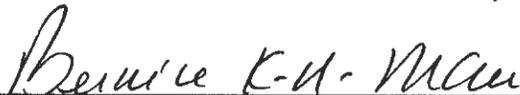
Committee: EXECUTIVE MATTERS  
AND LEGAL AFFAIRS

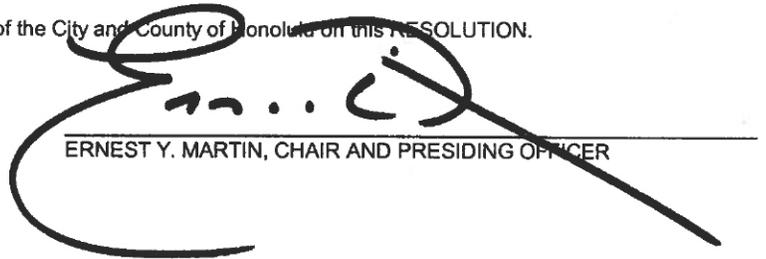
Title: RESOLUTION TO RETAIN THE SERVICES OF A SPECIAL DEPUTY TO REPRESENT RANDALL LORENZO,  
AN EMPLOYEE OF THE CITY AND COUNTY OF HONOLULU, DEPARTMENT OF ENVIRONMENTAL  
SERVICES IN A LEGAL ACTION ENTITLED: STATE OF HAWAII V. RANDALL LORENZO; 1DTC-13-038244.

Voting Legend: \* = Aye w/Reservations

02/04/14	EXECUTIVE MATTERS AND LEGAL AFFAIRS (EXECUTIVE SESSION)	CR-29 – RESOLUTION REPORTED OUT OF COMMITTEE FOR ADOPTION.
02/19/14	COUNCIL	CR-29 AND RESOLUTION 14-33 WERE ADOPTED. 9 AYES: ANDERSON, CHANG, FUKUNAGA, HARIMOTO, KOBAYASHI, MANAHAN, MARTIN, MENOR, PINE.

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

  
ERNEST Y. MARTIN, CHAIR AND PRESIDING OFFICER