



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

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AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
TUESDAY, AUGUST 18, 2015
1:00 P.M.

SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 1:00 p.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>
- b. By faxing to 768-3827 your name, phone number and the agenda item;
- c. By filling out a registration form in person; or
- d. By calling 768-3817.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to one-minute presentation.

WRITTEN TESTIMONY

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

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Accommodations are available upon request to persons with disabilities, please call 768-3817 or send an email to ltam@honolulu.gov at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through http://olelo.granicus.com/MediaPlayer.php?publish_id=92; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

FOR APPROVAL

MINUTES OF JULY 21, 2015 MEETING

FOR ACTION

1. **RESOLUTION 15-217 - 2016 HAWAII STATE ASSOCIATION OF COUNTIES LEGISLATIVE PROPOSAL RELATING TO MOPEDS.** Approving for inclusion in the 2016 Hawaii State Association of Counties Legislative Package of a proposal that would require mopeds to be subject to the State's Safety Check Program.
2. **BILL 5 (2014) - FIREWORKS.** Amending the regulation of fireworks within the City and County of Honolulu to allow certain sparklers and fountains to be used pursuant to permit in a manner similar to the current use of firecrackers, and providing for a refund of permit fees to permittees who do not purchase either permitted sparklers or firecrackers. (Bill 5 (2014) passed second reading and public hearing held 7/8/15; deferred in Committee 7/21/15)
3. **RESOLUTION 15-220 – ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY (2644 WAIWAI LOOP).** Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 1-1-016-009 (PORTION).
4. **RESOLUTION 15-221 – ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY (2043 DILLINGHAM BOULEVARD).** Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Keys 1-2-009-011 and 1-2-009-098 (PORTION).
5. **RESOLUTION 15-222 – ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY (617 DILLINGHAM BOULEVARD AND 504 KUWILI STREET).** Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 1-5-007-016 (PORTION).
6. **RESOLUTION 15-223 – ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY (170 ALOHA TOWER DRIVE).** Relating to the Honolulu Authority for Rapid Transportation's notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 2-1-014-006 (PORTION).

EXECUTIVE SESSION

The Committee anticipates going into Executive Session pursuant to Hawaii Revised Statutes Sections 92-4 and 92-5(a)(4), to consult in a closed meeting with the attorneys for the Council 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.

7. To request authorization to settle a civil lawsuit against the City and County of Honolulu entitled, John W. Helm III and Jonah B. Wellins v. Calvin Domingo, City and County of Honolulu, et al., Civil No. 13-00440 ACK-KSC.
8. To request authorization to settle two cases against the City and County of Honolulu entitled U.S. Composite Pipe South, LLC, et al. v. Frank Coluccio Construction Company, et al., Civil No. CV-12-00538 BMK-KSC and Frank Coluccio Construction Company v. City and County of Honolulu, Civil No. 13-1-2259-08 KKS.
9. Resolution to request additional funds for Contract No. SC-COR-1300044 to continue the services of Ayabe Chong Nishimoto Sia & Nakamura as Special Counsel for the City and County of Honolulu in a legal action entitled: Sergeant Shermon Dean Dowkin, et al. v. the City and County of Honolulu, et al., Civil No. CV10-00087 SOM-RLP.
10. Resolution to request additional funds for Contract No. SC-COR-1300045 to continue the services of Chung & Ikehara as Special Counsel for the City and County of Honolulu to represent Defendants Ralstan Tanaka and Colby Kashimoto in a legal action entitled: Sergeant Shermon Dean Dowkin, et al. v. the City and County of Honolulu, et al., Civil No. CV10-00087 SOM-RLP.
11. Resolution to request additional funds for Contract No. SC-COR-1300060 to continue the services of the Law Offices of Cary T. Tanaka fka Tanaka & Takase as Special Counsel for the City and County of Honolulu to represent Defendants Wayne Fernandez and Dan Kwon in a legal action entitled: Sergeant Shermon Dean Dowkin, et al. v. the City and County of Honolulu, et al., Civil No. CV10-00087 SOM-RLP.

Committee on Executive Matters and Legal Affairs Agenda
Tuesday, August 18, 2015

12. Resolution to request additional funds for Contract No. SC-COR-1300046 to continue the services of Fukunaga Matayoshi Hershey & Ching, LLP as Special Counsel for the City and County of Honolulu to represent Defendant William Axt in a legal action entitled: Sergeant Shermon Dean Dowkin, et al. v. the City and County of Honolulu, et al., Civil No. CV10-00087 SOM-RLP.

TREVOR OZAWA, Chair
Committee on Executive Matters and
Legal Affairs