



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

Voting Members:

Trevor Ozawa, Chair
Carol Fukunaga, Vice-Chair
Ikaika Anderson
Brandon J.C. Elefante
Ann H. Kobayashi
Joey Manahan
Ernest Y. Martin
Ron Menor
Kymberly Marcos Pine

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
TUESDAY, OCTOBER 20, 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.

* * * * *

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 SEPTEMBER 15, 2015 MEETING

FOR ACTION

1. **RESOLUTION 15-238** – **NOMINATION OF CAROLYN T. ONAGA TO SERVE ON THE CIVIL SERVICE COMMISSION.** Confirming the reappointment of Carolyn T. Onaga to serve on the Civil Service Commission of the City and County of Honolulu. (Transmitted by Communication [MM-118](#); Public Hearing held 9/2/15; deferred in Committee 9/15/15).
2. **BILL 65 (2015)** – **RELATING TO DISCRIMINATION.** Adopting and Implementing on a local level the principles of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). (Bill passed second reading and public hearing held 10/7/15)
3. **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; Committee amended Bill 5 (2014) to a CD1 version [OCS2015-0806/8/26/2015 2:00 P.M.] and deferred action on 8/18/15)

CD1 TO BILL 5 (2014) - (submitted by Councilmember Ozawa) The CD1 (OCS2015-0806/8/26/2015 2:00 P.M) makes the following amendments:

- A. Deletes from the bill all references to permitted sparklers.
- B. Amends ROH Section 20-6.13 (e) by adding a requirement that each permit shall allow the purchase and use of up to 60 permitted fountains, instead of a combination of up to 160 permitted sparklers or fountains, as provided in the bill as introduced.
- C. Deletes proposed new ROH Section 20-6.13 (i) relating to refunds of permit fees for permittees who do not purchase any firecrackers, permitted fountains, or permitted sparklers.

Committee on Executive Matters and Legal Affairs Agenda
Tuesday, October 20, 2015

- D. Amends ROH Sections 20-6.7 and 20-6.8 to provide that parents or guardians may allow minors to use firecrackers or permitted fountains while under the supervision and control of the parents, guardian, or another adult.
 - E. Makes non-substantive technical amendments.
4. **RESOLUTION 15-273** – **ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY (2918 UALENA 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 1-1-004-028 (portion)
 5. **RESOLUTION 15-274** – **ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY (2815 KOAPAKA STREET, 2806 UALENA STREET AND 520 LAGOON DRIVE)**. Relating to the Honolulu Authority for Rapid Transportation’s notification regarding the acquisition by eminent domain of real property identified as Tax Map Keys 1-1-004-035 and 1-1-004-039 (portions)
 6. **RESOLUTION 15-275** – **ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY (1207 AND 1205 HOPAKA STREET)**. Relating to the Honolulu Authority for Rapid Transportation’s notification regarding the acquisition by eminent domain of real property identified as Tax Map Keys 2-3-007-062 and 2-3-007-063 (portions)
 7. **RESOLUTION 15-276** – **ACQUISITION BY EMINENT DOMAIN OF REAL PROPERTY (1391 KAPIOLANI BOULEVARD)**. Relating to the Honolulu Authority for Rapid Transportation’s notification regarding the acquisition by eminent domain of real property identified as Tax Map Key 2-3-039-011 (portion)
 8. **RESOLUTION 15-280** – **(FOR CONDEMNATION) KALIHI-NUUANU SEWER REHABILITATION (KALOKO LANE) PROJECT**. Providing for the acquisition of an easement for public use, to wit: Kalihi-Nuuanu Sewer Rehabilitation (Kaloko Lane), situate at Kalokohonu, Honolulu, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain. (transmitted by Communication [D-690](#))

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.

9. To request authorization to settle a case against the City and County of Honolulu entitled Christina M. Walser Lopez, Individually and as the Personal Representative of the Estate of Luis J. Lopez, et al. v. City and County of Honolulu, et al., Civil No. CV13-00711 LEK/BMK.
10. Resolution to retain the services of a Special Deputy to represent Officer Siave Seti, Jr., an employee of the City and County of Honolulu, Honolulu Police Department in a legal action entitled: State of Hawaii v. Siave Seti, Jr., C.R. No. 15-1-1216.
11. Resolution to retain the services of McCorriston Miller Mukai MacKinnon as Special Deputy Corporation Counsel to represent Defendant City and County of Honolulu in a legal action entitled Tabatha Martin, et al. v. City and County of Honolulu, et al., Civil No. CV15-00363 HG-KSC.
12. Resolution to retain the services of Starn O'Toole Marcus & Fisher as Special Deputy Corporation Counsel to represent Defendant City and County of Honolulu in a legal action entitled Abigail Kawanakoa, et al. v. City and County of Honolulu, et al., Civil No. CV15-1-1756-09 VLC.
13. Discussion of the Complaint for Declaratory and Injunctive Relief; Summons filed in Abigail K. Kawanakoa v. City and County of Honolulu, et al., Civil No. CV15-1-1756-09 VLC.

TREVOR OZAWA, Chair
Committee on Executive Matters and
Legal Affairs