



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

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Carol Fukunaga, Vice-Chair
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Brandon J.C. Elefante
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Joey Manahan
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Ron Menor
Kymerly Marcos Pine

**Page 3: Agenda Item 4 -
Resolution 16-90 - has been
cancelled.**

AGENDA

REGULAR MEETING
COMMITTEE MEETING ROOM
TUESDAY, APRIL 26, 2016
1:00 P.M.

SPEAKER REGISTRATION

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

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>
- By faxing to 768-3827 your name, phone number and the agenda item;
- By filling out a registration form in person; or
- 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 MARCH 29, 2016 MEETING

FOR ACTION

1. **RESOLUTION 15-322 – UNITED STATES MILITARY FORCES IN OKINAWA.**
Requesting the President of the United States and the U.S. Department of Defense to evaluate the current presence of United States Military forces in Okinawa and consider alternatives to the construction of a new military base in Henoko, Okinawa.

PROPOSED CD1 TO RESOLUTION 15-322 (Submitted by Councilmember Ozawa) – The CD1 (OCS2016-0364/4/5/2016 4:44 PM) makes the following amendments:

- A. Revises the title of the resolution to instead urge all government entities to balance the need for military presence with environmental, residential, and cultural concerns and consider lessons learned throughout history, including lessons learned in Honolulu, when evaluating the facility expansion in Henoko, Okinawa and the concentration of military forces in any country outside of the United States.
- B. Revises the body of the resolution to conform to the scope and focus of the new title.
- C. Adds a WHEREAS clause that states that the City and County of Honolulu established a sister city relationship in 1990 with Naha City, Okinawa via the Council's adoption of Resolution 69 (1960).
- D. Revises the BE IT FURTHER RESOLVED clause to urge the United States, Japan, and all of its allies to work in unison and cooperate to promote the overall safety and security of the Asia-Pacific region to maintain peace and economic prosperity.
- E. Revises the BE IT FINALLY RESOLVED clause to provide that copies of the resolution be transmitted to the Prime Minister of Japan, the chairpersons and ranking members of the United States Senate and United States House of Representative Committees on Appropriations Sub-committee on Defense, the chairpersons and ranking members of the congressional delegation from Hawaii, the Governor of the State of

Hawaii, the Governor of Okinawa Prefecture, the Okinawa Prefectural Assembly, the Mayor of the City of Naha, Okinawa, the Mayor of the City of Nago, Okinawa, the Chairperson of the All-Okinawa Council, the Chairperson of the Save Life Society organization in Henoko, the Chairperson of the Veterans for Peace-Ryukyu Working Group, the Hawaii United Okinawa Association, which in turn, is requested to transmit it to its member organizations, and the Hawaii Hui for Democracy in Okinawa.

- F. Makes miscellaneous technical and nonsubstantive amendments.
2. **RESOLUTION 16-60** – **REVIEW OF ARREST AND PROSECUTION PROCEDURES IN “DRIVING UNDER THE INFLUENCE” CASES**. Requesting the Honolulu Police Department and the Department of the Prosecuting Attorney to jointly review and make any necessary improvements to their arrest and prosecution procedures in “driving under the influence” cases.
 3. **RESOLUTION 16-82** – **(FOR CONDEMNATION) PUBLIC RECREATIONAL FACILITIES AT KAHUKU, KOOLAULOA, OAHU, HAWAII**. Providing for the acquisition of land for public use, to wit: public recreation facilities, situate at Kahuku, Koolauloa, Oahu, Hawaii, and determining and declaring the necessity of the acquisition thereof by eminent domain.

Cancelled

4. ~~**RESOLUTION 16-90** – **CHARTERS OF FREEDOM MONUMENT**. Supporting the construction of Charters of Freedom monument.~~

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.

5. To request authorization to settle a case against the City and County of Honolulu entitled Eric Reiny, et al. v. City and County of Honolulu, et al., Civil No. 10-1-0517-03 KKS.
6. To request authorization to settle a case against the City and County of Honolulu entitled Hawaiian Telcom, Inc. v. City and County of Honolulu, Civil No. 14-1-0428 KKS.

Committee on Executive Matters and Legal Affairs Agenda
Tuesday, April 26, 2016

7. To request authorization to settle two cases against the City and County of Honolulu entitled Constance Loewe, et al. v. City and County of Honolulu, Civil No. 10-1-0857-03 VLC.
8. To request additional funds for Contract No. SC-COR-1400106 to continue the services of Edgcomb Law Group LLP as Special Deputy Corporation Counsel for the City and County of Honolulu to represent the City and County of Honolulu in legal proceedings arising out of the National Pollutant Discharge Elimination System Permit Reapplication Process.

TREVOR OZAWA, Chair
Committee on Executive Matters and
Legal Affairs