



HAWAII KAI NEIGHBORHOOD BOARD NO. 1

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813
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DRAFT REGULAR MEETING MINUTES TUESDAY, MARCH 31, 2009 HAHAIONE ELEMENTARY SCHOOL CAFETERIA

CALL TO ORDER: Chair Greg Knudsen called the meeting to order at 7:09 p.m. with a quorum of 11 members present. Note - This 15-member Board requires eight members for a quorum and to take official Board action.

MEMBERS PRESENT: Matt Dirks, René Garvin, Steve Geimer, Marian Grey, Jeanette Hanson, Norma Kehrborg, Greg Knudsen, Wayne Levy (arrived at 7:10 p.m.), Carl Makino, Amy Monk (elected at this meeting), Elizabeth Reilly, David Tanabe, and Gary Weller.

MEMBERS ABSENT: Robert Clark (notified absence) and Aaron Isgar (notified absence).

VACANCIES: None.

GUESTS: Russ Saito (Governor Linda Lingle's Office, State Department of Accounting and General Services, Comptroller), Senator Sam Slom, Charlotte Farmer (Senator Fred Hemmings' Office), Representative Gene Ward and Francisco Figueiredo (Representative Ward's Office), Gordon Bruce (Mayor Mufi Hannemann's Office, Department of Information Technology, Director), Ken Amazaki (Councilmember Charles Djou's Office), Maj. Robert Green, Lt. Gary Lum Lee, Sgt. Guy Perreira and Ofc. Keith Takamiya (Honolulu Police Department); Capt. Gary Viela (Honolulu Fire Department), Su Shin (Board of Water Supply); Kathryn Xian, Veronica Garcia, Lauren Valle, Veronica Lamb and Lee Lamb (The Pacific Alliance to Stop Slavery [P.A.S.S.]); Lori Arizumi (East Oahu Sun), Stanley Chang, Bhanu Vguanln, Lee Mansfield (Hawaii American Water Company), Ralph Bishop, Lisa Bishop, Thomas Yamabe (farmer), Natalie Iwasa, Bob Farrell and Ivonne Cardenas (videographers, Makakilo.com), and K. Russell Ho (Neighborhood Commission Office).

APPROVAL OF JANUARY 27, 2009, AND FEBRUARY 24, 2009, REGULAR MEETING MINUTES: No minutes were available.

Levy entered the meeting at 7:10 p.m.; 12 members present.

FILLING OF VACANCY FOR SUB-DISTRICT 7 (KALAMA VALLEY): Amy Monk volunteered to serve on the Board and gave her background information. She is a retiree and a former House candidate and wants to participate in community affairs. **As there were no objections, Amy Monk was elected to fill the vacancy in Subdistrict 7 by UNANIMOUS CONSENT, 12-0-0. AYE:** Dirks, Garvin, Geimer, Grey, Hanson, Kehrborg, Knudsen, Levy, Makino, Reilly, Tanabe and Weller. Monk took the Oath of Office and was seated on the Board; 13 members present.

SECRETARY/TREASURER'S REPORT: Hanson will report at the next meeting.

STATUS REPORTS:

Honolulu Fire Department (HFD) – The HFD representatives had to leave on a call, so no report was made.

Honolulu Police Department (HPD) - Lt. Lum Lee reported the monthly report: 1) HPD Reaccreditation - HPD is scheduled for an on-site assessment as part of a program to achieve reaccreditation by verifying it meets professional standards. Administered by the Commission on Accreditation for Law Enforcement Agencies (CALEA), the accreditation program requires agencies to comply with state-of-the-art standards in four basic areas: policy and procedures, administration, operations, and support services. A copy of the standards is available for review at the Alapai headquarters.

As part of the on-site assessment, the public is invited to provide their comments via the following options:

1) Call in comments to (808) 599-0050 on Monday, April 27, 2009, from 12:30 p.m. to 4:30 p.m.



2) Public comment session on Monday, April 27, 2009, at 7:00 p.m. HPD's Career Center Conference Room, 715 South King Street.

3) Mail comments to CALEA, 10302 Eaton Place, Suite 100, Fairfax, Virginia, 22030-2215. For more information, call the HPD's Office of Accreditation at 547-2781.

4) Maj. Green reported that daytime burglaries were on the rise. He advised that the public call 911 to report suspicious behavior and promised increased patrols.

Comments followed: HPD responded that the regulations for three-wheeled mopeds/scooters include that they are not allowed in the bike lane, but should ride in traffic and can't go on over-45 miles per hour (mph) roads. Natalie Iwasa mentioned that a North Shore bicyclist was killed. There is a need for more bike education (Public Service Announcements) and enforcement.

Board of Water Supply (BWS) - Su Shin reported: 1) One water main break of an eight-inch pipe on February 25. 2) She distributed contact cards with BWS phone numbers; the main number is 748-5000. 3) The Second Annual Decorate an Egg, the Xeriscape Way Easter Workshop is on April 4, 2009 from 10:00 a.m. to 1:00 p.m. Register for this workshop by calling 748-5319 or emailing tours@hbws.org. 4) This will be her last Hawaii Kai Neighborhood Board meeting as she will be leaving the BWS.

PUBLIC GENERATED ISSUES:

Bicycling Announcements - Natalie Iwasa announced that on April 18 at the Bishop Museum, the Hawaii Bicycling League (HBL) and the Young Men's Christian Association (YMCA) will join for Family Day. May is Bike Month and nationally, the Bike to School Day has \$3.5 million for the Bike/Bus to School program. May 12 is going to be Bike to School Day in Hawaii.

Hawaii American Water Company (HAWC) - Lee Mansfield reported no odor complaints at its sewage treatment plant since September 2008. They do their own monitoring and two mitigation projects have been completed. Call the Complaint Line at (866) 430-0826.

Comments followed: Reilly complimented them on their use of Native Hawaiian plants and requested discussion about Ka Iwi. Mansfield added that he is willing to meet with Reilly and HAWC budgeted Capital Improvement Projects (CIP) of \$500,000 for odor control.

PRESENTATIONS:

Hawaii Kai Noise Pollution - Ralph Bishop presented a PowerPoint slideshow on noise pollution. He mentioned that there were three weighing standards and a multitude of noise sources. Under the dBA system, a thunder clap is 120 decibels, a jet engine is 140 decibels and a punctured ear drum may occur at 160 decibels. He is most concerned about motorcycles and stereos in trucks/cars or "boom stereo cars."

Comments followed: Barking dogs were another problem. The laws should be changed to "plain and audible," instead of designating decibel levels. There could be annual inspections of illegal muffler installation and HPD enforcement. **Levy moved, and Kehrberg seconded, that the Hawaii Kai Neighborhood Board No. 1 supports the Noise Pollution Resolution** as follows:

Resolution Relating to Noise Pollution

Whereas, noise pollution is an issue affecting both health and quality of life; and,

Whereas, current enforcement of existing noise pollution rules, statutes, and ordinances is insufficient and unacceptable and should be given greater attention by those State, County, and City administrative and law enforcement agencies having oversight and enforcement obligations; and,

Whereas, stronger and more easily understood City and County- and State-sponsored legislation is required to clarify and simplify existing statutes and ordinances; now, therefore,

Be it resolved, that the Hawaii Kai Neighborhood Board supports the need for additional administrative remedies, such as:

- The adoption of "plainly audible" standards of enforcement, as opposed to those requiring ambiguous and difficult-to-enforce standards relying on noise measurement devices;
- Amendment of the current Hawaii administrative requirement for an annual motor vehicle inspection to include muffler and exhaust system inspection for compliance and conformance with existing statutes and ordinances; and,
- To develop and maintain a community sense of awareness of progress, monthly reporting to the Board by the Honolulu Police Department on the number and kind of citations issued relating to noise pollution in our neighborhood.

Be it further resolved, that copies of this resolution be conveyed to Mayor Mufi Hannemann, Councilmember Charles Djou, Governor Linda Lingle, State Senators Sam Slom and Fred Hemmings, State Representatives Gene Ward and Lyla Berg, the Hawaii Department of Transportation (Motor Vehicle Safety Office), the Hawaii Department of Health, the Honolulu Police Department and HPD District 7, and the chairs of each Neighborhood Board.

Discussion followed: The fines for installing illegal modifications are \$100 to \$250. On the weekends, there are many "motorcycle rides" on the H-3 Freeway. The District 7 (Hawaii Kai) statistics are larger than those given. Residents would like to meet with the police regarding barking dogs. There are many sources, but this is a first step. A resident on Mariners Ridge reported hearing gun shots from the rifle range and crowing roosters at night. The Shack is a magnet for motorcycles after 10:00 p.m.

The resolution relating to noise pollution was ADOPTED by UNANIMOUS CONSENT, 13-0-0. AYE: Dirks, Garvin, Geimer, Grey, Hanson, Kehrberg, Knudsen, Levy, Makino, Monk, Reilly, Tanabe, and Weller.

Prevalence of Human Trafficking on Oahu - Veronica Lamb presented a PowerPoint slideshow which highlighted human trafficking. Her organization, P.A.S.S., strives to provide protection for victims and job training. She mentioned a local businessman in Aina Haina and added that HPD enforcement is not enough. One can visit www.craigslist.org for lists of names and addresses of people in the business. To learn more about human trafficking visit the website www.traffickjamming.org or email info@traffickjamming.org. She asked for the Board's support at the Legislature.

NEW BUSINESS:

House Concurrent Resolution 65 (HCR 65) Requesting Hawaii American Water Company to Implement an Odor Mitigation Plan for Its Facility in Hawaii Kai - This issue was previously mentioned under "Public Generated Issues." **Levy moved, and Tanabe seconded, that the Hawaii Kai Neighborhood Board No. 1 supports HCR 65 as amended.** Discussion followed. The State Department of Health (DOH) has jurisdiction over the regulation of odor control. The Hawaii American Water Company's phone number has no "file a complaint" and no "live person" option. Odor depends on the wind direction. From the March 2007 Board meeting to now, two out of five mitigation projects were done. The fees charged are not enough to cover the mitigation process. HCR 65 will go to the Senate side. To file a complaint, call the State Clean Air Branch.

The resolution that the Hawaii Kai Neighborhood Board No. 1 supports HCR 65 as amended was ADOPTED by UNANIMOUS CONSENT, 13-0-0. AYE: Dirks, Garvin, Geimer, Grey, Hanson, Kehrberg, Knudsen, Levy, Makino, Monk, Reilly, Tanabe, and Weller.

Neighborhood Commission's Plan to Impose a Set Agenda Template on All Neighborhood Boards - Chair Knudsen relinquished the gavel to Vice Chair Reilly, who became the Acting Chair. **Knudsen moved, and Weller seconded, that the Hawaii Kai Neighborhood Board No. 1 supports the Resolution Opposing Imposition of an Agenda Template on All Boards and Calling for the Neighborhood Commission to Rescind Its Agenda Template Approval** as follows:

Resolution Opposing Imposition of an Agenda Template on All Boards and

Calling for the Neighborhood Commission to Rescind Its Agenda Template Approval

Whereas, on March 23, 2009, the Neighborhood Commission voted to adopt an “agenda template” for all Neighborhood Boards and intends to instruct boards to begin using the set agenda in May 2009, to be followed with a re-evaluation after a six-month period; and,

Whereas, among the changes in the set agenda is to move the Mayor’s Representative to one of the very first priority items, ahead of resident/community concerns, all board business, and reports from elected officials; and,

Whereas, this action by the Commission was taken without public hearings and was voted upon only minutes after copies of the proposed agenda template were made available; and,

Whereas, the Neighborhood Plan contains several provisions that are in opposition to such an action by the Commission, including (relevant portions quoted):

Sec. 2-14-10 Purpose. “The purpose of this neighborhood plan and the neighborhood boards is to increase and assure effective citizen participation in the decisions of government.”

Sec. 2-13-102 General powers, duties, and functions of the boards. “Boards may take the initiative in selecting and prioritizing their activities, and provide reasonable means to increase and assure effective citizen participation in the decisions of government.”

Sec. 2-14-111 Meeting notice and agenda. “The meeting notice and agenda shall be prepared by the chair or presiding officer...”

Sec. 2-14-123 Duties of officers. “It shall be the duty of the chair to ... prepare the agenda.”

Sec. 2-14-112 Priority of business. “The board shall give priority to representatives of the Honolulu Fire Department and the Honolulu Police Department” (only two agencies afforded priority status, for reasons of public safety).

Sec. 2-20-1 02 Method of adoption, amendment, or repeal of rules. “Before the adoption, amendment, or repeal of any rule of this plan, at least two public hearings shall be held by the commission [and] at least thirty calendar days notice shall be given before the date of each hearing.”

Whereas, a set agenda circumvents the authority of each board to determine its own agenda based on the interests and needs of its own community; and,

Whereas, placing the Mayor’s Representative ahead of resident/community concerns, thus allowing the Mayor’s Representative to leave at the beginning of the meeting, delays citizen participation, deprives the Mayor of a channel to citizen concerns, and does not “increase and assure effective citizen participation in the decisions of government;” and,

Whereas, changes to the Neighborhood Plan must follow an official amendment process, as detailed in Chapter 20 of the Neighborhood Plan; now, therefore,

Be it resolved, that the Hawaii Kai Neighborhood Board No. 1 is opposed to the imposition of an agenda template as approved by the Neighborhood Commission on March 23, 2009; and,

Be it further resolved, that the Hawaii Kai, Neighborhood Board No. 1 calls for this action by the Commission to be rescinded because it is in violation of several provisions of the Neighborhood Plan; and,

Be it further resolved, that this resolution shall serve as an official “request for review” (Neighborhood Plan, Sec. 2-1 1-401) to overturn the Neighborhood Commission’s action on March 23, 2009, pertaining to the agenda template; and,

Be it further resolved, that copies of this resolution be distributed within the City and County of Honolulu to its Mayor, Managing Director, Corporation Counsel, Neighborhood Commission Chair, Neighborhood Commission Executive Secretary, City Council Chair, and each Neighborhood Board Chair.

Discussion followed. Knudsen attended the March 23, 2009 Neighborhood Commission meeting. He alleged that several sections of the Neighborhood Plan (NP) were violated. **The resolution relating to Opposing Imposition of an Agenda Template on All Boards and Calling for the Neighborhood Commission to Rescind Its Agenda Template Approval was ADOPTED by UNANIMOUS CONSENT, 13-0-0. AYE:** Dirks, Garvin, Geimer, Grey, Hanson, Kehrborg, Knudsen, Levy, Makino, Monk, Reilly, Tanabe and Weller.

Geimer left at 9:00 p.m.; **12 members present.**

ELECTED OFFICIALS' REPORTS:

Mayor Mufi Hannemann's representative - Gordon Bruce reported: 1) a) The City Department of Transportation Services (DTS) will be conducting an investigation which will include a review of the traffic history and on-site inspections at the corner of Kalanipuu Street (south exit) and Lunalilo Home Road. DTS will provide the status of this study by July 2009. b) New locations for "No Parking" signage has to be reviewed by DTS. If warranted, DTS will provide a work request to the City Department of Facility Maintenance (DFM) for installation. 2) DTS replaced the pedestrian button to push to cross Wailua Street and Lunalilo Home Road on February 27. 3) The City Department of Parks and Recreation (DPR) continues to monitor the chicken population at the Hawaii Kai Park and Ride. DTS conducts and finances a quarterly chicken roundup at the Park and Ride. The efforts to control the chicken population continue with the next chicken trapping scheduled for April 14-28, 2009. 4) The issue of feral cats, the noise, and smell do not fall under the jurisdiction of DPR, which recommends consulting the Humane Society on this matter. 5) Regarding the sensor loops response from the previous month, Natalie Iwasa asked if the City can install boxes or paint over where the sensor loops are. The locations are: a) along Kuliouou Road and Kalaniana'ole Hwy; and b) Hawaii Kai Drive and Keahole Street; and including all other streets that have been paved over. DFM responded that the appropriateness of painting or marking detector loops would need to be determined by DTS Traffic Engineers. It appears that painting/marking detector loops and the continued maintenance to upkeep these markings would be very costly for City taxpayers and may conflict with standard traffic markings. DTS Response: DTS recommends DFM replace detector loops. DTS does not recommend painting white boxes on the roadway. 6) Regarding the opala bins, Bruce suggested putting information on www.opala.org (and avoiding placement of bins in bike lanes); the City staff/employees should put the bins back in place and they should not be hanging over the curbs. Generally, the can is replaced in the same place it was picked up. There have been issues in the past where the homeowner places the can in the bike lane the night before pickup. The truck driver is supposed to leave a note indicating that the can is an obstruction. Unfortunately, not all drivers consistently do this. They will be advised of the community's concerns regarding bike lane obstructions. 7) Regarding the Neighborhood Board elections, online voting will be the primary form of voting. However, the Neighborhood Commission Office (NCO) asked potential vendors to include an alternate method of voting as part of their bid. More details should be available after the bid is awarded in about a month. 8) Regarding the boulder in Hawaii Kai, a copy of the inspection report will be mailed from the City Department of Design and Construction (DDC) to Bruce.

Comments followed: Weller requested a survey on Kamilo Street and recommended painting a white line down the middle of the street for safety reasons. Iwasa commented on trash bins in the bike lane and opportunities to educate the public.

Councilmember Charles Djou - Ken Amazaki reported: 1) Regarding the roosters at the Park and Ride, Action Pest Control has been contracted. 2) The City Council is working on the budget.

Governor Linda Lingle's representative - Russ Saito reported: 1) The Governor's budget plan increases support for public education. 2) As to the right turn lane from Keahole Street onto Kalaniana'ole Highway, the project went out to bid. 3) The State Department of Transportation (DOT) will fix the guard rail across First Hawaiian Bank on Kalaniana'ole Highway.

Comments followed: The Board favors the two improvements designated for Ka Iwi State Scenic Shoreline per the current Recreational Renaissance Plan, which are: 1) Redesign and reconstruct the access road that is used for pedestrian recreational access and vehicular management access that terminates at the lighthouse; and 2)

Redesign and reconstruct the observation platform (lookout) for improved safety and to be accessible to persons with disabilities. However, The Board opposes the entry fees for tourists. The Board cites that the Ka Iwi visitor count is too low and fees would discourage tourists from visiting Hawaii. Saito responded that the State is facing major budget cuts and 80% of the budget is labor costs. The debate will be continued in the Legislature.

Senator Sam Slom - Senator Slom distributed his newsletter, which highlighted the Honolulu Tax Day Tea Party on April 15 from 4:00 p.m. to 7:00 p.m. at the Hawaii State Capitol. Slom opposes House Bill 980 (HB 980), the Administration's "Recreational Renaissance" bill, to create a new special fund and new fees for local park users.

Senator Fred Hemmings - Newsletter was available.

Representative Gene Ward reported: 1) There were bills concerning noise abatement, Maunalua Bay and taxes. 2) He received a report from the Mayor's representative, Gordon Bruce, on the Hawaii Kai boulder. 3) Earth Day 2009 at Ka Iwi will be on Saturday, April 18, 2009 from 9:30 a.m. to 12:00 p.m. Volunteers are invited to clean up Ka Iwi. 4) Murray Luther was chosen as the first recipient of his office's "Hawaii Kai Unsung Hero Award" for his 34 years of community service and for mobilizing the community for the placement of the Hawaii Kai Landmark Sculpture at the entrance to Hawaii Kai. His efforts earned him the title of "Mayor of Hawaii Kai."

Representative Lyla Berg - Newsletter was available.

COMMITTEE REPORTS: In the interest of time, there were no reports.

OTHER BOARD ANNOUNCEMENTS:

Board Member Announcements - 1) Weller announced that Charlie Rodgers, a former chair of the Hawaii Kai Neighborhood Board No. 1, passed away. The Board honored him with a few moments of silence. 2) Concerning Ka Iwi, Reilly said the proposed Golf Academy follows a different process from "vacation cabins." 3) Garvin announced that it was Spring Break for the schools and to be aware of kids. May Day is coming up.

Board Chair Announcements - Chair Knudsen mentioned that 2010 Census tracking jobs are available.

Update on Ka Iwi issues: Recreational Renaissance Bill and Fees; and Development Status of Mauka Properties - No report.

Neighborhood Board Elections - Hawaii Kai Neighborhood Board No. 1 will have uncontested elections and vacancies.

Correspondence - There was no correspondence.

CLOSING ANNOUNCEMENTS:

- The next regular Board meeting is scheduled for Tuesday, April 28, 2009, at the Hahaione Elementary School Cafeteria, 7:00 p.m.
- Hawaii Kai Neighborhood Board regular meetings are broadcast every Tuesday of the month at 9:00 p.m. on Olelo Channel 54. Check TV listings to confirm schedule.

ADJOURNMENT: The meeting adjourned at 10:00 p.m.

Submitted by K. Russell Ho, Neighborhood Assistant

Reviewed by Greg Knudsen, Chair