



HAWAII KAI NEIGHBORHOOD BOARD NO. 1

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov>

DRAFT REGULAR MEETING MINUTES TUESDAY, JUNE 30, 2009 HAHAIONE ELEMENTARY SCHOOL CAFETERIA

CALL TO ORDER: Chair Greg Knudsen called the meeting to order at 7:00 p.m. with **a quorum of 13 members present**. Note - This 15-member Board requires eight members for a quorum and to take official Board action.

MEMBERS PRESENT: Robert Clark, René Garvin, Steve Geimer, Marian Grey, Jeanette Hanson, Aaron Isgar, Norma Kehrberg, Greg Knudsen, Wayne Levy, Carl Makino, Amy Monk, Elizabeth Reilly, David Tanabe, and Gary Weller.

MEMBERS ABSENT: Matt Dirks (notified absence).

VACANCIES: None.

GUESTS: Russ Saito (Gov. Linda Lingle's Office, State Dept. of Accounting and General Services, Comptroller), Senator Sam Slom, Gordon Bruce (Mayor Mufi Hannemann's Office, Dept. of Information Technology, Director), Kenny Amazaki (Councilmember Charles Djou's Office), Lt. Gary Lum-Lee, Sgt. Roy Hayamoto and Ofc. Keith Takamiya (Honolulu Police Department); Capt. Craig Roberts (Honolulu Fire Department), Kurt Tsue (Board of Water Supply), Don Huff, Bob Kern, Micki Stash, Natalie Iwasa, Rudy and Kerina Salazar, Thomas Yamabe (Kamilonui Valley Farmer), Jeannine Johnson (Maunaloa Fishpond and Livable Hawaii Kai Hui), Jean Rason (Kahu o Kahiko), Wayne Thiessen, Jolie Wagner (University of Hawaii Sea Grant), Tracy Furuya, Richard Wainscoat (University of Hawaii), Stanley Chang, Frank DeGiacomo, David Livingston, Bob Farrell and Ivonne Cardenas (Videographers, Makakilo.com), and K. Russell Ho (Neighborhood Commission Office).

APPROVAL OF THE FEBRUARY 24, 2009 REGULAR MEETING MINUTES: No minutes were available.

APPROVAL OF THE APRIL 28, 2009 REGULAR MEETING MINUTES: **As there were no objections, the April 28, 2009 regular meeting minutes were APPROVED as circulated by UNANIMOUS CONSENT, 13-0-0.** (AYE: Clark, Garvin, Geimer, Grey, Hanson, Isgar, Kehrberg, Knudsen, Makino, Monk, Reilly, Tanabe, and Weller).

APPROVAL OF THE MAY 26, 2009 REGULAR MEETING MINUTES: **As there were no objections, the May 26, 2009 regular meeting minutes were APPROVED as circulated by UNANIMOUS CONSENT, 13-0-0.** (AYE: Clark, Garvin, Geimer, Grey, Hanson, Isgar, Kehrberg, Knudsen, Makino, Monk, Reilly, Tanabe, and Weller).

TREASURER'S REPORT: Treasurer Jeanette Hanson reported that the previous Operating Balance was \$810.92. With \$70.93 expended for the printing and mailing of the agenda/minutes, the closing Operating Balance is \$739.99. The previous Publicity Balance was \$540.50. With no expenditures for the videotaping the Board meetings, the closing Publicity Balance remained at \$540.50. The Refreshment Balance remained at \$113.25. The Treasurer's report was filed, pending payments for videotaping and other June expenditures.

Wayne Levy entered the meeting at 7:12 p.m.; **14 members present**.

STATUS REPORTS:

Honolulu Fire Department (HFD) - Capt. Craig Roberts reported: 1) May 2009 statistics - 1 structure, 1 rubbish and 1 motor vehicle fires; 23 medical emergencies, 2 search/rescues and 7 miscellaneous calls for service. No major incidents. 2) Fire Safety Tip: Summer is here and the island will be at a higher risk for fires due to dry vegetation and the hot weather. Historically, "wildland fires" were referred to as "brush fires;" however, the term wildland fire is more nationally recognized. Please use caution when utilizing flame-producing devices, such as fireworks, matches, and/or lighters, around wildland vegetation; the smallest spark and/or flame can ignite the dry vegetation. As a reminder, the law states that children under age 18 shall not possess or have access to



fireworks, matches, and/or lighters, except under adult supervision. Flame-producing devices are not safe for young children. Always follow the manufacturer's directions on the label. As Independence Day nears, consider leaving fireworks displays to pyrotechnic professionals and enjoy one of several public fireworks displays offered by various communities.

Honolulu Police Department (HPD) - Lt. Gary Lum-Lee distributed the monthly report and reported: 1) Cell phone ban starts tomorrow. The monthly report had a copy of the ordinance and Frequently Asked Questions.

Board of Water Supply (BWS) - Kurt Tsue reported: 1) Water main breaks - Two water main breaks in Hawaii Kai during May: a four-inch main break at 363 Waiopua Place on May 8, 2009 and an eight-inch main break at 515 Lunalilo Home Road. None in June 2009. 2) Water Quality - BWS ensures that water served to customers meets or exceeds all federal and state safe drinking water standards. Every year, BWS conducts thousands of tests on the water source and distribution system. Test results are shared with customers in annual water quality reports, which are currently being mailed and should be received by July 1, 2009. For water quality reports and more information, go to www.boardofwatersupply.com. 3) Summer Conservation - During the hot summer months, water consumption typically rises. The BWS is asking all Oahu residents to be vigilant and use the water wisely. There are very simple things to do to save water - Turn off the water when brushing teeth, turn off the shower when soaping up, check home for leaks, and install a nozzle on the garden hose. For more tips, go to www.boardofwatersupply.com.

Comments followed: A private contractor was using a fire hydrant. Tsue would follow up.

RECOGNITION OF COMMUNITY SERVICE:

Recognition of Linda Lau for Community Service at Kaiser High School – René Garvin and Rep. Gene Ward recognized Linda Lau for her service to the community with a plaque and lei. Pictures were taken.

Swearing-in of five Neighborhood Board members - The Oath of Office was administered to Robert Clark, Marian Grey, Carl Makino, Jeanette Hanson, and David Tanabe.

PUBLIC GENERATED ISSUES:

- 1) Bob Kern was concerned about a special fund for Hanauma Bay to fix the eight broken computers. They also recommended "special procedures" to manage the educational facility. They met with Councilmember Charles Djou, who helped with this issue. No one knows how much is in special fund (about \$100,000 surplus). They inquired how much is in fund and requested that the City fix the computers and the facility.
- 2) Jolie Wagner of Malama Maunaloa was concerned about the mauka watershed areas and getting a stimulus grant to fight alien algae. Learn more about Mauka Watch on July 22-23, 5:50-8:00 p.m. Phone 744-7052.
- 3) Natalie Iwasa mentioned in January 2009 she suggested to Department of Transportation Services (DTS) to move the sidewalk 40 feet on Lunalilo Home Road. Now, that they are repaving, she is suggesting this again. She advised regarding garbage bins put back on sidewalks: don't overfill and don't place bins in the street or bike lane.
- 4) Frank DeGiacomo, a newly-elected Hawaii Kai Board member, had attended the Neighborhood Commission Office's Installation Ceremony and the Office of Information Practices (OIP) "Sunshine Law" training. He was concerned about the penalties of possible violations of the Sunshine Law and wanted someone from the State Attorney General's Office or OIP to attend a Board meeting.

OFFICIALS' REPORTS:

Mayor Mufi Hannemann's Representative - Gordon Bruce reported: 1) DTS checked the traffic signals at the Lunalilo Home Road and Hawaii Kai Drive intersection and found them operating properly. 2) Department of Environmental Services (ENV) responded although he is not required the use of a green and/or blue bin, ENV will monitor the household trash in the gray bin to verify that the gray bin does not contain mixed recyclables and green waste. An additional gray bin will be issued if the resident is participating in recycling and still has more refuse than can be placed in one gray bin. 3) Regarding the playground equipment, Bruce deferred to Dave Tanabe, Parks and Recreation Committee Chair. 4) Regarding the Neighborhood Commission Office's budget

cuts, the Fiscal Year (FY) 2010 Budget is \$907,289 with no cuts. Cuts are anticipated in the FY 2011. The Neighborhood Commission Budget Committee will be presenting a report to the commission with possible ideas for cost savings. 5) If Paul's Electric damaged the curbs, then they should pay for repairs. 6) The lights on Lunalilo Home Road may cost \$1.9 million.

Comments followed: 1) Tanabe reported that Donna White, Koko Head District Park Supervisor, did not give much information and hopes to meet with her. 2) Monk requested follow up on the "Hawaii Kai boulder report." 3) A resident reported the overgrown grass on Lunalilo Home Road between the fire station and Hawaii Kai Drive. 4) Regarding the rooster/chicken problem, a resident asked how much is Aloha Pest Control paid. As to the use of ova control, residents requested a Humane Society presentation first.

Councilmember Charles Djou - Kenny Amazaki distributed Councilmember Djou's newsletter and highlighted: 1) The record-breaking \$3.5 billion budget and details of various budget-related bills and resolutions. 2) How to register to speak or submit testimony for Council and Committee meetings.

Comments followed: Amazaki was recognized for his research on Kaiser Estate public access issue.

Governor Linda Lingle's Representative - Russ Saito reported: 1) The Department of Land and Natural Resources (DLNR) was following up on an alleged shark-bait buoy in Maunalua Bay. 2) Regarding the left turn to Hanauma Bay, the project will be completed soon. 3) Regarding the Keahole Street right turn onto Kalaniana'ole Highway, the contract to be awarded. 4) There were 65 bills on the Governor's veto list. The Governor requested public input. 5) Through Executive Order 9, the Governor proposed furloughs for State workers and the closing of selected State offices for three Fridays, with a four-day schedule.

Comments followed: 1) Concern was expressed about the lighting on Lunalilo Home Road. 2) Regarding Ka Iwi, the Makapuu Lighthouse trail was out of "poop bags." Saito will notify Department of Land and Natural Resources (DLNR) that Reilly is working on replenishing the bags with the Hawaiian Humane Society having a fundraiser at the 4th of July event. Reilly favors changing the zoning of the land on makai side of Ka Iwi to conservation. 3) DeGiacomo requested that the Attorney General's Office come to a Board meeting and speak about the Sunshine Law. The Office of Information Practices (OIP) is under the Lt. Governor's Office. Follow up on the liability question is needed before asking the Attorney General's representative to attend. 4) Clarifying furloughs, Saito mentioned that 90% of State offices could close on three Fridays. A different schedule could be implemented for different workers; maybe on Mondays.

Senator Sam Slom welcomed new members and reported: 1) There will be a court ruling on July 2 on the Governor's proposed furloughs for State workers. There was a picture in his newsletter of a union rally that was taken at 4:30 p.m. this afternoon. 2) The Council of Revenues predictions were lower than expected. It will meet again in September. 3) The "gas tax" would add 10 to 13 cents per gallon more. 4) The Capitol was "de-lamping" and tinting. Sen. Slom questioned the cost. 5) Sen. Slom requested proposals for bills for January 2010. 6) The Governor submitted a potential veto list and there will be a July 15 Special Session to override vetoes. 7) The Independence Day at Maunalua Bay event will be on Saturday.

Senator Fred Hemmings - No representative or report present.

Representative Gene Ward reported: 1) The new Hawaii Kai Neighborhood Board sign looked good. 2) He will have a booth at the Independence Day at Maunalua Bay. 3) Rep. Ward recognized the Boy Scouts in the audience. 4) He introduced his office staff. 5) As to Ka Iwi, no permits have been filed. 6) Concerns were raised about the Hawae Heiau in Hahaione Valley. 6) Rep. Ward discussed odor mitigation with Hawaii American Water Company. 7) The newsletter has an article about the State furloughs. 8) As to the Farmers Update, there will be a "Day on the Farm" in August. 9) The Governor may issue 65 vetoes, but the City vehicle weight tax and bus/zoo fees are going up. 10) The State Elections Office may be closing precincts in Hawaii Kai.

Comments - Board member Makino, who sits on Kaiser High School's School Community Council, recognized Linda Lau.

Representative Lyla Berg - Newsletter was available. There was an article on shark tours that Rep. Berg had submitted to the Honolulu Advertiser on May 15, 2009.

Recognition of Retiring Neighborhood Board Members - Chair Knudsen recognized Matt Dirks, Steve Geimer, Norma Kehrberg, and Dave Livingston. He presented framed Certificates of Appreciation.

Geimer commented that Chair Knudsen ran "a tight ship" and that the Hawaii Kai Neighborhood Board No. 1 served the interest of the community.

NEW BUSINESS:

Discussion/Action on the Cost, Number, and Necessity of New Street Lights on Lunalilo Home Road - The street lights on Lunalilo Home Road may cost at least \$1.6 million, a bigger job than first proposed and may have too much lighting. There were questions about the budget, cost of the job and electricity, number of posts and "safety" reasons, as there were no complaints on the lighting. A resident pointed out that the posts were too close and it was a waste of money. There was "light pollution," or wasteful use of light, as the light goes up instead of down. The City could use 50-watt bulbs instead of 150 watts. This project was not a "repair job." Residents asked what was the original contract and any amendments, as this project did not come before the Board, because it was a "repair job." Also, the Board asked if Phase 1 of this project be placed on "pause." More information followed from Gordon Bruce: the peak load of Lunalilo Home Road was 1,200 vehicles per hour. There would be 144 new light poles to replace 48, at an actual cost of \$1,956,100. In Phase 2, 32 new lights will replace 11, costing an additional \$569,870. Comments continued: more poles mean more obstructions, the project was not properly presented or explained. The Board requested that a Department of Design and Construction representative come to the next Board meeting.

Clark moved, and Reilly seconded that the Hawaii Kai Neighborhood Board No. 1 wants this lighting project on Lunalilo Home Road be "paused" or "placed on hold," until the appropriate City agency representative comes to the Board. As there were no objections, the motion was ADOPTED by UNANIMOUS CONSENT, 14-0-0 (AYE: Clark, Garvin, Geimer, Grey, Hanson, Isgar, Kehrberg, Knudsen, Levy, Makino, Monk, Reilly, Tanabe, and Weller).

Comments followed: There are 80 signs on Lunalilo Home Road from Kalaniana'ole Highway to Wainiha Street and they cause light pollution.

Discussion/Action on a Resolution in Support of Legislation to Prevent Human Trafficking as Proposed by the Pacific Alliance to Stop Slavery (P.A.S.S.) - P.A.S.S. will draft a bill and send it to the Board. Chair Knudsen offered the following resolution:

Resolution in Support of Legislation to Prevent Human Trafficking

WHEREAS, the rise in human trafficking among international and domestic trafficked persons is increasing in Hawaii, adversely affecting the image of the state and therefore tourism and the economy; and,

WHEREAS, existing legislation and law enforcement activities in Hawaii are ineffective to deter human trafficking. Effective deterrents require bringing traffickers, and patrons or "Johns" who solicit services from trafficked persons, to justice; and,

WHEREAS, the Intermediate Court of Appeals recently ruled that Hawaii's street prostitution statute is ineffective when applied to penalties for patrons or "Johns," and that the Legislature intended to exclude a patron of a prostituted person from criminal liability; and,

WHEREAS, no comprehensive, victim-centered law exists in Hawaii that effectively penalizes the range of offenses involved in the trafficking scheme, to create a significant and effective penal deterrent to traffickers and patrons, while recognizing and protecting the needs and rights of trafficked persons; and,

WHEREAS, existing state laws fail to protect victims of trafficking, who are often in Hawaii without proper documentation for falsified identification and are frequently punished instead of the traffickers themselves; and,

WHEREAS, trafficked persons also often find it difficult or impossible to report the crimes committed against them or to assist in the investigation and prosecution of these crimes because they are subjected to coercion and intimidation, including physical or psychological control and debt bondage, and often fear retribution; and,

WHEREAS, adequate services and facilities do not exist in Hawaii to meet the needs of trafficking victims for health care, housing, education, medical services, and legal assistance, which safely support the recovery and ability of trafficked persons to regain control of their lives and also to assist with the prosecution of traffickers; and,

WHEREAS, in order to deter human trafficking, Hawaii must recognize that trafficking is a serious offense, which is done by prescribing appropriate punishment, giving priority to the prosecution of trafficking offenses, and protecting, rather than punishing, the victims of these offenses; and,

WHEREAS, the Hawaii State Legislature must enact a Human Trafficking statute compatible with existing state statutes as well as with the Wilberforce Act (Trafficking Victim's Protection Act) to allow local law enforcement and city prosecutors to effectively combat the growing problem of human trafficking which is a contemporary manifestation of slavery, to ensure the just and effective punishment of traffickers and to protect the human rights of trafficked persons; and,

WHEREAS, the Pacific Alliance to Stop Slavery has drafted a bill for the 2010 legislative session to enact a state human trafficking statute to effectively address and combat the crime of human trafficking in Hawaii, compatible with federal statutes; now, therefore,

BE IT RESOLVED, that the Hawaii Kai Neighborhood Board No. 1 urges the State Legislature, the Governor of Hawaii, and the Mayor of the City and County of Honolulu and its relevant departments to support, to enact, and to enforce the human trafficking legislation as proposed by the Pacific Alliance to Stop Slavery by: (1) Passing the bill enacting a state human trafficking statute, as drafted and provided by the Pacific Alliance to Stop Slavery; and (2) Making the introduction and expeditious hearing and passage of this bill a priority in the next 2010 legislative session.

BE IT FURTHER RESOLVED, that copies of this Resolution be transmitted to the Governor of the State of Hawaii, Hawaii State Legislature, Mayor of the City and County of Honolulu, Honolulu City Council, all Neighborhood Boards, and the Pacific Alliance to Stop Slavery for distribution to all other interested parties.

Isgar moved, and Clark seconded that the Hawaii Kai Neighborhood Board No. 1 supports the Human Trafficking resolution. As there were no objections, the motion was ADOPTED by UNANIMOUS CONSENT, 14-0-0 (AYE: Clark, Garvin, Geimer, Grey, Hanson, Isgar, Kehrberg, Knudsen, Levy, Makino, Monk, Reilly, Tanabe, and Weller).

Discussion (only, no action) on the Current Status of Hawea Heiau Archeological Features and Wetland Area At or Adjoining the Hale Alii Construction Site - Pua Aiu, Administrator, State Historic Preservation Division, Department of Land and Natural Resources (DLNR), reported on the Hawae Heiau. DLNR accepted the report about a 1985 survey. Their Library is trying to put the documents on-line. Site 43 is a village site, but they couldn't find the heiau. The community people are disputing the findings and claim the heiau is there. Also, the wetlands are not maintained. Residents showed pictures of walls around petroglyphs and gave a history of Hawaii Kai. Chair Knudsen had invited the Office of Hawaiian Affairs (OHA) and Hale Alii developer Mike Kline, but both declined to attend.

Discussion/Action to Spend \$250 for Videotaping of July Board Meeting - **Tanabe moved, and Garvin seconded that the Hawaii Kai Neighborhood Board No. 1 authorizes the expenditure of \$250 for the videotaping of the July Neighborhood Board meeting. As there were no objections, the motion was ADOPTED by UNANIMOUS CONSENT, 14-0-0 (AYE: Clark, Garvin, Geimer, Grey, Hanson, Isgar, Kehrberg, Knudsen, Levy, Makino, Monk, Reilly, Tanabe, and Weller).**

COMMITTEE REPORTS:

Parks - David Tanabe will try to meet with Donna White and work on setting up a Parks and Recreation Committee meeting soon.

Education - René Garvin reported that Hahaione Elementary School won the \$8,000 second prize for the Hawaiian Electric Company (HECO)'s Home Energy Challenge. The students and their families learned to conserve energy by decreasing electricity usage.

Transportation, Community Relations, Communications, Environment - No report.

Planning and Zoning - Regarding the Hawea Heiau, Gary Weller would like to find out if the City is citing violations. He thinks that Paul's Electric is stockpiling dirt and wondered when the project is finished, if they will clean up

Oahu Metropolitan Planning Organization (OMPO) Citizen Advisory Committee (CAC) meeting - Greg Knudsen reported on last week's Transit Symposium. It did not affect Hawaii Kai.

OTHER BOARD ANNOUNCEMENTS:

Board Member Announcements - There will be Independence Day at Maunalua Bay on Saturday, July 4, from 2:00 p.m. to 9:00 p.m. with booths, food, entertainment, prizes, and fireworks.

Board Chair Announcements -

Update on banners for Neighborhood Board publicity - Chair Knudsen purchased three large and two smaller banners for \$300.00 or one-third less than expected. He posted them in the Hawaii Kai area.

Update on Independence Day at Maunalua Bay and "Fly the Flag on the 4th of July" promotion - "Fly the Flag" flyers were printed by donation from Pacific International Realty and posted.

Update on City Council Testimony - Chair Knudsen submitted testimony to the City Council, supporting the council's resolution to ban shark tours, and opposing the bill to impose a \$250.00 fee to those who present more than three times per year at Neighborhood Board meetings.

Update on Agenda Template for Neighborhood Boards - The Board still opposes the agenda template.

Update on Public Access to Shoreline at Old Kaiser Estate - Regarding public access to old Kaiser Estate, the bridge is open.

Hawaii Kai Neighborhood Board Vacancies in Subdistrict 4 and 8 - Hawaii Kai Neighborhood Board No. 1 needs eight out of 15 members with vacancies for quorum. The Board will challenge the Department of Corporation Counsel (COR) oral opinion.

Correspondence - There was none.

CLOSING ANNOUNCEMENTS:

- Cha Cha Cha Salsaria will have a July 26, 2009 event.
- The next regular Board meeting is scheduled for Tuesday, July 28, 2009, 7:00 p.m., at Hahaione Elementary School Cafeteria
- 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 9:48 p.m.

Submitted by K. Russell Ho, Neighborhood Assistant

Reviewed by Greg Knudsen, Chair