



HAWAII KAI NEIGHBORHOOD BOARD NO. 1

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813
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DRAFT REGULAR MEETING MINUTES **TUESDAY, OCTOBER 27, 2009** **HAHAIONE ELEMENTARY SCHOOL CAFETERIA** **595 PEPEEKEO STREET**

CALL TO ORDER: Chairperson Greg Knudsen called the meeting to order at 7:04 p.m. with a **quorum of nine members present**. (Note - This 15-member Board requires eight members for a quorum and to take official Board action.)

MEMBERS PRESENT: Robert Clark, Frank De Giacomo, René Garvin, Marian Grey, Aaron Isgar, Greg Knudsen, Wayne Levy, Carl Makino, Amy Monk, Elizabeth Reilly, Maxine Rutkowski (elected at this meeting), David Tanabe, and Gary Weller.

MEMBERS ABSENT: Jeanette Hanson (notified absence).

VACANCIES: One in Subdistrict 8 (Lunalilo Park, Mauka).

GUESTS: Russ Saito (Governor Linda Lingle's Representative, State Department of Accounting and General Services, Comptroller), Senator Sam Slom, Representative Gene Ward and Beth Fukumoto (Representative Gene Ward's Office), Mark Scalzone (Mayor Mufi Hannemann's Representative, Mayor's Office of Economic Development), Councilmember Charles Djou and Kenny Amazaki (Councilmember Charles Djou's Office), Capt. Eric Scharff (Honolulu Fire Department), Acting Lt. Maurice Asato and Ofc. Mark Mitchell (Honolulu Police Department); Kirk Tsue (Board of Water Supply), Richard T. Hawkins (Colony Marina), Jerry Finin, Christopher Dunn, Tom Yamabe (Farmer), Bob Spear, Charles Kaaiai (Western Pacific Regional Fishery Management Council, National Oceanic and Atmospheric Administration), Herb Schreiner, Judith Nii, Phillip Rockwell, Jenna Lum, Laura Buck, Richard Baker, Stanley Chang, Natalie Iwasa, Steve Camara (Kuliouou/Kalani Iki Neighborhood Board No. 2), Mike Goodman (The Malama Aina Act), Gayle Boc, Bob Farrell and Ivonne Cardenas (Videographers, Makakilo.com), and K. Russell Ho (Neighborhood Commission Office).

APPROVAL OF REGULAR MEETING MINUTES: The following corrections were made to the September 29, 2009 regular meeting minutes:

- Page 3, under Public Generated Issues, it should read, "2) Mardi La Prade reported that there are less than 300 Hawaiian Moore hens in the Hawea wetlands and asked, "What is the role of the Neighborhood Board in protecting the habitat of birds and protecting cultural and historical sites on property developed by Hale Alii?"
- Page 5, under Governor's Office representative, it should read, "7) Ann Marie Kirk was awarded "2009 Outstanding Alumnae" of Sacred Hearts Academy for her award-winning video/film works and community service."
- Page 6, under Hawaii Kai Street Lighting Project, it should read, "**Knudsen moved and Tanabe seconded, that the Hawaii Kai Neighborhood Board No. 1 urges the City to: 1) complete the deferred portion of its Hawaii Kai Phase 1 Street Light Project from Wailua Street to the last installed new street light pole at 718 Lunalilo Home Road; 2) fit those 44 new street lights with 75-watt bulbs; and, 3) remove the approximately 16 old poles and 14 overhead wires that criss-cross the road. The motion was NOT ADOPTED, 5-5-1 (AYE: Garvin, Knudsen, Levy, Makino, and Reilly; NO: Clark, De Giacomo, Grey, Monk, and Tanabe; ABSTAIN: Isgar).**

The approval of the September 29, 2009 meeting minutes was deferred to the next meeting.

SECRETARY/TREASURER'S REPORT - Vice Chair Reilly reported the previous Operating Balance was \$1,403.63. With \$50.30 expended for the printing and posting of the agenda and minutes, the closing Operating Balance is \$1,353.33. The previous Publicity Balance was \$2,500.00. With no expenditures, the closing Publicity Balance was remained at \$2,500.00. The previous Refreshment Balance was \$120.00. On September 2, the Refreshment Budget was discontinued. The balance was \$0.00. The Treasurer's report was filed.



Levy entered the meeting at 7:11 p.m.; **10 members present.**

STATUS REPORTS:

Honolulu Fire Department (HFD) - Capt. Eric Scharff reported: 1) September/October 2009 Statistics - 1 structure, 1 wildland, and 3 rubbish fires; 10 miscellaneous fire-related calls for service; 45 medical emergencies; 4 search/rescue; and 5 miscellaneous calls for service for a total of 69 alarms. 2) Fire Safety Tip: Advice on Halloween costumes and trick-or-treat safety. 3) The hurricane season extends through November. HFD encourages every family to prepare for the event of a hurricane. Information on preparedness can be found on the Department of Emergency Management's website at www.honolulu.gov/dem.

Comments followed: 1) Natalie Iwasa announced that Capt. Scharf will retire before the next meeting. The Board acknowledged his years of service with applause.

David Tanabe entered the meeting at 7:14 p.m.; **11 members present.**

Honolulu Police Department (HPD) - Acting Lt. Maurice Asato introduced Ofc. Mark Mitchell and reported: 1) September/October 2009 Statistics - 14 burglaries, 25 thefts and 37 UEMV (unauthorized entry into a motor vehicle) and the location of the various crimes in Hawaii Kai. 2) Noise complaints - 12 (-42). 3) There was a section, "Halloween Safety Tips." 4) Contact District 7 at www.honolulupd.org/patrol/d7.

Comments followed: 1) A Board member reported illegal signs on the roadways, on Kalaniana'ole Highway and on Lunalilo Home Road, and near the church at the Aina Haina Shopping Center. HPD considers these "temporary" signs, like real estate signs, to promote businesses and they probably do not have permits. HPD will follow up. 2) Regarding the two burglaries on Ainahou Street, they were not the same house and they were 20 days apart.

Clark entered the meeting at 7:20 p.m.; **12 members present.**

Board of Water Supply - Kirk Tsue reported: 1) There were no main breaks in Hawaii Kai. 2) Wildfire Prevention and Watershed Protection - In the event of a wildfire, BWS works closely with the Honolulu Fire Department to ensure they have efficient and reliable water service to save lives and property. BWS fully supports HFD's efforts to prevent wildfires because wildfires take a toll on our drinking water supply and threaten our island's watershed areas. BWS provided an informational Watershed Protection brochure. 2) Water Conservation Tip - A) **Participate**. Support projects that remove invasive plants, join community watershed partnerships and educate others of the importance of watersheds. B) **Conserve water every day**. Conservation reduces the need to use ground water that is essential for healthy watershed forests and stream ecosystems.

Comments followed: 1) Regarding watershed protection, the phone number is on the back of the brochure. 2) Regarding the statistics, in the last part of September, there was a major break in Hahaione and it was not reported. The September minutes reflected the good job that BWS did. 3) Feral pigs uproot plants. 4) Hawaii Kai has a water quality testing group. For more information, contact BWS.

FILLING OF VACANT POSITIONS:

Subdistrict 4 (Hahaione High Rises) - Subdistrict 4 has two candidates - Maxine Rutkowski and Jerry Finin. Maxine Rutkowski recently got active with the street lighting project rally and the Mayor's visit. She wants to be involved. Jerry Finin has been a resident for two decades. In the interest of gender balance and grassroots democracy, he withdrew his nomination.

Comments followed: Maxine has worked in the criminal justice system in California, has family on the mainland, and has time to invest. She has done volunteer work and has been a working and sustaining member of an animal rescue group in Southern California for the past 15 years.

As there were no objections, Maxine Rutkowski was ELECTED to the Hawaii Kai Neighborhood Board No. 1 by UNANIMOUS CONSENT, 12-0-0 (AYE: Clark, De Giacomo, Garvin, Grey, Isgar, Knudsen, Levy, Makino, Monk, Reilly, Tanabe and Weller).

Subdistrict 8 (Lunalilo Park, Mauka) - As there were no volunteers, this item was deferred to the next meeting.

Neighborhood Assistant Ho administered the Oath of Office to Maxine Rutkowski; **13 members present.**

PRESENTATION:

Western Pacific Regional Fishery Management Council's Community-Based Natural Resource Management Project - Charles Kaaiai reported: 1) WESPAC started in 1976 and manages fisheries for Guam, Hawaii, American Samoa, and the Western Pacific. Their plans were by species system, but changed to eco-system-based 10 years ago. Now, people are a part of the eco-system, so they want to involve the community in the decision-making balance. Watershed preservation is tied together with ocean management. The Council wants to engage Neighborhood Boards on Oahu because they are already set up. It will contact Kauai, Hawaii, and Maui counties. In Samoa and Saipan, they have a village system and on Guam, they have a Mayors Council.

Comments followed: 1) The Hawaii Kai Neighborhood Board No. 1 took a position against shark tours. Kaaiai asserted that it is illegal to "chum" sharks, if not "harvesting" them in the 3 to 200-mile zone. "Chumming" does not increase shark attacks. The conservation of sharks does not affect fisheries management. 2) WESPAC is federally funded. 3) The Neighborhood Board can support WESPAC by e-mailing them and coming to the meetings to tell them the issues. Chair Knudsen thanked Kaaiai for the introduction to the Council. 4) "Over fishing" is when the stock can no longer support re-population. There are no over-fished stocks in the Western Pacific. Foreign countries are over-fishing and the international community should get them to stop. 5) Mercury in fish was first mentioned in 1964, but Kaaiai asserted that no one has gotten sick from eating mercury, except from dumping areas. 6) They are working with Malama Maunalua, which received a grant from federal "stimulus" funds. 7) A resident mentioned the mud from the Koko Marina is killing coral. Questions asked included, "Are there any things that can be placed in Koko Marina that can help prevent silt from running off to kill coral?" and "Can a natural process be stopped?" 8) They have nine professional staff, including a bond fish scientist, a regulatory person and a community relations person. For more information, phone 522-8220.

PUBLIC GENERATED ISSUES:

1) Gayle Boc reported that The Independence Day at Maunalua Bay Foundation awarded \$6,000 in scholarships. Their first fundraiser will be a \$35 dinner with 160 guests at Blue Water Grill on Monday, November 23. They are having a logo contest. The deadline is November 13 and the logo will be displayed on the next event's publicity. They requested help from the Neighborhood Board. Their website is at www.IDMBF.com.

2) Mike Goodman wants to end graffiti in Hawai'i and explained how and why this is important. After catching the vandals, he supports heavy fines and educating the public. Last legislative session, he introduced a bill, which can be found at www.MalamaAinaAct.org. Goodman is asking the public to sign a petition to re-introduce his bill. Hawaii's image of "Paradise" is marred by graffiti, a "gateway" crime to more crime and gangs.

Comments followed: A) A Board member saw him buying supplies at City Mill to paint over graffiti on Koko Crater. B) A Board member asked if there is a link of graffiti and illegal signs. No, but there may be a link of graffiti with illegal dumping. Someone mentioned a book "The Tipping Point." The bill died last year. Goodman requested from the Neighborhood Board a resolution in support. Chair Knudsen assigned Environmental Committee Chair Wayne Levy to follow up. C) The existing law allows for fines up to \$2,000. His bill would increase fines and levy heavy community service hours.

3) Judy Nii announced that Farm Day was successful beyond her dreams, more than 600 people. She thanked Representative Gene Ward. There were many community groups with displays, including the Hawaii Kai Neighborhood Board No. 1. Lease negotiations start next year. They also had information about protecting the watershed. Chair Knudsen had presented Mayor Hannemann's "Farm Day" proclamation.

4) Richard "Dick" Baker, a former Board member, mentioned the Capital Improvement Projects (CIP) procedural process. The Board used to have a committee for budget/CIP. He suggested that the Board form a Legislative Committee again for the early identification of CIP. There will be a Transportation/Safety Committee meeting tomorrow. Both State Department of Transportation (DOT) and City Department of Transportation Services (DTS) were invited. The Board used to receive a CIP document from the Mayor's representative under the Jeremy Harris Administration. Chair Knudsen will follow up.

5) Natalie Iwasa announced "Get Out and Ride" for elderly people is on Saturday, December 5, at the Neal Blaisdell Center - Pikake Room from 9:15 a.m. to 11:30 a.m. To register, call 768-7700 or visit online at www.getoutandrideoahu.eventbrite.com.

OFFICIALS' REPORTS:

Mayor's Office representative - Mark Scalzone reported: 1) Regarding roosters at the Hawaii Kai Park & Ride, DTS responded that a report will be generated and made available to the board at the next meeting. 2) DTS Director Wayne Yoshioka will attend the Transportation and Safety Committee tomorrow. 3) He had no responses about the lighting at parks and from Department of Parks and Recreation about the stables. 4) Regarding the City Clerk's Office request that Chair Knudsen send in the Hawaii Kai Neighborhood Board No. 1 agendas via fax instead of e-mail, they responded, "As stated in City Clerk Bernice Mau's letter of September 23, 2009, to Chair Knudsen, the City Clerk's Office is following the same policy as that of the Lt. Governor's Office that it will only be accepting meeting notices for filing by way of fax (768-3835) or walk-in. In checking with the Neighborhood Commission Office, Chair Knudsen's meeting notices can be transmitted to the NCO, which in turn, will properly file the notice with the City Clerk's Office."

Comments followed: 1) Board members were dissatisfied with the responses, which did not provide any new information. They expected more responses next month. As to filing the agenda, e-mail would be more efficient, and Chair Knudsen wanted the City Clerk's position reviewed.

Frank De Giacomo left at 8:40 p.m., **12 members present.**

Councilmember Charles Djou - Kenny Amazaki reported: 1) Bill 51, the homeowner's classification was re-committed to committee, then was continued. Bill 7, relating to Bed and Breakfasts (B & Bs) passed. After the Council took a break, Bill 51 passed. Agricultural lands can have B & Bs. Although Councilmember Djou went to the mainland, he does not support Bill 7. He does not favor "grandfathering" old B & Bs, but favors a cap - a percentage of the 2009 numbers. For Bill 7 the testimony was overwhelming against, except for one organized group. Bill 7 passed second reading. Bill 51 passed third reading. Chair Knudsen mentioned that the Board has not taken a position on B & Bs.

Governor's Office representative - Russ Saito reported: 1) Nine out of 33 Governor's representatives will regularly go to their Neighborhood Boards. The State Department of Transportation will go to meetings to address transportation issues, like to the Transportation/Safety Committee meeting tomorrow. 2) The Governor's e-newsletter had an article on "Maintaining Quality Public Service During Budget Crisis." 3) There will be an environmental hearing on November 24 at 6:00 p.m. at Kawananakoa School. 4) Regarding furloughs, they will be two days a month, 18 days this year and 24 days next year. The United Public Workers have not signed yet. Today, Governor Lingle issued an Executive Order to lay off exempt workers. 5) The Department of Land and Natural Resources is discussing Administrative rules - Plan B. They propose to charge fees to cover \$8 million a year for maintenance. 6) Regarding the H1N1 "Swine flu" vaccine, there is less production, so emergency workers should be vaccinated first. 7) As the furloughs are not co-ordinated now, the State will start co-ordination. Starting November 1, there are different unions with different schedules.

Comments followed: 1) The Board invited DLNR to come to the next meeting. 2) The Governor and the Hawaii Department of Agriculture director came to "Farm Day." 3) Regarding the DLNR hearings on administrative rule changes, the Board is in opposition to fees for the Makapuu lighthouse trail and entrance fees at State Parks. The hearings will be November 3 for Kauai and the Big Island, November 4 for Maui, and November 9 for Oahu (Jefferson Elementary, 6:00 p.m.). Plan B proposes parking fees for visitors at eight parks. Visit "Back to Basics" on their website. If DLNR begins parking fees, then people will park on the streets and get parking tickets. Saito commented that the public may testify on the proposed rule changes. 4) Attendance of a Governor's representatives at a Neighborhood Board meeting depends on the issues considered by the board.

Senator Sam Slom reported: 1) The Governor chose Edwin Cacino from a list of six judicial nominations, which included former U.S. District Attorney Ed Kubo. There will be a Special Session on November 17 to confirm Judge Cacino. 2) There was a Small Business Summit, co-hosted by Representative Ward. Natalie Iwasa attended and the summit was good for small business people, renters, and all consumers. 3) Senator Slom attended the "Furlough Rally" last Friday. The Legislature is not part of the negotiations. He opposed the reduction of instructional days. He remarked that this is another "black eye" for Hawaii. Thirteen Senators signed a petition to have a Special Session to raise taxes or to "raid" the Hurricane Fund. 4) Radar guns were thrown out of court.

5) There were problems with the Judiciary and the unions. There is a lack of agricultural inspectors. 6) Senator Slom suggested to "re-do" the Department of Education, as the bureaucracy cannot change. There were 100 suggestions on eliminating waste, but they were not heeded. The DOE budget is \$2.7 billion.

Comments followed: 1) Chair Knudsen mentioned that there are not 18,000 teachers, but also cafeteria workers, support group, and custodians. Hawaii is the only Statewide School District in the U.S. 2) Many non-teachers went to a conference in Orlando last year.

Senator Fred Hemmings - No representative or report.

Representative Gene Ward reported: 1) Mike Goodman had asked him to introduce the "graffiti bill." 2) Over 600 people attended "Farm Day." Negotiations are coming up. 3) Land Use Commission will look at the re-classification of Ka Iwi to Conservation. 4) The Legislature will look closely at the DOE if there is a Special Session. 5) Makapuu road construction and closing will start November 2 and will go to January 2011. This will be discussed at the Transportation/Safety Committee meeting tomorrow. There was concern about public notice and publicity. By law, public notice must be published. According to the Governor's representative, they may have falling rocks, so they must close both lanes. Electronics signs will be up soon.

Comments followed: Stanley Chang commented on the many people at "Farm Day." He asked if there was any response from the Bishop Estate. Documents show that they want to keep the land in agriculture up to 2025. If the rents go up too high, then the farmers will leave.

Representative Lyla Berg - Newsletter was available.

OLD BUSINESS:

Continuing Discussion/Action on Hawaii Kai Street Light Project, including status of old and new poles on Lunaliilo Home Road from Wailua Street to Koamano Street - Grey commented that the Board should let the first segment be finished and then evaluate. She requested a copy of the original report.

Continuing Discussion/Action on Koko Crater Equestrian Center's status, including its request to use Koko Head Botanical Gardens' trail for horseback riding - Aaron Isgar reported that at the Parks and Recreation Committee meeting on October 7, it was mentioned that the City Department of Enterprise Services, not Department of Parks and Recreation (DPR) was the proper City agency. The following resolution was offered:

**Hawaii Kai Neighborhood Board
October 27, 2009
Resolution to Support Restoration of Koko Crater Botanical Gardens Trail Access
to the Koko Crater Equestrian Center**

Whereas, the Koko Crater Equestrian Center has contributed to the Hawaii Kai community for almost 20 years by providing affordable equestrian education and recreation for riders of all ages; and,

Whereas, the Koko Crater Equestrian Center has a contract with the City and County of Honolulu to use a trail through the Koko Crater Botanical Gardens; and,

Whereas, the City & County of Honolulu has recently restricted the Koko Crater Equestrian Center from using said trail through the Koko Crater Botanical Gardens without explaining the legal basis for changing or revoking said contract; now, therefore,

Be It Resolved, that the Hawaii Kai Neighborhood Board urges the City & County of Honolulu to allow the Koko Crater Equestrian Center to access the trail through the Koko Crater Botanical Gardens as agreed upon in the contract between the two parties; and,

Be It Further Resolved, if the City & County of Honolulu does not restore access to said trail to the Koko Crater Equestrian Center, that the Hawaii Kai Neighborhood Board requests that a representative of the city make a presentation explaining the reasons for revoking access and the legal justification for doing so, either at the next Hawaii Kai Neighborhood Board meeting (November 24, 2009) or at another announced public meeting in the Hawaii Kai community before then.

Be It Further Resolved, that copies of this resolution be sent to the City & County of Honolulu's Mayor, Managing Director, Director of the Department of Parks and Recreation, Director of the Department of Enterprise Services, and the Neighborhood Commission Office Executive Secretary.

Discussion followed. Clark supported the resolution but moved to amend by deleting the first "Be it further resolved paragraph." Weller seconded. Monk opposed the amendment. **The motion to amend was NOT ADOPTED, 6-6-0.**

Isgar moved and Garvin seconded a motion to approve the Koko Crater Equestrian Center resolution as presented. The motion was ADOPTED, 9-2-1 (AYE: Clark, Garvin, Grey, Isgar, Knudsen, Levy, Monk, Reilly and Weller, NO: Makino and Tanabe, ABSTAIN: Rutkowski). A roll call vote was taken.

NEW BUSINESS:

Discussion/Action on City efforts to re-open the public beach access path at Hanapepe Brow, and signage at other East Oahu public beach access points - It was suggested that the City apply for CIP funds and take immediate action. The Mayor's representative and Councilmember Djou's Office were asked that the gate be taken down and for homeowners to trim the trees. The following "Hanapepe Brow" resolution was offered:

Reilly moved and Clark seconded that the Hawaii Kai Neighborhood Board No. 1 expresses urgent safety concerns regarding the sudden, unannounced closure of the Hanapepe Brow in Portlock, one of the only, properly marked, public right-of-way access points frequently used by the public. Therefore, we request the immediate removal of the locked gate and replacement of the ladder. The motion was ADOPTED by UNANIMOUS CONSENT, 12-0-0 (AYE: Clark, Garvin, Grey, Isgar, Knudsen, Levy, Makino, Monk, Reilly, Rutkowski, Tanabe and Weller).

COMMITTEE REPORTS:

Transportation & Safety - René Garvin announced the Transportation/Safety Committee meeting tomorrow, October 28, at 6:15 p.m., Koko Head District Pak Community Center.

Due to time limitations, the rest of the agenda items were deferred to the next meeting.

CLOSING ANNOUNCEMENTS:

- The next regular Board meeting is scheduled for Tuesday, November 24, 2009, 7:00 p.m., at Hahaione Elementary School Cafeteria. That meeting will be chaired by Vice Chair Elizabeth Reilly.
- Hawaii Kai Neighborhood Board regular meetings are broadcast every Tuesday of the month at 9:00 p.m. on OIelo Channel 54. Check TV listings to confirm schedule.

ADJOURNMENT: The meeting adjourned at 10:03 p.m.

Submitted by:
K. Russell Ho
Neighborhood Assistant

Reviewed by:
Greg Knudsen
Chairperson