



## ALA MOANA/KAKAAKO NEIGHBORHOOD BOARD NO. 11

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
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### **DRAFT REGULAR MEETING MINUTES TUESDAY, JUNE 25, 2013 MAKIKI CHRISTIAN CHURCH**

CALL TO ORDER - Chair Larry Hurst called the meeting to order at 7:00 p.m. **Quorum was established with six (6) members present.** (Note - This nine (9) member Board requires five (5) members to establish quorum and to take official Board action.)

Board Members Present - Larry Hurst, Wayne Ibara, P. Nathan Minn, Steven Okumoto, Chelsea Tanimura and Michael Zehner.

Board Members Absent - Tony Kato, Dexter Sensui and Kevin Shiota.

Vacancies - None.

Guests - Barbara Krieg (Governor Neil Abercrombie's Representative, Department of Human Resources Development, Director), Senator Brickwood Galuteria, Representative Tom Brower; Representative Scott Saiki and Jonathan Tungpalan (Representative Scott Saiki's Office staff); Mike Formby (Mayor's Representative, Department of Transportation Services, Director); Councilmember Ann Kobayashi and James Lawson (Councilmember Ann Kobayashi's Office staff); Councilmember Carol Fukunaga, Firefighter John Kino (Honolulu Fire Department); Lieutenant Baron Lee and Sergeant Larry Oliva (Honolulu Police Department); Steve Miller, Pat Lee (Honolulu Rail Transit Project), Steve Miller, M. Tait (Hawaii's Convention Center), Isaac Smyth (KDIR), Roy Grifter; John Homath, Susan Ching, Beti Ward, Tom Wheeler, Virginia Aycock, Ralph E. Burr, George Beavin [President of the Board of One Waterfront Tower], Linna Beavin, Nancy Molloy, Mike and Julie Au, Carol Stach, Shirley Bell, Clarence Bell, Sharon Moriwaki, Norm DuPont, Galen Fox (One Waterfront Tower); Dave Striph (Howard Hughes), Matt Johnson (O'ahu Fresh), Tino Balcita (Citizen Patrol); Pam Wood, Gerald Chun, Lina Chun, Patti Iseri, Allen Iseri, Connie Smyth, (Imperial Plaza); Ryan Tam, Joyce Timpson (JTA), Harry Foglietto, Linda Wong (Diamond Head/Kapahulu/St. Louis Heights Neighborhood Board No. 5, Chair), Rosie Chinen, and K. Russell Ho (Neighborhood Commission Office staff).

### CITY MONTHLY REPORTS

Honolulu Fire Department (HFD) - Firefighter John Kino reported the following:

1. June 2013 Statistics - There were 15 structure, 0 wildland, 0 rubbish, and 0 vehicle fires; 167 medical, 45 search/rescues, and 28 miscellaneous emergencies. There were no major incidents and no unusual incidents.
2. Fire Safety Tips
  - A. Grilling Safety
    - Fire in the grill and under hot dogs and burgers is a welcome sight at the family cookout. But fire anywhere else can make the summer kick-off barbecue memorable for all the wrong reasons.
    - Propane and charcoal barbecue grills should only be used outdoors.
    - The grill should be placed well away from the home and deck railings and out from under eaves and overhanging branches.
    - Keep children and pets away from the grill area.
    - Keep the grill clean by removing grease or fat buildup from the grills and in trays below the grill.
    - Never leave the grill unattended.
  - B. Charcoal Grills
    - The Fire Code of the City and County of Honolulu prohibits charcoal grilling on or within buildings, which includes lanais and recreation decks of hotels and condominiums. Electric grills and appliances are permitted in these locations.
    - There are several ways to prepare the charcoal for use. Charcoal chimney starters allow one to start the charcoal by using newspaper as fuel.
    - If one uses starter fluid, use only charcoal starter fluid. Never add charcoal fluid or other flammable liquids to the fire.



- Keep charcoal fluid out of children's reach and away from heat sources.
- There are also electric charcoal starters, which do not use fire. Be sure to use an extension cord for outdoor use.
- When one is finished grilling, ensure coals are completely cooled before disposing in a metal container.

C. Propane Grills

- Check the gas tank hose for leaks before using it for the first time each year. Apply a light soap and water solution to the hose. A propane leak will release bubbles.
- If one's grill has a gas leak and there is no flame, turn off the gas tank and grill. If the leak stops, get the grill serviced by a professional before using it again. If the leak does not stop, call the fire department. If one smells gas while cooking, immediately get away from the grill and call the fire department. Do not move the grill.

Honolulu Police Department (HPD) - Sergeant Larry Oliva reported the following:

1. June 2013 Statistics - There were 25 assaults, 10 burglaries, 66 drug offenses, 35 driving under the influences (DUI), 13 family offenses, 9 graffiti, 175 motor vehicle collisions, 15 motor vehicle thefts, 25 property damage responses, 7 robberies, 3 sex offenses, 40 unauthorized entries into motor vehicles (UEMV), and 499 miscellaneous services calls.
2. Safety Tip - The safety tips were on Pedestrian signals, but Sergeant Oliva did not have copies.
3. Community Security Watches - If anyone would like to join or participate in a Neighborhood Security Watch (Board of Water Supply (BWS)), Business Security Watch (Board of Water Supply (BWS)) or Citizen Patrol Group, contact Sergeant Derek Valoroso at 529-3695 or at [dvaloroso@honolulu.gov](mailto:dvaloroso@honolulu.gov).

Comments followed:

1. Petition to End "Countdown" Signals - Chair Hurst mentioned that there is a petition to discontinue the use of the "countdown" signals. Violators think they can "beat the countdown" and illegally enter the crosswalk.
2. Homeless - It was reported that the number of homeless was growing on Makaloa Street, near the Wal-Mart store.
3. Busy - This district is one of the busiest on the island with the number of calls.

RESIDENTS' CONCERNS

Failure of City & County (C&C) of Honolulu Administration to Respond on Sewage Discharge at 1122 Elm Street - Chair Hurst read from the following written statement:

For the meeting of the Ala Moana-Kakaako Neighborhood Board No. 11 on June 25, 2013 - Regarding the agenda item under Residents' Concerns - Failure of C&C Administration to respond to sewer discharge at 1122 Elm Street:

On April 18, 2013 effluent began coming up from manhole 352066 and onto the 1122 Elm Street property. Department of Environmental Services (ENV) at 768-7272 called and although told that the sewer line does not appear on a map, so it must be privately-owned, I insisted on a response, not only because of experiences from 2001 to 2003, ended with the C&C assuming full responsibility for that sewer line, but also because no information was offered for this health and safety emergency.

In person, the C&C work-crew chief refused any service, saying that the sewer line owner must clear the blockage, but the manhole cover is C&C property, so it is illegal to lift it, and that the C&C will not accept liability for working on a private line, even though from 1993 to 1999, in my presence, the C&C did preventive maintenance annually.

The 1978 Condominium Documents for 1122 Elm Street state responsibility for sewer discharge ends at that sewer line. Map 374 shows an easement six feet wide for the line, and 1122 Elm Street, in no way, can be considered even a part owner of the line under 14-1.2 Revised Ordinances of Honolulu (ROH).

To this date, there has been no compassion, no assistance in establishing ownership of the sewer line, absolutely no response from two "Problem Reports" to the Mayor's Office and a letter to the Mayor presented at each of the past two meetings of this Board, asking for mitigation of this hazard.

On May 1, 2013 a complaint was initiated with the State Department of Health, but an investigation was not made until June 4, 2013. On June 19, 2013 the Clean Water Branch referred this matter to Wastewater Branch and immediately, 1122 Elm Street was notified that it will be fined daily, if action is not taken at once.

On June 21, 2013 possibly with civil disobedience, but after two months of suffering sewer discharge onto its property, 1122 Elm contracted to have the blockage cleared. Video inspection afterwards showed no tree root intrusion, no breaks in the terracotta pipe (terracotta indicating the line was installed by the C&C around 1940), and silt build-up that has the potential of causing a blockage in the near future. The C&C has the only equipment on O'ahu that can remove that silt.

1122 Elm will send the contractor's \$1500 bill to the C&C. A response is now expected.

Larry Hurst, Resident Manager at 1122 Elm Street  
June 25, 2013

**604 Ala Moana Boulevard Project (also known as [aka] The Collection) - Zehner moved and Ibara second that the Ala Moana/Kakaako Neighborhood Board No. 11 reconsider last month's resolution to support the Collection project by A&B Properties. The motion was ADOPTED by UNANIMOUS CONSENT, 6-0-0 (AYE: Hurst, Ibara, Minn, Okumoto, Tanimura and Zehner). Discussion followed.**

1. Chair Hurst read from his written statement: After the required informal meeting with the Hawaii Community Development Authority (HCDA), A&B went beyond the public notice requirement and normal procedures by meeting with One Waterfront Tower (OWT). The HCDA report, laws, and not applicable redlines OWT testimony as follows:
  - A. Kamehameha Schools (KS) rules apply.
  - B. Density of 4.25 floor area ratio (FAR) is allowable in Pauahi.
  - C. Building tower is 3:1 requirement.
  - D. Project meets building spacing requirements.
  - E. No prohibition of townhouses.
  - F. Nothing wrong with using less than allowable commercial space.
  - G. Pedestrian avenues create pedestrian-oriented blocks.
  - H. Open space requirement exceeded, will match Restaurant Row.
  - I. Lobby Hawaii Housing Finance & Development Corporation (HHFDC) for low-income housing, not A&B or HCDA.
  - J. KS will meet reserved housing requirements.
  - K. Infrastructure and public facilities are tax-payers' burden managed by legislators.
  - L. Improvement District Projects have been on-going for years.
  - M. Board of Water Supply (BWS) gave okay to project.
  - N. Hazardous materials require mandatory compliance, no choice.
  - O. Hawaiian Electric Company (HECO) will supply all the power one can buy.
  - P. Again, public schools are tax-payers' burden, and *Emptor Caveat* applies. (Note - From Wikipedia, *Caveat emptor* - Latin for "Let the buyer beware." Generally, *caveat emptor* is the property law principle that controls the sale of real property after the date of closing, but may also apply to sales of other goods.)

OWT closing paragraph is very erroneous. It makes no conclusion.

This Board did not have a June 5, 2013 hearing.

This isn't a Board "piecemeal" project.

Obviously, others than this Board, need to do some studying.

2. George Beavin, One Waterfront Towers Board of Directors President, opposed the project and mentioned that it would tax the existing infrastructure of sewers and traffic.
3. Sharon Moriwaki, a resident at 425 South Street, opposed the project because of the lack of open space.
4. A resident asked how to get height limits on the ballot. Chair Hurst mentioned that due to the "Sunshine Law," this issue could not be discussed.
5. Galen Fox opposed the project, but was in favor of "good" development. Waikiki was ruined and he doesn't want to make the same mistakes again. Fox claims that A&B will violate the 300-foot rule between properties, as it is only 249 feet. As to height limits, Executive Director Tony Ching wants two (2) 700-foot buildings and three (3) 500-foot buildings. This is not Hong Kong. A&B is not using the 2011 HCDA rules.
6. Chair Hurst questioned the definition of "reserved housing," which is 100-140 percent (%) of median income or \$100,000 annual income per HCDA. Chair Hurst asked for any "pro-position" comments.
7. A recent college graduate supported development for his future housing needs.
8. Tom Wheeler, a member of the One Waterfront Association of Apartment Owners (AOAO), also opposed the project as too dense, too close, and there will not be enough open spaces. The parking structure would be 65 feet high, without the 45 foot limit.
9. An unidentified businesswoman supported the project.
10. Chair Hurst mentioned that at last month's presentation, A&B mentioned that it was following the 2005 Bishop Estate Master Plan and they met with the OWT AOAO and the HCDA.

**Zehner moved and Ibara seconded that the Ala Moana/Kakaako Neighborhood Board No. 11 requests that the Hawaii Community Development Authority (HCDA) to have another public hearing before the decision-making hearing. The motion was ADOPTED, 5-1-0 (AYE: Hurst, Ibara, Okumoto, Tanimura and Zehner; NAY: Minn).**

Bike Lanes - Roy Gritter requested the use of concrete fillers. Chair Hurst will follow up.

## COMMITTEE REPORTS

Chair's Report - Chair Larry Hurst reported the following:

- Disparity with Definition of "Reserved Housing" in State Law and Hawaii Community Development Authority (HCDA) Final Master Plan - DISPARITY WITH DEFINITION OF RESERVED HOUSING  
218 Hawaii Revised Statutes (HRS) - Kakaako Reserved Housing Rules  
Reserved housing means housing designated for residents in low-income or moderate-income ranges.  
Workforce housing means where at least 75% of units are set aside for families earning 100-140% (Average Median Income) AMI.  
Hawaii Community Development Authority (HCDA) Mauka Area Plan, 8 - Reserved Housing - Units for workforce buyers from 100-140% AMI set aside or "reserved" for this income group.  
HCDA will refer to these as "reserved housing" to differentiate these from "affordable" units priced to lower income groups.  
8.10 Reserved housing priced for sale or rent to 100-140% AMI group.  
As no informed decision can possibly be made with such a disparity of meaning, I recommend this Board not waste its time hearing presentations from developers using the term "reserved housing," until State lawmakers clearly define the term.  
Also, I recommend the Governor direct the HCDA to suspend the building permit process, until it is decided by law which "reserved housing" it is - as it is in State law or as it is in bureaucratic opinion.  
As housing of all kinds is imperative for this Board's area, I urge that lawmakers make the utmost haste.

**Tanimura moved and Okumoto seconded that the Ala Moana/Kakaako Neighborhood Board No. 11 "not waste its time hearing presentations from developers using the term "reserved housing," until State lawmakers clearly define the term.**

**Also, the Ala Moana/Kakaako Neighborhood Board No. 11 recommends that Governor Neil Abercrombie directs the HCDA to suspend the building permit process, until it is decided by law which "reserved housing" it is - as it is in State law or as it is in bureaucratic opinion.**

**As housing of all kinds is imperative for this Board's area, the Ala Moana/Kakaako Neighborhood Board No. 11 urges that lawmakers make the utmost haste." The motion was ADOPTED by UNANIMOUS CONSENT, 6-0-0 (AYE: Hurst, Ibara, Minn, Okumoto, Tanimura and Zehner).**

Citizens Patrol Permitted Interaction Group (PIG) Report - Dexter Sensui was not present and there was no report available.

Community Relations: In the interest of time, a report was not given.

Health - Chelsea Tanimura reported the following: DOH OFFERS FREE HIV TESTING ON NATIONAL HIV TESTING DAY - JUNE 27: In observance of National Human Immunodeficiency Virus (HIV) Testing Day, Hawaii State Department of Health (DOH) clinics and other community-based sites are offering free HIV screening on Thursday, June 27, 2013. National HIV Testing Day occurs every year to encourage individuals to get tested for HIV and learn their HIV status. The number of people living with HIV/Acquired Immunodeficiency Syndrome (AIDS) infection in Hawaii has increased each year from 2001 to 2011. SAPB data indicates there were a total of 4,334 individuals in the state living with HIV/AIDS as of December 31, 2011.

DOH provides free confidential HIV testing on all islands. For information about HIV testing services, contact:

Oahu: Nancy Deeley

- Diamond Head Health Center (3627 Kilauea Ave., Honolulu, HI 96816)
- Clinic hours on HIV Testing Day will be 11:00 a.m. - 3:30 p.m.
- Phone: (808) 733-4383; e-mail: [nancy.deeley@doh.hawaii.gov](mailto:nancy.deeley@doh.hawaii.gov)

DOH INVESTIGATING HEPATITIS A CASES LINKED TO FROZEN BERRY PRODUCT: The Hawaii State Department of Health (DOH) is investigating three adult cases of hepatitis A infection, two (2) on Oahu and one (1) on Kauai. All cases have a history of consuming a frozen berry product from Costco. Townsend Farms Organic Antioxidant Blend, which is distributed by Costco, has been implicated in a multi-state hepatitis A outbreak. The residents, who became ill in early to late May, are recovering or have recovered. One required brief hospitalization. The product was sold at Costco stores in Hawaii, and has been voluntarily recalled. The public is advised to discard or return any remaining product.

Land Utilization - P. Nathan Minn reported the following:

- The Ward Centre - The Howard Hughes project will have a HCDA hearing on June 19, 2013. They are proposing to relocate Pier One and the Nordstrom Rack at the Ward Centre.
- Development of Kaka'ako - There are a lot of development proposals for Kakaako, as there is a great demand for housing. Millions of dollars are being and will be invested.

Legislation - Michael Zehner reported that there was a bill to "rank" people.

Parks and Waterways - Steven Okumoto reported the following:

1. Board of Water Supply (BWS) - A representative was not present; a report was provided.
2. Parks - There will be a private project on July 1, 2013.

Public Safety - Tony Kato was not present and no report was provided.

Transportation, Honolulu Authority for Rapid Transportation (HART) - Kevin Shiota was not present, but sent a written report. Chair Hurst highlighted the following:

- Saturday, June 1, 2013 - Honolulu Authority for Rapid Transportation (HART) releases a Draft Supplemental Environmental Impact Statement (EIS) in response to the Federal District Court's order to examine the Beretania Street Tunnel alternative, and the impacts to Mother Waldron Park. More information can be found at [www.HonoluluTransit.org](http://www.HonoluluTransit.org).
- Thursday, June 13, 2013 - HART officials are considering changing Honolulu's planned 40 two (2)-car trains to 20 four (4)-car trains. This would double the capacity of each train, and halve the number of trains for the system. The change would mean longer wait times between trains, but a higher likelihood of getting a seat or space on the train for luggage. Honolulu's stations are being designed to accommodate four (4)-car trains. The change in configuration could save some money, as there would be fewer cars with guidance systems and eliminate the need for additional signaling systems designed for two (2)- and three (3)-car trains.
- Two (2) Informational Meetings - HART is holding two (2) informational meetings for an application for a noise variance to allow night-time geotechnical testing.
  1. Kalihi Meeting - Wednesday, June 26 2013, 6:00 p.m., registration and open house, 6:30 pm meeting, Farrington High School Cafeteria, 1564 N. King Street, Honolulu Hawaii 96817.
  2. Kaka'ako Meeting - Thursday, June 27, 2013, 6:00 p.m. registration and open house, 6:30 p.m. meeting, Neal Blaisdell Center, Maui Suite, 777 Ward Avenue Honolulu Hawaii 96814.

Honolulu Rail Transit Project - Pat Lee was not present, but sent a written report:

## ELECTED OFFICIALS

Councilmember Carol Fukunaga - Councilmember Fukunaga circulated a newsletter and reported the following:

- Resolution on Department of Transportation Services (DTS) - Councilmember Fukunaga co-introduced a resolution, urging the DTS to conduct a traffic analysis of Atkinson Drive.

Councilmember Ann Kobayashi - Councilmember Kobayashi circulated a newsletter and reported the following:

- Certificates of Appreciation - Councilmember Kobayashi and Councilmember Fukunaga presented Certificates of Appreciation to retiring Board members P. Nathan Minn, Steven Okumoto and Dexter Sensui.
- Apology Extended - Chair Hurst requested that Councilmember Kobayashi and Councilmember Fukunaga apologize for him to Councilmember Stanley Chang for not inviting him to the Ala Moana/Kakaako Neighborhood Board No. 11 monthly meetings. Chair Hurst discovered that Councilmember Chang represents part of the Ala Moana and Ala Moana Beach Park area. Board member Tanimura mentioned that she may be moving out of the district in July 2013 and will resign from the Board.
- City Budget - The full City Council passed the Budget on Wednesday, June 5, 2013, 8-0-0, with no new taxes or fee increases. The City needs "revenue enhancements" to improve the sewer system and may raise the property taxes.

Mayor Kirk Caldwell's Representative - The June City News was distributed and Mike Formby reported the following:

- Department of Budget and Fiscal Services (BFS) - The Board requests that a representative from the Liquor Commission become a regular part of their meetings, or that a report of some kind from the Liquor

Commission be given, possibly by the Mayor's Representative if need be. The Board would like to be kept up to date on the growing number of liquor licensed events and venues in the Ala Moana/Kaka'ako area. Due to the size of liquor commission manpower resources, we will be happy to attend upon request but would ask that we not be required to send a representative for each and every meeting. It would also be difficult to keep the board updated on all liquor licensed events, although a copy of the weekly agenda is sent to the Neighborhood Commission and specific boards at the time the agenda is posted. We will gladly respond if the board has questions on specific venues.

- Department of Transportation Services (DTS) - Community Member Steve Miller noted that the crosswalk signal, crossing King St. at Pensacola Ave. is too long, and does not allow enough time for cars to turn left. He measured the times and reported them as: 7 seconds of "walk now" white walking man signal, 24 seconds of "do-not-begin-crossing" red flashing hand, and 5 seconds of solid red "do-not-cross" hand, before the traffic signal turns yellow, thus allowing only about 5 seconds for cars to turn. Miller would like to know if the flashing hand could be shortened; thus, allow more car-turning time. DTS checked the pedestrian crossing time for King St. at Pensacola Street, and found it appropriately set due to the crossing distance for King Street. The crossing time is the minimum required for a safe crossing, the duration of the "walk" and "red flashing hand" intervals are in accordance with the latest national standard and should not be shortened.

Comments followed:

1. Lengthen the Green Light - DTS will investigate and follow up.
  2. Sewer Over-flow at 1122 Elm Street - Formby reported that the Chair's letter was delivered to the Mayor. A response to Councilmember Ann Kobayashi's Request for Investigation and Service Report (RISR) was sent and she responded. Formby will follow up.
- Bulky Items Pick-Up - Bulky items were not picked up yet. The Sheridan/Kapi'olani Business District is two (2) weeks late.

Senator Brickwood Galuteria - Senator Galuteria was present earlier in the meeting; a newsletter was provided.

Senator Suzanne Chun Oakland - Senator Chun Oakland was not present and no report was provided.

Representative Tom Brower - Representative Brower reported the following:

- Veto List - Governor Neil Abercrombie has announced that he may veto nine (9) bills.
- Meeting with Governor and the HCDA - Representative Brower had a meeting with Governor Abercrombie and Tony Ching, Executive Director of the Hawaii Community Development Authority (HCDA).

Representative Scott Saiki - Representative Saiki was not present; but a newsletter was provided.

Governor Neil Abercrombie's Representative - Barbara Krieg reported the following:

- Economy - Our state economy is strong and appears to be getting stronger. The state's unemployment rate is down 20 percent compared to a year ago. Krieg will take the different views to the HCDA.

## PRESENTATION/BOARD BUSINESS

Kamehameha Schools (KS) Kaka'ako Master Plan - Bob Oda presented SALT, the modern retail complex proposal. The developers will have a public hearing on Wednesday, July 3, 2013. SALT will be the start of the KS new urban plans. KS will re-do existing buildings and have commercial projects. The interior drawings displayed an "anti-mall concept and showed spaces for local "start-ups." The "Millennials," not want more "stuff," but want life experiences, rentals, and different activities, like free WiFi. KS will work with the City on "Complete Streets" and the 65-foot height limit of the parking structure. Oda mentioned that the project falls within the rules of the 2005 Bishop Estate Master Plan. The commercial projects, which will include a market, will fund the KS vision to help the children of Hawai'i.

**APPROVAL OF MAY 28, 2013 REGULAR MEETING MINUTES - As there were no objections, the Ala Moana/Kakaako Neighborhood Board No. 11 APPROVED the May 28, 2013 regular meeting minutes as amended by UNANIMOUS CONSENT, 6-0-0 (Aye: Hurst, Ibara, Minn, Okumoto, Tanimura and Zehner).**  
Amendments included:

- Page 1, under Guests, add - "Barbara Krieg (Governor Neil Abercrombie's Representative, Department of Human Resources Development, Director)."

TREASURER'S REPORT: Chair Hurst read the Treasurer's report and noted a previous balance of \$218.23, expenditures of \$36.08, and a remaining balance of \$182.15. The Treasurer's report was filed.

ANNOUNCEMENTS

1. Next Meeting - The next meeting of the Ala Moana/Kakaako Neighborhood Board No. 11 will be on Tuesday, July 23, 2013 at 7:00 p.m. at Makiki Christian Church, 829 Pensacola Street.
2. **No Loitering** on Church Grounds after Board Meetings (after 9:00 p.m.)

ADJOURNMENT: The meeting adjourned at 8:50 p.m.

Submitted by:  
K. Russell Ho  
Neighborhood Assistant

Reviewed by:  
Nola J. Frank  
Neighborhood Assistant and  
Larry Hurst  
Chair