



## EWA NEIGHBORHOOD BOARD NO. 23

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
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### **DRAFT REGULAR MEETING MINUTES THURSDAY, DECEMBER 10, 2009 EWA BEACH PUBLIC LIBRARY**

**CALL TO ORDER:** Chair Fevella called the meeting to order at 7:00 p.m. with a quorum of **11 members present**. Note – This 11-member Board requires six (6) members for a quorum and to take official Board action.

**Members Present** – Sandra Arakaki, Tom Berg, Mary Chanel-Benjamin, Kurt Fevella, Steve Knauer, Celeste Lacuesta, Roger Lacuesta, Coby Lynn, Marcie Nagata, Glenn Oamilda, and Mitchell Tynanes.

**Members Absent** – There were no members absent.

**Vacancies** – There are no vacancies on this Board.

**Guests** – Captain R. Abley (Honolulu Fire Department); Lieutenant M. Johnson (Honolulu Police Department); Gale Bracerros, Officer F. Muraoka (Honolulu Police Department, Weed & Seed); Ross Tanimoto (Mayor Mufi Hannemann's Office – City Department of Environmental Services, Second Deputy Director); Keoni D. Mattos (Board of Water Supply); Tracy Omori (Council Chair Todd Apo's Office); Tommy Johnson (Governor Linda Lingle's Office – State Department of Public Safety, Deputy Director); Representative Rida Cabanilla; Representative Kymberly Pine; John Gollner, Jame Schaedel (Representative Kymberly Pine's Office); Lisa Enanota (Haseko); Gary K. Omori (Honolulu Rail Transit); Sharon Moega (Waianae Coast Outreach); George Yakowenko (Waipahu Neighborhood Board No. 22, Chair); Michael Arakaki, L. M. Belding, Scott Belford, Davina Elgarico, Cynthia Gueso, Darryl Hodson, Maria Kyi, John Rogers, Eleanor Rolark; Rachel M. Glanstein (Neighborhood Commission Office). There were other members of the public present who did not sign in.

**INTRODUCTION OF BOARD MEMBERS:** The Board members introduced themselves.

**CONDUCT OF BOARD MEETINGS [1]:** Knauer began to give a presentation relating to Board member conduct, and the advisory role of the Neighborhood Boards (NB's), when the following discussion ensued:

- 1) **Origin of the Agenda Item** – An inquiry was raised as to how this item was placed on the agenda. Chair Fevella explained that the item had been requested by Knauer.
- 2) **Disorder** – A few Board members tried to speak at once.

**Oamilda moved that the Board dispense with the agenda item; the motion was not stated.**

- 3) **Request for Removal of Chair** – Questions were raised about an email received from the Neighborhood Commission Office (NCO) about the item relating to the request to put the removal of the Chair on the next agenda. Chair Fevella responded that the NCO instructed him to place that item, along with the item relating to the conduct of Board meetings, on the agenda.

Knauer began again to read the section of the 2008 Neighborhood Plan (NP) setting forth the mission and role of the NB system, when discussion again intervened:

- 4) **Agenda Priority** – It was pointed out the NP requires that priority in the agenda be given to the public safety departments. Chair Fevella acknowledged the point and moved immediately, without objection, to the reports of the Honolulu Fire and Police Departments.

### **CITY MONTHLY REPORTS:**

**Honolulu Fire Department (HFD)** – Captain R. Abley distributed a report and touched on the following:

- 1) **Statistics for November 2009** – There were 2 structure, 3 wildland, 5 rubbish and 1 vehicle fire, 84 medical, 5 search/rescue, and 7 miscellaneous emergency calls.



- 2) Fire Safety Tips – a) Dried natural Christmas decorations are extremely flammable and should be removed from the home quickly and recycled if possible. b) Consider leaving fireworks to the professionals and enjoy the community displays on New Year's Eve. The law states that children under 18 shall not possess or have access to fireworks, matches, and/or lighters, except under adult supervision. Residual fireworks are potential hazards; for safe disposal, call 911 and HPD will dispatch a patrol officer to collect unused fireworks.

Honolulu Police Department (HPD) – Lieutenant M. Johnson circulated the written statistics and highlighted the following information:

- 1) New Year's Eve – According to the Hawaii Revised Statutes (HRS) No. 132D, the permissible time for “popping” fireworks is from December 31 beginning at 9:00 p.m. to January 1 ending at 1:00 a.m. It is a violation of the law and punishable by citation and/or arrest if the law is broken. A permit is also required for up to 5,000 individual pieces for firecrackers; several permits are allowed per family. Minors must be under adult supervision in order to set off fireworks. Call 911 to make a complaint. Everyone was requested to avoid drinking and driving.
- 2) Ewa Christmas Parade – The parade is scheduled for Saturday, December 12, beginning at 10:00 a.m., and will travel through Ewa Estates; traffic problems are anticipated on Fort Weaver Road.

Questions, comments, and concerns followed:

- 1) Budget Affecting First Responders – Concerns were expressed about budget cuts that may affect public safety. HPD had no immediate information regarding any budget cuts; however, first responders are reassured that public safety is their main concern and will work with the budget to be sure adequate coverage is offered for this purpose.
- 2) Illegal Fireworks – It was recommended to call 911 and ask to meet with an officer to make a statement to assist in the fight against illegal fireworks; violators can be cited and/or arrested if there is a witness.
- 3) Weed & Seed – It was noted that the HPD Ewa Weed & Seed report would follow the HPD report.
- 4) Four-Way Stop Right-of-Way – At a four-way stop, the vehicle to the right has the first right-of way and it travels counter-clockwise thereafter. The intersection of Fort Barrette and Roosevelt Roads near Barber's Point seems to be a difficult four-way stop area. HPD will try to monitor the area. A request for more or better signage should be directed to the City Department of Transportation Services (DTS).

Ewa Weed & Seed (EW&S) Unit – Officer F. Muraoka distributed the written Ewa Weed & Seed arrest statistics and was available for questions.

Questions, comments, and concerns followed:

- 1) November 2009 Statistical Increase – A question was raised as to why the statistics for November 2009 were almost all increases over the statistics for November 2008; it was clarified that the statistics indicate the number of arrests, not offenses, so the statistics show an increase in arrests, not necessarily an increase in the number of offenses. The economic downturn, distrust of government, overworked people, all are contributing factors to the possible increase in crime.
- 2) Videotaping – There was an argument about the video camera placed behind the Board by Scott Belford. There may be a pending legal case between a Lynn and Mr. Belford, and he was requested to move his camera and himself away. A resident noted that the argument behind the Board was extremely distracting and asked if videotaping by a private individual was allowed.

Chair Fevella called a recess from 7:22 p.m. to 7:23 p.m. and reminded everyone to abide by the rules (due to the argument behind the Board's table about the private video camera).

The order of agenda was resumed and the Board returned to the agenda item relating to Board conduct.

CONDUCT OF BOARD MEETINGS [2]: Knauer continued his presentation relating to Board member conduct, and the advisory role of the Board, summarizing the following information:

- 1) Community Involvement – The community elects the Board members, and so can hold them accountable and get involved.
- 2) Neighborhood Board (NB) Purpose and Role – The NB purpose is to increase and ensure effective citizen participation in the decisions of government. NB's are advisory groups to and for the government. NB's are non-partisan organizations that should be working together to represent the community and keep it informed. NB's have no power, they are advisory, but do have potential liability and individual Board members can be sued. NB members must represent their entire community, not just portions of the community.
- 3) Political Activity – NB members are prohibited from using their position on the NB to engage in political activities to endorse certain candidates.
- 4) Standards of Conduct – There appears to have been mudslinging, disruption, and outright war amongst some of the Board members. Standards of conduct are given by section 2-13-104 in the NP, and a main tenet is that NB members should hold themselves to high standards and always try to act in the public's best interest. NB members are also supposed to avoid any conflicts of interest. All NB members took an oath to uphold the NP. NB members must disclose any personal or private interests in any actions before the NB, but may still engage in discussion and vote after disclosing the interest. Everyone should be upholding the rules of order and decorum and work together to accomplish the Board's business.
- 5) Complaints – Any complaints about the Board or individual members should be directed to the Neighborhood Commission (NC).
- 6) Residency – Questions have been raised about residences and it was suggested that any Board members in question can sign an affidavit affirming their residences.
- 7) Duties of Officers – The duties of officers were referred to, and it has been alleged that Chair Fevella has not been fulfilling his duties as Chair.

Questions, comments, and concerns followed:

- 1) Board Conduct – It was stated that the Board is dysfunctional. Some joined the Board to make a difference in the community and improve the quality of life, but are struggling to accomplish any business because of the personal problems on the Board. The recent conduct of the Board was condemned. A comment was made that the Board should be disbanded due to non-compliance with rules of the NP and the State Sunshine Law (HRS Chapter 92), and it was recommended that the Board seek advice from NCO and NC about conducting meetings. Some Board members are clearly upset over Board member's inconsiderate and inappropriate actions during recent Board meetings.
- 2) Committees – The committee structure was referenced and there were comments that much of the discussion should take place at the committee level before being brought to the Board. Complaints were made that there have been no committee meetings for month. It was pointed out that committee chairs call committee meetings, not the Board chair, as has been done in the past. The Marine Environment Committee meeting was held in September 2009, and not many attended. In addition, an "All Committees" meeting was held in October 2009, and some did attend.

Chair Fevella reminded people to keep their discussion to conduct of Board meetings, the current agenda item.

- 3) Rules Versus Opinion – It was expressed that the information presented about the conduct of Board meetings was interesting and helpful but then too much opinion was added.
- 4) Oahu Metropolitan Planning Organization (OMPO) Delegate – There was concern expressed about the replacement of the OMPO delegate. Chair Fevella turned the gavel over to Vice-Chair Tynanes to respond that the previous Chair Rich Hargrave had received the letter from OMPO stating that the delegate (Mr. Belford) had not been attending the meetings. If the letter is a fabrication, then it was requested that the OMPO delegate be reinstated.

- 5) Agenda Items – Several members have requested items be placed on the agenda and the Chair has failed to place the items on the agenda, as required by the NP.
- 6) Addressing Comments to the Chair – It was stressed that a parliamentary rule is to address all comments to the Chair and not to individuals.
- 7) Families on a Board – Family members don't seem to be prohibited from sitting on the same NB.
- 8) Videotaping by an Individual – Several complaints were made about the distracting videotaping occurring behind the Board's head table; it was explained that the meeting is public and anyone is allowed to record the meeting. Those wishing not to be recorded should either block their faces physically during the taping of the meeting or vacate the meeting immediately.

The Board and community members again began to all speak at once, without recognition from the Chair.

**ADJOURNMENT:** Chair Fevella declared the meeting a riot and adjourned the meeting at 7:51 p.m.; he stated that he would call HPD to clear the room. Berg moved and Oamilda seconded for the Board not to adjourn and continue with the Order of Business; the motion was not stated nor voted upon. HPD personnel arrived and Sergeant M. Cannella confirmed that the meeting was adjourned for safety reasons and escorted attendees from the room.

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Submitted by: Rachel M. Glanstein, Neighborhood Assistant

Reviewed by: Kurt Fevella, Chair