



WAIALAE-KAHALA NEIGHBORHOOD BOARD NO. 3

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII 96813
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DRAFT REGULAR MEETING MINUTES THURSDAY, JUNE 18, 2009 WESLEY UNITED METHODIST CHURCH

CALL TO ORDER: Chair Kelley Roberson called the meeting to order at 7:05 p.m. with a quorum of **five (5) members present**. Note – This nine-member Board requires five (5) members for a quorum and to take official Board action.

Members Present – Scotty Anderson, Stan Fichtman (left at 7:45 p.m.), Sylvia Himeda, Lucinda Pyles, Kelley Roberson, Richard Turbin (arrived at 7:12 p.m.).

Members Absent – Gerri Digmon, Lester Fukuda, Linda Fulton.

Guests – Lieutenant C. Tang, Lieutenant A. Kurusu, Sergeant A. Rivers and Officer T. Kahapea (Honolulu Police Department – District 7, East Honolulu), Captain Guy Katayama, Fire Fighter III Peter Kim and Fire Fighter III Reggie Gawiran (Honolulu Fire Department – Kaimuki Fire Station), Senator Sam Slom, Representative Barbara Marumoto, Craig Nishimura (Mayor's Representative, Director, City Department of Design and Construction), Councilmember Charles Djou, Kainoa Kaumeheiwa-Rego (Councilmember Charles Djou's Office), Lorna Heller (Board of Water Supply), Scott Ezer (Helber, Hastert and Fee Planning Consultants), Kathryn Xian (Pacific Alliance to Stop Slavery), Kathleen Kelley, Steve Davis, Stanley Chang, John Pyles and Jamal Siddiqui (Neighborhood Commission Office).

CITY MONTHLY REPORTS:

Honolulu Fire Department (HFD) – Fire Fighter III Reggie Gawiran reported the following: (1) There were 8 structure fires. (2) Regarding emergencies, there were 88 medical, 4 search/rescue and 14 miscellaneous. (3) Fire Safety Tip – With island keiki on summer break, this is an opportune time to review home surroundings for potentially dangerous situations. Childproof the home. Check for situations that may cause electrical shock, accidental falls, and /or poisoning from unsecured medications, cleaning products, and/or houseplants. Ensure swimming pools are properly fenced and gated. An alarm on the door from the house to the pool can help prevent unattended keiki from drowning. Keep matches and lighters in a safe, secured place away from children.

Questions, comments and concerns followed:

- HFD is prepared to deal with possible brush fires this summer including in the Diamond Head area.

Honolulu Police Department (HPD) – Sgt. A. Rivers distributed District 7 – East Honolulu report and highlighted the following: (1) There were 22 burglaries, 24 thefts and 28 unauthorized entries into motor vehicles. (2) Effective July 1, 2009, HPD will cite motorists operating a motor vehicle while using a mobile electronic device. (3) Contact information given included 911 for emergency calls, Community Policing (Neighborhood Security Watch) and Geographical Information System (GIS) in District 7 and HPD's District 7 website – www.honolulupd.org/patrol/d7.

Questions, comments and concerns followed:

- HPD tracks citations concerning noise mufflers. For further information, contact HPD's Traffic Division.

Turbin arrived at 7:12 p.m.; **six (6) members present**.

Mayor's Representative – Craig Nishimura, Director, City Department of Design and Construction (DDC), reported the following: (1) The Honolulu Olympic Celebration takes place Saturday, June 20, 2009, 5:30 p.m. with a Healthy Honolulu 5K Fun Run/Walk at the University of Hawaii's Les Murakami Stadium. This will be followed by Sunset on the Field where former Hawaii Olympians will be there along with a movie – Miracles, the inspiring story of the U.S. Men's Ice Hockey's triumphant Olympic Victory against the Soviet Union. (2) The City Department of Design and



Construction (DDC) checked out the intersection of Hoakoa Place and Malia Street where they have requested the City Department of Facility Maintenance (DFM) to install a new street light in the vicinity of the crosswalk. The work should be completed within the next six weeks with an additional undetermined time for Hawaiian Electric Company (HECO) to make their service connection. (3) The resurfacing of Kilauea Avenue from 18th Avenue to Hunakai Street should be substantially completed by the end of June 2009 with final inspection in July 2009. (4) The City Department of Planning and Permitting (DPP) appreciates the numerous concerns raised by Kahala residents concerning Genshiro Kawamoto not properly maintaining his properties. DPP issued a Notice of Violation (NOV) to give Mr. Kawamoto ample time to correct the violation. After not complying, DPP issued a Notice of Order (NOO) for which the fines could range from \$50 to \$1,000 per property. Of the 24 properties cited for violations, 18 of them have been corrected where civil fine payments remain pending. (5) The City Department of Transportation Services (DTS) checked the intersection of Ainakoa Avenue and Kalaniana'ole Highway where the traffic lights are working properly. The short green light might have been caused by emergency vehicles pre-empting the signal. (6) Per HPD, any vehicle parked illegally should be reported to HPD by providing a license plate number, a description of the vehicle's make, model and color and closest address or cross street of the alleged violation. (7) The City Department of Parks and Recreation (DPR) issues permits and regulates time and place of weddings to lessen their impact on the public's use of the parks. Limousines must comply with parking lot regulations. Should they be parked illegally, park users may call 911.

Questions, comments and concerns followed:

- It was suggested that DPP place heavier fines on habitual violators like Mr. Kawamoto who continue to leave their properties in deteriorating conditions.

Without objection, an item relating to dilapidated properties and DPP was added to the agenda.

Turbin moved, and Anderson seconded, that the Waialae-Kahala Neighborhood Board No. 3 request the City Department of Planning and Permitting (DPP) scrutinize Genshiro Kawamoto for not maintaining his properties that are in a dilapidated state. Discussion followed:

- Chair Roberson expressed concern that the motion may be beyond the Board's scope and bounds.
- Himeda suggested that the motion be amended to insert any individual landowner not just singling out Mr. Kawamoto whose properties continue to deteriorate.

Turbin moved, Anderson seconded, to amend the motion to read that the Waialae-Kahala Neighborhood Board No. 3 request the City Department of Planning and Permitting (DPP) scrutinize vacant property owners not maintaining their properties that are in a dilapidated state; the amendment was ADOPTED UNANIMOUSLY, 6-0-0 (AYE: Anderson, Fitchman, Himeda, Pyles, Roberson, Turbin).

The motion, as amended, that the Waialae-Kahala Neighborhood Board No. 3 request the City Department of Planning and Permitting (DPP) scrutinize vacant property owners not maintaining their properties that are in a dilapidated state was ADOPTED UNANIMOUSLY, 6-0-0 (AYE: Anderson, Fitchman, Himeda, Pyles, Roberson, Turbin).

Questions, comments and concerns followed:

- Concern was expressed with trash cans being left out on the streets by habitual offenders who pick up items placed in trash cans.
- An email was received stating that the City did a great job repaving Malia Street.

Board of Water Supply (BWS) – BWS Representative Lorna Heller highlighted the following: (1) There were no water main breaks in May 2009. (2) BWS is mailing out their Annual Water Quality Report showing where Oahu's water meets/exceeds federal standards. (3) Summertime involves water consumption increases, and everyone was requested to avoid wasting water.

Questions, comments and concerns followed:

- BWS was thanked for providing great service.

Fitchman departed at 7:45 p.m.; **five (5) members present.**

Councilmember Charles Djou – Kainoa Kaumeheiwa-Rego distributed Councilmember Djou’s written report while Councilmember Djou highlighted the following: (1) He expressed sadness at the sudden passing of Councilmember Duke Bainum. (2) Operation Red Wing Park is on track. (3) The City Council passed a record budget of \$3.5 billion including \$600 million for road, sewer upgrades and \$1.1 billion for transit. To balance the City’s budget, the council voted to raise the following taxes/fees: (a) raise the motor vehicle weight tax from \$3.00 to \$5.00 per 1,000 pounds; (b) raise meter parking along Kalakaua Avenue from \$0.25 an hour to \$0.50 per hour; and (c) raise parking at the Honolulu Zoo lot from \$0.25 an hour to \$1.50 per hour. (4) Concerning Mr. Kawamoto’s lack of maintenance on his dilapidated properties, the Councilmember stated that he found an Ordinance in Indio, California stating that vacant landowners could have their dilapidated properties condemned if they are in foreclosure.

Questions, comments and concerns followed:

- Concern was raised that the use of Eminent Domain as a possible tool to address the concerns on properties owned by Mr. Kawamoto might in other cases be abused. Councilmember Djou replied that the law should target absentee property owners, not exclusively singling out Mr. Kawamoto.
- It was pointed out that various California municipalities have passed Ordinances making it a misdemeanor for absentee property owners to keep their properties in a dilapidated state. Councilmember Djou replied that if the landlord violates City building codes/standards, then the City could take appropriate corrective action.
- It was noted that DPP has the discretion to place heavy fines on absentee property owners.
- Councilmember Djou suggested a motion requesting DPP to heavily fine or ask the City Prosecutor’s Office to place misdemeanor charges on absentee property owners who do not maintain their properties.

Without objection, an item relating to fines/charges for absentee property owners was added to the agenda.

Anderson moved, and Turbin seconded, that the Waialae-Kahala Neighborhood Board No. 3 request that the Honolulu City Prosecutor’s Office consider misdemeanor charges on property owners who fail to upkeep their properties, which was ADOPTED UNANIMOUSLY, 5-0-0 (AYE: Anderson, Himeda, Pyles, Roberson, Turbin).

RESIDENTS/COMMUNITY CONCERNS: There were none.

APPROVAL OF MINUTES:

April 16, 2009 Regular Meeting Minutes – This item was deferred.

May 21, 2009 Regular Meeting Minutes – **The May 21, 2009 regular meeting minutes were APPROVED AS CORRECTED, UNANIMOUSLY, 5-0-0 (AYE: Anderson, Fitchman, Himeda, Pyles, Roberson), with a correction:**

- Page 5, paragraph 6, line 2, under Bed & Breakfast /Transient Accommodations, delete “is adding Council draft language to a bill where residents living within 300 feet of a Bed & Breakfast establishment shall be notified of its existence. She (Lucinda Pyles) stated her strong support for this proposal as a step in the right direction” and insert “has proposed CD-2 amendments to Bill 6”.

UNFINISHED BUSINESS:

Feral Chickens and Rooster Control – Success has been reported where a company contracted by the City (Royals Farming) has laid traps and captured feral chickens and roosters especially at the Diamond Head Lighthouse.

New Maintenance Building for Doris Duke Foundation for Islamic Art at Shangri-La Draft Environmental Assessment (EA) – Chair Roberson informed everyone that the Board received a letter concerning the draft EA for the new maintenance building at the Doris Duke Foundation for Islamic Art at Shangri-La.

Questions, comments and concerns followed:

- Concern was expressed over the fact that the maintenance building would be two stories high, which was not mentioned at a previous Board meeting, when consultants presented this project as replacement construction of a new maintenance building as part of their Conditional Use Permit (CUP) application.

- A project consultant pointed out that the Special Management Area (SMA) Permit allows for construction of a new maintenance building that is 1,300 square feet in a 1,700 square feet area located in the middle of the property, thereby not immediately visible from the outside of the property.
- It was expressed that the wording of the permit application was very vague.

NEW BUSINESS:

Pacific Alliance to Stop Slavery (PASS) – Kathryn Xian, representing PASS, informed the Board/community that her organization is educating the public to raise awareness of sex-trafficking in Hawaii which is emerging as a major problem. They are asking for support of legislation to increase the penalties for this practice of sex-trafficking and slavery. Trafficking is defined as the denial of the liberty of another human being. Criminal provisions focus on the coercive nature of the service rather than the movement of the victim. The following was specified:

- The Demand for Children –
 - Myth of being AIDS-free
 - Pandemic of pedophilia
 - Rise in the availability of child porn
 - Open advertising
 - Inadequate punishment of pedophiles
 - Myth of curing AIDS (Africa) – the youngest reported was nine months old
- How Children are Obtained –
 - Kidnapping
 - Sold into slavery by family members
 - Forced into prostitution by boyfriends or husbands
 - Born into brothels and/or born to pimps and prostitutes
 - Recruited from school, malls, parties, etc. with the promise of making money/having better life
- Facts –
 - An estimated 1.2 million children are trafficked each year (UNICEF).
 - Around the world between 50% to 60% of the children who are trafficked into sexual slavery are under the age of 16.
 - Over 17,500 children and women are annually trafficked into the United States for sexual services and the trend is accelerating.
 - Immigration officials recently counted 20 brothels in 26 U.S. cities staffed with trafficking victims.
 - Currently, an estimated 200,000 American children are trapped in the U.S. sex industry.
 - Approximately 25% of all child sex tourists around the world are U.S. citizens.
- Plans to legalize prostitution don't work because victims are abused both physically and mentally and some of them get killed while in bondage. PASS is working on legislation to allow law enforcement to focus on pimps and johns. In addition, the community must take an abolitionist stance against this cruel practice of sex-trafficking. President Abraham Lincoln stated: "The slave breeders and slave traders are a small odious and detested class among you; and yet in politics, they dictate of all of you."

Questions, comments and concerns followed:

- PASS is working with the Legislative Reference Bureau to pass a local law making human trafficking illegal. It was noted that Hawaii is one of twelve states that does not have anti-human trafficking laws on the books. PASS is working with various faith-based organizations including Faith Action in Community Equity (FACE) to get this law passed in the 2010 State Legislative Session.
- It was noted that this activity takes place in Waikiki after 9:00 p.m. where these prostitutes and their pimps are affiliated with both local and mainland gangs.

Diamond Head Overlooking Parking – This item mentioned earlier in the meeting.

Oahu Metropolitan Planning Organization (OMPO) Traffic – Transportation Improvement Plan (TIP) Revision #13 – Chair Roberson stated that he received this report.

REPORTS:

May 2009 Treasurer's Report – Treasurer Pyles reported for May 2009: (a) the previous Operating Account balance was \$1,240.61, and with current expenses of \$21.19, the current balance is \$1,219.42; (b) the Publicity account balance remains at \$936; and (c) the Refreshment Account balance remains at \$120. The report was filed.

Committees –

OMPO Traffic: This item was covered earlier in the meeting.

Land Use & Zoning – City Council Actions or Pending Hearings: No report was given.

Permitted Interaction Groups –

Bed & Breakfast/Transient Accommodations: Pyles expressed concern with Council Draft Amendments pertaining to Bill 6 (relating to bed & breakfasts and transient vacation units).

Elected Officials –

Governor's Representative: No representative was present.

Representative Barbara Marumoto: Rep. Marumoto distributed her written report and highlighted the following: (1) A task force will be established to collect information on Salvia – a hallucinogenic drug that is increasingly popular but very dangerous. This task force is under the State Department of Public Safety (PSD) and they will recommend legislation for the 2010 State legislative session. (2) She helped to secure \$500,000 for 10 stairwell security gates for Kalani High School which will prevent vandals from getting to the second floor to vandalize the area. (3) The written report included a list of bills that passed and failed in the 2009 State Legislative Session. (4) Given the State's budget shortfall of more than \$600 million in the biennium budget for fiscal years 2010 and 2011, Governor Lingle is proposing to furlough State employees as a starting point to save money. Public employee union leadership stated that they favor raising taxes instead of having their employees laid-off. If there is no agreement by July 1, 2009, the Governor may unilaterally order layoffs of State employees.

Questions, comments and concerns followed:

- It was noted that 70% of the State budget goes to pay State employees.
- Rep. Marumoto was thanked for her sponsorship of House Concurrent Resolution 204 (HCR 204) that asks the City to assess fines on people who own these homes but leave any in a dilapidated state.

Representative Lyla Berg: No representative was present.

Senator Sam Slom: Senator Slom distributed his written report and highlighted the following: (1) PASS gave a similar presentation at the Kuliouou-Kalani Iki Neighborhood Board No. 2 meeting two weeks earlier. He noted that HPD arrested three men for coercing a sixteen-year old girl into prostitution. (2) He was present at Gov. Lingle's news conference regarding proposed furloughs to help close a budget gap of more than \$600 million in fiscal years 2010 and 2011. A federal mediator has been brought in to mediate between the State administration and public employee unions. He felt that the union leaders have not talked to their members and a significant number in their membership may favor furloughs compared to being laid-off. These leaders instead favor raising the General Excise Tax (GET) to close the \$600 million budget gap. (3) Gov. Lingle has until July 15, 2009 to sign, veto or allow bills passed by the 2009 State Legislature to become law without her signature. (4) On May 28, 2009, he attended the ceremony honoring elementary school students who were declared winners in the Play It Safe Safety and Poster Contest at the Governor's Ceremonial Meeting Room in the State Capitol that was presided over by Lieutenant Governor Duke Aiona. Also in attendance was Councilmember Duke Bainum (before his untimely death on June 9, 2009). (5) The 2nd Annual Independence Day at Maunaloa Bay takes place at Maunaloa Bay Beach Park on Saturday, July 4, 2009 from 2:00 p.m. to 9:00 p.m. The fireworks show begins at 8:00 p.m. Fireworks for the Annual 4th of July Parade in Kailua was almost postponed due to the poor economic conditions. However, community residents/businesses/organizations intervened and raised \$40,000 to proceed with the fireworks.

Questions, comments and concerns followed:

- Public employee union leaders may be representing their membership by saving their jobs. Sen. Slom replied that the last thing Governor Lingle wants to do is order layoffs of State employees.

- It was noted that the proposed furloughs affect State Departments except for the: (a) University of Hawaii (UH) System; (b) Office of Hawaiian Affairs (OHA); and (c) State Department of Education (DOE).
- In response to an inquiry, Sen. Slom stated that HCR 100 relating to Islam Day was introduced by Rep. Berg to acknowledge the great contributions by Islam and Muslims. Originally the date of designation was set for November 21, 2009 but was changed to September 24, 2009. Sen. Slom stated his opposition to this resolution for the following reasons: (a) more discussion is needed; (b) the item was sent to the wrong committee, the Senate Economic Development and Technology Committee; and (c) professors from UH's Religion Department were not informed/consulted on this proposed resolution. It was clarified that this resolution is a one time, and not annual, celebration.

CORRESPONDENCE AND ANNOUNCEMENTS: Most of the items under this heading were mentioned earlier in the meeting. In addition, there was a letter dated May 21, 2009 from Wayne Yoshioka, Director of DTS, concerning the intersection of 18th Avenue and Diamond Head Road.

ADJOURNMENT: The meeting adjourned at 9:05 p.m.

Submitted by:

Jamal Siddiqui
Neighborhood Assistant

Reviewed by:

Kelley Roberson
Chair