



## WAIALAE-KAHALA NEIGHBORHOOD BOARD NO. 3

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

### **DRAFT REGULAR MEETING MINUTES THURSDAY, JANUARY 21, 2010 WESLEY UNITED METHODIST CHURCH**

**CALL TO ORDER:** Chair Scotty Anderson called the meeting to order at 7:00 p.m. **with a quorum of six (6) members present.** Note – This nine-member Board requires five (5) members for a quorum and to take official Board action.

**Members Present** – Scotty Anderson, Sylvia Himeda, Kelley Roberson, Paul Saito, Richard Turbin, Chris Williams.

**Members Absent** – Linda Fulton.

**Vacancies** – There is one (1) vacancy in each of Sub-districts 1 and 4, for a total of two (2) vacancies. Boards are now able to fill vacant seats due to the recent amendment to the Neighborhood Plan Section 2-14-104(a).

**Guests** – Captain Tim Turgeon (Honolulu Fire Department); Sergeant C. Sukekane, Lieutenant G. Lum Lee, Officer Tony Kahapea (Honolulu Police Department); Lorna Heller (Board of Water Supply); Kainoa Kaumeheiwa-Rego (Councilmember Charles Djou's Office); Representative Lyla Berg; Senator Sam Slom; Craig Nishimura (Mayor Mufi Hannemann's Office); Representative Barbara Marumoto; Joan Shinn (Representative Barbara Marumoto's Office); Nina Reppua Carney (KCA); Lucinda Pyles; Stan Johnson; Michael McCreary; Audrey Fuchino; George Taylor; and Theona Kapoi (Neighborhood Commission Office).

**INTRODUCTION OF BOARD MEMBERS AND GUESTS:** Those present introduced themselves.

**FILLING OF VACANT BOARD SEATS:** No candidates interested at this time.

#### **CITY MONTHLY REPORTS:**

**Honolulu Fire Department (HFD)** – Captain Tim Turgeon reported the following:

- **December 2009 statistics** – 3 structure fires, 86 medical emergencies, and 17 miscellaneous emergencies.
- **Unusual Incident: Downed Aircraft** – The downed aircraft that happened in Palolo took some time to respond to. HFD coordinated with the Honolulu Police Department (HPD) to find the exact location of the aircraft using both ground and air responders. A similar incident happened in Makaha, with a man slipping on the side of the mountain. The coordinated efforts of HPD and HFD helped to respond quicker to each incident.
- **Fire Safety Tip** – In a fire, medical, or other emergency, it is critical that emergency responders quickly identify the correct location. Fire, building, U.S. postal codes, and City ordinances state that property owners shall place their house numbers so it is legible and readily visible from the street. This will assist the Honolulu Fire Department and other first responders in quickly locating your house in the event of an emergency. If your property is difficult to locate and/or access, provide 911 dispatchers with additional information to assist them in locating your property during an emergency. If possible, residents with long drives ways, have someone go out to the road to wave the emergency vehicle down.

Questions, comments and concerns:

1. **Fireworks** – About 130 calls were fireworks related island wide between 6:00 a.m. December 31st and 6:00 a.m. January 1st. The HFD has asked the state to ban fireworks completely and possibly have them for commercial use only. This legislative session, it is going to be discussed. There were no known major incidents on the island of Oahu. The biggest fireworks accident happened on Maui involving two children.



From year to year the calls received by HFD have been steady. However, the fireworks have been getting louder, as some residents have been using bomb like fireworks, which cause greater noise concerns.

2. Extra Costs for Responding to Emergencies – Added costs to responding to emergencies would include the use of the fire trucks, helicopters. Things not typically used everyday.
3. Responding to Multiple Fires – Responding to all calls may seem to be a waste of time to some. However, HFD responds to all calls and will determine if they are needed on site.

Honolulu Police Department (HPD) – Sergeant C. Sukekane circulated the report indicating it was for December 20, 2009 through January 20, 2010. It includes HPD contact information and safety tips. Sergeant Sukekane noted a major tip for after the holidays is placing all boxes of Christmas gifts in bags. Leaving large boxes on the street gives criminals an opportunity to know what is in your house.

Questions, comments and concerns:

1. Halekoa Drive Home Invasion – HPD does not believe this home invasion was random and feels there is an underlying factor for this crime. The home that was invaded was on a list HPD was looking into and did not get to that home before it was invaded.
2. Suspicious Activity – HPD recommends calling 911 for any suspicious activity. Turbin stated that constant calls and complaints may eventually have noisy neighbors out of the neighborhood. Williams stated when calling 911 the dispatcher will ask if the call is an emergency. If it is not, they will direct you to the appropriate officer. No call is a wasted call and the police will always show up.

Mayor Mufi Hannemann's Representative – Craig Nishimura reported the following:

- City Budget Issues – The City will also be facing budgetary issues this coming fiscal year. There may be further cuts for some City programs and possibly furlough days to get through the year.
- Sidewalk Repair – Regarding repair of the existing asphalt-concrete sidewalk near the intersection of Diamond Head Road and Kahala Avenue (between Palaoa Place and Kaalawai Place), a work order was issued to the Department of Facility Maintenance (DFM) to fix the sidewalk.
- Hawaiian Electric Company (HECO) and City Lights Parade – HECO is a major co-sponsor of the electric parade and already underwrites a large portion of the expenses.
- Operation Red Wing Park and the Sony Open – After the finish of the Sony Open, any damages to the turf and irrigation system must be restored to prior existing condition or better by designated contractor from the "Sony Open". The designated contractor will be responsible to meet with district representative before and after the event. Rubbish bins will be moved to the perimeter of the park so maintenance vehicles will not need to drive or park on the grass.
- Homeless "City" in Waikiki – The Department of Community Services (DCS) works closely with the homeless service providers in soliciting their assistance to help those who are willing to accept services. However, for those not interested in services, DCS must rely on the enforcement actions available through HPD and the Department of Parks and Recreation (DPR). Efforts to resolve illegal camping on park property are underway by several departments within the City and County of Honolulu to include the DPR, the Department of Corporation Counsel, HPD, DCS and the Mayor's Office. These departments and offices are collectively working to provide appropriate and enforceable signage within the park to address illegal camping. Currently, Kapiolani Regional Park rules regarding recreational use, including tent use are being revised. Enforcement of illegal camping will resume once issues regarding the demarcation of jurisdictional boundaries are resolved.
- Illegal Dumping on Kahala Avenue – The City refuse inspectors will check Kahala Avenue the later part of the week of January 11, 2010; approximately two weeks after the scheduled pickup of bulky items in December 2009.

Questions, comments, and concerns:

1. Kawamoto Fines – Residents are concerned with the amount of fines Mr. Kawamoto has accumulated; as well as the efforts going into collecting the fines, and if there are outstanding violations against his properties.
2. East Honolulu Development – A resident questioned the status of the plans to add the Waialae-Kahala area to the East-Honolulu Development Plan.
3. Bulky Item Pickup – Enforcement of the bulky items. How will residents be assured if the trash is not theirs, they will not be fined?
4. Homeless “City” – Residents would like to know where they will be going when HPD or DPR enforces laws about ‘illegal camping’. Most of the homeless people are not from Hawaii and they are taking over the beaches in Waikiki.

Board of Water Supply (BWS) – Lorna Heller reported the following information:

- Major Water Breaks – There were no water main breaks in December 2009.
- Reduce Water Usage – Residents can reduce water usage by doing the following: install a low-flow fixture in the shower, turn off the water while brushing your teeth and check for leaks.
- Water Conservation Contest – The 32nd annual poster contest is open to students Kindergarten through 6th grade, and the second year of the poetry contest is open to students in grades 7-12. This year’s theme is “Stop the Drop.”

Questions, comments and concerns:

Water Tank Tablets – Residents are able to obtain tablets to detect leaks in bulk by contacting BWS.

Councilmember Charles Djou – Kainoa Kaumeheiwa-Rego distributed a report and highlighted the following:

- Bulky Items – This item was deferred in the Public Infrastructure Committee.
- Shangri La (09-347) – This item passed out of committee and will go before City Council on January 27, 2010. Residents interested in testifying should attend the meeting.
- Property Tax Payments – Residents are now able to pay property taxes online at HNLpay.com. Having this convenience will impose a two percent fee on residents who choose to pay by credit/debit method. Residents choosing to pay with an e-check will be charged a fee between \$3.30 and \$15.30. Residents will be allowed to pay with credit/debit cards at satellite city hall, however the two percent fee will still apply.

STATE ELECTED OFFICIALS:

Representative Barbara Marumoto – Representative Marumoto circulated a report and highlighted the following:

- Rundown Properties in Kahala – A bill is being introduced that would allow aggrieved parties to sue should they suffer damages as a result of these blighted properties. Legislatures walked a portion of Kahala Beach to view encroaching vegetation that restricts access to public portion of the beach.
- Fireworks Ban – Representative Marumoto is co-sponsoring bills to totally ban fireworks.
- Furlough Days – Representative Marumoto is hopeful that HSTA, the teachers union and the Department of Education (DOE) will negotiate a plan to replace as many furlough days as possible with teaching days and supports Governor Linda Lingle’s plan to use \$50 million from the Rainy Day Budget Surplus Fund.
- District News – Representative Marumoto quickly noted the following:
  - The Doris Duke Foundation received a shoreline management permit to construct a two-story building on the site of a maintenance shed.
  - A City Council Bill to allow and regulate Bed & Breakfasts failed.
  - Watch for road work by the City on Pahoehoe Avenue.

- The Outdoor Circle was commended for saving dozens of cypress trees in the parking lot of the Kahala Towers condominium.
- Congratulations to founding director, Loretta Yajima on the 11th birthday of the Children's Discovery Center.
- Representative Marumoto's Activities – At a meeting in Laguna Niguel, CA, Representative Marumoto was elected Treasurer of Women in Government, a national organization of women legislators. She also addressed the residents of Kahala Nui regarding state finances.

Questions, comments and concerns:

1. Tax Increase – Representative Marumoto is not aware of a drafted bill regarding tax increases.
2. Doris Duke Foundation – Residents who testified at the hearing were overwhelmingly against granting the permit for constructing the two story building. Many letters were received in support of granting the permit which was also taken into consideration.

Representative Lyla Berg – Representative Berg circulated a report and highlighted the following:

- Women's Legislative Caucus – Attached in the report is the 2010 legislative package on behalf of the caucus' theme "Assuring Justice for Women."
- Martin Luther King Day Parade – The 2010 parade focused on one of Dr. King's many up lifting and unifying statements: "We may have all come on different ships, but we're in the same boat now." The 22nd annual parade is used to honor and remember the civil rights leader and to promote social change and justice, non-violent resolutions to conflict, global peace and the eradication of poverty.
- Representative Berg's Activities – Representative Berg attended the Education Commission of the States in New Orleans January 6th to 8th. The meeting involved three days of intense discussion with legislative colleagues from across the country to create strategies to: 1) reduce the number of students leaving high school requiring remediation before being ready for work or college, 2) accelerate the retooling of the current adult workforce, and 3) align workforce and labor demands. January 12th to 14th, she attended the National Child Policy Conference in Miami. During the highly interactive conference, participants worked in teams to identify strategies, partnerships and a viable plan to move closer to the goal of improving policies, funding and investment for children in their state.
- Education Committee Update – Friday, January 22, 2010 at 2:00 p.m. in Conference Room 309 of the State Capitol will be a discussion of the Hawaii State Department of Education's Budget and other Department updates.
- "Leader for the Day" Essay Competition – Representative Berg held an essay writing competition for public school students ranging from grade 6 to 12. Almost 300 submissions were received on the topic requiring students to write about a historic place that is significant to their community. They were also to consider how, as an elected official, they would plan a proposal to ensure the protection of that site. The winners will have the opportunity to "shadow" the offices of the Governor, Lieutenant Governor, each County Mayor, the Department of Education (DOE) Superintendent and State Legislatures on March 12, 2010.
- Meet the Staff – Representative Berg informed residents about her staff members – Jen Wilbur, Matt Prellberg and Marata Tamaira.
- Voices for Change: New Olelo Series – The goal of this series is to give voice to community members from every island who is concerned about the preservation and protection of Hawaii's sacred, cultural and historic sites. The program will air every Wednesday at 7:30 p.m. on Olelo Channel 52 and may also be viewed via video on demand at [www.olelo.org](http://www.olelo.org).

Questions, comments and concerns:

1. Legislative Session – This year session will be decreased by five (5) days (due to furloughs) which only allows for two (2) days a week to work on Bills. This will also result in a decrease in the number of hearings on Fridays for which State departmental staff will not be able to testify on behalf of their job.

2. Increase in School Violence – There has been an increase in the number of school campus crimes as a result of furlough days and the economy.

Senator Sam Slom – Senator Slom circulated a report and highlighted the following:

- State Budget – Senator Slom is opposed to any increase in taxes. It is difficult for the State to pay its bills now, how will it be able to do the same later. This will force the legislature to reduce taxes, fix the economy and be more accountable with state funds.
- Opportunity for Change – Senator Slom spoke on behalf of the two-member minority caucus, enthusiastically stating that the economic slowdown is a “real opportunity to right-size government.” The caucus continues to support the restructuring of public education, eliminating furlough days and downsizing the huge DOE bureaucracy.
- Unemployment for Businesses – Senator Slom will introduce a bill to reduce the huge increase in the unemployment compensation tax on businesses. He will continue to oppose any tax increase.
- Civil Unions Bill (HB 444) – Senator Slom is in opposition of the bill. More than 10,000 people showed up for the iVote Rally in opposition of HB 444 that will allow “civil unions.” The bill is pending a floor vote in the Senate on January 22, 2010 starting at 11:30 a.m
- First Circuit Court Judge – Former U.S. Attorney Ed Kubo will be confirmed as Hawaii’s next First Circuit Court Judge after going through the confirmation hearing process on January 21, 2010 in the State Senate’s Judiciary and Government Affairs Committee (JGO). Kubo was nominated to the position by Governor Lingle, has served as U.S. Attorney for the Hawaii District from 2001-2009.
- Department of Commerce & Consumer Affairs (DCCA) – DCCA Director Lawrence M. Reifurth has been nominated by Governor Lingle to the Hawaii Intermediate Court of Appeals. He will go through the confirmation process through the JGO committee and the full Senate starting on January 29, 2010.
- News in Brief – Senator Slom quickly noted the following:
  - The U.S. Supreme Court ruled 5-4 that free speech rights permit corporations and labor unions to directly spend on political campaigns. The court also struck down part of the McCain-Feingold campaign finance bill that barred paid issue ads from union and corporations in the final days of election campaigns.
  - The State Campaign Spending Commission is asking Attorney General Mark Bennett to examine whether a special election to fill the remainder of U.S. Rep. Neil Abercrombie’s term can be delayed until the primary election in September, assuming he resigns.
  - The Governor’s Informational Briefing on Rail Transit Alternatives drew about 500 people to the State Capitol on January 18 to hear a panel from the American Institute of Architects propose that a ground level train option be pursued instead of an all elevated train. Senator Slom stated Governor Lingle asked the City for State input regarding rail options over the past four years however, it was not accepted.
  - Kahala Elementary School will be hosting the Kahala Fun Run on Wednesday, February 24 as a fundraiser for some of their school programs. The school is seeking corporate sponsors for the event. For more information call Charlene Martinez at 366-2393.
  - Haiti should be expecting disaster relief services from the two vessels originally built for the Hawaii Superferry.

Questions, comments and concerns:

Senator Slom’s Opinion on the Education System – Senator Slom would prefer there were no Board of Education. He would also prefer to decentralize the role of the superintendent and remove the cap on the number of Charter schools allowed in the State.

RESIDENTS’/COMMUNITY CONCERNS:

Illegal Signs – Resident, George Taylor is concerned with signs affixed to street signs, traffic poles and light poles. Taylor contacted the City regarding the issue and they have taken down the signs, however, the signs go right back up the following week. Taylor was told by a member of the Outdoor Circle that there is a City ordinance which exempts non-profits and schools from abiding by the regulations for posting signs. Taylor would like the City to revisit the signage ordinance as people are taking advantage. Taylor was advised not to remove the signs himself and to call HPD as they will be able to remove the signs.

Fireworks – Residents request fireworks be completely banned.

Vehicle Noise (Mufflers) – Taylor requests HPD cite vehicles that do not have the proper reconstruction stickers on any modifications done to the vehicle. Mufflers are regulated for noise levels and many cars are not in compliance.

Vegetation Removal – Lucinda Pyles voiced concern regarding the problem of induced vegetative overgrowth seaward of the shoreline along coastlines throughout the state inhibiting access to and transit along the beach thereby denying the public use of and enjoyment of the public domain. Pyles has alerted the Department of Land and Natural Resources (DLNR) with this concern and is requesting individual board member and residents support in amending the existing law regarding induced vegetative overgrowth. Pyles noted she did not receive the bill number and has drafted a resolution for the next time this situation is addressed.

**Turbin moved, Roberson seconded that the Resolution in Support of Legislation that Addresses the Removal of Artificially Induced Vegetation Seaward of the Shoreline be added to tonight's agenda. The motion was UNANIMOUSLY ADOPTED, 6-0-0 (AYE: Anderson, Himeda, Roberson, Saito, Turbin, Williams).**

Discussion followed:

- Stan Johnson presented to the Board in 2008 regarding this issue and stated that vegetation is not the cause of the beach disappearing, it is erosion. In his 2008 presentation to the Board he addressed the issue of erosion and that this is what is affecting Hawaii's beaches, not vegetation. Johnson stated it is the silt that goes to the beach and kills marine life.
- Chair Anderson stated the issue is regarding residents purposely watering the Naupaka plant outside of their property line. Pyles is requesting the Board support Legislation that addresses the removal of the artificially induced vegetation, not erosion.
- Turbin noted residents have watered the Naupaka plant beyond their fence line which is inducing growth, which do not allow for beach goers to walk on the sand fronting their house. He feels this will help provide access to Hawaii's costal lands.
- Roberson suggested Chair Anderson add Johnson's presentation regarding beach erosion on the Board's February agenda.

**Turbin moved, Williams seconded that the Waialae-Kahala Neighborhood Board No. 3 Support the Resolution in Support of Legislation that Addresses the Removal of Artificially Induced Vegetation Seaward of the Shoreline. The motion was UNANIMOUSLY ADOPTED, 6-0-0 (AYE: Anderson, Himeda, Roberson, Saito, Turbin, Williams).**

#### APPROVAL OF MINUTES:

Approval of the November 19, 2009 Regular Meeting Minutes – **The November 19, 2009 regular meeting minutes were UNANIMOUSLY APPROVED with the following corrections, 6-0-0 (AYE: Anderson, Himeda, Roberson, Saito, Turbin, Williams).**

- Page 2 – Number three, under Mayor Mufi Hannemann's Representative, Questions, comments and concerns Operation Red Wing (Medal of Honor Park) should read, "... requested *maintenance crews fix the grass at the park. Something should be placed over the grass where the Sony Open vehicles will sit.* The..."

BOARD BUSINESS: None.

#### OTHER REPORTS:

Chair Reports/Correspondence – Chair Anderson noted that the Rail Transit deals mainly with the citizens of Kapolei and is not of major concern for the Board.

Treasurer's Report – Kapoi will bring a copy of the November 2009 report at the next meeting.

Committees – No report.

Permitted Interaction Group (PIG) – No report.

ANNOUNCEMENTS:

Next Board Meeting – Will be on Thursday, February 18, 2010, at 7:00 p.m. at the Wesley United Methodist Church on 1350 Hunakai Street.

Other Announcements – Board member Kelley Roberson stated this may be his last meeting. He plans to move to the mainland in mid February.

ADJOURNMENT: The meeting adjourned at 9:07 p.m.

Submitted by: Theona Kapoi, Neighborhood Assistant

Reviewed by: Scotty Anderson, Chair