



DIAMOND HEAD/KAPAHULU/ST. LOUIS HEIGHTS NEIGHBORHOOD BOARD NO. 5

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MINUTES OF REGULAR MEETING JUNE 14, 2007 ALA WAI GOLF COURSE CLUBHOUSE

CALL TO ORDER: The meeting was called to order by Chair pro tem Waialeale at 7:00 p.m. A quorum was present.

MEMBERS PRESENT: Julia Allen (appointed at this meeting), S. Michael Cain, Deborah Lockett, Barbara Miller, Bert Narita, Ken Chang, Scot Drown, Bertha Nahoopii, George Waialeale, Roxie Berlin, Jay Harden, Michelle Matson, Don Persons, Linda Wong.

MEMBERS ABSENT: Rick Egged.

MEMBERS' SEATS VACANT: None.

GUESTS: John Weldon; Sgt. D. Hardinger, Capt. J. Richards (HPD-District 6, Waikiki), Sgt. D. Nihei, Sgt. S. Yano (HPD-District 7, East Honolulu), Cindy McMillen and Maggie O'Connor (Communications Pacific), Stan Fichtman (Councilmember Charles Djou's Office), Capt. K. Nakanelua (HFD-Waikiki Station), Daisy Murai, Anthony Kahapea, Eduardo Hernandez, Representative Scott Nishimoto, Sean Omatsu (Department of Design and Construction), Glen Okita, Jeff Kalani (Yogi Kwong), Rod Lockwood (McCully-Moilili Neighborhood Board No. 8), Tom Heinrich (Manoa Neighborhood Board No. 7), Brett Schnek (Honolulu Board of Realtors), Richard Harada, John Welden, Representative Calvin Say, Representative Scott Nishimoto, Councilmember Ann Kobayashi, Walea Constantinau (Mayor's Office), Dean Chu (Neighborhood Commission Office staff).

SWEARING IN OF BOARD MEMBERS: Neighborhood Assistant Chu administered the oath-of-office to members who did not attend the Installation Ceremony for newly-elected Board members earlier this month.

ELECTION OF OFFICERS:

CHAIR – Matson nominated Narita. Berlin moved and Miller seconded to close the nominations. The motion carried unanimously. Narita was elected by unanimous consent. Chair Narita assumed the chair and presided over the remainder of the meeting.

VICE CHAIR – Matson nominated Chang. Berlin moved and Waialeale seconded to close the nominations. The motion carried unanimously. Chang was elected by unanimous consent.

SECRETARY - Matson nominated Wong. Waialeale nominated Miller. There were no other nominations. A vote was taken with the following results: **For Wong:** Persons, Harden, Wong, Drowns, Matson, Chang, Narita. **For Miller:** Miller, Nahoopii, Waialeale, Lockett, Berlin, Cain. Neither candidate received the necessary eight votes to be elected. **Harden moved to reconsider. The motion failed for lack of a second.** This matter was deferred to the next meeting.

TREASURER – Miller nominated Drown. Wong moved and Harden seconded to close the nominations. The motion carried unanimously. Drown was elected by unanimous consent.

SUB-DISTRICT VICE CHAIRS – Miller nominated Lockett for sub-district 1. Waialeale nominated Nahoopii for sub-district 2, Harden nominated Matson for sub-district 3. Harden moved and Wong seconded to close the nominations. The motion carried unanimously. Lockett, Nahoopii and Matson were elected by unanimous consent.

Chair Narita, upon request, deferred the order of the agenda was deferred to take Public Safety Reports at this time. There were no objections.



PUBLIC SAFETY REPORTS:

HONOLULU FIRE DEPARTMENT – Capt. Nakanelua, from the Waikiki Station, reported the following:

1. Last month the station responded to 14 structure and 2 rubbish fires, 7 false alarms, 157 medical emergencies and 8 miscellaneous calls. There were no major unusual incidents.
2. The safety tip of the month is: With brush fire season upon us, remember to maintain a 30 foot wide clearing between any structure and vegetation. Recent rains may have overgrown vegetation in some breaks.

Independence Day is just around the corner, so consider leaving fireworks to the professionals and enjoy one of the many fireworks displays around town. If you use fireworks, follow warnings and instructions. Young children should never be given fireworks. Older children should only use fireworks under the direct supervision of an adult. Have a happy and safe Independence Day.

Questions, answers and comments followed:

Follow up will be done on whether or not it is legal to use an electric barbeque on a condominium lanai. It was noted open fires are prohibited.

HONOLULU POLICE DEPARTMENT – Sgt. Hardinger, from District 6, Waikiki, reported statistics for May compared to April included: 2/1 robbery, 6/1 burglary, 15/13 theft, 3/3 motor vehicle theft, 3/2 criminal property damage, 26/36 liquor law violations, 8/16 motor vehicle collisions, 24/19 arguments/non family, 17/8 unauthorized entry into motor vehicle, 438/416 total cases, and 4,146 total calls for service.

Questions, answers and comments followed:

1. Statistics on crimes in Kapiolani Park and Waikiki Bandstand areas were not available at this time.
2. Vans with persons sleeping in them continue to be parked in the Paki Avenue and Noela Street area.
3. Street lights are out on Leahi Avenue, between Waikiki School and Pualei Circle.
4. A case on Gail Street of a vehicle windshield being smashed was a random act and classified as a criminal property damage case, and is being investigated.
5. For more information about a stolen motorcycle case call the Criminal Investigation Division, Auto Theft Detail.
6. The intersection of Kaimuki and 4th avenues was checked for illegal parking per a request from last month's meeting, no violations were found.
7. The Department of Facility Maintenance repaired street lights at Herbert and Winam streets.
8. A burglary suspect was arrested in the Herbert Street area, and is believe responsible for a number of other burglaries.

Sgt. Yano, from District 7, East Honolulu, reported the followed a written report which includes area statistics was distributed earlier in the meeting.

Questions, answers and comments followed:

1. No details were available at this time about a specific, large theft discussed at the last St. Louis Community Association meeting.

2. During his time working on the Click It or Ticket Campaign, Sgt. Yano reported seeing most drivers in compliance, and few citations issued.
3. Drivers continue to make illegal turns from St. Louis Drive to 1st Avenue. Follow up will be done.

Sgt. Hardinger, Capt. Richards, Sgt. Nihei, and Sgt. Yano were thanked for attending the meeting.

BOARD OF WATER SUPPLY – No representative was present. Harden noted there needs to be more information made available about conserving water. Harden also noted concerns about the project in the Campbell and Kapahulu avenues' area. Follow up will be done with Nahoopii.

The order of the agenda resumed.

FILLING OF VACANCY, ONE SEAT IN SUB-DISTRICT 1, ST. LOUIS HEIGHTS – Julia Allen and John Welden expressed interest in filling the seat. They provided a brief background on themselves and answered questions from Board members. A vote was taken with the following results: **For Allen:** Cain, Lockett, Miller, Nahoopii, Waialeale, Narita, Berlin, Persons, Drown. **For Welden:** Harden, Wong, Matson, Chang. **Allen was elected to fill the vacancy.** Neighborhood Assistant Chu administered the oath-of-office to Allen.

Chair Narita deferred the order of the agenda to take Community Concerns at this time. There were no objections.

COMMUNITY CONCERNS:

ST. LOUIS HEIGHTS SEWER PROJECT – Sean Omatsu, from the City Department Design and Construction, reported the project on St. Louis Heights is to rehabilitate six and eight inch diameter sewer lines using the cured-in-place-pipe process which puts a new liner inside the existing lines. This method will minimize digging up of roads, and may require some night work up to 8:00 p.m., for which a permit from the State Department of Health.

Questions, answers and comments followed;

1. The cured-in-place-pipe process will reduce the diameter in the existing pipes slightly, but they will last a long time.
2. The contract has been issued for this project.

Omatsu was thanked for attending the meeting.

KAPIOLANI PARK MASTER PLAN ENVIRONMENTAL ASSESSMENT – Matson reported the deadline to submit comments is coming up soon and the Board should submit a response. Chair Narita noted receipt of the environmental assessment and suggested the Board form a task force on this matter. **Waialeale moved and Chang seconded that the Board form a task force to look into this matter. The motion carried by unanimous consent.**

EQUAL PROTECTION UNDER THE LAW, CIVIL RIGHTS, HOUSE BILL 908 ON CIVIL UNIONS – Eduardo Hernandez spoke on the need for equal rights for all persons, and noted the introduction this session of House Bill 908, relating to civil unions, by Representative Calvin Say.

REZONING OF 548 KAPAHULU AVENUE – Matson reported the City Council Zoning Committee will be voting on this matter next week Tuesday. Chang, Matson and Harden provided a brief background on the Department of Land and Natural Resources request to rezone this parcel from residential to business, and the desire to have the property used for a community center to benefit residents and others, and a parking lot that is needed by area businesses. The Board has previously testified on its support of the community center and parking lot. Drown and Narita will attend the meeting on behalf of the Board. Matson will attend on behalf of another organization.

Chair Narita deferred the order of the agenda to take up Announcements at this time. There were no objections.

ANNOUNCEMENTS:

KAPAHULU SAFEWAY APPLICATION OF RETAIL GENERAL, PACKAGE SALES TYPE OF LIQUOR LICENSE – Waialeale reported his condominium board is opposed to Safeway applying for a liquor license as there are already a dozen other places in the area where liquor is available and there are drinking problems in this area.

Questions, answers and comments followed:

1. The liquor license is only for the Safeway store, not the other stores in the complex which have yet to be identified.
2. Nahoopii was concerned about the Board's liability in becoming involved in this matter.
3. Cindy McMillen, from Communications Pacific, a consultant to Safeway on this project, reported that all Safeway stores in Hawaii have liquor licenses. Follow up will be done on whether or not any Safeway in the country does not have a liquor license. McMillen was not able to say why the license was not sought before the store was built.
4. Waialeale noted that residents of his condominium received notice of the liquor license application. It was noted the Board did not recall receiving notice of the liquor license application.
5. Chair Narita suggested Board members, as individuals, could attend the hearing on the application and submit testimony.
6. It's believed a Foodland store does not have a liquor license.

Berlin moved and Nahoopii seconded that the Board take no action on this matter. Discussion followed: **The motion failed to carry, 5-7-2. Yea:** Miller, Allen, Cain, Nahoopii, Berlin. **Nay:** Lockett, Waialeale, Matson, Drown, Wong, Harden, Persons. **Abstain:** Narita, Chang.

Berlin moved to defer this matter indefinitely. The motion failed due to lack of a second.

Waialeale moved and Matson seconded that the Board oppose the liquor license application by Safeway. Discussion followed:

1. More reasons than those provided by Waialeale are desired to justify opposing the license application.
2. McMillen noted the selling of liquor at this store was disclosed during community meetings. Documentation of this disclosure is available.

Harden moved and Waialeale seconded to call for the question to end debate. The motion failed to carry, 4-10. Yea: Allen, Cain, Chang, Wong. **Nay:** Lockett, Miller, Narita, Drown, Nahoopii, Waialeale, Berlin, Harden, Matson, Persons.

Discussion followed.

The motion to oppose the liquor license failed to carry, 4-10. Yea: Waialeale, Lockett, Matson, Wong. **Nay:** Cain, Miller, Narita, Allen, Chang, Drown, Nahoopii, Berlin, Harden, Persons.

The order of the agenda resumed.

DETERMINATION OF BOARD MEETING'S DATE, TIME, PLACE: Discussion followed. The consensus was for the Board to hold its July meeting at Paki Hale as the Golf Course Clubhouse is not available, recess in December, and continue to meet on the second Thursday, Ala Wai Golf Course Clubhouse, 7:00 p.m.

Chair Narita noted that establishment of committees, and review of the Board's standing rules will be on next month's agenda.

APPROVAL OF BOARD EXPENDITURES: Chair Narita noted that authorization for the chair to spend \$25 without Board approval, the Board's operating and publicity account, and refreshment account balances for the next fiscal year were on the agenda for informational purposes only.

Chair Narita noted the Board has the option to use its publicity account to publish a newsletter or video tape its meetings. Wong suggested the Board video tape its meetings. **Miller moved and Berlin seconded that the Board publish a newsletter. The motion carried, 8-3-3. Yea:** Miller, Allen, Lockett, Cain, Waialeale, Nahoopii, Berlin, Drown. **Nay:** Harden, Wong, Chang. **Abstain:** Narita, Persons, Matson.

UNFINISHED BUSINESS:

CHAIR ESTABLISHES HOUSEKEEPING RULES - Deferred to the next meeting.

APPROVAL OF THE MEETING MINUTES OF MAY 8, 2007 – The minutes were approved. Harden and Matson abstained.

ELECTED OFFICIALS:

GOVERNOR'S OFFICE – No representative was present.

SENATOR LES IHARA – Senator Ihara was unable to attend the meeting.

REPRESENTATIVE CALVIN SAY – Representative Say distributed his monthly report and was available for questions.

Questions, answers and comments followed:

1. Representative Say was thanked for his work this past session.
2. Members of the House have been notified of the possibility there will be a special session in July to work on over riding the Governor's vetoes of bills.
3. The safe haven bill, that allows someone not to be prosecuted for leaving a newborn infant at designated drop-off locations, is indented to save lives. Concern was expressed that this would leave the infants with no proof of their heritage. Wong requested, and Representative Say will follow up with additional background on the bill.
4. Representative Say requested, and Matson provided background information on the 545 Kapahulu Avenue rezoning matter.

The meeting was extended to complete the agenda. There were no objections.

REPRESENTATIVE SCOTT NISHIMOTO – Representative Nishimoto was unable to remain at the meeting, a written report was provided. Representative Say was available to relay any concerns.

MAYOR'S OFFICE – Walea Constantinou, representing the Mayor's Office, reported the following from questions raised at last month's meeting:

DIAMOND HEAD/KAPAHULU/ST. LOUIS HEIGHTS
NEIGHBORHOOD BOARD NO. 5
MINUTES OF REGULAR MEETING
JUNE 14, 2007
PAGE 6

1. A street light at Herbert and Winam Avenue was repaired.
2. Regarding a suggestion to dig up the Waimanalo Gulch landfill and recover recyclable materials, the Department of Environmental Services reports "The material in the landfill is intermingled making it difficult to retrieve recyclable materials without additional cost. At present, the only material with any value would be metals. Our present recycling effort using a large magnet to extract metals indicates less than two percent of the waste is metals. Recovered metals previously buried with other refuse may not be desirable for recycling."
3. The placing of flags at crosswalks for pedestrians to wave when crossing will be considered by the Department of Transportation Services.
4. Chang was thanked by the Department of Design and Construction for the design work he has done on the shower/restroom facilities for canoe paddlers near Waikiki Library.

Questions, answers and comments followed:

1. Follow up will be done on the status of the curbside recycling program.
2. Representative Say reported the tax credit for solar water heating systems is still in effect. There was concern that mandatory requirements to install solar or other alternate types of energy systems would adversely impact the cost of homes and mortgages, and such legislation did not progress. Legislation to reduce the production of greenhouse gases did pass.
3. A pothole was noted in the 1700 block of St. Louis Drive.
4. Two street lights are out on Leahi Avenue, between Waikiki School and Pualei Circle.

Constantinau was thanked for attending the meeting.

COUNCILMEMBER CHARLES DJOU – Stan Fichtman, from Councilmember Djou's Office, distributed the monthly report and highlighted/added that regarding a report of a water ponding problem at Paki and Monsarrat avenues, he will follow up with the Department of Facility Maintenance to request they expedite work on this matter.

Questions, answers and comments followed:

1. Follow up will be done on the number of parades, by category, held in Waikiki this year to date under the law that limits their number. It was also noted that the parades result in too much parking being restricted.
2. Councilmember Djou supports all sewage treatment plants being brought up to the secondary treatment level.
3. No specifics on what Councilmember's position on the proposal to rezone 548 Kapahulu Avenue was available at this time.
4. Harden requested additional information from the Board of Water Supply on water conservation.

Fichtman was thanked for attending the meeting.

Chang left the meeting during the above portion of the meeting.

COUNCILMEMBER ANN KOBAYASHI – Councilmember Kobayashi reported the following:

DIAMOND HEAD/KAPAHULU/ST. LOUIS HEIGHTS
NEIGHBORHOOD BOARD NO. 5
MINUTES OF REGULAR MEETING
JUNE 14, 2007
PAGE 7

1. Reports have been received about tacks being placed to damage vehicles' tires, and vandalism of cars in the St. Louis Heights area. Establishment of a neighborhood security watch program is being discussed.
2. She opposed the real property tax rate bill as it did not reduce the residential rate enough and the increase to the commercial rate would be passed on to the public.

Questions, answers and comments followed:

1. Follow up will be done on the status of the traffic light modification at Kapahulu Avenue/Mooheau Avenue/Date Street.
2. The proposed unilateral agreement relating to the rezoning of 548 Kapahulu Avenue, can be amended by the City Council.

ADJOURNMENT: The meeting was adjourned at 9:20 p.m.

Submitted by,

Dean Chu
Neighborhood Assistant