



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

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
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MINUTES OF REGULAR MEETING JANUARY 11, 2007 ALA WAI GOLF COURSE CLUBHOUSE

CALL TO ORDER: The meeting was called to order by Chair Ah Mai at 7:04 p.m. A quorum was present.

MEMBERS PRESENT: Karen Ah Mai, Bert Narita, Wayne Gau, Barbara Miller, Rick Egged, George Waialeale, Bertha Nahoopii, Joe Otto, Linda Wong, Michelle Matson, Roxie Berlin, Don Persons, Jay Harden.

MEMBERS ABSENT: Sharon Dumas, Kenneth Chang.

MEMBERS' SEATS VACANT: None.

GUESTS: Ursula Hare, Jenny Kaya (Representative Scott Nishimoto's Office), Bob Finley (Waikiki Neighborhood Board No. 9), Jan Bappe, Arthur Aiu (Board of Water Supply), Ray Lovell and Ed Texeira (State Civil Defense), Stan Fichtman (Councilmember Charles Djou's Office), HPD-District 6, Waikiki - Sgt. E Lamontagne, HPD-District 7, East Honolulu – Sgt. K. Numasaki; Sgt. H. Ishida, Sgt. G. Maekawa; Daisy Murai, Representative Calvin Say, Councilmember Ann Kobayashi, Dean Chu (Neighborhood Commission Office staff).

STANDING RULES: Chair Ah Mai reviewed the Board's standing rules: (1) Be recognized before speaking; (2) all turns limited to two minutes unless otherwise noted; (3) no one speaks again until all others have been accommodated; and (4) no food or drink on the hardwood dance floor.

PUBLIC SAFETY REPORTS:

HONOLULU POLICE DEPARTMENT – Sgt. Ishida, District 7, East Honolulu, distributed a written report that included general crime statistics for November and December, Narcotics/Vice Division statistics, and information on the new child booster seat law.

Questions, answers and comments followed:

1. Gau showed a collection of nails found on St. Louis Heights and noted these nails are being deliberately left on the roadway and are designed to cause damage or injury. Follow up will be done.
2. The procedure in responding to a nuisance call, such as loud noise, talking, etc. is when a complaint is received for officers to respond to the area, and if the source is located, talk to those creating the disturbance. Most times there is compliance. In other cases such as when multiple responses to the same complaint are made, citations and arrests are possible. Statements from complainants are desired.
3. Regarding residents' complaints about their cars being ticketed in the Leahi Avenue and Noela Street area, but no warning signs being posted, tickets can be issued without warning signs having to be posted for violations such as parking too close to a driveway, blocking a fire hydrant, etc.

Sgt. Ishida was thanked for attending the meeting.

Sgt. Lamontagne, District 6, Waikiki, reported statistics for December and November included: 1/1 robbery, 5/5 burglary, 13/15 thefts, 1/1 motor vehicle theft, 7/8 criminal property damage, 8/8 liquor law violation, 11/11 motor vehicle collisions, 6/8 arguments/family-non family, 5/6 unauthorized entry into motor vehicle. In the Waikiki Shell area there were 2 alcohol and 11 illegal camping citations issued and in Kapiolani Park there were 9 alcohol and 29 illegal camping citations issued.



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Egged and Wong arrived during this period.

Questions, answers and comments followed:

1. Ongoing problems with a moped shop on Kalakaua Avenue were noted, follow up will be done.
2. There are approximately 400 – 700 car thefts island-wide a month, Pearl City has the highest rate, and most are recovered. Alarms and steering wheel locks are good deterrents.
3. Illegal parking in the 3000 block of Kalakaua Avenue, including blocking the sidewalk was noted. If such violations are seen, police should be called, violating vehicles can be towed.
4. Participants in the Street Bikers United toy drive last year were cruising up and down Monsarrat Avenue creating a great deal of noise for hours. It was noted there was a motorcycle show at Kapiolani Community College the same day as the toy drive. Complainants who call in to report the problem need to identify the offending motorcycle to police, citations can be issued.

Sgt. E. Lamontagne, HPD-District 7, Sgt. K. Numasaki; Sgt. H. Ishida, and Sgt. G. Magkawa were thanked for attending the meeting.

Waialeale and Matson arrived during this period.

BOARD OF WATER SUPPLY – Arthur Aiu, from the Board of Water Supply, reported the monthly reports for November and December with main break reports, was distributed. The report also includes responses to questions brought up at the November meeting, as follows:

1. Regarding the water main replacement project on Kaunaoa Street, near Campbell Avenue, there was a scheduling problem with the sub-contractor doing curbs, gutters and sidewalks. Work was scheduled to resume January 2. Work on water mains will continue at the intersection of Kauanoa and fronting the Diamond Head Booster station at the same time.
2. Regarding a suggestion to preposition emergency generators at pump stations, the Board of Water Supply has a two-pronged approach to sustain water service/supply during an emergency. First, reservoirs are generally maintained with a 24-hour available water supply/storage capacity. And second, there are permanent backup generators at key strategic facilities, as well as mobile generators that allow for maximum flexibility in the event of a prolonged power outage. At this time there are no plans to have emergency generators at all pumping stations. We are looking at other avenues to address prolonged outages.

Questions, answers and comments followed:

Damage claims can be filed for damage to vehicles due to road conditions, such as in the Campbell Avenue project construction area. Follow up will be done with a Board member who has had problems trying to file a claim.

Aiu was thanked for attending the meeting

APPROVAL OF MINUTES FOR THE NOVEMBER 9, 2006 REGULAR MEETING – Egged moved and Miller seconded for the minutes to be approved as written by the Neighborhood Assistant. Discussion followed where Wong and Matson asserted that a motion was omitted from the minutes and needed to be added, and Gau, who presided over the meeting, responded that he allowed no such motion on the floor **Wong moved and Harden seconded to correct the minutes.** Chair Ah Mai reviewed the Board's previously adopted policy that stated that the Board would accept the minutes as prepared by the Neighborhood Assistant and that suggested additions or corrections would be filed in writing and attached to the minutes without the Board's approval or denial. Discussion followed. **Chair Ah Mai ruled the motion out of order. The original motion carried, 9-3-1.**

Yea: Miller, Nahoopii, Gau, Narita, Otto, Berlin, Egged, Persons, Waialeale. **Nay:** Harden, Wong and Matson.
Abstain: Ah Mai.

TREASURER'S REPORT: Narita reported for the month of November 2006, the Operating/Publicity Account balance was \$3296.77 and the Refreshment Account balance was \$120.00

BOARD HOUSEKEEPING: Chair Ah Mai reported the following:

McCULLY FIRE STATION – Construction was scheduled to begin on the site of the new station on the mauka, ewa end of the Ala Wai Golf Course at the beginning of January.

CHRISTMAS GREETINGS RECEIVED – The Board received Christmas cards from the Honolulu Police Department, and the consulting firm of Kusao and Kurahashi.

BOARD FUNDING INCREASE – The Neighborhood Commission has increased all the Boards' publicity funding to \$2500 a year for video taping or publication of newsletters.

DISCONTINUED BUS STOPS – KAIMUKI – Notice has been received from the City Department of Transportation Services (DTS) that 26 bus stops on both sides of portions of Waiialae and Palolo avenues are being eliminated, effective December 18. Matson noted that this action is counter productive to encouraging greater use of public transportation. Egged questioned the lack of public notice and Chair Ah Mai reported no notice was required.

DISCONTINUED BUS STOPS – KAPAHULU, KALAKAUA , ALA MOANA – Notice has also been received from DTS that it will also remove some bus stops on both sides of portions of Kapahulu Avenue, Kalakaua Avenue, and Ala Moana Boulevard.

A DTS meeting on bus standards is scheduled for January 16, DTS conference room, Fasi Municipal Building, 9:00 a.m.

Discussion followed on: a) opposition to the removal of the stops, b) stops being removed are too close together or are in mid-block locations and encourage jaywalking and are being removed for safety reasons, c) there should be public notice and allowing for input about the plans to remove the stops, d) agreement with DTS that removal of stops will improve efficiency, e) DTS has a history of not listening to public input, such as installing a traffic signal light the St. Louis Heights community opposed, f) this item should be placed on the agenda for the next meeting and a letter of opposition to the removal of the bus stops drafted for consideration, and g) removal of the stops will adversely impact some persons.

OTHER:

UH CENTENNIAL CELEBRATION – The Board has received an invitation to attend the January 13 event.

INVITATION TO OPENING OF LEGISLATURE – The Board has received an invitation from Senator Les Ihara, to attend the opening of the Legislature, January 16.

NEIGHBORHOOD BOARD ELECTIONS – The deadline to file to be a candidate in the upcoming Neighborhood Board elections is January 16. Candidacy forms are available for interested persons.

COMPLAINTS AGAINST NEIGHBORHOOD BOARD NO. 5 – Two complaints have been filed against the Board, one each by members Matson and Wong. Matson's complaint relates to dereliction of duty, Wong's complaint relates to misconduct and dereliction of duty; both regarding the Board's November meeting. Chair Ah Mai reviewed the procedure to file the complaints and the Board's options for responding, which are: to deny, to accept, or 'other', and that no action equates to admission to the complaint. Copies of the complaints were previously provided to each Board member.

COMPLAINT BY MATSON – Matson briefly reviewed her complaint that at the November meeting, a motion was made and seconded, but the Board took no action on the motion before the meeting was adjourned. Chair Ah Mai described the complaint processing procedure, which includes filing a Board response within 30 days, a possible pre-hearing review by the City Corporation Counsel, and consideration by the nine-member Neighborhood Commission. **Miller moved and Egged seconded that the Board deny the complaint. The motion failed to carry, 5-3-5. Yea:** Miller, Egged, Gau, Nahoopii, Waialeale. **Nay:** Harden, Wong, Matson. **Abstain:** Otto, Persons, Ah Mai, Berlin, Narita.

Discussion followed. **Narita moved and Persons seconded that since the Board is divided, it respectfully refers the complaint to the Neighborhood Commission.** Discussion followed. **The motion failed to carry, 7-0-6. Yea:** Egged, Otto, Gau, Persons, Ah Mai, Waialeale, Nahoopii. **Nay:** None. **Abstain:** Miller, Narita, Berlin, Matson, Wong, Harden. The motion failed to receive the necessary eight votes to carry.

COMPLAINT BY WONG - Chair Ah Mai asked Wong if she considered her complaint substantively different from Matson's, with the intent being to handle the Board's processing similarly if that were the case. Wong reported that her complaint addresses the same matters as Matson's but added that she and others appealed for the vote. **Berlin moved and Miller seconded that both of the complaints be treated the same way.** Discussion followed. **The motion carried, 10-0-3.** Egged, Gau and Wong abstained.

Chair Ah Mai will submit the Board's response to the Neighborhood Commission.

NEWSLETTER – Chair Ah Mai requested Board authorization for it to publish a newsletter and noted that it cannot be distributed until after the Neighborhood Board elections. **Egged moved and Waialeale seconded that the Board publish a newsletter. The motion carried, 10-0-3.** Gau, Matson, and Wong abstained.

SUBDISTRICT REPORTS:

SUBDISTRICT 1, ST. LOUIS HEIGHTS – Gau distributed copies of a draft resolution requesting the City address speeding problems on Alencastre, Bertram, Frank and Kamainaka streets for review and action later in the meeting.

SUBDISTRICT 2, KAPAHULU – Berlin noted the Honolulu Marathon was a success.

Matson reported the City Planning Commission voted in favor of a zone change for the Department of Land and Natural Resources owned parcel on Kalakaua Avenue, and that the Board did not have a representative to present testimony opposing the rezoning. This matter now goes to the City Council for further action.

Wong reported that the Hawaii Self Storage building on Old Waialae Road and Kapiolani Boulevard has large signs inside its windows that are larger than the building's murals, and questioned if this is legal.

SUBDISTRICT 3, DIAMOND HEAD – No report.

ELECTED OFFICIALS:

REPRESENTATIVE CALVIN SAY – Representative Say provided the Board with draft resolutions on: a) requesting the Public Utilities Commission investigate Hawaiian Electric Company's response to the power outage resulting from the October 15, 2006 earthquake, and b) relating to the use of new technology for elevators that allow them to operate to reach the next floor an open their doors in the event of a power outage.

Questions, answers and comments followed:

In response to a question, Representative Say reported that the State's Housing Fund has not been raided.

Representative Say was thanked for attending the meeting.

REPRESENTATIVE SCOTT NISHIMOTO – Jenny Kaya, from Representative Nishimoto’s Office, distributed the monthly newsletter and highlighted/added the following:

1. Opening day of the Legislature is January 17, everyone is invited to attend.
2. Included with the newsletter is a postcard to submit suggestions for this session.
3. Representative Nishimoto is serving on the Education, Higher Education, Government Resources and Public Safety, Labor and Public Employment, and the Public Safety and Military Affairs committees.

Questions, answers and comments followed:

Regarding invitations to the opening day of the Legislature, Representative Say reported individual members receive a limited number of invitations for guests to sit on the floor of the House chambers and in the gallery, and after a certain time, the gallery is open to the general public.

Kaya was thanked for attending the meeting.

MAYOR’S OFFICE – Chair Ah Mai reported Walea Constantinou was unable to attend the meeting.

COUNCILMEMBER CHARLES DJOU – Stan Fichtman, from Councilmember Djou’s Office, distributed the monthly report.

Questions, answers and comments followed:

Councilmember Djou has introduced Resolution 06-369, relating to increasing building height limits in the Primary Urban Center (Pearl City to Waiialae). The resolution, if passed, does not have the force of law, and would request the City Department of Planning and Permitting to study this matter.

Fichtman was thanked for attending the meeting.

COUNCILMEMBER ANN KOBAYASHI – Councilmember Kobayashi distributed her monthly report.

Questions, answers and comments followed:

1. The removal of bus stops was begun last year, and this matter was discussed at the Council’s Transportation Committee meeting earlier today. The criteria for removal of stops includes those that are within 500 feet of each other, or in mid-block locations. One example of a mid-block location is on King Street, fronting Washington Middle School, and another bus stop a short distance near the corner of King and Punahou streets will be retained.
2. Graffiti is an increasing problem and some private property owners are not removing it and have even declined City assistance in removing it. Work is being done on legislation to address this problem.
3. Work is being done on new real property tax breaks for persons making less than \$80,000 a year.
4. Follow up will be done on a concern that persons filing appeals on their property tax assessments are being targeted by the Department of Planning and Permitting and being cited for violations.
5. The mass transit project will be funded by revenue from the increase in the general excise tax and federal funds. No bonds will be used for funding; the City will only build what it has funds to build.
6. Operation of the Honolulu Zoo is subsidized. Work is being done to improve the entrance to the zoo to make it more prominent. Questions were raised about the status of the elephant enclosure which has already cost \$11 million, is not completed, and the City is required to build it. Matson requested

an updated presentation by the City on the plans for the new entrance building and the status of the existing building.

Councilmember Kobayashi was thanked for attending the meeting.

No other elected officials or their representatives were present.

Chair Ah Mai deferred the order of the agenda to take Community Concerns, then the New Business item on State Civil Defense. There were no objections.

COMMUNITY CONCERNS:

INCLUSION OF CANDIDATE PROFILES FOR NEIGHBORHOOD BOARD ELECTION WITH BALLOTS – Chair Ah Mai noted receipt of a resolution passed by the Waikiki Neighborhood Board urging the Neighborhood Commission to reconsider its position and to include profiles of all candidates running for the Neighborhood Boards along with the ballots.

KAPAHULU MEDICAL BUILDING – No signs have been seen limiting access and egress for this building to right-turn in and right turn out, only. Chair Ah Mai noted the ‘right turn out only’ signs are posted inside the building.

Gau left the meeting.

NEW BUSINESS:

STATE CIVIL DEFENSE ON EARTHQUAKE AND POWER OUTAGE – Ed Texeira and Ray Lovell, from State Civil Defense were present. Texeira reported at this time they are still responding to the effects of the earthquake, including inspection of 10,000 homes on the Big Island where 205 were destroyed. Financial assistance includes \$8.5 million in grants, and \$23 million in Small Business Administration loans. Outreach teams are still working on requests for assistance. Other work is being done on avalanche damage to irrigation systems, port facilities, and communities on Maui cut off due to damage to roads and bridges.

Prior to the earthquake State Civil Defense was already on alert due to heavy rains and flooding concerns. Planning on dealing with earthquakes includes experience with the effects of earthquakes in 1938, 1951, 1972, and 1975. Shortly after the October earthquake occurred, there was communication with the Pacific Tsunami Warning Center which determined no tsunami was generated. The power outage disrupted communications and efforts to get the word out that there was no tsunami. Aftershocks are still occurring, some occurred on Thanksgiving Day. Planning for the future includes more emergency generators. Also, changes to the building code that required retrofitting of bridges, prevented damage from occurring.

Texeira and Lovell were available for additional discussion after completion of the agenda and the meeting.

SPEEDING ON ALENCASTRE DRIVE – Waialeale moved and Miller seconded that the Board adopt the resolution distributed earlier. Discussion followed. **The motion carried, 11-0-1.** Wong abstained.

RESOLUTION REQUESTING DEPARTMENT OF PLANNING AND PERMITTING NOTIFICATION TO BOARD OF NEW KAPALULU AVENUE CONSTRUCTION – Deferred.

BOARD SUGGESTIONS FOR CHANGES IN THE SUNSHINE LAW – Deferred.

STATE CIVIL DEFENSE ON EARTHQUAKE AND POWER OUTAGE, CONTINUED – Lovell reported that because no tsunami was generated, no sirens were sounded as there was great concern that if the sirens, which can be sounded even in a power outage by radio signals, were sounded, doing so would have created panic. He acknowledged initial problems with getting information out to the public as radio stations that were on the air were in an automated mode running previously recorded programming.

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It was also noted that the MAST (Military Assistance to Safety and Traffic) program and the National Guard were available to respond in this emergency.

ADJOURNMENT: the meeting was adjourned at 9:25 p.m.

Submitted by,

Dean Chu
Neighborhood Assistant