



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

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### **DRAFT REGULAR MEETING MINUTES THURSDAY, JUNE 12, 2008 ALA WAI GOLF COURSE CLUBHOUSE**

**CALL TO ORDER:** Chair Bert Narita took note of the meeting's agenda starting time (agenda filed on June 5, 2008 at the City and County of Honolulu's City Clerk's Office) and the presence of less than a quorum of the fifteen total members (present: Allen, Berlin, Harden, Lockett, Narita, Persons, Wong), with a quorum of eight required to be present and voting in support of any Board action for the motion to pass. Chair Narita said the meeting would not be called to order but that the Board appreciated the time and commitment of the emergency service representatives and the community present and asked to hear their reports, emphasizing no action could be taken.

**MEMBERS PRESENT:** Julia Allen, Roxie Berlin, S. Michael Cain, Scot Drown, Rick Egged, Jay Harden, Deborah Lockett, Michelle Matson, Bertha Nahoopii, Bert Narita, Don Persons, George Waialeale, Linda Wong.

**MEMBERS ABSENT:** Ken Chang, Barbara Miller.

**GUESTS:** Councilmember Ann Kobayashi, Speaker Calvin Say, Senator Les Ihara Jr., Daisy Murai, Representative Scott Nishimoto; Major Greg Lefcourt, Sgt. Ryan Okabe, Officer Samuel Bardo (Honolulu Police Department – HPD District 6 Waikiki); Major Robert Green, Lt. Gordon Lum Kee, Officer Tony Kahapea, Officer Stephen Forman (HPD District 7 East Honolulu); Rhoda Tomasco, Charles Gomes, Brett Schenk, Kim Jzobsa, Walea Constantinau (Oahu Film Office, Mayor's Representative), Acting Captain A. Mahoe (Honolulu Fire Department – HFD), Jim Propotnick (Governor's Representative; Deputy Director, Department of Public Safety – PSD), Stan Fichtman (Councilmember Djou's Office staff), Elwin Spray (Neighborhood Commission Office staff).

### **PUBLIC SAFETY REPORTS**

**Honolulu Fire Department (HFD)** – Acting Captain A. Mahoe was present from the Waikiki Station (HFD Station 7) and reported the May 2008 area activity statistics were categorized as one structure fire, nineteen rubbish fires, one vehicle fire, and 129 medical emergencies. He reported the McCully Fire Station as still under construction, with earliest completion being the end of September 2008, and offered a reminder, as summer starts, about the potential danger to homes that are surrounded by dry vegetation and brush. He explained that “wildland fires” is the description used nationally for vegetation and brush fires, and the term was being used by HFD. He cautioned the community on the special danger in summer of fire-related items around dry vegetation, referencing especially fireworks and the items used to ignite fireworks and cooking fires. He encouraged the enjoyment of community firework displays for the 4<sup>th</sup> of July Independence Day celebrations. Harden asked about the McCully Station, with Mahoe saying occupancy might not be expected until December 2008. Chair Narita thanked Mahoe for his report.

**Honolulu Police Department (HPD) District 6, Waikiki** – Sergeant R. Okabe reported on the distributed activity statistics report for the past month, highlighting area Waikiki items, with one robbery, two burglaries, eight thefts, three assaults, four motor vehicle thefts, ten criminal property damage cases, eleven Unauthorized Entrance to Motor Vehicles (UEMV), fifteen liquor law offences and twenty arguments, and with 417 total calls for the beat area. Nahoopii and Wong reported Kapiolani Park Shell-area overnight camping, with Wong saying HPD is called by the Parks ground keepers but that as



many as five tents are regularly up from 7 p.m. to almost 7 a.m. Major Greg Lefcourt (HPD District 6 Waikiki commander) reported seeing tents as early as 6 p.m. but explained that since homelessness is not criminal, the officers are responding for items that are criminal, such as littering. Lefcourt said the City is looking at homeless concerns (along with items like public defecation and urination) and considering ways to address the whole issue, including possible changes to ordinances, rules, and comfort station hours, with those meetings including the City Department of Parks and Recreation (DPR) Director Les Chang, HPD, and the City Corporation Counsel. Lefcourt said that it was not illegal to camp within the park.

**CALL TO ORDER:** Chair Narita noted the arrival of other Board members during the reports and called the meeting to order at 7:15 p.m. with a ten-member quorum present out of the fifteen total members (present: Allen, Berlin, Cain, Harden, Matson, Nahoopii, Narita, Persons, Waialeale, Wong), with a quorum of eight required to be present and voting in support of any Board action for the motion to pass. Chair Narita welcomed the community to the meeting and invited questions for HPD District 6.

**HPD District 6 (continued)** – Harden stressed that the growing presence of homeless and camping are degrading Kapiolani Park, especially off the Monsarrat Street area, and said the Parks staff now need to send a lot more time cleaning, especially the restrooms; Lefcourt stressed that the possible change in comfort station hours might help. Harden reported the problem as growing and said the community appreciated Lefcourt's help. Chair Narita said that the questions should be focused and not conversation, asking that the point be made and then allowing for the officers to answer. Matson said the issue is that the court-case legalization of parks for camping requires City Administration and Council attention, with Chair Narita agreeing and reporting he would work with Matson to set the issue for a future meeting, asking that any specific instances be given to HPD for their follow-up. Lefcourt reported plans for Board members and the community to e-mail future issues to his office for follow up public reporting at the next Board meeting, saying that specific questions asked a week before could be answered with details. Major Robert Green (HPD District 7 East Honolulu commander) reported that the East Honolulu HPD web-page (where there is a public posting of East Honolulu HPD activity statistics) allows for e-mail questions to be sent and also shows the Community Policing phone numbers for those who might wish to call (saying that there should be a 48-hour response), and invited any Waikiki area e-mail question to be sent to the East Honolulu site where he would forward to Waikiki's Lefcourt. Matson asked HPD procedures in following up on home alarms, with Green saying that officers arriving at a residence and identifying an open door would try to contact the owner or the alarm company and would try to secure the door or window, but would enter if there was a suspected burglary in progress. Green said that in the type of example Matson described – of tracking mud onto a carpet – there is a claim that the homeowner could make to the City for repairs or cleaning, with Lefcourt stressing that the officer responding is first charged with providing safety for the homeowner, the community and to the officers themselves.

Drown arrived at 7:24 p.m.; eleven members present.

Green reported HPD concern about recent growth in the number of burglaries in the St. Louis Heights community, reporting an increased display of marked HPD vehicles to underline that concern, and an emphasis on moped enforcement. Chair Narita asked for questions for the Waikiki District 6 officers. Wong and Matson reported a number of bicycle accidents in the lower Monsarrat area, with Chair Narita suggesting that the officers could follow up, review the reports, and come back with incident details. Green reported that a recent accident had been caused by a bicyclist swerving to avoid road debris.

Luckett arrived at 7:27 p.m.; twelve members present.

Chair Narita asked to finish up with District 6 questions. An audience question was asked about the regular use of the zoo entrance as a toilet site, citing the nearby bars and homeless, as well as those who pass through to parking areas, and offering a specific example of a lady being arrested but

returning to the location within a few hours. The audience questioner also pointed to public drinking and all-day tenting, with additional concerns of trashing and riding bicycles on the grounds, asking for assistance in developing role models for children. Chair Narita asked that Sub District 3 take the lead with Councilmember Djou and Senator Ihara to document the concerns, saying his intention would be to discuss the findings on a future agenda. Matson reported the City Council had passed authorization for area lighting improvements (\$11,000) within the new City budget. Chair Narita thanked District 6 officers for their report.

**HPD District 7, East Honolulu** – Major Green stressed that the community members should call 911 if they see a crime and that their action should not take the place of making the 911 call. He emphasized the need for someone (an observer) to tell HPD who did the incorrect act, saying that HPD can arrest or cite if someone will sign a statement and be prepared to come to court. He explained that HPD officers could meet a witness away from the location and stressed that HPD needs the community's help. Cain reported a rash of break-ins in the Alencastre Street area of St. Louis Heights, with Green agreeing with the concern but saying the area did not seem to be targeted but was part of the general increase that occurs in the summer and reported two arrests, one of two individuals (16-year olds) who were identified with two burglaries and one individual credited with thirty to forty burglaries. Green said the area was being given saturation patrols of uniformed vehicles.

Egged arrived at 7:35 p.m.; thirteen members present.

Cain reported community belief that past general break-ins had been targeted to coincide with swap meets, with Green saying the past cases had been identified as from pawn shop activity. Senator Ihara reported assisting the Kapahulu Business Association regarding loitering in the area (especially 548 Kapahulu Avenue), with District 7 Lt. Gordon Lum Kee identifying that the two inhabited vans at that location are on property where there seems to be no responsible owner for the HPD to have a complaint from, with Ihara saying it was State land, and Lum Kee inviting a complaint so that HPD can respond. Allen said she believed the St. Louis Heights Community Association and the Neighborhood Security Watch (NSW) association there would be interested in getting together with the victims, with Green saying there were privacy concerns so that he could not release the names but that he might be able to pass on such a message to victims. Luckett said the St. Louis Heights Community Association's Neighborhood Watch needed better feedback on criminal activity, with Green saying the HPD Community Policing maintains e-mail contact and asked for anyone interested to contact a NSW block captain to be placed on the contact list. Wong noted that annual statistical information shown on the web-site was dated 2005-2007 with Green introducing the District 7 Patrol webmaster Officer Steve Forman who reported that the District 7 East Honolulu web statistics were normally updated within 24 hours but that other web-pages having department number totals might have different dates. From the audience, a request was made for the block captains to be linked through the St. Louis Heights Community Association and for them to be called about activity, with Green inviting their calls to HPD Community Policing (529-3628) for the e-mail coordination. Harden complimented Green on his presentation. Chair Narita thanked Green and his officers, as well as all the officers in attendance, for their reports.

**Board of Water Supply (BWS)** – Chair Narita noted no report.

## **REPORTS**

**Senator Les Ihara** – Senator Ihara also encouraged community participation via e-mailed questions to his office at any time, reporting that the 548 Kapahulu Avenue project is continuing to be proposed as limited to commercial parking, that an issue of Palolo slope rocks being unstable is being reviewed (with the Palolo Neighborhood Board wanting to work with the owners there) and that he had assisted in bringing together people for the Kapiolani Community College (KCC) Culinary Institute planning meetings. He announced the deadline for a listing of possible gubernatorial veto items was June 23, 2008 and that the actual veto of legislative items passed had to be done by July 8, 2008, and reported

to Matson that the possible veto listing should be available from the Governor's Office web-site. Chair Narita asked if there was any update on the skate park, with Ihara reporting a recent fundraiser (by Skateparks of Hawaii Association – SOHA) who hoped to raise funds in order to request match development funds, but reported no other movement, saying that he would check with the State Department of Transportation (DOT) to see if there was anything additional to report. Cain reported a concern that the slope issue was being misrepresented in community conversation, saying that the slope property is privately owned and that the owners will need to obtain a State Department of Land and Natural Resources (DLNR) permit to make any alterations to the slope, but with the State not preventing or requiring action. Matson asked about the 548 Kapahulu issue, with Ihara reporting he advised the DLNR that the Neighborhood Board favors commercial parking use, and Matson saying the Waikiki Residents Association is also supporting commercial parking use. Matson and Ihara reported the KCC Culinary Institute plans are moving forward with revisions in keeping with community suggestions. Chair Narita thanked Ihara for his report.

**Chairman's Report** – Chair Narita wished the community a Happy Father's Day. He noted the ending of the term of office for Board officers, explaining that Hawaii public organizations have annual election of their officers. He reported issues pending, with update reports planned for during the meeting: Neighborhood Commission's Revised Neighborhood Plan, 548 Kapahulu Avenue DLNR property lease (noting the next official meeting has not been set), Kapiolani Community College (KCC) Culinary Institute Draft Environmental Assessment (EA), and Kapiolani Regional Park Master Plan Update – Draft EA. He also reported an Oahu Metropolitan Planning Organization's (OMPO) Citizen Advisory Committee (CAC) meeting where State harbors modernization plans were presented and noted that the OMPO CAC would elect officers this month. He thanked all those who have been working on community representation. Matson commented on harbor improvements, saying that funding would likely result in fee increases, with Chair Narita reporting that part of the project is for damage repairs and would be coming from special funds.

**Treasurer's Report** – Treasurer Drown reported prior month's agenda and minutes printing and postage expenses at \$39.22, with a remaining Board statement balance of \$3166.91.

**Sub-District 1 (St. Louis Heights) Report** – Sub-District Chair Lockett reported area concern about house robberies, that there was no St. Louis Heights Community Association meeting planned for June but that one was scheduled for July 2008, that there had been increased attendance at recent Association meetings, and that the Association was seeking sixty per cent participation in the Neighborhood Watch. She expressed her hope that the HPD efforts are successful in reducing the robberies.

**Sub-District 2 (Kapahulu)** – Sub-District Chair Nahoopii had no report.

**Sub-District 3 (Diamond Head)** – Sub-District Chair Matson reported success in funding efforts for Zoo entrance lighting improvements and that the final Kapiolani Regional Park Master Plan Draft EA was finished with an anticipated report of a finding of no significant impact (FONSI). She explained that the Zoo would be preparing to move to construction of a store front and that the Board should consider asking for a new design presentation, saying that the Board had not been happy with the last proposal. She reported submittal of the Board's transit station site positions by the City's May 16, 2008 deadline and that, due to the revisions in the KCC Culinary Institute plans, she suggested a new presentation be requested; Chair Narita said he could meet with Matson to plan possible agenda items. Berlin asked about the Zoo approval, asking if the plan submitted was the same as the Board saw, with Matson commenting that the plan seemed the same, and pointed out the difficulty of the City being both the requester and the acceptor of the project. Wong asked if the frontage height design was the same as the Board presentation, with Matson agreeing it was, saying that City can exempt the height requirement. Egged said that if modifications are being proposed that a new presentation should be considered.

## ELECTED OFFICIALS REPORTS

**Governor's Representative** – Jim Propotnick (Deputy Director, State Department of Public Safety – PSD) represented Governor Linda Lingle and distributed a Governor's Office update. He reported he could take concerns back for follow up and highlighted items in the update, noting suggestions for economic innovation, Hawaiian Homes action, Turtle Bay legislation signature and Sunshine Law revision. He encouraged legislative suggestions in the next months so that research and bill drafting might be done for the January 2009 Legislature. Matson asked if the list of possible gubernatorial vetoes was on the web site, with Propotnick agreeing it was, referring to the update's printed web-site address [www.hawaii.gov/gov](http://www.hawaii.gov/gov). Wong asked about news stories that the Next Step program might be cancelled, with Propotnick saying the program wasn't being cancelled yet. Wong expressed concern that the Next Step program might be cancelled for no reason, with the displaced Kakaako homeless then coming to this area; Propotnick said he would follow up. Chair Narita thanked Propotnick for his report.

**Representative Calvin Say** – Speaker Say distributed a written report, which listed repair and maintenance funds from the 2008 budget: Aliiolani Elementary School (\$85,000), Jarrett Middle School (\$840,000), Leahi Hospital Master Plan (\$80,000), Palolo Chinese Home (separate grants for \$250,000 and for \$800,000) and Waahila Park Access Road (\$125,000). He also noted the July 8, 2008 deadline for the gubernatorial veto, signature or for legislative items to become law without signature. He also reported the gas price increases as a national issue. Chair Narita noted the rumors of refined gas being shipped out of state, with Say reporting on a recent refinery tour and saying that gas not used here was shipped out but pointing out that a barrel of oil is broken down to components of sludge, diesel, gas, jet and naphtha, and that with Hawaii being a small market, anything not used was shipped. Say discussed that the community can not control the price of jet fuel, with the failure of the Aloha Airlines due to their need to pay cash for jet fuel. He expressed caution about the immediate economic future, especially noting the need for public employee contracts to be agreed to, with the concern there also about paying for health care costs (employer contribution percentage) and the unfunded liability for retirements, all with the Council on Revenue projecting a \$110 to \$115 million reduction in State income. He suggested the Board consider a Constitutional Convention (ConCon) issues presentation, which he said would be a ballot issue, with items such as number of delegates, site and costs still very much undecided. Hardin thanked Say, commenting that he appreciated the report and information, which was unlike that received from others, including media sources; Say suggested continuing to express concern to himself and to Nishimoto and for Hardin to continue to be involved. Wong commented on Oahu construction projects driving people to other islands, with Say pointing out the need for a balance, saying that "affordable" houses are not being found on Oahu – where the average house cost is \$600,000 – and that our children can not afford to live here and saying he expected to see a number of homes in foreclosure. Matson asked about Kakaako luxury buildings, with the State continuing to approve higher densities, and Say suggesting the Board and community be actively involved in Kakaako planning, where half of a billion dollars of taxpayer money is being spent on improvements, and asked why Central Oahu and the Leeward Coast are being used as the dumping ground for Honolulu. Say pointed to planned new luxury high-rises with many retail and commercial sites below and questioned who could afford the housing and the stores on the likely minimum wage being paid for the service and retail jobs, and reported Nishimoto and he are trying to have those discussions about a "living wage" and affordable housing, but stressing that trade unions are supportive of construction projects. Cain said he was glad that Say was stressing affordable housing with Say suggesting involvement of the whole community in the planning process. Matson reported projects are being fast tracked and asked about the state-wide pattern of building high-rises blocking water fronts, with Say reporting that there are past studies on carrying-capacity and sustainability issues and experts, including Jim Dator, but part of the issue is that each governor changes the State's direction, wishing to define their own legacy, but with the result that there is a hodgepodge of State planning. Chair Narita thanked Say for his report and insight.

**Representative Scott Nishimoto** – Representative Nishimoto reported a Prudential Properties meeting on the 548 Kapahulu Avenue property issue, saying that two weeks were needed to prepare the bid (which would be a minimum of \$80,000) and that he would continue to work with the business and to then go back to DLNR to work with them on the start of the bid process. Matson asked about the process and if the Board needed to provide feedback, with Nishimoto saying that the DLNR now was revising their process and preparing to send the item out to bid, with the DLNR previously asking for assurance that the community would support this commercial parking process. Nishimoto reported, from his community report, that his program of district scholarships, grants and recognitions for school-related programs and individuals was continuing and announced a fundraiser planned for the Kapahulu Senior Citizens Center. Drown, as a teacher at Jefferson School, and Wong, from Kuhio School, thanked Nishimoto for his recognition program. Chair Narita thanked Nishimoto for his report.

**Mayor's Representative** – Walea Constantinau, Oahu Film Commissioner, represented Mayor Mufi Hannemann, and reported on issues raised at prior meetings, including:

1. Shell – Concerns about drinking and misbehaving in the community and in the Shell area by attendees at Shell events will be addressed by the Shell management (City Department of Enterprise Services – DES) working with HPD and the event promoters.
2. Kapiolani Bike Path – Bike path is for use by both bicyclists and walkers, with bikes to yield to pedestrians.
3. Paki Hale area path and steps – A review was made and no need was identified, with the requester asked to take photos of the site so that the requested improvements can be made.
4. Zoo lighting – Lighting improvements are included in the DES budget.
5. Ala Wai Canal – Ala Wai Canal area sewer work will be completed in 2012.
6. Recycling – A recycling presentation is scheduled for the August 14, 2008 regular Board meeting, with area recycling to start in November 2008, and a possible H-Power tour penciled for October 23, 2008.
7. Roadways – Diamond Head area roads are catching up on ten years of deferred maintenance, with the Board requested to provide specific streets in need of repair.

Constantinau noted continuing to follow up on issues relating to Kapiolani Park bathrooms, bus schedules and issues for the August 14, 2008 recycling meeting. Chair Narita noted Mayor Hannemann's published concerns about homelessness and suggested a joint task force to recommend fixes for legislation, with Constantinau noting the complexity of issues; Harden thanked Constantinau for her efforts and asked for more effort from Hannemann. Constantinau said that Hannemann has agencies – and there are other agencies outside the City – working on the problem, with Harden stressing that the problem is growing. Luckett thanked Constantinau for the follow up on the recycling issue. Harden asked for a start date for the Harding Avenue intersection widening project, with Chair Narita reporting that the implementation date had not been given. Waialeale said that he notices broken and missing sprinkler heads in parks follow events, specifically referencing recent lantern festival at Ala Moana, and asked about responsibility for events to repair damages, with Constantinau saying that the specific park permit user is responsible. Constantinau asked that if Waialeale observed any sprinkler problems in the community that he would provide her any specific locations and she would follow up. Harden noted concerns about homeless camping, with Egged saying there was discussion about a revised camping ordinance which Matson said was to be discussed at the next City Council meeting. Constantinau invited the community to attend the film *Beautiful Son* which was to be shown at this weekend's Sunset On The Beach.

**Extension of Meeting Time** – Chair Narita noted the 9:00 p.m. time required the Board to take action to extend the meeting, and without objection, suggested an extension of fifteen minutes; Chair Narita announced the extension agreed to 13-0-0. **Aye:** Allen, Berlin, Cain, Drown, Egged, Harden, Luckett, Matson, Nahoopii, Narita, Persons, Waialeale, Wong.

Berlin suggested the City should make a public policy for carpooling, with Constantinau agreeing that it was a public policy issue but that it's been a State "vanpool" issue due to the coordination of the

vehicles, drivers and insurance on the State level. Berlin asked about possible City projects with Constantinau saying the mass transit proposal was one of the City projects to address gas price concerns. Cain reported a question about sewer work in the Ala Wai Canal, saying that paddlers were told they would have to move from the canal and from their canoe storage site, asking for the timetable for area work. Matson agreed that the Paki Hale steps were dangerous and reported understanding that one million people are now using the vanpool. Wong said that several Diamond Head roads need repairs, include Date Street and Kilauea Avenue, with Constantinau asking for the list to be sent to her. Harden asked about reporting potholes on roads, with Constantinau saying the reports could be sent to her (527-6108) but that they should be called directly to the pothole number at 768-7777. An audience comment was that buses park at the Kapahulu Avenue and Lemon Street intersection, where drivers sometimes go to the ABC Store, and advised that the large vehicles create congestion and danger; Egged said that James Burke would check and report. Chair Narita thanked Constantinau for her report.

**Councilmember Charles Djou** – Stan Fichtman, of Councilmember Djou's Office staff, distributed a community report and reported the Kilauea Drive rebuilding project to start, with the scope to include curb ramps, medians and repaving, all over a 330 day period. He reported that the Paki Hale step issue had been referred to the DPR, with Constantinau explaining that location details are needed before a response can be obtained. He reported passage of the City's \$2.75 billion budget (both the Fiscal Year 2009 Operating and Capital Improvement Projects – CIP – legislation), explaining that Djou had voted no. Matson commented that the result was that Djou voted in opposition to his own CIP issues. Harden asked for follow up on the Paki Hale stairs, for Djou to come in person to future meetings, and to stress the seriousness of the Kapiolani Park homeless, explaining that he sees no plans for dealing with the homeless issue and its growing problem. Fichtman reported being swamped in Djou's office with constituents reporting on the concern and the effects of the issue, pointing to the December 2007 State Supreme Court ruling that the City is no longer allowed to evict homeless. He reported that Djou could have put the bill in earlier but held it at City request, with the resultant building up of garbage in areas around City parks. He reported that HPD had said that if it was a criminal garbage issue of littering that they could move. Chair Narita thanked Fichtman for his report.

Chair Narita noted that the Board's authorized extension time had expired.

**Councilmember Ann Kobayashi** – Councilmember Kobayashi reported she had distributed a community report which highlighted her recent activities.

**Extension of Meeting Time** – Chair Narita noted the need to extend the meeting, saying if there was objection to continuing that issues would be added to next month's agenda. Wong moved that the meeting time would be extended to include additional agenda items; Chair Narita declared the meeting extension failed to pass 4-7-2. **Aye:** Berlin, Nahoopii, Waialeale, Wong. **Nay:** Allen, Cain, Drown, Egged, Harden, Lockett, Persons. **Abstain:** Matson, Narita.

**Adjournment** – Chair Narita announced that the meeting was adjourned at 9:23 p.m.

Submitted by Elwin Spray, Neighborhood Commission Office staff