



MANOA NEIGHBORHOOD BOARD No. 7

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813

TEL (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

DRAFT REGULAR MEETING MINUTES WEDNESDAY, DECEMBER 3, 2008 NOELANI ELEMENTARY SCHOOL CAFETORIUM

CALL TO ORDER: At 7:09 p.m. Chair Tom Heinrich called the meeting to order with eight members present and introduced the members of the Manoa Neighborhood Board. A quorum was not present. The meeting was videotaped for later broadcast on `Olelo 54.

MEMBERS PRESENT: Grant Allison, Eric Eads, Francisco Figueiredo, Andrew Garrett (appointed at this meeting), Tom Heinrich, Dwight Jackson, Jennifer La`a, Fred Lee (appointed at this meeting), George Nakano, Nadine Nishioka, and Milton Ragsdale. (Seventeen seats, five vacancies. Quorum is nine members.)

MEMBERS ABSENT: Gary Andersen, Rodney Chun, John Kim.

GUESTS: Larry Reifurth (Governor's Representative); Lt. Lumlee, Sergeant Egami, Officer Tony Kahapea (Honolulu Police Department); Jim Manke (University of Hawaii); Sean Shimoda; Sheldon Shimoda; Lilian Shimoda; Senator Brian Taniguchi; Councilmember Ann Kobayashi; Hubert Minn (Department of Enterprise Services); Bob Kern; Representative Isaac Choy; Grace Furukawa; Elmer Kaai; Chris Fiack; Kaovi Fiack; John Gollner (Councilmember-elect Duke Bainum's office); Joe Ferraro; Councilmember-elect Duke Bainum; Captain Guy Seto-Mook (Honolulu Fire Department); Dennis Ohta; Kendall Amazaki; Bryan Mick (Neighborhood Commission Office staff).

PUBLIC SAFETY INPUT:

HONOLULU FIRE DEPARTMENT (HFD) – Captain Seto-Mook reported for the month of November, there were 2 structure fires, 24 medical emergencies, and 7 miscellaneous calls.

Fire Safety Tips: This holiday season, consider a fire-resistant, artificial Christmas tree; otherwise, choose a natural tree that's as fresh as possible, and keep it hydrated and away from any heat source. Decorate with noncombustible materials. Choose only Underwriter's Laboratory-approved electrical decorations and follow manufacturer's instructions. Do not overload extension cords. A significant portion of home fires originate in the kitchen, so don't leave cooking unattended, even for a minute. Keep an ABC-rated fire extinguisher close by and know how to use it. Don't wear long, loose-sleeved clothing while cooking, turn handles on pots and pans inward to prevent accidents, and keep children away from the kitchen. If hosting overnight guests, share the home escape plan with them.

HONOLULU POLICE DEPARTMENT (HPD) – Lt. Lumlee distributed his report. For the month of November compared to October, Manoa Valley had 10 burglaries (+5), 10 unauthorized entry into motor vehicles (UEMV) (-2), and 17 thefts (-10). The report has a Christmas safety tips flyer attached to it. Anyone who wants to participate in the Community Policing Team can call Officer Kahapea at 529-3828 (akahapea@honolulu.gov).

Questions, answers, and comments:

- 1) Nishioka asked if HPD was aware of any construction-related accidents on University Avenue near Maile Way. Lt. Lumlee replied not that he knew of. Nishioka commented that although the signage near the Maile Way/University Avenue intersection is much better, the traffic still backs up due to the unusual lane closure at the top of the hill.

- 2) Resident Bob Kern asked what the proper procedure was when HPD responds to car alarms. Recently, his neighborhood in Lower Manoa had two cars going off simultaneously, and the responding officer said they were going to call the car owners to come turn the alarm off. But Kern wondered what happens when the owner cannot be located. Lt. Lumlee explained that if the alarm goes off for 10 continuous minutes, HPD can tow it. Kern asked what happens if it goes off after a few minutes, but keeps going back on every few minutes. Lt. Lumlee said that HPD can tow if it is going off and on intermittently over a 30 minute span.
- 3) Mayor's Representative Hubert Minn commented he had been getting complaints from residents about traffic exiting the Stan Sheriff Arena after athletic events, as it seems that the special duty officers are holding traffic on University Avenue for up to 10 minutes to move traffic on Dole Street. Minn asked if HPD has a set policy. Lt. Lumlee said the officers are supposed to rotate the lanes every 2-3 minutes. It can seem longer when you're at a standstill waiting your turn, but HPD wants to be equitable to all motorists. The Chair added that one of the original agreements that UH made with the City when building the arena was a prohibition on concurrent major athletic activities on lower campus. This doesn't seem to be followed nowadays, but the UH-Manoa Long Range Development Plan (LRDP) will look at this aspect of traffic.
- 4) Nishioka said she recently saw a driver with an open beer, and wasn't sure what she should do. Lt. Lumlee replied call 911 and report as much detail about the car and driver that you can. Nishioka asked if there is such a thing as citizen's arrest. Lt. Lumlee explained there is such a thing and it's usually used by undercover store detectives in shoplifting incidents. But it's much safer to just call 911.
- 5) The Chair thanked HPD's District 7 for their willingness to participate in a graffiti clean-up event on December 18 with Washington Middle School. He also noted that the new Company 29 fire station at University Avenue and Date Street is to open by Summer 2009.

PRESENTATION BY FCC – Lyle Ishida and June Gonzales introduced themselves. Ishida said he was a Mid-Pacific Institute and University of Hawaii at Manoa graduate and was happy to be back home for a few weeks. On January 15, 2009, all Hawaii TV signals will transition to digital. People using rabbit ears will lose their ability to receive TV signals. The FCC is asking for everyone's help to reach these people so they can be helped to transition over to a digital system. The reason for this transition is simple – digital is much more efficient. This project will free up enough transmission space to create a national emergency channel - something important in today's world. However, the TV is vital for many at risk groups like seniors, disabled people, low-income people, and recent immigrants. It's not simply a source of entertainment, but a vital source of news and information. And these are the same people who are most at risk to get lost in the transition. There are three ways people can continue to get TV signals: (1) Purchase a new TV as all TVs starting five years ago were mandated to be digital; (2) Get a paid cable service – the cable supplier will take care of the transition; (3) Buy a converter box for about \$50. The government has made coupons available for \$40 towards the purchase of a box. Call 888-DTV-2009 (1-888-388-2009). A program is being created to offer free installation as well. Another large part of this program is that we want to recycle old TVs, rather than have them end up in landfills. There is an informational flyer available tonight as well as online at <http://www.dtv.gov>.

Questions, answers, and comments:

- 1) Eads asked if people who already have a cable box needed to be worried. Ishida replied that only people who currently get their signals through the air – rabbit ears/antennas, need to be worried. He added that Hawaii is the test state for the nation, and a direct local line has been set up at 541-2388.
- 2) Allison asked if places accepting old TVs will also take other related electronics, like VCRs. Ishida said he would have to check on that.

- 3) Resident Grace Furukawa commented that she has both a digital TV and an analog one, and the analog one has a better picture. She added that the electricity going out in national emergency is going to render the emergency channel useless. Ishida commented that the digital signal will be of better quality than the current analog signal, and that the nation's power grid is out of the FCC's jurisdiction. He invited everyone to an informational meeting at Neal Blaisdell Center on December 9 featuring one of the FCC's Commissioners, Jonathan S. Adelstein.
- 4) Nishioka commented that a lot of older people have small portable TV's especially popular at UH football games. She wondered if a portable digital converter box is going to be created. Ishida said he cannot comment officially, but his personal opinion is that market forces will lead to this but it won't be covered under the converter box voucher program.

COMMUNITY INPUT:

UNIVERSITY OF HAWAII AT MANOA– Jim Manke reported: (1) The traffic concern mentioned earlier under HPD's section of the meeting was referring to traffic exiting lower campus following a men's preseason basketball game. That was the only sporting event of the night; it is rare for there to be concurrent athletic events going on in lower campus. (2) Open House was a success with over 1,000 students attending. The one negative comment was that the campus is too big. (3) The semester ends next week, the commencement will be on Saturday December 20. The ceremony is free and open to the public. Some have expressed concerns about traffic that morning, public advisories encouraging people to come early will be put out. (4) During intersession, the campus will go on reduced power status, known as 'green days.' The air conditioning will be turned off in certain buildings. This will save \$500,000 on utilities. The annual utility bill for the Manoa campus is \$23 million. Only the military is a bigger consumer. (5) The Legislative session is coming up, the University is bracing for cuts. Luckily, there are other sources that can be tapped to help.

Questions, answers, and comments:

- 1) The Chair mentioned he has received a draft Environmental Assessment for the center for microbiology research. There are also copies at UH's libraries and the Manoa library. The deadline for comments is December 23.
- 2) Manke introduced Elmer Kaai, who is the new legislative liaison for the Chancellor's office.
- 3) Heinrich noted that he would be returning to Senator Brian Taniguchi's office for the 2009 session, Nishioka works in the House Minority Research Office, and Figueiredo works in Councilmember Djou's office.
- 4) The Chair asked if Manke would have any official capacity with the University in 2009. Manke replied he would not, and therefore this was his final Manoa Neighborhood Board meeting. The Board members expressed their appreciation to Manke for his years of excellent service to the Board on behalf of the University of Hawaii.

COUNCILMEMBER ANN KOBAYASHI – Councilmember Kobayashi reported: Her final meeting as a member of the Council was today. The bill to ban text messaging while driving passed second reading. While this is hard to enforce, it is a serious problem on our roads. Also passing second reading was a bill to require the administration to send the mass transit rail specifications to the Council.

Questions, answers, and comments:

The Chair inquired if the Councilmember wanted to continue to serve and fill one of the Neighborhood Board vacancies (she politely declined), and thanked her for her years of service in elective office.

COUNCILMEMBER-ELECT DUKE BAINUM – Councilmember-elect Bainum thanked Councilmember Kobayashi for her service and for her briefings on the happenings in District V. He asked the Board and members of the public to submit to him any projects they would like to see included in the next Capital Improvement Projects (CIP) budget. He plans to draft a bill proposing to extend the candidate filing deadline when an incumbent decides not to run. Councilmember-elect Bainum introduced John Gollner from his office, who would be directly available to help serve the Board.

Questions, answers, and comments:

The Chair thanked Councilmember-elect Bainum for meeting with him several times about District V issues and mentioned that Gollner had recently been elected to the board of directors of the Ala Wai Watershed Association.

MAYOR'S REPORT- Hubert Minn, Deputy Director, Department of Enterprise Services (DES) reported: (1) Terrace Drive, a privately owned roadway, has been identified as in need of resurfacing and will be programmed for resurfacing as funds and resources become available. The actual date when this work will be done has not been determined at this time. Although privately owned, it qualifies for pavement maintenance, including resurfacing, by the city as authorized under the City's Private Street Ordinance because the roadway serves at least six individually owned parcels and it is open to the public. The Division of Road Maintenance will provide pothole patching and other minor pavement repairs, as needed, until the roadway can be resurfaced. (2) If the residents want to dedicate the roadway to the City, the inquiry should go to the Department of Design and Construction (DDC) – Land Division. They will route the request to the various agencies for comment, including DFM. Typically, the roadway must meet City standards prior to acceptance – curb, gutter, sidewalks, drainage, etc. (3) DTS will study the request for blinking lights to be installed at the Manoa Road/Alihilani Place crosswalk.

Jennifer La`a arrived at 8:05 p.m. A quorum of nine members was present.

Questions, answers, and comments:

- 1) An audience member commented about a fence installed at 2545 Manoa Road that doesn't seem to match up with the permits. The fence extends into the sidewalk area and prevents people from walking by unless they enter onto the roadway. Minn said DPP has asked Corporation Counsel to investigate. Figueiredo pointed out that the Land Use Ordinance (LUO) requires a 10 foot setback. The Chair said he will draft a letter to the Director of DPP.
- 2) The Chair mentioned he still hopes to have Punahou School on the next agenda to discuss their construction plans.
- 3) Nishioka commented there is no sidewalk in the area of Huelani Drive and Loulu Street, making it dangerous for pedestrians.
- 4) Audience member Ferraro said that DDC told him Terrace Drive doesn't need to be repaved, it needs to be replaced.
- 5) Audience member Grace Furukawa thanked the City for fixing the upper area of Woodlawn Drive.
- 6) The Chair mentioned that an inventory of all Oahu streets including ranking their condition would be helpful, and was supposed to have been completed by now.

GOVERNOR'S REPORT – Larry Reifurth, Director of the Department of Commerce and Consumer Affairs (DCCA), distributed the Governor's report and noted: (1) He also passed out the Lingle-Aiona Administration's five-point Economic Plan tonight. (2) Mahalo for having the FCC present tonight, especially as cable TV issues are part of the responsibility of the DCCA. (3) DCCA is preparing its legislative packet and budget. Please give us your input! (4) The Cable Access Committee advises DCCA on cable issues. They are still looking into if PEG contracts have to go thru the public procurement process.

Questions, answers, and comments:

- 1) Eads commented that he was glad to see item 3 in the five point plan was waiving fees. In tough economic times, lowering taxes is the way to go. He hopes this is actually a permanent move.
- 2) Nishioka said that many people are wondering why airlines are still charging for luggage when fuel prices have come down. Reifurth said that's an interesting question, but as airlines are regulated by the federal government, DCCA cannot affect it too much. Ragsdale pointed out that airlines stockpile fuel months in advance, which means they are not yet benefiting from the drop in oil prices. That's always the danger of speculation.
- 3) The Chair mentioned that infrastructure projects as a way to buoy the economy are a hot topic right now. Senator Taniguchi is working to convince the Governor to release the funds for Stevenson Middle School.

SENATOR BRIAN TANIGUCHI - Senator Taniguchi reported: (1) He will be the Chair of the Committee on Judiciary and Government Operations. (2) The deadline to submit bills will come before the next Board meeting, so please contact his office directly. (3) The Manoa Public Library project is progressing. (4) There is a law on the books about emergency rescues and possibly charging the person rescued for the costs of their rescue. For the person to be charged, it has to be provable that they acted intentionally. This is almost impossible to prove. (5) The Legislature opens its 2009 regular session on Wednesday January 21. (6) He will team with Representative Isaac Choy in February to hold joint legislative town meetings. (7) Mahalo to Councilmember Ann Kobayashi and to Jim Manke for their exemplary service.

Questions, answers, and comments:

Nishioka thanked the Senator for researching the rescue cost law. Ragsdale commented that New York once had a law to charge people the costs of their rescue. But one time a pilot who was low on fuel refused to call for help, lest he be charged. He crashed, killing a lot of people as a result. The law was repealed; it's simply not good to do anything that discourages people from asking for help.

REPRESENTATIVE ISAAC CHOY – Representative Choy said his contact information was handed out tonight and he can meet people on the weekends in his Manoa office if that's more convenient. The Governor will be submitting the budget and financial plan on December 22; he is willing to make constituents a CD copy if they desire one.

Questions, answers, and comments:

- 1) The Chair asked that the Representative monitor the condition of Oahu Avenue.
- 2) Nishioka agreed that safety always comes first. But she hopes the discussion sheds light on the issue and raises awareness. The Chair commented that along these lines, perhaps the signage at the start of Manoa Falls Trail needs to be updated.

RESIDENT CONCERNS – Resident Joe Ferraro commented that whoever owns the land at the 2900 block of Manoa Road between the Salvation Army driveway and the five-way intersection does not maintain it. It's overgrown with weeds and has a dangerous walking path.

FILLING OF BOARD VACANCIES:

SUBDISTRICT 1- Fred Lee introduced himself. He has lived in Manoa since 1968 and is an alumnus of ILWU 142. He was a contract administrator for them as well as for the Hawaii Newspaper Guild. He graduated from Punahou, served during WWII, and attended UH-Manoa on the GI Bill. Been a board member for the Hospital of the Pacific for over 20 years, and is still an active member of ILWU's Political Action Committee. He had a kidney transplant 16 months ago and is doing well. **Nakano nominated Fred Lee to fill the vacancy.** The Chair asked if Lee could make the regular monthly meetings. Lee said he could. **Lee was appointed by a unanimous vote of 9-0-0.** (Aye: Allison, Eads, Figueiredo, Heinrich, Jackson, La`a, Nakano, Nishioka, Ragsdale.)

SUBDISTRICT 2- Kenny Amasaki and Dennis Ohta both indicated they were interested in filling the vacancy. Amasaki said he is a St. Louis graduate who was active duty military. He has a one year old son. He thinks education is a top priority. Allison asked what he did for work now; Amasaki explained he was starting his own company which would specialize in home inspections. La`a asked how long he had lived in Manoa. Amasaki explained he just moved into the area recently. Ohta said he had lived in Manoa since 1975 and was a retired school teacher; did contract work with the DOE until July, and now has lots of free time. Allison asked if he had any specific issues he was interested in. Ohta replied he lives along the stream, so the flooding issues are important to him. He is also worried about a half-way house in Manoa as well as the proliferation of Adult Residential Care Homes (ARCHs). **Nakano nominated Dennis Ohta to fill the vacancy. Ragsdale nominated Amasaki.** Eads said he hopes they both will serve whatever the outcome; he hopes both run in the upcoming Board election so the residents can vote. The Chair added the filing deadline is February 20. Ragsdale commented Manoa is lucky to have good candidates, but he would be supporting his fellow Army member. Nakano said that Ohta is a great candidate as he has been in Manoa a long time and also serves with Malama o Manoa. Allison said he agrees with Nakano, but he also likes to see younger people becoming involved, making this a hard choice. Nishioka said she respects Ohta, but Amasaki brings fresh ideas and Ohta is already an effective voice for the community with Malama o Manoa. **The vote was 5-4-0 (Amasaki:** Allison, Figueiredo, La`a, Nishioka, Ragsdale. **Ohta:** Eads, Jackson, Heinrich, Nakano.) As nine (9) votes are needed to appoint, no one was appointed to fill the vacancy. The Chair asked if anyone wanted to reconsider their vote. No one indicated they did. The Chair said this would be on the next agenda and both candidates as well as anyone else were free to indicate they would like to fill it.

SUBDISTRICT 4 – Andrew Garrett indicated he would like to fill one of the two vacancies. He is a UH graduate and served on the Mililani-Waipio Neighborhood Board before moving into Manoa recently. He has worked at the Legislature. Eads asked if he had any particular concerns. He said in Mililani development was the big issue, especially when it came to master planned communities. For Manoa, he would say education since he has two small kids. **Nakano nominated Garrett.** Nakano said having someone with prior Board experience is a bonus. Ragsdale agreed and said Manoa could use a master plan. **Garrett was appointed by a unanimous vote of 9-0-0.** (Aye: Allison, Eads, Figueiredo, Heinrich, Jackson, La`a, Nakano, Nishioka, Ragsdale.)

A recess was taken at 9:17 p.m. to administer the oath of office to Lee and Garrett.

The meeting reconvened at 9:21 p.m. with 11 members now present.

The Chair asked if Item 10.2, resolution concerning noise, could be taken out of order and concurrently with the next item on the agenda, noise related issues PIG report. There were no objections.

COMMITTEE AND PERMITTED INTERACTION GROUP (PIG) REPORTS:

NOISE RELATED ISSUES PIG/RESOLUTION – The Chair explained that while the PIG had not met, he drafted a resolution entitled “Resolution in Support of Enacting Reasonable Noise Control Laws to Protect People’s Physical and Mental Health and Well-Being” based on calls and emails from various residents. He noted that Mark Smith, who is a member of the Waikiki Neighborhood Board No. 9 as well as Citizens Against Noise (CAN), was present. Audience member Bob Kern mentioned that Neighborhood Boards No. 8 and No. 10 had passed similar resolutions. He mentioned that he had a draft resolution which was similar to the Chair’s except it included two sections he would like to propose be added to the resolution under consideration: (1) “WHEREAS, these activities often occur at generally accepted quiet times when boards of directors, management companies, and owners of condominiums and apartment buildings establish rules that prohibit noise and have the authority to penalize residents for causing noise during those times,” and (2) “BE IT FURTHER RESOLVED that the Manoa Neighborhood Board No. 7 supports the City and County of Honolulu in the establishment of city-wide noise forums to include citizens and entities whose activities generate noise to discuss and seek solutions for noise problems in the City and County of Honolulu.” Jackson asked why the Chair’s resolution included increasing the hours of refuse acceptance at H-Power in Kalaeloa. The Chair explained that they have discovered one of the reasons garbage trucks hit the road so early is that H-Power closes in the early afternoon. They are not allowed to store trash in their trucks overnight. **Ragsdale moved that the Manoa Neighborhood Board adopt the resolution as amended. Eads seconded the motion.** Eads commented maybe car stereos would have to be added into the sources of noise problems. The Chair said cars were listed, but Eads pointed out it was referring to engines and not stereos. **The resolution as amended was adopted by a unanimous vote of 11-0-0. (Aye: Allison, Eads, Figueiredo, Garrett, Heinrich, Jackson, La`a, Lee, Nakano, Nishioka, Ragsdale.)** [See Resolution attached.]

APPROVAL OF NOVEMBER 5, 2008 MINUTES – The Chair mentioned that Andersen had emailed one minor correction for the November 5, 2008 minutes. Under call to order on page 1, “The meeting was being videotaped for later broadcast on Olelo 54.” **The November 5, 2008 regular meeting minutes as amended were unanimously approved by a vote of 11-0-0 (Aye: Allison, Eads, Figueiredo, Garrett, Heinrich, Jackson, La`a, Lee, Nakano, Nishioka, Ragsdale.)**

BOARD ADMINISTRATION AND PLANNING:

TREASURER’S REPORT – La`a reported that \$38.10 was expended to print and mail out agendas and minutes in November leaving an operating balance of \$1210.25; \$250.00 was expended to videotape the October meeting leaving a publicity balance of \$1,500.00; and the refreshment account remained untouched at \$120.00. The Chair said he would like to meet with La`a about Board budget issues soon.

CHAIR’S REPORT – The Chair had no report.

PLANNING OF FUTURE MEETING PRESENTATIONS AND TOPICS – The Chair said there were three current suggestions: (1) have the Honolulu Board of Water Supply do a presentation on all ongoing Manoa area projects; (2) have the Department of Parks & Recreation do a presentation on Manoa area parks; and (3) the Department of Emergency Management wants to present their Community Emergency Response Team (CERT) program.

UNFINISHED BUSINESS:

DISCUSSION OF POSSIBLE MANOA NEIGHBORHOOD BOARD LEGISLATIVE PROPOSALS – The Chair said only Nishioka’s possible bill relating to rescue expenses had been put forth so far. HPD will want to brief the Board on their packet soon. Ragsdale mentioned the Maryknoll task force will hold a meeting on February 3, 2009 to update how their gymnasium/community center construction project is progressing.

DISCUSSION OF POSSIBLE CIP PROJECTS FOR THE MANOA AND ADJACENT AREAS – The Chair stated he is preparing a list to send to our district’s elected officials, based on the Board’s discussions.

NEW BUSINESS:

2009 NEIGHBORHOOD BOARD ELECTION ONLINE/PHONE PROXY VOTING – The Chair said he did not prepare a resolution about this for tonight, but noted the Commission did approve this method by a vote of 6-1-0. Remember, candidate registration forms have to be postmarked by February 20, 2009. Non-citizen residents can be candidates and/or vote by filing a NB voter registration form. This new system could lead to a drop off in participation rates, and was selected in response to Council budget cuts. The Chair asked Neighborhood Assistant Bryan Mick that the documents the Commission distributed at its meeting be posted online for reference.

ANNOUNCEMENTS: (1) The Manoa Christmas parade will be on Saturday December 13, 2008 starting at 5:00 p.m. from Woodlawn Drive in front of Noelani Elementary School. The parade will proceed west on Kolowalu Street to East Manoa Road, north to Lowrey Avenue, west to Manoa Road, and north on Manoa Road to Manoa Valley District Park. The parade is sponsored by the East Manoa Lions Club.

(2) The 2009 Regular Session of the Hawaii State Legislature convenes on Wednesday January 21, 2009.

ADJOURNMENT: Without objection, the meeting was adjourned at 10:00 p.m.

Submitted by: Bryan Mick, Neighborhood Commission Office Staff



TEL (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

Resolution in Support of Enacting Reasonable Noise Control Laws to Protect People's Physical and Mental Health and Well-Being.

WHEREAS, the Manoa Neighborhood Board No. 7 has received numerous complaints concerning the proliferation of noise and is concerned about the increasing amount of noise in our community, especially in the early morning hours, caused by private and public refuse collection vehicles and bin relocation operations, lawnmowers, weedwackers, leafblowers, loud and unmuffled car, motorcycle, and moped engines, truck back-up warning beepers, car alarms, construction site activities, etc.; and

WHEREAS, these activities often occur during the early morning and even pre-dawn hours, including Saturdays, Sundays, and holidays, causing disruptions especially in residential areas by significantly interfering with people's sleep and negatively impacting quality of life and physical and mental health; and

WHEREAS, these activities often occur at generally accepted quiet times when boards of directors, management companies, and owners of condominiums and apartment buildings establish rules that prohibit noise and have the authority to penalize residents for causing noise during those times; and

WHEREAS, noise control regulations have been in place as recently as about 2001, but most of those regulations have been repealed except for industrial facilities and construction activities; and

WHEREAS, many of these noise-generating activities, especially those of private refuse collection companies, are not governed by any noise control regulations of the State of Hawaii Department of Health or other agencies, therefore (1) leaving law enforcement agencies with no authority by which to respond to complaints by affected persons, and (2) leaving citizens whose health and well-being are affected by loud early morning noise no protection of law; now, therefore,

BE IT RESOLVED by the Manoa Neighborhood Board No. 7 that it strongly supports the enactment of reasonable noise control laws for the purpose of protecting people's physical and mental health and well-being, and improving the quality of life of our island community, especially in urban areas; and

BE IT FURTHER RESOLVED that the State of Hawaii Legislature, State of Hawaii Department of Health, Honolulu City Council, and other appropriate agencies are urged to propose and enact appropriate, reasonable, and enforceable statutes, ordinances, and rules for the reduction and control of noise as soon as possible; and explore such other actions that may help to reduce noise, such as increasing the hours of refuse acceptance at the H-POWER plant in Kalaeloa; and

BE IT FURTHER RESOLVED that the Manoa Neighborhood Board No. 7 supports the City and County of Honolulu in the establishment of city-wide noise forums to include citizens and entities whose activities generate noise to discuss and seek solutions for noise problems in the City and County of Honolulu; and

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to all members of the State of Hawaii Legislature, the Governor, the Director of the Department of Health, the Chief of the Noise, Radiation and Indoor Air Quality Branch of the Department of Health, the Mayor and Managing Director of the City and County of Honolulu, all members of the Honolulu City Council, the Director of the Department of Environmental Services, and each Neighborhood Board of the City and County of Honolulu.

ADOPTED by the Manoa Neighborhood Board No. 7 on December 3, 2008 by a vote of 11 in favor, 0 opposed, and 0 abstentions (11-0-0).

/s/ J. Thomas Heinrich, Chair