



## MANOA NEIGHBORHOOD BOARD NO. 7

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
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### **DRAFT REGULAR MEETING MINUTES WEDNESDAY, DECEMBER 1, 2010 NOELANI ELEMENTARY SCHOOL CAFETORIUM**

**CALL TO ORDER:** Chair Kaleo Gagne called the meeting to order at 7:00 p.m. **with a quorum of 12 members present.** This 17-member Board requires nine (9) members to establish a quorum and conduct any official Board business.

**Members Present:** John Kim (left 8:30 p.m.), George Simson, Gary Andersen, Eric Eads, Dwight Jackson, Nadine Nishioka (left 8:35 p.m.), Kimberly S. Case (left 9:15 p.m.), Kaleo Gagne, Robert Whitaker, Tom Heinrich, Sarita Corn, Martin Eby, and Ellen Watson (newly appointed).

**Members Absent:** Rodney Chun, Kendall Amazaki, and Sheri St. Germain.

**Vacancies:** There are two (2) vacancies; Sub district four (4) Southern Manoa; and Sub district two (2) Northwest Manoa.

**Guests –** Senator Brian Taniguchi, Capt. Robert Sarae (Honolulu Fire Department), Ellen Watson, Ron Boyer (Department of Commerce and Consumer Affairs), Grace Furukawa, Bob Kern, Micki Stash, Councilmember Ann Kobayashi, Napua Wong (Paradise Park), Linda Legrande, Representative Isaac Choy, Take Tomson, Jerry Lan, and Gloria Gaines (Neighborhood Commission Office staff).

#### **PUBLIC SAFETY REPORTS:**

**Honolulu Fire Department (HFD)** – Capt. Robert Sarae reported on the following:

- **Statistics for November 2010** – Included 35 medical emergencies and 7 miscellaneous calls. There were no fires, major or unusual calls reported.
- **Fire Safety Tip** – Consider a fire-resistant artificial Christmas tree. If purchasing a real tree, choose one as fresh as possible and keep it hydrated and away from heat sources. Use noncombustible materials for decorations. Choose only Underwriter's Laboratory-approved electrical decorations and follow the manufacturer's instructions; and do not overload extension cords. Also exercise safe-cooking when preparing food by not leaving cooking unattended or wearing long sleeve clothing while cooking. The National Fire Protection Association discourages the use of outdoor gas-fueled turkey fryers that immerse the poultry in hot oil. Turkey fryers can be very dangerous. If hosting overnight guests, be sure to share the home escape plan with them.

**Honolulu Police Department** – Lt. Gary Lum Lee reported the following:

- **Crime Statistics** – The crime statistics report were emailed to members. For reporting of minor concerns to HPD, a complaint form is available at HPD's website at <http://www.honolulupd.org/patrol/d7>. The community policing team may also be contacted through the website.
- **Safety Tip** – Stay safe while shopping during the holiday season. Never let your children out of sight. Shop with at least one partner. Always lock your car and close the windows, even if being gone for a few minutes. Stay alert to the surroundings and the people around you. Be extra careful with purses and wallets. Carry your purse under your arm. Avoid carrying large amounts of cash. Stow purchases in the trunk. Park in a well lighted area. When shopping, save your most expensive purchases for last, so you can head straight home.

Questions, comments, and concerns followed:

1. **Driving Under the Influence** – HPD cannot arrest someone for hitting a telephone pole without witnessing



the accident. If the driver of the vehicle smells like alcohol, the hospital will take a blood test, and if it exceeds the alcohol level, then an arrest can be made.

2. Police Patrol in Neighborhood – Although HPD has a limited amount of officers, officers do patrol the neighborhoods. If there is an investigation on a certain crime series occurring in a particular neighborhood, patrol officers are more than likely to monitor that area of a neighborhood focusing on that neighborhood. Other board members and residents stated seeing HPD patrolling the area.

#### COMMUNITY REPORTS AND INPUT:

Residents and Others for Matters not on the Agenda – None.

Input Received by Board members from Community Members via E-mail, Email, or Telephone – Board member Case thanked the residents for e-mailing their comments to her. Nishioka, on behalf of the Board, was recognized for her service to the Hawaii Lion's.

University of Hawaii at Manoa – Elmer Kaai provided members with a report and noted that UHM will be "powering down" its campus buildings during the non-peak usage periods from Saturday, December 18 2010 to Sunday, January 1, 2011. The UH libraries will also be closed for the holiday; but will be staffed during the interim.

Honolulu City Councilmember Ann Kobayashi – A report was provided to the members. Councilmember Ann Kobayashi reported on the following:

- Historic Homes Bill – The historic home bill should not affect business in the area. The Council will form a Blue Ribbon Task Force to look over the property tax system as a whole and overhaul the City's tax system; rather than responding to various sections of the tax system. There currently two tax-related bills laying around City Council that probably needs to be amended, but will be looked at after the entire tax system is reviewed; and if a sliding fee is considered, then it would have to be introduced as a new bill. Heinrich noted that Manoa has lots of historical homes, lots of land area not on the tax base, and that the Board can provide input to the Blue Ribbon Task Force. Kobayashi added that other neighborhoods are also concerned about the historic homes bill.

Mayor's Representative – Hubert Minn reported on the following:

- UHM Bus Ridership – The UHM regular undergraduate and graduate student area are all assessed a \$20.00 fee per Memorandum of Agreement with the City. For fall 2010, about 14,191 UHM fee-based UPASSes were distributed. For the professional school students (Law and Medical) may choose to opt in at \$125.00 per semester. The October 2010 estimated UHM UPASS holders was about 235,000 students.
- Honolulu City Lights – Residents were invited to attend the Honolulu City Lights parade and festivities on Saturday, December 4, 2010 at 6:00 p.m.

Questions, comments, and concerns followed:

1. Fee Assessment – It was clarified to Andersen that the \$20.00 fee is per semester and not per year.
2. New Type of Asphalt – It was also clarified to Simson that back in 2001, the cost of asphalt was much cheaper then; and as the cost per barrel of oil increased so did the asphalt. So the asphalt is the same asphalt as before but only more expensive.
3. UHM Bus Pass – Chair Gagne expressed appreciation for the \$125 per year bus pass through the UHM. Another comment noted that riding the City buses takes cars off the road.
4. Inquiry to the Mayor – Residents inquired about not receiving an acknowledgement of receipt of her letter from the Mayor. Minn explained the three types of "darts system" used to respond to correspondences. Minn will refer this concern to the appropriate department.

Governor's Representative – Ron Boyer expressed his regrets for his absence last meeting; expressed his gratitude working with the Board; and lastly, his aloha for this was his last meeting with the Board. His last day officially ends at 11:59 p.m., Monday, December 3, 2010.

- Comments – Heinrich and Gagne both expressed their appreciation for all the information Boyer was

reporting for the last six years, and that he will be missed.

State Representative Isaac Choy – Was available for questions; none followed.

State Senator Brian Taniguchi – Senator Taniguchi stated that now is the time for ideas to be drafted into a bill. Also suggested that when lobbying for a bill, refer to the State's lobby schedule. Senator Taniguchi encouraged residents with ideas for a bill to see him now, before the legislative session opens.

CONSIDERATION OF WHETHER TO DECLARE A VACANCY IN SUB DISTRICT 2 PURSUANT TO NEIGHBORHOOD PLAN SECTION: Chair Gagne explained the process of the three-absence letter which was sent to member Amazaki. Heinrich further explained that the three-absence letter did not go out within the seven day deadline; and per Corporation Counsel's review, was after the subsequent or fourth absence is when NCO was informed by the Board to send out the three-absence letter. Whitaker also explained the vote that was passed at last month's meeting was to allow the NCO to send out the three-absence letter within the seven-day deadline. **A point of order by Heinrich was recognized by Chair Gagne that members need to be recognized by the Chair before speaking.** It was mentioned at this time that declaring the seat vacant does not disqualify Amazaki from participating in the upcoming election. **Whitaker moved and Case seconded that the Board remove Board member Kendall Amazaki and declare his sub district two seat vacant.** A discussion followed. It was mentioned that the three-absence letter was returned as undeliverable and therefore questioned his residence; that Amazaki had a total of eight absences of the 16 regular Board meetings; and that as Board members, should be responsible to attend the meetings and if not, should open the seat up. There were two residents in the audience that also agreed that the Board should declare the sub district two seat open. **The motion was ADOPTED, 10-2-0 (AYES: Simson, Andersen, Eads, Jackson, Case, Gagne, Whitaker, Heinrich, Corn, and Eby. NO: Kim and Nishioka. ABSTENTION: None).**

Vacancy in Sub District One (1) Woodlawn Area – Ellen Watson volunteered to fill the vacancy in sub district one (1) and provided background information of herself. Watson stated that she is committed to attend the Board's meeting the first Wednesday of each month. **Whitaker moved and Eby seconded to nominate Ellen Watson to fill the vacancy in Sub District One (1). There being no other nominations, the Board UNANIMOUSLY ADOPTED Ellen Watson to fill the vacancy in Sub District One (1), 12-0-0 (AYES: Kim, Simson, Andersen, Eads, Jackson, Nishioka, Case, Gagne, Whitaker, Heinrich, Corn, and Eby. NO: None ABSTENTION: None).**

At 8:01 p.m. a recess was called to administer the oath of office by the Neighborhood Assistant. The meeting resumed at 8:06 p.m. **Thirteen members present.**

Vacancy in Sub District Four (4) Southern Manoa – There was no volunteers at this time.

Vacancy in Sub District Two (2) Northwest Manoa – There was no volunteers at this time.

ELECTION OF TREASURER – **Eby nominated Sarita Corn as Treasurer to the Board. There being no other volunteers, and no objections, the Board ADOPTED Sarita Corn as Treasurer, 12-0-0 (AYES: Simson, Watson, Andersen, Eads, Jackson, Nishioka, Case, Gagne, Whitaker, Heinrich, Corn, and Eby, NO: None. ABSTENTION: None.)**

UNFINISHED BUSINESS:

Signs to Inform Visitors of Manoa Valley Destinations – Case provided members with a draft copy of three motions requesting first the signage for Manoa Road, East Manoa Road, Manoa Falls, and Manoa District Park at specific locations; second request funding for a study for a new traffic light at the corner of East Manoa and Huapala Street; and third requesting that historic homes be inspected by state or city and be cited if not maintained according to building code.

A discussion followed:

1. Permitted Interaction Group (PIG) – After a suggestion to form a PIG, Heinrich informed that no minutes are required for a PIG versus forming a Committee meeting. That the PIG report back and prepare a draft resolution for the Board's consideration at the Wednesday, February 2, 2011 meeting.
2. Outdoor Circle – Heinrich was contacted by the Outdoor Circle and that the Outdoor Circle would be a good starting point especially with ideas of signage for several locations – Manoa Falls, Manoa Trail,

Lyons Arboretum, etc.

3. Discussions Through Email – Heinrich noted that members are bound by Sunshine Law which forbids members from discussions through email. Watson informed of the section 1, subsection 92b, of the Hawaii Revised Statutes stated that it is okay for Board members communicating through email. Heinrich also noted that per Office of Information Practice, members were advised not to engage in full discussions through email. Case disagreed because she needed help with the drafting of the resolution.
4. Sunshine Law – Heinrich stated that Board members need more training on the Sunshine Law and requested that a presentation to the Board is needed.
5. Map of Manoa – A giant map of the areas in Manoa where signs are to be installed would help with discussions.

**Whitaker moved and Watson seconded to form a PIG to discuss traffic patterns and directional sign in Manoa Valley. The motion was ADOPTED, 10-0-2 (AYES: Simson, Watson, Eads, Jackson, Nishioka, Gagne, Whitaker, Heinrich, Corn, and Eby. NO: None ABSTENTIONS: Andersen and Case).** It clarified to Case the PIG will be looking at the possibility of lights at the Manoa Shopping Center and a traffic study as requested in Case's draft motion. PIG members are Chair Whitaker, Watson, Jackson, Case, Eads, and Heinrich. Whitaker encouraged residents to contact Board members with their suggestions or input.

Traffic Patterns in the Business District – Previously addressed above.

Discussion and Prioritization of Possible Capital Improvement Program (CIP) Projects for the Manoa Neighborhood Board District and Adjacent Areas: No proposals for CIP. This item is to be maintained on the agenda.

#### NEW BUSINESS:

There was no objection to moving up to the agenda item Consideration of Proposed Resolution Regarding Real Property Tax Treatment of Properties on the State Register of historic Places.

Consideration of Proposed Resolution Regarding Real Property Tax Treatment of Properties on the State Register of Historic Places – Linda Legrande provided members with a handout of historical homes listed on a walking tour; noted that her home is listed as historical home; that she is a resident of 32 years; and supports the property tax exemption of historical homes. Also noted that a historical home located at 2346 Manoa Road was recently sold and soon to be torned down.

- Draft Resolution – Heinrich provided members with a draft resolution supporting the retention of the City and County of Honolulu's Current Historic Residential Real Property Tax Exemption Program; and welcomed any suggestions from the audience residents to input to the resolution. Also, that the draft resolution may stand on its own and not put on the back burner pending the study by the Blue Ribbon Task Force.
- Blue Ribbon Task Force – That per Councilmember Kobayashi, City Council will look into forming a Blue Ribbon Task Force to look at the property tax issues as a whole.

At this time, additional comments about conversations between members through email were discussed. Case again stated that as long as there was no communication about voting for or against an issue, everything else is permitted. **A point order by Whitaker and recognized by Chair Gagne noted that the Board has strayed away from the agenda and that to continue from the proposed resolution described by Heinrich.**

1. Testimony – A resident testified that Manoa has 80 or one-third of the total 240 historical homes on Oahu; that the City's main source of revenue is real property tax; and that no change is needed to the tax exemption for historical homes, just the need to apply what is on the exemption form; which states "that the current level of taxation is a material factor which threatens the continued existence of the historic residential property."

At 8:30 p.m., John Kim left the meeting; **12 members present.**

2. Bill 55 and 57 – Both bills 55 and 57 changes the current taxation situation which deals with the equity of the historical home property. That it is not fair that a small historical home would pay a flat rate amount as

a mansion with the same historical factor; and that all other property tax categories must pay at a percentage rate. It was also noted that the bills will be allowed to tax the historical homes by a percentage rate. Bill 55 has passed second reading.

3. Historical Homeowner – That most of the historical home owners do not live in their home, are owned by foreign investors, do not maintain their home, and pay the flat rate historical home exemption. It was also mentioned that the historical homeowner exemption is being abused by the wealthy people and foreign investors, paying a \$300 flat rate

At 8:35 p.m., Nadine Nishioka left the meeting; **11 members present.**

4. State Registry of Historical Home – Home owners must register their home with the State's Historic Registry. It is the State that will complete the petition with the City for the homeowner's exemption.

At this time, Chair Gagne reminded that speakers must be recognized by the Chair before speaking. Whitaker requested that Andersen make extra copies for members of the data of historical homes on Oahu report received from Legrande.

At 9:15 p.m., Kimberly Case left the meeting; **10 members present.**

**Heinrich moved and Simson seconded that the Manoa Neighborhood Board adopt the draft resolution in strong support of the retention of the City and County of Honolulu's Current Historic Residential Real Property Tax Exemption Program. Watson moved and Eby seconded to table the motion until February Board meeting and see whether City Council forms the Blue Ribbon Task Force.** After the lengthy discussion, **the motion was withdrawn by Watson and Eby.** It was suggested that the resolution be amended to delete "regardless of the owner's financial status" of the fifth paragraph. Heinrich and Simson agreed to delete the phrase from the original motion. There was further discussion by Watson to change the title and delete the word current. Heinrich stated that the resolution says that the Board supports the current tax exemption program and when a different proposal is made is the basis of Bills 55 and 57.

Again, a point of order by Whitaker was made and recognized by the Chair that further comments should not be made until recognized by the Chair. Whitaker also stated that City Council should have a statement from the Board because of the large number of historical homes.

After more discussion, **Heinrich and Simson agreed that the motion be amended to remove from the draft resolution, "regardless of the owner's financial status".** After a vote by roll call was taken, **the motion FAILED 7-2-1 (AYES: Simson, Eads, Gagne, Whitaker, Heinrich, Corn, and Eby. NO: Watson and Jackson. ABSTENTION: Andersen).** **Whitaker moved that the City Council table Bills 54 and 57 and create a Blue Ribbon Task Force. There was no second to the motion.**

The agenda resumed order.

Consideration of Proposed Resolution to Request changing the Street Address for the Manoa Valley District Park to 3131 Manoa Road – This item was deferred.

Consideration of Proposed Resolution to Amend the Pawaina Street Name to Recognize its Division by the Manoa Stream – This item was deferred.

#### BOARD ADMINISTRATION AND PLANNING:

Approval of the November 3, 2010 Regular Meeting Minutes – **Being there was no objections, the Board ADOPTED the November 3, 2010 regular meeting minutes as corrected, 12-0-0 (AYES: Simson, Watson, Andersen, Eads, Jackson, Nishioka, Case, Gagne, Whitaker, Heinrich, Corn, and Eby. NO: None. ABSTENTIONS: None).** The corrections are as follows:

- Page 1, Under CALL TO ORDER, should read "**Board**", not "Boar."
- Page 1, should read "**Heinrich**", not "Henrich."
- Page 7, Under Canned Food Drive; insert "**Hawaii Lions**" before Canned Food Drive.

Treasurer's Report – Treasurer Sarita Corn reported for the month of November 2010 the previous balance of \$3,495.08; current expenses were \$47.03 for printing and postage of agenda and minutes. The balance was \$3,448.05. It was mentioned that because there were no videotaping for tonight's Board meeting, that the Board should not be charged for the month. The report was filed.

Reports from Board Officer's and/or Board Members – None.

Planning of Future Meeting Presentations and Topics – None.

Update of Neighborhood Commission Activities and Issues – Heinrich stated the Commission took action on Monday, November 22, 2010 for electronic voting done on online as previously done in fiscal year 2009 in which voter participation was six percent. Be aware of an upcoming public hearing sometime after Monday, January 3, 2011 regarding amendments to the Neighborhood Plan.

COMMITTEE PERMITTED INTERACTION GROUP (PIG), AND DELEGATE REPORTS:

Planning, Transportation, and Public Safety Committee – Heinrich noted that there may be a special joint meeting with the McCully-Moi'ili'ili Neighborhood Board regarding the traffic management issue on the H-1 Punahou interchange sometime in April or May of 2011 to be held at the Maryknoll Community Center.

Sub District Boundaries and Membership PIG – Pending census data. Whitaker volunteered as PIG member.

Oahu Metropolitan Planning Organization (OMPO)Citizen Advisory Committee Delegates – Residents were encouraged to visit OMPO website.

ANNOUNCEMENTS AND CORRESPONDENCE:

- The next Board meeting will be on Wednesday, February 2, 2010, 7:00 p.m. at Manoa Elementary School Cafeteria.

ADJOURNMENT: The meeting adjourned at 9:52 p.m.

Submitted By: Gloria Gaines, Neighborhood Assistant

Reviewed By: Kaleo Gagne, Chair