



WAIKIKI NEIGHBORHOOD BOARD NO. 9

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
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MINUTES OF REGULAR MEETING
JULY 10, 2007
WAIKIKI COMMUNITY CENTER

CALL TO ORDER: Chair Finley called the meeting to order at 7:00 p.m.

ESTABLISH A QUORUM: A quorum was present.

MEMBERS PRESENT: Jo-Ann Adams, Les Among, Helen Carroll, Ray Gruntz, Jim Poole, Louis Erteschik, Bob Finley, Walt Flood, Mary Simpson, Bert Benevento, Jeff Merz, Richard Personius, Mike Peters, Mark Smith.

MEMBERS ABSENT: Jeff Apaka, David Chen.

MEMBERS' SEATS VACANT: None.

GUESTS: Lorna Johnston (Hobron Ena Road Organization for Safety), Mary Cowing, Pat Stetzel, Jenny Kaya (Representative Scott Nishimoto's Office), Emily Reed, Corey Dillman, Joan Nagawa (WCC), AnnaMarie Preston (Councilmember Charles Djou's Office), Daniel Chun (Governor's Office), Jan Bappe, Bill and Helen Sweatt, Ross Tanimoto (City Department of Environmental Services), Capt. Ron Iwami (HFD-Waikiki Station), Sgt. Hardinger and Sgt. LaMontagni (HPD-Waikiki Station), Tek Yoon, Teri Lam, Gary Omori, Gordon Wood (Durant Media Five), Chris Novak (Kuhio Village), Rick Egged (Waikiki Improvement Association), Bob Farrell (Makakiko.com), Benett Boled (Taisei Construction), Senator Gordon Trimble, Gerald Park (Gerald Park, Urban Planner), Representative Tom Brower, Keith Rollman (Mayor's Office), Bob Kirkham, Dean Chu (Neighborhood Commission Office staff).

TREASURER'S REPORT: Chair Finley reported the budget for the new fiscal year includes \$1520 in the Operating Account, \$2500 in the Publicity Account, and \$120 in the Refreshment Account.

CHAIR ANNOUNCEMENTS:

1. Board members Apaka and Chen were unable to attend the meeting.
2. Duty Free Shoppers made donations to the Waikiki Community Center renovations, including art work for the meeting room.

CITY AGENCIES:

HONOLULU POLICE DEPARTMENT – Sgt. Hardinger reported statistics for June compared to May, included: 5/11 robberies, 36/48 burglaries, 213/209 thefts, 110/115 unauthorized entry into motor vehicles, 16/24 motor vehicle thefts, 110/74 liquor law violations, 234/209 nuisance complaints, 465/432 miscellaneous service calls, and 4,023/4,146 total calls.

Sgt. LaMontagni reported chronic complaints in June included: 14 prostitution arrests, 42 citations and 36 warnings for jaywalking, 79 citations and 2 arrests for illegal drinking on the beach, 87 citations and 6 arrests for drinking on the sidewalk, 208 citations for illegal camping (no permit) on the beach, 862 parking citations in the zoo parking lot, 21 citations for illegal skateboarding, and 1,829 other parking violations.

Questions, answers and comments followed:

1. The nuisance complaints for June included 11 citations for loud music and 2 citations for loud vehicle mufflers.
2. In response to Benevento, the illegal camping law includes blocking a sidewalk such that pedestrians cannot pass. Problems can be reported to police by calling 911 and telling the dispatcher that this is a non emergency call.



3. A resident reported homeless persons camped out on the beach and at bus stops, and that the problem is ongoing despite police enforcement efforts. Bus stops along Kuhio Avenue were noted as needing cleaning due to homeless persons occupying them and urinating, defecating at them. It was noted laws currently limit what enforcement can be done; laws would need to be changed.
4. A resident noted ongoing problem with noisy motorcycles.
5. Erteschik provided additional comments on the illegal camping problem and the need for it to be addressed.

Sgt. Hardinger and Sgt. LaMontagni were thanked for attending the meeting.

Gruntz arrived during the above portion of the meeting.

HONOLULU FIRE DEPARTMENT – Capt. Iwami reported the following:

1. Statistics for last month included: 5 structure, 1 brush, 7 rubbish, and 1 vehicle fire; 12 activated alarms, 128 medical emergencies, 1 search and rescue, and 2 miscellaneous calls involving fluid spills. The search and rescue involved a car that went into the Ala Wai Canal. One fluid spill involved a truck that lost its engine oil along a stretch of Kapahulu Avenue and clean up work was required.
2. The Safety Tip of the Month is: Take time to childproof your home, especially with keiki out of school for summer vacation. Check for potentially dangerous situations, i.e. electrical shock, accidental falls, or poisoning from medications, cleaning fluids, and houseplants. Keep matches and lighters in a safe place and out the reach of small children.

Questions, answers and comments followed:

1. Smith noted a recent newspaper article about the problem with drivers not yielding to emergency vehicles and what drivers should do in such situations, was useful.
2. In response to Flood, Capt. Iwami noted that they have been carrying defibrillators for some time now.

Adams arrived during the above portion of the meeting.

7:25 p.m.

BOARD OF WATER SUPPLY – Chair Finley noted a written report was received which indicated there were no main breaks in this area last month and a request to conserve water.

COMMUNITY CONCERNS:

BUS ROUTE MODIFICATION – A resident suggested modifying TheBus route no. 13 to reach the new Safeway store complex in Kapahulu, to serve Waikiki residents who would want to shop there. Keith Rollman, representing the Mayor's Office, will follow up.

WAIKIKI SURF BOARD RACKS - Tek Yoon expressed opposition to the new rules and rates for the surf board racks. The new rates are too high, especially for seniors. He suggested the rates be rolled back for seniors. He noted that the racks were originally installed so seniors would not have to carry their boards to the beach. Rollman noted the City Council set the new rates by ordinance.

HOBRON ENA ROAD ORGANIZATION FOR SAFETY – Lorna Johnston reported they met with City Department of Transportation Services (DTS) and Department of Planning and Permitting (DPP) officials on the organization's proposal for traffic improvements for the area bounded by Ala Wai Boulevard, Kalakaua Avenue, and Ala Moana Boulevard, to address traffic impacts by the Allure project. The Department of Transportation Services did not

support any of the proposals by the organization despite Johnston presenting a petition that included over 1,000 signatures. A letter on the meeting is to be sent by DTS, a copy will be provided to the Board.

Johnston noted that at a meeting with Allure project officials, they are working on traffic improvement plans on their project's property, including dedicated left and right turn lanes.

Carroll thanked Johnston for the organization's work.

Erteschik provided a brief background on this matter and noted DTS may have good reasons why the organization's proposals could not be implemented. However, since the Waikiki Neighborhood Board took a position on this matter, we should not take lightly that our vote was ignored. Therefore, the Board will monitor this matter.

Johnston was thanked for attending the meeting.

ELECTED OFFICIALS:

MAYOR'S OFFICE – Rollman, representing the Mayor's Office, reported the following:

1. He will follow up with the DTS on Johnston's meeting with DTS and DPP, as Johnston noted she was not satisfied with the tone of the meeting.
2. The micro-tunneling for the sewer project has been completed and the tunnels are now in service. The temporary pumps will remain on site, but are not being used.

Rollman reported on concerns from previous months' meeting as follows:

1. An informational presentation on sewage treatment and the EPA hearing on ending the City's waiver from secondary treatment, like the meetings held in the Ewa area in May, will be provided later in the meeting. The EPA is proposing to end the waiver, but the City's position is that repair existing sewer lines is the priority and secondary treatment is not needed.
2. Regarding a request for sidewalk repair in the 2100 to 2300 block of Kuhio Avenue, it has been determined that there is a problem with the slate pavers, and the Department of Design and Construction is working on a solution.
3. Regarding a request for sidewalk cleaning, the Department of Facility Maintenance reports that by ordinance, the cleaning of sidewalks is the responsibility of the abutting property owner, not the City.
4. In response to a question about the 'bus only' signs in the area of Kuamoo Street and Kuhio Avenue, the signs are over sized and placing them lower on the poles would create hazards, such as blocking lines of sight, or views of persons standing behind them.
5. Regarding the removal of bus stops, it was acknowledged there was a lack of notice to the community, and that stops are being removed island wide so stops are no closer than 600 feet apart, mid block stops and others are being removed for safety reasons, and to improve schedule reliability. It is not being done to save money.
6. Regarding a suggestion that the police department work with Dateline NBC on a Catch a Predator project, HPD reports that "The Honolulu Police Department is a member of the Internet Crimes Against Children (ICAC) Task Force headed by the state Department of the Attorney General. The U.S. Department of Justice's ICAC Task Force Program has strict standards and guidelines that the participating regional Task Force agencies must follow. The guidelines are designed to enhance child exploitation investigations and ensure the successful prosecution of sexual predators.

Working with nonlaw enforcement entities, such as Dateline or Perverted Justice, will pose numerous obstacles, i.e., in the personal safety of civilians, testimony, and evidence collection. It may also raise entrapment issues. “

It was noted that HPD has done sting operations, arrests have been made.

Questions, answers and comments followed:

1. A resident requested that the bus stop at Kuhio and Liliuokalani avenues be cleaned due to the homeless occupying them, and urinating and defecating at them. It was also noted that all the bus stops on Kuhio Avenue should be cleaned and that some cities clean their bus stops at night. Rollman will follow up.
2. B. Sweatt requested the status of the proposed park on Aloha Drive currently being used as a contractor's yard for the sewer improvement project. Rollman will follow up.
3. Carroll requested restoring bus stops that have been eliminated.
4. Gruntz noted a Catch A Predator case in Texas where the local district attorney did not prosecute a case was due to an offender's government position and that the offender later committed suicide.
5. Gruntz requested that the Board of Water Supply attend the Board's meeting, provide information on the pH factor of the water in writing, which is not on the web site as claimed, and is not in the Water Quality report for his building.
6. Merz supported the suggestion to extend TheBus route no. 13 to the new Safeway store in Kapahulu.
7. Merz noted that the color scheme of the former Jack in the Box restaurant has been changed to conform to the design standards, but still questions if the signage is legal.
8. Peters provided comments on the loss of the bus stop at Kuhio Avenue and Ohua Street.
9. Benevento questioned the legality and propriety of Council Chair Marshall hiring a Alex Santiago as a lobbyist. Among and Rollman noted this matter should be referred to Councilmember Djou.
10. Smith expressed thanks for the installation of the countdown type of pedestrian crossing signal lights. Rollman noted the City is considering various types of new technology to improve pedestrian safety.
11. Chair Finley requested DTS attend a Waikiki Neighborhood Board meeting to address the bus stop issue.
12. In response to Gruntz, Honolulu is the 13th largest municipality at 600 square miles.

Rollman was thanked for attending the meeting.

8:00 p.m.

COUNCILMEMBER CHARLES DJOU – AnnaMarie Preston, distributed the monthly report and highlighted/added the following:

1. The report includes an explanation of six reasons why Council Chair Marshall's hiring of a lobbyist is unnecessary.
2. The report also notes the budget for the new fiscal year is \$2.4 billion, the largest ever. It represents an increase of 12 percent over last year and a 66 percent increase since Mayor Hannemann took office.

Questions, answers and comments followed:

In response to Benevento, additional comments on Councilmember Djou's opposition to the hiring of a lobbyist were provided.

Preston was thanked for attending the meeting.

GOVERNOR'S OFFICE – Chair Finley noted Governor's Office representative Marsha Weinert was unable to attend the meeting. The Governor's weekly report was distributed along with material from the State Department of Health on hand washing to prevent food-borne illnesses and the spread of cold and flu viruses.

SENATOR GORDON TRIMBLE – Senator Trimble reported that a special session of the legislature was held today to work on over riding the Governor's vetoes of bills. The Governor originally held 33 bills and vetoed 29 of the 33. Twelve bills were heard by the legislature, Senator Trimble supported overrides of several bills including: Senate Bill 1191 relating to pedestrian safety bill, House Bill 0708 relating to Kakaako including continuing the Keiki Fishing Conservancy at Keihi Lagoon, and Senate Bill 1922 relating to creative media requiring the UH to lease a specific property to a specific party. He noted there were insufficient votes to over ride a veto of most anti business bills.

Questions, answers and comments followed:

1. In response to a question from Gruntz, the Keiki Fishing Conservancy program is a catch and release program.
2. In response to Peters, the State provides funding to the counties for Meals on Wheels programs, no funding was withheld. Normally any grant money left over from other programs is funneled into Meals on Wheels; the funding shortage for Meals on Wheels came from this money – not the Governor's Office.
3. In response to Among, the pedestrian safety bill was initially supported by the Governor, but in conference committee the funding source was changed to come from a highway fund rather than the General Fund, causing a change in the Governor's position.
4. Senator Trimble suggested the holding of a three-day session to work on making other changes to see if compromise could be reached, but only a one-day session was held.
5. In response to a question from Gruntz, the State Department of Health reports that all necessary permits are in place for the Hilton Lagoon project, and work is being done within the limits of the permits. Gruntz suggested soil tests be made.
6. B. Sweatt requested an update on what action our Congressional delegation is doing on House Resolution 217 on the federal employee 25 percent COLA (cost of living adjustment). He wants a 25 percent COLA adjustment for social security payments. Follow up will be done.
7. Erteschik expressed thanks for Senator Trimble's support of the pedestrian safety bill.
8. In response to Carroll, Senate Bill 600, to exempt from taxation, 100 percent of capital gains realized during taxable years 2008 – 2012 from the sale of leased fee interest in condominium units to association of apartment owners or residential cooperatives, was signed into law. Carroll suggested an education program be conducted for condominium managers and residents.

Senator Trimble was thanked for attending the meeting.

REPRESENTATIVE TOM BROWER – Representative Brower reported during the special session, 12 bills were considered for an over ride vote, including continuing the Keiki Fishing Conservancy.

Questions, answers and comments followed:

1. In response to Merz, the veto of House Bill 1270 relating to State planning, including the 2050 Sustainability Plan, was overridden.

2. In response to B. Sweatt's requested update on what action our Congressional delegation is doing on House Resolution 217 on the federal employee COLA, Brower has met with Representative Abercrombie on other issues and will follow up on this issue.
3. Carroll asked what Representative Abercrombie is doing about the federal capital gains tax for lessors and suggested an education program be conducted for condominium managers and residents on the passage of Senate Bill 600. Brower responded that he will contact the resident manager of every leasehold building in this district and attempt to educate the landowners regarding Senate Bill 600.

Representative Brower was thanked for attending the meeting.

8:25 p.m.

REPRESENTATIVE SCOTT NISHIMOTO – Representative Nishimoto was unable attend the meeting. His monthly report was distributed.

WAIKIKI IMPROVEMENT ASSOCIATION (WIA) – Rick Egged, representing WIA, reported the following:

1. He will follow up with the Waikiki Business Improvement District about the cleaning of sidewalks, but noted that Kapahulu Avenue is not in the WIA. He also noted that the WIA cleans the sidewalks, but not bus stops. He suggested that he and Finley would work on the problem.
2. The WIA Mid-Year meeting is scheduled for July 26, Asia Pacific Center at Ft. DeRussy, 4:00 – 5:00 p.m., RSVP as soon as possible if you plan to attend.
3. The WIA is aware of the second-floor signage issues and wants to make some changes in the law for small businesses.
4. WIA made donations for renovations at the Waikiki Community Center, including work donated by DFS on the auditorium and the day care center. Sealmasters also made donations for renovations, including sealing damaged concrete.

Questions, answers and comments followed:

Flood questioned who is responsible for stars installed on Kalakaua Avenue sidewalk, between Royal Hawaiian Avenue and Seaside Avenue. Follow up will be done.

Egged was thanked for attending the meeting.

8:34 p.m.

PRESENTATIONS:

ALA WAI GARDEN PLAZA – Gerald Park, Benett Boled, and Gordon Wood were present and reported on plans to develop a 44-unit rental apartment building at Ala Wai Boulevard and Namahana Street. This project replaces a previously proposed 16-story project, with a six-story building. The building will include two floors of parking and spaces, and four floors with 11 one-bedroom units each. The top floor will have shallow lanais. Trees on the site will remain. Ala Wai Boulevard will be widened to keep it in line with the road Diamond Head of the project. The security fence will be moved close to the building except where it is required to surround the swimming pool. There will be a private park for the residents.

Questions, answers and comments followed:

1. In response to Merz, the building will have a standing seam aluminum pitched roof, sliding garage gate, an Environmental Assessment has been submitted to the City for review, and units will be for rent at market prices, and the contractor has done a construction impact vibration study.

2. In response to Among and Martin, the units will rent at market prices, there are no affordable rent units.
3. Benevento questioned what the rents would be considering the \$26 million cost to develop the building.

Merz moved and Benevento seconded that the Board supports the concept of this project. Discussion followed:

1. The units will be approximately 613 sq. ft. in size with individual PTAC air conditioning units.
2. In response to Flood, units will have individual air conditioning rather than central air conditioning, and work is being done on possibly having solar panels on the roof if the aesthetic committee allows it.
3. Among suggested the Board defer action until informational materials received can be reviewed.
4. Erteschik noted this project is in the early phase.
5. In response to Erteschik who noted nothing in the land records precludes a conversion to condo in the future, Wood note the project is designed as a rental, not condominiums.
6. Benevento and Merz supported the project.

The motion carried, 13-2. Among and Carroll opposed the motion.

CITY WASTE WATER PROGRAM – Ross Tanimoto, from the Department of Environmental Services, provided a brief background on the City's waste water system which handles 70 percent of the island's sewage, with the remainder handled by means such as septic tank systems and cesspools. The waste water system includes some 2500 miles of pipes and eight treatment plants. He announced that on August 14, at 7:00 p.m., there will be another meeting on this subject at Ala Wai Elementary School. At the treatment plants solids are removed, the water treated, then, depending on location, dumped into Lake Wilson, the ocean, or pumped into injection wells.

The Environmental Protection Agency is proposing to end a waiver that allows the City to dispose of treated sewage without processing it to the secondary level. The City's position is that rather spend the money on unnecessarily treating sewage to the secondary level, the best use of funding is to improve the collection system by repairing old lines. This position is based on years of testing that shows secondary treatment is not necessary.

Questions, answers and comments followed:

1. In response to Erteschik, the Clean Water Act which requires secondary treatment, is to protect inland waterways, and the Act included the waiver that Honolulu and some other Mainland cities still have. The Neighbor Islands treat to the secondary level as their systems do not discharge as far out to sea and as deep as Honolulu's system.
2. In response to Among, upgrading the Honouliuli plant to the secondary level would cost approximately \$400 million, and \$800 million for the Sand Island plant. It is the City's position that treating to the secondary level is not necessary.
3. In response to Martin, sewage that is to be recycled such as for irrigation purposes is treated to the tertiary level, whereas the water being dumped in the ocean is only treated to the primary level. Even if the water was treated to the tertiary level, and the amount of treated sewage dumped as sea cannot be handled by our existing injection wells.
4. Gruntz opposed the dumping of treated sewage into the ocean then using desalinated ocean water for drinking purposes.
5. In response to Adams, one reason the EPA wants to deny the waiver is the level of pesticides. The pesticide contamination is from chemicals used for ground treatment of termites; that level found is below

State standards. Testing includes water and fish sampling, and bacteria levels at the discharge point. Testing samples meet State standards and no bacteria are found at the surface. It was noted that the waters at the discharge points are not used for recreational purposes as they are too deep for recreational diving.

6. In response to Merz, 43 other cities on the East Coast, in Alaska and California, have waivers from having to treat to the secondary level. It was noted that cases where secondary treatment was done, it made no difference in bacteria levels.

Tanimoto was thanked for attending the meeting.

9:17 p.m.

COMMITTEE REPORTS:

SECOND FLOOR SIGNAGE – Peters gave a brief review on the use of Permitted Interaction Groups which provides the Board greater flexibility than a traditional committee. **Peters moved and Gruntz seconded to add to the agenda, that the Board form a Permitted Interaction Group (PIG) to deal with the second floor signage issue. The motion carried unanimously.** Among was absent from the meeting room at this time.

FORMATION OF A PERMITTED INTERACTION GROUP TO DEAL WITH THE SECOND FLOOR SIGNAGE ISSUE – Merz moved and Gruntz seconded that the Board form a Permitted Interaction Group to deal with the second floor signage issue. **The motion carried unanimously.** Peters will serve as chair.

VOTE TO APPROVE A PERMITTED INTERACTION GROUP ON HOMELESS ISSUES – Benevento moved and Flood seconded that the Board form a Permitted Interaction Group on homeless issues. **The motion carried unanimously.** Benevento will serve as chair.

Among returned to the meeting room.

Erteschik provided additional comments on the use of a PIG, including a waiver from the requirement on setting agendas, but the PIG must report to the Board.

APPROVAL OF MINUTES FOR THE JUNE 12, 2007 REGULAR MEETING – The minutes were approved as distributed.

CHAIR'S REPORT: Chair Finley distributed a list of committees and committee chairs, including: Parks and Recreation – Peter, chair; Legislation – Erteschik, chair; Education – Poole, chair; Community Relations – Apaka, chair; Construction Projects – Merz, chair; Web Master – Personius, chair; Noise Issues – Smith, chair; Waikiki Citizens Patrol – Flood, chair; Homeless Issues – Benevento, chair; Second Floor Signage – Peters, chair.

ADJOURNMENT: The meeting was adjourned at 9:27 p.m.

Submitted by,

Dean Chu
Neighborhood Assistant