

OFFICE OF THE CITY CLERK
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077 / TELEPHONE 768-3810

GLEN TAKAHASHI
ACTING CITY CLERK

April 9, 2015

Ms. Nicole A. Velasco, Executive Secretary
Neighborhood Commission Office
City and County of Honolulu
Honolulu, Hawaii 96813

Dear Ms. Velasco:

I am transmitting the original amendments of the Neighborhood Plan, relating to Title 2, Subtitle 2, Chapters 11, 13 and 14, filed by your office on April 9, 2015, and to take effect on April 19, 2015.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Takahashi", is written over a horizontal line.

GLEN TAKAHASHI
Acting City Clerk

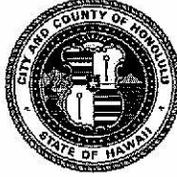
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Attachment

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NEIGHBORHOOD COMMISSION OFFICE
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 406 * HONOLULU, HAWAII 96813
PHONE: (808) 768-3710 * FAX: (808) 768-3711 * INTERNET: www1.honolulu.gov/nco



KIRK CALDWELL
MAYOR

NICOLE A. VELASCO
EXECUTIVE SECRETARY

April 2, 2015

Mr. Glen Takahashi
Acting City Clerk
Office of the City Clerk
City and County of Honolulu
530 South King Street, Room 100
Honolulu, Hi 96813

Dear Mr. Takahashi:

RE: AMENDMENTS TO THE NEIGHBORHOOD PLAN TITLE 2, SUBTITLE 2,
CHAPTER 11, SECTION 2-11-103, CHAPTER 13, SECTION 2-13-108, CHAPTER 14,
SECTIONS 2-14-106, 2-14-107, 2-14-108, 2-14-109,

At its meeting on February 23, 2015, the Neighborhood Commission adopted the above named amendments to the Neighborhood Plan. A copy of the amendments is attached.

This amendment was reviewed and signed today by Mayor Kirk Caldwell.

In accordance with section 14-104 of the Revised Charter of the City and County of Honolulu, the attached amendments are submitted and filed with the office of the City Clerk.

Copies are also being transmitted to Mayor Caldwell and Council Chair Ernie Martin.

Please do not hesitate to contact the Neighborhood Commission Office at 768-3710 should you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Nicole A. Velasco".

Nicole A. Velasco
Executive Secretary

Attachment

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§2-11-302 [Absences and removal recommendation process;] [r] Resignation.

(a) If a commissioner is absent for more than three meetings within a one year period, beginning July 1 and ending June 30, the commission shall notify the commissioner of the absences in writing, sent by both United States registered or certified mail with return receipt requested and first class mail, at the commissioner's last know address.

(b) The notice shall:

- (1) Inform the commissioner of the accumulated three absences; and
- (2) Inform the commissioner that at its next regular meeting the commission will consider whether to recommend to the appointing authority the removal and replacement of the commissioner based on the absences.

(c) A commissioner who has accumulated three absences and received written notice from the commission shall have the opportunity to appear before the commission at its next regular meeting to explain the circumstances of the absences and request to be retained on the commission. After hearing the matter, the commission may recommend to the appointing authority the removal and replacement of the commissioner.

(d) If the commissioner remains and accumulates an additional three absences within the one year period beginning July 1 and ending June 30, the commission shall again consider recommending removal of the commissioner pursuant to subsections (a), (b), and (c).

(e) (a) A commissioner may resign from the seat held at any time and for any reason in writing to the commission chair, executive secretary, and the appointing authority. [Eff. APR 19 2015] (Auth: RCH §§4-105(4), 14-102) (Imp: RCH §§4-105(4), 14-102).

§2-14-103(d) If the board establishes a quorum and is unable to elect a chair or other presiding officer, no agenda item may be taken out of order except for actions to:

- (1) Fill any vacant seat on the board;
- (2) Pre-establish a specific day of the month on which the board will hold its regular meetings;
- (3) Pre-establish a specific location at which the board will hold its regular meetings; and
- (4) [Take any budgetary action necessary for the board to continue convening its regular meetings.] Adopt any formal requests for the Neighborhood Commission Office to enter into contracts on behalf of the board to include but not be limited to facility rentals and videographer services. [Eff. APR 19 2015 ; am 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104).

§2-14-111 Meeting notice and agenda. (a) A board shall give written public notice of any and all regular, special, or anticipated executive meetings.

The notice shall state the day, date, time, and place of the meeting, and include an agenda which lists all of the items to be considered. In the case of an anticipated executive meeting, the purpose shall be stated on the agenda.

(b) The meeting notice and agenda shall be prepared by the chair or presiding officer and shall be filed in the Neighborhood Commission Office at least seven calendar days before the meeting. The notice and agenda shall also be posted at the site of the meeting whenever feasible.

(c) If the chair receives a written request from any member of the chair's board to include an item on the agenda, the chair shall:

- (1) Include the item on the agenda for the next regular meeting; or
- (2) Include the request for inclusion of the item on the agenda for the next regular meeting for the board to decide whether to include the item on the agenda for the following regular meeting;

provided that if the request is not received at least ten days before the next regular meeting, the item or the request shall be included on the agenda for the following meeting.

Once filed with the city clerk, no item shall be added to the agenda for that duly noticed meeting except by a recorded two-thirds vote of all members to which the board is entitled, and provided that no item shall be added to the agenda if it is of reasonably major importance and action thereon by the board will affect a significant number of persons.

(d) The Executive Secretary shall maintain a list of names and addresses of persons who request notification of meetings and shall mail a copy of the notice to such persons at their last known address no later than six days prior to the meeting date. [Eff. APR 19 2015 ; am 2/5/11;] (Auth: RCH §14-103(a)) (Imp: RCH §14-104)

§2-14-118 Discussion. (a) When a board member or person properly before the board wishes to speak, the member or person shall address the chair, be recognized before proceeding, and shall confine remarks to the subject under discussion, avoiding personalities and abusive language.

(b) The boards shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item.

(c) The boards shall also afford all interested persons an opportunity to present oral testimony on any agenda item.

(d) The boards may provide for reasonable administration of oral testimony by rule. [Eff. APR 19 2015 10/20/08;] (Auth: RCH §14-103(a)) (Imp: RCH §14-104).

§2-14-120 Officers. (a) The officers of a board shall consist of the chair, one or more vice chairs, the secretary, the treasurer, and any other officer the board determines it needs to conduct its business.

(b) All officers shall be elected annually by and from the membership of the board [in July] at its first meeting held on or after July 1. Each officer shall be elected at a meeting by a majority vote of the entire membership to which the board is entitled.

(c) The term of an officer shall be for one year, beginning in July [and ending the following June] and ending in June following the election, or until the election of a successor. [Eff. APR 13 2015 10/20/08;] (Auth: RCH §14-103(a)) (Imp: RCH§14-104).

§2-14-123 Duties of officers.

(b) It shall be the duty of the chair to:

(12) At a duly noticed meeting. [A]ppoint and remove all committee chairs, unless otherwise directed by the board. If a committee chair resigns, the board chair may appoint a committee chair pro-tem.

(13) At a duly noticed meeting. [A]ppoint and remove all board delegates, unless otherwise directed by the board. If a board delegate resigns, the board chair may appoint a delegate pro-tem.

[Eff. APR 19 2015 10/20/08,] (Auth: RCH §14-103(a)) (Imp: RCH §14-104).

§2-14-124 Committees. (a) The board may establish committees from among its membership and the public without regard to place of residence. The committee chair shall be a member of the board. The committee members shall be appointed by the board.

(g) Committees shall prepare meeting notices, agendas, and minutes, and shall hold meetings at places reasonably accessible to the public. Committee [meeting notices, agendas, and] minutes shall be filed with the NCO within thirty days after the committee meeting.

[Eff. APR 19 2015 10/20/08; am 2/5/11] (Auth: RCH §14-103(A)) (Imp: RCH §14-104).

§2-11-106 Computation of time; reestablishment of deadline dates. (a) Unless otherwise provided by statute or rule, in computing any period of time prescribed or allowed by this chapter or by the plan, the first day of the designated period of time shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday, or legal holiday in the State, in which event the period runs until the next day which is not a Saturday, Sunday, or holiday.

(b) If [unforeseen] conditions or circumstances affect the election process timetable, [including] such as weather catastrophe, power outage, computer failure, delay in the procurement process, delay in the arrival of election materials, or civil unrest, the commission may reestablish suitable deadline dates for the election process timetable.

[Eff. APR 19 2015 10/20/08; ren §2-11-106 2/5/11] (Auth: RCH §§ 4-105(4), 14-102) (Imp: RCH §§ 4-105(4), 14-102).

§2-12-102 Definitions. As used in this plan, unless the context otherwise specifically requires:

“Ballot” means a written or printed, or partly written and partly printed, paper or card containing the names of persons to be voted for and the office to be filled, or a passcode used to access a ballot. A ballot may be in electronic form.

[Eff. APR 19 2015 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104).

§2-17-203 Change of residence.

(c) The Chief Elections Officer shall direct the commission office to [shall] issue a new ballot within ten days after receiving a request and affidavit pursuant to subsection (a). [Eff. APR 1 9 2015 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104).

§2-17-204 Candidate eligibility and registration.

(c) The candidate registration form shall be released no later than the third Friday of December in the year preceding the election.

[(c)](d) The candidate registration deadline shall be the third Friday in February of the election year. Any affidavit filed in person or delivered other than by United States mail must be received by the commission office by 4:30 p.m. on the candidate registration deadline. When filed by United States mail, the envelope containing the affidavit shall be postmarked by the candidate registration deadline and must be received by the office by 4:30 p.m. on the seventh calendar day thereafter to be accepted.

[(d)](e) No affidavit shall be filed with the commission office by means of facsimile or any other electronic means, unless otherwise duly authorized by the chief elections officer or commission.

[e](f) Any filed affidavit which fails to satisfy these rules shall be disqualified and the affected individual notified.

[Eff. APR 19 2015 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104).

§2-17-207 Prohibition on election service. No candidate shall serve as an election official or election employee in the same election in which the individual is a candidate; nor shall any parent, sibling, spouse, child, or household member of any candidate serve as an election official or election employee [in any area in which the ballots are handled or votes may be cast or tabulated for the candidate]. [Eff. APR 19 2015 10/20/08] (Auth: RCH §14-103(a)) (Imp: RCH §14-104).

§2-17-210 Insufficiency of candidates. If there are an insufficient number of candidates for a neighborhood district or subdistrict, as applicable, the unfilled seats shall be declared vacant by the commission after certification of the election results pursuant to section 2-17-309. [Eff. APR 19 2015 10/20/08] (Auth: RCH §14-103(A)) (Imp: RCH §14-104).

§2-17-303 Replacement ballots.

(c) The Chief Elections Officer shall direct the commission office to [shall] issue a replacement ballot within seven calendar days after receiving a request pursuant to subsection (a). [Eff. APR 1 9 2015 10/20/08] (Auth: RCH § 14-103(a)) (Imp: RCH §14-104).

§2-17-304 Return of ballots. (a) The ballot return deadline shall be the third Friday in May of the election year. Any ballot returned in person in the return envelope provided must be received by the commission office by 4:30 p.m. on the ballot return deadline. Any ballot returned by United States mail in the return envelope provided, shall be postmarked by the ballot return deadline and received by the commission office by the seventh calendar day thereafter to be accepted.

(b) Any ballot which is:

(1) Delivered to the commission office other than in person or by United States mail;

(2) Received in person or postmarked after the ballot return deadline;

(3) Received by United States mail more than seven calendar days after the ballot return deadline; or

(4) Not sealed in an official ballot envelope signed by the voter; shall be disqualified and declared invalid.

(c) If passcodes are distributed to allow access to electronic ballots, the website shall remain publicly accessible until 11:59 p.m. on the ballot return deadline. [Eff. APR 19 2015 10/20/08] (Auth: RCH §14-103(a))

(Imp: RCH §14-104).

§2-18-101 Complaints.

(b) The Executive Secretary shall review all complaints submitted by a Board, Board Member, or a Person. If a complaint does not meet the criteria of the Neighborhood Plan, it shall be forwarded to the Neighborhood Commission with a recommendation it be dismissed. The commission may, at any time, dismiss any complaint or end any sanctions proceeding for failure to comply with any requirement under this subchapter.

[Eff. ~~2008~~ 19 2015 10/20/08; am and ren §2-18-101 2/5/11] (Auth: RCH §14-103(a)) (Imp: RCH §14-104).

NEIGHBORHOOD COMMISSION

Amendment to sections 2-11-106 (b), 2-11-302, 2-12-102, 2-14-103(d) (4), 2-14-111, 2-14-118, 2-14-120, 2-14-123, 2-14-124, 2-17-203 (c), 2-17-204, 2-17-207, 2-17-210, 2-17-303 (c), 2-17-304, 2-18-101 (b),

Neighborhood Plan

February 23, 2015

SUMMARY

1. §2-11-106 (b) is amended.
2. §2-11-302 is amended.
3. §2-12-102 is amended.
4. §2-14-103 (d)(4) is amended.
5. §2-14-111 is amended.
6. §2-14-118 is amended.
7. §2-14-120 is amended.
8. §2-14-123 is amended.
9. §2-14-124 is amended.
10. §2-17-203 (c) is amended.
11. §2-17-204 is amended.
12. §2-17-207 is amended.
13. §2-17-210 is amended.
14. §2-17-303 (c) is amended.
15. §2-17-304 is amended.
16. §2-18-101 (b) is amended.

NEIGHBORHOOD COMMISSION

Amendments to Title 2, Subtitle 2, Chapter 11, sections 2-11-106 (b), 2-11-302, Chapter 12, section 2-12-102, Chapter 14, sections 2-14-103 (d)(4), 2-14-111, 2-14-118, 2-14-120, 2-14-123, 2-14-124, Chapter 17, sections 2-17-203(c), 2-17-204, 2-17-207, 2-17-210, 2-17-303, 2-17-304, Chapter 18, section 2-18-101(b), were adopted on February 23, 2015 following public hearings on June 14, 2014 and, after public notice was given in the Honolulu Star Advertiser on May 15, 2015.

These amendments shall take effect ten days after filing with the Office of the City Clerk.



SYLVIA YOUNG
Chair
Neighborhood Commission



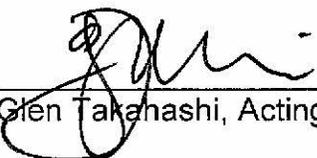
Nicole A. Velasco
Executive Secretary
Neighborhood Commission Office



Kirk Caldwell
Mayor
City and County of Honolulu

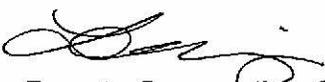
Date: 4/9/15

Filed: 4/9/15



Glen Takahashi, Acting City Clerk

APPROVED AS TO FORM:



Deputy Corporation Counsel



NEIGHBORHOOD COMMISSION

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov>

RESOLUTION

ADOPTING AMENDMENTS TO THE RULES AND PROCEDURES OF THE NEIGHBORHOOD COMMISSION AND THE NEIGHBORHOOD PLAN

WHEREAS, in compliance with Chapter 1, Article 4, Section 1-4.4, a notice of public hearing was published in the Honolulu Star Advertiser on May 15, 2014, and public support was demonstrated at two public hearings conducted on June 14, 2014, at Kapolei Hale and Honolulu Hale for the purpose of receiving testimony on the adoption of the proposed amendments to the Revised Neighborhood Plan and Rules and Procedures of the Neighborhood Commission, and

WHEREAS, following the close of the public hearings, fifteen calendar days were provided to receive written testimony on the proposed amendments. The Commission has duly considered all testimony, statements and comments relative to the proposed amendments to Title 2, Subtitle 2, Chapter 11 – Rules and Procedures of the Neighborhood Commission, Chapter 12 – General Provision of the Neighborhood Plan, Chapter 14 – Rules of the Neighborhood Boards, Chapter 17 – Neighborhood Board Elections, and Chapter - 18 Complaint Process of the Neighborhood Plan of the City & County of Honolulu, and

WHEREAS, the motion to adopt was made by Commissioner Finley and seconded by Commissioner Stubbs. After further discussion, the motion was adopted by a vote of eight in favor (Finley, Dos Santos-Tam, Guiffre, Oshiro, Stubbs, Young, Yamanoha, Zahn), zero opposed, and zero abstentions.

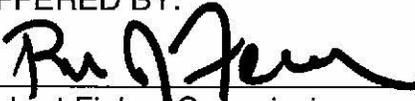
NOW THEREFORE BE IT RESOLVED, the Neighborhood Commission hereby adopts the proposed amendments to Title 2, Subtitle 2, Chapter 11 – Rules and Procedures of the Neighborhood Commission, and Chapters 12 – General Provision of the Neighborhood Plan, Chapter 14 – Rules of the Neighborhood Boards, Chapter 17 –

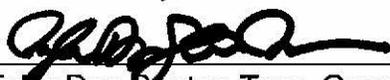
Neighborhood Board Elections, and Chapter 18 – Complaint Process of the Neighborhood Plan of the City & County of Honolulu, including the changes accepted by the Neighborhood Commission at their properly noticed meeting of February 23, 2015 and with the following provisos:

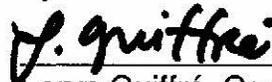
1. The Executive Secretary is authorized to revise or correct article and section designations, grammar, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to accomplish the intent of the Neighborhood Commission; and
2. These rules shall become effective as provided by law.

BE IT FINALLY RESOLVED that certified copies of this Resolution be transmitted to the Mayor of the City and County of Honolulu; to the Chair of the City Council; and to the City Clerk of the City and County of Honolulu.

OFFERED BY:


Robert Finley, Commissioner

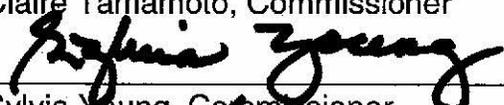

Tyler Dos Santos-Tam, Commissioner


Loryn Guiffre, Commissioner

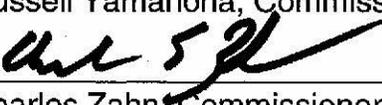

Richard Oshiro, Commissioner


Robert Stubbs, Commissioner

Absent
Claire Tamamoto, Commissioner


Sylvia Young, Commissioner


Russell Yamanoha, Commissioner


Charles Zahn, Commissioner

DATE OF INTRODUCTION:

February 23, 2015

Honolulu, Hawaii