

AUDIT TASK FORCE: Seven packets have been prepared for the Audit Task Force meeting on Monday, January 8, 2007.

Items include:

Data Information Book – Neighborhood Board Elections 1989-2003

Neighborhood Board Member Guidebook

The Revised Neighborhood Plan of the City & County of Honolulu, 1986 – 1998 Edition (current plan)

The Revised Neighborhood Plan of the City & County of Honolulu, 1986 – 1993 Edition

The Revised Neighborhood Plan of the City & County of Honolulu, 1986 – 1990 Amended

The Revised Neighborhood Plan of the City & County of Honolulu, 1986 – 1990 Supplement

1/8/07 Submitted by Joan Manke, Executive Director
Neighborhood Commission
(Neighborhood Board Review Task Force Meeting)

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**Table 8.12-- NEIGHBORHOOD BOARD ELECTIONS, FOR OAHU:
1989 TO 2003**

Year	Number of boards		Board seats elected	Ballots mailed 2/	Voters (ballots cast)
	In operation, Dec. 31	Holding elections 1/			
1989	30	30	438	273,954	91,285
1991	30	30	438	260,923	85,457
1993	30	30	444	279,392	97,476
1995	31	31	447	281,437	85,597
1997	32	32	456	273,768	83,278
1999	32	32	408	299,799	82,574
2001	32	32	454	223,636	69,134
2003	32	32	444	159,917	42,841

1/ 1986 rules provide for all board elections to be held at the same time, rather than staggered throughout the year.

2/ 2000 rules provide for uncontested candidates to be declared elected, thus no ballots are mailed for uncontested candidates.

Source: City and County of Honolulu, Neighborhood Commission, records.

2005	32	32	444	194,282	48,487
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ENCL TO D 0012

**Table 1.15-- RESIDENT POPULATION FOR OAHU NEIGHBORHOODS:
1990 AND 2000**

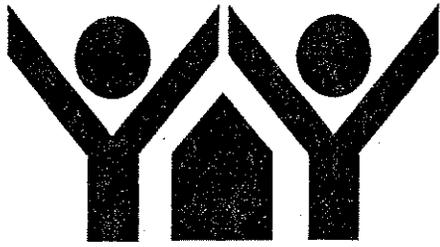
Neighborhood Board 1/ (see maps)	1990	2000	Percent change
Oahu total	836,231	876,165	4.8
1 Hawaii Kai	27,432	27,657	0.8
2 Kuliouou-Kalani Iki	15,195	18,271	20.2
3 Waialae-Kahala	9,696	7,118	-26.6
4 Kaimuki	18,351	18,063	-1.6
5 Diamond Head/Kapahulu/ St. Louis Heights	20,945	19,137	-8.6
6 Palolo	13,044	13,091	0.4
7 Manoa	21,496	21,184	-1.5
8 McCully/Moiliili	28,466	26,122	-8.2
9 Waikiki	19,768	19,720	-0.2
10 Makiki/Lower Punchbowl/ Tantalus	29,416	30,145	2.5
11 Ala Moana/Kakaako	10,978	14,186	29.2
12 Nuuanu/Punchbowl	16,254	16,494	1.5
13 Downtown	11,601	14,575	25.6
14 Liliha/Kapalama	21,221	19,905	-6.2
15 Kalihi-Palama	40,147	37,987	-5.4
16 Kalihi Valley	17,798	17,937	0.8
17 Moanalua	12,256	11,748	-4.1
18 Aliamanu/Salt Lake/ Foster Village	37,498	36,572	-2.5
19 Airport	26,762	18,163	-32.1
20 Aiea	32,553	31,221	-4.1
21 Pearl City	46,928	47,794	1.8
22 Waipahu	51,174	62,402	21.9
23 Ewa	26,898	53,099	97.4
24 Waianae Coast	37,581	42,333	12.6
25 Mililani/Waipio/Melemanu	34,668	34,592	-0.2
26 Wahiawa	44,540	39,553	-11.2
27 North Shore	15,729	18,380	16.9
28 Koolauloa	14,263	14,546	2.0
29 Kahaluu	14,475	14,732	1.8
30 Kaneohe	40,622	36,736	-9.6
31 Kailua	41,880	43,780	4.5
32 Waimanalo	9,055	10,919	20.6
33 Mokapu	11,662	11,827	1.4
34 Makakilo/Kapolei/ Honokai Hale	15,863	15,545	-2.0
35 Mililani Mauka-Launani Valley	16	10,622	66,287.5

Continued on next page.

**Table 1.15-- POPULATION OF OAHU NEIGHBORHOODS:
1990 AND 2000 -- Con.**

1/ Data in this table pertain to neighborhood areas whose boundaries are very close but do not match exactly to the neighborhood board boundaries. Neighborhood area boundaries for 2000 may not be the same as boundaries for 1990. Neighborhood Board numbers are displayed next to the Neighborhood Board names.

Source: City and County of Honolulu Planning and Permitting Department, Planning Division, Community Profiles for Neighborhood Areas <<http://honolulu.dpp.org/planning/demographics/cp-toc.pdf>> accessed June 13, 2002.

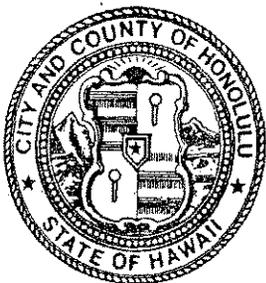


"UNDER REVISION"

Oahu's Neighborhood Board System

Neighborhood Board Member

Guidebook



NEIGHBORHOOD COMMISSION
CITY AND COUNTY OF HONOLULU
Honolulu Hale Room 406
Honolulu, Hawaii 96813
Phone: (808) 527-5749

Kapolei Hale, Room 312
Kapolei, Hawaii, 96707
Phone: (808) 692-5170

Mufi Hannemann, Mayor

June 2005

ENCL TO D 0012

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**REVISED CITY CHARTER
OF THE CITY AND COUNTY OF HONOLULU**

PREAMBLE

We, the people of the City and County of Honolulu, accepting responsibility to seek to achieve in our time that righteousness by which the life of our land is preserved and to encourage and enable our people to participate in their governance, do hereby adopt this Charter of the City and County of Honolulu.

**ARTICLE II
POWERS AND PURPOSES OF THE CITY**

Section 2-101. Powers - The city shall have and may exercise all powers necessary for local self-government and any additional powers and authority which have been or may be hereafter granted to it, subject only to the general laws of this State allocating and reallocating powers and functions pursuant to Article VII, Section 2 of the Constitution of the State of Hawaii. The enumeration of express powers in this charter shall not be exclusive. In addition to these enumerated express powers and those implied thereby, the city shall have and may exercise all powers it would be competent for this charter to enumerate expressly.

Section 2-102. Purposes - All city powers shall be used to serve and advance the general welfare, health, happiness, safety and aspirations of its inhabitants, present and future, and to encourage their full participation in the process of governance.

OATH OF OFFICE

**I DO SOLEMNLY SWEAR, THAT I WILL SUPPORT
THE CONSTITUTION AND LAWS
OF THE UNITED STATES OF AMERICA,
THE CONSTITUTION AND LAWS OF THE
STATE OF HAWAII,
THE CHARTER AND LAWS OF THE
CITY AND COUNTY OF HONOLULU,
AND THE PROVISIONS OF THE NEIGHBORHOOD PLAN
AND THAT I WILL FAITHFULLY DISCHARGE MY
DUTIES AS A MEMBER OF THE NEIGHBORHOOD
BOARD TO WHICH I HAVE BEEN ELECTED,
OF THE CITY AND COUNTY OF HONOLULU,
STATE OF HAWAII,
TO THE BEST OF MY ABILITY.**

THANK YOU FOR YOUR COMMITMENT!

EXCERPTS FROM THE REVISED CHARTER OF THE
CITY AND COUNTY OF HONOLULU 2000

ARTICLE XIV
NEIGHBORHOODS AND NEIGHBORHOOD BOARDS

Section 14-101. Neighborhoods and Neighborhood Boards - Neighborhoods and neighborhood boards to increase and assure effective citizen participation in the decisions of government shall be established in accordance with a neighborhood plan (Reso. 84-231)

Section 14-102. Neighborhood Commission - There shall be a neighborhood commission which shall consist of nine members chosen from the city at large. The mayor shall appoint four members, one of whom shall have served on a neighborhood board for at least one full term. The presiding officer of the council, with the approval of the council, shall appoint four members, one of whom shall have served on a neighborhood board for at least one full term. The ninth member shall be appointed by the mayor and confirmed by the council. The ninth member shall have served on a neighborhood board for at least one full term.

The commission shall elect a chair from among its members. Any vacancy in the commission shall be filled in the same manner as for an original appointment.

The commission shall act by majority vote of its membership and shall establish its own procedures. Commission members shall be compensated and reimbursed for their necessary expenses as provided by ordinance. The council shall appropriate funds to the neighborhood commission necessary for the performance of its official duties.

The terms of members initially appointed shall be for five years, and their successors shall serve for staggered terms of five years in the manner provided in subsection 13-103(c) of this charter. (Reso. 83-357; 1992 Gen. Election Charter Amendment)

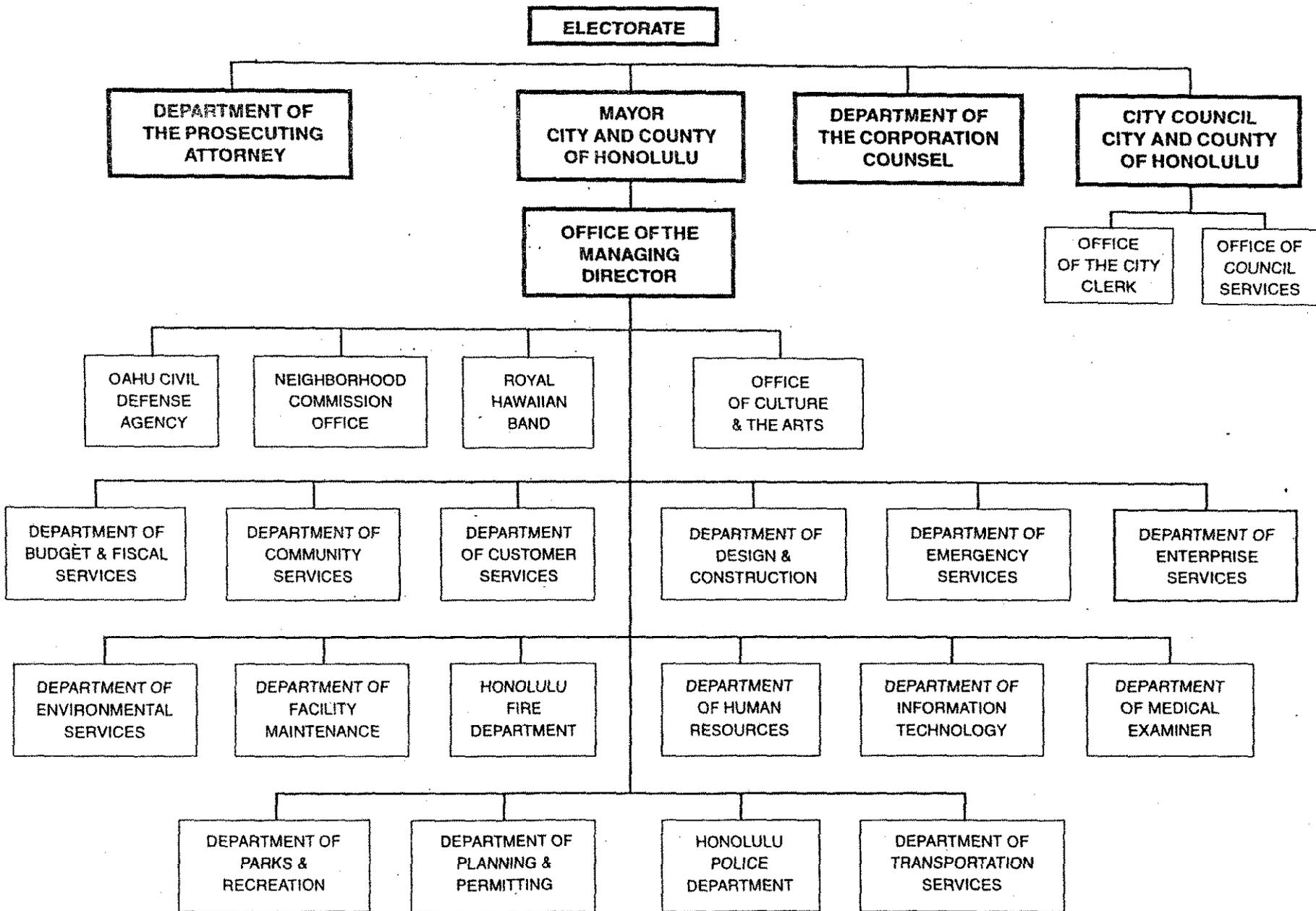
Section 14-103. Powers, Duties and Functions - The neighborhood commission shall:

- (a) Develop, after public hearings, a neighborhood plan which shall be effective upon filing with the city clerk.
- (b) Review and evaluate the effectiveness of the neighborhood plan and neighborhood boards and report thereon.
- (c) Assist areas of the city in the formation and operation of their neighborhoods and neighborhood boards, upon their request.

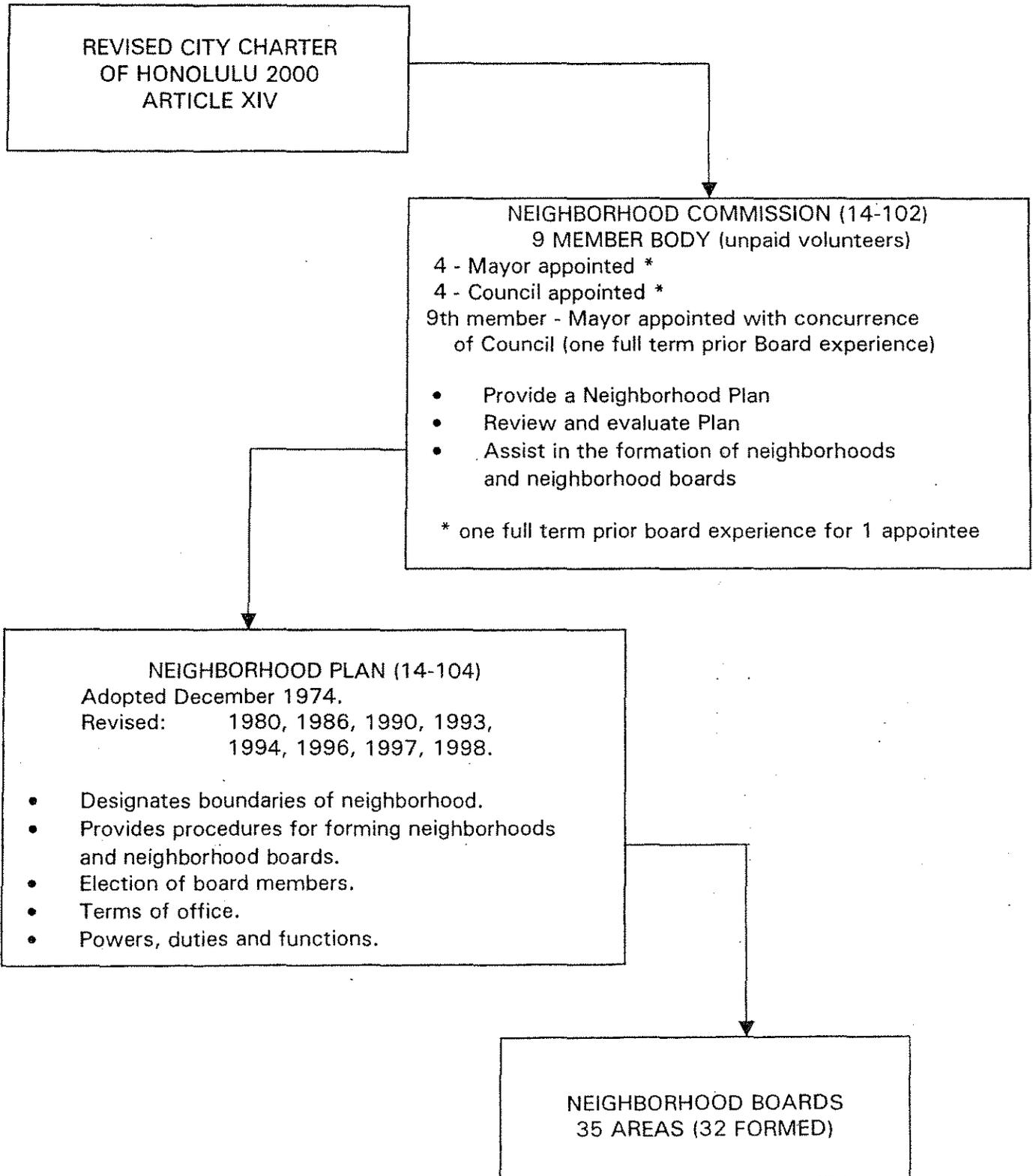
Section 14-104. The Neighborhood Plan - The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards, their terms of office and their powers, duties and functions. The plan may be amended by the commission, after public hearings to be held in various areas of the city, and amendments shall become effective upon filing with the city clerk.

Section 14-105. Executive Secretary -- There shall be an executive secretary to the neighborhood commission who shall be appointed by the mayor and confirmed by the council, and may be removed by the mayor. (Reso. 95-261)

CITY AND COUNTY OF HONOLULU ORGANIZATION CHART 2000

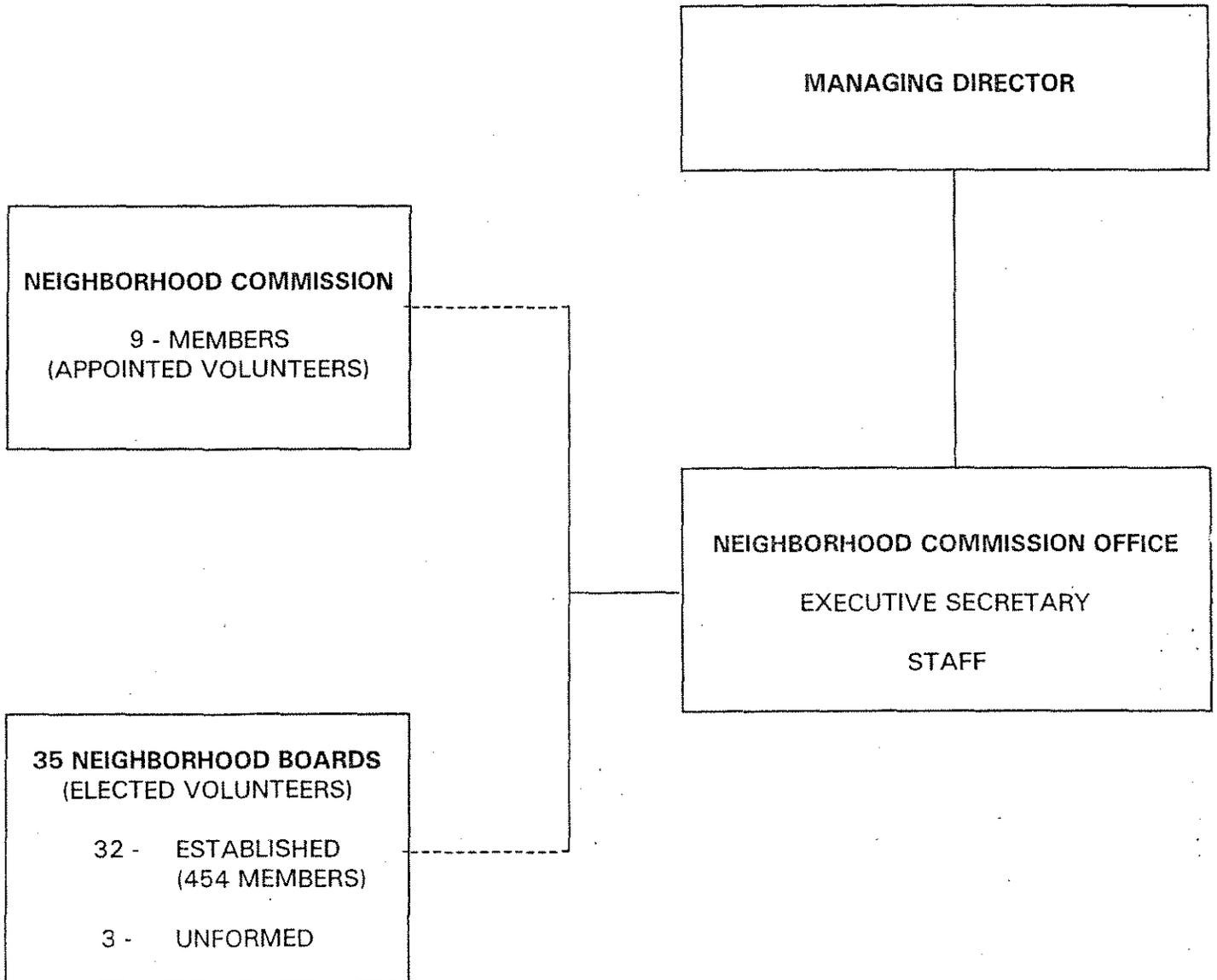


DEVELOPMENT OF THE NEIGHBORHOOD BOARD



NEIGHBORHOOD COMMISSION - CITY & COUNTY OF HONOLULU

ORGANIZATIONAL CHART



NEIGHBORHOOD BOARDS

FUNCTION (Section 1-7.I, Revised Neighborhood Plan 1986, 1998 Edition)

- Serve in an advisory capacity to government.
- Actively participate in functions and processes of government by articulating, defining and addressing neighborhood problems.
- Make recommendations that reflect the needs and wants of the neighborhood.
- Take the initiative in selecting activities and establishing priorities among them.
- Expand and facilitate opportunities for community and government interaction.

<u>No.</u>	<u>Neighborhood Area</u>	<u>Date Formed</u>
25	Mililani/Waipio/Melemanu	04/23/75
24	Waianae Coast	05/09/75
15	Kalihi-Palama	05/16/75
2	Kuliouou/Kalani Iki	05/16/75
32	Waimanalo	07/18/75
29	Kahalu'u	09/08/75
28	Koolauloa	02/10/76
30	Kaneohe	02/10/76
3	Waialae/Kahala	04/16/76
16	Kalihi Valley	05/04/76
8	McCully/Moilili	05/04/76
31	Kailua	08/24/76
1	Hawaii Kai	03/01/77
7	Manoa	03/01/77
14	Liliha/Alewa/Puunui/Kamehameha Hts	03/22/77
10	Makiki/Lower Punchbowl/Tantalus	09/20/77
11	Ala Moana/Kakaako	09/20/77
9	Waikiki	09/20/77
20	Aiea	09/20/77
6	Palolo	09/20/77
21	Pearl City	09/20/77
4	Kaimuki	09/20/77
12	Nuuanu/Punchbowl	09/20/77
23	Ewa	09/20/77
13	Downtown	09/20/77
5	Diamond Hd/Kapahulu/St. Louis Hts	09/27/77
27	North Shore	10/11/77
18	Aliamanu/Salt Lake/Foster Village	01/30/79
22	Waipahu	10/23/84
26	Wahiawa	03/19/85
34	Makakilo/Kapolei/Honokai Hale	08/29/94
35	Mililani Mauka/Launani Valley	10/02/96
*17	Moanalua	
*19	Airport	
*33	Mokapu	

* The initiative for forming boards in these Neighborhood Areas must come from the residents, as specified in the Revised City Charter and procedures as set forth in Chapter 1, Article 4, Revised Neighborhood Plan 1986, as amended.

NEIGHBORHOOD COMMISSION

FUNCTION (Section 14-103, RCH).

- Develop a neighborhood plan to increase and assure effective citizen participation in government.
- Review and evaluate the neighborhood plan and the effectiveness of the neighborhood boards.
- Assist in the formation and operation of neighborhood boards upon request of interested neighborhood areas.

NINE MEMBER COMMISSION (Sec. 14-102, RCH, as amended)

- Four members appointed by the Mayor, one of whom shall have served on a neighborhood board for at least one full term.
- Four members appointed by the presiding officer of the Council, one of whom shall have served on a neighborhood board for at least one full term.
- The ninth member appointed by the Mayor and confirmed by the Council. The ninth member shall have served on a neighborhood board for at least one full term.

TERM OF OFFICE (Sec. 14-102, 13-103(c), 13-103(d), RCH, as amended)

- All appointed members serve staggered terms of five years unless filling a vacancy for the remainder of an unexpired term.

NEIGHBORHOOD COMMISSION OFFICE

Section 14-105. Executive Secretary -- There shall be an executive secretary to the neighborhood commission who shall be appointed by the mayor and confirmed by the council, and may be removed by the mayor. (*Reso. 95-261*)

FUNCTION (BRIEFLY)

- Plans, organizes, directs and coordinates the technical and administrative support staff services to facilitate the activities of the Neighborhood Commission. Plans, organizes and administers the Neighborhood Commission office operations, including the directing of staff and providing of field support and technical support services to Neighborhood Boards.
- Plans, coordinates and directs the Neighborhood Board elections.
- Prepares and reviews the budgetary and personnel needs of the commission office, budgetary needs of the Neighborhood Commission and Boards and makes recommendations to the Managing Director.
- Develops and implements educational training programs for Neighborhood Boards.

NEIGHBORHOOD BOARD - CITIZEN PARTICIPATION/KEY RESULT AREAS

CITIZEN PARTICIPATION (CP)
MISSION

CITIZEN ACCESS to or opportunity to participate in government policy making.

Seek to ensure REPRESENTATIVE-NESS of resident input (who are the relevant group that ought to be participating).

Effort to seek to facilitate RESPONSIVENESS to citizen input (achieving a high degree of responsiveness would be the mechanism to ensure that CP is more than simply a symbolic gesture).

CITIZEN PARTICIPATION (CP)
KEY RESULT AREAS

1. Establishment of TWO-WAY COMMUNICATIONS between boards, interested groups, residents, and and government (exchange of ideas).
2. Establish CONTACT with and provide CP information to neighborhoods.
3. STIMULATE INTEREST in operations and/or programs among the public-at-large.

1. Seek to develop TWO-WAY COMMUNICATION with broad spectrum of citizen groups rather than a few. Greater the number involved--more likely input obtained will be representative of some population of interest groups.
2. Draw on views of cross-section of community residents.
3. Identify the views of representative cross-section of public-at-large, possibly through random sample surveys.

1. Identify and specify substantive areas open to CP.
2. Formulate substantive programs and goals through discussion with citizen groups.
3. Formulate substantive programs and goals through discussion with residents.
4. Include citizen survey responses in formulating goals.

FUNDAMENTAL LEGAL ASPECTS

Being an integral part of the City government, members of the Neighborhood Boards act under color of law in performing their respective duties. Failure to comply with applicable rules and procedures will not only affect the actions taken by the board but would also have a detrimental effect on the board members themselves.

I. VALUE OR BENEFIT OF LEGAL GUIDELINES/PARAMETERS

CONSISTENCY

- Uniformity in operating or conducting public business, or participating in public matters.

CONFIDENCE

- Existence of laws and their adherence, allows one to pursue issues and concerns with confidence and minimize fear of legal ramifications.

CREDIBILITY

- Records to support action(s) or proceedings which initiated action(s) enhance the credibility of the Board. As an elected board, members are accountable to their constituency and boards are accountable to neighborhood interests. Written records also serve as important documents of a board's accomplishments.

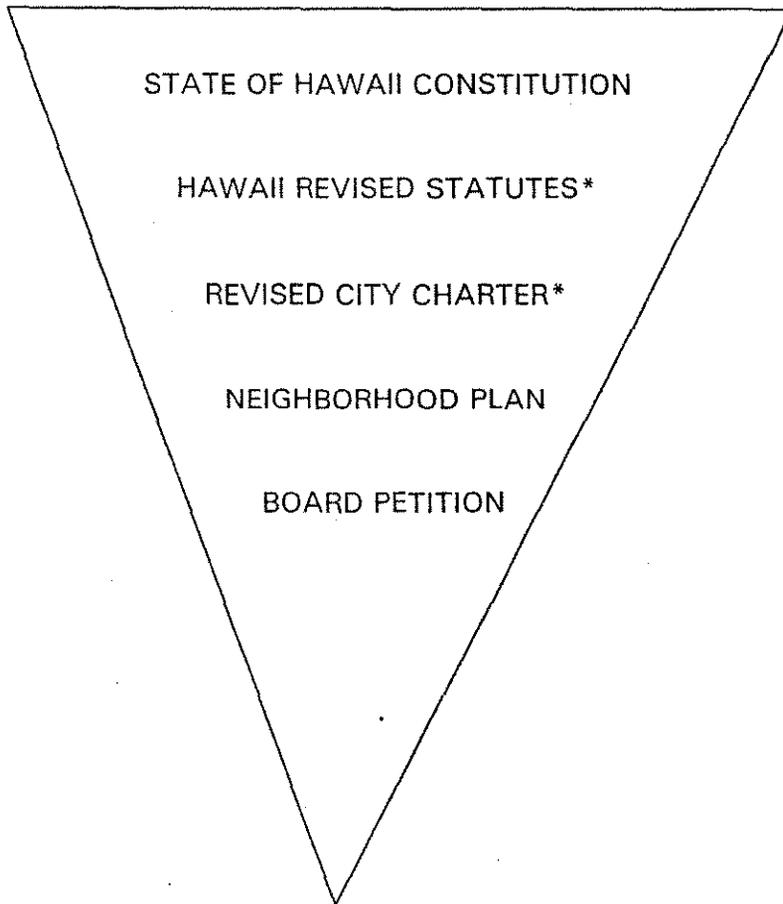
Fundamental Legal Aspects

II. DEFINITIONS OF FREQUENTLY USED TERMS

Abbrev. (Acronym)

HRS	<u>Hawaii Revised Statutes.</u> Laws or statutes enacted by the State of Hawaii Legislature.
ROH	<u>Revised Ordinance of Honolulu.</u> Regulations or laws of the City and County of Honolulu.
RCH	<u>Revised Charter of the City and County of Honolulu, 2000.</u> Rules or provisions by which the City currently operates.
NP or PLAN	<u>Neighborhood Plan.</u> Development by the Neighborhood Commission, as mandated under RCH 14-104. The document designates 1) boundaries of neighborhood areas, 2) provides for procedures to initiate and form neighborhoods, 3) manner of selecting members and their terms, 4) powers, duties and functions of neighborhood boards. After holding public hearings, the initial Plan was adopted in December 1974 by the Commission. Subsequent amendments were adopted in July 1980, June 1986, May 1993, August and October 1994, October 1996, April 1997 and August 1998. All boards currently operate under the Revised Neighborhood Plan 1986, (1998 Edition) as amended.
(H)APA	<u>(Hawaii) Administrative Procedures Act.</u> Chapter 91, Hawaii Revised Statutes. Laws covering Public Proceeding and Records. The Neighborhood Commission adopts the Plan in compliance with procedures as set forth in this statute. Procedures for adoption, amendment or repeal of rules are defined in HRS Chapter 91.
"Sunshine Law"	<u>Chapter 92, Hawaii Revised Statutes</u> - Public Agency Meetings, Records. Often referred to as State Sunshine Law, it virtually covers every governmental board that is created by law or by executive order. The statute requires that meetings be open and records are made available to the public.

GENERAL HIERARCHY OF LAW



WHEN SIMILAR PROVISIONS ARE ADDRESSED, THE MORE STRINGENT OR STRICTER REQUIREMENTS WILL TAKE PRECEDENCE.

* EXCEPTIONS WHERE RCH IS CONSIDERED HIGHER LAW THAN HRS.

III. BASIC LEGAL REQUIREMENTS, RULES AND REGULATIONS

A. OPERATIONAL

1. "Sunshine Law" (Chapter 92, HRS, as amended)

What? Basic intent of this law is the public's right to know when boards meet, the right to attend such meetings, and the right to obtain minutes of these meetings. More simply--an open system of government meetings and records.

Who? Applicable to Neighborhood Boards as units of an "executive agency" of the City.

How? Written Notice (Agenda)
· File with the City Clerk at least 6 calendar days (7 calendar days according to the Neighborhood Plan*) prior to regular meetings or 6 calendar days prior to special meetings and post notice at Neighborhood Commission Office (*S4-7.2, NP supersedes HRS).

· List date, time, place of meeting, and itemize business to be conducted.

· No change once filed by adding items unless 2/3 vote of board's entire membership concurs, except as provided under Section 92-7(b), HRS.

Mailing List

· Maintain a mailing list of anyone who requests notification of board meetings; mail notice at least 6 days prior to event.

Open Meetings

· Every meeting shall be open to public. All persons shall be permitted to attend and/or afforded an opportunity to submit data, views or arguments, in writing, on any agenda item.

· Afford all interested persons an opportunity to present oral testimony on any agenda item.

Written Minutes

· Available as public record within 30 days after meeting.

· Record: Date, time and place of meeting, board members present, absent, substance of what was discussed, votes by each individual member; and any information board member submits.(S92-9, HRS; S4-7.3 NPa).

Fundamental Legal Aspects

2. Quorum

- Majority of entire membership (at least 1/2 plus 1) required to conduct board meeting and to take formal board action.
(S92-15, HRS; S13-103(g) and (i), RCH; S1-2.1, S4-7.4, NP).

3. Voting

- The affirmative vote of a majority of the entire membership is required to take action. Such action shall be made at an open meeting.
(S92-15, HRS; S13-103(i), RCH; S4-7.4, NP).
- Minutes shall include a record, by individual member, of any votes taken. Therefore, voting by secret ballot is prohibited on any action(s) of the board, including the election of officers or the filling of vacant seats.
(S92-9, HRS; S4-7.4, NP).
- Acceptable methods of voting:
 - show of hands
 - roll call
 - unanimous consent(S4-7.5, NP).

4. Meetings

Regular Meeting -

- Hold at least 10 regular monthly meetings per year on a pre-established day of the month. At no time shall two consecutive months elapse between regular meetings.
(S1-7.1(i), S4-7.1(a)(1), NP).

Special Meeting -

- Special meetings open to the public may be called at any time by the chairperson or the majority of the board.
(S1-7.1(j), S4-7.1(b), NP).

5. Agenda

- Written public notice of any regular or rescheduled meeting is required. Notice to include an agenda listing all items to be considered.
(Chpt 92, HRS; S4-7.2, NP).

Regular Meeting - Filing with City Clerk 7 calendar days prior to scheduled meeting. (S4-7.1(a)(3)(5), NP).

Special Meeting - Filing with City Clerk 6 calendar days prior to scheduled meeting. (S4-7.1(b)(2), NP).

Fundamental Legal Aspects

B. BOARD MEMBERSHIP

1. General Requirements

- Minimum 9 members for each board.
- Uneven number of members
- Each term consists of 2 years - commencing June 1 and ending 24 months later on May 31.
(S1-5.1, S1-5.3, S3-2.2 NP).

2. Qualifications

- Must be a legal resident of neighborhood and subdistrict (as applicable) to which elected. (S3-3.2, S4-2.1, NP).
- Minimum age of 18 years. (S3-5.1, NP).
- May be a legal resident alien. Does not have to be a citizen or national of the United States. (S3-3.3, NP).

3. City, state or federal employees may be elected to a Neighborhood Board. However, neighborhood board members should be sensitive to standards of conduct provisions as defined in Chapter 84, HRS.

4. Dual Membership

- Member of a Neighborhood Board may accept a position on another State or City board, commission or committee. (S78-4, HRS, as amended in May, 1984).
- Elected government officials may accept a position on a State or City board, commission or committee, but must adhere to Section 11-103 of the RCH regarding disclosure of interest.

C. BOARD ACTIONS/ACTIVITY

PURPOSE: "TO INCREASE AND ASSURE EFFECTIVE CITIZEN PARTICIPATION IN THE DECISIONS OF GOVERNMENT."

The board plays an ADVISORY role in the "decisions of government." No where in the Charter is the board given sovereign power. Thus, a Neighborhood Board advises or makes recommendations to the City Council, the Mayor and the executive agencies of the city, State of Hawaii legislators, Congressional representatives, state and federal agencies and citizens in general.

Methods of ADVISING government decision makers:

1. Written correspondence or comments.

2. Written and/or oral testimony. While boards may appear before various government bodies, caution should be exercised so as not "to speak FOR the City."

BUDGETARY INFORMATION

BUDGET INFORMATION

The Neighborhood Board Budget Guidebook is prepared biennially to assist each board in determining eligible purchases (from yearly budget appropriations) in accordance with items provided under the Mayor's Executive Program and Operating Budget for the Neighborhood Commission.

All board appropriations are funded under specific items; i.e. office supplies, copying services, maps and signs, postage, photographic services, room rentals, and mailing service. Unfortunately, unbudgeted requests such as office equipment, leis, placards, steel file cabinets, trophies, and cash reimbursements are not possible.

BUDGET STATEMENTS

The chairperson and treasurer of the board will receive a BUDGET STATEMENT approximately five days after the close of each month. This statement can assist the board in planning its activities because it will reflect current expenses, total expenditures to date, and the balance remaining in the board's Operating, Publicity and Refreshment Funds budgets of the central publicity budget.

REQUISITION PROCESS

The following process is used to request funds from the board's account with the Neighborhood Commission Office.

1. Determine if the expenditure is allowable. Generally, items with a large dollar amount or materials which convey board positions or information on board activities must have prior board approval.

Consult the Decision Table provided in your Budget Guidebook for further information.

2. Channel all requests through your board representative.
3. Your representative, usually the chairperson, will contact the neighborhood assistant servicing your board.
4. The neighborhood assistant will complete a requisition form, as needed. Upon approval by the Executive Secretary to release funds, the purchase of the service or product will be coordinated by the Neighborhood Assistant and Neighborhood Assistant supervisor with the Neighborhood Commission Administrative Section, who will follow through with the ordering and payment of the service or product for the board.

5. **Personal Service Contracts** – are made when the Neighborhood Boards use someone to perform a task as in video taping meetings or for transcribing meetings for deaf members of the community.

The board has to formally approve the purchase and a request be submitted to the Neighborhood Commission on a Request for Purchase Form to confirm the boards action on the issue. Unless these requirements are accomplished by the board, the item or service purchased would be considered an unauthorized purchase. All such items will be returned to the board for disposition.

6. **After-the-fact purchases** -- are violations of the procurement statutes (H.R.S. Section 103D) and the City Charter

Example of "After-the-Fact" purchase:

1. An "After-the-Fact" purchase is when a board requests video taping of a board meeting by a contractor/vendor or individual before a Request for Purchase Form has been submitted to the Neighborhood Commission Office.

The Request for Purchase Form is required to be sent to the Neighborhood Commission Office, with all the pertinent information about the service at least two weeks prior to the time of the video taping, from the board via the Neighborhood Assistant. All paperwork must be completed for the Executive Secretary to sign before the initial taping can proceed. At this point a letter is generated by the Neighborhood Commission office and sent to the board indicating that the service requested may commence. These requirements are to be completed for all Personal Services Contracts.

7. **Commencement of Work** – Work shall not commence until documentation has been filed and availability of funds are certified.

NEIGHBORHOOD BOARD BUDGET

I. AUTHORIZED EXPENDITURES

A. OPERATING

1. Agenda/Minutes
2. Correspondence
3. Office Supplies
4. Reference Materials
5. Maps
6. Signs
7. Postage
8. Photographic Service and Supplies
9. Rental of Meeting Sites
10. Workshops and Conferences

B. CENTRAL PUBLICITY - (MASS MAILING)

1. Newsletters
2. Surveys
3. Flyers
4. Community Newspaper column
5. Video Taping Personal Service Contract

C. REFRESHMENT FUNDS

II. UNAUTHORIZED EXPENDITURES

- Cash reimbursement for out-of-pocket expenditures.
- Rental of office space.
- Funds to hire staff.
- Contractual Services
- Office equipment.
- Alcoholic Beverages.
- Gifts, T-shirts, leis and related items.
- Mileage and travel allowances.
- Subscriptions.
- Maintenance of petty cash fund.
- Request for copying work when submitted by a non-board member.
- Other items which are not specifically budgeted for the Neighborhood Boards.

NEIGHBORHOOD BOARD MONTHLY MEETING SCHEDULE

<u>No. Neighborhood Board</u>	<u>Monthly Meeting *</u>
1. Hawaii Kai	Last Tuesday
2. Kuliouou/Kalani Iki	1st Thursday
3. Waialae/Kahala	3rd Thursday
4. Kaimuki	1st Wednesday
5. Diamond Head/Kapahulu/ St. Louis Heights	2nd Thursday
6. Palolo	2nd Wednesday
7. Manoa	1st Wednesday
8. McCully/Moiliili	1st Thursday
9. Waikiki	2nd Tuesday
10. Makiki/Lower Punchbowl/ Tantalus	3rd Thursday
11. Ala Moana/Kakaako	4th Tuesday
12. Nuuanu/Punchbowl	3rd Tuesday
13. Downtown	1st Thursday
14. Liliha/Alewa/Puunui/Kamehameha Hts	2nd Monday
15. Kalihi-Palama	3rd Wednesday
16. Kalihi Valley	2nd Wednesday
18. Aliamanu/Salt Lake/ Foster Village	2nd Thursday
20. Aiea	2nd Monday
21. Pearl City	Last Thursday
22. Waipahu	3rd Thursday
23. Ewa	2nd Thursday
24. Waianae Coast	1st Tuesday
25. Mililani/Waipio/Melemanu	4th Wednesday
26. Wahiawa	3rd Monday
27. North Shore	4th Tuesday
28. Koolauloa	2nd Thursday
29. Kahalu'u	2nd Wednesday
30. Kaneohe	3rd Thursday
31. Kailua	1st Thursday
32. Waimanalo	2nd Monday
34. Makakilo/Kapolei/Honokai Hale	3rd Wednesday
35. Mililani Mauka/Launani Valley	3rd Tuesday

* Board meeting days are subject to change

DUTIES OF THE CHAIRPERSON

IT SHALL BE THE DUTY OF THE CHAIRPERSON TO:

1. Serve as the spokesperson and representative of the board.
2. Open all meetings of the board at the appointed hour by taking the chair and calling the board to order.
3. Call for the approval of the minutes of the previous meeting.
4. Maintain order and decorum.
5. Receive and submit all matters properly brought before the board in the order prescribed by the rules.
6. Receive all communications and present them promptly to the board.
7. Appoint all committee chairs, unless otherwise directed by the board.
8. Authenticate by signature all advisory actions of the board.
9. Make known all rules of the neighborhood board when so requested and to decide all questions of order.
10. Promptly make the proper referral of matters brought before the board to the appropriate committee(s).
11. Perform such other duties as may be required by law or such as may promptly pertain to such office.
12. Vote at all meetings.
13. Appoint a temporary recording secretary in the absence of the recording secretary.

(Sec. 4-5.2(a), NP)

QUALITIES OF A GOOD CHAIR

- 1. PREPARATION:** The chairperson organizes the business of the meeting in a certain order and sees that it is disposed in that order. This is the art of making an agenda and sticking to it.
- 2. IMPARTIALITY:** A person must be an impartial moderator. When desiring to debate an issue, he/she relinquishes the chair to the vice chair or another member and then debates from the floor. He/she then resumes the chair only after disposal of the motion.
- 3. USE OF GAVEL:** The gavel is no pounding stick. A good chair uses the gavel sparingly, but when necessary, uses it firmly and surely.
- 4. KNOWLEDGE OF RULES:** A chairperson must have knowledge of parliamentary procedure as well as the Neighborhood Plan and City policies. In all situations, the chair must rely on good common sense and a sense of courtesy and fair play.
- 5. MAINTAIN DIGNITY:** Refrain from horsing around while conducting the meeting. It does not mean acting as though the meeting is a wake. But, conduct oneself in a manner that will gain the respect of and inspire fellow board members.

SOME DO'S AND DON'TS FOR THE CHAIRPERSON

1. Restate the motion clearly after it has been made and seconded.
2. Make certain there is a second when the motion requires a second.
3. Maintain only one main motion at one time.
4. Have a member state the motion before the latter launches into a long discussion.
5. No one should be permitted to speak twice on a motion until all have had a chance to speak once.
6. Vote on all motions on the floor.
7. Relinquish the chair only when debating a motion; ask the vice chair or another officer to temporarily serve until the motion is disposed. Upon disposal of the motion, the temporary chair asks the regular chair to resume the chairmanship.

SOME DO'S AND DON'TS FOR ALL BOARD MEMBERS

The list below is to help improve board meetings.

1. Know something about parliamentary law and the rules of the meeting.
2. Debate the issue, not the person who represents it.
3. Ask for information when in doubt.
4. Enter the debate if you have something to say.
5. Be recognized before talking.
6. Address the chair at all times and cut out private conversations.
7. Keep informed about the organization and its activities.

ROBERT'S RULES OF ORDER (PARLIAMENTARY PROCEDURE)

CHAPTER 1, ARTICLE 8, SECTION 1-8.2, REVISED NEIGHBORHOOD PLAN 1986, AS AMENDED:

"The rules of parliamentary procedure as set forth by the latest edition of Robert's Rules of Order, Newly Revised, shall govern all boards except where the same are inconsistent with the Neighborhood Plan, the Revised City Charter, and the Hawaii Revised Statutes."

FUNDAMENTAL PRINCIPLES OF PARLIAMENTARY LAW:

1. Justice and courtesy to all.
2. Do only one thing at a time.
3. The majority rules.
4. The rights of the majority must be respected.
5. Each main motion or debatable proposition is entitled to a full and free debate.
6. There should be no partiality shown.

PARLIAMENTARY PROCEDURE HAS BEEN DESIGNED TO:

1. Expedite business.
2. Maintain order.
3. Insure justice and equality to all.

WHAT IS A MOTION?

A MOTION is a

PROPOSAL

for group

ACTION!

ACTION FOR SPECIAL PURPOSES

Kind of Motion	Object	Effect
To lay on the table	Clear the floor for more urgent business	Delays action
To call for the previous question	Secure immediate vote on pending question	Ends debate
To limit or extend time for debate	Provides more or less time for discussion	Shortens or lengthens discussion period
To postpone definitely (to a certain time)	Often gives more time for informal discussion for securing followers	Delays action
To commit or refer	To enable more careful consideration to be given	Delays action
To amend	To improve the motion	To change the original motion
To postpone indefinitely	To prevent a vote on the question	To suppress the question
To nominate	Suggest names for office	Places before the group names for consideration
To raise a point of order	To call attention to violation of rules	Keeps group functioning according to parliamentary procedure
To appeal from the decision of the chair	To determine the attitude of the group on the ruling made by the chair	Secures ruling of the group rather than by the chair
To suspend the rules	To permit action not possible under the rules	Secures action which would otherwise be prevented by the rules
To object to the consideration of a question	Prevent wasting time on unimportant business	Suppress the motion
To divide the question	Secure more careful consideration of parts	Secures action by parts

ACTION FOR SPECIAL PURPOSES

Kind of Motion	Object	Effect
To call for a division	(a) To determine the accuracy of a viva voce vote (b) To secure expression of individual member's vote	Secures an accurate check on vote
To make a request growing out of pending business	To secure information or ask to be excused from a duty	Provide information
To fix the time at which to adjourn	To have legal continuation of the meeting	Sets definite continuation time
To adjourn	End the meeting	Adjourns the meeting
To take a recess	To secure an intermission	Delays action
To raise a question of privilege	To correct undesirable conditions	Corrects undesirable condition
To call for the order of the day	To secure adherence to order of business	Same as object
To take from the table	Continue the consideration of the question	Continue consideration of question
To reconsider (only a member of the prevailing side may make this motion)	To reconsider the question	Secures further consideration and another vote on the question
To reconsider and have entered on the minutes (only a member of the prevailing side may make this motion)	To reconsider the question at the next meeting	Secures further consideration and another vote on the question
To rescind	Repeal action previously taken	Same as object
To ratify	Approves previous action taken	Same as object

When the Revised Neighborhood Plan, 1986, as amended, is in conflict or differs with the Robert's Rules of Order (Parliamentary Law), the provisions of the Revised Neighborhood Plan shall always prevail.

Revised Neighborhood Plan 1986

vs

Robert's Rules of Order (Parliamentary Law)

1. DEFINITIONS

-Quorum

Presence of a minimum of half plus one of the total number of members to which a board is entitled in order to take action on board business.

In general, the number of members entitled to vote who must be present in order that business can be legally transacted. The number of members will vary according to the organization.

-Majority Vote

Affirmative vote of at least fifty percent plus one of the total prescribed membership on the board.

Affirmative vote of more than one half of the votes cast, ignoring blanks or abstentions, at a meeting where quorum is present.

2. VOTING

All meetings of the board shall be open to the public and every vote taken by the board shall be recorded.

Allows voting by ballot (secret).

-Recording

Record and reflect in minutes, by individual member, of any votes taken.

When count has been ordered or when the vote is by ballot, enter number of votes on each side.
When voting is by yea and nay, enter a list of names of those voting on each side.

-Methods

Three methods of ascertaining the decision of the board on any matter:
1) show of hands
2) roll call of members
3) unanimous consent

Methods of taking a vote:
1) viva voce (by voice)
2) show of hands
3) rising
4) roll call
5) ballot
6) general consent or unanimous consent

-To take Board
action

Requires at least a majority vote of the entire membership of a board, except when a 2/3 vote of the total prescribed membership is required.

Majority vote, unless a 2/3 vote, 2/3 vote of members present, or 2/3 vote of members, is required.

3. MEETINGS

- Notice (Agenda)

Timetable for filing agenda with Office of City Clerk:

No specific deadline for Order of Business is prescribed.

- Regular Meeting: at least 7 days prior to scheduled regular meeting
- Special Meeting: at least 6 days prior to scheduled special meeting.

- Adjournment

Meeting may be adjourned at any time by an affirmative vote of at least the majority of entire membership to which board is entitled.

Adjournment may be a privileged or main motion and action is governed accordingly.

4. MOTIONS

No motion shall be received and considered by the board until the same has been seconded. Exception - committee recommendations need not be seconded.

As a general rule, motions should be seconded.

- Subsidiary Motion

Order of precedence:

- First, to lay on the table.
- Second, to postpone to a certain time.
- Third, to commit (or refer).
- Fourth, to amend.
- Fifth, to postpone indefinitely.

Order of precedence:

- Lay on the table.
- The previous question.
- Limit or extend limits of debate.
- Postpone definitely or to a certain time.
- Amend.
- Postpone indefinitely.

Such motions shall have precedence in the order named. The first two motions shall be decided without debate.

When one of the foregoing motions fail or is decided in the negative, the same shall not be revived at the same meeting relative to the main question under discussion. If all are decided in the negative, the only remaining question shall be as to the passage or adoption of the proposed action.

5. CHAIRPERSON

- Voting

Votes on all motions before the board.

Entitled to vote when the vote is by ballot and in all other cases where the vote would change the results.

FILLING A BOARD VACANCY

When a vacancy occurs on a neighborhood board, Section 4-2.2 of the Revised Neighborhood Plan 1986 (1998 Edition), as amended, states:

"Any vacancy occurring other than by the expiration of a term of office shall be filled within sixty (60) calendar days after its occurrence. The remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term. The vacancy shall be filled only at a regular meeting of the board after reasonable notice of intent has been given to all remaining members of the board by the chairperson."

Board members must be at least 18 years old, live in the district they represent and claim no residency outside the jurisdiction of the City and County of Honolulu for purposes of voting in any state or national election.

These provisions should be followed when filling a vacancy:

1. Filling of vacancy must be an agenda item. A 2/3 vote to add the item to the agenda will violate the Neighborhood Plan and the Sunshine Law.
2. Nominations should not be carried out in a hasty manner or in a manner which may appear to exclude other prospective nominees.
3. Residency and other qualifications of nominees should be confirmed at the meeting.
4. Only board members may nominate.
5. Nominations do not require a second.
6. If no nominee receives the majority vote, the board should vote again.
7. Nominee receiving lowest number of votes is never automatically eliminated from the slate.
8. Nominees may withdraw their names from consideration.
9. To nominate an individual does not mean one must vote for the individual.

COMPLETION OF MINUTES

The Neighborhood Commission Office (NCO) strives to provide the best services possible in the production of monthly board meeting minutes. However, the board's full cooperation during the review process of the draft minutes is vital in the delivery of these services.

The following steps and timeframe should allow adequate time to review the draft minutes. It should also provide the Neighborhood Assistant sufficient lead time to produce the final set, print, prepare and mail the minutes to fulfill legal requirements.

1. Draft minutes should be mailed to the board's review person(s) within seven (7) work days after the board meeting.
2. Upon receipt, the delegated board person(s) should review the material and return the corrected draft minutes to the NCO within four (4) work days from the date the drafts are received.
3. Final minutes should be mailed 7 days prior to date of meeting.

This process should give staff two to three work days to make necessary corrections and to prepare the minutes for mailing. A total of thirty (30) sets of minutes are due and produced each month. A standard process used by all boards, therefore, is needed to assist the NCO in the delivery of its services.

Occasionally, an unforeseen incident may delay delivery of the draft minutes. Should this occur, communication between the board's review person(s) and the Neighborhood Assistant will be essential in order to produce the document by scheduled deadlines.

Should there be any comments regarding the process, please feel free to contact the Neighborhood Commission Office.

DUTIES/RESPONSIBILITIES OF NEIGHBORHOOD ASSISTANTS

1. Provide support and services to Neighborhood Boards.
2. Assist chairperson or designated board member with developing, typing, reproducing and filing agendas.
3. Prepare, type and reproduce copies of minutes of regular board meetings and type and reproduce copies of board correspondence.
4. Mail agenda and minutes of regular board meetings.
5. Maintain Neighborhood Board mailing lists.
6. Maintain current and adequate files of Neighborhood Board agendas, minutes, correspondence and other board-related material.
7. Provide clerical assistance to help enable members of the board to perform their duties and functions to meet their objectives.
8. Provide general public with pertinent information regarding assigned Neighborhood Boards and the Neighborhood Board system as a whole.
9. Assist in arranging and coordinating adequate meeting facilities.
10. Assist the Neighborhood Commission office in the planning and implementing of workshops and training session for board members.
11. Assist in distributing Neighborhood Commission generated information and materials to the Neighborhood Boards.
12. Assist in updating directory of Neighborhood Board members, attendance forms, mailing lists and other materials, as necessary.
13. Assist in the preparation, monitoring and follow up on the Neighborhood Board election process.
14. Assist in basic research for Neighborhood Boards.
15. As necessary, serve as liaison between Neighborhood Boards, government agencies, and elected officials.
16. Assure all purchases are coordinated with the Neighborhood Commission Office Administrative Section and the board chair(s).

TIPS ON WORKING WITH YOUR NEIGHBORHOOD ASSISTANT

1. Allow the Neighborhood Assistant (NA) to sit next to the chairperson at board meetings.
2. If detailed reports or presentations are given at meetings, provide a copy of written materials or fact sheet to the NA.
3. Instruct the NA how the board's mail at the Commission Office should be handled. Is the NA permitted to open the mail to make copies?
4. It is the board's responsibility to draft its correspondence. Do not ask the NA to write these letters. The NA will type the letters, but provide a legible draft. PLEASE do not ask the NA to take dictation over the phone.
5. If the chair or secretary types and distributes board correspondence, provide a copy to the NA for the board's centralized files. (The Commission Office is the central depository for all board files).
6. Work with the NA to update the board's mailing list. If board members are aware of changes, let the NA know. Also, be sure the NA has the names and addresses of community associations in the board area.
7. All correspondence and testimony by the board should be approved by the board.
8. No last minute requests. The NAs are assigned four to five other boards and must serve them as well. This requires precise time management.
9. When planning to visit your NA, call ahead for an appointment to assure their availability.
10. REMEMBER: The key to a good working relationship between the NA and the board is clear communication by both parties.

COMMITTEES

CHAPTER 4, RULE NO. 6, SEC. 4-6.1, REVISED NEIGHBORHOOD PLAN 1986, AS AMENDED:

"The board shall be entitled to form committees as necessary to carry out its function. The function of such committees shall be to report its findings and to propose recommendations to the neighborhood board for appropriate action. No committee may speak for the board."

As stated in Section 4-6.1, the purpose of committees is to gather data and to make recommendations for the Neighborhood Board to consider. There is no specific number of committees a Neighborhood Board should have. In general, however, boards have included publicity or newsletter committees, planning and zoning committees, transportation committees, and parks and recreation committees.

Ordinary committees are of two types - **standing** committees and **special** committees. Standing committees have a continuing function and may exist throughout the life of the Neighborhood Board. An example of a standing committee is a planning and zoning committee which can deal with related matters on a weekly or monthly basis.

A special committee is formed by a Neighborhood Board to work on a specified task for a specific time period. When the task is completed, the committee is dissolved. A Neighborhood Board month committee or an election committee are examples of a special committee.

The chairperson of a committee, whether standing or special, shall be selected from the board membership. It is emphasized, however, that committee members need not be a member of the Neighborhood Board. The Neighborhood Commission advocates the recruitment of non-board members to serve on committees as a vehicle to stimulate and expand resident involvement in board activities.

All committees should operate under the direction and guidance of the Neighborhood Board who may want to set parameters or guidelines by which the committees operate. Ultimately, committees and the work performed can have beneficial results for the boards and their communities.

NETWORKING

NETWORKING, defined as "the exchange of information among individuals, groups, and institutions," can be a valuable tool to promote, encourage, and allow widespread participation in Neighborhood Board activities and government processes.

As a collaborative process, networking can assist the Neighborhood Board to -

1. Reach out to residents
2. Reach out to other Neighborhood Boards
3. Reach out to other community associations and the business community.

Users of this mechanism have discovered that it can effectively serve as an early notification process to keep citizens informed of upcoming agenda items and other matters of potential concern to the residents and neighborhood groups. Application of the process can also help to improve citizen-government relations and trust in public officials.

In general, Neighborhood Boards tend to concentrate on neighborhood-related issues and concerns. Networking, however, can be expanded to effectively address issues of an islandwide scope. Through networking a stronger sense of community in a local area can be developed which ultimately can stimulate community solidarity and cohesiveness.

How does a board begin networking? The following are basic techniques.

1. Send a letter to an adjacent board(s) soliciting their opinion on an issue(s).
2. Mail a letter, with the board's agenda and minutes, to community groups highlighting the issues of concern and inviting their input.
3. Invite members of community groups and the business community to board meetings.
4. Delegate a board liaison to attend the meetings of the community groups to elaborate on the targeted issues to promote the group's discussion.
5. Invite government departments/agencies and/or representatives of private sector to give talks on issues of concern at board meetings.
6. Jointly sponsor informational forums with adjacent Neighborhood Board(s) and/or community organizations.

Input from community groups and the business community would then assist Neighborhood Boards to develop positions on issues and improvement projects. It could also mean development of positions on issues with implication from areas larger than individual neighborhoods. The end result could be the formation of a structure for better information, dissemination, and communication between citizens and public officials.

USE OF NEIGHBORHOOD BOARD LETTERHEAD

Neighborhood Board letterhead is used for official board correspondence only. Board members are accountable for all matters reflected on letterhead. Since the chair is the official spokesperson for the board, letters should bear the signature of the chair and/or designated board member.

Committee recommendations to the board need not be expressed on official Neighborhood Board letterhead. Committee correspondence should be approved by the chair or a designated representative and should relate to its fact finding functions. The Neighborhood Plan states that no committee may speak for the Board.

For convenience, some boards have preferred to provide its chair with a blanket or carte blanche authority to generate communications using the board's letterhead. However, when this option is exercised a copy of the chair's written communication must be provided to the board for its information and files to document the chair's action. The accountability clause will also prevail because the board is sanctioning the chair's carte blanche policy.

CORRESPONDENCE

1. **GENERAL** - i.e. letters of inquiry, acknowledgement, thanks.

Action needed: Board chair or authorized representative's approval.

2. **SPECIFIC** - i.e. letters reflecting board's positions, recommendations, complaints and invitations.

Action needed: Board authorization. Board action must be documented to preclude expression of an individual's opinion and/or recommendation, or independent unauthorized action.

NEIGHBORHOOD BOARD MASS-MAILING GUIDELINES

These guidelines are intended to assist the Neighborhood Boards in the development of mass-mailings (newsletters, surveys, flyers and other board-related publicity).

DEVELOPMENT/PRODUCTION/TIMETABLE

1. Funding to produce one mass-mailing for each neighborhood board is reserved in a centralized Publicity Account. Each board needs to take appropriate board action to earmark these funds for a specific activity by May 1, if plans are to encumber the monies for communication projects.
2. The cut off date to submit draft-packages is the 2nd workday in May of the fiscal year. After this date, there is no guarantee that funds can be encumbered for the fiscal year or distribution completed before June 30.
3. The board or its designated committee representative shall contact the Neighborhood Commission's Public Relations Assistant in charge of COMMUNICATIONS (PRAC), (phone 527-5769) to discuss the board's mass-mailing needs, guidelines, layout details, cost estimates, the production process and firm timetables.
4. The board shall be wholly responsible for the composition of articles and the gathering of other material to be incorporated in the publication (maps, photos, charts, etc). The board's assistance in proofreading all articles before submittal will help the Neighborhood Commission Office's (NCO) staff to expedite publication.
5. In order to maintain the objectivity and quality of Neighborhood Board publications, the NCO reserves the right to review all publicity materials prior to printing and to recommend grammatical and format changes. Also, revisions may be recommended to correct inaccurate information and to eliminate libelous statements.
6. All articles and publication materials must be submitted together to the PRAC in one complete draft package. Piece meal submittal is discouraged.
7. All layout shall be prepared by the NCO. Offset printing is done through the City & County printshop. (Please allow approximately five to six weeks for production and distribution.)

NEWSLETTERS AND THE NEIGHBORHOOD BOARD ELECTIONS

Mass-mailings for distribution between February 1 and April 15 of a Neighborhood Board election year shall contain no articles, stories, or profiles which may be construed as publicity or electioneering for candidates. Photographs which identify individuals who are candidates will be prohibited. This policy is necessary to eliminate any impression of abuse of board funds for election purposes.

PRODUCTION SERVICES

1. All requests are subject to availability of funds, reasonable quantities (board area household count) and required approvals.
2. Due to cost and manpower constraints, each board's mass-mailing will be limited to four (4) pages (i.e., one 11"x 17" sheet folded to 8-1/2"x 11").
3. Every effort will be made to expedite publication requests containing dated material. However, due to varying workloads, a firm guarantee on delivery date may not always be possible. The average turnaround time from production to delivery is six weeks. Please consider this timeframe when writing articles or making announcements in the publication.
4. A mass-mailing posted in December may be delayed at the post office due to a large volume of holiday season mailings.
5. Given adequate lead time, the NCO will be able to conduct selected mailings in lieu of the traditional mass-mailings which cover an entire board area. This process may allow for targeted mailings to smaller population. Contingent upon format, production time should be about four (4) weeks.
6. One-page flyers are mimeographed by the NCO. Please allow at least five (5) work days for layout and printing.

OTHER PUBLICATIONS

1. Purchase of space in a community publication must be authorized by board motion and approved by the Executive Secretary of the Neighborhood Commission. The publication must:
 - a) not exceed a Board's Publicity Account appropriations.
 - b) be reviewed prior to printing by the Neighborhood Commission Office for libelous statements and accuracy of information.
 - c) be published by June 30 of the fiscal year.

STORAGE AND SORTING BOX ("S" BOX)

A storage and sorting box for board material and correspondence for each Neighborhood Board is located within the Neighborhood Commission Office. This box is maintained and monitored by the Neighborhood Commission Office staff. Printed matter sent to the Neighborhood Boards (addressed: c/o Neighborhood Commission Office or otherwise) for deposit in these boxes will be limited to the following:

1. Correspondence/material via U.S. Postal Service
2. Intergovernmental correspondence/material
3. Correspondence between boards
4. Correspondence/material hand delivered to the Neighborhood Commission Office (without postage).

Sorting and distribution of materials received by the Neighborhood Commission Office for the boards will be handled by staff personnel only. The pick up of correspondence and material should be limited strictly to no more than two assigned board members and the Neighborhood Assistant who is assigned to service the respective Neighborhood Board.

NEIGHBORHOOD BOARD MEMBER CALLING CARD
EXCLUSIVELY FOR USE ON OFFICIAL NEIGHBORHOOD BOARD BUSINESS

Criteria for Issuance and Process/Procedures for Approval and Printing.

REFERENCE(S):

Action of Neighborhood Commission at its December 19, 1987 regular meeting.

PURPOSE:

To provide a standard size calling card which will identify the Neighborhood Board, the member's name, as well as the board term serving, for use as contact information pertinent to the fulfillment of official Neighborhood Board business.

POLICY:

On a biennial basis (coinciding with the Neighborhood Board election) a Neighborhood Board member may request and, only upon approval, print calling cards for use on official board business. Arrangements for and the purchase of the calling cards will be the sole responsibility of the neighborhood board member. No cards will be printed or paid for by the City and County of Honolulu (includes Neighborhood Commission and Neighborhood Boards).

PROCEDURES:

A. Request for Approval to Print

1. A Request to Print application form, as provided by the Neighborhood Commission Office, will be completed by the neighborhood board member and filed with the executive secretary of the Neighborhood Commission.
2. Upon approval by the executive secretary (or an authorized representative), one copy of the certified application form will be returned to the board member. A duplicate copy will be retained in the files of the Neighborhood Commission Office.
3. The request and subsequent approval to print calling cards will be limited to one neighborhood board term. A new application will be completed and filed with each subsequent board term.
4. Should a member resign or expire prior to the end of the board term stipulated in the application, the approval to print shall be deemed void.

Calling Card Procedures

B. Printing Requirements

1. The neighborhood board member calling card will be printed strictly in adherence with the specifications and design established by the Neighborhood Commission. No design deviations will be recognized or permitted.
2. The specifications and camera-ready copy of the official standard calling card design will be released when the application to print is approved. The specifications will be attached to the certified approval sheet.
3. Any board member requesting to print calling cards will be made aware of the prohibited use of the City seal and Neighborhood Board System logo, as provided in Section 1-7.2 Revised Ordinances of Honolulu. A copy of the ordinance will be provided to the board member.
4. Upon printing each set of calling cards, the board member shall provide the Neighborhood Commission Office with three (3) of the imprinted cards for its official files.

CHAPTER 92

PUBLIC AGENCY MEETINGS AND RECORDS

Part I. Meetings

Section

92-1	Declaration of policy and intent
92-1.5	Administration of this part
92-2	Definitions
92-2.5	Permitted interactions of members
92-3	Open meetings
92-3.1	Limited meetings
92-3.5	Meeting by videoconference; notice; quorum
92-4	Executive meetings
92-5	Exceptions
92-6	Judicial branch, quasi-judicial boards and investigatory functions; applicability
92-7	Notice
92-8	Emergency meetings
92-9	Minutes
92-10	Legislative branch; applicability
92-11	Voidability
92-12	Enforcement
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PART I. MEETINGS

§92-1 Declaration of policy and intent. In a democracy, the people are vested with the ultimate decision-making power. Governmental agencies exist to aid the people in the formation and conduct of public policy. Opening up the governmental processes to public scrutiny and participation is the only viable and reasonable method of protecting the public's interest. Therefore, the legislature declares that it is the policy of this State that the formation and conduct of public policy -the discussions, deliberations, decisions, and action of governmental agencies -shall be conducted as openly as possible. To implement this policy the legislature declares that:

- (1) It is the intent of this part to protect the people's right to know;
- (2) The provisions requiring open meetings shall be liberally construed; and
- (3) The provisions providing for exceptions to the open meeting requirements shall be strictly construed against closed meetings. [L 1975, c 166, pt of §1]

§92-2 Definitions. As used in this part:

- (1) "Board" means any agency, board, commission, authority, or committee of the State or its political subdivisions which is created by constitution, statute, rule, or executive order, to have supervision, control, jurisdiction or advisory power over specific matters and which is required to conduct meetings and to take official actions.
- (2) "Chance meeting" means a social or informal assemblage of two or more members at which matters relating to official business are not discussed.
- (3) "Meeting" means the convening of a board for which a quorum is required in order to make a decision or to deliberate toward a decision upon a matter over which the board has supervision, control, jurisdiction, or advisory power. [L 1975, c 166, pt of §1; am L 1976, c 212, §1]

[§92-2.5] Permitted interactions of members. (a) Two members of a board may communicate or interact privately between themselves to gather information from each other about official board matters to enable them to perform their duties faithfully, as long as no commitment to vote is made or sought. (b) Two or more members of a board, but less than the number of members which would constitute a quorum for the board, may be assigned to:

- (1) Investigate a matter relating to the official business of their board; provided that:
 - (A) The scope of the investigation and the scope of each member's authority are defined at a meeting of the board;
 - (B) All resulting findings and recommendations are presented to the board at a meeting of the board; and
 - (C) Deliberation and decision making on the matter investigated, if any, occurs only at a duly noticed meeting of the board held subsequent to the meeting at which the findings and recommendations of the investigation were presented to the board; or
- (2) Present, discuss, or negotiate any position which the board has adopted at a meeting of the board; provided that the assignment is made and the scope of each member's authority is defined at a meeting of the board prior to the presentation, discussion or negotiation.
- (c) Discussions between two or more members of a board, but less than the number of members which would constitute a quorum for the board, concerning the selection of the board's officers may be conducted in private without limitation or subsequent reporting.
- (d) Discussions between the governor and one or more members of a board may be conducted in private without limitation or subsequent reporting; provided that the discussion does not relate to a matter over which a board is exercising its adjudicatory function.
- (e) Discussions between two or more members of a board and the head of a department to which the board is administratively assigned may be conducted in private without limitation; provided that the discussion is limited to matters specified in section 26-35.

(f) Communications, interactions, discussions, investigations, and resentations described in this section are not meetings for purposes of this part. [L 1996, c 267, §2]

§92-3 Open meetings. Every meeting of all boards shall be open to the public and all persons shall be permitted to attend any meeting unless otherwise provided in the constitution or as closed pursuant to sections 92-4 and 92-5; provided that the removal of any person or persons who wilfully disrupts a meeting to prevent and compromise the conduct of the meeting shall not be prohibited. The boards shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item. The boards shall also afford all interested persons an opportunity to present oral testimony on any agenda item. The boards may provide for reasonable administration of oral testimony by rule. [L 1975, c 166, pt of §1; am L 1985, c 278, §1]

§92-3.5 Meeting by videoconference; notice; quorum. (a) A board may hold a meeting by videoconference; provided that the videoconference system used by the board shall allow both audio and visual interaction between all members of the board participating in the meeting and the public attending the meeting, at any videoconference location. The notice required by section 92-7 shall specify all locations at which board members will be physically present during a videoconference meeting. The notice shall also specify that the public may attend the meeting at any of the specified locations.

(b) Any board member participating in a meeting by videoconference shall be considered present at the meeting for the purpose of determining compliance with the quorum and voting requirements of the board.

(c) A meeting held by videoconference shall be terminated if both audio and video communication cannot be maintained with all locations where the meeting is being held, even if a quorum of the board is physically present in one location. [L 1994, c 121, §1; am L 2000, c 284, §2]

§92-4 Executive meetings. A board may hold an executive meeting closed to the public upon an affirmative vote, taken at an open meeting, of two-thirds of the members present; provided the affirmative vote constitutes a majority of the members to which the board is entitled. A meeting closed to the public shall be limited to matters exempted by section 92-5. The reason for holding such a meeting shall be publicly announced and the vote of each member on the question of holding a meeting closed to the public shall be recorded, and entered into the minutes of the meeting. [L 1975, c 166, pt of §1; am L 1985, c 278, §2]

§92-5 Exceptions. (a) A board may hold a meeting closed to the public pursuant to section 92-4 for one or more of the following purposes:

(1) To consider and evaluate personal information relating to individuals applying for professional or vocational licenses cited in section 26-9 or both;

(2) To consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved; provided that if the individual concerned requests an open meeting, an open meeting shall be held;

(3) To deliberate concerning the authority of persons designated by the board to conduct labor negotiations or to negotiate the acquisition of public property, or during the conduct of such negotiations;

(4) To consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities;

(5) To investigate proceedings regarding criminal misconduct;

(6) To consider sensitive matters related to public safety or security;

(7) To consider matters relating to the solicitation and acceptance of private donations; and

(8) To deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order.

(b) In no instance shall the board make a decision or deliberate toward a decision in an executive meeting on matters not directly related to the purposes specified in subsection (a). No chance meeting, permitted interaction, or electronic communication shall be used to circumvent the spirit or requirements of this part to make a decision or to deliberate toward a decision upon a matter over which the board has supervision, control, jurisdiction, or advisory power. [L 1975, c 166, pt of §1; am L 1985, c 278, §3; gen ch 1985; am L 1996, c 267, §3; am L 1998, c 48, §1; am L 1999, c 49, §1]

§92-6 Judicial branch, quasi-judicial boards and investigatory functions; applicability.

(a) This part shall not apply:

(1) To the judicial branch.

(2) To adjudicatory functions exercised by a board and governed by sections 91-8 and 91-9, or authorized by other sections of the Hawaii Revised Statutes. In the application of this subsection, boards exercising adjudicatory functions include, but are not limited to, the following:

(A) Hawaii labor relations board, chapters 89 and 377;

(B) Labor and industrial relations appeals board, chapter 371;

(C) Hawaii paroling authority, chapter 353;

(D) Civil service commission, chapter 26;

(E) Board of trustees, employees' retirement system of the State of Hawaii, chapter 88;

(F) Crime victim compensation commission, chapter 351; and

(G) State ethics commission, chapter 84.

(b) Notwithstanding provisions in this section to the contrary, this part shall apply to require open deliberation of the adjudicatory functions of the land use commission. [L 1975, c 166, pt of §1; am L 1976, c 92, §8; am L 1985, c 251, §11; am L 1998, c 240, §6]

§92-7 Notice. (a) The board shall give written public notice of any regular, special, or rescheduled meeting, or any executive meeting when anticipated in advance. The notice shall include an agenda which lists all of the items to be considered at the forthcoming meeting, the date, time, and place of the meeting, and in the case of an executive meeting the purpose shall be stated.

(b) The board shall file the notice in the office of the lieutenant governor or the appropriate county clerk's office, and in the board's office for public inspection, at least six calendar days before the meeting. The notice shall also be posted at the site of the meeting whenever feasible.

(c) If the written public notice is filed in the office of the lieutenant governor or the appropriate county clerk's office less than six calendar days before the meeting, the lieutenant governor or the appropriate county clerk shall immediately notify the chairperson of the board, or the director of the department within which the board is established or placed, of the tardy filing of the meeting notice. The meeting shall be canceled as a matter of law, the chairperson or the director shall ensure that a notice canceling the meeting is posted at the place of the meeting, and no meeting shall be held.

(d) No board shall change the agenda, once filed, by adding items thereto without a two-thirds recorded vote of all members to which the board is entitled; 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. Items of reasonably major importance not decided at a scheduled meeting shall be considered only at a meeting continued to a reasonable day and time.

(e) The board 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 recorded address no later than the time the agenda is filed under subsection (b). [L 1975, c 166, pt of §1; am L 1976, c 212, §2; am L 1984, c 271, §1; am L 1985, c 278, §4; am L 1995, c 13, §2]

§92-8 Emergency meetings.

(a) If a board finds that an imminent peril to the public health, safety, or welfare requires a meeting in less time than is provided for in section 92-7, the board may hold an emergency meeting provided that:

- (1) The board states in writing the reasons for its findings;
- (2) Two-thirds of all members to which the board is entitled agree that the findings are correct and an emergency exists;
- (3) An emergency agenda and the findings are filed with the office of the lieutenant governor or the appropriate county clerk's office, and in the board's office; and
- (4) Persons requesting notification on a regular basis are contacted by mail or telephone as soon as practicable.

§92-9 Minutes.

(a) The board shall keep written minutes of all meetings. Unless otherwise required by law, neither a full transcript nor a recording of the meeting is required, but the written minutes shall give a true reflection of the matters discussed at the meeting and the views of the participants. The minutes shall include, but need not be limited to:

- (1) The date, time and place of the meeting;
- (2) The members of the board recorded as either present or absent;
- (3) The substance of all matters proposed, discussed, or decided; and a record, by individual member, of any votes taken; and
- (4) Any other information that any member of the board requests be included or reflected in the minutes.

(b) The minutes shall be public records and shall be available within thirty days after the meeting except where such disclosure would be inconsistent with section 92-5; provided that minutes of executive meetings may be withheld so long as their publication would defeat the lawful purpose of the executive meeting, but no longer.

(c) All or any part of a meeting of a board may be recorded by any person in attendance by means of a tape recorder or any other means of sonic reproduction, except when a meeting is closed pursuant to section 92-4; provided the recording does not actively interfere with the conduct of the meeting. [L 1975, c 166, pt of §1]

§92-10 Legislative branch; applicability. Notwithstanding any provisions contained in this chapter to the contrary, open meeting requirements, and provisions regarding enforcement, penalties and sanctions, as they are to relate to the state legislature or to any of its members shall be such as shall be from time to time prescribed by the respective rules and procedures of the senate and the house of representatives, which rules and procedures shall take precedence over this part. Similarly, provisions relating to notice, agenda and minutes of meetings, and such other requirements as may be necessary, shall also be governed by the respective rules and procedures of the senate and the house of representatives. [L 1975, c 166, pt of §1]

§92-11 Voidability. Any final action taken in violation of sections 92-3 and 92-7 shall be voidable upon proof of wilful violation. A suit to void any final action shall be commenced within ninety days of the action. [L 1975, c 166, pt of §1]

§92-12 Enforcement. (a) *The attorney general and the prosecuting attorney shall enforce this part.*

(b) The circuit courts of the State shall have jurisdiction to enforce the provisions of this part by injunction or other appropriate remedy.

(c) Any person may commence a suit in the circuit court of the circuit in which a prohibited act occurs for the purpose of requiring compliance with or preventing violations of this part or to determine the applicability of this part to discussions or decisions of the public body. The court may order payment of reasonable attorney fees and costs to the prevailing party in a suit brought under this section.

(d) The proceedings for review shall not stay the enforcement of any agency decisions; but the reviewing court may order a stay if the following criteria have been met:

(1) There is likelihood that the party bringing the action will prevail on the merits;

(2) Irreparable damage will result if a stay is not ordered;

(3) No irreparable damage to the public will result from the stay order; and

(4) Public interest will be served by the stay order. [L 1975, c 166, pt of §1; am L 1985, c 278, §5]

§92-13 Penalties. Any person who wilfully violates any provisions of this part shall be guilty of a misdemeanor, and upon conviction, may be summarily removed from the board unless otherwise provided by law. [L 1975, c 166, pt of §1]

PART II. BOARDS: QUORUM; GENERAL POWERS

[§92-15] Boards and commissions; quorum; number of votes necessary to validate acts. Whenever the number of members necessary to constitute a quorum to do business, or the number of members necessary to validate any act, of any board or commission of the State or of any political subdivision thereof, is not specified in the law or ordinance creating the same or in any other law or ordinance, a majority of all the members to which the board or commission is entitled shall constitute a quorum to do business, and the concurrence of a majority of all the members to which the board or commission is entitled shall be necessary to make any action of the board or commission valid; provided that due notice shall have been given to all members of the board or commission or a bona fide attempt shall have been made to give the notice to all members to whom it was reasonably practicable to give the notice. This section shall not invalidate any act of any board or commission

performed prior to April 20, 1937, which, under the general law then in effect, would otherwise be valid. [L 1937, c 40, §1; RL 1945, §482; RL 1955, §7-26; HRS §92-11; ren §92-15]

PART IV. NOTICE OF PUBLIC HEARINGS

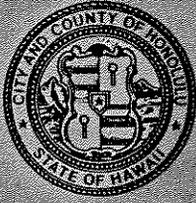
§92-41 Giving public notices. Notwithstanding any law to the contrary, all governmental agencies scheduling a public hearing shall give public notice in the county affected by the proposed action, to inform the public of the time, place, and subject matter of the public hearing. This requirement shall prevail whether or not the governmental agency giving notice of public hearing is specifically required by law, and shall be in addition to other procedures required by law. [L 1972, c 188, §2; am L 1998, c 2, §29]

PART V. PUBLIC RECORDS

§§92-50 to 52 REPEALED. L 1988, c 262

PART VI. GENERAL PROVISIONS

[§92-71] Political subdivision of the State; applicability. The provisions contained in this chapter shall apply to all political subdivisions of the State. Provided, however, in the event that any political subdivision of the State shall provide by charter, ordinance or otherwise, more stringent requirements relating to mandating the openness of meetings, the more stringent provisions of said charter, ordinance, or otherwise, shall apply. [L 1976, c 212, §5]



The Revised **NEIGHBORHOOD PLAN**

of the City and County of Honolulu 1986

1998 EDITION



Neighborhood Commission
City Hall Honolulu 96813

Mufi Hannemann, Mayor

ENCL TO D 0012

**REVISED NEIGHBORHOOD PLAN
OF THE
CITY AND COUNTY OF HONOLULU 1986
(1998 EDITION)**

FOREWORD

In keeping with the spirit of the original Neighborhood Plan and its concept of the "Responsible City," the Neighborhood Commission on June 17, 1986 adopted the Revised Neighborhood Plan of the City and County of Honolulu 1986. This edition contains that document but incorporates all subsequent amendments thereto.

Noteworthy in the 1998 edition are boundary amendments for Neighborhood Areas #20-Aiea, #21-Pearl City, #23-Ewa, and #26-Wahiawa. Where there were previously thirty-two Neighborhood Areas, there are currently thirty-five Neighborhood Areas.

Significant amendments also have been adopted by the Neighborhood Commission to provide the Neighborhood Boards with a legal framework that will better serve their needs as they move forward into the 21st Century. These amendments are reflected in Chapter 1 General Organization and Administration, Chapter 3 Election Rules and Procedures of Neighborhood Boards, and Chapter 4 Rules and Procedures of Neighborhood Boards.

This edition of the Revised Neighborhood Plan 1986, as amended, replaces all previous editions and amendments.

Honolulu, Hawaii
December 1998

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CHAPTER 1
GENERAL ORGANIZATION AND ADMINISTRATION

CHAPTER 1

GENERAL ORGANIZATION AND ADMINISTRATION

Article 1	Purpose
Article 2	Definitions
Article 3	Boundaries
Article 4	Initiation and Formation of Neighborhoods
Article 5	Election of a Neighborhood Board
Article 6	Termination of a Neighborhood Board
Article 7	Powers, Duties, and Functions of a Neighborhood Board
Article 8	Rules for the Conduct of Business
Article 9	Appeals
Article 10	Procedures Governing Hearings Conducted by the Neighborhood Commission
Article 11	Validity
Article 12	Amendments to the Neighborhood Plan

Article 1. Purpose

Section 1-1.1. "Neighborhoods and neighborhood boards to increase and assure effective citizen participation in the decisions of government shall be established in accordance with a neighborhood plan." (Article XIV, Section 14-101, Revised Charter of the City and County of Honolulu 1973 (1994 Edition). (Reso. 84-231)

Amendment Note

1986 Changed Article XIII, Section 13-101 to Article XIV, Section 14-101 conforming to 1978 City Charter amendment and 1984 amendment substituting word "government" for "the city." (Reso. 84-231)

Section 1-1.2. This is the mandate given by the voters to the Neighborhood Commission to develop a Neighborhood Plan.

Article 2. Definitions

Section 1-2.1. For the purpose of this plan, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are defined as follows:

"**Board**" means the duly elected members of the neighborhood board or those appointed by the board to fill a vacancy.

"**City**" means the body politic and corporate by the name of "City and County of Honolulu."

"**City Charter**" means the charter of the City and County of Honolulu as revised by the Charter Commission, effective January 2, 1973.

"**City Clerk**" means the city clerk of the City and County of Honolulu.

"**Commission**" means the Neighborhood Commission of the City and County of Honolulu.

"**Legal resident alien**" means any person not a citizen or national of the United States but who is allowed, under federal law, to reside in the United States.

"**Meeting**" means the convening of the board at which a quorum is present in order to make a decision or to deliberate toward a decision upon a matter over which the board has advisory power.

- (1) **"Regular Meeting"** of a board is one at which a quorum is present and an established order of business is conducted. The acts and business of a board shall include, but not be limited to, the approval of minutes of the previous meeting, reports of standing and/or special committees, unfinished business, and new business.
- (2) **"Special Meeting"** of a board is one at which a quorum is present and the acts and business of the board is confined to the subject(s) so specified.

"Military personnel" means a member of the armed forces of the United States, including the person's spouse or dependents, who is stationed in the State of Hawaii.

"Neighborhood" means an area of the City which has been established by the initiative process outlined in Section 1-4.0 of this Neighborhood Plan.

"Quorum" means the presence of a minimum of one half plus one of the total number of members to which the board is entitled.

"Residence" means that place within the neighborhood and applicable subdistrict in which a person's habitation is fixed, wherein the person has the intention to remain, and to which whenever absent, the person has the intention to return.

"Resident" means a person who physically and legally dwells in a fixed place within the neighborhood and applicable subdistrict of the neighborhood.

"Subdistrict" means a geographical subunit within the neighborhood.

Amendment Note

1986 Amended subsections (a), (e), (f), and added subsections (g), (h), (i), (j), and (k).

1990 Definition for "resident" revised; "unexcused absence" deleted. Added new definitions for terms "legal resident alien," "military personnel," "residence." Numeric designations deleted and definitions rearranged.

Article 3. Boundaries

Section 1-3.1. The boundaries of the neighborhoods shall be delineated on the official Neighborhood Boundary Maps in accordance with the geographical definitions in Chapter 2.

Amendment Note

1986 Added reference to Chapter 2, new topic heading.

Section 1-3.2. The following standards shall be used by the Neighborhood Commission in establishing neighborhood boundaries. These standards shall be used by the commission as guidelines for its periodic review of boundaries, for the granting of amendments, and for changes and adjustments.

(a) Neighborhoods shall be contiguous and compact insofar as practicable.

(b) No neighborhood boundary shall be so drawn as to favor a person or community.

(c) The neighborhoods as a whole shall coincide so far as feasible with Oahu's historic communities. Where practicable, merging of an area in a larger neighborhood wherein substantially different socioeconomic interests dominate shall be avoided.

(d) Where possible, neighborhood boundaries shall follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and when practicable, shall coincide with census tract, precinct, or administrative boundaries.

Amendment Note

1986 Amended section generally.

Section 1-3.3. Amendments to neighborhood boundaries may be requested by petition setting forth the proposed amendment(s) which shall include the map and geographical definition(s). The petition shall be signed

by registered voters residing within the neighborhood equal in number to at least ten percent (10%) of the votes cast in the last preceding election of the neighborhood board, but shall contain not less than 100 signatories. When the proposed amendment(s) involve(s) several neighborhoods, the petition shall bear signatures of at least 100 registered voters from each affected neighborhood.

Amendment Note

1986 Amended section generally. Added requirement that map with geographical definitions accompany petition amendments proposing boundary changes.

Section 1-3.4. The petition shall be filed with the commission and transmitted to the city clerk for verification of the signatures as being those of registered voters.

Section 1-3.5 The commission shall hold a public hearing in the neighborhood within thirty-five (35) calendar days after receiving certification from the city clerk verifying the signatures on the petition as those of registered voters residing in the applicable neighborhood. The purpose of such public hearing shall be to determine whether or not the boundaries, as proposed, should be amended. There shall be fifteen (15) calendar days allowed for written testimony after the close of the public hearing. Within forty-five (45) calendar days following the close of the public hearing, the commission, by resolution, shall approve or disapprove the proposed amendment(s) to the neighborhood boundary. One of the bases for approval or disapproval shall be evidence of neighborhood support as submitted to the commission. The commission reserves the power to amend any detail(s) of the petition when there is evidence of neighborhood support for such an amendment or should any part(s) of the petition require clarity. A report explaining the commission's action(s) shall accompany the resolution.

Amendment Note

1994 Language rearranged; Substituted "thirty-five (35)" for "thirty (30)" calendar days to hold public hearing subsequent to verification of registered voter signature by city clerk.

Section 1-3.6. If the evidence at the public hearing is inconclusive as to neighborhood support for the boundary change, a special election shall be called by the commission to allow residents of the neighborhood(s) affected to indicate what proportion desires the proposed change. The result of such an election shall be considered by the commission in making a decision on the proposed boundary amendment.

Section 1-3.7. The boundaries designated in the Neighborhood Plan shall not be amended within the first year from the date of the filing of the plan with the city clerk. In addition, the boundaries of neighborhoods and any subdistrict(s) shall not be amended within one year from the date of the neighborhood's first election of the board.

Article 4. Initiation and Formation of Neighborhoods

Section 1-4.1. A neighborhood shall be formed by initiative petition signed by five percent (5%) or 100 (whichever is less) of the registered voters within its neighborhood boundaries at the time of the last general election.

Section 1-4.2. The petition shall contain the proposed number of board members, proposed subdistrict areas of the neighborhood defined on a map, and including the geographical definition, and any plans for representation from subdistrict areas of the neighborhood.

Section 1-4.3. The petition shall be filed with the Neighborhood Commission, and transmitted to the city clerk for verification of the signatures as being those of registered voters.

Section 1-4.4. Upon verification by the city clerk, the commission shall publicize the petition within the proposed neighborhood, and call for the submission of any alternative petitions. Within thirty-five (35) calendar days after receiving the signature verification certificate from the city clerk, the commission shall hold a public hearing within the neighborhood as to whether or not the neighborhood should be formed. All additional petitions must be submitted before the close of the public hearing. There shall be fifteen (15) calendar days allowed for written testimony after the close of the public hearing. Within forty-five (45) calendar days following the close of the public hearing, the commission, by resolution, shall approve or disapprove the petition. One of the bases of approval or disapproval shall be evidence of neighborhood support. The commission reserves the power to amend any detail(s) of the petition if there is evidence of neighborhood support for such an amendment or should any part(s) of the petition require clarity. A report explaining the commission's action(s) shall accompany the resolution.

Amendment Note

1994 Substituted "thirty-five (35)" for "thirty (30)" calendar days to hold public hearing subsequent to voter registration signature verification by city clerk.

Section 1-4.5. Amendments to the petition may be requested by the neighborhood board at any time subsequent to approval of the petition by the commission. Approval or disapproval of such amendments shall be made by the commission after it has held a public hearing in the neighborhood. The number of days provided the commission to hold a public hearing, to call for alternative petitions, to allow for written testimony and, by resolution, act on the petition amendment request shall be the same as set forth in the plan under Section 1-4.4.

Amendment Note

1986 Last sentence added.

Article 5. Election of a Neighborhood Board

Section 1-5.1. Each neighborhood shall have a neighborhood board comprised of at least nine (9) members elected by plurality vote from the respective neighborhood or any subdistrict thereof. All boards shall have an uneven number of members who shall be residents, at least eighteen (18) years of age, of the neighborhood.

Section 1-5.2. There may be representation by geographic subunits, namely subdistricts, within the neighborhood. Any subdistrict of the neighborhood must consider the one-person, one-vote principle, allowing for reasonable deviation.

Section 1-5.3. Members of a neighborhood board shall be elected for two (2) year terms. Subsequent changes of the election date by the commission may be implemented upon petition by a neighborhood board. The term of the incumbents may be shortened or extended to coincide with the next biennial election date.

Amendment Note

1996 Style change. Amended word "the" to "a" neighborhood board to be consistent with title heading.

Section 1-5.4. The date, time, place, and method of election shall be approved by the commission. Rules, procedures, and method of election held under this article shall be as provided under Chapter 3 of this plan.

Section 1-5.5. The method of election shall be by mail balloting.

Section 1-5.6. All elections shall be nonpartisan and shall be by secret ballot.

Section 1-5.7. The candidates for election shall file a statement of candidacy on a form provided by the commission. No individual may become a candidate by any other means.

Section 1-5.8. A resident desiring to register as a voter for the election shall make and subscribe to an application in the form of an affidavit provided by the commission. A voter shall be required to register for each succeeding election as provided.

Section 1-5.9. In the event of a tie for the last available board seat whether for at-large or a subdistrict of the neighborhood, and after a recount has been conducted, the winner shall be decided by lot in the presence of the candidates and witnesses.

Amendment Note

1980 Amended section generally.

1986 Amended section generally.

Article 6. Termination of a Neighborhood Board

Section 1-6.1. Termination.

The termination of a neighborhood board may be initiated by the residents of the neighborhood or by the Neighborhood Commission.

(a) The termination of a neighborhood board may be initiated by a petition in the same manner as provided for in the formation of a neighborhood (Article 4). After a public hearing, a two-thirds (2/3) vote of the commission is required to call for a vote in the neighborhood on the question of termination. A board shall be terminated upon an affirmative vote equal to a majority of the votes cast in the termination election provided it is not less than two-thirds (2/3) of the number of votes cast in the last election of the board.

(b) If a neighborhood board fails to meet for six (6) consecutive months or for other valid reasons, the commission may call a public hearing on the termination of the neighborhood board. After the public hearing, a two-thirds (2/3) vote of the commission is required to call for a vote in the neighborhood on the question of termination. A board may be terminated if the majority of votes cast in the termination election are in the affirmative, and if the number of affirmative votes cast are at least equal to two-thirds (2/3) of the votes cast in the board's last election.

Amendment Note

1986 Words "termination" substituted for "removal," "terminated" substituted for "removed." Amended subsection (b) and added last sentence.

Article 7. Powers, Duties, and Functions of a Neighborhood Board

Section 1-7.1. The boards are responsible for actively participating in functions and processes of government by articulating, defining, and addressing neighborhood problems. Their actions should reflect the needs and wants of the neighborhood. Boards are expected to take the initiative in selecting their activities and establishing priorities among them, and to provide means for effective citizen participation in government. The powers, duties, and functions of the board shall include, but not be limited to the following:

(a) Review and make recommendations on any general plan, development plan, and other land use matters within its neighborhood and may review and make recommendations on such changes in other neighborhoods in the city.

(b) Prepare a list of recommended capital improvement projects which reflect the needs of the neighborhood and state the priorities thereof and review and make recommendations on proposed capital improvement plans.

(c) Set goals and objectives, with priorities, which reflect the growth needs of the neighborhood and state the priorities thereof, for the growth of the neighborhood.

(d) Sponsor studies, hold informational meetings, conduct public forums, and make recommendations on problems in the neighborhood to appropriate government officials or agencies.

(e) Monitor and evaluate the efficiency and effectiveness of the government's delivery of services to citizens, and assist in advocating residents' interests to all branches of federal, state and local governments.

(f) Conduct educational programs for the general public regarding the aspect of government's decision-making processes important to board activities and functions.

(g) Hold a regular meeting on a pre-established day of the month in at least ten (10) months of a twelve (12) month annual cycle. The cycle will begin in June and end in May of the following year, unless otherwise set by the commission. At no time shall two (2) consecutive months elapse between regular meetings. All sessions shall be open public meetings held within the neighborhood. The agenda shall be made public by filing with the city clerk not less than seven (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting. The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person. Public notice of all meetings shall be in compliance with the applicable provisions of the Neighborhood Plan and Chapter 92, Hawaii Revised Statutes.

(h) Special meetings open to the public may be called at any time by the chairperson, or a majority of the board. The agenda shall be made public by filing the same with the city clerk not less than six (6) calendar days prior to the special meeting. Written notice of such meetings specifying the subject(s) thereof shall be given to each member and the acts and business of the board shall be confined to the subject(s) so specified. Delivery of notice to the member's mailing address shall be deemed sufficient compliance to the giving of written notice.

(i) Within limitations of staff and financial resources, and in cooperation with such agencies as the satellite city halls, boards may initiate and seek out ways to assist and collaborate with existing community associations and councils in carrying out their functions in harmony with those assigned to neighborhood boards so long as the collaboration does not extend beyond the powers, duties, and functions of neighborhood boards as defined in this Plan.

Amendment Note

1994 Subsection (d), deleted words "public hearing" from provision.

1996 Subsection (d), added "to appropriate government officials or agencies"; subsections (g) and (h) deleted, functions no longer performed or under purview of board; renumbered subsections (i) to (g), (j) to (h), and (k) to (i); new subsection (i), added conditions under which boards may seek ways to assist and collaborate with existing community associations and councils.

Section 1-7.2. The commission shall provide staff and operating expenses for the neighborhood boards in order for them to perform their duties and functions.

Amendment Note

1980 Amended section generally.

1986 Amended generally to conform with 1984 amendment of Sec. 14-101, RCH, redefining role of neighborhood boards. Amended to reflect 1984, 1985 amendments to Chapter 92, HRS., subsection (i) reworded.

Article 8. Rules for the Conduct of Business

Section 1-8.1. The board will conduct its business and shall operate pursuant to the Rules and Procedures of the Neighborhood Board as set forth under Chapter 4 of this Neighborhood Plan.

Section 1-8.2. The rules of parliamentary procedure as set forth by the latest revised edition of Robert's Rules of Order shall govern all boards except when the same are inconsistent with the Neighborhood Plan, the Revised City Charter, and the Hawaii Revised Statutes.

Amendment Note

1994 Language refined.

Article Note

1986 Article 8 amended generally.

Article 9. Appeals

Section 1-9.1. An aggrieved party may secure a review of any judgment of the commission by appeal in writing to the commission within ten (10) days of the publication of such judgment. The commission shall act on such an appeal at its next meeting, and a decision shall be made no more than ten (10) days after the meeting.

Section 1-9.2. Appeal may also be sought in accordance with the Administrative Procedures Act of the State of Hawaii, (Chapter 91, Hawaii Revised Statutes).

**Article 10. Procedures Governing Hearings Conducted by
the Neighborhood Commission**

Section 1-10.1. Authority of the Neighborhood Commission.

The provisions of RCH Section 14-103 relating to the powers, duties, and functions of the commission requires the commission to assist areas of the City in the formation and operation of the neighborhood boards and to review and evaluate the effectiveness of the various neighborhood boards. Implied within this requirement is the authority of the commission to conduct hearings to determine the rights, duties, and privileges of members of the neighborhood boards and any person affected by the actions of any neighborhood board.

Section 1-10.2. Scope of Investigations.

In the interest of the residents of the neighborhoods represented by the neighborhood boards, the commission may review any aspect of the operation of the neighborhood boards to determine the effectiveness of the neighborhood boards in accordance with the Neighborhood Plan, the rules of the neighborhood boards and/or any applicable laws.

Section 1-10.3. Jurisdiction.

The commission will not conduct these hearings unless a written complaint has been filed by the complainant on the form furnished by the commission and signed by the complainant. The filing of the complaint must be witnessed and verified by the executive secretary of the Neighborhood Commission.

Section 1-10.4 Who May Complain; Time Limitations.

Any member of the neighborhood board or any resident of a neighborhood represented by a neighborhood board which is the subject of the complaint may file a complaint. The complaint shall be filed on a form furnished by the commission, and shall be filed within forty-five (45) calendar days from the date of the alleged violation(s) or wrongdoing(s). If, based on the materials submitted, the executive secretary has reason to believe that the complaint has not been filed in a timely fashion, the executive secretary shall refer the complaint to the commission with a recommendation for dismissal. The executive secretary shall notify the complainant and the neighborhood board or members from which the complaint has arisen of a referral to the commission for dismissal. Complainants wishing to protest a potential dismissal for untimeliness may request a hearing on the

issue. Such a hearing shall be held in accordance with the procedures prescribed in Section 1-10.10 of this Neighborhood Plan. No inaction of the executive secretary on the timeliness issue shall preclude a respondent from raising a defense on untimeliness at the time of hearing on the merits pursuant to Section 1-10.10 of this Neighborhood Plan.

Amendment Note

1994 Provision added requiring filing of complaint on form furnished by commission and within forty five calendar days for the alleged violation.

1996 Words "time limitation" added to section heading; provision added to authorize executive secretary to freeze process and recommend dismissal of complaint when given reason to believe complaint failed to be filed within time limitations.

Section 1-10.5 Responses by the Neighborhood Board and Members.

Within five (5) calendar days after the filing date of the complaint, the executive secretary of the commission, by registered or certified mail, shall serve notice on the neighborhood board and members, as applicable. A copy of the complaint shall be furnished with said notice.

A response to the allegation(s) shall be filed with the commission on a form furnished by the commission within thirty (30) calendar days after the date of the notice; provided, however, that, when the executive secretary has referred the complaint to the commission for dismissal in accordance with the provisions of Sec. 1-10.4, no action shall be required of the board or members until the commission has acted upon the recommendation for dismissal. The executive secretary shall notify the parties in writing of the action taken on the referral for dismissal within five (5) work days of the commission's action. The thirty (30) day period within which the response must be filed shall commence upon the date the notification is mailed.

Amendment Note

1994 Added time limit and method of serving notice of complaint on respondent.

1996 Added provision to coincide with procedures authorizing executive secretary to freeze process and recommend dismissal when given to believe complaint failed to be filed in a timely manner as amended under Section 1-10.4.

Section 1-10.6. Response of Neighborhood Board.

Upon filing of a response, the executive secretary of the commission shall transmit a copy of the response within five (5) workdays after filing thereof to the complainant. If the neighborhood board fails to file a response within the aforesaid thirty (30) calendar days, any allegations contained in the complaint shall be deemed admitted by the respondent unless the respondent submits valid reasons in writing for the delay prior to the filing deadline for the response.

Section 1-10.7. Prehearing Review.

On a date set by the executive secretary which shall not be less than ten (10) workdays after the filing of the response, the complainant and the respondent shall appear before a deputy corporation counsel to determine the issues to be heard and resolved by the commission.

Section 1-10.8 Testimony, Witness or Any Evidence.

When a prehearing review has been held and issues have been determined as the result of this prehearing, the complainant and the respondent shall file with the neighborhood commission within ten (10) workdays, a list of witnesses (including addresses), a list of exhibits and copies of any evidence to be introduced at the hearing to support their respective positions. Copies of the list of witnesses, list of exhibits, and evidence shall be exchanged between the complainant and respondent. Failure to abide by the provisions of this section may result in the exclusion of the witnesses and/or evidence at the hearing.

Amendment Note

1996 Section rewritten to define process of submission and exchange of witness listings, exhibit listings and copies of evidence to be introduced at hearing.

Section 1-10.9. Hearing Date.

After the foregoing procedures have been met, the commission shall set a date for a hearing.

Section 1-10.10. Procedures at Hearing.

(a) The complainant shall proceed by making an opening statement, if desired, stating what the complainant intends to prove while the respondent may also give an opening statement, if desired, stating what the respondent intends to prove in support of his/her response to the complaint.

(b) Thereafter the complainant may proceed with his/her case by calling witnesses or submitting any evidence in support of his/her complaint.

(c) During the presentation of the case by either the complainant or respondent, cross-examination of witnesses shall be permitted.

(d) Any document, writing, or object introduced as evidence in support of any party's position must first be examined by the opposing party before being introduced as evidence.

(e) The formal rules of evidence shall not apply to these hearings.

(f) Upon the conclusion of the presentation of the complainant's case, the commission may make a determination whether or not the complainant has submitted sufficient evidence to support his/her complaint. If so, the respondent may proceed with his/her case. If not, the commission may go into executive session to make a determination whether or not to dismiss the complaint.

(g) Upon the conclusion of the presentation of the case by the complainant and the respondent, the commission shall deliberate and arrive at a decision whether to dismiss or sustain the complaint. The commission may go into an executive session only in accordance with Sections 92-4 and 92-5, Hawaii Revised Statutes.

(h) After due deliberation, the commission shall render an oral decision and within ten (10) workdays after such decision issue a decision in writing, but if the hearing involves a contested case as defined in HRS Section 91-9, the commission shall render its decision based on findings of fact and conclusions of law pursuant to HRS Section 91-12.

Amendment Note

1986 Amended subsection (g) and added last sentence.

Section 1-10.11. Imposition of Remedies by the Neighborhood Commission.

If the commission finds in favor of the complainant, the commission shall determine the appropriate remedy commensurate to the gravamen of the complaint.

Section 1-10.12. Reconsideration.

Any person who has been subject to an adverse decision of the commission may request a reconsideration of the decision provided there is new evidence which was not presented at the original hearing. This motion shall be filed within forty-five (45) calendar days following the rendering of said decision. If this motion is denied, the decision of the commission shall stand and there shall be no further administrative appeal or reconsideration of the case; provided nothing herein shall be construed to prohibit the aggrieved person from seeking judicial review pursuant to HRS Chapter 91, Hawaii Administrative Procedures Act.

Amendment Note

1994 Added provision to set conditions of and time limit for filing of motion for reconsideration.

Article 11. Validity

Section 1-11.1. If any section or part of this Neighborhood Plan is held invalid for any reason whatsoever, such invalidity shall not affect the validity of the remaining sections or part of this Neighborhood Plan.

Amendment Note

1978 Altered numeric designation Section XI. Amendments to the Neighborhood Plan to Section XII.

Article 12. Amendments to the Neighborhood Plan

Section 1-12.1. According to Section 14-104 of the City Charter, "The plan may be amended by the commission, after public hearings to be held in various areas of the city and amendments shall become effective upon filing with the city clerk."

Section 1-12.2. A comprehensive review of this Neighborhood Plan shall be conducted by the commission five (5) years after the filing of this plan with the city clerk and every five (5) years thereafter.

Chapter Amendment Note

1978 Added new Section X. Procedures Governing Hearings Conducted By The Neighborhood Commission. Altered numeric designation Section X. Validity to Section XI.

1986 RCH Section 14-104 substituted for Section 13-104 to conform with charter amendments. Format restyled; Added Chapter 1 under new topic heading "General Organization And Administration." Section and subsection numeric designation revised. Amended chapter generally to reflect revised format style. Word "neighborhood" substituted for "community." Amended generally, word "subdistrict" substituted for "subdivision" when referencing geographical subunit within neighborhood. Redefined days as "calendar" or "workday," as applicable.

CHAPTER 2
NEIGHBORHOOD BOUNDARY
MAPS AND GEOGRAPHICAL DEFINITIONS

CHAPTER 2

NEIGHBORHOOD BOUNDARY MAPS AND GEOGRAPHICAL DEFINITIONS

Article 1	Maps of Neighborhood Boundaries
Article 2	Geographical Definitions

Article 1. Maps of Neighborhood Boundaries

Section 2-1.1. In accordance with Section 1-3.1 of the Neighborhood Plan, the following official Neighborhood Boundary Maps 1 and 2 are herein provided.

Exhibit-A, Map 1, dated August 1996, shall be repealed on May 31, 1999.

Exhibit-B, Map 2, dated August 1996, shall be repealed on May 31, 1999.

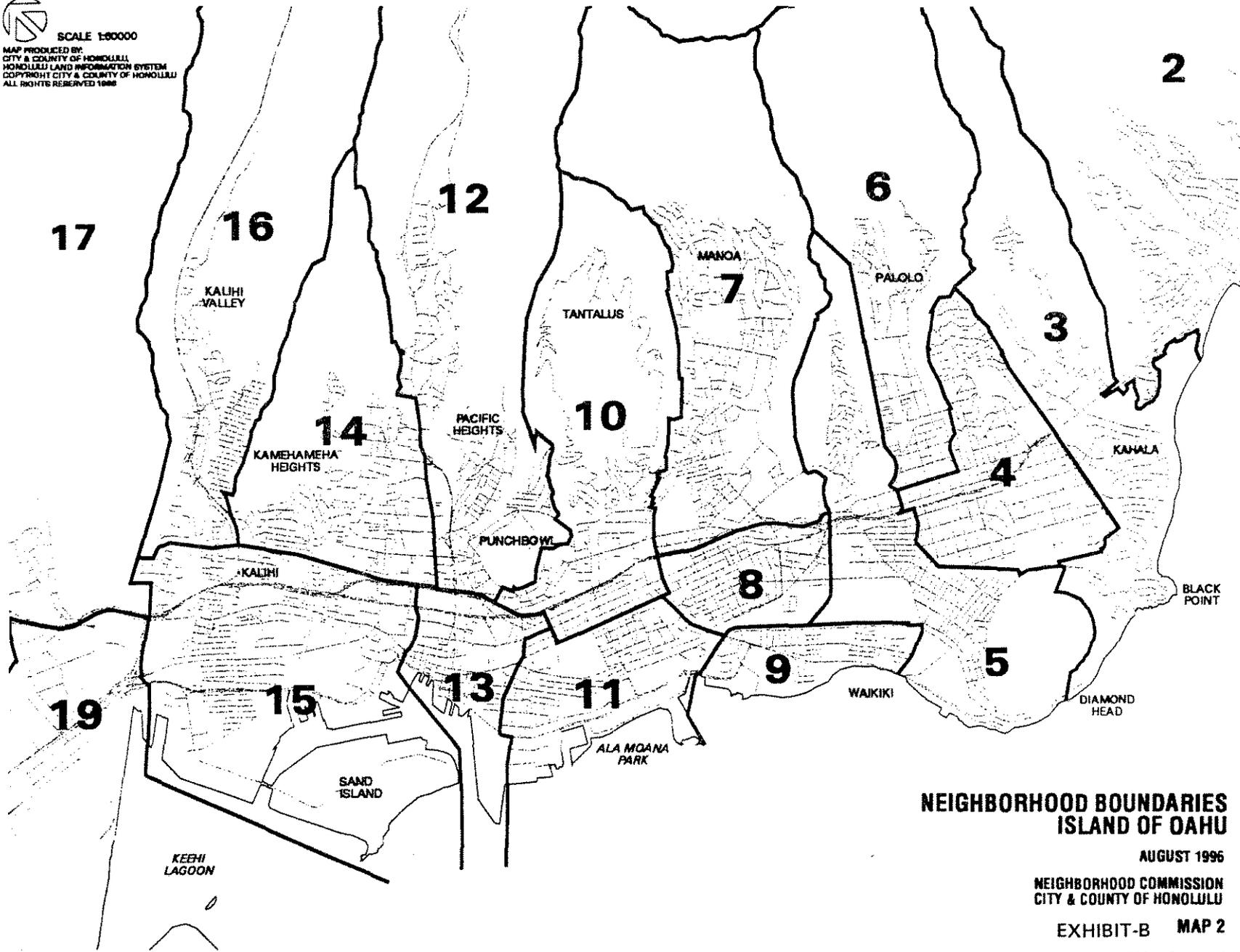
Exhibit-C, Map 1, dated August 1998, shall take effect on June 1, 1999.

Exhibit-D, Map 2, dated August 1998, shall take effect on June 1, 1999.



SCALE 1:50000

MAP PRODUCED BY:
CITY & COUNTY OF HONOLULU
HONOLULU LAND INFORMATION SYSTEM
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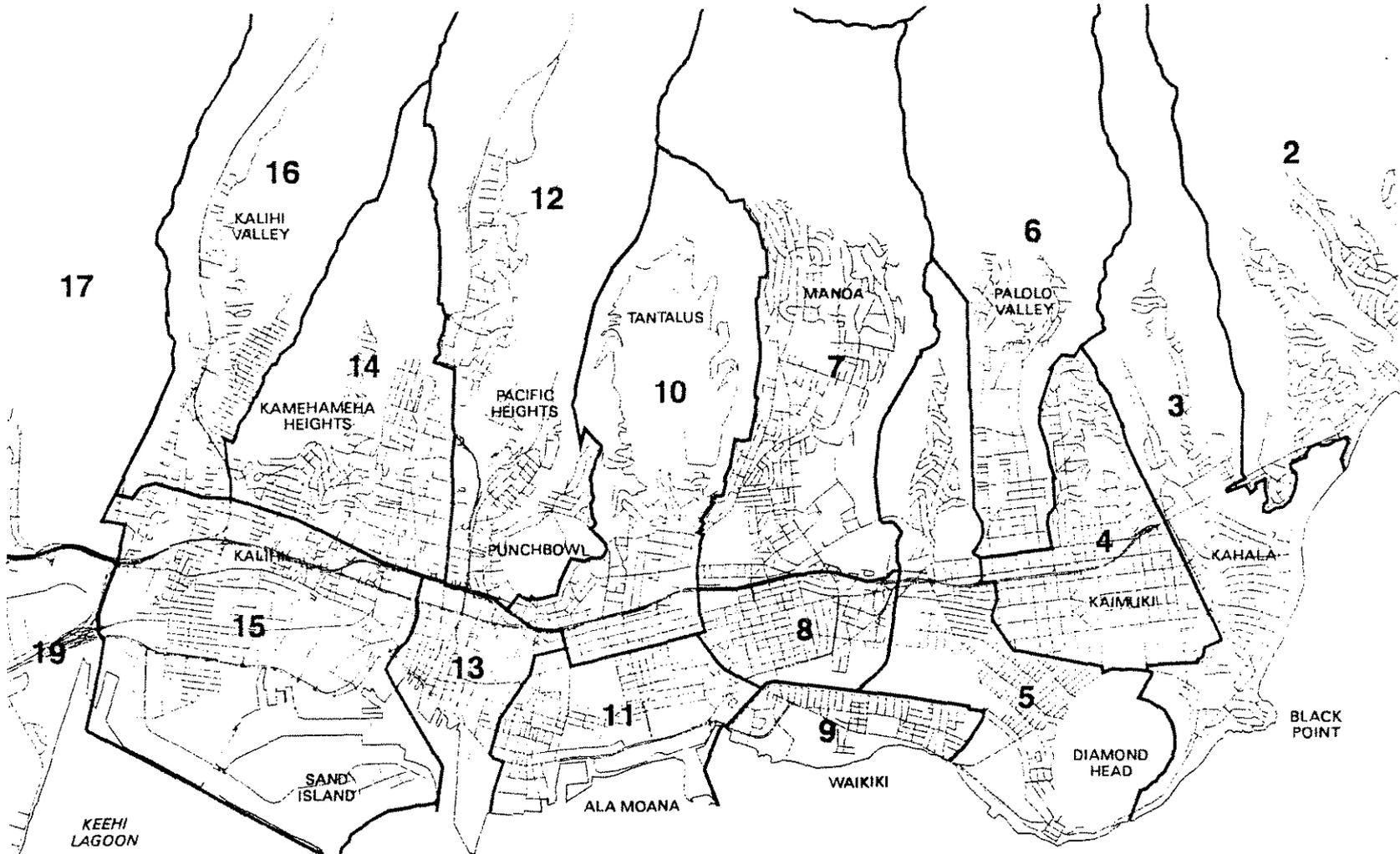
NEIGHBORHOOD BOUNDARIES ISLAND OF OAHU

AUGUST 1996

NEIGHBORHOOD COMMISSION
CITY & COUNTY OF HONOLULU

EXHIBIT-B MAP 2

NOTE: Boundaries shall be repealed as of May 31, 1999.

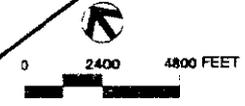


**NEIGHBORHOOD BOUNDARIES
ISLAND OF OAHU**

AUGUST 1998

**NEIGHBORHOOD COMMISSION
CITY & COUNTY OF HONOLULU**

EXHIBIT-D MAP 2



MAP PRODUCED BY:
CITY & COUNTY OF HONOLULU,
HONOLULU LAND INFORMATION SYSTEM
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NOTE: Boundaries shall take effect on June 1, 1999.

Article 2. Geographical Definitions

Section 2-2.1. Pursuant to Section 1-3.1 of this Neighborhood Plan, the geographical definitions of neighborhood boundaries are delineated as follows.

Neighborhood

Boundary Details

- #1 From Makapuu Point, along the coast in a westerly direction to the western outlet of Kuapa Pond, then inland north to May Way to Maunalua Avenue, Maunalua Avenue extended, then north to the crest of Maunalua Ridge to the crest of the Koolau Range (Honolulu City Limits), thence along the crest of the Koolau Range to Makapuu Point.
- #2 From the junction point of the crest of the Koolau Range and Maunalua Ridge, south along Maunalua Ridge to Maunalua Avenue extended, to Maunalua Avenue, to May Way, to the western outlet of Kuapa Pond, along the coast in a westerly direction to the east boundary of the Waialae Golf Course, thence east and north along the boundary of the Waialae Golf Course to the intersection of Waikui Street and Kalaniana'ole Highway, thence northeasterly along the ridgeline of the unnamed ridge east of Kapakahi Gulch to its intersection with Wiliwilinui Ridge, thence along Wiliwilinui Ridge to the crest of the Koolau Range, thence along the crest of the Koolau Range to Maunalua Ridge.
- #3 Beginning at the junction of the crest of the Koolau Range and Wiliwilinui Ridge, south along Wiliwilinui Ridge to its intersection with the crest of an unnamed ridge east of Kapakahi Gulch, thence south along the ridgeline of the unnamed ridge to the intersection of Waikui Street and Kalaniana'ole Highway, thence west and south along the east boundary of the Waialae Golf Course, thence along the coast in a southwesterly direction to the west boundary of the U.S. Coast Guard Reservation, thence in a straight line to the rim of the Diamond Head Crater, thence along the crater rim in a northern direction, thence in a straight line to the intersection of 18th Avenue and Diamond Head Road, thence along 18th Avenue to Puu Panini Avenue, east along Puu Panini Avenue, north along the property line between 4210 and 4220 Puu Panini Avenue, thence in a north and east direction along the back property lines of 4220 to 4326 Puu Panini Avenue to Huanui Street, east along Huanui Street east along the property line between 4405 and 4379 Puu Panini Avenue, thence north along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind one row of homes west of Elepaio and Hunakai Streets, north across Waialae Avenue, north along the east property fence line of the Waialae Drive-In Theater, thence north along the east property fence line, along the fence line extended along the rear property line (east line of Wilhelmina Rise Tract), along the rim of a bluff (east line of Maunalani Heights Tract), thence to Waialaenui Gulch, thence north to the crest of the Koolau Range (Honolulu City Limits) and along the crest to the intersection with Wiliwilinui Ridge.
- #4 Beginning at the rim of the bluff along the east line of the Maunalani Heights Tract, in a southern direction along the fence line of the Waialae Drive-In Theater extended (east line of Wilhelmina Rise Tract), south to the fence along the east property line of the Waialae Drive-In Theater, south across Waialae Avenue, thence south along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind the row of homes west of Hunakai and Elepaio Streets, west along the property line between 4405 and 4379 Puu Panini Avenue, west along Huanui Street, then south and west along the back property lines of 4326 to 4220 Puu Panini Avenue, south along the property line between 4220 and 4210 Puu Panini Avenue, thence west along Puu Panini Avenue to 22nd Avenue, thence south along 22nd Avenue to and along Tax Map Key Designator line 3-2 and 3-1 to 18th Avenue, thence south along 18th Avenue to Diamond Head Road, thence west along Diamond Head Road to Makapuu Avenue, thence north along Makapuu Avenue to Alohea Avenue,

thence along Alohea Avenue to 6th Avenue, thence along 6th Avenue in a northerly direction to the H-1 Freeway, thence in a westerly direction along the H-1 Freeway to the extension of 5th Avenue, thence north along 5th Avenue to Waialae Avenue, thence east along Waialae Avenue to Sierra Drive, thence north along Sierra Drive to the west line of the Wilhelmina Rise Tract, thence north along the rim of the bluff which constitutes the west line of the Wilhelmina Rise and Maunalani Heights Tracts, thence to the point of junction with the east line of the Maunalani Heights Tract.

- #5 Beginning at the intersection of 5th Avenue and Waialae Avenue, south along 5th Avenue to the H-1 Freeway, then east along the H-1 Freeway to 6th Avenue, thence in a southerly direction along 6th Avenue to Alohea Avenue, thence east along Alohea Avenue to Makapuu Avenue, thence south along Makapuu Avenue to Diamond Head Road, thence along Diamond Head Road to the intersection with 18th Avenue, thence in a straight line to the rim of Diamond Head Crater, thence along the rim of Diamond Head, thence in a straight line south to the west boundary of the U.S. Coast Guard Reservation, thence in a westerly direction along the coastline to the intersection of Kalakaua Avenue and Kapahulu Avenue, thence north along Kapahulu Avenue to Ala Wai Boulevard, thence west along Ala Wai Boulevard to a line along the end of Ala Wai Canal, thence west along the Ala Wai Canal to the Manoa-Palolo Drainage Canal, thence north along the Manoa-Palolo Drainage Canal, thence north along the north branch of Manoa Stream, thence in a straight line across Dole Street to Waahila Ridge, thence north along Waahila Ridge to a point on the ridge which intersects with an extension of the southwest boundary of Kawao Park, thence along the southwest boundary of Kawao Park to the Honolulu Watershed Forest Reserve Boundary, thence south along the Forest Reserve Boundary to Palolo Stream, thence south along Palolo Stream to a direct line drawn to the intersection of Palolo Avenue and Waialae Avenue, thence east along Waialae Avenue to 5th Avenue.
- #6 From the junction point of the crest of the Koolau Range and Waialaenui Gulch, thence south along Waialaenui Gulch, thence in a direct line to the rim of a bluff constituting the west boundary of the Maunalani Heights Tract, thence southwest along the west boundary of the Maunalani Heights and Wilhelmina Rise Tracts to Sierra Drive, thence south along Sierra Drive to Waialae Avenue, thence west along Waialae Avenue to the junction of Palolo Avenue and Waialae Avenue, thence in a direct line to Palolo Stream, thence north along Palolo Stream to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve Boundary to southwest boundary of Kawao Park, thence along an extension of the Kawao Park boundary to Waahila Ridge, thence north along Waahila Ridge to the crest of the Koolau Range, thence east along the Koolau Range to the junction with Waialaenui Gulch.
- #7 From the junction of the Koolau Ridge with Waahila Ridge, south along Waahila Ridge, across Dole Street to Manoa Stream, thence south along Manoa Stream to (old) Waialae Avenue, west along Waialae Avenue to the H-1 Freeway, west along H-1 Freeway to Punahou Street, north along Punahou Street to Nehoa Street intersection, west along the northern property boundaries of the homes along the northern side of Nehoa Street to the east boundary of homes on the east side of Ualakaa Street, thence north along the property lines parallel to Ualakaa Street to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve Boundary, and north along the rim of the ridge on the east side of Pauoa Flats to the crest of the Koolau Range, thence east along the Koolau Range until the junction with Waahila Ridge.
- #8 Beginning at the junction of Waialae Avenue and Manoa-Palolo Drainage Canal, south along the Manoa-Palolo Drainage Canal, thence west along the Ala Wai Canal to Kalakaua Avenue, thence north along Kalakaua Avenue to King Street, thence east along King Street to Punahou Street, thence north along Punahou Street to the H-1 Freeway, thence east along the H-1 Freeway to Waialae Avenue, thence north along Waialae Avenue to the Manoa-Palolo Drainage Canal.

- #9** Beginning at the junction of Ala Wai Boulevard and Kapahulu Avenue, thence south along Kapahulu Avenue to the ocean, thence in a westerly direction along the coastline to a line extending to the entrance to the yacht basin, thence north along that line to the Ala Wai Canal, thence along the Ala Wai Canal in a northeasterly and easterly direction to a straight line connecting the end of the Ala Wai Canal with the Ala Wai Boulevard, thence along the Ala Wai Boulevard to its junction with Kapahulu Avenue.
- #10** Beginning at the junction of the face of the ridge on the east side of Pauoa Valley and an unnamed ridge, thence along a line descending along the northeast side of the ridge, thence south along the Honolulu Watershed Forest Reserve Boundary, thence south along the east side of the property lines on the east side of Ualakaa Street to the property lines on the north side of Nehoa Street, thence east along these property lines to Punahou Street, south along Punahou Street to King Street, thence west along King Street to Ward Avenue, thence north along Ward Avenue to the H-1 Freeway, thence west along the H-1 Freeway to Pele Street, thence north along Pele Street and Pele Street extended to the rim of Punchbowl Crater, thence east along the rim of Punchbowl Crater, thence in a straight line to Prospect Street, thence southeast along Prospect Street to Nehoa Street, along Nehoa Street to Auwaiolimu Street, thence north along Auwaiolimu Street to Kanaha Stream, thence north along Kanaha Stream to the Forest Reserve Boundary, thence in a northwesterly direction along the Forest Reserve Boundary to the face of the ridge on the east side of Pauoa Valley, thence north along the ridge on the east side of Pauoa Valley to its junction with an unnamed ridge.
- #11** Beginning at the junction of King Street and Kalakaua Avenue, southeast along Kalakaua Avenue to the Ala Wai Canal, thence southwest along the Ala Wai Canal and a line extending through the channel of the yacht basin, thence along the coastline in a westerly direction to a line extension of Keawe Street, thence north on Keawe Street to Ala Moana Boulevard, west along Ala Moana Boulevard to South Street, thence north along South Street to King Street, east along King Street to Alapai Street, north along Alapai Street to Beretania Street, east along Beretania Street to Ward Avenue, thence south along Ward Avenue to King Street, thence east along King Street to Kalakaua Avenue.
- #12** Beginning at the junction point of the Koolau Ridge and a ridge (Puu Konahuanui), south along the face of the ridge on the east side of Pauoa Flats, thence south along the Forest Reserve Boundary to Tantalus Drive, along Tantalus Drive to Kanaha Stream, south along Kanaha Stream to Auwaiolimu Street, southeast along Auwaiolimu Street to Nehoa Street, along Nehoa Street to Prospect Street, along Prospect Street, thence in a straight line to the rim of Punchbowl Crater, thence in a westerly direction along the rim of Punchbowl Crater, thence in a straight line to Pele Street, south on Pele Street to the H-1 Freeway, to Nuuanu Avenue, north along Nuuanu Avenue to a point south of Ahi Place, thence in a straight line west to Waolani Stream, thence north along Waolani Stream to Kapalama-Waolani Stream Divide (ridge), north to the crest of the Koolau Range, thence east along the Koolau Ridge to Puu Konahuanui.
- #13** Beginning at the intersection of H-1 Freeway and Ward Avenue, south along Ward Avenue to Beretania Street, west along Beretania Street to Alapai Street, south along Alapai Street to King Street, west along King Street to South Street, south along South Street to Ala Moana Boulevard, east along Ala Moana Boulevard to Keawe Street, thence south along Keawe Street and a straight line extended, thence west along the coastline to a straight line running parallel to Pier 17 which extends to Honolulu Harbor, thence in a straight line north to King Street, thence north along Nuuanu Stream to School Street, thence east along School Street to Nuuanu Avenue, thence south along Nuuanu Avenue to the H-1 Freeway, thence east along the H-1 Freeway to Ward Avenue.
- #14** Beginning at the intersection of Waolani Stream and Kapalama-Waolani Stream Divide (ridge), south along Waolani Stream to a point south of Ahi Place where a straight line is drawn parallel

- to Ahi Place to Nuuanu Avenue, thence south along Nuuanu Avenue to School Street, thence west along School Street to Likelike Highway, thence north along Likelike Highway to Kalihi Street, thence north along Kalihi Street to Akahi Street, east parallel to Akahi Street, thence north along the northwest boundary of Kamehameha Schools and north along Kamanaiki-Kapalama Stream Divide (ridge) to Kapalama-Waolani Stream Divide (ridge), thence south to Waolani Stream.
- #15** Beginning at the intersection of School Street and Nuuanu Stream, south along Nuuanu Stream to King Street, thence in a straight line to a line running parallel to Pier 17, extending southeast through Honolulu Harbor, thence west along the Anuenue Island coastline to a straight line in a northwesterly direction through Keehi Lagoon, thence northeast in a straight line to the mouth of Kalihi Stream at Nimitz Highway, west on Nimitz Highway to Middle Street, thence north on Middle Street to the east boundary of Fort Shafter Military Reservation opposite Kahauiki Street, thence west and north along the east boundary of Fort Shafter Military Reservation to Notley Street, thence east on Notley Street to School Street, east on School Street to Nuuanu Stream.
- #16** Beginning at the intersection of the crest of the Koolau Range and the Kalihi-Moole Stream Divide (ridge), south along Kamanaiki-Kapalama Divide (ridge), south along the northwest boundary of Kamehameha Schools to Akahi Street, thence west in a straight line parallel to Akahi Street to Kalihi Street, south along Kalihi Street to Likelike Highway, south on Likelike Highway to School Street, west on School Street to Notley Street, thence west on Notley Street to the east boundary of Fort Shafter Military Reservation, thence north along the east boundary of Fort Shafter to Kalihi-Manaiki Stream Divide (ridge), to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the Kalihi-Moole Stream Divide (ridge).
- #17** Beginning at the intersection of the crest of the Koolau Range and Kalihi-Manaiki Stream Divide (ridge), south to the east boundary of Fort Shafter Military Reservation, thence south along the east boundary of Fort Shafter to a point opposite Kahauiki Street, thence south along Middle Street to the H-1 Freeway, thence west along the H-1 Freeway and Moanalua Road to Halawa Stream, thence north along Halawa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to its junction with Kalihi-Manaiki Stream Divide (ridge).
- #18** Beginning at the intersection of Moanalua Road and Puuloa Road, south along Puuloa Road to Peltier Avenue, thence west along Peltier Avenue, thence in a westerly direction along the northern boundary of Camp Catlin Naval Reservation, thence in a westerly direction along Salt Lake Boulevard to Halawa Stream, thence north along Halawa Stream to Moanalua Road, thence east along Moanalua Road to the intersection with Puuloa Road.
- #19** Beginning at the intersection of the H-1 Freeway and Middle Street, south along Middle Street to Nimitz Highway, east on Nimitz Highway to the mouth of Kalihi Stream, thence in a straight line southwest to a point in Keehi Lagoon opposite an unnamed drainage channel, thence in a straight line southeast ending parallel to the western point of Anuenue Island, thence in a westerly direction to the entrance to Pearl Harbor, thence north up the Middle Loch of Pearl Harbor, thence in an easterly direction in East Loch (south and east of Ford Island) to a point in East Loch opposite the mouth of Halawa Stream, thence east to the mouth of Halawa Stream, thence north on Halawa Stream to Salt Lake Boulevard to the northern boundary of Camp Catlin Naval Reservation, thence east along the Camp Catlin boundary to Peltier Avenue, east along Peltier Avenue to Puuloa Road, thence north on Puuloa Road to Moanalua Road, thence east on Moanalua Road to Middle Street.
- #20** Beginning at the junction of the crest of the Koolau Range and Halawa Stream, south along Halawa Stream to a point opposite the mouth of Halawa Stream in East Loch, thence south (south and east of Ford Island) to a point in Middle Loch, thence in a northwesterly direction up Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence in a northeasterly direction through

East Loch to the mouth of Waimalu Stream, thence north along Waimalu Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to a junction with Halawa Stream.

Amendment Note

1998 Boundary to be repealed on May 31, 1999.

- #20** Beginning at the junction of the crest of the Koolau Range and Halawa Stream, south along Halawa Stream to a point opposite the mouth of Halawa Stream in East Loch, thence south (south and east of Ford Island) to a point in Middle Loch, thence in a northwesterly direction up Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence in a northeasterly direction through East Loch to the mouth of Waimalu Stream, thence north along Waimalu Stream to Kamehameha Highway, west on Kamehameha Highway to Kaahumanu Street, north on Kaahumanu Street to the southern edge of the Crown at Wailuna community, west and north and east along the edge of the Crown at Wailuna community to the ridge between Waiau Gulch and Punanani Gulch, north on the ridge between Waiau Gulch and Punanani Gulch to the crest of the Koolau Range, thence east along the crest of the Koolau Range to a junction with Halawa Stream.

Amendment Note

1998 Boundary amended for implementation with the 1999 neighborhood board election and to take effect on June 1, 1999. Segment seceded from neighborhood area #21 annexed to neighborhood area #20.

- #21** Beginning at the junction of the crest of the Koolau Range and Waimalu Stream, south along Waimalu Stream to East Loch, Pearl Harbor, thence to a point south and west of the tip of Pearl City Peninsula, thence north through Middle Loch in a straight line to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., east along the Oahu R.R. & Land Co. right-of-way to Waiawa Stream, north along Waiawa Stream to Kamehameha Highway, west on Kamehameha Highway to the H-2 Freeway, north on the H-2 Freeway to Kipapa Stream, thence north and east along Kipapa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to Waimalu Stream.

Amendment Note

1998 Boundary to be repealed on May 31, 1999.

- #21** Beginning at the junction of the crest of the Koolau Range and the ridge between Waiau Gulch and Punanani Gulch, south along the ridge between Waiau Gulch and Punanani Gulch to the western edge of the Crown at Wailuna community, south and east along the Crown at Wailuna community boundary to Kaahumanu Street, south along Kaahumanu Street to Kamehameha Highway, east on Kamehameha Highway to Waimalu Stream to East Loch, Pearl Harbor, thence to a point south and west of the tip of Pearl City Peninsula, thence north through Middle Loch in a straight line to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., east along the Oahu R.R. & Land Co. right-of-way to Waiawa Stream, north along Waiawa Stream to Kamehameha Highway, west on Kamehameha Highway to the H-2 Freeway, north on the H-2 Freeway to Kipapa Stream, thence north and east along Kipapa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the extension of the ridge between Waiau Gulch and Punanani Gulch.

Amendment Note

1998 Boundary amended for implementation with the 1999 neighborhood board election and to take effect on June 1, 1999. Neighborhood area partially seceded and excluded area annexed to neighborhood area #20.

- #22** Beginning at the junction of the H-2 Freeway and the Mililani Memorial Park Road, south along the H-2 Freeway to Kamehameha Highway, thence east along Kamehameha Highway to Waiawa Stream, thence south along Waiawa Stream to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., thence west along the Oahu R.R. & Land Co. R.R. right-of-way to a point where a straight line is drawn south through Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence to a point south of Waipio Point, thence in a northwesterly direction through West Loch to a point south of Leowaena Street, thence north along the setback from Leowaena Street to Kunia Road, thence north along Kunia Road to the intersection with Kupehau Road, thence east along power lines to Waikele Stream, thence south along Waikele Stream to Kipapa Stream, thence north along Kipapa Stream to the Mililani Memorial Park Road, thence along the Mililani Memorial Park Road to the H-2 Freeway.
- #23** Beginning at the intersection of Kunia Road and H-1 Freeway, thence south along Kunia Road, thence south along the setback from Leowaena Street to West Loch, southeast through West Loch to a point south of Waipio Point, thence south to the entrance to Pearl Harbor, thence west along the coast to the eastern property line of the Barbers Point Naval Air Station (BPNAS), thence north along the BPNAS property line to the junction with the old OR&L (Oahu Railway and Land) right-of-way, thence in a straight line north to a point where Waimanalo Road intersects Kaloi Gulch, thence north along Kaloi Gulch to the H-1 Freeway, thence east along the H-1 Freeway to the Kunia Road intersection.

Amendment Note

1994 Boundary amended to take effect June 1, 1995 and for implementation with the 1995 neighborhood board election. Neighborhood area partially seceded to create neighborhood area #34.

- #24** Beginning at the junction of the Waianae, Waialua, Wahiawa District Boundaries, south along the Wahiawa-Waianae District Boundary to Puu Kanehoa, south along the west boundary of the Honouliuli Forest Reserve Boundary to Palikea, thence southwest along the western boundary of the Nanakuli Forest Reserve to Waimanalo Gulch, thence south along Waimanalo Gulch to the Pacific Ocean, thence north along the coast to the junction with the Waialua-Waianae District Boundary, thence east along the Waialua-Waianae District Boundary to its junction with the Wahiawa District boundary.
- #25** Beginning at the intersection of the H-2 Freeway and the south boundary line of the Leilehua Golf Course (Wahiawa-Ewa District Boundary line), thence south along the H-2 Freeway to the Mililani Memorial Park Road, thence southwest along the Mililani Memorial Park Road, thence south along Kipapa Stream to Waikele Stream, thence north along Waikele Stream to power lines on the western bank, thence in a westerly direction to Kupehau Road, thence from the intersection of Kupehau Road and Kunia Road in a straight line southwest to Puu Moopuna, thence in a straight line northwest to Palikea on the west boundary of the Honouliuli Forest Reserve, thence north along the crest of the Waianae Ridge to Puu Kanehoa, thence east along Huliwai Gulch to Kunia Road, thence north along Kunia Road, thence along the south and east boundary of Wheeler Air Force Base, thence north along Kamehameha Highway to the south line of Leilehua Golf Course, thence along the Leilehua Golf Course boundary to the H-2 Freeway.
- #26** Beginning at the intersection of the Poamoho Trail (Waialua-Wahiawa District Boundary) and the crest of the Koolau Range (east boundary of Ewa Forest Reserve), thence south along the crest of the Koolau Range to Wahiawa-Ewa District Boundary line, thence west along the Wahiawa-Ewa District Boundary to the closest point of the Waikakalaua Gulch, thence west along the northern boundary of the Waikakalaua Gulch to the H-2 Freeway, thence north along the H-2 Freeway to the south boundary of the Leilehua Golf Course, thence west along the Leilehua Golf Course

boundary to Kamehameha Highway, thence along the east and south boundary of Wheeler Army Air Field, thence south along Kunia Road to Huliwai Gulch, thence west along Huliwai Gulch to Puu Kanehoa, thence north along the west boundary of Schofield Barracks Military Reservation (crest of Waianae Range) thence east along the north boundary of Schofield Barracks Military Reservation (Waialua-Wahiawa District Boundary), thence southeast along Kaukonahua Stream, thence east along the Waialua-Wahiawa District Boundary (Poamoho Stream) to the intersection of Poamoho Trail and the crest of the Koolau Range.

Amendment Note

1996 Boundary amendment to take effect on June 1, 1997 implemented with 1997 neighborhood board election. Neighborhood area partially seceded to create neighborhood area #35.

- #27** Beginning at the mouth of Waiale Stream thence south along Waiale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawaihoa Forest Reserve) thence south to Poamoho Trail, thence west along the Waialua-Wahiawa District Boundary (Poamoho Stream), thence northwest along Kaukonahua Stream, thence west along north boundary of Schofield Barracks Military Reservation, (Waialua-Wahiawa District Boundary), thence west along the crest of the Waianae Range (Waialua-Waianae District Boundary), top of the south rim of the Waianae Range, the south boundary of the Kaena Military Reservation, and the south boundary of Kaena Military Reservation extended, thence northeast along the Pacific Ocean to the mouth of Waiale Stream.
- #28** Beginning at the mouth of Waiale Stream, thence south along Waiale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawaihoa Forest Reserve), thence along the Koolauloa-Wahiawa Boundary to Puu Kaaumakua, thence east along the Koolauloa-Koolaupoko District Boundary to Kaoio Point, thence north along the coast to the mouth of Waiale Stream.
- #29** Beginning at Puu Kaaumakua on the crest of the Koolau Range, east along the crest of the ridge constituting the south boundary of the Hauula Forest Reserve and the Koolauloa-Koolaupoko District line, thence south along the coast to a point south of Heeia Pier and north of Matson Point, thence in a northwesterly direction along the crest of an unnamed ridge, thence in a westerly direction along the crest of the ridge north of Heeia Meadowlands to the crest of the Koolau Range, thence north along the Koolau Range to Puu Kaaumakua.
- #30** Beginning at the junction of the crest of the Koolau Range and the crest of the ridge north of Heeia Meadowlands, thence east along the crest of the ridge north of Heeia Meadowlands, thence south and east along the crest of an unnamed ridge to a point south of Heeia Pier and north of Matson Point, thence south along the coastline (but including Mokuoloe Island) to the southwest boundary of the Kaneohe Marine Corps Air Station at the junction of the H-3 Freeway and Kaneohe Bay, thence in a southwesterly direction along the crest of Mahinui Ridge, thence in a southwesterly direction along the Kaneohe-Kailua Boundary to Kamehameha Highway to its junction with Kalaniana'ole Highway and Pali Highway, (including Hawaii Loa College) thence southwest along the Pali Highway to the crest of the Koolau Range, thence north along the crest of the Koolau Range to its junction with the crest of the ridge north of Heeia Meadowlands.
- #31** Beginning at the junction of the crest of the Koolau Range and the Pali Highway, south and east, then north along the Pali Highway to the junction of Kalaniana'ole Highway and Kamehameha Highway, thence west along Kamehameha Highway to the Kaneohe-Kailua Boundary, thence east along the Kaneohe-Kailua Boundary to Mahinui Ridge, thence north along Mahinui Ridge to the southwestern corner boundary of the Kaneohe Marine Corps Air Station, thence east along the

boundary of the Kaneohe Marine Corps Air Station to the southeastern corner boundary of the Kaneohe Marine Corps Air Station, thence southeast along the coast to the north boundary of Bellows Air Force Base, thence west along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the Olomana Golf Course boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence north along the crest of the Koolau Range to the Pali Highway.

#32 Beginning at the junction of the north boundary of Bellows Air Force Base and the Pacific Ocean, then west along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the boundary of Olomana Golf Course Boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence south along the crest of the Koolau Range along the Koolaupoko-Honolulu District Boundary line to Makapuu Point, thence north along the coast to the northern boundary of Bellows Air Force Base.

#33 Beginning at the southwest corner boundary of the Kaneohe Marine Corps Air Station, thence north along the western coast of the Kaneohe Marine Corps Air Station, thence east along the coast to Mokapu Point, thence south along the eastern coast to the southeastern corner of the Kaneohe Marine Corps Air Station, thence west along the south boundary of the Kaneohe Marine Corps Air Station.

#34 Beginning at a point where the eastern property line of Barbers Point Naval Air Station (BPNAS) intersects with the shoreline, thence west and northwest along the coast to Waimanalo Gulch, thence north and east along Waimanalo Gulch to the west boundary of the Nanakuli Forest Reserve to Palikea, thence in a straight line southeast to Puu Moopuna, thence in a straight line northeast to the junction of Kupehau Road and Kunia Road, thence south along Kunia Road to the H-1 Freeway, thence west along the H-1 Freeway until it intersects with Kaloi Gulch, thence south along Kaloi Gulch to Waimanalo Road, thence south in a straight line to the junction with the old OR&L (Oahu Railway and Land) right-of-way and the BPNAS property line, thence along the eastern BPNAS property line to the shoreline.

Amendment Note

1994 Boundary description established for creation of new neighborhood area #34 to be implemented with the 1995 neighborhood board election and to take effect on June 1, 1995.

#35 Beginning at the intersection of the Wahiawa-Ewa District Boundary and the crest of the Koolau Range, thence south along the crest of the Koolau Range to Kipapa Stream extended, thence southwest along Kipapa Stream to the H-2 Freeway intersection, thence north along the H-2 Freeway to the northern boundary of the Waikakalaua Gulch, thence east along the northern boundary of the Waikakalaua Gulch to the intersection of the closest point of the Wahiawa-Ewa District Boundary, thence east along the Wahiawa-Ewa District Boundary to the intersection of the Wahiawa-Ewa District Boundary and the crest of the Koolau Range.

Amendment Note

1996 Boundary description established for creation of new neighborhood area #35 to be implemented with the 1997 neighborhood board election and to take effect on June 1, 1997.

Chapter Amendment Note

1986 Format restyled; added Chapter 2 under new topic heading "Neighborhood Boundary Maps And Geographical Definitions."

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

Article 1	Definitions
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Article 3	General Provisions
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In accordance with Section 1-5.4 of the Neighborhood Plan, the following rules and procedures are provided.

Article 1. Definitions

Section 3-1.1. Whenever used in these rules, the words and phrases in these rules shall, unless the same is inconsistent with the context, be construed as follows:

"**Ballot**" means a written or printed, or partly written and partly printed paper(s) or card(s) containing the name(s) of person(s) to be voted for and the office to be filled. A ballot may consist of one or more cards or pieces of paper depending upon the number of offices, the candidates to be elected thereto, and the voting system in use.

"**Ballot packet**" means the envelope containing the voter's ballot(s) and any official election materials necessary for the conduct of the election.

"**Candidate**" means an individual who seeks election to a seat on a neighborhood board and files a candidacy declaration with the Neighborhood Commission.

"**Challenged ballot**" means the ballot of a voter whose right to vote has been questioned by another registered voter.

"**Counting center**" means the computer facilities and surrounding premises designated by the executive secretary where electronic voting system ballots are counted.

"**Election**" means all elections, biennial or special, unless otherwise specifically stated.

"**Electronic voting system**" means the method of recording votes which are counted by automatic tabulating equipment.

"**Executive secretary**" means the executive secretary of the Neighborhood Commission.

"**Invalid ballot**" means any ballot which does not meet the requirements for ballots to be counted.

"**Paper ballot voting system**" means the method of recording votes which are counted manually.

"**Qualified resident**" means a person, eighteen (18) years of age and older, whose primary residence is within the neighborhood or subdistrict as applicable.

"**Qualified voter**" means a person whose primary residence is within the neighborhood, and applicable subdistrict, is eighteen (18) years of age or older, and is registered to vote in the neighborhood board election.

"**Reissued ballot**" means a ballot issued to a voter who has spoiled a ballot or reports no delivery of ballot. The term "**Duplicate Ballot**" may be interchangeably used to define same.

"**Spoiled ballot**" means a ballot which is marked incorrectly by the voter, has misprints or is illegibly printed or contains some other defect.

"Vote cast" means any ballot which is returned to the Neighborhood Commission including a ballot that is blank or a ballot later rejected for any reason.

"Voter" means any person duly registered to vote in the neighborhood board election.

"Voting system" means the use of electronic ballot cards, paper ballots, or any other system determined by the executive secretary by which votes are cast and counted.

Amendment Note

1990 "Primary residence" substituted for "domicile" in definitions for "Qualified Resident" and "Qualified Voter."

Article 2. Designation of Units

Section 3-2.1. The large neighborhood area is already designated by the Neighborhood Plan. It may be divided into subdistricts consisting of single member, multi-member, or a combination single member and multi-member districts of approximately equal size in population. The one-person, one-vote principle shall apply in both cases, allowing for reasonable deviation (NP Sec. 1-5.2).

Section 3-2.2. A minimum of nine (9) members shall be elected from the neighborhood. There is no maximum but the total number must be an uneven one (NP Sec. 1-5.1). A neighborhood is defined as an area of the City and County of Honolulu delineated on the official Neighborhood Map (NP Sec. 2-1.1) and as geographically described under Section 2-2.1 of this plan.

Article 3. General Provisions

Section 3-3.1. The method of election shall be mail balloting and all elections shall be nonpartisan and by secret ballot.

Section 3-3.2. All residents, including military personnel and legal resident aliens, whose primary residence is in the neighborhood and applicable subdistrict and who are at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year shall be entitled to register as a voter for the election.

Amendment Note

1990 Substituted "legal resident alien" for "alien" to conform with revised definition and rearranged language.

Section 3-3.3. Any resident, including military personnel and a legal resident alien, who has reached the age of eighteen (18) years or who is seventeen (17) and will be eighteen (18) years of age by the third (3rd) Tuesday in January of the election year, shall be eligible as a candidate to seek election to a board seat in the neighborhood or applicable subdistrict of the person's primary residence.

Amendment Note

1990 Substituted "legal resident alien" for "alien" to coincide with revised definition and "of the person's primary residence" substituted for "in which the person lives permanently."

Section 3-3.4. No person shall register or vote nor shall any person register as a candidate in any other neighborhood, and subdistrict as applicable, election than that in which the voter and/or candidate lives permanently at the time of the election.

Section 3-3.5. The executive secretary of the Neighborhood Commission shall direct all neighborhood board elections. The executive secretary may delegate responsibilities in these elections to other specified persons or parties, as deemed necessary.

Section 3-3.6. The chief monitoring officer shall be appointed by the Neighborhood Commission, and shall certify the results of the election.

Section 3-3.7. No candidate shall serve as an election official or election employee in the same election in which the person is a candidate; nor shall any parent, spouse, child, or sibling of any candidate be eligible to 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 candidates.

Section 3-3.8. Determination of Residence.

(a) In addition to the provisions as set forth in Section 1-2.1 of this plan, the following provisions shall be applicable in determining the residence of a person for election purposes:

- (l) Where a person registering to vote or to be a candidate gives as a primary residence address a location which does not have a street number; the following information shall be required:
 - (A) A description of the location of the residence of the person registering that is sufficient to ascertain a neighborhood and applicable subdistrict of the neighborhood in which the person will vote or be a candidate; and,
 - (B) A mailing address which is within the county where the person is registering to vote or to be a candidate for election, and where the person is legally entitled and does in fact receive mail.

(b) No person claiming residence outside the jurisdiction of the City and County of Honolulu for purposes of voting in any state or national election shall be eligible to participate in the neighborhood board election as a voter or as a candidate as defined in this plan, except military personnel or as otherwise provided in this plan.

Amendment Note

1990 Section 3-3.8 Determination of Residence added under Article 3 General Provision.

1994 Under subsection (b) added "except military personnel or as otherwise provided in this plan."

Article 4. Voter Registration

Section 3-4.1. Any resident who registers shall be entitled to vote in the election provided the person shall have attained the age of eighteen (18) years by the third (3rd) Tuesday in January of the election year.

Section 3-4.2. Registration to vote in the election shall be limited to the neighborhood and applicable subdistrict of the person's primary residence at the time of the election. There shall be only one residence. A voter shall be required to register for each succeeding election except as otherwise provided.

Amendment Note

1990 Language expanded and rearranged.

Section 3-4.3 Voter Registration.

A resident qualified to and desiring to register as a voter for the election shall complete and subscribe to an application in the form of an affidavit to be provided by the Neighborhood Commission office. The affidavit shall contain, but not be limited to, the following information: 1) name; 2) social security number; 3) date of birth; 4) primary residence address and mailing address, if any; and, 5) that the residence stated in the affidavit is the person's primary legal residence. The affidavit shall be filed with the commission by the third (3rd) Tuesday in January of the election year. Any voter registration affidavit filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. of the closing date for registration. When by mail, the envelope

containing the voter registration affidavit shall be postmarked no later than the third (3rd) Tuesday in January of the election year and shall reach the executive secretary by 4:30 p.m. on the tenth (10th) calendar day following this postmark closing date. A voter registration affidavit may be delivered by appropriate electronic means accepted by the city clerk for election registration. Any registration form failing to meet these regulations shall be disqualified and the affected party notified accordingly.

Amendment Note

1990 Substituted "primary residence address" for "address of residence," and "primary legal residence" for "legal and fixed residence." Set receiving interim deadline of ten calendar days from last allowable postmark filing date for voter registration by mail.

1994 Added provision barring and disqualifying person filing a voter registration affidavit by facsimile machine or any other electronic device.

1996 Provision revised to allow voter registration affidavit filing by appropriate electronic means accepted by the city clerk for election registration.

Section 3-4.4. A bona fide resident officially listed by the city clerk as a registered voter for the State of Hawaii election as of the third (3rd) Tuesday in January of the election year, may be declared by the executive secretary to be pre-registered for the biennial neighborhood board election.

Section 3-4.5. Not later than 4:30 p.m. on the tenth (10th) workday following the close of voter registration, there shall be a general register and listing by neighborhood and defined by subdistricts where applicable.

Article 5. Candidates

Section 3-5.1. All candidates shall be at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year and shall be residents of the subdistrict or in the case of an at-large seat of the neighborhood, of which the candidate seeks election. Any time a candidate moves from the respective subdistrict, as applicable, or neighborhood, the candidate is disqualified.

Section 3-5.2. Candidates shall complete and file a declaration of candidacy with the commission by the third (3rd) Tuesday in January of the election year. Any statement of candidacy filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. on the closing date of filing. When registering by mail, the envelope containing the statement of candidacy shall be postmarked no later than the third (3rd) Tuesday in January of the election year and shall reach the executive secretary by 4:30 p.m. on the tenth (10th) calendar day following this postmark closing date. No statement of candidacy shall be filed with the commission by means of a facsimile (FAX) machine or any other electronic device. Any candidate declaration failing to meet these filing regulations shall be disqualified.

Amendment Note

1990 Defined receiving interim deadline of ten calendar days from last allowable postmark filing date for candidacy registrations by mail. Exceptions by waiver request deleted.

1994 Amended to prohibit declaration of candidacy filing by facsimile machine or any other electronic device.

Section 3-5.3 Candidates.

The statement of candidacy in the form of an affidavit and provided by the commission shall contain, but is not limited to the following information: 1) name of candidate; 2) board seat seeking; 3) social security number; 4) date of birth; 5) primary residence address; 6) mailing or post office address, if any; and 7) signature of applicant. For the purpose of this provision, there shall be only one residence for the person. Neighborhood board candidates shall not accept any in-kind contribution from other candidates for elective office or their

committees or any monetary contributions from funds created by other candidates for elective office or their committees.

When candidate profiles are required for publication needs, the information shall appear as submitted in writing by the potential candidate providing the contents comply with space requirements and contain no offensive language or untrue statements. Should it be necessary to edit the profile for aforementioned reasons, the candidate shall approve the revised language prior to use.

Amendment Note

1990 Substituted "primary residence address" for "address of principal residence."

1996 Provision added prohibiting a candidate from accepting in-kind contribution or any monetary contributions from funds created by other candidates for elective office or their committees. Also added procedures when candidate profiles are required for publication.

Section 3-5.4. No person shall register as a candidate for election for more than one seat on the board concurrently.

Section 3-5.5 Any candidate may withdraw provided the withdrawal notice is in writing on a form provided by the commission and filed with the executive secretary by 4:30 p.m. on the tenth (10th) calendar day after the candidacy filing deadline. In the event a candidate dies, is disqualified, or files a withdrawal notice before the withdrawal deadline, the candidate's name shall be excluded from the ballot. In the event a candidate dies, is disqualified, or files a withdrawal notice after the withdrawal deadline but before the ballots are mailed to voters pursuant to Section 3-6.5, the executive secretary, if feasible, shall order the candidate's name excluded or stricken from the ballot. In the event a candidate dies, is disqualified, or files a withdrawal notice after the withdrawal deadline and the executive secretary determines that it is not feasible to order the candidate's name excluded or stricken from the ballot, the executive secretary, if feasible, shall order that a notice of death, disqualification, or withdrawal be made available to the voters involved; provided that the manner of notice to the voters shall be determined by the executive secretary. Should a candidate die, be disqualified, or file a withdrawal notice in the period between the withdrawal deadline and the day immediately preceding the date established for elected candidates to begin their terms of office under Section 3-7.10 and wins a seat, the next candidate with the greatest number of votes shall fill the seat. The seat of any winning candidate filing a withdrawal notice on or after the date established for elected candidates to begin their terms of office under Section 3-7.10 shall be declared vacant and shall be filled by the elected board as provided in Section 4-2.2, Rules and Procedures of the Neighborhood Board.

Amendment Note

1990 Substituted "May 31" for "the first (1st) workday in May" and "June 1" for "the first (1st) workday in June."

1993 Clarified conditions for excluding candidate's name from ballot when candidate dies, is disqualified, or withdraws. Substituted "the day immediately preceding the date established for elected candidates to begin their terms of office under Section 3-7.10" for "May 31." Also, substituted words "the date established for elected candidates to begin their terms of office under Section 3-7.10" for "June 1." Various grammatical and technical changes made.

Section 3-5.6. Not later than 4:30 p.m. on the tenth (10th) workday after the close of candidacy withdrawals, there shall be a certified list of all qualified residents for whom candidacy declarations have been filed with the commission and who are entitled to be voted for in the election. The list, certified by the executive secretary, shall contain, but is not limited to, the names of all persons and the board seat for which each is a candidate.

Amendment Note

1994 Substituted "tenth (10th) workday" for "sixth (6th) workday."

Section 3-5.7. Any candidate seeking election to a board shall be disqualified immediately when the person moves from the subdistrict or in the case of an at-large seat, from the neighborhood.

Section 3-5.8. If there is an insufficient number of candidates, or in the case of a candidate's death, disqualification or withdrawal, the vacancy shall be filled by the elected board within sixty (60) calendar days after the date established for elected candidates to begin their terms of office under Section 3-7.10 or the first (1st) workday thereafter if this date is not a workday.

Amendment Note

1993 Changed deadline for neighborhood board to fill vacancy caused by insufficient number of candidates in the election or by a candidate's death or withdrawal. Clarified that candidate's disqualification may cause a vacancy. Grammatical corrections made.

Section 3-5.9. In the event of a tie between two or more candidates for the last available seat, when in a subdistrict or in an at-large neighborhood, and after a recount has been conducted, the winner shall be decided by lot under proceedings conducted by the chief monitoring officer not later than five (5) workdays after the certified election results are made public pursuant to Section 3-7.8.

Amendment Note

1993 Changed deadline for proceedings to select a winner by lot in the event of a tie vote. Technical correction made.

Section 3-5.10. When the election is decided by lot, the candidate shall sign a statement to the use of the lot, shall be bound by the lot, and shall bring no election contest under Section 3-8.2 after the drawing of the lot. Each candidate shall be present at the drawing of the lot together with not more than two (2) witnesses of their choice. Should a candidate desire to forgo presence at the drawing, a waiver of this right shall be in writing and filed with the chief monitoring officer by 4:30 p.m. at least one (1) day prior to the date established for the drawing.

Article 6. Ballots

Section 3-6.1. A ballot shall contain the names of candidates, the neighborhood and subdistrict in which the election is being conducted, the manner in which the ballots are to be marked, and state that the voter shall vote for not more than the number of seats or the number of candidates listed where such a number is less than the seats available.

Section 3-6.2. The names of the candidates shall be placed on the ballot in alphabetical order, last names first, and may be printed with the Hawaiian or English equivalent or nickname, provided the candidate so requests in writing on the statement of candidacy form furnished by the Neighborhood Commission at the time the declaration is filed.

Section 3-6.3 Ballots.

The ballot shall bear no personal or professional title, word, motto, device, sign, or symbol other than the official seal of the City and County of Honolulu and/or the commission's logo, unless otherwise declared essential by the executive secretary. Ballot mailing shall contain only materials pertaining to the election of the neighborhood board members.

Amendment Note

1996 Revised to limit ballot mailing only to materials pertaining to the neighborhood board election.

Section 3-6.4. Sample of ballot layouts prior to printing shall be available for viewing by candidates after the close of candidacy filing, as they are available.

Section 3-6.5. Ballots shall be mailed to qualified voters by the fourth (4th) Friday in March of the election year. Following this date, a qualified voter not receiving a ballot may notify the commission office and request a replacement ballot. The commission office may reissue and mail a new ballot which shall be appropriately marked "**Second Ballot**" (alternatively "**2nd Ballot**").

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Section 3-6.6. The period to issue replacement ballots shall open on the first workday after the date the ballots are mailed pursuant to Section 3-6.5. It shall close at 4:30 p.m. seven (7) workdays prior to the postmark date for return of ballots pursuant to Section 3-6.9. No requests for replacement ballots shall be honored except during this period. These provisions may be applied to replacement requests for spoiled or lost ballots when properly noticed by the qualified voter within the reissuing period.

Amendment Note

1993 Changed period for requesting replacement ballots.

Section 3-6.7. Immediately upon receipt of a replacement ballot request within the time limit as specified in Section 3-6.6, records shall be examined by the commission office to ascertain whether or not the person is qualified and entitled to vote as requested. Upon verification, a replacement ballot shall be issued and mailed in an official election packet. All requests received on the last day of the reissuing period shall be mailed to the voter as soon as practicable, but no later than twenty-four (24) hours after receipt.

Section 3-6.8. Whenever a request has been fulfilled to replace a spoiled or lost ballot, the originally issued ballot, when returned, shall be marked "**spoiled**" by the chief monitoring officer or designated election official(s) and considered void. All spoiled, invalid, or challenged ballots shall be segregated and retained apart from other ballots in a secure manner and turned over to the vote tabulators at an appropriate time.

Section 3-6.9. All ballots shall be returned by mail in the return envelope provided and postmarked by the third (3rd) Monday in April of the election year. Any ballot delivered to the commission office other than by mail or postmarked after the closing date shall be disqualified and declared "**invalid.**"

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Article 7. Voting Procedures

Section 3-7.1. The secrecy of the ballot and the accurate recording, counting, and safeguarding of the ballot shall be paramount.

Section 3-7.2. Any violation, wrongdoing, or discrepancy relating to these rules shall be made known to the executive secretary, the chief monitoring officer, or a designated representative at the earliest possible time.

Section 3-7.3. When a voter loses or incorrectly marks a ballot in the process of voting, or receives an illegible or misprinted ballot, upon request and subsequent verification of the voter's eligibility, a new ballot, clearly marked "**Second Ballot**" (alternatively "**2nd Ballot**") shall be issued by the commission within the time limit as specified in Section 3-6.6. The originally issued ballot when returned shall be marked "**spoiled**" and securely retained apart from other ballots by the chief monitoring officer or designated election official(s). At a given time, the spoiled ballots shall be transferred to the vote tabulators.

Section 3-7.4. A voted ballot envelope containing a ballot shall be signed by the registered voter identified on the envelope. Said signature shall appear on the outside of the voted ballot envelope in the space provided. Unsigned voted ballot envelopes shall be disqualified and declared invalid. Voted ballot envelopes which when opened contain no ballots shall be marked and considered invalid for auditing purposes and deposited in the invalid ballot box.

Amendment Note

1994 Added provision for registered voter signature requirements and disposition of unsigned voted ballot envelopes.

Section 3-7.5. The tally sheets used in counting the ballots cast shall be marked and handled in a secure fashion. After all ballots have been tabulated, the tally sheets and ballots shall be turned over to the commission for safekeeping for thirty (30) calendar days after the certified election results are made public pursuant to Section 3-7.8. The ballots and other election records may be destroyed by the chief election officer when all elected candidates have been certified by the commission and the safekeeping period of thirty (30) calendar days has elapsed.

Amendment Note

1993 Changed retention period for tally sheets and ballots.

Section 3-7.6. In counting the ballots, the total number of ballots shall be verified to equal the total number of voted ballot envelopes recorded as received with the mail-in ballots. When there are more ballots than the records show as having been received, it shall be an overage and when less ballots it shall be a shortage. The election official responsible for the tabulation of ballots shall make a note of any overage or shortage after the vote is tabulated.

Section 3-7.7. Should the overage or shortage of ballots be significant to change the outcome of any election contest, an investigation shall be conducted by the chief monitoring officer and/or a designated election official. The chief monitoring officer's certified report disclosing its findings shall be submitted with the certified election returns to the commission.

Section 3-7.8. The chief monitoring officer shall certify the results of the election for the commission. The certified election results shall be made public on the first (1st) workday in May of the election year by the commission.

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Section 3-7.9. The commission shall verify the election and announce the results. The number of persons elected receiving the highest number of votes in any election of a neighborhood or subdistrict as applicable, shall be declared to be elected. The commission shall swear in the board members and issue a certificate of election.

The swearing in ceremony or ceremonies shall take place on a date or dates and at a time or times and place or places determined by the commission after the challenge period is elapsed.

Amendment Note

1993 Changed to provide that one or more swearing in ceremonies may be conducted on such dates, times, and places as determined by the commission.

Section 3-7.10 Elected candidates may be administered the oath of office five (5) calendar days after the election, unless challenged, for a term of office beginning the first (1st) calendar day in June of the election year and expiring twenty-four (24) months later on the last calendar day in May.

Amendment Note

1993 Temporary amendment applied only to terms of office for 1991-1993 and 1993-1995 implemented on May 28, 1993 and repealed on July 1, 1995; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Section 3-7.11. Insofar as the limits of the room or counting center in which the tabulation of ballots take place reasonably allow, the counting of ballots shall be open to the public. At no time shall the public interfere with the election process.

Article 8. Challenge

Section 3-8.1 Voter Registration.

A resident, registered with the commission to vote in the election, may challenge the right of a person to be or to remain registered as a voter in a given neighborhood or applicable subdistrict. The challenge shall be on grounds that the voter fails to meet the qualifications as set forth in Section 3-3.2 of these rules. The challenge shall be in writing defining the grounds on which it is based and signed by the person making the challenge. Before 4:30 p.m. on the first (1st) workday in March of the election year, all voter registration challenges shall be filed with the executive secretary who shall forthwith serve notice on the person challenged. No voter registration objection shall be considered after this closing. The executive secretary shall, as soon as possible, investigate and rule on the challenge. The voter's proof of primary residence and age, when applicable, shall consist of an identification card, driver's license, birth certificate, or a notarized statement. No other or further challenge shall be allowed for the same person in a single election.

Amendment Note

1990 Language rearranged. Printing error word "evidence" corrected to "residence."

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

1994 Filing date for voter registration challenge changed to "the first (1st) workday in March" from "the second Monday in April."

Section 3-8.2. Candidacy.

A candidacy declaration filed in conformity with Section 3-3.3 of these rules shall be considered valid unless objection is made, in writing, by the executive secretary, the chief monitoring officer, or a voter registered for the neighborhood board election. Such objections shall be made no later than 4:30 p.m. on the tenth (10th) workday after the closing of the candidacy filing. When an objection is made, the executive secretary shall serve notice on the person challenged by registered or certified mail setting forth the grounds of objection. The executive secretary shall be empowered to conduct evidentiary hearings and may administer oaths. The hearing shall be held no later than four (4) workdays after the objection is filed. All objections shall be decided by the

executive secretary no later than 4:30 p.m. on the second (2nd) workday after the hearing is concluded. All objections which are upheld shall be placed in writing by the deciding official if so requested by the candidate affected.

Amendment Note

1990 Substituted "four (4) workdays after the objection is filed" for " four (4) workdays after the objection is made," and "second (2nd) workday after the hearing is concluded" for "second (2nd) workday after the hearing is held." Deleted sentence restricting a candidate's "right to an administrative contested case hearing as defined in Sec. 91-1(5), HRS." Language rearranged.

1994 Substituted "tenth (10th) workday" for "second (2nd) workday" after the closing of the candidacy filing.

Section 3-8.3. Other Challenges.

All challenges or charges of violations of an election other than provided for under Section 3-8.1 and Section 3-8.2 of these Rules, shall be filed within five (5) workdays after the certified election results are made public pursuant to Section 3-7.8. The challenge shall be in writing, setting forth the grounds upon which it is based and signed by at least thirty (30) registered voters of the affected neighborhood or applicable subdistrict. The challenge shall be delivered to the chief monitoring officer who shall notify the person(s) affected by the action. The chief monitoring officer, who shall promulgate procedures for the investigative proceedings, shall also be empowered to conduct evidentiary hearings and may administer oaths. The hearings shall be held no later than four (4) workdays after the charges are filed. The chief monitoring officer shall: 1) Rule on the challenge by 4:30 p.m. on the second (2nd) workday after the challenge is filed or when a hearing is required, make a decision by 4:30 p.m. on the second (2nd) workday after the hearing is concluded; 2) Place the decision in writing; and 3) Submit the written decision to the commission.

Amendment Note

1990 Chief monitoring officer empowered to administer oaths. Deleted sentence precluding complainant's "right to an administrative contested case hearing as defined in Section 91-1(5), HRS." Language rearranged.

1993 Changed deadline for bringing challenges to or charges of violation of Neighborhood Board elections. Technical corrections made.

Article 9. Vacancy

Section 3-9.1 A vacancy shall occur immediately whenever a board member moves from the subdistrict or in the case of an at-large member, from the neighborhood to which elected or appointed. A neighborhood board member elected or appointed to an elective public office shall resign from the neighborhood board prior to assuming elective public office.

Amendment Note

1996 Added provision requiring resignation of a neighborhood board member prior to assuming elective public office.

Section 3-9.2. When a board's total membership is unfilled after the election due to insufficient number of candidates or is caused by a candidate's death, disqualification, or withdrawal, the vacancy shall be filled by the elected board within sixty (60) calendar days after the date established for elected candidates to begin their terms of office under Section 3-7.10 or the first (1st) workday thereafter if such a date is not a workday.

Amendment Note

1993 Changed deadline for neighborhood board to fill a vacancy caused by insufficient number of candidates in the election. Also, clarified that "candidate disqualification" may cause a vacancy.

Section 3-9.3. Should a vacancy occur on the board during the tenure of office, the remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term within sixty (60) calendar days of that declared vacancy.

Section 3-9.4. If the number of vacancies is such that the remaining members do not constitute a quorum, the commission shall:

- (a) Certify as elected one or more unsuccessful candidates receiving the next highest number of votes in the last election to fill the vacancies necessary to constitute a quorum.
- (b) Call for a special neighborhood board election to fill the vacancy.
- (c) Suspend the board for its tenure of office.

Section 3-9.5. All vacancies shall be filled only at a regular meeting of the board. The affirmative vote of at least the majority of all the members to which the board is entitled shall be necessary to take action. The intent to fill the vacancy shall be properly noticed and given to all the remaining members of the board by the board chairperson.

Article 10. Miscellaneous

Section 3-10.1. Optional Methods of Conducting Elections.

Notwithstanding, the provisions contained in Section 1-5.1 through Section 1-5.9 of this plan, the Neighborhood Commission shall be authorized to engage in alternative demonstration methods of election where the commission determines it to be in the best interest of community participation.

Article 11. Validity

Section 3-11.1. If any part or section of the Election Rules and Procedures of the Neighborhood Boards is held invalid for any reason, such invalidity shall not affect the validity of the remaining part(s) or section(s) of the Election Rules and Procedures for the Neighborhood Boards.

Chapter Note

1986 Abolished Rules For Method Of Election Of The Neighborhood Boards as adopted in 1980. Replaced with rewritten "Election Rules And Procedures For Neighborhood Boards," as new topic heading under Chapter 3. Format restyled.

CHAPTER 4

RULES AND PROCEDURES OF THE NEIGHBORHOOD BOARD

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RULES AND PROCEDURES OF THE NEIGHBORHOOD BOARD

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In accordance with Section 1-8.1 of the Neighborhood Plan, the following rules shall govern the neighborhood boards.

Rule No. 1. Definitions

Section 4-1.1. For the purpose of these rules, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are the same as defined under Section 1-2.1 of the Neighborhood Plan.

Rule No. 2. General Provisions

Section 4-2.1. Membership.

The members of the neighborhood board shall be residents, at least eighteen (18) years of age, duly elected by vote of the respective neighborhood or any subdistrict thereof according to the Neighborhood Plan of the City and County of Honolulu.

Section 4-2.2. Vacancy.

Any vacancy occurring other than by the expiration of a term of office shall be filled within sixty (60) calendar days after its occurrence. The remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term. The vacancy shall be filled only at a regular meeting of the board after reasonable notice of intent has been given to all remaining members of the board by the chairperson.

Section 4-2.3. Absence.

When a board member accumulates three (3) or more absences from properly noticed regular board meetings within a one (1) year period, beginning June 1 and ending May 31, the board shall have the option to declare the seat vacant and appoint a successor pursuant to Section 4-2.2 of this Plan. At least twenty-one (21) calendar days

prior to such action, however, the board, by registered or certified mail, shall serve notice on the incumbent at the person's last known address, of the board's intent to implement the option to declare the seat vacant.

Amendment Note

1990 Substituted "accumulates three (3) or more absences from" for "has an unexcused absence for three (3) consecutive."
Defined June 1 to May 31 as one year period.

1994 Provision added to define process for serving notice of absences on the incumbent.

Rule No. 3. Methods Whereby Public May Obtain Information

Section 4-3.1. Source.

The public may obtain information as to matters within the jurisdiction of the neighborhood board by inquiring at the office of the Neighborhood Commission, City Hall, or where established by the board, at the resource center of the neighborhood.

Section 4-3.2. Request for Information.

Requests for information may be made in person or by submitting a request in writing to the chairperson of the neighborhood board.

Rule No. 4. Initial Convening of the Board

Section 4-4.1. Procedures for Initial Convening.

(a) For the initial convening of the newly elected neighborhood board, the board member receiving the highest number of votes in the board election immediately preceding shall call the neighborhood board members to order and shall serve as the temporary presiding officer. In the case of a tie, the temporary chairperson shall be decided by lot.

(b) The board shall then elect its officers. The officers elected by the board from its membership shall assume office immediately upon election.

(c) No action shall be taken until the chairperson is elected.

(d) The order of business shall then proceed in the following sequence:

(1) Fill any vacant seat(s) on the board.

(2) Pre-establish a specific day of the month on which the board will hold its regular meetings.

Rule No. 5. Officers and Their Duties

Section 4-5.1. The officers of a neighborhood board shall consist of the chairperson, vice chairperson, recording secretary, and any other officers the board feels is necessary to conduct board business.

Section 4-5.2. The chairperson and all officers shall be elected annually by and from the membership of the board. Each shall be elected at a regular meeting by the majority vote of the entire membership of the board. The term of an officer shall be for one year, beginning in June and ending the following May.

Any action to remove an officer shall occur only at a properly noticed regular meeting of the board and shall require the affirmative vote of a majority of the board's entire membership. The reason(s) to support the action to remove any officer must be in writing and presented at said board meeting.

When a vacancy occurs during the tenure of an officer, whether caused by the resignation, death or removal from office, the remaining members shall elect a successor only at a regular meeting of the board. The

affirmative vote of a majority of the board's entire membership shall be required to fill the unexpired term of the office. The intent to fill said vacancy shall be properly noticed and given to all the remaining members of the board by the board chairperson or, in the absence of the chairperson, by the acting board chairperson.

(a) **Chairperson.** The chairperson shall be the presiding officer of the neighborhood board. In the absence of the chairperson, the vice chairperson shall act as chairperson. In the absence of both the chairperson and the vice chairperson, the recording secretary shall act as chairperson. In the absence of all officers, the board shall designate the presiding officer as required to conduct business for that meeting.

It shall be the duty of the chairperson to:

- (1) Serve as the spokesperson and representative of the board.
- (2) Open all meetings of the board at the appointed hour by taking the chair and calling the board to order.
- (3) Call for the approval of the minutes of the previous meeting.
- (4) Maintain order and decorum.
- (5) Receive and submit all matters properly brought before the board in the order prescribed by the rules.
- (6) Receive all communications and present them promptly to the board.
- (7) Appoint all committee chairs, unless otherwise directed by the board.
- (8) Authenticate by signature all advisory actions of the board.
- (9) Make known all rules of the neighborhood board when so requested and to decide all questions of order.
- (10) Promptly make the proper referral of matters brought before the board to the appropriate committee(s).
- (11) Perform such other duties as may be required by law or such as may properly pertain to such office.
- (12) Vote at all meetings.
- (13) Appoint a temporary recording secretary in the absence of the recording secretary.

(b) **Vice Chairperson.** It shall be the duty of the vice chairperson to:

- (1) Serve with the chairperson as the spokesperson and representative for the neighborhood board.
- (2) Assist the chairperson in formulating neighborhood board objectives and programs for consideration by the various committees.
- (3) Assist the chairperson to anticipate issues and problems deserving or in need of special meetings.
- (4) Exercise all duties and powers of the chairperson in the absence of the chairperson.

(c) **Recording Secretary.** It shall be the duty of the recording secretary to:

- (1) Keep an accurate journal of proceedings and to perform such other duties as assigned by the neighborhood board.
- (2) Assist the chairperson to anticipate issues and problems deserving or in need of special meetings.
- (3) Exercise all the duties and powers of the chairperson in the absence of the chairperson and the vice chairperson.

Amendment Note

1990 Deleted subsections 4-5.2(a)(14) and 4-5.2(b)(5) to coincide with deletion of "unexcused absence" provision.

1993 Temporary amendment applied only to the 1993 election implemented on May 28, 1993 and repealed on Sept. 1, 1993; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

1994 Provision added to define officers elected only at a regular meeting of the board by the majority vote of the membership; established term limits for officers; set process and procedures for the removal of an officer and defined procedures for the filling of a vacant officer position.

1997 Deleted term limit for an officer.

Section 4-5.3. In the event the chairperson's seat becomes vacant, the vice chairperson shall be designated the temporary presiding officer until a successor is elected to fill the unexpired term of the chairperson.

Rule No. 6. Committees

Section 4-6.1. The board shall be entitled to form committees as necessary to carry out its function. The function of such committees shall be to report its findings and to propose recommendations to the neighborhood board for appropriate action. No committee may speak for the board.

Rule No. 7. Conduct of Business

Section 4-7.1. Meetings.

(a) Regular Meeting(s).

- (1) A regular meeting of the board on a pre-established day of the month shall be held in at least ten (10) months of a twelve (12) month annual cycle. The cycle shall start in June and end in May, unless otherwise set by the commission. At no time shall two (2) consecutive months elapse between regular meetings.
- (2) All sessions shall be open public meetings held within the neighborhood.
- (3) The agenda shall be made public by filing with the city clerk not less than seven (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting.
- (4) The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person(s).
- (5) Public notice of all meetings shall be in compliance with applicable provisions of the Neighborhood Plan and Section 92-7, Hawaii Revised Statutes.

(b) Special Meeting(s).

- (1) Special meetings open to the public may be called at any time by the chairperson or a majority of the board.
- (2) The agenda shall be made public by filing with the city clerk not less than six (6) calendar days prior to the special meeting.
- (3) Written notice specifying the subject(s) thereof shall be given to each member at least six (6) calendar days prior to such meeting. The acts and business of the board at such special meeting shall be confined to the subject(s) so specified.
- (4) Delivery of notice to the member's mailing list shall be deemed sufficient compliance to the giving of written notice. Verbal notice may be given in person or by telephone.

Amendment Note

1993 Temporary amendment applied only to the 1992-1993 and 1993-1994 meeting cycles implemented on May 28, 1993 and repealed on July 1, 1994; further, upon repeal, section readopted in the form as it read on the day before the effective date of the provisional amendment.

Section 4-7.2. Notice.

The board shall give written public notice of any regular, special, or rescheduled meeting. The notice shall include an agenda listing all of the items to be considered at the forthcoming meeting, in addition to the date, time and place of the meeting.

(a) The agenda shall be filed with the office of the city clerk.

(b) No board shall change the agenda, once filed, by adding items without a two-thirds (2/3) recorded vote of all members to which the board is entitled; provided that no item shall be added to the agenda in this manner if it is of reasonable major importance and action by the board will affect a significant number of persons.

(c) All boards shall comply with Chapter 92, Hawaii Revised Statutes.

Section 4-7.3 Minutes.

The board shall keep written minutes of all regular and special meetings in compliance with applicable provisions under Chapter 92, Hawaii Revised Statutes. The minutes shall be public records and shall be available within thirty (30) calendar days after the meeting. All action(s) to correct and approve the minutes shall take place only at a regular meeting of the board.

Amendment Note

1994 Section added covering provisions on minutes.

Section 4-7.4. Adjournment.

A meeting may be adjourned at any time by an affirmative vote of at least the majority of the entire membership to which the board is entitled. Every adjournment shall be deemed to be to the next regular meeting of the board unless otherwise specified in the motion.

Amendment Note

1994 Deleted automatic adjournment of meeting when quorum lost. Renumbered section from 4-7.3 to 4-7.4.

Section 4-7.5. Quorum and Majority Vote.

A majority of all the members to which the board is entitled shall constitute a quorum to do business. The affirmative vote of at least the majority of the entire membership to which the board is entitled shall be necessary to take action.

Amendment Note

1994 Renumbered section from 4-7.4 to 4-7.5.

Section 4-7.6. Voting.

All meetings of the board shall be open to the public and every vote taken by the board shall be by open ballot. There shall be three (3) methods of ascertaining the decision of the neighborhood board upon any matter: by show of hands; by the call of roll of members; or, by unanimous consent. The vote of individual members shall be recorded and reflected in the minutes of the meeting.

Amendment Note

1994 Renumbered section from 4-7.5 to 4-7.6.

Rule No. 8. Parliamentary Practices

Section 4-8.1. Motions.

(a) No motion shall be received and considered by the board until the same has been seconded. However, committee recommendations need not be seconded.

(b) Motions and amendments may be verbal but shall be recorded in writing by the recording secretary and shall be read by the recording secretary or any member if so desired.

(c) After a motion is stated or read by the chairperson, it is deemed in the possession of the board. However, any motion may be withdrawn by the mover with the consent of the corresponding second at any time before a vote is taken on the motion.

(d) Whenever any question is under discussion, the motion relative thereto shall be:

First, to lay on the table;

Second, to postpone to a certain time;

Third, to commit (or refer);

Fourth, to amend; and

Fifth, to postpone indefinitely.

Such motions shall have precedence in the order named. The first two (2) motions shall be decided without debate.

(e) When one of the foregoing motions fail or is decided in the negative, the same shall not be revived at the same meeting relative to the main question under discussion. If all are decided in the negative, the only remaining question shall be as to the passage or adoption of the proposed action.

Section 4-8.2. Priority of Business.

(a) The board may, by vote, designate any matter properly placed on the agenda to be a special order of business, which shall take precedence over all other business.

(b) Except for the first meeting of the new board, the unfinished business in which the board was engaged at the time of the last adjournment shall have preference in the agenda. No business shall be received until such unfinished business is disposed of, unless by special leave of the board.

(c) All questions relating to the priority of business to be acted upon by the board shall be decided without debate.

Section 4-8.3 Motion to Adjourn.

A motion to adjourn is always in order and shall be decided without debate. One motion to adjourn shall not follow another without intervening business. A meeting may be adjourned at any time by the majority vote, unless a quorum is lost. When a quorum is lost, the meeting may be adjourned by the affirmative vote of the majority of board members present.

Amendment Note

1996 Deleted automatic adjournment to be consistent with Section 4-7.4, as amended, and added procedure for an adjournment when quorum is lost.

Section 4-8.4. Question of Order.

A question of order shall be raised at any stage of the proceedings, except when votes are being counted during a roll call vote. Such questions shall be decided by the presiding officer without debate, subject to an appeal to the board.

Section 4-8.5. Previous Question.

The object of the motion for the previous question is to cut off debate. It shall always be in order and shall be ordered by the majority vote of the entire membership. Whenever such motion prevails, the question on the floor shall be put to a vote. If the question on the floor is a subsidiary motion and the previous question is moved for all pending motions, all such motions are voted on without debate.

Rule No. 9. Order and Decorum

Section 4-9.1. The chairperson shall vacate the chair when taking part in a debate. The vice chairperson shall then assume the chair. In the absence of the vice chairperson, the recording secretary shall be the presiding officer. In the absence of all other officers, the chairperson shall appoint a temporary chairperson and vacate the chair.

Section 4-9.2. When a board member or person properly before the board wishes to speak, the member or person shall address the chairperson, be recognized before proceeding, and shall confine remarks to the question under discussion, avoiding personalities and abusive language.

Section 4-9.3. If a board member or other person in speaking, or otherwise, shall violate these rules, the presiding officer or any board member may raise a question of order. The presiding officer shall then decide the question of order without debate.

Section 4-9.4. When any person is called to order while speaking, such person shall be in possession of the floor after the question of order is decided, and may proceed with the matter under discussion within the ruling on the question of order.

Rule No. 10. Standards of Conduct

Section 4-10.1. Conflicts of Interest.

No neighborhood board member shall:

- (a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any form under circumstances in which it can reasonably be inferred that the gift is intended to influence a board member in the performance of the member's neighborhood board duties.
- (b) Disclose confidential information gained by reason of a board member's position, or use such information for the personal gain or benefit of anyone.
- (c) Engage in any business transaction or activity, or have a financial interest, directly or indirectly, which is incompatible with the proper discharge of a board member's duties or which may tend to impair the member's independence of judgement in the performance of the member's duties.

Section 4-10.2. Disclosure of Interest.

When a board member makes a disclosure orally or in writing of a personal or private interest in any action pending before the board or its committees, such disclosure shall be recorded in the minutes of the meeting(s) of the board. Such disclosure shall be applicable to all subsequent actions relating to the same subject matter. No Board member filing a disclosure shall be disqualified from voting on the matter relating to the conflict of interest.

Section 4-10.3 Political Activity.

- (a) No neighborhood board shall use its official position or title to:
 - (1) Endorse a candidate for elective office.
 - (2) Engage in any political activity which could be implied to endorse or support a candidate for elective office.
- (b) The foregoing prohibited activity shall not be deemed to preclude the right of any individual neighborhood board member to engage in these political activities as a private individual.

Amendment Note

1990 Section 4-10.3 Political Activities new section added.

1996 Deleted words "or appointive" from subsections (a)(1) and (a)(2).

Rule No. 11. Parliamentary Authority

Section 4-11.1. The rules of parliamentary practice, as set forth by the latest edition of Robert's Rules of Order, Newly Revised, shall govern the neighborhood board where the same are not covered or in conflict with these rules.

Rule No. 12. Violations of Provisions

Section 4-12.1. Any final action taken by the board in violation of any of the provisions of these rules shall be voided by the Neighborhood Commission after a hearing is conducted pursuant to Section 1-10 of the Neighborhood Plan or as provided under Section 92-11, Hawaii Revised Statutes.

Rule No. 13. Rules in Conflict with the Charter

Section 4-13.1. If any rule contained is in conflict with the provisions of the Revised Charter, the Hawaii Revised Statutes, as amended, the Neighborhood Plan, or other laws, such rule shall be deemed invalid. Such invalidity shall not affect other rules contained herein.

Rule No. 14. Validity

Section 4-14.1. If any part or section of these rules is held to be invalid for any reason, such invalidity shall not affect the validity of the remaining part or section of these rules.

Chapter Amendment Note

1986 Chapter 4 added establishing unified set of Board Rules and Procedures.

C/A:DNP98EDV.WPF
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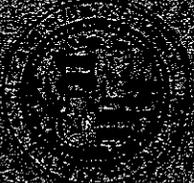
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The Revised NEIGHBORHOOD PLAN

OF THE CITY AND COUNTY OF HONOLULU, 1986

1993 EDITION



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Honolulu Neighborhood
Commission
Revised Neighborhood Plan
of the City and County of
Honolulu, 1986

Neighborhood Commission
Hall, Honolulu, Hawaii
J. East, Mayor

REVISED NEIGHBORHOOD PLAN
OF THE
CITY AND COUNTY OF HONOLULU 1986
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FORWARD

In keeping with the spirit of the original Neighborhood Plan and its concept of the "The Responsible City," the Neighborhood Commission on June 17, 1986 adopted the Revised Neighborhood Plan 1986 after holding public hearings in three separate regional areas of Oahu to provide all interested persons an opportunity to comment. This document was the product of the Commission's comprehensive three year study of the existing Plan for the purpose of identifying those areas requiring changes or additions to provide a legal framework to better serve the Neighborhood Boards in their operations.

In July 1989, the Commission renewed its study of the Revised Neighborhood Plan 1986 to fulfill its mandate as directed under Section 14-104(b), Revised Charter of the City and County of Honolulu, and Section 1-12.2 of the Revised Neighborhood Plan 1986. Subsequent to this review, comments on the amendment proposals were solicited from the Neighborhood Boards and public hearings were conducted by the Neighborhood Commission to elicit additional input. The resulting amendments were then adopted by the Commission on August 27, 1990 to better define some of the election provisions and to establish standards of conduct on political activities.

The most recent changes to the Plan were adopted by the Neighborhood Commission in May 1993 to provide for a new schedule for the 1993 Neighborhood Board election and also the continuity of the Neighborhood Board system. Prior to the adoption of these provisions, three public hearings were held by the Commission to which interested persons were invited to attend and submit information, views and arguments on the proposed changes. Although all newly amended provisions are election or board term related, the application of some are temporary while others are permanent.

This edition of the Revised Neighborhood Plan 1986 incorporates all provisions in effect at this printing and replaces all previous editions and amendments.

Honolulu, Hawaii
June 1993

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CHAPTER 1

GENERAL ORGANIZATION AND ADMINISTRATION

CHAPTER 1

GENERAL ORGANIZATION AND ADMINISTRATION

Article 1. Purpose

Sec. 1-1.1. "Neighborhoods and neighborhood boards to increase and assure effective citizen participation in the decisions of government shall be established in accordance with a neighborhood plan." (Article XIV, Section 14-101, Revised Charter of the City and County of Honolulu 1973 (1984 Edition). (Reso. 84-231)

Amendment Note

1986 changed Article XIII, Sec. 13-101 to Article XIV, Sec. 14-101 conforming to 1978 City Charter amendment and 1984 amendment substituting word "government" for "the city." (Reso. 84-231)

Sec. 1-1.2. This is the mandate given by the voters to the Neighborhood Commission to develop a Neighborhood Plan.

Article 2. Definitions

Sec. 1-2.1. For the purpose of this plan, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are defined as follows:

"**Board**" means the duly elected members of the neighborhood board or those appointed by the board to fill a vacancy.

"**City**" means the body politic and corporate by the name of "City and County of Honolulu."

"**City Charter**" means the charter of the City and County of Honolulu as revised by the Charter Commission, effective January 2, 1973.

"**City Clerk**" means the city clerk of the City and County of Honolulu.

"**Commission**" means the Neighborhood Commission of the City and County of Honolulu.

"**Legal resident alien**" means any person not a citizen or national of the United States but who is allowed, under federal law, to reside in the United States.

"**Meeting**" means the convening of the board at which a quorum is present in order to make a decision or to deliberate toward a decision upon a matter over which the board has advisory power.

(1) A "**Regular Meeting**" of a board is one at which a quorum is present and an established order of business is conducted. The acts and business of a board shall include, but not be limited to, the approval of minutes of the previous meeting, reports of standing and/or special committees, unfinished business and new business.

(2) A "**Special Meeting**" of a board is one at which a quorum is present and the acts and business of the board is confined to the subject(s) so specified.

"**Military personnel**" means a member of the armed forces of the United States, including the person's spouse or dependents, who is stationed in the State of Hawaii.

"**Neighborhood**" means an area of the City which has been established by the initiative process outlined in Sec. 1-4.0 of this Neighborhood Plan.

"**Quorum**" means the presence of a minimum of one half plus one of the total number of members to which the board is entitled.

"**Residence**" means that place within the neighborhood and applicable subdistrict in which a person's habitation is fixed, wherein the person has the intention to remain, and to which whenever absent, the person has the intention to return.

"**Resident**" means a person who physically and legally dwells in a fixed place within the neighborhood and applicable subdistrict of the neighborhood.

"Subdistrict" means a geographical subunit within the neighborhood.

Amendment Note

1986 Amended subsections (a), (e), (f), and added subsections (g), (h), (i), (j) and (k).

1990 Definition for "resident" revised; "unexcused absence" deleted. Added new definitions for terms "legal resident alien," "military personnel," "residence." Numeric designations deleted and definitions rearranged.

Article 3. Boundaries

Sec. 1-3.1. The boundaries of the neighborhoods shall be delineated on the official Neighborhood Boundary Maps in accordance with the geographical definitions in Chapter 2.

Amendment Note

1986 Added reference to Chapter 2, new topic heading.

Sec. 1-3.2. The following standards shall be used by the Neighborhood Commission in establishing neighborhood boundaries. These standards shall be used by the commission as guidelines for its periodic review of boundaries, for the granting of amendments, and for changes and adjustments.

(a) Neighborhoods shall be contiguous and compact insofar as practicable.

(b) No neighborhood boundary shall be so drawn as to favor a person or community.

(c) The neighborhoods as a whole shall coincide so far as feasible with Oahu's historic communities. Where practicable, merging of an area in a larger neighborhood wherein substantially different socioeconomic interests dominate shall be avoided.

(d) Where possible, neighborhood boundaries shall follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and when practicable, shall coincide with census tract, precinct, or administrative boundaries.

Amendment Note

1986 Amended section generally.

Sec. 1-3.3. Amendments to neighborhood boundaries may be requested by petition setting forth the proposed amendment(s) which shall include the map and geographical definition(s). The petition shall be signed by registered voters residing within the neighborhood equal in number to at least ten percent (10%) of the votes cast in the last preceding election of the neighborhood board but shall contain not less than 100 signatories. When the proposed amendment(s) involve(s) several neighborhoods, the petition shall bear signatures of at least 100 registered voters from each affected neighborhood.

Amendment Note

1986 Amended section generally. Added requirement that map with geographical definitions accompany petition amendments proposing boundary changes.

Sec. 1-3.4. The petition shall be filed with the commission and transmitted to the city clerk for verification of the signatures as being those of registered voters.

Sec. 1-3.5. Within thirty (30) calendar days of receipt of the petition, the commission shall hold a public hearing within the neighborhood as to whether or not the boundaries should be amended. There shall be fifteen

(15) calendar days allowed for written testimony after the close of the public hearing. Within forty-five (45) calendar days following the close of the public hearing, the commission, by resolution, shall approve or disapprove the amendment to the neighborhood boundary. One of the bases of approval or disapproval shall be evidence of neighborhood support as submitted to the commission. A report explaining the commission's action shall accompany the resolution.

Sec. 1-3.6. If the evidence at the public hearing is inconclusive as to neighborhood support for the boundary change, a special election shall be called by the commission to allow residents of the neighborhood(s) affected to indicate what proportion desires the proposed change. The result of such an election shall be considered by the commission in making a decision on the proposed boundary amendment.

Sec. 1-3.7. The boundaries designated in the Neighborhood Plan shall not be amended within the first year from the date of the filing of the plan with the city clerk. In addition, the boundaries of neighborhoods and any subdistrict(s) shall not be amended within one year from the date of the neighborhood's first election of the board.

Article 4. Initiation And Formation Of Neighborhoods

Sec. 1-4.1. A neighborhood shall be formed by initiative petition signed by five percent (5%) or 100 (whichever is less) of the registered voters within its neighborhood boundaries at the time of the last general election.

Sec. 1-4.2. The petition shall contain the proposed number of board members, proposed subdistrict areas of the neighborhood defined on a map and including the geographical definition, and any plans for representation from subdistrict areas of the neighborhood.

Sec. 1-4.3. The petition shall be filed with the Neighborhood Commission and transmitted to the city clerk for verification of the signatures as being those of registered voters.

Sec. 1-4.4. Upon verification by the city clerk, the commission shall publicize the petition within the proposed neighborhood and call for submission of any alternative petitions. Within thirty (30) calendar days of the receipt of the petition, the commission shall hold a public hearing within the neighborhood as to whether or not the neighborhood should be formed. All additional petitions must be submitted before the close of the public hearing. There shall be fifteen (15) calendar days allowed for written testimony after the close of the public hearing. Within forty-five (45) calendar days following the close of the public hearing, the Neighborhood Commission, by resolution, shall approve or disapprove the petition. One of the bases of approval or disapproval shall be evidence of neighborhood support. The commission reserves the power to amend any details of the petition if there is evidence of neighborhood support for such an amendment or should any part(s) of the petition require clarity. A report explaining the commission's action(s) shall accompany the resolution.

Sec. 1-4.5. Amendments to the petition may be requested by the neighborhood board at any time subsequent to approval of the petition by the commission. Approval or disapproval of such amendments shall be made by the commission after it has held a public hearing in the neighborhood. The number of days provided the commission to hold a public hearing, to call for alternative petitions, to allow for written testimony and, by resolution, act on the petition amendment request shall be the same as set forth in the plan under Sec. 1-4.4.

Amendment Note

1986 last sentence added.

Article 5. Election Of A Neighborhood Board

Sec. 1-5.1. Each neighborhood shall have a neighborhood board comprised of at least nine (9) members elected by plurality vote from the respective neighborhood or any subdistrict thereof. All boards shall have an uneven number of members who shall be residents, at least eighteen (18) years of age, of the neighborhood.

Sec. 1-5.2. There may be representation by geographic subunits, namely subdistricts, within the neighborhood. Any subdistrict of the neighborhood must consider the one-person, one-vote principle, allowing for reasonable deviation.

Sec. 1-5.3. Members of the board shall be elected for two (2) year terms. Subsequent changes of the election date by the commission may be implemented upon petition by the neighborhood board. The term of incumbents may be shortened or extended to coincide with the next biennial election date.

Sec. 1-5.4. The date, time, place, and method of election shall be approved by the commission. Rules, procedures, and method of election held under this article shall be as provided under Chapter 3 of this plan.

Sec. 1-5.5. The method of election shall be by mail balloting.

Sec. 1-5.6. All elections shall be nonpartisan and shall be by secret ballot.

Sec. 1-5.7. The candidates for election shall file a statement of candidacy on a form provided by the commission. No individual may become a candidate by any other means.

Sec. 1-5.8. A resident desiring to register as a voter for the election shall make and subscribe to an application in the form of an affidavit provided by the commission. A voter shall be required to register for each succeeding election as provided.

Sec. 1-5.9. In the event of a tie for the last available board seat whether for at-large or a subdistrict of the neighborhood, and after a recount has been conducted, the winner shall be decided by lot in the presence of the candidates and witnesses.

Amendment Note

1980 Amended section generally.
1986 Amended section generally.

Article 6. Termination Of A Neighborhood Board

Sec. 1-6.1. Termination.

The termination of a neighborhood board may be initiated by the residents of the neighborhood or by the Neighborhood Commission.

(a) The termination of a neighborhood board may be initiated by a petition in the same manner as provided for in the formation of a neighborhood (Article 4). After a public hearing, a two-thirds (2/3) vote of the commission is required to call for a vote in the neighborhood on the question of termination. A board shall be terminated upon an affirmative vote equal to a majority of the votes cast in the termination election provided it is not less than two-thirds (2/3) of the number of votes cast in the last election of the board.

(b) If a neighborhood board fails to meet for six (6) consecutive months or for other valid reasons, the commission may call a public hearing on the termination of the neighborhood board. After the public hearing, a two-thirds (2/3) vote of the commission is required to call for a vote in the neighborhood on the question of

termination. A board may be terminated if the majority of votes cast in the termination election are in the affirmative, and if the number of affirmative votes cast are at least equal to two-thirds (2/3) of the votes cast in the board's last election.

Amendment Note

1986 "termination" substituted for "removal," "terminated" substituted for "removed." Amended subsection (b) and added last sentence.

Article 7. Powers, Duties And Functions Of A Neighborhood Board

Sec. 1-7.1. The boards are responsible for actively participating in functions and processes of government by articulating, defining, and addressing neighborhood problems. Their actions should reflect the needs and wants of the neighborhood. Boards are expected to take the initiative in selecting their activities and establishing priorities among them, and to provide means for effective citizen participation in government. However, the powers, duties and functions of the board shall include, but not be limited to the following.

(a) Review and make recommendations on any general plan, development plan, and other land use matters within its neighborhood and may review and make recommendations on such changes in other neighborhoods in the city.

(b) Prepare a list of recommended capital improvement projects which reflect the needs of the neighborhood and state the priorities thereof and review and make recommendations on proposed capital improvement plans.

(c) Set goals and objectives, with priorities, which reflect the growth needs of the neighborhood and state the priorities thereof, for the growth of the neighborhood.

(d) Sponsor studies, hold public hearings, informational meetings, conduct public forums, and make recommendations on problems in the neighborhood.

(e) Monitor and evaluate the efficiency and effectiveness of the government's delivery of services to citizens and assist in advocating residents' interests to all branches of federal, state and local governments.

(f) Conduct educational programs for the general public regarding the aspect of government's decision-making processes important to board activities and functions.

(g) Cooperate with other boards in developing and operating resource centers to be located at a site within the neighborhood. Such a center shall be for the use of the entire community.

(h) No later than thirty (30) calendar days after the close of the fiscal year, each board shall submit a written report of its activities to the commission in such form as the commission may prescribe. A copy of such report shall be filed in the office of the commission.

(i) Hold a regular meeting on a pre-established day of the month in at least ten (10) months of a twelve (12) month annual cycle. The cycle will begin in June and end in May of the following year, unless otherwise set by the commission. At no time shall two (2) consecutive months elapse between regular meetings. All sessions shall be open public meetings held within the neighborhood. The agenda shall be made public by filing with the city clerk not less than seven (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting. The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person. Public notice of all meetings shall be in compliance with the applicable provisions of the Neighborhood Plan and Chapter 92, Hawaii Revised Statutes.

(j) Special meetings open to the public may be called at any time by the chairperson, or a majority of the board. The agenda shall be made public by filing the same with the city clerk not less than six (6) calendar days prior to the special meeting. Written notice of such meeting specifying the subject(s) thereof shall be given to each member and the acts and business of the board shall be confined to the subject(s) so specified. Delivery of notice to the member's mailing address shall be deemed sufficient compliance to the giving of written notice.

(k) Within limitations of staff and financial resources, and in cooperation with such agencies as the satellite city halls, boards may initiate and seek out ways to assist and collaborate with existing community associations and councils in carrying out their functions in harmony with those assigned to neighborhood boards.

Sec. 1-7.2. The commission shall provide staff and operating expenses for the neighborhood boards in order for them to perform their duties and functions.

Amendment Note

1980 Amended section generally.

1986 Amended generally to conform with 1984 amendment of Sec. 14-101, RCH, redefining role of neighborhood boards.

Amended to reflect 1984, 1985 amendments to Chapter 92, HRS., subsection (i) reworded.

Article 8. Rules For The Conduct Of Business

Sec. 1-8.1. The board will conduct its business and shall operate pursuant to the Rules and Procedures of the Neighborhood Board as set forth under Chapter 4 of this Neighborhood Plan.

Sec. 1-8.2. The rules of parliamentary procedure as set forth by the latest edition of Robert's Rules of Order, Newly Revised, shall govern all boards where the same are not inconsistent with the Neighborhood Plan, the Board Rules, the Revised City Charter, and the Hawaii Revised Statutes.

Amendment Note

1986 Amended generally.

Article 9. Appeals

Sec. 1-9.1. An aggrieved party may secure a review of any judgment of the commission by appeal by writing to the commission within ten (10) days of the publication of such judgment. The commission shall act on such an appeal at its next meeting and a decision shall be made no more than ten (10) days after the meeting.

Sec. 1-9.2. Appeal may also be sought in accordance with the Administrative Procedures Act of the State of Hawaii, (Chapter 91, Hawaii Revised Statutes).

**Article 10. Procedures Governing Hearings Conducted By
The Neighborhood Commission**

Sec. 1-10.1. Authority Of The Neighborhood Commission.

The provisions of RCH Section 14-103 relating to the powers, duties and functions of the commission require the commission to assist areas of the City in the formation and operation of the neighborhood boards and to review and evaluate the effectiveness of the various neighborhood boards. Implied within this requirement is the authority of the commission to conduct hearings to determine the rights, duties and privileges of members of the neighborhood boards and any person affected by the actions of any neighborhood board.

Sec. 1-10.2. Scope Of Investigations.

In the interest of the residents of the neighborhoods represented by the neighborhood boards, the commission may review any aspect of the operation of the neighborhood boards to determine the effectiveness of the neighborhood boards in accordance with the Neighborhood Plan, the rules of the neighborhood boards and/or any applicable laws.

Sec. 1-10.3. Jurisdiction.

The commission will not conduct these hearings unless a written complaint has been filed by the complainant on the form furnished by the commission and signed by the complainant. The filing of the complaint must be witnessed and verified by the executive secretary of the Neighborhood Commission.

Sec. 1-10.4. Who May Complain.

Any member of the neighborhood board or any resident of a neighborhood represented by a neighborhood board which is the subject of the complaint.

Sec. 1-10.5. Response By The Neighborhood Board.

A copy of the complaint will be furnished to the neighborhood board by the commission and the neighborhood board shall file within thirty (30) calendar days with the commission their response on a form furnished by the commission to the allegations contained in the complaint.

Sec. 1-10.6. Response Of Neighborhood Board.

Upon filing of a response, the executive secretary of the commission shall transmit a copy of the response within five (5) workdays after filing thereof to the complainant. If the neighborhood board fails to file a response within the aforesaid thirty (30) calendar days, any allegations contained in the complaint shall be deemed admitted by the respondent unless the respondent submits valid reasons in writing for the delay prior to the filing deadline for the response.

Sec. 1-10.7. Prehearing Review.

On a date set by the executive secretary which shall not be less than ten (10) workdays after the filing of the response, the complainant and the respondent shall appear before a deputy corporation counsel to determine the issues to be heard and resolved by the commission.

Sec. 1-10.8. Testimony, Witnesses Or Any Evidence To Be Submitted.

When there has been an agreement regarding the issues to be determined by the commission, the complainant and the respondent shall file within ten (10) workdays with the commission a list of witnesses and any other evidence required to support their respective positions. Copies of this list will be exchanged between the complainant and respondent.

Sec. 1-10.9. Hearing Date.

After the foregoing procedures have been met, the commission shall set a date for a hearing.

Sec. 1-10.10. Procedures At Hearing.

(a) The complainant shall proceed by making an opening statement, if desired, stating what the complainant intends to prove while the respondent may also give an opening statement, if desired, stating what the respondent intends to prove in support of his/her response to the complaint.

(b) Thereafter the complainant may proceed with his/her case by calling witnesses or submitting any evidence in support of his/her complaint.

(c) During the presentation of the case by either the complainant or respondent, cross-examination of witnesses shall be permitted.

(d) Any document, writing or object introduced as evidence in support of any party's position must first be examined by the opposing party before being introduced as evidence.

(e) The formal rules of evidence shall not apply to these hearings.

(f) Upon the conclusion of the presentation of the complainant's case, the commission may make a determination whether or not the complainant has submitted sufficient evidence to support his/her complaint. If so, the respondent may proceed with his/her case. If not, the commission may go into executive session to make a determination whether or not to dismiss the complaint.

(g) Upon the conclusion of the presentation of the case by the complainant and the respondent, the commission shall deliberate and arrive at a decision whether to dismiss or sustain the complaint. The commission may go into an executive session only in accordance with Sections 92-4 and 92-5, Hawaii Revised Statutes.

(h) After due deliberation, the commission shall render an oral decision and within ten (10) workdays after such decision issue a decision in writing, but if the hearing involves a contested case as defined in HRS Section

91-9, the commission shall render its decision based on findings of fact and conclusions of law pursuant to HRS Section 91-12.

Amendment Note

1986 Amended subsection (g) and added last sentence.

Sec. 1-10.11. Imposition Of Remedies By The Neighborhood Commission.

If the commission finds in favor of the complainant, the commission shall determine the appropriate remedy commensurate to the gravamen of the complaint.

Sec. 1-10.12. Reconsideration.

Any person who has been subject to an adverse decision of the commission may request a reconsideration of the decision provided there is new evidence which was not presented at the original hearing. If this motion is denied, then the decision of the commission shall stand and there shall be no further administrative appeal or reconsideration of the case; provided nothing herein shall be construed to prohibit the aggrieved person from seeking judicial review pursuant to HRS Chapter 91, Hawaii Administrative Procedures Act.

Amendment Note

1978 Added new Section X. Procedures Governing Hearings Conducted By The Neighborhood Commission. Altered numeric designation Section X. Validity to Section XI.

Article 11. Validity

Sec. 1-11.1. If any section or part of this Neighborhood Plan is held invalid for any reason whatsoever, such invalidity shall not affect the validity of the remaining sections or part of this Neighborhood Plan.

Amendment Note

1978 Altered numeric designation Section XI. Amendments to the Neighborhood Plan to Section XII.

Article 12. Amendments To The Neighborhood Plan

Sec. 1-12.1. According to Section 14-104 of the city charter, "The plan may be amended by the commission, after public hearings to be held in various areas of the city and amendments shall become effective upon filing with the city clerk."

Sec. 1-12.2. A comprehensive review of this Neighborhood Plan shall be conducted by the commission five (5) years after the filing of this plan with the city clerk and every five (5) years thereafter.

Amendment Note

1986 RCH Section 14-104 substituted for Section 13-104 to conform with charter amendments. Format restyled; Added Chapter 1 under new topic heading "General Organization And Administration." Section and subsection numeric designation revised. Amended chapter generally to reflect revised format style. Word "neighborhood" substituted for "community." Amended generally word "subdistrict" substituted for "subdivision" when referencing geographical subunit within neighborhood. Redefined days as "calendar" or "workday," as applicable.

CHAPTER 2
NEIGHBORHOOD BOUNDARY
MAPS AND GEOGRAPHICAL DEFINITIONS

CHAPTER 2

NEIGHBORHOOD BOUNDARY MAPS AND GEOGRAPHICAL DEFINITIONS

Article 1. Maps Of Neighborhood Boundaries

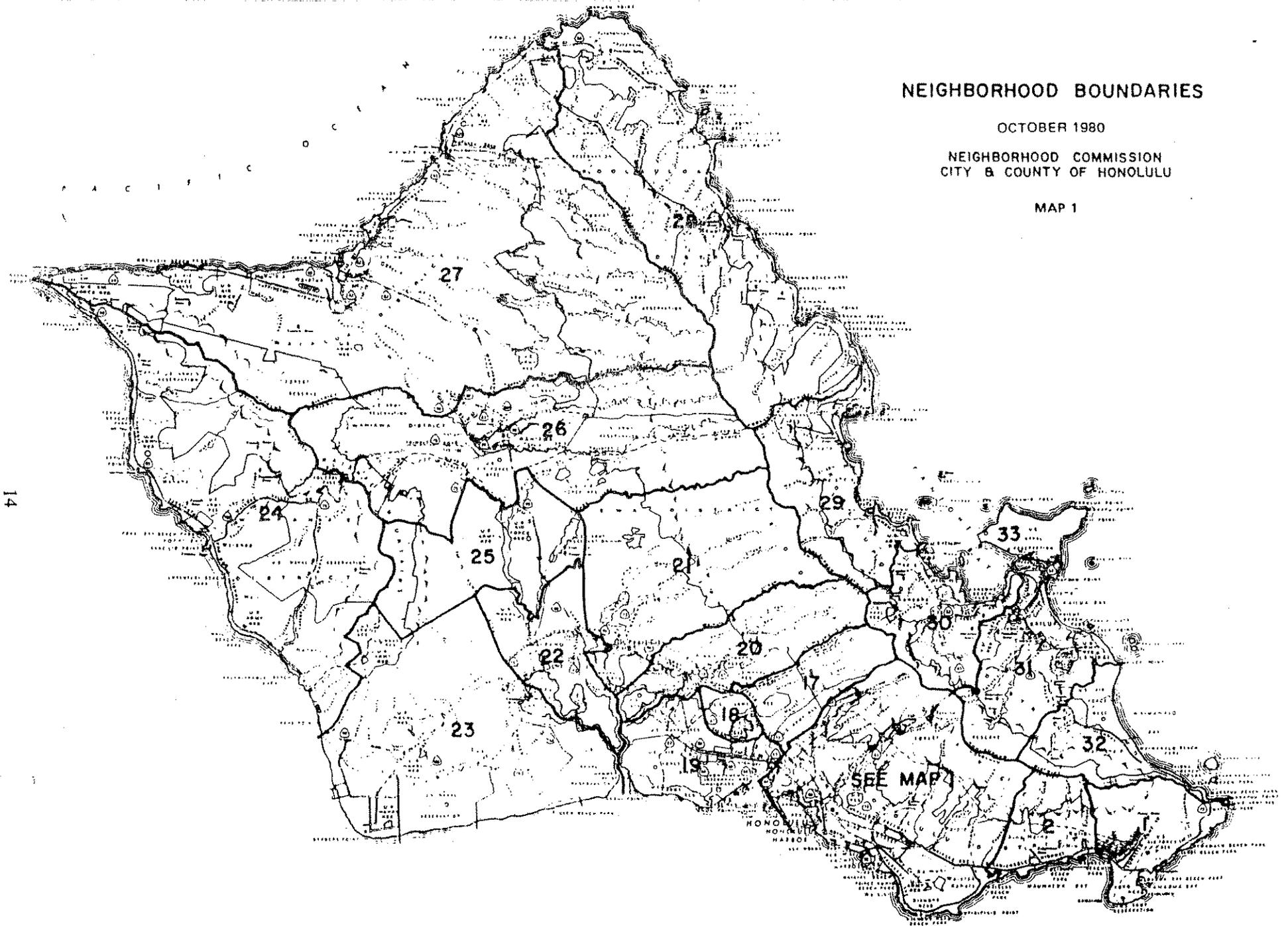
Sec. 2-1.1. In accordance with Sec. 1-3.1 of the Neighborhood Plan, the following official Neighborhood Boundary Maps 1 and 2 are herein provided.

NEIGHBORHOOD BOUNDARIES

OCTOBER 1980

NEIGHBORHOOD COMMISSION
CITY & COUNTY OF HONOLULU

MAP 1

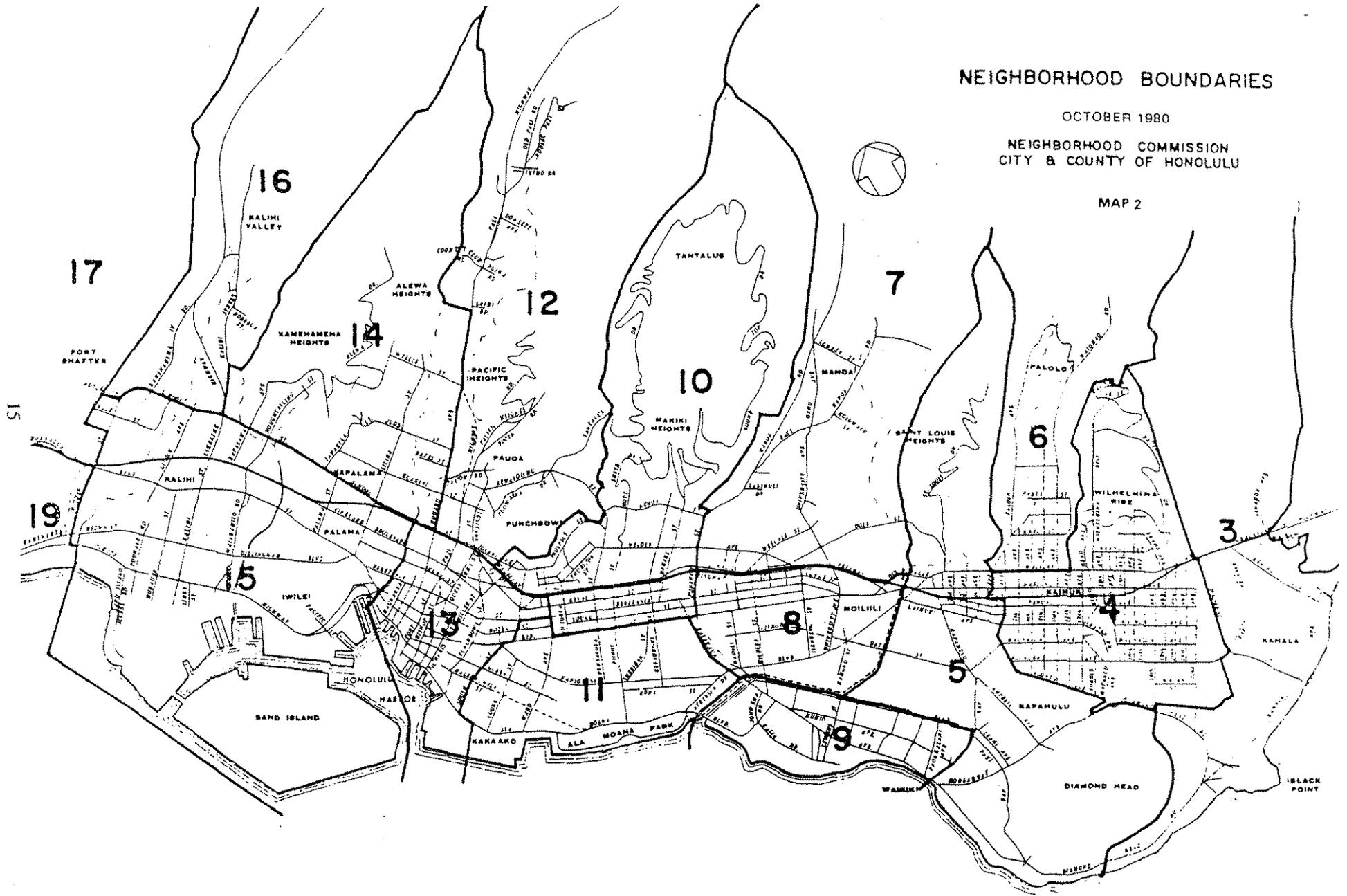


NEIGHBORHOOD BOUNDARIES

OCTOBER 1980

NEIGHBORHOOD COMMISSION
CITY & COUNTY OF HONOLULU

MAP 2



Article 2. Geographical Definitions

Sec. 2-2.1. Pursuant to Sec. 1-3.1 of this Neighborhood Plan, the geographical definitions of neighborhood boundaries are delineated as follows.

Neighborhood

Boundary Details

- #1 From Makapuu Point, along the coast in a westerly direction to the western outlet of Kuapa Pond, then inland north to May Way to Maunalua Avenue, Maunalua Avenue extended, then north to the crest of Maunalua Ridge to the crest of the Koolau Range (Honolulu City Limits), thence along the crest of the Koolau Range to Makapuu Point.
- #2 From the junction point of the crest of the Koolau Range and Maunalua Ridge, south along Maunalua Ridge to Maunalua Avenue extended, to Maunalua Avenue, to May Way, to the western outlet of Kuapa Pond, along the coast in a westerly direction to the east boundary of the Waialae Golf Course, thence east and north along the boundary of the Waialae Golf Course to the intersection of Waikui Street and Kalaniana'ole Highway, thence northeasterly along the ridgeline of the unnamed ridge east of Kapakahi Gulch to its intersection with Wiliwilinui Ridge, thence along Wiliwilinui Ridge to the crest of the Koolau Range, thence along the crest of the Koolau Range to Maunalua Ridge.
- #3 Beginning at the junction of the crest of the Koolau Range and Wiliwilinui Ridge, south along Wiliwilinui Ridge to its intersection with the crest of an unnamed ridge east of Kapakahi Gulch, thence south along the ridgeline of the unnamed ridge to the intersection of Waikui Street and Kalaniana'ole Highway, thence west and south along the east boundary of the Waialae Golf Course, thence along the coast in a southwesterly direction to the west boundary of the U.S. Coast Guard Reservation, thence in a straight line to the rim of the Diamond Head Crater, thence along the crater rim in a northern direction, thence in a straight line to the intersection of 18th Avenue and Diamond Head Road, thence along 18th Avenue to Puu Panini Avenue, east along Puu Panini Avenue, north along the property line between 4210 and 4220 Puu Panini Avenue, thence in a north and east direction along the back property lines of 4220 to 4326 Puu Panini Avenue to Huanui Street, east along Huanui Street east along the property line between 4405 and 4379 Puu Panini Avenue, thence north along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind one row of homes west of Elepaio and Hunakai Streets, north across Waialae Avenue, north along the east property fence line of the Waialae Drive-In Theater, thence north along the east property fence line, along the fence line extended along the rear property line (east line of Wilhelmina Rise Tract), along the rim of a bluff (east line of Maunalani Heights Tract), thence to Waialaenui Gulch, thence north to the crest of the Koolau Range (Honolulu City Limits) and along the crest to the intersection with Wiliwilinui Ridge.
- #4 Beginning at the rim of the bluff along the east line of the Maunalani Heights Tract, in a southern direction along the fence line of the Waialae Drive-In Theater extended (east line of Wilhelmina Rise Tract), south to the fence along the east property line of the Waialae Drive-In Theater, south across Waialae Avenue, thence south along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind the row of homes west of Hunakai and Elepaio Streets, west along the property line between 4405 and 4379 Puu Panini Avenue, west along Huanui Street, then south and west along the back property lines of 4326 to 4220 Puu Panini Avenue, south along the property line between 4220 and 4210 Puu Panini Avenue, thence west along Puu Panini Avenue to 18th Avenue, thence south along 18th Avenue to Diamond Head Road, thence west along Diamond Head Road to Makapuu Avenue, thence north along Makapuu Avenue to Alohea Avenue, thence along Alohea Avenue to 6th Avenue, thence along 6th Avenue in a northerly direction to the H-1 Freeway, thence in a westerly direction along the H-1 Freeway to the extension of 5th Avenue, thence north along 5th Avenue to Waialae Avenue, thence east along Waialae Avenue to Sierra Drive, thence north along Sierra Drive to the west line of

the Wilhelmina Rise Tract, thence north along the rim of the bluff which constitutes the west line of the Wilhelmina Rise and Maunalani Heights Tracts, thence to the point of junction with the east line of the Maunalani Heights Tract.

- #5 Beginning at the intersection of 5th Avenue and Waialae Avenue, south along 5th Avenue to the H-1 Freeway, then east along the H-1 Freeway to 6th Avenue, thence in a southerly direction along 6th Avenue to Alohea Avenue, thence east along Alohea Avenue to Makapuu Avenue, thence south along Makapuu Avenue to Diamond Head Road, thence along Diamond Head Road to the intersection with 18th Avenue, thence in a straight line to the rim of Diamond Head Crater, thence along the rim of Diamond Head, thence in a straight line south to the west boundary of the U.S. Coast Guard Reservation, thence in a westerly direction along the coastline to the intersection of Kalakaua Avenue and Kapahulu Avenue, thence north along Kapahulu Avenue to Ala Wai Boulevard, thence west along Ala Wai Boulevard to a line along the end of Ala Wai Canal, thence west along the Ala Wai Canal to the Manoa-Palolo Drainage Canal, thence north along the Manoa-Palolo Drainage Canal, thence north along the north branch of Manoa Stream, thence in a straight line across Dole Street to Waahila Ridge, thence north along Waahila Ridge to a point on the ridge which intersects with an extension of the southwest boundary of Kawao Park, thence along the southwest boundary of Kawao Park to the Honolulu Watershed Forest Reserve Boundary, thence south along the Forest Reserve Boundary to Palolo Stream, thence south along Palolo Stream to a direct line drawn to the intersection of Palolo Avenue and Waialae Avenue, thence east along Waialae Avenue to 5th Avenue.
- #6 From the junction point of the crest of the Koolau Range and Waialaenui Gulch, thence south along Waialaenui Gulch, thence in a direct line to the rim of bluff constituting the west boundary of the Maunalani Heights Tract, thence southwest along the west boundary of the Maunalani Heights and Wilhelmina Rise Tracts to Sierra Drive, thence south along Sierra Drive to Waialae Avenue, thence west along Waialae Avenue to the junction of Palolo Avenue and Waialae Avenue, thence in a direct line to Palolo Stream, thence north along Palolo Stream to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve Boundary to southwest boundary of Kawao Park, thence along an extension of the Kawao Park boundary to Waahila Ridge, thence north along Waahila Ridge to the crest of the Koolau Range, thence east along the Koolau Range to the junction with Waialaenui Gulch.
- #7 From the junction of the Koolau Ridge with Waahila Ridge, south along Waahila Ridge, across Dole Street to Manoa Stream, thence south along Manoa Stream to (old) Waialae Avenue, west along Waialae Avenue to the H-1 Freeway, west along H-1 Freeway to Punahou Street, north along Punahou Street to Nehoa Street intersection, west along the northern property boundaries of the homes along the northern side of Nehoa Street to the east boundary of homes on the east side of Ualakaa Street, thence north along the property lines parallel to Ualakaa Street to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve Boundary, and north along the rim of the ridge on the east side of Pauoa Flats to the crest of the Koolau Range, thence east along the Koolau Range until the junction with Waahila Ridge.
- #8 Beginning at the junction of Waialae Avenue and Manoa-Palolo Drainage Canal, south along the Manoa-Palolo Drainage Canal, thence west along the Ala Wai Canal to Kalakaua Avenue, thence north along Kalakaua Avenue to King Street, thence east along King Street to Punahou Street, thence north along Punahou Street to the H-1 Freeway, thence east along the H-1 Freeway to Waialae Avenue, thence north along Waialae Avenue to the Manoa-Palolo Drainage Canal.
- #9 Beginning at the junction of Ala Wai Boulevard and Kapahulu Avenue, thence south along Kapahulu Avenue to the ocean, thence in a westerly direction along the coast line to a line extending to the entrance to the yacht basin, thence north along that line to the Ala Wai Canal, thence along the Ala Wai Canal in a northeasterly and easterly direction to a straight line connecting the end of the Ala Wai Canal with the Ala Wai Boulevard, thence along the Ala Wai Boulevard to its junction with Kapahulu Avenue.

- #10 Beginning at the junction of the face of the ridge on the east side of Pauoa Valley and an unnamed ridge, thence along a line descending along the northeast side of the ridge, thence south along the Honolulu Watershed Forest Reserve Boundary, thence south along the east side of the property lines on the east side of Ualakaa Street to the property lines on the north side of Nehoa Street, thence east along these property lines to Punahou Street, south along Punahou Street to King Street, thence west along King Street to Ward Avenue, thence north along Ward Avenue to the H-1 Freeway, thence west along the H-1 Freeway to Pele Street, thence north along Pele Street and Pele Street extended to the rim of Punchbowl Crater, thence east along the rim of Punchbowl Crater, thence in a straight line to Prospect Street, thence southeast along Prospect Street to Nehoa Street, along Nehoa Street to Auwaiolimu Street, thence north along Auwaiolimu Street to Kanaha Stream, thence north along Kanaha Stream to the Forest Reserve Boundary, thence in a northwesterly direction along the Forest Reserve Boundary to the face of the ridge on the east side of Pauoa Valley, thence north along the ridge on the east side of Pauoa Valley to its junction with an unnamed ridge.
- #11 Beginning at the junction of King Street and Kalakaua Avenue, southeast along Kalakaua Avenue to the Ala Wai Canal, thence southwest along the Ala Wai Canal and a line extending through the channel of the yacht basin, thence along the coastline in a westerly direction to a line extension of Keawe Street, thence north on Keawe Street to Ala Moana Boulevard, west along Ala Moana Boulevard to South Street, thence north along South Street to King Street, east along King Street to Alapai Street, north along Alapai Street to Beretania Street, east along Beretania Street to Ward Avenue, thence south along Ward Avenue to King Street, thence east along King Street to Kalakaua Avenue.
- #12 Beginning at the junction point of the Koolau Ridge and a ridge (Puu Konahuanui), south along the face of the ridge on the east side of Pauoa Flats, thence south along the Forest Reserve Boundary to Tantalus Drive, along Tantalus Drive to Kanaha Stream, south along Kanaha Stream to Auwaiolimu Street, southeast along Auwaiolimu Street to Nehoa Street, along Nehoa Street to Prospect Street, along Prospect Street, thence in a straight line to the rim of Punchbowl Crater, thence in a westerly direction along the rim of Punchbowl Crater, thence in a straight line to Pele Street, south on Pele Street to the H-1 Freeway, to Nuuanu Avenue, north along Nuuanu Avenue to a point south of Ahi Place, thence in a straight line west to Waolani Stream, thence north along Waolani Stream to Kapalama-Waolani Stream Divide (ridge), north to the crest of the Koolau Range, thence east along the Koolau Ridge to Puu Konahuanui.
- #13 Beginning at the intersection of H-1 Freeway and Ward Avenue, south along Ward Avenue to Beretania Street, west along Beretania Street to Alapai Street, south along Alapai Street to King Street, west along King Street to South Street, south along South Street to Ala Moana Boulevard, east along Ala Moana Boulevard to Keawe Street, thence south along Keawe Street and a straight line extended, thence west along the coast line to a straight line running parallel to Pier 17 which extends to Honolulu Harbor, thence in a straight line north to King Street, thence north along Nuuanu Stream to School Street, thence east along School Street to Nuuanu Avenue, thence south along Nuuanu Avenue to the H-1 Freeway, thence east along the H-1 Freeway to Ward Avenue.
- #14 Beginning at the intersection of Waolani Stream and Kapalama-Waolani Stream Divide (ridge), south along Waolani Stream to a point south of Ahi Place where a straight line is drawn parallel to Ahi Place to Nuuanu Avenue, thence south along Nuuanu Avenue to School Street, thence west along School Street to Likelike Highway, thence north along Likelike Highway to Kalihi Street, thence north along Kalihi Street to Akahi Street, east parallel to Akahi Street, thence north along the northwest boundary of Kamehameha Schools and north along Kamanaiiki-Kapalama Stream Divide (ridge) to Kapalama-Waolani Stream Divide (ridge), thence south to Waolani Stream.

(abandoned) R.O.W., east along the Oahu R.R. & Land Co. right-of-way to Waiawa Stream, north along Waiawa Stream to Kamehameha Highway, west on Kamehameha Highway to the H-2 Freeway, north on the H-2 Freeway to Kipapa Stream, thence north and east along Kipapa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to Waimalea Stream.

- #22 Beginning at the junction of the H-2 Freeway and the Mililani Memorial Park Road, south along the H-2 Freeway to Kamehameha Highway, thence east along Kamehameha Highway to Waiawa Stream, thence south along Waiawa Stream to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W. thence west along the Oahu R.R. & Land Co. right-of-way to a point where a straight line is drawn south through Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence to a point south of Waipio Point, thence in a northwesterly direction through West Loch to a point south of Leowaena Street, thence north along the setback from Leowaena Street to Kunia Road thence north along Kunia Road to the intersection with Kupehau Road, thence east along power lines to Waikele Stream, thence south along Waikele Stream to Kipapa Stream, thence north along Kipapa Stream to the Mililani Memorial Park Road, thence along the Memorial Park Road to the H-2 Freeway.
- #23 Beginning at the intersection of Kupehau Road and Kunia Road, south along Kunia Road, thence south along the setback from Leowaena Street to West Loch, south through West Loch to a point south of Waipio Point, thence south to the entrance to Pearl Harbor, thence west along the coast to Waimanalo Gulch, thence north and east along Waimanalo Gulch to the west boundary of the Nanakuli Forest Reserve to Palikea, thence in a straight line southeast to Puu Moopuna, thence in a straight line northeast to the junction of Kupehau Road and Kunia Road.
- #24 Beginning at the junction of the Waianae, Waialua, Wahiawa District Boundaries, south along the Wahiawa-Waianae District Boundary to Puu Kanehoa, south along the west boundary of the Honouliuli Forest Reserve Boundary to Palikea, thence southwest along the western boundary of the Nanakuli Forest Reserve to Waimanalo Gulch, thence south along Waimanalo Gulch to the Pacific Ocean, thence north along the coast to the junction with the Waialua-Waianae District Boundary, thence east along the Waialua-Waianae District Boundary to its junction with the Wahiawa District boundary.
- #25 Beginning at the intersection of the H-2 Freeway and the south boundary line of the Leilehua Golf Course (Wahiawa-Ewa District Boundary line), thence south along the H-2 Freeway to the Mililani Memorial Park Road, thence southwest along the Mililani Memorial Park Road, thence south along Kipapa Stream to Waikele Stream, thence north along Waikele Stream to power lines on the western bank, thence in a westerly direction to Kupehau Road, thence from the intersection of Kupehau Road and Kunia Road in a straight line southwest to Puu Moopuna, thence in a straight line northwest to Palikea on the west boundary of the Honouliuli Forest Reserve, thence north along the crest of the Waianae Ridge to Puu Kanehoa, thence east along Huliwai Gulch to Kunia Road, thence north along Kunia Road, thence along the south and east boundary of Wheeler Air Force Base thence north along Kamehameha Highway to the south line of Leilehua Golf Course, thence along the Leilehua Golf Course boundary to the H-2 Freeway.
- #26 Beginning at the intersection of the Poamoho Trail (Waialua-Wahiawa District Boundary) and the crest of the Koolau Ridge (east boundary of the Ewa Forest Reserve), thence south along the crest of the Koolau Ridge to Kipapa Stream, thence southwest along Kipapa Stream to the H-2 Freeway thence north along the H-2 Freeway to the south boundary of Leilehua Golf Course, thence west along the Leilehua Golf Course boundary to Kamehameha Highway, thence along the east and south boundary of Wheeler Air Force Base, thence south along Kunia Road to Huliwai Gulch, thence west along Huliwai Gulch to Puu Kanehoa, thence north along the west boundary of Schofield Barracks

Military Reservation (crest of Waianae Range) thence east along the north boundary of Schofield Barracks Military Reservation (Waialua-Wahiawa District Boundary), thence southeast along Kaukonahua Stream, thence east along the Waialua-Wahiawa District Boundary (Poamoho Stream) to the intersection of Poamoho Trail and the crest of the Koolau Range.

- #27 Beginning at the mouth of Waiale Stream thence south along Waiale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawaihoa Forest Reserve) thence south to Poamoho Trail, thence west along the Waialua-Wahiawa District Boundary (Poamoho Stream), thence northwest along Kaukonahua Stream, thence west along north boundary of Schofield Barracks Military Reservation, (Waialua-Wahiawa District Boundary), thence west along the crest of the Waianae Range (Waialua-Waianae District Boundary), top of the south rim of the Waianae Range, the south boundary of the Kaena Military Reservation, and the south boundary of Kaena Military Reservation extended, thence northeast along the Pacific Ocean to the mouth of Waiale Stream.
- #28 Beginning at the mouth of Waiale Stream, thence south along Waiale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawaihoa Forest Reserve), thence along the Koolauloa-Wahiawa Boundary to Puu Kaaumakua, thence east along the Koolauloa-Koolaupoko District Boundary to Kaoio Point, thence north along the coast to the mouth of Waiale Stream.
- #29 Beginning at Puu Kaaumakua on the crest of the Koolau Range, east along the crest of the ridge constituting the south boundary of the Hauula Forest Reserve and the Koolauloa-Koolaupoko District line, thence south along the coast to a point south of Heeia Pier and north of Matson Point, thence in a northwesterly direction along the crest of an unnamed ridge, thence in a westerly direction along the crest of the ridge north of Heeia Meadowlands to the crest of the Koolau Range, thence north along the Koolau Range to Puu Kaaumakua.
- #30 Beginning at the junction of the crest of the Koolau Range and the crest of the ridge north of Heeia Meadowlands, thence east along the crest of the ridge north of Heeia Meadowlands, thence south and east along the crest of an unnamed ridge to a point south of Heeia Pier and north of Matson Point, thence south along the coastline (but including Mokuoloe Island) to the southwest boundary of the Kaneohe Marine Corps Air Station at the junction of the H-3 Freeway and Kaneohe Bay, thence in a southwesterly direction along the crest of Mahinui Ridge, thence in a southwesterly direction along the Kaneohe-Kailua Boundary to Kamehameha Highway to its junction with Kalaniana'ole Highway and Pali Highway, (including Hawaii Loa College) thence southwest along the Pali Highway to the crest of the Koolau Range, thence north along the crest of the Koolau Range to its junction with the crest of the ridge north of Heeia Meadowlands.
- #31 Beginning at the junction of the crest of the Koolau Range and the Pali Highway, south and east, then north along the Pali Highway to the junction of Kalaniana'ole Highway and Kamehameha Highway, thence west along Kamehameha Highway to the Kaneohe-Kailua Boundary, thence east along the Kaneohe-Kailua Boundary to Mahinui Ridge, thence north along Mahinui Ridge to the southwestern corner boundary of the Kaneohe Marine Corps Air Station, thence east along the boundary of the Kaneohe Marine Corps Air Station to the southeastern corner boundary of the Kaneohe Marine Corps Air Station, thence southeast along the coast to the north boundary of Bellows Air Force Base, thence east along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the Olomana Golf Course boundary, thence south and west along Anaha Nui Ridge to the crest of the Koolau Range, thence north along the crest of the Koolau Range to the Pali Highway.

- #32 Beginning at the junction of the north boundary of Bellows Air Force Base and the Pacific Ocean, then west along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the boundary of Olomana Golf Course Boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence south along the crest of the Koolau Range along the Koolaupoko-Honolulu District Boundary line to Makapuu Point, thence north along the coast to the northern boundary of Bellows Air Force Base.
- #33 Beginning at the southwest corner boundary of the Kaneohe Marine Corps Air Station, thence north along the western coast of the Kaneohe Marine Corps Air Station, thence east along the coast to Mokapu Point, thence south along the eastern coast to the southeastern corner of the Kaneohe Marine Corps Air Station, thence west along the south boundary of the Kaneohe Marine Corps Air Station.

Amendment Note

1986 Format restyled; added Chapter 2 under new topic heading "Neighborhood Boundary Maps And Geographical Descriptions."

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

In accordance with Sec. 1-5.4 of the Neighborhood Plan, the following rules and procedures are provided.

Article 1. Definitions

Sec. 3-1.1. Whenever used in these rules, the words and phrases in these rules shall, unless the same is inconsistent with the context, be construed as follows:

"Ballot" means a written or printed, or partly written and partly printed paper(s) or card(s) containing the name(s) of person(s) to be voted for and the office to be filled. A ballot may consist of one or more cards or pieces of paper depending upon the number of offices, the candidates to be elected thereto, and the voting system in use.

"Ballot packet" means the envelope containing the voter's ballot(s) and any official election materials necessary for the conduct of the election.

"Candidate" means an individual who seeks election to a seat on a neighborhood board and files a candidacy declaration with the Neighborhood Commission.

"Challenged ballot" means the ballot of a voter whose right to vote has been questioned by another registered voter.

"Counting center" means the computer facilities and surrounding premises designated by the executive secretary where electronic voting system ballots are counted.

"Election" means all elections, biennial or special, unless otherwise specifically stated.

"Electronic voting system" means the method of recording votes which are counted by automatic tabulating equipment.

"Executive secretary" means the executive secretary of the Neighborhood Commission.

"Invalid ballot" means any ballot which does not meet the requirements for ballots to be counted.

"Paper ballot voting system" means the method of recording votes which are counted manually.

"Qualified resident" means a person, eighteen (18) years of age and older, whose primary residence is within the neighborhood or subdistrict as applicable.

"Qualified voter" means a person whose primary residence is within the neighborhood, and applicable subdistrict, is eighteen (18) years of age or older, and is registered to vote in the neighborhood board election.

"Reissued ballot" means a ballot issued to a voter who has spoiled a ballot or reports no delivery of ballot. The term **"Duplicate Ballot"** may be interchangeably used to define same.

"Spoiled ballot" means a ballot which is marked incorrectly by the voter, has misprints or is illegibly printed or contains some other defect.

"Vote cast" means any ballot which is returned to the Neighborhood Commission including a ballot that is blank or a ballot later rejected for any reason.

"Voter" means any person duly registered to vote in the neighborhood board election.

"Voting system" means the use of electronic ballot cards, paper ballots, or any other system determined by the executive secretary by which votes are cast and counted.

Amendment Note

1990 "Primary residence" substituted for "domicile" in definitions for "Qualified Resident" and "Qualified Voter."

Article 2. Designation Of Units

Sec. 3-2.1. The large neighborhood area is already designated by the Neighborhood Plan. It may be divided into subdistricts consisting of single member, multi-member, or a combination single member and multi-member districts of approximately equal size in population. The one-person, one-vote principle shall apply in both cases, allowing for reasonable deviation (NP Sec. 1-5.2).

Sec. 3-2.2. A minimum of nine (9) members shall be elected from the neighborhood. There is no maximum but the total number must be an uneven one (NP Sec. 1-5.1). A neighborhood is defined as an area of the City and County of Honolulu delineated on the official Neighborhood Map (Sec. 2-1.1) and as geographically described under Sec. 2-2.1 of this plan.

Article 3. General Provisions

Sec. 3-3.1. The method of election shall be mail balloting and all elections shall be nonpartisan and by secret ballot.

Sec. 3-3.2. All residents, including military personnel and legal resident aliens, whose primary residence is in the neighborhood and applicable subdistrict and who are at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year shall be entitled to register as a voter for the election.

Amendment Note

1990 Substituted "legal resident alien" for "alien" to conform with revised definition and rearranged language.

Sec. 3-3.3. Any resident, including military personnel and a legal resident alien, who has reached the age of eighteen (18) years or who is seventeen (17) and will be eighteen (18) years of age by the third (3rd) Tuesday in January of the election year, shall be eligible as a candidate to seek election to a board seat in the neighborhood or applicable subdistrict of the person's primary residence.

Amendment Note

1990 Substituted "legal resident alien" for "alien" to coincide with revised definition and "of the person's primary residence" substituted for "in which the person lives permanently."

Sec. 3-3.4. No person shall register or vote nor shall any person register as a candidate in any other neighborhood, and subdistrict as applicable, election than that in which the voter and/or candidate live permanently at the time of the election.

Sec. 3-3.5. The executive secretary of the Neighborhood Commission shall direct all neighborhood board elections. The executive secretary may delegate responsibilities in these elections to other specified persons or parties, as deemed necessary.

Sec. 3-3.6. The chief monitoring officer shall be appointed by the Neighborhood Commission and shall certify the results of the election.

Sec. 3-3.7. No candidate shall serve as an election official or election employee in the same election in which the person is a candidate; nor shall any parent, spouse, child, or sibling of any candidate be eligible to 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 candidates.

Sec. 3-3.8. Determination of Residence.

(a) In addition to the provisions as set forth in Section 1-2.1 of this plan, the following provisions shall be applicable in determining the residence of a person for election purposes:

(1) Where a person registering to vote or to be a candidate gives as a primary residence address a location which does not have a street number; the following information shall be required:

(A) A description of the location of the residence of the person registering that is sufficient to ascertain a neighborhood and applicable subdistrict of the neighborhood in which the person will vote or be a candidate; and,

(B) A mailing address which is within the county where the person is registering to vote or to be a candidate for election, and where the person is legally entitled and does in fact receive mail.

(b) Except as otherwise provided in this plan, no person claiming residence outside the jurisdiction of the City and County of Honolulu for purposes of voting in any state or national election shall be eligible to participate in the neighborhood board election as a voter or as a candidate as defined in this plan.

Amendment Note

1990 Sec. 3-3.8 Determination Of Residence added under Article 3 General Provision.

Article 4. Voter Registration

Sec. 3-4.1. Any resident who registers shall be entitled to vote in the election provided the person shall have attained the age of eighteen (18) years by the third (3rd) Tuesday in January of the election year.

Sec. 3-4.2. Registration to vote in the election shall be limited to the neighborhood and applicable subdistrict of the person's primary residence at the time of the election. There shall be only one residence. A voter shall be required to register for each succeeding election except as otherwise provided.

Amendment Note

1990 Language expanded and rearranged.

Sec. 3-4.3. A resident qualified to and desiring to register as a voter for the election shall complete and subscribe to an application in the form of an affidavit to be provided by the Neighborhood Commission office. The affidavit shall contain but not be limited to the following information: 1) name; 2) social security number; 3) date of birth; 4) primary residence address and mailing address, if any; and, 5) that the residence stated in the affidavit is the person's primary legal residence. The affidavit shall be filed with the commission by the third (3rd) Tuesday in January of the election year. Any voter registration affidavit filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. of the closing date for registration. When by mail, the envelope containing the voter registration affidavit must be postmarked no later than the third (3rd) Tuesday in January of the election year and shall reach the executive secretary by 4:30 p.m. on the tenth (10th) calendar day following this postmark closing date. Any registration form failing to meet these regulations shall be disqualified and the affected party properly notified accordingly.

Amendment Note

1990 Substituted "primary residence address" for "address of residence," and "primary legal residence" for "legal and fixed residence." Defined receiving interim deadline of ten calendar days from last allowable postmark filing date for voter registration by mail.

Sec. 3-4.4. A bona fide resident officially listed by the city clerk as a registered voter for the State of Hawaii election as of the third (3rd) Tuesday in January of the election year, may be declared by the executive secretary to be pre-registered for the biennial neighborhood board election.

Sec. 3-4.5. Not later than 4:30 p.m. on the tenth (10th) workday following the close of voter registration, there shall be a general register and listing by neighborhood and defined by subdistricts where applicable.

Article 5. Candidates

Sec. 3-5.1. All candidates shall be at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year and shall be residents of the subdistrict or in the case of an at-large seat of the neighborhood, of which the candidate seeks election. Any time a candidate moves from the respective subdistrict, as applicable, or neighborhood, the candidate is disqualified.

Sec. 3-5.2. Candidates shall complete and file a declaration of candidacy with the commission by the third (3rd) Tuesday in January of the election year. Any statement of candidacy filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. on the closing date of filing. When registering by mail, the envelope containing the statement of candidacy must be postmarked no later than the third (3rd) Tuesday in January of the election year and shall reach the executive secretary by 4:30 p.m. on the tenth (10th) calendar day following this postmark closing date. Any candidacy declaration failing to meet these filing regulations shall be disqualified.

Amendment Note

1990 Defined receiving interim deadline of ten calendar days from last allowable postmark filing date for candidacy registrations by mail. Exceptions by waiver request deleted.

Sec. 3-5.3. The statement of candidacy in the form of an affidavit and provided by the commission shall contain, but is not limited to the following information: 1) name of candidate; 2) board seat seeking; 3) social security number; 4) date of birth; 5) primary residence address; 6) mailing or post office address, if any; and 7) signature of applicant. For the purpose of this provision, there can be only one residence for the person.

Amendment Note

1990 Substituted "primary residence address" for "address of principal residence."

Sec. 3-5.4. No person shall register as a candidate for election for more than one seat on the board concurrently.

Sec. 3-5.5 Any candidate may withdraw provided the withdrawal notice is in writing on a form provided by the commission and filed with the executive secretary by 4:30 p.m. on the tenth (10th) calendar day after the candidacy filing deadline. In the event a candidate dies, is disqualified, or files a withdrawal notice before the withdrawal deadline, the candidate's name shall be excluded from the ballot. In the event a candidate dies, is disqualified, or files a withdrawal notice after the withdrawal deadline but before the ballots are mailed to voters pursuant to Sec. 3-6.5, the executive secretary, if feasible, shall order the candidate's name excluded or stricken from the ballot. In the event a candidate dies, is disqualified, or files a withdrawal notice after the withdrawal deadline and the executive secretary determines that it is not feasible to order the candidate's name excluded or stricken from the ballot, the executive secretary, if feasible, shall order that a notice of death, disqualification, or withdrawal be made available to the voters involved; provided that the manner of notice to the voters shall be determined by the executive secretary. Should a candidate die, be disqualified, or file a withdrawal notice in the period between the withdrawal deadline and the day immediately preceding the date established for elected candidates to begin their terms of office under Sec. 3-7.10 and wins a seat, the next candidate with the greatest number of votes shall fill the seat. The seat of any winning candidate filing a withdrawal notice on or after the

date established for elected candidates to begin their terms of office under Sec. 3-7.10 shall be declared vacant and shall be filled by the elected board as provided in Sec. 4-2.2, Rules and Procedures of the Neighborhood Board.

Amendment Note

1990 Substituted "May 31" for "the first (1st) workday in May" and "June 1" for "the first (1st) workday in June."
1993 Clarified conditions for excluding candidate's name from ballot when candidate dies, is disqualified, or withdraws. Substituted "the day immediately preceding the date established for elected candidates to begin their terms of office under Sec. 3-7.10" for "May 31." Also, substituted words "the date established for elected candidates to begin their terms of office under Sec. 3-7.10" for "June 1." Various grammatical and technical changes made.

Sec. 3-5.6. Not later than 4:30 p.m. on the sixth (6th) workday after the close of candidacy withdrawals, there shall be a certified list of all qualified residents for whom candidacy declarations have been filed with the commission and who are entitled to be voted for in the election. The list, certified by the executive secretary, shall contain but is not limited to the names of all persons and the board seat for which each is a candidate.

Sec. 3-5.7. Any candidate seeking election to a board shall be disqualified immediately when the person moves from the subdistrict or in the case of an at-large seat, from the neighborhood.

Sec. 3-5.8. If there is an insufficient number of candidates, or in the case of a candidate's death, disqualification or withdrawal, the vacancy shall be filled by the elected board within sixty (60) calendar days after the date established for elected candidates to begin their terms of office under Sec. 3-7.10 or the first (1st) workday thereafter if this date is not a workday.

Amendment Note

1993 Changed deadline for Neighborhood Board to fill vacancy caused by insufficient number of candidates in the election or by a candidate's death or withdrawal. Clarified that candidate's disqualification may cause a vacancy. Grammatical corrections made.

Sec. 3-5.9. In the event of a tie between two or more candidates for the last available seat, when in a subdistrict or in an at-large neighborhood, and after a recount has been conducted, the winner shall be decided by lot under proceedings conducted by the chief monitoring officer not later than five (5) workdays after the certified election results are made public pursuant to Sec. 3-7.8.

Amendment Note

1993 Changed deadline for proceedings to select a winner by lot in the event of a tie vote. Technical correction made.

Sec. 3-5.10. When the election is decided by lot, the candidate shall sign a statement to the use of the lot, shall be bound by the lot, and shall bring no election contest under Sec. 3-8.2 after the drawing of the lot. Each candidate shall be present at the drawing of the lot together with not more than two (2) witnesses of their choice. Should a candidate desire to forgo presence at the drawing, a waiver of this right shall be in writing and filed with the chief monitoring officer by 4:30 p.m. at least one (1) day prior to the date established for the drawing.

Article 6. Ballots

Sec. 3-6.1. A ballot shall contain the names of candidates, the neighborhood and subdistrict in which the election is being conducted, the manner in which the ballots are to be marked, and state that the voter shall vote

for not more than the number of seats or the number of candidates listed where such a number is less than the seats available.

Sec. 3-6.2. The names of the candidates shall be placed on the ballot in alphabetical order, last names first and may be printed with the Hawaiian or English equivalent or nickname, provided the candidate so requests in writing on the statement of candidacy form furnished by the Neighborhood Commission at the time the declaration is filed.

Sec. 3-6.3. The ballot shall bear no personal or professional title, word, motto, device, sign, or symbol other than the official seal of the City and County of Honolulu and/or the commission's logo, unless otherwise declared essential by the executive secretary.

Sec. 3-6.4. Sample of ballot layouts prior to printing shall be available for viewing by candidates after the close of candidacy filing, as they are available.

Sec. 3-6.5. Ballots shall be mailed to qualified voters by the fourth (4th) Friday in March of the election year. Following this date, a qualified voter not receiving a ballot may notify the commission office and request a replacement ballot. The commission office may reissue and mail a new ballot which shall be appropriately marked "Second Ballot" (alternatively "2nd Ballot").

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 to be repealed on Sept. 1, 1993; further, upon repeal, section to be readopted in the form as it read on the day before the effective date of the provisional amendment.

Sec. 3-6.6. The period to issue replacement ballots shall open on the first workday after the date the ballots are mailed pursuant to Sec. 3-6.5. It shall close at 4:30 p.m. seven (7) workdays prior to the postmark date for return of ballots pursuant to Sec. 3-6.9. No requests for replacement ballots shall be honored except during this period. These provisions may be applied to replacement requests for spoiled or lost ballots when properly notified by the qualified voter within the reissuing period.

Amendment Note

1993 Changed period for requesting replacement ballots.

Sec. 3-6.7. Immediately upon receipt of a replacement ballot request within the time limit as specified in Sec. 3-6.6, records shall be examined by the commission office to ascertain whether or not the person is qualified and entitled to vote as requested. Upon verification, a replacement ballot shall be issued and mailed in an official election packet. All requests received on the last day of the reissuing period shall be mailed to the voter as soon as practicable, but no later than twenty-four (24) hours after receipt.

Sec. 3-6.8. Whenever a request has been fulfilled to replace a spoiled or lost ballot, the originally issued ballot, when returned, shall be marked "spoiled" by the chief monitoring officer or designated election official and considered void. All spoiled, invalid, or challenged ballots shall be segregated and retained apart from other ballots in a secure manner and turned over to the vote tabulators at an appropriate time.

Sec. 3-6.9. All ballots shall be returned by mail in the return envelope provided and postmarked by the third (3rd) Monday in April of the election year. Any ballot delivered to the commission office other than by mail or postmarked after the closing date shall be disqualified and declared "invalid."

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 to be repealed on Sept. 1, 1993; further, upon repeal, section to be readopted in the form as it read on the day before the effective date of the provisional amendment.

Article 7. Voting Procedures

Sec. 3-7.1. The secrecy of the ballot and the accurate recording, counting, and safeguarding of the ballot shall be paramount.

Sec. 3-7.2. Any violation, wrongdoing, or discrepancy relating to these rules shall be made known to the executive secretary, the chief monitoring officer, or a designated representative at the earliest possible time.

Sec. 3-7.3. When a voter loses or incorrectly marks a ballot in the process of voting, or receives an illegible or misprinted ballot, upon request and subsequent verification of the voter's eligibility, a new ballot, clearly marked "Second Ballot" (alternatively "2nd Ballot") shall be issued by the commission within the time limit as specified in Sec. 3-6.6. The originally issued ballot when returned shall be marked "spoiled" and securely retained apart from other ballots by the chief monitoring officer or designated election official(s). At a given time, the spoiled ballots shall be transferred to the vote tabulators.

Sec. 3-7.4. Voted ballot envelopes which when opened contain no ballots shall be marked and considered invalid for auditing purposes and deposited in the invalid ballot box.

Sec. 3-7.5. The tally sheets used in counting the ballots cast shall be marked and handled in a secure fashion. After all ballots have been tabulated, the tally sheets and ballots shall be turned over to the commission for safekeeping for thirty (30) calendar days after the certified election results are made public pursuant to Sec. 3-7.8. The ballots and other election records may be destroyed by the chief election officer when all elected candidates have been certified by the commission and the safekeeping period of thirty (30) calendar days has elapsed.

Amendment Note

1993 Changed retention period for tally sheets and ballots.

Sec. 3-7.6. In counting the ballots, the total number of ballots shall be verified to equal the total number of voted ballot envelopes recorded as received with the mail-in ballots. When there are more ballots than the records show as having been received, it shall be an overage and when less ballots it shall be a shortage. The election official responsible for the tabulation of ballots shall make a note of any overage or shortage after the vote is tabulated.

Sec. 3-7.7. Should the overage or shortage of ballots be significant to change the outcome of any election contest, an investigation shall be conducted by the chief monitoring officer and/or a designated election official. The chief monitoring officer's certified report disclosing its findings shall be submitted with the certified election returns to the commission.

Sec. 3-7.8. The chief monitoring officer shall certify the results of the election for the commission. The certified election results shall be made public on the first (1st) workday in May of the election year by the commission.

Amendment Note

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 to be repealed on Sept. 1, 1993; further, upon repeal, section to be readopted in the form as it read on the day before the effective date of the provisional amendment.

Sec. 3-7.9. The commission shall verify the election and announce the results. The number of persons elected receiving the highest number of votes in any election of a neighborhood or subdistrict as applicable, shall be declared to be elected. The commission shall swear in the board members and issue a certificate of election. The swearing in ceremony or ceremonies shall take place on a date or dates and at a time or times and place or places determined by the commission after the challenge period is elapsed.

Amendment Note

1993 Changed to provide that one or more swearing in ceremonies may be conducted on such dates, times and places as determined by the commission.

Sec. 3-7.10 Elected candidates may be administered the oath of office five (5) calendar days after the election, unless challenged, for a term of office beginning the first (1st) calendar day in June of the election year and expiring twenty-four (24) months later on the last calendar day in May.

Amendment Note

1993 Temporary amendment applied only to terms of office for 1991-1993 and 1993-1995 implemented on May 28, 1993 to be repealed on July 1, 1995; further, upon repeal, section to be readopted in the form as it read on the day before the effective date of the provisional amendment.

Sec. 3-7.11. Insofar as the limits of the room or counting center in which the tabulation of ballots take place reasonably allow, the counting of ballots shall be open to the public. At no time shall the public interfere with the election process.

Article 8. Challenge

Sec. 3-8.1 Voter Registration.

A resident registered with the commission to vote in the election, may challenge the right of a person to be or to remain registered as a voter in a given neighborhood or applicable subdistrict. The challenge shall be on grounds that the voter fails to meet the qualifications as set forth in Sec. 3-3.2 of these rules. The challenge shall be in writing defining the grounds on which it is based and signed by the person making the challenge. Before 4:30 p.m. on the second (2nd) Monday in April of the election year, all voter registration challenges shall be filed with the executive secretary who shall forthwith serve notice on the person challenged. No voter registration objection shall be considered after this closing. The executive secretary shall, as soon as possible, investigate and rule on the challenge. The voter's proof of primary residence and age, when applicable, shall consist of an identification card, driver's license, birth certificate, or a notarized statement. No other or further challenge shall be allowed for the same person in a single election.

Amendment Note

1990 Language rearranged. Printing error word "evidence" corrected to "residence."

1993 Temporary amendment applied only to 1993 election implemented on May 28, 1993 to be repealed on Sept. 1, 1993; further, upon repeal, section to be readopted in the form as it read on the day before the effective date of the provisional amendment.

Sec. 3-8.2. Candidacy.

A candidacy declaration filed in conformity with Sec. 3-3.3 of these rules shall be considered valid unless objection is made in writing by the executive secretary, chief monitoring officer, or a voter registered for the neighborhood board election. Such objections shall be made no later than 4:30 p.m. on the second (2nd) workday after the closing of the candidacy filing. When an objection is made, the executive secretary shall serve notice on the person challenged by registered or certified mail setting forth the grounds of objection. The executive secretary shall be empowered to conduct evidentiary hearings and may administer oaths. The hearing shall be held no later than four (4) workdays after the objection is filed. All objections shall be decided by the executive secretary no later than 4:30 p.m. on the second (2nd) workday after the hearing is concluded. All objections which are upheld shall be placed in writing by the deciding official if so requested by the candidate affected.

Amendment Note

1990 Ninth line words "objection is filed" substituted for "objection is made." Eleventh line words "hearing is concluded" substituted for "hearing is held." Deleted sentence precluding candidate's "right to an administrative contested case hearing as defined in Sec. 91-1(5), HRS." Language rearranged.

Sec. 3-8.3. Other Challenges.

All challenges or charges of violations of an election other than provided for under Sec. 3-8.1 and Sec. 3-8.2 of these Rules, shall be filed within five (5) workdays after the certified election results are made public pursuant to Sec. 3-7.8. The challenge shall be in writing, setting forth the grounds upon which it is based and signed by at least thirty (30) registered voters of the affected neighborhood or applicable subdistrict. The challenge shall be delivered to the chief monitoring officer who shall notify the person(s) affected by the action. The chief monitoring officer, who shall promulgate procedures for the investigative proceedings, shall also be empowered to conduct evidentiary hearings and may administer oaths. The hearings shall be held no later than four (4) workdays after the charges are filed. The chief monitoring officer shall: 1) Rule on the challenge by 4:30 p.m. on the second (2nd) workday after the challenge is filed or when a hearing is required, make a decision by 4:30 p.m. on the second (2nd) workday after the hearing is concluded; 2) Place the decision in writing; and 3) Submit the written decision to the commission.

Amendment Note

1990 Chief monitoring officer empowered to administer oaths. Deleted sentence precluding complainant's "right to an administrative contested case hearing as defined in Sec. 91-1(5), HRS." Language rearranged.

1993 Changed deadline for bringing challenges to or charges of violation of Neighborhood Board elections. Technical corrections made.

Article 9. Vacancy

Sec. 3-9.1. A vacancy shall occur immediately whenever a board member moves from the subdistrict or in the case of an at-large member, from the neighborhood to which elected.

Sec. 3-9.2. When a board's total membership is unfilled after the election due to insufficient number of candidates or is caused by a candidate's death, disqualification, or withdrawal, the vacancy shall be filled by the

elected board within sixty (60) calendar days after the date established for elected candidates to begin their term of office under Sec. 3-7.10 or the first (1st) workday thereafter if such a date is not a workday.

Amendment Note

1993 Changed deadline for Neighborhood Board to fill a vacancy caused by insufficient number of candidates in the election. Also, clarified that "candidate disqualification" may cause a vacancy.

Sec. 3-9.3. Should a vacancy occur on the board during the tenure of office, the remaining member of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term within sixty (60) calendar days of that declared vacancy.

Sec. 3-9.4. If the number of vacancies is such that the remaining members do not constitute a quorum, the commission shall:

- (a) Certify as elected one or more unsuccessful candidates receiving the next highest number of votes in the last election to fill the vacancies necessary to constitute a quorum.
- (b) Call for a special neighborhood board election to fill the vacancy.
- (c) Suspend the board for its tenure of office.

Sec. 3-9.5. All vacancies shall be filled only at a regular meeting of the board. The affirmative vote of at least the majority of all the members to which the board is entitled shall be necessary to take action. The notice to fill the vacancy shall be properly noticed and given to all the remaining members of the board by the board chairperson.

Article 10. Miscellaneous

Sec. 3-10.1. Optional Methods Of Conducting Elections.

Notwithstanding, the provisions contained in Sec. 1-5.1 through Sec. 1-5.9 of this plan, the Neighborhood Commission shall be authorized to engage in alternative demonstration methods of election where the commission determines it to be in the best interest of community participation.

Article 11. Validity

Sec. 3-11.1. If any part or section of the Election Rules and Procedures of the Neighborhood Boards is invalid for any reason, such invalidity shall not affect the validity of the remaining part(s) or section(s) of the Election Rules and Procedures for the Neighborhood Boards.

Amendment Note

1986 Abolished Rules For Method Of Election Of The Neighborhood Boards as adopted in 1980. Replaced with rewritten "Election Rules And Procedures For Neighborhood Boards," as new topic heading under Chapter 3. Format restyled.

CHAPTER 4

RULES AND PROCEDURES OF THE NEIGHBORHOOD BOARD

CHAPTER 4

RULES AND PROCEDURES OF THE NEIGHBORHOOD BOARD

In accordance with Sec. 1-8.1 of the Neighborhood Plan, the following rules shall govern the neighborhood boards.

Rule No. 1. Definitions

Sec. 4-1.1. For the purpose of these rules, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are the same as defined under Sec. 1-2.1 of the Neighborhood Plan.

Rule No. 2. General Provisions

Sec. 4-2.1. Membership.

The members of the neighborhood board shall be residents, at least eighteen (18) years of age, duly elected by vote of the respective neighborhood or any subdistrict thereof according to the Neighborhood Plan of the City and County of Honolulu.

Sec. 4-2.2. Vacancy.

Any vacancy occurring other than by the expiration of a term of office shall be filled within sixty (60) calendar days after its occurrence. The remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term. The vacancy shall be filled only at a regular meeting of the board after reasonable notice of intent has been given to all remaining members of the board by the chairperson.

Sec. 4-2.3. Absence.

When a board member accumulates three (3) or more absences from properly noticed regular board meetings within a one (1) year period, beginning June 1 and ending May 31, the board shall have the option to declare the seat vacant and appoint a successor pursuant to Sec. 4-2.2 of this Plan.

Amendment Note

1990 Substituted "accumulates three (3) or more absences from" for "has an unexcused absence for three (3) consecutive."
Defined June 1 to May 31 as one year period.

Rule No. 3. Methods Whereby Public May Obtain Information

Sec. 4-3.1. Source.

The public may obtain information as to matters within the jurisdiction of the neighborhood board by inquiring at the office of the Neighborhood Commission, city hall, or where established by the board, at the resource center of the neighborhood.

Sec. 4-3.2. Request For Information.

Requests for information may be made in person or by submitting a request in writing to the chairperson of the neighborhood board.

Rule No. 4. Initial Convening Of The Board

Sec. 4-4.1. Procedures For Initial Convening.

(a) For the initial convening of the newly elected neighborhood board, the board member receiving the highest number of votes in the board election immediately preceding shall call the neighborhood board members to order and shall serve as the temporary presiding officer. In the case of a tie, the temporary chairperson shall be decided by lot.

(b) The board shall then elect its officers. The officers elected by the board from its membership shall assume office immediately upon election.

(c) No action shall be taken until the chairperson is elected.

(d) The order of business shall then proceed in the following sequence:

- (1) Fill any vacant seat(s) on the board.
- (2) Pre-establish a specific day of the month on which the board will hold its regular meetings.

Rule No. 5. Officers And Their Duties

Sec. 4-5.1. The officers of a neighborhood board shall consist of the chairperson, vice chairperson, recording secretary, and any other officers the board feels is necessary to conduct board business.

Sec. 4-5.2. The chairperson and all officers shall be elected annually by the members from the membership. Each shall be elected by majority vote of the entire membership of the board. Any vacancy shall be filled in like manner.

(a) **Chairperson.** The chairperson shall be the presiding officer of the neighborhood board. In the absence of the chairperson, the vice chairperson shall act as chairperson. In the absence of both the chairperson and the vice chairperson, the recording secretary shall act as chairperson. In the absence of all officers, the board shall designate the presiding officer as required to conduct business for that meeting.

It shall be the duty of the chairperson to:

- (1) Serve as the spokesperson and representative of the board.
- (2) Open all meetings of the board at the appointed hour by taking the chair and calling the board to order.
- (3) Call for the approval of the minutes of the previous meeting.
- (4) Maintain order and decorum.
- (5) Receive and submit all matters properly brought before the board in the order prescribed by the rules.
- (6) Receive all communications and present them promptly to the board.
- (7) Appoint all committee chairs, unless otherwise directed by the board.
- (8) Authenticate by signature all advisory actions of the board.
- (9) Make known all rules of the neighborhood board when so requested and to decide all questions of order.
- (10) Promptly make the proper referral of matters brought before the board to the appropriate committee(s).
- (11) Perform such other duties as may be required by law or such as may properly pertain to such office.
- (12) Vote at all meetings.
- (13) Appoint a temporary recording secretary in the absence of the recording secretary.

(b) **Vice Chairperson.** It shall be the duty of the vice chairperson to:

- (1) Serve with the chairperson as the spokesperson and representative for the neighborhood board.
- (2) Assist the chairperson in formulating neighborhood board objectives and programs for consideration by the various committees.
- (3) Assist the chairperson to anticipate issues and problems deserving or in need of special meetings.

(4) Exercise all duties and powers of the chairperson in the absence of the chairperson.

(c) **Recording Secretary.** It shall be the duty of the recording secretary to:

(1) Keep an accurate journal of proceedings and to perform such other duties as assigned by the neighborhood board.

(2) Assist the chairperson to anticipate issues and problems deserving or in need of special meetings.

(3) Exercise all the duties and powers of the chairperson in the absence of the chairperson and the vice chairperson.

Amendment Note

1990 Deleted subsections 4-5.2(a)(14) and 4-5.2(b)(5) to coincide with deletion of "unexcused absence" provision.

1993 Temporary amendment applied only to the 1993 election implemented on May 28, 1993 to be repealed on Sept. 1, 1993; further, upon repeal, section to be readopted in the form as it read on the day before the effective date of the provisional amendment.

Sec. 4-5.3. In the event the chairperson's seat becomes vacant, the vice chairperson shall be designated the temporary presiding officer until a successor is elected to fill the unexpired term of the chairperson.

Rule No. 6. Committees

Sec. 4-6.1. The board shall be entitled to form committees as necessary to carry out its function. The function of such committees shall be to report its findings and to propose recommendations to the neighborhood board for appropriate action. No committee may speak for the board.

Rule No. 7. Conduct Of Business

Sec. 4-7.1. Meetings.

(a) **Regular Meeting(s).**

(1) A regular meeting of the board on a pre-established day of the month shall be held in at least ten (10) months of a twelve (12) month annual cycle. The cycle shall start in June and end in May, unless otherwise set by the commission. At no time shall two (2) consecutive months elapse between regular meetings.

(2) All sessions shall be open public meetings held within the neighborhood.

(3) The agenda shall be made public by filing with the city clerk not less than seven (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting.

(4) The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person(s).

(5) Public notice of all meetings shall be in compliance with applicable provisions of the Neighborhood Plan and Section 92-7, Hawaii Revised Statutes.

(b) **Special Meeting(s).**

(1) Special meetings open to the public may be called at any time by the chairperson or a majority of the board.

(2) The agenda shall be made public by filing with the city clerk not less than six (6) calendar days prior to the special meeting.

(3) Written notice specifying the subject(s) thereof shall be given to each member at least six (6) calendar days prior to such meeting. The acts and business of the board at such special meeting shall be confined to the subject(s) so specified.

(4) Delivery of notice to the member's mailing list shall be deemed sufficient compliance to the giving of written notice. Verbal notice may be given in person or by telephone.

Amendment Note

1993 Temporary amendment applied only to the 1992-1993 and 1993-1994 meeting cycles implemented on May 28, 1993 to be repealed on July 1, 1994; further, upon repeal, section to be readopted in the form as it read on the day before the effective date of the provisional amendment.

Sec. 4-7.2. Notice.

The board shall give written public notice of any regular, special, or rescheduled meeting. The notice shall include an agenda listing all of the items to be considered at the forthcoming meeting, in addition to the date, time and place of the meeting.

- (a) The agenda shall be filed with the office of the city clerk.
- (b) No board shall change the agenda, once filed, by adding items without a two-thirds (2/3) recorded vote of all members to which the board is entitled; provided that no item shall be added to the agenda in this manner if it is of reasonable major importance and action by the board will affect a significant number of persons.
- (c) All boards shall comply with Chapter 92, Hawaii Revised Statutes.

Sec. 4-7.3. Adjournment.

A meeting may be adjourned at any time by an affirmative vote of at least the majority of the entire membership to which the board is entitled. Whenever a quorum is lost, the meeting shall be considered automatically adjourned. Every adjournment shall be deemed to be to the next regular meeting of the board unless otherwise specified in the motion.

Sec. 4-7.4. Quorum And Majority Vote.

A majority of all the members to which the board is entitled shall constitute a quorum to do business. The affirmative vote of at least the majority of the entire membership to which the board is entitled shall be necessary to take action.

Sec. 4-7.5. Voting.

All meetings of the board shall be open to the public and every vote taken by the board shall be by open ballot. There shall be three (3) methods of ascertaining the decision of the neighborhood board upon any matter: by show of hands; by the call of roll of members; and, by unanimous consent. The vote of individual members shall be recorded and reflected in the minutes of the meeting.

Rule No. 8. Parliamentary Practices

Sec. 4-8.1. Motions.

- (a) No motion shall be received and considered by the board until the same has been seconded. However, committee recommendations need not be seconded.
- (b) Motions and amendments may be verbal but shall be recorded in writing by the recording secretary and shall be read by the recording secretary or any member if so desired.
- (c) After a motion is stated or read by the chairperson, it is deemed in the possession of the board. However, any motion may be withdrawn by the mover with the consent of the corresponding second at any time before a vote is taken on the motion.
- (d) Whenever any question is under discussion, the motion relative thereto shall be:
 - First, to lay on the table;
 - Second, to postpone to a certain time;
 - Third, to commit (or refer);

Fourth, to amend; and
Fifth, to postpone indefinitely.

Such motions shall have precedence in the order named. The first two (2) motions shall be decided without debate.

(e) When one of the foregoing motions fail or is decided in the negative, the same shall not be revived at the same meeting relative to the main question under discussion. If all are decided in the negative, the only remaining question shall be as to the passage or adoption of the proposed action.

Sec. 4-8.2. Priority Of Business.

(a) The board may, by vote, designate any matter properly placed on the agenda to be a special order of business, which shall take precedence over all other business.

(b) Except for the first meeting of the new board, the unfinished business in which the board was engaged at the time of the last adjournment shall have preference in the agenda. No business shall be received until such unfinished business is disposed of, unless by special leave of the board.

(c) All questions relating to the priority of business to be acted upon by the board shall be decided without debate.

Sec. 4-8.3. Motion To Adjourn.

A motion to adjourn is always in order and shall be decided without debate. One motion to adjourn shall not follow another without intervening business. A meeting may be adjourned at any time by the majority vote, unless a quorum is lost. Adjournment shall be automatic with the loss of a quorum.

Sec. 4-8.4. Question Of Order.

A question of order shall be raised at any stage of the proceedings, except when votes are being counted during a roll call vote. Such questions shall be decided by the presiding officer without debate, subject to an appeal to the board.

Sec. 4-8.5. Previous Question.

The object of the motion for the previous question is to cut off debate. It shall always be in order and shall be ordered by the majority vote of the entire membership. Whenever such motion prevails, the question on the floor shall be put to a vote. If the question on the floor is a subsidiary motion and the previous question is moved for all pending motions, all such motions are voted on without debate.

Rule No. 9. Order And Decorum

Sec. 4-9.1. The chairperson shall vacate the chair when taking part in a debate. The vice chairperson shall then assume the chair. In the absence of the vice chairperson, the recording secretary shall be the presiding officer. In the absence of all other officers, the chairperson shall appoint a temporary chairperson and vacate the chair.

Sec. 4-9.2. When a board member or person properly before the board wishes to speak, the member or person shall address the chairperson, be recognized before proceeding, and shall confine remarks to the question under discussion, avoiding personalities and abusive language.

Sec. 4-9.3. If a board member or other person in speaking, or otherwise, shall violate these rules, the presiding officer or any board member may raise a question of order. The presiding officer shall then decide the question of order without debate.

Sec. 4-9.4. When any person is called to order while speaking, such person shall be in possession of the floor after the question of order is decided, and may proceed with the matter under discussion within the ruling on the question of order.

Rule No. 10. Standards Of Conduct

Sec. 4-10.1. Conflicts Of Interest.

No neighborhood board member shall:

(a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any form under circumstances in which it can reasonably be inferred that the gift is intended to influence a board member in the performance of the member's neighborhood board duties.

(b) Disclose confidential information gained by reason of a board member's position, or use such information for the personal gain or benefit of anyone.

(c) Engage in any business transaction or activity, or have a financial interest, directly or indirectly, which is incompatible with the proper discharge of a board member's duties or which may tend to impair the member's independence of judgement in the performance of the member's duties.

Sec. 4-10.2. Disclosure Of Interest.

When a board member makes a disclosure orally or in writing of a personal or private interest in any action pending before the board or its committees, such disclosure shall be recorded in the minutes of the meeting(s) of the board. Such disclosure shall be applicable to all subsequent actions relating to the same subject matter. No Board member filing a disclosure shall be disqualified from voting on the matter relating to the conflict of interest.

Sec. 4-10.3 Political Activities.

(a) No neighborhood board shall use its official position or title to:

(1) Endorse a candidate for elective or appointive office.

(2) Engage in any political activity which could be implied to endorse or support a candidate for elective or appointive office.

(b) The foregoing prohibited activities shall not be deemed to preclude the right of any individual neighborhood board member to engage in these political activities as private individuals.

Amendment Note

1990 Sec. 4-10.3 Political Activities new section added.

Rule No. 11. Parliamentary Authority

Sec. 4-11.1. The rules of parliamentary practice, as set forth by the latest edition of Robert's Rules of Order, Newly Revised, shall govern the neighborhood board where the same are not covered or in conflict with these rules.

Rule No. 12. Violations Of Provisions

Sec. 4-12.1. Any final action taken by the board in violation of any of the provisions of these rules shall be voided by the Neighborhood Commission after a hearing is conducted pursuant to Sec. 1-10 of the Neighborhood Plan or as provided under Section 92-11, Hawaii Revised Statutes.

Rule No. 13. Rules In Conflict With The Charter

Sec. 4-13.1. If any rule contained is in conflict with the provisions of the Revised Charter, the Hawaii Revised Statutes, as amended, the Neighborhood Plan, or other laws, such rule shall be deemed invalid. Such invalidity shall not affect other rules contained herein.

Rule No. 14. Validity

Sec. 4-14.1. If any part or section of these rules is held to be invalid for any reason, such invalidity shall not affect the validity of the remaining part or section of these rules.

Amendment Note

1986 Chapter 4 added establishing unified set of Board Rules and Procedures.

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1993 Temporary Amendments

REVISED NEIGHBORHOOD PLAN,
OF THE CITY AND COUNTY OF HONOLULU 1986
AS AMENDED

Comprising the amendments as adopted by the
Neighborhood Commission of the City and County of
Honolulu on May 17, 1993.

NEIGHBORHOOD COMMISSION
City Hall, Honolulu 96813



NEIGHBORHOOD COMMISSION
OF THE CITY AND COUNTY OF HONOLULU
STATE OF HAWAII

AMENDMENTS TO THE REVISED NEIGHBORHOOD PLAN
OF THE CITY AND COUNTY OF HONOLULU 1986, AS AMENDED

Pursuant to and by virtue of the authority set forth in Article XIV of the Revised Charter of the City and County of Honolulu 1973 (1984 Edition), as amended (hereinafter "RCH"), and Section 1-9.1 of the Revised Ordinances of the City and County of Honolulu 1990, as amended (hereinafter "ROH"), and in accordance with Section 91-3 and 92-41, Hawaii Revised Statutes, RCH Sections 4-105.4, 13-106, and 14-104, and Sections 3.3a and 4.1a of the Rules of the Neighborhood Commission of the City and County of Honolulu, as amended, the Neighborhood Commission of the City and County of Honolulu, subject to the approval of the Mayor of the City and County of Honolulu, hereby amends the Revised Neighborhood Plan of the City and County of Honolulu 1986, as amended (hereinafter "Neighborhood Plan"), as follows:

Sec. 3-6.5 Ballots shall be mailed to qualified voters by the fourth (4th) Friday in March of the election year; provided that for the 1993 biennial elections the ballots shall be mailed to qualified voters by June 4, 1993 or as soon thereafter as determined feasible by the executive secretary; provided further that, in the event the mailing of ballots for the 1993 biennial elections is delayed beyond June 4, 1993, the executive secretary shall publish a notice of the delay and the date ballots are to be mailed in a newspaper of general circulation in the City. Following this date, a qualified voter not receiving a ballot may notify the commission office and request a replacement ballot. The commission office may reissue and mail a new ballot which shall be appropriately marked "**Second Ballot**" (alternatively "**2nd Ballot**").

Note: The above amendment is temporary and applies only to the 1993 elections. On September 1, 1993 this amendment shall be repealed.

Sec. 3-6.9 All ballots shall be returned by mail in the return envelope provided and postmarked by the third (3rd) Monday in April of the election year; provided that, for the 1993 biennial elections, all ballots shall be returned by mail in the return envelope provided and postmarked by June 28, 1993, even if the mailing of the ballots is delayed beyond June 4, 1993 pursuant to Sec. 3-6.5. Any ballot delivered to the commission office other than by mail or postmarked after the closing date shall be disqualified and declared "**invalid.**"

Note: The above amendment is temporary and applies only to the 1993 elections. On September 1, 1993, this amendment shall be repealed.

Sec. 3-7.8 The chief monitoring officer shall certify the results of the election for the commission. The certified election results shall be made public by the commission on or before July 9, 1993 or as soon thereafter as determined feasible by the executive secretary.

Note: The above amendment is temporary and applies only to the 1993 elections. On September 1, 1993, this amendment shall be repealed.

Sec. 3-7.10 Elected candidates may be administered the oath of office five (5) calendar days after the certified election results are made public pursuant to Sec. 3-7.8, unless challenged, for a term of office beginning

the first (1st) calendar day in June of the election year and expiring twenty-four (24) months later on the last calendar day in May; provided that for the 1991 biennial elections the term of office shall begin on the first (1st) calendar day in June of the election year and expire on the last calendar day in July 1993; and provided further that for the 1993 biennial elections the term of office shall begin on the first (1st) calendar day in August 1993 and shall expire on the last calendar day of May 1995.

Note: The above amendment is temporary and applies only to the terms office for 1991-1993 and 1993-1995. On July 1, 1995 this amendment shall be repealed.

Sec. 3-8.1 Voter Registration.

A resident, registered with the commission to vote in the election, may challenge the right of a person to be or to remain registered as a voter in a given neighborhood or applicable subdistrict. The challenge shall be on grounds that the voter fails to meet the qualifications as set forth in Sec. 3-3.2 of these Rules. The challenge shall be in writing defining the grounds on which it is based and signed by the person making the challenge. Before 4:30 p.m. on June 21, 1993, all voter registration challenges shall be filed with the executive secretary who shall forthwith serve notice on the person challenged. No voter registration objection shall be considered after this closing. The executive secretary shall, as soon as possible, investigate and rule on the challenge. The voter's proof of primary residence and age, when applicable, shall consist of an identification card, driver's license, birth certificate, or a notarized statement. No other or further challenge shall be allowed for the same person in a single election.

Note: The above amendment is temporary and will apply only to the 1993 elections. On September 1, 1993 this amendment shall be repealed.

Sec. 4-5.2 The chairperson and all officers shall be elected annually by the members from the membership; provided that the chairperson and all officers elected to serve for a term ending May 31, 1993, shall continue to serve until the last calendar day in July 1993. Each shall be elected by majority vote of the entire membership of the Board. Any vacancy shall be filled in like manner.

a. Chairperson.

The chairperson shall be the presiding officer of the neighborhood board. In the absence of the chairperson, the vice chairperson shall act as chairperson. In the absence of both the chairperson and the vice chairperson, the recording secretary shall act as chairperson. In the absence of all officers, the board shall designate the presiding officer as required to conduct business for that meeting.

It shall be the duty of the chairperson to:

- (1) Serve as the spokesperson and representative of the board.
- (2) Open all meetings of the board at the appointed hour by taking the chair and calling the board to order.
- (3) Call for the approval of the minutes of the previous meeting.
- (4) Maintain order and decorum.
- (5) Receive and submit all matters properly brought before the board in the order prescribed by the rules.
- (6) Receive all communications and present them properly to the board.
- (7) Appoint all committee chairs, unless otherwise directed by the board.
- (8) Authenticate by signature all advisory actions of the board.
- (9) Make known all Rules of the Neighborhood Board when so requested and to decide all questions of order.

- (10) Promptly make the proper referral of matters brought before the board to the appropriate committee(s).
- (11) Perform such other duties as may be required by law or such as may properly pertain to such office.
- (12) Vote at all meetings.
- (13) Appoint a temporary recording secretary in the absence of the recording secretary.

b. **Vice Chairperson.**

It shall be the duty of the vice chairperson to:

- (1) Serve with the chairperson as the spokesperson and representative for the neighborhood board.
- (2) Assist the chairperson in formulating neighborhood board objectives and programs for consideration by the various committees.
- (3) Assist the chairperson to anticipate issues and problems deserving or in need of special meetings.
- (4) Exercise all duties and powers of the chairperson in the absence of the chairperson.

c. **Recording Secretary.**

It shall be the duty of the recording secretary to:

- (1) Keep an accurate journal of proceedings and to perform such other duties as assigned by the neighborhood board.
- (2) Assist the chairperson to anticipate issues and problems deserving or in need of special meetings.
- (3) Exercise all the duties and powers of the chairperson in the absence of the chairperson and the vice chairperson.

Note: The above amendment is temporary and applies only to the 1993 elections. On September 1, 1993 this amendment shall be repealed.

Sec. 4-7.1 Meetings.

a. **Regular Meeting(s).**

- (1) A regular meeting of the board on a pre-established day of the month shall be held in at least ten (10) months of a twelve (12) month annual cycle. The cycle shall start on the first (1st) calendar day of June and end on the last calendar day of May, unless otherwise set by the Commission; provided that for the 1992-1993 period, the cycle shall start on the first (1st) calendar day of June 1992 and shall end on the last calendar day in July 1993, and regular meetings of the board shall be held in at least twelve (12) months of the fourteen (14) month period; and provided further that for the 1993-1994 period, the cycle shall start on the first (1st) calendar day of August 1993 and end on the last calendar day of May 1994, and regular meetings of the board shall be held in at least eight (8) months of the ten (10) month period. At no time shall two (2) consecutive months elapse between regular meetings.
- (2) All sessions shall be open public meetings held within the neighborhood.
- (3) The agenda shall be made public by filing with the city clerk not less than seven

- (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting.
- (4) The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person(s).
- (5) Public notice of all meetings shall be in compliance with applicable provisions of the Neighborhood Plan and Section 92-7, Hawaii Revised Statutes.

Note: The above amendment is temporary and applies only to the 1992-1993 and 1993-1994 meeting cycles. On July 1, 1994 this amendment shall be repealed.

The foregoing Amendments shall be repealed on dates as specified. Further upon repeal of these Amendments, the affected sections of the Neighborhood Plan shall be readopted in the form in which they read on the day before the effective dates of these Amendments.

These amendments shall take effect on May 28, 1993.

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CITY AND COUNTY OF HONOLULU

"THE RESPONSIBLE CITY"

This is the report of the Neighborhood Plan developed by the Neighborhood Commission after holding public hearings in various areas of the City and County of Honolulu. The development of the Neighborhood Plan was mandated by the revised Charter of the City and County of Honolulu in 1972 and approved by the majority of voters who voted at the General Election on November 7, 1972.

The Neighborhood Commission held a series of nine (9) public hearings and twenty-seven (27) public information meetings to receive input from the citizens on opinions and information from various community groups, individuals, government officials and business people during the developmental stages of the plan. These hearings and information meetings were open to the public.

The first petition to form a Neighborhood Board was received by the Neighborhood Commission on February 19, 1975. Other Neighborhood Boards were formed subsequently.

The theme "The Responsible City" was chosen by the City Charter Commission when it presented the revised City Charter to the voters in 1972. A major component of this concept is full citizen participation in government so that the powers of the City shall properly serve and advance the aspirations of its citizens.

However, the initiative for action must come from the people themselves. While Neighborhoods and Neighborhood Boards were established under the Charter as a means to "increase and assure effective citizen participation," their creation and implementation is optional (Revised Charter, Sec. 13-104).

The Neighborhood Plan, which designates boundaries and provides procedures for neighborhood formation, leaves many decisions open to the community so that an individually designed approach, suited to each Neighborhood, can be implemented. Neighborhoods may choose the number of Board members, and the manner of Board representation. While certain powers, duties and functions of Neighborhood Boards are specified in the Neighborhood Plan, they are not limited to these activities and individual Boards are expected to take the initiative in selecting activities and priorities.

NEIGHBORHOOD PLAN
Of The
CITY AND COUNTY OF HONOLULU

I. PURPOSE

- 1-1 "Neighborhoods and neighborhood boards to increase and assure effective citizen participation in the decisions of the city shall be established in accordance with a neighborhood plan." (Article XIII, Section 13-101, Revised City Charter of the City and County of Honolulu.)
- 1-2 This is the mandate given by the voters to the Neighborhood Commission to develop a Neighborhood Plan.

II. DEFINITIONS

- 2-1 For the purpose of this Plan, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are defined as follows:
- a. "Commission" means the Neighborhood Commission of the City and County of Honolulu.
 - b. "City" means the body politic and corporate by the name of "City and County of Honolulu."
 - c. "City Charter" means the Charter of the City and County of Honolulu as revised by the Charter Commission, effective January 2, 1973.
 - d. "City Clerk" means the City Clerk of the City and County of Honolulu.
 - e. "Neighborhood" means an area of the City which has been established by the initiative process outlined in Section IV of this Neighborhood Plan.
 - f. "Resident" is one who has his dwelling or place of abode within the Neighborhood.

III. BOUNDARIES

- 3-1 The boundaries of the Neighborhoods shall be depicted on the official Neighborhood Boundary Map and described in writing by the Neighborhood Commission as attached hereto.
- 3-2 The following standards shall be used by the Neighborhood Commission in establishing Neighborhood boundaries. These standards shall also be used as guidelines for the periodic review of boundaries, for the granting of amendments, and for changes and adjustments.
- a. Neighborhoods shall be contiguous and compact insofar as practicable.
 - b. No Neighborhood boundary shall be so drawn as to unduly favor a person or community.
 - c. The Neighborhoods as a whole shall coincide so far as feasible with Oahu's historic communities. Where practicable, submergence of an area

in a larger Neighborhood wherein substantially different socio-economic interests dominate shall be avoided.

d. Where possible, Neighborhood boundaries shall follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and when practicable, shall coincide with census tract precinct or administrative boundaries.

- 3-3 Amendments to Neighborhood boundaries may be requested by petition setting forth the proposed amendments, signed by registered voters equal in number to at least ten percent (10%) of the entire vote cast in the last election(s) of the Neighborhood Board(s) of each affected Neighborhood. There shall be no less than 100 signators.
- 3-4 The petition shall be filed with the Commission and transmitted to the City Clerk for verification of the signatures as being those of registered voters.
- 3-5 Within thirty (30) days of receipt of the petition, the Commission shall hold a public hearing within the Neighborhood as to whether or not the boundaries should be amended. There shall be fifteen (15) days allowed for written testimony after the close of the public hearing. Within forty-five (45) days following the close of the hearing, the Commission, by resolution, shall approve or disapprove the amendment to the Neighborhood boundary. One of the bases of approval or disapproval shall be evidence of community support as submitted to the Commission. A report explaining the Commission's action shall accompany the resolution.
- 3-6 If the evidence at the public hearing is inconclusive as to community support for the boundary change, a special election shall be called by the Commission to allow residents of the Neighborhood(s) affected to indicate what proportion desires the proposed change. The result of such an election shall be considered by the Commission in making a decision on the proposed boundary amendment.
- 3-7 The boundaries designated in the Neighborhood Plan shall not be amended within the first year from the date of the filing of the Plan. In addition, the boundaries of a Neighborhood shall not be amended within one year from the date of the Neighborhood's first election of a Board.

IV. INITIATION AND FORMATION OF NEIGHBORHOODS

- 4-1 A Neighborhood shall be formed by initiative petition signed by 5% or 100 (whichever is less) of the registered voters within its Neighborhood boundaries at the time of the last general election.
- 4-2 The petition shall contain the proposed number of Board members, proposed method of election, and any plans for representation from subdivided areas of the Neighborhood.
- 4-3 The petition shall be filed with the Neighborhood Commission and transmitted to the City Clerk for verification of the signatures as being those of registered voters.

- 4-4 Upon verification by the City Clerk, the Commission shall publicize the petition within the proposed Neighborhood area and call for the submission of any alternative petitions. Within thirty (30) days of the receipt of the petition, the Commission shall hold a public hearing within the community as to whether or not the Neighborhood should be formed. All additional petitions must be submitted before the close of the public hearing. There shall be fifteen (15) days allowed for written testimony after the close of the public hearing. Within forty-five (45) days following the close of the hearing, the Neighborhood Commission, by resolution, shall approve or disapprove the petition. One of the bases of approval or disapproval shall be evidence of community support. The Commission reserves the power to amend any details of the petition if there is evidence of community support for such an amendment. A report explaining the Commission's action shall accompany the resolution.
- 4-5 Amendments to the petition may be requested by the Neighborhood Board at any time subsequent to approval of the petition by the Commission. Approval or disapproval of such amendments shall be made by the Commission after a public hearing in the Neighborhood.

V. ELECTION OF A NEIGHBORHOOD BOARD

- 5-1 Each Neighborhood shall have a Neighborhood Board consisting of at least nine (9) members, elected by plurality vote of the residents voting, eighteen (18) years and older, of the Neighborhood or any subdivision thereof. All Boards shall have an uneven number of members who shall all be residents of the Neighborhood.
- 5-2 There may be representation by geographic subunits within the Neighborhood area. Any subdivision of a Neighborhood must consider the one man, one vote principle allowing for reasonable deviation.
- 5-3 Candidates for election shall file a statement of candidacy on a form provided by the Commission.
- 5-4 Members of the Board shall be elected for two (2) year terms. Subsequent changes of the election date may be made upon petition by the Neighborhood Board. The term of the incumbents may be shortened or extended to coincide with the next election date.
- 5-5 The date, time, place, and method of election shall be approved by the Commission.
- 5-6 The method of election shall be mail balloting.
- 5-7 All elections shall be non-partisan and shall be by secret ballot.
- 5-8 In the event of a tie for the last available seat on the Board or from a subdivided area of the Neighborhood, and after a recount has been conducted, the winner shall be decided by lot in the presence of the candidates and witnesses.

Amendment Note: 1980 amended section generally.

VI. REMOVAL OF A NEIGHBORHOOD BOARD

- 6-1 The removal of a Neighborhood Board may be initiated by the residents of the Neighborhood or by the Neighborhood Commission.
- a. The removal of a Neighborhood Board may be initiated by a petition in the same manner as provided for in the formation of a Neighborhood (Section IV). After a public hearing, a two-thirds (2/3) vote of the Commission is required to call for a vote in the Neighborhood on the question of removal. A Board shall be removed upon an affirmative vote equal to a majority of the vote cast in the removal election provided it is not less than two-thirds (2/3) of the number of votes cast in the first election after the formation of the Neighborhood.
 - b. If a Neighborhood Board fails to meet for six consecutive months or for other valid reasons, the Commission may call a public hearing on a removal of the Neighborhood Board. After public hearing, a two-thirds (2/3) vote of the Commission is required to call for a vote in the Neighborhood on the question of removal. A Board shall be removed upon an affirmative vote equal to a majority of the vote cast in the removal election provided it is not less than two-thirds (2/3) of the number of votes cast in the first election after the formation of the Neighborhood.

VII. POWERS, DUTIES AND FUNCTIONS OF A NEIGHBORHOOD BOARD

- 7-1 Individual Boards are expected to take the initiative in selecting their activities and establishing priorities among them. However, the powers, duties and functions of the Neighborhood Board shall include, but not be limited to the following:
- a. Review and make recommendations on any general plan, development plan and zoning change within its Neighborhood and may review and make recommendations on such changes in other Neighborhoods.
 - b. Prepare a list of recommended capital improvement projects which reflect the needs of the Neighborhood and state the priorities thereof and re-view and make recommendations on capital improvement plans proposed by the City.
 - c. Set goals, objectives and priorities for the growth of the Neighborhood.
 - d. Sponsor studies, hold public hearings and make recommendations on problems in the Neighborhood.
 - e. Monitor and evaluate the efficiency and effectiveness of the government's delivery of services to citizens and assist in advocating residents' interests to public agencies, the City Council, governmental bodies and to other organizations and persons.
 - f. Conduct educational programs for the general public regarding the aspects of governmental decision-making processes important to Board activities and functions; and to assist other government agencies in their educational programs that are relevant to Board activities.
 - g. Cooperate with other Boards in developing and operating resource centers to be located at a Satellite City Hall, or at the office of the Neighbor-

hood Commission or at any other location convenient to the Neighborhoods. Such a center shall be for the use of the entire community and shall be the location for the Commission staff assistance to the Boards. The Commission staff will provide assistance in data acquisition and analysis and other aspects of problem solving. The Boards may request the assistance of the Neighborhood Commission staff in accordance with Section 13-103(c) of the City Charter.

- h. Prepare a brief annual report of its activities for submission to the Neighborhood Commission. Guidelines for this report will be established by the Neighborhood Commission.
- i. Hold at least ten (10) monthly regular meetings per year; regular meetings shall be held not more than two (2) months apart. All sessions shall be open public meetings, held at a public place accessible to the public within the neighborhood. The agenda shall be made public no less than seven (7) days and mailed no later than six (6) days prior to the scheduled regular meeting. The Board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such persons. Public notice of all meetings shall be in compliance with the applicable provisions of the Neighborhood Plan and HRS Chapter 92.
- j. Special meetings open to the public may be called at any time by the Chairperson, or a majority of a Neighborhood Board. The agenda shall be made public no less than seventy-two (72) hours prior to the meeting. Unless waived by all members, written or oral notice of such meeting specifying the object thereof shall be given to each member at least seventy-two (72) hours prior to such meeting, and the acts and business of the Neighborhood Board at such special meeting shall be confined to the object so specified. Delivery of notice to the member's mailing address shall be deemed sufficient compliance to the giving of written notice.
- k. Within limitations of staff and financial resources, and in cooperation with such agencies as the Satellite City Halls, initiate and seek out ways to assist and collaborate with existing community associations and councils in carrying out their functions in harmony with those assigned to Neighborhood Boards.

7-2 The Commission shall provide staff and operating expenses for the Neighborhood Boards in order for them to perform their duties and functions.

Amendment Note: 1980 amended section generally.

VIII. RULES FOR THE CONDUCT OF BUSINESS

8-1 The Commission shall provide a model set of rules which may be used by the Board. The Boards may have their own operating rules as long as they are not in conflict with the Administrative Procedures Act of the State of Hawaii, the rules of the Commission and this Neighborhood Plan, *Robert's Rules of Order* will serve as the parliamentary authority for all Boards.

IX. APPEALS

- 9-1 An aggrieved party may secure a review of any judgment of the Commission by appeal in writing to the Commission within ten (10) days of the publication of such judgment. The Commission shall act on such an appeal at its next meeting and a decision shall be made no more than ten (10) days after the meeting.
- 9-2 Appeal may also be sought in accordance with the Administrative Procedures Act of the State of Hawaii.

X. PROCEDURES GOVERNING HEARINGS CONDUCTED BY THE NEIGHBORHOOD COMMISSION

- 10-1 Authority of the Neighborhood Commission.

The provisions of RCH Section 13-103 relating to the powers, duties and functions of the Neighborhood Commission (Commission) requires the Commission to assist areas of the City in the formation and operation of the Neighborhood Boards and to review and evaluate the effectiveness of the various Neighborhood Boards. Implied within this requirement is the authority of the Commission to conduct hearings to determine the rights, duties and privileges of members of the Neighborhood Boards and any person affected by the actions of any Neighborhood Board.

- 10-2 Scope of Investigations.

In the interest of the residents of the neighborhoods represented by the Neighborhood Boards, the Commission may review any aspect of the operation of the Neighborhood Boards to determine the effectiveness of the Neighborhood Boards in accordance with the Neighborhood Plan, the rules of the various Neighborhood Boards and/or any applicable laws.

- 10-3 Jurisdiction.

The Commission will not conduct these hearings unless and until a written complaint has been filed by the complainant on a form furnished by the Commission and is signed by the complainant and verified by the Executive Secretary of the Commission that she personally witnessed the execution of the complaint.

- 10-4 Who May Complain.

Any member of the Neighborhood Board or any resident of a neighborhood represented by a Neighborhood Board which is the subject of the complaint.

- 10-5 Response by the Neighborhood Board.

A copy of the complaint will be furnished to the Neighborhood Board by the Commission and the Neighborhood Board shall file within thirty (30) calendar days with the Commission their response on a form furnished by the Commission to the allegations contained in the complaint.

- 10-6 Response of Neighborhood Board.

Upon filing of a response, the Executive Secretary of the Commission shall transmit a copy of the response within five (5) working days after filing

thereof to the complainant. If the Neighborhood Board fails to file a response within the aforesaid thirty (30) calendar days, any allegations contained in the complaint shall be deemed admitted by the respondent unless the respondent submits valid reasons in writing for the delay prior to the filing deadline for the response.

10-7 Prehearing Review.

On a date set by the Executive Secretary which shall not be less than ten (10) working days after the filing of the response, the complainant and the respondent shall appear before a Deputy Corporation Counsel to determine the issues to be heard and resolved by the Commission.

10-8 Testimony, Witnesses Or Any Evidence To Be Submitted.

When there has been an agreement regarding the issues to be determined by the Commission, the complainant and the respondent shall file within ten (10) working days with the Commission a list of witnesses and any other evidence required to support their respective positions. Copies of this list will be exchanged between the complainant and respondent.

10-9 Hearing Date.

After the foregoing procedures have been met, the Commission shall set a date for a hearing.

10-10 Procedure at Hearing.

- a) The complainant shall proceed by making an opening statement, if desired, stating what the complainant intends to prove while the respondent may also give an opening statement, if desired, stating what he intends to prove in support of his response to the complaint.
- b) Thereafter the complainant may proceed with his case by calling his witnesses or submitting any evidence in support of his complaint.
- c) During the presentation of the case by either the complainant or respondent, cross-examination of witnesses shall be permitted.
- d) Any document, writing or object introduced as evidence in support of any party's position must first be examined by the opposing party before being introduced as evidence.
- e) The formal rules of evidence shall not apply to these hearings.
- f) Upon the conclusion of the presentation of the complainant's case, the Commission may make a determination whether or not the complainant has submitted sufficient evidence to support his complaint. If so, the respondent may proceed with his case. If not, the Commission may go into executive session to make a determination whether or not to dismiss the complaint.
- g) Upon the conclusion of the presentation of the case by the complainant and the respondent, the Commission may go into executive session to deliberate and arrive at a decision whether to dismiss or sustain the complaint.

- h) After due deliberation, the Commission shall render an oral decision and within ten (10) working days after such decision issue a decision in writing, but if the hearing involves a contested case as defined in HRS Section 91-9, the Commission shall render its decision based on findings of fact and conclusions of law pursuant to HRS Section 91-12.

10-11 Imposition of Remedies by the Neighborhood Commission.

If the Commission finds in favor of the complainant, the Commission shall determine the appropriate remedy commensurate to the gravamen of the complaint.

10-12 Reconsideration.

Any person who has been subject to an adverse decision of the Commission may request a reconsideration of the decision provided there is new evidence which was not presented at the original hearing. If this motion is denied, then the decision of the Commission shall stand and there shall be no further administrative appeal or reconsideration of the case; provided nothing herein shall be construed to prohibit the aggrieved person from seeking judicial review pursuant to HRS CHAPTER 91 HAWAII ADMINISTRATIVE PROCEDURES ACT.

Amendment Note: 1978 amended by adding new Section X. "Procedures Governing Hearings Conducted by the Neighborhood Commission." Amended Section X. Validity, and Section XI. Amendments To The Neighborhood Plan, to Section XI and Section XII, respectively.

XI. VALIDITY

- 11-1 If any section or part of this Neighborhood Plan is held invalid for any reason whatsoever, such invalidity shall not affect the validity of the remaining sections or part of this Neighborhood Plan.

XII. AMENDMENTS TO THE NEIGHBORHOOD PLAN

- 12-1. According to Section 13-104 of the City Charter, "The plan may be amended by the Commission, after public hearings to be held in various areas of the City and amendments shall become effective upon filing with the City Clerk."
- 12-2 A comprehensive review of this Neighborhood Plan shall be conducted by the Commission five (5) years after the filing of this Plan with the City Clerk and every five (5) years thereafter.

DESCRIPTION OF NEIGHBORHOOD BOUNDARIES

Neighborhood

Description of Boundary

- #1 From Makapuu Point, along the coast in a westerly direction to the western outlet of Kuapa Pond, then inland north to May Way to Maunalua Avenue, Maunalua Avenue extended, then north to the crest of Maunalua Ridge to the crest of the Koolau Range (Honolulu City Limits), thence along the crest of the Koolau Range to Makapuu Point.
- #2 From the junction point of the crest of the Koolau Range and Maunalua Ridge, south along Maunalua Ridge to Maunalua Avenue extended, to Maunalua Avenue, to May Way, to the Western outlet of Kuapa Pond, along the coast in a westerly direction to the east boundary of the Waialae Golf Course, thence east and north along the boundary of the Waialae Golf Course to the intersection of Waikui Street and Kalaniana'ole Highway thence, northeasterly along the ridgeline of the unnamed ridge east of Kapakahi Gulch to its intersection with Wiliwili-nui Ridge, thence along Wiliwilinui Ridge to the crest of the Koolau Range, thence along the crest of the Koolau Range to Maunalua Ridge.
- #3 Beginning at the junction of the crest of the Koolau Range and Wiliwilinui Ridge, south along Wiliwilinui Ridge to its intersection with the crest of an unnamed ridge east of Kapakahi Gulch, thence south along the ridgeline of the unnamed ridge to the intersection of Waikui Street and Kalaniana'ole Highway, thence west and south along the east boundary of the Waialae Golf Course, thence along the coast in a south-westerly direction to the west boundary of the U.S. Coast Guard Reservation, thence in a straight line to the rim of the Diamond Head Crater, thence along the crater rim in a northern direction, thence in a straight line to the intersection of Eighteenth Avenue and Diamond Head Road, thence along the Eighteenth Avenue to Puu Panini Avenue, East along Puu Panini Avenue, north along the property line between 4210 and 4220 Puu Panini Avenue, thence in a north and east direction along the back property lines of 4220 to 4326 Puu Panini Avenue to Huanui Street, east along Huanui Street east along the property line between 4405 and 4379 Puu Panini Avenue, thence north along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind one row of homes west of Elepaio and Hunakai Streets, north across Waialae Avenue, north along the east property fence line of the Waialae Drive-In Theatre, thence north along the east property fence line, along the fence line extended along the rear property line (east line of Wilhelmina Rise Tract), along the rim of a bluff (east line of Maunalani Heights Tract), thence to Waialaenui Gulch, thence north to the crest of the Koolau Range (Honolulu City Limits) and along the crest to the intersection with Wiliwilinui Ridge.
- #4 Beginning at the rim of the bluff along the east line of the Maunalani Heights Tract, in a southern direction along the fence line of the Waialae Drive-In Theatre extended (east line of Wilhelmina Rise Tract), south to the fence along the east property line of the Waialae Drive-In Theatre, south across Waialae Avenue, thence south along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind the row of homes west of Hunakai and Elepaio Streets, west along the property line between 4405 and 4379 Puu Panini Avenue, west along Huanui Street, then south and west along the back property

lines of 4326 to 4220 Puu Panini Avenue, south along the property line between 4220 and 4210 Puu Panini Avenue, thence west, along Puu Panini Avenue to Eighteenth Avenue, thence south along Eighteenth Avenue to Diamond Head Road, thence west along Diamond Head Road to Makapuu Avenue thence north along Makapuu Avenue to Alohea Avenue, thence along Alohea Avenue to Sixth Avenue, thence along Sixth Avenue in a northerly direction to the H-1 Freeway, thence in a westerly direction along the H-1 Freeway to the extension of Fifth Avenue, thence north along Fifth Avenue to Waialae Avenue, thence east along Waialae Avenue to Sierra Drive, thence north along Sierra Drive to the west line of the Wilhelmina Rise Tract, thence north along the rim of the bluff which constitutes the west line of the Wilhelmina Rise and Maunalani Heights Tracts, thence to the point of junction with the east line of the Maunalani Heights Tract.

#5 Beginning at the intersection of Fifth Avenue and Waialae Avenue, south along Fifth Avenue to the H-1 Freeway, then east along the H-1 Freeway to Sixth Avenue, thence in a southerly direction along Sixth Avenue to Alohea Avenue, thence east along Alohea Avenue to Makapuu Avenue, thence south along Makapuu Avenue to Diamond Head Road, thence along Diamond Head Road to the intersection with Eighteenth Avenue, thence in a straight line to the rim of Diamond Head Crater, thence along the rim of Diamond Head, thence in a straight line south to the west boundary of the U.S. Coast Guard Reservation, thence in a westerly direction along the coastline to the intersection of Kalakaua Avenue and Kapahulu Avenue thence north along Kapahulu Avenue to Ala Wai Boulevard, thence west along Ala Wai Boulevard to a line along the end of Ala Wai Canal, thence west along the Ala Wai Canal to the Manoa-Palolo Drainage Canal, thence north along the Manoa-Palolo Drainage Canal, thence north along the north branch of Manoa Stream, thence in a straight line across Dole Street to Waahila Ridge, thence north along Waahila Ridge to a point on the ridge which intersects with an extension of the southwest boundary of Kawao Park, thence along the southwest boundary of Kawao Park to the Honolulu Watershed Forest Reserve boundary, thence south along the Forest Reserve boundary to Palolo Stream, thence south along Palolo Stream to a direct line drawn to the intersection of Palolo Avenue and Waialae Avenue, thence east along Waialae Avenue to Fifth Avenue.

#6 From the junction point of the crest of the Koolau Range and Waialaenui Gulch, thence south along Waialaenui Gulch, thence in a direct line to the rim of a bluff constituting the west boundary of the Maunalani Heights Tract, thence southwest along the west boundary of the Maunalani Heights and Wilhelmina Rise Tracts to Sierra Drive, thence south along Sierra Drive to Waialae Avenue, thence west along Waialae Avenue to the junction of Palolo Avenue and Waialae Avenue, thence in a direct line to Palolo Stream, thence north along Palolo Stream to the Honolulu Watershed Forest Reserve boundary, thence north along the Forest Reserve boundary, to southwest boundary of Kawao Park, thence along an extension of the Kawao Park boundary to Waahila Ridge, thence north along Waahila Ridge to the crest of the Koolau Range, thence east along the Koolau Range to the junction with Waialaenui Gulch.

#7 From the junction of the Koolau Ridge with Waahila Ridge, south along Waahila Ridge, across Dole Street to Manoa Stream, thence south along Manoa Stream to Waialae Avenue, west along Waialae Avenue to the H-1 Freeway, west along H-1 Freeway to Punahou Street, north along Punahou Street to Nehoa Street intersection, west along the northern property boundaries of the homes along the northern side of Nehoa Street to the

east boundary of homes on the east side of Ualakaa Street, thence north along the property lines parallel to Ualakaa Street to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve boundary, and north along the rim of the ridge on the east side of Pauoa Flats to the crest of the Koolau Range, thence east along the Koolau Range until the junction with Waahila Ridge.

- #8 . Beginning at the junction of Waialae Avenue and Manoa-Palolo Drainage Canal, south along the Manoa-Palolo Drainage Canal, thence west along the Ala Wai Canal to Kalakaua Avenue, thence north along Kalakaua Avenue to King Street, thence east along King Street to Punahou Street, thence north along Punahou Street to the H-1 Freeway, thence east along the H-1 Freeway to Waialae Avenue, thence north along Waialae Avenue to the Manoa-Palolo Drainage Canal.
- #9 Beginning at the junction of Ala Wai Boulevard and Kapahulu Avenue, thence south along Kapahulu Avenue to the ocean, thence in a westerly direction along the coast line to a line extending to the entrance to the yacht basin, thence north along that line to the Ala Wai Canal, thence along the Ala Wai Canal in a northeasterly and easterly direction to a straight line connecting the end of the Ala Wai Canal with the Ala Wai Boulevard, thence along the Ala Wai Boulevard to its junction with Kapahulu Avenue.
- #10 Beginning at the junction of the face of the ridge on the east side of Pauoa Valley and an unnamed ridge, thence along a line descending along the northeast side of the ridge, thence south along the Honolulu Watershed Forest Reserve Boundary, thence south along the east side of the property lines on the east side of Ualakaa Street to the property lines on the north side of Nehoa Street, thence east along these property lines to Punahou Street, south along Punahou Street to King Street, thence west along King Street to Ward Avenue, thence north along Ward Avenue to the H-1 Freeway, thence west along the H-1 Freeway to Pele Street, thence north along Pele Street and Pele Street extended to the rim of Punchbowl Crater, thence east along the rim of Punchbowl Crater, thence in a straight line to Prospect Street, thence southeast along Prospect Street to Nehoa Street, along Nehoa Street to Auwaiolimu Street thence north along Auwaiolimu Street to Kanaha Stream, thence north along Kanaha Stream to the Forest Reserve Boundary, thence in a northwesterly direction along the Forest Reserve Boundary, to the face of the ridge on the east side of Pauoa Valley, thence north along the ridge on the east side of Pauoa Valley to its junction with an unnamed ridge.
- #11 Beginning at the junction of King Street and Kalakaua Avenue, southeast along Kalakaua Avenue to the Ala Wai Canal, thence southwest along the Ala Wai Canal and a line extending through the channel of the yacht basin, thence along the coastline in a westerly direction to a line extension of Keawe Street, thence north on Keawe Street to Ala Moana Boulevard, west along Ala Moana to South Street, thence north along South Street to King Street, east along King Street to Alapai Street, north along Alapai Street to Beretania Street, east along Beretania Street to Ward Avenue, thence south along Ward Avenue to King Street, thence east along King Street to Kalakaua Avenue.
- #12 Beginning at the Junction point of the Koolau Ridge and a ridge (Puu Konanuanui), south along the face of the ridge on the east side of

Pauoa Flats, thence south along the Forest Reserve Boundary to Tantalus Drive, along Tantalus Drive to Kanaha Stream, south along Kanaha Stream to Auwaiolimu Street, southeast along Auwaiolimu Street to Nehoa Street, along Nehoa Street to Prospect Street, along Prospect Street, thence in a straight line to the rim of Punchbowl Crater, thence in a westerly direction along the rim of Punchbowl Crater, thence in a straight line to Pele Street, south on Pele Street to the H-1 Freeway, to Nuuanu Avenue, north along Nuuanu Avenue to a point south of Ahi Place, thence in a straight line west to Waolani Stream, thence north along Waolani Stream to Kapalama-Waolani Stream Divide (ridge), north to the crest of the Koolau Range, thence east along the Koolau Ridge to Puu Konahuanui.

- #13 Beginning at the intersection of H-1 Freeway and Ward Avenue, south along Ward Avenue to Beretania Street, west along Beretania Street to Alapai Street, south along Alapai Street to King Street, west along King Street to South Street, south along South Street to Ala Moana Boulevard, east along Ala Moana Boulevard to Keawe Street, thence south along Keawe Street and a straight line extended, thence west along the coast line to a straight line running parallel to Pier 17 which extends to Honolulu Harbor, thence in a straight line north to King Street thence north along Nuuanu Stream to School Street, thence east along School Street to Nuuanu Avenue, thence south along Nuuanu Avenue to the H-1 Freeway; thence east along the H-1 Freeway to Ward Avenue.
- #14 Beginning at the intersection of Waolani Stream and Kapalama-Waolani Stream divide (ridge), south along Waolani Stream to a point south of Ahi Place where a straight line is drawn parallel to Ahi Place to Nuuanu Avenue, thence south along Nuuanu Avenue to School Street, thence west along School Street to Likelike Highway, thence north along Likelike Highway to Kalihi Street, thence north along Kalihi Street to Akahi Street, east parallel to Akahi Street, thence north along the northwest boundary of Kamehameha Schools and north along Kamaikai-Kapalama Stream Divide (ridge) to Kapalama-Waolani Stream Divide (ridge), thence south to Waolani Stream.
- #15 Beginning at the intersection of School Street and Nuuanu Stream, south along Nuuanu Stream to King Street, thence in a straight line to a line running parallel to Pier 17, extending southeast through Honolulu Harbor, thence west along the Anuenue Island coastline to a straight line in a northwesterly direction through Keehi Lagoon, thence north-east in a straight line to the mouth of Kalihi Stream at Nimitz Highway, west on Nimitz Highway to Middle Street, thence north on Middle Street to the east boundary of Ft. Shafter Military Reservation opposite Kahauiki Street, thence west and north along the east boundary of Ft. Shafter Military Reservation to Notley Street, thence east on Notley Street to School Street, east on School Street to Nuuanu Stream.
- #16 Beginning at the intersection of the crest of the Koolau Range and the Kalihi-Moolé Stream Divide (ridge), south along Kamaikai-Kapalama Divide (ridge), south along the northwest boundary of Kamehameha Schools to Akahi Street, thence west in a straight line parallel to Akahi Street to Kalihi Street, south along Kalihi Street to Likelike Highway, south on Likelike Highway to School Street, west on School Street to Notley Street, thence west on Notley Street to the east boundary of Ft. Shafter Military Reservation, thence north along the east boundary of Ft. Shafter to Kalihi-Manaiki Stream Divide (ridge), to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the Kalihi-Moolé Stream Divide (range).

- #17 Beginning at the intersection of the crest of the Koolau Range and Kalihi-Manaiki Stream Divide (ridge), south to the east boundary of Ft. Shafter Military Reservation, thence south along the east boundary of Ft. Shafter to a point opposite Kahauiki Street, thence south along Middle Street to the H-1 Freeway, thence west along the H-1 Freeway and Moanalua Road to Halawa Stream thence north along Halawa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to its junction with Kalihi-Manaiki Stream Divide (ridge).
- #18 Beginning at the intersection of Moanalua Road and Puuloa Road, south along Puuloa Road to Peltier Avenue, thence west along Peltier Avenue, thence in a westerly direction along the northern boundary of Camp Catlin Naval Reservation, thence in a westerly direction along Salt Lake Boulevard to Halawa Stream, thence north along Halawa Stream to Moanalua Road, thence east along Moanalua Road to the intersection with Puuloa Road.
- #19 Beginning at the intersection of the H-1 Freeway and Middle Street, south along Middle Street to Nimitz Highway, east on Nimitz Highway to the mouth of Kalihi Stream, thence in a straight line southwest to a point in Keehi Lagoon opposite an unnamed drainage channel, thence in a straight line southeast ending parallel to the western point of Anuenue Island, thence in a westerly direction to the entrance to Pearl Harbor, thence north up the Middle Loch of Pearl Harbor, thence in an easterly direction in East Loch (south and east of Ford Island) to a point in East Loch opposite the mouth of Halawa Stream, thence east to the mouth of Halawa Stream, thence north on Halawa Stream to Salt Lake Boulevard to the northern boundary of Camp Catlin Naval Reservation, thence east along the Camp Catlin boundary to Peltier Avenue, east along Peltier Avenue to Puuloa Road, thence north on Puuloa Road to Moanalua Road, thence east on Moanalua Road to Middle Street.
- #20 Beginning at the junction of the crest of the Koolau Range and Halawa Stream, south along Halawa Stream to a point opposite the mouth of Halawa Stream in East Loch, thence south (south and east of Ford Island) to a point in Middle Loch, thence in a northwesterly direction up Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence in a northeasterly direction through East Loch to the mouth of Waimalu Stream, thence north along Waimalu Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to a junction with Halawa Stream.
- #21 Beginning at the junction of the crest of the Koolau Range and Waimalu Stream, south along Waimalu Stream to East Loch, Pearl Harbor, thence to a point south and west of the tip of Pearl City Peninsula, thence north through middle Loch in a straight line to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., east along the Oahu R.R. & Land Co. right of way to Waiawa Stream, north along Waiawa Stream to Kamehameha Highway, west on Kamehameha Highway to the H-2 Freeway, north on the H-2 Freeway to Kipapa Stream, thence north and east along Kipapa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to Waimalu Stream.
- 22 Beginning at the junction of the H-2 Freeway and the Mililani Cemetary Road, south along the H-2 Freeway to Kamehameha Highway, thence east along Kamehameha Highway to Waiawa Stream, thence south along Waiawa

Stream to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., thence west along the Oahu R.R. & Land Co. right of way to a point where a straight line is drawn south through Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence to a point south of Waipio Point, thence in a northwesterly direction through West Loch to a point south of Leowaena Street, thence north along the setback from Leowaena Street to Kunia Road, thence north along Kunia Road to the intersection with Kupehau Road, thence east along power lines to Waikele Stream, thence south along Waikele Stream to Kipapa Stream, thence north along Kipapa Stream to the Mililani Cemetary Road, thence along the Cemetary Road to the H-2 Freeway.

- #23 Beginning at the intersection of Kupehau Road and Kunia Road, south along Kunia Road, thence south along the setback from Leowaena Street to West Loch, south through West Loch to a point south of Waipio Point, thence south to the entrance to Pearl Harbor, thence west along the coast to Waimanalo Gulch, thence north and east along Waimanalo Gulch to the west boundary of the Nanakuli Forest Reserve to Palikea, thence in a straight line southeast to Puu Moopuna, thence in a straight line northeast to the junction of Kupehau Road and Kunia Road.
- #24 Beginning at the junction of the Waianae, Waialua, Wahiawa District boundaries, south along the Wahiawa-Waianae District boundary to Puu Kanehoa, south along the west boundary of the Honouliuli Forest Reserve boundary to Palikea, thence southwest along the western boundary of the Nanakuli Forest Reserve to Waimanalo Gulch, thence south along Waimanalo Gulch to the Pacific Ocean, thence north along the coast to the junction with the Waialua-Waianae District Boundary, thence east along the Waialua-Waianae District boundary to its junction with the Wahiawa District boundary.
- #25 Beginning at the intersection of the H-2 Freeway and the south boundary line of the Leilehua Golf Course (Wahiawa-Ewa District boundary line), thence south along the H-2 Freeway to the Mililani Cemetary Road, thence southwest along the Mililani Cemetary Road, thence south along Kipapa Stream to Waikele Stream, thence north along Waikele Stream, to power lines on the western bank, thence in a westerly direction to Kupehau Road, thence from the intersection of Kupehau Road and Kunia Road in a straight line southwest to Puu Moopuna, thence in a straight line northwest to Palikea on the west boundary of the Honouliuli Forest Reserve, thence north along the crest of the Waianae Ridge to Puu Kanehoa, thence east along Huliwai Gulch to Kunia Road, thence north along Kunia Road, thence along the south and east boundary of Wheeler Air Force Base, thence north along Kamehameha Highway to the south line of Leilehua Golf Course, thence along the Leilehua Golf Course boundary to the H-2 Freeway.
- #26 Beginning at the intersection of the Poamoho Trail (Waialua-Wahiawa District Boundary) and the crest of the Koolau Ridge (east boundary of Ewa Forest Reserve), thence south along the crest of the Koolau Ridge to Kipapa Stream, thence southwest along Kipapa Stream to the H-2 Freeway, thence north along the H-2 Freeway to the south boundary of Leilehua Golf Course, thence west along the Leilehua Golf Course boundary to Kamehameha Highway, thence along the east and south boundary of Wheeler Air Force Base, thence south along Kunia Road to Huliwai Gulch, thence west along Huliwai Gulch to Puu Kanehoa, thence north along the west boundary of Schofield Barracks Military Reservation (crest of

Waianae Range) thence east along the north boundary of Schofield Barracks Military Reservation (Waialua-Wahiawa District Boundary), thence southeast along Kaukonahua Stream, thence east along the Waialua-Wahiawa District Boundary (Paomoho Stream) to the intersection of Paomoho Trail and the crest of the Koolau Range.

- #27 Beginning at the mouth of Waialeale Stream thence south along Waialeale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawaiiloa Forest Reserve) thence south to Poamoho Trail, thence west along the Waialua-Wahiawa District Boundary (Poamoho Stream), thence northwest along Kaukonahua Stream, thence west along north boundary of Schofield Barracks Military Reservation, (Waialua-Wahiawa District Boundary), thence west along the crest of the Waianae Range (Waialua-Waianae District Boundary), top of the south rim of the Waianae Range, the south boundary of the Kaena Military Reservation, and the south boundary of Kaena Military Reservation extended, thence northeast along the Pacific Ocean to the mouth of Waialeale Stream.
- #28 Beginning at the mouth of Waialeale Stream, thence south along Waialeale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawaiiloa Forest Reserve), thence along the Koolauloa-Wahiawa boundary to Puu Kaaumakua, thence east along the Koolauloa-Koolaulopoko District boundary to Kaio Point, thence north along the coast to the mouth of Waialeale Stream.
- #29 Beginning at Puu Kaaumakua on the crest of the Koolau Range, east along the crest of the ridge constituting the south boundary of the Hauula Forest Reserve and the Koolauloa-Koolaulopoko District line, thence south along the coast to a point south of Heeia Pier and north of Matson Point, thence in a northwesterly direction along the crest of an unnamed ridge, thence in a westerly direction along the crest of the ridge north of Heeia Meadowlands to the crest of the Koolau Range, thence north along the Koolau Range to Puu Kaaumakua.
- #30 Beginning at the junction of the crest of the Koolau Range and the crest of the ridge north of Heeia Meadowlands, thence east along the crest of the ridge north of Heeia Meadowlands, thence south and east along the crest of an unnamed ridge to a point south of Heeia Pier and north of Matson Point, thence south along the coastline (but including Mokuoloe Island) to the southwest boundary of the Kaneohe Marine Corps Air Station at the junction of the H-3 Freeway and Kaneohe Bay, thence in a southwesterly direction along the crest of Mahinui Ridge, thence in a southwesterly direction along the Kaneohe-Kailua boundary to Kamehameha Highway to its junction with Kalaniana'ole Highway and Pali Highway, (including Hawaii Loa College) thence southwest along the Pali Highway to the crest of the Koolau Range, thence north along the crest of the Koolau Range to its junction with the crest of the ridge north of Heeia Meadowlands.
- #31 Beginning at the junction of the crest of the Koolau Range and the Pali Highway, south and east, then north along the Pali Highway to the junction of Kalaniana'ole Highway and Kamehameha Highway, thence west along Kamehameha Highway to the Kaneohe-Kailua boundary, thence east along the Kaneohe-Kailua boundary to Mahinui Ridge, thence north along Mahinui Ridge to the southwestern corner boundary of the Kaneohe Marine

Corps Air Station, thence east along the boundary of the Kaneohe Marine Corps Air Station to the southeastern corner boundary of the Kaneohe Marine Corps Air Station, thence southeast along the coast to the north boundary of Bellows Air Force Base, thence west along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the Olomana Golf Course boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence north along the crest of the Koolau Range to the Pali Highway.

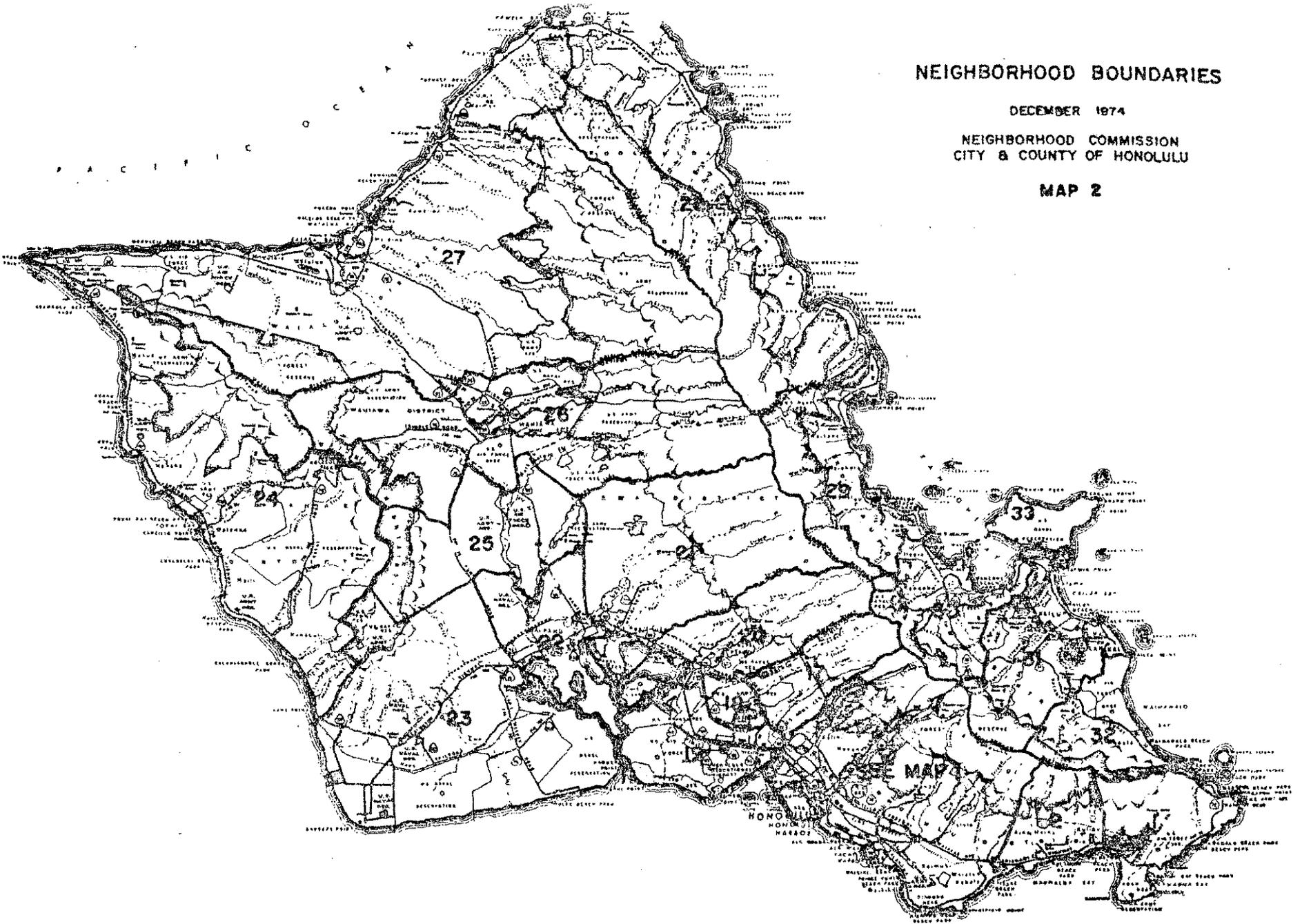
- #32 Beginning at the junction of the north boundary of Bellows Air Force Base and the Pacific Ocean, then west along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the boundary of Olomana Golf Course boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence south along the crest of the Koolau Range along the Koolaupoko-Honolulu District boundary line to Makapuu Point, thence north along the coast to the northern boundary of Bellows Air Force Base.
- #33 Beginning at the southwest corner boundary of the Kaneohe Marine Corps Air Station, thence north along the western coast of the Kaneohe Marine Corps Air Station, thence east along the coast to Mokapu Point, thence south along the eastern coast to the southeastern corner of the Kaneohe Marine Corps Air Station, thence west along the south boundary of the Kaneohe Marine Corps Air Station.

NEIGHBORHOOD BOUNDARIES

DECEMBER 1974

NEIGHBORHOOD COMMISSION
CITY & COUNTY OF HONOLULU

MAP 2



RULES FOR METHOD OF ELECTION
OF NEIGHBORHOOD BOARDS
OF THE
CITY AND COUNTY OF HONOLULU

In accordance with Section 5-6 of the Neighborhood Plan, the following rules are provided.

I. DESIGNATION OF UNITS

- 1-1 The large neighborhood area is already designated by the Neighborhood Plan. It may be divided into sub-units consisting of single member, multi-member or a combination of single member and multi-member districts of approximately equal size in population. The one man, one vote principle will apply in both cases (NP Sec. 5-2).
- 1-2 A minimum of 9 Board members shall be elected from a neighborhood area. There is no maximum number but the total number must be an uneven one (NP Sec. 5-1). A neighborhood area is defined as an area of the City and County of Honolulu depicted on the official Neighborhood Boundary Map and described in writing by the Neighborhood Commission as attached to the Neighborhood Plan (NP Sec. 3-1).

II. NEIGHBORHOOD ELECTION

- 2-1 The Neighborhood Board election will be by mail balloting. All residents of the area, including military personnel and aliens, eighteen (18) years and older, may vote. Voter registration forms prepared by the Neighborhood Commission's office shall be returned to the Neighborhood Commission's office by the third (3rd) Monday in January of the election year.
- 2-2 If a voter is challenged, the voter's proof of residence (and of age, if applicable) shall be required by the election official. Such proof may consist of an identification card, driver's license, birth certificate, signed statement or other identification.

Amendment Note: 1980 amended section generally.

III. CANDIDATES

- 3-1 Candidates shall register with the Commission by the third Monday in January of the election year. Exception to this rule may be made only upon receipt of request of a waiver from the Commission.
- 3-2 Any candidate may withdraw, provided that notice of withdrawal shall be in writing and received no later than 4:30 p.m. on the 15th day after the candidacy filing deadline. If the candidate withdraws after the deadline and wins a seat, the next person with the highest number of votes shall fill the seat.
- 3-3 If there are an insufficient number of candidates, or in the event of candidates' death or withdrawal, the vacancies shall be filled by the elected Board within sixty (60) days after the date of election. Board members who remove their residence from the district from which they were elected or appointed shall be deemed to have vacated their office.

- 3-4 Candidates must be residents of the area from which they are running (NP Sec. 5-1). Any candidate who removes his residence from the district from which he is running, shall, by that fact, be disqualified as a candidate for that district.

Amendment Note: 1980 amended section generally.

IV. BALLOTING

- 4-1 Ballots shall contain the names of the candidates, the area in which the election is being held, directions to the voters as to how many Board members are to be elected and the manner in which the ballot is to be marked. The names of the candidates shall be listed in alphabetical order, last name first, unless the petition specifies another method for candidate listings.

Any registered voter not receiving a ballot by the fourth Friday, in March of the Neighborhood Board election year, should notify the Neighborhood Commission office. All mail-in ballots postmarked through the third Monday, in April of the election year, will be accepted.

- 4-2 Sample ballot shall be available for reviewing by the candidates prior to printing.
- 4-3 Election shall be by secret ballot.
- 4-4 The Chief Monitoring Officer shall be appointed by the Neighborhood Commission.
- 4-5 Spoiled or lost ballots when requested by the voter, shall be replaced with a new one. The ballot returned shall be cancelled immediately by writing the reasons for the cancellation on it and signed by the Chief Monitoring Officer or a designated election official(s). Spoiled and challenged ballots shall be kept separately from other ballots and turned over to those tallying votes.
- 4-6 The tally sheets used in counting the ballots cast shall be marked and handled in a secure fashion. The counting of the ballots shall be open to the public. When counting is completed, the tally sheets and all ballots shall be turned over to the Commission for safekeeping for thirty (30) days after the election.
- 4-7 In counting the ballots, a check shall be made to verify that the number of ballots equal the number of envelopes received with the mail-in ballots. Any overage or shortage should be noted and the vote then tabulated. If the overage or shortage would be sufficient to change the outcome of the election, an investigation shall be made by the Commission.
- 4-8 The Chief Monitoring Officer shall certify the results of the election for the Neighborhood Commission. The certified election results shall be made public by the Neighborhood Commission on the first working day in May of the election year.
- a. In the event of a tie for the last available seat on the Board or for a subdivided area of the Neighborhood, and after a recount has been conducted, the winner shall be decided by lot in the presence of the candidates and witnesses (NP Sec. 5-8). Any tied candidate who does not wish to be present may waive this right by submitting the waiver in writing.
- 4-9 The election may be challenged within ten (10) days after the announcement of the results. Board members shall take office ten (10) days after the election unless challenged. The Neighborhood Commission shall verify the election,

announce the results, swear in the Board members, and issue a certificate of election. The swearing in ceremony may take place at a regular meeting of the Commission after the challenge period has elapsed.

- 10 Should a vacancy occur on the Board, the remaining members of the Board shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. Vacancies shall be filled only at a regular meeting of the Board after reasonable notice of intent to fill the vacancy has been given to all remaining members of the Board by the presiding officer.

Amendment Note: 1980 amended section generally.

V. OPTIONAL METHODS OF CONDUCTING ELECTIONS

- 1 Notwithstanding, the provisions contained in Article IV, the Neighborhood Commission shall be authorized to engage in alternative demonstration methods of election where the Commission determines it to be in the best interest of citizen participation.

Amendment Note: 1978 amended by adding a new article as follows and by renumbering the present Article V. "Expenses" as Article VI; Article VI. "Challenges" as Article VII; and Article VII. "Validity" as Article VIII. Article V. "Optional Methods of Conducting Elections."

1980 amended by deleting Article VI. "Expenses"; and renumbered Article VII. "Challenges" to Article VI; and Article VIII. "Validity" to Article VII.

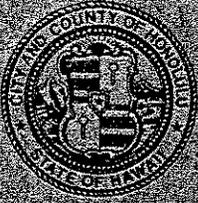
VI. CHALLENGES

- 1 All challenges and charges of violation to an election shall be submitted in writing to the Commission within ten (10) days following the election date.

Amendment Note: 1980 added (10)

VII. VALIDITY

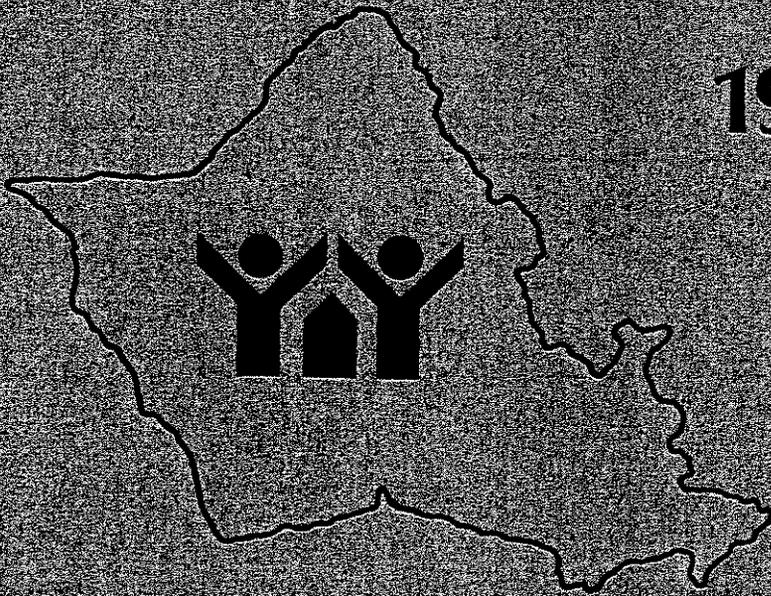
- 1 If any part or section of the RULES for Method of Election is held invalid for any reason whatsoever, such invalidity shall not affect the validity of the remaining part or sections of these RULES for Method of Election.



The Revised NEIGHBORHOOD PLAN

of the City and County of Honolulu

1986



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FORWARD

In keeping with the spirit of the original Neighborhood Plan and its concept of "The Responsible City," this volume sets forth the Neighborhood Plan as revised and adopted by the Neighborhood Commission on June 17, 1986, after holding public hearings in three separate regional areas of Oahu to provide all interested persons an opportunity to comment.

In November 1983, the Neighborhood Commission established an Ad Hoc Committee from its membership to conduct a comprehensive study of the Neighborhood Plan during 1984 and 1985 to fulfil its mandate as directed under Section 14-104(b), Revised Charter of Honolulu, 1973 (1984 Edition) (hereinafter "RCH") and Section 12-2 of the Neighborhood Plan. The purpose of this review was to examine the provisions of the existing Plan, identify those areas that require revisions, deletions and/or additions to better serve the Neighborhood Boards in their operations.

It should be noted that this revised document is the product of many hours of examining and deliberating the recommendations and comments from the Neighborhood Boards and Commission, the Commission office staff, and City Departments as well as individuals from the community at large. The resulting volume thus reflects the following substantive changes:

- o Expansion of the Neighborhood Board's advisory role in the decision making process, from the City to all levels of government including the State and the Federal governments which incorporates a Charter change to Section 14-101, RCH as approved by the voters in the General Election of 1984.
- o A general revision of the entire Election Rules and Procedures Of Neighborhood Boards based on the experience of conducting the 1983 and the 1985 biennial election of Boards using the mail ballot mechanism.
- o A set of unified Rules And Procedures Of The Neighborhood Boards that are written broadly to preserve the uniqueness of individual Boards while eliminating confusion and difficulties inherent to separate sets of rules.

This 1986 Revised Neighborhood Plan, therefore, replaces all previous editions and amendments.

Honolulu, Hawaii
June 17, 1986

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City & County of Honolulu
City Hall Annex
Honolulu, Hawaii 96813

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CHAPTER 1
GENERAL ORGANIZATION AND ADMINISTRATION

NEIGHBORHOOD PLAN
Of The
CITY AND COUNTY OF HONOLULU

CHAPTER 1

GENERAL ORGANIZATION AND ADMINISTRATION

Article 1. Purpose

Sec. 1-1.1 "Neighborhoods and neighborhood boards to increase and assure effective citizen participation in the decisions of government shall be established in accordance with a neighborhood plan." (Article XIV, Section 14-101, Revised Charter of the City and County of Honolulu 1973 (1984 Edition). (Reso. 84-231)

Amendment Note: 1986 amended to reflect City Charter amendments of 1978, redefining headings Article XIII, Sec. 13-101 to Article XIV, Sec. 14-101, and 1984 changing words "the city" to "government."

Sec. 1-1.2 This is the mandate given by the voters to the Neighborhood Commission to develop a Neighborhood Plan.

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Sec. 1-2.1 For the purpose of this Plan, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are defined as follows:

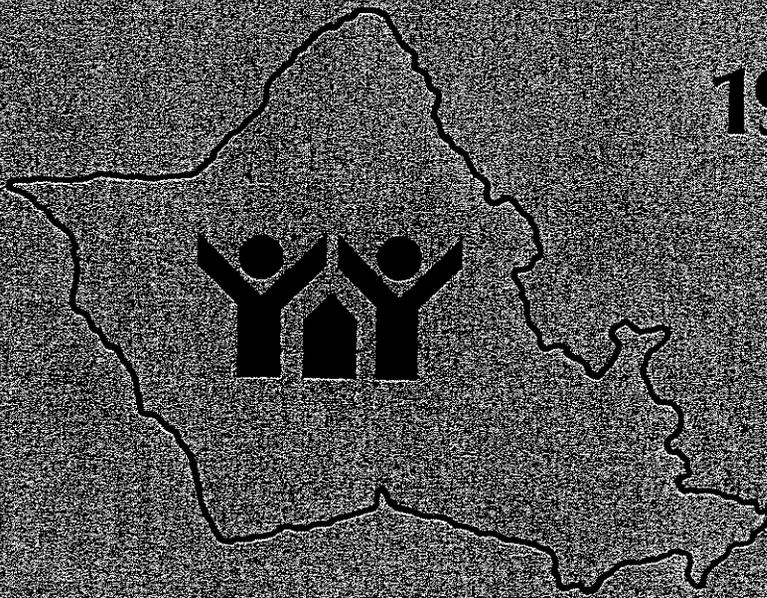
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 - e. "Commission" means the Neighborhood Commission of the City and County of Honolulu.
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- (1) A "Regular Meeting" of a board is one at which a quorum is present and an established order of business is conducted. The acts and business of a board shall include, but not be limited to, the approval of minutes of the previous meeting, reports of standing and/or special committees, unfinished business and new business.



The Revised NEIGHBORHOOD PLAN

of the City and County of Honolulu

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Honolulu, Hawaii 96813

FORWARD

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Honolulu, Hawaii
June 17, 1986

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NEIGHBORHOOD PLAN
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CITY AND COUNTY OF HONOLULU

CHAPTER 1

GENERAL ORGANIZATION AND ADMINISTRATION

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- (2) A "Special Meeting" of a board is one at which a quorum is present and the acts and business of the Board is confined to the subject(s) so specified.
- g. "Neighborhood" means an area of the City which has been established by the initiative process outlined in Sec. 1-4.0 of this Neighborhood Plan.
 - h. "Quorum" means the presence of a minimum of one half plus one of the total number of members to which the board is entitled.
 - i. "Resident" means one who lives in the neighborhood.
 - j. "Subdistrict" means a geographical subunit within the neighborhood.
 - k. "Unexcused Absence" means the failure of a board member to be present during a meeting of the board without prior permission of the board chairperson to be excused.

Amendment Note: 1986 amended subsections a, e, f, and added subsections g, h, i, j, k.

Article 3 Boundaries

Sec. 1-3.1 The boundaries of the Neighborhoods shall be delineated on the official Neighborhood Boundary Maps in accordance with the geographical definitions in Chapter 2.

Amendment Note: 1986 added reference to CHAPTER 2, a new heading, and requirement for geographical definitions with boundary maps on proposed petition amendment.

Sec. 1-3.2 The following standards shall be used by the Neighborhood Commission in establishing Neighborhood boundaries. These standards shall be used by the Commission as guidelines for its periodic review of boundaries, for the granting of amendments, and for changes and adjustments.

- a. Neighborhoods shall be contiguous and compact insofar as practicable.
- b. No neighborhood boundary shall be so drawn as to favor a person or community.
- c. The Neighborhoods as a whole shall coincide so far as feasible with Oahu's historic communities. Where practicable, merging of an area in a larger Neighborhood wherein substantially different socio-economic interests dominate shall be avoided.
- d. Where possible, Neighborhood boundaries shall follow permanent and easily recognized features, such as streets, streams, and clear geographical features, and when practicable, shall coincide with census tract, precinct, or administrative boundaries.

Sec. 1-3.3 Amendments to Neighborhood boundaries may be requested by petition setting forth the proposed amendment(s) which shall include the map and geographical definition(s). The petition shall be signed by registered voters residing within the neighborhood equal in number to at least ten percent (10%) of the votes cast in the last preceding election of the Neighborhood Board but shall contain not less than 100 signators. When the proposed amendment(s) involve(s) several neighborhoods, the petition shall bear signatures of at least 100 registered voters from each affected neighborhood.

Amendment Note: 1986 amended section generally.

Sec. 1-3.4 The petition shall be filed with the Commission and transmitted to the City Clerk for verification of the signatures as being those of registered voters.

Sec. 1-3.5 Within thirty (30) calendar days of receipt of the petition, the Commission shall hold a public hearing within the Neighborhood as to whether or not the boundaries should be amended. There shall be fifteen (15) calendar days allowed for written testimony after the close of the public hearing. Within forty-five (45) calendar days following the close of the public hearing, the Commission, by resolution, shall approve or disapprove the amendment to the Neighborhood boundary. One of the bases of approval or disapproval shall be evidence of neighborhood support as submitted to the Commission. A report explaining the Commission's action shall accompany the resolution.

Sec. 1-3.6 If the evidence at the public hearing is inconclusive as to neighborhood support for the boundary change, a special election shall be called by the Commission to allow residents of the Neighborhood(s) affected to indicate what proportion desires the proposed change. The result of such an election shall be considered by the Commission in making a decision on the proposed boundary amendment.

Sec. 1-3.7 The boundaries designated in the Neighborhood Plan shall not be amended within the first year from the date of the filing of the Plan with the city clerk. In addition, the boundaries of neighborhoods and any subdistrict(s) shall not be amended within one year from the date of the neighborhood's first election of the board.

Article 4. Initiation And Formation Of Neighborhoods

Sec. 1-4.1 A Neighborhood shall be formed by initiative petition signed by five percent (5%) or 100 (whichever is less) of the registered voters within its Neighborhood boundaries at the time of the last general election.

Sec. 1-4.2 The petition shall contain the proposed number of Board members, proposed subdistrict areas of the neighborhood defined on a map and including the geographical definition, and any plans for representation from subdistrict areas of the neighborhood.

Sec. 1-4.3 The petition shall be filed with the Neighborhood Commission and transmitted to the City Clerk for verification of the signatures as being those of registered voters.

Sec. 1-4.4 Upon verification by the City Clerk, the Commission shall publicize the petition within the proposed Neighborhood and call for submission of any alternative petitions. Within thirty (30) calendar days of the receipt of the petition, the Commission shall hold a public hearing within the neighborhood as to whether or not the Neighborhood should be formed. All additional petitions must be submitted before the close of the public hearing. There shall be fifteen (15) calendar days allowed for written testimony after the close of the public hearing. Within forty-five (45) calendar days following the close of the public hearing, the Neighborhood Commission, by resolution, shall approve or disapprove the petition. One of the bases of approval or disapproval shall be evidence of neighborhood support. The Commission reserves the power to amend any details of the petition if there is evidence of neighborhood support for such an amendment or should any part(s) of the petition require clarity. A report explaining the Commission's action(s) shall accompany the resolution.

Sec. 1-4.5 Amendments to the petition may be requested by the Neighborhood Board at any time subsequent to approval of the petition by the Commission. Approval or disapproval of such amendments shall be made by the Commission after it has held a public hearing in the Neighborhood. The number of days provided the Commission to hold a public hearing, to call for alternative petitions, to allow for written testimony, and by resolution, act on the petition amendment request shall be the same as set forth in the Plan under Sec. 1-4.4.

Amendment Note: 1986 last sentence added.

Article 5. Election Of A Neighborhood Board

Sec. 1-5.1 Each Neighborhood shall have a Neighborhood Board comprised of at least nine (9) members elected by plurality vote from the respective neighborhood or any subdistrict thereof. All Boards shall have an uneven number of members who shall be residents, at least eighteen (18) years of age, of the Neighborhood.

Sec. 1-5.2 There may be representation by geographic subunits, namely subdistricts, within the Neighborhood. Any subdistrict of the Neighborhood must consider the one-person, one-vote principle, allowing for reasonable deviation.

Sec. 1-5.3 Members of the board shall be elected for two (2) year terms. Subsequent changes of the election date by the Commission may be implemented upon petition by the Neighborhood Board. The term of incumbents may be shortened or extended to coincide with the next biennial election date.

Sec. 1-5.4 The date, time, place, and method of election shall be approved by the Commission. Rules, procedures and method of election held under this article shall be as provided under Chapter 3 of this Plan.

Sec. 1-5.5 The method of election shall be by mail balloting.

Sec. 1-5.6 All elections shall be nonpartisan and shall be by secret ballot.

Sec. 1-5.7 The candidates for election shall file a statement of candidacy on a form provided by the Commission. No individual may become a candidate by any other means.

Sec. 1-5.8 A resident desiring to register as a voter for the election shall make and subscribe to an application in the form of an affidavit provided by the Commission. A voter shall be required to register for each succeeding election as provided.

Sec. 1-5.9 In the event of a tie for the last available Board seat whether for at-large or a subdistrict of the neighborhood, and after a recount has been conducted, the winner shall be decided by lot in the presence of the candidates and witnesses.

Amendment Note: 1980 amended section generally.

1986 amended section generally.

Article 6. Termination Of A Neighborhood Board

Sec. 1-6.1 Termination

The termination of a Neighborhood Board may be initiated by the residents of the Neighborhood or by the Neighborhood Commission.

- a. The termination of a Neighborhood Board may be initiated by a petition in the same manner as provided for in the formation of a Neighborhood (Article 4). After a public hearing, a two-thirds (2/3) vote of the Commission is required to call for a vote in the Neighborhood on the question of termination. A Board shall be terminated upon an affirmative vote equal to a majority of the votes cast in the termination election provided it is not less than two-thirds (2/3) of the number of votes cast in the last election of the board.
- b. If a Neighborhood Board fails to meet for six (6) consecutive months or for other valid reasons, the Commission may call a public hearing on the termination of the Neighborhood Board. After the public hearing, a two-thirds (2/3) vote of the Commission is required to call for a vote in the Neighborhood on the question of termination. A Board may be terminated if the majority of votes cast in the termination election are in the affirmative, and if the number of affirmative votes cast are at least equal to two-thirds (2/3) of the votes cast in the Board's last election.

Amendment Note: 1986 substituted "termination" for "removal" and "terminated" for "removed." Amended last paragraph and added last sentence.

Article 7. Powers, Duties, And Functions Of A Neighborhood Board

Sec. 1-7.1 The Boards are responsible for actively participating in functions and processes of government by articulating, defining, and addressing neighborhood problems. Their actions should reflect the needs and wants of the neighborhood. Boards are expected to take the initiative in selecting their activities and establishing priorities among them, and to provide means for effective citizen participation in government. However, the powers, duties, and functions of the Board shall include, but not be limited to the following.

- a. Review and make recommendations on any general plan, development plan, and other land use matters within its Neighborhood and may review and make recommendations on such changes in other Neighborhoods in the City.
- b. Prepare a list of recommended capital improvement projects which reflect the needs of the Neighborhood and state the priorities thereof and review and make recommendations on proposed capital improvement plans.
- c. Set goals and objectives, with priorities, which reflect the growth needs of the Neighborhood and state the priorities thereof, for the growth of the Neighborhood.
- d. Sponsor studies, hold public hearings, informational meetings, conduct public forums, and make recommendations on problems in the Neighborhood.
- e. Monitor and evaluate the efficiency and effectiveness of the government's delivery of services to citizens and assist in advocating residents' interests to all branches of federal, state and local governments.
- f. Conduct educational programs for the general public regarding the aspect of government's decision-making processes important to Board activities and functions.
- g. Cooperate with other Boards in developing and operating resource centers to be located at a site within the neighborhood. Such a center shall be for the use of the entire community.
- h. No later than thirty (30) calendar days after the close of the fiscal year, each board shall submit a written report of its activities to the Commission in such form as the Commission may prescribe. A copy of such report shall be filed in the office of the Commission.
- i. Hold a regular meeting on a pre-established day of the month in at least ten (10) months of a twelve (12) month annual cycle. The cycle will begin in June and end in May of the following year, unless otherwise set by the Commission. At no time shall two (2) consecutive months elapse between regular meetings. All sessions shall be open public meetings held within the neighborhood. The agenda shall be made public by filing with the City Clerk not less than seven (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting. The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person. Public notice of all meetings shall be in compliance with the applicable provisions of the Neighborhood Plan and Chapter 92, Hawaii Revised Statutes.
- j. Special meetings open to the public may be called at any time by the Chairperson, or a majority of the Board. The agenda shall be made public by filing the same with the City Clerk not less than six (6) calendar days prior to the special meeting. Written notice of such meeting specifying the subject(s) thereof shall be given to each member and the acts and business of the board shall be confined to

the subject(s) so specified. Delivery of notice to the member's mailing address shall be deemed sufficient compliance to the giving of written notice.

- k. Within limitations of staff and financial resources, and in cooperation with such agencies as the Satellite City Halls, boards may initiate and seek out ways to assist and collaborate with existing community associations and councils in carrying out their functions in harmony with those assigned to Neighborhood Boards.

Sec. 1-7.2 The Commission shall provide staff and operating expenses for the Neighborhood Boards in order for them to perform their duties and functions.

Amendment Note: 1980 amended section generally.

1986 amended generally to reflect Sec. 14-101, RCH amendment redefining role of Neighborhood Boards. Amended to reflect 1984, 1985 amendments to Chapter 92, HRS. Subsection is reworded.

Article 8. Rules For The Conduct Of Business

Sec. 1-8.1 The Board will conduct its business and shall operate pursuant to the Rules and Procedures of the Neighborhood Board as set forth under Chapter 4 of this Neighborhood Plan.

Sec. 1-8.2 The rules of parliamentary procedure as set forth by the latest edition of Robert's Rules of Order, Newly Revised, shall govern all Boards where the same are not inconsistent with the Neighborhood Plan, the Board Rules, the Revised City Charter, and the Hawaii Revised Statutes.

Amendment Note: 1986 amended generally.

Article 9. Appeals

Sec. 1-9.1 An aggrieved party may secure a review of any judgment of the Commission by appeal in writing to the Commission within ten (10) days of the publication of such judgment. The Commission shall act on such an appeal at its next meeting and a decision shall be made no more than ten (10) days after the meeting.

Sec. 1-9.2 Appeal may also be sought in accordance with the Administrative Procedures Act of the State of Hawaii, (Chapter 91, Hawaii Revised Statutes).

Article 10. Procedures Governing Hearings Conducted By The Neighborhood Commission

Sec. 1-10.1 Authority of the Neighborhood Commission.

The provisions of RCH Section 14-103 relating to the powers, duties and functions of the Commission requires the Commission to assist areas of the City in the formation and operation of the Neighborhood Boards and to review and evaluate the effectiveness of the various Neighborhood Boards. Implied within

this requirement is the authority of the Commission to conduct hearings to determine the rights, duties and privileges of members of the Neighborhood Boards and any person affected by the actions of any Neighborhood Board.

Sec. 1-10.2 Scope of Investigations.

In the interest of the residents of the neighborhoods represented by the Neighborhood Boards, the Commission may review any aspect of the operation of the Neighborhood Boards to determine the effectiveness of the Neighborhood Boards in accordance with the Neighborhood Plan, the rules of the Neighborhood Boards and/or any applicable laws.

Sec. 1-10.3 Jurisdiction.

The Commission will not conduct these hearings unless a written complaint has been filed by the complainant on the form furnished by the Commission and signed by the complainant. The filing of the complaint must be witnessed and verified by the Executive Secretary of the Neighborhood Commission.

Sec. 1-10.4 Who May Complain.

Any member of the Neighborhood Board or any resident of a neighborhood represented by a Neighborhood Board which is the subject of the complaint.

Sec. 1-10.5 Response by the Neighborhood Board.

A copy of the complaint will be furnished to the Neighborhood Board by the Commission and the Neighborhood Board shall file within thirty (30) calendar days with the Commission their response on a form furnished by the Commission to the allegations contained in the complaint.

Sec. 1-10.6 Response of Neighborhood Board.

Upon filing of a response, the Executive Secretary of the Commission shall transmit a copy of the response within five (5) workdays after filing thereof to the complainant. If the Neighborhood Board fails to file a response within the aforesaid thirty (30) calendar days, any allegations contained in the complaint shall be deemed admitted by the respondent unless the respondent submits valid reasons in writing for the delay prior to the filing deadline for the response.

Sec. 1-10.7 Prehearing Review.

On a date set by the Executive Secretary which shall not be less than ten (10) workdays after the filing of the response, the complainant and the respondent shall appear before a Deputy Corporation Counsel to determine the issues to be heard and resolved by the Commission.

Sec. 1-10.8 Testimony, Witnesses Or Any Evidence To Be Submitted.

When there has been an agreement regarding the issues to be determined by the Commission, the complainant and the respondent shall file within ten (10) workdays with the Commission a list of witnesses and any other evidence required to support their respective positions. Copies of this list will be exchanged between the complainant and respondent.

Sec. 1-10.9 Hearing Date.

After the foregoing procedures have been met, the Commission shall set a date for a hearing.

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Sec. 1-10.10 Procedures at Hearing.

- a. The complainant shall proceed by making an opening statement, if desired, stating what the complainant intends to prove while the respondent may also give an opening statement, if desired, stating what the respondent intends to prove in support of his/her response to the complaint.
- b. Thereafter the complainant may proceed with his/her case by calling witnesses or submitting any evidence in support of his/her complaint.
- c. During the presentation of the case by either the complainant or respondent, cross-examination of witnesses shall be permitted.
- d. Any document, writing or object introduced as evidence in support of any party's position must first be examined by the opposing party before being introduced as evidence.
- e. The formal rules of evidence shall not apply to these hearings.
- f. Upon the conclusion of the presentation of the complainant's case, the Commission may make a determination whether or not the complainant has submitted sufficient evidence to support his/her complaint. If so, the respondent may proceed with his/her case. If not, the Commission may go into executive session to make a determination whether or not to dismiss the complaint.
- g. Upon the conclusion of the presentation of the case by the complainant and the respondent, the Commission shall deliberate and arrive at a decision whether to dismiss or sustain the complaint. The Commission may go into an executive session only in accordance with Sections 92-4 and 92-5, Hawaii Revised Statutes.
- h. After due deliberation, the Commission shall render an oral decision and within ten (10) workdays after such decision issue a decision in writing, but if the hearing involves a contested case as defined in HRS Section 91-9, the Commission shall render its decision based on findings of fact and conclusions of law pursuant to HRS Section 91-12.

Amendment Note: 1986 amended subsection g and added last sentence.

Sec. 1-10.11 Imposition of Remedies by the Neighborhood Commission.

If the Commission finds in favor of the complainant, the Commission shall determine the appropriate remedy commensurate to the gravamen of the complaint.

Sec. 1-10.12 Reconsideration.

Any person who has been subject to an adverse decision of the Commission may request a reconsideration of the decision provided there is new evidence which was not presented at the original hearing. If this motion is denied, then the decision of the Commission shall stand and there shall be no further administrative appeal or reconsideration of the case; provided nothing herein shall be construed to prohibit the aggrieved person from seeking judicial review pursuant to HRS Chapter 91 Hawaii Administrative Procedures Act.

Amendment Note: 1978 amended by adding new Section X. "Procedures Governing Hearings Conducted by the Neighborhood Commission." Amended Section X. Validity, and Section XI. Amendments To The Neighborhood Plan, to Section XI and Section XII, respectively.

Article 11. Validity

Sec. 1-11.1 If any section or part of this Neighborhood Plan is held invalid for any reason whatsoever, such invalidity shall not affect the validity of the remaining sections or part of this Neighborhood Plan.

Article 12. Amendments To The Neighborhood Plan

Sec. 1-12.1 According to Section 14-104 of the City Charter, "The plan may be amended by the Commission, after public hearings to be held in various areas of the city and amendments shall become effective upon filing with the City Clerk."

Sec. 1-12.2 A comprehensive review of this Neighborhood Plan shall be conducted by the Commission five (5) years after the filing of this Plan with the City Clerk and every five (5) years thereafter.

Amendment Note: 1986 changed RCH reference from Sec. 13-104 to 14-104. Amended form, added CHAPTER 1, under new heading "General Organization and Administration." Amended all subsection numbering accordingly. Amended chapter generally to reflect revised headings. Replaced word "community" with "neighborhood." Amended generally word "subdistrict" to replace term "subdivision" when referencing geographical subunit within neighborhood. Defined days as "calendar" or "workday" as applicable.

CHAPTER 2
NEIGHBORHOOD BOUNDARY
MAPS AND GEOGRAPHICAL DESCRIPTIONS

CHAPTER 2

NEIGHBORHOOD BOUNDARY
MAPS AND GEOGRAPHICAL DEFINITIONS

Article 1. Maps of Neighborhood Boundaries

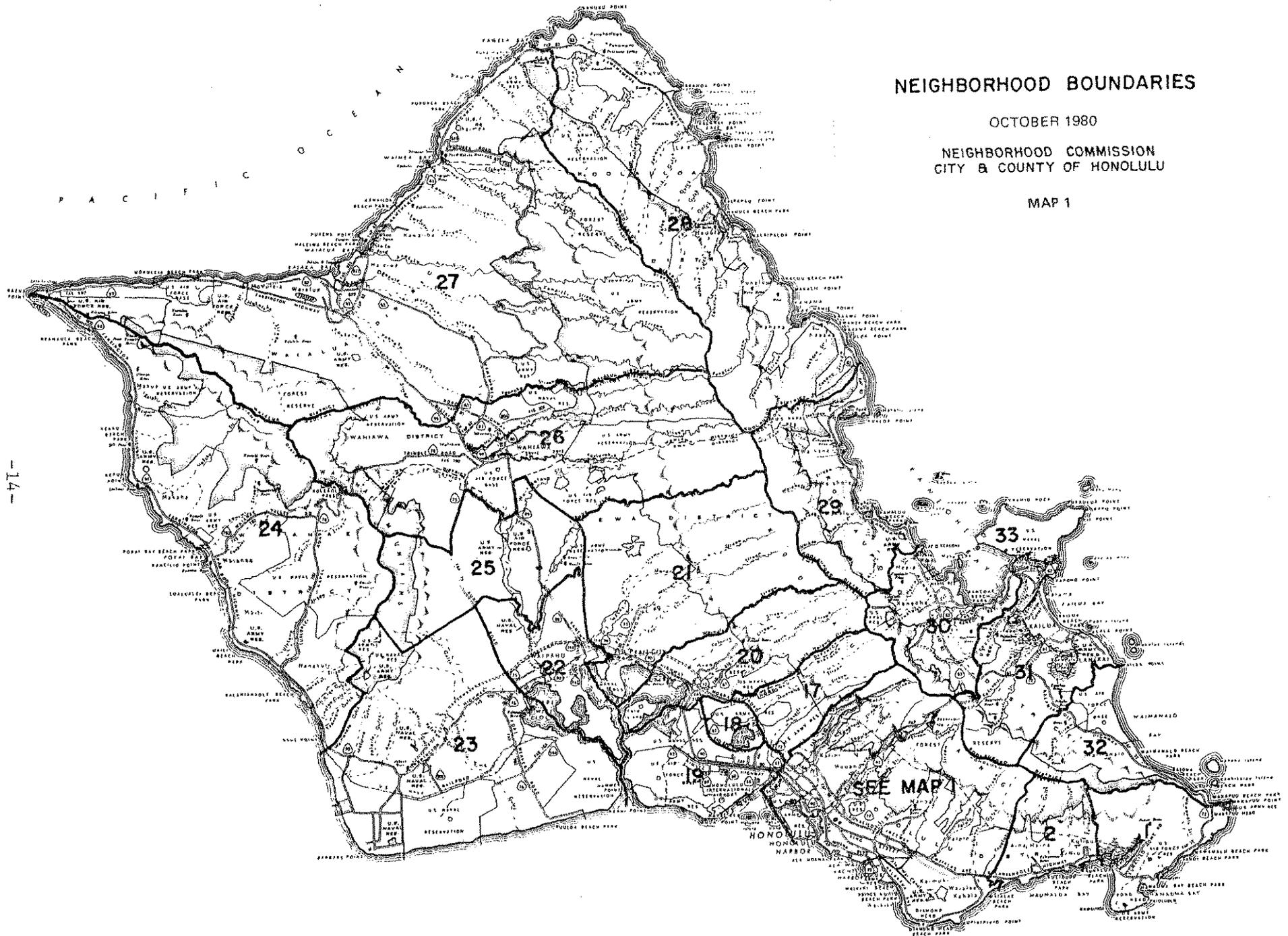
Sec. 2-1.1 In accordance with Sec. 1-3.1 of the Neighborhood Plan, the following official Neighborhood Boundary Maps 1 and 2 are herein provided.

NEIGHBORHOOD BOUNDARIES

OCTOBER 1980

NEIGHBORHOOD COMMISSION
CITY & COUNTY OF HONOLULU

MAP 1

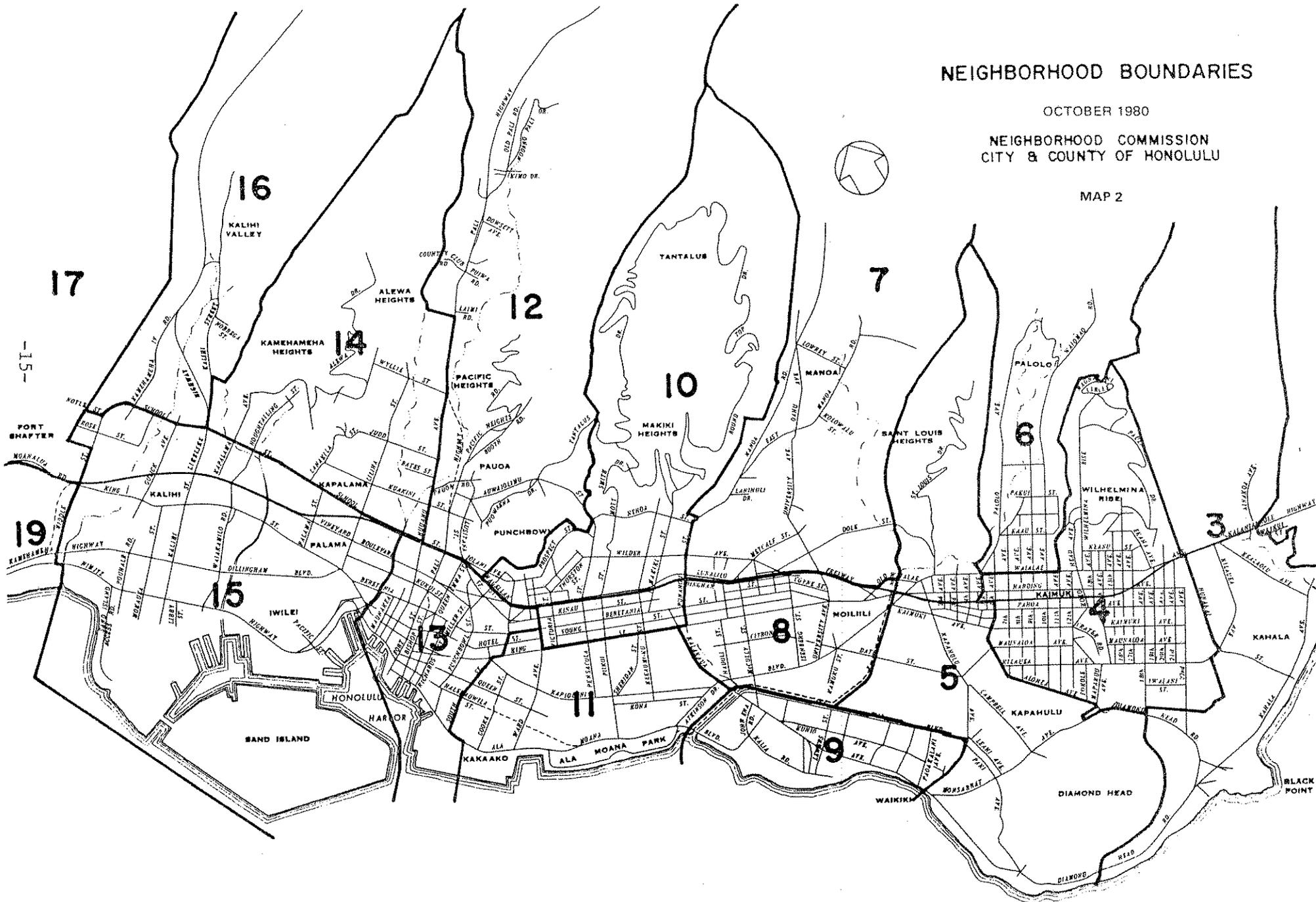


NEIGHBORHOOD BOUNDARIES

OCTOBER 1980

NEIGHBORHOOD COMMISSION
CITY & COUNTY OF HONOLULU

MAP 2



Article 2. Geographical Definitions

Sec. 2-2.1 Pursuant to Sec. 1-3.1 of this Neighborhood Plan, the Geographical Definitions of Neighborhood Boundaries are delineated as follows.

Neighborhood	Boundary Details
#1	From Makapuu Point, along the coast in a westerly direction to the western outlet of Kuapa Pond, then inland north to May Way to Maunalua Avenue, Maunalua Avenue extended, then north to the crest of Maunalua Ridge to the crest of the Koolau Range (Honolulu City Limits), thence along the crest of the Koolau Range to Makapuu Point.
#2	From the junction point of the crest of the Koolau Range and Maunalua Ridge, south along Maunalua Ridge to Maunalua Avenue extended, to Maunalua Avenue, to May Way, to the western outlet of Kuapa Pond, along the coast in a westerly direction to the east boundary of the Waialae Golf Course, thence east and north along the boundary of the Waialae Golf Course to the intersection of Waikui Street and Kalaniana'ole Highway thence, northeasterly along the ridgeline of the unnamed ridge east of Kapakahi Gulch to its intersection with Wiliwilinui Ridge, thence along Wiliwilinui Ridge to the crest of the Koolau Range, thence along the crest of the Koolau Range to Maunalua Ridge.
#3	Beginning at the junction of the crest of the Koolau Range and Wiliwilinui Ridge, south along Wiliwilinui Ridge to its intersection with the crest of an unnamed ridge east of Kapakahi Gulch, thence south along the ridgeline of the unnamed ridge to the intersection of Waikui Street and Kalaniana'ole Highway, thence west and south along the east boundary of the Waialae Golf Course, thence along the coast in a southwesterly direction to the west boundary of the U.S. Coast Guard Reservation, thence in a straight line to the rim of the Diamond Head Crater, thence along the crater rim in a northern direction, thence in a straight line to the intersection of 18th Avenue and Diamond Head Road, thence along the 18th Avenue to Puu Panini Avenue, east along Puu Panini Avenue, north along the property line between 4210 and 4220 Puu Panini Avenue, thence in a north and east direction along the back property lines of 4220 to 4326 Puu Panini Avenue to Huanui Street, east along Huanui Street east along the property line between 4405 and 4379 Puu Panini Avenue, thence north along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind one row of homes west of Elepaio and Hunakai Streets, north across Waialae Avenue, north along the east property fence line of the Waialae Drive-In Theatre, thence north along the east property fence line, along the fence line extended along the rear property line (east line of Wilhelmina Rise Tract), along the rim of a bluff (east line of Maunalani Heights Tract), thence to Waialaenui Gulch, thence north to the crest of the Koolau Range (Honolulu City Limits) and along the crest to the intersection with Wiliwilinui Ridge.

#4

Beginning at the rim of the bluff along the east line of the Maunalani Heights Tract, in a southern direction along the fence line of the Waialae Drive-In Theatre extended (east line of Wilhelmina Rise Tract), south to the fence along the east property line of the Waialae Drive-In Theatre, south across Waialae Avenue, thence south along the State Tax Department designated "Waialae-Kapahulu Boundary" which is a line running behind the row of homes west of Hunakai and Elepaio Streets, west along the property line between 4405 and 4379 Puu Panini Avenue, west along Huanui Street, then south and west along the back property lines of 4326 to 4220 Puu Panini Avenue, south along the property line between 4220 and 4210 Puu Panini Avenue, thence west, along Puu Panini Avenue to 18th Avenue, thence south along 18th Avenue to Diamond Head Road, thence west along Diamond Head Road to Makapuu Avenue, thence north along Makapuu Avenue to Alohea Avenue, thence along Alohea Avenue to 6th Avenue, thence along 6th Avenue in a northerly direction to the H-1 Freeway, thence in a westerly direction along the H-1 Freeway to the extension of 5th Avenue, thence north along 5th Avenue to Waialae Avenue, thence east along Waialae Avenue to Sierra Drive, thence north along Sierra Drive to the west line of the Wilhelmina Rise Tract, thence north along the rim of the bluff which constitutes the west line of the Wilhelmina Rise and Maunalani Heights Tracts, thence to the point of junction with the east line of the Maunalani Heights Tract.

#5

Beginning at the intersection of 5th Avenue and Waialae Avenue, south along 5th Avenue to the H-1 Freeway, then east along the H-1 Freeway to 6th Avenue, thence in a southerly direction along 6th Avenue to Alohea Avenue, thence east along Alohea Avenue to Makapuu Avenue, thence south along Makapuu Avenue to Diamond Head Road, thence along Diamond Head Road to the intersection with 18th Avenue, thence in a straight line to the rim of Diamond Head Crater, thence along the rim of Diamond Head, thence in a straight line south to the west boundary of the U.S. Coast Guard Reservation, thence in a westerly direction along the coastline to the intersection of Kalakaua Avenue and Kapahulu Avenue, thence north along Kapahulu Avenue to Ala Wai Boulevard, thence west along Ala Wai Boulevard to a line along the end of Ala Wai Canal, thence west along the Ala Wai Canal to the Manoa-Palolo Drainage Canal, thence north along the Manoa-Palolo Drainage Canal, thence north along the north branch of Manoa Stream, thence in a straight line across Dole Street to Waahila Ridge, thence north along Waahila Ridge to a point on the ridge which intersects with an extension of the southwest boundary of Kawao Park, thence along the southwest boundary of Kawao Park to the Honolulu Watershed Forest Reserve boundary, thence south along the Forest Reserve boundary to Palolo Stream, thence south along Palolo Stream to a direct line drawn to the intersection of Palolo Avenue and Waialae Avenue, thence east along Waialae Avenue to 5th Avenue.

#6

From the junction point of the crest of the Koolau Range and Waialaenui Gulch, thence south along Waialaenui Gulch, thence in a direct line to the rim of bluff constituting the west boundary of the Maunalani Heights Tract, thence southwest along the west

boundary of the Maunalani Heights and Wilhelmina Rise Tracts to Sierra Drive, thence south along Sierra Drive to Waialae Avenue, thence west along Waialae Avenue to the junction of Palolo Avenue and Waialae Avenue, thence in a direct line to Palolo Stream, thence north along Palolo Stream to the Honolulu Watershed Forest Reserve boundary, thence north along the Forest Reserve boundary to southwest boundary of Kawao Park, thence along an extension of the Kawao Park boundary to Waahila Ridge, thence north along Waahila Ridge to the crest of the Koolau Range, thence east along the Koolau Range to the junction with Waialaenui Gulch.

#7 From the junction of the Koolau Ridge with Waahila Ridge, south along Waahila Ridge, across Dole Street to Manoa Stream, thence south along Manoa Stream to Waialae Avenue, west along Waialae Avenue to the H-1 Freeway, west along H-1 Freeway to Punahou Street, north along Punahou Street to Nehoa Street intersection, west along the northern property boundaries of the homes along the northern side of Nehoa Street to the east boundary of homes on the east side of Ualakaa Street, thence north along the property lines parallel to Ualakaa Street to the Honolulu Watershed Forest Reserve Boundary, thence north along the Forest Reserve boundary, and north along the rim of the ridge on the east side of Pauoa Flats to the crest of the Koolau Range, thence east along the Koolau Range until the junction with Waahila Ridge.

#8 Beginning at the junction of Waialae Avenue and Manoa-Palolo Drainage Canal, south along the Manoa-Palolo Drainage Canal, thence west along the Ala Wai Canal to Kalakaua Avenue, thence north along Kalakaua Avenue to King Street, thence east along King Street to Punahou Street, thence north along Punahou Street to the H-1 Freeway, thence east along the H-1 Freeway to Waialae Avenue, thence north along Waialae Avenue to the Manoa-Palolo Drainage Canal.

#9 Beginning at the junction of Ala Wai Boulevard and Kapahulu Avenue, thence south along Kapahulu Avenue to the ocean, thence in a westerly direction along the coast line to a line extending to the entrance to the yacht basin, thence north along that line to the Ala Wai Canal, thence along the Ala Wai Canal in a north-easterly and easterly direction to a straight line connecting the end of the Ala Wai Canal with the Ala Wai Boulevard, thence along the Ala Wai Boulevard to its junction with Kapahulu Avenue.

#10 Beginning at the junction of the face of the ridge on the east side of Pauoa Valley and an unnamed ridge, thence along a line descending along the northeast side of the ridge, thence south along the Honolulu Watershed Forest Reserve Boundary, thence south along the east side of the property lines on the east side of Ualakaa Street to the property lines on the north side of Nehoa Street, thence east along these property lines to Punahou Street, south along Punahou Street to King Street, thence west along King Street to Ward Avenue, thence north along Ward Avenue to the H-1 Freeway, thence west along the H-1 Freeway to Pele Street, thence north along Pele Street and Pele Street extended to the rim of Punchbowl Crater, thence east along the rim of

Punchbowl Crater, thence in a straight line to Prospect Street, thence southeast along Prospect Street to Nehoa Street, along Nehoa Street to Auwaiolimu Street, thence north along Auwaiolimu Street to Kanaha Stream, thence north along Kanaha Stream to the Forest Reserve Boundary, thence in a northwesterly direction along the Forest Reserve Boundary to the face of the ridge on the east side of Pauoa Valley, thence north along the ridge on the east side of Pauoa Valley to its junction with an unnamed ridge.

#11 Beginning at the junction of King Street and Kalakaua Avenue, southeast along Kalakaua Avenue to the Ala Wai Canal, thence southwest along the Ala Wai Canal and a line extending through the channel of the yacht basin, thence along the coastline in a westerly direction to a line extension of Keawe Street, thence north on Keawe Street to Ala Moana Boulevard, west along Ala Moana Boulevard to South Street, thence north along South Street to King Street, east along King Street to Alapai Street, north along Alapai Street to Beretania Street, east along Beretania Street to Ward Avenue, thence south along Ward Avenue to King Street, thence east along King Street to Kalakaua Avenue.

#12 Beginning at the junction point of the Koolau Ridge and a ridge (Puu Konanuanui), south along the face of the ridge on the east side of Pauoa Flats, thence south along the Forest Reserve Boundary to Tantalus Drive, along Tantalus Drive to Kanaha Stream, south along Kanaha Stream to Auwaiolimu Street, southeast along Auwaiolimu Street to Nehoa Street, along Nehoa Street to Prospect Street, along Prospect Street, thence in a straight line to the rim of Punchbowl Crater, thence in a westerly direction along the rim of Punchbowl Crater, thence in a straight line to Pele Street, south on Pele Street to the H-1 Freeway, to Nuuanu Avenue, north along Nuuanu Avenue to a point south of Ahi Place, thence in a straight line west to Waolani Stream, thence north along Waolani Stream to Kapalama-Waolani Stream Divide (ridge), north to the crest of the Koolau Range, thence east along the Koolau Ridge to Puu Konanuanui.

#13 Beginning at the intersection of H-1 Freeway and Ward Avenue, south along Ward Avenue to Beretania Street, west along Beretania Street to Alapai Street, south along Alapai Street to King Street, west along King Street to South Street, south along South Street to Ala Moana Boulevard, east along Ala Moana Boulevard to Keawe Street, thence south along Keawe Street and a straight line extended, thence west along the coast line to a straight line running parallel to Pier 17 which extends to Honolulu Harbor, thence in a straight line north to King Street, thence north along Nuuanu Stream to School Street, thence east along School Street to Nuuanu Avenue, thence south along Nuuanu Avenue to the H-1 Freeway, thence east along the H-1 Freeway to Ward Avenue.

#14 Beginning at the intersection of Waolani Stream and Kapalama-Waolani Stream divide (ridge), south along Waolani Stream to a point south of Ahi Place where a straight line is drawn parallel to Ahi Place to Nuuanu Avenue, thence south along Nuuanu Avenue to School Street, thence west along School Street to Likelike Highway, thence north along Likelike Highway to Kalihi Street,

thence north along Kalihi Street to Akahi Street, east parallel to Akahi Street, thence north along the northwest boundary of Kamehameha Schools and north along Kamanaiki-Kapalama Stream Divide (ridge) to Kapalama-Waolani Stream Divide (ridge), thence south to Waolani Stream.

#15 Beginning at the intersection of School Street and Nuuanu Stream, south along Nuuanu Stream to King Street, thence in a straight line to a line running parallel to Pier 17, extending southeast through Honolulu Harbor, thence west along the Anuenue Island coastline to a straight line in a northwesterly direction through Keehi Lagoon, thence northeast in a straight line to the mouth of Kalihi Stream at Nimitz Highway, west on Nimitz Highway to Middle Street, thence north on Middle Street to the east boundary of Ft. Shafter Military Reservation opposite Kahauiki Street, thence west and north along the east boundary of Ft. Shafter Military Reservation to Notley Street, thence east on Notley Street to School Street, east on School Street to Nuuanu Stream.

#16 Beginning at the intersection of the crest of the Koolau Range and the Kalihi-Moole Stream Divide (ridge), south along Kamanaiki-Kapalama Divide (ridge), south along the northwest boundary of Kamehameha Schools to Akahi Street, thence west in a straight line parallel to Akahi Street to Kalihi Street, south along Kalihi Street to Likelike Highway, south on Likelike Highway to School Street, west on School Street to Notley Street, thence west on Notley Street to the east boundary of Ft. Shafter Military Reservation, thence north along the east boundary of Ft. Shafter to Kalihi-Manaiki Stream Divide (ridge), to the crest of the Koolau Range, thence east along the crest of the Koolau Range to the Kalihi-Moole Stream Divide (ridge).

#17 Beginning at the intersection of the crest of the Koolau Range and Kalihi-Manaiki Stream Divide (ridge), south to the east boundary of Ft. Shafter Military Reservation, thence south along the east boundary of Ft. Shafter to a point opposite Kahauiki Street, thence south along Middle Street to the H-1 Freeway, thence west along the H-1 Freeway and Moanalua Road to Halawa Stream, thence north along Halawa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to its junction with Kalihi-Manaiki Stream Divide (ridge).

#18 Beginning at the intersection of Moanalua Road and Puuloa Road, south along Puuloa Road to Peltier Avenue, thence west along Peltier Avenue, thence in a westerly direction along the northern boundary of Camp Catlin Naval Reservation, thence in a westerly direction along Salt Lake Boulevard to Halawa Stream, thence north along Halawa Stream to Moanalua Road, thence east along Moanalua Road to the intersection with Puuloa Road.

#19 Beginning at the intersection of the H-1 Freeway and Middle Street, south along Middle Street to Nimitz Highway, east on Nimitz Highway to the mouth of Kalihi Stream, thence in a straight line southwest to a point in Keehi Lagoon opposite an unnamed drainage channel, thence in a straight line southeast ending parallel to the western point of Anuenue Island, thence in

a westerly direction to the entrance to Pearl Harbor, thence north up the Middle Loch of Pearl Harbor, thence in an easterly direction in East Loch (south and east of Ford Island) to a point in East Loch opposite the mouth of Halawa Stream, thence east to the mouth of Halawa Stream, thence north on Halawa Stream to Salt Lake Boulevard to the northern boundary of Camp Catlin Naval Reservation, thence east along the Camp Catlin boundary to Peltier Avenue, east along Peltier Avenue to Puuloa Road, thence north on Puuloa Road to Moanalua Road, thence east on Moanalua Road to Middle Street.

#20 Beginning at the junction of the crest of the Koolau Range and Halawa Stream, south along Halawa Stream to a point opposite the mouth of Halawa Stream in East Loch, thence south (south and east of Ford Island) to a point in Middle Loch, thence in a north-westerly direction up Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence in a northeasterly direction through East Loch to the mouth of Waimalu Stream, thence north along Waimalu Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to a junction with Halawa Stream.

#21 Beginning at the junction of the crest of the Koolau Range and Waimalu Stream, south along Waimalu Stream to East Loch, Pearl Harbor, thence to a point south and west of the tip of Pearl City Peninsula, thence north through Middle Loch in a straight line to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., east along the Oahu R.R. & Land Co. right-of-way to Waiawa Stream, north along Waiawa Stream to Kamehameha Highway, west on Kamehameha Highway to the H-2 Freeway, north on the H-2 Freeway to Kipapa Stream, thence north and east along Kipapa Stream to the crest of the Koolau Range, thence east along the crest of the Koolau Range to Waimalu Stream.

#22 Beginning at the junction of the H-2 Freeway and the Mililani Memorial Park Road, south along the H-2 Freeway to Kamehameha Highway, thence east along Kamehameha Highway to Waiawa Stream, thence south along Waiawa Stream to Oahu R.R. & Land Co. R.R. (abandoned) R.O.W., thence west along the Oahu R.R. & Land Co. right-of-way to a point where a straight line is drawn south through Middle Loch to a point south and west of the tip of Pearl City Peninsula, thence to a point south of Waipio Point, thence in a northwesterly direction through West Loch to a point south of Leowaena Street, thence north along the setback from Leowaena Street to Kunia Road, thence north along Kunia Road to the intersection with Kupehau Road, thence east along power lines to Waikele Stream, thence south along Waikele Stream to Kipapa Stream, thence north along Kipapa Stream to the Mililani Memorial Park Road, thence along the Memorial Park Road to the H-2 Freeway.

#23 Beginning at the intersection of Kupehau Road and Kunia Road, south along Kunia Road, thence south along the setback from Leowaena Street to West Loch, south through West Loch to a point south of Waipio Point, thence south to the entrance to Pearl Harbor, thence west along the coast to Waimanalo Gulch, thence north and east along Waimanalo Gulch to the west boundary of the

Nanakuli Forest Reserve to Palikea, thence in a straight line southeast to Puu Moopuna, thence in a straight line northeast to the junction of Kupehau Road and Kunia Road.

#24 Beginning at the junction of the Waianae, Waialua, Wahiawa District boundaries, south along the Wahiawa-Waianae District boundary to Puu Kanehoa, south along the west boundary of the Honouliuli Forest Reserve boundary to Palikea, thence southwest along the western boundary of the Nanakuli Forest Reserve to Waimanalo Gulch, thence south along Waimanalo Gulch to the Pacific Ocean, thence north along the coast to the junction with the Waialua-Waianae District Boundary, thence east along the Waialua-Waianae District boundary to its junction with the Wahiawa District boundary.

#25 Beginning at the intersection of the H-2 Freeway and the south boundary line of the Leilehua Golf Course (Wahiawa-Ewa District boundary line), thence south along the H-2 Freeway to the Mililani Memorial Park Road, thence southwest along the Mililani Memorial Park Road, thence south along Kipapa Stream to Waikele Stream, thence north along Waikele Stream to power lines on the western bank, thence in a westerly direction to Kupehau Road, thence from the intersection of Kupehau Road and Kunia Road in a straight line southwest to Puu Moopuna, thence in a straight line northwest to Palikea on the west boundary of the Honouliuli Forest Reserve, thence north along the crest of the Waianae Ridge to Puu Kanehoa, thence east along Huliwai Gulch to Kunia Road, thence north along Kunia Road, thence along the south and east boundary of Wheeler Air Force Base, thence north along Kamehameha Highway to the south line of Leilehua Golf Course, thence along the Leilehua Golf Course boundary to the H-2 Freeway.

#26 Beginning at the intersection of the Poamoho Trail (Waialua-Wahiawa District Boundary) and the crest of the Koolau Ridge (east boundary of the Ewa Forest Reserve), thence south along the crest of the Koolau Ridge to Kipapa Stream, thence southwest along Kipapa Stream to the H-2 Freeway, thence north along the H-2 Freeway to the south boundary of Leilehua Golf Course, thence west along the Leilehua Golf Course boundary to Kamehameha Highway, thence along the east and south boundary of Wheeler Air Force Base, thence south along Kunia Road to Huliwai Gulch, thence west along Huliwai Gulch to Puu Kanehoa, thence north along the west boundary of Schofield Barracks Military Reservation (crest of Waianae Range) thence east along the north boundary of Schofield Barracks Military Reservation (Waialua-Wahiawa District Boundary), thence southeast along Kaukonahua Stream, thence east along the Waialua-Wahiawa District Boundary (Poamoho Stream) to the intersection of Poamoho Trail and the crest of the Koolau Range.

#27 Beginning at the mouth of Waialea Stream thence south along Waialea Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawailoa Forest Reserve) thence south to Poamoho Trail, thence west along the Waialua-Wahiawa District

Boundary (Poamoho Stream), thence northwest along Kaukonahua Stream, thence west along north boundary of Schofield Barracks Military Reservation, (Waialua-Wahiawa District Boundary), thence west along the crest of the Waianae Range (Waialua-Waianae District Boundary), top of the south rim of the Waianae Range, the south boundary of the Kaena Military Reservation, and the south boundary of Kaena Military Reservation extended, thence northeast along the Pacific Ocean to the mouth of Waialeale Stream.

#28 Beginning at the mouth of Waialeale Stream, thence south along Waialeale Stream to Oio Gulch, thence south along Oio Gulch to Elehaha Stream, thence southeast along the crest of the Koolau Range (east boundary of Kawailoa Forest Reserve), thence along the Koolauloa-Wahiawa boundary to Puu Kaaumakua, thence east along the Koolauloa-Koolaupoko District boundary to Kaoio Point, thence north along the coast to the mouth of Waialeale Stream.

#29 Beginning at Puu Kaaumakua on the crest of the Koolau Range, east along the crest of the ridge constituting the south boundary of the Hauula Forest Reserve and the Koolauloa-Koolaupoko District line, thence south along the coast to a point south of Heeia Pier and north of Matson Point, thence in a northwesterly direction along the crest of an unnamed ridge, thence in a westerly direction along the crest of the ridge north of Heeia Meadowlands to the crest of the Koolau Range, thence north along the Koolau Range to Puu Kaaumakua.

#30 Beginning at the junction of the crest of the Koolau Range and the crest of the ridge north of Heeia Meadowlands, thence east along the crest of the ridge north of Heeia Meadowlands, thence south and east along the crest of an unnamed ridge to a point south of Heeia Pier and north of Matson Point, thence south along the coastline (but including Mokuoloe Island) to the southwest boundary of the Kaneohe Marine Corps Air Station at the junction of the H-3 Freeway and Kaneohe Bay, thence in a southwesterly direction along the crest of Mahinui Ridge, thence in a southwesterly direction along the Kaneohe-Kailua boundary to Kamehameha Highway to its junction with Kalaniana'ole Highway and Pali Highway, (including Hawaii Loa College) thence southwest along the Pali Highway to the crest of the Koolau Range, thence north along the crest of the Koolau Range to its junction with the crest of the ridge north of Heeia Meadowlands.

#31 Beginning at the junction of the crest of the Koolau Range and the Pali Highway, south and east, then north along the Pali Highway to the junction of Kalaniana'ole Highway and Kamehameha Highway, thence west along Kamehameha Highway to the Kaneohe-Kailua boundary, thence east along the Kaneohe-Kailua boundary to Mahinui Ridge, thence north along Mahinui Ridge to the southwestern corner boundary of the Kaneohe Marine Corps Air Station, thence east along the boundary of the Kaneohe Marine Corps Air Station to the southeastern corner boundary of the Kaneohe Marine Corps Air Station, thence southeast along the coast to the north boundary of Bellows Air Force Base, thence west along the north boundary of Bellows Air Force Base, thence south along the west

boundary of Bellows, thence west along the Olomana Golf Course boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence north along the crest of the Koolau Range to the Pali Highway.

#32 Beginning at the junction of the north boundary of Bellows Air Force Base and the Pacific Ocean, then west along the north boundary of Bellows Air Force Base, thence south along the west boundary of Bellows, thence west along the boundary of Olomana Golf Course boundary, thence south and west along Aniani Nui Ridge to the crest of the Koolau Range, thence south along the crest of the Koolau Range along the Koolaupoko-Honolulu District boundary line to Makapuu Point, thence north along the coast to the northern boundary of Bellows Air Force Base.

#33 Beginning at the southwest corner boundary of the Kaneohe Marine Corps Air Station, thence north along the western coast of the Kaneohe Marine Corps Air Station, thence east along the coast to Mokapu Point, thence south along the eastern coast to the southeastern corner of the Kaneohe Marine Corps Air Station, thence west along the south boundary of the Kaneohe Marine Corps Air Station.

Amendment Note: 1986 added CHAPTER 2.

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

Notation:

These Rules are effective immediately.

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

In accordance with Sec. 1-5.4 of the Neighborhood Plan, the following rules and procedures are provided.

Article 1. Definitions

Sec. 3-1.1 Whenever used in these Rules, the words and phrases in these Rules shall, unless the same is inconsistent with the context, be construed as follows:

- a. **"Ballot"** means a written or printed, or partly written and partly printed paper(s) or card(s) containing the name(s) of person(s) to be voted for and the office to be filled. A ballot may consist of one or more cards or pieces of paper depending upon the number of offices, the candidates to be elected thereto, and the voting system in use.
- b. **"Ballot packet"** means the envelope containing the voter's ballot(s) and any official election materials necessary for the conduct of the election.
- c. **"Candidate"** means an individual who seeks election to a seat on a neighborhood board and files a candidacy declaration with the Neighborhood Commission.
- d. **"Challenged ballot"** means the ballot of a voter whose right to vote has been questioned by another registered voter.
- e. **"Counting center"** means the computer facilities and surrounding premises designated by the executive secretary where electronic voting system ballots are counted.
- f. **"Election"** means all elections, biennial or special, unless otherwise specifically stated.
- g. **"Electronic voting system"** means the method of recording votes which are counted by automatic tabulating equipment.
- h. **"Executive Secretary"** means the Executive Secretary of the Neighborhood Commission.
- i. **"Invalid ballot"** means any ballot which does not meet the requirements for ballots to be counted.
- j. **"Qualified resident"** means a person, eighteen (18) years of age and older, whose domicile is within the neighborhood or subdistrict as applicable.
- k. **"Qualified voter"** means a person whose domicile is within the neighborhood, and as applicable subdistrict, is eighteen (18) years of age or older, and is registered to vote in the neighborhood board election.

- 1. "Spoiled ballot" means a ballot which is marked incorrectly by the voter, has misprints or is illegibly printed or contains some other defect.
- m. "Voter" means any person duly registered to vote in the neighborhood board election.
- n. "Vote cast" means any ballot which is returned to the Neighborhood Commission including a ballot that is blank or a ballot later rejected for any reason.
- o. "Voting system" means the use of electronic ballot cards, paper ballots, or any other system determined by the executive secretary by which votes are cast and counted.
- p. "Paper ballot voting system" means the method of recording votes which are counted manually.
- q. "Reissued ballot" means a ballot issued to a voter who has spoiled a ballot or reports no delivery of ballot. The term "Duplicate ballot" may be interchangeably used to define same.

Article 2. Designation Of Units

Sec. 3-2.1 The large neighborhood area is already designated by the Neighborhood Plan. It may be divided into subdistricts consisting of single member, multi-member, or a combination single member and multi-member districts of approximately equal size in population. The one-person, one-vote principle shall apply in both cases, allowing for reasonable deviation (NP Sec. 1-5.2).

Sec. 3-2.2 A minimum of nine (9) members shall be elected from the neighborhood. There is no maximum but the total number must be an uneven one (NP Sec. 1-5.1). A neighborhood is defined as an area of the City and County of Honolulu delineated on the official Neighborhood Map (Sec. 2-1.1) and as geographically described under Sec. 2-2.1 of this Plan.

Article 3. General Provisions

Sec. 3-3.1 The method of election shall be mail balloting and all elections shall be nonpartisan and by secret ballot.

Sec. 3-3.2 All residents, including military personnel and aliens of the neighborhood, and as applicable subdistrict, at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year shall be entitled to register as a voter for the election.

Sec. 3-3.3 Any resident, including military personnel and aliens, who has reached the age of eighteen (18) years or who is seventeen (17) and will be eighteen (18) years of age by the third (3rd) Tuesday in January of the election year, shall be eligible as a candidate to seek election to a board seat in the neighborhood, or where applicable subdistrict, in which the person lives permanently.

Sec. 3-3.4 No person shall register or vote nor shall any person register as a candidate in any other neighborhood, and subdistrict as applicable, election

than that in which the voter and/or candidate lives permanently at the time of the election.

Sec. 3-3.5 The executive secretary of the Neighborhood Commission shall direct all neighborhood board elections. The executive secretary may delegate responsibilities in these elections to other specified persons or parties, as deemed necessary.

Sec. 3-3.6 The chief monitoring officer shall be appointed by the Neighborhood Commission and shall certify the results of the election.

Sec. 3-3.7 No candidate shall serve as an election official or election employee in the same election in which the person is a candidate; nor shall any parent, spouse, child, or sibling of any candidate be eligible to 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 candidates.

Article 4. Voter Registration

Sec. 3-4.1 Any resident who registers shall be entitled to vote in the election provided the person shall have attained the age of eighteen (18) years by the third (3rd) Tuesday in January of the election year.

Sec. 3-4.2 Registration to vote shall be limited to the neighborhood, and subdistrict as applicable, election in which the person lives permanently at the time of the election. There shall be only one residence. A voter shall be required to register for each succeeding election except as provided.

Sec. 3-4.3 A resident qualified to and desiring to register as a voter for the election shall complete and subscribe to an application in the form of an affidavit to be provided by the Neighborhood Commission office. The affidavit shall contain but not be limited to the following information: 1) Name; 2) Social Security number; 3) Date of birth; 4) Address of residence and mailing address, if any; 5) that the residence stated in the affidavit is the person's legal and fixed residence. The affidavit shall be filed with the Commission by the third (3rd) Tuesday in January of the election year. Any voter registration affidavit filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. of the closing date for registration. When by mail, the envelope containing the voter registration affidavit must be post-marked no later than the third (3rd) Tuesday in January of the election year. Any registration forms received after the closing date shall be disqualified and the affected party properly notified accordingly.

Sec. 3-4.4 A bona fide resident officially listed by the City Clerk as a registered voter for the State of Hawaii Election as of the third (3rd) Tuesday in January of the election year, may be declared by the executive secretary to be pre-registered for the biennial neighborhood board election.

Sec. 3-4.5 Not later than 4:30 p.m. on the tenth (10th) workday following the close of voter registration, there shall be a general register and listing by neighborhood and defined by subdistricts where applicable.

Article 5. Candidates

Sec. 3-5.1 All candidates shall be at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year and shall be residents of

the, subdistrict or in the case of an at-large seat of the neighborhood, of which the candidate seeks election. Any time a candidate moves from the respective subdistrict, as applicable, or neighborhood, the candidate is disqualified.

Sec. 3-5.2 Candidates shall complete and file a declaration of candidacy with the Commission by the third (3rd) Tuesday in January of the election year. Any statement of candidacy filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. on the closing date of filing. When registering by mail, the envelope containing the statement of candidacy must be postmarked no later than the third (3rd) Tuesday in January of the election year. Any candidacy declaration not meeting these filing regulations shall be disqualified. Exceptions to this rule may be made only upon receipt and approval of the waiver request by the Commission.

Sec. 3-5.3 The statement of candidacy in the form of an affidavit and provided by the Commission shall contain, but not be limited to the following information: 1) Name of candidate; 2) Board seat seeking; 3) Social Security number; 4) Date of birth; 5) Address of principal residence; 6) Mailing address or post office address, if any; and 7) Signature of applicant. For the purpose of this provision, there can be only one residence (permanent dwelling place) for the person.

Sec. 3-5.4 No person shall register as a candidate for election for more than one seat on the board concurrently.

Sec. 3-5.5 Any candidate may withdraw provided the withdrawal notice is in writing on a form provided by the Commission and filed with the executive secretary by 4:30 p.m. on the tenth (10th) calendar day after the candidacy filing deadline. However, should a candidate die or file a withdrawal notice in the period between the withdrawal deadline and the first (1st) workday in May and wins a seat, the next candidate with the greatest number of votes shall fill the seat. The seat of any winning candidate filing a withdrawal notice on and after the first (1st) workday in June shall be declared vacant and shall be filled by the elected Board as provided in Sec. 4-2.2, Rules and Procedures of the Neighborhood Board. In the event a candidate dies or is disqualified after the withdrawal deadline and the ballots are printed, the executive secretary shall either order the candidate's name stricken from the ballot or that a notice of disqualification or death be made available to the voter. The manner of notice shall be determined by the executive secretary.

Sec. 3-5.6 Not later than 4:30 p.m. on the sixth (6th) workday after the close of candidacy withdrawals, there shall be a certified list of all qualified residents for whom candidacy declarations have been filed with the Commission and who are entitled to be voted for in the election. The list, certified by the executive secretary, shall contain but is not limited to the names of all persons and the board seat for which each is a candidate.

Sec. 3-5.7 Any candidate seeking election to a Board shall be disqualified immediately when the person moves from the subdistrict or in the case of an at-large seat, from the neighborhood.

Sec. 3-5.8 If there are insufficient number of candidates, or in the case of a candidate's death or withdrawal, the vacancy shall be filled by the elected board within sixty (60) calendar days after the first (1st) workday in June of the calendar year.

Sec. 3-5.9 In the event of a tie between two or more candidates for the last available seat, when in a subdistrict or in an at-large neighborhood, and after a recount has been conducted, the winner shall be decided by lot under proceedings conducted by the chief monitoring officer not later than five (5) workdays after the election results are made public on the first (1st) workday in May of the election year.

Sec. 3-5.10 When the election is decided by lot, the candidate shall sign a statement to the use of the lot, shall be bound by the lot, and shall bring no election contest under Sec. 3-8.2 after the drawing of the lot. Each candidate shall be present at the drawing of the lot together with not more than two (2) witnesses of their choice. Should a candidate desire to forgo presence at the drawing, a waiver of this right shall be in writing and filed with the chief monitoring officer by 4:30 p.m. at least one (1) day prior to the date established for the drawing.

Article 6. Ballots

Sec. 3-6.1 A ballot shall contain the names of candidates, the neighborhood and subdistrict in which the election is being conducted, the manner in which the ballots are to be marked, and state that the voter shall vote for not more than the number of seats or the number of candidates listed where such a number is less than the seats available.

Sec. 3-6.2 The names of the candidates shall be placed on the ballot in alphabetical order, last names first, and may be printed with the Hawaiian or English equivalent or nickname, provided the candidate so requests in writing on the statement of candidacy form furnished by the Neighborhood Commission at the time the declaration is filed.

Sec. 3-6.3 The ballot shall bear no personal or professional title, word, motto, device, sign, or symbol other than the official seal of the City and County of Honolulu and/or the Commission's logo, unless otherwise declared essential by the executive secretary.

Sec. 3-6.4 Sample of ballot layouts prior to printing shall be available for viewing by candidates after the close of candidacy filing, as they are available.

Sec. 3-6.5 Ballots shall be mailed to qualified voters by the fourth (4th) Friday in March of the election year. Following this date, a qualified voter not receiving a ballot may notify the Commission office and request a replacement ballot. The Commission office may reissue and mail a new ballot which shall be appropriately marked "Second Ballot" (alternatively "2nd Ballot").

Sec. 3-6.6 The period to issue replacement ballots shall open on the first workday after the fourth (4th) Friday in March of the election year. It shall close at 4:30 p.m. seven (7) workdays prior to the third (3rd) Monday in April of the election year. No requests for replacement ballots shall be honored except during this period. These provisions may be applied to replacement requests for spoiled or lost ballots when properly noticed by the qualified voter within the reissuing period.

Sec. 3-6.7 Immediately upon receipt of a replacement ballot request within the time limit as specified in Sec. 3-6.6, records shall be examined by the Commission office to ascertain whether or not the person is qualified and

entitled to vote as requested. Upon verification, a replacement ballot shall be issued and mailed in an official election packet. All requests received on the last day of the reissuing period shall be mailed to the voter as soon as practicable, but no later than twenty-four (24) hours after receipt.

Sec. 3-6.8 Whenever a request has been fulfilled to replace a spoiled or lost ballot, the originally issued ballot, when returned, shall be marked "spoiled" by the Chief Monitoring Officer or designated election official(s) and considered void. All spoiled, invalid, or challenged ballots shall be segregated and retained apart from other ballots in a secure manner and turned over to the vote tabulators at an appropriate time.

Sec. 3-6.9 All ballots shall be returned by mail in the return envelope provided and postmarked by the third (3rd) Monday in April of the election year. Any ballot delivered to the Commission office other than by mail or postmarked after the closing date shall be disqualified and declared "invalid."

Article 7. Voting Procedures

Sec. 3-7.1 The secrecy of the ballot and the accurate recording, counting, and safeguarding of the ballot shall be paramount.

Sec. 3-7.2 Any violation, wrongdoing, or discrepancy relating to these rules shall be made known to the executive secretary, the chief monitoring officer, or a designated representative at the earliest possible time.

Sec. 3-7.3 When a voter loses or incorrectly marks a ballot in the process of voting, or receives an illegible or misprinted ballot, upon request and subsequent verification of the voter's eligibility, a new ballot, clearly marked "Second Ballot" (alternatively "2nd Ballot") shall be issued by the Commission within the time limit as specified in Sec. 3-6.6. The originally issued ballot when returned shall be marked "spoiled" and securely retained apart from other ballots by the chief monitoring officer or designated election official(s). At a given time, the spoiled ballots shall be transferred to the vote tabulators.

Sec. 3-7.4 Voted ballot envelopes which when opened contain no ballots shall be marked and considered invalid for auditing purposes and deposited in the invalid ballot box.

Sec. 3-7.5 The tally sheets used in counting the ballots cast shall be marked and handled in a secure fashion. After all ballots have been tabulated, the tally sheets and ballots shall be turned over to the Commission for safekeeping for thirty (30) calendar days after the first (1st) workday in May of the election year. The ballots and other election records may be destroyed by the chief election officer when all elected candidates have been certified by the Commission and the safekeeping period of thirty (30) calendar days has elapsed.

Sec. 3-7.6 In counting the ballots, the total number of ballots shall be verified to equal the total number of voted ballot envelopes recorded as received with the mail-in ballots. When there are more ballots than the records show as having been received, it shall be an overage and when less ballots it shall be a shortage. The election official responsible for the tabulation of ballots shall make a note of any overage or shortage after the vote is tabulated.

Sec. 3-7.7 Should the overage or shortage of ballots be significant to change the outcome of any election contest, an investigation shall be conducted by the chief monitoring officer and/or a designated election official. The chief monitoring officer's certified report disclosing its findings shall be submitted with the certified election returns to the Commission.

Sec. 3-7.8 The chief monitoring officer shall certify the results of the election for the Commission. The certified election results shall be made public on the first (1st) workday in May of the election year by the Commission.

Sec. 3-7.9 The Commission shall verify the election and announce the results. The number of persons elected receiving the highest number of votes in any election of a neighborhood or subdistrict as applicable, shall be declared to be elected. The Commission shall swear in the board members and issue a certificate of election. The swearing in ceremony may take place at a regular meeting of the Commission after the challenge period is elapsed.

Sec. 3-7.10 Elected candidates may be administered the oath of office five (5) calendar days after the election, unless challenged, for a term of office beginning the first (1st) calendar day in June of the election year and expiring twenty-four (24) months later on the last calendar day in May.

Sec. 3-7.11 Insofar as the limits of the room or counting center in which the tabulation of ballots take place reasonably allow, the counting of ballots shall be open to the public. At no time shall the public interfere with the election process.

Article 8. Challenge

Sec. 3-8.1 Voter Registration.

A resident registered to vote in the election with the Commission may challenge the right of a person to be or to remain registered as a voter in a given neighborhood or as applicable subdistrict. The challenge shall be on grounds that the voter fails to meet the qualifications as set forth in Sec. 3-3.2 of these rules. The challenge shall be in writing defining the grounds on which it is based and signed by the person making the challenge. All voter registration challenges shall be filed before 4:30 p.m. on the second (2nd) Monday in April of the election year with the executive secretary who shall forthwith serve notice on the person challenged. No voter registration objection shall be considered after this closing. The executive secretary shall, as soon as possible, investigate and rule on the challenge. The voter's proof of evidence and of age when applicable shall consist of an identification card, driver's license, birth certificate or a notarized statement. No other or further challenge shall be allowed for the same person in a single election.

Sec. 3-8.2 Candidacy.

A candidacy declaration filed in conformity with Sec. 3-3.3 of these rules shall be considered valid unless objection is made in writing by the executive secretary, chief monitoring officer, or a voter registered for the neighborhood board election. Such objection shall be made not later than 4:30 p.m. on the second (2nd) workday after the closing of the candidacy filing. When an objection is made, the executive secretary shall serve notice on the person challenged by registered or certified mail setting forth the grounds of objection. The executive secretary shall be empowered to conduct evidentiary hearings and may administer oaths. The hearing shall be held not later than four (4) work-

days after the objection is made. Nothing in this subsection shall be construed to extend to the candidate a right to an administrative contested case hearing as defined in Section 91-1(5), Hawaii Revised Statutes. All objections shall be decided by the executive secretary not later than 4:30 p.m. on the second (2nd) workday after the hearing is held. All objections which are upheld shall be placed in writing by the deciding official if so requested by the candidate affected.

Sec. 3-8.3 Other Challenges.

All challenges or charges of violations of an election other than provided for under Sec. 3-8.1 and Sec. 3-8.2 of these rules, shall be filed within five (5) workdays after the election results are made public on the first (1st) workday in May of the election year. The challenge shall be in writing, setting forth the grounds upon which it is based and signed by at least thirty (30) registered voters of the affected neighborhood or as applicable, subdistrict. The challenge shall be delivered to the chief monitoring officer who shall notify the person(s) affected by the action. The chief monitoring officer shall promulgate procedures for the investigative proceedings and the conduct of evidentiary hearings as needed. The hearing shall be held not later than four (4) workdays after the charges are filed. Nothing in this subsection shall be construed to extend to the complainant or contested person(s) a right to an administrative contested case hearing as defined in Section 91-1(5), Hawaii Revised Statutes. The chief monitoring officer shall rule on the challenge by 4:30 p.m. on the second (2nd) workday after the challenge is filed or the second (2nd) workday after the hearing, when necessary is held, placed in writing by the deciding official and submitted to the Commission.

Article 9. Vacancy

Sec. 3-9.1 A vacancy shall occur immediately whenever a board member moves from the subdistrict or in the case of an at-large member, from the neighborhood to which elected.

Sec. 3-9.2 When a board's total membership is unfilled after the election due to insufficient number of candidates or is caused by a candidate's death or withdrawal, the vacancy shall be filled by the elected board within sixty (60) calendar days after the first (1st) day in June of the election year.

Sec. 3-9.3 Should a vacancy occur on the board during the tenure of office, the remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term within sixty (60) calendar days of that declared vacancy.

Sec. 3-9.4 If the number of vacancies is such that the remaining members do not constitute a quorum, the Commission shall:

- a. Certify as elected one or more unsuccessful candidates receiving the next highest number of votes in the last election to fill the vacancies necessary to constitute a quorum.
- b. Call for a special Neighborhood Board election to fill the vacancy.
- c. Suspend the Board for its tenure of office.

Sec. 3-9.5 All vacancies shall be filled only at a regular meeting of the board. The affirmative vote of at least the majority of all the members to

which the board is entitled shall be necessary to take action. The intent to fill the vacancy shall be properly noticed and given to all the remaining members of the board by the Board Chairperson.

Article 10. Miscellaneous

Sec. 3-10.1 Optional Methods of Conducting Elections.

Notwithstanding, the provisions contained in Sec. 1-5.1 through Sec. 1-5.9 of this Plan, the Neighborhood Commission shall be authorized to engage in alternative demonstration methods of election where the Commission determines it to be in the best interest of community participation.

Article 11. Validity

Sec. 3-11.1 If any part or section of the Election Rules and Procedures of Neighborhood Boards is held invalid for any reason, such invalidity shall not affect the validity of the remaining part(s) or section(s) of the Election Rules and Procedures for the Neighborhood Boards.

Amendment Note: 1986 abolished 1980 adopted Rules For Method Of Election Of The Neighborhood Boards. Rewrote and replaced with Election Rules And Procedures Of Neighborhood Boards under newly added CHAPTER 3.

CHAPTER 4

RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

CHAPTER 4

RULES AND PROCEDURES OF THE NEIGHBORHOOD BOARD

In accordance with Sec. 1-8.1 of the Neighborhood Plan, the following rules shall govern the Neighborhood Boards.

Rule No. 1 Definitions

Sec. 4-1.1 For the purpose of these rules, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are the same as defined under Sec. 1-2.1 of the Neighborhood Plan.

Rule No. 2 General Provisions

Sec. 4-2.1 Membership.

The members of the Neighborhood Board shall be residents, at least eighteen (18) years of age, duly elected by vote of the respective neighborhood or any subdistrict thereof according to the Neighborhood Plan of the City and County of Honolulu.

Sec. 4-2.2 Vacancy.

Any vacancy occurring other than by the expiration of a term of office shall be filled within sixty (60) calendar days after its occurrence. The remaining members of the board shall appoint a successor of requisite qualifications to fill the vacancy for the unexpired term. The vacancy shall be filled only at a regular meeting of the board after reasonable notice of intent has been given to all remaining members of the Board by the Chairperson.

Sec. 4-2.3 Absence.

When a board member has an unexcused absence for three (3) consecutive, properly noticed regular meetings of the Board, the board shall have the option to declare the seat vacant and appoint a successor pursuant to Sec. 4-2.2.

Rule No. 3 Methods Whereby Public May Obtain Information

Sec. 4-3.1 Source.

The public may obtain information as to matters within the jurisdiction of the Neighborhood Board by inquiring at the Office of the Neighborhood Commission, City Hall, or where established by the Board, at the resource center of the Neighborhood.

Sec. 4-3.2 Request for Information.

Requests for information may be made in person or by submitting a request in writing to the Chairperson of the Neighborhood Board.

Rule No. 4 Initial Convening Of The Board

Sec. 4-4.1 Procedures for Initial Convening.

- a. For the initial convening of the newly elected Neighborhood Board, the board member receiving the highest number of votes in the board election immediately preceding shall call the Neighborhood Board members

to order and shall serve as the temporary presiding officer. In the case of a tie, the temporary chairperson shall be decided by lot.

- b. The Board shall then elect its officers. The officers elected by the board from its membership shall assume office immediately upon election.
- c. No action shall be taken until the chairperson is elected.
- d. The order of business shall then proceed in the following sequence:
 - (1) Fill any vacant seat(s) on the board.
 - (2) Pre-establish a specific day of the month on which the board will hold its regular meetings.

Rule No. 5 Officers And Their Duties

Sec. 4-5.1 The officers of a Neighborhood Board shall consist of the Chairperson, Vice Chairperson, Recording Secretary, and any other officers the Board feels is necessary to conduct Board business.

Sec. 4-5.2 The Chairperson and all officers shall be elected annually by the members from the membership. Each shall be elected by majority vote of the entire membership of the Board. Any vacancy shall be filled in like manner.

a. Chairperson.

The Chairperson shall be the presiding officer of the Neighborhood Board. In the absence of the Chairperson, the Vice Chairperson shall act as Chairperson. In the absence of both the Chairperson and the Vice Chairperson, the Recording Secretary shall act as Chairperson. In the absence of all officers, the Board shall designate the presiding officer as required to conduct business for that meeting.

It shall be the duty of the Chairperson to:

- (1) Serve as the spokesperson and representative of the Board.
- (2) Open all meetings of the Board at the appointed hour by taking the Chair and calling the Board to order.
- (3) Call for the approval of the minutes of the previous meeting.
- (4) Maintain order and decorum.
- (5) Receive and submit all matters properly brought before the Board in the order prescribed by the rules.
- (6) Receive all communications and present them promptly to the Board.
- (7) Appoint all committee chairs, unless otherwise directed by the Board.
- (8) To authenticate by signature all advisory actions of the Board.
- (9) To make known all Rules of the Neighborhood Board when so requested and to decide all questions of order.
- (10) To promptly make the proper referral of matters brought before the Board to the appropriate committee(s).
- (11) To perform such other duties as may be required by law or such as may properly pertain to such office.
- (12) To vote at all meetings.

- (13) To appoint a temporary Recording Secretary in the absence of the Recording Secretary.
- (14) To authorize an excused absence to any board member who has given prior notice of an inability to attend a properly noticed meeting of the board, whether a regular, special, or rescheduled meeting.

b. Vice Chairperson.

It shall be the duty of the Vice Chairperson:

- (1) To serve with the Chairperson as the spokesperson and representative for the Neighborhood Board.
- (2) To assist the Chairperson in formulating Neighborhood Board objectives and programs for consideration by the various committees.
- (3) To assist the Chairperson to anticipate issues and problems deserving or in need of special meetings.
- (4) To exercise all duties and powers of the Chairperson in the absence of the Chairperson.
- (5) In the absence of the Chairperson, to authorize an excused absence to any board member who has given prior notice of an inability to attend a properly noticed regular, special, or rescheduled meeting of the Board.

c. Recording Secretary.

It shall be the duty of the Recording Secretary to:

- (1) Keep an accurate journal of proceedings and to perform such other duties as assigned by the Neighborhood Board.
- (2) Assist the Chairperson to anticipate issues and problems deserving or in need of special meetings.
- (3) Exercise all the duties and powers of the Chairperson in the absence of the Chairperson and the Vice Chairperson.

Sec. 4-5.3 In the event the Chairperson's seat becomes vacant, the Vice Chairperson shall be designated the temporary presiding officer until a successor is elected to fill the unexpired term of the Chairperson.

Rule No. 6 Committees

Sec. 4-6.1 The Board shall be entitled to form committees as necessary to carry out its function. The function of such committees shall be to report its findings and to propose recommendations to the Neighborhood Board for appropriate action. No committee may speak for the Board.

Rule No. 7 Conduct Of Business

Sec. 4-7.1 Meetings.

a. Regular Meeting(s).

- (1) A regular meeting of the Board on a pre-established day of the month shall be held in at least ten (10) months of a twelve (12) month annual cycle. The cycle shall start in June and end in May, unless otherwise set by the Commission. At no time shall two (2) consecutive months elapse between regular meetings.

- (2) All sessions shall be open public meetings held within the neighborhood.
- (3) The agenda shall be made public by filing with the City Clerk not less than seven (7) calendar days and mailed not less than six (6) calendar days prior to the scheduled regular meeting.
- (4) The board shall maintain an updated list of names and addresses of persons requesting notification of meetings and shall mail a copy of the notice to such person(s).
- (5) Public notice of all meetings shall be in compliance with applicable provisions of the Neighborhood Plan and Section 92-7, Hawaii Revised Statutes.

b. Special Meeting(s).

- (1) Special meetings open to the public may be called at any time by the Chairperson or a majority of the Board.
- (2) The agenda shall be made public by filing with the City Clerk not less than six (6) calendar days prior to the special meeting.
- (3) Written notice specifying the subject(s) thereof shall be given to each member at least six (6) calendar days prior to such meeting. The acts and business of the Board at such special meeting shall be confined to the subject(s) so specified.
- (4) Delivery of notice to the member's mailing list shall be deemed sufficient compliance to the giving of written notice. Verbal notice may be given in person or by telephone.

Sec. 4-7.2 Notice.

The Board shall give written public notice of any regular, special, or rescheduled meeting. The notice shall include an agenda listing all of the items to be considered at the forthcoming meeting, in addition to the date, time and place of the meeting.

- a. The agenda shall be filed with the Office of the City Clerk.
- b. No Board shall change the agenda, once filed, by adding items without a two-thirds (2/3) recorded vote of all members to which the Board is entitled; provided that no item shall be added to the agenda in this manner if it is of reasonable major importance and action by the Board will affect a significant number of persons.
- c. All Boards shall comply with Chapter 92, Hawaii Revised Statutes.

Sec. 4-7.3 Adjournment.

A meeting may be adjourned at any time by an affirmative vote of at least the majority of the entire membership to which the Board is entitled. Whenever a quorum is lost, the meeting shall be considered automatically adjourned. Every adjournment shall be deemed to be to the next regular meeting of the Board unless otherwise specified in the motion.

Sec. 4-7.4 Quorum and Majority vote.

A majority of all the members to which the board is entitled shall constitute a quorum to do business. The affirmative vote of at least the majority of the entire membership to which the board is entitled shall be necessary to take action.

Sec. 4-7.5 Voting.

All meetings of the Board shall be open to the public and every vote taken by the Board shall be by open ballot.

There shall be three (3) methods of ascertaining the decision of the Neighborhood Board upon any matter: by show of hands; by the call of roll of members; and, by unanimous consent. The vote of individual members shall be recorded and reflected in the minutes of the meeting.

Rule No. 8 Parliamentary Practices

Sec. 4-8.1 Motions.

- a. No motion shall be received and considered by the board until the same has been seconded. However, committee recommendations need not be seconded.
- b. Motions and amendments may be verbal but shall be recorded in writing by the Recording Secretary and shall be read by the Recording Secretary or any member if so desired.
- c. After a motion is stated or read by the Chairperson, it is deemed in the possession of the board. However, any motion may be withdrawn by the mover with the consent of the corresponding second at any time before a vote is taken on the motion.
- d. Whenever any question is under discussion, the motion relative thereto shall be:

First, to lay on the table;
Second, to postpone to a certain time;
Third, to commit (or refer);
Fourth, to amend; and
Fifth, to postpone indefinitely.

Such motions shall have precedence in the order named. The first two (2) motions shall be decided without debate.

- e. When one of the foregoing motions fail or is decided in the negative, the same shall not be revived at the same meeting relative to the main question under discussion. If all are decided in the negative, the only remaining question shall be as to the passage or adoption of the proposed action.

Sec. 4-8.2 Priority of Business.

- a. The Board may, by vote, designate any matter properly placed on the agenda to be a special order of business, which shall take precedence over all other business.
- b. Except for the first meeting of the new Board, the unfinished business in which the Board was engaged at the time of the last adjournment shall have preference in the agenda. No business shall be received until such unfinished business is disposed of, unless by special leave of the Board.

- c. All questions relating to the priority of business to be acted upon by the board shall be decided without debate.

Sec. 4-8.3 Motion to Adjourn.

A motion to adjourn is always in order and shall be decided without debate. One motion to adjourn shall not follow another without intervening business. A meeting may be adjourned at any time by the majority vote, unless a quorum is lost. Adjournment shall be automatic with the loss of a quorum.

Sec. 4-8.4 Question of Order.

A question of order shall be raised at any stage of the proceedings, except when votes are being counted during a roll call vote. Such questions shall be decided by the presiding officer without debate, subject to an appeal to the Board.

Sec. 4-8.5 Previous Question.

The object of the motion for the previous question is to cut off debate. It shall always be in order and shall be ordered by the majority vote of the entire membership. Whenever such motion prevails, the question on the floor shall be put to a vote. If the question on the floor is a subsidiary motion and the previous question is moved for all pending motions, all such motions are voted on without debate.

Rule No. 9 Order And Decorum

Sec. 4-9.1 The Chairperson shall vacate the Chair when taking part in a debate. The Vice Chairperson shall then assume the Chair. In the absence of the Vice Chairperson, the Recording Secretary shall be the presiding officer. In the absence of all other officers, the Chairperson shall appoint a temporary Chairperson and vacate the Chair.

Sec. 4-9.2 When a Board member or person properly before the Board wishes to speak, the member or person shall address the Chairperson, be recognized before proceeding, and shall confine remarks to the question under discussion, avoiding personalities and abusive language.

Sec. 4-9.3 If a Board member or other person in speaking, or otherwise, shall violate these rules, the presiding officer or any Board member may raise a question of order. The presiding officer shall then decide the question of order without debate.

Sec. 4-9.4 When any person is called to order while speaking, such person shall be in possession of the floor after the question of order is decided, and may proceed with the matter under discussion within the ruling on the question of order.

Rule No. 10 Standards Of Conduct

Sec. 4-10.1 Conflicts of Interest - No Neighborhood Board member shall:

- a. Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any form under circumstances in which it can reasonably be inferred that the gift is intended to influence a Board member in the performance of the member's Neighborhood Board duties.

- b. Disclose confidential information gained by reason of a Board member's position, or use such information for the personal gain or benefit of anyone.
- c. Engage in any business transaction or activity, or have a financial interest, directly or indirectly, which is incompatible with the proper discharge of a Board member's duties or which may tend to impair the member's independence of judgement in the performance of the member's duties.

Sec. 4-10.2 Disclosure of Interest.

When a Board member makes a disclosure orally or in writing of a personal or private interest in any action pending before the board or its committees, such disclosure shall be recorded in the minutes of the meeting(s) of the Board. Such disclosure shall be applicable to all subsequent actions relating to the same subject matter. No Board member filing a disclosure shall be disqualified from voting on the matter relating to the conflict of interest.

Rule No. 11 Parliamentary Authority

Sec. 4-11.1 The rules of parliamentary practice, as set forth by the latest edition of Robert's Rules of Order, Newly Revised, shall govern the Neighborhood Board where the same are not covered or in conflict with these rules.

Rule No. 12 Violations Of Provisions

Sec. 4-12.1 Any final action taken by the board in violation of any of the provisions of these rules shall be voided by the Neighborhood Commission after a hearing is conducted pursuant to Sec. 1-10 of the Neighborhood Plan or as provided under Section 92-11, Hawaii Revised Statutes.

Rule No. 13 Rules In Conflict With The Charter

Sec. 4-13.1 If any rule contained is in conflict with the provisions of the Revised Charter, the Hawaii Revised Statutes, as amended, the Neighborhood Plan, or other laws, such rule shall be deemed invalid. Such invalidity shall not affect other rules contained herein.

Rule No. 14 Validity

Sec. 4-14.1 If any part or section of these rules is held to be invalid for any reason, such invalidity shall not affect the validity of the remaining part or section of these rules.

Amendment Note: 1986 CHAPTER 4 newly added. Unified set of Board Rules and Procedures.

CERTIFICATION

I, PAUL T. MATSUO, as Chairman of the Neighborhood Commission, City and County of Honolulu, do hereby certify:

1. That the foregoing is a full, true and correct copy of the amendments to the Neighborhood Plan of the City and County of Honolulu as was adopted by the Neighborhood Commission on Tuesday, June 17, 1986; and

2. That the notice of public hearings on the foregoing amendments to the Neighborhood Plan was published in The Sunday Star-Bulletin & Advertiser on January 26, 1986, and that public hearings were held on February 18, 19, and 20, 1986.



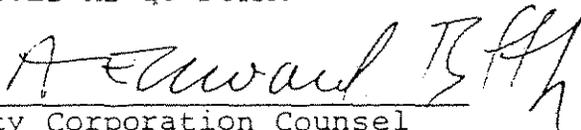
PAUL T. MATSUO, CHAIRMAN
Neighborhood Commission
City and County of Honolulu

APPROVED THIS 16th day of
September, 1986



FRANK F. FASI, MAYOR
City and County of Honolulu

APPROVED AS TO FORM:



Deputy Corporation Counsel

RECEIVED THIS 19th day of
September, 1986



RAYMOND K. PUA, City Clerk

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City & County of Honolulu
City Hall Annex
Honolulu, Hawaii 96813

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1990 Supplement

REVISED NEIGHBORHOOD PLAN, 1986
OF THE CITY AND COUNTY OF HONOLULU

AS AMENDED

Comprising the amendments as adopted,
by resolution, by the Neighborhood
Commission of the City and County of
Honolulu on August 27, 1990.

NEIGHBORHOOD COMMISSION
City Hall, Honolulu 96813



ENCL TO D 0012

REVISED NEIGHBORHOOD PLAN (1986)
OF THE
CITY AND COUNTY OF HONOLULU

SECTION 1. PURSUANT TO AND BY VIRTUE OF THE AUTHORITY CONFERRED UPON IT BY SECTION 14-103 OF THE REVISED CHARTER OF THE CITY AND COUNTY OF HONOLULU, 1973 (1984 EDITION), THE NEIGHBORHOOD COMMISSION OF THE CITY AND COUNTY OF HONOLULU, STATE OF HAWAII, HEREBY AMENDS THE REVISED NEIGHBORHOOD PLAN (1986) OF THE CITY AND COUNTY OF HONOLULU BY THE REVISION AND REPEAL OF EXISTING SECTIONS AND THE ADDITION OF NEW SECTIONS AS DEFINED BELOW.

CHAPTER 1

GENERAL ORGANIZATION AND ADMINISTRATION

Article 2. Definitions

Sec. 1-2.1 For the purpose of this Plan, unless it is plainly evident from the context that a different meaning is intended, words and phrases used herein are defined as follows:

- a. "Board" means the duly elected members of the Neighborhood Board or those appointed by the board to fill a vacancy.
- b. "City" means the body politic and corporate by the name of "City and County of Honolulu."
- c. "City Charter" means the Charter of the City and County of Honolulu as revised by the Charter Commission, effective January 2, 1973.
- d. "City Clerk" means the City Clerk of the City and County of Honolulu.
- e. "Commission" means the Neighborhood Commission of the City and County of Honolulu.
- f. "Legal Resident Alien" means any person not a citizen or national of the United States but who is allowed, under federal law, to reside in the United States.
- g. "Meeting" means the convening of the Board at which a quorum is present in order to make a decision or to deliberate toward a decision upon a matter over which the Board has advisory power.
 - (1) A "Regular Meeting" of a board is one at which a quorum is present and an established order of business is conducted. The acts and business of a board shall include, but not be limited to, the approval of minutes of the previous meeting, reports of standing and/or special committees, unfinished business and new business.
 - (2) A "Special Meeting" of a board is one at which a quorum is present and the acts and business of the Board is confined to the subject(s) so specified.

- h. "Military Personnel" means a member of the armed forces of the United States, including the person's spouse or dependents, who is stationed in the State of Hawaii.
- i. "Neighborhood" means an area of the City which has been established by the initiative process outlined in Sec. 1-4.0 of this Neighborhood Plan.
- j. "Quorum" means the presence of a minimum of one half plus one of the total number of members to which the board is entitled.
- k. "Residence" means that place within the neighborhood and applicable subdistrict in which a person's habitation is fixed, wherein the person has the intention to remain, and to which whenever absent, the person has the intention to return.
- l. "Resident" means a person who physically and legally dwells in a fixed place within the neighborhood and applicable subdistrict of the neighborhood.
- m. "Subdistrict" means a geographical subunit within the neighborhood.

CHAPTER 3

ELECTION RULES AND PROCEDURES OF NEIGHBORHOOD BOARDS

Article 1. Definitions

Sec. 3-1.1 Whenever used in these Rules, the words and phrases in these Rules shall, unless the same is inconsistent with the context, be construed as follows:

- j. "Qualified Resident" means a person eighteen (18) years of age and older, whose primary residence is within the neighborhood or subdistrict as applicable.
- k. "Qualified Voter" means a person whose primary residence is within the neighborhood and applicable subdistrict, is eighteen (18) years of age or older, and is registered to vote in the neighborhood board election.

Article 3. General Provisions

Sec. 3-3.2 All residents, including military personnel and legal resident aliens, whose primary residence is in the neighborhood and applicable subdistrict and who are at least eighteen (18) years of age by the third (3rd) Tuesday in January of the election year shall be entitled to register as a voter for the election.

Sec. 3-3.3 Any resident, including military personnel and a legal resident alien, who has reached the age of eighteen (18) years or who is seventeen (17) and will be eighteen (18) years of age by the third (3rd) Tuesday in January of the election year, shall be eligible as a candidate to seek election to a board seat in the neighborhood or applicable subdistrict of the person's primary residence.

(addition of new section, 3-3.8 immediately following Sec. 3-3.7).

Sec. 3-3.8 Determination of Residence

- a. In addition to the provisions as set forth in Section 1-2.1(k) of this Plan, the following provisions shall be applicable in determining the residence of a person for election purposes:
 - (1) Where a person registering to vote or to be a candidate gives as a primary residence address a location which does not have a street number; the following information shall be required:
 - (A) A description of the location of the residence of the person registering that is sufficient to ascertain a neighborhood and applicable subdistrict of the neighborhood in which the person will vote or be a candidate; and,
 - (B) A mailing address which is within the county where the person is registering to vote or to be a candidate for election, and where the person is legally entitled and does in fact receive mail.
- b. Except as otherwise provided in this Plan, no person claiming residence outside the jurisdiction of the City and County of Honolulu for purposes of voting in any state or national election shall be eligible to participate in the neighborhood board election as a voter or as a candidate as defined in this Plan.

Article 4. Voter Registration

Sec. 3-4.2 Registration to vote in the election shall be limited to the neighborhood and applicable subdistrict of the person's primary residence at the time of the election. There shall be only one residence. A voter shall be required to register for each succeeding election except as otherwise provided.

Sec. 3-4.3 A resident qualified to and desiring to register as a voter for the election shall complete and subscribe to an application in the form of an affidavit to be provided by the Neighborhood Commission office. The affidavit shall contain but not be limited to the following information: 1) Name; 2) Social Security number; 3) Date of birth; 4) Primary residence address and mailing address, if any; and, 5) that the residence stated in the affidavit is the person's primary legal residence. The affidavit shall be filed with the Commission by the third (3rd) Tuesday in January of the election year. Any voter registration affidavit filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. of the closing date for registration. When by mail, the envelope containing the voter registration affidavit must be postmarked no later than the third (3rd) Tuesday in January of the election year and shall reach the executive secretary by 4:30 p.m. on the tenth (10th) calendar day following this postmark closing date. Any registration form failing to meet these regulations shall be disqualified and the affected party properly notified accordingly.

Article 5. Candidates

Sec. 3-5.2 Candidates shall complete and file a declaration of candidacy with the Commission by the third (3rd) Tuesday in January of the election year. Any statement of candidacy filed in person or delivered other than by mail shall reach the executive secretary by 4:30 p.m. on the closing date of filing. When registering by mail, the envelope containing the statement of candidacy must be postmarked no later than the third (3rd) Tuesday in January of the election year and shall reach the executive secretary by 4:30 p.m. on the tenth (10th) calendar day following this postmark closing date. Any candidacy declaration failing to meet these filing regulations shall be disqualified.

Sec. 3-5.3 The statement of candidacy in the form of an affidavit and provided by the Commission shall contain, but is not limited to the following information: 1) Name of candidate; 2) Board seat seeking; 3) Social Security number; 4) Date of birth; 5) Primary residence address; 6) Mailing or post office address, if any; and 7) Signature of applicant. For the purpose of this provision, there can be only one residence for the person.

Sec. 3-5.5 Any candidate may withdraw provided the withdrawal notice is in writing on a form provided by the Commission and filed with the executive secretary by 4:30 p.m. on the tenth (10th) calendar day after the candidacy filing deadline. However, should a candidate die or file a withdrawal notice in the period between the withdrawal deadline and May 31 and wins a seat, the next candidate with the greatest number of votes shall fill the seat. The seat of the winning candidate filing a withdrawal notice on and after June 1, shall be declared vacant and shall be filled by the elected board as provided in Sec. 4-2.2 Rules and Procedures of the Neighborhood Board. In the event a candidate dies or is disqualified after the withdrawal deadline and the ballots are printed, the executive secretary shall either order the candidate's name stricken from the ballot or that a notice of disqualification or death be made available to the voter. The manner of notice shall be determined by the executive secretary.

Article 8. Challenge

Sec. 3-8.1 Voter Registration.

A resident, registered with the Commission to vote in the election, may challenge the right of a person to be or to remain registered as a voter in a given neighborhood or applicable subdistrict. The challenge shall be on grounds that the voter fails to meet the qualifications as set forth in Sec. 3-3.2 of these Rules. The challenge shall be in writing defining the grounds on which it is based and signed by the person making the challenge. Before 4:30 p.m. on the second (2nd) Monday in April of the election year, all voter registration challenges shall be filed with the executive secretary who shall forthwith serve notice on the person challenged. No voter registration objection shall be considered after this closing. The executive secretary shall, as soon as possible, investigate and rule on the challenge. The voter's proof of primary residence and age, when applicable, shall consist of an identification card, driver's license, birth certificate, or a notarized statement. No other or further challenge shall be allowed for the same person in a single election.

Sec. 3-8.2 Candidacy

A candidacy declaration filed in conformity with Sec. 3-3.3 of these rules shall be considered valid unless objection is made in writing by the executive secretary, the chief monitoring officer, or a voter registered for the neighborhood board election. Such objections shall be made no later than 4:30 p.m. on the second (2nd) workday after the closing of the candidacy filing. When an objection is made, the executive secretary shall serve notice on the person challenged by registered or certified mail setting forth the grounds of objection. The executive secretary shall be empowered to conduct evidentiary hearings and may administer oaths. The hearing shall be held no later than four (4) workdays after the objection is filed. All objections shall be decided by the executive secretary no later than 4:30 p.m. on the second (2nd) workday after the hearing is concluded. All objections which are upheld shall be placed in writing by the deciding official if so requested by the candidate affected.

Sec. 3-8.3 Other Challenges

All challenges or charges of violations of an election other than provided for under Sec. 3-8.1 and Sec. 3-8.2 of these rules, shall be filed within five (5) workdays after the election results are made public on the first (1st) workday in May of the election year. The challenge shall be in writing, setting forth the grounds upon which it is based and signed by at least thirty (30) registered voters of the affected neighborhood or applicable subdistrict. The challenge shall be delivered to the chief monitoring officer who shall notify the person(s) affected by the action. The chief monitoring officer, who shall promulgate procedures for the investigative proceedings, shall also be empowered to conduct evidentiary hearings and may administer oaths. The hearings shall be held no later than four (4) workdays after the charges are filed. The chief monitoring officer shall: 1) Rule on the challenge by 4:30 p.m. on the second (2nd) workday after the challenge is filed or when a hearing is required; make a decision by 4:30 p.m. on the second (2nd) workday after the hearing is concluded; 2) Place the decision in writing; and, 3) Submit the written decision to the Commission.

CHAPTER 4

RULES AND PROCEDURES OF THE NEIGHBORHOOD BOARD

Rule No. 2 General Provisions

Sec. 4-2.3 Absence

When a board member accumulates three (3) or more absences from properly noticed regular board meetings within a one (1) year period, beginning June 1 and ending May 31, the board shall have the option to declare the seat vacant and appoint a successor pursuant to Sec. 4-2.2 of this Plan.

Rule No. 5 Officers And Their Duties

Sec. 4-5.2 The Chairperson and all officers shall be elected annually by the members from the membership. Each shall be elected by majority vote of the entire membership of the Board. Any vacancy shall be filled in like manner.

a. Chairperson.

The Chairperson shall be the presiding officer of the Neighborhood Board. In the absence of the Chairperson, the Vice Chairperson shall act as Chairperson. In the absence of both the Chairperson and the Vice Chairperson, the Recording Secretary shall act as Chairperson. In the absence of all officers, the Board shall designate the presiding officer as required to conduct business for that meeting.

It shall be the duty of the Chairperson to:

- (1) Serve as the spokesperson and representative of the Board.
- (2) Open all meetings of the Board at the appointed hour by taking the chair and calling the Board to order.
- (3) Call for the approval of the minutes of the previous meeting.
- (4) Maintain order and decorum.
- (5) Receive and submit all matters properly brought before the Board in the order prescribed by the rules.
- (6) Receive all communications and present them properly to the Board.
- (7) Appoint all committee chairs, unless otherwise directed by the Board.
- (8) Authenticate by signature all advisory actions of the Board.
- (9) Make known all Rules of the Neighborhood Board when so requested and to decide all questions of order.
- (10) Promptly make the proper referral of matters brought before the Board to the appropriate committee(s).
- (11) Perform such other duties as may be required by law or such as may properly pertain to such office.
- (12) Vote at all meetings.
- (13) Appoint a temporary Recording Secretary in the absence of the Recording Secretary.

b. Vice Chairperson

It shall be the duty of the Vice Chairperson to:

- (1) Serve with the Chairperson as the spokesperson and representative for the Neighborhood Board.
- (2) Assist the Chairperson in formulating Neighborhood Board objectives and programs for consideration by the various committees.
- (3) Assist the Chairperson to anticipate issues and problems deserving or in need of special meetings.
- (4) Exercise all duties and powers of the Chairperson in the absence of the Chairperson.

Rule No. 10 Standards of Conduct

(addition of a new section, 4-10.3, immediately following Sec. 4-10.2).

Sec. 4-10.3 Political Activities

- a. No Neighborhood Board shall use its official position or title to:
 - (1) Endorse a candidate for elective or appointive office.
 - (2) Engage in any political activity which could be implied to endorse or support a candidate for elective or appointive office.
- b. The foregoing prohibited activities shall not be deemed to preclude the right of any individual neighborhood board member to engage in these political activities as private individuals.

SECTION 2. THESE AMENDMENTS SHALL TAKE EFFECT UPON FILING WITH THE CITY CLERK OF THE CITY AND COUNTY OF HONOLULU.

CERTIFICATION

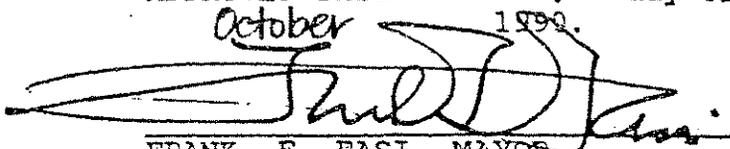
I, PAUL C. K. CHANG, as Chairman of the Neighborhood Commission, City and County of Honolulu, do hereby certify:

1. That the foregoing is a full, true, and correct copy of the amendments to the Revised Neighborhood Plan (1986) of the City and County of Honolulu as adopted by the Neighborhood Commission on Wednesday, August 27, 1990; and
2. That the notice of public hearings on the foregoing amendments to the Revised Neighborhood Plan (1986) was published in The Sunday Star-Bulletin & Advertiser on June 3, 1990, and that public hearings were held on July 2, 9, and 11, 1990.



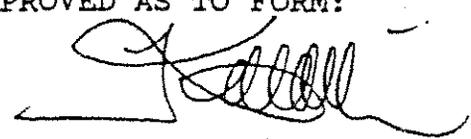
PAUL C. K. CHANG, CHAIRMAN
Neighborhood Commission
City and County of Honolulu

APPROVED THIS 23rd day of
October 1990.



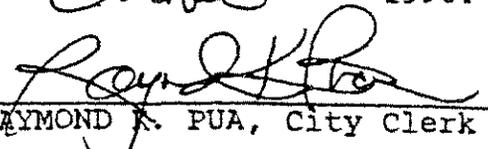
FRANK. F. FASI, MAYOR
City and County of Honolulu

APPROVED AS TO FORM:



Deputy Corporation Counsel

RECEIVED THIS 25th day of
October 1990.



RAYMOND K. PUA, City Clerk