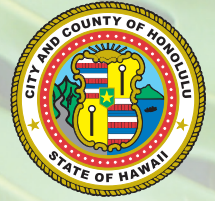


Neighbor to Neighbor



COUNCIL DISTRICT 6

OCTOBER 2020



MAKIKI/PUNCHBOWL, PAPA KOLEA, DOWNTOWN, CHINATOWN, KAKA'AKO, NU'UANU, LILIHA, ALEWA, KAMEHAMEHA HEIGHTS, KALIHI VALLEY, AIEA, AND MOANALUA

Dear Neighbors,

I would like to extend a warm mahalo to you for taking the time to read this month's Neighborhood Board report, highlighting some of the unique challenges, tough concerns, and positive accomplishments that my staff and I undertake on a daily basis. I am heartened that with continued outreach and communication, we can work towards positive change in this unique, diverse community. Please contact me if you have an area of concern you'd like to address, or a person or organization that you'd like to acknowledge. I look forward to continuing to assist you in building a better community for all of us!

Mahalo nui loa,

Carol Fukunaga
City Councilmember, District 6

530 S. King Street, Rm. 202 • Honolulu, HI 96813
Phone 808.768.5006 • Fax 808.768.1226
Email cafukunaga@honolulu.gov

Responses to September 2020 ACA Concerns

- Unimproved Sidewalks on Aiea Heights Drive: In August, my staff and I filed a request to Mayor's office regarding an Aiea Heights Drive resident's inquiry after receipt of a Notice of Violation (NOV) for placing rocks along the grassy shoulder fronting her property to prevent unauthorized parking.

During last month's meeting, ACA President Tamamoto expressed concerns regarding HPD enforcement/citations along Aiea Heights Drive, where residents have traditionally placed rocks along the grassy shoulder fronting their properties. She has asked that we identify/pursue other solutions in lieu of having neighbors being cited under **Section 18-8, Revised Ordinances of Honolulu**, which prohibits property owners from blocking the unimproved shoulders/grassy areas fronting their properties (see attached excerpt from ordinance).

We are now investigating whether the Aiea Community Association and its members can undertake a 'neighborhood beautification' project along Aiea Heights Drive to reduce the number of DPP citations pitting one neighbor against another, and to develop a consistent use of landscaping or plantings that many neighbors can agree upon and undertake in front of their properties. Please contact ACA President Tamamoto to identify the segments of Aiea Heights Drive that would benefit from such a program (e.g., street address numbers, etc.), and for which less-disruptive solutions may help generate neighborhood participation in ACA projects.

- Feral Chickens/Cats in Lower Aiea: President Tamamoto reported that non-residents have been observed coming into the neighborhood and feeding feral chickens and cats. **Chapter 7 (Animal Nuisances) of the Revised Ordinances of Honolulu** requires the City to contract with an animal control contractor to control animal nuisances identified as the following:

"Animal nuisance," for the purposes of this section, shall include but not be limited to any animal, farm animal or poultry which:

- Makes noise continuously and/or incessantly for a period of 10 minutes or intermittently for one-half hour or more to the disturbance of any person at any time of day or night and regardless of whether the animal, farm animal or poultry is physically situated in or upon private property;*
- Barks, whines, howls, crows, cries or makes any other unreasonable noise as described in Section 7-2.4 (c) of this article;*

(Continued on next page)



Unfortunately, we learned only after the end of this year's budget cycle that the Dept. of Customer Services' contract with an animal control contractor had expired and no additional funding was sought for a FY 21 contract.

However, pursuant to **Section 7-2.7 (Summons or citation), ROH**: *"Any authorized police officer, or any officer of the animal control contractor who has been deputized by the chief of police as a special officer for the purpose of enforcing the provisions of this article, may issue a summons or citation to an alleged violator of the provisions of this article. Procedures with respect to the design, form, content, numbering and disposition of copies of said summons or citation shall be in all respects the same as those specified in Section 7-4.6, relating to summonses in connection with stray dogs. Said summons or citation shall instruct such person to report to the violations bureau of the respective district courts of the City and County of Honolulu."*

These sections mean that potential violators of **Chapter 7, Animal Nuisances**, must be identified in order to enforce the provisions of **Chapter 7, ROH**. In the meantime, I have asked Aiea/Halawa Heights residents to identify publicly-owned locations at which feral chickens have been spotted so that complaints can be filed with the appropriate government agency for enforcement on those lands.

Update on Planned Review Use (PRU Permit) and OCCC Actions

As ACA members may recall, **Resolution 19-136, CDI, FDI** (authorizing the Dept. of Public Safety and its consultants to pursue relocation of Oahu Community Correctional Facility to the Animal Quarantine Station site in Halawa valley) was adopted by the City Council on February 19, 2020.

Since that time, my staff and I have not received any information on the status of the project apart from a recent Dept. of Public Safety newsletter (October 2020), a copy of which is attached. However, last week I began receiving emailed complaints from Aiea-Halawa residents who oppose spending one-half billion dollars for a new prison *"...at a time when working families are struggling with high unemployment, the rising cost of living, and a pandemic that has upended our daily lives. We should be investing in our communities not putting more people in cages..."*

Additional information about State Dept. of Public Safety plans for OCCC can be found on the PSD-OCCC Future Plans website at <http://dps.hawaii.gov/occc-future-plans/> or by contacting Toni Schwartz at toni.e.schwartz@hawaii.gov or 587-1358.

EAH Planners brief ACA and Councilmembers on Senior Affordable Housing Project

EAH Vice-President Kevin Carney and his development team briefed me and Aiea Community Association (ACA) members on the Halewilikō Highlands project during ACA's September 21 meeting and on September 22, 2020. The affordable housing project, which is adjacent to the Aiea Public Library, is comprised of 139 affordable rental units for households earning 60% and below the area median income ("AMI"). Its surface parking lot includes 95 total parking spaces.

EAH is pursuing Section 201H-38, HRS exemptions from certain fees, permits and development requirements from city/state agencies, and anticipates its Resolution/application will be submitted to the City Council in late October. Section 201H-38, HRS exemption applications have a 45-day review period, and are automatically approved if no Council action is taken within the 45-day timetable. My staff and I will distribute electronic copies of the EAH resolution to NB #20 members and interested community stakeholders when it is introduced. Please contact Senior Advisor Kimberly Ribellia at kribellia@honolulu.gov if you have additional questions.

(e) Mechanic's and Materialman's Lien Procedure. Any work done by the city hereunder is deemed to be done pursuant to quasi-contract or constructive contract between the city and the owner. Based on the foregoing contractual relationship, if the owner fails to pay the amount duly noted on the statement filed by the chief engineer, the corporation counsel may proceed to file a mechanic's and materialman's lien pursuant to the provisions of Part II of HRS Chapter 507, or any other appropriate lien procedures.
(Sec. 20-2.7, R.O. 1978 (1983 Ed.))

Sec. 14-18.8 Standards and specifications for sidewalks.

(a) Generally. All sidewalks shall be constructed in accordance with the Standard Details, department of public works, City and County of Honolulu, dated August, 1976, as amended, and with the applicable sections of the Standard Specifications for Public Works Construction, department of public works, City and County of Honolulu, dated May, 1975, as amended.

(b) Exceptions.

(1) Winding Sidewalks. Any and all sidewalks shall be constructed adjacent to the property lines; provided, however, the chief engineer may authorize winding sidewalks and provided further, that such sidewalks shall not cause additional hazards to the public as the chief engineer may determine.

(2) Other Surface Encroachments. The chief engineer may also authorize the placement of walls, fences, benches and other surface encroachments in the sidewalk area provided that application for such encroachments are made in writing to the chief engineer and provided further, that such encroachments do not unduly interfere with the public use of such space for utilities and pedestrian traffic. Such encroachments shall be removed at the owner's expense upon notification by the building superintendent when recommended by the chief engineer that the space is needed for public use.

(3) Notice. The building superintendent upon such recommendation by the chief engineer shall issue a notice in writing to the owner directing the owner to remove the encroachments or improvements. The

work shall be done within such reasonable time limit as shall be stated in such notice which in no case shall be less than 20 days nor more than 60 days. Said notice may be given by personal service or by mailing a copy of such notice by certified mail to the owner.

- (4) Failure to Remove Encroachments. Upon failure of the owner to comply with such notice within the time mentioned therein, the building superintendent shall cause such encroachments to be removed. The costs thereby incurred by the city shall be billed to such owner and shall, if not paid to the city by such owner within 30 days after such billing date, become a lien upon the property abutting such encroachments.
- (5) Whenever the chief engineer finds that in the interest of public safety or welfare an asphalt concrete walkway is necessary for pedestrians, the chief engineer is authorized to construct such a walkway.
- (c) Filing Fee. A fee of \$200.00 shall be required for each application submitted under subsection (b)(2) dealing with other surface encroachments. All application fees collected shall not be refundable and shall be deposited into the highway fund.

(Sec. 20-2.8, R.O. 1978 (1987 Supp. to 1983 Ed.); Am. Ord. 03-12, 14-4)

Sec. 14-18.9 Standard details and specifications for curbs.

All curbs shall be constructed in accordance with the Standard Details, department of public works, City and County of Honolulu, dated August, 1976, as amended, and with the applicable sections of the Standard Specifications for Public Works Construction, department of public works, City and County of Honolulu, dated May, 1975, as amended.

(Sec. 20-2.9, R.O. 1978 (1983 Ed.))

Sec. 14-18.10 Standards and specifications for driveways.

- (a) Standards—Where Found. All driveways shall be constructed in accordance with the applicable standard driveway apron and layout details of the Standard Details, department of public works, City and County of Honolulu, dated August, 1976, as amended, and with the applicable sections of the Standard Specifications for Public Works Construction, department of public works, City and County of Honolulu, dated May, 1975, as amended.
- (b) Nonstandard Driveway. The chief engineer may authorize the construction of driveways which do not conform to the foregoing standards where topographic or traffic conditions warrant a variance from the standards.
- (c) Nonconforming Driveway. Whenever a driveway is constructed in a location where the existing driveways are finished in conformance to standards adopted prior to approval of this section, the chief engineer may authorize the constructed driveway to be finished and scored to match the finish and scoring of the adjacent driveways.
- (d) Designation. The chief engineer is further authorized to designate the location of a driveway in an area zoned for business, industrial or hotel-apartment use.
- (e) Exemption. When an existing driveway having width or location which does not conform to the width or location prescribed in the standard driveway layout is constructed, such driveway may be constructed to its existing width and location and shall be exempted from the width and location provisions in the standard driveway layout, provided that such driveway shall be constructed to conform to the standard driveway apron details.
- (f) Filing Fee. A fee of \$200.00 shall be required for each variance application or request covered under subsections (b) and (c) above. All application fees collected shall not be refundable and shall be deposited into the highway fund.

(Sec. 20-2.10, R.O. 1978 (1983 Ed.); Am. Ord. 03-12, 14-4)

Sec. 14-18.11 Standards and specifications for wheelchair ramps.

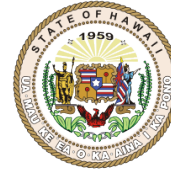
Wheelchair ramps shall be constructed only at locations approved by the chief engineer and in accordance with the applicable standards in the Standard Details, department of public works, City and County of Honolulu, dated August, 1976, as amended, and with the applicable sections of the Standard Specifications for Public Works Construction, department of public works, City and County of Honolulu, dated May, 1975, as amended.

(Sec. 20-2.11, R.O. 1978 (1983 Ed.))

Sec. 14-18.12 Ramp in gutter prohibited.

The construction of a ramp in the gutter to permit vehicles to drive over the curb is prohibited.

(Sec. 20-2.12, R.O. 1978 (1983 Ed.))



Future of the Oahu Community Correctional Center

Vol. 25 - Planning for New OCCC Continues

October 2020

Hawaii Department of Public Safety

The Hawaii Department of Public Safety (PSD) is responsible for carrying out judgments of the state courts whenever a period of confinement is ordered. Its mission is to uphold justice and public safety by providing correctional and law enforcement services to Hawaii's communities with professionalism, integrity and fairness. Currently, offenders are housed within State of Hawaii jail and prison facilities located within Hawaii, at the Federal Detention Center in Honolulu, and in private contractor facilities on the mainland.

PSD operates Community Correctional Centers (CCCs), widely known as jails, on the islands of Kauai, Maui, Hawaii and Oahu. Each CCC houses short-term sentenced (felons, probation, and misdemeanor), pretrial (felon and misdemeanor), other jurisdiction, and probation/parole violators. CCCs provide the customary county jail function of managing both pre-trial detainees and locally-sentenced misdemeanor offenders and others with a sentence of one year or less. CCCs also provide an important pre-release preparation/transition function for prison system inmates who are transferred back to their county of origin when they reach less than a year until their scheduled release. Although some offenders will remain in prison for life, the majority (over 95 percent) will serve their sentences and be released, eventually returning to the community.

PSD is committed to providing a safe, secure, healthy, humane, social, and physical environment for inmates and staff. However, aged and obsolete CCCs have limited PSD's ability to provide such environments. All jail facilities are antiquated with limited space for inmate programs and treatment services and combined with declining physical plants, improving facilities and replacing facilities when necessary are important priorities. Chief among such priorities is the replacement of the existing Oahu CCC (OCCC) with a new facility at the Animal Quarantine Station in Aiea/Halawa. Assisting with OCCC planning and development is the Department of Accounting and General Services (DAGS) and a team of consultants (the "OCCC Team").

Additional Studies Underway at Animal Quarantine Station

The State of Hawaii is moving ahead with plans to develop a much-needed replacement for the Oahu Community Correctional Center (OCCC) on the site of the Animal Quarantine Station (AQS) in Aiea/Halawa.

Subsurface Investigations Conducted

A comprehensive and thorough understanding of subsurface conditions within the AQS property is an essential part of the planning process and plays an important role in the determining optimum locations for OCCC structures, whether conditions exist that will require special engineering designs, and in estimating the cost of site preparation and foundation construction. To address those topics, a preliminary geotechnical program of the AQS property (east of H-3) is underway involving soil borings, soil sampling and laboratory testing, subsurface analysis, and groundwater measurements. Common to such investigations is the need to determine on-site features and



Soil borings at Animal Quarantine Station (Geolabs, August 2020).

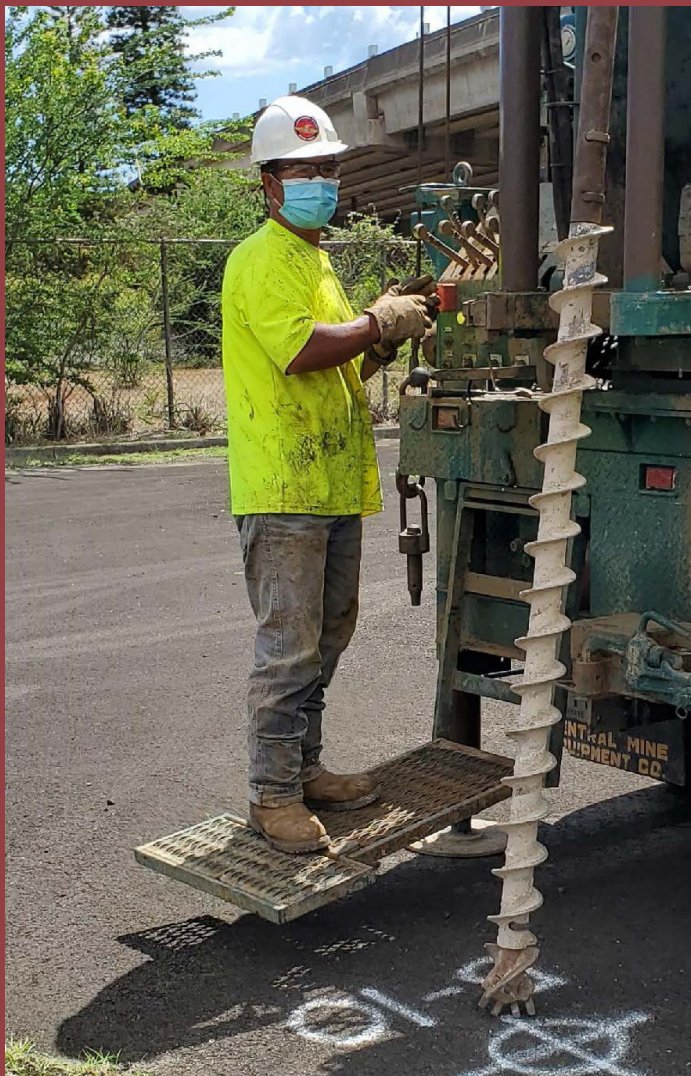
building foundation systems as well as to identify any unfavorable surface and subsurface conditions that may limit development or require additional stabilization or foundation and footing design methods or soil remediation prior to construction.

Subsurface conditions were explored by drilling and sampling nine borings extending to depths between five and 103 feet below the ground surface. The borings generally encountered a surface fill layer approximately two to 13 feet thick underlain by older alluvial deposits with basalt rock formation encountered in one of the borings at about 85.5 feet depth extending to the maximum depth explored of 103 feet below the ground surface. Groundwater was not encountered in the borings at the time of the field exploration. The results of the investigation will provide the OCCC Team with the information necessary to finalize the siting of the buildings, develop footing and foundation strategies, and help refine the construction cost estimates.

Building Surveys Underway

The AQS property contains two Department of Agriculture administrative buildings, cat holding areas, over 1,600 dog kennels, a large animal holding facility, a maintenance shop, two duplex houses, a cottage, and a water shed. To develop the new OCCC, all these structures will require demolition. Prior to demolitions, a survey is being performed consisting of a visual examination of the buildings and structures planned for removal. The survey involves the collection of building material samples and laboratory analysis to determine whether any hazardous materials exist and if so to what extent and their locations.

At the conclusion of the sampling and laboratory testing a survey report will be prepared to present the findings. The report will be used by the OCCC Team to evaluate any concerns during the demolition phase and need for special handling or construction worker safety measures.



Soil borings at Animal Quarantine Station (Geolabs, August 2020).



Material samplings at Animal Quarantine Station (Myounghee Noh & Assoc., August 2020).

What is the difference between a Prison and a Jail?

Many people use the terms “jail” and “prison” interchangeably; however, in purpose and operation, the two types of facilities are substantially different. On a basic level, a jail is a facility where individuals (jail inmates) are held pending adjudication. These may be persons who either could not meet their bail or may not have qualified for bail according to the courts. In certain cases, a jail may also house individuals who have been to court, convicted, and sentenced to short-term incarceration – usually less than a year. On the other hand, a prison is exclusively populated by individuals (prison inmates) who have been convicted of a serious crime and are serving a long-term sentence – typically a year or more.

The differences between a jail and a prison may not be obvious to the casual observer. While jails and prisons must both meet inmates’ basic needs, both are required to provide access to many of the same programs and services. Because the length of time jail inmates are incarcerated is often measured in days and not years, the focus of jail programs and services is on stabilization versus a prison’s focus on long-term rehabilitation. In addition, a jail operates on a ‘decentralized’ services model whereby programs and services are delivered to jail inmates in their housing areas.



San Mateo County Jail, Redwood, California.



Toronto South Detention Centre, Canada.



Federal Correctional Institution in Welch, West Virginia (i.e., prison). Large, low-rise, sprawling institution for long term offenders.



A challenge for the operation of a jail is the unknown disorders and illnesses that new inmates may come in with. For example, many jail inmates who first arrive at the facility may be in crisis due to an undiagnosed or untreated substance use disorder and/or mental health illness. In these circumstances, the burden is on the jail to provide a proper diagnosis and appropriate intervention. In addition, the jail population is under the legal jurisdiction of the Judiciary (courts) and not PSD. Jail inmates can only be released, placed in outside programs, or assigned to other alternatives to incarceration with the approval of the courts.

In contrast, a prison facility houses inmates that have been convicted and sentenced. Upon their arrival at the facility, prison inmates are assessed and evaluated and then assigned to appropriate housing based upon identified risk and need. By this

time, prison inmates with a substance use disorder and/or mental illness who are coming from a jail have been diagnosed and begun treatment. Because of the longer-term sentences in a prison, the operation of the facility will have a focus on rehabilitation. Programs offered may include training in a trade and education programs for helping prison inmates to acquire their GED or secondary degrees. There may also be programs that utilize prison inmates' skills and labor. Accordingly, many prisons will operate on a 'centralized' services model where prison inmates will be allowed to move throughout the facility to areas such as dining, health clinic, recreation, prison industries or classrooms.

The matrix below summarizes many of the key features of jails and prisons and revealing the substantial design and operating differences between the two types of facilities.

Feature	Jail	Prison
Inmate populations	Individuals (jail inmates) held pending adjudication. Includes those not able to meet their bail or have not qualified for bail. May also house individuals who have been to court, convicted, and sentenced to short-term incarceration – usually less than a year. In Hawaii known as a Community Correctional Center.	Populated by individuals (prison inmates) who have been convicted of a serious crime and are serving a long-term sentence – typically a year or more. Also known as a correctional facility.
Length of Stay	Stays are typically measured in days or weeks. Individuals sentenced to a term of a year or less can serve in jail.	Stays are measured in years.
Programs and Services	Focus is on stabilization including diagnosis and appropriate treatment for medical and/or mental health illness.	Focus is on long-term rehabilitation. Programs offered may include training in a trade and education programs for acquiring GED or secondary degrees.
Operating Model	'Decentralized' services model whereby programs, services, meals and treatments are delivered to jail inmates in their housing areas.	'Centralized' services model where prison inmates are allowed to move throughout the facility to areas such as dining, health clinic, recreation, prison industries or classrooms under escort.
Legal Jurisdiction	Courts have jurisdiction; inmates can only be released, placed in outside programs, or assigned to other alternatives to incarceration with approval of the courts	Department of Public Safety has jurisdiction.
Design Features	Depending on location, number of beds, etc., facilities are typically are compact in design (one structure) rising 3-5 stories (mid-rise) or 6-10+ stories (high-rise).	Depending on location, number of beds, etc., facilities are typically 1-2 stories (low-rise). Multiple structures in a campus-like arrangement with housing, administrative buildings, classrooms, dining, medical and other units.
Security Features	Highly-secure structures with security features incorporated within building design and operation. Typically, avoids perimeter fencing, vehicle patrol road, high-security lighting, similar measures.	Typically highly-secure structures incorporating rows of perimeter fencing, vehicle patrol roads, CCTV cameras, high-security lighting, guard towers, and other measures.

Current Project Activities

Public Transportation

Public transportation is important to the new OCCC for visitors, staff, and others accessing the site. The selected Halawa site is located in proximity to existing bus service and a nearby future Honolulu Area Rapid Transit (HART) rail station. The OCCC team has initiated discussions with the Honolulu County Department of Transportation to explore the expansion of bus service into Halawa Valley Street. Discussions and investigations will continue to explore ways to provide regular pick-up and drop-off at or near the new OCCC. These may include, but are not limited to, new or relocated bus stops, new routes and schedules, and/or adjustments to existing bus routes and schedules. Extending bus service onto Halawa Valley Street would potentially benefit OCCC staff, visitors and surrounding businesses. Development of a new OCCC on the site could provide the impetus for expanded service to the area, as well as enhanced ridership of HART.

Traffic and Congestion

Providing safe and convenient motor vehicle access to and from the new OCCC will be essential as employees and visitors travel to/from the OCCC, as well as service vehicles, deliveries, etc. In addition, PSD staff will transport inmates to court appointments and medical treatments during the week. Expanded use of video conferencing for court-related matters and inmate visitations also may impact and reduce traffic to and from the facility. Pre-release inmates commuting daily to their places of employment are expected to continue being housed at the Laumaka Facility in Kalihi. Staff shifts are slightly different than most workers' start-and-finish times. This alleviates adding to the congestion during rush-hour traffic. The OCCC team will be studying the traffic conditions, the projected impacts will be updated with current data, and needed improvements to site ingress and egress will be planned.

During the public engagement process, the Aiea community expressed its desire for improvements to the current access road (Halawa Valley Street). An additional review of the current and projected traffic conditions will provide recommendations for traffic management and mitigation, and other transportation infrastructure improvements may be considered during the Community Partnering process. The various new development projects in the area, such as the stadium and OCCC, provide opportunities to address locations that already suffer from traffic congestion.

Transportation for Released Inmates

In addition to efforts to increase and improve public transportation directly to the site, future Traffic Management studies will include investigation of the need for providing dedicated shuttle programs and/or transit services.

Community Safety

One of the community's primary concerns is the safety of its residents. The OCCC Team will continue to address safety concerns throughout the planning process. PSD has established policies and procedures for responding to escapes, including notification to PSD's Sheriffs Division and HPD. Businesses are notified through the Nixile Alert System. A thorough review of the methods used for the transportation of inmates once they are released will continue to be included when analyzing needs for public transportation, as well as shuttle programs. A modern facility with contemporary safety designs benefits the community, the corrections staff, visitors and inmates.

OCCC Financing and Delivery Options

The OCCC project team is evaluating the suitability of various project financing and delivery options including the traditional Design-Bid-Build option, the Design-Build option, and a Public Private Partnership (P3) option. The project team is performing a series of evaluations of financing and delivery options that involve estimating the capital and maintenance costs for the new facility, assessing public and private finance options, performing a risk assessment that include identifying the major project risks, their likelihood of occurring and preparing risk mitigation strategies, conducting market sounding, and reaching out to local construction industry representatives. These activities will serve to guide the State as to the best options for delivering and financing the OCCC project. Regardless of the method for financing and delivering the new OCCC, the facility will continue to be operated and managed by PSD staff.

Community Partnering

Community outreach, including participation at neighborhood boards and community association meetings, publication of newsletters, and responses to community questions, is continuing throughout the planning process. The Community Partnering process is mandated to be implemented once the Request for Proposal (RFP) is issued. Nonetheless, the OCCC Team is preparing to engage Aiea/Halawa residents to identify community leaders and others to serve as representatives. Together with PSD, community representatives will identify potential impacts and facilitate discussions about the need for community benefits and enhancement measures.



Upcoming Activities

The following activities are anticipated in the months ahead.

October 2020	Publish Newsletter Vol. 25. Look to PSD website for OCCC-related documents, announcements, and upcoming activities.
November 2020	Look to PSD website for OCCC-related documents, announcements, and upcoming activities.
December 2020	Publish Newsletter Vol. 26. Look to PSD website for OCCC-related documents, announcements, and upcoming activities.

Interested in Learning More?

For additional information visit <http://dps.hawaii.gov/occc-future-plans> or contact:

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