

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 as 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 case 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 thirty (30) days prior to the date of the election.
- 5-4 Members of the Board shall be elected for two (2) year terms. The initial term may be shorter than two years depending upon whether or not an election is set to coincide with the next general election. Subsequent changes of the election date may be made upon petition by the neighborhood board except in no case shall the term of the incumbents be shortened or extended more than six months. No board member shall serve more than three (3) consecutive terms.
- 5-5 The date, time, place, and method of election shall be approved by the Commission.
- 5-6 The proposed method of election shall be based upon guidelines provided by the Commission.
- 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.

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 review 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.

7-2 In addition, the Boards shall:

- a. Cooperate with other Boards in developing and operating resource centers to be located at a Satellite City Hall, or at the offices of the Neighborhood 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.
- b. Prepare a brief annual report of its activities for submission to the Neighborhood Commission by December 1 of each year. Guidelines for the content of this report will be established by the Neighborhood Commission.
- c. Meet at least once a month in open meeting at a public place within the Neighborhood, the agenda made public no less than ten (10) days prior to the meeting. All meetings of the Board shall be open to the public.
- d. Within limitations of staff and financial resources and in cooperation with such agencies as the Satellite City Halls, assist existing community associations and councils in carrying out functions in harmony with those assigned to Neighborhood Boards.

7-3 The Commission shall provide staff and operating expenses for the Neighborhood Boards in order for them to perform their duties and functions.

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. Roberts 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 judgement of the Commission by appeal in writing to the Commission within ten (10) days of the publication of such judgement. 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. VALIDITY

- 10-1 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.

XI. AMENDMENTS TO THE NEIGHBORHOOD PLAN

- 11-1 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".
- 11-2 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.

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