Approved: _____

Small Business Regulatory Review Board

MINUTES OF REGULAR MEETING - Draft
October 19, 2016
Conference Room 436 - No. 1 Capitol District Building, Honolulu, Hawaii

I. CALL TO ORDER: Chair Borge called the meeting to order at 1:00 p.m. with a quorum present.

MEMBERS PRESENT:
- Anthony Borge
- Harris Nakamoto
- Kyoko Kimura
- Robert Cundiff
- Garth Yamanaka
- Mark Ritchie

ABSENT MEMBERS:
- Barbara Bennett
- Nancy Atmospera-Walch

STAFF: DBEDT — Dori Palcovich
Office of the Attorney General — NA

II. APPROVAL OF SEPTEMBER 21, 2016 MINUTES

Mr. Cundiff made a motion to accept the September 21, 2016 minutes, as presented. Ms. Kimura seconded the motion, and the Board members unanimously agreed.

III. NEW BUSINESS

A. Discussion and Action on Proposed Amendments to Title 23, Chapter 1, Rules and Regulations Relating to Parades and Activities for the Department of Transportation Services, City and County of Honolulu

Mr. Milton Kikuchi, Traffic Technician, and Mr. Ty Fukumitsu, Traffic Signal Chief, from the City and County of Honolulu's Department of Transportation Services (DTS) explained the purpose of the amendments, and noted that the rules had already gone to public hearing due to being unaware of the proper process. During the promulgating of the amendments, DTS worked with the neighborhood board(s) and Waikiki Improvement Association, which has contact with all the businesses within Waikiki.

Mr. Kikuchi explained that last year City Council modified the existing ordinance by allowing certain events that have occurred for more than 15 years to become incorporated into "legacy" events. Currently, there are twelve legacy events, but with the amendments another four has been added, totaling sixteen; (it was noted that for every new legacy event

the mayor loses a waiver). There is a cap of 37 events in Waikiki per year excluding First Amendment events. As the community and the neighborhood board(s) requested a fairer and more equitable distribution in an attempt to avoid monopolizing the roads, a maximum of two events per year may be requested by the same participant. Presently there are 25 permits requested for next year, including legacy events; however, 26 can be permitted with the Mayor's waiver.

Chair Borge noted that small businesses located on the adjacent roads during the events may be impacted, particularly with a maximum of three events per month on average. Mr. Kikuchi responded that no negative impact on small business is evident with the exception of parking and accessibility to the roads however the lack of accessibility has been minimized. Also, the events are well-publicized with message boards set-up throughout three different sections of the area informing the public of when and where an event will be held. Ms. Kimura confirmed that the restriction may help small business, and although the blocking of roads does cause traffic congestion, the events bring more people, both locally and outside the state.

Ms. Kimura made a motion to move the amendments to the Mayor for adoption. Vice Chair Nakamoto seconded the motion, and the Board members unanimously agreed.

IV. ADMINISTRATIVE MATTERS

A. Discussion of the Department of Business, Economic Development and Tourism's (DBEDT's) Research and Economic Analysis Division's (READ's) Mission and How READ May be Able to Assist this Board

Chair Borge introduced Mr. Eugene Tian, READ Administrator at DBEDT, who was asked to attend the meeting to explain what READ does and how this Board might be able to utilize READ's resources.

Mr. Tian stated that one of READ's missions is to collect numbers and statistics from the federal and state agencies and put them into daily online reports; for example, every day at 3:00 p.m., daily passenger count information from the airlines is uploaded. There is also a weekly report regarding how many solar/rooftop panels have been installed, as well as monthly indicators and initiatives such as how many barrels of oil Hawaii imports and how much electricity is consumed.

Two tables from READ's *Hawaii State Data Book*, which has 800 tables and 24 chapters with various data, were distributed and discussed: Table 15.15, *Characteristics of Business Establishments: 2002 to 2014,* and Table 15.18, *Characteristics of Business Establishments, by Employment Size Class: 2013 and 2014*. Also distributed was the *Hawaii New Business Formation*, as of November 2014, which analyzes business births, deaths, and survival rates. It was noted that there is always a lag time of two years for the data. READ will be happy to assist this Board with any requests the members may have.

B. Discussion and Training on Board Member I-Pads

Mr. Carl Nagasako, Administrator, and Mr. Wade Kamikawa, Branch Chief of DBEDT's ASO Division, helped distribute the members' new i-pads. Mr. Kamikawa explained that the i-pads are the same as i-phones except on a larger scale. The power button is on the top right and the lock code is 2594. Once in the screen, word and excel features are "read" only; edit features would be an added cost. Mr. Kamikawa reminded the members that the i-pads are State of Hawaii property and if a subpoena is served, the i-pads must be handed over along with all personal pictures and documents on the i-pads.

All administrative rules and documents from the agenda packets are accessible as they will be uploaded onto the SBRRB's website under "calendar," the "month" and "day" of the meeting. When downloading, there is some lag time, but the documents can be saved on the tablet; the documents can also be uploaded into the "cloud. ASO will get back to the members regarding how to save files on the i-books icon. Because the i-pads are "read only" IT will look into software for adding notes and comments to the pdf documents. In addition, i-pad cases will be ordered.

C. Update on the Board's Budget Proposal for Fiscal 2017 and 2018

DBEDT's ASO Administrator, Mr. Carl Nagasako, stated that the Board's two budget requests are currently under review by Budget & Finance (B&F). DBEDT is expecting a response within a week or two; thereafter, there is an appeal process with the Director's Office and B&F in regards to proposed budget cuts. A second appeal process would be with the Governor's office, and if the budget request survives after that, it will be part of DBEDT's budget proposal in the 2017 legislative session.

D. Update on this Board's Upcoming Advocacy Activities and Programs in accordance with the Board's Powers, under Section 201M-5, HRS

The Board now has two followers on Twitter; Mr. Yamanaka stated that he posts out SBRRB's Facebook announcements.

V. LEGISLATIVE MATTERS

A. Update on Proposed Amendments to Chapter 201M, HRS

Changes from the Attorney General's Office were made to the proposed bill, and it was submitted to the Governor's Office for approval.

Chair Borge noted that Ms. Bennett's recommendation of Mr. Mark Perriello, President of the Kauai Chamber of Commerce to be considered as a Board member has registered online at the Boards and Commissions website. Mr. Perriello's name was forwarded to House Speaker Joe Souki where it was indicated that getting a member on this Board was not high on his priority list at this time and that he would like to consider someone from the Maui Chamber of Commerce; Chair Borge will follow-up with Representative Souki's office.

VI. **NEXT MEETING** – The next meeting is scheduled for Wednesday, November 16, 2016, in Conference Room 436, 250 South Hotel Street, Honolulu, Hawaii, at 1:00 p.m.

VII. **ADJOURNMENT** – Vice Chair Nakamoto made a motion to adjourn the meeting and Mr. Yamanaka seconded the motion; the meeting adjourned at 2:25 p.m.

DRAFT