



# Newsletter

*September, 2023*

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# 1 President's Message



Of course the fires on Maui have occupied everyone's attention and I know many of you have reached out to help provide aid to the victims of that unimaginable tragedy. Recovery will take a long time, but the people who live in Hawai'i have survived many things over the years, and Maui indeed will emerge strong.

But let us here at the Banyan learn something from those terrible days on our neighbor island. This was a case where people truly had just seconds to make decisions that could save their lives and the lives of their loved ones. You know where I'm going with this, and while I'll be the first to admit that life-threatening fires thankfully haven't happened in our buildings--- I'll say again that when you hear the fire alarm, *move*. If heaven forbid the day ever came that you indeed only had seconds to react, you'll be glad to have learned good fire safety practices. Yes, the chances are low, but what odds are low enough to risk? And the Maui fires proved that it doesn't just happen to other people.

As I mentioned last month, we are coming out of a slow summer season. The office is returning to a fully-staffed complement and will be increasing office hours. The contracts for the elevator renovation have finally passed legal review--- I sometimes think lawyers make glaciers look speedy--- and we should be moving ahead on that important project. We'll be getting very deep into the 2024 budget plans; things still look good despite expected increases in insurance and other costs.

You've probably noticed that Banyan property values are at something like an all-time high. I emphasize constantly that the job of the Board is to preserve and enhance value for the owners. So far, so good, but we don't dare relax our vigilance or our efforts. We pledge to continue to do our best.

*---Bob Newell, President*

## 2 Treasurer's Report



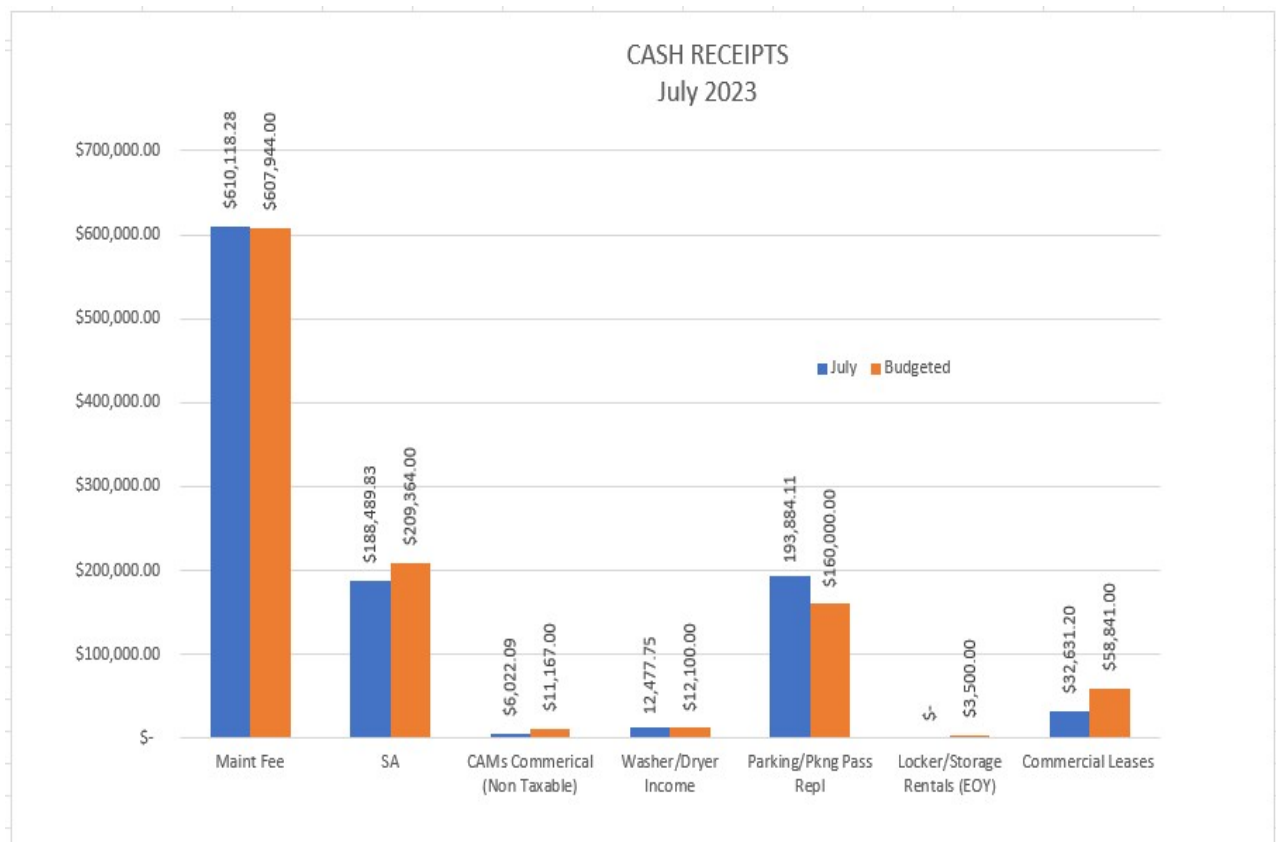
### Treasurer (Snapshot) Report:

#### July 2023 & 2023 YTD Snapshot of Financials:

#### Cash Receipts:

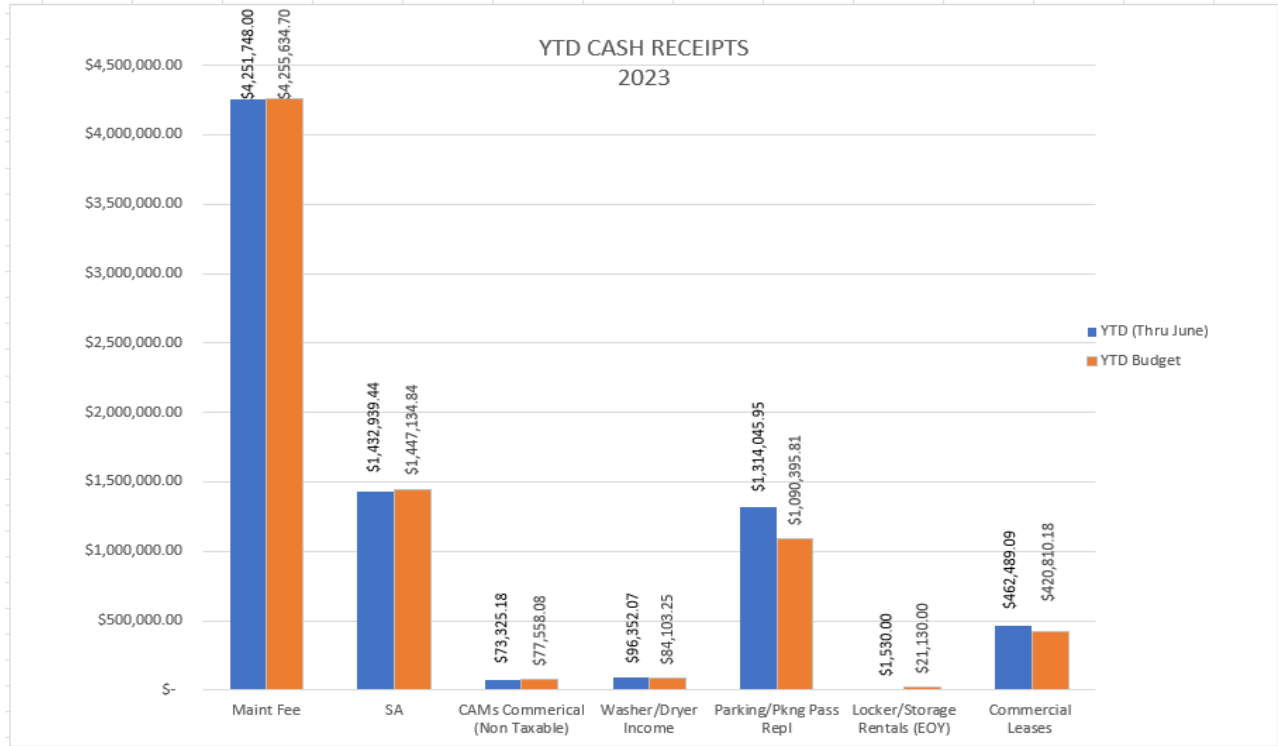
#### July Cash Receipts:

*Actual = \$ 1,074,012.08 Budgeted = \$ 1,072,350.29 (100.2 % to Budget)*



**YTD Total Cash Receipts:**

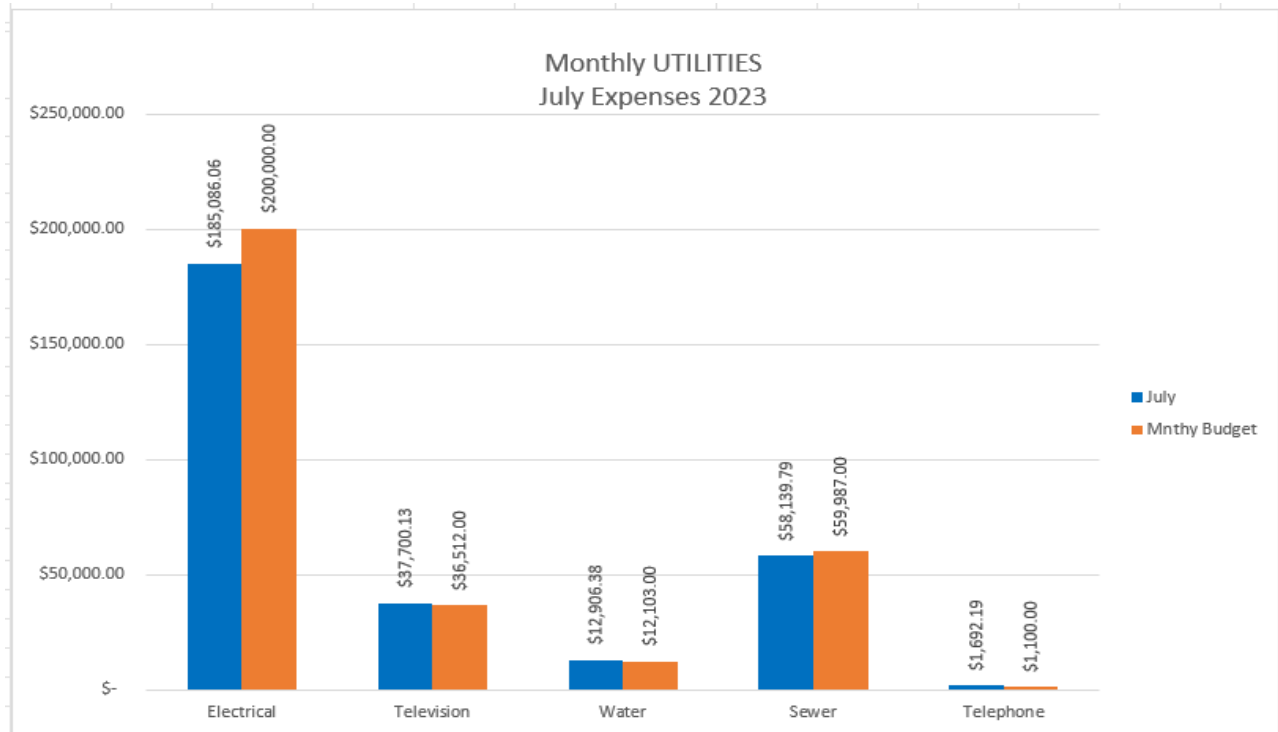
*Actual = \$ 7,863,348.16 Budgeted = \$ 7,506,452 (104.8 % to Budget)*



**Cash Disbursements (Expenses):**

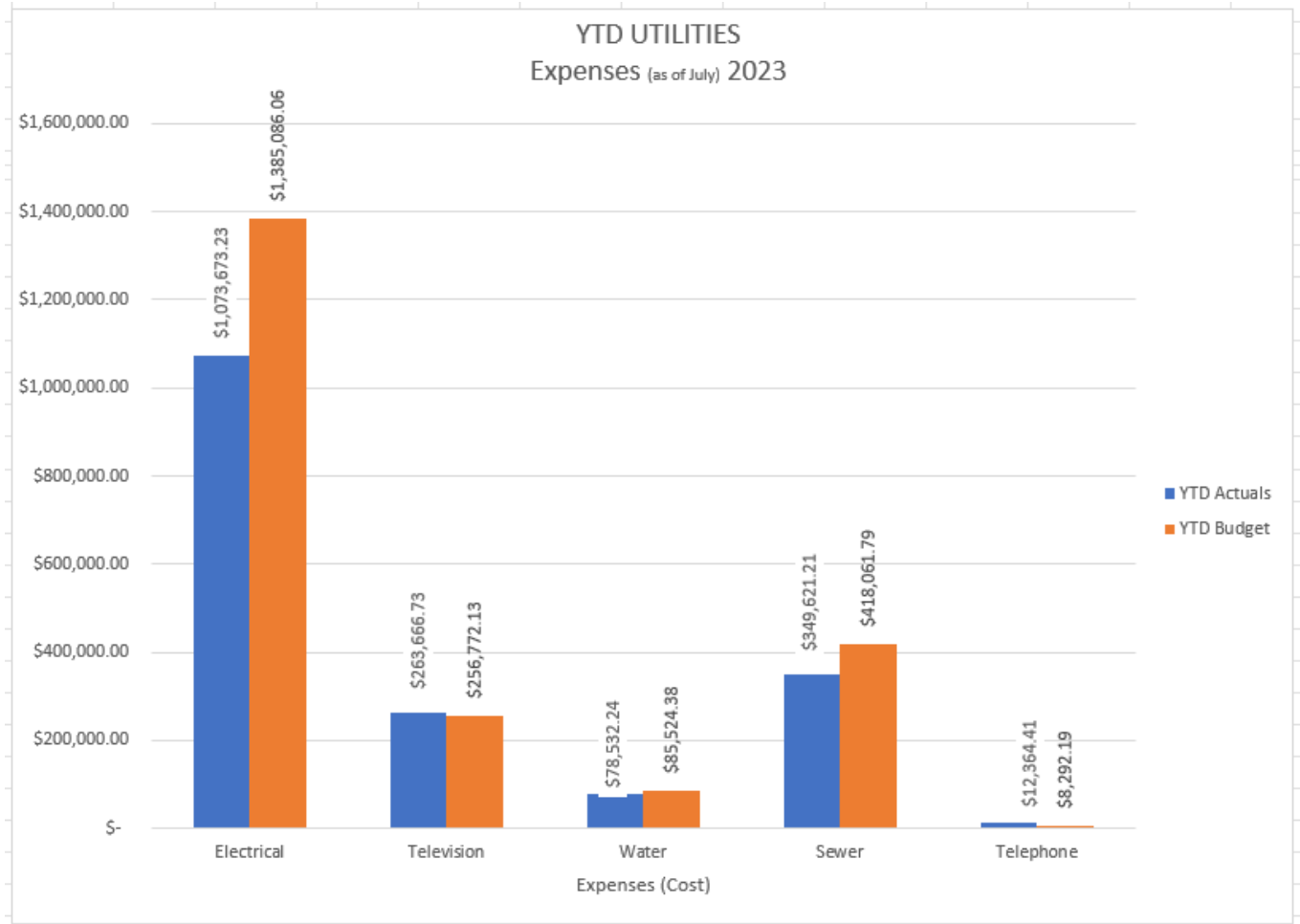
**July Cash Expenses:**

*Actual = \$ 693,108.90 Budgeted = \$ 739,481.77 (93.7 % to Budget) (6.3% under budget)*



**YTD Total Cash Expenses:**

*Actual = \$ 4,842,239.43 Budgeted = \$ 5,371,106.00 (90.2 % to Budget) (9.8% under budget)*



**Operating Surplus/Deficit: (Cash Receipts – Cash Disbursements)**

YTD Total Operating \$'s:

*Actual = \$ 3,021,108.73 Budgeted = \$ 2,135,346.00 (141.5 % to Budget)*

**Total AOA (WB) Cash + Reserves:**

YTD Totals:

*Actual = \$ 13,054,388.36*



TREASURER'S REPORT  
WAIKIKI BANYAN

**CURRENT MONTH SUMMARY**

JULY 2023

INCOME	Actual	Budget		Variance
Non-Taxable Receipts for the month:	\$808,775	\$834,975	✗	-\$26,200
Taxable Receipts for the month:	\$265,237	\$237,376	✓	\$27,862
<b>TOTAL RECEIPTS for the month:</b>	<b>\$1,074,012</b>	<b>\$1,072,350</b>	✓	<b>\$1,662</b>
<b>EXPENSES</b>				
TOTAL OPERATING EXPENSES for the month:	\$693,109	\$739,482	✓	-\$46,373
There is a net operating SURPLUS of: ✓ <b>\$380,903</b>				
Utilities:	\$295,525	\$309,702	✓	-\$14,177
Contracts:	\$180,897	\$255,319	✓	-\$74,422
Building Maintenance:	\$27,571	\$24,305	✗	\$3,266
Administration:	\$1,582	\$4,098	✓	-\$2,516
Professional Services:	\$16,754	\$22,087	✓	-\$5,333
Payroll and Benefits:	\$58,956	\$79,031	✓	-\$20,075
Other Expenses:	\$111,824	\$44,940	✗	\$66,884

\*significant variances are listed on the attached report

**BANK BALANCES**

Operations Accounts balance is:	\$1,356,590
Reserve Accounts balance is:	\$11,697,798
Restricted Cash balance is:	-\$150,297
<b>TOTAL Cash and Reserves balance is:</b>	<b>\$12,904,091</b>

**YEAR-TO-DATE SUMMARY**

JULY 2023

INCOME	Actual	Budget		Variance
Non-Taxable Receipts for the year	\$5,889,561	\$5,844,824	✓	\$44,738
Taxable Receipts for the year	\$1,973,787	\$1,661,629	✓	\$312,158
<b>TOTAL RECEIPTS YTD:</b>	<b>\$7,863,348</b>	<b>\$7,506,452</b>	✓	<b>\$356,896</b>
<b>EXPENSES</b>				
TOTAL OPERATING EXPENSES YTD:	\$4,842,239	\$5,371,106	✓	-\$528,866
YTD, we are ✓ <b>\$3,021,109</b> under budget on regularly budgeted items.				
Utilities:	\$1,777,858	\$2,167,914	✓	-\$390,056
Contracts:	\$1,182,846	\$1,759,377	✓	-\$576,531
Building Maintenance:	\$402,865	\$170,135	✗	\$232,730
Administration:	\$12,327	\$40,684	✓	-\$28,357
Professional Services:	\$194,833	\$160,575	✗	\$34,257
Payroll and Benefits:	\$573,503	\$580,120	✓	-\$6,617
Other Expenses:	\$698,008	\$492,301	✗	\$205,707
Capital Expenditures YTD:	\$957,308	\$7,726,298	✓	-\$6,768,990

### 3 Board Action Team Reports

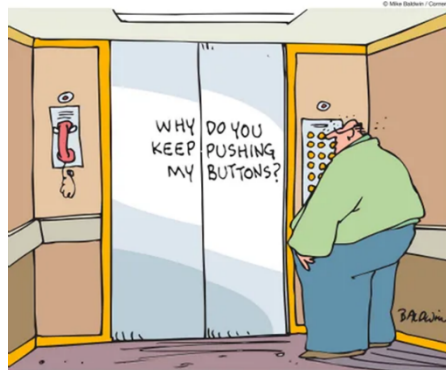
#### Budget Team



No budget team report for this period.  
Next Meeting Date:  
Wednesday, August, 30<sup>th</sup> 2023 @ 3:30 PM HST

*–Mo Schrieber, Treasurer and Team Lead*

## Elevator Team



For a while I've been saying "Real Soon Now" on the elevator project, and as I mentioned in my message at the top of this newsletter, we've been waiting on seemingly interminable legal reviews. Our lawyers would take a while to make comments. Otis' lawyers would take a while to respond. After a couple of rounds of this I said, "Please, get together on a phone conference and hammer this out once and for all in real time." That finally has happened. As of this writing, we're waiting for the Otis signed copy of the contract to come to us, and then we're off and running. Hurrah!

As I've mentioned before, it's a long project with long lead times for the manufacture of new equipment. But we'll get there and it will be worth the wait and the inconvenience.

*---Bob Newell, President and Team Lead*



## Energy Conservation Team



### **Electrical Transformer Update:**

The 14 new transformers for both towers are on order. Two transformers have arrived and installation is set to start in September in Tower 1. Information regarding the upcoming installations has been sent by the AOA office, so please plan accordingly.

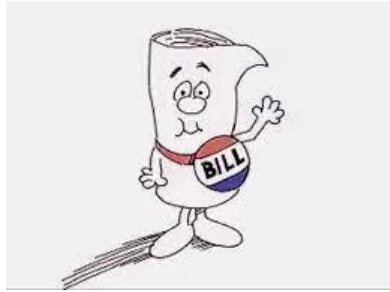
### **Rooftop Solar Generation Project Update:**

No change. The Solar PPA is under legal review.

*--Brett Hulme, Vice President and Energy Team Lead*



## Legislative Team



On Wednesday, August 23, 2023 the Planning Commission held a public hearing to discuss a draft Bill proposed by The Department of Planning and Permitting (DPP) to streamline the registration requirements for short term rentals (STRs). The draft can be found at [https://www4.honolulu.gov/docushare/dsweb/Get/Document-322997/2023.08.07\\_Memo%20PC%20Registration%20Requirements%20B&B%20TVU%20transmittal.pdf](https://www4.honolulu.gov/docushare/dsweb/Get/Document-322997/2023.08.07_Memo%20PC%20Registration%20Requirements%20B&B%20TVU%20transmittal.pdf)

The proposed changes that affect us include:

- Allow documentation other than a title report to confirm ownership and remove the requirement that it must have been issued within the past 30 days. A copy of a deed or the most recent title report is sufficient
- Insurance: allow a homeowners policy with business liability coverage or additional umbrella coverage
- Letter from AOA stating that STRs are permitted is sufficient. Remove the requirement of submitting bylaws, house rules etc. (*We have already provided this letter*)
- Binder: No longer has to be submitted with the registration application. Instead, it must be available for inspection on request rather than submitted
- Add that registration renewals must be received by the DPP no later than one month prior to the expiration date of the certificate

Of great concern to us is the small number of STR registrations reported by DPP. There have been a total of only 1,115 certificates of registration issued to date. The Banyan alone has 876 units and the vast majority are used as short term rentals. With only 1,115 registrations, the concern is that many of our owners who are operating as a STR under our carve out have not registered for a STR license as legally required and as required in our Bylaws. If we have owners who are operating a STR without the proper permitting, they are putting our carve out at risk as well as all other owners who are operating legally. The board will need to discuss an action plan to deal with non-compliant units as we cannot risk drawing unwanted attention from the DPP. This leads us to repeat the following reminder:

\* Reminder: While Ord. 22-07 (formerly Bill 41) granted owners at the Waikiki Banyan the right to rent their units as TVUs for less than 30 days, owners are still required to register their unit(s) as a Short Term Rental Unit with DPP and may not rent their units for periods of less than 30 days until they receive conditional approval and a STR Permit Number. DPP is actively sending out Notices of Violation to non-registered STR owners and we urge you to register your unit to be in compliance with the law and our own Waikiki Banyan Bylaws, House Rules, and Declaration. We have provided much of the information you will need to register on our Waikiki Banyan website under the Short Term Rental tab for your convenience.

--Cathy Panizzi, Secretary and Team Lead

## Newsletter Team



We are using a new format to edit the final versions of our newsletter, and it is proving to be very efficient and will help have our newsletter out in the timeframe that we have set for ourselves.

We are grateful for our owner participant, Randy Warner who sends his Hawaiiana piece each month.

We enjoy and appreciate the feedback that we receive on articles and what you would like to see as part of the monthly newsletter.

We'll try adding a couple new things at a time and wait for responses. Let us know whether you enjoy them or not!

*--Angie Lum, Director and Coordinating Editor*

## Parking Team



### **Ramp Access Control & Traffic Study:**

The core team members met with our consultant and proposed subconsultants on August 9<sup>th</sup> to further define a formal “scope of work” using the criteria that the parking team established back in March 2023.

We are waiting to receive a formal, comprehensive proposal at which point we will schedule our next team meeting to focus on each of the distinct areas and eventually share with the entire board for review and consideration. Updates will be provided in future newsletters as things progress.

### **Kuhio New Bus Lane Update:**

No changes or additional information at this time.

*--Mo Schreiber, Treasurer and Team Lead*

## Process Improvement Team



Things have been on hold with this team as we have had pressing matters that took priority. I won't report further until we find time to get this group moving again.

*--Bob Newell, President and Team Lead*

## Agent Relations Team



The work of this team, like the Process Improvement Team, has been long delayed. I'm finally getting to it, and we have an issue that makes starting up the team more of a priority.

In the Legislative Report, you read about our concern that some owners are likely flying under the radar and doing short term rentals without the proper permits. That's something that can put us all at risk as the last thing we want is to attract negative attention from the DPP.

So we need to get with the big rental agents (as a start) and find out what they're doing to ensure properties that they manage either have an NUC or an STR permit. This is probably not going to be popular, but it's important.

I'll report further as things progress.

*--Bob Newell, President and Team Lead*

## Recreation Deck Committee



The committee is still waiting for approvals from DPP, and have no further updates on the 6th Floor Sauna renovation.

*--Linda Sahara, Director and Chair; Mo Schreiber, Treasurer and Subcommittee Chair; Brett Hulme, VP and Subcommittee*



## Security Team



### **Security Camera Update:**

No updates. The new security cameras for the residential floors in both towers are on order and information regarding the upcoming installations will be sent by the AOO office, when available, so everyone can plan accordingly.

### **Security Vendor Update:**

No updates.

### **Building Security & Access Control Update:**

The core team members met with our consultant and proposed subconsultants on August 4<sup>th</sup> to further define a formal "scope of work" using the criteria that the security team established back in March 2023. We are waiting to receive a formal, comprehensive proposal at which point we will schedule our next team meeting to focus on each of the distinct areas and eventually share with the entire board for review and consideration. Updates will be provided in future newsletters as things progress.

*--Brett Hulme, Vice President and Security Team Lead*

## Votes/Proxy Team



We would like to encourage the owners to vote on the change to the percentage needed to hold quorum for the Annual Meeting. We need to hear from you, a yes or no vote will show that our owners are engaged and care about the future of the Banyan.

If you need any further information, please send questions to [info@waikikibanyan.org](mailto:info@waikikibanyan.org)

*–Valaree Albertson, Director and Team Lead*

## 4 GM's Report



### **PROJECT SUPPORT:**

**Recreation Deck:** Project Under review with the Department of Planning and Permitting (DPP).  
**(No change)**

**Recreation Deck Pool Design Build:** The preliminary pool design drawings have been received.  
**Project Under review with the Department of Planning and Permitting (DPP). (No change)**

**Recreation Deck Replacement of Tennis Court Fence:** - Pending permitting process. Submitted quotes to obtain permits for this “barricade” fencing to meet DPP emergency repair permit requirements. Replacement of Tennis Court Fence will be included in the rec-deck renovation.  
**Project Under review with the Department of Planning and Permitting (DPP). (No change).**

**NOTE:** With NO fencing on the Rec Dec – we are unable to allow any type of playing that includes a ball (Soccer/Tossing, kicking, playing with balls or any flying object in this area for Safety reasons). Thank you in advance for complying with security when stopped for these types of activities.

**Recreation Deck Playground Equipment:** Vendor selected for the design and construction of the new play equipment, Contract has been signed and executed. The Rec-Deck Committee has selected color and model. **Project Under review with the Department of Planning and Permitting (DPP). (No change).**

**Storm Drain Replacement / Perma-line repair:** Board of Directors approved the proposal to proceed to design and permitting. The design phase is complete. **Walk throughs are complete and bids are due 31 August.**

**Elevator Modernization:** Otis was chosen as our vendor for the modernization, we are in the process of getting our contract signed and it is pending review with the legal team.

**Lanai Spalling Repair:** This round of lanai spalling is complete. **Starting 2 October, we will be scheduling the remaining units for inspection. There will be a 1-week period to select dates from the designated floors for that week. This project was started in 2021 and we really need to work together to bring it to a close.**

**Fire Pump Replacement:** Vendor has been selected for the design and permitting, once design and permitting is complete the project will go out for BID. **Project Under review with Department planning and Permitting (DPP). (No change).**

**Transformer Replacement Tower (1) one Floors 33 and 35.** We have transformers on our property. **Installation dates are as follows. The 35th floor will be installed on 11 September. The 33<sup>rd</sup> floor will be installed on 12 September. All notices were sent out on 29 August, and we will send more the week before.**

#### **ON GOING MAINTENANCE PROJECTS:**

##### **Bike Rack storage areas Notice of Violation (NOV).**

The last remaining items left to correct for the Notice of Violation

1. Move Surfboard Racks from A-1 parking area to new Bike storage area (Permitting in Process). **(No Change).**

**Lanai Spalling Inspections** – 355 lanais have been inspected / 40% complete / 114 with spalling 241 without spalling issues / 44% of units have spalling issues. (No Change)

**Applied for Yearly Elevator Inspections** – Inspection request accepted just waiting on being assigned an inspector / Emailed about this inquiry on 13 Dec 2022 / Emailed 24 Jan / 21 Mar / 19 Jun / 2023 (No Change)

**Painting and Cleaning the Parking Garage** - Clean and paint the lines in the garage. **In progress**

**2<sup>nd</sup> Porte Cochere Column Repair** – Column will be delivered on 06 Sep 2023. Once delivered it will need to be treated and then stained.

**Started Replacing Chicago Cartridges for Quarterly Maintenance** – 30 replaced / installation continues. **No Update**

## **SECURITY INCIDENTS**

- 2 - ASSAULT & BATTERY
- 1 - COMMON ELEMENTS [4.5: Elevators]
- 1 - COMMON ELEMENTS [4.5: Elevators: Independent Use]
- 1 - COMMON ELEMENTS [4.9: Fire Equipment]
- 2 - CONTRACTORS [8.4: Type of Work]
- 4 - CRIMINAL PROPERTY DAMAGE
- 4 - GENERAL [3.10: Plumbing Standards]
- 10 - GENERAL [3.11: Air Conditioning]
- 11 - GENERAL [3.17: Apartment Maintenance]
- 6 - GENERAL [3.2: Noise]
- 1 - GENERAL [3.21: Refuse]
- 1 - GENERAL [3.22: Liability for Damage]
- 7 - GENERAL [3.3: Responsibilities of Owners]
- 1 - GENERAL [3.9: Electrical Wiring]
- 33 - GENERAL NOTES
- 1 - THEFT FROM PROPERTY
- 1 - VEHICLES & PARKING [5.1: Vehicle Definition]

## **ADMINISTRATION/FINANCE/PERSONNEL**

### **Admin Duties:**

**LANAI INSPECTIONS:** We still have many units to inspect. Please continue to contact [info@waikikibanyan.org](mailto:info@waikikibanyan.org) to schedule LANAI INSPECTIONS. We are only just over halfway through.

## General Managers Corner

**Laundry Rooms tile Replacement** – We now have new flooring in all the laundry rooms. This is part of updating our building and the first of a few projects that you will start to notice are being completed.



**Camera Installation in Hallways** – The cameras in all the hallways have been installed. This will help us in solving problems such as backed up trash chutes from unauthorized trash and broken hallway lights and will also be an additional safety and crime prevention measure.

## 5 Kahoolawe Island



Kahoolawe is the smallest of the eight main volcanic islands in the Hawaiian Islands. Kahoolawe is located about seven miles southwest of Maui and it is 11 miles long by 6.0 miles wide, with a total land area of 45 square miles. Kahoolawe became a penal colony sometime around 1830. The death penalty was replaced by exile.

After the Japanese bombed Pearl Harbor, Kahoolawe was used as a naval ordinance range. In 1965, the U.S. Navy conducted ordinance tests to determine the blast resistance of ships. One test with 500 tons of TNT is thought to have broken the water table.

Walter Ritte from Molokai and other Hawaiian activists chained themselves to fixtures on the island to protest the bombing. The impacts of the ordinance landing on the island could be felt in South Maui. The offshore waters are occasionally opened to fishermen!

*--Randy Warner, Owner*

## 6 Meet our Administrative Services Coordinator - Crystal Yee



Crystal comes to the Banyan with over 10 years in property management. She's lived in Hawaii for 20 years now, and is married with a new baby boy (Presley) who just turned one on 9/6. (Happy Birthday to Presley!)

The past two years, Crystal was a Resident Manager performing many of the varied duties that will be required of her at the Banyan. She has successfully run a dual component housing complex with both an elderly affordable housing component and an AOA component. She has also managed several large projects to completion, and was responsible for coordinating and running the day to day operations of a residential and AOA office.

I was able to ask Crystal a few questions about herself:

**Q: How were your first weeks? What was the most challenging time?**

**A:** The first couple of weeks were pretty easy and I was just trying to figure out how to do everything, organize the office a bit, and get tasks caught up. It's been a nice change of pace (slower) and less stress than my previous position. The most challenging part has been figuring things out with no transition period, but we're figuring it out. (I appreciate the patience all the owners and agents have shown me!)

**Q: Favorite pastime with your son, and his name?**

**A:** My son's name is Presley (like Elvis) - and he and I both love the water so whenever we get the chance, we like to go to the beach. He's already enjoyed the pool more than a handful of times since we've been here and loves it!

**Q: Favorite thing to do to relax? Hobbies?**

**A:** I enjoy grabbing coffee and spending quality time with my husband and kids. I am boring and am a homebody; if I'm not at the beach with my baby, I'm probably at home and looking for a new crime show or psychological thriller to get addicted to.

**Q: Your favorite foods? Favorite restaurant?**

**A:** I love Mexican food 🍷 I'd have to say Roy's - I've only ever been once - but my husband took me for our 1<sup>st</sup> anniversary, and we laughed because I cried and said, "the food is so good". I'd like to think it was just the emotions of the day...but it probably really was the food.

– Angie Lum, Director



## 7 Oversize Vehicles



The Waikiki Banyan parking garage has a 6'0" ceiling height restriction. The majority of standard size, non-modified, vehicles - cars, suvs, trucks, and vans - will fit providing the overall height does not exceed 6'0". Please check with the rental car company to confirm the overall height of the rental vehicle before renting a vehicle to ensure it will fit.

**Warning:** Large and oversized vehicles do NOT fit in the parking garage as they exceed the 6'0" ceiling height restriction. If the vehicle does NOT fit in the parking garage, the vehicle will need to park elsewhere off-site so please plan ahead.

Call Waikiki Banyan Security at 808.922.7172 with any questions. See below for current oversized vehicle list which is subject to change:

- Chevrolet: Silverado Truck, Suburban SUV, Tahoe SUV
- Toyota: Tundra Truck
- Ford: F-150/F-250 Trucks, Expedition SUV
- Cadillac: Escalade SUV
- Dodge: Ram Truck
- Jeep: Gladiator Truck, Wagoneer SUV
- Nissan: Titan Truck, Armada SUV, Xterra SUV
- GMC: Sierra Truck, Yukon SUV, Yukon XL SUV
- Lincoln: Navigator SUV
- Infiniti: QX80 SUV

## 8 Editor's Notes



Trial by fire! It was an amazing couple of weeks for our new General Manager and the office team, and it seems that they pulled it off 100%! Thank you to all the full time resident owners and managers for their patience as Crystal and Chris worked through the office mechanics without any transitional training! As much as it helps to have some transitional training, this will allow both Chris and Crystal the perfect opportunity to look at processes and procedures to see what changes will be put into place to make the AOA office timely and efficient.

I am sure there are many issues from the past and maybe from the present that you have been waiting to bring up and have resolved. Let's give the new AOA staff time to settle as they coordinate all the many upcoming projects on the horizon.

I know I can envision what a well run, upgraded, structurally safe, and secure place the Waikiki Banyan will become once all the permits are in place and renovations begin. Yes, it will be messy, noisy and maybe inconvenient for a time, but the benefits will yield an even more amazing building complex. Something we can all look forward to!

As the editor, I appreciate the positive feedback for the newsletter and am happy that you are kept informed of what is happening around the Banyan with content from the committees and our officers. However, please try to make the time to attend the monthly Board Meetings and/or minimally, the Owner's Forum on each second Thursday of the new month at 2:00pm HST. This is your opportunity to ask the Board questions, raise concerns and to let us know what we as the Board can provide for you to make living and owning at the Banyan a positive experience.

Last, again, please, if you ever see any of the Board members and AOA team members around the Banyan, give them a little high five, and especially to Bob N., our Board President and Chris S., our GM; a team is only as good as the leader(s) leading them. We are thankful to have such dedicated leaders moving forward.

We always can benefit from a heartfelt thank you as much as a well intentioned and constructive opinion!

I hope to see more of you at the next Zoom meeting, especially during the owner's forum. Meanwhile, enjoy yourselves and stay safe wherever you are.

Aloha!

*--Angie Lum, Director, Coordinating Editor*

*\*Please note all opinions are the opinion of the Editor, and not necessarily the opinion of the Board.*