



## KULI'OU'OU/KALANI IKI NEIGHBORHOOD BOARD NO. 2

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813  
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### **REGULAR MEETING MINUTES (DRAFT) THURSDAY, AUGUST 2, 2007 AINA HAINA PUBLIC LIBRARY 5246 KALANIANA'OLE HIGHWAY**

**CALL TO ORDER:** Chair Bob Chuck called the meeting to order at 7:05 p.m. with a quorum of nine members present

**MEMBERS PRESENT:** Ted Ashworth, Christopher Baron, George Casen, Bob Chuck, Peter Kay, Bertha Leong (7:14 p.m.), Heather Lum, Michael Parke (7:09 p.m.), J. Ed Schell, Jamal Siddiqui (7:52 p.m.), Sherry Spangler, Linda Starr (7:16 p.m.) and Mel Yap.

**MEMBERS ABSENT:** Bernie Boltz (excused), Kevin Quinn (excused), and Joseph Young (excused).

**VACANCIES:** One in Subdistrict 2 (Waialae Iki Ridge, new increment).

**GUESTS:** Cindy Inouye (Deputy Director, State Department of Health, Governor's representative), Senator Sam Slom, Gordon Bruce (Director, Department of Information Technology, Mayor's representative); Councilmember Charles Djou, Francisco Figueiredo (Councilmember Charles Djou's Office); Capt. Wayne Masuda (Honolulu Fire Department), Sgt. Howard Ishida and Ofc. Jason Hendricks (District 7, Honolulu Police Department); Chrystn Eads (Office of the Mayor), Tim Houghton (City Environmental Services Department), Scot Muraoka (Board of Water Supply); Cindy Schultz, Mitchell S. Nakagawa (Hawaii Bicycling League), Jeannine Johnson (Niu Valley Community Association), Caryl Campbell, Elizabeth Reilly (Hawaii Kai Neighborhood Board No.1 Vice Chair), Suzanne Roig (Honolulu Advertiser), and K. Russell Ho (Neighborhood Commission Office staff). Three firefighters did not sign in

**CHAIR'S ANNOUNCEMENTS:** 1) Concerning the "Sunshine Law" training on August 14, Chair Chuck announced if Board members took the training during the 2005-2007 term or on June 2, then they are not required to attend. 2) The force main pump station for Kuli'ou'ou pumps the wastewater to Hawaii Kai, which is managed by a private company. Your sewer fees help to pay for the collection system.

**HONOLULU FIRE DEPARTMENT (HFD):** Capt. Masuda distributed the monthly statistics and reported: 1) 3 brush and 2 rubbish fires; 49 medical and 17 miscellaneous and a major incident at 1845 Laukahi Street, which required 5 fire companies. 2) Fire safety tip – As August is the start of a new school year, be careful while driving near schools and mindful of students crossing the street. Take the time to teach your children how to cross the street safely and remind them to call 9-1-1 for emergencies. 3) The City is in the process of approving the consultant's contract to design the relocation of the proposed pole from the corner of Kalaniana'ole Highway and Kaai Street to the median. Once this is approved and plans are revised, the City will process the change order per the revised plans. Construction work should be completed by the end of October 2007. The signal would emit a "cat sound." Questions and answers followed. 1) There were concerns regarding cherry bombs thrown from



Waialae Iki Ridge on the July 4th holiday. There were also brushfires related to aerial fireworks and a fire on a house deck.

**HONOLULU POLICE DEPARTMENT (HPD):** (7:20 p.m.) Officer Jason Hendricks distributed the monthly report with the crime statistics; maps of Beats 761, 768, 770 and 772 with the locations of various crimes identified and a handout with "Home Security Tips." Questions and answers followed. 1) Spangler was concerned about the locations of the 13 Unauthorized Entries into a Motor Vehicle (UEMV) in Beat 761 in June. Officer Hendricks responded that it would have been on the July report, but the Board was in recess. 2) Starr inquired about the "no parking" distance from a fire hydrant and driveway. It is 10 feet from a fire hydrant and 4 feet from a driveway. HPD needs an address for the night watch to follow up. 3) Spangler asked whether the break-in at the Red Cross office two weeks ago is still under investigation. The criminals may have been looking for cash, but they did not get any.

**RESIDENTS' CONCERNS:** Ashworth was concerned about wild pigs eating mangoes. Senator Sam Slom referred him to the State Department of Land and Natural Resources (DLNR), which oversees the pig-hunting program.

#### **PRESENTATIONS:**

**Chair Bob Chuck's report on the meeting with new owners of the Aina Haina Shopping Center** - (7:25 p.m.) Chair Bob Chuck reported that Aina Haina Shopping Center is now owned by American Commercial Equities (ACE), owner representative Wayne Hughes, Realtors CB Richard Ellis Hawaii and David Doldman. They own all but the Aina Haina Public Library and the Holy Nativity Church and School and mentioned that nothing will be demolished. There will be new landscaping and painting. They will re-do the façade, establish a sitting area near the barber shop, start a comprehensive plan and look at the traffic pattern. They desire to improve the looks of the center and are willing to talk to the Board sometime this fall.

**Honolulu Century Ride on September 30, 2007** - (7:31 p.m.) Mitchell S. Nakagawa, Hawai'i Bicycling League Events Manager, reported that the Century Ride would attract an estimated 4,500 riders, divided into three groups: 2,000 participants from Japan, 1,500 local and 1,000 from the mainland. There will be a lot of publicity about the event.

Comments followed: Nui Valley resident Jeannine Johnson was concerned about traffic in front of her church and hoped that a police officer would be nearby.

(7:52 p.m.) Jamal Siddiqui entered the meeting.

**Acquisition of East Honolulu Coastal Lands and Resolution** - Jeannine Johnson explained her proposed resolution. She has worked with various Hawaiian groups, such as Malama Maunalua, the Bishop Estate/Kamehameha Schools (BE/KS) and the Office of Hawaiian Affairs (OHA). The amended resolution read:

"NOW, THEREFORE, BE IT RESOLVED that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 strongly urges that the City and County of Honolulu purchase or obtain from the State of Hawai'i these condemned and unused lands for cultural and educational purposes in

accordance with the 1982 General Plan of the City and County of Honolulu, the Revised Ordinances of Honolulu, the Hawai'i Revised Statutes, and the East Honolulu Sustainable Community Plan.

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the members of the City Council, the Mayor of City and County of Honolulu, the Directors of the Department of Parks and Recreation, the Department of Budget, and the Department of General Planning, and to the Governor of the State of Hawaii, the Chairman of the Department of Land and Natural Resources, the House Representatives and Senators for the districts of East Honolulu."

**Schell moved, and Starr seconded that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 adopt the amended resolution. The amended resolution was ADOPTED, 11-0-2. Aye** - Baron, Chuck, Kay, Leong, Lum, Parke, Schell, Siddiqui, Spangler, Starr and Yap. **Abstain** - Ashworth and Casen.

**City Department of Environmental Services (ENV) - (7:58 p.m.)** Tim Houghton showed a short video and presented information about the City's wastewater system and the 301(h) waiver application pending before the Environmental Protection Agency (EPA). There are eight treatment plants; all have secondary treatment of sewage, except for Honouliuli and Sand Island. The three parts of sewerage are collection, treatment and disposal, which includes discharging irrigation-quality water into Lake Wilson, injection into the ground and outfall into the ocean at Kailua, Waianae, Honouliuli and Sand Island. The outfalls, which are two miles off shore and 200 feet deep are constantly be monitored.

With finite resources, the City Administration would like to focus on the collection system. The prevention of raw sewage spills is more important than the treatment impact; scientists and the U.S. Congressional delegation are in support of the waiver.

The cost to create secondary treatment may be \$400 million for Honouliuli and \$600 million for Sand Island, which may increase users' sewer bill \$300 per month. Of the \$3 billion Capital Improvement Projects (CIP) budget, two-thirds is focusing on collection. The public comment period has been extended to August 27. There is no time deadline, as the City may take the EPA to court for the tentative denial.

There will be two community meetings on Tuesday, August 14 at Ala Wai Elementary School from 7:00 p.m. to 8:30 p.m. and Wednesday, August 22 at Kapolei Hale from 7:00 to 8:30 p.m.

Questions, answers and concerns followed. 1) Casen asked what the EPA's rationale for denying the waiver is. Houghton responded that they may want to eliminate waivers. 2) Starr was concerned about the environmental impacts, especially on sea turtles.

**Status of the Playground Equipment for Niu Valley - (8:31 p.m.)** Kay presented a letter from Director Lester Chang, of the City Department of Parks and Recreation (DPR), detailing the process on getting playground equipment.

Discussion followed: The Department of Design and Construction (DDC) estimated Fiscal Year (FY) 2009 to budget funds for DPR, Department of Planning and Permitting (DPP), DDC, and the Mayor. Parke suggested this item be a high priority for DPR. Councilmember Djou explained the process of requesting the Governor to release the funds.

**Kay moved; Casen seconded that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 requests Councilmember Djou to introduce a Council resolution requesting that Governor Lingle release the \$100,000 appropriated last year by the Legislature for the Niu Valley playground equipment, so that the City Department of Parks and Recreation (DPR) can start site preparation. The motion was ADOPTED, unanimously, 13-0-0. Aye - Ashworth, Baron, Casen, Chuck, Kay, Leong, Lum, Parke, Schell, Siddiqui, Spangler, Starr and Yap.**

#### **ELECTED OFFICIALS:**

**Senator Sam Slom** - Senator Slom distributed two monthly newsletters and reported: 1) He attended the July meeting, but the Board was in recess. 2) Regarding the Niu Valley playground equipment - about nine years ago the Koko Head School got their donated equipment installed very quickly, as one of the parents was a contractor. Senator Slom thinks the City's resources are being diverted for the train. 3) The American Hawaii Water Company, which manages the wastewater system for Hawaii Kai, was owned by a German company, but is now owned by a U.S. company. There is still an odor problem. 4) The 2007 Legislature is finally over. There was a special session to override the Governor's vetoes. The Senate overrode 12 vetoes and the House overrode 11 vetoes. The Governor will not release highway funds for the pedestrian safety bill. The State can get a four-to-one matching of Federal funds. Senator Slom reminded the Board that \$200 million had already been raided from the highway fund. A recent Supreme Court ruling was 3 to 2 against the state raiding the Employees Retirement System (ERS), which does not have to be paid back. 5) One-third of the Senate is on a junket to Boston, Massachusetts. 6) At the Hawaii Kai Neighborhood Board No. 1 meeting, a group announced wanting to present a Fourth of July event with fireworks at Maunaloa Bay. 7) The Governor and department heads get a 10 percent increase in salary; and the Legislature will get a \$20,000 raise in January.

Questions, answers and concerns followed. 1) When Leong asked about the "honey labeling" bill, Senator Slom responded the mites killing the honey bees are a bigger problem. The labeling of "Hawaiian bees" is unconstitutional. As wasps were killing the wili wili trees, more money is going to the Hawaii Department of Agriculture (HDOA).

**Representative Barbara Marumoto** - No representative was present; her newsletter was available.

**Representative Lyla Berg** - No representative was present; her newsletter and a flyer for the "Hawaii Leader For A Day" essay contest for students in grades 5 through 12 were available.

**Councilmember Charles Djou** - (9:16 p.m.) Councilmember Djou's newsletter was distributed and he reported: 1) Most of the City Council is in Virginia for a conference. 2) The City spending is up 52 percent from \$1.5 billion to \$2.4 billion for Fiscal Year (FY) 2008.. 3) The

City Council hired Alex Santiago, former State Representative and former Democratic Party Chair, as a liaison to the Legislature. His salary is \$49,999.99 a year or about \$4,200 per month. Councilmember Djou feels that this is a waste of the taxpayers' money, as Santiago would not do any lobbying, but rather only advise the Council.

Questions, answers and concerns followed. 1) Parke asked about the \$2.4 billion budget; Councilmember Djou replied that \$720 million is for the capital budget. 2) Ashworth asked about the General Excise Tax (GET) form. There is a separate section for the 0.5 percent Oahu county surcharge and the state gets 10 percent "off the top" for administration costs.

**MAYOR MUFI HANNEMANN'S REPRESENTATIVE:** (9:23 p.m.) The Mayor's newsletter was distributed and Gordon Bruce reported: 1) For information, regarding road construction, call 768-3777 or visit [www.driveakamai.org](http://www.driveakamai.org). 2) Concerning his department's budget increase of 20 percent, it is due to 20 years of public safety neglect of the communications system. 3) Concerning Adult Residential Care Homes (ARCH), the State Department of Health (DOH) "trumps" the City & County of Honolulu's Department of Planning and Permitting (DPP) and Department of Design and Construction (DDC). Casen mentioned a document from Representative Berg concerning Residential Zoning and Adult Residential Care Homes.

Follow up on last month's concerns - 1) The existing evacuation chairs are being changed because of corrosion of the steel frames. If a chair is found to be badly corroded, then it will be discarded. If a chair is found to be in good condition, it will be given to Department of Facility Maintenance (DFM).

2) The Department of Planning and Permitting (DPP) Director and staff have been meeting with the Department of Health (DOH) Director and her staff, a representative from the Attorney General's Office and State and County legislators for initial discussions on issues associated with residential care homes (and similar facilities) licensed by the DOH for up to eight care recipients. Although State law delegates certain zoning powers to the counties, currently it precludes the City and County from imposing a conditional use permit and/or distance requirement that would essentially prohibit the use of a dwelling as an ARCH for eight or fewer residents. At this time, we cannot predict what direction these preliminary discussions will take (e.g., what legislative changes might be contemplated or how jurisdictional issues will be addressed). Therefore, in reviewing a building permit application, the DPP must treat a proposed ARCH on a residentially-zoned lot as a single-family dwelling for zoning code (Land Use Ordinance or LUO) purposes, provided the occupancy arrangement meets the LUO definition of family and the configuration of the structure meets the definition of dwelling and residential district development standards. A single-family dwelling is a permitted principal use in the residential districts and not subject to additional permits, a public hearing, etc.

The DPP will conduct an inspection on the dwelling (as a "dwelling" for up to five residents or as "institutional" for more than five residents) for compliance to building code standards when an applicant seeks a license from the DOH as an ARCH.

3) The DPP responded to the claim that it does not send a representative to the Neighborhood Board meetings. Should the Neighborhood Board need information or have specific questions about on-going projects they should call or write DPP. DPP has talked to and responded in

writing to a number of inquiries from the Neighborhood Board in the past, i.e., Wailupe Mauka cluster housing and Waldorf School expansion. DPP reviews the community's concerns and comments and takes them into consideration along with other requirements for application review.

As soon as the Public Review Draft of the East Honolulu Sustainable Communities Plan is ready for distribution, we intend to send a representative to the Board to distribute copies of the draft Plan, to answer questions about the Five-Year Review and the revisions to the Plan, and to invite the Board and members of the public to attend a workshop on the Public Review Draft and Five-Year Review. We expect to distribute the Public Review Draft in the early fall.

4) The Niu Valley playground equipment has been previously discussed.

**GOVERNOR LINDA LINGLE'S REPRESENTATIVE:** (9:31 p.m.) Cindy Inouye distributed the Governor's Update and reported: 1) Last month, the Board asked the Department of Health (DOH) how many Adult Residential Care Home (ARCH Type I) were in Aina Haina. There are three. 2) Concerning the mid-block traffic light at the KFC in Niu Valley, the Department of Transportation (DOT) apologized for using "bad" methodology and they will re-do the traffic study. Someone asked if there were any clusters of Adult Residential Care Homes on E. Hind Drive or in Aina Haina.

**BOARD OF WATER SUPPLY (BWS):** (9:35 p.m.) Scot Muraoka reported the following: 1) There were two mainbreaks in July. 2) On Saturday, August 4, the Friends of Halawa Xeriscape Gardens and the BWS will sponsor the 19<sup>th</sup> annual "Unthirsty Plant" sale at the Halawa Xeriscape gardens, which is at 99-1268 Iwaena Street from 9:00 a.m. to 3:00 p.m. For more information, call 748-5041.

3) New Plant Website: BWS just launched a new interactive Xeriscape plant page on the website at [www.boardofwatersupply.com](http://www.boardofwatersupply.com). The plant page shows you what plants are best suited for the area you live in, based on the amount of rainfall and elevation of your region. Planting Native and/or drought-tolerant grasses, shrubs and trees can help to save water because they don't need to be watered as frequently and will usually survive a dry period without any watering. For more information log onto [www.boardofwatersupply.com](http://www.boardofwatersupply.com) and click on the Oahu planting guide.

4) Emergency Preparedness: The first hurricane of the 2007 season entered the Pacific last month. Hurricane Cosme weakened to a tropical depression by the time it reached our islands. It was a reminder to put your hurricane preparedness kit together. An important component is having a safe drinking water supply; one gallon of drinking water stored per person, per day. There is also a handout with information and tips on how best to store drinkable water in your house; and information about what BWS personnel do in the event of a water emergency.

5) There has been a lot of coverage in the media recently about the statewide drought and its severe effects on Maui and Hawaii Island. While Oahu experienced a dryer than normal winter, Oahu rainfall totals are expected to remain lower than normal with no current cause for concern. BWS does not rely on surface water or catchment systems that react quickly to rainfall to supply our water. During the summer, we tend to see a spike in water consumption.

BWS wants to remind all residents to use water wisely - use what you need but do not waste. Also, if drought conditions continue, conserving now will help to prolong the need to call for more stringent conservation measures.

ALERT – Use water wisely. Oahu uses an average of 155 million gallons a day, but 180 million gallons a day during the summer. The rainy season starts around October.

Comments followed: 1) Starr was concerned about proposed new residential developments in West and Central Oahu. When new developments apply for the permits, they must have a Water Master Plan, which the BWS reviews.

**APPROVAL OF THE JUNE 7, 2007 REGULAR MEETING MINUTES: Schell moved; Parke seconded to approve the June 7, 2007 meeting minutes as circulated. The motion was ADOPTED UNANIMOUSLY, 13-0-0.**

**TREASURER'S REPORT:** Treasurer Spangler reported as of July 31, 2007, the Fiscal Year (FY) 2008 appropriation was \$1,520.00 for the projected Operating budget. With \$87.61 expended for the printing and mailing of the agenda and minutes, the balance was \$1,432.39. For the Publicity budget, \$1,211.00 was appropriated. With no expenditures, the balance remained at \$1,211.00. The Refreshment budget balance remained at \$120.00. The Treasurer's Report was accepted as read.

**REPORTS FROM COMMUNITY ASSOCIATIONS:** There were none.

**FINAL COMMENTS:** 1) Vice Chair Schell better understood the “architecturally challenged” house mentioned at the last meeting. He drove through the neighborhood and noted that besides being “color challenged,” it was somewhat similar to other houses from the 1950s era. 2) Spangler requested that the Chair contact a representative from the Honolulu Marathon to come to the next meeting and explain what happened last year, when residents reported not being unable to leave their blocked driveways until 12:15 p.m. Chair Chuck assigned Neighborhood Assistant Ho to follow up. 3) Casen gave Neighborhood Assistant Ho a 63-page document from Representative Berg concerning Residential Zoning for Adult Residential Care Homes to e-mail to Board members.

**ADJOURNMENT:** The meeting adjourned at 9:44 p.m.

Submitted by:  
K. Russell Ho, Neighborhood Assistant

Reviewed by:  
Bob Chuck, Chair and Heather Lum, Secretary