



KULIOUOU/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, NOVEMBER 1, 2007 AINA HAINA PUBLIC LIBRARY

CALL TO ORDER: Chair Bob Chuck called the meeting to order at 7:01 p.m. with a quorum of 13 members present.

MEMBERS PRESENT: Ted Ashworth, Christopher Baron, Bernie Boltz, George Casen, Bob Chuck, Bertha Leong, Heather Lum, Michael Parke, Kevin Quinn, J. Ed Schell, Jamal Siddiqui, Linda Starr, Mel Yap and Joseph Young.

MEMBERS ABSENT: Peter Kay (notified), Jack Schneider (notified) and Sherry Spangler (notified).

GUESTS: Cindy Inouye (Deputy Director, Department of Human Resources Development, Governor Linda Lingle's representative), Senator Sam Slom, Representative Lyla Berg, Joan Shinn (Representative Barbara Marumoto's Office Manager), Hal Barnes (Mayor's Office, Mayor Mufi Hannemann's representative); Councilmember Charles Djou, Francisco Figueiredo (Councilmember Charles Djou's Office staff); Capt. Alex Silva (Honolulu Fire Department), Lt. Arthur Kurosu, Sgt. Howard Ishida and Ofc. Jason Hendricks (District 7, East Honolulu, Honolulu Police Department); Scot Muraoka (Board of Water Supply); Cindy Schultz, Jeannine Johnson (Niu Valley Community Association), Karl Schwartz, Phyllis Ching Schwartz, Mike Hirakami, Ann Marie Kirk, Elizabeth Reilly (Livable Hawaii Kai Hui/Hawaii Kai Neighborhood Board No. 1), Joe Anthony (E. Hind Drive/Limu Place), Karen Matsumura, Debra Witteveen, and K. Russell Ho (Neighborhood Commission Office staff).

CHAIR'S ANNOUNCEMENTS - Chair Chuck had no announcements, but asked for any items from the community. Johnson announced Waldorf School was suing the Zoning Board of Appeals and neighbors, who complained against the Waldorf School expansion (a previous agenda item.)

HONOLULU FIRE DEPARTMENT (HFD) REPORT: Capt. Silva reported: 1) 2 structure fires; 35 medical emergencies and 6 miscellaneous calls for service. 2) Fire Safety Tip: This holiday season, consider a fire-resistant, artificial Christmas tree. If you purchase a natural tree, choose one as fresh as possible, keep it hydrated, and keep it away from heat sources in the house. Use noncombustible materials for decorations. Choose only Underwriter's Laboratory-approved electrical decorations and follow manufacturer's instructions for installation and load. Do not overload extension cords. 3) HFD would like to remind the community that it provides assistance to the Honolulu Emergency Services Department (HESD) by responding cooperatively when the need for emergency care arises. Due to the HFD's 42 fire stations and the 18 HESD's ambulance units, we are able to provide quality patient care and protect the citizens of the City and County of Honolulu.

HONOLULU POLICE DEPARTMENT (HPD) REPORT: Sgt. Ishida and Ofc. Hendricks distributed the monthly report, which had the map of the beats; breakdown of the burglaries,



thefts, Unauthorized Entry into a Motor Vehicle (UEMV) with locations; monthly comparisons since July; and a 21-point Home Security checklist.

RESIDENTS' CONCERNS:

Changes in the Bus Routes 1 and Route 1L - Recently, in the news, residents became aware that there would be changes to bus Route 1 and 1L, starting on December 2. Chair Chuck mentioned that the current Neighborhood Plan (NP) allows this item to be placed on the agenda with a two-thirds (12) votes of the total number of seats (17). **Schell moved; Ashworth seconded that bus route changes be placed on tonight's agenda. The motion was ADOPTED unanimously, 14-0-0.** Discussion followed. Two people wanted to help. Former Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 member Jeannine Johnson is a bus rider and stated that the City bus system changes were not user-friendly for seniors and children. Elizabeth Reilly, Hawaii Kai Neighborhood Board No. 1 member, mentioned that the Hawaii Kai Neighborhood Board has on its next agenda a representative from the Department of Transportation Services (DTS) speaking.

Leong mentioned that Kalaniana'ole Highway is dangerous and there were many accidents. Several years ago, her daughter's friend was killed.

Ashworth noticed Federal government cutbacks in the bus system and rail being favored.

Starr mentioned that Kahala Mall is a "hub" and Karen Matsumura said that seniors were not aware of the changes, because the notices were posted in the legal sections of the newspaper or on the Internet.

A resident said the bus system is slow and should be made more efficient. Parke mentioned that the changes would make it more efficient to Hawaii Kai.

Schell read the following revised draft "bus resolution."

RESOLUTION REQUESTING NO CHANGES TO EXISTING CITY BUS ROUTE THROUGH AINA HAINA VALLEY

WHEREAS: currently three bus routes travel within Aina Haina so that bus passengers can ride from Aina Haina to Hawaii Kai or to Downtown by catching a single bus; and

WHEREAS: under the proposed restructured bus route changes slated to take effect on December 2, 2007, Route 1 and Route 1L will no longer service the interior of Aina Haina via West Hind Drive and East Hind Drive, and will remain on Kalaniana'ole Highway; and

WHEREAS: the proposed restructured bus route changes for residents in Aina Haina will be extremely troublesome, especially for many senior citizens, who don't have a car and depend on catching a single bus to take them to medical appointments or other destinations in either Hawaii Kai or Downtown; and

WHEREAS: the proposed restructured bus route changes for residents in Aina Haina would be confusing for many residents, especially for senior citizens, who for many years have

associated the bus designated "Route 1" as the bus that would get them from either Hawaii Kai or Downtown to destinations along West Hind Drive and East Hind Drive; and

WHEREAS: under the proposed restructured bus route changes, Aina Haina riders, which include senior citizens and students attending Niu Valley Middle School, would have to transfer to another bus on Kalaniana'ole Highway to get to their destination; and

WHEREAS: the necessary bus transfer would involve the crossing of six lanes of high-speed traffic on Kalaniana'ole Highway which would be difficult and dangerous, even with the availability of intersection traffic signals, for individuals with limited mobility, and for children attending Niu Valley Middle School; and

WHEREAS: the proposed restructured bus route changes will eliminate the ability of people to catch and ride a single bus either from Aina Haina to Hawaii Kai or Downtown, or from Downtown or Hawaii Kai to Aina Haina; now

THEREFORE, BE IT RESOLVED THAT: the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 strongly opposes the proposed restructured bus route changes to the bus routes that service residents of Aina Haina Valley; and

BE IT FURTHER RESOLVED THAT: the bus routing of Routes 1 and 1L would continue to travel along West Hind Drive and East Hind Drive, which would involve very minimal extra cost and time for the City, thus eliminating the need for bus riders to transfer to another bus after having crossed six lanes of high-speed traffic at dangerous Kalaniana'ole Highway intersections, and therefore, continue to enable people to catch and ride only one bus to get from Aina Haina to Hawaii Kai or Downtown, and to get from Downtown or Hawaii Kai to Aina Haina.

BE IT FINALLY RESOLVED THAT: a copy of this resolution be sent to the Mayor of Honolulu and to the Director of the City Department of Transportation Services.

Schell moved; Boltz seconded that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 adopt the bus resolution as read. The motion was ADOPTED, unanimously, 14-0-0.

Chair Chuck asked Hal Barnes to take the resolution back to the City Department of Transportation Services (DTS) and the Mayor. Barnes mentioned that the City bus system is also stopping bus service to the military. The Bus system receives a 70 percent subsidy and only 30 percent comes from the fare box. Barnes suggested that the Neighborhood Board get ridership numbers and that he will follow up

MAYOR MUFU HANNEMANN 'S REPRESENTATIVE: Hal Barnes reported: 1) For several months, Kevin Quinn has been requesting the repaving of the Waialae Iki Park tennis courts and repair of the basketball hoops. The Chair asked Councilmember Charles Djou and Mayor's representative Gordon Bruce to follow up. The response was - East Honolulu District has requested funding for the reconstruction of the play courts in the upcoming Fiscal Year (FY) 2009 Capital Improvement Projects (CIP). Due to the condition of the courts the basketball hoops were removed to prevent injury to those that would attempt to play on the irregular surface. 2) Regarding the alert alarm at the Wailupe fire station, the DDC response was - We are not certain as to the signal emitting a 'cat sound.' The consultant's contract was

approved. The consultant provided the City with the revised plans, and the change order is being processed by the City for the contractor to install the system as revised. 3) Board member Linda Starr was concerned that the Adult Residential Care Home (ARCH II) at 5304 Limu Place did not have an Americans with Disabilities Act (ADA)-compliant landing area in the front of the house. The response was - The City does not check for ADA compliance. These requirements are pursuant to Federal statutes. If they are not complied with, it is usually handled by the filing of lawsuits. The ARCH II is administered by Department of Health (DOH). 4) Board member Jack Schneider reported on the repair of the sidewalks and road work around Kumakani Loop and Place. The road repaving is uneven and will not last. There was no response.

Comments followed: Starr mentioned that sometimes in the afternoon rush hour, the traffic is backed up on the H-1 freeway to 16th Avenue. This is because the Kalani Iki traffic signal is tripped by cross-street traffic. Starr suggested again to put the light on a regular timer instead of side-street tripping. (This matter was previously discussed at Neighborhood Board meetings.)

PRESENTATIONS: DISCUSSION/ACTION

Discussion of the proposed 2007 Draft Revised Neighborhood Plan (RNP) - A public hearing on the Revised Neighborhood Plan (RNP) is scheduled for Monday, November 5. Chair Chuck gave a "hard copy" of the RNP to Starr and requested that one be sent to Spangler. Starr will report back.

Four people, who were concerned about the bus route changes, left at 7:35 p.m.

Report of the October 17, 2007 meeting regarding the proposed revised East Honolulu Sustainable Communities Plan (EHSCP) - Elizabeth Reilly reported Peter Rape attended as well as representatives from Livable Hawaii Kai Hui and Malama Maunaloa Bay to discuss East Honolulu issues

Discussion of the "Public's Right of Way" to East Honolulu Beaches - Jeannine Johnson, Elizabeth Reilly and others reported that in Portlock there are only four public rights of way with signs, allowing public access through private property. Anna Marie Kirk has been involved in this issue for the last ten years in the Portlock area. She mentioned that John Kelly, the founder of Save Our Surf (SOS) and a 1970s activist, has passed away. Only one public right of way belongs to the City & County of Honolulu, while the beaches come under the State Department of Land and Natural Resources (DLNR). Reilly mentioned there is an upcoming Planning and Zoning Committee meeting. Councilmember Djou wanted the community to work it out, as it is an Aina Haina/East Honolulu problem. Parke added that the State controls up to the high-water mark, not beach access. He suggested pressuring the City councilmembers. Councilmember Djou felt this is a private property issue and does not favor minor condemnation. Boltz mentioned that in Wailupe there is one access, but not a public right of way.

Discussion of possible Paiko Ridge Development - Chair Chuck reported that Paiko Ridge may have been sold back to its lender. The ridge is zoned for preservation/conservation, not properly zoned for development.

Discussion and possible adoption of 2008 Legislative Resolutions - Jeannine Johnson offered the following Legislative resolutions:

WHEREAS, the Associated Press has reported that across the country, sexual misconduct allegations led states to take action against the licenses of 2,570 educators from 2001 through 2005. However, no teachers in Hawai'i have lost their licenses for disciplinary reasons since 2001, not even those who were imprisoned for criminal offenses like child molestation and drug abuse. Although misbehaving teachers can get fired, Hawai'i authorities have not revoked their licenses, meaning there is little to stop these teachers from getting jobs elsewhere. Licenses are often required when teachers transfer from one state to another. If a teacher's license has not been revoked, there is little stopping him or her from moving to a new state and perpetuating this criminal behavior.

WHEREAS, the proliferation of adult residential care home (ARCH) in residentially zoned areas is becoming a major concern. At the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 meeting on March 1, 2007, the Board voted to oppose the ARCH II facility being built at 5304 Limu Place to renovate/convert an existing one-story, single-family dwelling to accommodate a maximum of eight (8) care recipients. The Land Use Ordinance (LUO) provisions which permit operation of an ARCH II facility for up to eight (8) residents within a single-family dwelling are governed by Hawaii Revised Statutes (HRS) Section 46-4(d);

WHEREAS, despite overwhelming opposition from North Shore residents and because of concerns about the impact Kuilima Resort Company's massive expansion project would have on the environment, traffic, infrastructure and their quality of life, the City's Department of Planning and Permitting (DPP) ignored the voices of the people and allowed Kuilima to build five new hotels with 3,500 more condo, timeshare and resort hotel units on Kawela Bay based on a 20-year old agreement and land use permit;

WHEREAS, the historic important agricultural lands Act (Act 183, Session Laws of Hawaii 2005) mandates the State and counties to develop and implement incentives to promote the long-term use and protection of designated important agricultural lands for agricultural use in Hawaii. Article XI, Section 3, of the Constitution of the State of Hawaii provides, among other things, that "[t]he State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands." At present, about one hundred thousand acres of former sugar cane and pineapple land--prime agricultural land--lie fallow. Recent estimates suggest that if all this land could be put to productive use through successful agricultural ventures, an additional \$1,700,000,000 to \$4,400,000,000 could be infused into the state's economy;

WHEREAS, in its 2005 Report, the Environmental Council specified goals for agriculture as a means of reducing our dependence on imported food and as a valued aspect of Hawaii's agrarian culture and the Hawaii 2050 Sustainability Plan states: "Support of agriculture was high on many participants' priority lists. The reasons were varied, including the need for preserving a valued island lifestyle; maintaining open space and the rural character of the land; increasing food production for local use and export; and the possibility of growing crops for fuel to reduce reliance on imported oil;"

WHEREAS, our resources are being pulled into the second-home market of highly affluent people from elsewhere. On September 22, 2007, the state's fourth-largest private landowner,

Alexander & Baldwin Inc., revealed its plans to intensify efforts to sell its agricultural property as estates for wealthy individuals even as demands to build affordable housing has risen to new heights of intensity;

WHEREAS, Hawai'i Revised Statutes (HRS) Chapter 115 states: "The legislature finds that miles of shorelines, waters, and inland recreational areas under the jurisdiction of the State are inaccessible to the public due to the absence of public rights-of-way; that the absence of public rights-of-way is a contributing factor to mounting acts of hostility against private shoreline properties and properties bordering inland recreational areas; that the population of the islands is increasing while the presently accessible beach, shoreline, and inland recreational areas remain fixed; and that the absence of public access to Hawaii's shorelines and inland recreational areas constitutes an infringement upon the fundamental right of free movement in public space and access to and use of coastal and inland recreational areas;"

WHEREAS, the public's access to the shoreline has been severely limited in 'Ewa Beach, Kailua, Velzyland and along our East Honolulu coast due to gated residential development and private gates for access only to beachfront homeowners. At its October 5, 2006 meeting, the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 voted unanimously to oppose any development which would gate off the access to our beaches that has been traditionally used by our residents, fisherman and/or surfers and recommended the City place blue public right of way signs similar to those along Kahala Avenue at public rights of way along our shoreline from Portlock Road and continuing west along Kalaniana'ole Highway to Kahala;

WHEREAS, in 1998, the Honolulu City Council voted 9-0 to establish Public Rights of Way on Portlock Road by a resolution introduced by now-Mayor Mufi Hannemann. However, the condemnation of four (4) lanes for Public Rights of Ways was set back by a technicality. Although the Portlock community said it would continue to allow access, private property and trespassing signs and video surveillance remain and, as properties change hands, there are no guarantees the paths will stay open. Almost 10 years have passed and the residents of East O'ahu are still waiting for the resolution of the City Council to be honored and for Public Rights of Way to be established;

WHEREAS, we have reached a condition overload/carrying capacity on tourist facilities and nonresident investments, energy and water consumption, and sewer and traffic infrastructure. George R. Ariyoshi, Governor of Hawai'i from 1973 to 1986, has said we "must be the masters of our destiny, rather than the victims. There is no reason we must endure what an uncontrolled and unregulated future holds for us. We must shape our own future, not have it thrust upon us by forces over which we have little or no control;"

WHEREAS, in 2006, a total of 100,012 visitors arrived into the state by cruise ships, an increase of 28.8 percent from 2005. In addition, another 315,955 visitors flew to the state and boarded cruise ships in Hawai'i after their arrivals, 32.3 percent higher compared to 2005. The total visitor arrivals in 2006 were 7,561,311, more than 67,075 than in 2005. Our small state has 70,000 hotel rooms. The country of Sweden has 100,000. Hawaii's current economy creates mostly low-paying jobs servicing tourism, while burdening many local residents with low wages, extraordinarily costly housing, and a cost-of-living 30 to 60 percent higher than on the Mainland. Our small state is losing that which people who come to Hawai'i seeking: the "Land of Aloha" with great natural charms. Sustainability is the contemporary way to think about, "When do we say: enough is enough?"

WHEREAS, Article 11, Section 1 of the Hawai'i State Constitution states that "All public natural resources [including water] are held in trust by the State for the benefit of the people." The Hawai'i Supreme Court has made a similar finding of the state's public trust duty (Waiahole ditch) ... stating that the State Commission on Water Resource Management "must not relegate itself to the role of a mere 'umpire passively calling balls and strikes for adversaries appearing before it,' but instead must take the initiative in considering, protecting, and advancing public rights in the resource at every stage of the planning and decision-making process." Although the State Commission on Water Resource Management's mission is to protect our water resources through wise and responsible management, their decision to allow Waiawa Development and Gentry to pump one million gallons of drinking water every day to irrigate two 18-hole golf courses was foolish and irresponsible;

WHEREAS, because graffiti is a chronic problem costing taxpayers millions in annual clean-up costs across the United States, jurisdictions have increased the sanctions against graffiti offenders and their parents. The State of Illinois is considering a bill that requires convicted graffiti vandals wait until age 18 to get a license and those who already have licenses to have them suspended for six months. California suspends or defers the award of driver's licenses for one year; offenders can do community service to reduce the suspension time. Many jurisdictions use graffiti cleanup for community service to avoid adjudication, as a condition of probation, or as part of a disposition or sentence. In some jurisdictions, students are suspended or expelled from school for graffiti offenses. A large number of jurisdictions have involved courts in treating graffiti incidents seriously, systematically imposing fines, community service and even jail time on chronic offenders. In some communities, efforts are made to educate parents in recognizing signs of graffiti offending and parents are held accountable for juvenile offenders' actions, and may be sanctioned with fines, cleanup costs and even jail for failure to control or supervise their children. It is believed that Wisconsin violators and their parents may lose their driver's license up to three months;

WHEREAS, bills introduced in the State House in 2007 include requiring (1) persons determined to have caused graffiti damage to pay the cost of having the damaged property repaired or replaced; and (2) minors who commit graffiti to remove their graffiti from the affected property and to perform community service to remove graffiti from other properties.

BE IT RESOLVED THAT the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 supports the following and that our legislators, Senator Sam Slom and Representatives Lyla Berg and Barbara Marumoto, as well as Councilmember Charles Djou, are hereby requested to draft and/or support the following legislation:

- A. Demanding the Hawai'i Teacher Standards Board effectively monitor its actively licensed teachers and revoke the licenses of teachers imprisoned for criminal offenses like child molestation and drug abuse.
- B. Requiring any ARCH II facility with more than five (5) patients in a residential neighborhood to give notice of its proposed permit application to the surrounding residents as well as provide them with an opportunity to be heard at a presentation at their neighborhood board whose geographic area contains the proposed ARCH II facility.

- C. Prohibiting counties from allowing development based on permits issued over five (5) years from the date of acceptance or filing of a "finding of no significant impact," and requires unilateral agreements with real estate developers to contain specific completion dates.
- D. Diversifies Hawaii's economic base beyond reliance on multi-million dollar resort homes for non-residents and addresses the housing needs of hard-pressed working families, young people and poor people (more and more of whom are homeless).
- E. Provides the necessary support for the overall transition of Hawaii's agriculture industry from plantation agriculture to diversified agriculture by promoting investment in the long-term use and protection of designated important agricultural lands for agricultural use in Hawai'i by farmers, landowners, and others through the reduction of risks and costs that affect the viability of agricultural businesses and explores new opportunities as prime agricultural land becomes available in order to revive our state agriculture industry, diversify Hawai'i's economy and improve food security of our isolated islands.
- F. Protects the State's agricultural land by ensuring that agricultural land is used for agricultural activities, agribusiness, or subsistence farming and not for "fake farms."
- G. Preserves undeveloped lands, especially conservation and preservation lands and resources, in order to help maintain wetland functions (filtering and capturing water, especially storm flows), buffer zones, and open space.
- H. Encourages Kamehameha Schools/Bishop Estate to keep Kamilo Nui Valley in agricultural use for its crucial role in sustainability and for its key role in its watershed abilities to prevent flooding and to protect water quality.
- I. Provides for the condemnation/acquisition of land to inland recreational areas and the shoreline for the public rights-of-ways to meet the City's standard of public shoreline access at approximately one-quarter mile intervals and in particular, acquire at least four public access points along Portlock Road.
- J. Considers a moratorium on hotel room builds or a forced slow growth rate which would support Hawai'i's resident work force and not require extensive in-migration, cause much less environmental strain, take considerably less water and energy development, and cause less traffic congestion.
- K. Prohibits the use of potable water to irrigate golf courses.
- L. Requires convicted graffiti vandals to wait until age 18 to get a driver's license and those who already have licenses to have them suspended for six months; hold parents accountable for juvenile offenders' actions, and may be sanctioned with fines, cleanup costs and even jail for failure to control or supervise their children; takes away the violators and their parents driver's licenses for up to three months; pay the cost of having the damaged property repaired or replaced; and/or requires minors to remove their graffiti from the affected property and to perform community service to remove graffiti from other properties.

Discussion followed on each item and each was voted on separately.

- A. Ashworth inquired about background checks for mainland teachers. **The motion was ADOPTED, unanimously, 14-0-0.**
- B. **The motion was ADOPTED, unanimously, 14-0-0.**
- C. **The motion was ADOPTED, unanimously, 14-0-0.**
- D. Senator Slom mentioned that for the last 40 years the State has been struggling with the role of government and diversifying the economic base. He is on the Agriculture Committee, which favors what is practical, but not always sustainable. Representative Berg is on the House Agriculture Committee. The Board decided to split the motion.

Casen moved; Leong seconded that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 supports diversification of Hawaii's economic base. The motion was ADOPTED, 9-3-2. A quorum number of votes (9) are needed for passage. **Aye** - Casen, Chuck, Leong, Lum, Parke, Siddiqui, Starr, Yap and Young. **No** - Ashworth, Boltz and Schell. **Abstain** - Baron and Quinn.

Regarding the second part of the motion, the motion was NOT adopted, 7-7-0. A quorum number of votes (9) are needed for passage. **Aye** - Baron, Casen, Parke, Siddiqui, Starr, Yap and Young. **No** - Ashworth, Boltz, Chuck, Leong, Lum, Quinn and Schell.

- E. **The motion was NOT adopted, 0-13-1.** **No** - Ashworth, Baron, Boltz, Casen, Chuck, Leong, Lum, Parke, Quinn, Schell, Siddiqui, Starr and Young. **Abstain** - Yap.
- F. Discussion followed. Parke noted that on Kauai 50 percent of the water uses are at agricultural rates. Casen was concerned that Hawaii's children are leaving the islands, due to the high cost and that tourism rooms are converting to condos. Johnson added that they are using water. Chair Chuck heard a good talk on desalinization. Someone mentioned that there are water usage limitations on hotels. Baron noted that destinations are laudable, but need a road map. Ashworth added that hotels are planned for makai of Kahala Mall. Representative Berg noted that regarding the Hawaii 2050 Sustainability Plan, the process strayed from the original vision. What now? Someone mentioned that the new golf course in Ewa uses recycled water.

The motion was ADOPTED, 13-1-0. **Aye** - Ashworth, Baron, Boltz, Casen, Chuck, Leong, Lum, Parke, Quinn, Siddiqui, Starr, Yap and Young. **No** - Schell.

- G. **The motion was ADOPTED, unanimously, 14-0-0.**
- H. **The motion was ADOPTED, unanimously, 14-0-0.**
- I. **The motion was ADOPTED, unanimously, 14-0-0.**

J. **The motion was NOT adopted, 2-10-2. Aye** - Parke and Starr. **No** - Baron, Boltz, Casen, Chuck, Leong, Lum, Quinn, Schell, Yap and Young. **Abstain** -. Ashworth and Siddiqui.

K. **The motion was ADOPTED, unanimously, 14-0-0.**

L. **The motion was ADOPTED, unanimously, 14-0-0.**

ELECTED OFFICIALS:

Senator Sam Slom - Senator Slom report: 1) The Special Session lasted six days, addressed the Superferry, extended-sentencing for judges only and about 100 appointees. Regarding the Superferry, it was allowed to operate with seven additional conditions. According to Parkinson's Law, work will expand to the time allotted. Circuit Judge Randall Lee was not confirmed to the Intermediate Court of Appeals. Two of the Governor's nominees to the Teachers Standards Board were not approved, also. They are listed on the back of his newsletter. The Hawaii State Teacher's Association (HSTA) was not consulted. Some bad news - There will be another Special Session for another nomination.

Representative Barbara Marumoto - Joan Shinn had earlier distributed Representative Marumoto's newsletter and clarifications of the October minutes

Representative Lyla Berg - Representative Berg distributed her newsletter and reported: 1) The Special Session had no conference committees and the Senate bill passed. 2) Her newsletter highlighted A) On October 23, she received an Award of Excellence in Education. B) There is a Department of Land and Natural Resources (DLNR) and Department of Business, Economic Development and Tourism (DBEDT) partnership to involve communities in monitoring shorelines and maintaining beach resources. Malama Maunalua Bay will get involved. C) She was appointed as Hawaii delegate to the Association of Pacific Island Legislators. D) On October 20 she joined a meeting of the Community Conservation Network, "a grass-roots non-profit organization whose purpose is to offer leadership and facilitation to a statewide community-based alliance of citizen groups focused on marine management." She added that the Kahala Neighborhood Board wants to be a part of East Honolulu, but Kaimuki is "not ready yet." E) She accompanied Department of Education (DOE) repair and maintenance teams as they assessed Kalani and Kaiser Complex schools and mentioned that the DOE and the University of Hawaii (UH) are looking at ways of saving electricity in buildings. F) Concerning school budgets, each Principal has a baseline. The Department of Education (DOE) cannot get "local" products, but the low bid. Schools want to grow food. The Aina Haina School sits on City & County of Honolulu land and it is rumored the City may take back the land. She would follow up. There were other school concerns, for example, at Wilson School, the Honolulu District Office parking, at Koko Head School, when the State offices leave, they have to restore the classrooms, and at the Kalani Sports complex, alumni/students are planning for a big anniversary.

Comments followed. Ashworth asked Representative Berg's stand on the Superferry. She felt the Public Utilities Commission (PUC) is regulatory agency, instead of the Governor. She voted against the bill, not the Superferry. Ashworth had concerns about another small operator, a "whale-watching" group. Young Brothers barges and other carriers were

grandfathered in. The State made \$40 million in harbor improvements, but no Environmental Assessment (EA) or Environmental Impact Statement (EIS).

Councilmember Charles Djou - Councilmember Djou reported: 1) Regarding bed and breakfasts (B&Bs), there is a bill to ban transient vacation rentals (TVRs) with absentee owners. 2) Arsonists will pay civil fines. 3) Regarding recycling, he favors island-wide curbside recycling after the pilot project. 4) There are fewer rooms in Waikiki every year; 900 down and 700 up, but they are larger rooms. 5) Regarding the Niu Valley playground equipment, the Governor is waiting for a letter from the Mayor. 6) Regarding the Aina Haina land, there has been no resolution introduced, as long as public land is for public use.

Comments followed. 1) Starr asked if the City would acquire land on ocean side of Kalaniana'ole Highway for public beach access. Councilmember Djou replied the City has no money and he is reluctant to use the condemnation process. 2) Schell reported a house on Kuli'ou'ou Road had short term rentals. Councilmember Djou mentioned that the City cannot take action against the realtors as the State regulates license and the \$100-per-day fines are against the owners, who feel this is just a cost of doing business in Hawaii. Johnson talked about public beach access with no condemnation process.

GOVERNOR LINDA LINGLE'S REPRESENTATIVE: Cindy Inouye reported: 1) Last month there was a concern about the steel plate on Kalaniana'ole Highway. After the new sewer line is completed, the steel plate will be removed. 2) Regarding the Niu Valley playground equipment, the Budget Director is waiting for the Mayor's letter. Then, they will review the request. The funds will lapse on June 30, 2008.

BOARD OF WATER SUPPLY (BWS): Scot Muraoka reported: 1) The board will offer two wreath-making classes at the Halawa Xeriscape Garden on Saturdays, November 24 and December 1 from 10:30 a.m. to 1:30 p.m. The class will teach how to use xeriscape or "unthirsty" plants to create colorful and festive holiday wreaths. Advanced registration is required one week prior to the class, and there is a cost of \$5 per person. For more information or to register, please call BWS Communications Office at 748-5041. 2) The Board will also be participating in the annual decoration of Honolulu and Kapolei Hale in December. Trees decorated by each City department will be on display in the lobbies of the two city halls. Our employees and their ohana will also participate in the City's Christmas parades on December 1 in downtown, and on December 8 in Kapolei. And, as always, don't forget to check out the annual Christmas light display at the South Beretania Street building. On behalf of the Board of Water Supply and all of their employees and family, BWS wishes everyone a very safe and happy holiday season! 4) As to sustainability, the water pumping level is the same for the last seventeen years. BWS urges consumers to conserve and recycle water and use low flow toilets, which are used in hotels. The 1990s recorded a drop of 3 million gallons/day. 5) Desalinization is more expensive, but groundwater and rainfall are becoming more uncertain. 6) Regarding the booster station in back of Hind Uka Drive, renovations are budgeted in Fiscal Year (FY) 2008. 7) In October there were two breaks, one in Kuli'ou'ou and one in Niu Valley.

Comments followed. 1) Johnson mentioned that Niu Valley had three breaks in recent months. Because there is no longer agriculture of pineapples and sugar, there is stabilized water usage. 2) Ashworth asked about the water station above Kalani High School. Muraoka replied that the reservoir/storage tank holds 1 million gallons. BWS wants to replace it with a larger structure, but there are no plans in the next six years. Young asked A) For desalinization, what

were the capital costs? Muraoka replied they were 1 1/2 to 2 times the cost for pumping fresh water. B) For non-portable water? Muraoka relied the capital costs were \$40 million, which comes out to about \$8 per gallon. The regular water rate is \$3.50 per 1,000 gallons to pay for operating cost and filters. Water has higher salt content closer to the ocean. In Ewa the water is used mostly for agriculture use.

UNFINISHED BUSINESS: DISCUSSION/ACTION

Niu Valley playground equipment update - This item was already reported.

Adult Residential Care Home (ARCH II) at 5304 Limu Place update - Joe Andrade reported there was no construction work done for 120 days. He wants the Department of Planning and Permitting (DPP) to revoke the building permit. He received a letter from Mayor Mufi Hannemann explaining the Department of Planning and Permitting (DPP) process. It is scheduled to open in January.

Aina Haina Shopping Center update - Casen reported that he met with realtor David Dolman, who represents a Mr. Hughes, who is associated with the Public Storage Company. Leong reported the new owners of the Aina Haina Shopping Center will meet with members of the Neighborhood Board. Plans for a community center in a "mini Ala Moana Center" with mixed use. A different mix would include Walgreens. A Permitted Interaction Group (PIG) of Leong, Casen and Chair Chuck would like to include community members Wayson Chow, Art Mori and Greg Kashiwa. A member of the Aina Haina Community Association (AHCA) heard rumors that vendors may have to stay until 9:00 p.m.

Kiai Place update - Chair Chuck reported that developer Kent Untermann has decided to build private, "non-cluster" homes.

APPROVAL OF THE OCTOBER 4, 2007 REGULAR MEETING MINUTES - Corrections were made:

- Page 2, after **RESIDENTS' CONCERNS**, it should be added, "Starr expressed her concern that the two ocean-front properties between E. Halemaumau Street and Paiko Drive should be acquired by any means to become the neighborhood park with beach-front access for the community of Niu Valley. The people in the Niu Community do not have a beach front park, whereas Aina Haina has Wailupe Beach Park, Hawaii Loa Ridge has Kawaikui Beach Park, Kuliouou has Kuliouou Beach Park. Chair Chuck said that Starr's concerns would be noted in the minutes."
- Page 2, after **PRESENTATIONS**, it should read, "**Honolulu Marathon Traffic Control** - ...1) Spangler noted that there were no flyers explaining the procedure for exiting driveways or cross streets, like at Waieli Street and Kalaniana'ole Highway at the Waialae golf course. There were no Honolulu Marathon personnel and no HPD at the corner of Waieli Street and Kalaniana'ole Highway. They were only out in the middle and on the mountain-side of Kalaniana'ole Highway....On Waieli Street, for the first time, there were more barricades 40 feet behind the first row of barricades, to prevent residents in cars from driving up to the intersection of Waieli Street and Kalaniana'ole Highway....Around 10:00 a.m. to 10:30 a.m., HPD were not letting one car exit at a time....At 12:15 p.m. they were finally allowed to exit. The policeman on duty said that

the runners' "personal best "race times were more important than the residents exiting. Spangler suggested some written procedures and gave a written copy to the police and MacDowell. MacDowell replied a few years ago, they spent \$5 0,000 printing a bright yellow notice, but there were no results....Spangler mentioned they did not answer the phone on race day. MacDowell replied the Honolulu Marathon Committee (HMC) will meet with HPD next week and that on race day, he rides the course on a motorcycle. They are now aware of Waieli Street. 2) Vice Chair Schell mentioned that in Kuli'ou'ou, makai-side of Kalaniana'ole Highway, the residents were not allowed to exit from 5:00 a.m. until 12:00 noon."

- Page 3, after **Adult Day Care Center (ADCC) in Aina Haina**, it should read, "...Demographics show Hawaii's aging population and the need for respite care for caregivers and families. The required staffing is one full time Certified Nurse Aide (CNA) to every six clients. Currently, Ohana Na Hale is staffed with one full-time CNA - Rochelle Rodrigues (Administrator), one-part time Intake Coordinator Registered Nurse (RN) - Anne Rautio, one part time Activities Coordinator, and one part-time CNA. Leong likes the daily programs...."
- Page 4, after **Representative Barbara Marumoto**, it should read, "Representative Marumoto reported: 1) Regarding Diamond Head, there was \$4.4 million appropriated in the state budget to the Department of Land and Natural Resources (DLNR) for rockfall mitigation within the crater and on the outer slopes to improve safety. Funds were also to be utilized for summit trail improvements and for a linear park along Monsarrat Avenue....3) In answer to a question, yes, the Red Cross is moving out of its temporary office at Kalani High School while its offices on Diamond Head Road were being remodeled....1) Peter Kay requested Representative Marumoto to send a letter to the Governor about releasing the funds for the Niu Valley playground equipment. Representative Marumoto replied that her priorities are for the release of Capital Improvement Projects (CIP) monies in the 19th House District - for Diamond Head, for schools, Kapiolani Community College (KCC), Leahi Hospital and Kalaniana'ole Highway and other transportation improvements. It is important that she request that the Governor release appropriations in the 19th District before the 18th District. She already sent the letters in."
- Page 5, after **MAYOR MUFU HANNEMANN'S REPRESENTATIVE**, it should read, "... 2) Schneider reported the sidewalks were fixed in the Kumakani Loop/Kumakani Place location. The potholes on Laukahi Street were repaired by a private contractor. The city, using its own crews and equipment, paved over all of Laukahi Street. Unfortunately, the work was completed in an unsatisfactory manner. It is uneven and is already showing signs of deterioration
- Page 6, after **GOVERNOR LINDA LINGLE'S REPRESENTATIVE**, it should read, "Comments followed: ...2) Casen was concerned about the farthest makai-side lane on Kalaniana'ole Highway near Hawaii Loa Ridge. There has been a steel plate in that lane for months and it does havoc to a car's alignment. Inouye would follow up."

Schell moved; Boltz seconded that the October 4, 2007 regular meeting minutes be approved as amended. The motion carried, unanimously, 14-0-0.

TREASURER'S REPORT - Chair Chuck reported the previous Operating balance was \$1,347.71. With expenditures of \$42.18 for the printing and mailout of the agenda and minutes, the balance is \$1,305.53. The Publicity balance remained at \$1,211.00 and the Refreshment balance remained at \$120.00. The Treasurer's Report was filed as read.

REPORTS FROM COMMUNITY ASSOCIATIONS: There were none.

ANNOUNCEMENTS:

- Public hearings for the 2007 Draft Revised Neighborhood Plan are scheduled for: Saturday, November 3, 2007 at Kapolei Hale, Conference Rooms A - C from 10:00 a.m. to 12:00 noon; Saturday, November 3, 2007 at Windward Community College, Hale Akoakoa Building from 2:00 p.m. to 4:00 p.m. and Monday, November 5, 2007 at Honolulu Hale, Mayor's Conference Room (third floor) from 6:00 p.m. to 9:00 p.m.
- The second annual City & County of Honolulu Transit Symposium is scheduled for Tuesday, November 13, 2007 at the Neal Blaisdell Center - Pikake Room from 8:00 a.m. to 5:00 p.m. The Symposium will feature major cities with successful transit systems discussing key aspects of their project development. To register, download the form from www.honolulutransit.org and call 523-3005 or fax the registration form to 737-0454
- The next Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 regular meeting is scheduled for Thursday, December 6, 2007 at the Aina Haina Public Library, 5246 Kalaniana'ole Highway at 7:00 p.m.
- The Honolulu Marathon is scheduled for Sunday, December 9, 2007. Please be advised to expect road closures and delays in the morning hours.

ADJOURNMENT: Schell moved; Boltz seconded to adjourn. As there were no objections, Chair Chuck adjourned the meeting at 9:55 p.m.

Submitted by:
K. Russell Ho
Neighborhood Assistant

Reviewed by:
Bob Chuck
Chair
and Heather Lum
Secretary