



MILILANI/ WAIPIO/ MELEMANU NEIGHBORHOOD BOARD NO. 25

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

MINUTES OF REGULAR MEETING WEDNESDAY, OCTOBER 24, 2007 MILILANI RECREATION CENTER III

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: Chair Poirier called the meeting to order at 7:35 p.m. with a quorum present, and led those present in the Pledge of Allegiance.

MEMBERS PRESENT: Elizabeth Andrews, Erik Chun, Richard Poirier, Resa Tsuneyoshi (appointed tonight), Carole Siegel, Ann Freed, Douglas Thomas, Jessie Weinberger, David Bremer, Mary Jean Castillo-Barkley, Keith Hamada, Mary B. Segura, Bill Bass, Charlie Remington, Karen Loomis, Hallah Nilsen.

MEMBERS ABSENT: Pua Iuli, Alvin Wong, Carl Medeiros, Andrew Garrett, Josie Kaanehe, Noel Araki, T. Lulani Arquette.

BOARD SEAT VACANCIES – None

GUESTS: David Aki, Michelle Kidani (Mayor's Representative/Neighborhood Commission Office), Lt. S. Nishimura (Honolulu Police Department, District 2-Wahiawa), Tom Berg (Representative Rida Cabanilla's Office), Representative Marilyn Lee, Captain Moana Heu (Honolulu Police Department, District 2-Wahiawa), Mike Bacon, Pat Lee (HHCTCP), Lillian Koeller (Governor's Representative/State Department of Human Services), Faruq Whang (Mililani Town Association), Joe Finney (Department of Public Services/Sheriff), Randy Prothero, Randall Tsuneyoshi, Councilmember Nestor Garcia, Lori Kunioka (Councilmember Garcia's Office), Heidi Meeker (Department of Education-Facilities & Services), Chester Koga (Project Manager, R.M. Towill Corporation), Nola Frank (Neighborhood Commission Office staff).

7:37 p.m. Hamada arrived; fifteen members present.

APPROVAL OF REGULAR MEETING MINUTES OF SEPTEMBER 26, 2007: Chair Poirier asked if there were any corrections/additions to the minutes: **Without objections the regular meeting minutes of September 26, 2007 stood as written.**

FILLING OF AT-LARGE VACANCY – Chair Poirier asked if there was anyone interested in filling the at-large vacancy. Resa Tsuneyoshi offered to fill the vacancy and gave a brief background about her. **Remington moved, seconded by Weinberger to accept Tsuneyoshi to fill the vacancy. Without objections, the motion was adopted unanimously 15-0-0.**

A two minutes recess was called while the neighborhood assistant administered the oath of office (sixteen members present)

COMMUNITY FORUM:

Honolulu Fire Department (HFD) – There was no representative present.

Honolulu Police Department (HPD) – Lt. Nishihara reported: Statistics for the month of September included burglary 22, UEMV (unauthorized entry into motor vehicle) 27, auto theft 12, theft 25, and graffiti 4.

Highlights:

- An attempted kidnapping occurred on September 17 at approximately 7 a.m. (Anania/Puanane Loop) a fourteen year old female walking to Mililani High School was approached by an unknown male who attempted to engage in conversation. The male then tried to push the victim into a brush area. The victim fought back and kicked the suspect. The victim was able to escape and ran home where she



reported the incident. The suspect was described as a Hispanic male, 20-30 years old, slim build, wearing a hooded sweat shirt and sunglasses. The suspect is yet to be apprehended. The most important thing that the victim did was to report the incident immediately.

- On September 28 burglary that just occurred was reported at a residence on Awiwi Way. Based on the suspect description, responding units located and detained a male on Keolani Street. The suspect was positively identified and the victim's property was recovered. A 22- year old Mililani male was arrested.
- There were no copper theft reported

Questions, answers, comments:

1. In response to an inquiry regarding the 22 burglary statistics, Beat 250 covers the Ewa side of Kamehameha Highway and Beat 252 covers the opposite side of Kamehameha Highway. Beat 255, Mililani Mauka has the least amount of burglaries. A reason for that could be that suspects outside of the area are coming into Mililani are not familiar with the area and burglarize homes nearest to Kamehameha Highway.
2. Lt. Nishihara introduced new Wahiawa Captain Moana Heu who gave a brief background of her experiences and other districts that she was assigned.

Chair Poirier thanked Lt. Nishihara for his report and Captain Heu for attending the meeting.

Military – No representative was present.

Oahu Arts Center – Freed reported the Oahu Arts Center is in need of funding and is brainstorming on ways to fundraise. If a commitment of payment for the site is not met, the property may be lost.

Chair Poirier thanked Freed for her report.

Honolulu High-Capacity Transit Corridor Project (HHCTCP) – Pat Lee announced:

1. HHCTCP will be sponsoring the 2007 Transit Symposium, Tuesday, November 13, 2007 from 8 a.m. to 5 p.m. at the Neal Blaisdell Center. Cost to attend is \$45.00 which includes breakfast. For more information call 523-3005 or log on to www.honolulustransit.org. Information flyers were available for interested persons to review.
2. A series of transit programs can now be viewed on `Olelo Channel 49 on October 28 (7:30 p.m.), October 29 (8:00 p.m.), October 30 (11:30 a.m.), and October 31 (12:30 p.m.)

Chair Poirier thanked Lee for his report, and asked Board members interested in attending the symposium to contact him.

Other Community Concerns:

New Express Bus – Resident Aki thanked Councilmember Garcia for assisting with installing bus shelters at the Kapolei Transit Center. He relayed that the new "E" bus route would be starting next month and it was previously requested to have a circle island bus twenty four hours per day. Aki asked that this request be revisited and also to include the Waimanalo area.

Military Concern – Aki welcomed back the returning soldiers, but asked how can the public help with the backlog of traffic at the two gates entering Schofield, Monday-Friday from 5-6:30 a.m. It was suggested to have double guards to expedite traffic through the gates.

Chair Poirier thanked Aki for his concerns.

Recognition Awards:

Conference of State Legislatures: Chair Poirier presented Representative Marilyn Lee with a certificate of recognition for her continued commitment to the community and outstanding achievement in being elected to

the Executive Board of the Women's Legislative Network of the National Conference of State Legislatures. Representative Lee thanked the Board for her certificate.

Former Board Member: Susan Hough was unable to attend tonight's meeting. Her certificate would be mailed to her.

PUBLIC FORUM:

Update on Proposed Land Use Changes to Sandwich Island Communications Network Operating Center – Chester Koga, Project Manager for R.M. Towill, reported that Sandwich Island Communications Network has received the Conditional Use Permit (CUP) for the development. However, a zone change is needed to include the direct operational staff at the new site. This site will be the central staff hub for the company and not include any outside sales businesses, offices, strip mall, etc. The proposal to the City Department of Planning and Permitting is that the location would have administration, accounting and sales, and sales staff at one site. The current zoning (agriculture) allows for only technical staff. The owner is seeking Board support for a zone change from agriculture to industrial mixed use to allow the relocation of the entire staff. Why not a parcel at the Tech Park? It was cheaper for the owner to purchase the agriculture land than to purchase or lease a smaller industrial parcel at the Tech Park. It is purely a business arrangement and a business decision.

Questions, answers, comments: Hamada commented that to purchase the agriculture land was cheaper because agriculture land costs less.

Chair Poirier thanked Koga for his report.

Update on Central Oahu Educational Facilities and Services – Heidi Meeker circulated a spreadsheet with 20 years of Department of Education's (DOE) new school completions and explained that the spreadsheet shows the building blocks of what is done when planning school facilities. Page 2 of the handout showed future project projections to be submitted to the legislature for budget. A facilities fact sheet for Mililani was also provided. However, facility capacity numbers can change from year to year. A preparation notice has been received for the Waiawa development. No details regarding the Koa Ridge development are available at this time. Relative to the Alexander & Baldwin development, plans are to build three elementary schools, one middle school and one high school, with delivery date 2012, which is subject to change. In the past, DOE had a formula for the developers either receiving land to build the school on or cash. Last year Act 25, relating to new impact fees was passed. She offered to return with more specifics if requested.

Questions, answers, comments:

1. Freed commented that she heard at a forum from Castle & Cooke that the DOE said a school was not needed in the Mauka area and that the land was lost. In answer, the DOE keeps watch as new homes are built and projected student enrollment. Some projects may start and end rather abruptly. Freed noted it sounds as though the developer could do an end run. Meeker replied the point if it is found that the number of students is less than anticipated it may be decided that land is given up, and she is pretty sure the property was not needed for the long-term.
2. Nilsen asked why the drop in enrollment. Meeker replied that enrollment counts are going down statewide, possible due to the aging generation or smaller families.
3. Per the spreadsheet, Thomas questioned the 2010 and 2012 projections. In response, the statistics are based on the old plan, but one or the other building would be built, not two.
4. Weinberger asked if Meeker had statistics from the Department of Health regarding the number of births yearly. In reply, statistics shown on the spreadsheet are current, not for the future. Weinberger commented that she has a problem with the drop in student enrollment and added that Mililani High School has the highest enrollment in the state. She wanted to know what would be a basis to increase enrollment and how it is predicted when enrollment falls.
5. Tsuneyoshi asked why so many elementary schools are built compared to middle and high schools. In answer, the elementary schools would be smaller with less number of students, and would occupy less land. All elementary schools would feed into the one middle school and high school which are larger.

Tsuneyoshi noted that Mililani currently has five elementary schools, one middle school, and one high school, and asked if the community would need another middle and high school.

6. In response to Nilsen, Meeker noted that DOE had no statistics on private school growth.
7. Freed commented that she suspects that the formula reflects school over crowding and developers are not doing what they promise.

Chair Poirier thanked Meeker for her report.

Public/Private Partnerships for Road Building – Tom Berg, representing Representative Cabanilla, reported: Representative Cabanilla is seeking support for House Bill 70, House Draft 3, allows the State to enter into agreements with private entities to build, operate, own, or finance transportation facilities including toll highways. He showed a power point presentation regarding the transportation crisis.

Questions, answers, comments:

1. If House Bill 70, HD 3 passes the Senate it would probably be referred to the Conference Committee. Berg noted the bill needs tweaking. Hamada added that he heard that this bill is a combination of five bills and said more public input is needed.
2. Hamada questioned that as a taxpayer having to pay for a road to be built and paying to use it. Berg replied the toll road would be an option. Congesting pricing may be used (charge more for peak hours) that would be used as recoup funds for the private sector.
3. Weinberger commented that a \$2.50 one-way toll charge could be the low end. The response was that it would be up to the Governor to put a fee in a contract.
4. Freed noted she is uncomfortable with the statement that we want to accommodate more cars. It sounds as though the intent is to replace the rail, no incentive to reduce the number of cars on this island. She stated Hawaii needs to be a green state, and is not inclined to support this bill. The reply was the bill is not to replace the rail but to augment it allowing cars traveling to town less travel time.
5. Chair Poirier asked Representative Lee and Councilmember Garcia if they had any comments.
6. Councilmember Garcia said he is not here for a debate. Representative Lee and he attended the Oahu Metropolitan Planning Organization's (OMPO) Policy Committee meeting where the bill was discussed; and the committee decided not to ask Senator English for a hearing.
7. Representative Lee commented there were lots of questions and reservations relative to turning our government roads to private entity. A letter from Senator English was received noting his opposition.
8. Pat Lee said that on October 22, 2006 four alternatives were presented to the City Council and the fixed guideway alternative was selected.
9. Berg added that although the OMPO Citizens Advisory Committee (CAC) said that the bill warranted a hearing, the OMPO Policy Committee did not accept their recommendation.

Chair Poirier thanked Berg for his report.

Update on Neighborhood Plan Adoption Process – Michelle Kidani gave the following update:

History - Formation of Permitted Interaction Group (PIG) of less than a quorum of commission members pursuant to Section 92-2.5, to review and make recommendations regarding the Revised Neighborhood Plan (RNP) draft. Meetings were held every Saturday for four months from July-October included NCO staff. It was open to the public and members of approximately 10 Neighborhood Boards participated regularly and gave comments.

A major concern was that is process be as quick as possible as the Revised Plan was four years overdue (review should be every five years) and some Board members have put many hours into the effort.

The Commission accepted the draft Neighborhood Plan (NP) from the PI Group on November 26, 2006 and sent it to the City Corporation Counsel for review.

On August 27, 2007 the Commission adopted the revised proposal and scheduled public hearings:

- November 3, 2007, Saturday 10 am – noon, Kapolei Hale (Room A)
- November 3, 2007, Saturday 1-3 pm, Windward Community College Akoakoa Building
- November 5, 2007, Monday 6-9 pm, Honolulu Hale, Mayor's Conference Room

Major changes to the current NP include revisions to improve or correct document forum: 1) segregated document into three distinct parts – Table of contents that included a foreword and introduction; abbreviation and symbols table; and Commission Rules; Neighborhood Plan. 2) Deletion of recitation of statutory provisions. 3) Deletion of provisions direction action of Corporation Counsel (COR) or the NCO (legal issue). 4) Provision for a Commission hearing process before the Commission imposes a sanction on a neighborhood board or board member (2-18-3), as opposed to sending all complaints directly to COR FOR PRE-HEARING. Also allows for a contested case process if not satisfied after Commission sanction (2-18-5). Sanctions could include letters of reprimand, removal of board officer from board office, suspension of member from the board for not more than 60 days, removal of a member for remainder of the term, suspension of board's operations.

Revisions for specific consideration:

1. Establish a process for the Commission to change the number of members on a NB (2-15-8) (current plan require initiative petition; may want to include language to protect seats that are not vacant).
2. Establish a procedure for NB members to have items placed on their agenda (2-14-9) (once written request made, board chair must put item on agenda or put to board vote) (NEW).
3. Provides for issuance of a new ballot when registered voter moves out of district (2-17-6). (NEW) – (this section would also allow for the Commission to conduct voting b other than mail ballots. Kidani mentioned that this past election voter had an option of voting online.
4. Provides alternative to Pro Tem (longest tenured member) (2-14-3).
5. Provides procedure for NB to take action on organizational matters if chair cannot be elected at first meeting (2-14-3). (NEW) (PI Group would also like to allow community concerns to be heard).
6. Establish procedure to declare winner in tie-vote (2-17-22) (chief elections officer).
7.) Establish procedure to take action against NB member for absences (2-14-6. (NEW) (2-14-4 also allows Commission to take action when vacancies affect quorum).
8. Establishes a period of time NB member must be present to be counted as "present" – (10 minutes over one-half of meeting) (2-14-5). (NEW)
9. Limits membership of Commission and NB to members only (2-11-30) (current plan silent – PIG wants to allow it).
10. Provides that Robert's Rules be used as a guide (2-11-32). (Current plan and PIG recognizes Robert's Rules of Order Newly Revised (RONR) as parliamentary authority).
11. Removes mandatory requirement for Commission to assemble Conference of Chairs (2-11-13) (current plan silent; PIG wanted an annual conference).
12. Extends time for mandatory review of NP to every 10 years (2-20-1) (current plan is every 5 years).
13. Reorders chapters of the NP.
14. Provides that boards shall hold at least 9 meetings per year (2-14-7) (current plan calls for 10 annual meetings). Allows boards to be able to hold joint meetings out of the area with NC approval. (May want to change this to Executive Secretary).

15. Delete any reference to the Candidate Profile Statements.
16. Termination of a board can be by 2/3 vote of NB or Commission (2-19-3& 4) (NEW).

Kidani asked that the motion to be voted on this evening be reconsidered or deferred.

Questions, answers, comments: 1) The revised draft has been drawn out since 2002. 2) Remington asked if Steve Glainstein's (Salt Lake Neighborhood Board member) recommendations were adopted. Kidani replied some and he and members from other boards participated in the sessions. 3) Kidani announced that the deadline to submit written comments is December 7, 2007.

Chair Poirier thanked Kidani for her report.

REPORTS OF PUBLIC OFFICIALS:

Mayor's Representative: Michelle Kidani reported:

1. Follow up to a previous concern regarding crosswalks, the Department of Transportation Services (DTS) will conduct an investigation and will inform the Board of their findings by November 2007.
2. Regarding the median near Wal-Mart on Lanikuhana Avenue not being cared for by the Mililani Town Association (MTA), according to the Department of Parks and Recreation (DPR), this area was not on the list of landscaped median areas turned over to the Department of Facility Maintenance (DFM). DFM is unaware if DPR is entering into an agreement with MTA.
3. Regarding a homeowner blocking the sidewalks again due to his repair business on Waimakua Drive, a notice of violation was issued for the items on the sidewalk and the items removed.

Questions, answers, comments: A) In reference to the removal of the picnic tables from the 10-Acre Park, Chair Poirier asked if the tables could be relocated to Waena Park. Remington replied that the tables were unsalvageable. B) Freed thanked Kidani for the quick response to her concern regarding trash and loiters on Waikalani Drive under the H-2.

Chair Poirier thanked Kidani for her report.

Councilmember Nestor Garcia – Councilmember Garcia stood on his written report and noted:

Tomorrow the City Council will take action on Resolution 07-339, preparation of the Central Oahu Highway Master Plan and Resolution 07-338, Update to the Ewa Highway Master Plan. Interested persons were invited to give testimony.

Questions, answers, comments: 1) Regarding a development on Waianuheha Street, consultant Don Clegg will soon be submitting an application for rezoning. Garcia said he would try to accommodate the concerns. 2) Regarding affordable housing requirement, per a critical audit of the City holding developers responsible for adhering to the requirements, the City was criticized for not tracking developers. We want to make sure the developers are beholding to their affordable housing requirements.

Chair Poirier thanked Councilmember Garcia for his report.

Governor's Representative – Lillian Koeller reported that Governor Lingle called a special legislation session today to discuss the Superferry and that 101 gubernatorial nominees are for three cabinet positions one judge and members of boards and commissions are up for confirmation. The Governor's Neighborhood Board update and the Governor's Update were available for interested persons to review.

Chair Poirier thanked Koeller for her report.

Senator Ron Menor – No representative was present.

Representative Marilyn Lee – Representative Lee distributed her written report and noted that she recently visited the island of Niihau with the Finance Committee. Concerns there were raised regarding the food supply

of the monk seals being endangered because of destructive fishing practices. Other pictures of interest were included in the report.

The State Department of Transportation has designated Laura Manuel, a highway safety specialist, as the Safe Route to School Coordinator.

The 2006 Legislature passed Act 285 creating the Joint Legislative Committee on Family Caregiving to recommend ways to support family caregivers.

Representative Ryan Yamane – No representative was present.

Other: There were no other reports.

COMMITTEE AND OTHER REPORTS:

NEW BUSINESS:

Resolution Regarding Proposed Land Use Changes to Sandwich Island Communications Network:

Thomas moved, seconded by Siegel that Neighborhood Board No. 25 neither supports the PROPOSED boundary amendment of 15 acres-or-less within the State Agriculture Land Use District classification nor the proposed County rezoning from Ag-2 to Industrial Mixed Use; and does not support the proposed amendment to the Central Oahu Sustainable Communities Plan, especially in view of the mandated COSCP Five-Year Review, which is scheduled by the Fall of 2008.

Discussion followed: 1) Koga explained that there was no agriculture previously on the property due to lack of a water system. A well is currently on the property to continue agriculture on the remaining 140 acres. The owner will be developing his own water system (BWS permit requires) and have a tenant on site. The land use change is to bring the all staff to one location. The Board was urged to take no action on this resolution tonight and defer the issue. 2) Thomas noted if DPP approved the development, why the zone changes. Koga replied current permit status does not allow administrative staff that site; only technicians running the equipment are allowed. The permit is for a building, not additional staff. 3) Chair Poirier asked if an amendment is need to the Sustainable Communities plan. Koga responded no other permit is needed. 4) Weinberger asked the difference in the number of employees whether the permit is granted or not. Koga answered 30-35.

The motion was adopted 15-0-1; Aye: Andrews, Chun, Tsuneyoshi, Freed, Thomas, Siegel, Weinberger, Bremer, Castillo-Barkley, Hamada, Segura, Bass, Loomis Nilsen; **Abstention** – Remington.

Resolution Requesting Satellite Sunshine Law Training:

Nilsen moved, seconded by Remington that Neighborhood Board 25 requests that the City and County of Honolulu develop a web based Sunshine Law training program or conduct the mandatory training in neighborhood board districts in order to facilitate maximum board participation and effective training. The motion was adopted unanimously, 16-0-0.

Resolution Regarding Public/Private Partnerships for Road Building:

Hamada moved, seconded by Thomas that the Mililani/Waipio/Melemanu Neighborhood Board No. 25 supports the State House of Representatives in the passing of House Bill 70, House Draft 3, which enables the utilization of tolls on State highways; and requests the Hawaii State Senate Committee on Transportation and International Affairs to schedule a hearing on House Bill 70, House Draft 3, in the 2008 Regular Session of the Twenty Fourth Hawaii State Legislature.

Discussion followed: 1) Hamada commented he would vote no, and noted the bill should be amended to be better and fair. 2) Bass agreed with Hamada and would also vote no. Chair Poirier relinquished the gavel to Vice Chair Bass. 3) Poirier commented on the language and noted the Department of Transportation slides shows a \$12 million deficit by 2030. Chair Poirier resumed the agenda order. 4) Remington wanted to know who would be responsible for the maintenance. The response was that the private sector would treat drivers as a customer.

5) Freed felt uncomfortable having a private entity in charge of government roads. 6) Hamada added he is not saying do nothing, but would like another opportunity for more public input.

The motion failed to be adopted, 6-9-1; Aye – Chun, Freed, Thomas, Castillo-Barkley, Nilsen, Poirier;
Nay – Andrews, Siegel, Weinberger, Hamada, Bass, Loomis, Remington; **Abstention** – Tsuneyoshi.

Deferral of Motion Requesting Deferral to 2008 of Public Hearings on the Revised Neighborhood Plan:
Chair Poirier noted that the motion was deferred since Board member Medeiros was not in attendance this evening. He added that deadline for testimony/input is December 7, 2007.

ANNOUNCEMENTS:

- Next Board meeting will be at Mililani Recreation Center III, on November 28, 2007 at 7:30 p.m.
- Weekly broadcast of this meeting is aired on Sunday, 6 p.m. on `Olelo Channel 49.

ADJOURNMENT – The meeting adjourned at 9:55 p.m.

Submitted by, Nola J. Frank,
Neighborhood Commission Office Staff

Reviewed by,
Dick Poirier, Chair