



KAHALU'U NEIGHBORHOOD BOARD NO. 29

(He'eia Kea, Ahuimanu, Kahalu'u, Waihe'e, Ka'alaea, Waiahole, Waikane, Hakipu'u, Kualoa)

c/o Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, Hawaii 96813
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DRAFT REGULAR BOARD MEETING MINUTES

WEDNESDAY, OCTOBER 13, 2010

KEY PROJECT

CALL TO ORDER: Chair Henkin called the meeting to order at 7:01 p.m. with a quorum of 11 members present. Note – This 15 member Board requires eight (8) members for a quorum and to take official Board action.

MEMBERS PRESENT: Ned Busch, Leatrice (Lea) Gomes, David Henkin, Keliko Hoe, Arthur (Art) Machado Jr. (7:12 p.m. arrival), Francis (Rocky) Kaluhiwa, Ken LeVasseur, Clifford Loo, Brian Nuss, Lucy Salas, Greg Geboski, and Mark Valencia.

MEMBERS ABSENT: Elwin Spray.

GUESTS: Councilmember Donovan Dela Cruz, Representative Jessica Wooley, Ernie Martin (Mayor Carlisle's office), Major Alan Crouch (Marine Corps Base Hawai'i Public Affairs Office), Lt. John Vines (Honolulu Police Department), Captain W. Ralston (Honolulu Fire Department), Michael Sakata (Councilmember Dela Cruz's Office), Tami Mori (State Department of Transportation), Dianne Stevens-Poire, C. Bibbas, Kit Grant (American Civil Liberties Union), D. Keala Naluai, Pat Lee, Nick Blank, and Mary Chanel-Benjamin (Neighborhood Commission Office).

CITY GOVERNMENT REPORTS:

Honolulu Fire Department (HFD) – Capt. W. Ralston reported the following information:

- 1) September 2010 Statistics – There were 5 fires and 39 medical emergencies.
- 2) Community Relations Safety Tip – Planning ahead can make Halloween a fire-safe one; buy costumes labeled flame-resistant. Choose materials that will not easily burn, and avoid using costumes with billowing or long trailing features. Masks should not obscure vision and should have eye holes large enough to see out; provide children with lightweight flashlights. Dried flower, cornstalk, and crepe paper are highly flammable; keep them away from open flames or heat sources including bulbs and heaters. For decorations, use simulated candles and battery powered lights.

Questions, comments and concerns followed:

- Beach Area Search – There was no report that HFD participated in a beach search of any kind in the He'eia Kea area.

Honolulu Police Department (HPD) – Lt. John Vines distributed District Four's Regional Patrol Report, which reports the following information (Beats 471/472):

1. September 2010 Statistics – There were 7 simple assaults, 4 burglaries, 2 property damage, 26 motor vehicle collisions, 4 thefts, 1 auto theft recovery, 2 drugs/narcotics, 4 family offenses/neglect, 0 driving under influence, 0 graffiti, 2 motor vehicle thefts, 2 threats, and 5 unauthorized entries into motor vehicles.
2. Community Safety Tip – Please secure items by locking vehicles before leaving the parking lot anywhere; Windward Mall reports vehicle break-ins.

Questions, comments and concerns followed:

- Brawl on 'Ahuimanu Bridge – There were no injuries reported; therefore no written document was available on a July 14 brawl on 'Ahuimanu Bridge. Residents may request to speak with an HPD supervisor on duty if they feel the police are not taking appropriate action.
- Enforcement – It seems enforcement of the ban on cell phone use while driving has been unsuccessful; many drivers are seen in area roadways on cell phones while driving. HPD efforts are ongoing; tonight's statistics did not include tickets for illegal cell phone use.

FILLING BOARD VACANCIES – Sub Districts (SD) Five and Six each have one vacancy. There were no vacancies filled.



ANNOUNCEMENTS:

1. Next Board Meeting – The next regularly scheduled meeting was November 10, 2010; however, Chair Henkin and several members will be unavailable. The Board will discuss later tonight perhaps taking a recess in November and having the next meeting December 8, 2010 instead.
2. 2010 Honolulu Citizen Survey – There were 1,200 residents randomly chosen to receive the survey regarding City services. All who receive the survey are urged to fill it out and return it to the City.
3. Ko'olau Loa Sustainable Communities Plan – The draft plan, which includes the Envision La'ie project, was now posted on the Department of Planning and Permitting website; public input is being accepted through December 15. The Board already took a vote opposing major development at Malaekahana.

At 7:12 p.m., Machado arrived; 12 members present.

RESIDENTS' AND COMMUNITY CONCERNS:

- Mahalo – Representative Wooley thanked member Machado for his service to the community.
- 2010 General Election Charter Amendment Question – On November 2, 2010, voters of O'ahu will be asked to vote on a proposed amendment to the City Charter – 'Shall the revised city Charter be amended to create a semi-autonomous public transit authority (PTA) responsible for the planning, construction, operation, maintenance, and expansion of the City's fixed guide-way mass transit systems?' A "yes" vote means you support creating the transit authority, a "no" vote means you do not. A blank or spoiled ballot will not be counted. Regardless of the outcome of the vote, work on the project will continue. No extra funding is needed to create the authority as existing staff and facilities will be utilized; members of the PTA board of directors will be considered volunteers. The PTA would manage the rail transit system's budget and fares, and be required to properly maintain the agency's financial status. The PTA also would work hand-in-hand with the City Council for city funding and include the public in crucial issues such as setting fares and adopting a budget, further enhancing transparency and accountability. For further information, visit www.honolulutransit.org or call 566-2299.
- First Amendment Conference – Daniel Ellsberg, known as the most dangerous man in America, will be the keynote speaker at a Saturday, November 13, 2010 First Amendment Conference at Hilton Hawaiian Village, Coral Ballroom No. 3, beginning at 10:00 a.m. Admission is \$5; please reserve by November 1, 2010. Daniel Ellsberg worked during the Vietnam War (VW) for the Pentagon and the State Department as a military analyst; he leaked a copy of the Pentagon's 7,000 page secret history of the VW known as 'The Pentagon Papers' which ushered in the end of the VW and the Nixon Administration. This impact resonates today where a constant struggle exists between government's desire for secrecy and the public's right to know. For further information call Kit Grant at 522-5906 or by email at office@acluhawaii.org.
- He'eia Kea Harbor – Warner Brothers and New Line Cinema will be filming at the harbor in the coming weeks. The project is a sequel to 'Journey to the Center of the Earth'; filming to begin on O'ahu from October 21-25 until mid-December 2010. The production companies are working with the Hawai'i State Film Office, community, boat owners, and State Harbor division to coordinate the filming activity; parking and crowd concerns have also been addressed. Contact the Harbormaster office at 233-3603 regarding any questions.
- Marine Corps League Gala – The gala is slated for December 31, 2010; donated items are needed for the event's silent auction. For further information call Maggie Gaukler at 257-8863.
- Community Drug Program – The community is asked to support efforts to combat drugs in the area by participating in an event to sign wave and clear the area by the Hygienic Store on November 13 from 9 a.m. to 3 p.m. With Representative Wooley's support, four video cameras will be in the area and will be monitored by Windward Baptist Church. The community is urged to be vigilant and call 9-1-1 to make reports on any drug crimes in the area. Please contact member Art Machado, Jr., or Representative Wooley's office for further information.
- Hazards from Kawamoto property – Mahalo to State Civil Defense Vice Director Ed Texeira for assisting some 39 homeowners seeking resolution to over-hanging trees and other hazards on their neighbor's property. Genshiro Kawamoto's lawyer met with the community, but there has been no word since September 16. The community plans to fight this issue together, as a group.

INFORMATIONAL SESSION:

Board of Water Supply – You can reach BWS at 748-5041 or log onto the web at www.boardofwatersupply.com. Chair Henkin was unable to find the current report from BWS.

Marine Corps Base Hawai'i (MCBH) – Major Alan Crouch reported the following information:

- 1) Hours of Operations – Monday through Thursday: 7:00 a.m. to midnight. Friday: 7:00 a.m. to 10:00 p.m. Saturday: 8:00 a.m. to 5:00 p.m. Sundays and Holidays the base is closed. Exceptions: October 22, 2010 1:30 a.m. – 2:30 a.m., and November 13 & 14 from 8:30 a.m. to 11:30 p.m.
- 2) News and Events –
 - o Happy 235th Birthday to the United States Navy; October 13, 2010.
 - o For October 2010: 15; Energy Awareness Fair at the Mokapu Mall on base. 16; Ku'au Rockin Surf Competition, pending wave conditions, event open to the public. Also, HSL-37 Splash & Dash Biathlon also open to the public. 22-23; Kalaheo High school NJROTC encampment. 23; Joint Spouses Conference for all spouses of all military branches in Hawai'i (the event has been sold out). 26-29; Malama Ka'Aina base clean up operations.
 - o November 10, 2010: Marine Corps Birthday, Uniform Pageant on base and birthday ball celebrations.
 - o Deployments – Deployed are HMH-362, Third Battalion, Third Marine Regiment; Combat Logistics Battalion 3; plus other detachments and individual augmentees.
- 3) Announcements/Community Notes –
 - o MCBH's Facebook and Twitter sites are up and running; www.facebook.com/MarineCorpsBaseHawaii and <http://twitter.com/MCBHawaii>.
 - o For job opportunities, the Personnel Office can be reached at 254-7632 and online at www.mccshawaii.com. MCBH Human Resources Office can be reached at 257-1377 or online at www.usajobs.gov.
 - o Approximately 140,000 people came to the Kane'ohē Bay Air Show.
 - o Public scoping meetings about the Osprey/H-1 Environmental Impact Study (EIS) on O'ahu, Moloka'i and Hawai'i Island concluded last week, although the scoping period was extended until September 30, 2010; EIS is expected to be released in May 2011. Log onto www.mcbh.usmc.mil/mv22hleis for further information.
 - o MCBH is the largest single employer on the Windward side; approximately 13,000 active duty military, 6,000 family members, 1,300 civilian employees, and 25,000 total on base and in the community. More than one-half billion dollars each year is paid in salaries and most of it circulated into the local economy; \$350 million military salaries, \$135 million in civilian salaries, \$100 million in military constructions awarded and completed in fiscal year (FY) 2009, expected to reach \$140 million by FY 2011. Projects are proposed in five year cycles including proposals for local contractors.
 - o MCBH contributed 360 items of usable furniture to several charitable groups in the community this year.
 - o Kane'ohē Marine Corps Air Station joined the adopt-a-school program for the seventh year in a row with Lanikai Elementary School on September 22, 2010. Headquarters Battalion will have a ceremony October 27, 2010 to formally renew their program with Pu'ohala Elementary School.

Questions, comments and concerns followed:

- Unanswered Email – An email was sent by a Board member to MCBH regarding a community concern; however, no acknowledgement was ever received. Major Crouch suggested the member forward him the concern, and he will follow up.
- Noise Presentation – There were about a dozen attendees from the community; however, no documentation was available, and the event was not videotaped. At the presentation, the noise experts stated that the military does not record maximum decibel levels because the law only requires modeling of averages over time. A Board member suggested the law should be changed to require keeping track of maximum decibel levels. Major Crouch reported that, at 1000 feet in elevation, a C-17 creates 85 decibels of noise on the ground (not accounting for the effects of geography) and an F-15 creates 150 decibels.
- Open House – There were no attendees at the open house.
- Early Morning Flights – While the military tries to avoid aviation operations during early morning or late evening hours, exercises in support of troops on the ground or homecomings sometimes require aviation operations at those times. RIMPAC was an example of the one week training that involved nighttime flights.

Kane'ohē Bay Regional Council (KBRC) – A. Machado reported the following information:

1. Next Meeting – The KBRC will meet four times per year. Its next meeting will be Thursday, January 6, 2011 beginning at 7:00 p.m. at Windward Community College.
2. Fishing Rules – Jerry Kaluhiwa made a good presentation at the last meeting on coral damage from fishing activity. At the January 6, 2011 meeting, the KBRC will finally approve fishing rules for Kane'ohē Bay.

TREASURER'S REPORT: Chair Henkin reported for the month of September 2010, Operating account balance was \$1,070.65, \$57.50 was reflected for agenda postage and print; The Publicity account balance was \$1,483 with no expenditure, leaving a Total Appropriate balance of \$2,496.15.

PRESENTATIONS ON COMMUNITY PROJECTS:

Support for the Windward Community Holiday Festival (WCHF) – D. Keala Naluai reported the following information:

1. Event – The Fourth Annual WCHF is slated to take place at KEY Project on December 20, 2010, from 11:00 a.m. to 2:30 p.m., followed by food distribution to families in need during the holidays. Residents and Board members especially were asked to lend a hand with distribution and serving food.
2. Request – The WCHF planning committee was seeking Board support for the event. The committee needs a place for six meetings in advance of the event and would like to use space at KEY Project under the Board's contract for use of the facility. In addition, slightly used items are being sought for donated items for needy families. Donation for door prizes and back bags for children of all ages are also needed.
3. Contact – For further information, volunteers, and donations, please call Ms. Naluai at 366-7121.

Questions, comments and concerns followed:

- KEY Project – The Board's contract with KEY Project allows the Board to make use of the facilities for special meetings beside regular Board meetings, but the Board has no authority to allow other groups to use the facilities in its place. It was suggested that the WCHF committee ask KEY Project to consider allowing them use of the facility for the planning meetings.
- Motion – **Busch moved seconded by Machado for the Kaha'u Neighborhood Board to support the WCHF event.**
- Discussion – The Board can offer a general assistance where each one can, either in a form of volunteer time or by donated items. The motion **WAS** adopted unanimously; 12-0-0 (Ayes: Busch, Gomes, Henkin, Hoe, Machado, Kaluhiwa, LeVasseur, Loo, Nuss, Salas, Geboski, and Valencia).
- 501(c) (3) Donation – Any monetary donation was also accepted; a check can be made out to BLOCK (Better Level of Care for Keikis), which holds a non-profit license.

Status of Improvements at Intersection of Kamehameha and Kahekili Highways – Tami Mori (State DOT) reported the following information:

1. Left Turn – The project involves widening the intersection to create a left turn pocket for Kane'ohe-bound traffic to turn onto Kamehameha Highway and another left-hand turn lane for cars turning left onto Kahekili Highway from the city-owned portion of Kamehameha Highway.
2. Utility Pole/BWS Line – Before it can re-stripe the lanes and complete the project, the State is waiting for HECO to secure an aerial easement to move its power lines out of the way. In July 2009, HECO discovered that there were BWS water lines in the location it originally planned to move its poles; the aerial easement is required to allow the poles to be moved to the other side of the water lines. DOT started to secure easements from the City and the Hygienic Store in August 2009, but the owner of the Hygienic Store passed, slowing the negotiations due to probate. In August 2010, the easement from the City was secured, and the easement from the Hygienic Store is expected in December 2010 or January 2011. Once the easement is acquired, the project should be completed in about three weeks, weather permitting.

Questions, comments and concerns followed:

- Drug Activity – Once the project is completed, drug activities will resume in the area. DOT should extend the railing to keep people out of the banyan tree area.
- Crosswalks – The crosswalk is not being used. Instead, people cross Kamehameha Highway wherever they like from the 7-11 to the Hygienic Store. Once the project resumes, crosswalks will be restriped. It was suggested that a crosswalk be marked to access the Noriko's site.
- Call for the Order of the Day – Machado called to resume the order of Board business as enough information was offered regarding the project. There was no objection.

Vans Triple Crown Surfest at Kualoa Ranch – There was no representative present; no reported information available.

OFFICIALS' REPORTS:

Mayor Carlisle's Report – Ernie Martin reported the following information:

1. Wall at 47-122 Kaimalolo Place – In response to the Board's request, the City Department of Planning and Permitting (DPP) investigated claims that a permitted retaining wall is encroaching on an adjacent lot (47-126 Kaimalolo Place) and is causing soil to erode. DPP did not find any problems and said that the matter is a civil dispute between neighbors. A civil engineer stamped the plans for the retaining wall. Unless another engineer says there is a problem, DPP is satisfied.
2. Hawaii Bicycle League (HBL) – The Department of Transportation Services (DTS) met with HBL, Vice Chair Machado and Chair Henkin; a compromise was worked out to use Kamehameha Highway (KH) heading to Hygienic store north-bound. For the return leg, Kahekili Highway was to be used and riders had to pass King Intermediate School by 11:00 a.m. or be prohibited from continuing further along the Century Ride route. The Board should raise any concerns about this year's event well in advance to influence plans for the 2011 Century Ride.
3. Overhanging Trees – The city recently awarded a contract to assist with tree trimming on KH; Ahuimanu road was checked and appeared to have been trimmed. Submitting specific addresses to the department could assist with follow-up and future trimming.
4. Reach the Mayor's office at 768-4141.

Questions, comments and concerns followed:

- HBL – The Board requests the attendance of a DTS representative to its December 8, 2010 Board meeting to discuss its concerns regarding the Honolulu Century Ride.
- Kahekili Highway Canal – A request was made for the City to clear the floodway/drainage canal adjacent to Kahekili Highway; cleaning prior to the next rainy season can prevent flooding issues. E. Martin reported that the City has a scheduled maintenance program. Removal of growing invasive trees was also a concern in the same area.
- Abandoned/Stolen Vehicles – A request for assistance (HPD) in removal of vehicles from Ahaoleo Road. While the road is private, the City maintains it.
- Streetlights on Ahaolelo Road – Over a year ago, the Board asked for streetlights to be installed on Ahaolelo Road in the "chute" from Mapele Road to the bridge. Instead of doing what the community requested, the City recently installed a street light at a location where it is not needed, without any notice to the Board. A request was made for the City to explain its actions.

United States Representative Mazie Hirono – No representative was present.

Councilmember Donovan Dela Cruz circulated his report and highlighted the following information:

- 1) City Charter Amendments – Six amendments will be on the ballot on November 5, 2010. Significant changes could occur with public approval of these six proposed amendments: No. 1; Creating a Public Transit Authority (PTA). If passed, the PTA will oversee the construction, operation and maintenance of the rail transit system; consisting of a total of nine voting members having the ability to execute contracts and project labor agreements and promote transit oriented development near the transit stations. The PTA will be bound by the State Sunshine Law which calls for transparency. No. 2; Conflict of Interest of Newly-Appointed City Officers. If passed, it will strengthen the current conflict of interest provision in the Charter by preventing a newly appointed department head from using information gained from his or her previous job in any decision making as a department head. No. 3; Relating to the Liquor Commission Administrator. If passed, it will allow the commission to appoint and remove the administrator. No. 4; Amending Language Inconsistencies in the Charter, proposes changes that will help prevent disputes regarding the submittal of petitions, voting initiatives, timeline and signatures and when special elections will be held. This was a City Clerk initiative stemming from disputes over the Stop Rail Now petition. No. 5; Addressing the Disposal of Public Property. If passed, it will provide the City with more flexibility in disposing of property, allowing advertising by the least costly means and disposal of property at public auctions, competitive bids and/or appropriate measures like donating the items. No. 6; Creating an Office of Housing, if passed, will create two positions appointed by the Mayor and subject to City Council (CC) confirmation and an Executive Secretary responsible for establishing and administering programs and projects for affordable, senior, and special needs housing and homelessness. Learn more about the Charter Amendments by visiting the City Clerk's website at www.honoluluelections.us/.
- 2) Bill 34 – After six meetings and hundreds of testimonies, the Honolulu CC finally voted (5-4 vote) during its September 22, 2010 meeting for a ban on fireworks. Five amended versions of Bill 34 were posted, with a sixth amendment introduced at the council floor; version E was the amended bill the CC chose to approve. This version of the bill prohibits use of fireworks by the general public, effective January 2, 2011.

- 3) Councilmember Dela Cruz may be reached at 768-5002 or by email dmdelacruz@honolulu.gov. In the event Councilmember Dela Cruz wins a senate seat during the November 5, 2010 election, he will be resigning to continue serving his community in that capacity.

Senator Clayton Hee – No representative was present. Reach the senator at 586-7330 or by email at senhee@capitol.hawaii.gov.

Representative Jessica Wooley – Representative Wooley was present earlier; however, she was not present to give a report. Reach Representative Wooley at 586-8540 or by email at repwooley@capitol.hawaii.gov.

AGENDA ITEMS FOR NEXT BOARD MEETING:

Current Agenda – **LeVasseur moved, seconded by Kaluhiwa, to add to tonight's agenda consideration of a November 2010 Board recess. A two-thirds vote was met to discuss the November 2010 Recess.** (11-1-0; Ayes: Hoe, Salas, Henkin, Gomes, Loo, Busch, Kaluhiwa, LeVasseur, Valencia, Nuss, and, Geboski. No: Machado). A concern was raised that there may be an urgent need to hear the Surfest at Kualoa presentation in November 2010, to allow the organizers to comply with DPP requirements. It was noted, however, that the Surfest organizers requested to present at tonight's meeting, but did not show up. It was also noted that delay in discussing the Honolulu Century Ride was undesirable. It was noted that, due to the large number of members who are not available to attend that meeting, the Board likely would lack quorum to hold the November 2010 meeting in any event. The motion to recess in November 2010 **WAS** adopted unanimously; 12-0-0 (Ayes: Busch, Gomes, Henkin, Hoe, Machado, Kaluhiwa, LeVasseur, Loo, Nuss, Salas, Geboski, and Valencia)

Next Agenda – The Board's consensus was to place on the next agenda the following items, subject to the Chair's right to modify as needed: the Honolulu Century Ride, filming for Journey 2 at He'eia, and the Envision La'ie project. It was agreed that the Envision La'ie project would be placed on the agenda only if representatives from Hawai'i Reserves were willing to attend, since the Board had already heard from project opponents.

Valencia and Salas left the meeting at 9:10 p.m.; ten members present.

APPROVAL OF MEETING MINUTES:

- June 14, 2010 Special Meeting – The minutes were **adopted** by a vote of 9-0-1 (Aye: Hoe, Machado, Gomes, Loo, Busch, Kaluhiwa, LeVasseur, Nuss, and Geboski. Abstain: Henkin).
- September 8, 2010 – **The minutes were unanimously adopted with the following insert:** Page 1, under Guests, insert 'Alec Lambert'.

ANNOUNCEMENTS:

1. Windward City Lights – The tree-lighting event is scheduled for November 27, 2010 in Kane'ohe between Benjamin Parker Elementary School and the Police Station, from 10:00 a.m. to 10:00 p.m. The road will be closed to vehicular traffic.
2. Windward Christmas Parade – The 48th Annual event will be held on December 4, 2010; its theme, "Live with Aloha".
3. Marine Corp League Gala – The fundraiser is slated for December 31, 2010. Contributions to the silent or live auction are requested. Call member Ned Busch for further information at 239-4651.

COMMITTEE REPORTS: There were no reports available.

ADJOURNMENT: Chair Henkin adjourned the meeting at 9:16 p.m.

Submitted by M. Chanel-Benjamin Reviewed by Chair Henkin