



WAIALAE-KAHALA NEIGHBORHOOD BOARD NO. 3

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII 96813
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REGULAR MEETING MINUTES THURSDAY, JULY 17, 2008 WESLEY UNITED METHODIST CHURCH

CALL TO ORDER: Chair Kelley Roberson called the meeting to order at 7:06 p.m.; a quorum was present with seven (7) of nine (9) members present.

Members Present: Scotty Anderson, Gerri Digmon, Stan Fichtman, Lester Fukuda, Sylvia Himeda, Lucinda Pyles, Kelley Roberson and Richard Turbin (7:15 p.m.).

Members Absent: Julia Kane (notified).

Guests: Lt. Gary Lum Lee and Sgt. Clinton Sukekane (Honolulu Police Department – District 7, East Honolulu), Capt. Mike Tosaki (Honolulu Fire Department – Kaimuki Fire Station), Fumiko Crowley, Chris Fradelos, Wayne Yoshioka (Mayor's Representative and Director, Department of Transportation Services), Representative Barbara Marumoto, Lorna Heller (Board of Water Supply), Stan Johnston, Derek Tamura (Independence Day at Maunaloa Bay Foundation), Senator Sam Slom; Dennis Gaughan and Chad Buck (SEAL-Naval Special Warfare Foundation-Hawaii), and Randy West, Kelly LaPorte, Daniel Rice (other members of the Armed Forces); Councilmember Charles Djou, Mark Andersen (Governor's Representative and Deputy Director, DBEDT), and Marie Richardson (Neighborhood Commission Office staff).

INTRODUCTION OF BOARD MEMBERS AND GUESTS: Those present introduced themselves.

HONOLULU FIRE AND POLICE DEPARTMENTS:

Honolulu Fire Department (HFD) – Capt. Mike Tosaki reported: 1) 3 structure, 1 rubbish, 1 vehicle fires, 75 medical, 4 search/rescue and 18 miscellaneous emergencies. 2) Fire Safety Tip: a) Review your home surroundings for dangerous situations such as electrical shock, accidental falls, and poisoning from unsecured medications, cleaning products or houseplants. b) Take the time to childproof your home, ensuring that swimming pools are properly fenced and gated, and an alarm on the door from the house to the pool can help prevent unattended keiki from drowning. c) Keep matches and lighters in a safe, secured place away from children.

Honolulu Police Department (HPD) – Lt. Gary Lum Lee distributed the crime trend report of June 2008. It included comparisons, narcotics/vice division statistics, a handout of burglary/theft prevention and security tips, and information of District 7's website: www.honoluluupd.org/patrol/d7 and contact phone numbers.

Questions, comments and concerns followed:

1. Two, 16 year old juveniles, were involved and arrested for burglaries in the Hunakai Street and Wilhelmina Rise areas; and were also residents of Hunakai and Wilhelmina.
2. HPD was thanked for ticketing the illegally parked cars in the Wilson Park area.
3. Pedestrians in crosswalks have the right of way until they are off the street. In cases where there is a median dividing the lanes, once the pedestrian step onto the median, the motorist is now clear for passage, whether there is a traffic light or not.

REPORT FROM CITY AGENCIES: Turbin arrived (7:15) during this portion of the meeting (8 members present).

Mayor's Representative – Wayne Yoshioka responded to previous concerns: 1) Mau'umae Nature Park – Yoshioka would follow-up with a more specific answer regarding the fire hazard concern that borders the homes immediately surrounding the park. 2) Bulky Trash Pickup, Diamond Head Road (3600 block) – Department of Environmental Services (ENV) is aware of the issue, cited the difficulty of using the regular size trucks; a smaller pickup truck will be used to collect the bulky items on Diamond Head Road where the roads are steep and narrow. 3) Hunakai Median Sprinkler System – Department of Facilities Maintenance (DFM) is trying to put out a contract to allow for miscellaneous services, including the Hunakai median sprinkler system. 4) Black Point Road Conditions –

Department of Transportation Services (DTS) requested more information to assist its investigation. 5) Bulky Items – Contact the Honolulu Collection Yard directly at 832-7840, the location where bulky items are set out early; the department will follow-up. 6) Sidewalk Issue on Diamond Head Road (3795) – There are some jurisdictional issues and Yoshioka would need to continue tracking it until resolved. 7) Kilauea Reconstruction Project – This project is under contract. The initial phase is accessing how to manage the matured tree roots that infiltrated under the road bed. The Outdoor Circle and the Department of Design and Construction (DDC) are addressing the effects of severing the trees roots.

Questions, comments and concerns followed:

1. A clarification regarding the Black Point Road issue, that the shoulder portion of the road was unsafe and dangerous for pedestrians.
2. A report was previously submitted about the repeated dumping on Kahala Avenue. These types of activities occur everywhere, and DFM is trying to determine how to deal with this on a regular basis.
3. Pyles was in communication with DFM about the Hunakai Street median sprinkler system which was reported to her that a new contract had been issued.
4. Dumped rubbish lines the sidewalk, about 20-30 meters, fronting the corner high-rise building on Kilauea and Waiialae avenues. More trash and bulky items are noticed soon after items have been removed, and it sits there for weeks. Yoshioka suggested calling the Honolulu Collection Yard at 832-7840 for removal.
5. The collection division was commended for doing a great job removing the trash. Homeowner's and yard people are taking advantage of the situation.
6. Yoshioka will report on the Kilauea repaving project at the next scheduled meeting of the Board.
7. It was reported that Malia Street residents are upset to have learned that the department's determination that installation "No U-turn" signage at three-way intersection of Malia and Hoakoa Place was not justified.

Board of Water Supply (BWS) – Lorna Heller reported: 1) One main break in June on Halekoa Street. 2) General Water Announcements: a) The 20th annual Halawa Xeriscape Garden Open House and Unthirsty Plant Sale is on Saturday, August 2, 2008 from 9 a.m. to 3 p.m. at 99-1268 Iwaena Street. Enter to win an extreme Xeriscape garden makeover valued at more than \$18,000, and participate in activities, garden and landscaping workshops and classes, tours, bag your own mulch giveaway, and drought-tolerant and native Hawaiian plants will be on sale. Call 748-5041 or visit www.boardofwatersupply.com for more information. 3) "Seven Easy Ways to Save Water" brochures and the Halawa Xeriscape Garden flyers were available at the sign-in table.

Councilmember Charles Djou – Deferred until Councilmember Djou's arrival.

BOARD HOUSEKEEPING:

Approval of the June 19, 2008 Regular Meeting Minutes – The June 19, 2008 meeting minutes were approved with the following amendments:

- Page 1, last paragraph, include as part of the discussion following the motion, "...study the bills before the Council Zoning Committee, research issue history, review past NHB/Community positions on issue, review public input on the bills and make a recommendation to NHB#3 on the bills."
- Page 4, under the East Honolulu Development Plan, delete line 3, and insert, "...City Planners will submit the draft Plan recommendations to City Council including whether the Waiialae Kahala area should be included in East Honolulu Development area."

Treasurer's Report – Pyles reported for June 2008, a reimbursement of \$120 for refreshments; totaling expenses to equal \$145.35 (\$25.35 for printing/postage), leaving a balance of \$1,835.26. The Treasurer's report was accepted for filing.

RESIDENTS' CONCERNS:

July 4th Independence Day at Maunaloa Bay – Derrick Tamura reported the event was a smashing success with no incidents, no parking complaints, no public safety incidents, comments were outstanding and most vendors were sold out. Fichtman, member of the foundation, reiterated the events success and attendance of 20,000 strong. The organization will be looking for the same support next year.

Kawamoto Properties – Stan Johnson shared concern about Mr. Kawamoto buying homes in the area and not properly maintaining those properties. It is degrading to the neighborhood with the weeds and rubbish fronting these homes. A request asked that this matter be put on September's agenda for discussion; and a suggestion to get together with Kahala Community Association (KCA) to review the language of the covenant that could be enforceable.

REPORTS FROM ELECTED OFFICIALS:

Governor's Representative – Mark Andersen distributed the Governor's Weekly and highlighted: 1) The petition to let the people decide on rail, and three new laws to strengthen enforcement of laws to protect the land, resources and environment; 2) authorization to extend unemployment insurance benefits to 13 weeks; and 3) the 5th annual International Women's Leadership Conference on Wednesday, September 24, 2008 at the Sheraton Waikiki Hotel. 4) The Department of Commerce and Consumer Affairs launched a new online registration service for businesses to obtain documents; and 5) efforts on the Governor's energy policy and the State's budget cuts.

Anderson would invite the Department of Health to September's meeting to talk about the citations issued to Kawamoto.

Representative Barbara Marumoto – distributed her report and highlighted on: 1) Legislative issues included the Governor's vetoes and Legislative overrides, the campaign and commitment to engineering, mathematics and science. 2) District highlights included the Orchid Show at Kalani High School from July 18 to July 20, the loss of community leaders - former Rep. Bertha Leong of Aina Haina, Patsy Chun of Diamond Head, and Rhoda Hackler of Kahala Nui, and wishing a speedy recovery to Bill Green. 3) Finding new ways and ideas to address the Kawamoto issue was encouraged. Contact Rep Marumoto's office of concerns relating to rats coming from the Kawamoto properties and she would be happy to contact the Department of Health again.

Representative Lyla Berg – distributed her 2008 Legislative Summary and highlighted: 1) Legislation that declared, in statue, the comprehensive and integrated early childhood learning system. 2) Discussion at the Kuliouou/Kalani Iki Neighborhood Board No. 2 regarding a public forum to voice comments about the Constitutional Convention. 3) A door-to-door campaign this summer to invite and encourage community members to share their concerns; and 4) efforts of Niu Valley Intermediate, Kalani and Kaiser High Schools in participation with the Leaders for Peace Program.

In reference to Kawamoto properties, a request asked that elected representatives come up with legislation to change the laws to keep speculators from trashing island neighborhoods.

Senator Sam Slom – distributed his monthly report and highlighted: 1) That Governor vetoed 41 of 52 bills under consideration for veto; and the Senate overrode 37 and the House overrode 13. 2) HB 2843 would significantly add to the cost of living in Hawaii and supposedly protect the state from invasive species. 3) Candidate filing deadline is 4:30 p.m., July 22, 2008. 4) July 28, a Senate Judiciary Committee meeting will be held, followed by a Special Session, to announce the District Judge nomination. 5) Derrick Tamura was thanked and recognized for the successful July 4 Independence Day at Maunaloa Bay Foundation event. 6) The rail question being on November's ballot is probable; and 7) a complaint from resident Claire Matsumoto regarding issues at Kealaolu Place was referred to Mayor's rep, Yoshioka for follow-up. 8) The Senator would be open to introduce any bills relating to the Kawamoto issue; contact his office.

OLD BUSINESS:

Proposal to Rename Ft. Ruger (Triangle) Park in Honor of Medal of Honor Recipients – Dennis Gaughan and Chad Buck, representing SEAL-Naval Special Warfare Foundation-Hawaii; and other Special Armed Force members – Randy West, Kelly LaPorte, and Daniel Rice were introduced. Councilmember Djou and the Board were thanked for entertaining the proposal to rename the park. From the Foundation's perspective Operation Red Wing has strong Hawaii connections and through their discussions recommended the proposal of "Red Wing – Medal of Honor Park", or "Operation Red Wing – Medal of Honor Park". In consideration to the idea the Foundation would also like to propose the idea of posting at each of the three corners, memorial plaques to symbolize a) the four member SEAL team, b) the helicopter team, and c) in honor and recognition of the Medal of Honor recipients.

Gaughan gave an overview of the Operation Red Wing event that experienced the most significant number of Navy Seals and Army Special Operation Force losses in a day. Should this recommendation come to fruition, military

personnel and representatives would come to Hawaii in support of the effort; the thoughts and consideration were much appreciated.

Discussion followed on the position of the Board. Although much support was expressed for the proposal, concerns were raised regarding the name being too long and whether the name "Medal of Honor" would encompass everyone without leaving anyone out. It was noted that there are other places throughout the state that also honors veterans.

Anderson moved to strongly support the action to rename Triangle Park to "Operation Red Wing – Medal of Honor Park", and to send a message to the City Council to proceed forward; Fukuda seconded the motion.

Discussion followed: 1) Fichtman said people are going to still refer to this as Triangle Park, regardless of what the name is. The park currently is named Ruger Park, which is not what people refer to either. 2) Himeda opposed Operation Red Wing – Medal of Honor Park because the name is too long; and would prefer Operation Red Wing Park or Medal of Honor Park. 3) Pyles read the book and was very touched by the story, that there could not be enough done to honor these people. 4) Roberson offered that the full name is very much in keeping with the customs of the service and veterans. 5) A resident noted that people will call it what they will, but that the importance is the intent of honoring an event that took place and encompassing Medal of Honor recipients. **The motion was ADOPTED, 6-1-1. Aye:** Anderson, Fichtman, Fukuda, Pyles, Roberson, Turbin. **Nay:** Himeda. **Abstain:** Digmon.

Illegal Dumping – Discussed earlier.

Kahala Beach Vegetation Encroachments/Seawall Variances – Work is in progress. Stan Johnson said misleading information was reported in the recent Kahala News that the beach is not eroding. He had information from the University of Hawaii that says it's a mistake to start cutting the naupaka. It is what's keeping the beach from eroding and to cut the naupaka is creating more of a problem; it's the hao tree that needs to be cut back. A comment noted that the problem was when people encouraged the naupaka growth by watering, and Johnson was encouraged to work with the Department of Land and Natural Resources (DLNR).

Permitted Interaction Group (PIG) Report(s):

Status Report on Investigation of Bills Concerning Bed & Breakfast/Transient Accommodations – Fukuda reported Bills 6, 7, 8, and 9, relating to B&B's and TVU's have been temporarily deferred. Fichtman said the 120 day deferral expires September 10, 2008; however, sources say there could be an extension. Fukuda read a statement from the original covenant and gave a brief history from back in 1998, of the Board's Vision statement, which basically stated that areas designated residential, special permits for rezoning and special use such as transient vacation rentals..., etc. should not be granted; and which this Board has consistently advocated for years.

Fukuda moved to revalidate the entire statement (Board's Vision statement); Anderson seconded the motion. Discussion ensued that what the law says that differs from what the community wants. A comment was noted regarding an issue that the Kahala Community Association (KCA) experienced and had to face regarding a boarding house situation in Kahala. The continued discussion raised a possible procedural deviation, *hence, the motion being withdrawn by the maker.* Further discussion noted that the PIG would continue to research and gather data at which time the findings would be presented to the Board.

NEW BUSINESS:

SPECIAL PRESENTATION: Curbside Recycling Program – Deferred until the September 18, 2008 meeting.

Traffic Calming Devices – Bill 45 and resolution 08-148 – Fichtman noted in 2003, a moratorium on traffic calming was put in place, and has since expired in 2005; and it is the Council member's feeling that the approach to such devices would be different than that of the previous administration. Wayne Yoshioka, Director of the Department of Transportation Services, explained that Resolution 08-148 would instruct the DTS to reactivate the traffic calming program, and relative to Bill 45, he would have no choice but to oppose the bill. The bill wants to amend the language of the ordinance giving the City Council the authority to control installation of traffic devices, which he feels is dangerous and opens the City to liability issues.

CORRESPONDENCE AND ANNOUNCEMENTS:

Waialae Kahala Neighborhood Board No. 3 mail or City Council notices – Chair Roberson announced the following: 1) A Public Hearing of the Liquor Commission regarding a License Application, WFM Hawaii, LLC, 4211 Waialae Avenue (Kahala Mall), on September 4, 2008, at 4 p.m., 711 Kapiolani Boulevard, 6th Floor, Pacific Park Plaza. 2) OMPO Certificate of Appreciation – Recognition and notice that the Waialae Kahala Neighborhood Board No. 3, will be presented with the OMPO Certificate of Appreciation on Tuesday, July 22, 2008. 3) A variance request to allow a landing and stairs which would encroach into required yards and increase non-conformity; Applicant: Paul Carlson; location: 1516 Halekoa Drive. Contact Jane Morisato at 768-8026.

A community member asked that officials take a closer look into the variance to determine whether this is an after-the-fact request. Pyles referred to a time under a former head when permits requested after-the-fact were not allowed. But today, people take it lightly and it seems that if caught it's just a matter of compliance with the department for an after-the-fact permit.

Pyles moved that if it is determined that this is an after-the-fact variance that the Board goes on record in opposition; and in general, that the Board advocates a policy; Anderson seconded the motion. Discussion followed: Fichtman was inclined to hear what Mr. Eng, Director, Department of Planning and Permitting, has to say and that there may extenuating circumstances. It was argued that the Board's position would regard going through the proper channels. **The motion was adopted, 8-0-0. Aye:** Anderson, Digmon, Fichtman, Fukuda, Himeda, Pyles, Roberson, Turbin.

ADJOURNMENT: The meeting adjourned at 9:30 p.m.

Submitted by,

Marie Richardson
Neighborhood Assistant