



## KANE OHE NEIGHBORHOOD BOARD NO. 30

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813  
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### MINUTES OF REGULAR MEETING THURSDAY, JUNE 21, 2007 WINDWARD COMMUNITY COLLEGE, HALE AKOAKOA

**CALL TO ORDER** – Chair Pro tem Patty Yamashiro-Hironaka called the meeting at order 7:10 p.m.

**MEMBERS PRESENT:** Patty Yamashiro – Hironaka, Warren B. Ditch, Marie Gavigan, Mark Beatty, Felipe San Nicolas, Wendell Lum (appointed tonight), Roy Yanagihara, Paul Friel, John Flanigan, L.C. Morris, Kristopher DeRego, Glenn Ida, Larry Zdvoracek, and William Sager.

**MEMBERS ABSENT:** Elizabeth Ann Gaisthia. There is one vacancy in Sub district 2.

**GUESTS:** Vincent Shigekuni (PBR Hawaii), Ken Kawahara (Governor's Representative), Lt. Dave Eber and Major Janna Mizuo (Honolulu Police Department, District4-Kaneohe), Ann Nishimoto (Kamehameha Schools), Bryce Uyehara (BEUAIA Inc.), Mr. and Mrs. Hooper (Hui `o Pikoiloa), Steve Jefferies, David Miyashiro (US Congresswoman Hirono's Office), Ed Birdsong, Scott Ezer (Helberm Haster, & Fee Planners), David Cramer, Michael Bowles, Tina Bowles, Pat Lee, Russ A. Awakuni, Myron & Kimie Daniels, Byron Kennedy, Sean Kennedy, Dean & Cathleen Smith, Battalion Chief Jim Skellington (Honolulu Fire Department-Kaneohe), Lt. Binford Strickland (MCBH), Chief Warrant Officer Peter O'Hare (Director Blue Angels Air Show), Major Matt Collins (Blue Angels Air Show Coordinator), Gerry Silva and Donna Wyland (Olelo), Nola Frank (Neighborhood Commission Office staff).

**SWEARING IN OF BOARD MEMBERS:** Neighborhood Assistant Frank administered the oath of office to board members not present at the June 2<sup>nd</sup> Installation Ceremony.

**ANNUAL ELECTION OF CHAIRPERSON:** Morris nominated Yanagihara. Zdvoracek moved, seconded by Flanigan closing nominations. By unanimous consent Yanagihara was elected chairperson 13-0-0 (Yamashiro-Hironaka, Ditch, Gavigan, Beatty, San Nicolas, Yanagihara, Friel, Flanigan, Morris, DeRego, Ida, Zdvoracek, Sager, Yanagihara).

Temporary Chairperson Yamashiro-Hironaka relinquished the gavel to Chairperson Yanagihara.

#### ANNUAL ELECTION OF OTHER BOARD OFFICERS:

**Vice-Chair:** Ida nominated DeRego and Flanigan nominated Yamashiro-Hironaka. Zdvoracek moved, seconded by Flanigan closing nominations. Each nominee gave a brief background about themselves and goals for the community. By a show of hands Yamashiro-Hironaka was elected vice-chair, 10-3-0; Yamashiro-Hironaka 10 (Sager, Zdvoracek, Morris, Flanigan, Friel, Yanagihara, San Nicolas, Gavigan, Ditch, Yamashiro-Hironaka); DeRego 3 (Ida, Beatty, DeRego).

**Secretary** – Yamashiro-Hironaka nominated DeRego. There were no other nominations. By acclamation DeRego was elected Board Secretary.

**Treasurer** – DeRego nominated Beatty, There were no other nominations. By acclamation Beatty was elected Board Treasurer.

#### FILLING OF VACANCIES:

**AT LARGE (one seat)** – Chair Yanagihara asked if there were any guest present tonight interested in filling the vacancy. Russ Awakuni, Steve Jefferies and Travis Loop were interested in filling the vacancy. Each candidate gave a brief background about themselves.



**Roll Call Vote 1: Awakuni- 3** (Morris, Ida, San Nicolas); **Jefferies – 5** (Gavigan, Sager, Yamashiro-Hironaka, Friel, Zdvoracek); **Loop – 4** (Flanigan, DeRego, Beatty, Ditch). None of the nominees received the necessary vote of 9 to fill the vacancy. The item was deferred until later in the meeting.

**SUB DISTRICT 2 (one seat)** – There were no interested persons present to fill the vacancy.

**SUB DISTRICT 5 (one seat)** – Wendell Lum was interested in filling the vacancy. Being there were no other nominees by acclamation Lum was appointed to fill the vacancy in sub district 5. Neighborhood Assistant Frank administered the oath of office to Lum.

Without objections, the agenda was taken out of order to (4) Filling of Vacancies – At large.

**FILLING OF VACANCIES: AT-LARGE:** It was noted that roll call vote 2 would be with the two nominees with the highest votes, eliminated the third nominee.

**Roll call vote 2: Jefferies – 8** (Lum, Gavigan, Sager, Morris, Yamashiro-Hironaka, Ida, Friel, Yanagihara); **Loop – 6** (Flanigan, Ditch, Beatty, DeRego, San Nicolas, Zdvoracek). None of the nominees received the necessary vote of 9 to fill the vacancy. Chair Yanagihara announced that this item would be deferred until the July board meeting.

#### **ANNUAL ELECTION OF OTHER BOARD OFFICERS:**

#### **BOARD BUSINESS:**

**Pre-established Specific Day-of-the-month for Regular Board Meetings (time/place): DeRego moved, seconded by Flanigan to continue to meet on the third Thursday of each month, 7:00 p.m. at the Windward Community College. The motion carried unanimously, 14-0-0.**

**Approval of Board Expenditures: Yamashiro-Hironaka moved, seconded by Ditch authorizing the Chair to spend up to \$25 without board approval. The motion carried unanimously, 14-0-0.**

**Approval of Refreshment Expenditures: Without objections, the board authorized utilization of their \$120 Refreshment fund throughout the year.**

**Approval of Publicity Expenditures: Zdvoracek moved, seconded by Morris to accept the allocated \$2,367 funding for board publicity. The motion carried unanimously, 14-0-0.**

**Determination of Board Recesses:** Chair Yanagihara explained that it has been past board policy not to meet twelve times per year. **Flanigan moved, seconded by Sager that the board continues to meet twelve times per year. The motion carried unanimously, 14-0-0.**

**APPROVAL OF MAY 17, 2007 REGULAR MEETING MINUTES** – Chair Yanagihara asked if there were any corrections or additions to the minutes:

- Page 5, Questions, comments, concerns 1 should read, “...**DeRego asked Senator Tokuda whether SB 156 passed or not make it out of committee...**”
- Page 5, Questions, comments, concerns 4 should read, “**Follow-up** will be done if the newly appointed HSTA teachers’ contract **will** include drug testing...”

**Flanigan moved, seconded by Zdvoracek to accept the May 17, 2007 regular meeting minutes as amended. The motion carried unanimously 12-0-0** (Yamashiro-Hironaka, San Nicolas, Lum, Yanagihara, Friel, Flanigan, Morris, Gaisthia, DeRego, Ida, Zdvoracek, Sager).

**APPROVAL OF June 5, 2007 AGENDA PLANNING AND COMMITTEES’ MEETING MINUTES** – Deferred.

**TREASURER’S REPORT** – Lum asked if board money for the previous fiscal year is rolled over to the next. The response was the funding goes back to the General Fund. DeRego asked if more funding could be allocated for

community involvement. Newly elected Treasurer Beatty said that he would review the board's financial statement.

#### **PUBLIC SAFETY AND MILITARY REPORT:**

**Honolulu Fire Department (HFD)**– Battalion Chief Skellington reported:

1. Statistics for the month of May included 145 alarms and 123 medical response calls.
2. Fire Safety Tip: 1) With brush fire season upon us, remember to maintain a 30-foot wide clearing in between any structure and vegetation. Recent rains may have overgrown vegetation in some breaks. 2) Independence Day is just around the corner, so consider leaving fireworks to the professionals and enjoy one of the many fireworks displays around town. If you use fireworks, follow warnings and instructions. Young children should never be given fireworks. Older children should only use fireworks under the direct supervision of an adult. Have a happy and safe Independence Day celebration.
3. For more information regarding fire prevention contact the Fire Prevention Bureau at 723-7161 or 723-7162.

Questions, comments concerns: 1) Referring to Bill 50, relating to fire retardant paint, Lum reported a building on Kahuhipa Street with no evacuation signage posted, and did inform the building manager. Skellington replied that some buildings have their own master access codes, with HFD having codes to all buildings. Other buildings have a special box outside of the building, but not for public use. Lum added that signage should be mandatory and his concern is of high rise fires occurring. Chair asked if HFD does regular building inspections. Skellington answered they do according to the entranceways. Regarding buildings in Kaneohe, most have double load occupancy. Chair Yanagihara thanked Skellington for his report.

**Honolulu Police Department (HPD)** – Lt. Eber reported:

Statistics for the month of May included assault 8, burglary 7, fraud 9, graffiti 15, homicide 1, injury 5, kidnapping 1, missing persons 3, missing person cancel 1, thefts 8, collisions 94, runaways 12, runaways cancelled 9, sex assault 2, UEMV (unauthorized entry into motor vehicle) 37, weapons 2. The monthly annual comparison was plus 37 percent; and the yearly annual comparison was plus 3 percent.

Questions, comments, concerns:

1. DeRego mentioned that the stabbing outside of the L&L was highly publicized. The stabbing is under investigation. Regarding the homicide on Kaneohe Bay Drive, the suspects and victim knew each other and were involved in illegal activities. Kaneohe is a safe area compared to others.
2. Relative to thefts, San Nicolas questioned if a person that regularly breaks into cars is arrested does the crime statistics drop.
3. Major Mizuo said there are groups that clean-up graffiti. A paint-out was done a few weeks ago was conducted by the HPD, the community, and the 96744 group. For more information contact Sgt. Cui, Kaneohe Community Policing Team at 247-2166.
4. There are officer shortages in all HPD districts; District 4 (Kaneohe) covers from the Makapu`u Lighthouse to Kahuku. In the month of May there were five people covering four two Beats, and four in the Kaneohe district. Mizuo added that the priority of HPD is to retain its officers. Regarding vacancies, if given 30 people, six Beats will be filled to covering three shifts.
5. Kanemori inquired about scooter riders who drive in the middle of the lane from Kahekili to Likelike Highways holding up traffic. In answer, scooters are not required to move to the side of the road if they are keeping up with the traffic flow.
6. Kanemori raised concern about his house alarm going off, went home and did not know how to contact the responding officer. He suggested bring back a flyer from HPD that responding officer would leave with contact information if the resident were not at home. Eber said that is a good idea and will follow up. He noted officers are supposed to make a police report and the alarm company should be notified.

**Marine Corps Base Hawaii (MCBH)** – Major Matt Collins presented: The "Blue Angels" Air Show is scheduled for October 13 and 17, 2007. A charity and school day will be held on the 12<sup>th</sup> of October. The event will also include duel airbag performances. For more information log on to: [www.mcbh.us.mil.airshow](http://www.mcbh.us.mil.airshow).

Questions, comments, concerns: 1) All weather conditions will be taken into consideration. 2) Follow up will be done regarding the major backside of the base and the effects it had on the seabirds. 3) An audience member

expressed safety concerns and the crowd enjoying the performances. Major Collins replied energy is keep away from the crowds. The directions the aircraft are flying are in three dimensions and away from the crowd. Requirements are strict with zillion of rules, house rules and local rules to follow. Military and civilian rules are followed throughout the air show. 4) The audience member raised another concern regarding P88 aircrafts carrying missiles. This concern will be forwarded to the proper military department. Chair Yanagihara thanked Major Collins, Chief Warrant Officer O'Hare, and Lt. Strickland for the update and attending the meeting.

#### **PUBLIC INPUT & RESIDENTS' CONCERNS:**

##### **Poailani Corporation Diagnostic Clinic on Pahia Road:**

Resident David Cramer expressed concern regarding this clinic in a residential area. He reported the previous owner was allowed to have only an eighteen bed facility. The current owners are allowed to have forty-seven beds and wanted to know how? Other concerns expressed were the foot traffic and how many people are living at the facility? He asked Mayor's representative Chang if a study could be conducted relative to property capacity and number of beds allowed. Chang will report at next month's meeting. Cramer thanked Council Chair Marshall for her responses. He mentioned that the patients at the facility feel it is against their civil rights to be shuttle in and out of the neighborhood.

Another resident said there are approximately 100 sketchy looking people walking in and out of the street daily. When she purchased her property she was told it was a locked facility and patients are shuttled in and out.

Council Chair Marshall said she has been working months with Cramer. According to the Department of Planning and Permitting the care home license is legal. A complete check has been done but she is not aware of people walking in and out of the street and will follow up. Residents feel with the Conditional Use Permits (CUP) is being violated. The last checked showed all permits were in compliance. Marshall explained the license is issued by the State Department of Health (DOH).

Chair Yanagihara noted the facility is sort of a halfway house for recovering mentally ill people in a residential zoning and has a Conditional Use Permit.

Comments were made that neighbors of the Poailani Facility were not notified. Governor's representative Kawahara reiterated that DOH issued the license and the city issues the CUP.

Council Chair Marshall asked Cramer for a written list of possible violations and reiterated that the issuance of the permit is a State DOH issue. The governor's representative was asked to follow up with DOH and report at the next meeting. Resident Bowles asked for clarification of mental disabilities in concurrence with a drug problem.

Follow up will be done regarding building permits versus a CUP, which are separate entities.

Lum asked if it is a minor or major CUP and when was it done. Per a CUP, there is a time frame and the community notified. If no feedback is received from the community the permit is automatically granted. Cramer responded that a CUP major was applied for in 1987, and no conditions were met by the previous care home owner. According to the City the permit was grandfathered in last year. Cramer noted that he has consulted his own attorney on the matter. He stated the Mayor has the ability to waive permit conditions that takes away the rights and concerns. A comment was made that sexual offenders cannot be within 1,000 feet of a school, and the facility is located near a school.

Chair Yanagihara once again reiterated that the DOH issues licenses for care homes. The city bases the CUP on fact pertaining from the license being issued.

Cramer noted that the State and City cannot agree as to how many buildings are on the property.

Bowles noted there is no problem with the facility, but the sudden increase from 18 people, bypassing the rules and regulations.

**Protest the Rail:** Board member Beatty announced a float protesting the rail has been entered in the Kailua Fourth of July parade. Flyers were available.

#### **ELECTED OFFICIALS'REPORTS:**

**Mayor's Representative** – Les Chang congratulated the newly elected Board members. He appreciated the mayor's concern forms being filled out giving specific details given to the neighborhood assistant for processing.

1. This is the 58<sup>th</sup> year that the Department of Parks and Recreation has put together the Memorial Day Celebration. Fifty-thousand lei were collected to be placed on the graves.
2. The City is challenging the EPA's tentative denial of a 301 (h) waiver from the federal government that the plant provides a secondary treatment to all of the wastewater it treats and discharges into the ocean almost two miles offshore, at a depth of 200 feet. If the EPA denies the waiver it would cost the City approximately \$400 million for a secondary treatment collection system, not in repairs.
3. The City has held seven community meetings on recycling and the one for the Kaneohe area was held on May 10, 2007 at Windward Community College.
4. Regarding the Waikalua Loko facility, the Department of Environmental Services has a Waikalua pump station on the Kahalu'u side of Kaneohe stream and the Kaneohe Pre-treatment facility on the Kailua side – neither of these facilities are scheduled to be closed.
5. The repairs to AC sidewalk from Keole Street to Likelike Highway were completed on May 23, 2007. The AC sidewalks from Kealahala Road to Keole Street are OK and not in need of patching. The Division of Road Maintenance will monitor and if repairs are needed they will be scheduled.

Questions, comments, concerns:

1. A guest commented that money should not be spent on advertising regarding the EPA ruling. Chang answered he did not understand his point. The guest suggested using money from the rail fund for the advertisements.
2. Lum raised concern regarding Lilipuna Road, privately owned having no fire hydrants, but waterlines are currently being installed. He asked the procedure to get fire hydrants and said that BWS should work closer with the City.

Les Chang was thanked for his report.

**Council Chair Barbara Marshall** – Council Chair Marshall circulated her written report, 3 TALKS meeting schedule and noted:

1. She congratulated the newly elected board members.
2. Mayor Hannemann has signed the budget. There is a thirty cent reduction in property tax.
3. The 3 TALKS meetings are alternated in the community. Everyone is welcome and all were encouraged to attend.

Questions, comments, concerns: 1) Friel asked if Inter-government Affairs agendas are available. 2) Regarding trash pickup, opposition was expressed that \$10 would be charged for a second pickup.

Councilmember Marshall was thanked for her report.

**Governor's Representative** – Ken Kawahara circulated the Governor's Weekly Update, a flyer on "Quest-Ace" low cost health care for kids, and the Hawaii Family Guide.. He offered to meet with Councilmember Marshall regarding the care home facility matter.

Ken Kawahara was thanked for attending the meeting

**U.S. Representative Maizie Hirono** – David Miyashiro circulated the written report and noted: Congresswoman Hirono supported HR2642, relating to the \$109 billion allocated for the military and veteran 2008 program. This bill would assist approximately 102,000 Hawaii veterans and benefit 5.8 million military patients worldwide. Congress on Your Corner events will be held at various island locations. Thus far, events were held at Kapolei, Wahiawa, and La'ie. The next event will be held on July 7, 2007, from 10:00 a.m. to 2:00 p.m. at Windward Mall in Kaneohe. Everyone was invited to attend to talk story, express concerns, questions or ideas.

**Senator Jill Tokuda** – Senator Tokuda circulated the written report and noted that he is a summer intern. All concerns should be directed to the Honolulu Office.

**Senator Clayton Hee** – No representative was present.

**Representative Ken Ito** – No representative was present.

**Representative Pono Chong** – No representative was present.

**COMMUNITY GROUPS AND ORGANIZATIONS:**

**Hope Chapel** – No representative was present.

**Hawaii Pacific University** – No representative was present.

**UNFINISHED BUSINESS:**

**Kamehameha Pre-School Presentation:** Vincent Shigekuni and Bryce Uehara presented the following on the proposed KS Preschool Heeia, in fulfillment of Conditional Use Permit (CUP) application requirements:

The proposed pre-school would be located on a two-acre site in Haiku Valley. In 2006 the start for a zone change application began, was filled in January 2006, and approved by the Department of Planning and Permitting in April 2006; City Council was approached in May 2006 relating to education purposes. The will be a declaration of restricted covenant; minimum open space is two-thirds of an acre (waiver needed). The original plans were to move the modular building from the current Windward Mall site. Per the new plans, a new building will be constructed. A meeting with residents and parents was held last night. The step would be to applying for a Conditional Use Permit Minor (CUP), a public hearing, then the permitting process. The preschool will consist of a one classroom center, a restricted covenant, three attached buildings with a covered walkway and lanai's. The buildings will be single story of standard construction and blend in with the community.

Questions, comments, concerns: 1) Chair Yanagihara asked if any modular buildings would be placed on the site. Shigekuni confirmed that KS would be constructing "slab on grade" and no modular buildings will be installed on the property. 2) In response to an audience member, qualified native Hawaiian children would receive first preference among applicants. 3) Beatty asked for assurance that the conditions of the Unilateral Agreement would be implemented. Shigekuni replied that KS is required to file an annual report with the Department of Planning and Permitting (DPP) on how the conditions of the Unilateral Agreement are being met and that if KS does not meet the conditions, KS would jeopardize future approvals for the site. 3) Lum stated that while he did not support the earlier proposals to use modular buildings, he liked the architectural drawings shown and now likes the project. 4) Chair Yanagihara asked for a show of hands of people in attendance who was residents who lived near the project site. Two hands were raised. 5) Audience member Daniels said that Shegekuni and KS have been very cooperative and like what they see on the drawings.

Chair Yanagihara thanked Vincent Shegekuni and Bryce Uehara was thanked for their presentation.

**Hawaii Memorial Park Follow-up Report:** Permitted Interaction Group (PIG) Chairperson DeRego reported per Consultant Ezer (Helber, Hastert & Fee), a possible meeting may be scheduled with representatives from SCI.

**DeRego moved seconded by Sager for the formation of a Permitted Interaction Group (PIG) for the Hawaii Memorial Park issue. The motion carried 14-1-0; Aye:** Lum, Gavigan, Sager, Morris, Yamashiro-Hironaka, Ditch, Beatty, DeRego Ida, San Nicolas, Flanigan, Zdvoracek, Yanagihara; Nay – Friel. Chair Yanagihara appointed DeRego chairperson for the Hawaii Memorial Park PIG.

**NEW BUSINESS:**

**`Olelo Channel Presentation:** Gerry Silva, Chief Operating Officer for `Olelo presented the following: `Olelo is a non-profit organization managing three cable channels. Its function is non-commercial public and government education and to provide training and equipment. `Olelo cable channels are 49, 52, 53, 54, 55, and 56. Government programs must be open to the public. One requirement for the taping of board meeting is that it must be taped gavel to gavel. Currently there are thirteen neighborhood boards whose meetings are shown on `Olelo. No staff is provided to videotape, however `Olelo will provide the training at no charge. If this board is

interested in videotaping, he could guarantee a cable slot (lock in time slot) with two repeats of every show monthly.

Questions, comments, concerns: 1) In response to Beatty regarding audience demographics, Silva said a yearly survey is taken as to who watches the channels, of which 80% watch at least once a month. 2) An audience member asked why surveys are not done program by program. Silva responded the annual survey is to check the peoples' awareness of the channels. 3) For point of clarification Chair Yanagihara asked can individuals do special production regarding one issue; he mentioned the Hawaii Memorial matter as an example. Silva answered that would be up to the board and could be done with a separate camera. The small room at the Mapunapuna facility could be used for this purpose.

Chair Yanagihara thanked Gerry Silva and Donna Wyland for attending the meeting.

Without objections, the agenda was taken out of order to Filling of At-Large Vacancy.

**FILLING OF AT-LARGE VACANCY – Vote 3: Jefferies 8** (Friel, Zdvoracek, Ida, Yamashiro-Hironaka, Lum, Gavigan, Sager, Yanagihara; **Loop 6** (Beatty, Morris, Flanigan, Ditch, San Nicolas. None of the nominees received necessary vote of 9 to fill the vacancy. The item was deferred until the July meeting.

**FORMATION OF BOARD COMMITTEES/CHAIRS:** Chair announced that the formation of Board Committees/Chairs would be discussed at the July Planning and Committees' Meeting.

**COMMITTEE REPORTS:** There were no committee reports.

**ANNOUNCEMENTS:**

- The next Agenda Planning & Committees' Meeting will be held on **Tuesday, July 3, 2007**, Kaneohe Community and Senior Center at **7:00 p.m.**
- The next Regular Meeting will take place at the Windward Community College Akoakoa Room on **Thursday, July 19, 2007 at 7:00 p.m.**

**ADJOURNMENT:** There being no further Board business, Chair Yanagihara adjourned the meeting at 9:40 p.m.

Submitted by,

Nola J Frank  
Neighborhood Commission Office Staff