



## KAILUA NEIGHBORHOOD BOARD NO. 31

P.O. BOX 487 • KAILUA, HAWAII 96734  
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

### **DRAFT REGULAR MEETING MINUTES THURSDAY, AUGUST 2, 2007 KAILUA RECREATION CENTER**

*Olelo Broadcast Channel 49 Monday 9:00 p.m. and visit: <http://www.neighborhoodlink.com> for more information from Kailua Neighborhood Board*

**CALL TO ORDER:** Chair Kathy Bryant-Hunter called the meeting to order at 7:12 p.m. with a quorum of 17 members present. Bryant-Hunter apologized to the Olelo audience due to technical difficulties with the Board's sound system. She thanked the Department of Parks and Recreation's staff for helping to get set up with the park's new speakers, and announced that tonight's agenda was full. There were two presentations: Kailua High School Access Road and the Honouliuli and Sand Island Waste Water Treatment Plants with many people wishing to speak on those issues. The Board will make an effort to get through the early part of the agenda as quickly as possible.

**MEMBERS PRESENT:** Kalana Best, Richard Bratt, Michele Brooks, Kathy Bryant-Hunter, Jon Chinen, Michael Correa, Susan Dowsett, Michael Dudley, Debbi Glanstein, Joseph Harding, Knud Lindgard, Christian Porter, Charles Prentiss, Claudine Tomasa, Linda Ure, Ron Weinberg and Donna Wong.

**MEMBERS ABSENT:** John Brown and Jim Corcoran.

**GUESTS:** Cathy Weinberg, Mandie Pearson (Representative Tommy Waters' staff), Cynthia Paliracio (Senator Fred Hemmings' staff); Heidi Meeker, Pamela Nakanishi and Clayton Fujiro (Department of Education), Edward Medeiros, Kevin Bratt (Boys Scout Troop 311) Joan Cash, Maria Gorak (Homeless Animals), Helen A. Potts, John Foster (Representative Cynthia Thielen's staff); Silvestre Ulep and Kevin Nakamura (City's Environmental Services Department), Scott and Patrick Bowling (Boy Scout Troop 311), Stann Reiziss, Joe Gilman, Glenn Uyeshiro, Senator Jill Tokuda, Larry Bartley, Arlyne Yonemoto, Natalie Iwasa (Bicycle Safety), Ken Adams, B.J. Field and Francine Honda (Kailua High School), Representative Pono Chong, Capt. Harold Ogata (Honolulu Fire Department), Lt. Richard Robinson and Lt. John Cheong (Honolulu Police Department), Ann Chung (Mayor's Representative), Bryan Mick and Marie Richardson (Neighborhood Commission Office staff).

Chair Bryant-Hunter read the following announcement regarding property tax bills: **PROPERTY TAX BILLS WERE PRINTED INCORRECTLY IDENTIFYING THE TAX YEAR AS "2006-2007." ALL OTHER INFORMATION ON THE BILLS IS CURRENT AND CORRECT ACCORDING TO THE CITY NEWS RELEASE, JULY 24, 2007. A REVISED BILL, SHOWING THE CORRECT YEAR OF "2007-2008," WILL BE MAILED SHORTLY. THE ONLY DIFFERENCE BETWEEN THE TWO BILLS WILL BE THE YEAR. HALF OF THE PROPERTY TAX FOR 2007-2008 IS DUE AUGUST 20, 2007.**

#### **APPROVAL OF MINUTES:**

**Special Meeting June 6, 2007: Harding moved, Glanstein seconded, to accept the Special Meeting Minutes of June 6, 2007 as circulated. The motion carried 16-0-1. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Correa, Dudley, Harding, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Ure, Weinberg and Wong. **Abstain:** Dowsett. Thank you to Ms. Ure for preparing the minutes.

**Regular Meeting June 7, 2007: Harding moved, Chinen seconded, to approve the Regular Meeting Minutes of June 7, 2007 as circulated. The motion carried by unanimous consent, 17-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Correa, Dowsett, Dudley, Harding, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Ure, Weinberg and Wong.

**UNFINISHED BUSINESS:** None.

#### **AGENCY REPORTS:**

**Honolulu Fire Department (HFD) – Capt. Harold Ogata reported:**



- Responding to 10 fires – 6 structure, 2 brush, 2 rubbish; and 69 emergencies – 59 medical, 4 search/rescue and 6 miscellaneous.
- **Safety Tip: As August is the start of a new school year, be careful while driving near schools and mindful of students crossing the street. Take the time to teach your children how to cross the street safely and remind them to call 911 for emergencies.**

There were no questions for the Fire Department.

**Honolulu Police Department (HPD)** – Lt. John Cheong and Lt. Richard Robinson reported:

- 26 burglaries, 23 auto thefts, 67 other thefts, and 56 UEMVs (arrests were made in those cases; a suspect is allegedly responsible for 7 of those cases).
- Five separate graffiti arrests of juveniles in the Kailua area.
- Available at the sign-in table were copies of the Beach Park Rules and Regulations Governing Commercial Activities in Kailua Beach Park prepared by Community Policing Division
- Regarding a request for additional parking enforcement in Lanikai; HPD will continue to enforce regularly and cite violations when seen. Continue to call in violation of no parking and bike lane parking and an officer will respond. There appears to be no resources to do a “blitz” the Board is requesting.
- Lt. Cheong highlighted the Missing Child: Caucasian male, 11-years old, 5’4”, 140 pounds was last seen at his home in Lanikai on August 2 at about 5:00 a.m. If you seen him, please call 911 with any details about the time, his location and what he was wearing.

Questions, comments and concerns followed:

1. Glanstein reported complaints from neighbors about loud noises and gun shots late at night on Kaipiha Street; and residents are asking for increased patrols.
2. Lindgard reported at least 15 parking violations were issued in one day at Lani Huli inside parking lot. The parking tickets stated that the cars were charged with violating Section 15-22-6 for being parked backwards into the parking stalls. This section refers to a rule that the front of the car must be parked in direction of traffic and cars may not be backed into diagonal parking spaces. The parking spaces at Lani Huli are all perpendicular to the flow of traffic, which is in both directions, either right or left. SUV’s and cars with a limited turning radius cannot otherwise park in some stalls because of the actual placement and size of the stalls and the safest way is to reverse into the slot between the lines. Carbon copies of the parking tickets that were given out were poorly marked and their author could not be identified so that a proper traffic enquiry could be forwarded to the HPD for clarification of policy.
3. Best asked about the recent carjacking incident in Kailua; was the perpetrator apprehended and was that the first incident happening in Kailua. Lt. Robinson reported that the vehicle was left unattended with the keys in the ignition and the motor running with an 11 year old girl in the back seat. The perpetrator jumped in and drove off, the girl jumped out (unharmd) and the car has been recovered but no arrest has been made in that incident.
4. Joan Cash inquired about the missing boy and is there any reason not to approach him and the answer was no.
5. Lt. Robinson asked to be put on the agenda for next month for the brief presentation that was scheduled for this evening that was unavoidably canceled (Sgt. Grem of HPD presenting on applications for Grants to fund a feasibility study for Video Surveillance of Kailua Beach Park.)

**Marine Corps Base Hawaii (MCBH)** – Major Christopher Perrine reported:

- 3 August – MCBH will have a change of command: Brig. Gen. Steven Hummer relinquished command to Col. Mark Dungan during a change of command ceremony at 10 a.m. BG Hummer will be going on to Special Operations Command in Tampa, Florida.
- 9 August – Pacific War Memorial Lecture Series: U.S.N. Capt. Jerry Coffee (ret), Vietnam Veteran and former prisoner of war, at 6 p.m. at the MCBH, Base Theater. The lecture is open to local community leaders. For more information call Capt. Diana Mearns at 257-8838.
- 11 August – Samoan Flag Day: Marines from Headquarters Battalion, MCBH, will participate in a Joint Service Color Guard colors presentation at this annual community event: start time is 8:00 a.m. at Keehi Lagoon.
- 21 August – Windward Civilian Military Council: The regular monthly meeting will be held in the Legarie Room at the MCBH Officers’ Club, beginning at noon (lunch begins at 11:30 a.m.).

- Maj. Perrine apologized for the mix-up regarding the base introduction presentation; and the Blue Angels air show – will be held on the 12th to 14th of October; there will be the Army and Navy Parachuting Demonstration Team.

Chair Bryant-Hunter reminded that next month will be a lengthy presentation, 20 – 30 minutes and everyone is encouraged to attend. There will be an overview of what happens at the MCBH and what types of activities there are; in addition to a presentation about the Blue Angels.

There were no questions for MCBH.

**Board of Water Supply (BWS)** – Chair Bryant-Hunter announced that a written report was circulated to all board members and extra copies were available at the sign-in table. BWS agreed to submit their reports in writing unless the Board requests for a report by BWS.

Board member Weinberg raise a **point of order** that no attendance was taken at the meeting tonight nor was the meeting formerly called to order; and asked was there any reason why attendance was not called. Chair Bryant-Hunter explained that attendance is done by board members signing-in on the attendance sheet and that she did call the meeting to order, according to the Neighborhood Plan.

There were no other agency reports for **Emergency Services Department (EMS) and Honolulu Liquor Commission (HLC)**.

**COMMUNITY ISSUES & ANNOUNCEMENTS:** Guests wishing to speak on tonight's agenda were asked to sign-in on the speaker sign-in sheet.

Bicycle Safety Resolution – Boys Scouts, Kevin Bratt and Patrick Bowing, were present in support of "bicycle safety." Kevin Bratt is with the Boy Scout Troop 311 at St. John Vianney in Enchanted Lakes, read his letter:

"Hello, my name is Kevin Bratt. I'm with Boy Scout Troop 311 at St. John Vianney in Enchanted Lakes. I am in favor of the resolution that we have more bike lanes in Kailua because I ride a lot. We should also finish the bike lanes we have and keep them in good repair. I've noticed that there are some bike lanes that just stop in the middle of the road like the one on Keolu Drive. Thank you for allowing me to speak."

Chair Bryant-Hunter thanked the Kevin and Patrick for coming and will make sure that Kevin's letter gets into the minutes.

Kailuan Apartments Fee Purchase Update – Ken Adams

I am an owner of a unit at the Kailuan Apartments, which is located at the corner of Kailua Road and Aoloa Street. We are the only apartment complex between Michaels Liquors and the Mormon Church that was not purchased by D.R. Horton. I am here representing 18 owners and I am a member of the Board of Directors. We have four months remaining on our land lease, and I have been an owner since 1986.

As a group, we have proposed to Kaneohe Ranch, the land owner, to purchase the fee so we can continue to living in our homes. This proposal was to purchase the land at fair market value, the same value per square foot as was paid by D.R. Horton for the [re]development of the Ironwoods at Kailua. We have already developed third party financing to facilitate the purchase. Our proposal was sent to them a month ago and we are still waiting on some official response from them.

Additionally, we have since learned that the city sewer is on track to be completed on time for us to hook up the municipal system.

The Kailuan Apartments owners are very grateful for the overwhelming community support that was given to us at the Kailua Town Party and to the many people [who] signed our petition. Adams will keep the Board informed with updates.

Bicycle Safety – Scott Bowing and son, Patrick (introduced earlier), live in the Pohakupu area, practices bicycle safety and expressed the need to have a bike path. Bowing noted when the rock wall mitigation construction started on Kailua Road, the car lane was moved over but the bike lane was eliminated. His son Patrick had to ride in the car lane and a lady going to pickup her child made a left turn in front of him and he ran into her car. Fortunately, he

was not injured but this illustrates how important it is to have bike paths and how important it is not to let the bike path just disappear; and he thinks the resolution is a good one and he supports it. Chair Bryant-Hunter thanked Bowing for his comments and will take it into consideration when the Board gets to that agenda item.

#### ELECTED OFFICIALS:

**Council Chair and Member Barbara Marshall** – distributed her report earlier and pointed out the following:

- The deadline to apply for the credit or for any property tax exemptions for next year is October 1, 2007. The actual deadline is September 30, but because the 30th falls on a Sunday this year, taxpayers get a one day extension. The exemption is an amount by which your assessed valuation is reduced—not a credit on your taxes. Exemption forms were available at the sign-in table.
- The 3Talks date has changed from August 23 to August 21 in Waimanalo at the Public Library; and in Kailua on September 21 at St. John Lutheran Church; time is at 7:00 p.m.

Questions, comments and concerns followed:

1. Dudley asked: a) how much of the roadway can be closed by contractors and for how long (in particular Pali Highway). Councilmember Marshall noted that she shares his frustration but that state roads are not the city's jurisdiction. b) The No. 70 bus route for Lanikai hooks up with the No. 57 bus to town in the morning on two of the buses, but a third sometimes misses; and that the in the afternoon, the seventh bus into Lanikai, sometimes misses the 57 bus into Kailua. Council Chair and Member Marshall would be more than happy to check on that and asked to have the concerned people to call her office directly at 547-7003; it would be helpful to get more information. Her office will get back on this particular issue but it would be helpful to call her office directly.
2. In Council Chair and Member's report regarding homeowner's exemptions, Wong sees where you need to live in the house to get that exemption. She wanted to follow-up and clarify that a person who owns several homes is claiming homeowner's exemption on all those homes. Council Chair and Member Marshall noted that it should be reported to the real property tax division, but what happens sometimes is that the person moves to another house, does not let the city know that they've moved, then file for a homeowners exemption for the second house. It is difficult with the City's current record keeping that real property tax processing will notice; but it is illegal and there are huge penalties involved. She encouraged calling her office with names and addresses and her office will check on the issue.
3. Brooks lives in the Kailua Gardens area and some of the residents reported an odor along the canal behind Safeway is really bad. Also that the mangrove needs to be removed. Council Chair and Member reported that generally, mangrove removal is done by contract and last year the City did do mangrove removal last year. Councilmember does not recall a mangrove complaint in the last week or two but if she could get the address she will have her office look into it.
4. Weinberg asked about the first steps for getting free bus transportation and does Councilmember Marshall support it and think it is a good idea. In response, Councilmember Marshall thinks it is a good idea. Right now, the way the law is written, the bus company is required to provide bus service and it is a huge amount of income to the City. Right now there is a certain amount of income that must come from the bus revenues and the ordinance would have to be changed. Is it possible? It is possible. Is it probable? She would say not. In the long haul, it is certainly worth looking into but the costs would have to be weighed with the lost revenue, however, she would be willing to look at it.
5. Joan Cash, inquiring for a friend, said her friend put her daughter on the property. Can she still claim the low income tax exemption? Councilmember reported that if the daughter is on the title as well and her daughter's income along with her own is more than \$50,000 then she cannot claim the low income tax exemption. This is an issue that has confronted low income homeowners fairly often. Chair Bryant-Hunter repeated Councilmember Marshall's number is 547-7003.

**Mayor's Representative** – Ann Chung apologized for not attending the last meeting. She followed with responses from the previous meeting – and has noted that some concerns needed more clarification.

- **Reopening of drain/swale at Kailua Beach Park** (Bryant-Hunter, Dudley) – There are no street curbs or designed storm water run-offs in that area. In May, DFM and DPR cleared an area that had accumulated over the years along a fence bordering the park, bike path, and road – to allow some run off from the streets to flow into the park.
- **Repair of bridge/walkway near Buzz's Steakhouse** (Bryant-Hunter, Wisch, Wong, Dudley, Bartley) – The City is in the process of contracting a design consultant for the replacement of the deteriorated pedestrian

walkway. Due to limited construction funds in this year's capital budget, the current schedule is to call for bids later this year with construction to follow next year.

- **Status of Waimanalo Gulch Landfill EIS** (Bryant-Hunter) – The EIS Preparation Notice was published on November 23, 2006. The Draft EIS is scheduled to be completed in August 2007 and the final EIS publication is planned for December 2007.
- **DTS letter to Hawaii Transportation Association** – the letter was received on July 13. The request for enforcements to begin the week of July 16, and that would require HPD to monitor and ticket the tour buses in Lanikai East of Kailua Road and Kalaheo Avenue.
- **Regarding TheBus Route #70** – Presently Route 70 Lanikai-Maunawili bus service operates from 6:20 a.m. through 7:14 p.m. from Lanikai to Maunawili every 60 to 90 minutes. In contrast, Route 56 operates from 5:01 a.m. to 9:25 p.m. about every 30 minutes. These are two very different routes that serve different parts of the Windward side. Assuming the rider's destination is Honolulu, there are three options available: Route 56, 57, or 57A. However, a Kaneohe destination would limit the rider to Route 56. Please contact Glenn Moir of the Public Transit Division to discuss the specifics of the constituent's concern at 768-8370 or [gmoir@ghonolulu.gov](mailto:gmoir@ghonolulu.gov).
- **Issue regarding Kapa'a Quarry Road** – DTS shares the Board's concerns, and every issue is being assessed. For Kapa'a Quarry Road, DTS is in the final phase of their assessment. A presentation to the NHB is requested for September's meeting.

Chung received additional questions last week from the Transportation Committee, Chair Prentiss, regarding Kapa'a Quarry Road and incorrect street names, which she will have to report on at a later time, however, she will be reporting on two other concerns from the Transportation Committee Chair regarding:

- Issues of sand blowing up from Kailua Beach Park on Kalaheo Avenue – the City will be redistributing the sand to resolve the erosion problems; part of that would be to redirect and reduce the height of the sand dunes, which they feel once it is reduced should alleviate the problem. They will be monitoring the situation.
- Issues of the formation of a large puddle – a constituent is concerned about the formation of a large puddle of water at the corner of Kailua Road and Kalaheo Avenue and people are getting wet at the crosswalk. Someone from DFM was there today to investigate the situation and felt it looked pretty good and that the water could be sent to the unimproved road shoulder area; and they're feeling is that this is something that happens during heavy rainfall rather than regular type of rain. He will be monitoring the situation on the next rainy day to make sure this is only happening on occasion and not constantly reoccurring.

Questions, comments and concerns followed. Chair Bryant-Hunter encouraged that questions be very brief.

1. Dudley asked if it was correct that Chung wanted more information on the drain at the park and Chung replied yes. Dudley will provide. Dudley commented that the drainage swale at Kailua Beach Park and disagreed that it was a minor grading issue as reported. He noted it was an original swale and drainage was covered in and over causing the drain to not function. He will forward the pictures of the drainage swale to Mayor's rep Chung.
2. Prentiss reported: a) that the complaint about the puddle on Kailua Road and Kalaheo Avenue by Kalapawai Market had been reconstructed following the sewer repair work. The water pools there now where it never used too. b) The Transportation & Public Works Committee received a complaint from a resident that there are incorrect street name signs on Maunawili Road and Auloa Road. Chung did receive the concern and will get back with a response at the next meeting. Prentiss suggested that for further details Chung might contact member Ure. c) The Transportation & Public Works Committee would like to know the current status of the intergovernmental investigation of Kapa'a Quarry Road; and Chair Prentiss is requesting a response directly.
3. Ure commented on the excessive sand blowing up Kailua Road from the beach park is also covering the walking path and bike path area and it needs to be to be moved back into the park or cleared away.
4. Wong asked where the sand dunes are located that will be reduced. Chung's information was not specific as to which sand dunes will be reduced except that it was at Kailua Beach Park. Wong suggested that the matter be referred to the Parks and Recreation Committee for further discussion.
5. Ken Adams understood that many of the problems at the beaches with sand migration were because of lowering the sand dunes. He suggested it would be problematic if the sand dunes were lowered.
6. Cash asked, concerning Kapa'a Quarry Road, if DTS will come and work with the people who live there on what should be done or has DTS figured out what is going to be done? Chung said that they are in the

process of doing that now and finalizing their recommendations. She thanked Cash for the surveys provided she provided and they were being reviewed by DTS as well.

Chair Bryant-Hunter reminded that any concerns for Mayor's representative Chung should be completed on the Mayor's Concerns form and given to either Chung or NA Richardson.

**Governor's Representative** – Dr. Morgan Barrett reported: the Governor's Weekly Update, "Facts About Economy Counter Legislators' Gloomy Scenario" handout, and the blue forms for questions or concerns were available at the sign-in table. Dr. Barrett will work on getting a response to Dudley's inquiry regarding the length of time that the roadway (Pali Highway) can be closed. He was available for other questions. None followed.

**Senator Jill Tokuda** – distributed her report and was available for questions. None followed.

**Representative Cynthia Thielen** – John Foster distributed the Representative's report and was available for questions. Foster thanked the community and the Board for the support during the Kawainui Bill signing on June 30.

**Senator Fred Hemmings** – The Senator provided no report, however, Cynthia Paliracio introduced herself to the Board and the community as Senator Hemmings newest staff member. Paliracio can be reached at 587-8388.

**Representative Tommy Waters** – Representative Waters provided no report, however, Mandie Pearson introduced herself and will be attending the monthly meetings. Representative Waters apologizes that he is off island. Pearson was available for questions. None followed.

There were no other Elected Official reports (Representative Pono Chong and Congresswoman Mazie Hirono.

#### **PRESENTATIONS – COMMUNITY PROJECTS:**

**HPD application for Grants to fund a feasibility study for Video Surveillance of Kailua Beach Park - Sgt. Grems, HPD** – Chair Bryant-Hunter announced that Sgt. Grems is involved in the missing child search and that this presentation will be deferred until next month. Tomasa raised a **point of procedure** regarding the Kailua Beach Park surveillance - that the matter was "sunshined" on the Public Health and Safety Committee agenda (for September) and on September 6, there will be a motion in support on the board's agenda.

Chair Bryant-Hunter noted that Tomasa raised a good point – that there is a motion on tonight's agenda relating to the HPD presentation by Sgt. Grems on the application for grants for video surveillance at Kailua Beach Park, and this issue will be on the agenda next month for a presentation and a committee motion.

Without objection the agenda was taken out of order to address the Honouliuli Wastewater Treatment Plant to be followed by the Kailua High School Access Road Update.

**Honouliuli Wastewater Treatment Plant 301(h) Waiver Sunset by EPA and Kailua Wastewater Treatment Plan Project update** – Nathan Adashi with the Department of Environmental Services (DES) opened with questions to the audience regarding spending hundreds or thousands of dollars each year on apparel or vehicles that the buyer would never use as a metaphor for spending millions of dollars for secondary wastewater treatment that, in his estimation, would not improve the ocean environment. He cautioned that increased costs would require that residents pay \$600 sewers bills each month. He stated this was exactly what would happen if the EPA (Environmental Protection Agency) has their way and does not approve the City and County of Honolulu's waiver from secondary treatment at Honouliuli and Sand Island Treatment Plants.

1. The issue currently is that the City's Honouliuli Wastewater Treatment Plant (WWTP) provides full primary treatment for 27 million gallons of wastewater, per day, before the primary treated water is discharged at the Ewa outfall—1.7 miles offshore at a depth of 200 feet--where the water mixes with the ocean water.\*

*\*Clarification:* "Primary treatment" removes about 60 percent of suspended solids from wastewater. This treatment also involves aerating (stirring up) the wastewater, to put oxygen back in. "Secondary treatment" removes more than 90 percent of suspended solids. The major aim of wastewater treatment is to remove as much of the suspended solids as possible before the remaining water, called effluent, is discharged back to the environment. As solid material decays, it uses up oxygen, which is needed by the plants and animals living in the water.)

2. The plant has operated with a 301(h) waiver from 1991 to 1996. The City applied in 1995 for another five-year waiver. The EPA did not act on that application until March 2007, when it issued a tentative denial. However, under the federal laws and regulations governing the renewal from EPA--issued the permits for Honouliuli and Sand Island under 301(h) waiver permit. These permits have been administratively extended. These waivers continue in effect until a final decision is made by EPA. If the EPA denies Honouliuli's 301(h) waiver, this will require the plant to meet full secondary treatment. The City and County feel this will be at a tremendous cost for little, or no, benefit.

Before going further, Adashi presented a video on sewer treatment at Honouliuli. Following the video Adashi continued.

3. Many Years ago, when the population was much smaller, we were able to pump our raw sewage straight out into the ocean. The ocean broke it down by natural process. Now that our population is much larger we have the sewage treatment plants to help break down the process much quicker. Our two largest plants are called primary treatment. What EPA wants the City to do is upgrade the plants to secondary treatment. That would cost us \$400 Million for the Honouliuli Plant, alone. They also require us to do the Sand Island Treatment Plant and that cost would be in your sewer bills – \$600 every billing period. What the sewer plants do is treat the sewage so that we can again pump it out into the ocean and the ocean can take care of it like it did long ago. Our test samples are collected at the bottom of the outfall and sent over to the University of Hawaii to be tested. Over 15 years the testing has found no significant impact to the fish. The University of Hawaii says the fish at the outfall are much better fed. The City wants to concentrate its resources where they are really needed—in the repair of the sewer pipes and force mains. Those where we are spilling raw sewage back into the ocean when we have a break or when something occurs at the plants that allows the sewage to spill directly into the ocean.

Questions and answers followed:

1. Weinberg asked if they (EPA) force us to do it, why they don't come up with some funds. Adashi noted that the EPA is not funded for the corrections to a plant; it is funded for administrating federal regulations. The municipality has to provide its own funding and the funding would come in the form of municipal bonds. The City would sell the bonds to get the money to do the work but the \$600 that the public would be paying out each month in their sewer bills would pay for the bonds.
2. Porter asked, did the EPA state a basis for the change in their position? What is their empirical evidence for stating the City is not meeting the standards? What did their scientist testify in regard to the testing. Adashi said yes, they allege the City is not meeting the EPA standards. The Clean Water Act provides that secondary treatment meets the requirement. The Clean Water Act also states that a waiver can be approved if the City can prove that the environment is not being harmed. Adashi stated that Hawaii standards for bacteria are much more stringent than the rest of the nation. One of the persons that works for the State Department of Health (DOH) gave testimony at the EPA hearing and requested the EPA to wait until the City corrects its existing EPA complaint first before requiring that the City upgrade to secondary treatment. Adashi states that there are 43 waivers in affect across the United States and its Territories.
3. In regards to the Aikahi Wastewater Treatment Plant, Porter said the odor that's emits and is noted by walkers, joggers, residents, townhouses— what size or capacity for the population that is handled by that treatment plant? Adashi referred that issue to a co-presenter who will come up later in the meeting.

Chair Bryant-Hunter suggested asking questions regarding Honouliuli first and later—hear questions concerning the Kailua treatment facility.

4. Brooks stated that the EPA is currently at the weakest it has been in 20 years. Basically if EPA is saying that the City is not meeting the standards then the City must not be doing as good as Adashi is suggesting. EPA is not here to present their side and Brooks cautions people to listen to both sides. She would not want to be a part of destroying our ocean environment based on fear tactics you are using, threatening that our sewer fees are going to go astronomically high. That seems like a dirty trick that the City could take to come and threaten people with higher treatment fees when there is no one presenting a balanced view for why the EPA, at their weakest they have ever been would want to come down on poor little Honolulu and say it is not meeting the EPA standards. It seems odd that they would pick a stand here when all kinds of issues all over the country are not being addressed. Brooks would suggest the EPA may have some pretty strong evidence. Adashi asked if Brooks thought he had not presented accurately. Brooks clarified, the EPA should be allowed to present as well for a balanced view of the issue.

Due to cross-talking by board members, Chair Bryant-Hunter asked that the Chair be addressed before speaking as it is too difficult to have board members speaking amongst themselves. If you have a question or comment, wait until the presentation is complete. She would like to afford the Kailua Wastewater Treatment Plant Supervisor the opportunity to speak to the Board.

5. Wong asked, wasn't it true that the EPA has presented to the City their findings that the bacterial counts are higher than acceptable standards. The response was yes the bacterial counts were higher – and the EPA has also given the City their tentative decision, denial of the waiver. And as noted earlier, the a person who works for DOH is requesting EPA to wait until the City corrects its existing EPA complaint first before requiring that the City upgrade to secondary treatment.
6. Lindgard asked if Adashi was aware of a push to have the visitor industry pay for their substantial use of the treatment service. Adashi responded, oh yes, the hotels and restaurants all pay their fair share of the sewer bill.
7. Larry Bartley asked whether there was a way to compromise and brings the bacterial levels down without secondary treatment? Adashi responded that the Sand Island Treatment Plant just installed an \$80 billion ultraviolet disinfectant unit and with that treatment, the facility is now killing the bacteria in the wastewater before it goes out into the ocean. That is one way the City and DES are dealing with the bacteria situation.

Chair Bryant-Hunter would like to refer the waiver application to the PZ&E Committee for them to have further discussion.

**Kailua Wastewater Treatment Plan at Aikahi Update** – DES Region Superintendent Okamura addressed the Kailua Wastewater Treatment Plant at Aikahi and the equipment and operation to negate the odors as mentioned earlier by Porter. We have installed new and improved gaskets under the primary clarifiers. This will help to minimize the leaking of foul air out of the tanks. The department has increased the cleaning frequencies of odor control units to assist optimal operations. We have over \$25 Million of odor mitigation projects planned by local groups. These funds were made available due in large part to Councilmember Marshall's Office. There are two phases: Phase One are actions that can be implemented as soon as possible, e.g. evaluation of ventilation of odor control units; application of odor reducing chemicals; restore system to control odors that enter the treatment plant; evaluate efficiency of the collection system that will be done by consultants; and use existing consultants to review operations to insure the plant is operating optimally. Phase Two are medium range plans and will be projects that require Environmental Assessments for the existing air permits, e.g., the granular carbons activated odor control stacks that will be combined and elevated to provide more dispersion; and upgrading the building to mitigate the odors. Phase Three are long range plans to examine the latest technology to replace the current technology in an effort to control the odors.

Questions followed:

1. Porter, as Chair of the Sustainability Committee, is concerned regarding the capacity of the plant and how fast Kailua is growing as compared to the Ko'olaupoko Sustainable Communities Plan and requested a phone contact so as to gather information for the committee to continue deliberation. Response: 620-0196. Porter thanked Okamura for helping to set up tables at the beginning of the meeting.
2. Best referred to the handout and remarked that Kailua Wastewater Treatment Plan's outfall was just about a mile from shore which is less than any of the other wastewater treatment plants. Are there any plans to extend that outfall? Adashi was not aware of any. It may be relative in long range plans, but he is not aware of any such plan at this time.
3. Dudley asked whether the Aikahi Plant previously had trickling filters. Okamura responded yes. They were converted to bio-tumblers. Dudley asked were not trickling filters secondary treatment? Okamura responded yes, Kailua is a "secondary treatment" plant. Dudley then stated that Kailua meets the EPA standards and Okamura responded yes. Dudley asked then why the odor was so bad. Okamura stated that odors are generated by the wastewater itself in the agitation process that releases the odor compound and because of the lack of seal or the present of holes in the covers, some odors seep out. There are covers over all the areas that generate odors. The efficiency of the covers is called into question. Dudley asked if all material was removed from the trickling filters. Okamura responded yes, they are just empty now.
4. Prentiss understood the Aikahi Plant was a secondary treatment plant but will these new improvement bring the plant up to some better standards, creating greater capacity for treating sewage? Will the improvement all for treatment of additional sewage? Okamura responded no.
5. Lindgard, having followed the issue for years, suggested the gaskets leaked because there was not enough negative pressure in the tanks and therefore the odors leaked. Okamura stated the replacement

material failed and required replacement. Lindgard stated that once a month the tanks have to be opened for maintenance. Okamura agreed, however, the negative pressure has not been achieved to keep the odors under the covers. Consultants will be working on this issue as well to provide solution to address the odor control.

6. Glanstein question whether there were any illnesses reported due to the odor; especially for the Aikahi school children. Okamura did not know of illness directly, however, through reporting in the media, school children and staff have reported nausea and headaches. The DES tries to notify the residents and the schools of their maintenance schedule. DES has postponed work to keep from interfering with school programs.

Chair Bryant-Hunter thanked Adashi and Okamura for their presentations and suggested they may wish to address the board on future occasions. While the Board has no position and Board members may not testify as Board members, individuals may provide written comments by August 27 to Sara Rosner, U.S. Environmental Protection Agency, Region IX, WRT-5, 75 Hawthorne Street, San Francisco, California 95105-3901 or email at [R9-301h-Comments@epa.gov](mailto:R9-301h-Comments@epa.gov)

### **Kailua High School Access Road Update – Russ Saito, State Comptroller, DAGS**

Russ Saito was in attendance to give a status report on the alternate route for the Kailua High School Access Road. Saito wished to provide the Board with information DAGS did not have when they reported last year when DAGS was completing the Environment Assessment. Saito referred to the matrix handout Saito explained the alternate routes.

- Alternative 1: Construct a new roadway from Kalanianaʻole Highway, through WCCC, to the back of Kailua High School campus with a new parking lot. Pro: This would remove the second greatest amount of school related traffic from Pohakupu, resulting in reduced pedestrian/vehicular conflict and improving safety. A new parking lot would accommodate overflow parking during special events. Con: The cost and security requirements requested by the Department of Public Safety along with issues of ownership for the proposed road remained undetermined.
- Alternative 2: Construct new roadway from Kalanianaʻole Highway, through WCCC, to back of High School campus with a new parking lot, and with restriction to Ulumanu Drive main entry gate. Pro: Would remove the greatest amount of school related traffic from Pohakupu, resulting in reduced pedestrian/vehicular conflict and improve safety. A new parking lot accommodates overflow parking during special events. Con: The cost and security requirements requested by the Department of Public Safety along with issues of ownership of the proposed road remained undetermined and there would be a restriction of Ulumanu Drive main entry gate will not be allowed by Kailua High School Administration and DOE. Saito suggested this alternative would not allow access to the High School from Kailua Road.
- Alternative 3: Construct a new parking lot at the end of Akiohala Street. Pro: A new parking lot would allow students and faculty the option of parking in the back of the campus and a new parking lot would accommodate overflow parking during special events. Con: There was no significant reduction in school related traffic in Pohakupu and there was opposition from residents along Akiohala Street.
- Alternative 4: Construct sidewalk improvement on Ulumanu Drive. Pro: The student would use the sidewalks and not walk on the street, reducing the pedestrian/vehicular conflict and improving safety. Con: the County jurisdiction of Ulumanu Drive (not DOE or DAGS or the State) and sidewalks do not remove any traffic from Pohakupu.
- Alternative 5: Construct sidewalk improvements on Ulupii Street. Pro: the students would use the sidewalks and not walk on the street, reducing the pedestrian traffic and illegal vehicular conflict and improving safety. Con: the County jurisdiction of Ulupii Street (not DOE or DAGS or the State) and sidewalks does not remove any traffic from Pohakupu. Saito stated that all the homeowners would probably object such development of widening the street toward the property to install a sidewalk.
- Alternative 6: Construct new access road from Kailua Road, through “Old Kukanono” to Kailua High School campus. Pro: The road would provide a short, direct access to the Kailua High School campus from Kailua Road. Con: The State must acquire three (3) residential parcels, the area is a dry stream bed and the construction in this area would result in extensive environmental impacts. This alternate was eliminated due to environmental impacts and consequently not further analyzed because of the need to cut into the hillside, subsequent storm run-off issues and increased economical implications.
- Alternative 7: No build. Pro: None. Con: Status quo.

Saito introduced Perry Small and stated the balance of Saito’s presentation will be on two access alternatives.

- For the "new" roadway through the Women's Community Correctional Center the Akiohala access would be left as it is up to the cattle gate that approaches the rear of the Kailua High School Just to break ground the cost will be about \$5 Million dollars without the cost of improvement to the intersection at Kalaniana'ole Highway. Waimanalo bound traffic would have a problem. And the Right Turn land coming from Waimanalo and Keolu Hills would require widening of the highway at that location and there is not a great deal of shoulder in that area. Tracing the roadway that goes behind the Women's Community Correctional Center all the way back to the highway would require a traffic light.
- In the other alternative (using Akiohala Street) a with a traffic light at Kalaniana'ole Highway, a left turn lane at Keolu Drive all the way to Akiohala Street, a left turn lane at Akiohala Street which is 6 lanes wide for ½ mile which will accommodate traffic, with houses only on one side of the street (approximately six homes) end at the cattle gate. The school currently opens the cattle gate for special events and a gravel area, not connected to the school, is used as a turn-around and parking area. People are currently using that area just for drop off because it is connected to the school.
- There is not a substantial difference in the "new" access road alternative and the Akiohala access road alternative.
- There are two kinds of traffic: into the school and out of the school: A handout Traffic count shows 299 cars entering the school from Ulumanu Drive in the morning. 161 cars leave. It is assumed the difference is cars parked on campus. In the evening 101 cars enter and 216 cars leave and it is assumed the difference is cars that were parked on campus. The origins of the traffic mostly come from Kailua Road, Keolu Hills or Waimanalo. Very little comes from Pali Highway from downtown. Rather the traffic pattern is from Kailua and Waimanalo using Keolu Drive, Hamakua Drive, and Kailua Road. Saito states the major source of the traffic is from Kailua.
- When considering Waimanalo, the difference between the "new" access road and Akiohala is very little. As Akiohala is a broad roadway it is probably faster.
- DAGS has an appropriation of \$5 Million to build a "new" access road. Language of the appropriation is such that we can only build the "new" access road from Kalaniana'ole Highway. This will not include the cost for a traffic intersection improvement at Kalaniana'ole Highway and the "new" road is not wide enough, and awkward traffic engineering challenges because of the hill crest getting on to and off of Kalaniana'ole Highway.
- Of the traffic that is entering Pohakupu and not going to the school is coming from Kailua. It is assumed they are not dropping children off at the school but rather picking up a ride or visiting someone in the neighborhood and a large amount of the traffic that enters Pohakupu comes from right across from Kalaniana'ole on the Maunawili side of the street. Solving that issue will require education to use Kailua Road to enter Pohakupu.
- The reason for this re-examination is because the Department of Education came to DAGS officially in June that they were opposed to the building of this "new" access road and offering, instead, to open up Akiohala Street and make that the "primary" alternate road. People coming from Kailua are not a problem. Re-education for Waimanalo to take the back road will reduce a lot of traffic on Kailua Road.
- Saito's recommendation would be not to spend the money on the "new" road but go back to the legislature and ask them to appropriate funds for constructing a parking lot at the end of Akiohala and extend the roadway to Kailua High School. When the school does not want through traffic they would just keep the gate down and require people to drop off, turn around, or park their vehicles in the Akiohala parking lot. The school could, on special occasions, open the gate and allow through traffic. To Kailua Road.

Clayton Fujiro, the Deputy Superintendent of the Department of Education who works with Pat Hamamoto, Superintendent of DOE will explain the position of the DOE. Fujiro introduced Complex Superintendent (Kaleheo and Kailua High Schools) Arleen Yanemoto; Francine Honda, Principal of Kailua High School; Ms. BJ Fields, Vice Principle; Karen Segawa, the XRS for the Complex; and Heidi Meeker with the Facilities Branch. In the June 20<sup>th</sup> letter to DAGS Comptroller the Superintendent has made the point that of all the options that are listed that constructing a new parking lot at the end of Akiohala Street and using that as the option would be would be the option the Department of Education is looking at this time. The infrastructure, the roadway, is already there, and to go back to our legislators to get funding. That is our stance. For questions the Principal and Heidi Meeker, who have been working with the Comptroller on the options will respond.

Saito introduced DAGS Ralph Forita, Branch Chief and Planning Branch, Lance Maja for their work.

- Wong's issue—what really made her angry is that because she has worked on the issue a long time and represents the area and the first alternative that was opposed was Akiohala. Every time it is proposed it was shot down, it has never carried through. So, in desperation, when kids are going past homes to get to

a high school that was turned into a high school from a intermediate school it is totally unfair It is that desperation that called for an access road. What guarantee is there that Akiohala will go through? It seem like the residents on that street were able to stop it every time. Wong said she is not willing to let this go on any longer.

- Saito did not know what the residents of Akiohala have to say. He has yet to present to the Waimanalo Neighborhood Board. Saito thinks it is a matter of communication. DAGS understood the DOE did not want to have Akiohala all this time. Last year the communication got a little bit clearer, at least to DAGS. They did not want the “new” access road and DAGS got a letter of confirmation from the Superintendent stating not to use the “new: access road—use Akiohala. The guarantee, in Saito’s mind, is there. The road is there, the cattle gate is there, all we need to do is build a parking lot on the other end. The DOE as assured DAGS they will implement a reeducation to let the people from Waimanalo know the preferred access is Akiohala.
- Wong asked what assurance the Board and the Community have should they change their position.
- Saito felt the Board and the Community have the commitment of the Department of Education. Wong asked if that was in writing to support Akiohala and the parking lot through out the process. Saito said it was in the letter that DAGS got.
- Glanstein reiterated to Russ Saito and Perry Small that the Community and the Board have been working on this issue quite a long time—a very long time. This issue came before the Board because of the issues in the community caused by the school. Recognizing that the population of the school: the students, the faculty, and the staff—that is fluid. Three of my six children graduated from Kailua High School. One graduated 34 years ago and he is still asking, “Where is the road”? .The residents of the community are a stable population. That is why it came to this Board. Occasionally people drove up to the red gate, opened it, and let their kids out—occasionally they picked them up again, but we are not dealing with that issue or the scholarship that is the subject of the audit of Kailua High School We are dealing with safety and that cannot be negotiated. That is not an area you can reconcile. Student safety and safety of the people in the community is paramount. We looked at all the alternative. Some were okay while others were not acceptable. Your planning office asked us for a position, you have copies of that and petitions from the community and that has been on the record and in our archives. 1) We understood that an alternative access road required certain statement to be made that recognized the community’s position and the boards’ position. 1) Opposition to the condemnation of private property. We talked about that and knew it was not going to be at all acceptable to the community and not acceptable to the board. 2) Opposition to any alternative that did not address abatement at the highway intersection with Kailua Road. There was a prior traffic study done at that location by Castle Medical Center and is on file and records peak hours where there are more than 6,000 cars going through that intersection. That half of the student population consists of Waimanalo students and half Kailua Students. We have the support of the Waimanalo Neighborhood Board, the community of Pohakupu and Kukanono, Olomana, Maunawili Community Associations. We have the City Council on record in support. We have the State Senate and the State House of Representatives. Not once have the Kailua High School people come to see us nor have they gone to Waimanalo Neighborhood Board to speak on this issue. I have spoken on this issue for about eight years, Mike Heh for several years before that, and for some 30-odd years this has been a problem—not with the student population but with the community. People from the community are here to speak to that issue they experience it not from a desk downtown but out of their front window, their front door in the morning and in the afternoon during special events, when there is an emergency. They experience it all the time. You must listen to them
- Saito stated the time-line included that the City initially supported but not under the current administration—that was the previous administration. City Council passed a resolution saying they would not accept responsibility for the road. But if the road is build someone needs to operate and maintain it DAGS can only go so far. Right now the City is not going to do it. The “new” alternative is going to be quite disruptive for the school, it is going to be quite long, and the school has to have someone there to open the gate and close the gate and it would have gone past the Women’s Community Correction Center. That is an issue for the Department of Public Safety because of the possibility of contraband over the fence, etc., etc. It is not a State route, per se; it is just a route that didn’t go to a residential neighborhood. It is a lot longer that way than it is from Akiohala. If there could have been more setback DAGS would have done that. The point Saito made was that the road exists and goes al the way to the school right now.
- Bratt, in reference to the Draft EIS is a statement citing safety Issues. Does anyone have figures for these safety issues, number of accidents during the school season? And directed to the DOE, what is your projection of student population in the High School in the next decade or two.
- Saito stated he did not have the safety issues off the top of his head however it has been studied.

- DOE/Kailua High School: Actually the department believes the population of our student enrollment will decline over the next five years. She believes it will fluctuate but range between 900, to 990, to 1000 students each year. It is difficult to go beyond that.
- Best referred to the letter from Kailua High School that states the student population is expected to decrease from its current population to 800 students in the next six years. Has anyone looked at the proportion of those students coming from Waimanalo during that period of time? If the population of Kailua was decreased would it follow that Waimanalo would increase?
- DOE/Kailua High School: Currently 60% of the student population is from Waimanalo or the Waimanalo community.
- Lindgard supported the “new” alternate route into the school until he read the 180 page EIS and now he is in agreement with the school to use Akiohala for logistics and maybe overall cost.
- Wong asked about the security on Akiohala for the students and residents. Saito said they brush would have to be cut and there is a sidewalk on the opposite side of the street—that would be the extent of it and with a parking lot there with a gate it will be a special incentive for the people from Waimanalo to use the back road for special events. Wong asked what would be done about the appropriations. Saito stated that DOE will be asking for an appropriation for the Akiohala route, the parking lot and completion of the sidewalks. DAGS will go forward letting the funds lapse for the route from Kalanianaʻole Highway.
- Prentiss asked should they go back to the legislature for another bill will there be a need for a new Environmental Assessment or is this EA still viable. Saito believes the Akiohala would be exempted from further EA requirements and that a FONSI would be used. The same will hold for the parking lot.

Peter Miller with the Pohakupu-Kukanono Community Association shared the Kailua High School Additional Access Project Summary and stated his concern that the Pohakupu neighborhood of Kailua has attempted to remedy Kailua High School traffic related quality of life issues for 25 years. The community’s desire is to have the State of Hawaii construct an additional access to the school from Kalanianaʻole Highway, thereby reducing the school related “peak hours” vehicular traffic traversing the neighborhood streets.

*This project concerns quality of life issues:*

1. The Department of Accounting & General Service (DAGS) and the Department of Education’s (DOE) recommendation is a giant leap backwards.
2. The proposal by the DOE does nothing to resolve the primary problems that Pohakupu has with the current situation. One, the illegal traffic thru our community to get to KHS. Two, the strong need for an alternate route for emergency vehicles and routine access to and parking at KHS. Three, that the high school is our shelter in case of disasters. One-way in and out to get to a safe place in a large scale emergency is not acceptable.
3. The DOE’s proposal ignores the recent seven years of community association involvement with the issue, including petition drive, numerous meetings with community members from Kailua and Waimanalo; personal interaction with members of the state senate, state house of representatives, and the local state correctional facility; and all of the work and responses to the planning and Environmental Assessments already done to recommend a new safe access route, parking lot and additional security guards for Kailua High School. The state DOT should maintain the new road. The legislature should appropriate additional funds for the hiring of more security guards for the high school.
4. It is unfortunate that neither the principal of the high school nor any other senior administrator at the DOE has bothered to meet for discussion over the years with the community representatives of Waimanalo, Enchanted Lake, Pohakupu, Kukanono, or the Women’s Community Corrections Center which have all worked together and supported the “new” alternative access road and not Akiohala.
5. The lack of enforcement of the no right turn that is posted for Ulupii compounds the community’s frustration. It is perplexing to believe that the Waimanalo students will want to drive into Enchanted Lakes to access the back road when they can still stay on the highway and access Ulupii—just like always.
6. As the planning, Environmental Assessment has already been done the community still wants a safe access route that does not go through the community and wanted for the school a parking lot and additional security and we were willing to advocate with the school for those additional items from the appropriate budgets.
7. Lynn Miller, also of Pohakupu, pointed out the three inch folder full of studies and letters on this one issues that date back to 1999 starting with contact with Councilmember Steve Holmes to initiate traffic calming. The warden and the assistant warden are in full support of the “new” access road and prior wardens were on board as well. All this is about a little bitty road the students deserve and the community supported and DOE, only now, engages only DAGS and has now stopped the process and it will have to begin from

scratch, again, with the prior outcome of NO Akiohala as a result. A child was hit by a car (he is okay now). This has been going on for twenty-five years and the community and the students are the one that loose. All that work is blown apart by people who do not know the problem completely as do Wong and Glanstein and the communities of Waimanalo, Enchanted Lake, Pohakupu, Kukanono, or the Women's Community Corrections Center.

8. Saito reiterated that the traffic studies are don of the traffic that enters Pohakupu that does not go to the High School, 50% of it comes from Kailua Road. Waimanalo is not coming into the subdivision and a good chunk of the traffic is coming from across the street from Maunawili To assume all the traffic is coming from Waimanalo and coming into the neighborhood is not supported by the traffic data.

Chair Bryant-Hunter referred the issue to the Transportation and Public Works Committee to bring back to the Board in September.

1. Wong asked if anyone from DOE every came to the Pohakupu community to discuss the issue either before the 'New' alternative was selected or for the Akiohala route the DOE support now. Peter Miller said NO. He further invited DOE and DAGS to observe between 7:15 and 8:15 a.m. when the bulk of the traffic goes to the high school and observe the illegal turns. The community used to have a CTAP once a year but stopped because of the alienation it caused between the high school and the community. Saito stated the efforts of DAGS are to work with the Neighborhood Boards.
2. Glanstein reminded that Kailua High School is a disaster shelter and as the retrofitting for disaster shelters did not go through the legislature this year, this is a major problem for the community, the students, and for every resident here. That needs to be paid attention to and not fade away while we deal with these other problems. We need to be able to address not only what we hear tonight but the PTA from Kaelepulu the elementary school that is right next to Akiohala and we know one teacher wad indicted for drug possession and distribution –this may not be the place for high school students
3. Harding asked Glanstein what was her question?

Chair Bryant-Hunter as Board members to address the Chair.

4. Glanstein reiterated there is not just one question—the issue is not going away and question will be addressed Board committees.

Chair Bryant-Hunter thanked the Department of Accounting and General Services, the Department of Education and members of the community for coming; and invited all to stay.

Member Bratt left the meeting at 9:10 p.m., 15 members present.

#### **BOARD ACTIONS:**

**PERMITTED INTERACTION GROUP – Neighborhood Plan 2007, discussion and action –** Committee Chair Chinen prefaced that the motion is request for a Board position letter regarding an the Neighborhood Commission's meeting with Corporation Council in an Executive Session of the Neighborhood Commission on July 23, 2007 for the purpose of discussing a the Corporation Counsel's Opinion memoranda requested by the Neighborhood Commission concerning the revised Neighborhood Plan and the exclusion of Permitted Interaction Groups members which were neighborhood board members in the Neighborhood Commission Neighborhood Plan PIG (Permitted Interaction Group) for review and revision of the Neighborhood Plan. **Chinen moved that:**

**Motion 1: The Kailua Neighborhood Board, having been involved in the Neighborhood Plan review for almost a decade, is registering its opposition with the procedure whereby:**

- (1) Members of the Permitted Interaction Group were excluded from participation in the discussion of the Corporation Counsel Opinion document and the denial of access to the Corporation Counsel interpretation of the Neighborhood Plan (Newly Revised); and**
- (2) Having been excluded from participation in the aforementioned process, we are rendered unable to make informed decisions on the governing document of the Neighborhood Boards and the Neighborhood Board System.**

**Therefore, in order for Neighborhood Boards to fulfill their Charter mandate, we are requesting that Grant Tanimoto convene a Special Meeting to provide sufficient opportunities for the Permitted Interaction Group members to review and comment on both the Opinion document and the Neighborhood Plan (as interpreted by Corporation Counsel).**

Chair Bryant-Hunter noted this is a Permitted Interaction Group and the recommendations are made by a non-committee and needs a second. **Glanstein seconded the motion.**

Discussion followed: Glanstein told what happened at the Neighborhood Commission meeting: a) that it was a duly called and duly noticed meeting, b) and a number of people were there to respond to a complaint, c) they were not satisfied with the complaint being rescheduled, and then left the meeting, d) that the Corporation Counsel was there with two deputies and one deputy that was involved in reviewing the Draft Neighborhood Plan, e) Corporation Counsel said their discussion was only to be held in Executive Session with the Neighborhood Commission members, f) the Neighborhood Commission members adopted a motion to go into Executive Session, g) and those of us who were not either the a Commission member or with the Neighborhood Commission Office were told, and not asked, to leave the room. The Permitted Interaction Group members feel strongly that the Board needs to addresses the issue of the exclusion of this Board's Permitted Interaction Group members as well and the Neighborhood Commission's Permitted Interaction Group members from other Neighborhood Boards not being allowed to be a part of the discussion with Corporation Counsel's opinion and interpretation of a public document and Glanstein is requesting the Board's support for this motion. No further discussion followed. **The motion carried 10-5-0. Aye:** Best, Bryant-Hunter, Chinen, Correa, Glanstein, Porter, Prentiss, Tomasa, Ure, and Wong. **Nay:** Brooks, Dudley, Harding, Lindgard and Weinberg.

**PLANNING AND ZONING COMMITTEE:** Committee Chair Wong presented:

**Motion 1: The Kailua Neighborhood Board opposes the granting of an after-the-fact variance for 957 Aalapapa Drive.** Chair Bryant-Hunter noted that a second is not needed.

Discussion followed: **1)** Dan Ford, resident/owner of 957 Aalapapa Drive, explained his situation with a home that was built in 1959 when his wife's family took ownership of the home; and in 1989, he and his wife took over the ownership of the property. When they moved here full time 2002 and wanted to add an addition and that's when the issue of encroachment came up with DPP. Ford was thanked for coming tonight. **2)** Ure said the question to ask is if this building encroaches into the easement area, did Ford ask for a covenant. This is when two property owners can encroach on an easement if you don't actually go over the property line. Ford was not aware of this and noted that his architecture is handling the process and is away for five weeks and will be back a week from today. **3)** Best asked when DPP's deadline for a final decision and will there be anything else can you do. Ford has been in contact with the architect through email and was told there was a call to the architects his office while he was out of town; and the architect asked by email for one last piece of information, however, Ford was not aware of what was the information. **4)** Bryant-Hunter asked what the timeline is; Ford indicated that this process has been going on close to three years.

**Weinberg moved to table the motion until the owner can gather more information.** Glanstein raised a **point of parliamentary procedure** that it's an improper motion – it should not be tabled but postponed until a specified date. **Weinberg restated his motion to postpone until the next meeting (September).** Chair Bryant-Hunter announced the new motion supersedes the motion from the committee. The Board will take a vote on the motion and the Chair explained voting "yes" will postpone the motion until September; if you vote "no" the motion does not pass, discussion will continue on the motion. If it prevails it will be put on the agenda for September. By a roll call vote, **the motion failed, 9-6-0. Aye:** Brooks, Bryant-Hunter, Chinen, Correa, Harding, Lindgard, Prentiss, Tomasa and Weinberg. **Nay:** Best, Dudley, Glanstein, Porter, Ure and Wong.

Chair Bryant-Hunter noted that the motion did not pass so the Board is still in discussion on the **original motion to oppose the granting of an after-the-fact variance for 957 Aalapapa Drive.**

Discussion followed: **1)** Dudley asked why the committee would oppose the encroachments. Chair Bryant-Hunter asked if anyone knew the reasoning; Wong felt it was because the Board is looking at variances all the time where people are building the structure before attaining the permit; and although Dudley asked whether the committee was just opposed to this variance, Wong stated "not necessarily". **2)** Ure noted that you have to understand that this is a variance of something that's already built and it believed the possibility that DPP is asking them to get an after-the-fact permit as the solution, but this committee can only address the fact that the building exist and it is encroaching on the next property. By a roll call vote, **the motion failed, 3-9-3. Aye:** Prentiss, Ure and Wong. **Nay:** Brooks, Bryant-Hunter, Dudley, Glanstein, Harding, Lindgard, Porter, Tomasa and Weinberg. **Abstain:** Best, Chinen and Correa.

Chair Bryant-Hunter clarified that the Board has taken "no position" at this time.

**Motion 2: The Kailua Neighborhood Board requests the City, as property owner of the ironwood trees on Kailua Road, begin the process to declare the ironwoods as “exceptional trees”.**

Discussion followed: 1) For the benefit of the community, Chair Bryant-Hunter asked what is meant by “exceptional trees.” Wong said it’s meant to be on a list of “exceptional trees” - to be recognized throughout the islands and offered more protection from being taken down. 2) Dudley asked whether it is on City property; Wong acknowledged. 3) Prentiss favors the motion for it landmarks Kailua and giving it history. 4) Glanstein supports the motion for its significance of exceptional trees. By a roll call vote, **the motion carried unanimously, 15-0-0. Aye:** Best, Brooks, Bryant-Hunter, Chinen, Correa, Dudley, Glanstein, Harding, Lindgard, Porter, Prentiss, Tomasa, Ure, Weinberg and Wong.

**Motion 3: The Kailua Neighborhood Board supports the City Resolution 07-198 CD1, urging the City administration to facilitate the Development of a bowling alley, and recommends that the city acquire Pali Lanes in Kailua to provide a municipal bowling alley on the Windward side of O’ahu.**

Discussion followed: 1) Wong explained this issue came about because resident, Manny Medeiros, had collected all these signatures and came before the PZ&E Committee to “save Pali Lanes” bowling alley. Wong understands that Pali Lanes is well used by all ages and various groups, and hoping that the City would look at acquiring it for recreation. 2) Chinen asked what the status of the resolution is. Medeiros noted that the City Council has realized that there is an audience and that it passed first reading and is now before the Mayor, so it is moving ahead but will take a long while. 3) Weinberg made an observation and wonders whether there is tremendous interest and it seems like it’s not a very productive operation and questions whether Pali Lanes then wants to be saved and whether Kaneohe Ranch has other plans for that parcel. 4) Wong said that’s true – Kaneohe Ranch owns the land and that they will do what they want to do; and perhaps this is neighborhood board making a statement on behalf of the residents to provide a recreation facility. By a roll call of votes, **the motion carried unanimously, 15-0-0. Aye:** Best, Brooks, Bryant-Hunter, Chinen, Correa, Dudley, Harding, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Ure, Weinberg and Wong.

**TRANSPORTATION AND PUBLIC WORKS COMMITTEE:** Committee Chair Prentiss asked to skip to Motion 3 and read:

**Motion 3: The Kailua Neighborhood Board supports the Bicycle Safety Resolution:**

**WHEREAS**, the voters passed City Charter Amendment 8 by approximately 77% in the general election asking the city to make pedestrian and bicycle safety a priority, and  
**WHEREAS**, there are a large number of bicyclists that ride through the beautiful town and countryside of Kailua, and  
**WHEREAS**, many of the roads used by bicyclists and residents are poorly maintained, and  
**WHEREAS**, it is the duty of the state and county to ensure that the roads and paths that are marked as bike routes are safe and well maintained, and  
**WHEREAS**, there has been an increase in area traffic in Kailua and the surrounding communities bringing a greater chance of accidents with bicyclists occurring, and  
**WHEREAS**, it is in the best interest of the City and County of Honolulu and State of Hawaii to encourage people to exercise, especially children, and  
**WHEREAS**, the year-round good weather makes it possible to commute to work and school by bicycle, thus decreasing the number of cars on the road, and  
**WHEREAS**, the Ko’olaupoko Sustainable Communities plan states the “completion of discontinuous segments and expansion of the bikeway system in general: The state’s bikeway master plan proposes substantial additions to Ko’olaupoko bikeway system to create an interconnected grid through the more populated areas and links to East Honolulu via Kalaniana’ole Highway and to Ko’olauloa via Kamehameha Highway. The creation of the grid will enhance the potential for bike travel for short commuting and incidental trips. Also the grid can be expanded by marking bicycle lanes on local streets in the residential neighborhoods as part of a traffic calming program”, and therefore  
**BE IT RESOLVED**, that the Kailua Neighborhood Board asks the Mayor of the City and County of Honolulu and its relevant Departments and the State of Hawaii’s Department of Transportation to improve conditions for bicyclists by:

1. Developing new bike paths, routes or bikeways in all communities.
2. Maintaining and improving where possible all existing bike lanes and routes in Windward Oahu.
3. Placing bike racks in all city, county and state parks.

4. Implementing procedures for the safe placement of temporary construction signs and equipment so as not to intrude in bike lanes and enforcing existing parking regulations.
5. Restriping, painting and cleaning the existing bike lanes on all major streets and roads.
6. Regularly trimming trees, bushes and grass and clearing of sand and gravel that encroach on bike lanes and shoulders along all major streets and roads.
7. Including input from the bicycling community on ways to improve safety for bicyclists during construction projects and the final design.
8. Including additional bicycle safety questions in the state driver's license exam

**BE IT FURTHER RESOLVED**, that copies of this Bicycle Safety Resolution be transmitted to: the Governor of the State of Hawaii, State of Hawaii Department of Transportation, Mayor of the City and County of Honolulu, City Council members, the City Department of Transportation Services, Department of Planning and Permitting, Department of Parks and Recreation, Department of Facilities Maintenance, all Neighborhood Boards, Hawaii Bicycling League, Senator Hemmings, Senator Tokuda, Representative Chong, Representative Thielen and Representative Waters.

Prentiss noted that this motion was drafted by Board member Bratt and feels that this resolution is especially important and timely; earlier testimony given by his son, Kevin Bratt and Scott Bowing with Boys Scouts from Troop 311, at his side.

Comments followed: 1) Natalie Iwasa with her two sons was appreciative of the resolution and wanted share her story. She's been bicycle riding for in Hawaii Kai for the last 15 years through two pregnancies and her sons have been around bicycles all their lives and appreciates hearing the words of the resolution. It is very important to her – they ride to school five miles one-way trip on Kalaniana'ole Highway and encounter construction signs protruding on the bike lanes, gravel on the road and other obstructions on the bike lanes. She offered two bicycle issues: a) for drivers to simply be aware bicycles are out there too; and b) that children 16 years and younger riding a bike are required to wear a helmet. She reported that her son was in an accident three months ago and she showed his helmet which was gouged out and she would like to ask that the Board support the resolution. **The motion carried by unanimous consent, 15-0-0. Aye:** Best, Brooks, Bryant-Hunter, Chinen, Correa, Dudley, Harding, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Ure, Weinberg and Wong.

**Motion 1: The Kailua Neighborhood Board requests that the Department of Transportation Services conduct a traffic study in the Lanikai Aalapapa Drive and Mokulua Drive loop area with emphasis on traffic flow and pedestrian safety.** Prentiss explained that this is a result of complaints in the Lanikai area of tour buses parked illegally and blocking the bike lanes and various problems of that nature; and the committee is asking the City to look at a long range view.

Discussion followed: **1)** Best spoke in favor of the motion, being one of the three representatives of Sub district 1, noting that this has been a longtime concern and is in concert with the resolution for bicycle safety. There has seen a lot of commercial activities - tour bus drop-offs and kayak rentals in the Lanikai community. **2)** Weinberg favors the motion but have to say that the Lanikai needs to be a welcoming place and a place of "aloha"; and not a place where it's hard to get to, hard to visit or unwelcoming. **3)** Prentiss explained what is being said was that it be well managed, for example – the tour buses that there be a place for the buses to park and not be in the bike lanes. **4)** Lindgard drove through Lanikai a few days ago noting that it's like a crossword puzzle, not easy to maneuver through with various distractions going on. **The motion was adopted by unanimous consent, 14-1-0. Aye:** Best, Bryant-Hunter, Chinen, Correa, Dudley, Glanstein, Harding, Lindgard, Porter, Prentiss, Tomasa, Ure, Weinberg and Wong. **Nay:** Brooks.

**Motion 2: The Kailua Neighborhood Board requests the Honolulu Police Department to conduct a one-month "blitz" in the Lanikai area giving high priority to vehicle parking and loading problems.** Prentiss noted that motion 2 is related to the same issue in that HPD is being requested to concentrate their efforts warning and or ticketing on the violations that occur. This is a short term solution to the problem of illegal parking, etc.

Discussion followed: **1)** Brooks emphasized that Lt. Robinson already said that there aren't enough resources to do this. **2)** Weinberg agreed with Brooks that there are not resources and it sends a message to go somewhere other than Lanikai because "aloha" does not apply. He feels it's very unfortunate. **3)** Best said it has nothing to do with the size of the homes or where it is. Pure and simple, Lanikai has been welcoming and very tolerant of the situation and that's the problem so much so, the rights of residents who live there are disregarded. **4)** Wong noted that this is aimed at illegal activities and not legal activities and that this sends the message that the Board and the community that when there is manpower, that the Board would like this considered. So don't forget that Lanikai is a residential

community and residents that have lived there for years don't have a lot of money and this community is under siege. 5) Porter supported a 30-day focus on Lanikai.

Chair Bryant-Hunter relinquished the gavel to Vice Chair Prentiss to participate in discussion.

Discussion continued: **6)** Bryant-Hunter is going to speak against the motion – not because she does not think it's a good idea but because the Board just received a letter from DTS requesting that HPD do increase their enforcement for buses and she would prefer at this time to hold off on this motion and wait until HPD follows up on the action to see how the effort goes first; and then perhaps come back with a subsequent motion. **7)** Ure said, in Lanikai, one of the issues hasn't been just tour buses. Every time HPD has been encouraged by this Board to go into Lanikai and cite people, they have also picked up cars thefts, stopped home break-ins and people who were ripping off not only residents but tourist alike; so any additional coverage whether it is for 30-days or as many days as they can manage– it will help to reduce the crime rate in Lanikai. **8)** Wong said the letter referred to is missing the vans, the kayaks, and the tourist buses. Chair Bryant-Hunter commented on her confidence with HPD. **8)** Glanstein said the motion does not indicate when this will be done; therefore it does not necessarily conflict or supersede DTS. Glanstein would defer to the neighborhood board knowing more about the issue from the complaints they have received. **9)** Best reaffirmed Ure's statement that there have been people that looked like there were going to the beach or maintenance trucks with hedge clippers but are really "casing" out the houses, so if people are really parked illegally, she really felt that it could help. By roll call vote **the motion was adopted, 10-3-1.** **Aye:** Best, Chinen, Dudley, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Ure and Wong. **Nay:** Brooks, Bryant-Hunter and Weinberg. **Abstain:** Correa.

#### NON-COMMITTEE MOTIONS:

*Non-Committee Motion 1: The Kailua Neighborhood Board opposes Resolution 07-151, CD1 to ship solid waste off-island. This City Resolution 07-151 CD1, encourages the Director of the Department of Environmental Services to incorporate off-Island shipment of solid waste as an approved, but limited, element in the city's solid waste disposal system.* Ure heard the Mayor's Representative Ann Chung's announcement this evening that the EIS will be out by next month (August 2007) and the Board needs to examine that Draft EIS because the City has also requested a 20-month extension on the expansion of Waimanalo Gulch Landfill from May 2008. This motion can be deferred for 30-days. The issue of the solid waste of all islands is involved and Ure asked to defer the Non-Committee Motion 1 at this time and allow member Corcoran introduce it next month. **The motion was deferred until September.**

Ure addressed the Non-Committee Motion 2, by member Corcoran because the important information was not available. Member Corcoran provided written testimony to support the motion.

*Non-Committee Motion 2: Ure moved that the Kailua Neighborhood Board opposes Resolution 07-183 transferring the planning, engineering, design and construction of solid waste and wastewater projects from Department of Design and Construction to the Department Environmental Services.* Member Corcoran's supporting testimony followed:

- Dismantling the Department of Design and Construction and placing the responsibility into the beneficiary departments (in this case Department of Environmental Services) becomes duplicative effort between departments and causes delays from plans to completions of projects.
- This re-allocation of technological expertise increases the likelihood that additional personnel or consultants will have to be hired or contracted to perform the same service the Department of Design and Construction is already situated and staffed to handle.
- This board has not seen particularly encouraging results from the Department of Environmental Services in choosing consultants or contractors, especially with regards to sewer reconstruction and rehabilitation—it seems doubtful that either the solid waste or the wastewater projects (Waimanalo Gulch Landfill-Leeward or Honouliuli Wastewater Treatment Plant) will benefit from this division of labor in the City Departments. Vote to oppose Resolution 07-183; and to oppose you would vote yes.

**Wong seconded the motion.** No discussion followed and Chair Bryant-Hunter read the motion again, *reiterating if you vote "yes" that you are supporting the Board's opposition to resolution 07-183.* **The motion was adopted unanimously, 14-0-0.** **Aye:** Best, Brooks, Bryant-Hunter, Chinen, Correa, Dudley, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Ure, Weinberg and Wong.

**COMMITTEE REPORTS:** Because it's after 10 p.m., Chair Bryant-Hunter asked that committees do their best at reporting only time sensitive items.

**Civilian-Military Council** – No report.

**Kailua Chamber of Commerce** – Harding left at 10 p.m.; no report was available.

**Permitted Interaction Groups:**

Enforcement of B&B and TVUs – Porter had no report and announced the Group would meet again in August.

Property Tax Reform – Prentiss reported the draft resolution for reform is currently in the Government and Community Services Committee.

Neighborhood Plan 2007 – Chinen reported the Neighborhood Commission had another meeting Monday to continue their discussion of July 23, also in Executive Session.

**Planning and Zoning Committee:** Wong reported:

- A recommendation not to send the letter for items 2 and 3 – regarding Resolution 05-187 and 05-186, relating to Bed & Breakfast homes / accommodations because the bills are with DPP and the committee has no idea of the conflict with the language. The issue will be brought up again sometime in September.
- After a Board recommendation that certain conditions be placed on the liquor license for California Pizza Kitchen, the Liquor Commission ignored the Board's recommendation and granted the license and the lawyer for California Pizza Kitchen said that only recorded music played inside the building.
- **Next Committee Meeting: Third Tuesday, August 21, 2007, Kalama Beach Park.**

**Public Health, Public Safety and Civil Defense Committee:** Tomasa addressed:

- A notice of an upcoming Committee motion for September 6th Board meeting to support the Kailua Police Department the feasibility study for video camera surveillance of Kailua Beach Park.
- **Next Committee Meeting: Second Thursday, August 9, 2007, 7-9:00 p.m. Kailua District Park- Multi-Purpose Room.**

**Government and Community Services Committee** – Chinen reported:

- Regarding Kailua High School Access Road the committee will need to address the legislative and traffic issues.
- **Next Committee Meeting: Third Saturday, August 18, 10:00 a.m. at Zippy's Kailua.**

**Transportation and Public Works Committee** – Prentiss reported:

- Mayor's representative, Ann Chung, reported earlier that she will be getting back regarding the Kapa'a Quarry Road issue.
- A letter was sent to DTS, three weeks ago, regarding the protected left turn lanes; the committee has yet to receive a response.
- Regarding the Maunawili bus shelters and reestablishing the CIP process, he hopes to have a recommendation by the August committee meeting.
- **Next Committee Meeting: Third Thursday, August 16, 2007, 7-9:00 p.m. Kailua Rec. Center.**

Chair Bryant-Hunter asked if Committee Chair Prentiss could follow-up with Chung, Mayor's representative, for a presentation by DTS on Kapa'a Quarry Road prior to the September Board meeting. Prentiss acknowledged the request.

**Parks and Recreation Committee** – Ure reported:

- The committee will work to reestablish the CIP request for the lifeguard Station at Kalama Beach Park. This is a safety issue, especially with a larger population using the beach park. When the Board requested CIP and staffing funding the response was that there was a shortage of funds. The need for the lifeguards and the stations still exists.
- Regarding items 2 and 3 - commercial activities at beach parks and HPD circular being made to other locations in Kailua, will be addressed next month by Sgt. Cui, HPDs Community Policing Division.
- Regarding enforcement of DPR Rules and Regulations, member Prentiss covered that last month, although the awareness of one violator that may need to be addressed further in committee.

- Parking violations by commercial vehicles continue--call HPD. When calling the police about a vendor or traffic violation and the officer refuses to respond to you in a courteous manner, ask for his supervisor's name. There have been too many rude remarks when calling in violations. Should an officer come to the site then it is important to get the officer's name and/or badge number. You may still go to the Kailua Police Station and file a written complaint on the incident you wanted the officer to address.
- Park benches and tables are in disrepair at various parks, and an inventory is being tallied.
- **Next Committee Meeting: Third Tuesday, August 21, 2007, 7:00 p.m. at Kalama Beach Park**

Prentiss commented that Sgt. Cui, Community Policing Division, asked to attend the next Parks Committee meeting. Ure acknowledged.

**Sustainability Committee** – Porter noted the **next Committee Meeting is on Tuesday (not Thursday) August 7, 2007, 7-9:00 p.m. Kailua District Park – Tiny Tots Room**. He also understands that the consultant from Townscape will be attending that meeting as well.

**Executive Committee:** Chair Bryant-Hunter announced:

- DorothyRose Babineau's complaint from October 2, 2003 will have a pre-hearing on August 20, 2007; Chair Bryant-Hunter will represent the position of the Board. See Bryant-Hunter should you wish to review the complaint and the Board's response.
- A quick note to all committee chairs of the Marine Base presentation next month. It is a lengthy presentation and to keep in mind when developing motions to complete the meeting by 10 p.m.
- To send in all agenda items to Chair and Secretary by Monday, August 27th.
- The re-appoint Legislative Liaison – Debbi Glanstein was re-appointed the Legislative Liaison
- **Next Committee Meeting: Tuesday, August 28, 2007, 8:30 a.m. Agnes' Bakery- Kailua**

**ANNOUNCEMENTS:**

- September Board & Committee Agenda items to Chair & Secretary by Monday, August 27, 2007
- Committee correspondence copied to Chair and Secretary

**ADJOURNMENT:** Without objection, the meeting adjourned at 10:21 p.m.

Submitted by

Linda Ure,  
Board Secretary  
And Marie Richardson, Neighborhood Assistant