



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>

REGULAR MEETING MINUTES – REVISED AND CORRECTED THURSDAY, SEPTEMBER 6, 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 7:03 p.m.; a quorum was present with 16 of 19 members. A brief sound system check followed; and the audience was encouraged to bring attention should the sound system go out.

MEMBERS PRESENT: Kalana Best, Richard Bratt, Michele Brooks, Kathy Bryant-Hunter, Jon Chinen, Jim Corcoran (8:30 p.m.), Michael Correa, Susan Dowsett, Michael Dudley, Debbi Glanstein, Joseph Harding, Knud Lindgard, Christian Porter, Claudine Tomasa, Linda Ure, and Ron Weinberg.

MEMBERS ABSENT: Chuck Prentiss and Donna Wong.

GUESTS: Cathy Weinberg, Lt. Dave Eber (Honolulu Police Department), Trudy Moncrief, Linda Mattice (Care Hawaii), Maria T. Gorak (Homeless Animals), John Foster (Representative Cynthia Thielen), Sharon Geary (LKOC), Mary Jo Morrow (PTA), Joe Gillman, Ricky Bermudez, Gino Johnson, Aileen Kaylin, Glenn Uyeshiro, Bob Bourke and Corrine Waterhouse (Enchanted Lake Residential Association), Vishaka Jokiel, Red Pearson, Renee Damean, Senator Jill Tokuda, Robert Miller, Representative Pono Chong, James Severson, Helen Waihee (Castle Medical Center), Jill Kajikawa-Kent, Isabel Figel, Bob and Trudy Moncrief, Tina McLaughlin (CARE Hawaii), Pete O'Hare (Blues Angels), Ben Willke, Judy Dancer, Wendy Watson, Sara Way, Wey Tai, Nikolai Sabar, Dragoslav Saban, Capt. Raul Fallau and Capt. Curtis Mayural (Honolulu Fire Department), Marie Richardson (Neighborhood Commission Office staff).

APPROVAL OF MINUTES: Linda Ure requested the approval of the minutes of August 1, 2007 be deferred until later in the Board agenda after Board Actions and Committee Reports. There maybe some issues missing from the minutes because of the poor quality of the recording and board members may need the opportunity to skim over the minutes.

AGENCY REPORTS:

Honolulu Fire Department (HFD) – Capt. Raul Fallau (Kailua Fire Station – Engine 18) introduced Capt. Curtis Mayural and read that statistics for August from Olomana, Aikahi, Kailua and stations:

- 12 structure, 13 brush, 5 rubbish, 4 vehicle fires; 106 medical emergencies, 16 search/rescue and 30 miscellaneous – totaling 186 alarms.
- **Fire Safety Tip: The National Fire Protection Association has selected "Practice Your Escape Plan" as the theme for Fire Prevention Week, which will be on October 7 – 13, 2007. Signs will be displayed at all fire stations, and demonstrations will be conducted at various schools and shopping centers around the island. The 2007 Fire Fighter's Safety Guide will also be distributed to all elementary schools.**

In addition, the Honolulu Fire Department would like to take this opportunity to remind the community that the provisions of the traffic code regulating the operation, parking and standing of vehicles does not apply to emergency vehicles responding to emergencies, provided the driver of the vehicle sounds a siren, bell or exhaust whistle and displays a lighted red lamp. These warning devices help to ensure the safety of the public as well as the safety of the emergency responder. Please refer to the Revised Ordinances of Honolulu, Traffic Code, Section 15-4.4, located at: http://www.honolulu.gov/refs/roh/15al_9.htm for further information.

Questions and answers followed:

1. Lindgard-interested in the issue of fire hydrants and asked the following related questions: why are some fire hydrants are marked P or W; how you get a private hydrant; and who checks on them. Capt. Fallau's response was that the hydrants marked "W" in front of the hydrant numbers are County hydrants and



hydrants marked "P" are private hydrants. Usually private roads or private entities have their own fire hydrants and although BWS regularly checks on the County hydrants, Capt. Fallau did not know who checks on the private hydrants; but he will find out that information.

2. Weinberg asked how far from a fire hydrant can you park your car; Capt. Fallau reported according to the traffic code, cars can park 10-feet from a fire hydrant itself and not just 10 feet from the barrier. The barrier is there to discourage people from parking in front of the hydrant. If there is a fire and time is of the essence, HFD will move the obstruction away; and if they see a violation they will call it in. Regarding Weinberg's inquiry about a responding ambulance with no lights, Capt. Fallau noted for the safety of the public and HFD, all EMS vehicles are required by the traffic code to have lights and audible sirens on when responding to or from an emergency.

Honolulu Police Department (HPD) – Lt. Dave Eber (District 4) distributed the monthly statistics and reported:

- 1 aggravated assaults 25 simple assaults, 24 burglaries, 7 auto theft recoveries, 3 counterfeit/forgery cases, 5 drug offensives, 20 DUIs, 3 escapes, 10 harassments, 6 graffiti 1 ID theft, 1 kidnapping, 11 sick or cared for, 9 motor vehicle thefts, 22 criminal property damage, 9 motor vehicle collisions, 167 parking violations, 6 runaways, 7 runaways cancellations, 3 rape cases, 1 robbery, 2 sex assaults, 64 thefts, 8 threatening, 5 trespassing, 4 unauthorized entry to motor vehicles, 6 truancies, 5 unattended deaths, and 25 warrant arrests.

Ure questioned the rash of graffiti, the number of parks that there hit over the holidays and whether HPD figured out who the Taggers were. Lt. Eber noted several graffiti arrests were made last month. Ure stated these incidents were two days ago and Lt. Eber was unable to provide that information. She asked whether there was website available to the public that has the artwork with a name or is that information confidential and only available that is a confidentiality issue.

Agenda was moved to Board Action, item 8C without objection. This presentation was from last month at the committee, and a motion is being offered by the Public and Safety Committee following the presentation.

Presentation – HPD application for Grants to fund a feasibility study and plans for Video Surveillance of Kailua Beach Park – Sgt. Jonathan Grems said Maj. Mizuno had asked what is being done proactively about property crimes in the district; especially the rash of crimes at Kailua Beach Park (KBP) and the high rate of thefts, thefts from vehicles, and graffiti complaints. Sgt. Grems said as a professional, he looked at ways to increase proactive patrols without the rest of the community suffering from fewer patrols; and what came to mind was closed circuit television surveillance. Grems noted applying for one grant with the U.S. Attorney General's office and will also apply for several others depending on how the funding goes. But basically, the grant would be for a feasibility study, and looking into closed circuit television surveillance and whether it would be practical or feasible for KBP. He chose KBP because it has the highest rate of crime in an area that is small, contained and easier to monitor. In each of the last two years, there were over 700 calls for police service at KBP; and of those, each year there are 500 calls for criminal activity; so basically, 200 calls were miscellaneous type calls (parking, etc.); and many of those could be addressed or assisted by a closed circuit television surveillance. This would assist in secondary cases initiated from these thefts (identity theft, credit card fraud, burglary of hotel room keys, etc.); and it's been proven throughout the world for crime preventing-covert activity. It will be well signed and obvious there are closed circuit television cameras in the area. Grems reiterated that this is just for feasibility study and requests the Board to support the feasibility study for video camera surveillance or Kailua Beach Park; and he also asked the Board and the Community to keep an open mind.

PUBLIC HEALTH, PUBLIC SAFETY & CIVIL DEFENSE COMMITTEE: Committee Chair Claudine Tomasa

Motion: The Kailua Neighborhood Board supports the feasibility study for video camera surveillance of Kailua Beach Park; Tomasa emphasized that it is for a feasibility study. Before going into discussion, the floor was opened to questions regarding the feasibility study.

Questions followed: 1) Glanstein understands that an application was not yet submitted and although the motion is to support a feasibility study, there is no feasibility study; and shouldn't the support of the feasibility study come after an application has been applied for. Sgt. Grems noted there is no feasibility study at this time; there has been application for federal funds however, that's not a guarantee that funds will be forthcoming. **Glanstein recommended amending the motion to support the applications for the feasibility study; Ure seconded the motion.** the Committee chair was asked whether she accepts the amendment, Sgt. Grems made a suggestion that the motion go with just the **feasibility study**; just because they don't get federal funding of this specific grant doesn't mean other venues could open up and they could still follow through. Chair Bryant-Hunter said the Board needs to act on the motion to add "applications" before the word feasibility. But

before having the discussion on the main motion and because Sgt. Grems requested the language remain the same. Chair Bryant-Hunter requested the Board discussion adding the language “**applications**” to the main motion. Discussion followed: 1) Weinberg spoke against the motion. To amend and put the word *applications*, changes the meaning of the motion because the motion is to support a feasibility study and not an application. Just support an application has no weight or meaning. 2) Glanstein said the purpose for the amendment is to modify motion because this is multi-step issue and if you don’t have a feasibility study to look at, to examine, to question and determine whether this is something that the Board might want, but certainly can plan to say that the application which precedes the actual feasibility study. 3) Tomasa suggested, based on Sgt. Grems’ response, she would recommend not to accept the amendment. For clarification, Chair Bryant-Hunter said if you vote yes – you want to add the word “applications” to basically amend the motion; if you vote “no” – you don’t support the amendment. **By a show of hands, the motion failed, 2-14-0. Aye:** Glanstein and Ure. **Nay:** Best, Brooks, Bratt, Brown, Bryant-Hunter, Chinen, Correa, Dowsett, Dudley, Harding, Lindgard, Porter, Tomasa and Weinberg.

The Board discussed the main motion: **the Kailua Neighborhood Board supports the feasibility study for video camera surveillance of Kailua Beach Park.** Questions followed: 1) Ure said the presentation made before the committee was to apply for grants for a feasibility study. That feasibility study would say whether or not you could get grants; then you could determine whether or not you could do surveillance at KBP or any other park. Also reported was that there would be a data base kept but were unclear about how long that data base would be kept. Do you know: a) whether we have trained police personnel or private contractors; b) the problem with private contractors, they are not trained as police officers to gather such information; so, if you’re going to do a feasibility study, do we know that the data base is going to be housed by HPD and for how long is it accessible? Sgt. Grems asked what kind of data base is being referred to; and Ure indicated for example – HPD has her picture doing a crime-- and will be just be used to prosecute her case or will it be turned over to the federal government or homeland security to look at twenty years from now. Grems did not have an answer and to his knowledge, the information is not being passed on. 3) Best asked the following questions: a) how long is the feasibility study anticipated taking; and b) where are the cameras being monitored from – by people at Kailua Police Station or by the people monitoring the Chinatown and Waikiki cameras? Grems said off the top of his head, he thinks it’ll be from here at the Kailua Station, but the specified location will be determined and whether it’s feasible or not; and what is best for the community. With regards to how long will the feasibility study take; Grems indicated about a year. **By a roll call vote, the motion was adopted, 14-2-0. Aye:** Best, Brooks, Bratt, Brown, Bryant-Hunter, Chinen, Correa, Dowsett, Dudley, Harding, Lindgard, Porter, Tomasa and Weinberg. **Nay:** Glanstein and Ure. The letter of support will be forwarded to HPD.

Recognition of Mike Dudley – Chair Bryant-Hunter recognized Mr. Dudley who, will be resigning after tonight’s meeting and taking a job on the mainland. Chair Bryant-Hunter presented Mr. Dudley with a Certificate of Appreciation that reads: *The Neighborhood Commission, the Kailua Neighborhood Board and your community, thank you for your dedication and service as a member of the Kailua Neighborhood Board. You have been a very active and diligent board member. In particular, you have shown a great willingness to work directly with your neighbors and advocate on their behalf. You have always been willing to attend meetings and work with city and state officials to address the needs of the community. You have brought a balanced perspective to the board and your opinions will be missed. Again, thank you for serving your community with energy and enthusiasm.*

Dudley was presented with a lei and a t-shirt and a round of applause from Board members and audience followed.

Marine Corps Base Hawaii (MCBH) – Two special briefings were presented: 1) Blue Angels briefing by O’Hara followed by a 2) Command Briefing by Major Christopher Perrine.

Blue Angels Briefing – Peter O’Hara presented introduced Blues on the Bay, the Marine Corps and Navy Airshow 2007, featuring the Blue Angels on October 13 – 14 at MCB Hawaii, Kaneohe Bay. Posters were available. One thing is realized that there is a certain cost with bringing an airshow into a community that has an airfield. The airshow will be bringing something that’s never been seen here on the islands - the Army Golden Knight and the Navy Leap Frogs jumpers and the world famous Blue Angels. Token females: Jill Long, an Airforce Reserve Officer, served two combat tours, more than 50 combat missions over Afghanistan; Patty Wagstaff, a six-time member of the US Aerobatic Team. Local civilian performers include: super DC3 Kamaka Air Twin

The air show is open to the public, free admission with on-base parking; there will be lots of rides and lots of food from local vendors. If you don’t want to carry your beach chair or mat, there will be premium seating available: Grandstand seating - \$8 adults, \$5 children (3–10 years); Box Seats - \$15 adults, \$11 children (3-10 years); Chalets (Top Brass) \$70 adults, \$50 children (3-10 years) and (Devil Dog) \$45 adults, \$35 children. Tickets are available now at all Ticketmaster locations or at www.ticketmaster.com; or go to ITT, Information Tickets and Tours on base or at your MWR ticket offices.

Questions followed:

1. A resident said his parents living in Haiku Gardens complained that the planes flying were very loud; and asked that the complaints be followed-up on. O'Hara said a complaints hotline number was recently put on the website, and all the issues from the previous airshow were reviewed. He also encouraged hearing from the public any issues or concerns.
2. A community resident who lives near the back gate by Pinky's asked do they know what the radius for the practice runs will be; and that might be something to alleviate some of the concerns of the community. O'Hara said one of the things they want to prepare for is the arrival of the Blue Angels on October 8, flying from San Francisco across the Pacific Ocean, and start Tuesday with a briefing on the course rules; and on Wednesday, practice day, performers will be notified of the temporary flight restrictions; five hours from the center of Kaneohe Bay; however they will be operating from a 1500 foot and 1.7 miles from Kaneohe.
3. To elaborate further, Ure said the last time when they had the "nice box that centered on Kaneohe", but what happened was the closer the planes got to the mountains, and with the paralleling, there was so much more noise that dishes were breaking and falling off shelves because of the low flying profile. Although, Ure was not sure whether anything could be done about that; at least be aware that this was happening. It's not the same on the ocean side where the noise could dissipate. When the residents are concerned, you need to go mountainside to listen to some of those test runs. She invited the speaker to come out to Maunawili for listening.
4. O'Hara said Mokapu peninsula is a unique geographic area and they'll be addressing all the concerns; he thanked Ure for the invite, and yes he will be sure to pass the word in the briefing to all the pilots. The biggest concern is on the F-18's and not on the professional performers because most of them stay near the runway. Chair Bryant-Hunter reiterated on the website: www.bluesonthebay.org. O'Hara phone number is on the website.

MCBH Command Briefing – Major Chris Perrine is the Director of Public Affairs at Marine Corp Base Hawaii and runs Community Relations, have a newspaper and a website, and historical programs and if you have any concerns, please call him and he will follow-up. His power point presentation will talk about the base, their location and what they do. Perrine noted a lot of history with Mokapu peninsula – the first native Hawaiians landed about 1500 years ago and there are a lot of native Hawaiian remains there. It's a special and sensitive program which they work closely with native families who have familiar ties to make sure they protect the remains there; and with the Patriot Act more than 1500 sets of remains are protected.

Questions and answers followed:

1. Maria Gorak asked what the Waimanalo people were protesting over. Maj. Perrine said there was discussion about a training facility at Bellows and that some residents of Waimanalo were not happy about it and are now trying to correct that and there are plans to take members of the Waimanalo Neighborhood Board out there on Sunday.
2. Joe Gilman asked will the Marine Corp be involved with the hazardous dumping at Bellows Beach? Maj. Perrine said it's everyone's problem; and they are working with the Air Force and Congresswoman Hirono to get it cleaned up. The history is that Bellows belonged to the Air Force and a lot of it was turned over to the Marine Corp for training; and some areas such as the landfill responsibility was kept for management until they decided what to do with the land. Congressman Hirono recently held a press conference to announce that the U.S. House passed the appropriations which included funding for the cleanup of the landfill (about one acre) but it will still have to pass the U.S. Senate and be signed by the President; and the Marine Corp appreciates her efforts to get that funding.

Board of Water Supply (BWS) – Board members were emailed the BWS report. Chair Bryant-Hunter noted that a summary would be included into the minutes:

- There were no main breaks in August to report.
- General Water Announcements: a) Summer Conservation Efforts Update: The BWS would like to thank the community for their conservation efforts. Thanks to your help and some much-needed rain during these hot summer months, we actually pumped less water this summer compared to last. This year, we pumped an average of 159 millions gallons of water a day between May 24 and August 15, compared to 164 million gallons of water a day during the same period last year. Again, the BWS would like to thank you for your help and ask that you continued to remain vigilant in your conservation efforts. Use what you need, but do not waste it. b) BWS Information Session of the Neighborhood Board Members: The BWS Information session for neighborhood board members is set for Saturday, October 27, from 9 – 11:30 a.m. at the Halawa Xeriscape Garden at 99-1268 Iwaena Street in Halawa Valley. This session is your chance to learn more about how the Board of Water Supply continues to provide "Water for Life," and will cover topics such

as the history of water on Oahu, watershed management and how construction projects are done. Plus, on a first come, first served basis. Neighborhood board members who sign up quickly for the session will have an opportunity to tour the Halawa Shaft, where you will get an up close look one of Oahu's underground aquifers. For more information or to RSVP, please call Moani Wright-Van Alst at 748-5319 or email her at mwright-vanalst@hbws.org.

There were no reports from: Emergency Services Department (EMS) or the Honolulu Liquor Commission (HLC).

COMMUNITY ISSUES & ANNOUNCEMENTS: Chair Bryant-Hunter asked anyone wishing to speak on the agenda items to please sign-up at the sign-in table. She also stated that if you've signed up to speak on something already on the agenda, please wait to get to that issue; and those signed up to speak on items not on the agenda were asked to come forward.

Castle Medical Center Women's Health Fair – deferred at this time.

L'Orange Place – A number of residents were present to speak on the topic of L'Orange Place.

1. Jill Kajikawa-Kent – lives a block and a half away, has three kids, ranging in ages from 4 to 20 years old; and as long as she can remember, was a friendly neighborhood and always able to walk down L'Orange Place to go to the beach. But over the last five to seven years, there have been new neighbors and it's slowly becoming hostile walking to the beach. Out of courtesy, she tried using the access way to the left of Safeway, but feels very uncomfortable, not safe, dark and desolate. It saddens her that this gate has been put up on the beach end, not allowing the neighbors to traverse through. She finds it interesting that the City & County go down that private road to collect garbage, and the federal postal workers deliver mail on that private road, and it seems those residents like to use the public refuse and postal services but are selective on who's allowed to go there. Part of the beauty of Hawaii is seeing families going to the beaches and "shame on you" for thinking you have control.
2. Isabelle Figel – is a concerned community member and homeowner in Kailua. She first fell in love with Kailua when her brother rented a house on Kainui Drive. It was always a dream of hers to move to Kailua, and was fortunate to find an affordable townhouse on the marsh end of Kainui Drive and have been using L'Orange Place for beach access for over 25 years. She's very disheartened and concerned that wealthy homeowners are fortunate to live right on the beach are now restricting the rest of the community. After a hectic work week, part of their way of unwinding is every Saturday morning she and her husband would get out and walk down to the beach, getting exercise and fresh air, relaxing and talking to the neighbors and enjoying the community. But the last few weeks, they found this gate up restricting their access. They talked to fellow community members and everyone is just distraught about the situation; they've talked to several attorney's who feel it might be a good case for public access and easement issues, etc., but they don't have those faculties at their disposal. She also stressed that it's counter productive to what everybody's concerned about in this day and age-- worried about the pollution, over use of cars, traffic and congestion in Kailua. She encouraged everybody in the community and the Board to see what can be done about eliminating the gate.
3. Rick Figel – Isabelle's husband, said he's been jogging down Kainui Drive to L'Orange Place to get to the beach, at least twice a week ever since they've lived there; and he could understand wanting to restrict access if there were a vandalism problem, trouble at night, etc., but can say that there's never been a parking problem. In fact, he pointed out because he's a resident there he's always keeping his eyes open for suspicious cars and every time he's noticed a suspicious car, he'd watch until they left and try keeping an eye out for his neighbors. The other thing that bothers him is that there are a couple of access points but when he's jogging that beach, and you keep looking to the right, you'll see more and more gates going up. And there is one other road to the right of L'Orange Place which is open and he's gone down that road and felt very unsafe because some of these people have dogs that have been let loose, and you don't know if they're friendly or not. His point is if they can legally put that gate up, what's to stop them from doing it the next road over; and increasingly feeling like the community neighbors are not welcome in their own neighborhood and that's wrong.
4. Judi Dancer – was fortunate to buy her property and lives directly across the street from L'Orange for 30 years and because of its proximity can just walk across the street; and as a property owner, a voter and taxpayer, that the owner's of that street can just close it off and she found that absolutely disgusting. She also went to the Fasi Building yesterday and the person that helped her find information on microfilm that county money has been involved on that street over the years. So that means there should be public access. They also found no permit issued for that gate; and she feels that the Board should investigate and have the gate taken down until they find an absolute valid reason why it should be there. She will not go to the public access as unfortunately it has not been kept up and is unsafe.

5. Ben Willke – resident of Kainui Drive, said one of the responses to give the folks on L'Orange Place is where there are people parking on their property; well the price you spent to put up the "no open beach access" sign, under State law, they could have put a sign with contact information that your car has been towed, and would have been within their rights to have done that, but seeing as many of these people he has--he has not seen any who was disrespectful. He also noted between that access and St. Anthony's Church there are two crosswalks into Kalama Beach Park and two public accesses. Correct him if wrong, but the State law says there should be an access every quarter mile at minimum; so from L'Orange going town side there's not a beach access for over half-mile. This is the first step to the restriction for everybody of Kailua's beach access, and as is said, everybody will follow suit.
6. Wendy Watson – born and raised in Kailua, my father bought the first home in Dune Circle, and moved out of Dune Circle when she was 15 years old and into Lanikai because the first gate went up. Her father fought it and was violently opposed to this and is here to speak for him because she knows how much he hated this. He loved the local people coming through and she thinks it's really sad that another fence has gone up, that there aren't many accesses left and is concerned for all the people that live near the public accesses because it is a little dangerous and a long right-of-way; also, that Kailua is not Kailua anymore, and taking away the feeling of it being a local place, and there will be more accesses that will be blocked.
7. Bob Moncrief – resident of L'Orange Place since 1970 and until recently it's always been opened to anyone walking down the lane to the beach and back. He also shared his sentiments to the people that have spoken. He feels that the lane should remain opened, that he enjoys the people walking down with their families, and that it has taken nothing away from the privacy of their homes, and actually it's been a nice addition and enjoyment. He also noted that the people who come down the lane, 99% of them are respectful of the people there and probably had a couple incidents at night, but is the exception of having them at all, he thinks happens everywhere. The street is quiet and safe and it used to be the people there were those with the "kamaina" spirit and enjoyed people coming down. Recently, it seemed the people that are moving in seem to want this exclusiveness and decided that they want it closed off and be able to pick and choose who goes to the beach. Moncrief and his wife are totally against this and have spoken out and tried to convince others that this is totally not the way to go. At this point, the majority of the people on L'Orange Place want it to be exclusive. He had a real problem with the way this was done, which was not done legally. Moncrief also noted that they are a private community association, with a board of directors, bylaws and rules; and the president took it upon himself to seek a permit for that gate. Unbeknownst to a lot of the people on the lane they paid the money and it did not come out of their treasury. The association had allotted in one meeting two years ago, something like \$500 to investigate the possibility which was done in a democratic fashion. The Moncrief's are still totally upset about it and hopes that something can be done about it and is behind anyone who wants to turn this around and get rid of the gate.

Chair Bryant-Hunter said this is not on the agenda so no action can be taken on the issue tonight, but there are a lot of questions and she would like to refer this matter to the Sustainability Committee and start there and ask the public to attend that meeting on Tuesday, September 11, 7 p.m.; and will taken the matter up in more detail.

Additional comments followed from the Board members:

1. Lindgard – agreed with each one and what upsets him is that people who are renting out their houses to tourists, and it's gotten to a point where the tourist who come here have a private access to the beach and the local people don't, and that's not right. Also, that no one should have a security system where by only those who know the code can get in and out is completely wrong. The law says when you subdivide a property and there are more than six houses involved, in the application, the approval would state whether or not the road going in is public or has a public access to the beach. Lindgard wanted to share with anyone a CD that showed Kailua as it was in 1968 and the entire stretch of the beach, and there were also big properties that were subdivided.
2. Weinberg – raised a **point of information** regarding the Chairs' remarks about the committee and the attendance of the committee; according to the rules, not only can you attend the meeting but you can become members of the committee and vote on the matters before the committee, or any committee that you choose to go to, it is his understanding that attending the meeting you will become a member and can vote at the meeting and all the issues before that committee. So if enough of you come to the committee meeting you can control what comes out in terms of the reporting to the Board at the next meeting.
3. Glanstein – raised a **point of order**, with all due respect Mr. Weinberg has been misinformed. While there are two Boards that have non-board members sitting on committees, they have special procedures so there isn't a situation that occurs at the same meeting where a lot of people (non-board members) come to those meetings and there is action; and there is not action until a subsequent meeting for interaction if there is still interest. If you refer to the Neighborhood Plan, it does not include non-board members as

voting members of the community. Weinberg suggested Glanstein read the Charter under Boards and Commissions.

4. Chair Bryant-Hunter clarified that this particular Board does not allow non-board members to serve on committees, however, she knows of no instance where our community members have attended a committee meeting and their voices have not been heard and the Board acts accordingly; so formerly, the Board does not have community members serving on or voting on the committees; and that committee rule information is on the Boards website; and each Board is allowed to decide how each will handle their committees. This action was taken by the Board in 2004 in a Special Meeting of the Board, particularly because people had these questions and the Board wanted to resolve them. Weinberg would like this for discussion at a future meeting.
5. Chair Bryant-Hunter reiterated that the Sustainability Committee meeting will be on Tuesday, September 11, 2007 at 7 p.m. at Kailua Recreation Center (one of the small meeting rooms). The Board will continue to look into this matter and have more information. She appreciated everyone coming and bringing the issue to the Board's attention. It is one that the Board takes seriously.

Kailuan Apartments – Representatives from the Kailuan Apartments wanted to address the Board.

1. A resident, who used to live in Waimanalo on the beach lots for 16 years, now lives at the Kailuan Apartments said that is unfortunate but could not keep up with her Waimanalo home and it fell into disrepair. When she tried looking into getting a City & County rehab loan she realized it needed more work than the loan would go. The Kailuan was the perfect answer and she moved in 1995 and was able to purchase a unit on the ground level of the Kailuan with a lanai. She highlighted that the lease is running out by January 2008 and the owners have wanted to buy the lease fee from Kaneohe Ranch and want to purchase the land at fair market value, the same value per square foot as was paid by D.R. Horton, who bought the block before the Kailuan; and are asking for the community and Board support.
2. Nikolai Sabar indicated that there is a petition at the back of the meeting room for anyone wishing to support the cause; and basically, 17 members will be homeless by the end of this year if unable to get Kaneohe Ranch to sell the fee to the residents already there.

Questions followed:

1. Bratt assumed that the co-op approached Kaneohe Ranch (KR) and if so what was their response. Sabar said the response from KR was an offer to move out earlier. Bratt clarified: so KR remained steadfast in denying the opportunity; and Sabar said though the answer was not directly; indirectly they pretty much said "no." Sabar said there's really no reason not to sell the fee because they have financing available, and professional people willing to do the negotiations, so there's no real reason not to sell.
2. Chair Bryant-Hunter noted that the Board received a copy of the letter that the Board of Directors sent to the Kaneohe Ranch; the copy is available in the correspondence file.

Kaelepulu Stream Update – Bob Bourke is very involved with the Enchanted Lake-Kaelepulu Pond Restoration. He just wanted to inform that Board that they are working currently with City departments to open up the berm at Buzz's and to get them to regulate that better to keep the waterways open and the quality of the water better; and will see the Board at future meetings to give updates. Bourke will be the board on the mail list to receive their newsletter.

Kalaheo Bike Lane – Carrin Waterhouse, a longtime resident of Kailua, spoke on the vanishing bike path on Kalaheo. She also thanked Bryant-Hunter, Prentiss, Bratt, Senator Hemmings, and Andrew Malahoff of Councilmember Marshall's office for coming to their September 21 meeting at Kalapawai Market; and Cindy Gallager of Hawaii Bicycling League who also came. The bike path at South Kalaheo ran from Kailua Road to Kuulei Road both sides of the avenue and two bike route signs remaining on the street next to Kalapawai. On North Kalaheo, the bike route ran on both sides from Mokapu Boulevard to Ke Nui Street; there are three bike route signs still remaining on the mauka side. At the meeting, they were informed by Malahoff that the Mayor's Office was in the contract to restore the Kalaheo Avenue to its preexisting condition after the sewer work was completed. Because there were three contractors, somehow it was not done. She hopes that coming here this matter can be resolved at no cost to the city since it was in the contract. She also thanked Gerald Chang from Midweek and Mike Liederman from the Honolulu Advertiser for their articles in the papers about the bike lanes. On Friday, August 31, there was a humorous letter to the editor in the Honolulu Advertiser which she read aloud, "Bike Lane might mean longer road closure," highlighting Mike Liederman's article of August 24 of wanting the City to fully restore the bike lane on Kalaheo. She hopes that they are able to restore it so they can get to other issues on Kalaheo.

Chair Bryant-Hunter noted that the Transportation and Public Works Committee has taken the issue up and although the Chair isn't here tonight, the Vice Chair and the committee will be discussing it this month and will

following with the issues brought up at Kalapawai; also, they were hoping to get some of the pictures of the location on Kalaheo. The meeting will be held on Thursday, September 20, 7 p.m., Kailua Rec Center.

ELECTED OFFICIALS:

Councilmember Barbara Marshall – Andrew Malahoff was present earlier; the Councilmember's report and response to two questions were distributed to the board members and available at the sign-in table. Chair Bryant-Hunter read the responses aloud:

- Has the State paid the City and County back the initial \$5 million guarantee to setup the GET tax for Mass Transit? If not, when will they. The response was: the State, through HB 1414 SD2, appropriated \$5.04 million to cover the startup costs. However, there is still some question as to how much, if any, money was expended by the City's Department of Budget and Fiscal Services and will provide you with an update once we have a definitive answer.
- What is the status of the proposed lifeguard station for Kalama Beach Park? The response was: money for the lifeguard tower was appropriated in FY 2004. The project was cancelled after EMS informed the department that they lacked sufficient staffing to man the tower. Councilmember Marshall's office will be working with EMS to see how the staffing issue can be addressed to ensure that when monies are appropriated in a future budget that the project will be completed.

Mayor's Representative – Ann Chung responded to the previous month's concerns as follows:

- Incorrect Street Names in Maunawili on Maunawili and Auloa Roads – The Department of Transportation Services (DTS) will conduct a site investigation within the next 30 days. A work order to make the appropriate changes to the street name if necessary will then be issued.
- Kapa'a Quarry Road Investigation – Chung wanted to explain that at the last meeting, thoughts were to bring DTS to tonight's meeting, unfortunately, there were some issues that still needed to be ironed-out and hopefully the intention will be to come before the at the next meeting.
- Water Ponding at the corner of Kalapawai Store on Kailua Road – Repaving of the intersection at Kalaheo Avenue and Kailua Road was performed in March/April 2007. Enclosed are photos taken in February 2005, October 2006, and August 2007, which show water ponding at the same locations before and after construction and repaving.
The repaving was performed for this project was not an overlay and there were no grades changes made along S. Kalaheo Avenue (including the intersection fronting the Kalapawai Market). Repaving involved removing the top 6 inches of existing asphalt pavement and replacing it with 6 inches of new asphalt pavement. Therefore, the new pavement surface is virtually the same elevation as the pre-existing pavement elevation. It should be noted that there is no drainage system along Kalaheo Avenue. Ponding was a problem at nearly every intersection along North and South Kalaheo Avenue before construction for this project began. The intent of repaving that was performed for this project was not to alleviate the pre-existing ponding problems. The purpose of repaving was to provide a solid and smooth driving surface that requires less road maintenance (fixing potholes) than the pre-existing pavement, which was badly deteriorated. If there are any questions, please call Jon Yamane at 768-8788.
- Drainage Swale issue at Kailua Beach Park – the location where the swale previously existed is under the direct jurisdiction of the Department of Parks and Recreation – please refer this issue to them. DDC's understanding is that DFM was to clean out it and re-establish swale and drain outlet. Minor grading is at the bike path street corner intersection. Refer response to swale statement to DFM.
- Excessive Sand Blowing up on Kailua Road – The Kailua Beach Park staff is checking and monitoring the sweeping off of the drifting sand daily. Alternative methods of redirecting or trapping the blowing sand are being considered to mitigate the build up on the bike bridge.

Chung also wanted: a) to recognize receiving several emails from board members and unfortunately she did not have answers at this time but did want to offer another opportunity to get quicker answers instead of waiting for the next Board meeting, would be to send your emails to the Neighborhood Board hotline at 527-5721 or email: nco@honolulu.gov. b) Another inquiry regarded graffiti from Board member Ure about a hotline number at 527-5180. Ure noted that the Graffiti Hotline number is not posted to the City telephone directory portion on the web; she will try to get that fixed.

Chair Bryant-Hunter informed everyone that government concern forms are available at the sign-in table. State forms are blue and the City forms are white. Please complete and give to the Board.

Questions, comments and concerns followed:

1. Dudley asked whether Chung received the picture copies and in her response she indicated that it is being worked on. Tonight is Dudley's last meeting and feels the need to have some resolution because his neighbors had asked to bring this issue forward. He proceeded to explain that the City and County had two fences along Alala Road side of the park. In between those two fences was a drainage swale, pitched-forked towards the ocean taking all the water that came down from the hillside to Alala Road into that intersection and was diverted out to the ocean at that swale. When the City built the bike path back into the park, the City covered that drainage over and since that time, it's been flooding there. Chung will try to get back to Dudley since this is his last meeting.
2. Best said everyone was gratified to hear that the young boy who was vacationing was eventually located and returned. It was reported in the newspapers that he was staying in a vacation rental and she was wondering if the City can give some assurance that this home was operating legally and if not what the City is going to do about such properties.
3. Corcoran said last month it was reported that Waimanalo Gulch EIS would be done in August and asked whether Chung brought a copy for the Board. Chung will check on the status and keep him informed.
4. Gilman commented on tonight's report by Chung: a) that the sand on Kailua Road is cleaned by DPR once or twice a year. However, he has about 6-inches in his driveway from being windblown and stirred up from passing traffic and it just gets blown down Kailua Road; and b) the ponding at Kalapawai Market – did not like the response given. The sewer line contractor excavated a short section from Kalapai Market toward Kalaheo and had to grub pump that whole sand area and that's why it's no longer porous sand.

Chair Bryant-Hunter asked Chung to take that comment back to City administration and explained that it's probably an unintended consequence that the sub surface area where the work was done that is causing the situation and maybe that's what they need to look at.

5. Uishaka Jakiel, a resident of the Kailuan Apartments, would soon be evicted from their apartment. The **Kailuan Co-op** has tried to negotiate with Kaneohe Ranch to purchase the fee. Kaneohe Ranch has sold the fee of the surrounding apartment complex areas to DR Horton; with the exception of this one apartment building. She wants to know the Mayor's position on the fact that the tenants of the Kailuan Apartment will soon be evicted. Chair Bryant-Hunter asked Jakiel to give Chung a more detailed background / history regarding the matter because Chung was not present during the earlier presentations. She also would also like to ask the same question of Councilmember Marshall, which many has come out tonight to express that same concern. She also sees that Councilmember Marshall takes a stance saying that she is extremely concerned not only of low income groups which have been targeted for help but those in Hawaii with respectable jobs but not enough income to buy – yet too much income to get help in buying. She stated where she lives are middle income people, many with good jobs and a cross section of society with elderly, single parent and two parent families, and they're going to loose their homes. And because they have the opportunity to buy, they are still getting rejected. Chair Bryant-Hunter strongly encouraged Jakiel to call the Councilmember's office directly; the number is on her report.

Governor's Representative – Dr. Morgan Barrett, Deputy Director of the State Department of Health, briefly mentioned that the Governor's Weekly message is at the sign-in table. There are three main points:

- Affordable Housing – which the idea is to try and promote an economy to include all income levels. And that makes a lot of sense and if the economy of Hawaii can be encouraged to move in that direction; and the initiative that the Governor is championing has the seeds for a change in the economy.
- Hurricane Flossi – Barrett encourage people to prepare supplies for more days than just three days which could go by quickly.
- Woman's Leadership Conference – sponsored by Governor Lingle is on Tuesday, September 25.
- On August 29, the Governor's Office received from the Transportation and Public Works Committee the request to support the Board's Bicycle Safety Resolution. Barrett read a letter addressed to Mr. Prentiss, Committee Chair, thanking him for his letter of August 11 regarding the Bicycle Safety Resolution adopted by KNB.
- The Department of Health has an Injury Prevention Control Program and encouraged everyone to visit the website.

Dr. Barrett responded to questions and issues raised at the last meeting:

- Dudley's concern regarding the road closures when no work is taking place; DOT reported there is no set policy on road closures for maintenance to evaluate what we need to do and how long it will take. DOT evaluates traffic lines to see what impacts on what alternatives that motorist will have; and as much as possible, DOT will try and do work at night and as early as allowed; and on weekends, evaluate traffic control and from which access points. One of the points made is you may not see work being done,

because often when the road is closed, the work is being done adjacent to the road. DOT does not take this process lightly because they hear about it quite often.

- A letter was received from two committees regarding the handling of the large capacity cesspools in conjunction with the remodeling of apartments. There are two parts of the DOH that actually have a role in this (Ure and Bryant-Hunter were emailed copies) regarding the answer to this question. The process is that each cesspool is thoroughly pumped of sludge and scum and properly backfilled either with sand or low strength concrete and capped with soil or concrete. The material removed from the cesspool is taken to the wastewater treatment facility for disposal. The other concerns included marsh land, park land and water and it does sound like the concerns are addressed through this process. If the community or Board is concerned he could make arrangements for either of the two division chiefs to come and speak to the technical process. There are about 18 cesspools already closed; and one cesspool (Kailuan Apartments) has an EPA deadline of December 31.

Questions and answers followed:

1. Lindgard questioned whether the cesspools were below the water table and agrees with the backfill of sand or concrete.
2. Brooks stated a neighbor received a letter from the Department of Health sent to all the people in a particular class (developmentally disabled and mentally retarded) saying they should not apply for or ask for income assistance or any additional services, because of budgetary constraints. She was concerned and not aware that the DOH was under such severe budgetary constraints that it has to miss services to some of the most vulnerable population. Barrett would have to agree. There are currently over 2300 individuals in this department's care that are included in this program. Barrett would be glad to look into the matter and asked that a blue concern form be filled out and or email him.
3. Chair Bryant-Hunter asked to refer the issue to the Public Health, Public Safety and Civil Defense Committee for follow-up on the service restriction and capping to the developmentally disabled and mentally retarded individuals.
4. Tomasa asked, in regards to the cesspool issue, whether the State has a map depicting how many and where each cesspool is located in that "Ironwoods" project. Dr. Barrett did not know that information and will find out. But from the various people he's talked to about the timeline and the process, are working with the contractor. Tomasa interjected that there is never a straight answer. Barrett noted he will try to get a map.
5. Weinberg noted indications that this will be a bad flu year and asked what preparations are being made to make sure everyone gets this vaccination. In reponse, DOH started a school base immunization program; and the concept is if you prevent influenza at school, it has been prevented to some extent and from spreading to others and is a proven strategy. The other thing DOH has been trying to do on TV is coach people on how to sneeze properly; to stay at home if you're sick; and engage in lots of hand washings.
6. Ure asked regarding the cesspool, that the committee only asked about the "Ironwoods" and did not address the Kailuan at all. The reason NPDES was mentioned was because Schuler Homes did so in their presentation, and the committee wanted to make sure that the ground water was protected, that the walls of the cesspool weren't going to leak, knew what was going to going in and coming out, and that children weren't going to fall into a hole in a common area or playground area some year down the road. A map would be nice to have and the NPDES might still be required.

Representative Pono Chong – Representative Chong reported:

- School renovations: Keolu Elementary Schools construction is almost done; Enchanted Lake is design phase for their school renovation. This is part of the \$135 million to fully renovate 96 schools and classrooms; money was put into the budget for Kaelepulu School, but has been held up to this point; and will look at ways for releasing the money.
- As the Vice Chair of Water and Land Committee, he's been going to the outer islands to talk with various communities about agricultural land and other land issues.

Questions and answers followed:

1. Waterhouse would like to know why the fence is being put up around Kailua Intermediate School; Chair Bryant-Hunter added it is a brand new chain link fence. Representative Chong will have to check into that and get back.
2. Glanstein asked if the general obligation bonds that were to be released for the Kailua High School access road; is this transferable for any other project? Representative Chong stated that would have to go back in session and repeal the first appropriation and re-appropriate for a new appropriation. Essentially, this current appropriation of monies will be let go.

3. Corcoran enlightened all elected officials that last month, Mayor Hannemann had a meeting in Kapolei in which he promised the citizens of Leeward that when he forms the committee to address landfill, he will disallow any consideration of any landfill on the Leeward side. The reason Corcoran brings this up is that during the last evaluation, there were only four of them on the Leeward side and you know where the other one is--Kapa'a Quarry, Kailua-- on the Windward side. This is an **ALERT** and he would like to see at the state and city follow this through and see where this is going. Representative Chong felt that a working group.
4. Chair Bryant-Hunter reiterated what Corcoran was saying – that what Mayor Hannemann is going to do is have the working group **not** look at any sites on the Leeward side; so they will have to start with that premise and look at the other side and which (we know from previous experience), there's only one. At the state level, be aware of this and perhaps look at ways to help focus on the issue of landfill.

Senator Jill Tokuda – Senator Tokuda circulated her written report and gave some basic updates:

- Congratulations to the number of community residents for participating in the CTAP program held August 3, lined up on both sides of Kalaniana'ole Highway, and including the women from the Correctional Facility who really helped in bringing awareness; especially near Olomana and Maunawili Elementary School.
- The Honolulu Bicycling League's Honolulu Century Ride 2007 will be held on September 30, which will be coming through windward Oahu twice; once to go through windward Oahu and coming back. She wanted to make sure everyone is aware of the pathway – around the mountain on Kalaniana'ole Highway, down through Keolu, to Kailua to Kaneohe Bay Drive, Kamehameha Highway, through Kaneohe up to the North Shore and coming back down again. She wanted the residents to anticipate that this will be coming through and to keep safe for both the participants, pedestrians and motorists.
- Mark your calendar – the Hawaii 2050 Sustainability Summit will be held at the Hilton Hawaiian Village Beach Resort and Spa's Coral Ballroom on Saturday, September 22 from 8 a.m. to 12:30 p.m. If you are interested in participating and for more information visit Hawaii2050.org or call her office.
- PZ&E Committee Chair Wong did circulate a letter on behalf of the committee regarding the investigative report done on the Aikahi Wastewater Treatment Plant. Senator Tokuda wanted to report that her office did not receive a copy of that investigative report; her office called Councilmember Marshall's office and they had also not received that report. Her office is in the process of tracking that down; as soon as they get a copy, one will be forwarded to the Board; and perhaps it might be necessary to have some kind of informational presentation given at that time.

Questions and answers followed:

1. Weinberg did not notice in the Senator's newsletter whether the Senator attended that Legislative Conference in Boston; Senator Tokuda said she did attend the National Conference of State Legislators annual meeting in Boston and moderated a panel on sustainable growth and the relationships between state and tribes and found it to be very interesting looking especially at the cultural aspects and how it can be incorporated here, served as a member of the Environment Committee, learned a lot about agriculture, information on education, and looking at incorporating some of things learned into bills.
2. Ure wanted to ask all of the Representatives and Senators – the lifeguard positions for Kalama Beach Park have to be funded if a lifeguard tower is going to be built. It is receiving more traffic than it used to and was on the Capital Improvement budget before and will elected officials be working on legislation to get funding for lifeguard positions at Kalama Beach Park? Senator Tokuda noted they are looking at various water issues and the recent and unfortunate tragic accident that took place at Kalama Beach Park and looking at Kailua Beach Park as well. Her office is still doing further research and perhaps a misunderstanding of the relationship and will have to look at the way the funding goes and look at how to improve safety at the beach parks and getting additional training. She felt the goal for everyone, whether city or state no matter who has jurisdiction, is to try to keep our beach goers safe.
3. Glanstein said this is in response to Ure, that the last Charter Commission, didn't the city include lifeguards under the new office of Emergency Management; Ure noted that the deaths were in the water. Chair Bryant-Hunter noted that Ure was concerned that the accidents occurred in the state jurisdiction. Lifeguards were funded by the City & County; and the lifeguard stands.

Representative Cynthia Thielen – John Foster distributed the Representative's monthly newsletter and will stand on her written report; and did want to thank Corcoran for the heads up on the proposed landfill and Ure regarding lifeguards. He believes this is something the Representative is looking at and the possibility of doing something. He called to attention about the special treatment facility that is on tonight's agenda.

Representative Tommy Waters – No representative was present; his monthly report was available.

There were no other Elected Official's reports for Senator Hemmings and U.S. Congresswoman Mazie Hirono.

BOARD ACTIONS: Chair Bryant-Hunter asked that the agenda be taken out of order at this time to Non-Committee Motion 1. Non-committee motions will need a second to the motion.

NON-COMMITTEE MOTIONS: Committee Chair Tomasa said that the residents are looking within the area of the proposed certificate of need and she was not aware that the criteria had anything to do with planning and zoning. There were concerns that were voice by private residents during the September meeting.

Non-Committee Motion: Tomasa moved that The Kailua Neighborhood Board recommends the Hawaii State Health Planning and Development Agency (SHPDA) to not approve Certificate of Need (CON) Administrative Application No. 07-19A, Relocation of 16 Special Treatment Facility (STF) beds from the Kaneohe State Hospital Grounds to 110 Kaneohe Bay Drive, Kailua, Hawaii.

Tomasa mentioned there are ways of addressing this problem, but the committee is concerned. **Harding seconded the motion.** Chair Bryant-Hunter asked Tomasa to give a brief background; she understands that the applicant is present and other community members are present to address the issue as well. Tomasa noted that a Certificate of Need (CON) request was presented to SHPDA on August 9, 2007 with a comment deadline, August 23. She proceeded to write a letter requesting a public hearing in Kailua, preferably at Aikahi Elementary School, close proximity to the proposed relocation of the special treatment facility. She was also concerned that the Director of SHPDA was not open to a hearing at the designated location, or at a time when most working residents could attend. And although the hearing was held during a lunch hour, the turn out was good. The facility is housed in a residential area with two dwellings, staffing on an 8-hour shift will include two RN's and two health technicians. Her concerns included: 16 beds, two RN's and two health techs, divided between the two dwellings; no backup plan or safety net should the clients walk-off neither the facility, nor any backup plan should clients be transported to Castle Emergency, and will be covering the unit should staff have to leave with the client being transported. These were Tomasa's perceptions looking at the CON and addressing the criteria. And she is asking that the Board look at the issue and send a message to SHPDA expressing that the CON is not presented fully and clients given safe care.

CARE Hawaii Inc. – Tina McLaughlin thanked the Board for the opportunity to speak tonight. McLaughlin agreed with Tomasa that if just looking at the CON, you could have very many questions. She explained when writing for a CON, there are very specific points of the CON; and have to answer safety concerns and a host of other issues for other different agencies; and some which are separated and not necessarily in one place where a community member can reference to. The applicant (CARE) would have an internal office policy or office procedure manual of what they do internally but not made publicly, but it does its not always get out to the public well and where it would perhaps need to be presented to have a better chance of understanding what CARE is doing. She further explained the outcome of the meeting and where some of the questions that are being asked are some of the questions raised by Tomasa and which answers will be provided to SHPDA. McLaughlin however, could not speak for SHPDA and not clear on what their process is after the applicant has provided the answers; and from CARE's stand point would be happy to meet with the Board or community to dialogue and answer questions. Her concern regarding the safety concerns was that the information given out was not accurate regarding who they are and what they do; and needed an opportunity to make that presentation. They are not a State Hospital Program or an Acute Care Program – the clients living there are already able to live in an unrestrained facility to demonstrate that ability; they're not violent, not offenders and have been doing this for six years, have not had any violent episodes and from that perspective, do not believe that it is a problem. And to specifically answer Tomasa's inquiry when transporting a client to the hospital, McLaughlin if there is an episode and need to be transported to Castle, the staff at the facility do not transport, they stay in the facility; and utilize the emergency services.

Questions, comments and answers followed:

1. Glanstein referred to the Hawaii Revised Statutes, Certificate of Need, that needs to be applied for and there are three parts dealing with construction and expansion, type of health service, and relocate; and Glanstein understands there are four locations in Kailua; and the State is proposing to move patients to community based facilities. McLaughlin clarified there are four homes represented by one organization and the people currently are **not** State Hospital patients. Glanstein also raised concern regarding the ratio of staff per beds and McLaughlin said for example at Castle Medical Facility, Psychiatric ward where episodes of outburst and are more likely, the ration is 1 to 6.
2. At the SHPDA hearing, Glanstein asked if additional time to make minor modifications to the application. McLaughlin said they were told that SHPDA would be sending questions to answer and were to provide answers to those questions; whether that would have resolved the modifications, she did not know,

although her experience with SHPDA is the CON is often a dynamics process whether questions raised could be from the community, the DOH, etc.

3. Brooks asked what percentage of patients over the past year came from the State Hospital. A staff person responded roughly about 30%; Brooks noted so half of the patients are forensic. McLaughlin noted not necessarily and forensic is a global statement. Brooks asked is there another way of getting into the hospital without being adjudicated because according to Dr. Hester, that's not so. McLaughlin can only say what their experiences have been. Brooks was more interested in the forensic clients that came from the hospital.
4. Robert Miller, lawyer for CARE described his job and he too heard a lot of misinformation and clarified that the clients are not violent, not sex abusers and not incarcerated, are not locked up, are in fact, free and able to come and go and is not having fencing really that relevant. Under health care program, former clients testified how they have gone through the program. So this assisted living house is about helping people.

Weinberg **called for the question**. Chair Bryant-Hunter explained that the question has been called for therefore the Board will go immediately into vote; and she re-read the motion and explained that a "yes vote" supports the motion to oppose the application. A "no vote" you do not support the motion to oppose the application. **By a roll call vote – the motion was adopted, 11-2-4. Aye:** Best, Brooks, Bratt, Brown, Bryant-Hunter, Chinen, Correa, Dowsett, Harding, Lindgard, and Tomasa. **Nay:** Glanstein and Weinberg. **Abstain:** Corcoran, Dudley, Porter and Ure. The Board will go on record in opposition; the recommendation will be forwarded to SHPDA and to the applicant.

The order of the agenda was resumed.

PLANNING AND ZONING COMMITTEE: Committee Chair Wong was not present. Chair Bryant-Hunter read the motion and a second to the motion was not necessary.

Motion:: The Kailua Neighborhood Board opposes City Council Bill 52 CD1 Relating to Public Infrastructure Maps 2007 because it narrows City Council involvement in adopting public infrastructure maps, gives more decision making power to the administration and removes electrical substation and electrical lines less than 138kV from placement on infrastructure maps.

Discussion followed: Ure informed everyone that the City Council is the oversight, the check and balances. The administration should not have that function removed by any administrative department or agency. No government administration should operate without oversight as it removes the public's participation in the decisions of government; and this was also the discussion at the Planning and Zoning Committee meeting. **The motion was adopted by unanimous consent, 17-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Dowsett, Dudley, Glanstein, Harding, Lindgard, Porter, Tomasa, Ure, and Weinberg.

Motion: The Kailua Neighborhood Board supports the EPA's recommendation to remove the waiver from secondary treatment at Honouliuli and Sand Island Wastewater Treatment Plans in keeping with protecting public health and safety. Bryant-Hunter explained a presentation was made to the Board last month on this issue and the committee discussed it; this is a committee motion and needs no second.

Discussion followed: 1) Ure noted that the waiver was not intended to go on indefinitely. The City has known that the original waiver was applied for in 1991 and continued through 2007 by the EPA; however, EPA also has the right to discontinue the waiver. Aikahi Wastewater Treatment plant is smaller in volume uses secondary treatment. For clarification: you need to understand primary treatment removes about 60% of suspended solids from wastewater, and this is what kills our coral and makes our people sick. This treatment also involves aerating and stirring up the wastewater to put the oxygen back in. The major aim of wastewater treatment is to remove as much of the suspended solids before the remaining water effluent is discharged into our environment. As solid material begin to decay it use up oxygen, which is needed by the plants and animals living in the water. Earlier in the MCBH presentation that they have only 50% of their effluent going back out into the ocean at our outfall in Aikahi. Honouliuli and Sand Island knew their waivers were likely to be recalled by EPA, and have known this for quite some time. Ure asked members to support the motion. 2) Weinberg felt the motion would lead to tremendous cost increases for no real environmental benefit; and that it's based on questionable science and should be defeated. 3) Corcoran replied this is a good motion and will vote for this. EPA made this decision and has been more than understanding, giving and continuing over the years, this waiver. The interest is in protecting the coastal waters and with this waiver we will not have to the protection of coastal waters that is needed.

Chair Bryant-Hunter wished to speak on the motion; and relinquished the gavel.

4) Bryant-Hunter is speaking against this motion; and am not usually a big fan of the City...they come and give information of projects. But this particular instance, she believes that the information shared with the Board is quite accurate and she agrees with Mr. Weinberg that the cost benefit of the analysis to upgrade those facilities is substantial and the benefit, minimal. The outline to the Board was pretty articulate overview of potential cost impacts to the community and a demonstration that the existing treatment facility does adequately protect the environment and the additional costs associated with the upgrade to the residents of Oahu is not an acceptable cost benefit; she will be voting against the motion.

Weinberg **called for the question**. Chair Bryant-Hunter regained the gavel and resumed the order of the meeting. She repeated the motion; and **by a roll call of votes, the motion was adopted, 12-5-0. Aye:** Best, Bratt, Brooks, Chinen, Corcoran, Correa, Dowsett, Dudley, Glanstein, Lindgard, Porter, Tomasa and Ure. **Nay:** Bryant-Hunter, Correa, Dowsett, Harding and Weinberg.

TRANSPORTATION AND PUBLIC WORKS COMMITTEE: Committee Chair Prentiss was not present; Chair Bryant-Hunter read the motions. These are committee motions and do not need a second.

Motion: The Kailua Neighborhood Board requests that the State of Hawaii Film Office, and the City and County of Honolulu Film Office notify affected neighbors at least 30 days in advance of the filming date when film permits are issued.

Discussion followed: 1) Best spoke in favor of the motion. Various members heard from the community and around Kailua Beach Park and Lanikai that filming can commence without notice. She felt its just good manners to tell people if you're going to be parking or starting generators at six in the morning. Back in December 2006, there was one film permit given with 48 hours notice on a weekend that it was supposed to start and the residents didn't have a chance to weigh in on the issue. And this committee received emails from people saying that heard about a motion and they support it. 2) Weinberg felt this is an extremely egregious and ridiculous motion that's virtually unenforceable. 3) Bratt respectfully disagreed with Weinberg and that the issue is that motion picture companies will come in and film commercials, blocking traffic and not making any effort to notify the community that there's going to be a disruption; when all that's being asked is that these film companies make an effort to notify the people that they'll be affected by traffic issues like blocking driveways, taking over the beaches, etc. And granted, even if they get permits, it just seems reasonable to be neighborly. 4) Corcoran easily supports this motion and when a committee has done as much work as this committee investigating, etc., it deserves full consideration. The major objective is to keep over commercialization of our beaches and parks. 5) Glanstein had a question to the maker of the motion what does it mean and define, "affected neighbors"; Best could not answer for Prentiss, committee chair, and was part of the discussion; and they felt a good sense to prevail that the affected neighbors are the people that live on that street; and using a right-of-way, then the people living around that right-of-way. The community is not trying to dictate and make restrictions but allow the film company to basically set some standards. **By a roll call of votes, the motion was adopted, 13-2-0. Aye:** Best, Bratt, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dudley, Glanstein, Lindgard, Porter, Tomasa and Ure. **Nay:** Brooks and Weinberg.

Motion: The Kailua Neighborhood Board supports the Akiohala Street alternative as the second access to Kailua High School provided a parking lot is constructed, and a left turn phase is added to the traffic light at the corner of Keolu Drive and Keolu Drive (at an intersection of itself).

Discussion followed: 1) Best said this was examined thoroughly and that the committee looked at all alternatives. When she looked at the alternatives, it looked to her as a matter of finance and ease of access, as well as security because it would be affected through the Women's Correctional Facility. So, although there was a lot of history, as they looked at what was being proposed, they felt that this was what would serve the community best. 2) Bratt did a pro/con evaluation and it seems the only reason the committee would want to go with the existing bypass road is the fact that the money is in-hand right now and there is some potential of losing the money. Although, the Department of Accounting and General Services (DAGS) was to have gotten back to the committee with an explanation, what it boils down to is a \$5 million expenditure on an access road near a prison where security issues have not been addressed, plus the \$500 it would take to complete the parking at Kailua High School, which has not been done; as opposed to the \$1.5 million it make the improvements on Akiohala to the existing turn around; so given that, there would be a savings of about \$3 million; and it did not seem to be any other major concerns because students are being dropped off at Akiohala

anyway. 3) Ure reminded that one thing has been forgotten: that it was the decision of the community to have that the access. The community worked to get the access and the Board worked on behalf of the community to get the funding for the access. And until two years ago, the school supported the access, and now they don't support the access and want additional funding for another issue which the committee was already working on as was this Board. What worried her is that the talk is about money instead of people. The students coming from Waimanalo will now make two left turn lanes to use this new road, instead of a right turn as before; they will go through a residential neighborhood that has not even been consulted by DAGS, or the school. Ure feels this motion should go back to committee for further consideration. 4) Corcoran, when looking at this motion, sees that it's very perplexing for those who labored to bring some sort of solution to the community relating to the traffic. If this motion passes, it seems to him that it would have set the committee, community and Board back ten years; and having to go back to the beginning going back to the legislature to get the funding, trying to get the Governor to release the funds, more studies, etc.; and that there is something in-hand, money committed and its just too perplexing based on the recommendation of DOE and DAGS, that he cannot vote on this tonight; or until he hears from the people who occupy approximately 40 houses along Akiohala Road and it would be nice to hear from those residents and what they have to say, he cannot vote in favor of the motion. 5) Glanstein responded to Mr. Bratt saying she was glad he read the information provided by DAGS. She explained that the general obligation bonds for a particular project cannot go on to another project or be transferred and would have to go back to the legislature. Right now there is \$5 million holding and prior to that were able to get planning monies and negotiations with different agencies. She also noted that the community and committee members worked this issue consistently and long. Now looking at Akiohala is an 80 foot wide road that for the last two years the 500 foot stretch is all brush, everything else is houses. And to her knowledge, not the DOE or DAGS ever contacted any of the property owners on Akiohala. She feels this particular motion is premature and would welcome anyone's participation to work on this particular situation over the next decade. 6) Dudley spoke in favor of the motion. He was at the meeting with Best, Bratt, and DAGS made a good presentation and are in favor along with DOE. It does remove the issue of traffic in the residential area. People coming from Waimanalo will be making a right turn and a left turn and another left turn onto Akiohala and only a fraction of the cost and he urged others to support it.

Weinberg **called for the question** and Chair Bryant-Hunter recognized the call for question. Glanstein raised a **point of order**; Chair Bryant-Hunter allowed Glanstein to speak as it relates to the **point of order** and not to respond to Mr. Dudley. Glanstein said when a motion is before this Board and incorrect information is provided there is an obligation on the part of anyone one of the board members to correct the information.

Chair Bryant-Hunter conferred with the Neighborhood Assistant and a procedural determination was made. She noted according to the NA, calling for the question supercedes your request. Therefore, the questions been called for and a vote will commence; Chair Bryant-Hunter repeated the motion. **By a roll call of votes, the motion failed, 9-6-0. Aye:** Best, Bratt, Brooks, Brown, Bryant-Hunter, Dudley, Lindgard, Porter, Weinberg. **Nay:** Chinen, Corcoran, Correa, Glanstein, Tomasa and Ure.

Motion: The Kailua Neighborhood Board requests that bus stop shelters be included in the 2008 – 2009. City and County of Honolulu Capital Improvements Program for the bus stops at Auloa Road, Honolulu bound and Auloa Road, Kailua bound. Bratt added that the motion came up and the committee is trying to figure out what happened to the bus shelters.

Discussion followed: 1) As a resident and member of the Board for 10-years, Corcoran noted the long efforts of trying to get two covered bus stop shelters; and referred to an individual in a wheel chair the other day, waiting between the guard rail and the bus stop waiting in the rain because there was no covering. He asked how long will it be and urged supporting the motion. 2) Weinberg **called for the question. By a show of hands, the motion carried by unanimous consent, 15-0-0. Aye:** Best, Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dudley, Glanstein, Lindgard, Porter, Tomasa, Ure and Weinberg.

EXECUTIVE COMMITTEE: Chair Bryant-Hunter read the motion:

Motion: The Kailua Neighborhood Board shall discontinue formal committee reports and liaison to the Kailua Chamber of Commerce. Chair Bryant-Hunter said the committee felt having a specific designated liaison to one organization in Kailua seemed that the Board was not servicing any other community organization, singling out Kailua Chamber of Commerce; and while there may have been a history to the liaison relationship in the past, the committee felt it was most appropriate to have the Kailua Chamber of Commerce, along with anyone else just give a report when they need to. The only formal liaison the Board has is with the Civilian-Military Council where the Board is an official member.

Weinberg **called for the question. By a show of hands, the motion carried by unanimous consent, 15-0-0.**
Aye: Best, Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dudley, Glanstein, Lindgard, Porter, Tomasa, Ure and Weinberg.

The agenda was taken out of order for **COMMUNITY ISSUES & ANNOUNCEMENTS.**

Castle Medical Center Women's Health Fair – Helen Waihee with the Marketing Department of Castle Medical Center is here to announce the Women's Health Fair, Na Wahine Ola Pono, event on Sunday, September 30 from 2 to 5 p.m. at the Center Square. The showcase of the event is a fashion show featuring the patients of the surgical and medical weight loss program. There will activities for the children, support groups, entertainment, food samples and cooking demonstrations.

NON-COMMITTEE MOTIONS:

Non-Committee Motion: Ure moved that **The Kailua Neighborhood Board requests Capital Improvement Funds to place a Lifeguard station at Kalama Beach Park and funding from the Hawaii State Legislature to provide staffing for the station as was previously submitted as a 2002-3 CIP to City & County of Honolulu and requested from Hawaii State Legislators.** Chair Bryant-Hunter noted that the Board did get the response from Councilmember Marshall's office regarding what happened with those funds. It is a non-committee motion and needs a second. **Weinberg seconded the motion. Weinberg called for the question. The motion carried, 15-0-0. Aye:** Best, Brooks, Bratt, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dudley, Glanstein, Lindgard, Porter, Tomasa, Ure and Weinberg.

Corcoran requested the Non-Committee motion from the previous month which was inadvertently overlooked and deferred to this month be taken up at this time; Chair Bryant-Hunter agreed and apologized.

Motion: Corcoran moved that **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 seconded the motion.**

Discussion included but was not limited to Corcoran sharing his comment that this came up as an announcement by the City and were going to ask for an extension to approve Waimanalo Gulch, Leeward, which the permit is going to expire on May 1, 2008. The City was charged to do an EIS, and we've been tonight by the City representative that it is not ready yet. The City has asked for a 24-month extension and if they don't get the extension then the State will disallow further use of Waimanalo Gulch. The importance to the Board – is it ethical or moral to dump Oahu's somewhere else – is that okay. The City and County has not solved Oahu's problem of municipal solid waste.

Weinberg **called for the question.** Chair Bryant-Hunter noted if you oppose the resolution vote yes; if you don't support the motion, vote no. By a roll call vote the motion failed, 8-5-1. **Aye:** Best, Brooks, Chinen, Corcoran, Dudley, Glanstein, Tomasa, Ure. **Nay:** Bratt, Bryant-Hunter, Lindgard, Porter, Weinberg. **Abstain:** Brown.

There was a discussion as to whether the Board should move to extend the meeting; Chair Bryant-Hunter noted a motion was not necessary however it's after 10:30, the camera and most of the audience is gone. Ure suggested each committee give their report in writing and she will, upon request, insert into the minutes. An excellent suggestion, so one alternative is to have committee reports attached to the agenda; and also defer all committee reports as unfinished business and open the October meeting with Committee Reports and take up the minutes of August as well as September, in October.

ADJOURNMENT: Without objection the meeting adjourned at 10:35 p.m.

Submitted by

Linda Ure, Board Secretary

And

Marie Richardson, Neighborhood Assistant