



KAILUA NEIGHBORHOOD BOARD NO. 31

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DRAFT REGULAR MEETING MINUTES THURSDAY, JANUARY 4, 2007 KAILUA RECREATION CENTER

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CALL TO ORDER: Chair Kathy Bryant-Hunter called the meeting to order at 7:00 p.m.; a quorum was present with 15 members. Bryant-Hunter wished everyone Happy New Year and thanked them for coming.

MEMBERS PRESENT: Larry Bartley, Kalana Best, John Brown, Kathy Bryant-Hunter, Jon Chinen, Jim Corcoran, Michael Correa, Susan Dowsett, Mike Dudley, Faith Evans, Debbi Glanstein, Knud Lindgard (7:05), Christian Porter, Claudine Tomasa, Linda Ure, Josh Wisch, Donna Wong (7:03).

MEMBERS ABSENT: Joe Harding and Charles Prentiss.

GUESTS: Mark Nierode, Tim Roberts, Representative Cynthia Thielen, Senator Jill Tokuda and Kamakana Kaimuloa (office staff), Maria Gorak (Homeless Animals), Senator Fred Hemmings and Barbara Krasniewski (office staff), Capt. Dale Mosher (Honolulu Fire Department), Brian Canevari, Joe Gillman, Bob Watts, Stann Reiziss, Josh Rubino, Kahala Howser, Terry L. Bonich, Sr., Leona Perez, J. Tanouye, Tonic Billie, Jim Wood, Polly Pool, Representative Tommy Waters, Mark Recktenwald (Governor's Representative), Devon Nekoba (Board of Water Supply), Andrew Malahoff (Councilmember Marshall's Office staff), Briggs Christie (Relay for Life), Paula Ress (I Love Kailua Town Party), Marie Richardson (Neighborhood Commission Office staff).

Board member Wong arrived at 7:03 p.m.; 16 members present.

APPROVAL OF MINUTES: December 7, 2006: Glanstein moved, Chinen seconded to approve the Regular Meeting Minutes of Thursday, December 7, 2006, as circulated. The motion carried, 15-0-1. Aye: Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dowsett, Dudley, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch, Wong. **Abstain:** Evans.

Board member Lindgard arrived 7:05 p.m., 17 members present.

UNFINISHED BUSINESS: While the PZ&E Chair Wong set up, the agenda was taken out of order to item 3B, Executive Committee; there were no objections.

Executive Committee – Bryant-Hunter offered the committee motion. **The KNB establish a standing Committee on “sustainability” to include issues relating to density limits, infrastructure capacity, growth policy, tourism, etc.** Bryant-Hunter explained that this is in response to a question from the November Board meeting requesting that the Board look more closely at broader sustainability issues that the B&B and TVU Permitted Interaction Group could not. Many issues in the Draft Oahu Tourism Plan that could not be addressed and some issues were not able to be addressed without a specific standing committee. A standing committee is one that meets regularly, on a monthly basis, and has a published agenda.

Discussion followed: 1) Glanstein said that under *etcetera* (etc.), it is unclear what will be put in there; and asked that the phrase “social impact” be added for a better fit in all capacities of infrastructure, growth policy and tourism. 2) Bartley spoke in favor of the motion. There is a need to look at population impacts and infrastructure and growth usage. The committees are trying to address the issues but not having the handle on it - not knowing where the new people are coming from, who they are, why they're here, how long they're staying, etc. It's not only about B&B's or TVU's - it's about tourism and the population increase. He suggested gathering information on related issues of population increase, infrastructure usage and growth, and the only way to approach it is to form a Committee on Sustainability. Chair Bryant-Hunter read the modified motion **The KNB establish a standing Committee on “sustainability” to include issues relating to density limits, infrastructure capacity, growth policy, tourism, and social impacts.. The motion carried by unanimous consent, 17-0-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dowsett, Dudley, Evans, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch, and Wong.



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Board members wishing to participate on the committee included: Brown, Ure, Wong, Wisch, Glanstein, Bartley, and Porter. Chair Bryant-Hunter will (in January) establish, by email, a consensus of the members on the logistics (establishment of date, time, and location) and report in February that information; no other discussion will initiate.

Planning, Zoning and Environmental Committee – Chair Bryant-Hunter clarified with Committee Chair Wong and announced the published motion to request funding from the legislature for Total Maximum Daily Load, as it relates to the State Department of Health, is not up for discussion or action at this time.

AGENCY REPORTS:

Honolulu Fire Department (HFD) – Acting Captain Dale Mosher reported the statistics for Aikahi, Olomana and Kailua Fire Stations:

- 10 structure, 7 brush, 1 rubbish, 5 vehicle fires; and 74 medical, 5 search/rescue and 41 miscellaneous emergencies.
- One major incident – December 20, 6:42 a.m., building fire at 684 Lana Street; seven companies responded. No other unusual incidents were reported.
- **Fire Safety Tip: Fire, building, and U.S. postal codes, along with City ordinances, state that all property owners shall place their road, house or property number so it is legible and visible from the street, or road, fronting the property. This will assist the Honolulu Fire Department and other first responders in locating the home quickly in the event of an emergency.**

Questions and answers followed:

1. Glanstein thanked Mosher for coming tonight and asked the status of the medical helicopter service. According to the newspaper, Mosher noted that money is being put aside and the possibly using a private agency; also that a mainland agency that does this type of service submitted two proposals - \$3.5 million for 12 hours of service per day; and \$5 million for 24-hour service. Oahu's Black Hawk unit is currently in Iraq, while Hilo's Black Hawk, equipped to carry only two patients, is currently covering Oahu. The Oahu units had been configured to carry four patients. The Hilo unit is also supposed to deploy to Iraq soon and, as a temporary solution, an Alaska Black Hawk unit will fill in. These units only transport patients. Glanstein will follow-up on the matter.
2. Referring to the visibility of identification numbers on resident/building addresses, Bartley noticed in the business districts of Honolulu where addresses are not visible on buildings and asked if there are any laws or methods of enforcement that requires the numbers be visible. Response: If HFD notices a situation, and as a courtesy, HFD can let the resident/business know it is required by City Ordinance. However, if HFD sees that it's not getting corrected, a report to the Fire Prevention Bureau to do a compliance follow-up can occur. Bartley questioned whether it's being done in practice. Mosher responded that in practice, and from experience, Oahu is pretty good as far as compliance; if there is any non-compliance, it is relatively small.
3. Evans was in contact with the Fire Prevention Bureau regarding the shooting in December at Zippy's Kailua. A number of board members expressed concern in the danger considering the Zippy's propane tank. A dumpster had taken a direct hit (from the gun fire). An inspector quickly responded to the situation and called her today, indicating that there were enough barriers and curbing. Mosher said Inspector, Lloyd Togilo who did the inspection found the propane tank pipes were corroded. Togilo said that the pipes were being replaced and that permits for the construction of large curbs metal barriers filled with concrete, to keep cars from driving into the tank were in compliance. For questions or concerns, the **Fire Prevention Bureau number is 723-7161**. Evans thanked the Fire Department for their quick action and inspection and responding to her call.
4. Lindgard shared pictures of the propane tank with the bullet hole in the dumpster and stated ongoing problems with gun control and people driving crazy. He stated the police collected 13 bullet casings (and he, being a weapons expert for many years), the angle of the trajectory was a matter of incredible luck. There needs to be protection for the people in the buildings nearby because that scenario could happen again. There should not be a propane tank there, regardless of the current regulations. There is a gas line in the middle of Oneawa Street that could be hooked up to Zippy's. The heavy-than air gas from the tank would seek the lower parking areas of Lani Huli and an explosion would be devastating. He would like to see the Fire Department pursue that matter further. Mosher fully understood - all future inquires should be directed to the Fire Prevention Bureau. Mosher shared that most engineering precautions made for propane tanks are not made for gun shots, but are made for vehicles. Perhaps options of a

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hollow tile wall, filled with concrete, surrounding the tank should be pursued. Chair Bryant-Hunter said the Board will follow-up with the Fire Prevention Bureau; again thanked HPD for a job well done.

Honolulu Police Department (HPD) – Lt. Richard Robinson, assigned from the Kaneohe Station, gave the following statistics for December 2006:

- 21 burglaries – increase of 2; 50 thefts – increase of 10; 33 theft from autos (UEMV) – increase of 11; 2 robberies – increase of 1; and 20 auto/motorcycle thefts – increase of 11.
- 14 new graffiti cases in the Kailua/Waimanalo area, an arrest of two juvenile males for graffiti at Oneawa and Mokapu; and 34 DUI arrest in December; and no Narcotics Vice report.
- Traffic enforcement – 130 speeding citations, 180 moving violations, and 16 miscellaneous.
- Parking complaints – 102 parking citations in Kailua in December; 53 in the Lanikai area and 2 trucks loading in the mornings – both addressing specific complaints.
- Skate boards in the roadway complaint in Maunawili – the area in question does not have sidewalks, is that correct? Ure responded that the Maunawili area does have sidewalks.

Questions and answers followed:

1. On behalf of the Maunawili community, Corcoran phrased HPD for their quick, timely and professional response to calls relating to fireworks on New Year's Eve.
2. Evans asked where on the statistic report the problems, or arrests, at Kailua Beach Park are. Lt. Robinson said the statistics are broken down in beats; in beat 459 – Lanikai covers the Kailua Beach Park area.
3. Dudley said the statistic report indicates October; Lt. Robinson clarified was a typographical error, should be December.
4. In response to Bartley, Lt. Robinson was verifying information having to do with the skate board complaints and whether there are sidewalks in Maunawili; and that changes whether it is a violation or not.
5. Wong asked if the community does not have sidewalks and kids are skate boarding in the streets, isn't that a violation. Skate boarders are considered to be pedestrians, so if there are sidewalks then you need to be on the sidewalks; if not then you need to walk on the left side, or shoulder, of the road. Wong questioned if the skate boarder is on the road and not in the setback, can they not be cited? Lt. Robinson read if sidewalks are not provided, any pedestrian walking along or on the highway (which means any roadway), shall, when practical walk only on the left side of the roadway or its shoulder facing the traffic which maybe approaching from the opposite direction.
6. Regarding the shooting at Zippy's, Lindgard understands that HPD has an off-duty officer every night now. Robinson believes that all the Zippy's locations hire special duty officers from midnight to 4 or 5 a.m. Lindgard believes there are many people that feel, as he does, that the propane tank is a public danger and asked HPD's support, in light of the recent shooting, to come up re-enforcing enclosure of the propane tank. Not knowing what the Board's procedures are, Lt. Robinson would take that question back to his command.
7. Evans was troubled by the category of beat 459, where Kailua Beach Park is lumped in with Lanikai Beach Park, which she feels really doesn't reflect what happens at Kailua Beach Park. Some months ago, the Board wrote to the Mayor and the Chief of Police a copy of a letter that beat officers were making more reports on what was happening at Kailua Beach Park and this report does not really reflect that and she would imagine that most of it is at Kailua Beach Park; and asked that it be referred to consider separating these reports. Lt. Robinson said this neighborhood board is the only board that gets this printout which indicates the geographic area; Evans clarified that beat 459 - Lanikai Beach Park covers the Kailua Beach Park area; but should be described Kailua Beach Park instead because there is no "Lanikai Beach Park"; Chair Bryant-Hunter agreed that perhaps the Board can follow-up on that as well. Evans noted the importance that for a long time the Board have been fighting for better patrol of Kailua Beach Park area; Bryant-Hunter agrees that what Evans is referring to is that as a courtesy to the Board and because of the number of questions that the Board would like to continue that courtesy. In response to Evans, Lt. Robinson will be HPD's representative at the Board meetings.

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

Events: 5 January – Navy League will award six military spouses in Mayor Hannemann's office tomorrow for their tireless support of their military spouse and unit. Mrs. Faith Cowart is the wife of a Marine currently deployed to Iraq and is one of the honorees. 14 January – 3d Radio Battalion will participate in a joint color guard at the Hula Bowl game. 15 January – 3d Radio Battalion will participate in the Martin Luther King

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parade in Honolulu. 26 January – the base chaplain and volunteers will help feed the homeless at the Institute of Human Services in Honolulu as part of a community outreach program.

Issues: Noise Advisory - Several flights of F-18 aircraft will com through the Marine Corps Air Facility as part of a Transatlantic movement. This may result in an increased noise level on several days throughout the month. Public Scoping Meeting – the Department of the Navy plans to prepare an Environmental Impact Statement regarding the feasibility of replacing the P-3C aircraft at Marine Corp Base Hawaii with P-8A aircraft. The Navy is looking to that replacement either at Kaneohe Marine Corp Station or Hickam Air Force Base in 2011. No decisions have been made, and a detailed study will be conducted. A Public Scope meeting will be held January 18 at 8 p.m. in the Pacific Beach Hotel. The purpose of the meetings is to allow the public to submit written comments on environmental concerns that need to be addressed in the Environmental Impact Statement. The study group if it hasn't already should be in contact with the Board soon. For further information contact Commander, Naval Facilities Engineering Command, Atlantic Division at (757) 322-4894, or go online to www.mmaeis.com.

Chair Bryant-Hunter noted receiving information about that particular handout from a community member.

Questions and answers followed:

1. Best referred to the noise advisory and about specific time schedules. Maj. Perrine knows there are specific times, but is unable to announce that information for protection reasons.
2. Polly Pool initially wondered how she would be able to get the information out to the community because the Scoping meeting is the same night at the Kaneohe Neighborhood Board meeting. She pointed out the following things: a) the P-8A is designed to carry torpedoes, missiles and naval mines; and b) thinking of using them for surveillance, anti submarine warfare, anti surface warfare and reconnaissance. Pool really doesn't know what these things mean but feels it's a good idea to find out in advance; and they'll be looking to see how the communities feel about this; and she would just like to get the information out to the public and possibly the only chance to response to the information. Maj. Perrine said that community response is very important and what the military wants is certainly for the community to be involved and giving feed back; also, as far as ordinances and missions, and is a replacement and strictly for aircraft training; and the military would like for the community to be involved with the process.
3. Wong wanted to verify that this aircraft will be doing the same operations, except that it is more modern and larger. Perrine did not know if it's larger but know that it's newer and would have to defer to the Navy on the specifics; and could not response on the noise level impacts, which Wong felt the noise level would be a real concern; Bryant-Hunter said Pool mentioned noise as a potential issue and that the article infers that; Wong asked how do we find out if there is a great increase in noise level in time to respond. Bryant-Hunter suggested attending the scoping meeting and raising the issue. She stated that attendance at the scoping meeting is a valuable thing if it is a concern to the community.
4. Corcoran thanked Maj. Perrine for picking up on this and asked for clarification that the situation now is that C17 aircraft do their touch and goes at Kaneohe Marine Corp Air Base. Perrine's response was not always, but yes they do. And for general information, Corcoran noted that the noise of this aircraft is much less than the noise from the C17; Maj. Perrine added that the C-17 is an Air Force Squadron that comes and goes out of Kaneohe Bay. Contact the Commander Naval Facilities Engineering Command Division at (757) 322-4894 with specific questions or get information from: www.mmaeis.com. If you wish to convey your questions to Maj. Perrine, he would be happy to accept the questions and forward them to the Navy for follow-up. In response to Corcoran's inquiry regarding the website ending in ".com" is perhaps because it is being conducted by a civilian contractor; and "mmaeis" stands for Multi Mission Aircrafts Environmental Impact Study/Statement.

Chair Bryant-Hunter reminded everyone that the Scoping Meeting will be held on Thursday, January 18, 8:00 p.m. at the Pacific Beach Hotel.

Board of Water Supply (BWS) – Devon Nekoba dropped off the annual BWS conservation calendar; there was no report, however, if there is anything in particular that the Board would like for them to address, they would come and make a presentation, otherwise, they would continue to provide reports.

Comments followed:

1. Wong would like to hear from BWS about how much water is left in light of all the upcoming developments.

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2. Lindgard mentioned that BWS wants to demolish Dams No. 1, 2, 3 and 4 in Nuuanu because it is not safe and to reinstate the natural flow in the valley; but what's being looked at is several years of neglect. Chair Bryant-Hunter said a presentation regarding the dams is noted.
3. Glanstein said a committee on sustainability has been established and one of those areas included infrastructure capacity; and it would wise for BWS to come and speak on those specific issues, as well as costs.

Bryant-Hunter will try to get BWS to come next month and respond to those questions. There were no representatives or reports from Emergency Services Department (EMS) and Honolulu Liquor Commission (HLC).

COMMUNITY ISSUES & ANNOUNCEMENTS: Concerned residents were asked to please sign in at meeting or complete a community concern form or e-mail to: kathybryant@dprhawaii.com. Speakers were limited to two minutes.

American Cancer Society "Relay for Life" – Briggs Christie, Chairperson and Facilitator for the Kailua Relay for Life event is coming back to Kailua on Saturday, July 14 at Kailua Beach Park; a week later than normal due to a scheduling conflict. The signature fund raising event is not only to raise funds for breast cancer but about the community coming together to raise awareness and what's being done with those funds. The Kailua Relay for Life is one of the more successful events in the state, and is trying to develop it into a more involved community event. For example, 16 years ago, a male's chance of dying from testicular cancer was 100%. With testing, like the PSA test, and treatment, a male is only 3% likely to die from testicular cancer. Christie would like the Board and community to be more aware of what's going on and get involved. There was additional information at the sign-in table or log onto: www.cancer.org or call 262-5124.

Corcoran pointed out there are serious questions about the PSA and mammograms and something we should all be aware of. Christie agreed and noted the PSA score of 38 is considered normal.

I Love Kailua Block Party – Paula Ress, representing the "I Love Kailua Block Party" is requesting Board support for a street closure permit, which is required as part of the application request. The event will be held April 29, 2007

A motion was entertained to add an agenda item for discussion/action. Chair Bryant-Hunter noted a two thirds vote would be necessary. **Ure moved, Dudley seconded to add to the item to the agenda for discussion.** Discussion followed: 1) Bartley's opinion was to wait until the February meeting to properly notice everyone of the request; and for those not in favor of the street closure. 2) Evans is speaking in favor of the motion and agrees with Bartley about input, but it's obvious at the event that everyone wants it. 3) Corcoran was against the motion because it affects many people and he feels that the Board should stick by the RNP, and he agrees with Mr. Bartley. Ress noted that this is a time sensitive issue, since it involves a 90-day requirement and next month will be too late. The discussion continued. Hearing the new information perhaps the Board would want to reconsider. **The motion carried, 16-0-1. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dudley, Evans, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch, and Wong. **Abstain:** Dowsett.

Evans moved, Chinen seconded that the KNB support I Love Kailua Block Party request for street closure permit to City agencies, Department of Transportation (DTS), and Department of Planning and Permitting (DPP), for April 29, 2007. Discussion followed: 1) Evans said it is a no-brainer. 2) Best would like to know if there are alternate sites. Ress noted the 21-year event held in the parking lot eventually got too large with more and more people attending. The group looked at a number of other sites. 3) There were concerns whether the event is advertised and parking impacts. Ress said a press release went out in the Advertiser; and regarding parking impacts, she noted receiving no parking complaints. 4) Glanstein supports the motion and has favored the event each year since it began – it is a great event and the Board participates in it. The event will be held Sunday, April 29th. Dudley called for the question. **The motion carried by unanimous consent. 17-0-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dowsett, Dudley, Evans, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch, and Wong.

Homeless Animals – Maria Gorak said the Legislature will soon begin and asks for help from the community and the Board in for bills important to homeless and abandoned animals. She suggested using community service as a means for additional staffing for private sanctuaries, which are struggling to save abandoned pets. Friendly abandoned cats do not fare well in feral colonies because they are kept from feeding areas and leaving the animals on the street is equal to a death sentence. She suggested fines from animal cruelties violations should be donated

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to shelters and sanctuaries. The Lani Huli management is killing birds and their chicks and that should be a crime. Some tenants don't clean up their lanais for years birds are nesting in the rubbish. Hallways currently have foul smelling areas where irresponsible tenants do not clean up after their pets.

Homeless Sites in Kailua: VII a.1 and 5 - Jim Wood commented both motions, Kaleheo Hillside and the Municipal Parking Lot on Alike Street should have been opposed last month by the Board. He wonders why they are on the agenda for this month if they were decided last month. Bryant-Hunter stated the Committee wanted to address other specifics on these issues at following board meetings. Additional suggestions could be developed to address to the City. Wood felt the opposition to the sites was a NIMBY position and cannot see the Board as likely to change its position by having it on the agenda again. He therefore felt he would be wasting his time to speak on the issue. Wood felt that both motions should be opposed as the information is incomplete as the slope is unsuitable when, in fact the entire island is unstable and it is just a matter of technology as to what can be built where. The other motion should address parking, not address a particular structure being built on it. Wood felt that would be much more appropriate.

ELECTED OFFICIALS:

Councilmember Barbara Marshall – Andrew Malahoff dropped off the Council member's report; available at the sign-in table. Chair Bryant-Hunter acknowledged and congratulated Council Chair Barbara Marshall for her appointment and wished her the best.

Mayor's Representative – No representative was present.

Governor's Representative – Mark Recktenwald reported with follow-up responses from last month:

- Potholes in the Pali tunnel, Kailua bound – Corcoran's concern was relayed to the Department of Transportation and the pot holes were, in fact, patched the end of December. A more permanent fix is being looked along the lines of road resurfacing projects. However, there is currently no funding and DOT will be going back to the Legislature to ask for additional funding.
- Closing of Kahuku Hospital – Tomasa's concern: the Department of Health did release \$500,000 to keep the hospital open for at least two months. A more permanent solution is being worked on by the community, legislature and the administration to keep a health care center open in that community. Progress and other efforts are still being done on that issue.
- Kailua High School Access Road – Senator Hemmings may have more information on this matter, but Recktenwald's understanding is that the Draft Environmental Assessment will be available January 23. A public notice will be published on that day announcing the draft Environmental Assessment will be available on that day. The consultants of that project will contact the Board to be placed on the agenda in February; the Department of Accounting and General Services (DAGS) is aware.
- Rock Slide Mitigation – the project is scheduled to be finished in May 2007 and an additional two months to restore the roadway. Other related concern – DOT is aware of the water ponding during the heavy rains and it is being monitored; should it occur again, contact Gerald Pang, DOT or Recktenwald.
- Trees on the hillside – Wong's concern: in talking with DOT most the trees will have to be removed before the mesh netting can be installed on the hillside; their hope is that the vegetation will re-grow. He did express the concern and structurally most of the trees will have to be removed.

Questions and answers followed:

1. Corcoran asked to clarify the confusion regarding the media's announcement from Governor Lingle that Mr. Rod Haraga was leaving his position to go somewhere else, and a second media announcement from Mr. Haraga that when he got back from vacation he was surprised that his services were no longer required; Corcoran was wondering which way that story went. Recktenwald did not know and was not a participant in that discussion, but he did hear the Governor say that Mr. Haraga was leaving to pursue other interest. Barry Fukunaga, replacing Rod Haraga, is a very sensible hard working person sensitive to the community. Recktenwald had the opportunity to work with Fukunaga over the pass few months and feels he would make an excellent director and will convey the concerns of the Board to him.
2. Bartley stated that it seems, in all likelihood, that mass transit will come to Governor for more taxes above the current half percent. He asked whether the Governor would sign into law allowing more than the half percent to fund the rail system. He's also hearing from neighbor island people who have to buy from retail on Oahu that they'll be hit by this half percent increase. Recktenwald will relay this concern to the Governor.

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3. Glanstein also understands that the Executive Officer of the Youth Services Department is leaving or has already left and do you know of her replacement; Recktenwald will try to find out.
4. Wong said one of the good things about Director Haraga was that he was very accessible, came out to the neighborhood board to answer their questions; and was very refreshing. She hopes that the new director and Governor take that into consideration and is as open and willing to dialogue with the public. As he mentioned earlier, Recktenwald had the opportunity of working with Director. Fukunaga on an issue last summer and got to know him very well; hard working, diligent and sensitive to the community. Recktenwald will let him know how much this Board valued Mr. Haraga coming out to talk directly to the Board.
5. Chair Bryant-Hunter said that she and Evans, Transportation Chair, will be sending a letter to Mr. Haraga thanking him for his services and letting him know what a difference it made to have him come out to talk directly to the Board and how much the Board appreciated his service.
6. Evans wanted to say one thing--that for whatever reason, there should have been a survey taken on how the people felt; and she knows that his relationship with the Legislature wasn't the greatest, but believes that if a survey had been taken of the people that he helped it would have been overwhelming. To email him and getting immediate responses and it was very refreshing. Recktenwald will let Director Fukunaga know that he has some high expectations to meet.

Representative Thielen's report was circulated.

Senator Fred Hemmings – Senator Hemmings distributed his report and followed up on: 1) The EA (environmental assessment) for the Kailua High School Access Road will be made public January 23. There are several alternatives featured and by far the number one choice is building it through to the back of the campus. There is a very vigorous opposition by KHS principal, who sent some information that he would characterize as not exactly accurate. He suspects, in cases like this with the Draft EA coming up that it will be utilized in some way to delay and further complicate the matter. He's made a strong commitment to alternative one and hopes KNB gets a strong commitment from the Senate and House on this side of the island, as well. 2) The Legislation will open on Wednesday, January 17 – this session the focus will be on a sustainable Hawaii and diverse economy. He will pursue establishing a carrying capacity for the tourist industry which is negatively affecting the quality of our lives. 3) To set the record straight regarding excise taxes, the Governor did not authorize to raise taxes; she permitted the County of Honolulu to do so if they desired to for the rail transit system, and of course they took the opportunity. He was pleased that this areas Council representation along with Councilmember Djou voted against it. 4) He corrected a representation made in the last meeting on page 12 about an allegation of not being too powerful in the legislation; this area has one of the best representation on the Windward side, prolific and productive regardless of the population, have gotten more than our fair share of CIP monies, emergency services, the rockfall mitigation at Castle junction, Kailua Road and Makapuu, and a tremendous amount of monies invested in the Waimanalo Waste Water Plant; so Kailua has done extremely well because of its representation. It is the bi-partisan efforts of the Windward side that continue to make government work for the Windward side.

Questions and answers followed:

1. Bartley asked several questions: a) regarding the excise tax increase – he knows that the Governor didn't pass the tax increase, but did she authorize one level of ½% or is it the county that sets that level. Hemmings said the law he voted against was by constitution the City & County of Honolulu, unless otherwise stated by law, is unable to raise taxes unless those taxes are property taxes; and what legislature did is pass a law to allow them to raise the excise tax for the County for an explicit purpose, such as a rail transit system initiative. Bartley asked is that law limited to ½ %; Hemmings replied yes. And also that your tax at the County level is more likely to go up in the extreme because of the property tax increases and assessment evaluations going up and the city will not adjust the rate to any great extent so that will result in another windfall of tax increase to County. b) Is Hemmings expected to see any legislation coming down the pike for mass legalization of transient vacation rentals or bed and breakfast at the State wide level? Hemmings said there is current legislation at the County level, but he will be introducing legislation that will establish a statewide stabilization with figures for visitor accommodations because there are a lot of loop holes in the process. He believes strongly about the carrying capacity. When market forces the supply and demand ironically, capping the number of hotel rooms will have a very positive affect on hotel industry.
2. Regarding the KHS Access Road issue, Glanstein said every single legislator on the windward side and both sides of Punchbowl Street, has supported the Kailua High School Access Road; and asked Council Chair Marshall for a copy of Act 247 - regarding the surcharge. Hemmings was thanked for his continuing efforts on the legislation for carrying capacity.

3. Wong asked: a) where the money goes of the fines collected from the cruelty to animals put into shelters to take care of animals; and whether it could be earmarked. Hemmings was not sure but thought it went into the general fund; also those monies could be earmarked at the City/County level and could take some legislation to create a special fund for the organization to collect the monies. b) In Hemmings report, the Department of Land and Natural Resources (DLNR) has a task force that's looking at maintaining maximum commercial activity at Kailua Beach Park and are evaluating a carry capacity at the beach. Hemmings responded that was a report by Cheryl Vann and that the report is out. It was verified that the Board has not received a report; Hemmings will check with Peter Young (DLNR). Wong asked if it addressed carrying capacity, which was introduced to the Board to mitigate user conflicts and carrying capacity was never mentioned. Now, if there's been a change of heart than that's great, but we have yet to see the report. Hemmings met with Young on this issue and assured Hemmings that they would address and talk to the community, and a lot of people are upset is because the people doing the report referred to the illegal operators as stake holders. The most important problem is not the actual letter of the law, its enforcement. The agency (DLNR) is understaffed and their ability to catch and fine people is limited. This also applies to the City & County's, sometimes feet dragging enforcing of City ordinances concerning zoning. We've been told by Peter Young that there will be no more authorization or licensing of commercial operators on Kailua Beach, so we'll see. Wong asked again when the report would be coming out. Hemmings indicated that the official report should be forth coming soon.
4. Evans said she read, with a lot of concern, the letter by the school principal and there were so many erroneous statements; do you know where she got her information or has anyone met with her to discuss this. It is very disconcerting. Hemmings agreed it was extremely disconcerting because one of the results of the misrepresentation was that someone from Hawaii Pacific University wrote a letter opposing the by-pass road based on the unfounded information received from the principal of that school. What Hemmings is leery of is that the intent was to build a by-pass as an alternative number one in the EA, and there are five other alternatives which were pale in comparison, and not what this Board has wanted for six years. The bottom line is that those who are opposing it are going to use the EA as a methodology and feels the importance to get another commitment from the Legislature to not only stand by the by-pass plan but the alternative number one which is what we were all committed to originally. Evans agreed that the Board has a lot of work to do.
5. Chair Bryant-Hunter believed she read that Peter Young and DLNR's budget that coming before the Legislature includes substantial resources for enforcement staff and asked if that's correct. Hemmings said yes; Peter Young's budget includes more enforcement capabilities so he can administer his duties. Hemmings firmly believes in establishing ocean zoning. We have land zoning, we need ocean zoning.

Representative Tommy Waters – Happy New Year/ Representative Waters, is **also representing Representative Pono Chong**, who is at a Policy meeting at the Capitol. Waters, as Chairman of the Judiciary Committee highlighted a package of various bills with his priority being the unadjudicated fines being given back to the CityCounty and a possibility of surcharges on traffic violations such as speeding, and giving that back to the Counties to assist the police departments in recruiting, hire and train police officers. 2) Make a straight appropriation regarding crime reduction; we need to put our money where our mouth is. The argument against it is that it is a County issue, however, if the State is serious, they should fund it. 3) Create a new DUI (driving under the influence) statute – for creating a new category for folks pulled over for 0.5 to 0.7%; modeled after California's "Wet and Reckless" charge – because folks are impaired when driving from 0.5 to 0.7 and should not be behind the wheel. The public needs to know impaired driving is serious. The punishment would be commensurate with the existing law for 0.8 and above. 4) Work on the CIP (capital improvement program) budget bill – a) help the Boys and Girls Club of Kailua is asking for an additional \$1 million to help out. Waters will be in contact with schools to determine if they need any help. 5) Waters is interested in funding contra-flow over the Pali; having worked on it for four years, reminding the attendees that the Kailua High School Access Road has been worked on a lot longer than that, and it is being done. The bottleneck must be addressed at both Castle Junction and entering Honolulu on Nuuanu from about Wiley Street. 6) Waters signed a proclamation – thanking Rod Haraga for his service (it has been signed by at least 40 other legislators. Even though the Legislature gives everybody a hard time, Rod Haraga did a good job. 7) Illegal dumping remains a real concern; especially the theft of copper wire. 8) Persons charged with Domestic Violence are not charged any fines, although they may be directed to counseling we may need to time them and use that money to fund the Domestic Violence Clearinghouse and other programs that help. The Neighbor Islands don't have services and this is another way to help the Counties used to help victims of Domestic Violence. Victims don't testify, especially those who need to travel to testify, because the witness fees are so low. 8) Ice is still a huge problem throughout Kailua and Waimanalo. Judge Alm (Circuit Court) is implementing a program called HOPE – where if you miss a probation appointment or cause other violations in the probations system, it

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currently may take 6-8 months before the probation violation case is addressed. The Judge is suggesting that if a probation appointment is missed, a bench warrant is issued and the offender gets picked up and brought back in, immediately. Consequences are graduated time spent in incarceration for successive occurrences. 9) Waters remains open to other suggestions and ideas.

Questions and answers:

1. Corcoran suggested examining the Pennsylvania laws concerning DUI which began in the 1980's that caused the DUI rates to fall quickly and effectively.
2. Bartley stated he had no problem with returning traffic violation fines to the Police Department, however, he thinks it undermines the credibility of the Police Department when people know the Police are getting paid for citing them. In his opinion, speed limits on Oahu are ridiculous. Should the Police start enforcing the speed limits traffic would die and we would be stuck in traffic everywhere. It would be like Van-Cam all over again. So, unless the speed limits are adjusted, he would not give the money to the Police Department. He would give it to the City's General Fund. Waters said a direct appropriation to the Counties could be done and any shortfall could be made up by raising the fines at the State level.
3. Glanstein stated that one issue coming before the legislature, such as amending Chapter 92, the "Sunshine Law" as the Office of Information Practices (OIP) submitted several pieces of legislation last year and none of them were supported. While we do not have the language, yet, it is hoped that Waters will hear any such legislation in his committee as the discussion needs to be heard. Waters stated he was open to that.
4. Evans commented on the disconcerting letter from the KHS principal stating some members of the board think the principle is trying to divert attention from the audit of the High School to Access Road. Evans asked for the current position of members of the legislature. Waters noted that the legislature worked at getting the money for the Access Road and is not backing off from that. The argument presented got him thinking that something needed to be done. It had become a public safety issue from Kalaniana'ole Highway with the right to the high school. Waters is open to alternatives, having met with the Principle and DAGS a few months ago. While he has not seen the Draft EA to be presented to DAGS it made sense to use the Public Safety land for a straight shot to the High School, not the more difficult issue of going over the ridge, but he will look at that. He does not believe the legislature has a say in it now, DAGS will make a recommendation to the Governor. It is the Governor's call now. The legislature will not pull away from the funding however as it is decided to fund it. Evans thought the Principle's concerns were management issues. The legislature and the community and the engineers have worked for the best solution. Waters suggested an issue that remains is the inability to make a left turn back to Waimanalo after school hours. Evans agreed that needs further discussion.
5. Wong reminded that the proposal was to get traffic out of the community; therefore there is a solution for the issue; as was the major purpose.

Senator Jill Tokuda – Senator Jill Tokuda introduced her community liaison, Kamakana Kaimuloa. Senator Tokuda reported on: 1) Committee assignments: Vice Chair to the Education, K-university; Water, Land, Agriculture; Hawaiian Affairs; Ways and Means; and assigned to the Hawaii 2050 Sustainability Taskforce and will serve as Co-Chair of the Women's Legislative Caucus. 2) Launching of her Legislative Internship Program. This will give high school students from Windward Oahu the opportunity to learn about the legislative process first hand; and assisting them with tracking bills from start to finish. Letters will be going out looking for outstanding students from Olomana, Kalaheo, Kailua and Castle High Schools; for a paid internship will be in her office, 10 to 12 hours a week. Interested students should contact Kamakana Kaimuloa k.kaimuloa@capitol.hawaii.gov or call 587-7215. 3) Currently working on drafting legislation on issues from the district, workforce development - encouraging diversified agriculture; culinary arts. Tokuda will be introducing a bill for business managers for each school complex area—an accountant who can give good, sound financial advice to our principles. Tokuda will be introducing a Citizen Road Watch Program Taskforce – to find creative ways to combat speeding in their neighborhoods. And, contra-flow for the Pali and Kahikili Highways; because the Windward residents need traffic congestion options. 4) Please call her office with any ideas, concerns or thoughts on legislation. Everyone is invited on opening day of the Legislative session on Wednesday, January 17, in room 217 for food from various restaurants in Kaneohe.

Questions and answers followed:

1. Corcoran thanked Senator Tokuda coming and verified that her community liaison likes to be called Kama.
2. Responding to Evans, Senator Tokuda is in favor of the Kailua High School Access Road.

Representative Cynthia Thielen – Representative Thielen was present earlier and distributed her report.

There was no representative for **U.S. Congresswoman Mazie Hirono**; no report was available.

BOARD ACTIONS:

Planning, Zoning and Environmental Committee – Committee Chair Wong stated that counter to what Jim Wood stated earlier, this motion is different from the position the Board took at the last meeting; the motion reads: **The Kailua Neighborhood Board supports that the Planning Zoning and Environment Committee send a Draft Letter requesting Department of Planning and Permitting change the land use designation from Urban to Conservation and corresponding County zoning from Residential (R-7.5) to Preservation (P-2) to reflect that the Kaleheo Hillside, TMK: 044033018, soil is unstable and not suitable for development.** Wong asked to change the motion so that the letter comes from the Board, instead of the Board supporting a draft letter from the Committee; and to change the wording – requesting the Department of Planning and Permitting change the Land Use Designation. Although DPP cannot change the State designation; they can initiate an application to start the process to the Land Use Commission so that the zoning be changed from Urban to Conservation, which then would reflect that the corresponding zoning of P2 (preservation).

Chair Bryant-Hunter repeated the modified motion to state that **the Kailua Neighborhood Board request that the Department of Planning and Permitting initiate the process to change the land use designation and the County zoning from Urban to Conservation and corresponding County zoning from Residential (R-7.5) to Preservation (P-2) to reflect that Kaleheo Hillside, TMK: 044033018, soil is unstable and not suitable for development.** For the reasons heard at the last meeting relating to the instability of the soil and unless the designation and the zoning are changed this issue will continue to come before the Board. Without further discussion, **the motion carried by unanimous consent, 17-0-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dowsett, Dudley, Evans, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch and Wong.

The Kailua Neighborhood Board recommends left turn stacking lanes be placed in front of the proposed D.R. Horton/Schuler Homes Ironwoods residential development on Kailua Road to facilitate ingress and egress and help maintain traffic flow. 1) Wong stated that although the motion is correct, it is now premature, since the Committee has learned that the Development Plan identifies Kailua Road as one of the roads not to be widened to four lanes. She would prefer to write a letter from the Committee to DPP to ask what is the process; as the applicant has come before DPP, wanting to widen this road and yet the Development Plan and the OMPO Report, that identifies projects, states this is not in keeping with the character of Kailua and the Windward side, therefore, no development to four lanes. Wong continued stating that DTS Design Division was waiting to hear from us what the community felt; and the feeling was that the left-turn stacking lanes was appropriate, so Wong would not want to miss that opportunity. But also, as stated in the Development Plan--not to change it, she is stuck on what the process is. They would have to do an amendment to the Development Plan before they could go through with it. 2) Evans recalled that Committees, PZ&E and Transportation, were to get together to discuss traffic plans; Wong agreed that was true and apologized. Evans felt this was premature. Wong disagreed and stated that both she and Prentiss met with the head of the Design Division and were told that he needs to know as soon as possible the Board's position; whether to widen the road to 60-feet (with one lane for parking and bike lane), so that it wouldn't be a traffic lane. The committee came up with a left-turn stacking lane which would be more appropriate to keep the traffic flowing--when it was discovered that this is one of the roads that shall not be widened. If the Board is comfortable taking a vote on the existing motion, and if it passes, convey that to the Design Division and DPP. Evans was not comfortable with the situation.

Discussion followed: 1) Glanstein voted for this motion in committee and also knows there had been a suggestion at that time about the Development Plan in Kailua precluding the widening; she felt that it maybe best to withdraw the motion with regard to further investigation. Glanstein suggested it was not a good idea to amend the Development Plan. 2) Bryant-Hunter agreed with Glanstein and recommended withdrawing the motion; the need for additional information and to support Evans' comments that there was discussion of a joint review of the issue. While Bryant-Hunter understands the City DPP is waiting, the Board could let them know that specific action will be taken in February. 3) Wong agreed to withdraw the motion.

Wong read the following City Council resolutions, in brief, as supporting information for the motion: Resolution 06-355 – relating to Indoor Amusement and Recreation Facilities: Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (The Land Use Ordinance), as amended, relating to indoor amusement and

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recreational facilities, and Resolution 06-356 – relating to Vacation Cabins: Proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (The Land Use Ordinance), as amended, relating to vacation cabins. Wong explained that when an applicant applies for vacation cabins or amusement and recreation facilities on P-2 (preservation) land that a public hearing would be required and be declared a Conditional Use Permit – Major, instead of a Conditional Use Permit - Minor where a public hearing isn't currently required on issues concerning preservation land.

Wong read the motion as relates to resolutions 06-355 and 06-356: **The Kailua Neighborhood Board supports the intention of City Council Resolution 06-355 and Resolution 06-356 to require public hearings when recreational cabins are proposed and indoor amusement and recreation facilities on land zoned P-2 preservation.** There was no further discussion. **The motion carried by unanimous consent, 17-0-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dowsett, Dudley, Evans, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch and Wong.

Wong explained that the motion was on a Draft Environmental Assessment for an after-the-fact Shoreline Management Area Permit (SMAP): **In keeping with the Kailua Neighborhood Board's policy to oppose hardening of the shoreline, the Kailua Neighborhood Board opposes granting an after-the-fact approval for a shoreline setback variance and seawall revetment at 1586-B Mokulua Drive, TMK: 4-3-001:013 and TMK 4-3-001:012. (Comments due January 8, 2007)** Discussion followed: 1) Best noted receiving another after-the-fact application notice (a few copies were available) of a variance for a seawall at 1368 Mokulua Drive to allow a seawall that encroaches into the shoreline setback in combination with a retaining wall and fence to exceed the maximum 6-foot height, encroaching into the required rear yard. She would like to move that this property also be included in this motion as both are after-the-fact and consistent with the Board's policy to oppose hardening of the shoreline in Kailua. 2) Wong wanted to address the notices separately as only one is an EA. 3) Bartley asked the general question: is the property owner aware the Board is addressing the matter, tonight. Wong responded she did not know. **The motion carried, 12-0-5. Aye:** Bartley, Best, Brown, Chinen, Corcoran, Dowsett, Evans, Glanstein, Lindgard, Porter, Ure, and Wong. **Abstain:** Bryant-Hunter, Correa, Dudley, Tomasa, and Wisch.

Bryant-Hunter explained that the Public Hearing is January 18, 2006, Therefore, a time sensitive issue for an after the fact shoreline setback variance with a fence exceeding the maximum 6-foot height at 1368 Mokulua Drive, Lanikai. Porter moved, seconded by Wong, to **add the after-the fact-shoreline variance to the agenda.** Discussion: 1) Bartley felt it was inappropriate to add this item to the agenda as the affected party was unaware. 2) Corcoran did not see the issue as of major importance or affecting many people and therefore may not need a two-thirds vote to add to the agenda. However, he agreed with Bartley that the owner does not know it might be discussed tonight. Wong stated the recurring issue of notification to the Board and the awareness of the property owner to appear before the Board for discussion is not something the Department of Planning and Permitting makes clear to the owner or the Board. However, when someone puts in an application and hired someone to Shepard that application process through that they know the process that it will come before the Board or discussion. Wong thought, therefore, that the applicant would be well informed of the process. 3) Wisch agreed that if the applicant if following the process that would include checking our agenda to see if their application was on the agenda, however, he agreed with Bartley that it would be inappropriate to do anything on this. 4) Porter understood that the Board has already adopted a policy opposing hardening the shoreline and this application is to harden the shoreline. Would this mean the Board does not support its own policy? 5) Best stated again that both applications are after-the-fact and that it sets a dangerous precedent to approve applications contrary to the Board policy which would turn a blind eye and suggest that if it is already built the Board would approve it. The domino effect of seawalls negatively affects Lanikai and Leeward Maui and the beaches are lost. 6) Ure stated in regards to placing the item on the agenda that while there is a standing Board policy addressing the hardening of shorelines and any application simply involves the Board contacting the department and transmitting that standing Board policy; the Board is neither approving nor disapproving of this application and it should be placed on the agenda. 7) Corcoran supports placing the item on the agenda because it does not affect a lot of people and is not of major importance. 8) Glanstein agreed that the Board has a policy, and it also has procedures. This has not come to the board before, it has not come to a committee, and has not been discussed. To be able to persons impacted here to discuss any aspect of this particular motion is not in keeping with our mission to encourage full participation in the decisions of government. Glanstein opposed adding it to the agenda, but would support committing it to Planning, Zoning and Environment Committee. **The motion failed for lack of a two-thirds vote. 10-7-0. Aye:** Best, Brown, Chinen, Corcoran, Dowsett, Lindgard, Porter, Ure and Wong. **Nay:** Bartley, Bryant-Hunter Correa, Dudley, Glanstein, Tomasa and Wisch.

Wong commented that having a motion added to close a whole street was supported and it affected a lot of people, meanwhile, not adding a motion on just one property that affects few people. If we do not follow the procedures set before the board, we end up with these inconsistencies.

Government and Community Services Committee – Committee Chair Chinen offered the Committee’s motion: **The Kailua Neighborhood Board recognizes the need for affordable housing while opposing the 2 sites identified for such use in Kailua. The KNB further requests the City continue to look for alternatives, including sites, land swaps and tax-offset benefits. Finally, the KNB further request a memorandum from the administration detailing its current position.** Discussion followed: 1) Wong asked what does “detailing its current position” mean? 2) Glanstein said the Committee has gotten suggestions that “this is only a suggestion”, “this isn’t a done deal”, “this not really something you have to worry about”, “don’t concern yourself with it”; however, we have not gotten a clear statement. Are you going to do it? When are you going to do it? You’re not going to do it? We want a memorandum, something in writing from the City Administration telling us what their position is regarding those two sites that have been identified as appropriate, or adaptable, for affordable housing in Kailua. A clear, written, statement is what we are asking for as a part of the motion. 3) Corcoran remembered the last meeting in that there was a lot of supportive public comment, and the Committee worked hard on this issue in its monthly meeting and members of the public did attend that meeting as well. He supports the motion. **The motion carried, 16-1-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dudley, Evans, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch, and Wong. **Nay:** Dowsett.

COMMITTEE REPORTS:

Civilian-Military Council – Corcoran supports Major Perrine’s earlier report.

Kailua Chamber of Commerce – No report.

Permitted Interaction Groups:

Enforcement of B&B and TVUs – Chair Wisch reported that a letter (on file) dated November 2, 2006 was sent to DPP requesting a meeting, that someone from DPP come and address the Board; and have received no response. He was told to contact Mike Fridel (who was on vacation); hopefully, a meeting can be arranged and DPP can come to the next Board meeting.

Property Tax Reform – No report.

Neighborhood Plan – Chair Chinen reported the Neighborhood Plan is still under review by Corporation Counsel and we are still waiting for their comments on the document to come back to the Neighborhood Commission. The Plan will be referred to as Neighborhood Plan 2007; and he would hope that it would not have to be referred to as Neighborhood Plan 2008.

Questions followed:

1. Bartley would like the Government and Community Services Committee to look at the deadline requirements on issues/requests coming before the Board for approval; a heads up, or previous notice of what’s coming up before the Board so that it can be processed appropriately.
2. Corcoran commented that it seems this is an issue to be looked into by the Executive Committee;
3. Chair Bryant-Hunter felt starting with the Government and Communities Committee was appropriate so that the Board can better understand which issues require Board approval and the timeliness of those items.
4. Ure commented that the earlier Mokulua address in Lanikai that was attempted to be put on the agenda tonight was not received by the Board until the 16th of December which was too late to be put on the PZ&E Committee, therefore having to come before the Board as an addition to the agenda, not a committee recommendation (as it has not been noticed for the committee). The problem was the same with Kailua Cool Nights and the I Love Kailua Town Party. The Board is not getting the necessary information early enough.
5. Bryant-Hunter said time sensitivity of an issue can be discussed in the Executive Committee for what can go on the agenda and the timelessness of those issues. The Government and Community Services Committee can discuss the timeliness in general, for process. Any late notifications can still be added to the agenda as a non-committee motion as has been done in other instances.

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Government & Community Services Committee – Jon Chinen, Chair

Legislative Liaison Update – Glanstein reported the Draft EA report is with Parsons Brinkerhoff. Two presentations were requested on the Draft EA (environmental assessment), one to the Committee and one to the Board.

City Council Task Force review of Neighborhood Board System Update – Glanstein reported the Task Force progress has perhaps been interfered with by the holidays and any progress intended; she will keep in touch with the liaison on the progress of that Task Force. Chair Bryant-Hunter informed Jim Wood, Taskforce member would be available in February to give an update to the Board.

Charter Commission Update – Glanstein reported the Charter Commission is over; will have to wait to see how some of those Charter Amendments are implemented.

Comments: 1) Wong felt the comment by the Neighborhood Commission Office Executive Secretary Joan Manke made to the newspapers regarding poor attendance at neighborhood boards was inappropriate, and felt the remark should not go unanswered. With Olelo viewing, the reach of the Board, as with City Council, is far greater, but not necessarily measurable. Even City Council has low physical attendance. With regards to the Sunshine Law, will the Charter Commission or someone be taking up the issue? 2) Glanstein reminded the issue was posed to Representative Waters tonight regarding Chapter 92 – relating to the Sunshine Law and would be followed up on by the Government and Community Services Committee as well as this Board. 3) Wong suggested the Neighborhood Commission should be looking carefully at the issue as well. 4) Glanstein agreed as there is a good deal of concern that neighborhood boards and board members are being constrained from fully representing their community and yes, neighborhood boards are looking at the issue; whether the Neighborhood Commission is, or not, remains a question. Glanstein is still awaiting a return call from Manke and will call again tomorrow. Whether there will be an amendment to the Sunshine Law or a City Charter change remains to be determined. With regards to the statement Manke made, attendance was dismissed as a criterion in the 1979, 1980 Pac West Report--how many people actually in attendance at the neighborhood board meeting is contingent to what is on the Board's agenda; i.e. last month because this Board had greater attendance because of the interest with what was on that agenda. 5) Corcoran wished to remind the Task Force, Board members, tonight's attendees, and the Olelo viewers, the KNB received no negative comments or observations in the audit of the Neighborhood Board System.

Mass Transit costs to Kailua Residents – Chinen reported: 1) the Committee prepared and distributed a series of questions to the public in a survey format with the Board agendas during the previous several months and have prepared, and submitted, for the Board's review, the raw comments. 2) Corcoran said it appears what the City Council voted (December 22) on was not for rail choice but voted to the LPA (locally preferred alternative) (the route) in an effort to increase the flow of traffic from Kapolei into UHM and Waikiki. In addition, review the minutes, Dr. Prevedouros (UHM) stated from his professional view point as a traffic engineer at the University of Hawaii at Manoa that the managed lanes alternative appears to be the best alternative for Oahu. 3) Ure gave an overview of the survey questionnaire are stated they are still coming in to the P. O. Box. Basically, most of the people that had gone to the trouble of filling out the surveys oppose rail and the tax increase to pay for rail; and not particularly interested in a Windward spur. However the respondents would like to see the bus system enhanced with more buses, more stops, and more express buses; and think the City should pay more attention to contra flow lanes, managed lanes or toll ways for people to have the privilege use either for a fee. Also in the Board member packets tonight are the sections of the City's Mass Transit document referred to in last months meeting when board members asked for more detail. We provide you with the excerpts of that plan in relation to chapter 3 and 4 on Managed Lanes and on Environment. To address Board member's questions from last month, these extracted pages have been prepared for review by Board members and what is apparent is that if you're going to relieve traffic congestion, rail is not the answer. Rail is too expensive; has no guarantee of ridership in any year, much less 2030. Further, it is extremely expensive when you could use the "No Build" alternative and finish highway projects already slated for Oahu, and modify any other highway projects that need to be done to enhance bus routes, stops, shelters and managed lanes. There remains the issue that resident of Kailua feel they have been taxed without representation and that the County should not have the ability to raise the general excise tax on all counties to build rail in Honolulu. While there is no agenda motion tonight from the Committee, one can certainly be developed. As to the survey questionnaire, 90-95% of the responses, over five questions, are that the people do not want rail, but instead want managed lanes and enhanced bus service.

Questions followed:

1. Bryant-Hunter asked to review in total what was received and the five questions. Ure said there were 24 responses to the questionnaires for a number of months.
 - Question 1: On January 1, 2007, the excise tax (4+%) you pay on goods and services, will increase (4.5+%) for the (proposed) rapid transit system; 24 responses to that.

- Question 2: Do you currently ride a bus; the response was 50/50 for yes and no.
 - Questions 3: How frequently do you travel to West Oahu; most people said once or twice a year -- or not at all.
 - Question 4: What is a fair rate of fare – for one-way only, round trip, monthly pass, zone fare, or free; and everybody liked the idea of free for seniors and disabled, but otherwise similar to rates that we have currently and one respondent who expressed a much higher fee should it be Rail. \$1-3 for one-way; \$2 for round trip, and anywhere from \$20 to \$120 for monthly pass; and one interesting comment – “It’s about time us taxpayers get a break.” referring to FREE.
 - Question 5: Would you support an eventual spur linking West Oahu to Kailua-Kaneohe? Responses included “I would not want to be taxed to build another tunnel”; responses hopeful that folks would use TheBus; generally not supporting rail, and would not support a Windward spur. So even though City Council didn’t chose Rail, and it’s not their job to chose the technology, they had our taxpayers thinking that somebody chose Rail and that it’s going to happen to us regardless of what we think or say.
2. Wisch questioned the number of people the surveys were sent to; Ure noted the survey was sent to the mailing list of the Board’s minutes and agendas for four months running and available on the Board’s website. One problem you have with surveys is that until people are financially impacted (by the increase in tax) folks sometimes don’t realize they needed to fill out the survey; and surveys are not only way to find out what folks think, however, surveys are a very good way to illicit comments. Ure provided at least 20 to 30 surveys each month and the mail list is about 170, plus being available on the web; so there was opportunity to respond. Now that the Holidays are over we anticipate folks will continue to respond.
 3. Glanstein thanked Ure for compiling the data. We recognize that a survey is limited to those who actually respond to it and she thinks it’s fair; however, to say that there’s a good deal of opposition. Importantly: People still need to understand, and we need to repeat, that the H-3 was not built to benefit the Windward side; and it needs to repeat again, and again, that it is a military highway, and built to connect the military bases; and there has been a tangential benefit to Windward, however that was not its purpose. .
 4. Corcoran, as a member of the Maunawili Community Association , and representing the will of that community, why should they pin themselves down to 4 to 6, or more, billion dollar fixed rail system when the other alternatives do not tie us down like a fixed rail would; and the other alternatives wouldn’t cost as much. He admitted, as a board member, he did not fill out all of the survey questions and turn them in himself.
 5. Bartley spoke with Cliff Slader who has analyzed rail systems around the world for the last twenty years and asked him how we are to pay for this, and what numbers should the people know. While the ½ % tax increase is already in place, the State would probably not entertain any further increases because of the implications that would have for the neighbor islands. If everything else the City/County does is paid for in Property Taxes, the operation (less the fares) plus debt retirement, and maintenance and operation, how much will it cost us. Slader suggested our property tax will increase 40% over this year’s assessment just for the train. Should some of that come from gasoline taxes, then gasoline taxes will also increase. If your property tax is currently \$2,500 then expect an additional \$1,000 in property tax to pay for rail.
 6. Corcoran requested a point of inquiry. Does the Board wish to address the resolution that has come before it?
 7. Chair Bryant-Hunter stated the resolution offered to the Board is concerning an express bus guideway and Chair asked if anyone wanted to offer a motion and no one did.
 8. Wong moved and Corcoran second to offer the resolution text for discussion and action. Chair asked Wong to read the resolution.

RESOLUTION: Strong Support for the Express Bus Guideway

WHEREAS the multi-billion-dollar capital debt and operations subsidies for fixed rail transit are projected to carry forth for decades as a heavy financial burden borne by Honolulu’s tax-paying citizens; and
WHEREAS this heavy taxpayer burden is as undefined as a) the purchase, operations and maintenance costs of the system yet to be proposed, b) the costs of the private properties yet to be determined to be taken by eminent domain, and c) the annual property taxes to escalate based on mass development and redevelopment along a fixed rail route alignment; and
WHEREAS a fixed rail guideway is inflexible and inconvenient with limited stops, and requires supplemental transportation at destination points; and
WHEREAS nationwide fixed rail data generally shows decreasing per capita ridership and escalating construction costs and operation subsidies; and

WHEREAS reversible expressways for upgraded express buses and high-occupancy community/corporate van pools is a mass transportation incentive proving increasingly successful throughout the country; and

WHEREAS an express bus guideway provides faster and more efficient and effective traffic congestion relief at less cost, and allows for far greater off-guideway flexibility and convenience using the same vehicles; now therefore

BE IT RESOLVED that the _____ Neighborhood Board strongly urges the City Council's full consideration and approval of the express bus guideway as the transportation solution for communities from Kapolei to Manoa; and

BE IT FINALLY RESOLVED, that copies of this Resolution be delivered to the Honolulu City Council; the Mayor of Honolulu; the Director of the Department of Transportation Services; the Director of the State Department of Transportation; the Hawaii State Legislature; the Governor of Hawaii; the Federal Highways Administration; the Federal Transit Administration; and all interested and affected community groups and individuals.

Discussion followed:

1. Chinen asked the source of the resolution. Chair Bryant-Hunter stated the resolution was given to the Board by Michelle Matson, she has delivered this resolution to all neighborhood boards asking for their support. Michelle Matson is a Diamondhead Neighborhood Board member.
2. Chinen asked if any other neighborhood boards have adopted this resolution. Chair Bryant-Hunter confirmed the KNB is the first Board to address it.
3. Evans objected to the manner in which the resolution has been offered. As the impact will be to a lot of people, it should have been in the motion to adopt the resolution. Just because someone bring it to the board tonight does not mean the Board has to address it tonight. It is nearing 10 o'clock at night; it is a controversial subject that needs to be explored. A committee report section of the agenda should only be committee reports. The Chair or Vice Chair of the Committee should only be reporting on the committee report. This is not a committee report.
4. Wisch agreed with Evans.
5. Glanstein stated that this was brought to the KNB by Michelle Matson, a member of Neighborhood Board # 5. We have no indication whether or not her neighborhood board is in support of the resolution; or her neighboring neighborhood boards, or our neighboring neighborhood boards. There is no reason why we have to put it on the agenda or why we have to support this. Glanstein was concerned because it is attached to bill 92 and says nothing about bill 92. Glanstein opposed the motion.
6. Chair Bryant-Hunter stated the issue is on the agenda and does not need a 2/3 vote to place it on the agenda. The motion being discussed is the resolution itself.
7. Corcoran stated the subject was presented by the City last month and there was great discussion contained in that meeting's minutes, so it is not as if it was the first time this subject has appeared before the board. Corcoran suggested it was appropriate to offer the motion, or a resolution on this subject and it has been spoken to by a community member before this board. Corcoran supports the resolution.
8. Bartley suggested he agreed with the first four Whereas, however, the last two he knew nothing about. It would be difficult to support the bus system without the cost or other information. Who would ride it, where it would go, the cost. Further, resolution and motions like this go through all the neighborhood boards and get very little review. Unless a neighborhood board drafts its own resolution and does its own research (such as the B&B TVU issue) you don't get the impact. Even if 10 neighborhood boards pass this it will still be much less effective than if 10 neighborhood boards come up with their own resolutions or motions. And, if it fails, it will appear that this board supports the Rail system. The resolution should be withdrawn.

Ure requested the resolution and motion be withdrawn and committed to committee. **Ure moved to commit, seconded by Wong.**

1. Chair Bryant-Hunter stated the appropriate committee would be Transportation and Public Safety and the motion is not debatable.
2. Ure requested a point of order. Will the Committee hear this issue after one year of not hearing this issue?
3. Evans said yes, she would hear the issue.
4. Chair Bryant-Hunter repeated the motion to **commit the Resolution for Strong Support for the Express Bus Guideway to the Transportation and Public Safety Committee. Without debate the**

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motion carried unanimously. 17-0-0. Aye: Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dowsett, Dudley, Evans, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch, and Wong.

Chinen stated all other items for Government and Community Services will continue to be addressed in committee. The next Committee Meeting is the Third Saturday, January 20, 2007, 10:00 a.m. at Zippy's Kailua

Parks and Recreation Committee – Chair Bryant-Hunter reported Enforcement Issues as relates to Kailua Beach Park are on-going and announced: HPD Sgt. Kent Chu, Community Police Team District 4 to address issue.
Next Committee Meeting is the third Tuesday, January 16, 2007, 7-9:00 p.m. Kalama Beach Park (Boettcher Estates)

Planning, Zoning and Environmental Committee – Chair Wong made the following announcements:
Presentation: Verizon Conservation District Use Application (CDUA) for stealth antenna in Lanikai; Les Young meets with Lanikai Association January 8th and action may be taken by the board February 1, 2007.
Presentation: Mid Pacific Country Club Special Management Area Permit (SMA) re: maintenance buildings demolition and construction and presents to the board February 1, 2007 for discussion and action.
Kailua Road Sewer Improvement District No. 276: assessment process appears to have a conflict and a letter will be sent to address that before the next Board meeting in February. A November 28 letter to Chair Bryant-Hunter stated assessments were going out to the neighbors and construction would begin in early in mid 2007 and continue for 180 day, however Mayor Hannemann stated in an article December 13, that Kailua Road sewer work is slated for 2010. We need to write the letter for clarification of the correct date.

Waimanalo Gulch Landfill Leeward EIS update – Jim Corcoran reported the Board responded to the SMS Research Group which is doing the Environmental Impact Statement (EIS) has been sent all the testimony, minutes, and research documents this board has developed, some 15 appendices and the packet can be found in the correspondence file. These were forwarded to SMS to be included in the EIS. 1) Chair Bryant-Hunter requested the WGLL issues and the WGLL EIS issues are specific on the future agendas. The processes are somewhat different.

Response - Lead Pellets on Kaimalino Beach – Update – No update.

D.R. Horton Kailua Road "Ironwoods" housing project – Update – No update.

Draft Environmental Assessment (EA) Hawaii Pacific University Hale Kou Force Main & (CDUA) OA-3391: Wong reported the force main will be going across Kamehameha Highway. Having read the EA and there were no environmental impact issues at this time, however, Wong will ask for the traffic analysis to see how it will impact the traffic in that area. **Next Committee Meeting, Third Tuesday January 16, 2007, 7-9:00 p.m. Kalama Beach Park (Boettcher Estates)**

Transportation & Public Safety Committee – Faith Evans, Chair reported:

Traffic plans for sewer projects on Keolu Drive and Wanaao Road - Evans spoke with Elwin Franklin of the Wastewater Division of the Department of Design and Construction. The Project was awarded to Coluccio Construction and the construction management company is KFC. (URS did not get the contract.) A presentation has been requested for March because the project is to begin sometime in May. That presentation on the project and the traffic plan and the method of communication with residents in the area and the Board will be in March.

Ad-Hoc Committee on parking on unimproved sidewalk areas – Evans stated the issue will be discussed further in committee in an effort to bring motions to the Board in February to allow parking on unimproved sidewalk areas with specifics such as no parking when an unimproved side walk is next to a bike lane. .

Rockfall Mitigation Project Evans supported Recktenwald's report.

Resolution for Strong Support for the Express Bus Guideway will be added to the January Committee Agenda from this evening. Evans stated if the Chair of a committee does not bring something to the Committee, a member or an outside member can bring something to the committee. Evans does not recall this issue having been brought to the committee. Various committees were working on the issue from a number of perspectives, however, nothing this specific.

Next Committee Meeting, Third Wednesday, January 17, 2007, 7-9 p.m. K lama Beach Park (Boettcher Estates)

Executive Committee – Board Chair, Vice Chair, & Secretary/Treasurer

Status of Complaints – No update

Treasurers Report – Deferred.

NCO correspondence – no report.

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BOARD ANNOUNCEMENTS:

- 1) Correspondence received at Board members homes are to be transmitted to the Board Chair and Secretary to assure it is placed in the correspondence file.
 - 2) February Board and/or Committee Agenda items to Chair by Monday January 22, 2007.
- Next committee meeting, Tuesday, January 23, 2007, 8:30 a.m. at Agnes' Bakery-Kailua

ADJOURNMENT: There being no further business of the Board, Ure moved, Corcoran seconded to adjourn the meeting. The motion carried 17-0-0. Aye: Bartley, Best, Brown, Bryant-Hunter, Chinen, Corcoran, Correa, Dowsett, Dudley, Evans, Glanstein, Lindgard, Porter, Tomasa, Ure, Wisch, and Wong. The meeting adjourned at 10:05 p.m.

Submitted by
Marie Richardson, Neighborhood Assistant
And Linda Ure, Board Secretary