



## KAILUA NEIGHBORHOOD BOARD NO. 31

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### **DRAFT REGULAR MEETING MINUTES THURSDAY, FEBRUARY 1, 2007 KAILUA RECREATION CENTER**

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**CALL TO ORDER:** Kathy Bryant-Hunter called the meeting to order at 7:03 p.m.; quorum present with 15 members. Sound system check: Bartley encouraged 1) keep microphones pointed away from the speakers, 2) Step over cables when approaching the Board, 3) Speak directly into the microphone and face toward the Board for Olelo taping clarity because the sound quality is important.

**MEMBERS PRESENT:** Larry Bartley, Kalana Best, John Brown, Kathy Bryant-Hunter, Jon Chinen (8:10), Michael Correa, Mike Dudley, Faith Evans, Debbi Glanstein, Joe Harding, Knud Lindgard, Charles Prentiss, Claudine Tomasa, Linda Ure, Josh Wisch and Donna Wong.

**MEMBERS ABSENT:** Jim Corcoran, Susan Dowsett and Christian Porter.

**GUESTS:** John Foster (Representative Thielen's Office staff), Kamakana Kaimulua (Senator Tokuda's Office staff), Maria Gorak (Homeless Animals), Barbara Krasniewski (Senator Fred Hemmings Office staff), Mark Nierode, Lt. Binford Strickland (MCBH Public Affairs), Bruce Daly, Beth N. Carvin, Denise and Marissa Nederhauser, Peter and Lynn Miller (Pohakupu Community Association), Maj. Janna Mizuo, Lt. Richard Robinson, Sgt. Chu, Capt. Nyle Dolera (Honolulu Police Department), Capt. Harold Ogata (Honolulu Fire Department), Ann Chung (Mayor's Representative), D. Keala Naluai, Joe Gillman, Stann Reiziss, Josh Rubino, Representative Tommy Waters, Mark Recktenwald, Councilmember Marshall and Andrew Malahoff (staff), Dick Hagstrom, Janine Tully (Representative Pono Chong), Bonnie W. H\_\_\_\_, Glenn Uyeshiro, Steve Colon, Kent Anderson, Michelle Matson (Waikiki Area Residents Association), T. Roberts, B. and Cliff Slater ([honolulutraffic.com](http://honolulutraffic.com)), Tina Rutsch (Affordable Housing and Homeless Alliance), Perry Small (Parsons Brinckerhoff), Jim Wood (City Council NB Audit Task Force member), Wayne Yoshigai, Bruce Daily, John S., Barry Wong, Marie Richardson (Neighborhood Commission Office staff).

**APPROVAL OF MINUTES: January 4, 2007 –** Corrections followed:

- Page 5, American Cancer Society "Relay for Life", line 7 and line 7, correct ~~testicular cancer~~ to prostrate cancer.
- Page 7 (top of page) 3. Glanstein also understands that the Executive [Officer] Director of the Office of [the] Youth Services [Department] is leaving or has already left and...
- Page 7 (bottom of page) item 2, line 2: and asked Barbara, staff aide to Senator Hemmings [Council Chair Marshall] for a copy of Act 247...
- Page 11, during the discussion of the seawalls – delete president insert precedent.
- Page 14, item 2, line 4, correct "and surveys are not the only way to find..."
- Page 16, Waimanalo Gulch Landfill Leeward—EIS update [Jim Corcoran] member Ure reported...

Comments followed: Glanstein notes two factual errors were passed to the Board Secretary and already addressed. Evans notes a number of grammatical errors, which she would like reviewed.

**Dudley moved, Best seconded to approve the minutes of January 4, 2007, as amended. The motion carried, 15-0-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Correa, Dudley, Evans, Glanstein, Harding, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong.

**UNFINISHED BUSINESS:** Chair Bryant-Hunter notes wanting to update various motions and requests that were sent to the Departments of Transportation Services & Parks and Recreation and which the Board has yet to receive responses to those letters and promises to do projects although no action has come from the departments to this date. The Board would like follow-ups with the departments and will start to carry the un-responded letters on the Board's monthly agenda, as a quick reference. Beginning next month if the Board has not received a response, those letters will be noticed so that the Board can keep track. Evans added having a list and copies of the letters sent to the City DOT.



**AGENCY REPORTS:**

**Honolulu Fire Department (HFD)** – Capt. Ogata (Kailua Fire Station) with statistics for January:

- Responded to 3 structure, 6 rubbish, 1 vehicle fire, 58 medical, 8 search/rescue and 20 miscellaneous emergencies.
- Unusual incidents involved wind induced conditions: persons stuck in elevators, down power lines, blown roof, blown structures and garage, swimmer/boater in distress, and arcing wires.
- **Fire Safety Tip: Every home should have a working smoke detector installed near each sleeping area and on every level. Since cooking vapors and steam can set off a smoke detector, the detector should be located away from the kitchen or bathroom. Wall-mounted detectors should be positioned 4 to 12 inches below the ceiling and away from air vents.**

Questions and answers followed:

1. Dudley (who lives near the Kailua Boat ramp) noticed the HFD truck responding twice yesterday and asked what that was about. Ogata noted not being on duty, but it may have been a boater in distress; but he could check the log. Normally when a HFD boat is in tow, it's usually a water incident. Dudley was concerned it might be a tourist in a kayak.
2. Evans commended HFD for all the work they did during the heavy wind conditions and that it is really appreciated by the community; thank you very much.

**Honolulu Police Department (HPD)** – Lt. Richard Robinson (assigned to the Kaneohe Station) reported:

- A significant increase in all of the main categories of the statistics – 29 burglaries, an increase of 10 from last January; 49 other thefts, 2 robbery--decrease; 20 auto thefts – auto/motorcycle thefts increased almost 100% - a group of individuals responsible for going up and down the coast from Waimanalo to Kualoa Beach Park, burglarizing homes and breaking into cars; and 17 graffiti cases, with three arrests.
- The Narcotics/Vice Division received 17 new complaints and closed 10; HPD recently executed search warrants in this area of suspected drug houses.
- Park Enforcement – 1 park closure citation, 5 illegal camping, 1 human habitation, 6 vehicles in the park after hours, 393 parking citations in January, and recently preformed surveillance and undercover work at Kailua Beach Park to address an illegal kayak vendor who was cited.
- A comment recently made questioning how much enforcement is done for parking on the sidewalks and bike paths – in Kailua town itself there were 7 citations issued for parking on the sidewalks, and 26 issued for parking in the bike paths; and last month 35 citations were issued for parking in the bike paths and on the unimproved sidewalks just in the Lanikai area.

Questions and answers followed:

1. Prentiss commended HPD for their efforts at Kailua Beach Park, working extra hard trying to get the City Parks Department to enforce the existing rules against commercial activities at the beach park. At least citations have been issued and HPD is taking further action. He thanked HPD for stepping forward because it's been such a struggle getting enforcement done in the Beach Park.
2. Best thanked Lt. Robinson, especially for the parking citations in the bike lanes of Lanikai. Of approximately seven cars (on Sunday) all received tickets that were parked in the bike lanes. One car, not in the bike lane was parked three quarters in the street on Mokulua and was actually towed. People are starting to get the message. Concerning the citation for illegal kayak activity what happens at this point? Sgt. Chu of the Community Policing Team in charge of that operation stated the citation was issued, the court date is sometime this month and HPU will await the court's decision. Certain individuals have been identified and investigations are on-going. He could not elaborate further except to say it's just a matter of time.
3. Wong asked if the site being covered was near the mauka side where the canoe paddlers are next to the stream. The concentration was described to be on the opposite side of the stream.
4. At the last meeting, Evans had asked for the possible change in the description of Beat 459 from "Lanikai Beach Par" to Lanikai and Kailua Beach Park; she recalled that Officer Kanoho used to do the statistics. She inquired if it were possible to add the word "Kailua". Lt. Robinson reiterated what he stated last month that this is the only neighborhood board who gets this report and it is specially generated for this board, therefore, he was not quite sure what is being requested; only a title change? Chair Bryant-Hunter clarified a minor title change. Evans noted that Lanikai does not have a beach park therefore the title would read

Beat 459 - Lanikai and Kailua Beach Park. Lt. Robinson believed the description was "Lanikai and the Beach Park" area. Suggestions followed to put a slash between Lanikai/Kailua Beach Park.

Lt. Robinson, at this time, introduced Major Janna Mizuo, Captain Nyle Dolera, and Sergeant Chu. Capt. Dolera greeted the Kailua Neighborhood Board, was glad and excited to be here, and is from the windward side with 20 years of experience, four as a Lieutenant. Chair Bryant-Hunter welcomed the Captain.

5. Ure recalled an earlier discussion with HPD about skateboards in the roadway (not on the sidewalks or unimproved areas). There is a situation in Maunawili where people are coming in from outside of the community, dropping their children off (under the age of 18-years) to ride the hill down. There are about a dozen kids some from the area and some not from the area. But this needs to be attended to and the community is asking HPD to patrol the area. This activity is happening all during the daylight hours and the older children are doing it till as late as 3 a.m. Capt. Dolera said to just call. Ure noted that they do call and the dispatch in Honolulu said, "What! You think you got one private street"; not good continued Ure. Capt. Dolera will pass the word on.
6. Lindgard referred to the power outage during the earthquake and he lives at Lani Huli where there are elevators where people are stuck and can't move because they are handicapped. He has complained to the housing officer, who (he believes) is going to contact Councilmember Marshall on getting a roving generator to assist in situations like this in Kailua. But Lindgard felt that there should be somebody who keeps tab of power outage incidents that occur where elevators are a concern. Lt. Robinson noted this is more of a question for the fire department; who is likely the agency to respond to those calls.

**Marine Corps Base Hawaii (MCBH)** – Lt. Binford Strickland, Deputy Director of Public Affairs, will be alternating with Maj. Perrine, who sends his regrets for not being here tonight; unfortunately he has nothing to pass on to the Board this evening, but welcomes any questions to take back. None followed.

**Board of Water Supply (BWS)** – A report was available. Dean Nakano is the new Deputy Manager and Chief Engineer for BWS. **Water Savings Tips:** Repair dripping faucets by replacing washers because one drop per second may waste 2,700 gallons per year.

There were no representatives or reports for Emergency Services Department (EMS) and Honolulu Liquor Commission (HLC)

**COMMUNITY ISSUES & ANNOUNCEMENTS:** Chair Bryant-Hunter noted a brief presentation is scheduled on the agenda tonight; followed by any other community issues or announcements.

**Outreach Center in Kailua** – Project Coordinator, Tina Rutsch, with Affordable Housing and Homeless Alliance (AHHA), is presenting the Windward Resource Center (WRC), a new outreach center in Kailua. She thanked the Board for the opportunity and especially the Government and Community Services Committee, who met with her earlier and provided her the invitation. She will be sharing information of the opening in of the resource center in Kailua which began several months ago when they first applied for a Community Development Block Grant (CDBG); and it was approved. At that time, the proposal was for three resource centers - on the Leeward Coast, North Shore and the Windward side. Shortly after being approved for the grant, they began getting phone calls of an increasing homeless problem in Kailua. This is why they began looking at Kailua as their resource center location. The focus is taking people who are currently homeless and putting them into stable housing. Also, providing some canned foods, distributing clothing and personal hygiene items (which is really a lesser emphasis than an actual referral for housing). Identify and articulate the gaps between people who are currently homeless and what is preventing them from being able to move into stable housing. AHHA will be working with a case worker with the Kalihi Palama Healthcare - Homeless Project, and have spoken with many volunteers/residents of Kailua who are willing to come and apply their field of expertise to this project. WRC is excited and wants to open this up to the community to be active participants in this service providing resource for people in need.

Questions and answers followed:

1. Bartley questioned their study of the homelessness situation in Kailua, what are the demographics of the homeless in Kailua, where do they come from, and why are they in Kailua because his constituents want to know. Rutsch cannot address the question as thoroughly as she would like because her knowledge of the homeless is very limited, as a recent resident to Honolulu. But she sees the people along the 326 Kuulei area, the parking lot area around Cinnamon's, the variety of people in that area ranging from those

- with obvious mental health issues and others that appear to be eligible clients for WRC to guide into a housing situation, but other than that she is not qualified to address the question.
2. Glanstein said there was a question that was asked but not answered at the KAPU meeting (group of residents and business owners), the question had to do with a mail drop. The Institute of Human Services (IHS) also serves as a mail drop and the AHHA address is sufficient to satisfy the requirement for a voting address. Would AHHA be providing the same service with the same classification? Rutsch noted it's not something that's come up, but perhaps something they will explore and pursue to serve as a mail drop. Glanstein questioned that Rutch doesn't know if you will be serving, in addition, as a legitimate legal address. Rutsch said that's a distinction she hadn't heard made before. She will look into that further; and her understanding is that it has always been a legal mail drop and will also apply for any purpose as a mail address. Glanstein suggested checking with IHS.
  3. Lindgard asked who's funding the program; Rutsch said the funding is through a community development block grant, a Federal HUD Grant, and a stipend through the City and the Department of Community Services. Lindgard was told that the Castle Foundation was involved. Rutsch said it is true that the Castle Foundation is also assisting.

Terry George, Executive Director and Vice President of the Castle Foundation and colleague, Marisa \_\_\_\_\_, program officer - focusing in two areas for the foundation: 1) in public education, redesign and enhancement and 2) strengthening communities in Windward Oahu from Kahuku to Waimanalo. George offered an answer to Mr. Lindgard confirming the HKL Castle Foundation Directors did approve \$25,000 grant to the Affordable Housing Homeless Alliance to provide support for some of the costs for this outreach resource center that are not provided by the CDBG; including some rent and some utilities, and they are very proud to be a partner to providing a service they've seen in other communities that is likely to help people to move as quickly as possible out of their current homeless situation. Staff and residents looking forward to working with Board to providing support services.

Marisa \_\_\_\_\_ introduced herself as a staff member of H K L Castle Foundation and also a Kailua resident and she looks forward to working with all as they work together to strengthen the community. In reference to this particular project they were really impressed by the amount of community support that came together and asked the AHHA to begin looking into providing support services for members of the community, and she looks forward to seeing how this progresses as a volunteer effort.

4. Best asked is there an estimate of how many homeless are in Kailua, and so far how many people has the outreach center assisted. Rutsch said they haven't yet gotten the most recent figures for the number of homeless people in Kailua and could not even give a ballpark figure at this time. The resource center is opened Tuesday mornings from 8 a.m. – noon, and so far opened three weeks and in that time served four people.
5. Glanstein hopes AHHA are keeping records, but asked what agency are they accountable to? AHHA reports to the City's Department of Community Services on a monthly basis.
6. Bryant-Hunter said the Board has looked at the homeless issues for several years. It seems to be an increased issue within the community. Over the course of the last few years it has become apparent that there was very little outreach or resources for homeless folks in Kailua. In the last couple years identification of more outreach services: St. Anthony's Church; Windward Homeless Coalition; Family Promise Program based in several of the organizations; and Castle Medical Center. Is AHHA using their resource center to hook up with all these different programs that are now out in the community? Waikiki Health Center comes out to do health services and Hope Chapel Olomana also does some outreach. This is an opportunity to bring all these groups together and talk about whose doing what and use that as a network. Rutsch said they are speaking with other community service agencies and churches and are beginning to put those pieces together and are trying to make them link up and be as effective as possible and outreach as much as they can to different individuals.

Flyers with information and business cards were available at the sign in table and she encouraged people to call with questions or, if wishing to get involved, contact Tina Rutsch, Program Coordinator at 845-4565. AHHA is looking at other sites besides Kailua in Haleiwa and on the Waianae Coast.

Chair Bryant-Hunter noted those who signed up to speak tonight will be speaking on topics already on the agenda. She also received something from Maria Gorak, who is not feeling well and asked the Board to pass the information to our legislators and to the Board regarding "Homeless and Abandoned Animals."

**ELECTED OFFICIALS:**

**Council Chair Barbara Marshall** – Council Chair Marshall was congratulated on her appointment and offered her written report regarding the property assessments which addresses some of the questions frequently asked about property taxes and how they're appraised. There are many bills already in the works to look at this year's property taxes assessments – to change the exemption schedule, to change the tax schedule and hopeful again this year to be reducing the tax rate. Council was very fortunate this year not that that's much comfort after what's happened the last three years, but Council District 3 increases were averaging 15%, which is lower than some of the districts. She reminded everyone that she still does her 3 Talks every month, anyone in the community and the Board is welcome; the next 3 Talk Session is Tuesday, February 13 at St. John Lutheran Church on Kailua Road. Come and discuss the issues. Her office is always available serve her constituents first.

Questions and answers followed:

1. Wong asked what the next step for the rail process. Council Chair said the next step is already in process. The Mayor had a news conference last week, now for a minimum operable segment (MOS), which was no surprise to anyone since they had already identified that 20 mile stretch as what could be afforded they believed with the use of the general excise tax increase and whatever monies they get from the federal government. The Bill passed by the Council although she still has grave concerns and did not vote for that Bill. Nonetheless, the Bill that passed out by the Council is a good as could be from a Council that's allegedly supporting rail because it does limit the expenditures to those two funding sources. Of course it begs the question of we who live in Kailua, this hoping the Kaleheo Sewer Project is really in fact going to end this month or next month at 67% over budget, Marshall question what is going to happen with the Transit System. Is that 20 miles a viable segment from the Salt Lake Center to Ala Moana Center? Her personal feeling if we're going to build we got to build from the Airport to Waikiki first, but that feeling isn't shared by anyone else in the Council. If you assume that's a good segment and if we run out of money half way into Pearl City then what – five years down the road or seven years down the road does the Council then say, "oops" well we spent \$4 billion dollars so we better just raise the taxes so we can just finish this thing – and that is her concern and has always been her concern. So this is the resolution that is before the Council and it will be before the Transportation Committee, then to the floor of the Council. She has no idea where it's going to go but is hearing all kinds of rumors about unhappy council members. If that resolution passes it then triggers the Scoping Process for the Environmental Impact Statement (EIS). At that point it does go out to public hearing. She urged everyone to turn out for those hearings because that's where the voice of the people is going to be heard and that will be your opportunity.
2. Bartley asked with Council Chair's new found power isn't there some conniving trick you can pull to kill this thing? As the Chair of the Council, it's her duty to make sure that everyone is treated equally and that's what she intends to do.
3. Glanstein had two things – there's a difference between being heard and being listened to so hopefully when this comes before us we will also be listened to rather than just heard. The other is that a couple months ago there was a \$5 million guarantee that was voted on by the Council; where is it? Council Chair's understanding is that there's been a request for funding to the Legislature and she would urge you to ask your legislators whether they are going to fund that because that was a part of their obligation to use the 10%. Right now the Legislature has it setup to take 10% off the collected tax and all of the state administrators say that it's not going to cost them anywhere near that much to collect the tax. So hopefully the \$5 million will never have to be paid by the City because theoretically that guarantee was only made by the City to allow the legislature time to come up with that \$5 million.
4. Prentiss congratulated Council Chair on her appointment stating it was about time. However, he could not see her joy in the new 16% property tax increase and his property tax went up 56% last year for a little old average house in Enchanted Lake. That means everyone else is getting the same thing, and he just got his new property tax assessment and the taxes will have doubled this year, which means his taxes will have doubled in two years. He thinks it's only fair to tell everybody that their taxes doubled in two years and obviously something needs to be done. First of all, Marshall notes, if an assessment is up another 56%, she hopes he appealed it. Nonetheless, Council did reduce the tax rate last year and is hopeful to reduce the tax rate this year. The amount of increase in the assessments is not relevant if the Council does what it's supposed to do, which is to reduce the rate and that's the way it's suppose to work. If assessments go up, the tax rate is supposed go down. If assessments go down, the tax rate goes up, in order to supply the City services that everybody demands. She would agree that 112% in two years is ridiculous. Nor was she joyful over 15% average in Council District 3--she just said that she was joyful in comparison with other districts; some of which went up an average of 20, 30, and 40 percent this year and that's all she was saying and not that we should be gleeful, we certainly shouldn't. She would ask again to let all the council members know how you feel about lowering the tax rate because it is what she thinks should be done. It was a hard battle at council to get the first rate reduction.

5. Evans, on behalf of the women of Hawaii, congratulations! She appealed her property tax two ago because it went up something like 30%. She is concerned that they (at the appeals section) try to talk us out of it (and were the only ones that appeared that day) as everyone else in Olomana who appealed had appealed were talked out of it. The final result was that we prevailed—somewhat, and the formal statement was that the director made an “error”. All she could think of was how many more “errors” are they making. The whole thing really needs to be looked at. However, concerning the fixed guideway--the Board has a motion tonight that they will be voting on the managed lane alternative. She requested Marshall to express her position.

Council Chair Marshall felt that the alternatives analysis set about to prove that we should build rail and without a better analysis, I don't know if managed lanes will work here either. She just disbelieves that some of the things that were stated, as fact, in the alternatives analysis. She personally thinks there are things that we can do right now that would help traffic congestion. Her real concern about transit system (beyond what she thinks might be a horrible cost and a complete boondoggle) is that we can't afford it. It is not going to help traffic congestion. Even Parsons Brinkerhoff says it, the administration says it, and the biggest supporters of rail say it. It's not going to help traffic congestion. She thinks managed lanes could. For that reason she hopes the state will go through with some of its ideas because she thinks those could also help. There are things we could put in place tomorrow could ease the traffic congestion. She is not saying it would solve it forever, however, it would help. She hopes now that theoretically if it can't be the rail then at least some attention is directed to some of these other solutions which she believes are out there--one of them maybe managed lanes.

Chair Bryant-Hunter encouraged attendance at Council Chair Marshall's 3 Talk sessions.

**Mayor's Representative** – Ann Chung, Director of the Office of Economic Development, introduced herself as the new Mayor's representative to the Kailua Neighborhood Board.

Chung proceeded to report the responses to previous concerns:

- Dudley's concern regarding the flooding issues along Kawailoa Road between Kaelepulu Stream and Alala Road, what was the plan for mitigating these flooding issues, and when will the work commence. Both DPR and DFM have completed minor grading and the cleaning of the drain outlet at the corner of Alala Road and Kawailoa Road to allow runoff that accumulates there to drain into the park. DPR will periodically re-grade the area to insure that water can flow into the park.
- Prentiss's concern regarding the design improvements for Kailua Road fronting the new D.R. Horton apartment project. What is the status of this project and will the Board be consulted. The Department of Planning and Permitting (DPP) responded that construction plans have not been submitted yet. Board members have just recently met with DPP staff to discuss the project. Roadway improvements must meet City requirements thus there is no formal consultation. The Department of Design and Construction (DDC) noted that the drainage project is presently in design. Completion of the design is planned for mid-2007 with construction to follow in 2008, as funding becomes available.
- Glanstein's concern that the Kailua Urban Design Task Force has suggested an extension of the sidewalk area leading from the Kailua District Park, connecting behind the library and tennis courts to encourage pedestrian friendly movement; what is the status of this project? Ken Sanders, coordinator of this donated improvement project is currently away on vacation. The manpower that was originally targeted to do the form work is no longer available having been deployed to Afghanistan. Mr. Sanders will notify the Department of Parks and Recreation (DPR) when he has the manpower and community resources lined up to construct the walkway. DPR will require a right of entry permit prior to the commencement of any work on the site.
- Wisch 's letter sent to Director Eng asking for meeting to discuss next step in enforcement of TVUs and asked for DPP to do a presentation on the subject at the December Board meeting; what is the status of those requests? A reply was sent to Chair Joshua Wisch on November 28<sup>th</sup>, explaining that DPP would not be attending the [December] board meeting.
- Bryant-Hunter's concern how are City roads were prioritized for repaving as it seems some roads never get repaved while others have been repaved multiple times. 1) Due to insufficient funds for contract resurfacing this past decade numerous roadways island wide are in need of resurfacing. Resurfacing priorities are determined by: a) availability of funds, b) roadway condition and c) roadway classification, such as major and minor. With the funds provided these past few fiscal years resurfacing of major roadways, bus routes and arterial/collector streets, were programmed first. Minor residential roadways are programmed as additional funds become available. 2) Resurfacing is also dependent on de-conflicting with planned underground utility projects. If an underground utility installation is scheduled for a roadway needing

resurfacing the resurfacing work will be deferred until the utility installation is completed. 3) Commencing in the Fiscal Year 2007-2008 CIP Budget the Department of Facility Maintenance has requested \$63M be budgeted each year for the next six fiscal years for roadway rehabilitation and resurfacing. The majority of this money, if approved, will be programmed for rehabilitation of major roadways. However, if the requested funds are allotted, the administration will also use a portion to programmed resurfacing

Questions and answers followed:

1. Flooding issues along Kawailoa Road between Kaelepulu Stream and Alala Road continue to be a serious problem to the residences across from the Kailua Beach Park. Dudley and Harding were on site during the heavy rains, when a backhoe was brought in to clear the drain (Dudley will forward photos to Chung). He requested follow-up due to the serious flooding in the area. The drainage on the roadway is not working and has remained unresolved for five years. He further explained that since the bike lane was installed in the park, the drainage canal area that used to drain the water from that area to the ocean was now completely filled in.
2. Glanstein requested, given the recent and continuing bad weather, can an expedited green waste pickup be anticipated. Additional pickups would be beneficial.
3. Evans said the Board has been having difficulty getting responses to letters sent to DTS. This has been ongoing from the previous administration to current. Evans offered to send a list of letters concerning projects that have not been responded for follow-up by Chun. There are about a dozen letters sent recently and over the last year to 18 months.
4. Best asked the disposition with the possible violations to the filming permit at Lanikai, FIPAC #07-266 on December 11, 2006. It appeared to violate all terms of the permit. 1) It created a significant impact on the area, 2) it interfered with the public's safe use of the area, 3) it erected the semi-permanent structure (prop pier) in the water off the beach, 4) parking was on the street, 5) and generators started before 4:15 a.m. Inquires went to the Honolulu Film Office, the Department of Health – Noise, and the Mayor's Office. Since December there has been no response.
5. Joe Gillman, Kailua Beach resident, added that regarding the flooding issue along Kawailoa Road between Kaelepulu Stream and Alala Road, the City may have tried to clear the drainage, but it didn't do anything. If it can't get to the ocean it's going into someone's backyard or their home. Chair Bryant-Hunter noted this is an issue that the Board has been struggling with and she will follow-up with Chung on the details.

**Governor's Representative** – Mark Recktenwald distributed the Governor's weekly report and reported:

- Shared with the new Director, Barry Fukunaga, of the Department of Transportation, the importance the Board places on having a good relationship and good communication with the department, and he will be coming to introduce himself next month to establish that relationship.
- The rockslide mitigation project is still on track – doing the anchors and bolts into the hillside. Next month, or in April, there will need to use a helicopter to bring in the wire mesh for the hillside, and that will result in some lane closure. The department will let the Board and community know through the media when those closures are likely to take place.
- Regarding the Pali Highway potholes, the department is still patching those on an interim basis and would like to, and has on a high priority, repaving in the tunnel, and above Waiokanaka on the town bound side. In order to do that they need to get additional funding into the highway fund. There are a couple of bills in the current legislature to address that issue.
- Regarding an issue raised by the Board, over a year ago, of a large crack in the Mokapu exit area, which is now being addressed by resurfacing. A more permanent fix will be the installation of a retaining wall on the hillside. Meanwhile, the crack is significant enough that DOT is going ahead and fixing the crack by repaving on an interim basis, while waiting for the approvals to build the wall.
- Regarding the Executive Director of the Office Youth Services, who resigned in December, is a selection appointed by the Governor that (as far as he knows) has yet to been made. Once the Governor decides who that person will be, Recktenwald will update the Board.
- The Governor did respond to Maria Gorak's letters, raising issues regarding stray animals; that letter has been sent to Ms. Gorak within the last few days.

Questions and answers followed:

1. In response to Wong's request for bill numbers to transfer into highway funds, Recktenwald does not have information right now but will submit that information to the Chair.
2. Ure inquired about boosting the funding for sciences, technology and math at the University of Hawaii, and respectfully asked not to take any of the funding away from the humanities, especially English and History.

Boost one program doesn't mean you take it from another. Recktenwald's understanding of the program is not to redirect funding from other priorities or other areas of the University. Simply to direct general fund resources, or resources, that might be used for other things in the state and identify science and technology as a high priority. Directing those funds to support--particularly to endow several chairs in science discipline, and matched by private funds. The main thrust is in middle and high school levels. The Governor is proposing quite extensive programs at those levels. It is not switching money away from humanities. It is finding monies elsewhere to dedicate to those areas.

3. Bryant-Hunter notes reading Mr. Recktenwald's name in the paper as a candidate for the Intermediate Court of Appeals, and while the Board thinks he would make a great judge, the Board would certainly feel sad to see him go; and would wish him luck in the processes. Recktenwald was honored and appreciated the Board's kind thoughts – thank you!

**Representative Pono Chong** – Janine Tully distributed Representative Chong's monthly report and highlighted:

- This session, the Representative is Vice Chair of Water, Land and Hawaiian Affairs and will be focusing on land use policy issues, water conservation, and pollution. He also sits on the Finance Committee and Environmental Protection Committee.
- Listed in the report are some of the bills he introduced pertaining to this area of Windward: funding for all the schools in the district, a number of community projects, a parking and rest area in Maunawili Valley, ingress/egress improvements for Olomana, and plans to build a gym at Olomana's Maunawili Elementary School.
- Regarding the Kaelepulu Pond, the introduction of a bill to mitigate the sediment deposited into the pond from City and State outlets.
- Another bill regarding transient accommodations, as mentioned in his emails sent to board members; the bill will be heard on Saturday, 8:30 a.m., Room 325; if you wish to fax testimony, contact Tully later.

Bartley was very active on the illegal B&B's and TVU's issue and noticed that Representative is promoting a bill to do an assessment of the situation and improve the enforcement and although he hasn't read all that bill he does have some concerns in that on Oahu we are kind of on-track and it's improving and he wouldn't want to see the County get a way late having to start a new reporting process. This and previous Boards have a long standing position that the State should not be involved in County zoning issues. He intends to send in testimony but is worried that that bill will bring the state into that process. This statement is not a Board position, but his personal thoughts on the issue

**Representative Cynthia Thielen** – John Foster distributed her written report and editorial and highlighted:

- The Representative is sitting on four committees: Energy and Environmental Protection (EEP), Water, Land, Ocean Resources and Hawaiian Affairs (WLH), Judiciary (JUD), and Consumer Protection on Commerce (CPC).
- Also serving as Co-Chair of the Women's Caucus, member of the Keiki Caucus, Kupuna Caucus and the Heritage Caucus.
- Appointed to the Joint Committee on Disaster Preparedness.
- Bills to watch: HB 41 Relating to renewable energy; HB 50 requiring the Public Utilities Commission to remove the fossil fuel quotient from renewable energy in determining the amount of energy that qualifies as renewable energy.
- While N. Kalaheo Avenue is now repaved, and re-opened to the public, the Kailua Wastewater Treatment Plant has yet another sewer spill during "routine maintenance". .

**Senator Fred Hemmings** – Barbara Krasniewski distributed the Senator's written report and highlighted:

- Senate Bill 1295 Relating to Visitor Accommodations addresses stabilizing the number of visitors statewide by having the state license visitor accommodations of all types including hotels, timeshares, B&B's and TVU's. What the bill doesn't clearly state (and it should), that the County zoning and ordinances will prevail; and these changes can be made in committee hearing. The Senator wanted everyone to be aware that there will be a change taking place during committee and he certainly hopes that the bill gets a hearing.
- Senate Bill 1905 Relating to Taxation would eliminate the extra half of percent of the general excise tax for rapid transit. Hopefully this could solve a lot of Council Chair Marshall's concerns of over proposed spending in that area.
- The Senator would like to reiterate his support of Alternative # 1 for the Kailua High School Assess Road as the best and most desirable alternative for the community.

Questions and answers followed:

1. Krasniewski will get back to Chinen on the committees that both SB 1295 and SB 1905 are in.
2. Glanstein recalled that the Senator over several sessions has talked to the Board about trying to determine the carrying capacity regarding transient vacation rentals and other kinds of visitor accommodations. Are any bills focused in that direction, or are we going to wait hear a majority of the transient vacation and accommodations bills need to be amended to include that particular piece that seems to be so important. Krasniewski notes that that is actually the focus on SB 1295. It makes a determination of the total number of all types of visitor accommodations, by county. What this will do is stabilize the number of visitors that can be on-island at any particular time. Senator Hemmings felt by stabilizing that number, the people that do own the legal B&B's and legal accommodations will benefit because of supply and demand and it will stabilize the whole number.

**Senator Jill Tokuda** – Kamakana Kaimuloa Community Liaison for Senator Tokuda distributed the written report and highlighted:

- A supplemental newsletter after last month's and after opening day has been prepared to cover some of the bills that Senator Tokuda introduced at this session for education. She sits on the Committee for Education.
- This month's report is briefly summarized the Capital Improvement Projects (CIP) for the 24<sup>th</sup> Senatorial District; and basically list the amount of money that is being requested by each of the schools. Left blank was the request for Kalaheo High School for their new football/track stadium (\$27 million).
- The Senator's office received an overwhelming number of applications from highly qualified candidates for Senator Tokuda's Aide Internship Program, and hopefully will be introducing that person next month.

Glanstein said last month, in a private conversation, she asked the Senator if she could put in three additional appropriations for security guards at Kailua High School; and do you know whether she has included that in her package. Kaimuloa was not sure and will have to get back to Glanstein.

There were no representatives at this time for Congresswoman Mazie Hirono or Representative Tommy Waters.

**PRESENTATIONS, GOVERNMENT AGENCIES:** Chair Bryant-Hunter asked to switch the presentation order; there were no objections.

**Neighborhood Board System Task Force Review** - Jim Wood, City Council Task Force member, said the task force was established with seven appointed members; four are current/previous neighborhood board members, one previously served on the Neighborhood Commission, and two are very knowledgeable about government affairs and the neighborhood board system, although neither have served. Kathleen Pahinui was elected to Chair the Task Force, they meet every two weeks and have met four times thus far due to the holidays. They've gathered information and received a presentation by the Office of Information Practices (OIP) on the Sunshine Law, in an effort to examine the issues confronting the Neighborhood Board System.

A year and a half ago, the City Council asked the City Auditor to audit the Neighborhood Board System and in August they released an extensive audit report, which is available on the City's website. The cold version was that the Neighborhood Board System has failed to fulfill its mission. This is a little over the top as a summary of what the auditor found. But a number of specific issues were brought up and the task force was asked to look at the System and make recommendations to the Council at whatever level the Task Force thinks changes might be appropriate; whether changes to the City Charter are necessary, changes to the Neighborhood Plan, changes in practice, changes in the State statues and other suggestions. The Task Force has until the end of this year (December 2007) to provide a final report, although they've been encouraged by Council to make suggestions as they go along in case they can assist with decisions made by the Council, or by the Neighborhood Commission, or the Neighborhood Commission Office and the Task Force is definitely not ready for that yet.

The Task Force looked through some of the areas and broke up into subcommittees. Wood is on a subcommittee with Amy Luerson to look at on-the-ground neighborhood board activities. If you look at the audit, not much of it having nothing to do with the neighborhood boards, rather having to do with the Neighborhood Commission Office (NCO) and the Neighborhood Commission, the only thing they have to say about the neighborhood boards is that some of the neighborhood boards had difficulty filling their vacancies or getting quorums and attendance issues and nothing that the Kailua Neighborhood Board has had any problems with.

Although, much of the questions had to do with the structure of the NCO, what powers the NC has and the fact that it has no power over the staff that serves it, still the core has to go back to what the goal of the Neighborhood Board System and how can the neighborhood boards be better supported to fulfill those goals. He added that if you look at the resolution that established the Neighborhood Board Task Force, it includes the idea of possibly eliminating the neighborhood board system. None of the seven members of the Task Force felt that there

would be any point in doing that. In the “whereas(s)” in the resolution, the Council didn’t have a real notion of doing that, but it is one of the things that is being looked at. There’s general agreement that there are goals of the Neighborhood Board System are important and need to be better supported; and to do this, taking a look at basic approaches.

The Task Force makes the assumption that neighborhood boards have 25 or 30 years of experience that it has to operate just the way that it has operated while the Task Force needs look at the basic principles in its mission to increase citizens participation in government and decision making; and see what way changes might be made to enhance that. The Task Force will continue to do that and everyone is encouraged to attend the meetings or send written communication every other Monday beginning February 5.

Questions and answers followed:

1. Wong heard a comment was made about the level of participation from citizens at the neighborhood board meetings, which she felt is not a fair assessment, or benchmark, at all. Considering if you assessed how many citizens attend a Council meeting, which may not a good assessment either as often attendance is driven by issue-specific agendas. Wood noted one of the issues brought up in the audit was this measurable because they criticized the NCO and the NC for not having a measurable way of checking to see whether neighborhood boards have done their jobs or not and that is a hard issue, he agrees.
2. Glanstein asked that apart from establishing subcommittees, has the Task Force taken any specific actions. Wood noted that their actions have consisted of gathering information and, with respect to the Neighborhood Plan, it was questioned whether to make comments on that and they all agreed that it is premature for the task force to make comments. While as individuals some have opinions about it as a group they would definitely not have established the basis for it. Glanstein said that’s probably wise and hopes that they are going through all of the information and documents running from the PacWest study. Wood said they are all pretty committed to doing it thoroughly.
3. Bartley congratulated Wood on his appointment and brought up about what happened to Wood in his sub district with the alphabetization of the ballots for neighborhood board elections. He felt this is was a Neighborhood Plan issue, however, it is also a voting rights and fair voting practice which should be looked at from a higher level. This has caused people that he knows in other neighborhood boards not to run for neighborhood boards and should be dealt with and alphabetizing gotten rid of.
4. Dudley said one of the things today that we could use to make things better is email. Wood said the Task Force definitely talked about the potential for using technology that hasn’t been used in the past, although some of that is already available and not very well used. Chair Bryant-Hunter thanked Wood for coming and asked at a point in time when there might be significant progress from the Task Force the Board would welcome another update and more information.

Member Chinen arrived at 8:10 p.m., 16 members present

**Kailua High School Access Road Environmental Assessment** - Perry Small with Parsons Brinckerhoff (PB), a consulting engineering firm, presented the Draft Environmental Assessment (EA) of the Kailua Additional Access Road. The project is currently going through the EA process and out for a 30-day review period. The focus of this EA has one particular goal in mind – to reduce the amount of high school related traffic in the Pohakupu subdivision. There are other side benefits however, that is the main focus.

There are six “build” alternatives each indicated in the document and a seventh alternative a “no build”. Small ran through the alternatives:

**Alternative 1** – as indicated in the document the recommended alternative adds a 4,000 foot long access road from Kalanianaʻole Highway around the Women’s Correctional Facility along the hillside and down to the back of side of the high school, adjacent to where the current Board of Water Supply road connects to the high school property. Included in the option is an additional parking area; funding currently in for construction and verbiage used in order to get that construction funding, does not include the parking facilities. However, PB will be looking at getting additional funding to take care of that along with some other costs involved. Therefore, the first alternative has a new road, a parking (small) lot near the end and does not change any of the features of the operational aspects of the high school. They’ve had extensive discussions with many different parties and are taking into account all those and some major concerns that the school has about how the facility is run and operated.

**Alternative 2** – is basically the same with the same features; except some restrictions have been imposed on how the main entrance to the school (on Ulumanu) is operated; perhaps using a card access, which limits the number of people or the type of people whether it be student or teacher, which actually has the best benefit for reducing the number of vehicles in the neighborhood by about 400 vehicles on the peak hour. However, it does fly in the face of

the concerns of the high school about changing how they operate, so therefore it's not the recommended alternative. The first alternative does eliminate a couple hundred vehicles, which is still pretty good.

**Alternative 3** – would be to add a parking lot at Akiohala, a turn-around area, which would allow students coming from the Enchanted Lake area to actually park rather than just drop off. That parking lot however, would not be connected through, as far as driving the vehicle through the campus; and that was another concern “no cross-campus traffic”.

**Alternatives 4 and 5** – were items brought up in the discussions with the parties involved and that includes changes to how the pedestrians can get around in the community; with two major things: in Alternative 4 – to improve sidewalk facilities along Ulumanu, where currently the use is minimal.

**Alternative 5** – looks at Ulupii Street and improvements along there and again it has the same impact, as far as the reduction of traffic.

**Alternative 6** – allows for a connection on the makai side of Pohakupu subdivision (Old Kukanono), a direct connection into the parking lot from Kailua Road. However, this would entail taking property by condemnation and is not a desirable alternative. Even though it is the most direct, it doesn't really address the real points we're trying to address.

**Alternative 7** – no build is also included in the EA document.

Small was open to any comments from the Board and community.

Chair Bryant-Hunter wanted to let everyone know that there is a motion on the agenda supporting the recommended alternative number one as the preferred alternative in the Environmental Assessment for the Kailua High School Access Road, and will be taking action on that tonight. Bryant-Hunter entertained comments and questions.

Questions and answers followed:

1. Wong asked what the zoning is on the Waimanalo side for Alternative 1. Small said it is conservation zoned above where the road would be; and the project would be below the conservation zone. Small noted right at the top of the ridge is zoned conservation/preservation. Wong was concerned about the designation and zoning. Small said the whole issue of ownership is an interesting part of this process but “yes” it is zoned conservation/preservation.
2. Glanstein noted the community has been dealing with this for quite awhile and this Board has been dealing with this for eight years and supported it all along. Not only has the Kailua Neighborhood Board supported it but the Waimanalo Neighborhood Board supported because a little more than half of the student population comes from Waimanalo. The Board knew that they would have to satisfy the concerns of not only the immediate community, but also had to look at the benefits to the student population. That's one of the reasons why alternative 1, as the preferred alternative, is being looked at. Glanstein wanted also to call to the Board's attention that there are people here tonight from the community wishing to speak on this issue.
3. Dudley, representing sub district one and no one from that sub district could use this road, however, his personal objection is the cost. He'd like to know how a road without any sidewalks, lighting or any other infrastructure that is only 4,000 feet long could cost over \$6 million. Can you explain that? Small said it costs a lot of money to build things. The current allotment for funds is \$4.5 million. With the improvements necessary to satisfy the security issues with the Women's Correctional Facility, it will require additional funding to cover that. Currently, looking at \$1.2 million more that will cover a lot of the things plus the parking lot which is not included in the original budget. Dudley asked for a final estimate cost. Small said what is being looked at is little less than \$6 million. Dudley noted there was a traffic study done to see how many people coming from Waimanalo would be using that road, and what that number is. Small indicated that present tonight is the Wayne Yoshioka, with Parsons Brinckerhoff, Manager of Transportation, Planning and Traffic Engineering for the Honolulu Office. There was a traffic study done and basically this road would accomplish taking care of the traffic coming from the Waimanalo side; diverting vehicles from the Pohakupu subdivision, and diverting some traffic coming from the Pali Highway side. Those coming from Kailua would clearly use the Ulumanu Drive. Those from Enchanted Lake would find it convenient to use the back road. With these access points, it was the best job as a compromise of reducing the traffic in Pohakupu.
4. Lindgard suggested recognizing the students of Waimanalo and changing the name (of the school) to Kailua and Waimanalo High School.
5. Evans commented concerning dropping off at Akiohala Street, and questioned that it was rather small. She suggested that most of Enchanted Lake, Keolu Drive and the upper parts come the other way. They don't use Akiohala. Yoshioka said that correct and historically, as the issue of traffic cutting through the

Pohakupu neighborhood presented itself, one of the first fixes tried was to provide a secondary access via Akiohala Drive. It doesn't draw enough demand that way and is fairly little use for access approach to the school. One of the issues that we tried was to take a look the possibility of providing parking at Akiohala so students could use that road and come in to park. We tried that but because of the directional distribution and the demand we discarded that.

6. Prentiss said that the Environmental Notice mentioned that the project would require a Department of Health Pollution Control variance and what is that variance for. Small said they have to go through all the permitting processes during the design which is the next part after this EA, and there are various things we have to look at but he doesn't believe that a variance is the case. Prentiss said not to be confused, Small notes if anything it would be a noise variance.

Chair Bryant-Hunter entertained taking the agenda out of order to item VIII.B.1 – the motion by the PZ&E Committee; there were no objections. Committee Chair Wong was asked to walk quickly through the motion.

A question was raised regarding a procedure to taking the agenda out of order. Chair Bryant-Hunter so noted the raised procedural request and **Glanstein moved, Wisch seconded to move the PZ&E Committee agenda item VIII.8.1 motion ahead of Transportation and Public Safety. The motion carried, 14-2-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Glanstein, Harding, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong. **Nay:** Dudley and Evans.

**Planning, Zoning and Environmental Committee** – Chair Wong read the committee motion:

**The KNB supports the recommended alternative number one (the preferred alternative) in the Environmental Assessment of Kailua High School Access Road.** Discussion followed: 1) Dudley explained being from sub district one he would have to speak against this motion because it appears that the people dropping their kids off at KHS from Waimanalo can't drive through the school and back out and make a left turn back to Waimanalo--is that correct? The response was that they can turn left and go back to Waimanalo. Dudley was concerned about the line of sight making that left turn at Kalaniana'ole Highway, but his objection is really the cost of the project. 2) Glanstein said the legislative process is interesting when it comes to cost, but will say there's some \$11 million in the District 51 CIP for KHS and that includes plan, design and construction for a new library, electrical upgrades at the cafeteria, as well as a girls athletic locker room facility. If you have additional questions about costs, she suggested speaking to Representative Waters, the representative of the 51<sup>st</sup> Legislative District. **The motion carried, 14-2-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Evans, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong. **Nay:** Dudley and Harding. The motion will be forwarded to the consultant, as part of the Environmental Assessment; and the committee will take a more detailed look at the EA for additional comments as necessary.

#### **BOARD ACTIONS:**

**Transportation and Public Safety Committee** – Chair Evans read the following motions:

**Motion 1:** Relating to Mass Transit—Managed Lanes Alternative and the motion reads: **The KNB No. 31 strongly urges the City Council's full consideration and approval of the Managed Lane Alternative as the transportation solution for communities from Kapolei to Manoa with the Airport and Waikiki spurs.** Chair Evans requested member Ure to introduce and discuss the motion. Ure stated the motion may have to be amended to include the entire route as was decided by City Council and that would include the "green line" for Salt Lake and also to Waikiki/Diamond Head, and all the way out to Ewa. Even though the Mayor would like to suggest to us that he's going to start with the first 20 miles, what is required for the Federal Transit Administration is the entire distance, all phases to define the MOS (minimal operating segment), which means the Mayor's proposal is one phase--phase one. However, the Council voted on a project to include all of the phases. They did not choose a technology. That is what we're here to do tonight because we already know that the Mayor supports rail--the one thing he does support. However, the Board has had a presentation a couple of months ago and what we were presented with was how wonderful is rail--rail is wonderful. What we were not presented with was is the answers to how much will it cost; why there was so little information about other alternatives; why questions about pollution could not be answered; about the use of buses, and why questions could not be answered about managed lanes. Ure, prepared for the Board members, a packet that includes the minutes of the December Board meeting, articles from the newspapers and many articles from around the country where communities have put in rail and that rail appears to be failing for the lack of ridership. The cost over-runs go from 46% to 73%. One issue we are concerned with is that while, yes, people will probably ride a train – it's very expensive to put in and the cost will probably double before it's over with. Unfortunately what happens in other communities is that the people who ride

the train just quit riding the bus. Communities lose the bus ridership because the municipality is not keeping up the bus transportation services. Honolulu, and the whole of Oahu, is set up on an Ahupua'a system. In that process, Oahu needs lots of circulator buses, connected to or becoming express buses to get people from very diverse points such as West Oahu and going to the University of Hawaii at Manoa, or trying to get from the Airport into Waikiki, or getting out of Salt Lake and getting into Honolulu, or getting from Mililani to Honolulu. In all cases you need more than a rail system because you're not going to take care of the traffic congestion. The Committee would like to suggest this particular managed lane alternative in the Alternatives Analysis because it does several things. Managed lane is actually a fixed guideway – that allows Hawaii to have the designated federal funding. It is important to remember the fixed guideway has to be for a new corridor (something that never existed before). In that fixed guideway designated managed lane you can charge tolls, charging for cars, vans, express buses. And ridership is on a new route and off the congested existing route--relieving quite a bit of the traffic from the existing roadways with the clearing out H-1 in a way that it doesn't bottleneck as badly or bottlenecks less. What needs to be looked at after we finish transferring certain types of traffic to the managed lane that belongs there is to continue to address the bus and car problems. America, Hawaii--is a car oriented society. We are not Singapore. We are not the Bahamas. We are Hawaii and people to use their cars to take their children to school, pick them up, go to work, come home, and go from office to office to fulfill their duties in their daily jobs. It is a concern to her that the costs involved for rail is going to be so terribly high and that when they run out of money from the federal government as that pool of monies diminishes for municipalities year after year, and when the City runs out of money from the general excise tax, the City and the State will have only have two choices: 1) raise the general excise taxes (which the Governor is reluctant to do because it involves other counties) and 2) raising the property tax. This means the sewers won't be fixed, services will be reduced, and roads won't be maintained, either major roadways or minor roadways in our communities. Our Mayor promised us in his campaign to follow this principle, "Do we need it? Can we afford it? Can we maintain it?" The promoters of Rail, the preparers of the Alternatives Analysis, the City administration and the City Council have no idea how much it's going to cost to maintain rail. Managed lane is something we are more familiar with because managed lane is something that can be used not only by the bus services but by the autos, tour buses, and all those people—us-- who need to get a little more quickly from one place to another access other than H1, H2 and H3.

Discussion followed: 1) Bartley supports this motion fully; however, he would ask the committee to consider removing all the words after alternative for the reason that we are limiting ourselves into a specific set of conditions when we really support the managed lane alternative. He is willing to make such a motion to remove it. Ure noted having two choices with the motion merit consideration at this point--we can take out **as the transportation solution for communities from Kapolei to Manoa with the Airport and Waikiki spurs** or we can put everything in, i.e., Salt Lake/Mapunapuna --all in or, all out. 2) Bartley understands all that but the Council's positions are going to be fluid and changing; Ure said "No" – that the Council's position on the route is fixed. Bartley felt getting into specific routes and spurs, should they change would nullify the motion on details--and we really want to talk about that. 3) Ure asked to confer with the committee members. 4) Glanstein felt Bartley had an interesting idea. There was another one which she wanted to suggest that stems from the discussion the Board had when the transportation persons were presenting to the Board; and amending the motion by deleting the Airport and putting in Salt Lake/Mapunapuna because considering both the population at Salt Lake, as well as the work force population at Mapunapuna, we're considering ridership as an essential criterion it seems that Airport is not appropriate, but Salt Lake/Mapunapuna serves residents and the work force in the neighboring area. The Chair needs to get feedback from the committee members whether or not they agree to take out the last part of that sentence and put a period after the word alternative. 5) Ure noted without having to deliberate further and by considering part of the previous dialogue, the letter that transmits the motion can include, in very strong language that that is what the City Council as decided, the fixing of the route. Therefore, the motion may technically end with a period after the word alternative.

The Chair noted that the committee is okay with changing the motion so that it reads as follows: **The KNB No. 31 strongly urges the City Council's full consideration and approval of the Managed Lane Alternative.** Board discussion on the amended main motion followed: 1) Bartley strongly supports this motion and thinks the managed lane alternative will bring some traffic relief and won't cost as much, get federal money, and in fact will work. Like Marshall said, no one is purporting that the rail is going to work and reduce traffic congestion on the existing corridor, which is the whole point and this is just a huge construction project. 2) Wisch had a question and a comment. Wisch wanted to be sure he understood the actual intent of the motion and addressed the question to the committee. When it is said that we are urging full consideration and approval of the managed lane alternative, are we urging the Mayor that we want managed lanes and we do not want rail. 3) Ure responded that what the motion says is that our choice is managed lanes, and that includes new elevated toll roads and associated toll road connections, off line bus stations along the managed lane route, new park and ride lots, restructured bus routes, and this is what the Mayor said is the decision before the City Council. The vote of 7 to 2 for the City Council was

not for rail, it was for the route; nobody has voted rail yet. This is our Board's opportunity to say this is our choice of our community. 4) Chair Bryant-Hunter asked Wisch if that answered his question; and he noted yes and had a comment – referring to the Mayor's newsletter received tonight that says, "Mayor Hannemann and key City officials join the neighborhood board leaders who support rail mass transit at a bill signing ceremony..."; that he felt it may be a little presumptuous for us second guess what those people living in that neighborhoods are guessing. 5) Wong felt that maybe it's a little presumptuous that they are using her tax dollars to pay for something I won't use. So she definitely disagreed, and we have as much right to put in our opinion as anyone on any project. 6) Evans spoke in favor of the motion. She felt we should be listening to what these five neighborhood boards in West Oahu have to say and then in of the wisdom of the committee members it was yes, but we're all putting our tax dollars into it so we should all have a say as well. 7) Ure reminded the Board that of the 32 neighborhood boards, each has the right to express its own choice and comment on the process of the selection. This is precisely what this Board is attempting to do. **The motion carried, 14-0-2. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Dudley, Evans, Glanstein, Harding, Lindgard, Tomasa, Ure and Wong. **Abstain:** Prentiss and Wisch.

**Motion 2:** Relating to the City & County Traffic Code as relates to the definition of an unimproved sidewalk, and the motion reads: **The KNB No. 31 strongly urges the City Council to amend the Traffic Code so that the term "unimproved sidewalk" in the City & County Traffic Code shall be defined in clear and measurable terms.**

*According to Councilmember Marshall's office has said that the unimproved sidewalk area is defined as "an area between the owner's property line and the curb or edge of the road improvement (no matter how big or small) is considered the sidewalk area whether or not there is an actual paved sidewalk. It must, by law, be maintained by the abutting owner (ROH 14-20.1)."*

Discussion followed: 1) Bartley asked if Barbara Marshall's interpretation is being taken as the law or the enforcement. 2) Evans said when going through all the research – Marshall's statement was more clearly defined in this area. And it states this in other areas of the traffic code but we are bringing it together. And according to the police department some years ago, it was their interpretation as well. So she believes this is the correct interpretation, a correct definition and it clearly defines it. 3) Bartley continues and refers to the facts that Marshall stated and finishes up by saying "...in other words there has to be a place for people to walk whether or not there is a paved sidewalk" – now it seems very interpretive by Marshall. So if I'm parked in an unimproved sidewalk and there is still a place for people to walk I am okay or not because earlier it says you can't park there at all? 4) Evans noted that's the problem because when a police officer is called it's really at their discretion whether the car is parked so that there is space to walk. There is another motion to address that coming up. Evans said when the task force met with residents of Olomana Street, they had been singled out and this was a result of that. 5) Dudley asked in an article of the Windward paper it said when people go to the beach they just park all over the place and stated that that is so true, But the biggest issue he has is that there are people that park close to the driveway, obscuring your view down the roadway, isn't there a law about how close you can park to a driveway? 6) Definitely there is a law said Evans. This will not change that but people parking close to your driveway can be cited; and if it's an unimproved sidewalk area for sure they can't park there – they'll be cited. 7) Chair Bryant-Hunter passed the gavel to Vice Chair Prentiss to speak to this motion. She felt the motion is really good and this Board worked hard to find places in the rules that aren't very clear. Prentiss' committee is working on the rules as it relates to the park and they are also very ambiguous making enforcement very difficult. So where we can recommend language that is straight forward, clear and then consistently apply that, it would make is so much easier for the residents, the City Council and, to make it easier for police officers to enforce. To put that in the traffic codes really goes in the direction of clarifying the language, between and across, department's jurisdictions. She feels it's an excellent motion; and then with the motions that follow it further strengthens the Board's ability to deal with an issue that the whole community is wrestling with. 8) Dudley asked if this is an issue where people are parking their car in front of their own home in Olomana. 9) Evans notes (not even thinking of her own community), but of older communities where the unimproved sidewalk area is right in front of the property. But more importantly, it's very difficult for the police to use their discretion. There is another motion that deals with the sidewalk area having to be so many feet and we will deal with that motion later. 10) Bryant-Hunter said the question is first to define it then you can talk about what's allowable in it. This one defines it and the next one will define where and how far you can park your car and still be safe and allow people to get by.

The discussion continued with questions and comments from the audience: 1) Bruce Daily had a question what about when your land goes right up to the street; this doesn't say anything about when there's no space between your land and the street. Ure responded whether your property goes to the edge of the street or not, you are required by law under the City and County ordinances to consider that an easement for the City. This is where the City and the utilities install the sewer lines, electricity, water lines, etc. and needs to be accessible to the City and that is why it's called an "unimproved sidewalk". Daily contends that the wording says the area between the owner's

property line and the curb of the road. 2) Ure notes that the property line you can build on and DPP will tell you how far out you can build and there are different easements. 3) Prentiss said it sounds like the City may have paved up to his property line, that could happen and what he might be talking about. Evans asked Daily to restate his question again; and he said that there's nothing in there about an easement. Evans said it's pretty much understood that part of that is the easement; but one of the things that didn't go into is ROH 14-20, and we got this from Marshall's office, but she believes it's understood that's an easement – 5 feet from the edge of the property. Evans has another motion that deals with parking on the unimproved sidewalk – allowing you to park on an unimproved sidewalk. 4) Wong notes that every property is different, dependant whether you are on a main road where the setback is wider for future development by the City; and different for an interior subdivision lot where lane increases aren't anticipated, so to put in a finite number would be incorrect and not capture every property. Bryant-Hunter noted that the language is still rather confusing. 5) Wayne Yoshigai expressed supporting the intent; however, he had strong reservations that the Board is relying on, with all due respect, to Councilmember Marshall's interpretation. She did not quote the law or the ordinance and he thinks for this Board to rely on someone else's interpretation is misguided. And the confusion that's being raised about the easement needs to be addressed before you take action on this motion and tell us how many feet. You have no definition of what it is according to the law or whether it's an ordinance. You're just assuming that Councilmember Marshall's staff members interpreted that law correctly. She did not quote anything – if she had quoted the law I would understand how the law defined an unimproved sidewalk, but it did not. 6) Chair Bryant-Hunter suggested a recommendation to go back to the committee and take a closer look at the revised ordinance and then the language that Councilmember Marshall is proposing and make sure that it's clear and that the Board is comfortable with what is in the revised ordinance. 7) Yoshigai replied, yes, and if necessary go to Corporation Counsel and get their interpretation. 8) Evans notes the committee did this because it wasn't clear in measurable terms within the ordinance and that is the whole problem. 9) Chair Bryant-Hunter requested Board members not to engage in debate with the residents. Chair Bryant-Hunter stated his question and part of his comments was that he would like to see what the revised ordinance said in relation to the motion so he can compare the two as part of the discussion. 10) John S\_\_\_\_, a longtime resident, seconds the gentleman's concern that this does seem like Marshall's interpretation of the law and doesn't actually quote the law. His question was hypothetical, a) if he owns a property that has an unimproved sidewalk – am I responsible for maintaining it if someone else damages it, b) and a second issue that there is a huge pool that forms every time it rains slightly more than a drizzle – is he allowed to go and build a French drain or do I call the City and have them come out and fix the big puddle. His recommendation would be to refer this to the committee because it doesn't really sound like it's well defined. 11) Chair Bryant-Hunter noted that his points were well taken but the Board will not be tackling his zoning question right now, but tackle the motion and the committee will take a look at it and perhaps report back next month. Your concern that the language is not clear is very helpful. 12) Evans said if you look at the motion it ends at – “clear and measurable terms” and the committee added that according to Barbara Marshall's office, so that the Board would have a better understanding of where we are. And that's the whole problem with these ordinances that they have not been defined in a “clear and measurable terms”. 13) Barry Wong, Kailua resident, stands behind the intent of the law or what your recommendations to make the amendments to define it but reflecting back to what the last two gentlemen, it's really not too clear. And he doesn't see how the Board can vote or approve something that needs to be defined a little better. What are needed are clarifications to state specifically what ordinances the Board is following and the interpretations (other than what Councilmember Marshall has noted in quotes). Another thing: is the intent to allow parking on the unimproved areas? 14) Evans said that will be talked about in the next motion. Evans explained the committee has grappled with this over the last five months and that they are asking the City Council to define it in clear and measurable terms. It is not for us to define. We are asking that it be defined. We used Marshall's statement so that the community can see what we are attempting to do. 15) Wong's suggestion to Mr. John S\_\_\_\_ is one more month so we can discuss it a little more. 16) Barry Wong commented that the other gentleman's concern about the definition and that the Board needs to better look at what the current definition is prior to creating a new definition that also seems to be equally unclear.

Comments continued by board members: 1) Wong directed her question to Evans regarding the quotes around ROH 14-20, taken directly from the ROH; Evans reply was yes. So that isn't Barbara Marshall's definition. 2) Evans said the definition is not clear no matter where you look—it is not clear. 3) Wong clarified that Marshall is putting quotes around her wording. 4) Evans notes it is her interpretation. 5) Bryant-Hunter thinks the question is – on the motion on the agenda the quotes are on the outside the ROH 14-20, so that would mean everything preceding that is the revised ordinance and that's not true; the quotes actually go before the ROH – correct? 6) Wisch called for a **point of information** – Wisch furnished information about the ROH 14-20.1 from the City web page and asked whether it would be helpful to read the portion that defines what the term “sidewalk” means to the Board. It was so requested. Wisch read from the ROH: “The term sidewalk as used herein shall mean that portion of the street between a curblineline or the pavement of a roadway and the adjacent property line intended for the use of pedestrians; including any setbacks area acquired by the City for road widening purposes. The term “gutter” as

used herein shall mean that paved portion of the roadway immediately adjacent to the curb or that portion of the roadway in concrete in twelve to fourteen inches wide immediately adjacent to the curb.

Chair Bryant-Hunter noted for those following on the agenda – the quotation marks should not be around the outside of the parenthesis relating to ROH, that there should be a quote because it is not a quote to the revised ordinance. Other than that, it relates to that revised ordinance, but it is not a quote from it - so that might have created some confusion.

7) Bartley said he was not real strong about this motion until he heard all the debate and now he's 100% behind it. The thing is Evans was asking for a better definition and you looked at the law and you see that it's not clear and Marshall is saying it's not clear and you agree from your own research that it is not clear and you're just asking for a better definition – am I correct? 8) Evans said yes. 9) Bartley supports the motion. 10) Best suggested, as a committee member, that the committee is just trying to get someone else to define the definition more clearly. The reason is because nobody has a clear idea of what their rights are or what their easements are. Even when looking at this in the committee it is still unclear and the committee is asking the City Council to put it out there so the people can understand. If you're in favor of doing that then you are in support of this motion. 11) Harding completely agreed with Best's statement restating that all the motion is doing is urge the City Council to "define it in clear and measurable terms". 12) Prentiss said the second paragraph that begins with "according", is that part of the motion? The response was that is not part of the motion. **The motion carried 15-1-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Dudley, Evans, Harding, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong. **Nay:** Glanstein.

**Motion 3:** Relating to the legal parking when on an unimproved sidewalk, and the motion reads: **The KNB No. 31 strongly urges the City Council to amend the Traffic Code so that In areas with unimproved sidewalks, parking is allowed as long as the vehicle is positioned a minimum of three feet from the edge of the roadway or curb line.** Discussion followed: 1) Brown asked how the committee came up with the three feet minimum in the motion. Evans replied in meeting the residents of Olomana Street and committee members, the three feet would allow the width of a wheelchair. Brown was opposed to the motion because it seemed quite narrow and not an ADA standard. He was unlikely to support that motion unless it was changed or more research was done. 2) Wong, referring to the three feet, and asked if it three feet in from the roadway, all the way on your property but still in the setback? 3) Evans said, right. 4) Wong said so it's not two wheels in and two wheels on the road? 5) The reply was no. 6) Glanstein asked are there any pending legislation before the Council on any of these? Evans replied not that we know of; so are we really asking the Council to introduce legislation to address these issues rather than saying "strongly urging the Council"; because the Council can't do it unless there's legislation before them. Glanstein suggested prefacing the motion to ask the Council to introduce legislation relating to the legal parking when on an unimproved sidewalk. 7) Bartley notes, as it stands, he would speak against the motion. He wanted to reiterate an earlier statement (gentleman – yellow shirt) about property rights and who is responsible to take care of the property easement and the City inviting everybody else to park there and do whatever they want. So there's this fundamental difference between who gets to take care of it and who gets to use it. 8) Best wanted to applaud this Board and the Transportation and Public Safety Committee for seriously looking at resident's concerns because when Olomana Street came before the Board and were placed on the agenda—we are trying to find a solution. She feels this is the best part of being on the neighborhood board and wished that Joan Manke and Jim Wood could see this. However, she speaks against the motion for several reasons, a) three feet again is so arbitrary, b) where is the officer going to know where the property line is, c) how is the officer going to measure, d) soon we may narrow the space to two and a half feet, e) she agrees with Mr. Brown that three feet may not be enough, f) there will be cars moving in and out, so we're effectively giving cars precedence over your walkway (which is what an unimproved sidewalk is supposed to be). Another thing is that the law, as she understands it, you must provide off street parking for two cars? – so she doesn't understand why people with more cars are being given additional rights, especially those who don't even use their garages to park their cars but use it as storage; and there's no law about that. She also thinks it is a safety, aesthetic, and zoning issue. This is just adding fuel to the fire along with what is seen in Lanikai with illegal TVU's as they ask their tenants to park on the property over night (still another way of evading the inspectors). She feels we're opening a Pandora's Box and although she feels for the concerns of the residents of Olomana Street this may be a real disservice to the wider population.

Discussion continued from residents: 9) Barry Wong opposed passing motion number 3 for the fact, that unimproved sidewalks have not been defined yet and you're asking them to allow them to park. Ditto what Best said regarding the Board who is already aware of how many illegal rentals there are. There are too many cars parked on the road. Has the Board clarified the law whether looking at this recommendation if on-street parking is legal? If not, is that the reason why we want to go on the sidewalks? Has the committee addressed that issue? Wong said parking on the street, with all four tires on the asphalt is legal. Where the problem arises is when you

have two of your tires on the grass and the other two on the street. Now the car is encroaching into the unimproved sidewalk and the City is saying that you are impeding pedestrians. Wong said allowing cars to park on unimproved sidewalks may work in one neighborhood, but he doesn't think it's going to work. Amend the law to be applicable to the whole island. 10) Daily reiterated what Best said and he thinks that letting people park on the (unimproved) sidewalk is not the right approach and is strongly against this motion. 11) Josh Rubino, Kailua resident, says his question is a muddled issue of the definition of what an unimproved sidewalk is. His concern is that this motion is allowing for a three foot setback from the edge of the road through the unimproved sidewalk region. Would that definition be a City wide ordinance or just specific area? He'd like to see something more specific taken into consideration and he opposed this motion. 12) Yoshigai opposes the motion for several reasons, a) let City Council decide what unimproved sidewalks means so the Board can act upon it, b) for the reasons stated by board member Best, c) this type of ordinance would create or force more homeowners to build walls so they don't have to see the uninvited people parking on their lawns. 13) John S\_\_\_\_\_ would like to thank Joe Harding for clarifying the first issue relating to Barbara Marshall comments, an issue we are now finished with. He would strongly support, and urge, everyone to hear board members Best and Bartley's comments on owner's rights because we just happen to be unfortunate enough to live along the City streets and we have to deal with people ripping up the yard in front of our homes that we have to go and fix. He thinks is unfair. 14) Beth\_\_\_\_\_ also agrees with Bartley and Best regarding everything they have stated. It seems that this particular motion is geared toward assisting a few parkers, which doesn't seem to be in the best interest of Kailua or the rest of the island. Also, over on her street there is a lot of construction going on and the contractors are parked on the grass, blocking the safe passage of the kids forcing them to walk into the street, and meanwhile destroying the grass area. 15) Joe Gillman is happy to find so many people expressing their opinions. For, against, or whatever--and comments they are all here tonight. He lives on Kailua Road at the entrance to Kailua Beach Park and with "No Parking" signs posted all along that stretch. Now everyone comes to the park and there's a big traffic jam. When Gillman asked the officer, who happened to be stuck in the traffic about these cars illegally parked, the officer's response was "This is low priority". Another response from another officer was "I don't think we should ticket these people, they bring money to Kailua." Gillman also explained that on his side of the street, in front of his house, there's a three foot easement and nobody parks on his side of the street. On the other side it is about seven to eight feet; and this hula halau neighbor paved his side of the street all the way to the roadway and his halau parks perpendicular from the house to the edge of the pavement. Now the pedestrians have to walk on the road. Most of what he has been hearing tonight is the areas with no signs.

Discussion continued with Board members: 16) Wong understands what the committee is trying to do and appreciates it but thinks that this maybe is not the way to go. Perhaps the motion can be withdrawn and take it back into committee. She doesn't think she can vote for it the way it is. 17) Bartley hoped all six speakers are running for the neighborhood board. He would like to see some of that logic on the Board. He would like to reiterate what was mentioned earlier about "wallafication" in Kailua, if you think about it if they had to park three feet from the street and that's the only thing the police are enforcing is whether or not they are three feet from the street. Then they are going to be parking partly into your yard because cars are eight feet wide. Therefore people are not going to be happy but that won't be a violation of the traffic code. That will be a property rights violation; them parking on your lawn. The police would be hesitant in trying to enforce that. So you'll put up the wall or fence to keep them out and like mentioned earlier - you'll have walls all over the place. Thanks for that comment. 18) Evans doesn't believe she'll take this back to committee because they worked on this for a number of months with residents input. Some people are saying that this motion was for a few people singled out. The fact remains that much of Kailua is older neighborhoods. They don't have wide streets or improved sidewalks. Multi-families are living together and room is limited. She used Olomana Street as an example because it is a narrow street. When the police cited them they should have cited everyone in Kailua. It becomes unenforceable and you're going to have the police out every night tagging people. In the case of Lanikai, the committee was hoping that the Lanikai Community Association would take a position and write letters to the appropriate City agencies. They have not done so. In that particular area people are parking on unimproved sidewalks and she doesn't believe people are going to be erecting fences. We're talking about residential neighborhoods and this is after much discussion with members of the community and the board. In the democratic process, one member voted no. **The motion failed, 2-13-1. Aye:** Correa and Evans. **Nay:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Dudley, Glanstein, Harding, Lindgard, Prentiss, Tomasa, Wisch and Wong. **Abstain:** Ure.

**Motion 4:** Relating to parking and "no parking" when unimproved sidewalk is adjacent to a bike lane, and the motion reads: **The KNB No. 31 strongly urges the Honolulu Police Department that wherever there is a bike lane adjacent to an unimproved sidewalk, strict enforcement shall occur to prohibit illegal parking.** Evans further explained that members will wonder why we are doing this but people are parking on bike lanes mostly in Lanikai. We received complaints from residents that their children could not use the bike lanes to and from school because cars were parked all over. The committee is asking the police department to please, please enforce this. There was no discussion following. **The motion carried by unanimous consent, 16-0-0. Aye:** Bartley, Best,

Brown, Bryant-Hunter, Chinen, Correa, Dudley, Evans, Glanstein, Harding, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong.

**Motion 5:** Relating to proper posting of bike lanes and the motion reads: The KNB No. 31 strongly urges the City Council to amend the Traffic Code so as to require the Department of Facilities Maintenance to facilitate the enforcement of the Traffic Code by erecting, or stenciling, No Parking signs which shall be posted in bike lanes. Discussion followed: 1) Barry Wong asked is the Board asking the City to produce more signs and put them in place on bike lanes? Are there areas that are specifically not signed? 2) Best noted that Lanikai has been struggling with this for a longtime and the Association has already put in request for more signs. But what they've found is that even though the signs are there people are still ignoring them. They've asked Marshall's Office to inquire about stenciling on the bike lane and for some reason (she can't remember why), they were turned down. She had to say though when you see "no parking" signs stenciled in the bike lane in Lanikai it's because the midnight ninja took it upon her/him-self to stencil the bike lanes. They don't know who it is. Sometimes you'll see cars parked over the "no parking" sign in the bike lanes. It does need to be enforced because people are not obeying the law. Barry Wong suggested that it is looking more like an enforcement issue rather than spending more tax dollars making signage. 3) Evans notes enforcement is addressed in the fourth motion and in the fifth motion asking for more signs to indicate that these are bike lanes. 4) The Chair said that Barry Wong only made a comment that he would prefer not to spend his tax money on signs but rather see the law enforced. 5) John S\_\_\_\_\_ supports the motion but points out seeing the Board recommend that the police enforce parking strictly everywhere as opposed to just bike lanes. 6) Rubino asked to hear the motion again. Chair Bryant-Hunter read the motion. Rubino asked if there is a possibility to change the motion from erecting signs to perhaps only having stencils to defend a position to not have signs everywhere. 7) Bartley's only reservation is that there are signs all over the place. There are problem areas and not-problem areas. He thinks somewhere in this motion we should ask the problem areas be identified and the signs be put there and not have signs everywhere. 8) Evans responded that the motion allows for the Department of Facility Maintenance to choose whether to erect or stencil. 9) Chair Bryant-Hunter passed the gavel to Vice Chair Prentiss. Bryant-Hunter commented on deleting the portion about erecting signs and thought that stenciling on a bike lane is safer. Signage in the bike lane is hazardous to the bikers, and the Outdoor Circle is on record opposing more erected signage. The Board gets a lot of complaints about additional erected signage and often, when a sign goes up in Kailua she gets a call about that new sign. She would like to make a motion to amend to delete the words "by erecting" and as it relates to bike lanes, just have it be stenciling. So the motion will read as, "...to facilitate the enforcement of the Traffic Code by stenciling "no parking" signs which shall be posted in bike lanes; Dudley seconded the motion. Discussion on the amendment followed and Vice Chair Prentiss returned the gavel to Bryant-Hunter: 10) Evans speaks in opposition of the amendment. She emphasized the importance of allowing the Department of Facilities the option to decide upon erecting or stenciling in bike lanes. The motion to amend carried. 14-2-0. Aye: Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Dudley, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong. **Nay:** Evans and Harding.

By a show of hands, **the main motion carried by unanimous consent. 16-0-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Dudley, Evans, Glanstein, Harding, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong.

**Ure moved to extend the meeting past 10:00 p.m. Glanstein seconded the motion. The motion carried, 15-1-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Dudley, Evans, Glanstein, Harding, Lindgard, Tomasa, Ure, Wisch and Wong. **Nay:** Prentiss.

Harding left the meeting at 10:07 p.m. (15 members present).

**Government and Community Services Committee** – Chair Chinen read the following motions:

**Motion 1: The KNB No. 31 supports the funding of 3 additional security guard positions at Kailua High School.** Chinen noted this motion came out of committee at the last Saturday meeting in conjunction with the probable construction of the Access Road into KHS. This is to address one of the concerns that the principal laid out once it is opened. Discussion followed: 1) Evans asked the Committee Chair based on what determines the three additional security guards, how do you know she needs three? Chair Chinen deferred to Glanstein. 2) Glanstein said this is anticipatory. With the parking lot at the base of the new road there will be a need for additional security personnel--hopefully screened ahead of time. However, should it not go into this budget cycle the committee will continue to push that it goes into a subsequent budget cycle so that the issue that the principal has raised just doesn't disappear. We will respond to that issue. The only way to respond is to acknowledge the need for extra security and we have asked Senator Tokuda to put the money in the budget. Whether it goes any place is not something we have much control over. Nevertheless, it is something we recognize as a need articulated by the principal. 3) Dudley asked had the school asked for more security guards. The response was that the principal

asked for the additional security guards. **The motion carried, 14-1-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Dudley, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong. **Nay:** Evans.

**Motion 2: The KNB No. 31 supports transferring monies collected from unadjudicated parking fines from the State to the Counties.** Discussion followed: 1) Wisch asked a **point of clarification**, that this means that transferring monies that the State has itself collected for unadjudicated parking fines back to the counties? 2) The response was yes. 3) Wisch continued, and secondly, do we know how much the State has to spend to actually collect those fines? 4) Bryant-Hunter said this Board supported this motion for the time she's been on the Board. The unadjudicated and traffic fines where you just mail in your check and collected by the State and the administrative fees are negligible, so this year it is again on the agenda and we have supported it every year. 5) Glanstein raised a **point of information** because the motion addresses monies collected is from unadjudicated parking fines. The current legislation, HB 664 – relates to the unadjudicated traffic violations and that is much broader. 6) Chair Bryant-Hunter asked if the motion could be changed to **unadjudicated traffic violations**; 7) Chinen had no objections to the amendment. 8) Best requested (for better understanding) how is this money apportioned out, currently? 8) Bryant-Hunter said the counties get zero and the State General Fund gets it all. Should HB 664 pass the State would probably keep a portion for administrative fees, however, that has not yet been defined and that would need to be defined by the bill. 9) Dudley would like to suggested that the Board clearly state what the Board is supporting HB Bill 664. 10) Wisch read the description of HB 664 - Requiring the State Director of Finance to transmit revenues received from all unadjudicated traffic violations or infractions to the police department of the Counties in which the traffic violation or infraction have occurred for the Chief of Police to recruit and retain qualified police officers. 11) Bryant-Hunter understands Dudley's desire to be specific, but there's a lot of information in that bill, and to be more specific would require a separate motion. With everyone's permission we'll just stick with what's here and if we want to support the bill that's a separate motion. 12) Ure said if it were to be amended she would suggest amending "parking" to "traffic" for descriptor of unadjudicated fines and it has already been amended to that by the acceptance of the Committee Chair to do so.

Chair Bryant-Hunter read the motion again **The KNB No. 31 supports transferring monies collected from unadjudicated traffic violations from the State to the Counties. The motion carried by unanimous consent, 15-0-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Dudley, Evans, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong.

**Non Committee Motions:** Chair Bryant-Hunter noted the following Non-Committee motion has a handout associated.

**Motion: The KNB No. 31 endorses the AARP's crosswalk safety suggestions and urges the DOT, DTS, and HPD, to implement these suggestions and also provide education programs in various languages for pedestrians and drivers.** This is Non-Committee motion and needs a second; **seconded by Best.** Discussion followed: 1) Wong agrees with most of the suggestions recommended by AARP but disagree with the elimination of the push button and making the signals automatic. **The motion carried, 12-2-1. Aye:** Best, Brown, Chinen, Correa, Dudley, Evans, Glanstein, Lindgard, Prentiss, Tomasa, Ure and Wisch. **Nay:** Bartley and Wong. **Abstain:** Bryant-Hunter.

#### **COMMITTEE REPORTS:**

There was no additional report for the Civilian-Military Council and there was no report for the Kailua Chamber of Commerce.

#### **Permitted Interaction Groups:**

**Enforcement of B&B and TVU's** – Chair Wisch recapped concerning HB1603, Relating to Transient Accommodations, is scheduled for hearing this Saturday, 8:30 a.m. Anyone wishing to submit testimony is requested to submit 40 copies 24 hours prior to the hearing or utilize the drop off box at the turnaround or fax if less than five pages to the House Sergeant-At-Arms at 586-6581.

**Property Tax Reform** – Chair Prentiss reported there will be a meeting very soon.

**Neighborhood Plan 2007** – Chair Chinen reported still waiting for Corporation Counsel.

**Government & Community Services Committee** – Chair Chinen reported nothing time sensitive; **the next Committee Meeting: Third Saturday, February 17, 10:00 a.m. at Zippy's Kailua**

**Parks and Recreation Committee** – Chair Prentiss reported: 1) finally getting some movement on the illegal commercial activity at Kailua Beach Park. He will be monitoring that with the police department. He received an answer to the committee's letter about prohibiting commercial activity east of Kalapawai Market--a letter from the Mayor regarding the commercial buses, and what he would like to respond to this letter indicating the committee's understanding that it would require an ordinance. 2) **The next Committee Meeting: Tuesday, February 20, 7-9:00 p.m. Kalama Beach Park**

**Planning, Zoning and Environmental Committee** – Chair Wong reported: 1) the Kailua Road Sewer Improvement District No. 276 – DDC said that the project is scheduled for March 07, but they haven't received all the papers required. 2) D.R. Horton/Schuler Homes Kailua Road "Ironwoods" housing project – the Chair noted that DR Horton would like to make a presentation to the Board in April. 3) **The next Committee Meeting: Tuesday, February 20, 7-9:00 p.m. Kalama Beach Park**

**Transportation & Public Safety Committee** – Chair Evans announced: 1) the Board should be aware that the committee received a memo from Melvin Kaku and Boise Correa indicating that Corp Counsel says they cannot post signs with specific time limits in front of Kailua Beach Park. "No Parking" restriction signs along the shoulder of Kawailoa Road will not be posted at this time. DTS would consider "No Parking Anytime" signs to assist in enforcement efforts. 2) **Next Committee Meeting: Wednesday, February 21, 7-9:00 p.m. Kalama Beach Park**

**Sustainability Committee** – Bryant-Hunter announced: 1) the appointment of Chris Porter as Chair of the Sustainability Committee. If you oppose to the appointment then it would take a motion and action. No objection was voiced. 2) The first meet is the 2<sup>nd</sup> Thursday, February 8, at Kailua Recreation Center - Tiny Tots Room. 3) Committee agenda to discuss committees scope of work and proposed carrying capacity legislation.

**Executive Committee – Board Chair, Vice Chair, & Secretary/Treasurer** – 1) **The Treasurer's Report has been distributed and Ure will place that information in the minutes.** Expended Fiscal Year to Date: 1) P. O. Box rental, \$ 80.00; Minutes & Agenda (July'06 to January'07), \$1,158.77; Correspondence, \$1.92; Video (7), \$1,400.00. Balances as of February 1, 2007: Operating, \$ 279.31; Publicity, \$1,156.00 and Refreshments, \$120.00. There is enough money to finish the year because funding for the Operating and Publicity Accounts have been lumped together by the NCO and are interchangeable. 2) **The next Committee Meeting: Thursday, February 22, 8:30 a.m. at AGNES' BAKERY; to allow all the committees to meet before the Executive Committee.**

- Wong announced the PZ&E Committee – discussion will be on the Kailua Municipal Makai Parking Lot.
- Evans announced that Barry Fukunaga, DOT Director, will be present at the next Board meeting and a there will be a presentation by the DDC on the Sewer Project.
- Glanstein suggested discussion at the Executive Committee meeting and the full Board regarding the Neighborhood Commission balloting options.

**NEW BUSINESS:** None.

**BOARD ANNOUNCEMENTS:** The following announcements were:

- **March Board and/or Committee Agenda items to Chair by Monday, February 22, 2007**
- **Committee correspondence copied to Chair and Secretary**
- **Committees to continue with CIP projects for upcoming City and State budgets**

**ADJOURNMENT:** There being no further business, **Ure moved and Glanstein second to adjourn the meeting. The motion carried, 15-0-0. Aye:** Bartley, Best, Brown, Bryant-Hunter, Chinen, Correa, Dudley, Evans, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Wisch and Wong. The meeting adjourned at 10:35 p.m.

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