



KAILUA NEIGHBORHOOD BOARD NO. 31

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KAILUA NEIGHBORHOOD BOARD NO. 31 DRAFT REGULAR MEETING MINUTES THURSDAY, MARCH 6, 2008

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

CALL TO ORDER: Chair Bryant-Hunter called the meeting to order at 7:05 p.m., with a quorum of 14 members present. A brief announcement--to enhance the audio, Board member's tables have a new set-up for the evening.

MEMBERS PRESENT: Kalana Best, Richard Bratt, Michelle Brooks, Kathy Bryant-Hunter, Jon Chinen, Jim Corcoran, Michael Correa, Virginia Enos, Debbi Glanstein, Knud Lindgard, Charles Prentiss, Claudia Tomasa, Linda Ure, Ronald Weinberg, and Donna Wong (7:15 p.m.).

MEMBERS ABSENT: John Brown, Susan Dowsett, Joe Harding, and Christian Porter.

GUESTS: Leona Perez, Tim Roberts, Rich Figel (Beach Access HI), Chris Conger (Sea Grant), Cathy Weinberg, Lt. John Cheong (Honolulu Police Department, District 4-Kaneohe), Jessica McDunn (Hawaii Pacific University), Captain Geoffrey Chang (Honolulu Fire Department, Kailua), Ginger Westerman (Hawaii Animal Sanctuary), John Foster (Representative Cynthia Thielen's Office staff), L. Bowman, Joe Gilman, Barbara Krasniewski (Senator Fred Hemmings's Office staff), Janine Tully (Representative Pono Chong's Office staff), Chip Fletcher (University of Hawaii), Jennifer Geis, Joseph R. Souza, Jr., Glenn Uyeshiro, Ricky Bermudez (Puakea Fund), Ursula Rutherford, Stann Reiziss, Jean Reiziss, Ann Chung (Mayor's Representative), Senator Jill Okuda, Dr. Morgan Barrett (Governor's Office), Nola Frank (Neighborhood Commission Office staff).

APPROVAL OF MINUTES: All minutes from September 2007 to February 2008 have been deferred until the next Board meeting.

AGENCY REPORTS:

Honolulu Fire Department (HFD) – Captain Geoffrey Chang reported:

1. Statistics for the month of February 2008 included 1 structure, 6 rubbish, 2 vehicle fires, 101 medical, 5 search/rescue, and 25 miscellaneous response calls.
2. Major incidents: 1) Auto accident with brush fire, one fatality; 2) Building fire in Waimanalo, five companies responded.
3. Fire Safety Tip: Cooking at home can be a fun family activity, but please be careful. According to the U.S. Fire Administration, cooking fires are the leading cause of house fires and fire injuries nationwide. The following precautions can be taken to minimize your chances of starting a cooking fire: Do not leave cooking food unattended. If you must leave the kitchen, even briefly, turn off the heat, and take a spoon or oven mitt with you to remind yourself of the food on the stove. Do not become distracted. Attending to children, answering phone calls, watching television, and answering doorbells can have devastating results when the stove is on and unattended. Keep ignitable items, such as, paper or plastic bags, or curtains, at least three feet away from the range top. Keep an ABC-rated fire extinguisher near the kitchen, and learn how to use it.

Questions, comments and concerns followed:

1. Regarding a request for more specific statistics regarding medical responses, such as heart attacks, not all records are kept. The first responders, either HFD or EMS would have the report. Follow up will be done.

7:15 p.m. Wong arrived (15 members present).



2. Regarding the car fire in the Pali tunnel, Weinberg asked what fire safety measures are located in the tunnel. In answer, HFD brings the water supply and all equipment needed for such an emergency.

Honolulu Police Department (HPD) – Lt. John Cheong reported: Statistics for the month of February for District IV are 116 included burglaries 19, property thefts 56, unauthorized entry into motor vehicle 36, robbery 1, auto/motorcycle theft 4, with a total of 1,815 calls for the month.

Question, answers, and comments followed:

1. Lt. Cheong will follow up and will ask patrol officers to issue citations to illegally parked cars on Kaiolena Street and in “No Parking” zones. An officer driving by an illegally parked car may be on an emergency call.
2. Statistics on rape includes the entire District IV.
3. Regarding bicyclists riding at night, headlamps and reflectors are required a half-hour before sunset and a half-hour after sunrise. Each bicycle must be registered. The cost for a bicycle license is \$2.10 issued by a yellow tag having five digits, and must be attached to the bicycle. It is an officer’s discretion if a bicyclist is stopped and has no lights or reflectors whether to give a citation or not. This concern will be addressed.

Emergency Services Department (EMS) – No representative was present.

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

1. MCBH PA is coordinating Castle High School MCJROTC orientation visit for 60 cadets and chaperones March 17-20 which includes support for berthing, messing, transportation and tours.
2. Military Historical Tours March 15 for 15 veterans and their families from the Battle of Iwo Jima.
3. Makahiki Closing Ceremonies, March 24-26.
4. Marine participation in the Prince Kuhio Parade on March 24 includes Joint Service Color Guard and Marine marching unit and is sponsored by the Association of Hawaiian Civil Clubs.
5. Bellows Beach will be closed for Rim of the Pacific (RIMPAC) exercise training in July. Further details will be reported at a later date.

Questions, answers and comments followed: 1) Ure commented that the recent YouTube video purportedly showed animal cruelty by a service member. Major Perrine replied that the issue is being thoroughly investigated regarding the video authenticity; who might be the responsible parties, and any violators will be prosecuted.

Board of Water Supply (BWS) – No representative was present. Board of Water Supply Water Conservation calendars and information about BWS selection process for systematic replacement of infrastructure through the water main replacement program were available.

Water main breaks in the area were:

1. An 8-inch water main installed in 1963 broke on February 5th at 1293 Maleko Street.
2. A 12-inch water main installed in 1960 broke on February 28th at 274 Ilihau Street

Honolulu Liquor Commission (HLC) – No representative, no report.

COMMUNITY ISSUES & ANNOUNCEMENTS:

Chair Bryant-Hunter announced that there would be no presentation regarding **Patient Access to Medical Care in Hawaii** – Presenter Dr. Linda Rasmussen was unable to attend tonight’s meeting.

Hawaii Pacific University (HPU) – Jessica McDunn reported HPU news and events:

1. Spring semester January 22-May 4.
2. Winter commencement was held on January 9th with 575 students graduating.
3. Tony Sellito has been named Head Men’s Basketball Coach.
4. Economics professor Ken School received the Action Foundation’s National Award for Excellence in Entrepreneurship Education at a teaching award ceremony last week.
5. Kala’i Stern has been named director of Choral Music.
6. Master of Education reception, 6 p.m., March 10.
7. MA Communication Seminar, 5:30 p.m., March 11.
8. Flex MBA Seminar, 5:30 p.m., March 13.
9. Profession Studies Reception, 6 p.m., March 20.

10. MS in Nursing Seminar, 5:30 p.m., March 25.
11. Master of Social Work Seminar, 5:30 p.m., March 31.
12. Executive MBA Reception, 6 p.m., April 3.
13. The Constant Wife will be playing at the Paul and Vi Theater from April 4 to May 4; call the box office at 356-0172 for more information.
14. For more information regarding HPU call 543-8034 or log on to www.hpu.edu.

McDunn said a few of the college's outreach activities include helping the homeless with housing in the interim; the nursing program is working with the Waikiki Health Center and the Windward Community College Center.

Follow-up Concerns in Keolu Hills – Heather and Kevin Arnett reported concerns including:

1. Speeding – From February 16 to through February 22, combined with placement of a radar speed indicating trailer, the frequent and highly visible police presence made a significant difference in reducing the frequency of speeding in the neighborhood; however the incidence of speeding appears to have resumed with the curtailment of frequent patrols.
2. Illegal Vehicles: Although there was initially a reduction with the problem of unregistered and non-street legal vehicles coincident to frequent police patrols, the problem is appears to be returning.
3. Drug Activity: Indicators of drug activity including behavior associated with distribution of drugs has been referred to the Honolulu Police Department for investigation.
4. Peace Disturbances: This problem has occurred on 23 of the last 28 days, an increase in this problem area.
5. Summary and Request: It was concluded that an ongoing police presence is needed to maintain the public safety and requested steps to be taken to provide a more significant police presence in Keolu Hills. Regarding peace disturbances, it was concluded that a more determined police response is required to abate this public nuisance.

Animal Anti-Chain Laws – Ginger Westerman raised concern about the cruel and dangerous practice of chaining dogs. Handouts were provided for interested persons to review. Chaining dogs is dangerous to the public, especially children and the single most dangerous condition in which to maintain a dog.

Erosion at Kailua Beach Park: U.H. Professor Chip Fletcher, introduced Chris Conger, shoreline specialist for the State Department of Land and Natural Resources (DLNR), and reported: It is unsure why the sand grabber cinder blocks have been exposed at Kailua Beach over the last year and a half. The length of breadth of the beach is three to five feet per year. It seems that erosion occurring at the north end of the beach is affecting the entire beach. We can only guess as to the causes such as inappropriate sand management at the stream mouth, removal of sand to the dunes, stormy periods with heavy rains, and sand from the mouth of the stream may have bacteria. The Department of Parks and Recreation and DLNR are studying the possibility of killing the bacteria via sunlight prior to its redistribution in a sand management plan.

Questions, answers and comments followed:

1. Lindgard – Suggested removing the seawall and trees for a natural wave flow (rolling beach). Fletcher agreed with some of the suggestions, but noted removal of sand grouts may cause erosion back to the parking lot.
2. Best – Asked if the manmade seawalls on either side of the bay is affecting or causing some of the erosion. She noted that old timers told her that about every 20 years the beach takes the sand back. Fletcher answered there is no perfect correlation with all the problems.
3. Enos – With evidence, overtime, will something be done through agencies to resolve the problem? In response, the Department of Health (DOH), DLNR, and DPR have met twice to discuss this issue, but plans have not been implemented due to lack of proper permits.
4. Weinberg – Are there any long-term plans? Fletcher replied no, but there is a demonstration beach management plan with lots of components in the Kailua system for a good study.
5. Wong – Asked is the erosion affected by the mouth of the Kaelepulu Stream. In answer, the major problem is sand not being put back on the beach. The mouth opening of the stream is not a major issue. Flooding attributes to the problems due to lack of monthly maintenance at the mouth of the stream to keep it open. Regarding a regular schedule for cleaning the mouth of the stream, it depends on the availability of the equipment. Follow up will be done with DPR regarding the sand management plan.
6. Ure – Regarding the beach management plan and the stream mouth opening, it has previously been reported that the opening was to be during the highest tide of each month in that area.

Stoplight at the Intersection of Aoloa Street and Hamakua Drive: Jennifer Geis raised a safety concern and requested a stop light at the intersection of Aoloa Street and Hamakua Drive.

ELECTED OFFICIALS:

Mayor's Representative – Ann Chung, representing Mayor Hannemann, reported:

Follow up to previously asked questions:

1. In FY2009, the Department of Transportation Services (DTS) plans to install bus shelters at Kalaniana'ole Highway, Lower Auloa Road (both directions). All applicable City, State, and Federal requirements will be followed.
2. Debris and fallen signs at Kailua Beach Park – The trash was cleaned on February 4, 2008; and the homeless individual was asked to move and complied. The fallen sign is under the jurisdiction of the DLNR-Boating and Ocean Recreation (DOBOR). The condition of the sign was reported and a new sign prepared, but is awaiting final approval of design. DLNR has been asked to submit a draft memorandum of agreement (DMOA) to the City for review. A MOA has been requested to ensure that the State takes proper care of their signage. The reported fallen sign was removed and disposed of by DPR.
3. Lost 11- year old boy staying at a vacation rental – HPD cannot release information on the juvenile and the vacation rental is confidential.
4. Keolu Hills issues – A speed trailer has been placed in the area. An officer monitored the area and did not observe any violations. HPD will continue making periodic checks. Narcotics/Vice will check on the drug complaints. Please call 911 if violations are observed.
5. Kapaa Quarry Road Improvements Project – The work order has been completed by DTS and forwarded to the Department of Facility Maintenance (DFM) for implementation.
6. Vehicle accidents on Kapaa Quarry Road – DTS will conduct an investigation and inform the Board of their findings by May 2008.
7. Speeding on Ilianina Street/request for speed bumps near the light by Aikahi Fire Station – DTS will conduct an investigation and inform the Board of their findings by May 2008.
8. Per a City press release today regarding potholes, roving crews will patch potholes in approximately five days. For more information log on to www.driveakamai.org or call 768-7777. The website allows tracking of pothole repairs.

Questions, answers, and comments followed:

1. Follow up will be done regarding Glanstein's question if the Neighborhood Commission Office would have an office at the Frank Fasi Building.
2. Follow up will be done directly with Weinberg regarding how much surplus the City currently has.
3. Corcoran asked the status of the 22 month extension for the existing landfill at the Waimanalo Gulch Landfill-Leeward. Chung replies that a decision would be made shortly and follow up will be done. Chair Bryant-Hunter asked if the response would be prior to the Planning and Zoning Committee meeting this month.
4. Best noted that the Board passed a motion at last month's meeting requesting HPD to maintain a dedicated police presence at Kailua Beach Park to deter crime at the beach, in the park and in the parking lots. Chung answered that Budget hearing starts next week and must go through the approval process.
5. Joe Gilman relayed that he received a response letter from Les Chang, Director for the Department of Parks and Recreation regarding windblown sand from the park in his driveway on Kailua Road. Follow up will be done by Parks Chair Ure and Chung.

Governor's Representative- Dr. Morgan Barrett, representing Governor Lingle reported:

1. Governor Lingle's proposal to acquire the 850-acre Turtle Bay property on Oahu's North Shore has received tremendous and widespread support.
2. Follow up regarding the Kailua Road Project, response from Brennon Morioka, Director for the State Department of Transportation, is that the Department of Land and Natural Resources issued a permit for storm water control.
3. Follow up regarding if the DOT obtained the required permits from DLNR to place fill from its project on the rock fall abatement in the marshland adjacent to the highway, the only permit this project required was an NPDES permit for storm water control for Best Management Practices. The DOH withdrew the violation

notice after DOT showed them where it already covered this parcel, so the violation was issued in error by DOH.

Questions, answers, and comments followed:

1. Wong asked if the Kailua Road Project was an emergency exception by the Governor. Barrett replied he did not know. Wong asked how did the Department of Transportation (DOT) and The Department of Land and Natural Resources (DLNR) get shoreline management exemptions without going through the process.
2. Weinberg wanted to know the status of the State budget surplus. He noted that some have suggested a rebate at a dollar per person, and does the government support this. Barrett responded that the issue was raised this week and as per the law there is a plan to rebate. Each State department submitted budget decreases. Follow up will be done.
3. Barrett mentioned that Dr. Linda Rasmussen's program (Patient Access to Medical Care in Hawaii) is online.

Representative Pono Chong – Janine Tully, circulated Representative Chong's written report included a brief summary of the bills crossing to the Senate: House Bill 1898, HD1, Relating to Water; House Bill 3340, HD1, Relating to Kawai Nui Marsh; House Bill 2271, Relating to Issuance of Special Purpose Revenue Bonds to Assist Castle Medical Center and Its Affiliates; House Bill 2828, HD1, Making an Appropriation for the Super Sucker; HB 2598, HD2 – Relating to Affordable Housing; and House Bill 2942, HD1 - Relating to Taxation. Representative Chong will continue to push for Capital Improvement Project funds for our schools, including funds for Kailua High School's new library and science building.

Questions, answers, and comments followed: Weinberg asked Representative Chong's position regarding today's key issues with the medical field. Tully replied that he is interested, and will follow up with Representative Waters.

Representative Cynthia Thielen – John Foster distributed a written report and noted a few of the measures legislators voted on this week include Winners - House Bill 2505, creating the position of "renewable energy facilitator" within the Department of Business, Economic Development and Tourism (DBEDT); and House Bill 2401, authorizes the issuance of up to \$20 million in Special Purpose Revenue Bonds to Oceanlinx Hawaii for the planning, design, and construction of their proposed wave energy facility on Maui; Losers – House Bill 2933, introduced by the Representative, seeking to upgrade and retrofit hurricane shelters in the 50th District did not cross over and is dead; however Civil Defense has put in its own funding request for upgrades and retrofitting of shelters.

Representative Tommy Waters – A written report was available for interested persons to review. Salient highlights were: HB 2242 HD1 Relating to Counties; HB 2330 HD3 Relating to Electric Vehicles; HB3403 HD2 Relating to Affordable Housing, HB2605 HD2 Relating to the Armed Services; HB 3440 HD1 Relating to Kawai Nui Marsh; HB2729 HD1 Relating to Burglary; HB3040 HD1 Relating to Public Safety; and HB1898 HD1 Relating to Water.

Senator Fred Hemmings – Barbara Krasniewski circulated a written report and noted: Good legislation includes Senate Bill 2174, Relating to Public Agency Meetings; SB2201 S.D.1, Relating to Legal Requirements for Neighborhood Board Meetings; Senate Bill 2835, S.D.1, and SB2836 SD1 Relating to Public Access; Senate Bill 3182 S.D.1, Relating to Extended Sentencing. Senator Hemmings introduced SR50/SCR90, establishing a task force to develop legislation for Universal Law Care and improved access to justice, and SR91/SRC51 urging a comprehensive management review of Department of Education's operations. Missed Opportunities – this session the legislature ignored a call for tort reform to ensure access to medical care in Hawaii. The bills to conform county ethics procedures for civil fines to the state ethics commission procedures failed to receive a hearing in House (HB3012) and died in committee in the Senate SB2937.

Councilmember Barbara Marshall – The monthly written report was available for interested persons to review that voiced her continuing concerns over the quickly advancing project for Rail and the problems with alternatives and their lack of consideration during the process, thus far.

U.S. Congresswoman Mazie Hirono – Marvin Buenconsejo, Communications Manager, reported for Congresswoman Hirono:

1. She is halfway through her freshman term, and ranks 43 among all House members.
2. Sixty-seven million dollars is proposed for the State of Hawaii.

3. She introduced 11 new bills, some of which are HR3302, relating to Kalaupapa; HR 3289, relating to early childhood education (“no child left behind”); HR3966, relating to statewide early education and allows the Department of Education to provide grants to pre-schools; HR4540, authorizing impact aide (Act of 1965) school compensation and HR1708, relating to the Ka’u Coast unit park system.
4. Handouts will be provided at future meetings. Call the office at 541-1986 with questions or concerns.

Questions, answers, and comments followed:

1. Glanstein compliments Hirono for her interest in mental health, and requested a copy of HR1454.
2. Weinberg mentioned per a news article Congresswoman Hirono voted in favor of oil subsidies. Follow up will be done.
3. Wong requested a list of environmental bills and the status.
4. Chair Bryant-Hunter requested that all requests be sent to her for distribution to Board members.

Senator Jill Tokuda – Senator Tokuda distributed her written report and highlighted:

1. In an effort to address beach access for the public SB2835, S.D.1, requires that state and county agencies ensure a public rights-of-way are available prior to the approval of any development project, subdivision, or zoning changes and SB2836, defines “public right-of-way” and modifies the definition of “public recreational area” have passed through the Senate.
2. Drawings and paintings of Ms. Jean Noguchi’s students from Samuel Wilder King Intermediate School were exhibited through the months of January and February through a cooperative effort between Senator Tokuda, Senator David Ige, and Senator Clayton Hee. The STAR Program, which was established by Tokuda with the goal of showcasing the artistic talents of students from Windward Oahu, provides opportunities to display the students work.
3. Also included in the written report were bills that crossed over to the House of Representatives: SB2850 SD2 Relating to Biosecurity; SB2646 SD2 Relating Important Agricultural Lands; SB2956 SD1 Relating to Milk; SB2467 SD2 Relating to Loans to Assist Agricultural and Aquacultural Industries; SB2557 SD1 Relating to Burial Sites; SB2644 SD1 Relating to the State Historic Preservation Officer; SB2907 SD1 Relating to the Pastoral and Agricultural Homesteading Division of the Department of Hawaiian Homelands; SB3151 SD1 Relating to the Hawaiian Homes Commission Act; SB3252 SD1 Relating to Teachers; SB2774 SD2 Relating to Education; SB2464 Relating to the State Mammal & SB2465 Relating to Hawaiian Monk Seal Day; SB3206 SD2 Relating to Kawai Nui Marsh; and lastly, SB2804 SD1 relating to Pre-Packaged Meat.

Questions, answers and comments followed:

1. Weinberg asked the amount of surplus in the State’s treasury and noted per the governor’s representative, there would be a dollar rebate. In answer, the dollar is just a holder marker. The concern is that the surplus is not as large as people think and she prefers the money be put back in for school repairs.
2. Chair Bryant-Hunter said she attended an Aikahi Elementary School PTS meeting where the junior kindergarten program was discussed and the principal raised concerns that the bill was not moving forward. Tokuda said that early childhood education bills are moving through, including the junior kindergarten bill, saying she will to continue to track both Senate and House bills.

PRESENTATIONS & COMMUNITY PROJECTS – previously addressed in agenda:

BOARD ACTIONS: Chair Bryant-Hunter stated that motions were missing from the printed agenda as the wrong version of the agenda was mailed to the public by the Neighborhood Commission Office and board members. She asked that the missing motions be added individually, as needed, to tonight’s agenda by a process of 2/3 vote of the membership. **There were no objections.**

Reconsideration of Motion: Property Tax Resolution presented to board in February 2008: Deferred.

SUSTAINABILITY AND ENVIRONMENTAL COMMITTEE – Member Best introduced the motion:

In recognizing the need for accurate information to the Hawaii-bound traveler as well as the need to protect residential zoning, the Kailua Neighborhood Board urges HVCB to publish—in any and all forms of its media—the legal conditions for any owner, proprietor or agent to offer transient-vacation-rental

accommodations, including bed and breakfasts and transient vacation units, in residentially zoned areas.

The main motion was amended to include **Hawaii Tourism Authority and the**. **The amendment was adopted 14-1-0.** **Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong. **Nay:** Glanstein.

In recognizing the need for accurate information to the Hawaii-bound traveler as well as the need to protect residential zoning, the Kailua Neighborhood Board urges the Hawaii Tourism Authority and the HVCB to publish—in any and all forms of its media—the legal conditions for any owner, proprietor or agent to offer transient-vacation-rental accommodations, including bed and breakfasts and transient vacation units, in residentially zoned areas.

Discussion followed: 1) Weinberg commented brochures from promoters encourage people to visit O`ahu and come to Kailua. He was in opposition to the resolution. 2) Enos commented that the motion would not keep business away from Kailua, and asked that the concept be revisited. 3) Resident Bartley commented that the State should rethink their approach to tourism, and that there needs to be a plan in place.

The amended motion was ADOPTED, 14-1-0; Aye: Best, Bratt, Brooks, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Wong Ure, Bryant-Hunter; **Nay:** Weinberg.

The Kailua Neighborhood Board No. 31 urges the HVCB to publish-in any and all forms of its media-the legal conditions for any owner, proprietor or agent to offer transient-vacation-rental accommodations, including bed and breakfasts and transient vacation units, in residentially zoned areas.

Discussion followed: 1) **Wong amended; Ure seconded the motion to include the Hawaii Tourism Authority** as was done with the first motion. **There were no objections.** The motion was restated.

The Kailua Neighborhood Board No. 31 urges the Hawaii Tourism Authority and the HVCB to publish-in any and all forms of its media-the legal conditions for any owner, proprietor or agent to offer transient-vacation-rental accommodations, including bed and breakfasts and transient vacation units, in residentially zoned areas.

Discussion continued: 2) Prentiss asked if the HVCB is a government agency. Best replied HVCB receives funding from HTA. 3) Weinberg was unclear on the purpose of the motion. Best answered she did not know the status, but asking about responsibility of where people stay, whether it is legal or not. 4) Glanstein asked if transients are renting at their own risk. Best responded: the decision is up to the HVCB. **The amended motion was ADOPTED, 14-1-0.** **Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Wong and Ure. **Nay:** Weinberg.

Planning and Zoning Committee – Chair Wong introduced the motion:

A Non-Committee Motion was requested to be added to the agenda with the required 2/3 vote of the membership of the board. **Tomasa moved and Prentiss seconded to add the non-committee motion to the agenda. With the required 2/3 vote of the membership of the board the motion was added to the agenda 15-0-0.** **Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss Tomasa, Ure, Weinberg and Wong.

The Kailua Neighborhood Board No. 31 supports SB3196 Lease to Fee Conversion.

Discussion followed: 1) Chair Wong explained that SB3196 safeguards lease owners by clarifying that they have first right of refusal to purchase the fee. Wong explained that clarification is needed if fee should first be offered to those occupying the units. 2) Enos asked if that means current market value or assessment. Wong replied no, first right to refusal only. 3) Glanstein added that the language is not defined in the statute. She noted that the Department of Hawaii Homelands has structures, and asked if they would be impacted as well. She stated that she cannot support the language that may have unintended consequences (lack of clarification). 4) Wong noted the Turtle Bay lessees as an example saying the language is ambiguous, and the language is being tightened. 5) Glanstein said she was told that there is problem with the legislation. 6) Best asked if the Board supports the intent. **The motion was ADOPTED 10-4-1; Aye:** Best, Brooks, Chinen, Corcoran, Enos (with reservations), and Lindgard. Prentiss, Tomasa, Weinberg and Wong; **Nay:** Bratt, Bryant-Hunter, Glanstein and Ure; **Abstain:** Correa.

A Non-Committee Motion was requested to be added to the agenda with the required 2/3 vote of the membership of the board. **Tomasa moved and Prentiss seconded to add the non-committee motions to the agenda. With the required 2/3 vote of the membership of the board the motion was added to the agenda 15-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss Tomasa, Ure, Weinberg and Wong.

The Kailua neighborhood board supports HB2433 ADULT RESIDENTIAL CARE HOMES. The motion was withdrawn as the bill has been deferred as of March 4, 2008 and no action is to be taken by the board at this time.

Discussion followed: 1) Glanstein stated that at the last she had heard the bill was dead. 2) Wong explained the bill exempts those with certificates of need and that the committee was in opposition. The motion was withdrawn as the bill has been deferred as of March 4, 2008 and no action is to be taken by the board at this time.

The Kailua Neighborhood Board No. 31 opposes HB2906 that exempts care home facilities in residential neighborhoods from public input.

Discussion followed: 1) Chair Bryant-Hunter noted that the state is pushing to increase group living facilities with less over site not more. 2) Prentiss added that according to the Ko'olaupoko Sustainable Communities Plan those facilities would be only in Downtown and business districts. 3) Wong stated that by executive order some facilities are exempted from over site in all counties. 4) The motion was withdrawn by Wong.

Discussion continued: Glanstein commented that comprehensive living and group homes come under the State Health Planning and Development Agency. Wong noted that adult care homes are thrust on the community by executive order. Glanstein asked if all types of homes are being looked at. Chair Bryant-Hunter reiterated that motions concerning HB2433 and HB2906 were withdrawn and are now returned for further discussion by the committee.

Transportation and Public Works Committee – Chair Prentiss introduced the motion:

The Kailua Neighborhood Board No. 31 requests the City and County to install speed bumps on the 400 block of Iliaina Street as requested by petition of 22 of 28 residents.

Discussion followed: 1) Comments were made that commercial vehicles (for deliveries), private individuals, and school buses use this street. 2) In response to Weinberg regarding the length of the area, Prentiss replied all are addressed in the petition. A member of the audience relayed the road width is 21 feet at the site location according to the petition circulated to Council Chair Marshall. 3) Lindgard added that sometimes speed bumps have the opposite effect on drivers. 4) Corcoran was in support of the motion and asked for verification for the speed bump location. Prentiss replied that the moratorium relating to speed bumps has been lifted. **The motion was ADOPTED unanimously, 15-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong.

Public Health, Public Safety, and Civil Defense Committee – Chair Tomasa introduced the motion:

The Kailua Neighborhood Board No. 31 reaffirms support for a 311 non emergency system.

Discussion followed: 1) Chair Bryant-Hunter the motion is on the agenda to re-emphasize the Board's position. 2) Corcoran asked the status of any bill. 3) Glanstein relayed that no measure was introduced this session, and this Board has been in support for the last eight years. The system has a great deal of merit, but unfortunately legislators are looking only at cost. **The motion was unanimously ADOPTED 15-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong.

Parks and Recreation Committee – Chair Ure introduced the motion:

The Kailua Neighborhood Board supports the intent of Senate Bill 3100 as relates to the civil penalties for violations on public lands with increased civil penalty fine amounts for violations on public lands and clarification of penalties for encroachment on public lands.

Discussion followed: 1) Enos commented the bill clarification is short and concise, and the intent is to protect public lands, which is our beaches. 2) Glanstein asked that the motion be amended using the word encroachment. 3) Enos noted that several hotels in Waikiki are doing the same making it impossible to walk on Waikiki Beach with all the rental equipment. **The motion was ADOPTED, 14-1-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong. **Nay:** Glanstein.

A Non-Committee Motion was requested to be added to the agenda with the required 2/3 vote of the membership of the board. **Weinberg moved seconded by Ure to add the non-committee motion to the agenda. With the required 2/3 vote of the membership of the board the motion was added to the agenda 15-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong.

Ure moved, seconded by Weinberg that the Kailua Neighborhood Board No. 31 supports the intent of the HB839 Relating to Public Access to Beaches; SB2835 Relating to Public Access and SB2836 Relating to Public Access which are consistent with the Board's position to improve beach access.

Discussion followed: Ure reported that HB 839, relating to public access to beaches is moving, while HB 3265, relating to public access to coastal areas is dead; SB2835 and SB2836, relating to public access are moving while HB2332, relating to public lands is dead. Ure and Best will continue to monitor HB839, SB2835, and SB2836. **The motion was unanimously ADOPTED, 15-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong.

Executive Committee – Chair Bryant-Hunter introduced the motion:

The Kailua Neighborhood Board No. 31 supports reinstating \$20,000 into the Neighborhood Commission Office budget for `Olelo webcasting for neighborhood boards. The motion was ADOPTED, 15-0-0. Aye: Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong.

The Kailua Neighborhood Board No. 31 supports the Mililani Neighborhood Board resolution which opposes term limits for Neighborhood Board members.

Discussion followed: 1) Glanstein commented she is in support of the motion and that the Neighborhood Commission is in opposition to term limits for Neighborhood Board members; the resolution is currently in Councilmember Kobayashi's committee. 2) Chair Bryant-Hunter said it would create a problem trying to fill vacancies. **The motion was ADOPTED, 14-1-0. Aye:** Best, Bratt, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong. **Nay:** Brooks.

A Non-Committee Motion was requested to be added to the agenda with the required 2/3 vote of the membership of the board. **Bratt Moved, seconded by Prentiss to add the non-committee motion to the agenda. With the required 2/3 vote of the membership of the board the motion was added to the agenda 15-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg and Wong.

Wong moved, seconded by Prentiss that the Kailua Neighborhood Board No. 31 opposes the Conditional Use Permit (CUP) application by the Wilson Care Home, located at 96 Kaneohe Bay Drive is an inappropriate use in a residential neighborhood just by sheer size.

Discussion followed: 1) Prentiss explained that the original application plans included 22 rooms, and 24 bathrooms. The application was sent back to Wilson Care Home by DPP for corrections. The CUP (Major) will be heard before the Planning Commission on March 25. 2) Enos wanted to know if the care home would be for low to moderate incomes. 3) Tomasa was in support of the motion and added she had spoken to the director and was told the facility is not for overnight guests and would be for people with higher incomes. 4) Corcoran stated that the motion is inappropriate use not cost. 5) Weinberg commented that the major issue is that people need that kind of care.

Chair Bryant-Hunter relinquished the gavel to Vice Chair Prentiss.

6) Bryant-Hunter was in support to oppose and agreed with Weinberg .It was asked at the Planning and Zoning meeting if the design could be scaled down. Concern raised was the 12,000 square foot lot, 10 staff members, 10

parking stalls; kitchen staff and health providers coming and going exceeding the magnitude of the neighborhood. The developer is not interested in additional parking; there are significant concerns they are not willing to address. 7) Glanstein noted the CUP may be processed by the City and County. She had problems with using the word inappropriate. 8) Prentiss was in support because according to the Ko'olaupoko Sustainable Communities Plan these facilities should only be in commercial areas; he had no update on the City ordinance regarding this matter. 9) Lindgard was in support. 10) It was announced that the hearing will be held on March 25, 2008, Council Meeting Room, at 10:30 a.m. **The motion was ADOPTED, 13-2-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Lindgard, Prentiss, Tomasa, Weinberg and Wong. **Nay:** Glanstein and Ure.

Chair Bryant-Hunter resumed the gavel and continued the meeting.

9:35 p.m. Wong left the meeting (14 members present).

A Non-Committee Motion was requested to be added to the agenda with the required 2/3 vote of the membership of the board. **Enos moved seconded by Bratt to add the non-committee motion to the agenda. With the required 2/3 vote of the membership of the board the motion was added to the agenda 14-0-0. Aye:** Best, Bratt, Brooks, Bryant-Hunter, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, and Weinberg.

Best moved, seconded by Prentiss that the Kailua Neighborhood Board supports the intent of HB3249 to ensure unrestricted bike-lane access island-wide by strengthening enforcement and imposing penalties of up to \$500 for vehicles parked in bike lanes.

Discussion followed: 1) Glanstein said that the State Department of Transportation is in opposition. 2) Weinberg commented that the motion could be better. **The motion was ADOPTED, 13-1-0. Aye:** Best, Bratt, Bryant-Hunter, Chinen Corcoran, Correa, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure and Weinberg; **Nay:** Brooks.

COMMITTEE REPORTS:

Civilian-Military Council – No additional report to KMCBH.

PERMITTED INTERACTION GROUPS:

Neighborhood Plan MMVIII – Chinen reported that at the last Neighborhood Commission Meeting it was said that the Commission would go over the amended Neighborhood Plan draft versus Corporation Council's version by individual sections.

Enforcement of B&B and TVUs – no report.

Sustainability & Environment Committee – No further report. Committee is in recess for March.

Public Health, Public Safety & Civil Defense Committee - Chair Tomasa reported

- 1) Report on Public Safety Violations (Keola Hills/Kina Street) – Discussed earlier in the meeting. Committee Chair Tomasa will follow up.
- 2) Community Emergency Response Team (CERT) Tomasa urged board members to take the 20 hour Civil Defense Course for First Responders. Glanstein circulated civil defense brochures. Chair Bryant-Hunter asked if CERT could make a presentation before the Board. Tomasa will follow up.
- 3) Report on status of Senate and House Bills relating to finding for retrofitting and expansion of evacuation/emergency shelters in Kailua: 1) HB2399 and HB3248 SB2910 and HB2399 will be further discussed in committee.
- 4) Next meeting: Second Thursday, March 13, 2008 7-9 p.m.

Government & Community Services Committee – Chair Chinen reported:

1. Proposed Charter Amendment Resolution 07-379 from City Council relating to Neighborhood Board member Term Limits – Chinen reported that this resolution was introduced by Council member Djou and

was not on the February 2, 2008 Executive Matters agenda. He added that Neighborhood Boards have been sending in testimony in opposition and the Neighborhood Commission Office is in opposition.

Parks and Recreation Committee – Chair Ure reported:

- 1) The Committee continues to write letters seeking the intent of the department and the administration in addressing recycling bins for beach parks; repair of parking lot surface at Kailua Beach Park; repair of Kailua beach park Pavilion; opening and closing of the berm at Kailua Beach Park--ocean-side of Kawailoa road bridge in efforts to protect Kailua Bay and Enchanted Lakes; mitigations for HPD to have proper staffing and budget for enforcement of Park laws and rules.
- 2) Current legislation will continue to be monitored for changes in status.
- 3) Sand mitigation and ironwood tree removals continue to be monitored for health and safety.
- 4) Capital Improvement Projects are being compiled for the parks through out Kailua.
- 5) Next committee meeting is Tuesday, March 18, 2008 at Kalama Beach Park at 7:00 p.m.

Transportation & Public Works Committee – Chair Prentiss reported:

- 1) Update on meeting with HPD – Prentiss reported he met with Lt. Vines regarding enforcement in Lanikai for traffic issues and commercial activities and was promised that enforcement would be increased.

9:55 p.m. Lindgard left the meeting (13 members present).

- 2) Kaneohe-Kailua Force Main Assessment – Prentiss distributed a handout with updates regarding this matter. Assessments will take place from mid-march 2008, HDR, the engineering firm contracted by the City to conduct the assessment of these force mains will begin with the Kaneohe/Kailua Force Main. The assessment involves inspecting the entry, exit and intermediate points located along portions of Kaneohe Bay Drive. Excavation work is expected to last one month from mid-march to mid-April, with air release valve (ARV) and clean out (CO) inspections expected to begin mid-April. Internal inspections are expected to start late summer early fall.
- 3) Next Committee Meeting: Third Thursday, March 20, 2008, 7:00– 9:00 p.m., Kailua District Park Multi-Purpose Room.

9:57 p.m. Enos left (12 members present).

Executive Committee - Chair Bryant-Hunter announced that at the January Committee of the Whole meeting it was decided to get more community involvement. A Town Meeting is scheduled for Thursday, March 20, 2008, Kailua District Park Multi-Purpose room at 7:00 p.m.

ANNOUNCEMENTS:

A mailing list is maintained for interested persons and agencies to receive the Kailua Neighborhood Board 31 agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office, Honolulu Hale, Room 406, 530 South King Street, Honolulu, HI 96813.

Kailua Neighborhood Board 31 agendas and minutes are available on the internet at <http://www.honolulu.gov/nco/boards.htm> .

Any individuals with disabilities wishing to attend this meeting may call the Neighborhood Commission Office at 768-3710 for information pertaining to ADA accessibility.

ADJOURNMENT – The meeting adjourned at 10:00 p.m.

Submitted by,
Nola Frank, Neighborhood Assistant

Reviewed by,
Linda Ure, Board Secretary