



## KAILUA NEIGHBORHOOD BOARD NO. 31

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### **KAILUA NEIGHBORHOOD BOARD NO. 31 DRAFT REGULAR MEETING MINUTES THURSDAY, APRIL 3, 2008**

*Olalo 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 13 members present and announced 1) two sign up sheets one for guests and the other for those wishing to speak this evening, agendas, and other particulars were available on the back table. 2) The Kailua Town Party will be held April 27, 2008 starting at 10:00 am with the efforts of Kaneohe Ranch, Castle Foundation and Lanikai-Kailua Outdoor Circle.

**MEMBERS PRESENT:** Richard Bratt, Michele Brooks, John Brown, Kathy Bryant-Hunter, Jon Chinen (7:18 p.m.), Jim Corcoran, Michael Correa, Susan Dowsett, Debbi Glanstein, Knud Lindgard, Christian Porter, Charles Prentiss, Claudine Tomasa, Linda Ure, Donna Wong (7:12).

**MEMBERS ABSENT:** Kalana Best, Gini Enos, Joe Harding, and Ron Weinberg.

**GUESTS:** Kalena Hayden (Friends of Kailua Library), Jackson Hayden, John Foster (Representative Cynthia Thielen's Office); Captain Harold Oda, Firefighters Jason Kikkawa and Ari Agpaoa (Honolulu Fire Department-Kailua); Lt. Dave Eber (Honolulu Police Department, Kaneohe-District 4), Maria T. Gorak (Homeless Animals), Stann Reiziss, Leeann Bowman (Council Chair Barbara Marshall's Office), Wes Yokoyama (City Department of Design and Construction), Russell Takara (Deputy Director, City Department of Design and Construction), Eldon Franklin (Chief, Wastewater Division), Guy Inouye (Assistant Chief, Wastewater Division), Jon Yamane (Section Head, Field Section East Wastewater Division), and Terry Akamu (Inspector, Wastewater Division); Joe Gilman, Glenn Uyeshiro, Rev. Ricky Bermudaz, Heather Arnett, Joan Cash, Kamakana Kaimulua (Senator Jill Tokuda's Office), Barbara Krasniewski (Senator Fred Hemmings Office), Ann Chung (Mayor's Office/Director Office of Economic Development), Dr. Morgan Barrett (Governor's Office/ State Department of Health), Janine Tully (Representative Pono Chong's Office), John T. Elliott, Tinkle Malama (Paradise Film), Nola J. Frank (Neighborhood Commission Office staff).

**APPROVAL OF MINUTES:** Ure reported that there are seven sets of Board minutes not yet adopted. September 2007 minutes and the March 2008 were available for adoption tonight. Ure stated that all Board minutes are adopted only at Board meetings and those on the City web are drafts and yet to be adopted. No posting of Board minutes to Neighborhood Link Dot Com are done by the Board until after the minutes are adopted. Ure clarified that Draft Regular meeting minutes for September, October, November, and December 2007 and March 2008 are posted to the City web, as well at the Committee of the Whole for March 20, 2008, however, February 2008 has not been posted in draft form on the city web site, nor has it been mailed and therefore still unavailable to the public. October, November and December have not yet been mailed by the Neighborhood Commission Office. Ure stated that some Board minutes have not been posted to the web or mailed out with Board recess notices. The Neighborhood Assistant offered that most chairs choose not to send minutes out with recess notices. Ure stated that would be a violation of the Sunshine Law according to the Office of Information Practices as minutes are to be made available within 30 days of the meeting.

**Dowsett moved and Prentiss seconded to adopt September 6, 2007 minutes as corrected. Motion was adopted 13-0-0. Aye:** Bratt, Brooks, Brown, Bryant-Hunter, Corcoran, Correa, Dowsett, Glanstein, Lindgard, Porter, Prentiss, Tomasa, and Ure.

**Dowsett moved and Prentiss seconded to adopt March 6, 2008 minutes as circulated. Motion was adopted 13-0-0. Aye:** Bratt, Brooks, Brown, Bryant-Hunter, Corcoran, Correa, Dowsett, Glanstein, Lindgard, Porter, Prentiss, Tomasa, and Ure.

Member Wong arrived at 7:12 p.m., 14 members present.

### **AGENCY REPORTS:**



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

1. Statistics for the month of February 2008 included 13 structure fires, 4 rubbish fires, 1 vehicle fire, 73 medical, 13 search and rescue, and 12 miscellaneous response calls.
  - **Fire Safety Tip:** Smoke alarms are proven life savers. Fires produce smoke and toxic gases which can numb your senses and prevent you from reacting to the fires. This is especially true at night when you and your family are asleep. A working smoke alarm gives you early notification of a fire and time to escape.
  - **Smoke Alarm Safety Tips:** 1) Install smoke alarms on every level of your house and outside of every sleeping area. 2) Test smoke alarms once a month. 3) Replace smoke alarm batteries once a year or when the smoke alarm chirps to signal that the battery is low. While a smoke alarm can give you advanced warning, you must have advanced planning to escape a fire. Work with everyone in your family to make a fire escape plan.
  - **Tips to prepare an escape Plan:** 1) Plan two ways out of every room. 2) Plan a meeting place outside where everyone should gather. 3) Plan to stay out, once you're out. Plan a drill where you activate your smoke alarm and practice your fire escape plan.

**Honolulu Police Department (HPD)** – Lt. Dave Eber reported:

1. The uniform crime reporting annual comparison shows all categories are down except rape.
2. Statistics for the month of February 2008 included aggravated assault 2, simple assault 15, auto theft recovery 1, burglary 20, counterfeit/forgery 4, drugs/narcotics 7, driving under the influence (DUI) 27, escape 3, graffiti 24, injured cared for/sick cared for (ICF/SCF) 12, identification theft 5, motor vehicle theft 5, motor vehicle accidents 76, order violation 3, property damage 39, rape 1, robbery 2, runaway 6, runaway cancelled 6, sex assault 1, theft 46, threatening 7, unauthorized entry into a motor vehicle (UEMV) 39, and weapons 1.

Questions, comments, concerns followed: 1) Corcoran commended the police for responding quickly regarding the loose dogs in Maunawili threatening residents. Lt. Eber further reported a.) one arrest was made yesterday relating to car breakings and thefts from autos Maunawili and that crime statistics decreases may be due to the persons responsible for these crimes have been incarcerated, b.) Regarding complaints about a residence on Kina Street, there were 28 responses to that address in the last month and these are being documented; however, no noise violations were observed by officers.

Member Chinen arrived at 7:18 p.m., 15 members present.

**Emergency Services Department** – There was no representative present.

**Marine Corps Base Hawaii (MCBH)** – Lt. Binford Strickland reported:

1. Draft Environmental Impact Statement, Multi-Mission Aircraft: He apologized for the late Navy public hearing notice regarding the Draft Environmental Statement for the introduction of the P-8A Multi-Mission Aircraft (MMA) to the US Navy fleet. He said that MCBH had also received late notice and emailed everyone on their list should any person want to give testimony at the hearing. The public hearing was scheduled for April 1st. Written comments and concerns may be referred to: **Commander, Naval Facilities Engineering Command, Atlantic, Attn: MMA PM, 6506 Hampton Blvd., Norfolk, VA 235-1278; fax to (757) 322-4784; or email to [www.MMAEIS.com](http://www.MMAEIS.com).**
2. Upcoming Events: April 5-6 – Hawaiian Scottish Festival and Highland Games; April 9 – American Ex-POW/MIA Ceremony; April 24 – Hawaii Military Appreciation Month

Questions, comments, concerns: 1) Wong – Asked when was the Draft Environmental Impact Statement (DEIS) was made public. In answer, the DEIS was available to the public a few months ago from the Navy, but the media news release for the public hearing was only a few days notice. Wong noted that it is hard to address the issue with the concerns when too late for the Board to respond, and expressed displeasure with the Navy for not notifying MCBH in a timely manner. Wong will submit a letter of comments. 2) Corcoran expressed that the media release allowed only four days as the release was March 28<sup>th</sup>, 3) Strickland encouraged everyone interested in this issue to submit their comments and testimony. 4) Chair Bryant-Hunter will send a letter expressing the Board's concern on how the process was handled by Pearl Harbor and Norfolk.

**Board of Water Supply** – No representative was present; a written report was available for interested persons to review that included two water main breaks for the month of March: March 3 at 281 Lihau Street, and March 5 at Maluniu Avenue.

**Honolulu Liquor Commission** – No representative was present.

**COMMUNITY ISSUES AND ANNOUNCEMENTS:**

**Update for the Kailua Sewer Improvement District No. 276:** Wes Yokoyama introduced Wastewater Division Deputy Director Russell Takara, Chief Eldon Franklin, Assistant Chief Guy Inouye, Field Section East Section Head Jon Yamane, and Inspector Terry Akamu. A written handout with the Sewer Improvement District 276 update information was circulated and highlighted: A brief history relayed that Kailua Road is one of the last un-sewered areas. The construction work for the installation of the new sewer lines along Kailua Road will be completed in a few months. The last phase of the project, open trenching, will involve closure of Kailua Road between Hahani Street and Aoloa Road (with the exception of local traffic) from April 14 to May 23, 2008 for approximately six weeks. The road closure will be Monday to Friday, between the hours of 8:30 a.m. to 3:30 p.m. All driveways will remain open during the closure; residents and park users will be able to enter through the Aoloa side of Kailua Road. A street usage permit has been obtained for the road closures. Detours would be from Kailua Road onto Kuulei Road, and down Kainalu Drive. Announcements will be placed in the daily newspapers. Informational packets will be distributed to area residents and businesses.

Questions, comments, concerns followed: 1) Bratt – Will there be any utility interruptions from the trenching. In answer, no interruption to the utilities is anticipated. However, there is one huge telephone pole (9 feet deep & 8 feet wide) which might cause a safety issue. Bratt continued – why was the work not being done at night. In response, night work was explored but would not be done at this time. Follow up will be done. 2) Wong – Asked if overhead wires would be put underground at the same time? Yokoyama replied no, but probably in the future; only drainage work is being done in the area. He said the City is not involved in the utility work. 3) Glanstein – Asked where the HPD off-duty officers will be assigned along the road closure route, specifically for Hahani Street and S. Kainalu Drive, which will be a safety issue for the school children. She asked if work could end early on Wednesdays since school lets out early. 4) Corcoran – Asked if only sewer is being installed and if removal of phone lines to underground would be done at later date. He questioned why there would be three phases of construction interrupting traffic, and wanted to know why all three projects are not being done at the same time. Takahara replied there is a utility task force; however doing all projects at the same time is not always possible. Corcoran continued concerned about late notice to the community. Takahara stated that sign boards are posted at the site and the Honolulu Advertiser will print the notice one-week prior to start of the project; further there will be another update with the Neighborhood board for the Wanaao project. 5) Bryant-Hunter stated that no road closure was announced for this project originally. 6) Lindgard suggested different funding schedules for telephone, electric and sewer may need to be better coordinated. 7) Dowsett thanked the Department for keeping to roadway open to local traffic. 8) Ure asked where the detoured traffic would be asked to go. In response: Kailua Road to Kainalu Drive to Kuulei Road. 9) Byrant-Hunter spoke of the congestion especially toward the end of the day at 3:30 and asked the department to be timely in closing down work to reduce backup in traffic.

**Update on Keolu Hills Concerns:** Heather Arnett gave the following update:

1. Problems - Speeding, illegal vehicles, drug activity, and peace disturbances.
2. Speeding - Speeding continues to be an ongoing problem.
3. Illegal Vehicles - Unlicensed, un-inspected, uninsured, and un-muffled vehicles continue to drive on the streets of Keolu Hills. mini-bikes, dirt bikes, and electric golf carts (ATVs) continue to be a problem.
4. Drug Activity - There is no new information regarding the HPD narcotics/vice investigation of drug activity.
5. Peace Disturbances - Peace disturbances continue in the 1400 block of Kina Street, including carport parties, drunk and disorderly conduct, loud car stereos, and auto repairs with air-powered tools and cutting tools being used well into the night.
6. Summary and request for continued action - Due to the continued problems which are of a safety concern for the peace and welfare of the Keolu community, it was request that HPD provide regular patrols in their neighborhood. Residents continue to believe that visible presence by the police will curb the illegal activity and provide the police with an opportunity to witness and cite the illegal activity that is occurring on a regular basis.

Chair relayed that the Board appreciates the update and HPD will be informed of the concerns.

**Dogs Removed from Homeless People** – Maria Teresa Gorak circulated a letter of protest against the actions of the Mayor, HPD, and the Hawaiian Humane Society, who by force, removed dogs from homeless people and then charges them \$60.00 to retrieve the animal. Chair Bryant-Hunter offered to send copies of Gorak's letter to the proper agencies.

**Friends of Kailua Library** – Kalana Hayden reported that the Kailua Book Store generates funding for the Kailua Library by selling donated books. Teachers showing identification are able to receive a 10% discount on books purchased for classroom use. Non-profit organizations may qualify as recipients for free book donations, with the process guidelines available at the Bookstore cashier's desk. Bookstore volunteers are needed for the Friday 10 a.m. – noon shift and on Saturday, shifts from 10 a.m. to noon as well as noon to 2 p.m. For storage reasons, it is recommended that book donations not be left outside of the Bookstore in off hours as they are a fire hazard and maintenance at the library will throw them out.

Upcoming Library Programs:

- Saturday, April 5 at 10:30 a.m., Roberta Wong presents "Hawaiian Lei in Crochet." Attendees are welcome to bring yarn and crochet needles or just observe.
- Saturday, April 12 at 10:30 a.m., Patrick Ball, premier Celtic harp player and storyteller; program suitable for ages 5 and up.
- Saturday, April 26 at 2p.m., "Living Things that Glow". For 12-18 year olds only. Required registration is being accepted at the library or call 266-9911 for more information...
- May 17 at 10:30 a.m., Scot Mitamura, horticulturist for the Honolulu Botanical Gardens and trustee for the Windward Oahu Orchid Society will share insights on the many aspects of orchid care at "the ABC's of Orchids."
- Those needing a sign language interpreter may contact the Kailua Library at 266-9911.

Questions, comments, concerns: 1) Glanstein – Asked if the cryptogram section would be put back in the newsletter. Follow up will be done. 2) Dowsett – Asked if there is a bin in the library to drop-off donated books. The answer was due to limited space, no. 3) Wong – Wanted to know if there is any way to get deposit box bins. Hayden will bring it up at the next Board meeting. She explained that space is a problem and welcomed any suggestions.

**Board Capital Improvement Requests (CIP)** – Ure reported the following CIP requests:

A) Kailua District Park roof repairs for the -multi-purpose room, gym, and exercise room. Placement of recycling bins (cans and bottles) at all State and City beach parks. B) Repair and placement of Lifeguard stations and staffing at Kalama and Kailua Beach Parks. C) Repair and/or replace Children's play equipment in active and passive Kailua parks. D) Budget intent to DPR/DFM regarding Kailua Beach Park pavilion repairs including but not limited to graffiti removal from the roof. E) Repaving of parking lot at Kailua Beach Park. F) Install new sprinkler system with re-grassing at the pavilion end of Kailua Beach Park A. Chair Bryant-Hunter – continued with Kapaa Quarry Road improvements CIP list – steep hill modifications, guard rails, blinking lights, paving the road shoulder area at the turn, stronger road reflectors.

Comments followed: 1) Prentiss noted there was a request to raise the speed limit to 30 miles per hour that was presented to the Transportation and Public Works Committee several months ago (no action was taken by the Committee or the Board). 2) Glanstein – Relayed that roof repairs at the District park was that the gym or multi-purpose room is in last year's budget has been repeated for the safety of the public. She suggested a letter from the Board to address this issue. Chair Bryant-Hunter agreed. 3) Resident Gilman, reiterated from last month's meeting that he lives directly across from the park (on Kailua Road) and sand continues to pile up in his driveway; expressed frustration that the City has failed to notify him of the scheduled street sweeping, as agreed, so that he may clear his driveway.

Chair Bryant-Hunter stated the Board's CIP list will be forwarded to the City Council for budgeting process.

**Kailua Name Clarification** – Lindgard reported that the canal has always been called Kailua Stream, but was formally called the Maunawili Stream, and asked who establishes the names. Chair Bryant-Hunter responded that the Board will make every effort to give appropriate names of area places.

Chair Bryant-Hunter explained that as a trial, a different committee would be selected monthly as Committee of the Month to give each committee a chance to report first. Parks and Recreation Committee agreed to be first this month.

**COMMITTEE OF THE MONTH:**

**Parks and Recreations Committee** – Chair Ure reported:

The Parks and Recreation Committee met in tandem with Planning and Zoning Committee; there were no new correspondence received, however proposed committee correspondence were:

- 1) Committee to write letters of intent to DPR/DLNR re: placement of recycling bins for aluminum cans and bottles at all beach parks for State and City Parks with associated budget considerations; DPR/DFM re: repair of parking lot surface at Kailua Beach Park; DPR/DFM re: repair Kailua Beach Park pavilion including but not limited to graffiti removal from roof.
- 2) Committee to consider a resolution/motion re: opening and closing of berm at Kailua Beach Park ocean-side of Kawailoa Road Bridge in protection of both Kailua Bay and Kaelepulu Pond (Enchanted Lake).
- 3) Committee to consider a resolution/motion re: initiate recouping of recruitment and training costs if an HPD recruit leaves service out of state in less than 2 years of said recruitment and training.

**Committee Updates in March included the following for Beach access legislation**

1. SB3100 Relating to Civil Penalties for Violation on Public Lands. January 23 the bill was referred to committee and appears not to be moving.
2. HB 839 HD1, SD1 RELATING TO PUBLIC ACCESS TO BEACHES: appropriates funds for the department of land and natural resources to survey and map all existing public access ways to shoreline areas (no companion bill). March 20<sup>th</sup> the bill was received in Ways and Means and the committee will continue to monitor the progress of this bill.
3. HB3265 RELATING TO PUBLIC ACCESS TO COASTAL AREAS: Public rights-of-way (\$) requires the State to acquire land for public rights-of-way. The bill stalled January 25<sup>th</sup> and is not moving.
4. HB2991 RELATING TO BEACHES: Beaches; Shoreline; Preservation (\$) Makes an appropriation to be expended by the department of land and natural resources to protect and preserve state beaches (no companion bill). The bill stalled on January 29<sup>th</sup> and is not moving.
5. HB2578 RELATING TO BEACHES: Beaches; Shoreline; Preservation (\$) Makes an appropriation to be expended by the department of land and natural resources to protect and preserve state beaches (no companion bill). The bill stalled on January 27<sup>th</sup> and is not moving.
6. SB2835 RELATING TO PUBLIC ACCESS: Public Access requires state and county agencies to ensure that a public right-of-way is available prior to the approval of any development project, subdivision or zoning change. Modifies definitions of "public recreational area" (no companion bill). The Bill stalled January 29<sup>th</sup> and is not moving.
7. SB2836 RELATING TO PUBLIC ACCESS: Public Access Modifies definitions of "public recreational area" and the offense of obstructing access to public property; defines "public right-of-way" (no companion bill) is in finance committee since February 4<sup>th</sup> any may still move forward.
8. HB 2232 Relating to Public Land was heard February 26<sup>th</sup> and of note is another bill HB1037 that relates to Coastal Zone Management and future development will also be followed by the committee.

Capital Improvements Projects were reported earlier in the Agenda.

The Committee Continues on April 15 to address, Monitor and Report on the following:

1. Opening and closing of berm at Kailua Beach Park ocean-side of Kawailoa Road Bridge in protection of both Kailua Bay and Enchanted Lake.
2. Initiate recouping of recruitment and training costs if an HPD recruit leaves service out of state in less than 2 years of said recruitment and training it is understood there is a bonus for new recruits but no penalty for leaving after training for another state. .
3. Narrow Bicycle path on Kalaheo Avenue – has been referred to the Transportation and Public Works Committee.
4. Commercial activities at beach in Kailua and City R-O-Ws and DLNR are being discussed
5. Sprinkler system near pavilion at Kailua Beach Park update-not yet removed
6. Sand redistribution and ironwood tree removal Kailua Beach Park – ironwoods were planted to “hold” sand and current ocean removal of sands cause some ironwoods to be unstable and become safety hazards. Removal is appropriate, which includes Mr. Gilman’s unfortunate sand situation. The sand needs to be redistributed from around the beach park to other areas of the beach park as there is no current ordinance or law that allows sand to be moved from one beach to another.
7. Commercial activities at beach park in Kailua & responses by CITY/HPD pertaining to rules and regulation violation at Kailua beach park. No update from HPD or City.
8. Parking by commercial vehicles in Kailua Beach Park – complaints, not yet addressed by City.
9. Park benches, tables, and play equipment in disrepair various at every park the committee has visited this has been most unfortunate, such as, when Maunawili Valley Neighborhood Park reported the tables and

benches in disrepair, they were removed entirely with no budget provision to replace in a timely manner. Park users may now sit on the ground.

10. Committee to write letter of intent for budgeting repairs and maintenance Kailua Beach Park pavilion (CIP) and graffiti removal on roof.
11. Lifeguards and lifeguard station at Kalama beach park update
12. Committee to write letter of budgeting intent for lifeguard station and staffing at Kalama Beach Park to coordinate efforts by City and State.
13. Graffiti in neighborhood parks timely removal and monitoring—Pavilion at KBP currently remains
14. Sand redistribution 1) removal of sand on roadway, bike path, driveways, 2) loss of sand on beach proper (sand was to have been removed from driveways by end of January 2008)
15. Committee will examine HB/SB 2900

Ure explained that the City Department of Parks and Recreation is a little like an orphan. If they don't have budget funding placed in other departments the Department of Parks and Recreation cannot get all the work done. Some budgeting is in Facilities Maintenance, or Engineering or Design and Construction. Much of the money for parks improvements belongs to the Mayor by discretion; while this helps, maintenance usually does not rise to the level of adequate funding in the Parks and Recreation Department budget alone.

#### ELECTED OFFICIALS:

**Mayor's Representative:** Ann Chung, representing Mayor Hannemann, reported responses to previously asked questions:

- Kapaa Quarry Road warning signs in place; start of improvements for sign installation painting and re-striping will be Friday and Saturday from 11:00 p.m. to 8:30 a.m.
- Kailua District Park renovation will require temporary closures beginning February until October 2008. Renovations include re-roofing of the gym, pool pump, and installing a fire alarm. The pool will be closed from March 31 to May 31, 2008. Renovations to the multi-purpose room will be from April 16 to May 16, 2008. For more information call the District Park at 266-7652.
- Windward Town Meeting (Talk Story with the Mayor), April 19, 2008, Pali Golf course, at 6:30 p.m. Highlights will be on rapid transit and recycling.
- There are no plans for the Neighborhood Commission Office to relocate to the Frank F. Fasi building.
- It is anticipated that the publication date is May 23, 2008 for the Draft Environmental Impact Statement for the Waimanalo Gulch Sanitary Landfill.
- Regarding a lost 11-year old boy and family living in a vacation rental, Lt. Finn left a message for Board member Best informing her that HPD would not be releasing information concerning the juvenile.
- Regarding proliferation of commercial vehicles parking on residential streets and near beaches, Lt. Finn informed Board member Enos that officers monitor the Lanikai area daily for violations and cite when necessary. She was advised to call 911 if violations are witnessed. Ms. Cummings was also contacted by Lt. Finn who requested that more citations be issued for violations.
- The Kailua Beach Park mitigation project is being done with in-house resources only. It is hopeful that the project will start in the middle of April. The project includes sand to create at least one sand dune, installing irrigation and planting naupaka.
- Regarding status of the City budget, a copy of the 2008 status of finances was given to Board member Corcoran per his request.
- Regarding the status of the drainage/flood mitigation effort on the other side of the beach park across from Buzz's towards Lanikai, the Department of Facility Maintenance is enlarging the drainage box.
- Regarding a study to measure the risk to beach goers posed by decreased access to the public beach due to gates preventing passage of EMS personnel when responding to emergencies, it would be difficult to design a study, but EMS does not believe risk has been elevated by the installation of gates on private roads. In the daytime, lifeguards are very good about responding if it's a city beach they guard. Many lifeguards are EMT-B trained, but all are trained as first responders. EMS and HPD on the rigs can cut the chain so they can drive closer to the situation.

Questions, comments, concerns: 1) Glanstein – (A) Requested additional Route #57 bus on Wednesday afternoons (schools let out early and the buses are over-crowded); and a later than 10 p.m. bus from downtown to Kailua (Route #56). (B) Follow up will be done if the City has an Office of the Ombudsman or an agency to which issues could be referred. 2) Wong - Requested that information be given to constituents regarding the Kailua Beach Park drainage project. Chair Bryant-Hunter noted that residents most impacted by flooding be notified for feedback. 3) Prentiss - Commented that a City news release mentioned the review of a new development in the Ewa area (the size of Mililani Town) and wanted to know if the City had discussed where the landfill would be. Chung replied

discussion on the landfill is ongoing. 4) Corcoran – appreciated straight answers to concerns. 5) Resident Joan Cash - Thanked DTS for the painting of the signage on Kapaa Quarry Road. Chair Bryant-Hunter requested to make sure that long-term repairs are in the budget. 6) Wong – Asked about the Mayor's Newsletter that mentioned a Makiki sustainability project in the Mayor's sustainability program. Chung answered one of the projects is the Makiki Library top floor; more information can be found online.

**Governor's Representative:** Dr. Morgan Barrett reported: 1) The Governor is out of town due to the passing of her mom. 2) A Rapid Response Team led by the State Department of Labor will assist former Aloha Airlines employees in finding new jobs. 2) The Turtle Bay Advisory Working Group (TBAWG) encourages the public to stay involved with the efforts to acquire the Turtle Bay property. To receive regular updates log on to [TurtleBayAWG@gmail.com](mailto:TurtleBayAWG@gmail.com) or [www.hawaii.gov/gov/turtlebay](http://www.hawaii.gov/gov/turtlebay).

Questions, comments, concerns followed:

1. Wong – a) Asked if a storm water permit was not required by the Department of Transportation (DOT) from the Department of Land and Natural Resources (DLNR) to place fill from its project on the rock fall abatement in the marshland adjacent to the highway. Barrett replied that the routine process was followed to improve the run-off. He did not think it was due to emergency provision, but will have the question revisited. b) For safety reasons, did DOT evaluate the new height curves in the medians on Kailua Road? Follow up will be done.
2. Tomasa – Asked if the State has any knowledge of any other potential businesses closing on the island of Molokai. Barrett will follow up.
3. Ure – Regarding sand re-distribution, recalled that in September DLNR and the State Department of Health (DOH) Clean Water Branch were preparing a report from a study of bacteria found in sand. Ure requested a copy of that report for the board to assist the board in its deliberations concerning possible sand re-distribution in future projects. Barrett responded that daily water samples are taken and will follow up on getting a copy of the bacteria in sand report prepared by DOH CWB.
4. Glanstein – Expressed condolences in the passing of Governor Lingle's mother.

**Representative Pono Chong** – Janine Tully distributed the written report which included a brief summary of some of the bills crossing to the Senate; and information regarding SB3206, establishing an Advisory Council for Kawainui Marsh.

**Representative Cynthia Thielen** – John Foster was present earlier in the meeting and a written report was available for interested persons to review. Chair Bryant-Hunter clarified that the group living facility at 110 Kaneohe Bay Drive is a special treatment facility for Forensic Mental Health operated by Care Hawaii. Although there are two houses on the one lot, only one is being used and Care Hawaii has a Certificate of Need (CON) and is not required additional permits at this time. However, should the facility wish to increase the residents, a Condition Use Permit would be required. The Board gave testimony on the Wilson Care Home Conditional Use Permit Application for 96 Kaneohe Bay Drive proposed group living facility. Updates will be reported at the May meeting.

**Representative Tommy Waters** – No representative was present; the written report was available for interested persons to review.

**Senator Fred Hemmings** – Barbara Krasniewski reported: 1) The State Department of Labor has relocated to the Atrium on Kahuhipa Street. 2) HB1037, HD1, relating to coastal management, preserves public access and public shoreline access, passes the Senate WTL/IGM/ENE committees and will be voted on by the full Senate.

**Senator Jill Tokuda** – Kamakana Kaimulua stated there was no written report as decking was to occur tomorrow— 1) the Senate intention draft summary is forthcoming. 2) SB3206, relating to the Kawai Nui Marsh Advisory Council is pretty much guaranteed. 3) Senator Tokuda and Representative Chong exhibited student artwork and would continue the display in April. 4) Suzanne Cummings has been selected the Windward Teacher of the Year 2008.

At this time Chair Bryan-Hunter relinquished the gavel to Vice-Chair Prentiss.

**Councilmember Barbara Marshall** – Leeann Bowman, introduced herself as Council Chair Barbara Marshall's representative, circulated two handouts, the written report and 3 Talk schedule, and announced that the next 3 TALK session will be held on April 9, 2008 at the Waimanalo Public Library.

Questions, comments, concerns followed: 1) Corcoran - Noted that the 3 TALK session is on the same night as Mayor Hannemann's Town meeting. 2) Brooks – Requested an update on removal of the mangrove at Kawai Nui Marsh. Follow up will be done.

**U.S. Congresswoman Mazie Hirono** – Will give quarterly reports.

**PRESENTATIONS & COMMUNITY PROJECTS:**

**Hawaiian Memorial Park, zone change request from conservation to urban:** Chair Bryant-Hunter reported receipt of an email from Scott Ezer, consultant for Hawaii Memorial Park, requesting that a representative from Hastert & Fee attend the Committee meeting. Plans are to expand the 50 acres including 20 residential homes. She suggested members read the Draft Environmental Impact Statement (DEIS). A motion relating to this issue was adopted by the Kaneohe Neighborhood Board.

Questions, comment, concerns followed: 1) Wong – Circulated a map of the area and stated the issue is on the Planning and Zoning Committee Agenda for this month. 3) Chair Bryant-Hunter noted that the Board is on the mailing list to receive a copy of the EIS.

**BOARD ACTIONS:**

**Reconsideration of Motion: Property Tax Resolution presented to Board in February 2008** – Chair Bryant-Hunter explained that the Board received new information and that provisions of the previous vote would be reconsidered.

**Prentiss introduced the property tax resolution:**

**Whereas**, Honolulu residential property taxes have doubled since 2003, and

**Whereas**, the property tax on homes and apartments ignores the fact that the market value of a person's home gives little or no indication of how much a person can afford to pay for city services, and

**Whereas**, the principle of tax fairness is seriously violated by taxing people on the market value of their home regardless of their ability to pay, and

**Whereas**, the most regressive tax is one which uses the value of person's home to determine tax amount without determining ability to pay, and

**Whereas**, dollar exemptions given to residential properties have not kept pace with rapid increases in assessments, and

**Whereas**, no way has been found to provide exemptions for renters even though exemptions are given to resident owners, and

**Whereas**, assessed values of properties have been routinely inaccurate evidenced by numerous appeals that have been upheld, and

**Whereas**, senior citizens, in other states, have had to give up their family home because of the amount of property tax, and

**Whereas**, the high level of property tax makes housing less affordable, and

**Whereas**, unlike other states and cities, Honolulu City and County is in a unique position because of its geography, and because a small change in the much less regressive GET tax will yield the same revenue as the residential property tax, and

**Whereas**, current State and County data show that the residential and apartment property tax classification can be completely replaced by an increase of only one (1) point in the existing General Excise Tax (GET) rate on Oahu, bringing the rate to 5.5%, and

**Whereas**, the GET is a much broader based tax; tourists pay 38% of it while they pay little property tax, and

**Whereas**, as an example, residents now paying \$3,000 in annual property tax, who spend \$40,000 per year subject to GET, may instead expect to pay only about \$400 in additional GET, a major tax cut of \$2,600, and

**Whereas**, substituting the GET will not only eliminate the property tax on homes and apartments, but is revenue neutral so that it will provide the City and County the same revenue it will collect in the coming budget year (based upon the 2007 tax rate of \$3.29, and \$200 rebate), and

**Whereas**, tax relief for renters should be provided by requiring landlords to pass the property tax decrease on to renters for a minimum of five years, and

**Whereas**, businesses and the economy would also benefit from the new spending power of all Oahu residents,

**Now therefore, be it Further resolved that the Kailua Neighborhood Board requests that the legislature of the State of Hawaii introduce and adopt a bill that will permit the City and County of Honolulu to collect an increase in the General Excise Tax (GET) if it is used only as a substitute to completely replace the property tax on residential and apartment property owners.**

Discussion followed: 1) Elliot was in support and encouraged the Board to pass this resolution. 2) Wong – Voted no the last time due to no renter's provisions, but will vote yes tonight. 3) Glanstein – stated that the original resolution cannot be taken under reconsideration; only an amended resolution may be considered as a main motion. 4) Ure stated the language “may” does not protect renters, the word should be “shall”, and therefore cannot vote for the resolution.

Chair Bryant-Hunter relinquished the gavel to Secretary Ure to speak to the resolution.

5) Bryant-Hunter – Pointed out that when the Transit Accommodation Tax (TAT) increased to pay for the Convention Center, at that time the counties TAT remained the same and Oahu's TAT increase was used for the Visitor Industry. This resolution off-sets the reduction of the Property Tax burden on Oahu and visitors pay GET to the state to be distributed to the county of Oahu. She noted the percentage from the visitors to pay for Oahu infrastructure is quite small.

Chair Bryant-Hunter resumed the gavel and presided over the balance of the discussion on the resolution.

6) Porter – Commented that the business community has concerns regarding this issue. Prentiss replied that the Chamber of Commerce would like more information before taking a position. 7) Glanstein commented that the HB2394 is in the legislature and was deferred early on in the session. Prentiss noted that the intent is to support the idea. 8) Corcoran - Asked if the revenue is dependent on visitors, and what would happen if there is a severe downturn and the money is not coming in. 9) Porter – Commented that as a landlord, an increase in the GET is passed on to the renter. 10) Dowsett was in support. **The resolution was ADOPTED 11-4-0; Aye:** Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Correa, Dowsett, Lindgard, Prentiss, Tomasa, Wong; **Nay:** Corcoran, Glanstein, Porter, Ure.

#### **COMMITTEE REPORTS:**

**Civilian-Military Council** – Corcoran had no further report.

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

**Enforcement of B&B and TVU's** – Porter reported Bills 6, 7, 8, and 9 relates to B&B and TVUs. 1) Wong relayed that Councilmember Tam has extended the hearing for 120 days before the next hearing. 2) Bartley said that the last hearing ran from 9:30 a.m. until 5:30 p.m., with Council being swayed by the testimonies. His group is reformulating their response to the Council. The hearing went well with Kailua, North Shore, Waianae, and Waimanalo well represented. 4) Glanstein inquired whether B&Bs and TVUs are profit making, or not, in residentially zoned areas.

**Neighborhood Plan MMVIII** – Chinen reported at a Neighborhood Commission Meeting, Monday evening, the Neighborhood Commission adopted the Revised Neighborhood Plan. The Plan will be sent to Corporation Council (CORP) for legal review, and then signed off by the Mayor. He expressed disappointment that no one has been able to see the final documents with the all the changes, since this Board fought hard and long for the revised plan.

Discussion followed: 1) Glanstein commented that the Commission had a spread sheet from the draft and they shall have at least one Conference of Chairs annually. The role of CORP is to do a general legal overview. 2) Chinen will give an updated report at the May meeting.

**Sustainability & Environment Committee:** 1) Recess until the Ko'olaupoko Community Sustainable Plan (KPCSP) notice to proceed is issued by the City. 2) Issues will be referred to Planning and Zoning Committee

**Government & Community Services Committee** - Jon Chinen reported:

Proposed Charter Amendment from City Council relating to Neighborhood Board Members and Term Limits – Chinen reported seventeen Neighborhood Boards are currently in opposition to term limits; some boards have not yet addressed this issue as of this date. One of the resolutions proposed by one board was to limit Board members to two (2) consecutive 4-year terms.

Discussion followed: 1) Ure – reported that the Executive Secretary of the Neighborhood Commission Office reported to the Neighborhood Commission that an email was received from Councilmember Barbara Marshall

complaining about issues of order and decorum at the previous board meeting and that Councilmember Barbara Marshall is asking for an apology from the board. However, the substance of the meeting has been addressed to the Councilmember for clarification by the Board. The Neighborhood Commission Office Executive Secretary reported she had received the same email, however, no formal complaint was filed and the Neighborhood commission may not address the issue until a formal complaint is filed. The Board responded to the Councilmember's email but that information was not passed along to the Executive Secretary. Also, the Board received a letter of violation of the sunshine law that was filed with the Office of Information Practices for not filing an agenda for the KNB Town Meeting forum. The oversight by the Neighborhood Commission Office Executive Secretary regarding the Town Meeting was that indeed the agenda had been properly filed in February and gone unnoticed by the Executive Secretary or her staff. 2) In answer to Wong, Ure replied that under the signature of the Executive Secretary a complaint was filed with the Office of Informational Practices (OIP). As for Councilmember Marshall's complaint, that was an email that was circulated and never filed as a formal complaint. 3) Chair Bryant-Hunter said she has asked the Executive Secretary to retract the complaint with OIP by letter because there was no violation of the Sunshine Law. The Board has received no rescinding letter and will follow up.

**PLANNING & ZONING COMMITTEE:**

**Wilson Homecare 96 Kaneohe Bay Drive Update** – Chair Bryant-Hunter reported that she was the only speaker to share the Board's position at the public hearing held on March 25 regarding this issue. The City DPP has received strong concerns regarding this application, but was concerned that they had not heard from the community. The applicant was asked to inform neighboring residences. Per the applicant, informational signs are posted at the site. Law states that group living facilities are not to be within one-thousand feet (1,000') of each other. The City is examining whether a Conditional Use Permit (CUP) at 110 Kaneohe Bay Drive is warranted. Follow up on this issue will be done by the Board.

**Waimanalo Gulch Landfill Draft Environmental Impact Statement (EIS)** – Corcoran reported that the deadline is now reported to be May 23, 2008, according to Ann Chung. However, the landfill, without further permit modifications is required to close May 1, 2008.

**10X10 Projects:** Bratt reported at a March 10, 2008 meeting with Senator Hemmings and Representative Thielen that all projects must be presented to the Board. The next meeting is scheduled January 10, **2009**.

**DPP Response to Audit of City Management Unilateral Agreements for Affordable Housing** – Committee Chair Wong circulated a response letter from Henry Eng, Director for the Department of Planning and Permitting (DPP) and will follow up in committee.

**2/26 DLNR Response to Lanikai Residents Re: Antennas on Lanikai Ridge** – Wong reported receipt of a response letter from the State Department of Land and Natural Resources (DLNR), Samuel J. Lemmo, Administrator, Office of Conservation and Coastal Lands, noting that according to the information presented, telecommunications users may be proposed on Lanikai Ridge and a Conservation District Use Application (CDUA) may be filed in the near future.

**TRANSPORTATION & PUBLIC WORKS COMMITTEE:** Prentiss reported early morning truck noise in mixed use areas. Review will be done regarding City's responses to an additional Hamakua Speeding Traffic and speed bumps for Iliaina Street.

**EXECUTIVE COMMITTEE:** Chair Bryant-Hunter reported that the Transportation and Public Works Committee community concerns issues shall be assigned to committees:

- Noise Ordinances Issues – Residential and mixed use neighborhoods - Government Services Committee.
- Public Beach Access – Parks and Recreation Committee.
- Attorney General Opinion - public access laws – Government Services Committee
- Pedestrians: Kaleheo Avenue pedestrian paths dangers – unimproved sidewalks; Public safety crossing streets with timed signals; Traffic light at Aoloa Road and Hamakua - Transportation and Public Works Committee.
- Civil Defense: Lanikai, east end, cannot hear the Civil Defense Sire - Public Health, Public Safety & Civil Defense Committee.
- Affordable Housing: Re-Development has no requirement for affordable housing; Private ownership is driven by dollars not community in Kailua – Planning & Zoning Committee.
- Lack of enforcement - illegal B&B and TVU's: Continued negative impacts on neighborhoods despite objections from communities – Planning & Zoning Committee.
- Increase budget for Kailua: Aging infrastructure including Parks Buildings – Parks & Recreation Committee.
- Repaving: North Kainalu Drive; North Kaleheo Drive – Transportation and Public Works Committee.
- Zoning: Conservation land at Hawaiian Memorial Park – Planning & Zoning Committee

- Neighborhood Commission Office/Neighborhood Boards: Additional community outreach for issues, solutions and meetings of the NBS; Increase budget for board communications; Increase youth participation with boards – Government & Community Services Committee.
- Department of Health Clean Water Branch: Watershed issues, including Kapaa ridge, springs that have been closed or damaged Lanikai Beach water quality degraded from pollution; Investigate “pumping” near Buzzes during heavy rains – Planning & Zoning Committee.
- The Ko’olaupoko Sustainable Communities Plan: Development plan did not capture quality of life issues or social impact issues; Kapaa Quarry and Kawainui Marsh are in the KNB area boundaries; Enchanted Lakes is not Kaelepulu Pond (there is no Kaelepulu Pond) – Planning & Zoning and Sustainability & Environment Committees.
- Turtle Bay in Ko’olauloa Development Plan – Planning & Zoning Committee.
- Law enforcement and HPD District 4 -- lack of staffing and resources – Public Health, Public Safety & Civil Defense Committee.
- Incorporate Kailua – Government Services Committee.
- Community Opposition to arbitrary Term Limits for board members – Board has position.

Proposed Conference of Chairs – Discussed earlier in the meeting.

Board Participation in I Love Kailua Town Party – Set up of Board’s table is 9:30 a.m. volunteers should contact Chair Bryant-Hunter.

**Treasurer’s Report:** Treasurer Dowsett reported expenditures in the Operating Account were \$93.62, leaving a balance of \$736.27; expenditures in the Publicity Account were \$208.00, leaving the balance at \$847.00; no expenditures in the Refreshment Account, the balance remains at \$120.00.

Discussion followed: 1) Ure stated the budget has not been properly charged for printing and mailing of minutes for a number of months. Ure suggested sending an email to the NCO to discuss draft minutes. She stated that January and March 2008 Draft Minutes are posted to the City web site and that in her discussion with the Executive Secretary it was made clear to the Executive Secretary that February draft minutes are not posted to the City Website, nor have they been mailed to the postal or emailing mailing list of the board. Ure stated that the draft regular meeting minutes for September, October, November 2007 are posted on the City’s website. She reiterated that September 2007 and March 2008 were APPROVED tonight. Ure will post the August and September, 2007 APPROVED minutes on the Board’s website at [www.neighborhoodlink.com](http://www.neighborhoodlink.com).

**Public Health, Public Safety & civil Defense Committee:**

- Community Emergency Response Team (CERT) – Tomasa reported there will be a brief presentation concerning a training session at the May meeting relative to disaster preparedness and first response. Eight or more participants are needed to set up the training session.

Chair Bryant-Hunter stated that the Town Meeting did not achieve quorum and the meeting was never called to order. Those in attendance at the Transportation and Public Works Committee meeting offered their comments during community concerns.

**ANNOUNCEMENTS:**

1. Chair Bryant-Hunter announced that in May the Board might be meeting in a classroom in the gym building because the multi-purpose room may be under repairs for the leaking roof. Ure reminded everyone to check their May agenda when it is received.
2. Glanstein reported HB2730, relating to Neighborhood Boards and the Sunshine Law, that the State Legislative reports and committee reports were out as of today.
3. Reminder – Board volunteers are needed to man the Board’s table for the “I Love Kailua” Party, Sunday, April 27, 2008. Contact Chair Bryant-Hunter.

**ADJOURNMENT:** there being no further business, and without objection, Chair Bryant-Hunter adjourned the meeting at 9:55 p.m.

Submitted by: Nola J. Frank, Neighborhood Assistant  
Reviewed by: Linda Ure, Board Secretary