



KAILUA NEIGHBORHOOD BOARD NO. 31

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DRAFT REGULAR MEETING MINUTES THURSDAY, JULY 3, 2008 KAILUA RECREATION CENTER

CALL TO ORDER: Chair Charles Prentiss called the meeting to order at 7:05 p.m., with a quorum of **16 members present**. Note – This 19-member Board requires 10 votes to adopt a motion or have quorum. A moment of silence was taken to memorialize the passing of the three marines (Lt. Col. Max Galeai, Capt. Philip Dykeman, and Capt. Marcus Preudhomme) previously assigned to the Kaneohe Marine Corps Base Hawaii (MCBH).

MEMBERS PRESENT: Kalana Best, Jason Bradshaw (left at 10:00 p.m.), Richard Bratt, Michele Brooks, John Brown, Kathy Bryant-Hunter (left at 9:33 p.m.), Jon Chinen, Jim Corcoran, Virginia Enos, Debbi Glanstein, Knud Lindgard, Chuck Prentiss, Claudine Tomasa, Linda Ure, Ronald Weinberg, Donna Wong (left at 9:34 p.m.).

MEMBERS ABSENT: Michael Correa, Joe Harding, Christian Porter.

VACANCIES: There are no vacancies on this Board.

GUESTS: Capt. J. Chang (Honolulu Fire Department); Lt. D. Eber (Honolulu Police Department); Lt. B. Strickland (Marine Corps Base Hawaii); Joshua Wisch (U.S. Congresswoman Mazie Hirono's Office); Dr. Morgan Barrett (Governor Linda Lingle's representative – State Department of Health); Senator Jill Tokuda; Representative Pono Chong; Ann Chung (Mayor Mufi Hannemann's representative – Director of the City Office of Economic Development); Andrew Malahoff (Council Chair Barbara Marshall's Office); Paul Sibley (American Cancer Society); Crystale Lopez (Hawaii Pacific University); Maria T. Gorak (Homeless Animals); Barbara Krasniewski (Hawaii Pacific University); Grant Yoshimori (Hui O Pikoiloa); Brenda Lee, Wena Tsai (Little Learners Preschool); Tinkle Malama (Paradise Films); James Severson (The Kailuan); Maile Sing (University of Hawaii at Hilo); Ricky Bermudez, Jennifer Binney, Peter Binney, Phillip Binney, Richard Fernandez, Joe Gilman, John Gollner, Quentin Kawanakoa, Chris Lee, Julianne McCreedy, Roberta Pauer, Stann Reiziss, Glenn Uyeshiro, Jim Wood; Rachel M. Glanstein (Neighborhood Commission Office).

APPROVAL OF MINUTES:

June 5, 2008 Regular Meeting Minutes – The June 5, 2008 regular meeting minutes were APPROVED AS CORRECTED by UNANIMOUS CONSENT (16-0-0) (Aye: Best, Bradshaw, Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Corcoran, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg, Wong), with the following corrections:

- * Page 6 – Committee of the Month – Planning, Zoning... – item no. 1 – item (b) – fifth sentence – insert "not" between "the landfill expansion will" and "accept bulk green waste".
- * Page 6 – Committee of the Month – Planning, Zoning... – item no. 1 – item (b) – sixth sentence – switch the two money amounts in the second half of the sentence by (switch \$188.7 million and \$99.4 million).
- * Page 6 – Committee of the Month – Planning, Zoning... – item no. 1 – item (c) – second sentence – insert "not" between "The Board is" and "on record opposing".
- * Page 8 – Mayor Mufi Hannemann... – Questions, comments... – item no. 3 – strike out sentence and insert "The police will not release their report on the vacation rental where the visiting boy went missing last August in order for the DPP to make a determination of its legality. They cite issues of 'invasion of privacy'. Clarification was requested about these items: (a) Is it the privacy of the guest which is in question? (b) Is it the privacy of the property owner? (c) Is it both? (d) Does the Mayor agree with the position of the police? and (e) Will he issue a comment outlining his position on the matter, especially in light of the fact that the need for compliance and enforcement will be even greater should more B&Bs be legalized?"



CERTIFICATES OF RECOGNITION:

Board Chairperson Kathy Bryant-Hunter – A certificate of appreciation was presented to former Board Chairperson Kathy Bryant-Hunter: The Kailua Neighborhood Board (NB) No. 31 warmly commends and extends its thanks and appreciation to Kathy Bryant-Hunter in recognition of her outstanding service to the Board and the Kailua community as both member and chairperson. From October 3, 2002 to June 5, 2008 Kathy presided over the complex issues addressed by this nineteen member Board. As a successful professional facilitator and ever mindful of the mission of the NB to increase and assure effective citizen participation in the decisions of government she encouraged that citizen participation in Kailua. Kathy represented the Board, delivering testimony and documentary evidence before government agencies including land use, urban planning, environmental concerns and other initiatives supporting the Kailua community and its residents. During her six year tenure, Kathy led the Kailua NB as we addressed issues to include: Kalaheo and other area sewer reconstruction projects, Kapaa Quarry Road safety, Castle Junction rockslide mitigation, traffic improvement projects, successful enforcement of environmental protection for all of Kailua, selection of a viable municipal solid waste landfill, programs to counter illicit drug use, adherence to the Ko'olaupoko Sustainable Communities Plan, protection of Kawai Nui Marsh, Board participation in the annual Kailua Town Party and Fourth of July parades and other endeavors. The Kailua community and the Board owe Kathy Bryant-Hunter our gratitude and appreciation for her diligence as a volunteer in her community. The Board thanks Kathy for her dedication as presiding officer and looks forward with anticipation to a productive partnership as we continue together in public service to the Kailua community.

AGENCY REPORTS:

Honolulu Fire Department (HFD) – Capt. J. Chang provided the following information:

- 1) June 2008 Statistics – There were 5 structure, 8 rubbish, and 3 vehicle fires; there were 66 medical emergencies, 4 search/rescues, and 42 miscellaneous calls. There were also no major incidents.
- 2) Fire Safety Tip – Summer break is an opportune time to review home surroundings for potentially dangerous situations and childproof the home. Check for situations that may cause electrical shock, accidental falls, and/or poisoning from unsecured medications, cleaning products and/or houseplants. Ensure pools are properly fenced and gated. An alarm on the door from the house to the pool can help prevent unattended keiki from drowning. Keep matches and lighters in a safe secure place.

Questions, comments and concerns followed:

Permitted Fireworks Hours – The newspaper and fireworks permits indicate the proper hours for fireworks.

Honolulu Police Department (HPD) – Lt. D. Eber distributed the report and highlighted the following information:

- 1) Annual Comparison January to June 2007 and 2008 (2007/2008) – There were 2/2 murder/manslaughter, 15/16 rape, 34/26 robbery, 31/34 aggravated assault, 359/372 burglary, 998/653 theft, 755/523 UEMV (theft from a motor vehicle), and 287/128 auto theft cases, resulting in a 30% decrease in crime.
- 2) June 2008 Statistics – There was 1 aggravated assault, 17 simple assault, 25 burglary, 7 drugs/narcotics, 20 DUI (driving under the influence), 10 family offense/neglect, 9 motor vehicle theft, 11 fraud, 7 graffiti, 3 ID theft, 11 ICF/SCF (injured cared for/sick cared for), 32 property damage, 3 missing person, 2 missing person cancelled, 78 motor vehicle accident, 47 theft, 1 rape, 1 robbery, 9 runaway, 5 runaway cancelled, 9 threatening, 4 trespass, 40 UEMV, 16 warrant arrest, and 1 weapons case.

Questions, comments and concerns followed:

- 1) Lanikai Parking – HPD was thanked for their parking enforcement efforts in Lanikai; the streets are now more accessible to emergency vehicles and pedestrians. There is legal parking in Lanikai (on the grass not the road) as long as there is enough room for pedestrians to pass by the vehicle.
- 2) Street Setback – Four feet from the edge of the road is a setback that owners are not supposed to landscape or place barriers upon; there is also no parking on these setbacks. However, the City Department of Planning and Permitting (DPP), and not HPD officers, issue tickets for barriers other than vehicles. It's illegal to park on the setbacks but also illegal to place barriers to prevent illegal parking.

- 3) Aerial Fireworks – Aerial fireworks started last weekend, on Wanaao Road.
- 4) Kailua Bay Fireworks Parking – There is no additional parking for fireworks festivities, unless Lanikai Elementary School opens up their school lots. Any cars parked illegally by the event signs will be towed.

Marine Corps Base Hawaii (MCBH) – Lt. B. Strickland conveyed the following information:

- 1) Air Field Hours of Operation – In July 2008, the hours of operation for the MCBH air field are Monday through Thursday, 7:00 a.m. to midnight, Friday 7:00 a.m. to 10:00 p.m., Saturday 8:00 a.m. to 5:00 p.m., and Sunday and holidays closed. Modified hours are on Saturday, July 5, 2008, from 10:00 a.m. to 2:00 p.m., Monday, July 7, 2008, 6:30 a.m. to 7:00 p.m., and from Tuesday, July 8, 2008 to Monday, July 28, 2008 there will be 24-hour operations. Twelve F/A-18 Hornets will arrive on July 14, 2008 and depart on July 17, 2008, so there will be no maneuvers during this time.
- 2) Rim of the Pacific (RIMPAC) Exercises June 10 to July 29, 2008 – RIMPAC Exercises 2008 include an estimated 10 nations, 35 ships, 150 aircraft, and 20,000 personnel participating. There will be more air activity and military movement throughout the island. MCBH will do its best to mitigate the aircraft noise during this time.
- 3) RIMPAC Beach Closures (2008) – (a) Bellows: June 28 to 29, July 18 to 19, July 27 to 28; (b) Pyramid Rock: July 14 to 18, July 25 to 27; (c) Fort Hase: July 10 to 11, July 28; (d) Hale Koa: July 25 to 27; and (e) Fuel Pier: July 7 to 11.
- 4) BayFest 2008 – The 19th Annual BayFest will be held from July 4 to July 6, 2008, with carnival fairgrounds, contests, military static displays, and the Island Lifestyle Exposition. This year's musical lineups will include, country acts Rodney Atkins and Little Big Town, and rock groups Everclear, Live and 3 Doors Down. There are two types of tickets available: (a) the BayFest tickets cost \$5 and provide access to the fairgrounds, Island Lifestyle Exposition, contests and the static displays; and (b) the Concert tickets cost \$24 to \$30 before the event, and \$35 to \$40 at the gate, and include BayFest admission in addition to the concerts. A fireworks display will follow each concert. BayFest will also include a 5,000 kilometer run open to the public.
- 5) Kailua 4th of July Parade – The U.S. Marine Corps Forces Pacific Band and other Marines will participate in the 61st Annual Kailua 4th of July Parade.
- 6) Deployments – The 2nd Battalion, 3rd Marine Regiment is currently in Iraq and will return this summer. The 1st Battalion, 3rd Marine Regiment is currently in California for training and will deploy to Iraq this summer.
- 7) Turnover – This summer there will be a high rate of turnover for various units and staff positions at MCBH, including the commanding officer of the base.

Questions, comments and concerns followed:

Flying Guidelines – The Federal Aviation Administration (FAA) has rules for flying, but MCBH wants to go above and beyond just the requirements to work with the community.

Board of Water Supply (BWS) – No representative present.

Honolulu Liquor Commission (LIQ) Notices – No updates.

COMMUNITY ISSUES AND ANNOUNCEMENTS:

University of Hawaii at Hilo (UHH) Program Extensions – Maile Sing announced that UHH has now opened a pharmacy program. UHH is an opportunity for students to leave home for college, but not be too far. Call or email Ms. Sing at 956-4564 or msing@hawaii.edu for more information.

Relay for Life – Paul Sibley described the American Cancer Society's annual Relay for Life event in Kailua, from Saturday, July 12, 2008 to Sunday, July 13, 2008 at Kailua Beach Park.

Little Learners Preschool – Wena Tsai introduced Brenda Lee, and specified that they would like to open the Little Learners Preschool located on Mookua Street to 20 children. No new buildings need to be built on site; they can

use the existing building. A permit and Board approval is required to move forward with the plans; a zoning permit was issued today and Ms. Tsai was informed of the need to present the issue to the Board.

Questions, comments and concerns followed:

Not an Official Presentation – This appearance before the Board shouldn't qualify as an official presentation to the Board; Ms. Tsai will submit the rest of the paperwork soon and will return to the Board.

Hawaii Pacific University (HPU) – Crystale Lopez, the new HPU University Relations Specialist, detailed:

- 1) New Vice President of Academic Affairs – John Kearns was named the new Vice President of HPU Academic Affairs.
- 2) Summer Session 2008 – The summer session runs through August 20, 2008, and students may sign up until July 7, 2008.
- 3) Art Gallery Shows – There will be art gallery shows from July 27, 2008 to September 16, 2008.

Questions, comments and concerns followed:

- 1) Summer Education Camps – This is the sixth consecutive year that the Johns Hopkins University has selected HPU to host summer education camps for gifted students.
- 2) Expansion – It was just announced that Group 70 was chosen to be the architectural firm to handle HPU's planned expansion; Ms. Lopez will follow up.
- 3) Scholarship Program – Ms. Lopez will follow up on scholarship programs offered to community members.

COMMITTEE OF THE MONTH:

Transportation and Public Works Committee (TPW) – TPW Chair Bratt supplied the following information:

- 1) Kainui Drive / Maluniu Avenue Crosswalks – The City Department of Transportation Services (DTS) is studying the Kainalu Drive crosswalk situation and will respond to the Board by the end of July 2008.
- 2) Iliaina Street Speed Bumps – DTS stated before that they would respond by the end of May 2008 regarding the installation of speed bumps on Iliaina Street; they requested an extension to July 2008.
- 3) Hamakua Drive Speeding and Aoloa Street Crosswalk – DTS reported that the crosswalk lines will be repainted and a media strip is necessary to give pedestrians a "refuge" spot. Traffic signs will also be installed indicating that motorists must stop for pedestrians, although a traffic light is not warranted.
- 4) Kaiolena Drive Parking Issues – This item will be covered later in the meeting, when the motion comes up.
- 5) Next TPW Meeting (Third Thursday) – The next TPW meeting will be held on July 17, 2008, from 7:00 p.m. to 9:00 p.m., at the Kailua District Park multi-purpose room.

Questions, comments and concerns followed:

Bus Stops – It was suggested to add the issue of bus stops to the future TPW agenda item listing.

ELECTED OFFICIALS:

U.S. Congresswoman Mazie Hirono (Quarterly) – Joshua Wisch communicated the following information:

- 1) Travels – U.S. Congresswoman Hirono just returned from Iraq and Afghanistan, where she met with a number of troops and spoke with the general.

- 2) House Education and Labor (HEL) Committee – Approximately 775 bills were referred to the HEL committee, and only 25 bills made it out of the committee. The Pre-Kindergarten Act of 2007 was one bill that passed out of the HEL committee, which is a different type of legislation relating to preschool.
- 3) Resources for Hawaii – U.S. Congresswoman Hirono requested and received \$3.64 million in funding for Hawaii relating to energy items, flooding, and the endangered monk seal.

Questions, comments and concerns followed:

Attention to this Area of the Island – U.S. Congresswoman Hirono was here previously to give a briefing and she plans to attend the Kailua Fourth of July Parade. She has been trying to increase her presence on the island; however there are 16 to 18 Boards that comprise her district, so she is working to get staff representation at these Board meetings. U.S. Legislative sessions are now five days per week, and yet she tries to come back to Hawaii on the weekends whenever possible.

Governor Linda Lingle's Representative – Dr. Morgan Barrett circulated Gov. Lingle's NB Update and relayed the following information:

- 1) Veto List – Gov. Lingle submitted to the legislature a list of 52 bills that she is considering for potential vetoes (available on website www.hawaii.gov/gov). The deadline to veto bills is July 8, 2008. This year the legislature passed 294 bills; as of June 30, 2008, Gov. Lingle has signed or allowed to become law without her signature 200 bills (2/3 of the bills introduced). Approximately 3,000 bills are introduced every year.
- 2) NBs and the Sunshine Law – Gov. Lingle signed into law Act 153, which allows NB members to attend meetings and seminars, hear public comments not on an agenda, and receive testimony without a quorum present, without violating Sunshine laws (Hawaii Revised Statutes Chapter 92).

Questions, comments and concerns followed:

- 1) Federal Center for Disease Control (CDC) Contact – Bill Gallo is aware of the Windward Health Network and he will make his way over to meeting with them at Castle Medical Center.
- 2) Medical Waste Disposal – Dr. Barrett will follow up on the disposal process of medical waste.
- 3) Lack of Funding for State Hospitals – The economic downturn resulted in budget cuts for the State Department of Health (DOH), and the community hospitals already reported shortfalls of over \$60 million, so more budget cuts should be expected. Changes in the organization of the State hospitals made them more accountable locally; however, it became harder to get them funding. A task force has been assembled to look at the management of the State hospitals.
- 4) Women's Health Bill Vetoed – Dr. Barrett will follow up on why Gov. Lingle vetoed the Women's Health Bill. However, this veto has caused the denial of federal funding to help cover the costs of women's health. Although these grants became available 10 years ago, and other states have been receiving millions in funding, Hawaii has still failed to take advantage of the grants; Dr. Barrett will pass along the concern.
- 5) Stop Rail Petition – Dr. Barrett is unaware of the statement regarding Gov. Lingle's possible intention to sign the Stop Rail petition.
- 6) Kailua Beach Park Erosion – Kailua Beach Park is experiencing rapid erosion similar to Lanikai's depleted or disappeared beaches. Dr. Barrett noted that there are some mitigation procedures, and that the sand is pooling further down Kalaheo Drive on the Kaneohe side; he will pass along the concern.
- 7) Pipes on Bottom of Hillsides between Valleys – Residents reported pipes running along the bottom of hillsides between valleys, specifically on the Pali Highway before Auloa Road. Dr. Barrett will follow up to find out what these pipes are.

Senator Fred Hemmings – No representative present.

Senator Jill Tokuda [1] – Sen. Tokuda was not yet present at this time, but did report later in the meeting.

Representative Pono Chong – Rep. Chong was available for questions.

Questions, comments and concerns followed:

- 1) Constructive Action – Rep. Chong worked to get: (a) \$5.5 million to building Kailua High School access road (held up by a DTS study); (b) a new technology and science center for Kailua High School; and (c) more funding for area schools; and (d) \$250,000 for a DOH engineering study of runoff problems.
- 2) Emergency Shelter Sufficiency – The emergency shelter capacity at area schools needs to be examined. Some funding was provided to address some natural disaster issues; however, designated community shelters may not be fit to handle a disaster.

Representative Cynthia Thielen; Rep. Tommy Waters – Rep. Thielen's and Rep. Waters' reports were available.

Mayor Mufi Hannemann's Representative – Mayor Hannemann's representative Ann Chung distributed the Mayor's Newsletter, and offered the following responses to last month's questions:

- 1) Kailua Library Sidewalks – The sidewalk fronting the Kailua Library will be reconstructed by contract as part of the Rehabilitation of Streets, Unit 46 (Kailua Road / Kuulei Road from Hamakua Drive to Kainalu Drive) project administered by the City Department of Design and Construction (DDC). Status of when the contract work will begin should be addressed to the DDC.
- 2) Meeting Request with the City Department of Planning and Permitting (DPP) – Ms. Chung spoke with the Director of DPP, Henry Eng, who referred to the many meetings with Board representatives, and noted that much of the input given was included in DPP's recommendations.
- 3) Draft Revised Neighborhood Plan (RNP) – The Neighborhood Commission Office (NCO) has been working hard with the City's Corporation Counsel (COR) to finish their review of the draft RNP and hopes to have the document adopted and in effect in the next couple of months.
- 4) Missing Boy and His Vacation Rental – There was a request to know if the vacation rental where the missing boy was staying in August 2007 was legal or illegal. Maj. K. Simmons of the Kaneohe Police Station requested that DPP investigate the address for a zoning violation of the B&B and TVU laws; DPP will have an inspector check on the address.
- 5) Homelessness and Dogs – There were dog seizures at Leeward Oahu beach parks due to community complaints about attacks, cleanliness, etc. The dogs were taken to the Humane Society for adoption.
- 6) Kailua Beach Park Project – The original plan was to extend the existing sand dune to close off the gap through which sand was blown inland by the trade winds. Along with the new dune a new irrigation system was planned to support planting of Naupaka. However, construction of the dune extension was delayed because of other priorities and the availability of equipment or manpower. Staff from the City Department of Parks and Recreation (DPR) will rebuild the sand dune, install a sand fence to trap the blowing sand and a new irrigation system to support the planting of Naupaka to naturally stabilize the sand which eventually will form into a new dune. The installation of the sand fence is projected to begin by July 2008. Ms. Chung and the City were thanked for their efforts.
- 7) Kainui Drive Crosswalks – The DTS' crosswalk evaluation specified minimum traffic/pedestrian volume requirements that must be met for marked crosswalks to be justified, which were not met in the Kainui Drive situation. Therefore, DTS does not recommend the installation of marked crosswalks along Kainui Drive at Kainui Place and at Maluniu Avenue at this time. However, to address the community's speeding concern, the DTS is working on narrowing down the traveled way along Kainui Drive.
- 8) Hamakua Drive Speeding – DTS sent a letter to Council Chair Marshall indicating that the installation of a traffic signal at the intersection of Hamakua Drive and Aoloa Street is not warranted. However, they will issue a work order to install painted median islands ("refuge") and pedestrian crossing warning signs.
- 9) Iliaina Street Speed Bumps – DTS will respond to the request for speed bumps by the end of July 2008.

Questions, comments and concerns followed:

- 1) Meeting Request with DPP – The meetings between Mr. Eng and Board representatives did not include discussions of Council Bills 6, 7, 8 and 9, relating to Bed and Breakfasts (B&Bs) and Transient Vacation Units (TVUs); the meetings mainly discussed enforcement of current regulations.
- 2) Missing Boy and His Vacation Rental – HPD will not release their report on the vacation rental where the visiting boy went missing in August 2007 in order for DPP to determine its legality, citing issues of privacy. Mayor Hannemann's opinion on DPP assessment was requested.
- 3) Kainui Drive Crosswalks – Regarding DTS' denial of the need for marked crosswalks, it was pointed out that the study done may not have factored in the great deal of speeding there along with children crossing, when school's in session.
- 4) Mayor and Governor Emphasis on Transit – Mayor Hannemann often quotes Gov. Lingle's inaugural speech and her emphasis on transit.
- 5) Recycling Scandal – The recycling scandal in which a redemption company failed to give customers full value for their recyclables was referred to.
- 6) Curbside Recycling – The City Department of Environmental Services (ENV) will attend the August 7, 2008 Board meeting to give a presentation about the November start to curbside recycling in Kailua.
- 7) Real Property Tax Credits – Appreciation was expressed for two employees of the Property Tax Office for providing information, sensitivity and patience.
- 8) Kalaheo Drive Crosswalks – Concern was raised about the lack of crosswalks across Kalaheo Drive, since the area is a major beach crossing. It was suggested to consider placing a crosswalk in front of every beach access.
- 9) Chinatown Trellis Removal – The removal of the trellises in Chinatown resulted in the elderly having no place to sit, and scattered the homeless and criminals around the island. Apart from the social issues, the trellises had structural issues necessitating their removal. This action was also part of an effort to increase the security throughout the island; Honolulu was just named one of the safest cities in North America.

Senator Jill Tokuda [2] – Sen. Tokuda was allowed to present her report at this time, without objection, and highlighted the following items:

- 1) Using Beaches and Public Lands – Beginning August 1, 2008 the State Department of Land and Natural Resources (DLNR) will be enforcing rules regarding permits to use beaches/public lands for weddings, including a minimum fee of \$20 per permit, and other conditions may be imposed. Areas controlled by both the City and the State (such as Kailua Beach Park) will require permits from both. Fines for violations start at \$5,000 (for the first offense) and go up to \$20,000 (for the third offense). DLNR's Division of Conservation and Resources Enforcement (DOCARE) officers enforce these rules; call Sen. Tokuda's Office for more information on DOCARE and their reporting hotline.
- 2) Windward Town Hall Meeting – There will be a Windward Town Meeting on from 7:00 p.m. to 9:00 p.m. on August 6, 2008, at Windward Community College.

Questions, comments and concerns followed:

- 1) Wedding Permit Criteria – The application for a wedding permit on public lands requires the number of attendees, length of event, and ingress/egress information, among other items. Rules of the permit, including the prohibition of alcohol and the need to be responsible to the community, must be followed. The chairperson is the final arbiter, so the permit may be withheld or revoked, depending on conditions. A suggestion was made to ban all wedding parties in residential area due to the many complaints.
- 2) Kawai Nui Marsh Update – Phase 1 of the Environmental Assessment (EA) process has been completed, which the State wanted before accepting the Kawai Nui Marsh. Some concerns were raised, so the project is now going through the Environmental Impact Statement (EIS) process. A goal of the project is to transfer

the land permanently from the City to the State without jeopardizing federal funding. There was a request to view the EA; Sen. Tokuda will follow up.

- 3) Recycling Scandal – Sen. Tokuda is the Director of Community Relations for Reynold's Recycling, one of the companies fined for not giving consumers all they were entitled to receive for their recyclables. The fines against the company are from 2005 and 2006, and are for simple violations (such as taking in bottles with no HI-5 label, closing early); Reynold's is paying the fines and completing community service. Sen. Tokuda doesn't serve in a legislative capacity in her employment with Reynold's Recycling.
- 4) Permits for Religious Functions – Sen. Tokuda will follow up to see if a permit is required to hold church services or baptisms on public lands.

Council Chair Barbara Marshall – Andrew Malahoff distributed the report and explained the following points:

- 1) Property Tax Forms – The majority of property tax forms, such as the home, disabled, and elderly exemptions, and the tax credit (for those with a titleholder income of less than \$50,000), are due by September 2008.
- 2) Traffic Calming Requests – There is a bill pending to change the lengthy process of requesting traffic calming devices from DTS.

Questions, comments and concerns followed:

- 1) Stop Rail Petition – It's unclear if Council Chair Marshall signed the Stop Rail petition; however, she was against rail transit from the beginning.
- 2) Unimproved Sidewalks – HPD and Council Chair Marshall's Office gave contradictory statements regarding the prevention of illegal parking on unimproved sidewalks using barriers; this issue needs to be addressed.
- 3) Kailua Beach Park – Appreciation was expressed for Malahoff and Council Chair Marshall's Office for their help in finding solutions for Kailua Beach Park.

Chair Prentiss recognized Chris Lee and Quentin Kawanakoa, two candidates for the State legislature.

BOARD ACTIONS:

Public Health, Public Safety and Civil Defense Committee (PHPSCD) – **PHPSCD Chair Tomasa moved, on behalf of the PHPSCD, that the Kailua Neighborhood Board encourages residents in Kailua to participate in the Community Emergency Response Team Training conducted by the Department of Emergency Management.** Discussion ensued (during which Chair Prentiss turned the gavel over to Vice-Chair Chinen in order to offer debate):

- 1) Community Involvement – Tomasa wants to invite condominium and community associations to help involve the community. Lindgard agreed that the public should be more involved, especially due to the lack of communication between agencies (as evidenced by the last "emergency" – the power outage). Prentiss commented on his desire to involve Kailua residents in forming a Community Emergency Response Team (CERT), but supplied that he has yet to hear any opinions from the community about CERTs.
- 2) CERTs – Tomas noted that these CERTs can take the first steps in an emergency, while actual emergency services personnel can get to their first priorities. Glanstein shared that Mel Kaku, the Director of the City Department of Emergency Management (DEM), gave a presentation to the Neighborhood Commission (NC) recently; the NC supported the formation of CERTs unanimously. One of DEM's methods is to utilize NBs to get people and communities involved.
- 3) NB Function – Bryant-Hunter supported the motion's intent, but is worried that the Board may be going beyond its duty of advising on government issues. Prentiss stated his opinion that the motion is appropriate and that the Board should vote on it, to make it clear whether or not the Board supports CERTs.

- 4) Disposition of Motion – Corcoran indicated that from Executive Committee discussion, this issue should have been an announcement, not a motion. Ure noted that the motion may be a little premature, since coordinators are needed, and recommended bringing up the motion next month.
- 5) Amendment to Show Support for DEM – Glanstein felt that the motion should be amended to show support to DEM for encouraging residents to be proactive and create CERTs. Tomasa liked Glanstein's suggestion to adjust the motion's wording and determined that she could reword the motion and bring it up again next month. Best disagreed with a delay and proposed amending the motion to include Glanstein's comments. The basic issue raised was that NBs do not advise residents, they advise government agencies.

Tomasa moved, and Prentiss seconded, to amend the motion to read that the Kailua Neighborhood Board supports the City Department of Emergency Management in its effort to get all neighborhood boards throughout the island involved in the CERT training conducted by the City Department of Emergency Management; the amendment was ADOPTED UNANIMOUSLY 16-0-0 (Aye: Best, Bradshaw, Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Corcoran, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg, Wong).

Discussion continued:

CERT Coordinator – Glanstein suggested that Tomasa be coordinator of the Board action, and expressed her support of the motion. Tomasa thanked Glanstein for her help.

The motion, as amended, that the Kailua Neighborhood Board supports the City Department of Emergency Management in its effort to get all neighborhood boards throughout the island involved in the CERT training conducted by the City Department of Emergency Management, was ADOPTED UNANIMOUSLY 16-0-0 (Aye: Best, Bradshaw, Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Corcoran, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg, Wong).

Chair Prentiss reclaimed the gavel and continued to run the meeting.

Planning, Zoning and Environment Committee (PZE) –

Motion #1: PZE Chair Wong moved, on behalf of the PZE, that the Kailua Neighborhood Board opposes the zoning variance at 1336 Mokulua Drive to allow two (2) single-family dwellings on a single zoning lot, which lacks the required lot area because the applicant does not meet the three (3) criteria (Land Use Ordinance – LUO – Section 6-909 and 6-910) for a variance – (1) The applicant would be deprived of the reasonable use of such land or building if it were used only for the purpose allowed in that zone; (2) The request of the applicant is due to unique circumstances and not the general conditions in the neighborhoods; and (3) the use sought to be authorized by the variance will not alter the essential character of the locality nor be contrary to the intent and purpose of the zoning ordinance. Discussion ensued:

- 1) Background – Peter and Phillip Binney provided background information on their variance request. There are two families that live in the two houses at 1336 Mokulua Drive; however, the houses are in disrepair and at least one of them needs to be completely rebuilt. The first house was built in the 1930's and the second house in the 1980's. The revetment was installed in the 1990's.
- 2) Reason for Variance – When there was an erosion problem a while back, the City installed the seawall, and the property owners allowed it to be set back on their property; therefore, when the City designated the new boundary lines, the property area decreased to less than 20,000 square feet (which is the required area to have two houses). Enos verified with the Binneys that they can provide documentation showing the original property area to be at least 20,000 square feet. Glanstein confirmed with the Binneys they won't be able to live there and must sell the property if they can't have the two homes. It was expressed that the Binneys have unique circumstances and hardship since the City arbitrarily chose the boundary line on the property, decreasing the area to just below the requirement for two houses.
- 3) Intent of Variance – The intent of the variance is not to upgrade in order to rent or sell the property, but to allow the families to stay and raise their children. The variance is needed since at least one of the houses needs to be rebuilt. The variance application was submitted four to six weeks ago, and the Binneys were unaware that Board notification would happen so fast, so they apologized for not coming to the Board with the issue sooner.

- 4) Final Authority – Lindgard noted that the Board is not the final authority on a variance request (it's the City). Weinberg added that the Binneys should have provided more information earlier and suggested making a stronger case supporting their variance request for the final authority in the land planning process.
- 5) Setting a Precedent – Lindgard cautioned the Board about possibly setting a precedent if they vote to approve this variance request. There was a previous variance request in Lanikai with a similar situation of two houses on one property; however, Corcoran didn't recall this Board approving that variance.
- 6) Disposition of Motion – Wong disclosed that the criteria listed in the motion are the City's criteria for a variance, and recommended withdrawing the motion until further information is received.

The motion that the Kailua Neighborhood Board opposes the zoning variance at 1336 Mokulua Drive to allow two (2) single-family dwellings on a single zoning lot, which lacks the required lot area because the applicant does not meet the three (3) criteria (Land Use Ordinance – LUO – Section 6-909 and 6-910) for a variance – (1) The applicant would be deprived of the reasonable use of such land or building if it were used only for the purpose allowed in that zone; (2) The request of the applicant is due to unique circumstances and not the general conditions in the neighborhoods; and (3) the use sought to be authorized by the variance will not alter the essential character of the locality nor be contrary to the intent and purpose of the zoning ordinance; was WITHDRAWN by UNANIMOUS CONSENT (16-0-0) (Aye: Best, Bradshaw, Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Corcoran, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg, Wong).

Motion #2: PZE Chair Wong moved, on behalf of the PZE, that the Kailua Neighborhood Board opposes Hawaiian Memorial Park Expansion in Kaneohe because it is not consistent with the Ko'olaupoko Sustainable Communities Plan, requires conversion of conservation land to urban use and for other reasons. Wong circulated handouts detailing the reasons for opposition and including maps. Discussion ensued:

- 1) Consistency with Ko'olaupoko Sustainable Communities Plan (KSCP) – Bryant-Hunter showed her strong support for the motion to oppose Hawaiian Memorial Park (HMP) expansion since the project is not consistent with the KSCP. The communities in the area go to great lengths to be consistent with the KSCP.
- 2) Kaneohe NB No. 30's Position – Glanstein expressed her support of the motion but she and Corcoran wanted to know if the Kaneohe NB No. 30 took a position on the issue. A member of the Kaneohe Board's special committee to study this issue was present at the meeting and answered that the Board has not yet taken a position, but the committee plans to give a recommendation on the draft EIS. Ure pointed out that the Kaneohe Board did adopt a motion to set conditions to provide for rockslides, pollution, desecration of archaeological sites, etc., until the draft EIS is published. The next meeting of the Kaneohe committee is on Friday, July 11, 2008, from 7:00 p.m. to 9:00 p.m., at the Castle High School Cafeteria.
- 3) Setting a Precedent – A precedent could be set for the windward side if the expansion is approved.
- 4) Expansion Impacts – HMP stated that there would be no visual or environmental impact from the proposed expansion; however, their plans include the deforestation of a hillside and possible desecration of a heiau. The area is rich in natural resources and the ecosystem needs protection.
- 5) Legislative Support – The legislators present at the meeting vowed support of the motion.

The motion that the Kailua Neighborhood Board opposes Hawaiian Memorial Park Expansion in Kaneohe because it is not consistent with the Ko'olaupoko Sustainable Communities Plan, requires conversion of conservation land to urban use and for other reasons was ADOPTED UNANIMOUSLY 16-0-0 (Aye: Best, Bradshaw, Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Corcoran, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg, Wong).

Motion #3: PZE Chair Wong moved, on behalf of the PZE, that the Kailua Neighborhood Board requests that HUD (Federal Housing and Urban Development), the State and/or City purchase the very viable and historic Kailuan apartment building at 409 Kailua Road (TMK 2001035) in Kailua for affordable housing. Discussion ensued:

Concerns – Wong specified that there are concerns that the Kaneohe Ranch may tear down the Kailuan building. Also, there is currently a lack of affordable housing, and this building could provide some affordable housing to residents or workers in Kailua.

The motion that the Kailua Neighborhood Board requests that HUD (Federal Housing and Urban Development), the State and/or City purchase the very viable and historic Kailuan apartment building at 409 Kailua Road (TMK 2001035) in Kailua for affordable housing was ADOPTED 14-1-1 (Aye: Best, Bradshaw, Bratt, Brooks, Brown, Bryant-Hunter, Chinen, Corcoran, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Wong; No: Weinberg; Abstain: Enos).

Bryant-Hunter departed from the meeting at 9:33 p.m.; **15 members present.**

Government and Community Services Committee (GCS) – **PZE Chair Chinen moved, on behalf of the GCS, that the Kailua Neighborhood Board appoints Jason Bradshaw as the Board's Legislative Liaison.** Discussion ensued:

Duties of a Legislative Liaison – Glanstein explained the duties of a Legislative Liaison, which includes studying items germane to the community and bringing them up to the area legislators. Glanstein previously served in this position and supported Bradshaw as the next liaison.

Wong departed from the meeting at 9:34 p.m.; **14 members present.**

The motion that the Kailua Neighborhood Board appoints Jason Bradshaw as the Board's Legislative Liaison was ADOPTED UNANIMOUSLY 14-0-0 (Aye: Best, Bradshaw, Bratt, Brooks, Brown, Chinen, Corcoran, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg).

Executive Committee – **Chair Prentiss moved, on behalf of the Executive Committee, that the Kailua Neighborhood Board authorizes the renewal of Board P. O. Box 487 for one year, which was ADOPTED by UNANIMOUS CONSENT (14-0-0) (Aye: Best, Bradshaw, Bratt, Brooks, Brown, Chinen, Corcoran, Enos, Glanstein, Lindgard, Prentiss, Tomasa, Ure, Weinberg).**

Non-Committee Motions –

Motion #1: **Best moved, and Bratt seconded, that the Kailua Neighborhood Board requests the City and County of Honolulu Department of Transportation Services (DTS) to repair defaced signs and add no parking signs along Kaiolena Drive that can be read from either direction.** Discussion ensued:

- 1) Support – Best stressed that all NB members take an oath to support the law and the laws state that it's illegal to park on unimproved sidewalks unless there is adequate pedestrian access. Corcoran supported the motion. Bratt noted his support of the motion, notwithstanding his opposition to No Parking signs.
- 2) Opposition – Weinberg expressed concern that the adoption of this motion could make it more difficult for people to visit residents of and beaches in Lanikai; he opposed the motion. Lindgard opposed the motion in its current form.
- 3) Origination – Best related that the issue came to the Board through TPW, in the form of correspondence from Lanikai residents explaining that they couldn't leave their driveways, and explaining that it's really a health, safety and welfare issue. Best and Bratt added that medical supplies (such as oxygen) have had to be wheeled in from two blocks away since emergency vehicles couldn't reach a residence. Best noted that signs in the area are confusing, contradictory, and face in only one direction. Ure pointed out that the issue is really the lack of emergency vehicle access to residents on Kaiolena Drive.
- 4) Effect – Best clarified that the effect of adopting the motion would be to replace the current signs and add signs so that they face in both directions, but not to change the signage itself or to disallow more parking.

The motion that the Kailua Neighborhood Board requests the City and County of Honolulu Department of Transportation Services (DTS) to repair defaced signs and add no parking signs along Kaiolena Drive that can be read from either direction was ADOPTED 11-3-0 (Aye: Best, Bradshaw, Bratt, Brown, Chinen, Corcoran, Enos, Glanstein, Prentiss, Tomasa, Ure; No: Brooks, Lindgard, Weinberg).

Motion #2: Best moved, and Bratt seconded, that the Kailua Neighborhood Board requests that existing "No Parking from 9 p.m. to 7 a.m." signs be replaced with "No Parking Any Time" signs at Kaiolena Drive.
Discussion ensued:

- 1) Reason for Original Signs – Enos shared that the reason that the original No Parking signs listed the parking restriction as being from 9:00 p.m. to 7:00 a.m. is that individuals were loitering in the parks at night; at the time everyone supported the installation of those signs.
- 2) Opposition – Enos stated that she wasn't sure if both sides of Kaiolena Drive should disallow parking completely; although the park there is private, she would like to leave some parking for those that would like to visit the park. Weinberg contributed that the spirit of the No Parking signs is unwelcoming and he is opposed to the motion. Brooks added that she disagrees with making it difficult for residents elsewhere to visit anyone in Lanikai, and doesn't want to give the idea that Lanikai doesn't want visitors.
- 3) Support – Enos recounted that she moved her own front wall back to allow more street parking in front of her house, but does understand wanting people to respect parking laws and residential communities.
- 4) Current Parking Laws – Best cited the current parking laws, which already prohibit parking completely (regardless of time) on those types of unimproved sidewalks, unless there is adequate pedestrian access; therefore, parking is actually already prohibited along Kaiolena Drive. She added that if any cars are allowed to park there, then all cars will have to be allowed, such as limousines or other small commercial vehicles. Chair Prentiss noted that the current signs are misleading, indicating parking is allowed during certain times, which isn't true.
- 5) People Don't Follow Signs – A resident who lives at the entrance to Kailua Beach Park supplied that there are over 15 signs within 100 feet of his mailbox and people still fail to follow the rules listed on them.
- 6) Intent of Motion – Chair Prentiss reminded everyone that the motion only refers to a small portion of Lanikai (Kaiolena Drive), with only two signs to be changed/replaced. A resident suggested that Best raised this issue because people park in front of her father's house.

Best raised a point of order that debate was getting personal (and referring to her motives), when the issue was raised because of correspondence from Lanikai residents. Chair Prentiss acknowledged the point of order and proceeded to take the vote on the motion.

The motion that the Kailua Neighborhood Board requests that existing "No Parking from 9 p.m. to 7 a.m." signs be replaced with "No Parking Any Time" signs at Kaiolena Drive was NOT adopted 6-6-2 (Aye: Best, Bratt, Brown, Chinen, Corcoran, Prentiss; No: Bradshaw, Brooks, Enos, Glanstein, Ure, Weinberg; Abstain: Lindgard, Tomasa).

COMMITTEE REPORTS:

Civilian-Military Council (CMC) – CMC Chair Corcoran reported that MCBH received an award last month for their efficient environmental programs on base; he encouraged everyone to read their current newsletter.

Bradshaw departed from the meeting at 10:00 p.m.; **13 members present.**

Neighborhood Assistant (NA) Glanstein departed from the meeting at 10:00 p.m. Secretary Ure took the remainder of the minutes.

Brown, Enos, Lindgard and Weinberg departed at 10:01 p.m.; **nine (9) members present – the quorum required for the Board to take action (10 members) was then lost.**

Permitted Interaction (PI) Groups – No updates.

Government and Community Services Committee (GCS) – GCS member Glanstein provided the following updates on agenda items nos. 4 and 5:

- 1) Neighborhood Plan MMVII – The draft Revised Neighborhood Plan (RNP) is being reviewed by the City's Corporation Counsel and there are several questions regarding those reviews.

- 2) Neighborhood Commission (NC) Report – At the June 30, 2008 NC meeting, the original budget request for the next fiscal year was \$444,065 and that the actual appropriation was \$337,878. The following budget cuts were made: (a) office supplies \$412,000; (b) postage \$25,000; (c) advertising \$6,000; (d) printing and binding \$18,300; and (e) other cuts were an additional \$21,500. The purpose of the budget cuts was to force implementation of online elections. Further, the NCO branch at Kapolei Hale has been closed and all NCO operations are now located at Honolulu Hale.

Executive Committee – A number of items were addressed earlier in the meeting.

Treasurer's Report: Treasurer Glanstein reported that the June 2008 to June 2009 original budget request for the next fiscal year was \$444,065 and that the actual appropriation was \$337,878. The following budget cuts were made: (a) office supplies \$412,000; (b) postage \$25,000; (c) advertising \$6,000; (d) printing and binding \$18,300; and (e) other cuts were an additional \$21,500. The purpose of the budget cuts was to force implementation of online elections.

Public Health, Public Safety and Civil Defense Committee (PHPSCD) – PHPSCD Chair Tomasa relayed the following information:

- 1) PHPSCD Current Efforts for Law Enforcement – PHPSCD work continues on exploratory efforts to enhance law enforcement in HPD District 4. The State of Hawaii Organization of Police Officers will be contacted by PHPSCD for factors they can address.
- 2) PHPSCD Vice-Chair – Michele Brooks was appointed PHPSCD Vice-Chair.
- 3) CERT Coordinator – Tomasa accepted the position of Kailua NB Coordinator for the DEM CERT program.

Sustainability and Environment Committee (SE) – This committee is currently recessed; issues are directed to the PZE committee.

Parks and Recreation Committee (PR) – PR Chair Ure conveyed these updates on agenda items nos. 1, and 3:

- 1) Single Concession at Kailua Beach Park – The issue of considering the pros and cons of a single concession at Kailua Beach Park will remain on the committee agenda for further discussion as the businesses in Kailua have not yet joined the discussion.
- 2) Budget – Improvement, Repairs, Maintenance –
 - a) Kailua District Park Tennis Courts: The tennis court nets at Kailua District Park are in disrepair (dragging on the ground) and need replacement.
 - b) Kailua District Park Swimming Pool: Repair of the pool is ongoing.
 - c) Play Equipment for Replacement or Repairs: Replacement or repair of play equipment at various parks was included in the budget.
- 3) Enforcement of Park Rules – There was continued discussion on the issue of lack of enforcement of park rules concerning commercial activities by DPR, HPD and DLNR/DOCARE; PR Chair Ure is willing to contact other NBs that are impacted by enforcements issues as relates to Beach Parks under the jurisdiction of the City or the State to proactively define possible solutions.

Planning, Zoning and Environment Committee (PZE) – PZE Chair Wong gave information on the agenda items nos. 1 and 2:

- 1) Waimanalo Gulch Landfill Leeward Draft Environmental Impact Statement (EIS) – Corcoran reported that the Waimanalo Gulch Landfill Leeward Expansion will be monitored by the committee.
- 2) Burial Discoveries in Kailua – Burial discoveries in Kailua are a concern and will be further studied by PZE.

ANNOUNCEMENTS: None.

ADJOURNMENT: The meeting adjourned at 10:15 p.m.

Submitted by:

Rachel M. Glanstein, Neighborhood Assistant

and

Linda Ure, Board Secretary

Reviewed by:

Linda Ure, Board Secretary