



KAILUA NEIGHBORHOOD BOARD NO. 31

P.O. BOX 487 • KAILUA, HAWAII 96734
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

DRAFT REGULAR MEETING MINUTES THURSDAY, OCTOBER 2, 2008 KAILUA RECREATION CENTER

CALL TO ORDER: Chair Charles Prentiss called the meeting to order at 7:16 p.m., with a quorum of **14 members present**. He apologized for the delay; the Board was notified late that they would have to meet outside in the pavilion due to continued electrical work affecting the District Park meeting rooms. Chair Prentiss noted the death of longtime Kalihi Valley Neighborhood Board No. 16 Chair and member, Bill Woods. Note – This 19-member Board requires 10 members for a quorum and to take action.

MEMBERS PRESENT: Larry Bartley (appointed at this meeting), Kalana Best, Richard Bratt, Jon Chinen, Shawn Christensen (appointed at this meeting), Jim Corcoran, Michael Correa, Virginia Enos, Debbi Glanstein, Knud Lindgard, Christian Porter, Charles Prentiss, Claudine Tomasa, Ronald Weinberg (departed at 9:50 p.m.), Donna Wong, Linda Ure.

MEMBERS ABSENT: Michele Brooks, Kathy Bryant-Hunter, Joe Harding.

VACANCIES: There were two (2) vacancies on this Board, and both were filled at this meeting.

GUESTS: Capt. H. Ogata (Honolulu Fire Department); Lt. D. Eber, Officer Zane Hamrick (Honolulu Police Department); Sgt. Duane Samson (Honolulu Police Department – Community Policing); Maj. A. Crouch (Marine Corps Base Hawaii – Public Affairs Office); Molly Hassenfratz (Go Rail Go); Dennis Callan, Nancy Nagamine, Leona Pereza (Stop Rail Now); Josh Wisch (U.S. Congresswoman Mazie Hirono's Office); Senator Jill Tokuda; Representative Pono Chong; John Foster (Representative Cynthia Thielen's Office); Ann Chung (Mayor Mufi Hannemann's Office – City Office of Economic Development, Director); Maria T. Gorak (Homeless Animals); Crystale Lopez (Hawaii Pacific University); Sharon Geary (Lani-Kailua Outdoor Circle); Rev. Ricky B., Kathleen Franey, Mark Franey, Joe Gilman, Shirley Hasenyager, Chris Lee, Bill Morris, Jane Morris, Jean Stromberg Reiziss, Stann Reiziss, Ursula Retherford, Mike Sober, Tracie Sober, Bill Towey, Max Towey, Anne Towey-Joyer, Corinne Waterhouse, Robert Webster; Rachel M. Glanstein (Neighborhood Commission Office).

APPROVAL OF MINUTES:

July 3, 2008 Regular Meeting Minutes – The September 9, 2008 regular meeting minutes were APPROVED AS CORRECTED 13-0-1 (Aye: Best, Bratt, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Weinberg, Ure; Abstain: Wong), with the following corrections:

- * Page 2 – Agency Reports – Marine Corps... – item nos. 1, 2 and 4 – strike out the three instances of "~~Battalion~~" and insert "Battalion".
- * Page 6 – Presentations – State Department ...Lead Pellets... – Questions... – item no. 1 – first line – strike out "~~Dr. Brooks~~" and insert "Fenix Grange".

BOARD VACANCIES AND ELECTIONS: Chair Prentiss explained the nomination and election process.

Subdistrict 2 Vacancy (Enchanted Lake, Keolu Hills) – Porter nominated Shawn Christensen to fill the vacancy in Subdistrict 2; Porter imparted that Mr. Christensen's areas of interest included transportation, park improvements, technological issues and alternative energy sources. Mr. Christensen introduced himself briefly.

Questions, comments and concerns followed:

- 1) **Bed and Breakfasts (B&B) and Transient Vacation Units (TVU) –** Mr. Christensen supports the Board's position on B&Bs and TVUs, that the illegal operations should be dealt with and no new operations should be made legal. He is opposed to the proposed expansion of the ordinances related to B&Bs and TVUs.



- 2) Neighborhood Board (NB) System – Mr. Christensen expressed that the NB system gives people a voice and a vote, and other elected people are often too busy to listen to their constituents. He understands that government and working through the NB system takes time.
- 3) Residence Area – Mr. Christensen lives in the Enchanted Lake area.
- 4) Committee Interests – Mr. Christensen expressed interest in the Transportation and Public Works Committee (TPW), especially with the question of rail, and the Parks and Recreation Committee (PR).
- 5) Kailua Beach Park (KBP) and Erosion – Mr. Christensen noted the large erosion problem at KBP, and worldwide, and relayed that so far the solution to erosion seems to be sand replenishment/replacement, which is expensive and may only be a short term fix; he would like to see more solutions to erosion.

The motion to appoint Shawn Christensen to fill the vacancy in Subdistrict 2 was ADOPTED UNANIMOUSLY 14-0-0 (Aye: Best, Bratt, Chinen, Corcoran, Correa, Enos, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Weinberg, Wong, Ure).

Neighborhood Assistant (NA) Rachel M. Glanstein administered the Oath of Office to Christensen; **15 members present.**

Subdistrict 4 Vacancy (Coconut Grove, Aikahi, Kailua Town, Kalaheo Hills) – Porter nominated Larry Bartley to fill the vacancy in Subdistrict 4; Porter indicated that Mr. Bartley was the person who got him involved with the Board, in addition to being a very active community member. Mr. Bartley introduced himself briefly as a long-time Board member, and noted his interest in zoning matters.

Questions, comments and concerns followed:

- 1) Leadership – Mr. Bartley served in the past as Chair of the Board.
- 2) Attendance – Mr. Bartley had an exemplary attendance record in his past Board service.
- 3) Quality of Life Issue – Mr. Bartley expressed that the greatest quality of life issue affected by Board action is to the effort to keep Kailua residential and not just a tourist destination.
- 4) Bed and Breakfasts (B&B) and Transient Vacation Units (TVU) – Mr. Bartley is the Executive Director of Save Oahu's Neighborhoods (SON), which opposes any further legalization of B&Bs and TVUs. He is opposed to City Council Bill 6 Council Draft 1 (CD1) proposing to legalize B&Bs. Many condominium associations prohibit rentals of units for less than 30 days because short term tenants treat the property differently from long term tenants, which is another reason that owners of short term rentals usually pay higher property tax. Mr. Bartley continued to say that residential neighborhoods are and should be for the people who live and work in the area, not for tourists.

The motion to appoint Larry Bartley to fill the vacancy in Subdistrict 4 was ADOPTED UNANIMOUSLY 15-0-0 (Aye: Best, Bratt, Chinen, Christensen, Corcoran, Correa, Enos, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Weinberg, Wong, Ure).

NA Glanstein administered the Oath of Office to Bartley; **16 members present.**

AGENCY REPORTS:

Honolulu Fire Department (HFD) – Capt. H. Ogata provided the following information:

- 1) September 2008 Statistics – There were 7 structure, 2 wildland, 3 rubbish, and 2 vehicle fires; there were 82 medical emergencies, 10 search/rescues, and 28 miscellaneous calls.
- 2) Fire Safety Tip – Halloween – Select Halloween costumes that are flame-resistant, made of lightweight fabric, brightly colored, and clearly visible to motorists. Decorate costumes and bags with reflective tape and keep costumes short to prevent tripping. A natural mask of cosmetics is safer than a mask that may restrict breathing or obscure vision. Carry flashlights to light the way.

- 3) Fire Safety Tip – Hurricanes – The hurricane season extends through December, and HFD encourages every family to prepare themselves for the event of a hurricane. Prepare a survival kit and know the location of the nearest hurricane shelter. For more information, go to the City Department of Emergency Management's (DEM) website at www.honolulu.gov/ocda.

Honolulu Police Department (HPD) – Lt. D. Eber distributed the report, introduced previous Officers of the Year Officer Zane Hamrick and Sgt. Duane Samson, and highlighted the following information:

- 1) Annual Comparison January to September 2007 and 2008 – Out of the reported cases, there was no change in murder/manslaughter, there were decreases of 10% in rape, 24% in robbery, 5% in burglary, 27% in theft, 31% in theft from automobiles (UEMV), 51% in auto theft, and a sole increase of 15% in aggravated assault. Overall, there was a 26% decrease in crime from January to September 2008 as compared to 2007.
- 2) September 2008 Statistics – There were 3 aggravated assault, 21 simple assault, 13 burglary, 4 counterfeit/forgery, 3 drugs/narcotics, 9 driving under the influence, 9 fraud, 9 graffiti, 10 injured cared for/sick cared for, 1 ID theft, 9 motor vehicle theft, 17 lost property, 4 missing person, 3 missing person cancelled, 63 motor vehicle accident, 2 robbery, 9 runaway, 11 runaway cancelled (some were called in originally in a past month), 1 sex assault, 50 theft, 9 threatening, 44 UEMV, and 13 warrant arrest cases.
- 3) Community Policing – Sgt. Samson announced that all neighborhoods are being invited to get involved in Neighborhood Security Watches (NSW) and Citizen Patrols. Call him at 723-8874 for details.

Questions, comments and concerns followed:

- 1) Neighborhood Security Watches (NSW) – Enos's neighborhood tried previously to form a NSW, and she talked about the painful process; her NSW never received the signs they requested. The process now is more streamlined, and Sgt. Samson will follow up with Enos. For more information on area NSWs, contact Sgt. Samson by email at dsamson@honolulu.gov.
- 2) Pedestrian-Related Tickets – Due to the high pedestrian fatalities, in Kailua and Waimanalo HPD has been issuing approximately 20 jaywalking tickets per year to pedestrians, along with citations given to unsafe drivers (failing to yield, etc.). The traffic code indicates that in residential areas, pedestrians may cross at intersections, and these crossings are considered to be implied crosswalks. A pedestrian ticketed for jaywalking by Kalapawai Market complained that there was no close crosswalk and was told that there was an implied crosswalk close by at the nearest intersection. In business areas, pedestrians must cross at a marked crosswalk if there is one within 200 feet. At the August 2008 Board meeting, it was stated that there was a great deal of speeding by Kalapawai Market all the way to Buzz's, and so officers monitored the area for both speeding and pedestrian-related offenses.
- 3) Vehicles Blocking Crosswalks – Delivery trucks often disregard crosswalks by parking in or blocking them, and tickets never seem to be issued to these trucks. In addition, people block crosswalks to use the ATM machines (at Bank of Hawaii). It's very difficult to see pedestrians in crosswalks if large vehicles are blocking the line of sight, and the example of Uluniu Street was given. These vehicles need to be ticketed.
- 4) Painted Crosswalk by Kalapawai Market – The issue of needing to paint a crosswalk in front of the wheelchair ramp by Kalapawai Market was brought up over a year ago; **Chair Prentiss referred the issue of lack of a crosswalk in front of the wheelchair ramp by Kalapawai Market to TPW.**
- 5) Speed Limit by Buzz's – It was suggested to lower the speed limit to 15 miles per hour (mph) by Buzz's.
- 6) Good Traffic Direction on Keolu Drive – The HPD officers directing traffic on Keolu Drive are appreciated.
- 7) Pedestrian Warning Signs – On Hamakua Drive (near Aoloa Street), the new yellow pedestrian warning signs have been very successful in encourage vehicles to stop for pedestrians waiting to cross.
- 8) Crime Decrease – HPD was congratulated for the substantial decrease in crime statistics.

Marine Corps Base Hawaii (MCBH) – Maj. A. Crouch relayed the following information:

- 1) Soldiers Returned – Hawaii Marines and Sailors have returned from Iraq; members of the U.S. Navy helicopter squadron HSL-37 returned on Tuesday, September 23, from a six-month deployment.
- 2) Memorial Service – A memorial service was held last month for Marines of "2/3" killed in Iraq.
- 3) Water Conservation – MCBH and the Board of Water Supply (BWS) have a partnership to conserve water, and are using modern technology to locate leaks in water distribution pipes.
- 4) "Lethal Breeze" Exercise – MCBH's largest annual anti-terrorism and force protection exercise, "Lethal Breeze" finished last Thursday, September 25, 2008, with large-scale response to simulated major emergencies. This was the fifth consecutive year of the exercise and involved coordination with HPD's Special Weapons and Tactics team, the Federal Fire Department, among other agencies.
- 5) Unit Mission – The mission of the Marine Aviation Logistics Squadron (MALS) 24 is to provide intermediate level maintenance and supply support to the 11 operational and training squadrons based at MCBH Kaneohe Bay and to provide a pool of qualified Marines and Sailors to augment other MALS and Aviation Intermediate Maintenance Departments during deployments and under wartime scenarios.
- 6) Hispanic American Awareness Month – October is Hispanic American Awareness Month.
- 7) U.S. Navy's Birthday – October 15, 2008 is the U.S. Navy's 233rd birthday. The U.S. Marine Corps' birthday is next month on November 10.
- 8) Halloween – MCBH encourages all to have a Happy Halloween and to be safe while celebrating.
- 9) New Commanding Officer – The new commanding officer on MCBH is Colonel Robert Rice, who took command at the end of August 2008.
- 10) Financial Impact of Military on Hawaii – On October 18, 2008, the financial impact of the military on Hawaii will be discussed on Hawaii Public Radio.

Questions, comments and concerns followed:

The MCBH uses 1.8 million gallons per day (mgd) from the BWS and reuse/recycle approximately 300,000 gallons per day for the golf course.

Board of Water Supply (BWS) – Chair Prentiss reported the following information from the BWS:

Main Breaks – There were two water main breaks on September 16, 2008: (a) a 12-inch main installed in 1944 broke at 830 Auloa Road; and (b) an eight-inch main installed in 1963 broke at the intersection of Maleko and Puualoha Streets.

COMMUNITY ISSUES AND ANNOUNCEMENTS:

Hawaii Pacific University (HPU) – Crystale Lopez shared the following information:

- 1) Hawaii Loa Campus Expansion Planning – Within the next year, HPU and the engineers, planners and architects of Group 70 will analyze HPU's planned academic and facilities requirements for the Hawaii Loa Campus to determine how HPU's needs match up against the proposed \$70 million budget.
- 2) Sewer Connection Project – The expansion includes a \$2.5 million sewer connection project, which must be complete before any expansion begins. HPU worked with City and State agencies since 2004 and hopes to begin construction in early 2009, and complete the sewer connection by mid-2009. The project will be accomplished primarily through underground directional drilling, thereby minimizing the impact on the public and the traffic on Kamehameha Highway and the H-3 Freeway. The project will allow HPU to abandon its on-campus wastewater treatment plan, and improve and expand the on-campus facilities.
- 3) Updates and More Information – Ms. Lopez will continue to bring periodic updates to the Board meetings. As plans develop in more detail, full involvement with the Kaneohe and Kailua communities, as well as

other public and private constituencies, will take place. For more information, call Rick Stepian, HPU Vice President of Administration at 544-0205.

Questions, comments and concerns followed:

- 1) HPU Scholarships – Apply online for scholarships to HPU at www.hpu.edu/scholarship.
- 2) Project Progress – Ms. Lopez was invited to attend the meetings of the Planning, Zoning and Environment Committee (PZE) on third Tuesdays to give in-depth updates on the proposed expansion.
- 3) Campus Location – It was pointed out that the HPU Hawaii Loa Campus is physically located in the Kaneohe NB No. 30 area, adjacent to the Kailua NB No. 31 area.

Aupupu Street Additional House – Robert Webster circulated handouts, and Mark Franey communicated the following information:

- 1) Background – The property at 1384 Aupupu Street was originally a single-family residence with one house. Upon purchasing this property, the new owner started a limited liability corporation (LCC) and then submitted a permit application to the City Department of Planning and Permitting (DPP) to build an additional house behind the pre-existing house and submit the property to a condominium property regime (CPR) to make it a multi-family residence.
- 2) Concerns – The 1300 block of Aupupu Street compiled their concerns over this new development. The property is approximately 200 feet deep, with a 60 foot incline, and rocks are constantly sliding down. Since the property is owned by an LLC, the responsibility and liability for rocks falling onto the homes below were questioned. There are flooding problems and drainage issues concerning the property. Although the development is legal, it doesn't fit in with and could change the character of the neighborhood.
- 3) Permits – The previous permit submitted called for a retaining wall in drainage ditch, which would have caused the neighbors homes to flood if it hadn't been caught by DPP, who then requested an amended permit application. A new permit application was submitted, but the residents are unable to get copies until the application has been approved. The new plan may even include moving a street light. However, once the permit is granted, the owner could start building immediately, leaving the neighbors no time to protest.

Questions, comments and concerns followed:

- 1) Planning, Zoning and Environment Committee (PZE) – **Chair Prentiss referred the issue of development at 1384 Aupupu Street to PZE**; the next meeting of PZE is on October 21, 2008, from 7:00 to 9:00 p.m., and the presenters were invited to attend and give their comments to the committee, who will make a recommendation to the Board.
- 2) No Responses – No responses have been received from letters sent to the property owner.
- 3) Spreading Development – This CPR development is occurring in other parts of Coconut Grove as well.
- 4) Letter of Inquiry – PZE Chair Wong will write a letter to DPP asking about surveys and drainage, so that the committee can get more information on the matter.
- 5) Professional Assistance – It was suggested that the concerned residents consider hiring a civil or soil engineer to help with their case.

Bed and Breakfasts (B&B) – Anne Towey-Joyer expressed her concern about all of the illegal rentals on Kailua Road, and stressed that current zoning laws should be enforced. Her property tax seems to be always increasing, and she asserted that it's short-sighted of City Council to think of further legalizing B&Bs.

PRESENTATIONS:

Wedding Permits Rules Procedure – No representative present.

Coqui Frogs – The presentation will be ready in November 2008. The non-attributed handout regarding coqui frogs was referred to, and it was requested that any disseminated materials note their origin. Chair Prentiss asked that Enos review the handout on coqui frogs for the next meeting.

FORUM:

Go Rail Go (GRG) – Molly Hassenfratz conveyed the following information:

- 1) Her Background – Ms. Hassenfratz is a student and a volunteer with GRG. She lives in Kailua, uses public transportation, and supports rail. Ms. Hassenfratz came from Washington D.C. and praised their metro system for its ease and efficiency.
- 2) Focus Areas in Support of Rail – The reasons to support rail focus on four areas: (a) traffic congestion; (b) preservation of ohana; (c) environment; and (d) economy.
- 3) Traffic Congestion – Traffic congestion is one of the largest challenges facing Oahu. The rail project would help to reduce traffic congestion.
- 4) Preservation of Ohana – The younger generations are leaving Oahu, since most available and affordable housing is out on the west side and the traffic congestion is so bad. Rail gives the younger generations another option to the freeway traffic and means they can stay here on Oahu.
- 5) Environment – Rail will help the environment by removing 45,000 cars from the roadways, and thereby reducing pollution and the need for foreign oil. In addition, alternative sources of energy are being looked at to run the rail (solar, wind, etc.).
- 6) Economy – The rail project will bring over 11,000 jobs to Oahu.
- 7) Rail Option – Students and young professionals need a rail option in addition to personal vehicles or the bus system alone; an alternative system is needed, especially given the fact that the bus system cannot be expanded at this time. The rail will move approximately 95,000 people per day.
- 8) Financing – The federal government has \$900 million set aside for this rail project; however, the funds may be lost if the project doesn't have support again. Furthermore, plans for a rail project get more expensive every time and if not done this time, the plan will be much costlier next time it's considered.
- 9) Rail's Path – The project begins with the corridor from Kapolei to Ala Moana; it will be extended later to the University of Hawaii at Manoa and Waikiki.
- 10) Website – GRG's website is www.gorailgo.org.

Questions, comments and concerns followed regarding GRG's presentation:

- 1) Ms. Hassenfratz's Credentials – Ms. Hassenfratz is a volunteer with GRG, receives no money for her services, and will receive no benefits if the rail project is successful. She has lived here for 18 months, and resides near the Down to Earth store in Kailua; she may make this her permanent home.
- 2) Ridership – The estimated 95,000 rail riders per day would not all be coming from Ewa Beach.
- 3) Financing – The application to request federal funding for the rail project required that the City show that it can afford to build and operate the rail project, and the application was approved.
- 4) General Excise (GE) Tax Increase – Ms. Hassenfratz will follow up on the limitations on how the money collected from the GE tax increase may be used, and on the total amount collected so far by the State.
- 5) Alternative Energy Sources – Hawaii mainly uses oil and diesel for most needs, and worry was expressed over operating empty trains using oil. If wind farms were greatly effective, then they could power homes. Gasoline consumption for motorists has already decreased 15%. The electricity price has doubled in the past two years (from 12.5 to 25 cents per kilowatt hour) for large users of energy. The prices have caused

people to decrease their energy use and construction of a new power plant is being postponed. If rail is approved, then the power plant may have to be built sooner.

- 6) State History – Historically, Hawaii has had trouble building a stadium, and fixing sewers and potholes. It takes a great deal of time, effort and funds to build anything here.
- 7) Praise for Presenter – Ms. Hassenfratz was thanked for presenting to a "tough crowd" and congratulated for giving a professional presentation.

Stop Rail Now (SRN) – Dennis Callan distributed a brochure, and supplied the following information:

- 1) Charter Amendment Question No. 4 – Everyone was urged to vote "no" on charter amendment question no. 4 relating to the rail project.
- 2) Traffic Congestion – Congestion may worsen with the rail from 6% to 40% in the future. There's not enough space to add more lanes to current highways.
- 3) High Occupancy Toll Lanes (HOTlanes) – HOTlanes, which are extra lanes managed with a toll, can reduce traffic congestion levels by 60%. HOTlanes may only cost \$1 billion, instead of the possible \$6 billion price for the rail.
- 4) Financing – The \$900 million is not guaranteed, and nothing has been officially approved. With the downturn in the economy, it's possible that the federal funding may not be provided. Ultimately, the rail project may cost every household \$24,000.
- 5) Ridership – The current ridership of mass transit is 5%; the rail will increase the ridership to 7%. Some numbers indicate that 10,000 to 20,000 riders will be on the train at rush hour at best.
- 6) Political Considerations – SRN believes that the source of the rail project is the politicians and Mayor Mufi Hannemann, and so new politicians and a new mayor are needed.
- 7) Rail Ads – The City used taxpayer money to fund pro rail ads (said to be informational).
- 8) Board Support – The Board's support for SRN's position was requested.
- 9) Websites – SRN's websites are www.stoprailnow.com and www.honolulutraffic.com.

Questions, comments and concerns followed regarding SRN's presentation:

- 1) Ridership – The actual mass transit ridership is 5.9%; the increase of less than 2% with rail was questioned. It was explained that people take a while to use a new rail system and they like their cars. SRN questioned the estimate of 95,000 riders per day, and estimated that the riders will total 10,000 per hour at most, most likely 7,000 per hour, with only 14,000 total in the morning rush hour.
- 2) HOTlanes – Buses would also be allowed to travel in the HOTlanes along with cars. The HOTlanes would stretch for 10 miles from the H-1 and H-2 Freeway merge to Iwilei, with a connector to Hotel Street. Buses that need to go further than downtown will use King and Beretania Streets. The information being used in this presentation is from a study done by Dr. Panos Prevedouros, a UH professor of transportation engineering, and not only by UH students in his class. The City has stated that HOTlanes will cost \$2.7 billion, not the \$1 billion projected by Prevedouros's study. HOTlanes have a higher capacity than rail.
- 3) Rail Journey – There may be 20 segments to a future daily journey on the rail, and there may be too many transfers (from a bus to the rail then back to a bus, etc.).
- 4) Mr. Callan's Credentials – Mr. Callan has been involved with NBs since their beginnings, and is in the transportation business. He leads tours in foreign countries and has ridden on 45 different mass transit systems; he supports rail in general, just not in Hawaii. Mr. Callan stated that there are special conditions that make him oppose rail in Hawaii, like the 10-times higher cost to build here than in Salt Lake City, Utah.

- 5) Charter Amendment Question No. 4 – The legal battle SRN was engaged in to get their rail question on the ballot is over, but the public will still get a chance to vote on the rail project by voting on the charter amendment question no. 4 ("yes" for rail and "no" to stop rail). Legally, a majority of "no" votes on question no. 4 won't stop the rail, but it will most likely kill the project politically.
- 6) Rail Project Costs – So far, \$100 million has been spent for studies and preliminary engineering. It was pointed out that property tax may have to increase up to 40% to pay any shortfall in funding. The City estimates the rail project to cost \$3.7 billion for the first portion, whereas SRN estimates the cost to be \$6 billion. Parsons Brinckerhoff America, consultants for the rail project in Hawaii, was involved with the Big Dig in Boston which far overran cost estimates. The City stated that the increase in GE tax will cover the cost of building the rail, but Mayor Hannemann originally suggested collecting 1%. Mayor Hannemann wants to get the rail project started, since once a project is started, it's rarely abandoned.
- 7) General Excise (GE) Tax Increase – The legislature can change the law providing for the GE tax increase collection during the next session.
- 8) Energy Efficiency – Cars may be more energy efficient than rail systems.

Questions, comments and concerns regarding both presentations followed:

- 1) Mr. Callan's Disposition – Disappointment was expressed in the sarcasm shown by Mr. Callan, and a resident noted that he may cause people to support rail with his attitude.
- 2) Elevated Rail in Other Cities – A resident who grew up in the South Bronx in New York lived next to an elevated train, and it was very loud; in his experience the elevated trains attracted graffiti and crime. New York City has removed all of their elevated trains. The resident also lived in Charlotte, South Carolina, and the light rail system there was successful because the city is a central crossroads with train tracks and infrastructure already present; an example was given where Charlotte had no gasoline for an entire week, and yet rail ridership only increased to 13,000 people out of a total city population of 1.5 million. Another resident put forth that Hawaii is very small and therefore can't be compared to other cities.
- 3) Rail Development – Construction of the rail will worsen traffic for years; many came to Hawaii to escape from that kind of development. Many see the proposed rail as a cute train, but it may be enormous, and will most likely have 20 stops to its journey. The rail system may disrupt 200 businesses and residential areas.
- 4) Public Meetings – A resident attended the public meetings the City held on rail, and remarked that the representatives there didn't listen to all of those who spoke out against rail.
- 5) HOTlanes – In the Alternatives Analysis done by the City regarding transportation solutions, the information about HOTlanes was taken from the rough draft of Prevedouros's study, and so the study was inaccurate when it indicated that HOTlanes wouldn't work on Oahu.
- 6) Rail Costs – A resident objected to the money needed to have a rail system, and to the possible negative impacts on the environment. Another resident wanted to petition to get rebates from the GE tax increase.
- 7) Board Position – The Board was again asked to take a vote to oppose rail. It was explained that the purpose of these presentations was to allow the community to hear and comment on the information, and no action is taken during an education forum. The Board's previous position is to support Managed Lanes. Any further position of the Board would be discussed and recommended by one of the standing committees of the Board at a subsequent meeting.

ELECTED OFFICIALS:

U.S. Congresswoman Mazie Hirono (Quarterly) – Josh Wisch furnished the following information:

- 1) Economic Rescue Bill – Congresswoman Hirono has not yet decided how she'll vote on U.S. Senate Bill 1424, also known as the Economic Rescue bill. She studied the U.S. Senate package, noting the new provisions related to tax relief, renewable energy incentives, and an increase in the Federal Deposit Insurance Corporation (FDIC) insurance for individual bank accounts (from \$100,000 to \$250,000).

Congresswoman Hirono voted against the initial U.S. House bill because she felt it didn't go far enough to protect taxpayers and assist homeowners on the verge of foreclosure.

- 2) Stimulus Package – Congresswoman Hirono voted last week to support a stimulus package; if approved by the U.S. Senate and signed into law, the package includes \$221 million for local projects and programs. Of that money, \$137,904,876 will be used to repair highways, fund transit systems, and keep Hawaii's water clean. The package also provides for \$3 billion, nationwide, to repair crumbling schools, as well as to provide students with first class technology.
- 3) Return to Hawaii – Congresswoman Hirono hopes to be back in Hawaii for most of October 2008.

Questions, comments and concerns followed:

- 1) Alternate Contact Information – Recently, email sent to Congresswoman Hirono were bounced back and her office phone numbers were busy. Sometimes the system can crash with a large volume of calls. Mr. Wisch may always be contacted at joshua.wisch@mail.house.gov or 294-4679 (cell phone).
- 2) Post Office Materials – Commercial enterprises have been leaving flyers in the Kailua Post Office; Mr. Wisch will follow up to see if this is permissible.
- 3) Nuclear Power – Mr. Wisch will follow up on Congresswoman Hirono's position on nuclear power, but speculated that she may be opposed to it.
- 4) Contact with District – Congresswoman Hirono has attended 25 community events in the past year and one-half, and will attend a Kaneohe event in October 2008. She does have a very large district, which includes other islands. Mr. Wisch may be contacted with any questions, comments or concerns.
- 5) Vote on Economic Rescue Bill – If the U.S. Senate feels they can get the bill adopted, then they will bring it to the floor; the vote will most likely be broadcast live on C-SPAN.

Governor Linda Lingle's Representative – Dr. Morgan Barrett circulated the report earlier in the meeting.

Senator Fred Hemmings – No representative present.

Senator Jill Tokuda – Sen. Tokuda distributed brochures about coqui frogs and emphasized the following items:

- 1) Coqui Frogs – The coqui frog brochures came from the State Department of Agriculture (DOA); DOA is taking the coqui frog issue very seriously. Contact Sen. Tokuda with any questions.
- 2) American Council on Education (ACE) Internships – Sen. Tokuda will send details on ACE internships.

Questions, comments and concerns followed:

- 1) Condominium Property Regimes (CPR) – The residents' concern brought up earlier about the CPR'd property on Aupupu Street was referred to, and it was noted that it wasn't the first time that the general concern over CPRs was brought to the Board. There are concerns about CPRs in single-family residence neighborhoods, given the impacts of noise, traffic, sewer capacity, etc. The impact on the community from CPRs needs to be investigated; Sen. Tokuda will follow up.
- 2) State Budget – Gov. Lingle announced a \$900 million budget deficit by 2011. There was a budget surplus last year, and now there is a deficit, causing about 20% of programs to be cut. Hope was expressed that schools will still receive their funding. Sen. Tokuda shares the Board's concerns about schools and will update the Board as she receives more information.
- 3) Coqui and Other Frogs – The Federal and State governments have declared that coqui frogs are now considered permanently established on the Big Island, even though residents there still have hope that they can be eliminated. There are no recorded complaints about greenhouse frogs. Call DOA at 973-9538 for more information.

Representative Pono Chong – Rep. Chong circulated his report and commented on the following item:

Maunawili Falls Trail – Rep. Chong spent the past six to eight weeks working with the Maunawili Estates Community Association on the problems of the Maunawili Falls Trail, including people disturbing the peace, graffiti, etc. Part of the trail is privately owned, and part is public owned; however, both sides agreed to close down the trail from 6:00 p.m. to 6:00 a.m., and HPD and property owners in the area were all notified. This evening closure of Maunawili Falls Trail has greatly reduced nighttime disturbances there.

Questions, comments and concerns followed:

- 1) Emergency Shelters – There was money appropriated in 2006 and 2007 for public school improvements related to emergency shelters; Rep. Chong will follow up on the availability of the funds.
- 2) Priorities – Speaker Calvin Say's letter to the editor indicated that Rep. Chong's upcoming priority would be balancing the budget, making the tax system more fair, and properly managing taxpayer dollars. There are many tax exemptions and credits that are paid for by taxpayers, and not all go to non-profit organizations; in addition, exemptions and credits don't show up in the budget.
- 3) Taxes – Rep. Chong would not promise to oppose any new taxes on individuals or corporations; he usually does like to provide tax breaks for individuals, but doesn't know yet how next year will turn out. He reiterated that the government funds quite a bit of the private sector using taxpayer money in the form of tax credits. Opposition was voiced to removing people from tax rolls because they are in certain tax brackets and pay no taxes; it was observed that people who pay no taxes feel they have no voice.

Representative Cynthia Thielen – John Foster distributed the report earlier in the meeting.

Representative Tommy Waters – No representative present.

Mayor Mufi Hannemann's Representative – Ann Chung offered the following responses to previous questions:

- 1) Last Month's Meeting – Ms. Chung apologized for missing last month's Board meeting; the change in date of the meeting caused a scheduling conflict.
- 2) Go Rail Go – Ms. Hassenfratz was commended for her bravery in presenting the pro rail side to the Board.
- 3) Federal Funding for Rail – The Chair of the U.S. House Transportation and Infrastructure Committee stated that the rail project was worth \$900 million in federal funds (\$200 million more than what was requested). If charter amendment question no. 4 relating to rail is voted down, then the money will not be available, since the last time funds were granted for Hawaii to have rail, the City Council voted it down.
- 4) Online Voting in NB Election – The Neighborhood Commission Office (NCO) and the Neighborhood Commission (NC) continue to investigate voting methods for the next election. However, the integrated system (online plus paper) used in the last election provided a greater level of security for the online ballots than for the paper ballots.
- 5) Auloa Road Pedestrian Signal Status – The pedestrian signal at the intersection of lower Auloa Road and Kalaniana'ole Highway was reported to be broken, and the City Department of Transportation Services (DTS) notified the State Department of Transportation (DOT) on September 17, 2008.
- 6) NCO Supplemental Budget – City Council should be contacted regarding a supplemental budget request.
- 7) Community Emergency Response Program – DEM Director Mel Kaku sent a letter to NB Chairs asking for a point of contact by October 17, 2008, to schedule a meeting for all interested NBs.
- 8) Sand Mitigation at Kailua Beach Park (KBP) – Irrigation equipment was purchased and funds are being secured to purchase naupaka. Installation of the irrigation system and planting of the naupaka must be done simultaneously, so work will begin after the naupaka is bought.
- 9) KBP Concession – The commercial truck selling ice cream at KBP has a legal permit for a mobile food concession until July 2009 that the City Department of Enterprise Services (DES) sent out to bid.

Questions, comments and concerns followed:

- 1) Pedestrian Warning Signs on Hamakua Drive – DTS was thanked for putting up the pedestrian warning signs on Hamakua Drive; the signs have been very successful in allowing pedestrians to cross safely. If this was a pilot program, DTS was asked to continue it.
- 2) City Taxes – It's City Council that actually votes to raise City taxes, not the Mayor, but Mayor Hannemann has no intention at this time or raising taxes.
- 3) NCO Supplemental Budget Requests – The time to submit an item to a supplemental budget request is usually in March. Councilmember Marshall informed the Board that she can't submit a supplemental budget request for the NCO, and that such a request must be submitted by the NC or NCO. It was suggested that Mayor Hannemann submit a supplemental budget request for the NCO; Ms. Chung explained that the NCO will only submit a supplemental request if they feel that all NBs support this position. The NCO budget was cut by \$106,000, representing mainly the money for a paper ballot election, requiring them to use online voting in the next election. The Board reported previously on the dismal results of online voting and feels the concern is sufficient.
- 4) Lack of Response from City Department of Parks and Recreation (DPR) – Ms. Chung will follow up on Ure's questions to DPR Windward regarding repairs, replacements and potential safety hazards. It's been over 65 days after the initial request for information.
- 5) Federal Funding for Rail – It was James Overstar, the Chair of the U.S. House Transportation and Infrastructure Committee, who promised the \$900 million for the rail project. Mr. Overstar may not have the authority to guarantee the funding.

Weinberg departed at 9:50 p.m., during the above comments; **15 members present.**

- 6) Need for HPD Unmarked Vehicle – It was strongly requested that money to purchase an unmarked vehicle be given to the Kailua Police Station. An example was given about thieves running from plain-clothes officers because they pulled up in a blue and white marked vehicle. Appreciation was expressed to Joe Gilman for his one-man security watch.

Council Chair Barbara Marshall – No representative present.

The permitted interaction group item about B&Bs and TVUs was taken up at this time without objection.

COMMITTEE REPORTS [1]:

Permitted Interaction (PI) Groups [1] –

Enforcement of Bed and Breakfasts (B&Bs) and Transient Vacation Units (TVUs): PI Group Chair Porter moved, and Glanstein seconded, that the Kailua Neighborhood Board opposes Bill 6 Council Draft 1 (CD1) and asks it not be approved by City Council. Discussion ensued:

- 1) Impact on Residential Neighborhoods – Porter detailed the impacts B&Bs and TVUs have on residential neighborhoods, and noted that if Bill 6 is adopted, the character of neighborhoods will change in a detrimental way. He would not have bought his property if he had known that the Council would change the ordinances to allow businesses to operate right next to him. Bartley reiterated negative impacts of Bill 6 and supported Porter's comments; he added that short term renters have a different attitude than long term renters, and that attitude causes negative impacts on the neighborhood.
- 2) Koolaupoko Sustainable Communities Plan (KSCP) – Porter disclosed that Bill 6 doesn't follow the KSCP.
- 3) Bill 6 and Council Information – Porter commented that Bill 6 was not very well thought out and contains many flaws in terms of enforcement. Wong added that Council is under the impression that Bill 6 is needed in order to regulate B&Bs and TVUs, but that's mistaken since it's currently easy to discover which B&Bs and TVUs are illegal; however, this will change if Bill 6 is adopted. Bartley indicated that Councilmember Apo stated that the 500 foot distance requirement away from neighbors for short term rentals was too

restrictive on the rentals; in addition, Councilmember Tam stated that short term rentals are the same as long term rentals, which Kailua residents know to be an inaccurate statement.

- 4) Public Hearing – Porter notified everyone of the public hearing on Bill 6 on October 15, 2008.

The motion that the Kailua Neighborhood Board opposes Bill 6 Council Draft 1 (CD1) and asks it not be approved by City Council, was ADOPTED UNANIMOUSLY 15-0-0 (Aye: Bartley, Best, Bratt, Chinen, Christensen, Corcoran, Correa, Enos, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Wong, Ure).

Chair Prentiss will distribute the adopted motion to the appropriate agencies.

NA Glanstein departed from the meeting at 10:07 p.m. Secretary Ure composed the remainder of the minutes.

COMMITTEE OF THE MONTH:

Public Health, Public Safety and Civil Defense Committee (PHPSCD) – PHPSCD Chair Tomasa reported that:

- 1) Legislative Actions – The committee is working on Legislative Actions. Tomasa received a call from Hawaii Medical Association Executive Director Paula Acerna, and the Association is looking at introducing legislation for Medical Liability Reform; basically because Hawaii has lost many doctors to retirement and otherwise because they are concerned about the high risk, high medical malpractice insurance premiums, and lawsuits, etc.
- 2) Community Emergency Response Team (CERT) Training – The community and the Board members are encouraged to sign up for the CERT training to be prepared for and during a disaster. On November 1st, 8th and 15th from 8:00 a.m. to 4:00 p.m. training will be provided at the Fasi Municipal Building and on November 15th training will be at Diamond Head for half a day. Call Jeff Spencer at 723-8960 for details.
- 3) Efforts to Enhance Law Enforcement in District IV – Rick Bratt is working on efforts to enhance law enforcement in District IV. Interestingly the crime rate has decreased in the last three years, however, it's desired to retain the new recruits for HPD District IV.
- 4) Next PHPSCD Meeting – The next PHPSCDC meeting will be held on the 2nd Thursday, October 9, 2008, at the Kailua District Park Multi Purpose Room.

BOARD ACTIONS:

Planning, Zoning and Environment Committee (PZE) –

Motion: PZE Chair Wong moved, on behalf of the PZE, that the Kailua Neighborhood Board opposes granting a zoning variance to Variance Application #2008/VAR-22 at 42-103 Aleka Street, Kailua because the building footprint of 8,900 square feet without a pool and 11,000 square feet with a pool greatly exceeds the 5,000 square feet allowed under agricultural zoning. In addition, the increased impermeable footprint in the Norfolk Subdivision drastically increases runoff and erosion that will negatively impact Enchanted Lake. There was no discussion, and Chair Prentiss stated that administratively, the motion contains testimony and he would prefer the testimony not be included in motions in the future, rather that the testimony be in the discussion and the supporting documentations or be presented as a resolution followed by "Whereas".

The motion that the Kailua Neighborhood Board opposes granting a zoning variance to Variance Application #2008/VAR-22 at 42-103 Aleka Street, Kailua because the building footprint of 8,900 square feet without a pool and 11,000 square feet with a pool greatly exceeds the 5,000 square feet allowed under agricultural zoning. In addition, the increased impermeable footprint in the Norfolk Subdivision drastically increases runoff and erosion that will negatively impact Enchanted Lake was ADOPTED UNANIMOUSLY 15-0-0 (Aye: Bartley, Best, Bratt, Chinen, Christensen, Corcoran, Correa, Enos, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Wong, Ure).

Government and Community Services Committee (GCS) –

Motion 1: GCS Chair Chinen moved, on behalf of the GCS, that the Kailua Neighborhood Board Form a Permitted Interaction Group: Proposed Legislation 2009-2010, to research, identify, and explore areas of legislative issues appropriate for consideration dealing with items lettered "i" through "viii" below.

- i. Capital Improvement Projects (CIP) – Kailua Public Schools and Emergency Shelters**
- ii. Pedestrian Safety**
- iii. 311 Service**
- iv. Noise Ordinance**
- v. Group Homes**
- vi. Chained Dog & Animal Cruelty**
- vii. Constitutional Convention**
- viii. Medical Waste Disposal**

Discussion ensued:

- 1) Sunshine Law – Chair Prentiss stated he checked Hawaii Revised Statutes (HRS) Chapter 92 (the Sunshine Law) and it is very specific about what is permitted in a Permitted Interaction Group. HRS Section 92-2.5 (b)(1), relating to investigating a matter, may not apply to this category, since it appears there are a number of separate **matters** [emphasis added]. For the purposes of clarification, copies of the sections of the sunshine law under discussion were distributed to each Board member present as follows:

§92-2.5 Permitted interactions of members.

(a) Two members of a board may discuss between themselves **matters** [emphasis added] relating to official board business to enable them to perform their duties faithfully, as long as no commitment to vote is made or sought and the two members do not constitute a quorum of their board.

(b) Two or more members of a board, but less than the number of members which would constitute a quorum for the board, may be assigned to:

- (1) Investigate a **matter** [emphasis added] relating to the official business of their board; provided that:
 - (A) The scope of the investigation and the scope of each member's authority are defined at a meeting of the board;
 - (B) All resulting findings and recommendations are presented to the board at a meeting of the board; and
 - (C) Deliberation and decisionmaking on the matter investigated, if any, occurs only at a duly noticed meeting of the board held subsequent to the meeting at which the findings and recommendations of the investigation were presented to the board;

- 2) Inadequate Timing for Motion – Chair Prentiss continued to say that, even if the committee could prepare legislation and get it to the Board by the next meeting, the Board could not act on it at that meeting (November) and it would be delayed until the December meeting. In December, it is really too late to realistically ask the elected officials to submit the legislation. Due to the inadequate timing, Chair Prentiss asked GCS Chair Chinen to withdraw this motion or he would declare it out of order. Each committee may suggest legislation for an item in their area, which will still allow time to submit it to the legislators. Tomasa pointed out that bills must be submitted to legislators by November.

Corcoran raised a point of order (related to the implied ruling that Motion 1 above is out of order). Chair Prentiss repeated his request for GCS Chair Chinen with withdraw the motion. **Corcoran reiterated the point of order.** Corcoran explained that he did not think it appropriate for the Chair to ask GCS to withdraw their recommendation, and added that there hadn't yet been discussion on the motion, and the request should come after full discussion. Chair Prentiss repeated his intention to declare the motion out of order. **Corcoran raised a point of order that Chair Prentiss had not yet allowed discussion on the motion. Chair Prentiss ruled Motion 1 out of order.** Corcoran called Chair Prentiss's ruling out of order, and stated that if a motion is before the Board, then they have the right to discuss it. Chair Prentiss acknowledged this and asked for more comments.

- 3) Right of Discussion – Glanstein stated that the motion was properly brought before the Board and that it would be arbitrary of Chair Prentiss to take away the right of discussion, when it's allowed by HRS Chapter 92 and the motion was published on the agenda. She added that the proper way would be to discuss the motion, deliberate it, and then the motion will pass or fail on its own merits.
- 4) Improper Motion – Porter emphasized the right of the Board to vote on the motion, whether it's improper or not. He continued to say that the language of HRS 92-2.5 states that a permitted interaction group may be

set up to investigate a matter, not seven or eight matters, and so the motion is defective; he added that adopting a defective motion is not binding on the Board.

- 5) Late Time – Tomasa commented that the time was past 10:00 p.m. and many Board members work in the morning. Chair Prentiss requested a motion to extend the meeting to 10:30 p.m.

Ure moved, and Glanstein seconded, to extend the meeting to 10:30 p.m. Bartley raised a point of order that the Board is not allowed to adjourn until the Board has dealt with all of the times on the agenda, and that having a set time for adjournment may violate the Sunshine Law. Chair Prentiss referenced a standing policy that the Board adjourns its meetings at 10:00 p.m., which can be discussed at the next meeting. Bartley reiterated the possible violation of the Sunshine Law. **The motion to extend the meeting to 10:30 p.m. was ADOPTED UNANIMOUSLY 15-0-0 (Aye: Bartley, Best, Bratt, Chinen, Christensen, Corcoran, Correa, Enos, Glanstein, Lindgard, Porter, Prentiss, Tomasa, Wong, Ure).**

- 6) "Matter" Versus "Matters" – Ure referred to the handout containing a portion of HRS Chapter 92-2.5, noting that section (a) refers to **matters** [emphasis added] being discussed between two Board members. There are matters before the Board that may occur in multiples, just like before the State legislature.
- 7) Membership and Action – Ure specified that any interested Board member may ask to be a part of the permitted interaction group or any committee may choose to take action on any particular item. She continued to state that all of these items are negotiable and full discussion is needed.
- 8) Permitted Interaction Groups – Corcoran stated there have been permitted interaction groups ever since he has been on the Board, and is really part of the Board's standard operating procedure. He voiced his opinion that Chair Prentiss was being obstructive and counterproductive, even though there are Board members willing to do the work of investigation and present the results to the Board and community. Glanstein added that there were previously permitted interaction groups to study the Charter Amendments, not just on article XIV but on all the different parts, and the Neighborhood Plan. She continued to state that the people willing to work should be encouraged to do so, especially with those unwilling to participate. Wong supplied that the permitted interaction groups before were each about one issue, and added that she felt that the Sunshine Law was clear on the issue and it should be only one item per group.
- 9) Support for Motion – Corcoran and Glanstein urged support for the motion.
- 10) Legislative Ideas – Glanstein mentioned that generally the legislative ideas that have come before the Board, the legislature, or the community are really the sum of their parts. In addition, different members of the group may choose to take on different items with which they have direct experience.
- 11) List of Issues – Tomasa observed that there may be other issues to add to the list, and inquired why the Board can't just discuss these items at the committee level.
- 12) Confidence in GCS – Chinen questioned the crisis of confidence in GCS and its recommendations and offered to withdraw the motion to be discussed further in committee. He invited attendance at the next GCS meeting to discuss the issue.

Without objection, the motion that the Kailua Neighborhood Board Form a Permitted Interaction Group: Proposed Legislation 2009-2010, to research, identify, and explore areas of legislative issues appropriate for consideration dealing with items lettered "i" through "viii" (see above) was WITHDRAWN.

Motion 2: GCS Chair Chinen moved, on behalf of the GCS, to appoint Legislative Liaison – Debbi Glanstein, which was ADOPTED 14-0-1 (Aye: Bartley, Best, Bratt, Chinen, Christensen, Corcoran, Correa, Enos, Glanstein, Lindgard, Porter, Prentiss, Wong, Ure. Abstain: Tomasa).

Tomasa departed at 10:25 p.m.; **14 members present.**

COMMITTEE REPORTS [2]:

Civilian-Military Council (CMC) – CMC Chair Corcoran added to the MCBH report that the community and Board members need to be aware and cognizant that there is a great deal of turbulence on the base with personnel arrivals, departures, and deployments.

Permitted Interaction (PI) Groups [2] –

Neighborhood Plan MMVIII: PI Group Chair Chinen reported that the PI Group is waiting for any updates as to whether or not the Neighborhood Plan is still moving; at last check it was still with the Neighborhood Commission Office and pending the signature of Mayor Hannemann.

Transportation and Public Works Committee (TPW) – TPW Chair Bratt reported that:

- 1) Traffic Safety and Bicycling – The committee is working with DTS and HPD on traffic safety and bicycling.
- 2) Hamakua Drive / Aoloa Street – Signs were erected at the Hamakua Drive and Aoloa Street intersection.
- 3) Kaiolena Drive Issues – The committee is awaiting a response from DTS.
- 4) Lanikai Traffic Study – The committee is awaiting a response from DTS.
- 5) Lani Huli Parking Structure Security – HPD and DTS will report on the concerns about the security at the Lani Huli parking structure on Aulike Street.
- 6) Wanaao Road Resurfacing – The committee will continue to address concerns about the resurfacing.
- 7) North Kalaheo Avenue Crosswalks and Bicycle Lanes – The committee will continue to address concerns.
- 8) Kainui Drive and Maluniu Avenue Crosswalks – DTS will respond in November.
- 9) Oahu Bicycle Master Plan Workshops – The Oahu Bike Master Plan Workshops 2nd meeting is Tuesday, October 21 at the Pali Golf Course from 6:30 to 8:30 p.m. and will give opportunity to comment and discuss the work that has been done in the prior meeting on the master plan.
- 10) Next TPW Meeting – The next TPW committee meeting in on the 3rd Thursday, October 16, 2008, from 7:00 p.m. to 9:00 p.m., at the Kailua District Park Multi Purpose Room.

Correa and Enos departed during the above report; **12 members present**.

Executive Committee – Chair Prentiss reported on all items (except for no. 5):

- 1) Agenda Requirements – Items to be placed on the agenda are due October 27, 2008 to both Chair Prentiss and Secretary Ure.
- 2) Suggestions for Legislative Issues – If the committees have any suggestions for legislative issues they should submit an outline of the proposed legislation so that the Board may consider adoption and submission to the elected officials so that their staff can place it in the appropriate form.
- 3) Post Office Box Keys – The second set of post office box keys must be retrieved from Bryant-Hunter.
- 4) Testimony on Bill 6 CD1 – The motion relating to Bill 6 CD1 that was adopted earlier in the meeting allows any and all Board members to submit testimony on Bill 6 CD1 in accordance with the Board's position.
- 5) Treasurer's Report – Glanstein reported that the good news is that the NCO did not double-mail during this month. The Operating budget balance is \$1,206.70. The Publicity budget balance is \$2,084, with \$416 spent for videotaping in August and September. The Refreshment budget remains at \$120 and the Board may want to give that some consideration.
- 6) Next Executive Committee Meeting – The next Executive Committee meeting is on the 4th Tuesday, October 28, 2008, 8:30 a.m., at Agnes' Bakery in Kailua.

Sustainability and Environment Committee (SE) – This committee is currently recessed until the Koolaupoko Sustainable Communities Plan (KPSCP) notice to proceed is issued by the City; issues will be referred to PZE.

Planning, Zoning and Environment Committee (PZE) – PZE Chair Wong reported that:

- 1) St. Christopher's Church Proposed Pre-School – Wong neglected to place St. Christopher's Church Pre-School Pre-application on the agenda. Neighbors did come to the committee and did comment about the noise because the proposed location (the church) is so close to their homes. The applicant does need a Conditional Use Permit (Minor) and the Land Use Ordinance does say a public hearing can be requested. The following motion was supposed to have been placed on the agenda:

Wong moved, and Best seconded, that the Kailua Neighborhood Board requests the City Department of Planning and Permitting hold a public hearing on St. Christopher's Episcopal Church proposed Pre-School in Kailua. Discussion ensued:

Status of Application – Ure asked if the application had been submitted or if the issue was still in the pre-application phase; Wong responded that should the application process be completed, the request for a public hearing would be in place according to community concerns.

The motion that the Kailua Neighborhood Board requests the Department of Planning and Permitting hold a public hearing on St. Christopher's Episcopal Church proposed Pre-School in Kailua was ADOPTED 11-1-0 (Aye: Bartley, Best, Bratt, Chinen, Christensen, Corcoran, Glanstein, Lindgard, Porter, Prentiss, Wong; No: Ure).

- 2) Next PZE Meeting – The next PZE meeting is on the 3rd Tuesday, October 21, 2008, from 7:00 to 9:00 p.m., at Kalama Beach Park.

Government and Community Services Committee (GCS) – GCS Chair Chinen asked that the Memoranda for the Record be used to facilitate the minutes. He reported on the following items (some were provided in writing):

- 1) Conference of Chairs – The proceedings of the Conference of Chairs was videotaped and will be posted on the website. Some portions will be missing, since the videotaping started over one hour late: (a) the Sunshine Law briefing by the State Office of Information Practices; and (b) parts of the progress on the Neighborhood Plan. On the other side, the roundtable discussion among Board Chairs and Vice-Chairs was recorded. The minutes are to be prepared from that video and notes taken during the meeting.
- 2) Neighborhood Plan (NP) MMVIII – The NP is currently with NCO staff.
- 3) Neighborhood Commission – There was no meeting in August of the Neighborhood Commission.
- 4) Community Policing – For more information on community policing in District 4 (Waimanalo, Kailua, Kaneohe, Kahuku), call Officer S. Kanoho at 723-8874 or 252-6555.
- 5) Next GCS Meeting – The next GCS meeting is on the 3rd Saturday, October 18, 2008, 10:00 a.m. at Zippy's Kailua.

Questions, comments and concerns followed:

Conference of Chairs – Chair Prentiss didn't attend the conference and doesn't have notes of the meeting.

Parks and Recreation Committee (PR) – PR Chair Ure asked that the Memoranda for the Record be used to facilitate the minutes. She reported on the following items (some were provided in writing):

- 1) Wedding Permits and Process of State Department of Land and Natural Resources (DLNR) – These items will be addressed next month.
- 2) Parks Repairs, Maintenance, Improvement – Updates: (a) swimming pool repairs expected to be completed soon; (b) play equipment for replacement or repairs at various parks remains to be addressed by DPR; (c) sand removal and redistribution from paths, driveways, and beach shall be controlled with the installation of a sand fence; (d) sprinkler system near pavilion at Kailua Beach Park (KBP) has been completed; and (e) the opening and closing of berm at KBPark ocean-side of Kawailoa Road Bridge in protection of both Kailua Bay and Enchanted Lake remains under discussion for a possible change in scheduling time if the State Department of Health Clean Water Branch reports no adverse health issues or Bay water deterioration issues.

- 3) Community Policing as Related to Parks – Community policing related to parks is encouraged for those communities adjacent to parks: (a) commercial activities at Kailua, City and State right-of-ways will be partially addressed with a presentation from DLNR in November; and (b) Keolu Skatepark is being addressed through a NSW as well as with HPD patrols and DPR monitoring activities.
- 4) Next PR Meeting – The next PR meeting is on the 3rd Tuesday, October 21, 2008, from 7:00 p.m. to 9:00 p.m., at Kalama Beach Park.

Lindgard departed at 10:30 p.m.; **11 members present.**

ANNOUNCEMENTS: Chair Prentiss announced that Bartley would like to serve on PZE.

ADJOURNMENT: The meeting adjourned at 10:30 p.m.

Submitted by:

Rachel M. Glanstein
Neighborhood Assistant

and

Linda Ure
Board Secretary