



KAILUA NEIGHBORHOOD BOARD NO. 31

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DRAFT REGULAR MEETING MINUTES THURSDAY, JULY 11, 2013 KAILUA RECREATION CENTER

CALL TO ORDER: Chair Pro-Tem Chuck Prentiss called the meeting to order at 7:09 p.m. with a **quorum of 14 members present**. Note: This 19-member Board requires 10 members to establish quorum and to take official Board action.

Board Members Present: Larry Bartley, Jon Chinen, Matt Darnell, Tim Freeman, Michael Gallagher, Bill Hicks, Levani Lipton, Lisa Marten, Chuck Prentiss, Ursula Retherford, Claudine Tomasa, Ronald Weinberg (departed 9:44 p.m.), Gary Weller, Donna Wong, and James “Skip” Byron (appointed at this meeting).

Board Members Absent: Douglas Dudevoir and Tony Locricchio.

Vacancies: There are two vacancies in sub-district 2 (Enchanted Lakes).

Guests: Randy Gruen (Governor Neil Abercrombie's representative); Representative Cynthia Thielen and Charlotte Farmer (Representative Thielen's Office staff); Representative Chris Lee; Alenka Remec (Mayor Kirk Caldwell's representative); Lieutenant Wayne Wong (Honolulu Police Department); Captain Damien Kahalelio (Honolulu Fire Department); Captain Pamela Marshall and Johanna Marizan-Ho (Marine Corps Base Hawaii); Leiden Nakasake (Department of Transportation Services); Kahu Ricky Bermudez; James “Skip” Byron; Gary and Cindy Suzuki; Dawn Horn; Ann Medeiros; D. Seelig; M. Snyder; Gerardo Velez; Kailani Wong; Jean Catromtang; Stan Reiziss; Jack Pearson; Jeremy Fairchild; Jessica Kosut; Philip Vanderhofven; Joe Gilman; Vivian Carlson; David Jones (Videographer); and Risé Doi (Neighborhood Commission Office staff).

INTRODUCTIONS – Chair Pro-Tem Chuck Prentiss introduced the newly elected Board members, who had been given leis: Tim Freeman, Michael Gallagher, Gary Weller, and Levani Lipton.

ANNOUNCEMENTS – Chair Pro-Tem Prentiss apologized for the lack of sound system at the June 2013 meeting, and expressed hope that it will be more regular in the future.

ELECTIONS:

Chair – Chinen nominated Chuck Prentiss for the position. Prentiss relinquished the gavel to Larry Bartley. **Ronald Weinberg nominated himself.** The nomination was declared invalid as self-nomination is not allowed under Robert's Rules of Order. As there were no further nominations, the nominations were closed. Discussion followed:

1. **Weinberg** – Weinberg noted that it is important to have a democracy, and if the same candidates are re-elected there will be no change on the Board. Bartley asked if Weinberg would care to nominate any of the other 17 members of the Board, but he declined.
2. **Prentiss** – Chinen lent his endorsement to Prentiss, noting that he does an excellent job running an efficient meeting as chair in the previous term. He has been instrumental in resolving numerous issues, including the formation of the General Plan and Bills 5 and 11. His experience as City Planner has contributed to his leadership ability. Under previous chairs, the meetings had lasted past midnight, but Prentiss has been commendable in running an efficient meeting. Lipton endorsed Prentiss, thanking him for his service to the community, and noting that they are lucky to have a planner as the chair due to the numerous planning and zoning issues faced by the Board. Prentiss thanked Chinen for the nomination, citing that he endeavors to represent the interests of the community at large.
3. **Debate** – Weinberg invited Prentiss to engage in a debate, noting that it is unhealthy to have only one candidate.



A roll call vote was conducted. **Chuck Prentiss was ELECTED to the position of CHAIR 13-0-1 (AYE: Bartley, Chinen, Darnell, Freeman, Gallagher, Hicks, Lipton, Marten, Prentiss, Retherford, Tomasa, Weller, Wong; ABSTAIN: Weinberg).**

Vice-Chair – **Ronald Weinberg nominated himself for the position.** Chair Prentiss accepted Weinberg's self-nomination. **Tomasa nominated Larry Bartley.** As there were no further nominations, the nominations were closed. Discussion followed:

1. Weinberg – Weinberg considered himself to be the best person for the job, and cited the need for democratic process and the end of party-rule.
2. Bartley – Tomasa noted that Bartley has superb experience in running the Board, once serving as the chair of the Board. Bartley conducts himself impartially and unbiased, discussing each issue completely. Bartley thanked Tomasa for the nomination, agreeing with Weinberg that new faces are needed among the officers. No other Board members expressed interest in the position, but Bartley expressed that he would abdicate his seat to an interested, qualified Board member in the mid-term election.

A roll call vote was conducted. **Bartley was ELECTED to the position of VICE-CHAIR 13-1-0 (BARTLEY: Bartley, Chinen, Darnell, Freeman, Gallagher, Hicks, Lipton, Marten, Prentiss, Retherford, Tomasa, Weller, Wong; WEINBERG: Weinberg).**

Secretary – **Tomasa nominated William Hicks to the position. Weinberg nominated himself.** As there were no further nominations, the nominations were closed. Discussion followed:

1. Hicks – Tomasa endorsed Hicks, declaring that he has excellent administrative skills as evidenced by his chairmanship of the Transportation Committee. He has done significant community outreach and resolves problems based on community input. Hicks noted that he was honored to be nominated, and will be happy to assist the Board any way he can, striving for improvements to accuracy of minutes.
2. Weinberg – Weinberg noted that there has been concern that Hicks' Transportation Committee minutes have been incomplete, missing the names of individuals who make motions, resulting in a poor living record of what transpired at those meetings. Weinberg noted that his middle name is accuracy and cited the need to abolish one-party rule.

A roll call vote was conducted. **Hicks was ELECTED to the position of SECRETARY 13-1-0 (HICKS: Bartley, Chinen, Darnell, Freeman, Gallagher, Hicks, Lipton, Marten, Prentiss, Retherford, Tomasa, Weller, Wong; WEINBERG: Weinberg).**

Treasurer – Chair Prentiss recognized former treasurer Debbie Glanstein, who has retired from the Board. **Retherford nominated Tomasa for the position. Weinberg nominated himself.** As there were no further nominations, the nominations were closed. Discussion followed:

1. Tomasa – Retherford endorsed Tomasa, saying that she is a trustworthy person. Tomasa encouraged Board members to vote for another candidate.
2. Weinberg – Weinberg noted that, if elected to the position, he would make every cent count, citing a time when Board members were given bottled water and when the Board operated a Post Office (PO) Box.

A roll call vote was conducted. **Tomasa was ELECTED to the position of TREASURER 12-2-0 (HICKS: Bartley, Chinen, Darnell, Freeman, Gallagher, Hicks, Lipton, Marten, Prentiss, Retherford, Weller, Wong; WEINBERG: Tomasa, Weinberg).**

FILLING OF VACANCIES IN SUBDISTRICT 2 (Enchanted Lakes) – A candidate must live in the Subdistrict and must be nominated by a Board member. Candidates may speak for two minutes, as well as others, who support the candidate. Residents interested in filling the vacant Subdistrict are asked to bring current proof of residency. Term would be from June 6, 2013 until June 30, 2013.

Bartley nominated James Byron to fill the vacant position in Subdistrict 2, Without objection, nominations were closed. Byron reported that his nickname is "Skip," and he has lived in Kailua since 1998. He has been in service as a Navy combat air crewman for 25 years. He has also served as the chief of development at the Navy Shipyard, the Deputy Chief Learning Officer at US Paycom, now serves as the Senior Strategist at the US Intelligence Agency. He has an undergraduate degree in Aeronautics, attended war college at the Senior Leaders

Academy and is a fellow at the Pacific Leadership Academy. Byron has served as the State Examiner, for which he received the Hawaii Excellence Award, and he has served two (2) terms on a local school board. Byron desires to become more involved in matters of the community, specifically land use and preservation issues with a focus on preserving Kailua's sense of place.

Questions, comments and concerns followed:

1. Endorsement – Bartley highly recommended Byron for the position, noting that he has served on the Kailua Neighborhood Board in the past.
2. Transient Vacation Rentals (TVU) – Retherford asked Byron how he felt about the proliferation of TVUs in Kailua. Byron responded that he is opposed to illegal TVUs, but will not fight against legally owned TVUs.
3. Beach Marriages – Weinberg asked how Byron feels about taxing beach marriages, to which Byron replied that he is opposed to taxing them.

Byron WAS APPOINTED to the Kailua Neighborhood Board No. 31 to fill the vacancy in Subdistrict 2 12-1-1 (AYE: Bartley, Chinen, Darnell, Freeman, Hicks, Lipton, Marten, Prentiss, Retherford, Tomasa, Weller, Wong; NAY: Gallagher; ABSTAIN: Weinberg).

Chair Prentiss called a one (1) minute recess at 7:37 p.m. so that Neighborhood Assistant Risé Doi could administer the Oath of Office; the meeting resumed at 7:38 p.m. **with 15 members present.**

ANNOUNCEMENTS (continued):

- Committee Assignments – Chair Prentiss appointed Lipton to the Planning, Zoning and Environment Committee. Freeman was appointed to the Parks and Recreation and the Government and Community Services Committees. Gallagher was appointed to the Parks and Recreation and the Planning and Zoning Committees. Weller was appointed to the Public Health, Public Safety and Civil Defense (PHPSCD) and the Transportation and Public Works Committees. Existing committee assignments from the previous term will be carried over for existing Board members.

Questions, comments and concerns followed: Committee Volunteer – Weinberg volunteered to serve on the Civilian Military Council. Prentiss will consider the request.

PUBLIC AGENCIES:

Honolulu Police Department (HPD) – Lieutenant (Lt.) Wayne Wong reported the following:

- May 2013 Crime Statistics – There were 6 assaults, 8 auto/motorcycle thefts, 40 burglaries (residential & business), 3 drugs/narcotics, 10 graffiti, 55 thefts, 69 unauthorized entries into motor vehicles (UEMV); totaling 191 calls for service.

Questions, comments and concerns followed:

1. Crime Trends – Retherford requested that printed copies of the report be distributed, and noted that this month had an unusually high number of crimes. Lt. Wong reported that summer tends to have high crime rates due to school not being in session. Retherford asked and it was clarified that HPD takes population and crime data into consideration when assigning officer patrols.
2. Arrest Record – Freeman asked and Lt. Wong clarified that he did not have arrest statistics available, but the Criminal Investigation Department maintains detailed statistics on arrests.
3. Officer Assignments – Weller asked and it was clarified that 16 to 22 officers are on duty in District 4, which starts at Makapuu Beach and ends past Turtle Bay Resort. Gallagher asked and Lt. Wong noted that HPD command would be responsible for assigning additional officers to District 4.
4. Crime Analysis – Darnell noted that an officer who attended the Government and Community Services Committee meeting indicated that 7% of criminals are responsible for 70% off the crimes. Lt. Wong reported that the Crime Analysis unit tracks HPD's submitted reports to data plot where activity is likely to take place.
5. Burglary – Weinberg noted that he had recently been robbed, and determined through submitted fingerprint analysis that the culprit is a 26-year-old woman with the initials L.C. who possesses a criminal record. Weinberg suspected that the recent rash of burglaries is an organized crime ring.

6. Hot Spots – Wong asked and it was clarified that the hardest hit areas were Maunawili and the Enchanted Lakes areas, and HPD is taking this information into account with officer patrols. The Maunawili area includes Olomana.
7. Parking in Bike Lanes – Marten noted that DTS has installed signs in Lanikai warning motorists of a potential \$500 fine for parking in a bike lane. Marten has never seen a ticket higher than \$35, and asked what would warrant the issuance of a \$500 ticket. Lt. Wong reported that officers may not determine the severity of fines for parking in a bike lane, and \$35 is the only available option in the book. He recommended checking with the Honolulu District Court for changes to the penalties.
8. Honu Kailua – Gallagher asked and it was clarified that it is too early to tell if the hourly burglary reports provided by the organization are having a positive effect on crime frequency.
9. Crime Statistics – A community member asked for the statistics for illegal commercial activities at City parks, and for illegal camping. Lt. Wong noted that businesses are constantly coming up with creative ways to circumvent the laws, including dropping off equipment early and having their customers drive the trucks filled with kayaks and equipment down to the beach parks. HPD is collaborating with DPR to address the camping concern, and Lt. Wong noted that Waimanalo Beach Park was recently cleared of debris left by campers and homeless. Prentiss noted that Kailua and Kalama Beach Parks could use similar action.
10. Commercial Activities at City Parks – Prentiss asked Lt. Wong to follow up on the regulation which requires a commercial license on vehicles, which may help to address the problem.

Honolulu Fire Department – Captain (Capt.) Damien Kahaulelio reported the following:

- June 2013 Fire Statistics – There were 10 structure, 2 rubbish and 6 vehicle fires, 120 medical emergencies, 7 search and rescues including 3 ocean and 4 mountain rescues, and 24 miscellaneous calls. There were no major incidents.
- Fire Safety Tip – Residents were reminded that the fire code prohibits the use of charcoal and propane grills on or within buildings, including lanais. Grills should be kept clean and should be attended by an adult when in use. Residents were advised to ensure that coals have completely cooled before disposal.

Questions, comments and concerns followed:

1. Household Fire Prevention – Bartley noted that the majority of household fires were caused by bad electrical cords, and he had recently found a fuse device that could prevent fires. Capt. Kahaulelio encouraged Bartley to contact the community relations department of the HPD.
2. 76 Propane Recall – Weinberg asked if Capt. Kahaulelio was aware of a major recall of faulty propane tanks originating from 76 Gas Stations. Capt. Kahaulelio replied that he is not.
3. Search/Rescues – Lipton asked if the mountain and ocean rescues were tourist related. While Capt. Kahaulelio did not have those statistics, he did note that he was involved in two rescues of non-residents in July 2013. Rescues tend to be very expensive, but there is little HFD can do to prevent them.
4. Lifeguard Jet-Ski – Marten asked if the newly acquired jet-ski has reduced the need for the HFD helicopter in ocean rescues. Capt. Kahaulelio replied that while the helicopter is still heavily employed in water rescues, the jet-ski can get to the location faster.

Without objection, Chair Prentiss changed the order of the agenda to hear remaining announcements.

ANNOUNCEMENTS:

Waimanalo Forest Reserve – Marten announced that there is a new draft forest management plan for the reserve which aims to do timber production and agro-forestry. The plan will preserve the two (2) larger trails in the reserve, but makes no mention of the many unofficial smaller trails, which are important to hikers, bikers and equestrians.

City Council Bill 37 – Marten announced that City Council recently heard the bill which attempts to reclassify TVUs and Bed and Breakfasts (B&B) as resorts in order to increase tax revenue. The Kailua Neighborhood Board will be watching it closely to ensure that it does not expand TVU activity in Kailua.

Neighborhood Security Watch (NSW) – Tomasa suggested the formation of a Kailua NSW to address the recent rash of burglaries. She suggested that the Kailua Neighborhood Board should work with HPD and elected officials to address crime. Interested residents were invited to call Sonny Kanoho at 728-8876.

The order of the agenda was resumed at this time.

Marine Corps Base Hawaii (MCBH) – Capt. Pamela Marshall reported the following:

- Independence Day Parade – Capt. Marshall thanked the community for their support with the recent parade. MCBH was honored to be asked to help with the festivities, and Capt. Marshall reported that they would be happy to participate in 2014, if asked.
- Civilian Furloughs – Approximately 510 civilian employees are being furloughed, and as a result customer service hours may fluctuate. MCBH will make every effort to assure that services are provided five (5) days per week, but the airfield will be closed on Sundays. A “Frequently Asked Questions” section has been added to the MCBH website to alleviate customer service demand.
- Community Service – Marines logged 600 hours of community service in June 2013, and a Trade-Wind Triathlon will be held on August 10, 2013.
- Excess Noise – The visiting F-18s have begun training for “Operation Lava Viper,” which will continue until the end of July 2013.

Mayor Kirk Caldwell's Representative – Alenka Remec reported the following:

- Congratulations – Remec congratulated the newly elected Board members and officers.
- Kailua Beach Sand Pile – The “gray” sand pile will be used to replenish the area above the banks of the Kaelepulu Stream to the beach area.
- Intersection of Kuulei Road and Aulike Street – The crosswalks will be retained on all three legs of the intersection as the traffic signals are programmed for installation at the intersection.
- Intersection of Auloa Road and Pali Highway – The concern regarding the intersection will be forwarded to the State Department of Transportation (HDOT).
- Bus Route 56 – The priority for TheBus service has been to restore service along routes negatively affected by the 2012 service reductions, which does not include Route 56. The Department of Transportation Services (DTS) will evaluate the request for later service as funding becomes available.
- Mayor Kirk Caldwell – The Mayor requested a determination from the Honolulu Ethics Commission regarding his position on the Territorial Savings Bank Board of Directors, and received communication from the commission that it was not a conflict for him to sit on this board. The Mayor is not an employee of the bank and the City and County of Honolulu does not use Territorial for any of its accounts or transactions.
- Grant in Aid (GIA) Funds – The GIA Fund program is overseen by the Department of Community Services (DCS) and managed by the Department of Budget and Fiscal Services (BFS). GIA is completely independent of any other funded grants and has no association with CBAC fund grants. DCS in collaboration with the BFS issued the request for proposals. Proposals are reviewed by the GIA Advisory Commission, which provides recommendations to City Council, who then awards the funds. BFS executes the contracts, and DCS will oversee the approved grant activity under the grant issued (including payment processing, grant management, and performance monitoring) throughout the grant term.
- Flood Control Measures – Flood control ditches scheduled to be cleaned include Kuuna Ditch, Kamahale Ditch, Akiahala Ditch, and Keolu Lined Channel.
- Kaelepulu Wetlands – Bob Bourke reported: “Once the berm was opened the estuary began to outflow at about 260 cubic feet per second. This water was replaced by inflow from the ocean during the high tide and the exchange will repeat itself several times over the next few days until the mouth naturally closes. This exchange of water is literally the life-blood of this estuary and is a positive factor in optimizing near-shore fisheries in Kailua Bay.”
- Department of Planning and Permitting (DPP) – DPP received numerous complaints, and investigation is ongoing. DPP requires a “preponderance of evidence” to take legal action.

Questions comments and concerns followed:

1. Intersection of Kuulei Road and Aulike Street – Bartley will follow up with Alenka about the specifics of his request for crosswalk removal, which has to do with decreased line-of-sight from traffic congestion.
2. Mayor Kirk Caldwell – Weinberg asked and it was clarified that the Ethics Commission declared that Mayor Kirk Caldwell may sit on the Board of Directors of Territorial Savings Bank and serve as Mayor.
3. Transient Vacation Rentals (TVU) – Prentiss requested continued vigilance against illegal TVU operations. He will be tracking the new City Council bill closely to see if it expands TVU operations in Kailua.
4. Blocked Parking – Weinberg asked if it is illegal to intentionally block potential parking on residential streets. Remec will follow up with HPD.

5. Kailua Green Waste Facility – A community member reported that the facility is in a state of disrepair.
6. Kailua Crime Rates – Retherford noted that there were 191 crimes reported in Kailua in June 2013, compared to only 101 in June 2012. She asked if the mayor had any plans to address this.
7. Neighborhood Security Watch (NSW) – Retherford noted that NSWs are less effective because the TVUs operating in Kailua make it difficult for residents to know their neighbors. Resident Diane Price reported that a man was found unconscious in her back yard, and she noted that if her neighbors had been residents, and not tourists, they would have informed her of the unusual activity.
8. Kailua Beach Sand Pile – Wong asked and it was clarified that the sand pile will be removed, and work should commence next week. It was unknown whether the Canoe Club facility will be reopened afterwards.
9. Keeleapuu Wetlands – Bartley expressed gratitude to the City for opening the stream mouth, noting that the job was performed effectively.
10. Kalama Beach Park Caretakers – Stan Reizess noted that the park had been well cared-for over the past 12 years by a couple, but their contract had not been renewed by the City. It was asked why the contract was not renewed and when they will be replaced. Wong noted that they typically open the meeting space for the Planning, Zoning and Environment Committee meetings. Remec will follow up.

Governor Neil Abercrombie's Representative – Derek Kimura reported that Governor Abercrombie signed the following bills regarding financial management, schools and disaster readiness into law:

- Senate Bills 1092 and 1094 – These bills direct \$100 million to reimbursing the State hurricane trust fund and 'rainy day' fund. These liabilities have not been addressed for many years.
- Senate Bill 1087 – This bill makes it easier for Hawaii Residents to finance green energy systems, such as photovoltaic (PV) cells, by providing access to low-cost loans with repayment through electricity bills.
- Senate Bill 1093 – This bill establishes a preschool open-doors program to serve four (4)-year-olds. Governor Abercrombie believes that giving *keiki* a strong education is the best way to success.

Questions, comments and concerns followed:

1. Kailua Crime – Weinberg expressed disappointment that Governor Abercrombie declined meeting with him to discuss the ramifications of crime in Kailua.
2. Makapuu Boulevard – Weller noted that the median and shoulder grass has been neglected during construction, and asked if the contractors are still being paid to maintain the grass, or if they are relieved for the duration of construction.
3. Kayak Tours – Prentiss reported that the State Department of Land and Natural Resources (DLNR) has begun issuing permits for kayak rentals, which is in conflict with new City law banning commercial activities at public beach parks. Kimura was unaware of the conflict and will follow up. Bartley also noted that there is no verification of payment at the commencement of the tours. Weinberg noted that America is a free country and people should be allowed to go on a wholesome tour.
4. Flags – Prentiss reported that he had informed the DLNR representative about flags obstructing the views on the ridge above Hamakua Drive, and requested that they be removed. Weinberg expressed his disagreement with the removal of the American flag.
5. Kite Surfing – A community member noted that there are very few regulations regarding kite surfing instructors, and that there are too many regulations pertaining to commercial fishermen.

Kelly Tomioka arrived at 8:41 p.m.; as she was not administered the Oath of Office, she was unable to participate in any Board votes.

PRESENTATION:

Hele Street Improvement Project – ~~Layden Nakasaka~~ Layden Akasaki reported that residents had raised concerns about speeding and accidents on Hele Street. DTS conducted an investigation of the street and found that the implementation of shoulder parking lanes and driver feedback signs are warranted. The shoulder parking lanes will serve to visibly narrow the lanes to slow traffic, and the signs will let drivers know how fast they are travelling. Traffic circles were also considered, which would slow down motorists as they pass through the intersection. A video was shown of the concept, which also demonstrated that service vehicles can safely pass through the intersection. Construction was estimated to begin in the fall of 2014.

Questions, comments and concerns followed:

1. Driver Feedback Signs – Tomioka asked and it was clarified that the signs cost an estimated \$15,000 each.
2. Traffic Circles – Wong asked and it was clarified that emergency vehicles can travel straight through the traffic circles to save time, and buses will be able to navigate around the circle. Prentiss noted that traffic circles had been used effectively in Seattle for half a century. A community member raised concern that the suggested traffic circle is located too close to an existing lighted intersection.
3. Other Traffic Calming Suggestions – Weinberg suggested using traffic cones as a visual deterrent against speeding.
4. Traffic Calming Options – A community member asked and it was clarified that all three options are going to be implemented, if possible. The parking shoulders have been painted on the roadway, and the remaining measures will be implemented following resurfacing of the road.

Kawainui Marsh Circulation Test Project – Prentiss reported that he had requested that the Army Corps of Engineers (ACE) come to do a presentation about this project, but they declined as they were not ready. In 1966-1969, ACE changed Kailua from an island to a peninsula, and in so doing created the berm that separates Kawainui Marsh from the Hamakua Water System. In 1992 they built the more permanent wall structure, but monthly dredging is required to keep the waterway open. The legislature dedicated \$200,000 for a flow restoration project to syphon water from Kawainui to Kaelepulu, but the project has not yet commenced. Until the project is complete, Kawainui Stream will remain one of the most polluted waterways on Oahu.

ELECTED OFFICIALS

Representative Ken Ito – No representative or report was available.

Representative Cynthia Thielen – Representative Thielen reported the following:

- Mokapu Boulevard – In response to Weller's concern about the overgrown grass, Representative Thielen noted that DOT is allowed to reject the lowest bidder if there is evidence of poor work in the past.
- Kailua Crime Rate – Representative Thielen related a recent incident in which a woman was breaking into her home, and only stopped when she confronted her. HPD is stretched thin across the district, so she has drafted two (2) bills to address this issue. The first makes it difficult for repeat offenders to get bail, and the second raises minimum mandatory sentencing for repeat offenders. Representative Thielen acknowledged the merits of community policing, noting that knowing ones neighbor is beneficial. She included a letter from the Chief of Police on the back of her distributed report which discusses escalating crime rates and a drug ring at Kailua Park several years ago that had a sophisticated system of avoiding law enforcement. A discussion is needed between Federal, State, and County crime agencies to address this growing problem.

Questions, comments and concerns followed:

1. Letter to the Chief of Police – Retherford asked and it was clarified that no response to the letter has been received, but Representative Thielen noted that the Chief of Police has been efficient with his responses.
2. Drug Use – Weinberg accused Governor Abercrombie of being "pro-drug," noting that his position sets the tone for criminal justice in Hawaii.
3. Prosecutor's Office – Prentiss noted that he has been attempting to establish communications with the Prosecutor's Office without avail. The Prosecutor is instrumental in solving the crime problem.
4. Repeat Offenders – Weller noted that individuals guilty of multiple instances of drunk driving are required to have a breathalyzer device installed in their car, and suggested that repeat offenders be required to wear an ankle bracelet to track their movements while they wait for their court date.

Representative Chris Lee – Representative Lee reported the following:

- Bike Lane Fines – The State Legislature raised the maximum fine for parking in a bike lane to \$500, and suggested that raising the minimum fine may be a more effective deterrent.
- Kailua Development – Representative Lee is closely watching the development of over 30 acres of land in Kailua, noting that if a zone change application is received it will have to go through multiple layers of community input.
- Kaiwa Ridge Trail – A meeting will be held on July 24, 2013 at 6:00 p.m. at the Lanikai Park Pavilion to discuss the potential temporary closure of the trail to address parking, erosion, and increased traffic issues.
- Legislative Session – Representative Lee praised the legislature for beginning to pay down unfunded liabilities, noting that the idea is to give future generations a "clean slate." Every year henceforth, states

nationwide must devote \$500 million from their budget to unfunded liabilities. This will be monitored and controlled by the federal government.

- House Bill 1147 – Representative Lee wrote the bill which requires that the top ten contributors to political advertisements be listed to provide greater transparency.
- Senate Bill 1087 – This green infrastructure bill will make it easier for low and middle-income residents to utilize green energy in their homes. Representative Lee reported that this Hawaii bill, if successful, will set the pace for the nation.
- Beach Access – A number of legislators had championed to ensure consistent access to Hawaii beach parks, and a bill which prohibited anyone from blocking access to beach parks had its sunset date extended indefinitely.

Questions, comments and concerns followed:

1. Unfunded Liability – Bartley congratulated the legislature on addressing the State's unfunded liabilities, noting that Hawaii was deemed one of the 10 worst states in the country based on its predicted ability to meet retirement needs. The problem will proliferate as resident's average lifespan increases, and pension payments will continue for longer spans of time. It is estimated that humans may live to 120, which would make retirement payments especially costly.
2. Surplus Tax Refunds – Weinberg asked if residents could expect a tax refund resulting from a budget surplus. Representative Lee noted that, due to the miniscule payment to each resident, the constitution was changed to allow surplus to supplement debt payments and the "rainy day" fund. Weinberg asked and it was clarified that the Salary Commission approved a 25% pay increase for legislators, and a 2% salary increase every year for the next five (5) years.
3. Unfunded Liabilities (cont.) – Hicks asked and it was clarified that if the legislature is unable to pay \$500 million to unfunded liabilities, the Director of the Budget and Finance committee has the authority to make up the difference, but it was not established where the money would come from.
4. Olomana Estates – Wong asked if the Department of Agriculture has a responsibility to preserve the agriculture land which has been divided into two (2)-acre lots for estate housing on the slopes of Olomana. She noted that agricultural land was limited on the Windward side. Representative Lee will follow up.
5. Kaiwa Ridge Trail – Tomioka voiced her support for the trail to remain open, though she noted that drug use has been a problem on the trail.

Councilmember Ikaika Anderson – No representative was available.

Senator Jill Tokuda – Senator Tokuda reported the following:

- Community Policing – The Windward NSW will be having a meeting on Saturday, July 19, 2013 at Hoomaluhea. They will be discussing "Crime 101," to address how best to take care of a neighborhood. The legislature held a meeting on Tuesday, July 9, 2013 to discuss how residents can start their own NSW. Residents were advised to remain vigilant, as crime tends to spike after patrols have ceased.
- Legislature – The distributed newsletter highlighted Kailua Capital Improvement Projects (CIP). Senator Tokuda is excited to work hard on the early learning measures adopted by the legislature. Much work needs to be done on implementation and the specific details, though the bill that was passed was very thorough.
- Budget – This year's budget was intended to be as conservative as possible, cutting \$250 million from Governor Abercrombie's proposed budget.
- Clean and Sober Task Force – The organization had a meeting earlier on July 11, 2013, and Senator Tokuda will follow up next meeting. She has been working with the State Department of Health and the Judiciary branch, as well as meeting with various school principals about what work needs to be done.
- Education – Senator Tokuda's office has been working hard on education initiatives, having met with principals from Kaimuki, Roosevelt and McKinley High School complexes. It has been nearly 10 years since the implementation of the "Weighted Student Formula," which changed the way the Department of Education (DOE) funds schools, and it is important that an assessment of the formula is conducted.

Questions, comments and concerns followed:

1. Clean and Sober Task Force – Prentiss asked and it was clarified that the public is invited to sit in on task force meetings and provide comments. Prentiss noted that group living homes are required to be no less than 1,000 feet apart, but there is no database to ensure that this requirement is followed.

2. Recycling – Weinberg requested that wine and liquor bottles be added to the “HI5” program. Senator Tokuda noted that different rules apply to larger, multiple-serving alcohol containers, but will provide him with contact information for DOH and the Department of Environmental Services (ENV).
3. Fish Pond Restoration – Weller asked why the Pacific American Foundation received over \$1 million in GIA funding. Senator Tokuda noted that the organization is responsible for fish pond restoration near Bayview Golf Course, which gives high school students hands-on learning opportunities in a variety of different subject matters.
4. Capital Improvement Project (CIP) Funding – Hicks asked why almost \$12 million was appropriated to the Hawaii Institute of Marine Biology. Senator Tokuda noted that the funding will supplement the Coconut Island research facility, which is in a hazardous state of disrepair, but offers education opportunities for students from elementary school through college.

Weinberg departed at 9:44 p.m.; **14 members present**

Senator Laura Thielen – No representative was available, but a printed report was distributed.

RESIDENT AND COMMUNITY CONCERNS:

Pedicab Business Proposal – Jeremy Fairchild introduced his proposal to bring his Pedicab business to Kailua, which he considers to be a “green” solution to the challenges of modern day transportation, with no emissions. Fairchild noted that similar operations had been conducted in Waikiki, but were ineffective due to the traffic design. Kailua is the ideal location for this business due to its bicycle-friendly nature and the option to leave the driving lane in favor of the many bike lanes. The business will offer *kamaaina* rates and will be a useful alternative for residents looking to avoid the traffic-packed streets of Kailua.

Questions, comments and concerns followed:

1. Traffic Concerns – Martin was concerned that bicycle traffic will exacerbate the existing traffic problems plaguing Kailua. Fairchild noted that his pedicab can reach the speed limit in many areas where there is no bike lane, and should not contribute to traffic problems in Kailua. Gerardo Valez noted that because pedicabs can utilize bike lanes, they will have little effect on traffic. He noted that cab traffic is preferable to vehicle traffic, and the service may help reduce the number of automobiles.
2. Scale of the Business – Tomioka asked and it was clarified that the business will start with only one (1) pedicab, and, if successful, may expand to three (3) within a few years.
3. Community Support – Lipton asked and Fairchild clarified that he has received support from Lanikai residents.
4. Pedicab Stands – Wong asked if there will be pedicab stands. Fairchild noted that he is working with DTS to establish stands, and envisions having one in Lanikai and one at Kailua Beach Park. The business is currently operating out of Fairchild's home.
5. Waikiki Pedicabs – Bartley asked and it was clarified that pedicabs disrupted the flow of traffic in Waikiki, and as a result they were banned on specific Waikiki streets.
6. Business Approval – Weller asked and it was clarified that DTS sets the limits for his business operation, and requires City Council approval. The business will have insurance, decals from the peddler's office, a commercial bike license and operators certificate.
7. Tourism – Tomasa noted that the business would likely serve tourists more than local residents.
8. Current Operations – Tomioka noted that she saw Fairchild giving someone a ride recently. Fairchild has been giving free rides to his friends and family, but is waiting for approval before starting business.
9. Parking – A community member noted that illegally parking in Lanikai could cost up to \$500 in fines. Parking somewhere legally and utilizing the pedicab service would be much more cost-effective.
10. Future Action – Prentiss suggested referring this item to the Transportation Committee for discussion and investigation.

APPROVAL OF REGULAR MEETING MINUTES: Without objection, the Regular Meeting Minutes of June 6, 2013 were ADOPTED as circulated. 14-0-0 (AYE: Bartley, Byron, Chinen, Darnell, Freeman, Gallagher, Hicks, Lipton, Marten, Prentiss, Retherford, Tomasa, Weller, and Wong.)

BOARD MOTIONS:

Motion 1 – **Bartley moved and Chinen seconded to hold meetings on the first Thursday of every month at the Kailua Recreation Center, 21 North Kainalu Drive. The motion WAS ADOPTED by UNANIMOUS CONSENT 14-0-0 (AYE: Bartley, Byron, Chinen, Darnell, Freeman, Gallagher, Hicks, Lipton, Marten, Prentiss, Retherford, Tomasa, Weller, and Wong.)**

Motion 2 – **Bartley moved and Wong seconded to allow the Neighborhood Commission Office (NCO) to expend funding to pay for Olelo videotaping services.**

Discussion followed: Copies of Recordings – Weller noted that the Hawaii Kai Neighborhood Board received a DVD copy of each Board meeting, which could be copied and distributed among the Board members. It was unknown if the current contractor provides the same service.

The motion WAS ADOPTED by UNANIMOUS CONSENT 14-0-0 (AYE: Bartley, Byron, Chinen, Darnell, Freeman, Gallagher, Hicks, Lipton, Marten, Prentiss, Retherford, Tomasa, Weller, and Wong.)

Motion 3 – **Chinen on behalf of the Parks and Recreation Committee moved that the Kailua Neighborhood Board adopt the resolution regarding the City and County ordinances 12-2 and 12-28 (see attachment 1). Motions from committees do not require a second.**

Discussion followed:

1. Purpose of the Resolution – Chinen reported that the resolution basically thanks City Council for passing Bills 5 and 11 addressing commercial activity at Kailua and Kalama Beach Parks. Bartley noted this motion is a tool to signify that support still exists for the ban on commercial activities at Kailua and Kalama Beach Parks.
2. City Ordinances 12-2 and 12-8 – Prentiss noted that the ordinances prohibit commercial activities at the beach parks, and at the first anniversary of their passage he would like to thank Councilmember Anderson and other legislators who testified in favor of the ordinances.

Neighborhood Assistant Doi departed from the meeting at 10:00 p.m.; the remaining minutes were completed by Secretary William Hicks.

The motion was ADOPTED by UNANIMOUS CONSENT 14-0-0 (AYE: Bartley, Byron, Chinen, Darnell, Freeman, Gallagher, Hicks, Lipton, Marten, Prentiss, Retherford, Tomasa, Weller, and Wong.)

Motion 4 (submitted by the Planning, Zoning and Environment Committee): The Kailua Neighborhood Board opposes the Conditional Use Permit (CUP) for the 1210 Mapuana Street group living facility (2013/CUP-39) because of insufficient parking, and lack of required 30-foot front yard and 15-foot side yards.

Discussion: Donna Wong noted support would require a better understanding of the rules, requirements, and impacts on neighbors than currently exists. Lisa Marten received clarification that this motion pertains only to the request to expand by 2 more bedrooms and increase the residents from 5 to 8. Chuck Prentiss noted that the requirements are clear in that inadequate parking exists for the expansion and that a CUP for 8 people requires 30' of yard frontage (<30' exists) and 15' on the sides (only 6' exists). Ursula Retherford noted there's little point to having zoning requirements if the requirements aren't adhered to. Kelly Tomioka received clarification that the ability to continue to operate with 5 residents is not affected by this motion. Matt Darnell confirmed that this proposal had been pre-briefed at the KNB's February 7, 2013 meeting, asked if the applicants had attended the committee meeting – they had not, and noted that the residents at this sort of group home are not likely to own automobiles or impact parking in the area. Larry Bartley noted that it's not practical to directly seek the presence of involved parties at committee meetings, but rather published notice is sufficient and that he knew the applicants were aware it was on the committee agenda. Kelly Tomioka commented it would be a shame if the lack of yard frontage caused people to be denied a needed service. Donna Wong noted the operators should have been fully aware of the zoning requirements and limitations when they acquired the property. Kelly Tomioka asked if it was known whether the neighbors approved of the increase? Chuck Prentiss said there had been no response from the applicants regarding neighbor response.

The motion was adopted by a vote of 10-3-1 (AYE: Bartley, Byron, Chinen, Freeman, Lipton, Prentiss, Retherford, Tomasa, Weller, and Wong; NAY: Darnell, Gallagher and Marten; ABSTAIN: Hicks).

COMMITTEE REPORTS:

Public Health, Public Safety, and Civil Defense (PHPSCD) - Chair, Claudine Tomasa
There was no meeting in June and the Committee will recess in July.

Government and Community Services - Chair, Matthew Darnell
A meeting was held July 9, 2013. Matt Darnell reported it was learned that 7% of criminals cause 70% of crime; there is insufficient prison space; that there is frustration with a revolving door whereby criminals arrested one day are released and committing more crimes the next day; and that his committee will work with other neighborhood boards to seek more prison space.

Planning, Zoning & Environment - Chair, Donna Wong
The next Committee meeting is the third Tuesday, July 16, 2013, 7:00-9:00 p.m., Kalama Beach Park.

Parks and Recreation Committee - Chair, Jon Chinen
Jon Chinen reported the next Committee meeting will address Bill 25(2013)-Smoking at City Parks and Bill 30(2013)-Use of helmets at skateboard parks. He also noted that mixed signals are sent by the state when the DLNR promotes a \$5 fee and go to the Mokes whereas the city has passed ordinances prohibiting commercial activities and recreational stops by tour companies at Kailua Beach Park.
The next Committee meeting is the third Thursday, July 18, 2013 at 7:00 p.m. at Kailua District Park Arts & Crafts Room

Transportation and Public Works - Chair, William Hicks
There was no meeting in June and the Committee will recess in July.

Chair's Report
Agendas are due from committee chairs by Sunday, July 21, 2013.

ADJOURNMENT – The meeting adjourned at 10:23 p.m.

Submitted by
Adam LeFebvre, Neighborhood Assistant

Reviewed by
Risé Doi, Neighborhood Commission Office
Chuck Prentiss, Chair

Attachment 1: resolution regarding the City and County ordinances 12-2 and 12-28:

Whereas, Kailua and Kalama Beach Parks serve over 45,000 Kailua residents as well as Islandwide residents and visitors; and

Whereas, these beaches have suffered from severe overcrowding; and

Whereas, residents fund public beach parks with property tax payments and fees; and

Whereas, residents pay premium prices for residential properties close to beaches thus resulting in higher annual property taxes; and

Whereas, Kailua is **not** designated as a resort area on the City and County General Plan and Koolau-poko Sustainable Communities Plan; and

Whereas, public beach parks are public recreational areas, not commercial properties; and

Whereas, a number of companies unilaterally decided that they could use this public property for their own tourist businesses competing with the public's use of the beaches; and

Whereas, these problems have been addressed by the Honolulu City Council with the adoption of City Ordinances 12-2 and 12-28 prohibiting commercial activities and recreational stops by tour companies at Kailua and Kalama Beach Parks; and

Whereas, on this one-year anniversary of these ordinances, the Kailua community is extremely grateful for the improved access to our beaches; and

Whereas, City Council member Ikaika Anderson introduced and was instrumental in the passage of these ordinances; and

Whereas, support for the ordinances was also received from Senator Laura Thielen, Representatives Chris Lee and Cynthia Thielen, and former Senators Fred Hemmings and Pohai Ryan; now, therefore,

Be it resolved that the Kailua Neighborhood Board expresses its gratitude and Mahalo to Councilmember Anderson and all of the members of the Honolulu City Council and State Legislature who supported these ordinances; and

Be it further resolved that this resolution be transmitted to all members of the City Council, the named Legislators, the Mayor of the City and County of Honolulu, and the State Judiciary.

Adopted by the Kailua Neighborhood Board No. 31 at their meeting of July 11, 2013 by unanimous consent 14-0-0.