



## KAILUA NEIGHBORHOOD BOARD NO. 31

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### **DRAFT REGULAR MEETING MINUTES THURSDAY, MARCH 6, 2014 KAILUA RECREATION CENTER**

**CALL TO ORDER:** Chair Chuck Prentiss called the meeting to order at 7:02 p.m. with a **quorum of 16 members present**. Note: This 19-member Board requires 10 members to establish quorum and to take official Board action.

**Board Members Present:** Larry Bartley, James “Skip” Byron, Jon Chinen, Matt Darnell, Douglas Dudevoir, Tim Freeman, Bill Hicks, Vernon Hinsvark, Malina Kaulukukui, Levani Lipton, Lisa Marten, Teresa Parsons, Chuck Prentiss, Claudine Tomasa, Gary Weller, Donna Wong and Jeff Zuckernick (appointed at this meeting).

**Board Members Absent:** Tony Locricchio, and Ronald Weinberg.

**Vacancies:** Subdistrict 3 (Maunawili, Olomana, Pohakupu, and Kukuono).

**Guests:** Alenka Remec (Mayor Kirk Caldwell’s representative), Randy Grune (Governor Neil Abercrombie’s representative), Representative Chris Lee, Vandeth Sek (Representative Tulsi Gabbard’s office), Representative Cynthia Thielen, Francisco Figueiredo (Councilmember Ikaika Anderson’s office), Lieutenant Dave Eber (Honolulu Police Department), Captain Damien Kahaulelio (Honolulu Fire Department), Tiffany Patricie, Tom Sihniot (Marine Corps Base Hawaii), Lisa Foster (Sierra Club), Phaedra Rongos (Non Profit Organization), Ann Dewey, Neil Frazer (Lanikai Association), Shannen Clauery (KBCP), Maria Gorrah (Homeless Animals), Dana Ratay, Michelle Mckenna, L. Leslie, Greg Kemp, Stann Reitiss, Joe Gilman, Joan Hood, Greg Hood, Glen Leyeshik, Erik Horn, Bea Barden, Robert Rawlyn, Kahu Ricky Bermudez, Jeff Zuckernick (Residents) and Neil Baarde (Neighborhood Commission Office staff).

**Announcement:** Chair Prentiss announced:

- **Crime Forum** – The Kailua Neighborhood Board No. 31 community crime forum will be held on Thursday, March 13, 2014 at 7:00 p.m. at the Kailua Recreation Center.
- **Biathlon** – The Kailua Canoe Club Dash & Splash Biathlon will be on Sunday, April 27, 2014 at Kailua Beach Park. More information can be found at [www.kailuacanooclub.com](http://www.kailuacanooclub.com).
- **Pali Highway** – The Pali Highway will close the town bound lanes later in March 2014, however, the Pali Highway will be repaved.

**FILLING OF VACANCY IN SUBDISTRICT 3 (Maunawili, Olomana, Pohakupu, and Kukuono):**

**Subdistrict 3 (Maunawili, Olomana, Pohakupu, and Kukuono)** – Chair Prentiss asked if there was anyone present interested in filling the subdistrict 3 vacancy. Lipton nominated Jeff Zuckernick to fill the vacancy in subdistrict 3. Lipton commented on Zuckernick’s back ground as an Emergency Medical Services (EMS) professor and a paramedic.

**Discussion** – Chair Prentiss asked why Zuckernick was interested in joining the Kailua Neighborhood Board. Zuckernick explained that he has been a resident of Kailua since 1999 and before moving to Kailua, Zuckernick was a member of the Waikiki Neighborhood Board. Zuckernick has been in the EMS field since 1984 and is now the Department Chair. Zuckernick cares deeply about the community and when he sees Kailua when driving down the Pali, Zuckernick said he feels like he is 20 years younger. Tomasa commented that Zuckernick had taught her daughter during her EMS classes as well and will not oppose his nomination. **Lipton nominated Zuckernick to fill the vacancy in subdistrict 3. Jeff Zuckernick was APPOINTED to the Kailua Neighborhood Board No. 31 by UNANIMOUS CONSENT, 16-0-0 (AYE: Bartley, Byron, Chinen, Darnell, Dudevoir, Freeman, Hicks, Hinsvark, Kaulukukui, Lipton, Marten, Parsons, Prentiss, Tomasa, Weller, and Wong). 17 members present.**



## PUBLIC AGENCIES

Honolulu Fire Department (HFD) – No representative was present and no report was available.

Honolulu Police Department (HPD) – Lieutenant Dave Eber reported the following:

- January 2014 Crime Statistics – Statistics included 8 motor vehicle thefts, 17 burglaries, 46 thefts, and 29 unauthorized entry into motor vehicles (UEMV).
- Kailua Municipal Parking Lot – The Department of Facilities and Maintenance (DFM) will possibly be closing the Kailua Municipal Parking Lot in the evenings from 10:00 p.m. to 5:00 a.m. The community was directed to call DFM for more information.

Questions, comments, and concerns:

1. Clarification – Bartley asked Lieutenant Eber for clarification regarding the closing of the Municipal Parking lot. Lieutenant Eber explained that there will be no barricade, just a sign with closure times and the vehicles and people still in the lot after hours will be cited.
2. Rationale – Parsons asked why the lot was closing. Lieutenant Eber responded that he is not entirely sure but know there has been many break ins and vandalism in the area. Lieutenant Eber noted it should not be a burden because no businesses are open at that time.
3. Closure Times – Chair Prentiss asked who would be closing the lot and at what time. Lieutenant Eber responded that DFM will close the lot, not HPD, and noted he is unsure about the closure times. Chair Prentiss commented that some nearby restaurants use the lot for parking. Lieutenant Eber commented that the owners can open the lot if needed by contacting DFM. Chair Prentiss commented that he hopes DFM or HPD will warn the community prior to closing the lot as well as citing them for being in the lot after hours. Lieutenant Eber commented that there will be a warning period before citing all trespassers.

Marine Corps Base Hawaii (MCBH) – Major Pam Marshall reported the following:

- Surf & Turf 5K – MCBH will host a surf & turf 5K which will be on Saturday, March 29, 2014 and will begin at 7:00 a.m. and is open to the public. More information can be found at [www.mcbs Hawaii.com](http://www.mcbs Hawaii.com).
- F18s – There are some visiting F18s from the mainland en route to Japan. The F18s are not on Oahu for training, just service as they are in route to Japan.
- Kailua High School – HPD and MCBH helped clean up Kailua High School in February 2014.
- Update on Flares Concern – Last month a resident had raised concern about flares being used over residential areas. Major Marshall reported that the flares were only being fired over restricted areas near the base and could not have been over residential areas. Resident showed a picture of a “fog like” area on radar.
- F22s – Major Marshall announced that the military will be moving F22s to the base.

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

- Kailua Beach Park – In regards to the pile of sand behind the lifeguard tower, the Department of Parks and Recreation (DPR) has received the approval from the Department of Land and Natural Resources (DLNR) as well as the Army Corp. with no extra permits to spread the sand over the beach using a bulldozer. Due to this project, the ramp near the parking lot will be closed from Monday, March 10, 2014 to Friday, March 14, 2014.
- Standing Water Post Paving – The Department of Design and Construction (DDC) explained that during the streets rehabilitation, DDC reverted back to the original grades to restore the storm drain capacity at the inlets. Over the years, roadway sections may have been built up over time due to the repaving over existent sections. Over time, the neighboring properties began building driveway sections to overlay elevations rather than to original grade. The City and the contractor will be investigating the area to address the ponding issues.
- Kawainui Marsh – Kawainui Marsh's model airplane field belongs to the City and is not part of DLNR's master plan. Residents and fliers will still have access to the field to enjoy their hobby.
- Kapaa I LLC – An investigation by the Department of Planning and Permitting (DPP) revealed grading work performed without a grading permit. A notice of violation for the illegal grading will be issued to the property owner. The investigation also showed that the parking of “non related trucks and equipment from other vendors” is a permitted use. The property was rezoned on October 24, 2013 from P-2 General Preservation to an I-1 Limited Industrial District by City Council Ordinance 13-35.

- General Exercise Tax (GET) – The bill before legislature proposes to allow the counties to levy a surcharge on the GET by .5% with no sunset. If passed, Mayor Kirk Caldwell will not seek an additional .5% surcharge, but he would want equity for the City and County of Honolulu to have the .5% currently in effect to continue, as it would for the other counties.
- Quadcopters at Kailua Beach Park – Remec reported that the question asked regarding quadcopters at Kailua Beach Park, required an answer from Corporation Counsel (COR) to see if the City has the ability to control the use of quadcopters. Remec will follow up.
- Refuse Fees – Under the proposal for the refuse fee, residents receiving manual or automated cart collection services will be charged \$10/month, 1/5 the actual cost to the city. Businesses, nonprofit organizations, and multi-unit residential properties receiving front loader dumpster services will be charged the same amount equal to the cost to the City.

Questions, comments and concerns:

1. Refuse Fee – Dudevoir asked if the fee will continue after the development of rail. Remec responded that 25% of the fee goes to rail and the rest for services and funding.
2. Report – Weller asked for a copy of the Mayor's representative report. Remec responded that the report is not for distribution and the report will be found in the minutes.
3. Asphalt – Wong thanked Remec for having Olamana Street fixed and asked where the asphalt goes after it is removed from the streets. Remec will follow up.
4. Street Restoration – Marten commented that the sidewalks and walkways next to the refurbished road are contributing to the ponding. Marten asked when the streets and sidewalks will be refurbished. Remec will follow up.

Lipton departed from the meeting at 7:56 p.m. **16 members present.**

Governor Neil Abercrombie's Representative – Randy Grune reported the following:

- Appointments – Governor Neil Abercrombie announced that Judge Michael D. Wilson is appointed as the associate justice to the Hawaii Supreme Court, Dr. Linda Rosen as the director of the Hawaii Department of Health, and to the University of Hawaii Board of Regents: Jeffrey S. Portnoy, Dr. Lee Putnam, Michelle Asprer Tagorda and Stanford B.C. Yuen. The Governor himself was reappointed by President Barack Obama to the Council of Governors, which consists of 10 governors appointed by the President to focus on matters of national security, homeland defense, synchronization and integration of state and military activities in the United States and matters of mutual interest pertaining to the National Guard.
- Economy – In February 2014, the Governor reported that Hawaii's asset growth outpaced liability growth for the first time in seven (7) years, as it was shown in the State of Hawaii Comprehensive Annual Financial Report (CAFR) for the fiscal year 2013, completed in coordination with the State Auditor.
- Economic Forecast – The Department of Business, Economic Development and Tourism's (DBEDT) First Quarter 2014 Economic Forecast projects continued growth, although slightly less optimistic now than growth in tourism is stabilizing. DBEDT expects the construction industry to lead as Hawaii's overall economy grows each year through 2017. The department also noted Hawaii's low unemployment rate and that personal income is growing faster than inflation and higher than national rate. All reports are available on the Governor's website at [governor.hawaii.gov](http://governor.hawaii.gov).
- Radio Transmitters – The reason for the radio transmitters' delay is that each tower transmitter lasts up to 20 years and is costing a little over \$100,000 each.
- Status of Violation – Any vehicle with an attached camper is required to add and install an additional stop lamp from the trailer or camper.

Questions, comments and concerns:

1. Employment Rates – Dudevoir asked if employment rates have gone up. Grune will follow up.
2. Asphalt – Wong asked where the State deposits the asphalt after the State is done repaving the roads. Grune will follow up.

RESIDENT AND COMMUNITY CONCERNS

- Bike Paths – Greg Camp raised concern about the bike paths and thinks the responsibility of maintenance should fall with the businesses in the area. Camp would like to see a study done of what patterns have changed in the past 20 years. Camp also thinks it could help with the traffic patterns. Chair Prentiss commented that the Board will see what they can do, but a request has already been submitted for a traffic study of Kailua.

- Fireworks – A resident raised concern about fireworks and the new bill that is being presented by Councilmember’s Carol Fukunaga and Ikaika Anderson. The resident added that fireworks can kill and puts a great deal of stress on public authority. Chair Prentiss asked about the status of the bill. The resident responded that the bill is with the committee and is being amended by Councilmember Anderson. Chair Prentiss asked the Public Safety, Public Health, and Civil Defense (PSPHCD) committee to keep an eye on the bill and follow up with the Board next month.

**Chair Prentiss took the agenda out of order to VII. A. Board Motions.**

BOARD MOTIONS:

The Kailua Neighborhood Board opposes the proposed Neighborhood Commission amendment to Section 2-14-106 of the Neighborhood Plan – Chinen read the original amendment to the Neighborhood Plan. Discussion followed. The Board would like to change the number of absences from the proposed number of absences, five (5), and keep the original rule at three (3) absences. Bartley commented that he understands the issue where there could be a few meetings left, so there would be no reason to vacate a seat if it will be reassigned after the term is over.

**The motion that “The Kailua Neighborhood Board opposes the proposed Neighborhood Commission amendment to Section 2-14-106 of the Neighborhood Plan” was ADOPTED by UNANIMOUS CONSENT. 16-0-0, (AYE: Bartley, Byron, Chinen, Darnell, Dudevoir, Freeman, Hicks, Hinsvark, Kaulukukui, Marten, Parsons, Prentiss, Tomasa, Weller, Wong, and Zuckernick.)**

**The agenda order resumed to VI. Presentations.**

Chinen departed the meeting at 8:29 p.m. **15 members present.**

PRESENTATIONS

Hawaii’s Opportunity Probation with Enforcement (HOPE) Program – Judge Steven Alm gave a Powerpoint presentation about the HOPE Program. The HOPE Program has expanded to all felony judges and as of March 2014, 2,200 are in HOPE, 2,100 of those involved with HOPE are from the 8,200 total probationers. HOPE can help the judicial system and make it better for everyone.

Questions, comments, and concerns:

1. Chances – Freeman asked how many chances each individual gets. Judge Alm responded that it depends on the individual case. For instance, if someone on probation tests positive for drug use two (2) times they will be sent to jail for violating their probation agreement, but if the person on probation has not run away, has tried their hardest, and tested positive for drug use then they could receive more chances than the other.
2. Support – Kaulukukui commented that she supports HOPE and thanked Judge Alm for raising awareness. HOPE is consistent with their goals and their methods of helping others. Hicks also thanked Judge Alm for his work with the HOPE Program. Judge Alm presented two (2) books that have chapters on HOPE and its effectiveness.
3. Crimes – A resident raised concern about the number of crimes being reported in their community and asked who these people are. Judge Alm responded that the public needs to do something in order for crime rates to drop. HOPE gets bigger because 51% of offenders commit new crimes. Bartley reminded the community about the Property Crime Forum that will take place Tuesday, March 11, 2014 from 7:00 p.m. to 9:00 p.m. at the Kalama Beach Park.

UNFINISHED BUSINESS:

Lanikai Traffic – Ann Dewey reported an update from the Lanikai Association. The highlights were that a survey went out to 672 tenants and owners of Lanikai and there was a 60% survey return rate where the answers were categorized from highest interest to lowest. The three (3) items that stood out were: 88% want no parking on the bike side of Mokulua Drive, Dewey commented that she is meeting with DTS about the issue. 88% want “no parking” signs on Lanikai streets. Dewey commented that HPD are not enforcing the street because there are no “no parking” signs. 84% would like to see more icons and “no parking” sign(s) on the street, and Dewey has received many concerns mainly from the elderly. Dewey commented that she would like to come back for the April 2014 meeting to update the Board.

Questions, comments, and concerns:

1. Lanikai Association – Dudevoir asked why the Lanikai Association only wants “no parking” signs on one side of Mokulea Drive. Dewey responded because that is what the majority of people want.
2. Statistics – Weller asked how many people took the survey. Dewey responded that 672 surveys were sent, 393 people responded. Weller asked how many wanted no parking signs on both sides. Dewey responded 59%, but DTS wants 80% to make the change.
3. Current Law – Freeman asked if the current law says no parking. Dewey responded yes but it is not enforced because there are no signs on the street. Freeman commented that Dewey might need to change the law because HPD cannot selectively enforce the parking on the street. Marten commented that safety is probably the biggest issue and the Board would like to see it resolved by summer. Bartley commented that police citation is police discretion and it is up to HPD if this issue creates a hazard. Bartley noted that HPD should enforce the law.

Lanikai Residents Action Hui – Neil Frazer reported that there are two (2) kinds of hazardous conditions everyday.

- Direct Hazard – On the bike-lane side, car doors open into the bike lane, forcing pedestrians and cyclists into the motor vehicle lane. On the opposite side, the hazard is of two (2) kinds: car doors open into the motor vehicle, causing cars to swerve into the bike lane; and children exit cars into the motor vehicle lane.
- Indirect Hazard – On sunny afternoons, when a shower occurs or people leave for home, gridlock occurs. Emergency vehicles frequently cannot get in or out and evacuation for a tsunami is impossible. Cars parked opposite the bike lane contribute more to gridlock than cars on the bike lane side, because beach goers must cross the road to reach those cars because often they are carrying kayaks and large coolers.

Questions, comments, and concerns: Chair Prentiss commented that he will refer the issue to the Board’s transportation committee and announced that the committee meeting will be on Thursday, March 20, 2014 from 8:00 p.m. to 9:00 p.m. at the Arts and Crafts Room at the Kailua Recreation Center. Hicks asked if it would be possible to extend the time to see if session can go longer.

#### BOARD MOTIONS:

Resolution in support of Legislative bills HB1943 & SB2656 to study improvement of the Hawaiian Electric Company (HECO) electric grid – Wong asked Representative Cynthia Thielen and Representative Chris Lee if HB1943 is in HD1. Representative Lee responded that the bill is in HD2 and nothing has changed except for a few words. Wong commented that she is in support of HB1943 HD2 as well as SB2656. Bartley asked why the two (2) bills are needed. Representative Lee responded that connecting to HECO would save money. Representative Thielen commented that by 2015 everyone should have storage/socket parodies which will not work in all areas. Chair commented that the bills are asking for a study. Dudevoir commented that photovoltaic (PV) systems are the way to go.

**The motion that “Resolution in support of Legislative bills HB1943 & SB2656 to study improvement of the Hawaiian Electric Company (HECO) electric grid” was ADOPTED, 12-3-0, (AYE: Bartley, Byron, Darnell, Freeman, Hinsvark, Kaulukukui, Marten, Parsons, Prentiss, Tomasa, Wong, and Zuckernick; NAY: Dudevoir, Hicks, and Weller.)**

The Kailua Neighborhood supports HB1714 HD1 & SB 2344 SD1, which address climate change by tasking the Interagency Climate Adaptation Committee under the Department of Land and Natural Resources (DLNR) with creating sea level rise vulnerability and adaptation reports, and which tasks the State Office of Planning with establishing and implementing strategic climate adaptation plans and policy recommendations based on the report – Lisa Foster of the Sierra Club commented that the Sierra Club supports both bills. Bartley commented that the issues are real and agrees with both bills. Bartley also thinks the statistics would be good and informative to see. Weller asked if the bills consider the renters and others who do not own homes. If people put more PV’s it will cost more in the long run. Representative Lee commented that the issue is not who is going to be paying, the issue is doing it in a way where utility is viable. If the utility fails then the taxpayers will be paying more. Hicks commented that HECO should be responsible but understands about the cost of the entire project. Marten commented that she feels as if Representative Lee has identified the problem and thinks the Board should support the bills.

**The motion that “The Kailua Neighborhood supports HB1714 HD1 & SB 2344 SD1, which address climate change by tasking the Interagency Climate Adaptation Committee under the Department of Land and Natural Resources (DLNR) with creating sea level rise vulnerability and adaptation reports, and which tasks the State Office of Planning with establishing and implementing strategic climate adaptation plans and policy recommendations based on the report” was ADOPTED, 12-1-2 (AYE: Byron, Darnell, Dudevoir,**

Hinsvark, Kaulukukui, Marten, Parsons, Prentiss, Tomasa, Weller, Wong, and Zuckernick, **NAY:** Freeman  
**ABSTAIN:** Bartley and Hicks.)

ELECTED OFFICIALS:

Representative Chris Lee – Representative Lee reported the following:

- Bills – The bill to increase parking, the three (3) molasses bills, and HB 1225 have all passed the House.
- Announcements – Representative Lee announced that the City and County are moving on the Kalapawai intersection. Funding is being put into the prison funds for the relocation of Oahu Community Correctional Center (OCCC). Representative Lee added that he will ask the military and the federal government to help with the Red Hill tank issues.

Representative Cynthia Thielen – Representative Cynthia Thielen reported the following:

- Industrial Hemp – Congress has passed the Industrial Hemp Farm Act. The industrial hemp will be used for research only and the bill came from the Senate and will help the University of Hawaii (UH) with their research.
- Kindergarten – Representative Thielen also announced that a bill to make Kindergarten mandatory is being submitted and will be heard soon.

Questions, comments, and concerns:

1. Thanks – Byron thanked the Representatives for coming and giving their reports.
2. Hemp – Bartley asked what the purpose is of doing a study on industrial hemp. Representative Thielen commented that the Model T ran on hemp oils and other oils. Hemp can be used as an inexpensive material. Representative Thielen noted Congress allowing the use of industrial hemp.

Councilmember Ikaika Anderson – Francisco Figueiredo reported that Councilmember Anderson has been working on the submitted budget requests because the hearing will be soon.

Questions, comments, and concerns: Asphalt – Wong asked where the asphalt goes after it is used. Figueiredo will follow up.

Senator Jill Tokuda – No representative was present and no report was made available.

Senator Laura Thielen – No representative was present; a report was made available.

Representative Ken Ito – No representative was present and no report was made available.

**Chair Prentiss took the agenda out of order to IV. A. Honolulu Fire Department.**

Honolulu Fire Department (HFD) – Captain Damien Kahalelio reported the following:

- February 2014 Statistics – There were 3 structure fires, 3 rubbish fires, and 3 vehicle fires. There were 125 medical emergencies, 2 water based search and rescues, 1 land search and rescue, and 36 miscellaneous calls for service. There were no major incidents and no unusual incidents.
- Barbeque Grill Safety Tip – Propane and charcoal barbeque grills should only be used outdoors. The grill should be placed well away from the home and deck railings and out from under eaves and overhanging branches. Propane and charcoal grills may not be used on apartment or townhouse balconies. Keep children and pets three (3) feet from the grilling area. Remove grease or fat buildup from the grills and trays below the grill. Ensure that the gas grill lid is open before lighting. Never leave a lit grill unattended. Ensure coals are completely cooled before disposing in a metal container.

**Chair Prentiss resumed with the order of the agenda.**

APPROVAL OF THE FEBRUARY 6, 2014 REGULAR MEETING MINUTES – **Wong moved and Hicks seconded to APPROVE the February 6, 2014 regular meeting minutes as amended. The motion was ADOPTED by UNANIMOUS CONSENT, 15-0-0 (Aye:** Bartley, Byron, Darnell, Dudevoir, Freeman, Hicks, Hinsvark, Kaulukukui, Marten, Parsons, Prentiss, Tomasa, Weller, Wong and Zuckernick). The correction is:

- Page 8, Under Government and Community Services, change date to third Wednesday, instead of second Tuesday.

COMMITTEE REPORTS:

- Public Safety, Public Health and Civil Defense (PHPSCD) – Chair Claudine Tomasa announced that the PHPSCD Committee and Kailua Preparedness Subcommittee meeting will be on Tuesday, March 18, 2014 from 7:30 p.m. to 8:30 p.m. at the Castle Medical Center Auditorium or Class Room located next to the Auditorium.
- Government and Community Services – None.
- Parks and Recreation Committee – None.
- Transportation and Public Works – None.

Treasurer's Report – None.

Chair's Report – Chair Prentiss reported:

- Agenda due to chair by Saturday, March 22, 2014.
- The Board will have its usual booth at the Kailua Town Party in April 2014. Chair Prentiss requested that the members please attend.
- The new guide book for Board Members is now available with up to date listings.

ADJOURNMENT: The meeting adjourned at 9:48 p.m.

Submitted by: Neil Baarde, Neighborhood Assistant  
Reviewed by: Rise Doi, Neighborhood Assistant II  
Final Review by: Chair Chuck Prentiss

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