



KULIOUOU/KALANI IKI NEIGHBORHOOD BOARD NO. 2

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813
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DRAFT-REGULAR MEETING MINUTES

THURSDAY, JUNE 4, 2015

AINA HAINA PUBLIC LIBRARY

CALL TO ORDER: Chair Kurt Lajala called the meeting to order at 7:00 p.m. **Quorum was established with 12 members present.** Note – This 17-member Board requires nine (9) members to establish a quorum and to take official Board action.

Board Member Present: Bernie Boltz, Paula Carroll, Kathryn Higa, Peter Kay, Bill Kilcoyne, Kurt Lajala, Heather Lum, Martin Mori, J. Ed Schell, Sheridan Spangler, Jessica Stamm and Mel Yap.

Board Members Absent: Ashley Lukens, Kevin Mulkern and Linda Starr.

Guests: T. Ho, Francis Choe (Councilmember Trevor Ozawa's Office), Jeanne Ohta (AHCA), Art Mori (AHCA), Stanford Au, Doug Tanaka, Reynold Yoshimura, Director Suzanne Case and Ed Underwood (Department of Land and Natural Resources); Jeffrey Krantz, Matthew Fujioka, Elizabeth Reilly (Hawaii Kai Hui), Kathy Takemoto (Aina Haina Community Association), June Friendschutt, Damien Correia, Jeannine Johnson (Niu Valley Community Association), Senator Sam Slom, Susan Childs, Natalie Iwasa, Bill Brizee (Architects Hawaii), Representative Mark Hashem, Lieutenant Sukekane and Sergeant Hong (Honolulu Police Department, District 7); Scott Muraoka (Board of Water Supply), Ann Marie Kirk, Marcia Ikuta, Steve Antonio (Videographer), Nola J. Frank (Neighborhood Commission Office) and 30+ audience members who did not sign the guest list.

Vacancies: There was one (1) vacancy in Subdistrict 2 and Subdistrict 7.

PLEDGE OF ALLEGIANCE: Chair Kurt Lajala led the Pledge of Allegiance.

7:02 CHAIR ANNOUNCEMENTS: Chair Lajala announced the following:

- Modified Robert's Rules of Order to allow fair discussion and consideration for timelines.
- Please attempt contact with concerned parties (i.e. elected and appointed government officials).
- Please focus questions and comments to the recognized motion or discussion.
- Remember to address questions and comments to the Board Chair.
- Reminder: July regular meeting agenda will include Board Member installation, Board Officer Elections and the July 2015 – 2016 Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 regular meeting schedule.

HONOLULU FIRE DEPARTMENT (HFD): Chair Lajala announced that a report was provided and would be posted on the Board's website at [www.http://goo.gl/lll/mhGBVy](http://goo.gl/lll/mhGBVy).

7:04 HONOLULU POLICE DEPARTMENT (HPD): Lieutenant (Lt.) Sukekane introduced Sergeant Hong and highlighted the following:

- **May 2015/April 2015 Crime Statistics:** There were 4/14 burglaries, 5/7 unauthorized entries into motor vehicles (UEMV), 7/13 thefts, 6/1 auto thefts, totaling 6, 234 calls for service.

Questions, comments and concerns followed:

1. **9-1-1 Dispatch Down:** Kilcoyne asked and Lt. Sukekane answered that the 9-1-1 dispatch is currently down, but taking priority calls. Higa noted that the alternate number to call is 529-3111 until further notice. Lt. Sukekane noted that contingency plans are in place.
2. **Home Break-in:** Kilcoyne asked what has happened to the three (3) male suspects caught in a home break-in last week. Lt. Sukekane answered that the case is under investigation.
3. **Abandonment of the Sit & Lie Bill:** Lt. Sukekane answered for Chair Lajala that HPD has received no update regarding enforcement. HPD currently does respond to calls relating to homeless in the parks. Everyone was encouraged to call 9-1-1 if anything suspicious is seen while it is happening and not after the fact.

4. Mahalo: On behalf of the Waialae Iki Ridge Association, Yap thanked HPD for doing a great job patrolling from Kalaniana'ole Highway to the top of Laukahi Street. The association appreciates all that HPD does for the community.

7:08 BOARD OF WATER SUPPLY (BWS): Scot Muraoka reported the following:

- Water Main Breaks: One (1) water main break reported in May at 5621 Kalaniana'ole Highway near Halemaumau Street in Niu Valley.
- Water Rates: BWS implemented a new water schedule in 2012 to support BWS's mission to provide a safe and dependable water supply now and into the future. The rate increase was spread over a five (5)-year period to minimize the impact on customers. Customers are reminded that effective Wednesday, July 1, 2015, the monthly billing charge will increase from \$8.44 to \$9.26 (82¢) monthly. The water rate will increase from \$4.03 to \$4.42 for 1,000 gallons of water. The increase is necessary to provide the BWS with the means to maintain the water system and help minimize main breaks and unplanned emergency repairs. Although the increases appear jointly on the bill, the water charges are separate from the sewer charges. Visit www.boardofwatersupply.com for more information.
- Annual Water Quality Reports: The annual water quality reports will be mailed to all customers by Wednesday, July 1, 2015. Information is posted on the BWS website.
- Red Hill Fuel Storage Tank Leak Update: A 27,000gallon jet fuel leak from Tank 5 at Red Hill Bulk Fuel Storage Facility was reported by the U.S. Navy in January 2014. Since then the BWS has been working with the Environmental Protection Agency (EPA) and the Department of Health (DOH) urging the Navy to take the necessary steps to prevent fuel contamination from reaching the BWS wells and protect the groundwater aquifers and now and in the future. An Administrative Order on Consent (AOC) was issued in June 2015 by the DOH, EPA and Navy. A public meeting to discuss the Administrative Order on Consent (AOC) will be held on Thursday, June 18, 2015 from 6:30-8:30 p.m. at the Moanalua middle School cafeteria (1289 Mahole Street). In order to receive consideration, the deadline for comments on the AOC should be submitted by Wednesday, July 1, 2015.

Questions, comments and concerns followed: Rate Increases: Muraoka answered for Kilcoyne that the implemented rate increase is 10%.

PRESENTATIONS:

7:14 Discussion with Department of Land and Natural Resources (DLNR) Chairperson Suzanne Case regarding management of Maunalua Bay Ocean Recreation Area: DLNR Director Suzanne Case introduced herself and noted previously working with the Huki project. In response to issues and concerns Director Case explained the following:

- Implementation of Rules by the Division of Boating and Ocean Recreation (DOBOR) without Public Input: DOBAR issues statewide rules and issues commercial activity licenses, who launch out of state facilities. DOBOR is unable to enforce violations on boats launched from private harbor facilities. Public notice was posted. Commercial operators must have a registered and pay \$200 monthly fees, liability insurance and ministerial is required. This does not change what the operator can or cannot do regulated or not.
- Zoning Rules: Zoning rules since the 1980's Regulates commercial activities in the bay. However, the rules do not include surfing schools, kayaking and paddle boards, which did not exist at that time. It was noted that the population has increased and the 1980 rules maybe outdated.
- Amended Rules: There is an increase of bay activity, which gives DOBAR an opportunity to reopen the current process.
- Current Status of the Recreation Advisory Council (RAC) formation within the 10 Ocean Recreation Management Areas under DOBOR: A meeting was held on Monday, April 20, 2015 with some community input. The current proposal adds one (1) seat to the council. The concept is that people in various use areas must be neutral. The goal is to have people who articulate a neutral stance, lesser use stance and be active community member.

Questions, Comments and Concerns followed:

1. Commercial Boat License: Ann Marie Kirk reiterated that community members and organizations are working together to care for the bay so it remains healthy and continue to provide community ocean recreation for future generations. For the past 30 years the community has strongly voiced opposition to increase in commercial activity in Maunalua Bay, The new DOBOR permitting process will open up new commercial activity outside of the pre-established area established by the state for Maunalua Bay. The bay will be greatly impacted along with community ocean recreational areas across the state. The group

is asking that new permit process be suspended and review at all levels (community, state, federal) is needed.

2. Increased Bay Activity: A resident commented that the amount of use in the bay must have justifications. Underwood replied that only previous permits are required for parasailing, thrill crafts, speed boats and water sledding.
3. Comment: Jeannine Johnson that a Honolulu advertisement website has a hundred plus pictures of topless people on a boat drinking alcohol. Johnson also pointed out people were parasailing on Sunday and wanted to know who is enforcing violations. Case recommended calling DOBAR. However, resources are limited. Case suggested to document issues. Johnson asked if the Makai Watch Program could assist. Case explained that DLNR has 120 officers and 1.3 acres of land and water to patrol. The community can help by reporting issues.
4. Enforcement: Ohta noted that the community struggles due to lack of enforcement. Case noted that there are not enough appropriations and that revenues from boating go to the Harbors Division.
5. Restricted Area Rules: Case answered for Ohta that Hawaii Revised Statutes (HRS) allows the creation of restricted area rules for safety.
6. Recreational Advisory Council: Ota recommended having an odd number of seats for voting purposes.
7. Rogue Jet Ski: Elizabeth Reilly reported a rogue Jet Ski landing in Kuli'ou'ou Beach Park. 9-1-1 and DOBAR were called and Senator Thielen was asked for a reply regarding the incident. To date no reply has been received and the understanding is that nothing has been done. A constituent sent a letter to the Hawaii Kai Neighborhood Board No. 1 requesting a formal reply from Senator Thielen and DOBAR.
8. Comment: A resident commented that commercial owners are operating outside of the designated Maunalua Bay areas, point to point from Wailupe point. The resident asked if it is legal for the operators to continue outside of the designated areas. It was relayed that the Makai Watch is helpful in monitoring and taking photos. DOBAR will contact the operators.
9. Comment: Chair Lajala noted if operators are legally outside of the prohibited area, is it legal. Venturing in an unauthorized area affects the status use of the current permit. Underwood noted that the concern could be referred to the DOBAR officers.
10. Thrill Craft Area Zones: Kirk expressed concern and fear of the issuance of new thrill craft permits.
11. Response: Case reiterated that a boating license is not the same as a vehicle license.
12. Comment: Spangler noted that the issue was brought to the Board attention at a meeting in the 1990's. Thrill crafts have continuously go up and down the coastline from Hawaii Kai to Wailupe.
13. East Honolulu Sustainable Plan: Spangler stated that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 predates the Hawaii Kai Neighborhood Board No. 1. The areas are still residential and Spangler does not want it to become a Waikiki. Chair Lajala added there is a high level of attachment to the bay and a high level of community disappointment.

Kay moved seconded by Spangler that the Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 support a moratorium on unregulated commercial activities, surf schools and others in Maunalua Bay until the Recreation Advisory Council (RAC) is formed.

Discussion followed:

1. Motion Clarity: A guest asked and Kay clarified until the formation of the RAC. A guest commented that there are no restrictions on commercial surf schools. Kay pointed out that the purpose of the motion is to indicate the feelings of the community.
2. Comment: A resident called attention to the fact that her three (3) sons had owned jet skis businesses. It was noted that private entities cannot operate in Maunalua Bay.
3. Deployment of Resources: Higa asked how the deployment of resources is prioritized for enforcement purposes. Director Case explained that there are limitations to enforcement issues, but DOBAR does its best. Status follow up will be done.
4. Comment: Resident and commercial activity owner Jeff Krantz raised concern about the segregation. Krantz pointed out that the business does a lot of community service and are members of committees. Krantz expressed alienation due being a business owner in Hawaii Kai and also a member of the community.

The motion was ADOPTED, 11-0-1 (Aye: Boltz, Carroll, Higa, Kay, Kilcoyne, Lajala, Lum, Schell, Spangler, Stamm and Yap; Nay: 0; Abstain: Mori).

7:59 Discussion with Department of Planning and Permitting (DPP) Director George Atta regarding zoning, planning and permitting of new commercial developments in the Kuli'ou'ou-Kalani Iki neighborhood:

Aina Haina Long's Drugs/ CVS:

- Current Kalaniana'ole Highway Vehicular Traffic Impact: DPP hopes to rely on the traffic report submitted by the applicant. The report is based on the National Standards and mitigation. The national standards must be used without a separate study which has a different criteria. However, if the study shows something else is happening, DPP may impose special conditions.
- Second Study: There is no second study for reflection of the current study, which states that six (6) to nine (9) months after the opening an impact study will be done.
- Ministerial Permit: In response to an Aina Community Association (ACA) member, there is no highly technical ministerial permit, requiring less community involvement tied to certain property rights and not up for discussion. A ministerial permit standard is not part of the permit.
- Proposed Ingress/Egress at Site: There are no proposals or changes.
- Traffic Minimizing: Conditions included the installation of a crosswalk with flashers on Hind Drive, no delivery trucks on local streets and no off-site employee parking.
- Grand Opening: A parking lot attendant and special duty HPD officer will be on site for the grand opening. There will be on sight security cameras monitoring vehicular traffic.

Questions, comments and concerns followed:

1. Hind Drive Going East/West: Director Atta answered for Higa that community streets have counters and other only when there is a development project. Higa asked for the consideration of prioritizing Hind Drive to the main thoroughfare. Atta will follow up as to what the counts are on a daily basis.
2. Traffic Study for West Hind Drive: Ohta asked about a traffic study for West Hind Drive. Ohta noted that a previous suggestion was a traffic circle.
3. Driveways: Ohta noted that certain driveways movements restricts preview to turn left/right. . Director Atta answered that the DPP controls inside and up to the curb-line of a street. The Department of Transportation Services (DTS) takes care of traffic movements within a street and authorizes street patterns. Ohta raised concern regarding two (2) driveways being right across from each other,
4. Nenu Street: Stanford Au raised concern regarding congestion on Nenu Street and asked if this street could be included in the traffic study. A previous round-a-bout proposed was opposed by the community. Au emphasized that other area streets will be used as a side street like Nenu Street which goes through the shopping center. Concern was brought up about the westbound deceleration lane. Atta asked if options were discussed earlier and noted that Hirayama (traffic engineer) has discussion with the applicant regarding options.
5. Traffic Counts: Ohta requested traffic counts be provided for Nenu Street and Nenu Place.

Niu Valley Shopping Center:

- Variance Application: It was asked and Director Atta noted that DPP has received no variance application or reclassification (zone change) from the new owner. Director Atta explained that a variance application must meet three (3) strict requirements, such as notifying the Neighborhood Board of a public hearing and conditions of approval must be met. Relative to a zone change request it includes a public hearing review, a study may be need and prerequisite notification to the Neighborhood Board and then to the Planning Commission.

Questions, comments and concerns followed:

1. Mahalo: Spangler thanked Director Atta for attending the meeting and presenting to the Board. Spangler stated it was an honor.
2. Variance Application: Spangler asked if a variance is sought what the Board can do. Director Atta replied that variances are broad and only variances from the regulations are justified, such as extreme hardship and not altering of the surrounding properties. There are also building heights, code issues and zone setbacks and others.
3. Zone Change: Director Atta answered for a member of the audience that a zone change is possible.
4. Clarity: Kay asked clarification of a B-1 and B-2 zone change. Director Atta noted that a B-1 includes heights for businesses. The parcel must be attached to the zoning zone maps, which shows the allowable heights.
5. Status of the General Sustainable Plan: Director Atta answered for Higa that the draft is under the second review and will be followed by public review, the Planning Commission by the end of the year and to the City Council early next year.
6. Niu Valley Community Association: Jeannine Johnson thanked Director Atta for attending the meeting. Johnson relayed receiving complaints that a preschool is being operated for a church. The community is

concerned of what the center will be. Director Atta replied that DPP regulates issued permits and that a Conditional Use Permit (CUP) is needed for an upgrade. The permit holder cannot do what the permit does not allow in the zone. Each issue is handled on a cast by case basis.

7. Corner of Halemaumau Street and Mahimahi Street: Marcia Ikuta reported three (3) schools using this intersection between 7:30-8:30 a.m. congesting the area, nursing home drop-off at 8:30 a.m., and employees parking on the street across from the rental units exacerbating safety issues. Ikuta pointed out that huge trucks are also using the street and raised concerns of emergency responders not getting through to their call. Ikuta requested a traffic study when school is in session before any permits are approved for residential use on the Niu Valley Shopping Center site.
8. Contra Flow Lane: Johnson pointed out that the contra flow lane caused ingress back-ups into the entire Niu Valley. Director Atta replied that the matter is a regional transportation problem.
9. Traffic Study Problems: Ohta reiterated that traffic studies must be done when children are dropped off at school. Ohta asked if a traffic study is required for a zone change application. Director Atta noted that a building permit is required. The traffic review branch would raise questions.
10. Draft Plans: The plans can be reviewed online.

NEW RESIDENTS' CONCERNS:

Future Development of Niu Valley Shopping Center: Discussed earlier in the meeting.

ONGOING RESIDENTS' CONCERNS:

Future `Aina Haina Long's Drugs/ CVS Development: Discussed earlier in the meeting.

Vagrancy Problems (Kuli'ou'ou, Kawaiwai and Wailupe Beach Parks, Waiialae Iki Park): Discussed earlier in the meeting.

8:38 CITY ELECTED OFFICIALS:

Mayor Kirk Caldwell's Representative: Director George Atta reported the following:

- City News: The City News highlights Mayor Caldwell's priorities include roads, rail, parks, homelessness and sewers and infrastructure.
- Paiko Lagoon Right of Ways: The Department of Facility Maintenance was not involved with installing "No Trespassing" and "Keep Out" signs at this location. Paiko Lagoon is a Wildlife Sanctuary managed by the State DLNR. A dispute was reported about November 6, 2014 regarding private resident(s) installing signs on private property that appear to limit access to the State property/right of way. Please refer this issue to the State representative.
- End of Paiko Drive and Kuli'ou'ou Road: The Department of Parks and Recreation (DPR) has requested to have a new sign post installed. However, the trail at the end of Kuli'ou'ou Road is not under DPR jurisdiction.
- Kalaniana'ole Highway Traffic Lights Synchronization Request: The Department of Transportation Services (DTS) has been monitoring the State Kalaniana'ole Highway corridor and adjusting the timing due to the ongoing construction lane closures. The traffic signal sensors have been replace and weekend should be back to normal. The constituent can contact DTS at 768-8387.
- Side Lots on Leighton and Ailuna Street Trimming on Sundays and Holidays: It was asked that specific addresses be provided.

Questions, comments and concerns followed:

1. Paiko Lagoon Comments: Higa mentioned being told by DLNR that the City would install entrance signs and asked for clarification. A resident added that DLNR has put up new "trespassing" signs. The resident noted that an entrance sign was put up on private property by an owner. The resident stated that there are kayakers, trash, fishing, and other activities at happening at the lagoon. It was noted that property lines line up to the lagoon easement and the public right- of- way. The resident stated that although Paiko Drive is private, DLNR does nothing to protect the lagoon. However, the illegal signs were removed. Chair Lajala noted that the issue is stuck between the City and State.
2. Vacant Lots: Lum reported City crews cleaning vacant lots on Leighton Street on Memorial Day. The properties have no address numbers so abutting home numbers were given.

3. Laukahi Street Repaving: Yap asked for the name and phone number of the city crew who did an awesome job. Director Atta will follow up.
4. City Improvements: Director Atta answered for Stamm regarding \$4.7 million for improvements that the range is board. Currently work continues for the Kaneohe-Kailua gravity sewer tunnel, Sand Island Treatment Facility, several force mains trunk lines in the Pearl City area. Projects are scattered island wide.

Councilmember Trevor Ozawa: Francis Choe circulated the written report and highlighted the following:

- Budget: The Fiscal Year 2016 budget passed.
- Bill 6: The bill expands the Sit-Lie ordinance was vetoed by the Mayor and overridden by the City Council.
- `Aina Haina Densities: Information will be provided to Jeanne Ohta of the `Aina Haina Community Association (AHCA).
- Ohana Dwelling Capacity Update: The ordinance would allow renting to others rather than only to family members. A ministerial permit is required by law, with only one (1) unit minimal parcel size.

8:57 STATE ELECTED OFFICIALS:

Governor David Ige's Representative: No representative present; no report provided.

Senator Sam Slom: Senator Sam Slom circulated his report and highlighted the following:

- Potential Vetoes: The governor has until Monday, June 29, 2015 to indicate any bills to be vetoed.
- Hawaii Connector: The program gets worse daily with false figures. Thirty thousand people have signed up, but only 8,000 have paid. The Hawaii Medical Service Association (HMSA) filed the largest rate increase request at 49%.

Representative Mark Hashem: Representative Mark Hashem highlighted the following:

- Emergency Preparedness: Representative Hashem circulated a card with important hurricane season and emergency supply kit information.
- Kalani High School Girls Locker Room: Funding has been added to the budget for a girl's locker room at Kalani High School.

Note: Spangler had a question, but was asked by Chair Lajala to bring the question up at the next Board meeting. Neighborhood Assistant Frank tried to remind the chair that everyone must have a turn to speak, but did not get a response and the agenda continued.

9:01 BOARD BUSINESS:

Board Vacancy Replacement for Subdistrict 2: As there were no Board nominations or volunteers to fill the position, this item was deferred to the next meeting.

Committee Reports: There were no committee reports.

Motion to Declare Subdistrict 8 Seat Vacant due to Board member Lukens Absenteeism: **Chair Lajala moved Boltz seconded to declare the Subdistrict 8 seat vacant. The motion was ADOPTED UNANIMOUSLY, 13-0-0 (Aye: Boltz, Higa, Kay, Kilcoyne, Lajala, Lum, Mori, Mulkern, Schell, Spangler, Stamm, Starr and Yap).**

APPROVAL OF THE MAY 7, 2015 REGULAR MEETING MINUTES: **KAY moved and Boltz seconded approving, the May 7, 2015 regular meeting minutes as circulated. The minutes were ADOPTED as circulated, 13-0-0 (Aye: Boltz, Higa, Kay, Kilcoyne, Lajala, Lum, Mori, Mulkern, Schell, Spangler, Stamm, Starr and Yap).**

Treasurer's Report: Treasurer Spangler reported May 2015 expenditures of \$37.90, leaving a balance of \$241.51. The report was filed.

9:03 ANNOUNCEMENTS:

- NCO Certificates of Appreciation: Chair Lajala presented certificates of appreciation and Board members Spangler and Carroll presented lei to Vice Chair Schell for serving as a Board member from 1999-2015, Peter Kay from 2007-2015.

- Next Meeting: The next Kuli'ou'ou-Kalani Iki Neighborhood Board No 2 initial convening meeting for the 2015-2017 term is scheduled for Thursday, July 2, 2015, `Aina Haina Public Library at 7:00 p.m.
- Audio Recordings: Informal audio recordings of the meetings are available to the general public via `Olelo "On Demand" at <http://goo.gl/mhGBVv>. Search for 'Kuli'ou'ou Board' and you can download an mp3 or watch a video of the meetings online.
- All Submitted Public Documents Available Online: We request that all documents submitted for inclusion to any meeting be sent electronically in either PDF or Word format no less than two (2) weeks in advance. All documents will be available via the web at <http://goo.gl/9hWSH> (please note the upper/lower case) and will be archived for one (1) year.

ADJOURNMENT: The meeting adjourned at 9:04 p.m.

Submitted by Nola J. Frank, Neighborhood Assistant.

Reviewed by: Neil Baarde, Neighborhood Assistant

Final Review by: Heather Lum, Board Secretary and Kurt Lajala, Chair