

Minutes of a Regular Meeting
of the Members of the
Hawaii Community Development Authority,
State of Hawaii

MEETING NO. 390
Wednesday, October 2, 2013

KAKAAKO

I. CALL TO ORDER/ROLL CALL

A regular meeting of the Kakaako Members of the Hawaii Community Development Authority (“Authority”), a body corporate and public instrumentality of the State of Hawaii, was called to order by Mr. Brian Lee, Chairperson of the Authority, at 1:14 p.m. on Wednesday, October 2, 2013, at the Authority’s principal executive offices at 461 Cooke Street, Honolulu, Hawaii, pursuant to Article IV, Section 1 of the Authority’s Bylaws.

Members Present: Jade Butay (DOT)
Mary Alice Evans (DBEDT)
Miles Kamimura
Brian Lee
Lois Mitsunaga
Dean Seki (DAGS)

Members Absent: Luis Salaveria (DBF)

Others Present: Anthony Ching, Executive Director
Lori Tanigawa, Deputy Attorney General
Lindsey Doi, Compliance Assurance and Community Outreach Officer
Deepak Neupane, Director of Planning & Development-Kakaako
Chris Sadayasu, Asset Manager
Shelby Hoota, Program Specialist
Patricia Yoshino, Secretary
Holly Hackett, Court Reporter

MATERIALS DISTRIBUTED:

1. Report of the Executive Director;
2. Summary Minutes of Special Kakaako Authority Meeting of August 21, 2013;
3. Summary Minutes of Regular Kakaako Authority Meeting of September 4, 2013;
4. Discussion and Possible Action on Petition for Relief From Approval of Development Permit for Kamehameha Schools, Land Block E (Master Plan Permit No.: PL MASP 13.2.8) by the Hawaii Community Development Authority on

- August 7, 2013, Planned Development Permit No.: KAK 13-033, and Confidential Staff Report by Deputy Attorney General Distributed during Executive Meeting;
5. Decision Making: Shall the Authority Authorize the Executive Director to Extend Right of Entry 12-13 with Renewable Water Technologies LLC for a Portion of the Look Lab Yard for a Term Not to Exceed One (1) Year;
 6. Decision Making: Shall the Authority Authorize the Executive Director to Execute a Contract for Landscape Maintenance Services for Kakaako Waterfront, Makai Gateway, and Kewalo Basin Parks for a Term Not to Exceed Three Years and to Expend Up to \$1,000,000 from the Hawaii Community Development Revolving Fund, Leasing and Management Subaccount.

II. APPROVAL OF MINUTES

1. Kakaako Special Meeting of August 21, 2013

Chairperson Lee asked whether there were any corrections to the minutes of the August 21, 2013 meeting. There were no comments or corrections from the Members, and the minutes were approved as presented.

2. Regular Kakaako Meeting of September 4, 2013

Chairperson Lee asked whether there were any corrections to the minutes of the September 4, 2013 meeting. There were no comments or corrections from the Members, and the minutes were approved as presented.

III. REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Ching stated he would defer a verbal report and just refer the Members to the written report in the packet previously distributed to Members.

There were no questions from Members or comments from the audience on the report.

IV. KAKAAKO MATTERS*

3. Discussion and Possible Action on Petition for Relief From Approval of Development Permit for Kamehameha Schools, Land Block E (Master Plan Permit No.: PL MASP 13.2.8) by the Hawaii Community Development Authority on August 7, 2013, Planned Development Permit No.: KAK 13-033.

The Authority anticipates convening an Executive Meeting pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, to consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities.

Mr. Ching stated that a Petition for Relief was received on September 6, 2013 from Ms. Linda Paul, attorney for the Association of Apartment Owners of One Waterfront Tower and Kakaako United ("Petitioners"). The petition seeks to have the Authority

rescind its approval of Development Permit KAK 13-033for Kamehameha Schools Land Block E. Motions to Intervene in the petition for relief were received from the trustees of the Estate of Bernice Pauahi Bishop dba Kamehameha Schools and from the Collection, LLC.

There was no public comment on the agenda item.

Chairperson Lee entertained a motion for the Authority to convene in Executive Session pursuant to Section 92-5 (a)(3), Hawaii Revised Statutes.

A motion was made by Member Seki and seconded by Member Evans.

A roll call vote was conducted.

Ayes: Members Butay, Evans, Kamimura, Lee, Mitsunaga, and Seki.

Nays: None.

The motion passed 6 to 0 with 3 excused (Member Salaveria and 2 vacant positions).

Chairperson Lee asked that Ms. Tanigawa, Mr. Ching, Mr. Neupane, Ms. Doi and Ms. Yoshino join the executive meeting.

Pursuant to Section 92-5(a)(3), Hawaii Revised Statutes, the Authority convened in Executive Session at 1:20 p.m.

Member Kamimura exited the meeting at 1:50 p.m.

The regular meeting was reconvened at 1:50 p.m.

Chairperson Lee entertained a motion for the Authority to request that pursuant to section HAR 15-219-47(b), the Petitioners submit an amended petition in compliance with Hawaii Administrative Rules 15-219-47(a).

A motion was made by Member Seki and seconded by Member Evans.

A roll call vote was conducted.

Ayes: Members Butay, Evans, Lee, Mitsunaga, and Seki.

Nays: None.

The motion passed 5 to 0 with 4 excused (Members Kamimura, Salaveria and 2 vacant positions).

Chairperson Lee stated that Agenda Item 4 for Renewable Water Technologies and Agenda Item 5 on Parks' Landscape Maintenance Services would be deferred to the next meeting.

There were no public comments offered on the agenda items.

V. ADJOURNMENT

A motion to adjourn was made by Member Evans and seconded by Member Butay. By a show of hands vote, the motion carried unanimously.

The meeting was adjourned at 1:55 p.m.

Respectfully submitted,

/s/

Miles Kamimura
Secretary

*Meals were served to Authority members and required staff as an integral part of the meeting.

Note: The transcript of this meeting contains a verbatim record and should be consulted if additional detail is desired.