

**AGRIBUSINESS DEVELOPMENT CORPORATION**

Minutes of the Board of Directors Meeting held Virtually on February 16, 2023

Via Zoom Teleconference and/or In-Person at 235 S. Beretania St., Rm. 204, Honolulu, HI 96813

1 *Pursuant to section 92-3.7, Hawaii Revised Statutes (HRS), this meeting was held remotely with*  
2 *Board members, Staff, Applicants, and the Public participating via Zoom meeting venue, and an In-*  
3 *Person meeting location available for public participation at the State of Hawaii, Leiopapa A*  
4 *Kamehameha, State Office Tower Building, 235 S. Beretania St., Room 204, Honolulu, HI 96813.*

5

6 **Members Present, virtually:**

7

8 Frederick Lau, City & County of Honolulu, Chairperson (Chair)  
9 Mary Alice Evans, Designated Representative, DBEDT, Ex-Officio Member (Ms. Evans)  
10 Glenn Hong, Member-At-Large (Mr. Hong)  
11 Sharon Hurd, Chair HBOA, Ex-Officio Member (Ms. Hurd)  
12 Karen Seddon, Member-At-Large (Ms. Seddon)  
13 Lyle Tabata, Kauai County Member (Mr. Tabata)  
14 Jayson Watts, Maui County Member (Mr. Watts)  
15 Vacant – Member-At-Large  
16 Vacant – Hawaii County Member

17

18 **Members Excused:**

19

20 Kaleo Manuel, Designated Representative, DLNR, Ex-Officio Member (Mr. Manuel)  
21 Warren Watanabe, Member-At-Large (Mr. Watanabe)

22

23 **Counsel Present, virtually:**

24

25 Delanie Prescott-Tate, Deputy Attorney General (Ms. Prescott-Tate)

26

27 **Staff Present, virtually:**

28

29 James Nakatani, Executive Director (Mr. Nakatani)  
30 Mark Takemoto, Executive Assistant  
31 Ken Nakamoto, Project Manager (Mr. Nakamoto)  
32 Lyle Roe, Property Manager (Mr. Roe)  
33 Lynette Marushige, Executive Secretary

34

35 **Guests Present, virtually:**

36

37 ADC Guest  
38 Aldric Ulep  
39 Beth Amaro, KIUC  
40 Blaise Boyle  
41 Dbissell  
42 f.fuchigami  
43 Mark Thomas  
44 Mike Faye  
45 mthomas  
46 Randall Tanaka (Mr. Tanaka)  
47 Roy Ikeda (Mr. Ikeda)  
48 Ryan Roylo  
49 Scott  
50 Tom Koch

51

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**Guests Present, physical location:** None.

**A. Call to Order**

Chair called the virtual meeting to order at 9:07 a.m.

Chair apologized for his camera not working, so he would not be visible.

**B. Roll Call**

Chair conducted a roll call of the Board. Chair called the name of each board member and asked them to identify their presence with a “here” or “present” and to state who if anyone over the age of eighteen was present in the room with them. Chair stated that the roll call served as the roll call vote, and for each subsequent vote, the Chair would ask if there were any objections. If there were no objections the motion will be approved on the same basis as the roll call.

Roll call: Ms. Evans, Ms. Hurd, Mr. Hong, Ms. Seddon, Mr. Tabata, and Mr. Watts acknowledged attendance with no guests present. Mr. Watanabe and Mr. Manuel were excused.

**C. Approval of Minutes**

1. Board of Director’s Meeting, **January 25, 2023**

Chair called for a Motion to Approve: Ms. Seddon; Seconded: Mr. Tabata

Chair asked if there was anything from the staff. There was none.

Chair asked if there was any comment from the public. There was none.

Chair asked for Board discussion. There was none.

Chair called for the vote. Hearing no objection, the motion was approved: 7-0

2. Executive Session Minutes, **January 25, 2023**

Chair explained that during the Executive Session meeting on January 25, 2023, the board considered matters pertaining to a competitive bid procurement, received updates on the department of budget and finance referral, and Ohana Best vs. the State of Hawaii, et.al. Civil Number 19-1-1640. HRS section 92-4 and 92-5(a)(4) allows a meeting to be closed to the public when necessary to consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities. In order to maintain the confidentiality of the matters discussed in the executive session, draft minutes are provided directly to the Board members for review. Chair asked that the Board respect the confidentiality of the session held on January 25, 2023 in discussing approval of these minutes.

Chair called for a Motion to Approve: Mr. Tabata; Seconded: Mr. Hong.

Chair asked if there was anything from the staff. There was none.

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102 Chair asked if there was any comment from the public. There was none.

103

104 Chair asked if there was any board discussion, no specifics please. There was none.

105

106 Chair called for the vote. Hearing no objection, the motion was approved: 7-0

107

108 **Chair stated that Old Business agenda items E-1 and E-2 will be taken out of order to allow the**

109 **participants to attend to other pressing matters.**

110

111 **E. Old Business** [Taken out of order]

112

113 **1. Presentation by Assistant Superintendent Randall Tanaka Regarding the Assignment and**

114 **Transfer of Lease No. LE-K1201 from Beck’s Superior Hybrids, Inc. to the State of Hawaii,**

115 **Department of Education.**

116

117 Chair called on Assistant School Superintendent Mr. Tanaka regarding the assignment and transfer

118 of Lease No. LE-K1201 from Beck’s Superior Hybrids, Inc. to the State of Hawaii, Department of

119 Education (DOE). Chair said this is just a presentation so there is no need for a motion.

120

121 Mr. Ikeda stated that Mr. Tanaka was stuck in traffic so in the interest of time, Mr. Ikeda would

122 summarize where they are at in the transaction and when Mr. Tanaka arrives he can provide a

123 presentation on the program itself. Mr. Ikeda said he is the interim public works manager for the

124 DOE, and they have been working with leadership over at Beck’s on the assignment of lease in

125 Kekaha. They have a finalized purchase and sales agreement that has been signed by Beck’s

126 leadership and is on the Superintendent’s desk awaiting signature. It has been approved by the

127 Deputy Attorney General and they anticipate Superintendent’s signature by the end of the week.

128 Mr. Tanaka just arrived and is ready to do the presentation.

129

130 Mr. Tanaka introduced himself. He is the DOE, Assistant Superintendent for Facilities and

131 Operations. For a little over 18 months, maybe 2 years, this opportunity was presented to them. For

132 the last 2 years they have been recalibrating their program regarding agriculture and facility

133 opportunities. The assignment opportunity aligned quite nicely with their future plans in ag

134 education. One of the challenges that the department had was the lack of understanding of scale.

135 They have a number of ag programs in their schools aligned with their innovation kitchens, but they

136 didn’t have a means to scale. So, fundamentally they were teaching gardening. It’s a lot tougher to

137 accomplish on a scalable standpoint. When the facility was brought to them and the change that

138 Beck’s was making, they thought it was an outstanding opportunity. They have a school out in

139 Waimea, Waimea High School, that has an ag program that’s aligned with this opportunity; with

140 this facility. They also saw this as an opportunity to incorporate their STEM programs, their ag

141 programs, and food service programs within the facility, which is perfectly aligned with the

142 adjacency of high-end ag, large ag in that community. They see it as a tremendous opportunity for

143 what they want to accomplish or where they hope to take the renaissance of ag in the State of

144 Hawaii. Mr. Tanaka thanked the Board for their time and was available for questions.

145 Chair said a couple of years ago, DOE talked about using this as a central kitchen. What exactly are

146 the plans now, are they changing to a classroom and outdoor ag?

147

148 Mr. Tanaka said they see the role of the school is to introduce students first on the island of Kauai,

149 on what ag could look like as a career opportunity and what it will take to do ag at the scale of the

150 State of Hawaii. It’s a classroom for all ag programs on Kauai and they expect to roll-out and do

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152 visitation programs from all the other islands, Hawaii Island, Oahu, Maui and begin to scale up from  
153 a statewide ed program. So that’s stage one. They intend to work with the partners that are doing  
154 large scale ag. He’s had a wonderful conversation with Stephanie Iona about how they should be  
155 working with Kekaha Agriculture Association (KAA) and the partners out there. Mr. Tanaka also  
156 had a discussion with Aloun Farms, not only what they’re doing in Kekaha but also what could be  
157 possible on Oahu. It continues to evolve, but there’s a research element, there’s a STEM element,  
158 there’s a practicum but it needs scale; their students need to understand scale. They are having  
159 discussions with folks from Samoa that want to understand how their ag programs are running. Mr.  
160 Tanaka had a discussion with the robotics people on what this could look like and how robotics  
161 plays a role in large scale ag. They have visited New Zealand and Korea recently, in the last three  
162 months to see how they’re scaling. They hope to extend this ed opportunity to students across the  
163 state.

164  
165 Chair asked if they’ll be using part of the 8-acres in back of the building for ag production?  
166

167 Mr. Tanaka responded correct. Last year they requested budget for 5-6 greenhouses across the  
168 state. The real estate they sit on is 10 acres. They believe the greenhouse opportunity is part of the  
169 ed program, how they can use less water, how they can use less pesticides and how they can manage  
170 scale. What they saw in Korea was phenomenal. The Koreans were amazed that we’re not doing  
171 this to a large scale considering the growing seasons are much longer. So yes, their intention is to  
172 use the full footprint and with innovation.

173  
174 Chair asked if the students would be interning on some of the farms that are tenants of ADC and  
175 KAA.

176  
177 Mr. Tanaka responded that they absolutely hope so, they will give them those opportunities.  
178

179 Chair asked if anyone else had questions. There were none. Chair said, that was just a presentation,  
180 there’s no need to motion on this matter and he’ll move onto the next agenda item.  
181

182 **2. Request for Approval for the Assignment and Transfer of Lease Agreement No. LE-K1201**  
183 **from Beck’s Superior Hybrids, Inc. to the State of Hawaii, Department of Education for**  
184 **Agricultural and Education Purposes of 10.0 Acres, More or Less, in Kekaha, Kauai, Hawaii,**  
185 **Tax Map Key Nos. (4) 1-2-002:001 (por.) (continued from August 25, 2021, Item H)**  
186

187 Chair called for a Motion to Approve: Mr. Tabata; Seconded: Mr. Watts.  
188

189 Chair asked for staff presentation.

190  
191 Mr. Roe said he had no presentation but was available for questions.

192  
193 Chair asked if there was anyone from the public wishing to provide testimony. There was none.

194  
195 Chair asked if there was any discussion by the board.

196  
197 Mr. Tabata said he cannot wait for the program to launch.

198  
199 Chair asked Mr. Tabata if there was support from KAA on this.

200  
201 Mr. Tabata responded yes.

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Chair asked if there was any other discussion. There was none.

Chair called for the vote. Hearing no objection, the motion was approved: 7-0

**D. New Business**

**1. Request for Approval to Appoint Board Members to the Administrative Standing Committee pursuant to Article 4, Section 1 of the Bylaws of the Agribusiness Development Corporation.**

Chair called for a Motion to Approve: Ms. Evans; Seconded: Mr. Hong

Chair asked if there was any background from staff.

Mr. Roe stated there is no presentation, but Ms. Prescott-Tate and he were available to answer any questions.

Chair asked Ms. Prescott-Tate if she could provide a brief presentation.

Ms. Prescott-Tate said that this was the Executive Director’s idea. The Executive Director wanted to use the bylaws that permitted the creation of standing committees. The standing committee will focus on designated projects for one year. It will be a sunshine meeting and the first thing we want them to tackle is getting farmers on the vacant ADC land. It will be like a land committee where they will send out the applications, review the applications, interview the applicant, and make referrals to the Board. She hopes they have some volunteers for the committee.

Chair asked if there was anyone from the public who wished to give testimony. There was none.

Chair asked for board discussion.

Mr. Nakatani said what they’re trying to do, is that every time they look at disposition of lands it becomes quite problematic that they have to assemble a big group and look at all of the lands. It works if they have 3 or 4 parcels but when it comes down to parcels in say Kekaha, you’re talking about 10 acres here, 10 acres there, 5 acres here, the appearance is that they’re not doing it in a consistent way. So, rather than forming an ad hoc group every time, we’ll form a standing committee, put all of the lands for disposition on the website so nobody can question that they’re hiding lands from people. That’s the gist of putting this thing forward, so there’s no question and being open and transparent so everyone can see what lands are available.

Ms. Evans said she noted that there are three different functions of the administration committee: a) being to review and make recommendations on financial matters; b) review and make recommendations on personnel matters; and c) to make recommendations on any other matter. She said that seems quite broad and asked if the three are from the original bylaws.

Ms. Prescott-Tate said yes, those are from the bylaws and all of those tasks can be performed by the administration standing committee but right now they’re going to focus on “c” and that is going to be the Chair appointing members to perform a task that he asks them to do.

Ms. Evans said she’ll volunteer Mr. Wicker.

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252 Chair laughed saying that’s what he gets for not being here. Chair asked if there was any other  
253 discussion. There was none.

254  
255 Chair called for the vote. Hearing no objection, the motion was approved: 7-0  
256

257 Chair stated that he was not prepared to appoint everyone to the committee right now but said he  
258 will serve as an ex-officio voting member of the Administration Committee. Chair noted that he  
259 would definitely like to appoint Mr. Tabata to be a member on this committee since a lot of the  
260 vacant lands are on Kauai.

261  
262 Mr. Tabata thanked the Chair and said he accepts.  
263

264 Chair remarked that Mr. Hong and Ms. Seddon are already on multiple committees. Chair asked for  
265 volunteers or asked that the appointment of members be put off till later.  
266

267 Mr. Watts said he will volunteer.  
268

269 Ms. Prescott-Tate said if they ask Mr. Wicker to serve that should be enough.  
270

271 Chair asked if anyone else would like to serve, the more the merrier for this one. Chair confirmed  
272 that the committee members (Chair, Mr. Wicker, Mr. Tabata, & Mr. Watts) shall serve for 1-year or  
273 until the appointment of their successors. At the first meeting of the Administration Committee  
274 they shall elect a Chair and Vice Chair from its membership. Generally, the role of the  
275 Administration committee is to: a) review and make recommendations of all financial matters  
276 requiring approval of the Board of Directors, including but not limited to contractual matters and the  
277 annual budget of the Corporation, b) review and make recommendations on all personnel matters  
278 requiring approval of the Board of Directors and c) review and make recommendations regarding  
279 any other matter referred by the Chairperson of the Board of Directors.  
280

281 **2. Referral of Land Application Review, Evaluation, and Recommendation Matters for Vacant**  
282 **Lands on Oahu and Kauai to the Administration Committee.**  
283

284 Chair called for a Motion to Approve: Ms. Evans; Seconded: Mr. Watts  
285

286 Chair asked for presentation by staff.  
287

288 Mr. Roe said there was no presentation, this was just a formality for the Chair to refer this particular  
289 matter to the Administration Committee for consideration.  
290

291 Chair asked if there was anyone from the public wishing to give testimony. There was none.  
292

293 Chair asked if there was discussion from the Board regarding directing the Administration  
294 Committee to seek applications for vacant ADC lands, review and evaluate the applications, and  
295 make recommendations to the full Board for selection and approval.  
296

297 Ms. Seddon asked if it was an Administration or Administrative committee?  
298

299 Ms. Prescott-Tate responded it’s Administration.  
300

301 Chair asked if there was any other discussion? There was none.

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Chair called for the vote. Hearing no objection, the motion was approved: 7-0

Chair said pursuant to Article 4, section 1, sub-section “c” of the By-laws of the Agribusiness Development Corporation, as Chair of the ADC Board of Directors, he directs the Administration Committee to focus its efforts on the licensing of the vacant ADC lands by seeking applicants, reviewing and evaluating the applicants, and making recommendations to the full board for approval.

**3. Request for Approval to Issue a Right of Entry to the Central Oahu Chief Petty Officer Association for Parking Access for the 46<sup>th</sup> Annual Wahiawa Pineapple 10k Run in Wahiawa, Oahu, Hawaii, Tax Map Key (1) 7-1-002:009 (por.), :004 (por.)**

Chair called for a Motion to Approve: Ms. Evans; Seconded: Mr. Watts

Chair asked for Staff presentation.

Mr. Roe said that ADC recently received this request. This run has happened in the past, but he doesn’t think it has come to the board for action, but it is an extraordinary event. There will be a few extra people on the property, so they thought it best to bring it to the Board for approval. It’s really just parking, overflow parking for attendees of this event. The right-of-entry includes indemnification language and requires appropriate levels of insurance. He’s available for any questions.

Chair asked if there was anyone from the public who wished to provide testimony. There was none.

Chair asked if there were any board discussion/questions?

Ms. Evans asked if the annual Wahiawa Pineapple 10K run benefitted charities in the area?

Mr. Roe said he doesn’t know. He did not see any advertisement in the material they received.

Ms. Evans said since its been an ongoing tradition for 45-years, it seems like a reasonable community support activity and since it only runs for 1-day, it seems like a de minimis activity.

Chair asked if there were any other questions/discussion? There was none.

Chair called for the vote. Hearing no objection, the motion was approved: 7-0

**4. Request for Approval to Renew Revocable Permit No. S-7004 Issued to Gary Smith for 2,780 Square Feet, More or Less, in Kekaha, Kauai, Hawaii, Tax Map Key No. (4) 1-2-002:001 (por.)**

Chair called for a Motion to Approve: Mr. Tabata, Seconded: Mr. Watts.

Chair asked if there was a presentation by staff.

Mr. Roe responded there was no presentation, but he would be available for questions.

Chair asked if there was anyone from the public to give testimony. There was none.

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Chair asked if there was any board discussion.

Ms. Evans said she believes this was the second time this particular remnant parcel was brought before the board. She said at that time, there was a full and adequate discussion when it was first presented and so she has no questions.

Mr. Tabata asked if this was an annual thing.

Mr. Roe responded yes. Revocable Permits are month-to-month with annual approval by the Board.

Mr. Tabata said that since there are new board members could Mr. Roe explain to them what Mr. Smith was doing with this slip of property adjacent to the ditch.

Mr. Roe said he thinks the pictures show how well Mr. and Mrs. Smith are taking care of the property. If members haven't seen it, they should take a look at it; it's impressive. They keep up the property behind their house. It provides ditch access for ADC, they really need to control both sides of the ditch to make sure they can control flow, get access for any problems, blockages, etc.

Chair agreed that Mr. Smith does do a good job, it looks great. Chair asked if there was any further discussion. There was none.

Chair called for the vote. Hearing no objection, the motion was approved: 7-0

**5. Request for Approval to Issue a Revocable Permit to Robert Rita Jr. (Mr. Rita) dba Robert's Equipment Services for 24 Acres, More or Less, of Land for Pastoral Purposes in Waialua, Oahu, Hawaii, Tax Map Key No. (1) 6-5-001:056 (por.)**

Chair called for a Motion to Approve: Mr. Tabata; Seconded: Mr. Watts.

Chair asked for staff presentation.

Mr. Nakamoto said this was kind of similar to the previous request. There was an area close to the houses that includes a swell and some rocky areas so it's kind of difficult to get in with the mower. What they're suggesting was to put some livestock on the property and have ongoing maintenance, kind of eco-friendly in a sense. He's available for any questions.

Ms. Hurd asked if there was any potential use of this pastoral land for this trucking company, as she noticed he was dba Robert's Equipment Services.

Mr. Nakamoto said it's not for his company, just pastoral. This property will be included when we put out all the vacant lands, but it's kind of tricky due to its proximity to the homes, so obviously we don't want to dust out any homes. We have been mowing it for fire mitigation because the community's very vocal about those kinds of things. That's a tough area and Mr. Rita has been keeping the area maintained by putting some horses to keep the fire risk low, especially the areas near the homes.

Ms. Hurd said so he plans to put 24 horses there to control the grass.

Mr. Nakamoto responded no, it's 5 horses on 24 acres.



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Ms. Hurd clarified, 24-acres with 5 horses?

Mr. Nakamoto said yes, it's kind of like a drainage area, it's sloped and rocky and the mower has a hard time going down into that area but from what Mr. Rita said the horses have no problem going down into that area.

Ms. Hurd said ok, thank you.

Chair asked if there was anyone from the public who wished to give testimony. There was none.

Chair asked if there was any further discussion by the Board. There was none.

Chair called for the vote. Hearing no objection, the motion was approved: 7-0

**6. Request for Approval to Extend the Terms of License Agreement Nos. LI-K1702 (Kokee Ditch) and LI-K1703 (Mana Reservoir) Issued to Kauai Island Utility Cooperative in Kekaha, Kauai, Hawaii, Tax Map Key Nos. (4) 1-2-002:001 (por.), Various**

Chair called for a Motion to Approve: Ms. Evans, Seconded: Mr. Tabata

Chair asked for staff presentation.

Mr. Roe said there was no staff presentation, but he was available for questions.

Chair asked if there was anyone from the public who wished to give testimony. There was none.

Chair asked for Board discussion.

Mr. Hong asked if it was 6 months or 4 months because in the term it says 6 months but in the recommendation it says 4 months.

Mr. Roe said that was his error, the recommendation should read 6 months.

Chair asked if there were any other discussion/questions? There was none.

Chair called for the vote. Hearing no objection, the motion was approved: 7-0

**E. Executive Director's Report**

Mr. Nakatani gave an update on the legislature. He said if they read the paper they know session has been brutal, with Director Anderson not being confirmed. With DBEDT, they had a very thorough briefing with the Ways and Means committee; they went back 5-times. Ms. Evans can attest to that. Mr. Nakatani gave updates on SB833, SB825, SB818, SB836, SB1246/HB946, SB1547 and SB1507. The last bill, HB255, is dead.

Chair asked if there were any other questions.

Mr. Nakatani said there were a lot of bills relating to Aquaculture/Agriculture and a whole bunch of them, especially in the House didn't make it. Today's the last day for a bill with a double referral to

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452 have a hearing. So, if it didn't get a hearing today, the bill is pretty much dead. We'll be able to tell  
453 better next week what's happened, but it's just half-time and they have a lot more to go after that.

454  
455 Chair asked for an update on the three-wells.

456  
457 Mr. Nakatani said the first part was the purchase of the wells and he thinks Ms. Prescott-Tate is close to  
458 finalizing that.

459  
460 Ms. Prescott-Tate said she's almost there. She's drafting the final documents today and then it will go  
461 back to Dole for their signature and then it will go to escrow.

462  
463 Chair asked her how much longer she anticipates it will take till it happens.

464  
465 Ms. Prescott-Tate said, to go through escrow and everything, a couple of months. At least a month and  
466 then we'll have to go shopping for new pumps and all of that.

467  
468 Mr. Nakatani said the new pumps and everything, that's a separate appropriation. He thinks that they  
469 have already requested the funds be released by the Governor.

470  
471 Chair said the only reason he asks is because it is holding up one of the tenants for sure.

472  
473 Chair asked if there was any other discussion. There was none.

474  
475 **F. Adjourn**

476  
477 Chair called for a Motion to Adjourn: Mr. Tabata; Seconded: Mr. Watts.

478  
479 Chair asked if there was any discussion. There was none.

480  
481 Chair called for the vote. Hearing no objection, the motion was approved: 7-0

482  
483 The meeting was adjourned at 9:45 a.m.

484  
485 Respectfully submitted:

486  
487  
488  
489 Lynette Marushige  
490 Secretary  
491