

STATE OF HAWAII
HAWAII COMMUNITY DEVELOPMENT AUTHORITY
KALAELOA BUSINESS MEETING

Wednesday, December 5, 2018

MINUTES

I. CALL TO ORDER/ROLL CALL

A regular business meeting of the Kalaeloa Members, Hawaii Community Development Authority (“Authority” or “Board”), a body corporate and a public instrumentality of the State of Hawaii, was called to order by, John Whalen Chair of the Authority at 10:59 am, December 5, 2018 at Authority’s principal offices at 547 Queen Street in Honolulu, Hawaii, 96813.

Members Present: Michael Golojuch, Sr.
Wei Fang
David Rodriguez (DOT Ex-Officio)
Beau Bassett
Mary Pat Waterhouse
Derek Kimura (DHHL non-voting)
John Whalen, Chair

Members Excused: Shirley Swinney
Maeda Timson
Mark Anderson (B&F Ex-Officio)
Kathy Sokugawa (DPP non-voting)

HCDA Staff Present: Aedward Los Banos, Executive Director
Deepak Neupane, Kakaako Planning and Development Director
Garett Kamemoto, Compliance Assurance & Community Outreach Officer
Lindsey Doi, Asset Manager
Francine Murray, HCDA Program Specialist
Pearlyn Fukuba, Kalaeloa Program Specialist
Tommilyn Soares, Secretary

Legal Counsel: Lori Sunakoda, Deputy Attorney General

II. APPROVAL OF MINUTES

Minutes of the November 7, 2018 Kalaeloa Authority meeting were approved as presented.

III. INFORMATION AND DISCUSSION

Update Regarding the Issue Involving Stockpiled Material in the Kalaeloa Heritage Park

The Authority anticipates convening an executive meeting pursuant to HRS § 92-5(a)(4), to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities for the subject agenda item.

Mr. Neupane provided a verbal update and noted that the contractor is on site and working on the first task, which is to remove the vegetation and that it may take about two weeks to complete. Site sampling may be done sometime in January 2019, the second task.

There were no questions and no public testimony.

IV. ACTION ITEMS

Shall the Authority Take Action According to Section 1.3 of General Lease 15-05, and Accept Surrender or Pursue Termination of the Kalaeloa Heritage and Legacy Foundation's Lease?

The Authority anticipates convening an executive meeting pursuant to HRS § 92-5(a)(4), to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities for the subject agenda item.

Executive Director Aedward Los Banos requested the board take up action items # 3 and #4 together in executive session as both items are related.

3. Shall the Authority Take Action According to Section 1.3 of General Lease 15-05, and Accept Surrender or Pursue Termination of the Kalaeloa Heritage and Legacy Foundation's Lease?

The Authority anticipates convening an executive meeting pursuant to HRS § 92-5(a)(4), to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities for the subject agenda item.

4. Shall the Authority Authorize the Executive Director to Enter into a Stewardship Agreement with the Kalaeloa Heritage and Legacy Foundation for a portion of TMK (1) 9-1-013: 067 and 069?

The Authority anticipates convening an executive meeting pursuant to HRS § 92-5(a)(4), to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities for the subject agenda item.

Chair Whalen approved the request and stated that both items will be discussed in executive session.

Executive Director Los Banos noted that the Kalaeloa Heritage and Legacy Foundation (KHLF) is in violation of Lease 15-05, section 1.3. Within one year of executing its lease, the KHLF was required to remediate the stockpile per the Notice of Violation, which has not happened after two years. HCDA staff has provided the board with the following two options:

1. Terminate the lease as a way to force remediation; and
2. Offering a Stewardship Agreement as the HCDA staff and board acknowledge the value that KHLF provides to the parcel as well as its organization.

There were no questions and no public testimony.

Member Basset motioned for the board to enter executive session.

Member Golojuch seconded.

Chair Whalen conducted a voice vote, all members unanimously approved.

Deputy Attorney General Lori Sunakoda, HCDA Executive Director Aedward Los Banos, HCDA Staff Deepak Neupane, Garrett Kamemoto and Tommilyn Soares joined the board in executive session.

Pursuant to Section 92-5 (a) (2), Hawaii Revised Statutes, the Authority convened in Executive Session at 11:11 am

Board Members met in an executive meeting from 11:11 am until 12:06

Chair Whalen reconvened the meeting at 12:06 pm

Chair Whalen asked if there was a motion that the Authority take action according to section 1.3 of General Lease 15-05 and accept surrender or pursue termination of the Kalaeloa Heritage and Legacy Foundation's Lease?

Member Rodriguez moved to defer the item.

Member Fang seconded.

Mr. Garrett Kamemoto conducted the roll call vote. Motion passed with 6 yes votes and 3 excused. Action item deferred.

Chair Whalen asked if there was a motion for the Authority to enter into a stewardship agreement with the Kalaeloa Heritage and Legacy Foundation for a portion of TMK (1) 9-1-013:067 and 069?

Member Golojuch moved to defer the item.

Member Waterhouse seconded.

Mr. Garrett Kamemoto conducted the roll call vote. Motion passed with 6 yes votes and 3 excused.

Member Fang asked if the board is deferring the action item pending further information?

Mr. Kamemoto confirmed, yes.

IV. REPORT OF THE EXECUTIVE DIRECTOR
Monthly Activities Update of the Kalaeloa Office

Mr. Los Banos referred to the written report and highlighted the Ewa Plain Battlefield Preservation item noted in the report. Louis Berger U.S. and Architects Hawaii Limited, consultants for Hunt Companies are gathering information on the land preservation per the land conveyance of the battlefield acreage. Before finalizing its plans, Hunt Companies anticipates bringing the item before the board in the next few months.

Member Fang asked if the HCDA authority will be making a decision regarding the parcel?

Mr. Los Banos responded that because the land is owned by the Federal Government (NAVY), they will have the final decision, however, HCDA would have an opportunity to provide comments.

Member Bassett asked if the intent is to convey the land to Hunt Companies?

Mr. Los Banos responded and stated that Hunt Companies are gathering information before they decide to accept a conveyance.

Member Basset asked why Hunt would want to accept this parcel as it seems like a liability.

Mr. Los Banos noted that it is not final, and that Hunt is gathering information at this time.

There were no further comments and no public testimony.

VI. ADJOURNMENT

Chair Whalen adjourned the regular meeting at 12:18 pm.

Approved and Submitted by,

John Whalen, Chairperson

Date Approved by HCDA Board