

STATE OF HAWAII  
HAWAII COMMUNITY DEVELOPMENT AUTHORITY  
**KALAELOA BUSINESS MEETING**

Wednesday, July 10, 2019

**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 12:23 pm, July 10, 2019 at the Authority’s principal offices at 547 Queen Street in Honolulu, Hawaii, 96813.

**Members Present:** Mitchell Tynanes  
Maeda Timson  
Lynn Araki-Regain (DOT Ex-Officio)  
Chason Ishii  
Wei Fang, Secretary  
John Whalen, Chair  
Kathy Sokugawa (DPP non-voting)

**Members Excused:** Robert Yu (B&F Ex-Officio)  
William Aila (DHHL – non-voting)  
Shirley Swinney  
Cultural Specialist (vacant)

**HCDA Staff Present:** Aedward Los Banos, Executive Director  
Garett Kamemoto, Interim Kakaako Planning and Development Director  
Francine Murray, Interim Compliance Assurance & Community Outreach Officer  
Lindsey Doi, Asset Manager  
Kuulei Moses, HCDA Secretary

**Legal Counsel:** Lori Sunakoda, Deputy Attorney General

**II. APPROVAL OF MINUTES**

The Kalaeloa Authority meeting minutes of June 5, 2019 was deferred.

### 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. Garrett Kamemoto, Interim Executive Director reported that per board members requests to explore lower cost options to remediate the stockpile in place, Tetra Tech (consultant) noted that the Department of Health (DOH) prefers to follow standard procedures to work with qualified consultants to remediate the stockpile and indicated that consultants must work to follow state laws and be compliant with state requirements. DOH also noted that remediating the stockpile in place requires pursuing a landfill permit and is a lengthy contentious process that is highly regulated, which includes a public hearing process.

Tetra Tech provided some lower cost solutions that include:

1. Reusing inert fill and acceptable material onsite, and disposal of any remaining material at the PVT landfill;
2. Reusing inert fill and acceptable material at an off-site location; and
3. Disposal of all material at the PVT landfill.

Mr. Kamemoto also stated that The Aloha Solar project on the neighboring parcel is interested in taking the acceptable materials which may provide a cost savings given the immediate vicinity. He also noted that the Aloha Solar project currently has a grading permit.

If HCDA is not able to make arrangements with Aloha Solar, HCDA staff would continue by issuing a solicitation for the cost-effective removal and disposition of the stockpiled material in compliance with all DOH requirements.

Member Timson asked what the total cost of removing the stock piled material would be?

Mr. Kamemoto responded that the cost will be made available when the stockpile details are known. Details like the materials (after sorting), hauling requirements, etc.

Member Tynanes suggests that staff decide with Aloha Solar quickly because as Aloha Solar currently has a grading permit, they have equipment ready to mobilize.

Member Sokugawa asked if there is an attempt to collect the civil fines from HCDA's tenant? The City's Department of Planning and Permitting has not yet sent a demand letter, however, the fines are still outstanding and asked if there was a commitment to collect those fines?

Mr. Los Banos asked if DPP has a definitive fine?

Member Sokugawa reminded HCDA and the board there is an outstanding fine and that DPP is monitoring this issue and takes into account HCDA's good faith effort in trying to remediate the stockpile, however, DPP does not have a definitive fine at this time.

Chair Whalen explained that the purpose of the civil fines is to correct such violations and not to penalize.

Member Sokugawa stated that she did want to remind members about the civil fines that have accrued for the stockpile and is part of an inventory of DPP's civil fines, should DPP be requested to pursue action for these outstanding fines.

There were no further comments or questions and no public testimony.

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

Mr. Los Banos referred to the report provided in the board packet and noted that Ms. Tesha Malama, Kalaeloa Planning and Development Director will provide a verbal update regarding the Safe and Reliable Energy Infrastructure Project (SREIP) and the Right of Way Metes and Bounds Survey contracts that are moving along.

Ms. Malama provided an update on the SREIP and explained that the final (vs. the draft) Task 1 Report to the SREIP contract provides more clarification and detail including relevant case studies, identifies viable alternatives to the current navy ownership that includes methods for transfer, and replacement or upgrade of the electrical infrastructure. Ms. Malama also noted that the Navy is also working on its own system valuation report with the intent of disposing the system within the next year. The Navy has expressed working with HCDA as part of the disposal, however, the Navy also has the capacity to move forward without HCDA's involvement.

Ms. Malama also provided an update on the Right of Way Metes and Bounds Survey and noted that the contractor has provided maps that will be brought to the board for discussion at the August meeting.

Member Timson expressed frustration about not being informed with what's happening in Kalaeloa and asked staff to provide information regarding Kalaeloa as a courtesy to the Kalaeloa Community Development District board members.

There was no further comments, questions and no public testimony.

**VI. ADJOURNMENT**

Chair Whalen adjourned the regular meeting at 1:03 pm.

Approved and Submitted by,

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John Whalen, Chairperson

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Date Approved by HCDA Board