

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

Wednesday, May 1, 2019

**MINUTES**

**I. CALL TO ORDER/ROLL CALL**

A regular business meeting of the Kakaako 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 9:06 AM, May 1, 2019 at Authority’s principal offices at 547 Queen Street in Honolulu, Hawaii, 96813.

**Members Present:** Beau Bassett  
David Rodriguez (DOT Ex-Officio)  
Mark Anderson (B&F Ex-Officio)  
Phillip Hasha  
Jason Okuhama  
Wei Fang  
John Whalen, Chair

**Members Excused:** William Oh  
Mary Pat Waterhouse  
Kathy Sokugawa (DPP)

**HCDA Staff Present:** Aedward Los Banos, Executive Director  
Garett Kamemoto, Interim Kakaako Planning and Development  
Director  
Lindsey Doi, Asset Manager  
Francine Murray, HCDA Program Specialist  
Tommylyn Soares, HCDA Secretary to the Executive Director

**Legal Counsel:** Max Levins, Deputy Attorney General

**II. APPROVAL OF MINUTES**

Regular Meeting Minutes of April 3, 2019

Meeting minutes were deferred to the next board meeting.

### III. ACTION ITEMS

Shall the Authority Adopt Hearing Officer Wayne Nasser's Recommended Findings of Fact, Conclusion of Law and Decision and Order in the Following Consolidated Contested Case Hearing Matter:

Docket No. ACC-2017-01 in re the Petition of the Golden Eagle Marine Charter Services Corp.

At the April 3, 2019 board meeting, Member Anderson recused himself from acting on this matter, therefore, due to the lack of members to act on the matter the decision was deferred to the board's next meeting in May. Chair Whalen noted that the full record was emailed to board members.

Member Anderson recused himself from acting on this matter.

There was no questions or comments from board members and no public testimony.

Member Fang made a motion for the board to adopt hearing officer Wayne Nasser's recommended findings of fact, conclusion of law and decision and order in the following consolidated contested case hearing matter: Docket No. ACC-2017-01 in re the Petition of the Golden Eagle Marine Charter Services Corp.

Member Hasha seconded.

Executive Director Aedward Los Banos conducted the roll call vote.

Motion passed with 5 yes votes and 4 excused.

Shall the Authority Adopt Recommendations of the Task Force to Study Off-Street Parking in the Kakaako Community Development District?

\*\* Member Rodriguez joined the meeting.

The task force was formed at the board's October 3, 2018 Kakaako board meeting to study off-street parking in the Kakaako Community Development District (KCDD) and to recommend a KCDD off-street parking policy to the Authority. The task force includes board members Wei Fang, Jason Okuhama and Phillip Hasha.

After the task force met with governmental and private entities, the task force presented its short-term, mid-term, and long-term recommendations for the board's consideration and action. (See staff report for the details)

There were no comments or questions from board members and no public testimony.

Member Okuhama motioned for the authority to adopt recommendations of the task force to study off-street parking the Kakaako Community Development District.

Member Hasha seconded.

Mr. Garrett Kamemoto, Interim Kakaako Director of Planning and Development conducted the roll call vote.

Motion passed with 7 yes votes and 2 excused.

Shall the Authority Authorize the Executive Director to Execute a Five Year Right of Entry with the University of Hawaii for the benefit of the University of Hawaii at Manoa John A. Burns School of Medicine and the University of Hawaii Cancer Center for 50 Parking Stalls in the Kakaako Waterfront Park Parking Lot?

Ms. Lindsey Doi presented the report provided in the board packet and added that the action item is being brought to the board from its last meeting where the board approved the 45 parking stalls in the Ohe street parking lot. The University of Hawaii Cancer Center and John A. Burns School of Medicine requires additional parking to meet faculty and student parking demand. UH would like to lease 50 stalls within the Kakaako Waterfront Park Parking Lot with a 5-year right of entry at a rate of \$100 per stall and a 3% annual escalation. The City and County of Honolulu has consented to assume this agreement when the land is conveyed.

Ms. Los Banos added concerns expressed by surfers and beach goers with whether there will be ample parking during "pau-hana" after work hours with the summer approaching and asked if UH is willing to allow non-exclusive parking from 4:30-5:30 pm?

Ms. Nancy Foster, Chief Financial Officer of the University of Hawaii and Mr. Joe Ramos, UH Deputy Director for JABSOM explained that there are less students due to the summer break and that student attendance begins in August. Ms. Foster noted Mr. Los Banos' comment and stated that UH can accommodate the non-exclusive parking after work hours if that is what is being requested.

Members Anderson and Fang asked if the Right of Entry (ROE) language will need to be revised to reflect the non-exclusive change?

Ms. Doi explained that the ROE included in the packet is a draft and can make any changes to reflect information discussed with the board members.

Member Rodriguez asked if there are problems with abandoned vehicles in the park.

Ms. Doi explained that through HCDA's security contract all vehicles left in the park after 10:00 pm get towed.

Chair Whalen asked if that policy will remain in place when the parks get transferred?

Ms. Doi responded she is not aware of the City's policy.

Member Anderson suggested that if the language in the right of entry is revised to accommodate

Mr. Los Banos' suggested changes from 6:00 AM – 5:00 PM (instead of UH's request of 6:00 AM – 6:00 PM) that Mr. Los Banos make personal contact via a courtesy call to those who submitted public testimony in support for UH JABSOM and the Cancer Center to explain the change.

Member Fang highlighted the two main concerns she had (from the April meeting) for leasing out the 50 parking stalls at the Waterfront park to UH was 1. The concept of giving up so many public space assets to private usage; and 2. with the work done and recommendations made by the Task Force to study-off street parking in Kakaako and the board agreeing to those recommendations to move forward; for the board to continue to supply these parking stalls without having a balance against encouraging more multi-modal transportation (per the task force TOD recommendations) is a bit of an irony. She suggests that the board may want to explore setting aside some of the fees/funds from leasing the parking stalls for improving or encouraging multi-modal transportation or perhaps committing some spaces for car share stalls.

Ms. Georgette Deemer, Deputy Managing Director for the City and County of Honolulu stated the City is in support of the Right of Entry and looks forward to continuing to work and support JABSOM and the UH Cancer Center. The city believes this could help activate the park as UH is a public educational facility and the City supports JABSOM.

Member Basset expressed his concerns with taking public spaces in urban Honolulu for exclusive use as it does not help "lend" or activate the park to HCDA's vision of what the Waterfront Park could be. He also made reference to Member Fang's concerns re multi modal transportation and asked if UH is helping to encourage the desired vision of using less automobiles and multi-modal (ride share/carpool/biking/city bus) transportation via a program message?

Ms. Foster explained that UH's parking administration is handled by UH Manoa where they advocate car share and discount bus passes; however, although many students take the bus, there are no stops in front of UH JABSOM so students walk in from Ala Moana Boulevard. UH has had many discussions and will continue to explore ways in solving the parking issues that UH students and faculty face and it is important for UH to find a long-term solution. Ms. Foster also addressed Member Basset's comments regarding activating the park and noted that UH includes and references in its programs that the UH Medical School is right next to a Park that help to encourage students to utilize the park. However, with the current park issues, students and faculty are not as comfortable using the park.

Member Hasha acknowledged the current right of entry for UH to lease the 50 parking stalls at waterfront is not a long term solution; however, per UH's parking study at the Waterfront; with the leasing of these stalls and current public use there will be a remaining 60% of the parking lot available for the public to use and does not see an issue with allowing UH to use the 50 parking stalls but hopes to see a resolution to UH's parking issues sooner.

Member Anderson motioned for the board to authorize the University of Hawaii, John A. Burns School of Medicine and UH Cancer Center to lease 50 stalls at the Kakaako Waterfront Parking for 5-Year Right of Entry.

Member Hasha seconded.

Member Fang expressed her concerns with voting on the motion as written and suggests amending the motion to include setting aside 25% of the funds for a possible multi-modal transportation program.

Member Anderson added there may be unintended consequences because 25% of those leasing fees will produce a low amount of funds that will not allow a program idea to get started.

Deputy Attorney General Levins reminded the board that because the motion was made and seconded, the board member who made the motion can offer an amendment or withdraw the motion.

Member Anderson acknowledged Member Fang's comments and concerns however explained he would like to make a motion on the agenda item as it is written and see if the motion passes, if not then the board can have a discussion to perhaps offer a different motion.

Ms. Lindsey Doi conducted the roll call vote. Motion passed with 5 yes votes, 2 no votes and two excused.

#### IV. REPORT OF THE EXECUTIVE DIRECTOR

##### Monthly Reports and Other Status Reports

##### a. Approved permit applications that did not require HRS § 206E-5.6 public hearings.

Mr. Los Banos explained that HCDA served the Kakaako Land Company a Notice of Order dated April 18, 2019 demanding \$250,000 in fines for non-compliance with the law. Kakaako Land Company has 30 days to petition the Authority for a contested case hearing or the order will become final.

Member Hasha asked what authority does HCDA have to enforce?

Deputy Attorney General explained that Act 009 of the 2017 Session Laws of Hawaii requires HCDA to enforce non-compliance with the law, he also explained the next steps and the process for a contested case hearing should Kakaako Land Company submit a petition.

Member Hasha as a representative for Kakaako businesses expressed the challenges that the area businesses are facing with Act 009 is the miscommunication regarding the street ownership and encouraged HCDA board members to help solve the issue of the street ownership.

Mr. Los Banos also highlighted for the board that HCDA is diligently working to complete the park transfer to the City and County of Honolulu by May 31, 2019 and working to clear some title report issues.

There was no public testimony and no comments or questions from board members.



**V. ADJOURNMENT**

Chair Whalen adjourned the regular meeting at 10:19 am.

Approved and Submitted by,

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John Whalen, Chairperson

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Date Approved by HCDA Board