

STATE OF HAWAII
HAWAII COMMUNITY DEVELOPMENT AUTHORITY
KAKAAKO BUSINESS MEETING

Wednesday, April 3, 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 9:56 AM, April 3, 2019 at Authority’s principal offices at 547 Queen Street in Honolulu, Hawaii, 96813.

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

Members Excused: Mary Pat Waterhouse
Beau Bassett
Phillip Hasha
William Oh
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
Alison Miyasaki, Administrative Services Officer
Tommilyn Soares, HCDA Secretary to the Executive Director

Legal Counsel: Max Levins, Deputy Attorney General
Lori Sunakoda, Deputy Attorney General

II. APPROVAL OF MINUTES

1. Regular Meeting Minutes of March 6, 2019

The minutes for the March 6, 2019 meeting were approved as presented.

III. ACTION ITEMS

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

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

Member Anderson recused himself from the decision and with the remaining four board members, there was a lack of quorum. Decision was deferred to the May 1, 2019 board meeting.

3. Shall the Authority Authorize the Executive Director to Execute a Five-Year Lease with Volunteer Legal Services Hawaii for the Commercial Office Space Located at 545 Queen Street?

Ms. Lindsey Doi presented the report provided in the board packet emphasizing that there is a high vacancy rate for office space. Volunteer Legal Services Hawaii has proven to be a good tenant and recommends a triple net rent structure of base rent, utilities, common area maintenance fees, general office maintenance and insurance. The board is being asked to authorize the executive director to execute a five-year lease with Volunteer Legal Services Hawaii.

Ms. Angela Minn, Executive Director, Volunteer Legal Services Hawaii thanked the Authority for considering the five-year lease request. There was no other public testimony.

Member Okuhama motioned for the authority to authorize the Executive Director to execute a five-year lease with Volunteer Legal Services Hawaii for the commercial office space located at 545 Queen street.

Member Rodriguez seconded the motion. Ms. Doi conducted the roll call vote. Motion passed with 5 yes votes and 4 excused.

4. Shall the Authority Authorize the Executive Director to Execute a Five Year Right of Entry with the University of Hawaii (UH) for the Benefit of the University of Hawaii at Manoa John A. Burns School of Medicine and the University of Hawaii Cancer Center for 45 Parking Stalls in the "Ohe Street Parking Lot" and 50 Parking Stall in the Kakaako Waterfront Parking Lot?

Ms. Doi presented the report provided in the board packet and reminded the Authority that the previous Right of Entry (ROE) with the University for the Ohe Street Lot expired in September 2018.

Dr. Jerris Hedges, Dean of UH John A. Burns School of Medicine and Randall Holcombe MD, Director of the UH Cancer Center, shared a PowerPoint presentation, summarizing the usage and mutual benefits of this right of entry including:

- 1) generating revenue of \$100 per stall per month to be paid by the University of Hawaii to subsidize cost for students and could offset some of the cost to maintain the Kakaako Waterfront Park;
- 2) Additional presence in underutilized areas of Kakaako Makai, with security provided by the University during the ROE hours, weekly from Monday through Friday from 6 a.m. through 6 p.m., but no holidays; and
- 3) Allowing the University to restore previously available parking to the student body, research patients, and the visiting volunteer faculty.

In addition, UH conducted a study of the parking usage over a four-week period, explaining the average usage of the Kakaako Waterfront parking area is utilized a little less than 20 percent on a daily basis. UH believes there is considerable parking available and the ROE agreement could provide revenue for HCDA and parking for UH. The Ohe Lot has an even lower usage, which was not the case when UH retained the right of entry. He said that the University would add signage and demarcation and reminded the Authority that they would provide security for the area.

Chair Whalen said the master plan proposed that parking would extend to the perimeter of the park and seems that UH's proposal is to park in the park area.

Dr. Hedges replied yes but noted the proposal is for the next five years, and UH is looking for other long-term options.

Chair Whalen noted and acknowledged the City and County's support letter that was submitted.

Dr. Hedges replied that UH and the City have been interacting and having discussions with both the city and the family assessment center.

Member Fang asked how UH managed its parking given the decrease of available stalls due to the Sandbox construction.

Dr. Hedges explained that students have been forced to take alternative transportation and UH has expanded other parking stalls in adjacent buildings that it prefers not to do, and it has been an ongoing challenge.

Member Rodriguez asked how would UH enforce parking?

Dr. Hedges explained that UH will provide proper signage, remote monitoring with its security on property as well as parking maintenance employees that can help assist and notify improper parkers and if necessary, UH has the ability for vehicle removal.

Member Fang asked where the "Biki" stations in the area are.

Ms. Doi and Dr. Hedges explained where the Biki stations are around JABSOM.

Ms. Fang stated the board is being asked to approve a 5-year right of entry and with the transition of HCDA's parks to the City, she asked what would happen with the ROE once the transfer is complete.

Ms. Georgette Deemer, Deputy Managing Director for the City and County of Honolulu stated that the ROE expires on May 31, 2019 and the City is hopeful the transfer will be complete within that time and the City supports the proposed UH ROE for JABSOM's parking.

Ms. Doi added that the Administration of the City and County of Honolulu could assume this ROE after the parks are transferred if they elect to do so, and currently the City supports this ROE.

Public Testimony:

Mr. Wayne Takamine, Chair of the Kakaako Makai Planning Advisory Council stated his support of the park transfer to the City, however, Mr. Takamine does not support allowing parking stalls at the Kakaako Waterfront Park to be used for UH JABSOM. Mr. Takamine noted that parking at Waterfront should be used for Park use.

Ms. Eleanor Tang, Post-doctoral research at JABSOM supports allowing parking stalls to be used by UH JABSOM because it will address current parking deficiencies for students.

Ms. Lauren Ching, UH Student at JABSOM, agreed with Ms. Tang's testimony and added her support.

Ms. Linda Ono, representative from Councilmember Fukunaga's office noted Councilmember Fukunaga's written testimony to ensure board members noted her concerns.

Chair Whalen read Councilmember Fukunaga's written testimony for the record.

Ms. Michelle Matson, founder of the Kakaako Makai Community Advisory Council stated she helped with the Kakaako Makai Master Plan that has been fully vetted by the community and stated her concerns with UH's request for parking and believes it is considered an encroachment to the public's use. Ms. Matson encouraged the board's support to the OHE lot for JABSOM's parking, however is concerned using the Waterfront parking for JABSOM as it is an unrelated park use.

Member Fang asked if UH has addressed Councilmember Fukunaga's concerns and requests that UH provide 24-hour security for the parking area; and asked if the City Bus stops in front of the UH JABSOM building.

Dr. Hedges replied that Councilmember Fukunaga's requests are being made known today; therefore, UH has not yet been able to address those requests. He noted that UH hopes with its daytime surveillance and security present, and fees paid for the parking stalls there would be a way to increase the security in the area. He also explained (to address Member Fang's question) where the city bus stops on Ala Moana Boulevard and added he does not recall the bus coming in to Ilalo street (fronting UH JABSOM).

Member Fang commented that she feels the HCDA board is in a strange position to make a decision on this item because of the pending transfer to the city and does not know if there is a guarantee for the City to honor these existing ROE's.

Member Anderson made a motion for the authority to 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 45 Parking Stalls in the Ohe Street Parking Lot and 50 Parking Stall in the Kakaako Waterfront Parking Lot.

Member Rodriguez seconded.

Member Fang offered an amendment to the motion for the authority to 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 the 45 Parking Stalls in the "Ohe Street Parking Lot" only.

There was no second to the amended motion.

Ms. Doi conducted the roll call vote to the original motion.

Motion failed with 4 yes votes, 1 no vote and 2 excused.

Member Anderson asked if he could second Member Fang's motion. Max Levins, Deputy Attorney General, replied yes.

Ms. Doi conducted the roll call vote on the motion for the authority to 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 the 45 Parking Stalls in the "Ohe Street Parking Lot." Only.

Ms. Doi conducted the roll call vote. Motion passed with 5 yes votes and 2 excused.

5. Shall the Authority Authorize the Executive Director to Execute a One-year Right of Entry Agreement with KUPU for the use of a portion of the NOAA Lot at Kewalo Basin?

Ms. Doi presented the report provided in the board packet, expressing the need for an additional year to utilize a portion of the NOAA Lot to store a propane tank that KUPU needs to operate its commercial kitchen, along with additional storage.

Mr. John Leong of KUPU made a PowerPoint presentation on the Kewalo Basin Net Shed with before and after pictures of the newly renovated Harry and Jeanette Weinberg Hookupu Center, which includes a conference room, classrooms, a great hall, a training room and a commercial kitchen. Mr. Leong explained that KUPU had a wonderful grand opening with VIPs and many people from HCDA, followed by a public grand opening.

Mr. Leong showed a photo of the fenced area where the propane tank is currently placed on the NOAA Lot next to the new Hookupu Center, on a portion of land awarded to the Howard Hughes Corporation under a request for proposals. He noted a support letter submitted by Howard Hughes in March 2018 for the propane tank and explained that the tank was needed to operate the kitchen. He also noted that KUPU worked with HCDA to get an approval on installing the propane tank.

Chair Whalen asked what would happen within the year and if KUPU would be able to find a permanent solution? He also noted receiving the support letter by Howard Hughes.

Ms. Doi replied that HCDA and KUPU hopes to have discussions and a solution within the year, as the lease to Howard Hughes (when finalized and issued) would trigger the ROE termination to KUPU.

Member Fang said she recalls the development permit including a food truck and temporary food service vs. a full commercial kitchen as the board's concern was about commercial activity in that space. Member Fang asked Deputy Attorney General Sunakoda or Mr. Los Banos to clarify if the commercial kitchen is permitted.

Mr. Leong clarified for Member Fang that the commercial kitchen was always included in the Development Permit and KUPU has been very upfront about that and that the commercial kitchen is used for part of its youth training program. He also stated that the food truck is not up and running yet, however, KUPU is working on getting that started and available for the community.

Deputy Attorney General Sunakoda stated she recalls HCDA discovering a commercial kitchen that was not initially discussed however asked staff to confirm as the discovery and information preceded Ms. Sunakoda's work with HCDA.

Mr. Kamemoto said he reviewed the development permit and that the commercial kitchen was included in the development permit application which was approved.

Ms. Sunakoda recalls that during the month to month ROE with KUPU, HCDA discovered a commercial kitchen and asked staff to confirm that.

Members, staff and Mr. Leong discussed and confirmed that during previous board meeting discussions KUPU did not have a commercial kitchen and that food was prepared off site, however, KUPU did have refrigerators but it was not a commercial kitchen at that time. Mr. Leong added that the newly commercial kitchen installed with the renovation of the Net Shed is certified with Department of Health inspections and is fully permitted.

Member Anderson made a motion for the authority to authorize the executive director to execute a One-year Right of Entry Agreement with KUPU for the use of a portion of the NOAA Lot at Kewalo Basin.

Member Okuhama Seconded.

Ms. Doi conducted the roll call vote. The motion passed with 5 yes votes and 4 excused.

IV. INFORMATION AND DISCUSSION

6. Findings and Recommendations of the Task Force to Study Off-Street Parking in the Kakaako Community Development District.

Member Fang, a representative of the task force presented a summary of the findings and recommendations, included in the board packet.

Garett Kamemoto said the Authority will have an opportunity to adopt the findings and recommendations of the Task Force at the next meeting as this meeting was to present findings.

Public Testimony:

Alex Beasly, staff planner from the Department of Planning and Permitting (DPP) noted DPP's support for the measures being heard today and that DPP is rewriting its parking and loading standards and once a public draft is available, DPP will be coming to HCDA for review and support to ensure the State and City are on the same page.

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

V. REPORT OF THE EXECUTIVE DIRECTOR

7. Monthly Reports and Other Status Reports

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

Mr. Los Banos noted that the right of entry to the City for the Kakaako parks have been extended to May 31, 2019.

There were no questions by board members, and no public testimony.

V. ADJOURNMENT

Chair Whalen adjourned the regular meeting at 11:56 am.

Approved and Submitted by,

John Whalen, Chairperson

Date Approved by HCDA Board