

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

Wednesday, March 2, 2022

MINUTES

I. CALL TO ORDER/ROLL CALL

The Hawaii Community Development Authority ("Authority" or "Board"), a body corporate and a public instrumentality of the State of Hawaii, met remotely (utilizing the state-supported Zoom Meeting platform) for a regular meeting on March 2, 2022.

Board Chairperson, Susan Todani, called the meeting to order at 10:23 a.m.

Members Present:

Wei Fang
Peter Apo
David Rodriguez, DOT (Ex-Officio)
Eugene Takahashi, DPP (non-voting)
Kevin Sakoda
Susan Todani

Members Excused:

Phillip Hasha
Vernon Inoshita
Chason Ishii
Craig Hirai, B&F (Ex-Officio)

Legal Counsel:

Kelly Suzuka, Deputy Attorney General
Lori Sunakoda, Deputy Attorney General

Staff Present:

Craig Nakamoto, HCDA Interim Executive Director
Lindsey Doi, HCDA Asset Manager
Carson Schultz, Director of Planning and Development - KAK
Francine Murray, HCDA Program Specialist
Tommilyn Soares, HCD Executive Secretary

A quorum was present.

Acknowledgment that the Meeting is Being Convened Virtually

HCDA Interim Executive Director, Craig Nakamoto, reiterated the wording contained in the Meeting Agenda regarding the guidelines and directives provided by the Governor's Emergency Proclamation Statutes to the extent necessary to enable public boards and commissions to conduct business virtually.

With regard to the foregoing, Interim Executive Director Nakamoto reiterated wording

contained in the Meeting Agenda noting that HCDA welcomes public attendance via the Zoom link He noted that the meeting would be live streamed on HCDA's YouTube Channel contained in the meeting agenda and that HCDA also welcomes public comment and public participation via submission of written and or verbal testimony (consistent with the social distancing guidelines and Emergency Proclamation directives in effect).

Interim Executive Director Nakamoto stated that individuals, if any, from the public who have requested to provide testimony are on standby and will be permitted to speak during the public testimony session of the specific agenda item.

II. APPROVAL OF MINUTES

Regular Meeting Minutes of February 2, 2021

Chair Todani asked for comments or corrections. There were none. The meeting minutes were approved as presented.

III. DECISION MAKING

Request to Authorize the Interim Executive Director to Expend, Award, and Execute a Three Year Contract with Two One-Year Options to Extend to Narito Sheetmetal and Mechanical Corporation for Air Conditioning and Ventilation Systems Inspection, Maintenance and Repair Services for HCDA's Offices at the American Brewery Building Located at 547 Queen Street, Honolulu, Hawaii, in an amount not to exceed \$265,658.00, from the Hawaii Community Development Special Funds, in accordance with Bid Form Nos. 4-6 for HCDA IFB 02-2022.

Ms. Lindsey Doi Leaverton , HCDA Asset Manager, presented the staff report for this item.

HCDA issued a solicitation for the Air Conditioning and Ventilation Systems Inspection, Maintenance and Repair Services for HCDA's American Brewery Building on January 25, 2022 and recommends making the award to Narito Sheetmetal & Mechanical Corporation who was the only responsive responsible bid for the contract. Narito bid \$68,064 for the initial contract term, plus \$23,614 for the first one-year extension option and \$23,980 for the second one-year option, if exercised. Ms. Doi added there is a \$30,000.00 per year allowance for any unforeseen repairs, parts, materials or specialized labor.

Chair Todani asked, compared to the base amount awarded, why is the allowance of \$30,000.00 so high?

Ms. Doi responded and noted for Chair Todani that high amount is due to the high cost of repairing large pieces of that equipment and the vendor will not have access to the \$30,000.00 allowance without HCDA's prior written approval. The base allowance for the contract is mainly for the regular monthly maintenance of the existing system and not for repairs/replacement of large parts.

There were no further questions from board members.

Public Testimony

There were no inquiries to provide verbal testimony, and no written testimonies were received.

Chair Todani asked for a motion.

MOTION:

Member Fang motioned for the Board to Authorize the Interim Executive Director to Expend, Award, and Execute a Three-Year Contract with Two-One Year Options to Extend to Narito Sheetmetal & Mechanical Corporation for Air Conditioning and Ventilation Systems Inspection, Maintenance and Repair Services for HCDA's Offices at the American Brewery Building Located at 547 Queen Street, Honolulu, Hawaii, in an amount not to exceed \$265,658.00, from the Hawaii Community Development Special Funds, in accordance with Bid Form Nos. 4-6 for HCDA IFB 02-2022.

Member Apo seconded the motion.

Chair Todani asked the Board if there were discussion on the motion. There were none.

Ms. Doi conducted the roll call vote.

The motion passed with 5 yes votes, 0 no votes, and 4 excused.

Request to Authorize the Interim Executive Director to Expend up to \$150,000 from the Hawaii Community Development Special Funds to Retain a Consultant to Assist the HCDA in Complying with the State Department of Health (DOH), National Pollutant Discharge Elimination Systems General Permit Requirements for the Kakaako Community Development District and Kewalo Basin Harbor Small Municipal Separate Storm Sewer Systems.

Director of Planning and Development for Kakaako, Mr. Carson Schultz presented the staff report. HCDA owns stormwater drainage systems in the Kakaako Community Development District and Kewalo Basin Harbor that are subject to the requirements of the National Pollution Discharge Elimination System General Permit. To prevent harmful pollutants from being washed or dumped into the systems and eventually into local waters, the HCDA is required to obtain a Permit and maintain a Stormwater Management Program Plan ("SWMPP") which describe the stormwater management practices utilized per Permit requirements.

HCDA's current contract with AECOM Technical Services, Inc to administer the SWMPP will expire on April 22, 2022, therefore, staff recommends the Authority authorize the Interim Executive Director to expend up to \$150,000 to retain a consultant to assist HCDA in complying with the Permit requirements for the HCDA stormwater drainage systems.

Member Rodriguez asked as Howard Hughes leases and operates Kewalo Harbor, why are

they not assisting with providing funds for this?

Mr. Schultz responded, HCDA's lease with Howard Hughes does not include an agreement that identifies Howard Hughes to assist with the SWMPP, and to be fair the stormwater drainage systems that HCDA owns is District wide that covers the entire Kakaako Community Development District. HCDA does work with Howard Hughes and also HCDA's consultant works with them, as well as the Harbormaster to provide information. However, because HCDA owns components that are spread across the Kakaako district, HCDA looks at this as a district wide perspective and the decision was made to maintain it under one contract.

Member Rodriguez noted that the City and County is seeking to impose stormwater fees and because HCDA is mediating the stormwater, he asked if HCDA plans to seek exemptions to those fees?

Mr. Schultz responded and noted that he will look into the fees the City is proposing and can provide information to the Authority.

Member Rodriguez confirmed, at this point, fees are proposed and not yet required. The legislature is taking public comment and hopes that DOT and HCDA can engage in discussions. DOT has requested exemption but understands the proposed fees will be imposed for all state departments, however the bill is not moving forward.

Chair Todani asked Mr. Schultz to clarify the procurement method for this stormwater request vs. the last item where the board approved a contract to maintain the Air Condition system for the American Brewery Building.

Mr. Schultz responded that the previous item (Air Condition contract) is being awarded through an Invitation For Bid based on the lowest bidder/price and the Stormwater system contract is being procured by a Professional Services procurement method where an Engineering Consultant is picked from a pre-defined list established at the beginning of the fiscal year and is a negotiated contract vs. the lowest bidder.

Public Testimony

There were no inquiries to provide verbal testimony, and no written testimonies were received.

Chair Todani asked for a motion.

MOTION:

Member Apo motioned for the Board to Authorize the Interim Executive Director to Expend up to \$150,000 from the Hawaii Community Development Special Funds to Retain a Consultant to Assist the HCDA in Complying with the State Department of Health (DOH), National Pollutant Discharge Elimination Systems General Permit Requirements for the Kakaako Community Development District and Kewalo Basin Harbor Small Municipal Separate Storm Sewer Systems.

Member Sakoda seconded the motion.

Chair Todani asked the Board if there were discussion on the motion. There were none.

Mr. Schultz conducted the roll call vote.

The motion passed with 5 yes votes, 0 no votes, and 4 excused.

IV. INFORMATION AND DISCUSSION

Possible acquisition of parcels of land, located in the Kakaako Community Development District from a private landowner, for case and non-cash consideration, for the purpose of the Hawaii Community Development Authority developing or causing to develop an affordable housing, mixed use, project.

The Authority may convene in executive session pursuant to HRS § 92-5 (a) (4) to consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities in connection with the possible acquisition of such parcels of land.

Chair Todani asked if there were any questions members have before the board enters into executive session.

There were no questions.

Public Testimony

There were no inquiries to provide verbal testimony, and no written testimonies were received.

Chair Todani asked for a motion for the board to enter Executive Session.

Member Sakoda made a motion to enter Executive Session.

Member Fang seconded. The motion passed unanimously.

Chair Todani requested the following individuals be included in Executive Session:
Deputy Attorney Generals, Suzuka and Sunakoda;
HCDA Interim Executive Director Nakamoto;
and HCDA Staff Tommilyn Soares and Francine Murray.

Pursuant to Section 92-5(a) (4), Hawaii Revised Statutes, the Authority convened in Executive Session at 10:48 a.m.

The Authority met in Executive Session until 10:35 a.m.

Chair Todani reconvened the meeting at 10:36 a.m.

V. REPORT OF THE EXECUTIVE DIRECTOR

Monthly Report and Other Status Report

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

Interim Executive Director Nakamoto deferred to the written report provided in the board packet.

Chair Todani asked the Board if there were any questions. There were none.

Public Testimony

There were no inquiries to provide verbal testimony, and no written testimonies were received.

VI. ADJOURNMENT

Chair Todani thanked those who joined the meeting on Zoom and then adjourned the meeting at 11:40 a.m.

Wei Fang, Secretary

Date