

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

Wednesday, September 7, 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 virtually (utilizing the state-supported Zoom Meeting platform) for a Regular meeting on August 3, 2022.

HCDA Chairperson, Chason Ishii, called the September 7, 2022, HCDA Kalaeloa Authority Regular meeting to order at 12:04 p.m.

Acknowledgement that the Meeting is Being Convened Virtually

Chair Ishii reiterated the wording contained in the Meeting Agenda regarding the guidelines and directives provided by Section 92-3.7, Hawaii Revised Statutes to enable public boards and commissions to conduct business virtually with a meeting site open to the public.

With regard to the foregoing, Chair Ishii reiterated wording contained in the Meeting Agenda noting that HCDA welcomes public attendance via the Zoom link provided and also at the meeting site, located at The American Brewery Building, 547 Queen Street, 2nd Floor Board room, Honolulu, Hawaii 96813. 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 or verbal testimony. Chair Ishii 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.

Chair Ishii conducted the roll call. Those present and excused were as follows:

Members Present:

David Rae
Peter Apo
David Rodriguez, DOT (Ex-Officio)
Dane Wicker, City and County of Honolulu DPP (Ex-Officio)
Sterling Higa
Chason Ishii, Chairperson

Members Excused:

Craig Hirai, B&F (Ex-Officio)
Mike McCartney, DBEDT (Ex-Officio)
Joe Kuhio Lewis

Legal Counsel:

Kelly Suzuka, Deputy Attorney General

Staff Present:

Craig Nakamoto, HCDA Executive Director
Janice Biletnikoff, HCDA Planner
Garet Sasaki, HCDA Administrative Services Officer
Tommilyn Soares, HCDA Secretary

A quorum was present.

**II. APPROVAL OF MINUTES
Regular Meeting Minutes of August 3, 2022**

There were no comments or corrections by board members. The meeting minutes were approved as presented.

III. DECISION MAKING

Consider Authorizing the Executive Director to Amend the Term Established in the May 17, 2019 Right of Entry Agreement No. 7-19 between the Hawaii Community Development Authority and Kalaeloa Heritage and Legacy Foundation (KHLF), Which Granted a Right of Entry to KHLF, for Maintenance and Operation of the Kalaeloa Heritage Park, Located on Parcel No. 13073-D, 91-1940 Coral Sea Road, Kapolei, Hawaii, Tax Map Key No. (1) 9-1-013:069, and Extend the Term for an Additional Twelve (12) Months.

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 power, duties, privileges, immunities and liabilities for the subject agenda item.

HCDA Asset Manager, Ms. Lindsey Doi Leaverton, presented the staff report for this item. Ms. Leaverton explained the right of entry agreement was put into place after KHLF's lease ended and was intended to be a short-term agreement leading up to a long-term stewardship agreement. Ms. Leaverton stated the right of entry agreement has been extended multiple times due to delays, and the final pending item is to receive approval from the State Historic Preservation Division (SHPD) to build a burial vault. Ms. Leaverton stated this request to extend the right of entry agreement is to allow more time to receive the approval from SHPD.

Ms. Leaverton noted KHLF's site inventory is current, and they have not added any new structures to the site, adding that HCDA staff visited the site on September 6 to verify. Ms. Leaverton stated KHLF is complying with the terms of their right of entry. Ms. Leaverton stated Mr. Dwight Victor, President of KHLF was present on the virtual meeting for questions.

Member Rodriguez asked Ms. Leaverton to refresh his memory on a past issue with KHLF regarding a stockpile at the site. Ms. Leaverton explained HCDA's involvement

with remediating the stockpile and stated it has been resolved. Member Rodriguez asked if there is a need for a Department of Health permit. Ms. Leaverton stated not currently.

Member Rodriguez asked about feral animals at the site. Ms. Leaverton stated part of the right of entry agreement is for KHLF to maintain and manage the population of feral animals, noting that they keep an inventory of the number of free-ranging animals on the property. Ms. Leaverton stated her staff saw two chickens during their site visit. Ms. Leaverton noted if the number of animals became an issue, HCDA would work with KHLF to address that.

Member Rodriguez asked if there is an adequate amount of personnel at KHLF. Ms. Leaverton deferred to Mr. Victor.

Mr. Victor stated the core Board of Directors consists of eight board members in addition to other staff and noted everyone involved with KHLF are volunteers. Mr. Victor stated the amount of staffing they have is currently sufficient to maintain the property.

Member Rodriguez thanked Mr. Victor.

There were no further questions or comments from members.

Public Testimony

Chair Ishii called for public testimony. There were 24 written testimonies received in support of this item. There were no requests to provide verbal testimony.

Motion

Member Apo motioned for the Authority to authorize the Executive Director to amend the term established in the May 17, 2019 Right of Entry agreement No. 7-19 between the Hawaii Community Development Authority and Kalaeloa Heritage and Legacy Foundation (KHLF), which granted a Right of Entry to KHLF, for maintenance and operation of the Kalaeloa Heritage Park, located on Parcel No. 13073-D, 91-1940 Coral Sea Road, Kapolei, Hawaii, Tax Map Key No. (1) 9-1-013:069, and extend the term for an additional twelve (12) months.

Member Rae seconded the motion.

Chair Ishii asked the board if there were discussion on the motion. There was no discussion.

Ms. Leaverton conducted the roll call vote. The motion passed with 6 yes votes, 0 no votes, and 3 excused.

Consider Convening a Kalaeloa Design Advisory Board (DAB) and Appoint an Authority member pursuant to §15-215-78(g), Hawaii Administrative Rules for the Purpose of Reviewing Development Permit Applications and Providing Design Feedback to Applicants.

HCDA Planner, Ms. Janice Biletnikoff, presented the staff report for this item. Ms. Biletnikoff noted this request is to convene a Kalaeloa DAB for a period of one year. She then reviewed the purpose and composition of a DAB.

Member Rodriguez asked Ms. Biletnikoff what a DAB does. Ms. Biletnikoff stated the DAB reviews improvement and development permits at the direction of the Executive Director, for concurrence with the code, site layout, and architectural standards. She continued by stating the DAB will provide feedback to the applicant and their agents in a non-binding recommendation that is then brought to the Authority.

HCDA Executive Director, Mr. Craig Nakamoto, added that HCDA has previously used a DAB in Kakaako, most recently for the Honolulu Club. Member Rodriguez stated he was curious to know if a DAB adds a layer of bureaucracy that slows development. Ms. Biletnikoff stated the format of this request differs from previous HCDA DAB requests because it is for an extended period of time, rather than an as needed basis, which will bring efficiency to the process.

Member Apo commented that there are certain areas in Hawaii where a sense of place is necessary to maintain, and that a DAB can help to facilitate a thoughtful vision and direction of that.

There were no further questions or comments from members.

Public Testimony

Chair Ishii called for public testimony. There was no written testimony submitted and no requests to provide verbal testimony.

Chair Ishii asked if any member would like to volunteer to participate in the DAB. Member Apo volunteered.

Motion

Member Rae motioned for the Authority to convene a Kalaeloa Design Advisory Board (DAB) and appoint an Authority member pursuant to §15-215-78(g), Hawaii Administrative Rules for the purpose of review development permit applications and providing design feedback to applicants.

Member Wicker seconded the motion.

Chair Ishii asked the board if there were discussion on the motion. There was no discussion.

Mr. Nakamoto conducted the roll call vote. The motion passed with 6 yes votes, 0 no votes, and 3 excused.

IV. INFORMATION AND DISCUSSION Kalaeloa Draft Master Plan Amendment Presentation by Torti Gallas + Partners.

Ms. Biletnikoff provided an overview of the staff report for this item, including highlighting some major changes in the newest iteration of the draft master plan, and explaining the next steps in the sequence of the overall amendment of the master plan and rules.

Ms. Biletnikoff introduced Mr. Rogelio Huerta from Torti Gallas + Partners. Mr. Huerta provided a presentation of the primary changes that were made to the master plan.

Chair Ishii stated there was a lot of work and changes, and that the feedback seems to have been taken into consideration.

Referring to a letter from the Department of Hawaiian Home Lands (DHHL) dated June 27, 2022, Member Apo asked if all of the concerns in that letter had been discussed and addressed. Ms. Biletnikoff stated all the concerns were considered, and many changes were made based on DHHL's questions and concerns. Ms. Biletnikoff provided examples of DHHL concerns that were addressed but noted one item that was not addressed: DHHL's request to create a special district for all DHHL properties. Expanding on that, Mr. Nakamoto stated HCDA and its consultant Torti Gallas + Partners respectfully resisted doing this request because if lands were either sold or conveyed by DHHL within a special district, it could create problems for HCDA from a zoning perspective.

Member Apo stated it is an interesting situation and asked if the lands were part of the original DHHL jurisdiction, and whether it came about through trading lands. Mr. Nakamoto stated it may have been a result of the BRAC (Base Realignment and Closure).

Member Rodriguez asked if there were any comments from the Hawaiian Railway Society. Ms. Biletnikoff confirmed there were comments and stated their comments were taken very seriously. Ms. Biletnikoff stated HCDA and Torti Gallas + Partners removed several crossings based on their concerns and added language that the Federal Highways Administration and other Federal and State entities must be consulted if any invasive development were proposed by landowners whose properties are crossed by the railway. Member Rodriguez stated it is an interesting and historic piece of infrastructure and he would like to see it incorporated into the plan. Mr. Huerta stated it should be noted that the railway is just outside of the plan boundaries because it is just north of Roosevelt.

Ms. Sharon Gi from Hunt Companies asked (using the Chat function on Zoom) if it would be possible to receive an overview and schedule of the Kalaeloa Master Plan and Rules amendment process, as well as a redlined version of this draft against the administrative draft that was last presented. Mr. Nakamoto noted Ms. Gi's comments and questions.

There were no further questions or comments from members.

Public Testimony

Chair Ishii called for public testimony. There was no written testimony submitted and no requests to provide verbal testimony.

V. REPORT OF THE EXECUTIVE DIRECTOR

Monthly Report and Other Status Reports

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

Executive Director Nakamoto pointed out the Kalaeloa Heritage and Legacy Foundation (KHLF) reports and noted Ms. Leaverton will be working with KHLF to revise the formatting and reporting of that moving forward.

Public Testimony

Chair Ishii called for public testimony. There was no written testimony submitted and no requests to provide verbal testimony.

VI. ADJOURNMENT

There being no further comments or questions on the Report of the Executive Director, Chair Ishii thanked those who joined today's meeting on Zoom or HCDA's YouTube and adjourned the meeting at 1:02 p.m.

Sterling Higa, Secretary

Date Approved by the Board