

**MINUTES OF A REGULAR MEETING  
OF THE MEMBERS OF THE  
HAWAII COMMUNITY DEVELOPMENT AUTHORITY,  
STATE OF HAWAII**

MEETING NO. 335  
Wednesday, November 5, 2008

Members Present: C. Scott Bradley  
Amanda Chang  
Grady Chun (9:08 a.m.)  
Joseph Dwight, IV  
Michael Formby  
Paul Kimura  
Christopher Kobayashi (9:10 a.m.)  
Jonathan Lai  
Theodore Liu (9:08 a.m.)  
Kay Mukaigawa (9:19 a.m.)  
Dexter Okada  
Russ Saito

Members Absent: Robert Piper

Others Present: Anthony Ching, Executive Director  
Eugene Won, Deputy Attorney General  
Craig Nakamoto, Director of Communications  
Deepak Neupane, Director of Planning and Development for Kakaako  
Richard Kuitunen, Asset Manager  
Patricia Yoshino, Secretary  
Loretta Ho, Secretary  
Holly Hackett, Court Reporter

I. ROLL CALL

A regular meeting of the Members of the Hawaii Community Development Authority (“Authority”), a body corporate and public instrumentality of the State of Hawaii, was called to order by Mr. Jonathan Lai, Chairperson of the Authority, at 9:05 a.m. on Wednesday, November 5, 2008, at the Authority’s principal executive offices at 677 Ala Moana Boulevard, Suite 1001, Honolulu, Hawaii 96813, pursuant to article IV, section 1 of the Authority’s Bylaws.

MATERIALS DISTRIBUTED

1. Agenda for November 5, 2008 Meeting;
2. Summary of Public Hearing of October 15, 2008;
3. Report of the Executive Director;
4. Information: Report of the Executive Director PowerPoint Presentation (distributed at the meeting);
5. Information: Request to Erect a Memorial at Kakaako Waterfront Park in Honor of Blessed Marianne Cope;
6. Action: Adopt the Proposed Kewalo Basin Rules of Chapter 211 Entitled “Kewalo Basin Rules for Kewalo Harbor and Tariff”; Chapter 212 Entitled “Kewalo Basin Rules for Vessel and Harbor Controls”; Chapter 213 Entitled “Kewalo Basin Rules for Motor Vehicles”; and Chapter 214 Entitled “Kewalo Basin Rules Relating to Services and Procedures, Charges, Tolls and Fees”, of Title 15, Hawaii Administrative Rules (“HAR”);
7. Action: Authorize the Executive Director to Execute a Lease Agreement with Re-Use Hawaii for a Portion of the CFS3 Building;
8. Action: Authorize the Executive Director to Expend Hawaii Community Development Authority (“HCDA”) Revolving Funds to Contract with Consultants and Contractor and Implement Selected Projects from the Five-Year Work Plan Previously Approved by the Authority;
9. Executive Session: General Growth Properties’ (“GGP”) Ward Neighborhood Master Plan Application (“Application”) (confidential material distributed at the meeting);
10. Action: Hold a Hearing in Accordance with Chapter 91, Hawaii Revised Statutes (“HRS”), on or about December 17, 2008 on GGP’s Application; Adopt the Proposed Rules and Procedures in the Form Presented to Members for the Conduct of the Hearing; Appoint a Hearing Officer; and Hold a Special Meeting on January 14, 2009 to Act upon GGP’s Application (materials distributed at the meeting);
11. Executive Session: Strategy for Kakaako Capital Improvement Project (“CIP”) Requests (confidential material distributed at the meeting).

## II. APPROVAL OF MINUTES

### 1. Summary of the Public Hearing of October 15, 2008

Chairperson Lai noted that approval of the minutes of the September 3, 2008 and October 1, 2008 meetings would be deferred to the December Authority meeting when the Kalaeloa Members would be present.

A motion was made by Member Kimura and seconded by Member Saito to approve the Summary of the Public Hearing of October 15, 2008. The motion passed 8 to 0 with 5 excused (Members Chun, Kobayashi, Liu, Mukaigawa and Piper).

Chairperson Lai asked for a motion to amend the agenda for the current meeting to include a meal to be served during Executive Session as an integral part of the meeting. A motion was made by Member Saito and seconded by Member Okada. The motion was carried 8 to 0 with 5 excused (Members Chun, Kobayashi, Liu, Mukaigawa and Piper).

## III. REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Anthony Ching summarized his report via a PowerPoint presentation (Exhibit A).

Chairperson Lai noted for the record that Members Chun, Kobayashi and Liu were present.

## IV. ITEMS FOR INFORMATION

### A. Request to Erect a Memorial at Kakaako Waterfront Park in Honor of Blessed Marianne Cope

Mr. Richard Kuitunen, Asset Manager, presented background information and staff's report on the request from the Sisters of St. Francis to erect a memorial for Mother Marianne Cope at the Point Panic lookout in Kakaako Waterfront Park.

Member Okada recommended that the request for a memorial also be presented to the Kakaako Makai Community Planning Advisory Council ("CPAC").

Member Mukaigawa arrived at 9:19 a.m.

V. EXECUTIVE SESSION

Member Formby made a motion to meet in Executive Session to consult with the Authority's attorney on legal issues regarding the proposed Kewalo Basin Rules. Member Saito seconded the motion. The motion was carried 12 to 0 with 1 excused (Member Piper).

Chairperson Lai requested Mr. Ching, Mr. Kuitunen, Director of Planning and Development Deepak. Neupane, Director of Communications Craig Nakamoto, Deputy Attorney General Eugene Won and Secretary Patti Yoshino join the Executive Session discussion.

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The Hawaii Community Development Authority convened in Executive Session at 9:22 a.m. pursuant to Section 92-5(a)(4), HRS, to consult with the Authority's attorney on questions and issues pertaining to the Authority's powers, duties, privileges, immunities, and liabilities in relation to the agenda item.  
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It was moved by Member Formby and seconded by Member Saito to return to the regular meeting. The motion was carried 12 to 0 with 1 excused (Member Piper).

The regular meeting was reconvened at 9:34 a.m.

VI. ITEMS FOR ACTION

2. Shall the Authority Adopt the Proposed Kewalo Basin Rules of Chapter 211, 212, 213 and 214 of Title 15, HAR?

Mr. Ching presented background information and summarized staff's report on the proposed Kewalo Basin Rules ("Rules"). He stated HCDA had complied with Chapter 91, HRS; considered all oral and written testimony; properly vetted the Rules; and made significant efforts to accommodate the interests of stakeholders.

There were no questions from Members for Mr. Ching.

Chairperson Lai asked whether anyone from the audience wished to provide testimony on this agenda item.

Mr. Tom Hahn, Director of the Hawaii Long Line Association, provided comments on the rules/rumors relating to implementation of the Rules.

Member Okada inquired as to what would happen if the long liners had to pay Tier 2 rates.

Mr. Hahn replied that they would use the old slips as long as possible. Otherwise, they would have to find other space at another harbor.

Member Okada inquired as to whether there was space available at other harbors for long liners.

Mr. Hahn stated they may have to double park. They will not use the new slips. They would be able to live with an annual increase of 12%. He requested that HCDA not hold long liners to new slip usage mooring rates

Senator Carol Fukunaga appeared.

Member Bradley noted to Senator Fukunaga that he was an advocate of community dialogue. He inquired whether the Senator had reviewed the material distributed, including a 3-page listing of meetings and notices which had occurred between HCDA staff and stakeholders.

Senator Fukunaga stated her comments were directed to actions taken since September 2008.

Member Bradley requested staff provide information to the Senator's office regarding the communications that have taken place with stakeholders.

Member Chun requested clarification on the purpose of the committee that had been formed to review concerns about the Rules.

Mr. Ching stated a matrix had been prepared of all comments received. The committee had reviewed the matrix and issued a report of its recommendations to the Authority.

Mr. Kuitunen stated the matrix included all comments received since 2005.

Member Okada stated he had attended meetings in previous years. He indicated that while meetings were held, no follow up communication was made with stakeholders.

Mr. Bryan Ho stated he represented 4 water sports related companies: Extreme Parasail, Diamond Head Parasail, Honolulu Screamer, and Diamond Head Parasail and Water Sports. He had been involved as a stakeholder since February 2007 and had attended every meeting. He noted that although some

issues had not been resolved, there had been a lot of effort and compromise by both sides. If the Rules were approved, he requested the Authority consider delaying the implementation of increases in booth rent and parking fees due to the downturn in visitor arrivals to the State of Hawaii.

Member Okada inquired whether there was flexibility to accommodate the request.

Member Saito stated rates would be affected if the Rules are passed. It would require a separate decision by the Authority to delay application of the increase in fees. He asked Attorney General Eugene Won for an opinion on whether there was a provision in the Rules to waive or defer the increase on an interim basis.

Mr. Ching stated that parking fees could be included in the lease. Booth fees could possibly be delayed even if the Rules are approved by securing payment with a promissory note.

Member Kimura stated that economic viability is key in that the Authority cannot charge more than what people are able to pay.

Mr. Ho stated that he was not advocating waiver of slips. However, if increases in ticket booth and parking fees could be delayed, it would be helpful to tenants. He noted there were tenants who had not been able to get permanent mooring and have had temporary permits for a long time. These temporary permit holders would have to pay higher rents; however, they would have had permanent permits if the slips had been available.

Chairperson Lai inquired whether Mr. Ho had been in communication with Senator Fukunaga's office.

Mr. Ho stated that he had attended all the meetings of stakeholders, but had not made a separate contact with her office.

Mr. Reg White stated he worked for Paradise Cruises and distributed his written testimony in opposition to the 2-tier system and expressed concern with permits for fuel trucks. He inquired how fuel trucks would be handled, since they would be required to have permits but the Rules had no permits for fuel trucks.

Mr. Kuitunen stated that procedures for fuel trucks would be similar to current State Department of Transportation ("DOT") procedures so there should be no disruption in service.

Mr. Ching noted that Tier 2 fees would not be levied until harbor improvements were completed. The rate schedule could not be shifted because it had the force of law and would require new Rules.

Member Bradley inquired as to who would be impacted by the harbor improvements.

Mr. Kuitunen explained that there were 3 rates: (1) Tier 1 rate for existing Pier A; (2) Tier 2 rate for renovated herringbone, B and C piers; and (3) Daily rate for long liners. He noted that under DOT rules, a slip belonged to a specific boat. Under the proposed Rules, long liners would be allowed to get 5 or 6 boats on a single slip.

Member Okada inquired what would happen to Pier A rates if there were a need for repairs.

Member Bradley noted that under the Rules, fees would not be increased even if repairs were made. Small boaters on Pier A cannot be moved to Tier 2 unless they choose on their own to move to a renovated pier.

Mr. Mike DeRego provided written and oral testimony. He stated his concern that rates for Pier A would increase if any repairs were made.

Member Bradley reiterated that slips would have to be in one of the piers specified in the Rules to be renovated in order to trigger an increase in rates.

Mr. Ching stated that a boater who did not currently hold an annual permit would be eligible to go on a list to get a slip as it became available. If the Authority chooses, the Rules could be amended to provide relief.

Member Kimura stated that the permit would be reduced to a 1 page permit.

Mr. Kuitunen commented that the HCDA permit would make reference to the Rules, similar to the DOT permit.

Mr. Ching stated an advisory group of stakeholders would be formed if the Rules were approved. The final permit format would be within the scope of discussion for the advisory group.

Mr. Gary Dill stated he was a commercial fisherman for 20 years. He commented that the meetings had been unproductive and the timeline was meaningless, but there was a meeting in 2007 with a committee of the Authority that had been productive.

Chairperson Lai stated as a result of a lawsuit filed in 2007 by KOA, the committee had to stop meeting with the boaters.

Member Dwight asked Mr. Dill whether there were any issues raised that had not been addressed at this meeting or had not already been vetted.

Mr. Dill stated that HCDA had failed to work together with the boaters to address their needs.

Member Chang noted that the committee had met with KOA and other stakeholders. However, once the lawsuit was filed, the parties could not continue discussions which explained why HCDA stopped meeting with KOA.

Member Okada inquired as to the process that would be required to change the Rules once they were adopted.

Mr. Ching stated the Authority would have to direct staff to institute the Chapter 91, HRS rule making process.

There being no further comments, Chairperson Lai entertained a motion to adopt the proposed Kewalo Basin Rules of Chapter 211, 212, 213 and 214. The motion was made by Member Saito and seconded by Member Formby.

A roll call vote was conducted for the Authority to adopt the proposed Kewalo Basin Rules of Chapter 211 Entitled “Kewalo Basin Rules for Kewalo Harbor and Tariff”; Chapter 212 Entitled “Kewalo Basin Rules for Vessel and Harbor Controls”; Chapter 213 Entitled “Kewalo Basin Rules for Motor Vehicles”; and Chapter 214 Entitled “Kewalo Basin Rules Relating to Services and Procedures, Charges, Tolls and Fees”, of Title 15, HAR.

Ayes: Members Bradley, Chang, Chun, Dwight, Formby, Kimura, Kobayashi, Liu, Mukaigawa, Okada, Saito, and Chairperson Lai.

Nays: None.

The motion was carried 12 to 0 with 1 excused (Member Piper).

Member Bradley made a motion that the existing Kewalo Basin Rules Committee or a new committee should meet immediately after adoption of the Rules to reconsider the 2-tier structure and have 1 tier, and the decision be made prior to the 2-year period when construction is anticipated to be completed and the 2-tier structure would go into effect.

Member Saito moved to amend Member Bradley's motion to also include other issues that might arise from discussions with stakeholders.

Mr. Won suggested the Authority give the committee broad authority to reconsider the Rules and modify the Rules as appropriate, given problems or gaps in the Rules that may arise when the Rules are implemented.

Member Saito made a motion for the Authority to form a committee with authority as stated by Mr. Won. Member Kimura seconded the motion.

A roll call vote was conducted.

Ayes: Members Bradley, Chang, Chun, Dwight, Formby, Kimura, Kobayashi, Liu, Mukaigawa, Okada, Saito, and Chairperson Lai.

Nays: None.

The motion was carried 12 to 0 with 1 excused (Member Piper).

Chairperson Lai requested that the former committee members remain on the committee, unless any member wished to step down.

Member Okada volunteered to be on the committee.

Member Bradley requested a report from staff and Authority's attorney on the financial impact of waiving the increase in booth fees and parking rental fees.

A recess was taken at 10:50 a.m.

Chairperson Lai reconvened the meeting at 10:58 a.m.

3. Shall the Authority Authorize the Executive Director to Executive a Lease Agreement with Re-Use Hawaii for a Portion of the CFS3 Building?

Mr. Kuitunen presented staff's report and background information.

Mr. Quinn Vittum of Re-Use Hawaii explained his company had 3 programs: deconstruction services, waste reduction consulting and material redistribution.

Member Saito inquired as to what kind of pedestrian and vehicular traffic was anticipated.

Mr. Vittum stated they anticipated mostly vehicular traffic.

Mr. Kuitunen stated business hours and traffic for Re-Use Hawaii would be counter cyclical with the Next Step Shelter (“Next Step”) activities.

Member Dwight inquired how the rent would differ from Next Step.

Mr. Kuitunen stated that Next Step rent was \$1.00 per month. The proposed rent to Re-Use Hawaii was approximately a fifty (50%) percent discount off market rents to help Re-Use Hawaii carry out its non-profit function.

Mr. Ching stated that the current Re-Use Hawaii facility at the Look Lab was outdoors. The CFS3 site would more readily accommodate their enterprise. Senator Suzanne Chun Oakland had expressed her support of their community outreach to teach recycling and encourage purchase of recycled material. The timeframe offered on the lease was appropriate and would save on the cost of rehabilitating the Look Lab.

Member Saito asked whether the Office of Hawaiian Affairs (“OHA”) had been contacted.

Mr. Ching stated that OHA had allowed its agreement to expire and had not expressed interest in renewing.

Member Okada inquired about a future interagency department transfer of the site.

Mr. Kuitunen stated a provision was included in the lease in the event OHA or another State agency became interested in the site.

Member Formby asked whether any permits were required.

Mr. Ching stated a Special Management Area permit was not required because the building had existing utility services.

Member Saito inquired whether improvements to the facility would be required.

Mr. Vittum responded that a demising wall, some office space and a concrete ramp would be built.

Member Bradley inquired as to CPAC’s role in advising on the use of the land.

Mr. Neupane replied that CPAC's advice was not typically sought for leases. CPAC was involved in future plans for development.

Member Bradley inquired whether buildings were tested for hazardous materials prior to deconstruction.

Mr. Vittum replied that tests for hazardous materials would be conducted at the construction site.

Member Dwight made a motion for the Authority to authorize the Executive Director to execute a lease agreement with Re-Use Hawaii for a portion of the CFS3 Building. Member Mukaigawa seconded the motion.

A roll call vote was conducted.

Ayes: Members Bradley, Chang, Chun, Dwight, Formby, Kimura, Kobayashi, Liu, Mukaigawa, Okada, Saito, and Chairperson Lai.

Nays: None.

The motion carried 12 to 0 with 1 excused (Member Piper).

4. Shall the Authority Expend HCDA Revolving Funds to Contract with Consultants and Contractor and Implement Selected Projects from the Five-Year Work Plan Previously Approved by the Authority?

Mr. Ching summarized background information and staff's report on the projects in the Five-Year Work Plan.

Member Saito posed questions regarding which projects involved design, consulting and construction costs.

Member Dwight requested that each project be addressed separately. He raised questions regarding the need for parking in Kakaako Makai, cost effective methods for remediation and repair, and maintenance issues with Kakaako parks.

Member Saito reiterated Member Dwight's request for individual project presentations to be placed on the next meeting agenda.

Member Chang posed questions regarding why HCDA instead of the State Department of Education ("DOE") was funding the McKinley High School ("McKinley") track and field.

Mr. Ching stated that the McKinley project offered an opportunity to create additional park space and community benefit in the district.

Vice-Chairperson Kimura asked whether anyone from the audience wished to provide testimony on this agenda item.

Mr. Neal Takamori stated he was the athletic director at McKinley and introduced Mr. Ron Okamura, principal at McKinley. Mr. Takamori provided oral and written testimony on the McKinley project.

Member Saito posed questions regarding the requirements for DOE to approve the expenditure and whether the Board of Education (“BOE”) would need to be involved.

Mr. Okamura replied that a Memorandum of Agreement and approval from the Superintendent of Education and Attorney General would be required. The BOE would also have input.

Member Kimura commented the total cost of the project was \$60 million and inquired whether funding was available.

Mr. Takamori stated they are proposing phases since not all funding was locked down. There was interest in a baseball stadium, and the softball field was already funded.

Member Chang raised questions regarding maintenance, management and liability issues for the joint use facilities.

Mr. Okamura stated that once the facilities are turned over to McKinley, DOE procedures for use of facilities would be followed.

Senator Fukunaga requested a correction to the record of the September 3 meeting on behalf of district legislators who feel McKinley is a great project. She requested the Authority consider their specific recommendations to address parking, maintenance and subsidiary issues.

Member Bradley commented that the McKinley plan had been discussed several times without concrete plans. He felt the plan had merit and would like to keep it going. Members had not yet approved and established priorities for public benefits and needs for parking, parks and open space in the district. He recommended that Members have a planning process to prioritize and rank each of the projects in context of other landowners such as Kamehameha Schools and projected growth in the Kakaako district.

Chairperson Lai suggested staff consider planning a workshop for its Members covering planning and development issues in Kakaako.

The action item was deferred to the next meeting so staff could present each project separately.

VII. SECOND EXECUTIVE SESSION\*

5. GGP Ward Neighborhood Master Plan Application

Chairperson Lai recused himself on this agenda item and turned the meeting over to Vice-Chairperson Kimura.

Chairperson Lai exited the meeting at 12:05 p.m.

A motion was made by Member Liu and seconded by Member Formby to enter into Executive Session. The motion was carried 11 to 0 with 2 excused (Member Piper and Chairperson Lai).

Vice-Chairperson Kimura requested that the public vacate the room and Mr. Ching, Mr. Nakamoto, Mr. Neupane, Mr. Kuitunen, Mr. Won and Ms. Yoshino join the Executive Session discussion.

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The Hawaii Community Development Authority convened in Executive Session at 12:06 p.m. pursuant to Section 92-5(a)(4), HRS, to consult with the Authority's attorney on questions and issues pertaining to the Authority's powers, duties, privileges, immunities, and liabilities in relation to the agenda item.

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Member Chun exited the meeting at 1:07 p.m.

A motion was made by Member Okada and seconded by Member Saito to return to the regular meeting. The motion was carried 10 to 0 with 3 excused (Members Chun, Piper and Chairperson Lai).

The regular meeting was reconvened at 1:22 p.m.

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\* A meal was served to Authority Members and required staff during Executive Session as an integral part of the meeting.

VIII. ITEMS FOR ACTION – ADDITIONAL

- 6.1 Shall the Authority Hold a Hearing in Accordance with Chapter 91, HRS, on or about December 17, 2008 on GGP's Ward Neighborhood Master Plan Application?

A motion was made by Member Liu and seconded by Member Formby for the Authority to hold a hearing in accordance with Chapter 91, HRS, on or about December 17, 2008 (the date thereabouts to be fixed by the Executive Director) on GGP's Ward Neighborhood Master Plan Application.

A roll call vote was taken.

Ayes: Members Bradley, Chang, Formby, Kobayashi, Liu, Okada and Saito.

Nays: Members Dwight and Mukaigawa.

Abstain: Member Kimura.

The motion was carried 7 to 2 with 1 abstention and 3 excused (Members Chun, Piper and Chairperson Lai).

- 6.2 Shall the Authority Adopt the Proposed Rules and Procedures for the Conduct of the Hearing?

Mr. Ching discussed via a PowerPoint presentation the proposed rules and procedures for the conduct of the hearing (Exhibit B). He stated that the City Department of Planning and Permitting and State Office of Planning might be present at the hearing to represent regulatory interests.

Vice-Chairperson Kimura asked whether members of the audience wished to provide testimony.

Mr. David Frankel stated he and Mr. Alan Murakami represented Mr. Halealoha Ayau. He requested clarification as to whether they would need to file another petition for a contested case hearing. He also stated his concern regarding nominees for a hearings officer, since sufficient time would be needed to vet each nominee.

Member Chang exited the meeting at 1:40 p.m.

Member Liu posed questions regarding petitioners who would have standing in the hearing. A discussion ensued on the qualification for persons who could demonstrate they would be directly impacted by the plan.

Mr. Alan Murakami again stated he represented Mr. Ayau. He stated his opinion that the qualification recognized the need for the public to have access to the hearing and was not an arbitrary concern.

Mr. Won provided as an example of meeting the qualification, persons who could demonstrate convincingly that their ancestors were buried in the area.

A motion was made by Member Saito and seconded by Member Okada to adopt the proposed rules and procedures in the form presented to the Members for the conduct of the hearing.

A roll call vote was taken.

Ayes: Members Bradley, Dwight, Formby, Kimura, Kobayashi, Liu, Mukaigawa, Okada, and Saito.

Nays: None.

The motion carried 9 to 0 with 4 excused (Members Chang, Chun, Piper and Chairperson Lai).

6.3(a) Shall the Authority Appoint a Hearing Officer to Conduct the Hearing on the Authority's Behalf?

Vice-Chairperson Kimura entertained a motion to appoint a hearings officer from the pool of nominees presented to Members during the Executive Session and to expend HCDA Revolving Funds to provide compensation for the hearings officer.

The motion was made by Member Formby and seconded by Member Dwight.

A roll call vote was taken.

Ayes: Members Bradley, Dwight, Formby, Kimura, Kobayashi, Liu, Mukaigawa, Okada, and Saito.

Nays: None.

The motion carried 9 to 0 with 4 excused (Members Chang, Chun, Piper and Chairperson Lai).

6.3(b) Shall the Authority Appoint a Hearings Officer from the List of Nominees Presented to the Members by the Executive Director?

Member Formby made a motion to appoint Mr. Curtis Tabata as hearings officer. Member Kobayashi seconded the motion.

Mr. Brian Kang provided testimony on behalf of Victoria Ward. He suggested Mr. Boyd Mossman, Mr. Patrick Yim and Mr. Thomas Kaulukukui be considered as possible hearings officers. These individuals are judges and familiar with land use. He stated he had no objections to Mr. Tabata but requested consideration be given to individuals with more experience.

Member Liu exited the meeting at 1:46 p.m.

Member Saito asked, if there were an assumption that the Authority had considered the other candidates, whether Mr. Kang had objections to Mr. Tabata.

Mr. Kang stated he had no objections, assuming his recommended candidates had been considered.

Member Bradley asked whether Mr. Frankel had any comments on the candidates for hearings officer.

Mr. Frankel stated he did not have enough information on Mr. Tabata to comment. He stated he did have concerns with Mr. Mossman and Mr. Yim.

There being no further comments, a roll call vote was taken.

Ayes: Members Bradley, Dwight, Formby, Kimura, Kobayashi, Mukaigawa, Okada, and Saito.

Nays: None.

The motion carried 8 to 0 with 5 excused (Members Chang, Chun, Liu, Piper and Chairperson Lai).

6.4 Shall the Authority Hold a Special Meeting on January 14, 2009 to Act Upon GGP's Ward Neighborhood Master Plan Application?

Vice-Chairperson Kimura asked whether any Members or the audience had any questions on the action item.

There being none, a motion was made by Member Saito and seconded by Member Mukaigawa to hold a special meeting of the Authority on January 14, 2009 to act upon GGP's Ward Neighborhood Master Plan Application.

A roll call vote was taken.

Ayes: Members Bradley, Dwight, Formby, Kimura, Kobayashi, Mukaigawa, Okada, and Saito.

Nays: None.

The motion carried 8 to 0 with 5 excused (Members Chang, Chun, Liu, Piper and Chairperson Lai).

IX. THIRD EXECUTIVE SESSION

7. Acquisition and Funding – Strategy for Kakaako CIP Requests

A motion was made by Member Formby and seconded by Member Saito to enter into Executive Session. The motion was carried 8 to 0 with 5 excused (Members Chang, Chun, Liu, Piper and Chairperson Lai).

Vice-Chairperson Kimura requested that the public vacate the room and that Mr. Ching, Mr. Nakamoto, Mr. Neupane, Mr. Kuitunen, Mr. Won and Ms. Yoshino, join the Executive Session discussion.

Chairperson Lai re-entered the meeting at 1:55 p.m.

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The Hawaii Community Development Authority convened in Executive Session at 1:55 p.m., pursuant to Section 92-5(a)(3) and 92-5(a)(4), HRS, to deliberate regarding the authority of persons designated by the Authority to conduct negotiations involving the acquisition of property, and/or to consult with the Authority's attorney on questions and issues pertaining to the Authority's powers, duties, privileges, immunities, and liabilities in relation to the agenda item.

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Member Formby exited the meeting at 2:11 p.m.

It was moved by Member Dwight and seconded by Member Okada to return to the regular meeting. The motion was carried 8 to 0 with 5 excused (Members Chang, Chun, Formby, Liu and Piper).

The regular meeting was reconvened at 2:30 p.m.

## X. ADJOURNMENT

Chairperson Lai asked whether there were any other matters to be brought up. There being no further business, it was moved by Member Saito and seconded by Member Kimura to adjourn the meeting. The motion was carried 8 to 0, with 5 excused (Members Chang, Chun, Formby, Liu and Piper).

The meeting adjourned at 2:30 p.m.

Respectfully submitted,

/s/

Amanda Chang  
Secretary

\*\*The transcript of this meeting contains a verbatim record and should be consulted, should additional detail be desired.