

HAWAIIAN HOMES COMMISSION
Minutes of March 22, 2011
Meeting Held in Kapolei, O`ahu

Pursuant to proper call, the 613th Regular Meeting of the Hawaiian Homes Commission was held at the Department of Hawaiian Home Lands, 91-5420 Kapolei Parkway, Kapolei, Hawai`i, beginning at 9:10 a.m.

PRESENT Mr. Albert "Alapaki" Nahale-a, Chairman
 Mr. Donald S.M. Chang, Commissioner, Oahu
 Mr. Stuart K. Hanchett, Commissioner, Kaua`i
 Ms. Malia Kamaka, Commissioner, West Hawai`i
 Mr. Henry Tancayo, Commissioner, Moloka`i

EXCUSED Mr. Perry O. Artates, Commissioner, Mau`i
 Ms. Trish K. Morikawa, Commissioner, O`ahu

COUNSEL John Wong, Deputy Attorney General

STAFF Bob J. Hall, Deputy to the Chairman
 M. Wai`ale`ale Sarsona, Executive Assistant
 Francis Apoliona, Compliance Officer
 Linda Chinn, Administrator, Land Management Division
 Darrell Yagodich, Administrator, Planning Division
 Dan Keli`i, Administrator, Homestead Services Division
 Mona Kapaku, Homestead District Operations Manager
 Juan Garcia, Administrator, District Homestead Operations
 Dean Oshiro, Manager, Homestead Loans Services
 Kimo Kai, Homestead Land Development Specialist
 Ryan Fujitani, Land Agent, Land Management Division
 Rodney Lau, Administrative Services Officer
 Scottina Ruis, NAHASDA, Planner
 Renee Kondo, Legal Assistant
 Dre Kalili, Legislative Analyst
 Julie Cachola, Planner, Planning Division
 Gigi Cairel, Planner, Planning Division
 Elaine Searle Secretary to the Commission

PULE Chairman Alapaki Nahale-a

AGENDA Commissioner Malia Kamaka moved, seconded by Commissioner Stuart Hanchett, to approve the agenda. Motion carried unanimously.

MINUTES Commissioner Malia Kamaka moved, seconded by Commissioner Stuart Hanchett, to approve the minutes of February 15, 2011 as circulated. Motion carried unanimously.

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

HAWAIIAN HOMES COMMISSION AGENDA
91-5420 Kapolei Parkway, Kapolei, O`ahu, Hawai`i
March 22, 2011, 9:00 a.m.

ORDER OF BUSINESS

Roll Call
Approval of Agenda
Approval of Minutes of February 15, 2011

A- OFFICE OF THE CHAIRMAN

- A-1 Use of Native Hawaiian Housing Block Grant (NHHBG) Funds for Mortgage Loans
- A-2 Proposed Donation of Land in Waihee, Maui in Exchange for Affordable Housing Credits
(For Information Only)

B - HOMESTEAD SERVICES DIVISION

- B-1 HSD Status Reports
 - Exhibits:
 - A - Homestead Lease and Application Totals and Monthly Activity Reports
 - B - Delinquency Report and Status of Contested Case Hearings
 - C - DHHL Guarantees for Habitat for Humanity Loans
 - D - Report on Transfers Through Successorship of Lease
 - E - Report on Amendments to Lease
 - F - Report on Exchanges of Leases
- B-2 Notification of Various Lease Awards and Cancellation of Corresponding Applications
- B-3 Rescission of Homestead Lease Award and Reinstatement of Application - East Kapolei I, Undivided Interest
- B-4 Rescission of Assignment of Lease, Rescission of Homestead Lease Award and Reinstatement of Application - East Kapolei I, Undivided Interest
- B-5 Rescission of Homestead Lease Award and Reinstatement of Application
- B-6 Ratification of Consent to Mortgage
- B-7 Refinance of Loans
- B-8 Schedule of Loan Delinquency Contested Case Hearings
- B-9 Homestead Application Transfers / Cancellations
- B-10 Reinstatement of Deferred Applications
- B-11 Ratification of Designations of Successors to Leasehold Interest and Designation of Persons to Receive the Appraised Value
- B-12 Commission Designation of Successor - **Mason K. Namahoe**
- B-13 Commission Designation of Successor - **Irma Jean K. Koko**

- B-14 Commission Designation of Successor - **Alma S. Weiss**
- B-15 Commission Designation of Successor - **Scott K. Furtado, Jr.**
- B-16 Request to Set Aside Lease Cancellation - **Frank F. Tabag**
- B-17 Request to Set Aside Lease Cancellation - **John P.K. White**
- B-18 Lease Cancellations
- B-19 Approval of Subdivision of Pastoral Lot - **James Akiona**
- B-20 Request to Set Aside Lease Cancellation - **Gibson P. Kay**
- B-21 Ratification of Assignments of Leasehold Interests

C – LAND DEVELOPMENT DIVISION

- C-1 Approval to Authorize Chairman to Continue Negotiations for the Development of the Ka Pua Makaha Project, O`ahu

D – LAND MANAGEMENT DIVISION

- D-1 Authorization to General Lease, Pulehunui and Waikapu, Mau`i
- D-2 Notices of Default/Revocation, Statewide
- D-3 Amendment to Option Agreement and General Lease - Hawai`i DeBartolo, LLC, East Kapolei, O`ahu

E - PLANNING DIVISION

- E-1 Kūlia I Ka Nu`u Program Certifications

G - ADMINISTRATIVE SERVICES OFFICE

- G-1 Transfer of Hawaiian Home Receipts Fund Money at the End of Third Quarter, FY 2011

EXECUTIVE SESSION

The Commission anticipates convening in executive meeting Pursuant to Section 92-5(a)(4), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.

1. Honokaaia Ohana et al. vs DHHL et al., Civil No 09-101615-07
2. Successorships and Transfers
3. Leimomi Lum vs HHC, Civil No. 09-1-2332-10
4. Richard Nelson, III, Kaliko Chun et al. vs HHC, Civil No. 09-1-161507
5. In the Matter of Beth ann Wong
6. In the Matter of Hardware Hawai`i

ANNOUNCEMENTS AND ADJOURNMENT

1. Next Meeting – April 19, 2011, Moloka`i; Hawai`i
2. Other Announcements
3. Adjournment



**Albert "Alapaki" Nahale-a, Chairman
Hawaiian Homes Commission**

COMMISSIONERS

**Perry O. Artates, Maui
Donald S.M. Chang, O`ahu
Stuart K. Hanchett, Kaua`i
Malia Kamaka, West Hawai`i**

**Vacant, O`ahu
Trish Morikawa, O`ahu
Vacant, East Hawai`i
Henry Tancayo, Moloka`i**

The next community meeting will be held on Monday, April 18, 2011 at Lanikeha Community Center, Ho`olehua, Moloka`i. at 5:30 p.m.

Special Accommodations (such as Sign Language interpreter, large print, taped materials) can be provided, if requested at least five (5) working days before the scheduled meeting on the respective island by calling (808) 620-9590.

ITEM NO: A-1

SUBJECT: Use of Native Hawaiian Housing Block Grant (NHHBG) Funds for Mortgage Loans

RECOMMENDATION

1. Seek to establish a Native Hawaiian Housing Block Grant (NHHBG) in place of a USDA-RD, Section 502 funds that are delayed or uncertain at this time;
2. To allow a loan approval by Chairman of Hawaiian Home Commission (HHC) to serve as the report to the HHC as required under Administration Rules Section 10-2-17.

MOTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett.

DISCUSSION

Mortgage loans were initially approved for families qualifying for USDA-RD loans at 3% interest. Due to delays in funding and the availability of existing inventory in the NHHBG, some families may find it challenging to qualify at the current interest rates, noted NAHASDA Planner, Scottina Ruis. The department is assuming the place of Rural Development by utilizing the same terms and conditions and interest rates that would have been offered by USDA-RD, had they provided the loan, added Loans Manager Dean Oshiro.

ACTION

Motion carried unanimously.

ITEM NO: A-2

SUBJECT: Proposed Donation of Land in Waihee, Mau`i in Exchange for Affordable Housing Credits (For Information Only)

MOTION/ACTION

None, for information only.

DISCUSSION

Deputy Bob Hall introduced Waihee Housing Opportunities LLC representative, David Goode, who formally submitted a proposal to donate nearly 13 acres of land which abuts the Kahekili

Highway near Waiehu Kou IV subdivision in exchange for affordable housing credits. Mr. Goode submitted material to be made a part of these minutes as Exhibit "A". He expressed how the benefits of home ownership and availability of water and sewer lines, highway access may provide convenience and expansion to an already existing Hawaiian homestead community. He is hopeful that the exchange of housing credits will generate a firm marketable value in the future. Mr. Goode estimates the worth of these affordable credits could average anywhere from \$40 - \$70 thousand dollars within three to five years. He claims that Waihee Housing Opportunities expended approximately \$1.5 million on this parcel for improvements.

Chairman Nahale-a expressed appreciation in Mr. Goode's offer to provide another tool for the department to generate future homesteads on Mau`i. The department will continue to dialog with Mr. Goode to ascertain if there is a favorable response in this undertaking.

ITEM NO: B-1
SUBJECT: HSD Status Reports

MOTION/ACTION

None, for information only.

Homestead Services Administrator Dan Keli'i noted the monthly reports involve major activities within the department. One of the changes in the delinquent loans report involves the extraction of the FHA buyback delinquency loans which will be reviewed further.

ITEM NO: B-2
SUBJECT: Notification of Various Lease Awards and Cancellation of Corresponding Applications

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-3
SUBJECT: Rescission of Homestead Lease Award and Reinstatement of Application - East Kapolei I, Undivided Interest

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-4

SUBJECT: Rescission of Assignment of Lease, Rescission of Homestead Lease Award and Reinstatement of Application - East Kapolei I, Undivided Interest

MOTION/ACTION

Moved by Commissioner S. Hanchett, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: B-5

SUBJECT: Rescission of Homestead Lease Award and Reinstatement of Application

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-6

SUBJECT: Ratification of Consent to Mortgage

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-7

SUBJECT: Refinance of Loans

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: B-8

SUBJECT: Schedule of Loan Delinquency Contested Case Hearings

MOTION/ACTION

Moved by Commissioner S. Hanchett, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: B-9

SUBJECT: Homestead Application Transfers / Cancellations

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-10

SUBJECT: Reinstatement of Deferred Application

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-11

SUBJECT: Reinstatement of Deferred Applications

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-12

SUBJECT: Commission Designation of Successor - Mason K. Namahoe

MOTION/ACTION

Moved by Commissioner S. Hanchett, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: B-13

SUBJECT: Commissioner Designation of Successor - Irma Jean K. Koko

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-14

SUBJECT: Commission Designation of Successor - Alma S. Weiss

MOTION/ACTION

Moved by Commissioner H. Tancayo, seconded by Commissioner M. Kamaka. Motion carried unanimously

ITEM NO: B-15

SUBJECT: Commissioner Designation of Successor - Scott K. Furtado, Jr.

MOTION/ACTION

Moved by Commissioner S. Hanchett, seconded by Commissioner M. Kamaka. Motion carried unanimously.

ITEM NO: B-16

SUBJECT: Request to Set Aside Lease Cancellation - Frank F. Tabag

MOTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett.

DISCUSSION

The department had two initiatives simultaneously being determined: to cancel the lease for failure to build and an ongoing contested case hearing. To better address the issue, the contested case hearing will take precedence.

ACTION

Motion carried unanimously.

ITEM NO: B-17

SUBJECT: Request to Set Aside Lease Cancellation - John P.K. White

MOTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett.

DISCUSSION

Homestead Services Administrator Dan Keli'i advocates setting aside this lease cancellation. Staff will need to inquire if Mr. White intends to build on the property as the expiration date approaches in April, 2011. Mr. White currently resides out-of-state. His mother passed away designating him successor to the lease which he acquired in September, 2010. A similar situation occurred where a lessee was prematurely informed he was in violation of his lease (lessees have one year from the date of execution to build and occupy the home). An effort is being made to address these types of inconsistencies, noted Chairman Nahale-a.

ACTION

Motion carried unanimously.

ITEM NO: B-18

SUBJECT: Lease Cancellations

RECOMMENDATION

The request is to cancel homestead leases issued through an accelerated lease program for failure to build and occupy and use the residence lot as the lessee's home as required under their lease.

MOTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett.

DISCUSSION

Enforcement Officer Kip Akana announced that Howard W. Kamau`u, Jr., Pu`u Pulehu lessee from the Big Island, appeared today in response to a notice he received from the department informing him of possible action against him for failure to comply with conditions to build and occupy his home within one year after final approval. Officer Akana noted that Mr. Kama`u failed to respond or acknowledge receipt of notice.

Because of possible confusion with regard to these types of notices, Chairman Nahale-a recommends this matter be deferred until the notices have been reviewed to eliminate any misunderstanding or confusion created by these notices.

AMENDED MOTION/ACTION

Motion carried unanimously.

ITEM NO: B-19

SUBJECT: Approval of Subdivision of Pastoral Lot - James Akiona

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett.

DISCUSSION

This is an outcome of a settlement agreement between the Department of Hawaiian Home Lands and the Aged Hawaiians lawsuit of 1989 which ultimately allowed pastoral offerings in the Honokaia area from the Waimea waitlist. A deciding factor was a submittal of ranch plans to qualify for a certain amount of acreage. According to Planning Administrator Darrell Yagodich, the situation was different with Mr. Akiona, who was relocated from his Pu`ukapu lot to his primary pasture lot in Honokaia consisting of 100 acres. Recommendation is to allow Mr. Akiona to divide his Honokaia lot into five, 20 acre parcels, noted Darrell Yagodich. The Commission needing more clarity and discussion on the matter agreed to defer on the decision until next meeting.

AMENDED MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett to defer this item. Motion carried unanimously.

ITEM NO: B-20

SUBJECT: Request to Set Aside Lease Cancellation Gibson P. Kay

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: B-21

SUBJECT: Ratification of Assignments of Leasehold Interests

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

ITEM NO: C-1

SUBJECT: Approval to Authorize the Chairman to Continue Negotiations for the Development of the Ka Pua Makaha Project, O`ahu, Hawai`i

RECOMMENDATION

Authorize the Chairman to continue negotiations with Ko Olina Makaha East (KOME) and Kamehameha Schools (KS) in promoting the development of the Ka Pua Makaha project, to establish a master plan development for rural homestead and educational facility.

MOTION

Moved by Commissioner H. Tancayo, seconded by Commissioner D. Chang.

DISCUSSION

Land Development Administrator Sandra Pfund acknowledged that the developer was reluctant to extend negotiations to August 2011. She pointed out Ko Olina Makaha East (KOME) is still committed to working with the department and Kamehameha Schools (KS) in formulating an agreement for this project. The department is unaware of the details of KS's proposal to purchase the land, and determines it an amiable solution to maintain transparency. Ms. Pfund will inform the Commission should new terms and conditions materialize.

Commissioner S. Hanchett made it known that the developer may have interests on other neighbor islands and questions the intent of the developer's decision to not extend negotiations. He advocates vigilance on the part of the department when arriving at decisions for affordable housing credits as this may carry over to other developments. Chairman Nahale-a concurs a high level of scrutiny should be taken when formulating deals.

ACTION

Motion carried unanimously.

ITEM NO: D-1

SUBJECT: Authorization to General Lease, Pulehunui and Waikapū Mau`i

RECOMMENDATION

Authorize the department to offer three parcels of property on Mau`i totaling 184 acres for general leasing purposes to allow expansion of monies to advertise, to budget funds for appraisal and environment assessment and to retain counsel for the general lease.

MOTION/ACTION

Moved by Commissioner M. Kamaka, seconded by Commissioner S. Hanchett. Motion carried unanimously.

DISCUSSION

Chairman Nahale-a clarified that this process is being formulated in conjunction with the community and planning efforts of the department. The department is consulting with communities to obtain a consensus of joint development, added Land Management Administrator Linda Chinn.

ITEM NO: D-2

SUBJECT: Notices of Default/Revocation, Statewide

COMMENT

Land Management Administrator Linda Chinn accounted for payments received as of March 9, 2011. One of the canceled leases, General Lease #146, tendered payment for all outstanding debts and may request for reinstatement. A list of payments encompassed:

GL # 73 - \$1870.50, GL #226 - \$1262.00, GL #227 - \$3200.00, GL #413 - \$8466.70,
GL #4120 - \$11917.70, GL #4121 - \$11667.50, GL #4122 - \$6445.00.

Payments received for Revocable Permits (RP) encompassed:

RP #160 - \$200.00 (plus \$200/ each month.) RP #461 - \$1000, RP #227 - \$200,
RP #311 - pd in full, RP #327 - \$1300, RP #383 pd in full, RP #428 - \$11,000,
RP #429 - pd in full, RP #435 - \$1160.

MOTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett.

DISCUSSION

Hilo Wood Treating has chosen to partner with another company, noted Land Management (LMD) Administrator, Linda Chinn. LMD staff will assess the situation later this month on its next visit to Hilo.

ACTION

Motion carried unanimously.

ITEM NO: D-3

SUBJECT: Amendment to Option Agreement and General Lease - Hawai'i DeBartolo, LLC, East Kapolei, O`ahu

RECOMMENDATION

Approve the requested amendments to option agreement and General Lease executed with Hawai'i DeBartolo LLC to develop a community business mixed use project on Hawaiian home lands in East Kapolei, Island of O`ahu. The amendments are listed in Exhibit "A" (7 pg matrix), Exhibit "B"(site plan), Exhibit "C" (spreadsheet) on financial agreement once a general lease is executed between DHHL & DeBartolo.

Amendment changes - page 3 "Request for Amendment to the Option Agreement and Lease. - "The economic downturn and the collapsed financial market created challenges for DeBartolo to develop the entire 67 acres immediately. In early 2009, DeBartolo proposed adjustments to the negotiated terms and conditions signed in June 2008 to allow them to develop the project in phases. ~~DeBartolo has acknowledged it is responsible to pay the annual base rental of \$4.7 million if given the ability to phase the development and remains obligated to pay the entire amount once the lease is executed and becomes effective~~ will be obligated for the ABR applicable to all of the Land pursuant to the terms of the proposed amendments outlined below."

Exhibit "A" reflects the major proposed amendments and the final negotiation terms subject to the approval of the Hawaiian Homes Commission.

MOTION

Moved by Commissioner H. Tancayo, seconded by Commissioner S. Hanchett.

DISCUSSION

Land Management Administrator Linda Chinn introduced Ed Kobel, Hawaii DeBartolo, LLC and Erin Nellis, Project Manager. Mr. Kobel expressed pleasure at being exposed to the community and culture of Hawai'i. He appreciates the work invested by the department and leaders of the community in recognizing the needs of the greater community with everything falling into place. DeBartolo, LLC anticipates construction of Phase I to begin in 2012 barring any environmental assessment issues.

Chairman Nahale-a believes the department is in a better position with amendments to the Option Agreement. Chairman reminded the commission that the regional options were previously approved and today's decision is to allow amendments to those options.

Several community leaders gave brief testimony regarding this development. Shirley Swinney, President, Kapolei Community Development Corporation expressed her mana'o and the support of the community which has not wavered from its initial presentation in 2008. Homelani Schaedel, President, Malu`ohai Hawaiian Homestead Association added her support of the project. Maeda Tim Son, 12 year Makakilo Community Board member and resident since 1972, welcomes the Hawaiian representation and improvements to the Kapolei area, in promoting the "live, work, play and shop" scheme within its community. West-O`ahu Economic Development Association's president, John McKenna, deems that with the doubling of the population in Kapolei, this development will create new businesses and job opportunities in West-O`ahu. He estimates 20,000 jobs will be created in the next four years and close to 5,000 full-time jobs in the future in varying areas from hotel and retail industry to administrative services. The Ka Makana Ali`i project will provide it all. In addition to job opportunities, 39 year resident, Uncle Shad Kāne, expressed how this project will restore a cultural visibility in terms of landscaping, architectural design and types of materials utilized and interpretive signs and sculpture, cultural identification that's unique to early settlement in the area. Georgette Stevens, local contractor, Robin Danner, President, Council for Native Hawaiian Association and Rudolfo Ramos, Ewa Village resident also expressed their support in sustaining all the beneficiaries through affordable housing opportunities for Hawaiians and the greater community.

Chairman Nahale-a reiterated appreciation to the DeBartolo family for engaging in this project. It is evident the greater community is in full support of this development. The opportunities will enable the department to serve more Hawaiians in positioning them as future homeowners. Chairman Nahale-a thanked Land Management Administrator Linda Chinn for her fine efforts in maintaining viable discussions in moving this project forward. Testimony from John McKenna submitted as Exhibit "A" and testimony from Major Phil Lum of Kroc Center Hawaii submitted as Exhibit "B".

ACTION

Motion carried unanimously.

ITEM NO: E-1

SUBJECT: Kūlia I Ka Nu`u Program Certifications

RECOMMENDATION

Bestow Stage 4 certifications to Maku'u Farmers' Association (MFA) and Anahola Hawaiian Homestead Association (AHHA).

MOTION/ACTION

Moved by Commissioner S. Hanchett, seconded by Commissioner H. Tancayo.

DISCUSSION

AHHA President Lorraine Rapoza thanked the Commission in granting a Stage 4 certification to its community association. She added that AHHA has worked diligently for the past 25 years and she is proud to represent the association. DHHL Planner Gigi Cairel thanked Lorraine Rapoza and AHHA for a well defined and organized plan in its submittal to the department. It made easy work for staff. Chairman Nahale-a thanked Gigi Cairel for her significant efforts in maintaining this program for the benefit of the homestead communities. Lorraine Rapoza added that Planning Administrator Darrell Yagodich be recognized for his outstanding dedication as a representative of the department.

ACTION

Motion carried unanimously.

ITEM NO: G-1

SUBJECT: Transfer of Hawaiian Home Receipts Fund Money at the End of Third Quarter, FY 2011

MOTION/ACTION

Moved by Commissioner D. Chang, seconded by Commissioner H. Tancayo. Motion carried unanimously.

RECESS 10:40 a.m.

Moved by Commissioner S. Hanchett, seconded by Commissioner H. Tancayo to adjourn to Executive Session. Motion carried unanimously.

EXECUTIVE SESSION

The Commission convened in Executive Session Pursuant to Section 92-5 (a), HRS, to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.

1. Successorships and Transfers
2. Leimomi Lum vs HHC, Civil No. 09-1-2332-10
3. Richard Nelson, III, Kaliko Chun et al. vs HHC, Civil No. 09-1-161507
4. In the Matter of Hardware Hawai`i
5. *In the Matter of Beth Ann Wong

* Chairman Nahale-a was excused.

RECONVENE: 11:30 a.m.

Chairman Nahale-a requested the Commission reconvene to regular meeting. It was moved by Commissioner S. Hanchett, seconded by Commissioner H. Tancayo to reconvene to the regular meeting. Motion carried unanimously.

ANNOUNCEMENTS:

The next regular scheduled meeting will be held on April 19, 2011 in Kalama`ula, Moloka`i.

Chairman Nahale-a announced the May meeting has been rescheduled from May 23, 2011 to May 25, 2011 at the Kaua`i District Office in Lihue, Kaua`i due to a scheduling conflict. Commission members were all in agreement. Notice to be posted amending the change.

ADJORNMENT: 11:32 a.m.

Waihee Housing Opportunities, LLC

March 22, 2011

Hawaiian Homes Commission
'Alapakī Nahaleā, Chairman

VIA HAND DELIVERY

RE: Hawaiian Homes Commission Meeting of March 22, 2011
Item A-2
Additional Information

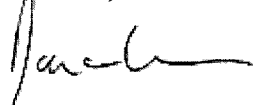
Aloha Chairman Nahaleā and Members of the Commission:

Thank you for the opportunity to present this project to the commission today.

In addition to the information provided to you by the staff, we wish to underscore the benefits of accepting the donation of this parcel to the department, and hope that you can ask the Department to move ahead with finalizing the transaction.

- The cost to the department to acquire the land is zero – it is a donation in exchange for affordable housing credits as contemplated in Act 141, session laws of Hawaii, 2009.
- The property is directly mauka of Waiehu Kou IV, the fourth and final phase of successful DHHL single family projects. To our knowledge, the department does not have any more properties in the greater Wailuku area, a highly sought after area of the department's beneficiaries.
- The property is readily developable as it was part of a larger subdivision.
Existing features include:
 - Water, electricity, and sewer readily accommodated.
 - County of Maui water and non-potable water from Wailuku Water Co.
 - Direct highway access.
 - Clear title to the land.
 - Archeology work completed (no findings).
 - Gently sloping topography.
- Development possibilities include single family residences, multi-family, mixed use developments, for lease or for rent. Sample layouts for single family and a mixed use multi-family are attached for your reference.

Mahalo,



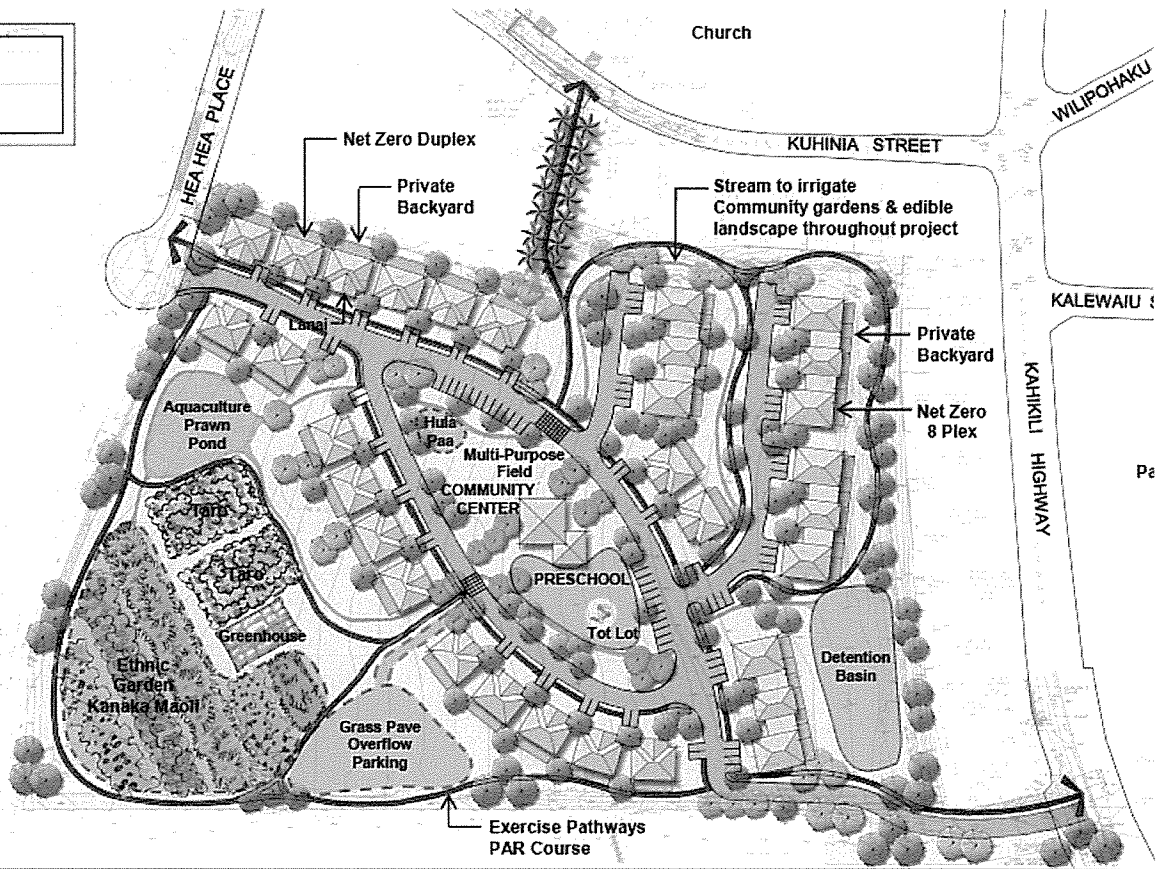
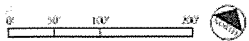
David Goode

P.O. Box 237, Kula, Hawaii 96790


HHC Item No. A-2
Exhibit A
Date 3-22-11

Mixed Use – Kupuna housing, preschool, community center, aquaculture

Scheme	B Plex	Duplex	Total
No. Bldg	4	19	23
Studio	16	0	16 23%
1 Bedroom	8	19	27 39%
2 Bedroom	8	19	27 39%
Total	32	38	70



Conceptual subdivision layout – single family residential

 PRELIMINARY SITE PLAN
SCALE: 1"=100 FT. 4 OCT 10

NA MALA O WAIHEE LOT # SEVEN

SCHEME GOOD-C

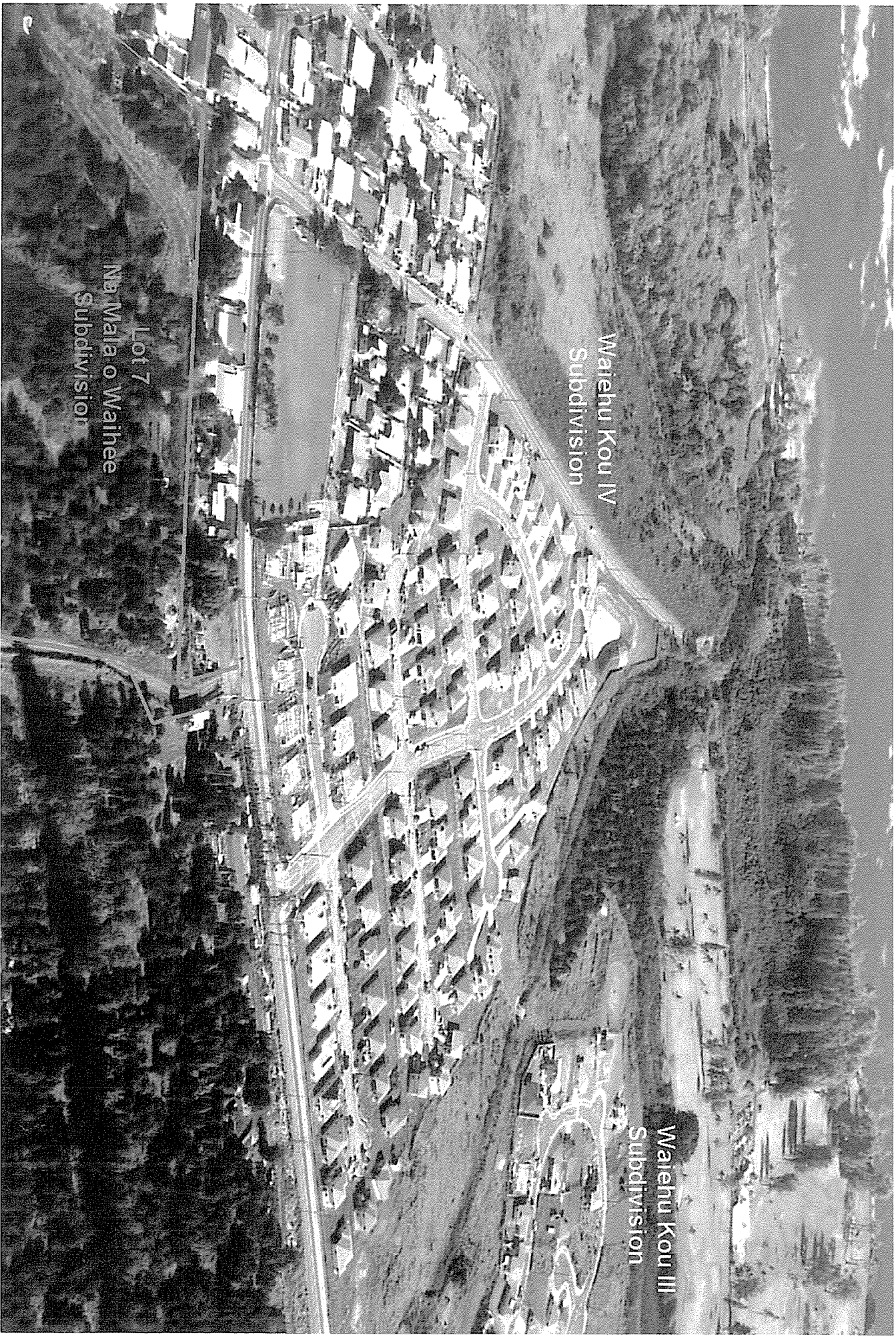
G7 LOTS TOTAL:

63	R.1	6000	SF/60'	WIDTH
4	R.2	7500	SF/65'	WIDTH
0	R.3	10000	SF/70'	WIDTH

2500 S.F. UTILITY LOT

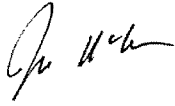
4401 ROW STREET
800 D. ALDESA





Aerial View Showing Portion of Lot 7 and Waiehu Kou IV and III



<p>Board Members</p> <p><i>Jon McKenna</i>, President Haseko (Ewa), Inc.</p> <p><i>Lance Wilhelm</i>, Vice President Kiewit Pacific Co.</p> <p><i>Georgette Stevens</i>, Secretary Grace Pacific Corporation</p> <p><i>Keith Yoshida</i>, Treasurer Mid Pac Petroleum, LLC</p> <p>Directors</p> <p><i>Lee Tokuhara</i> DR Horton-Schuler Division</p> <p><i>Darian Chun</i> Gentry Homes, Ltd.</p> <p><i>Kristi Hirota-Schmidt</i> Certified Management, Inc.</p> <p><i>Louie DeCastro</i> Kaiser Permanente</p> <p><i>Mike Nelson</i> Ko Olina Resort & Marina</p> <p><i>Raymond Ho</i> Elite Resources LLC</p> <p><i>Roy Yonaoshi</i> RAY International LLC</p> <p><i>Will Espero</i>, Ex Officio State Senate</p>	<p>March 22, 2011</p> <p>SUBJECT: Testimony of WOEDA in SUPPORT of the DeBartolo Ka Makana Ali'I Shopping Center</p> <p>Chairman and members of the board,</p> <p>I am Jon McKenna, president of the West Oahu Economic Development Association (WOEDA).</p> <p>Our association is made up of business, community and government leaders dedicated to supporting the economic growth of West Oahu. As you well know, our area is the fastest growing population and business base in the state, with the number of businesses here doubling in the past 10 years and many more expected in the future as Kapolei builds out.</p> <p>The Ka Makana Ali'I shopping center will become a major employment center in the region, bringing in new businesses and job opportunities for the residents of West Oahu. In the near term, some 20,000 construction jobs will be created over the next four years. In the long term, at full build-out, nearly 5,000 permanent full-time jobs will be created by the retail, restaurant and entertainment establishments, office space, kama'aina hotel and other operational and administrative positions at the shopping center. This will give residents an opportunity to work where they live, and reduce the amount of traffic and stress on our highways heading to and from Honolulu.</p> <p>We strongly support the DeBartolo Ka Makana Ali'I shopping center which brings new shopping, dining, lodging, business and employment opportunities to West Oahu.</p> <p>Thank you for allowing me to testify today.</p> <p>Sincerely,</p>  <p>Jon McKenna, President WOEDA</p>
--	---



RECREATION | EDUCATION | CELEBRATION | INSPIRATION

March 18, 2011

General William Booth
Founder

General Shaw Clifton
General

Commissioner James Knaggs
Territorial Commander

Major Edward Hill
Divisional Commander

Major Phil Lum
Corps Officer/Project Director

Captain Debbie Lum
Corps Officer

www.KrocCenterHawaii.org

TESTIMONY IN SUPPORT
OF THE PROPOSED KA MAKANA ALI'I SHOPPING CENTER

Chairman and members of the Hawaiian Homes Commission,

My name is Major Phil Lum and I am the Project Director of The Salvation Army Ray and Joan Kroc Corps Community Center. The Kroc Center is now under construction along the recently completed Kualaka'i Parkway, and will be surrounded by new communities to be built by the Department of Hawaiian Home Lands.

The Salvation Army is building the center so the West Oahu community can benefit from Joan Kroc's generous gift and her vision. One reason for selecting our location is to provide for the future physical, recreational and community needs of the fast growing new urban center of Kapolei.

Other major initiatives planned in East Kapolei include the new campus of the University of Hawaii West Oahu, the city's rail project including a transit station near our KROC facility, the Horton Ho'opili project and the DeBartolo Ka Makana Ali'i Shopping Center.

Ka Makana Ali'i would provide new shopping, dining, lodging and commercial opportunities for the public, as well as potential employment for area residents.

Together, these new projects will bring about great opportunities for current and future residents to live, work and play in the new city of Kapolei.

Thank you for allowing me to express my views.

Sincerely,

Major Phil Lum
Project Director/Corps Officer

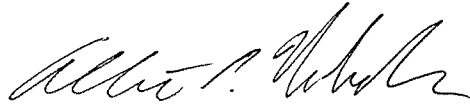
ANNOUNCEMENTS AND ADJOURNMENT

NEXT MEETING April 19, 2011, Kalamaula, Moloka`i, Hawai`i

ANNOUNCEMENTS Community meeting to be held at

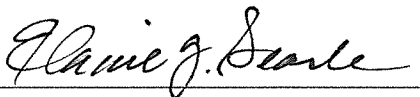
ADJOURNMENT 11:32 a.m.

Respectfully submitted:



Albert "Alapaki Nahale-a, Chairman
Hawaiian Homes Commission

Prepared by:



Elaine G. Searle
Secretary to the Commission

APPROVED BY:
The Hawaiian Homes Commission
At Its Regular Monthly Meeting Of
April 19, 2011.



Albert "Alapaki" Nahale-a, Chairman
Hawaiian Homes Commission