



MAUNAKEA STEWARDSHIP OVERSIGHT AUTHORITY (MKSOA)

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PUBLIC MEETING MINUTES

Thursday, August 10, 2023

10:00 am

Online via ZOOM and livestreamed via YouTube

AUTHORITY MEMBERS

PRESENT, Zoom: Chairperson John Komeiji; First Vice-Chair Noe Noe Wong-Wilson; Second Vice-Chair Rich Matsuda; Doug Adams; Bonnie Irwin; Ben Kudo; Kalehua Krug; Pomai Bertelmann; Kamana Beamer; Paul Horner; Lanakila Mangaui

EXCUSED Members: Laura Ka'akua

MKSOA SUPPORT: Jordan Ching, Deputy Attorney General (DAG); Kapua Roback (UHH 'Imiloa); Ka'iu Kimura (UHH 'Imiloa); Wes Machida (Assistant to Speaker of the House Scott Saiki); Ryan Kanakaole, Deputy Attorney General (DAG)

GUESTS: Greg Chun, Executive Director (UHH CMS)

I. CALL TO ORDER AND WELCOME PROTOCOL

The meeting was called to order at 10:00 am.

Chair Komeiji opened by addressing the recent wildfire disaster on Maui, requested that all present take a moment of reflection on the devastating loss of life and property.

II. PUBLIC COMMENTS ON AGENDA ITEMS

No online or written comments provided.

III. APPROVAL OF THE MINUTES OF THE JULY 13, 2023 MEETING

Chair Komeiji suggested corrections to items on minutes regarding description of Wes Machida, who is expected to serve as Interim Executive Director, and gallon capacity of current underground and future above-ground fuel storage tanks in previous presentation by CMS Executive Director Greg Chun.

MOTION: Motion by Vice-Chair Matsuda to approve meeting minutes from July 8, 2023. Second by Member Adams.

ACTION: The motion was unanimously approved.

IV. CHAIR REPORT

REPORT: Chair Komeiji introduced UH Board of Regents designee Ben Kudo who would replace Gene Bal in the seat.

V. GOVERNANCE

REPORT: Chair Komeiji wishes to create a Permitted Interaction Group (PIG) composed of himself and Vice-Chairs Wong-Wilson and Matsuda for the purpose of investigating governance of the Authority.

MOTION: Motion by Vice-Chair Wong-Wilson to approve creation of the PIG. Second by Member Adams.

DISCUSSION: Member Adams asked DAG Ching to confirm that the language of the PIG's purpose was sufficient. Vice-Chair Matsuda asked to confirm that members of the PIG would be allowed to consult with outside parties in the interest of investigating governance. Chair confirmed.

ACTION: The motion was unanimously approved.

VI. ADMINISTRATION – Public Testimony taken (written or oral) on any of these items

A. STATUS: HIRING OF EXECUTIVE ASSISTANT

Interim Executive Director (pending) Machida stated that DLNR Personnel Officer needs to process final clearance for Executive Assistant. Expected timeline to complete process and start work is within the next two weeks.

B. STATUS: APPROVE THE MKSOA EXECUTIVE DIRECTOR POSITION DESCRIPTION AND POSTING FOR MKSOA EXECUTIVE DIRECTOR POSITION

Position is under review by DLNR. Final approval is not expected to be complete for another month and impedes progress on any other positions. Executive Director position is not likely to be filled until the end of the calendar year at the earliest, and recruitment can commence in approximately October or November. Wes Machida also clarifies that he is unable to act officially as Interim Executive Director because the permanent position has not yet been established.

C. STATUS: RETENTION OF CONSULTANTS

Report pending, to be presented at September Board meeting.

VII. FINANCE

- A. REIMBURSEMENT FOR MKSOA RELATED TRAVEL AND EXPENSES
MKSOA is obligated to adhere to Executive Branch Travel Policies and Procedures. Travel cost reimbursement is processed through Procurement Office and Department of Accounting and General Services. A travel completion report is also required to be submitted through DLNR and reimbursement will come through DAGS in two to three weeks at minimum.

VIII. OPERATIONAL UPDATE

A. REPORT: CENTER FOR MAUNAKEA STEWARDSHIP

CMS Director Chun reported minimal impact to summit area from Hurricane Dora, high winds and intermittent heavy fog which passed through quickly, prompting temporary road closures.

Status of Hōkū Kea Teaching Telescope Decommissioning:

County permits have been received, final bid package currently under review by UH Facilities Group. Contractor selection expected approximately in the next two months, completion contingent on finalizing project timeline and suitable weather conditions.

Status of CalTech Submillimeter Observatory Decommissioning:

Updated project timeline has been received from Project Manager Dr. Gowala, large equipment to be delivered within the next two weeks, work to remove large telescope components will not commence until the week of August 28th. Original plan was to remove the telescope in one piece, but will now be dismantled for transport. Estimated timeline is approximately three weeks, followed by site handover to contractor for interior demolition. CSO and CMS are also expected to post updates on their own respective websites once work commences.

Status of Removal Underground Fuel Storage Tank Removal and Replacement with Above-Ground Tanks:

Engineering design contract has been finalized, Notice To Proceed with drafting project design issued and will commence in the next week. Design project timeline expected to be complete by the end of the year.

Status of Emergency Communications Repeaters Relocation:

Use Agreement between Hawai'i County and UH has been reviewed by the County and is currently under review by UH. Technical specifications and physical relocation are being developed and will be included in the site plan for DLNR.

Status of Upcoming Large Purchases:

Purchase order for a new snow blower has been approved and pricing options are currently being evaluated, purchase is hoped to be completed in time for the coming winter.

Director Chun also noted a substantial increase in visitors during summer and expects visitor traffic to slow following the start of the school year and will provide vehicle counts per request by Vice-Chair Wong-Wilson.

Chair Komeiji has been notified that CMS has been contacted to plan for

Legislative site visits, and that the House Finance Committee is looking at a visit in October. Senate Water and Land Committee is also expected to make a visit.

IX. EXECUTIVE SESSION

A. The Authority anticipates convening in Executive Session pursuant to Section 92-5(a)(4), HRS, to consult with the Board's attorney on questions and issues pertaining to the Authority's power, duties, privileges, immunities, and liabilities on the following matters:

- i. Appointment of University of Hawaii (UH) Board of Regents' MKSOA member;
- ii. Issues relating to the co-management of Maunakea, pursuant to Act 255, Session Laws of Hawaii 2022 (Act 255):
 - a. [UH Board of Regents proposed Resolution 23-01](#) [Testimony]
 - b. UH permits, agreements, and assets affected by Act 255.

MOTION: Vice-Chair Wong-Wilson moved to approve to go into Executive Session. Vice-Chair Matsuda second.

ACTION: The motion was approved unanimously.

Executive Session began at 10:50am, and ended at 11:31pm.

MOTION: Vice-Chair Wong-Wilson moved to amend agenda to include discussion of UH BOR Resolution 23-01 and an action item to consider delegating authority to the Chair to address the Resolution on behalf of the Board. Member Kudo second.

ACTION: The motion was approved unanimously.

DISCUSSION: Vice-Chair Wong-Wilson notes that MKSOA Board will not be able to meet prior to UH BOR meeting. MKSOA Board should therefore authorize the Chair to address the matter on the Board's behalf and request that UH BOR defer the item until MKSOA Board is able to determine a position on the matter.

MOTION: Vice-Chair Wong-Wilson moved to delegate authority to Chair Komeji to request that UH BOR defer passage of Resolution 23-01.

ACTION: The motion was approved unanimously.

X. ANNOUNCEMENTS

- A. Next public meeting, Thursday, September 14, 2023, 10:00 am.
BLNR hearing on TMT potential violation of terms of CDUP has been moved to
October 6, 2023.

XI. ADJOURNMENT

MOTION: Vice-Chair Wong-Wilson moved to adjourn. Vice-Chair Matsuda
second.

ACTION: The motion was approved unanimously.

Meeting adjourned at 11:43am

Approved _____