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# SENATE CONCURRENT RESOLUTION

REQUESTING AN UPDATE AND PRESENTATION ON THE STADIUM AUTHORITY'S EFFORTS TO TRANSFER THE RECREATIONAL USE RESTRICTION FROM THE STADIUM FACILITIES AND LANDS TO AN ALTERNATIVE STATE PARCEL.

1 WHEREAS, Aloha Stadium, which first opened on September 12,  
2 1975, has served as the venue for numerous sporting, music, and  
3 other recreational events; and  
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5 WHEREAS, remediation of the corrosion of the Aloha  
6 Stadium's structural steel alone has cost over \$80,000,000, and  
7 numerous structural repair issues remain to be addressed  
8 concerning structural safety, compliance with the Americans with  
9 Disabilities Act, and general conditions; and  
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11 WHEREAS, a 2005 study by the State estimated repair costs  
12 at \$214,000,000 and replacement of the facility at \$225,000,000;  
13 and  
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15 WHEREAS, in today's economic climate, the magnitude of the  
16 investment needed to accomplish the necessary repairs has led  
17 the State to seek public-private partnerships for private  
18 investment in the facility and commercial uses of the property;  
19 and  
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21 WHEREAS, the land under Aloha Stadium was deeded to the  
22 City and County of Honolulu in 1967 for use as a public park or  
23 public recreational use in perpetuity according to a program of  
24 utilization approved by the National Park Service; and  
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26 WHEREAS, concession agreements may be entered into for the  
27 purposes of serving a public park and recreational purposes, but  
28 commercial purposes are not allowed; and  
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30 WHEREAS, the United States Department of the Interior  
31 approved transfer of title, with all of its terms and



1 restrictive covenants, from the City and County of Honolulu to  
2 the State of Hawaii for continued use as a public park in 1970,  
3 and amended the original program of utilization to allow the  
4 State to build Aloha Stadium on the property for public  
5 recreational use; and

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7 WHEREAS, deed restrictions have allowed hosting the Swap  
8 Meet, concerts, and certain other events deemed "recreational"  
9 at Aloha Stadium, but prohibit developing the property for  
10 strictly commercial enterprises; and

11  
12 WHEREAS, in December 2008, the National Park Service and  
13 the State of Hawaii signed a Memorandum of Understanding  
14 (Agreement) establishing a process to remove the deed  
15 restrictions if the State provided an alternative site of  
16 comparable value for recreational use; and the State is  
17 exploring the possibility of a land exchange to remove the  
18 restrictive covenants from its present deed; and

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20 WHEREAS, the Comptroller (Department of Accounting and  
21 General Services) has been designated as the lead on behalf of  
22 the Director of the Department of Land and Natural Resources and  
23 the State of Hawaii for the Agreement; and

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25 WHEREAS, since September 2009, the Comptroller has been  
26 engaged in discussions with the United States Department of the  
27 Interior over a list of potential state lands that could be  
28 exchanged to lift the deed restrictions on Aloha Stadium lands;  
29 and

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31 WHEREAS, under the terms of the current Agreement, the  
32 State must submit a formal proposal to the federal government  
33 identifying the lands that will be converted into new public  
34 parks and the value of the lands must be of at least equal fair  
35 market value and recreational utility to the fifty-six acres of  
36 restricted Aloha Stadium land; and

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38 WHEREAS, the process required to complete a land exchange  
39 requires appropriate documentation, appraisal reports,  
40 justification of the public recreational utility of the lands  
41 proposed for exchange and their replacement; environmental  
42 assessments and a public process for an environmental impact  
43 analysis; plans for program utilization and development  
44 schedules; and an official acknowledgment of the requirement to



1 apply all of the restrictions contained in the original deed to  
2 the replacement lands; and

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4 WHEREAS, the Stadium Authority Board's minutes for the  
5 period September-December 2009 reflect substantial progress made  
6 by the Comptroller in identifying and conducting due diligence  
7 on a short list of lands suitable for land exchange; and

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9 WHEREAS, a draft easement document is now under review and  
10 at its March 2010 meeting, the Stadium Authority Board approved  
11 funding the required appraisals; and

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13 WHEREAS, throughout these efforts by the Stadium Authority  
14 Board and the Comptroller, little information has been available  
15 to the public, raising concerns about the lack of transparency  
16 surrounding the process from community organizations, nearby  
17 businesses, neighboring communities, and other affected  
18 constituents; now, therefore,

19  
20 BE IT RESOLVED by the House of Representatives of the  
21 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
22 of 2010, the Senate concurring, that the Comptroller of the  
23 Department of Accounting and General Services and the Stadium  
24 Authority is requested to provide an update and presentation to  
25 the State Legislature on their efforts to transfer the  
26 recreational use restriction from the Stadium facilities and  
27 lands to an alternative state parcel; and

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29 BE IT FURTHER RESOLVED that the report include:

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31 (1) A description and timeline of the procedures required  
32 to transfer the recreational use restriction, and the  
33 current status of each requirement and the projected  
34 completion dates;

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36 (2) Any requirements by the federal government to limit  
37 information available to the public, and efforts by  
38 the Comptroller and the Stadium Authority to keep the  
39 public informed of the transfer process, pursuant to  
40 federal requirements, including community or other  
41 public meetings, Stadium Authority Board meetings,  
42 newsletters, the Authority's website, or other means  
43 of communications;

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- 1 (3) Copies of all relevant public documents;
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- 3 (4) Specific recommendations for future uses of Aloha
- 4 Stadium facilities, including public/private
- 5 partnerships for commercial/retail or other types of
- 6 uses; and
- 7
- 8 (5) Projections for future funding or infrastructure
- 9 obligations for the Aloha Stadium site or alternative
- 10 recreational sites by state government; and
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12 BE IT FURTHER RESOLVED that the Stadium Authority report to  
13 the Legislature no later than September 1, 2010; and  
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15 BE IT FURTHER RESOLVED that certified copies of this  
16 Concurrent Resolution be transmitted to the Comptroller; the  
17 Chair of the Stadium Authority; state and county legislators  
18 representing the neighboring communities of Salt Lake, Moanalua,  
19 Aiea, and Pearlridge; the chairs of the Oahu Neighborhood Boards  
20 No. 18 (Salt Lake-Aliamanu), 20 (Aiea), and 21 (Pearl City);  
21 Aiea Community Association; Pearl City Community Association;  
22 and Aiea-Pearl City Business Association.

