
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

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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,

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20 BE IT RESOLVED by the Senate of the Twenty-fifth
21 Legislature of the State of Hawaii, Regular Session of 2010, the
22 House of Representatives 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
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- 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.

