

MAR 10 2010

S.C.R. NO. 224

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; now,
8 therefore,

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10 BE IT RESOLVED by the Senate of the Twenty-fifth
11 Legislature of the State of Hawaii, Regular Session of 2010, the
12 House of Representatives concurring, that the Comptroller of the
13 Department of Accounting and General Services and the Stadium
14 Authority is requested to provide an update and presentation to
15 the State Legislature on their efforts to transfer the
16 recreational use restriction from the Stadium facilities and
17 lands to an alternative state parcel; and

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19 BE IT FURTHER RESOLVED that the report include projections
20 for future funding or infrastructure obligations by state and
21 county governments; and

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23 BE IT FURTHER RESOLVED that the Stadium Authority report to
24 the Legislature no later than June 30, 2010; and

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26 BE IT FURTHER RESOLVED that certified copies of this
27 Concurrent Resolution be transmitted to the Comptroller, to the
28 Chair of the Stadium Authority, to state and county legislators
29 representing the neighboring communities of Salt Lake, Moanalua,
30 Aiea, and Pearlridge, and to the chairs of the Oahu Neighborhood
31 Boards No. 18 (Salt Lake-Aliamanu), 20 (Aiea), and 21 (Pearl
32 City).

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