

HAWAII GREEN INFRASTRUCTURE AUTHORITY  
State of Hawai'i

Tuesday, November 18, 2025 – 3:00 p.m.

Conference Room #436 and Video Conference

250 S. Hotel Street  
Honolulu, Hawai'i 96813

**ATTENDANCE**

Members Present: James Kunane Tokioka, Richard Wallsgrove, Mark Glick, Dennis Wong.

Member Absent: Sabrina Nasir (Excused).

Staff Present: Gwen Yamamoto Lau, Valerie Kubota, Timothy Wong, Jenna Seagle, Latrisha Nakasone.

Others Present: John Cole (Deputy Attorney General), David Day (Special Assistant to the Attorney General), Andrew Teoh (Deputy Solicitor General).

Members of the Public: Ryan Kagimoto

**I. ROLL CALL**

Chair Tokioka called the meeting of the Hawaii Green Infrastructure Authority to order at 3:00 p.m. Chair Tokioka called a proper roll call of all members.

Chairperson Tokioka	Present	
Vice Chair Wallsgrove	Present	
Secretary Glick	Present	
Member Wong	Present	Joined 3:20 p.m.
Member Nasir	Excused	

All members confirmed that no other adults were present in the room with them.

**MATERIALS DISTRIBUTED**

1. Agenda for the November 18, 2025 Meeting.
2. Minutes from the September 8, 2025 Regular Meeting.
3. HGIA's Quarterly Report for the period ended September 30, 2025.

#### 4. Resolution on Executive Director's Delegated Authority

## **II. APPROVAL OF MINUTES**

1. Chair Tokioka stated that the first item on the agenda is the approval of the minutes of the September 8, 2025 special meeting and asked for a motion to approve the minutes.

Vice Chair Wallsgrove moved and Secretary Glick seconded the motion to approve the September 8, 2025 special meeting minutes. Chair Tokioka asked if there was any discussion on the meeting minutes. Hearing none, Chair Tokioka asked if there were any questions from the general public. Hearing none, Chair Tokioka called for a vote via roll call.

Ayes: Tokioka, Wallsgrove, Glick

Nays: None.

The motion carried unanimously, 3 to 0.

## **III. TAKE AN AGENDA ITEM OUT OF ORDER**

1. Chair Tokioka stated that if there are no objections, the Board will take Agenda Item 3.3 – Attorney–Client Briefing on multistate lawsuits – out of order to accommodate the schedule of Special Assistant to the Attorney General David Day.

Without objection, the Board agreed to take up Agenda Item 3.3 out of order to accommodate the schedule of Special Assistant Attorney General David Day.

Chair Tokioka stated that the Board will convene in Executive Session pursuant to Section 92-5(a)(4), HRS, where the Board may hold a meeting closed to the public to consult with its attorneys on legal issues relating to the Authority's statutory rights and obligations.

Chair Tokioka asked Deputy Attorney General John Cole to confirm the statutory citation. DAG Cole confirmed that the citation to HRS § 92-5(a)(4) was correct.

Chair Tokioka asked for a motion to enter Executive Session.

Secretary Glick moved and Vice Chair Wallsgrove seconded the motion to enter Executive Session. Chair Tokioka asked if there were any objections to the motion. Hearing none, Chair Tokioka asked if there were any questions from the general public. Hearing none, Chair Tokioka called for a vote via roll call.

Ayes: Tokioka, Wallsgrove, Glick

Nays: None.

The motion carried unanimously, 3 to 0.

Chair Tokioka stated that all members of the public will remain in the main Zoom room. Board Members, HGIA staff, the special assistant to the Attorney General, Deputy Solicitor General, and Deputy Attorney General will be asked to join the breakout room.

The Board entered executive session at 3:06 p.m.

Member Wong joined the executive session at 3:20 p.m.

The Board adjourned executive session and called the regular session back to order at 3:26 p.m.

Chair Tokioka stated that, during executive session, the special assistant to the Attorney General provided the board and the staff a briefing on the ongoing Solar For All (SFA) litigation. Chair Tokioka asked if there were any questions from the general public. Hearing none, Chair Tokioka moved onto the next agenda item.

The special assistant to the Attorney General and Deputy Solicitor General left the board meeting.

#### **IV. PROGRAM UPDATES**

Chair Tokioka stated that the next item of the agenda is Program Updates starting with Valerie Kubota, Residential Program Manager, on the Residential Loan Portfolio.

1. **Residential Portfolio:** Kubota reported that during the quarter, twenty-five new applications were received. Twenty-six applications aggregating \$1.4 million in total project costs were approved. In addition, seventy-one installations were partial or final funded based on project completion. There are currently 259 systems being installed.

As of June 30, 2025, out of sixty-seven-three delinquent loans, only four (4) did not make payments in September or October. Two of these are on-bill with the other two direct billed. The Authority continues to reach out to the direct billed borrowers for payment.

MECO's extended its disconnection moratorium for all of its Maui customers to November 10, 2025.

2. **Commercial Portfolio:** Yamamoto Lau reported that during the quarter, the Authority fully funded two (2) loans, approved two (2) loans, and are actively underwriting seven (7) loans with project cost aggregating \$20 million. All commercial loans were being paid as agreed.

3. **Miscellaneous Updates:**

- a. **HI-CAP Takeover Show.** On 10/24/2025, HGIA's HI-CAP Program took over HNN's HI Now Daily Show to showcase its Participating Lenders, Technical Assistance partners, and small businesses.
- b. **HGIA Site Visits.** On 10/30/25, HGIA hosted policy makers on a tour of businesses/organizations benefitting from HGIA's financing programs, including Farm Link Hawaii, Honolulu Cookie Company, Kahauiki Village, Highway Inn, and Hawaii Agricultural Research Center/Kunia Village.
- c. **Clean Energy and Energy Efficiency Revolving Loan Fund.** Deputy AG Cole provided an update on prevailing wage requirements, stating that the issue is under review and that additional clarification is being sought regarding how such requirements apply across comparable state programs.
- d. **Green Energy Money Savers (GEM\$) On-Bill Program.** Yamamoto Lau informed the Board that the Attorney General's Office has concurred with HGIA that oversight by the Public Utilities Commission (PUC) and the associated public-facing docket process are sufficient to serve as a proxy for administrative rules for GEM\$ funded loans under the Clean Energy and Energy Efficiency Revolving Loan Fund.
- e. **Condominium Loan Program.** Yamamoto Lau reported that the Legislative Reference Bureau provided feedback on the draft administrative rules, which are being revised accordingly. She further stated that HGIA plans to seek concurrence from the Small Business Regulatory Review Board, followed by submission of the rules to the Governor to request a public hearing, with the goal of holding the hearing in early 2026 and returning the rules to the Board for approval thereafter.

Chair Tokioka asked if there were any questions from the Members.

In connection with the discussion regarding whether prevailing wage requirements apply to HGIA loan programs, Secretary Glick asked whether HGIA or counsel had reached out to the general counsel of other state organizations with similar loan programs to understand the legal reasoning behind the approaches they have taken. He noted that there may be overriding legal considerations or interpretations that are not immediately apparent and stated that consulting with those agencies' counsel could provide useful context.

Yamamoto Lau stated that HGIA had reached out to the programs themselves and that program officers indicated they do not require prevailing wages; she added that the suggestion to reach out to the organizations' attorneys was noted.

Vice Chair Wallsgrove stated that while he understood the issue was still being evaluated, he would want clear and authoritative guidance before HGIA made any changes that could affect its ability to serve underserved households, noting that prevailing wage requirements could have significant impacts on program delivery.

Member Wong expressed agreement with Vice Chair Wallsgrove's comments and the importance of ensuring that any interpretation of prevailing wage requirements under the Clean Energy and Energy Efficiency Revolving Loan Fund does not conflict with HGIA's purpose of serving underserved households.

Chair Tokioka commented on HGIA's recent outreach efforts, stating that they provided meaningful opportunities for legislators and the public to better understand HGIA's programs and to see how Board decisions translate into real-world impacts in the community. He thanked Yamamoto Lau for her coordination of those outreach efforts.

Chair Tokioka provided notice that an urgent meeting was just scheduled, forcing him to leave HGIA's board meeting, at which time, he will turn the meeting over to Vice Chair Wallsgrove. As a result, he also stated that Agenda Item 3.4, the evaluation of the Executive Director, would be deferred to the next Board meeting.

## **V. DISCUSSION AND/OR DECISION MAKING**

1. Chair Tokioka stated that the next item on the agenda is the ratification of HGIA's Quarterly Report for the period ended September 30, 2025 and asked Gwen Yamamoto Lau to present.

Program updates on the Residential and Commercial Portfolios were previously provided.

Yamamoto Lau presented the following highlights:

- **GEMS Loan Servicing and On-Bill Repayment:** HGIA underwrote 21 solar leases to be placed on the on-bill repayment system, out of 88 total leases not financed by HGIA. Because these leases do not generate interest income, HGIA is covering administrative costs through underwriting and onboarding fees.
- **HI-CAP Programs:** \$7.5 million in federal funds have been leveraged to unlock over \$31.3 million in private capital. HGIA is currently underwriting a \$35 million project, leveraging \$5 million in HI-CAP funds.
- **Solar Hui Investment Program:** Administrative rules for the Solar HI Investment Program have been drafted by the investment fund manager and are currently under review.

Chair Tokioka asked if there were any further questions or comments. Hearing none, he asked if there were any questions from the general public. With no questions from the public, Chair Tokioka called for a motion to ratify HGIA's Quarterly report for the period ended September 30, 2025. Member Wong moved and Secretary Glick seconded the motion to approve HGIA's Quarterly Report for the period ended September 30, 2025. Chair Tokioka called for a vote via roll call.

Ayes: Tokioka, Wallsgrove, Glick, Wong.

Nays: None.

The motion carried unanimously, 4 to 0.

Chair Tokioka turned the meeting over to Vice Chair Wallsgrove and left the board meeting.

2. Vice Chair Wallsgrove stated that the last item on the agenda is the approval of a Resolution to update the delegated authority to the Executive Director, explicitly expanding authorization to include all HGIA programs. He asked Yamamoto Lau to present.

Yamamoto Lau explained that when she was first appointed in January 2017, the Board delegated authority to the Executive Director at a time when HGIA's sole program was the GEMS program. Since, HGIA has expanded its offerings and now administers multiple programs beyond GEMS.

Approval is being requesting for the Board to retroactively, effective January 27, 2017, update the delegated authority to explicitly expand authorization to include all HGIA programs. Yamamoto Lau stated that two edits are needed to the proposed resolution: first, to specify that the expanded delegation of authority is retroactively effective as of January 27, 2017; and second, to revise the statutory reference to cite Hawaii Revised Statutes § 196-61, rather than § 196-62, through 196-65.5.

Vice Chair Wallsgrove asked if there were any questions from the Members.

Secretary Glick asked whether the purpose of the proposed resolution was to address HGIA's growth from the original GEMS program to several additional programs, and whether the intent was to ensure that the Executive Director's authority covered management and execution of those additional programs during that time. Deputy AG Cole confirmed Secretary Glick's statement.

Vice Chair Wallsgrove asked whether the proposed resolution should be understood as a retroactive delegation of authority or as a ratification of actions taken in the additional program areas since January 27, 2017, together with a contemporaneous, forward-looking authorization.

Deputy AG Cole responded that the resolution serves both purposes, explaining that making the delegation retroactive allows HGIA to point to the resolution if the issue is raised in the future. He stated that the retroactive clarification reflects that the need for the update was identified and addressed once it was discovered.

Secretary Glick stated that he supports the concept of retroactively clarifying the authority intended for the Executive Director, but he does not wish for the current

Board to assume responsibility for, or be deemed to approve, past Board decisions made during periods when current members were not serving. He stated that, if he were to approve the resolution, his intent would be to allow the retroactive clarification of authority without constituting approval of past Board decisions by the current Board.

Deputy AG Cole stated that, in his view, the resolution does not read as a ratification of past Board actions, but rather as a clarification that the Executive Director had the authority to act on the decisions of the Board, regardless of the Board's composition at the time those decisions were made.

Vice Chair Wallsgrove stated that it is also his reading that the resolution is intended to clarify the Executive Director's authority and not for the current Board to ratify or approve past actions taken by prior Boards.

Secretary Glick responded that it is his intent that the resolution be understood in that manner and stated that he would rely on counsel's judgment that it does so. He further stated that he was satisfied with the explanation provided.

Vice Chair Wallsgrove suggested that including a note in the meeting minutes reflecting this discussion would be helpful.

Member Wong stated that Secretary Glick had raised a good point and agreed with Vice Chair Wallsgrove that including a note in the minutes reflecting the discussion would be helpful.

Vice Chair Wallsgrove asked if there were any further questions or comments. Hearing none, he asked if there were any questions from the general public. With no questions from the public, Vice Chair Wallsgrove called for a motion to approve the resolution with the two changes described to the board, along with a note in the minutes reflecting the discussion that the resolution is not intended to constitute tacit approval by the current Board of past Board decisions made during periods in which current members were not serving.

Member Wong moved to approve the resolution, as amended, with the understanding that the discussion and intent reflected during the meeting be noted in the minutes. Secretary Glick seconded the motion. Vice Chair Wallsgrove called for a vote via a roll call.

Ayes: Wallsgrove, Glick, Wong.

Nays: None.


The motion carried unanimously, 3 to 0.

## **VI. ADJOURNMENT**

Vice Chair Wallsgrove asked if there were any other matters that should be discussed. Hearing none he asked for a motion to adjourn.

Secretary Glick moved, and Member Wong seconded the motion. Vice Chair Wallsgrove adjourned the meeting by acclamation at 4:02 p.m.

Respectfully Submitted

By:   
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Mark Glick  
Its: Secretary