

HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

MINUTES OF THE SPECIAL MEETING
OF THE HAWAII HOUSING FINANCE AND DEVELOPMENT
CORPORATION
HELD AT THEIR OFFICE AT 677 QUEEN STREET, SUITE 300,
ON THURSDAY, JANUARY 22, 2015
IN THE CITY AND COUNTY OF HONOLULU, STATE OF HAWAII

The Board of Directors (Board) of the Hawaii Housing Finance and Development Corporation (HHFDC) met for a special meeting at 677 Queen Street, on Thursday, January 22, 2015, at 9:00 a.m.

The meeting was called to order at 9:00 a.m. by Chair Leilani Pulmano and those present were as follows:

Present: Director Leilani Pulmano
Director Edwin Taira, Vice Chair
Director Audrey Abe
Director Melvin Kahele
Designee Mary Alice Evans for Director Luis Salaveria
Designee Tracy Ban for Director Wesley Machida

Executive Director Craig Hirai

Excused: Director Rona Fukumoto, Secretary

Staff Present: Sandra Ching, Deputy Attorney General
Janice Takahashi, Chief Planner
Rick Prahler, Development Branch Chief
Ann Nakagawa, Chief Financial Officer
Marlene Lemke, Sales and Counseling Section Chief
Lorraine Egusa, Budget Analyst
Lorna Kometani, Housing Sales Coordinator
Kent Miyasaki, Housing Information Specialist
Esa Pablo, Secretary to the Board

Guests: Pauline Napastiuk, Office of Senator Chun Oakland

A quorum was present.

Designee Evans moved, seconded by Vice Chair Taira

That the HHFDC Board of Directors:

- A. Adopt the aforementioned positions and general policy directives on legislative matters and measures.
- B. Delegate authority to the Executive Director and authorize staff designated by the Executive Director to track legislative measures and provide testimony in accordance with the positions and policy directives.
- C. Authorize the Executive Director to undertake all tasks necessary to effectuate the purposes of this For Action.

Chief Planner Janice Takahashi presented the For Action, stating that the purpose for this For Action is to formally adopt the positions and general policy directives on legislative matters and measures pursuant to OIP's advisory, issued on January 6, 2015, as to how Boards can and should submit legislative testimony on a timely basis while still following Sunshine Law. An overview of the legislative interest for creating HHFDC was provided for context.

**CALL TO
ORDER/
ROLL CALL**

QUORUM

**II. A.
DISCUSSION
AND/OR
DECISION
MAKING**
To Adopt Positions and
General Policy
Directives on
Legislative Matters and
Measures and Delegate
Authority to the
Executive Director and
Authorized Staff
Designated by the
Executive Director to
Track Legislative
Measures and Provide
Testimony in
Accordance with the
Positions and Policy
Directives

HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

HHFDC's mission statement was reviewed, as it is the basis for taking a position on legislative matters and measures. A summary of the various housing related bills and the positions previously taken were provided.

The positions previously taken on legislative matters and measures have been effective. Therefore, staff recommends that they be retained.

One of the options provided by OIP to address State legislative issues and measures is for the Board to delegate the authority to staff (e.g., Executive Director) to submit legislative testimony on behalf of the HHFDC, in accordance with positions and policy directives adopted by the Board. This provides a practical way way to timely address legislative matters in compliance with the Sunshine Law.

Pursuant to the By-Laws of the HHFDC, the executive director may delegate any of his/her duties to any qualified employee of the Corporation for the efficient administration of the Corporation's business. This may include tracking legislative measures and providing testimony in accordance with the positions and policy directives adopted by the Board.

The Executive Director would continue to report to the Board on all legislative measures at the Board's regularly scheduled meetings and may seek confirmation of clarification of testimony that will or has been presented to the Legislature.

Ms. Takahashi opened for questions.

Discussion ensued on what was historically done. The OIP's positions and general policy directives were and remain to be the normal practices of the HHFDC.

The Board inquired on Sunshine Law requirements. Urgent matters are to be brought up at the once-a-month Board meetings. Executive Director Hirai stated that unless something is controversial, the matter would not be brought to the Board. The Board is to contact staff in between meetings on any questions or concerns they may have.

A monthly report on housing-related House and Senate bills will continue to be provided accordingly within the monthly Board meeting packets.

Designee Evans noted that policy matters, such as positions on bills, are autonomous. Therefore, the Board can take any position consistent with its mission without going through the principal department. Testifying on "behalf of the Board" outweighs that of an "individual" testimony.

Designee Evans also commented on the monthly housing related bills report, which she found to be very useful and an excellent way in keeping the Board informed on the various types of bills arising, tracking positions of the advocates, and how the Board may instruct its Executive Director and/or delegated to staff, to present the position of the Corporation.

The Board was encouraged to contact Ms. Takahashi on Legislative bills of interest.

Designee Evans further informed the Board that they are allowed to testify on behalf of their organization (e.g., Director Rona Fukumoto, with Catholic Charities), as long as they are not testifying on behalf of both its organization and the Board.

Discussion ensued on what the Board can and cannot do under the Sunshine Law. Deputy Attorney General Ching stated that the Board is allowed to meet with no more than two members at any given time, with "stacking" prohibited (e.g., two members meet and then one meets with another, and so forth).

HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION

Vice Chair Taira asked what happens if Board members are present to testify for something on the same agenda due to the subject matter affecting both the non-profit organization and the State agency.

Deputy Attorney General Ching stated that she would need to review the Sunshine Law, but believed there was an exception to those types of situations.

Designee Evans noted that she believes the law was amended by the Legislature to accommodate such circumstances.

Deputy Attorney General Ching stated that she would research further and get back to the Board on the number of members allowed at a time during a legislative hearing and/or community meeting.

Without further discussion, Chair Pulmano asked for a motion to adjourn.

Vice Chair Taira moved, seconded by Designee Evans

That the meeting be adjourned at 9:23 a.m.

The motion was unanimously approved.

III.
ADJOURNMENT
9:23 a.m.



RONA FUKUMOTO
Secretary