Hawaii Community Development Authority
Regular Meeting
Wednesday, February 7, 2018
9:00 a.m.
547 Queen Street, 2nd Floor
Honolulu, Hawaii 96813

AGENDA
KAKAAKO, KALAELOA & HEEIA BUSINESS

I. CALL TO ORDER/ROLL CALL

II. APPROVAL OF MINUTES
1. General Meeting of January 3, 2018

III. INFORMATION AND DISCUSSION
2. Executive Director Recruitment Process Permitted Interaction Group Update
3. Litigation Status Update Relating to:
   a. Close Construction, Inc. v. Hawaii Community Development Authority, et al., Civil No. 14-1-0599-02 (GWBC);

   The Authority anticipates convening an executive meeting pursuant to HRS § 92-5 (a)(4), to consult with the Board’s attorneys on questions and issues pertaining to the Board’s powers duties, privileges, immunities and liabilities relating to the above item.

IV. ACTION ITEMS
4. Shall the Authority Adopt the Positions Recommended by the Interim Executive Director Regarding the 2018 Legislative Bills Affecting the Hawaii Community Development Authority? (Exhibit A)

V. REPORT OF THE INTERIM EXECUTIVE DIRECTOR
5. Information: Monthly Financial Report for December 2017
   a. Kalaeloa Landowner Assessments

VI. ADJOURNMENT

Individuals who require an auxiliary aid or accommodation due to a disability are invited to contact Francine Murray, HCDA’s ADA Compliance Coordinator, by phone at (808) 594-0300, e-mail at dbedt.hcda.contact@hawaii.gov or by facsimile at (808) 587-0299 at least 5 working days prior to the date required.

This agenda and meeting materials are available on the HCDA website at, dbedt.hawaii.gov/hcda. Hard copies can be reviewed at the HCDA office located at 547 Queen Street, 5th Floor, Honolulu,
Hawaii.

The HCDA welcomes public testimony on HCDA agenda items. Written public testimony will be accepted through our website at dbedt.hawaii.gov/hcda/ up to 12:00 p.m. the day before the date of the meeting. Persons wishing to submit public testimony after the written testimony deadline are encouraged to appear in person at the meeting to present oral testimony. Persons who intend to present oral testimony on HCDA agenda items may sign-up at the beginning of each meeting. Please be advised that any written public testimony submitted to the HCDA will be treated as a public record, and any contact information contained therein may be available for public inspection and copying.

The HCDA is located at 547 Queen Street, Honolulu, Hawaii. HCDA does not have public parking; however, there are several parking options in the area. Metered street parking is also available on a first-come first-serve basis.
<table>
<thead>
<tr>
<th>MEASURE</th>
<th>COMPANY/TITLE</th>
<th>DESCRIPTION</th>
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<th>COMMENTS</th>
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</thead>
<tbody>
<tr>
<td>SB2065</td>
<td>HB1900</td>
<td>RELATING TO THE STATE BUDGET. To adjust and request appropriations for Fiscal Biennium 2017-19 funding requirements for operations and capital improvement projects of Executive Branch agencies and programs.</td>
<td>Passed first reading. Referred to WAM 1/22.</td>
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<tr>
<td>HB2122</td>
<td>SB2951</td>
<td>RELATING TO THE HAWAI'I COMMUNITY DEVELOPMENT AUTHORITY, RELATING TO FINANCIAL DISCLOSURE, Financial Disclosure; Fines; Unpaid Board or Commission Members. Clarifies the interests that must be represented by members of the HCDA representing community development districts. Requires the senate president and the speaker of the house of representatives to nominate representatives of the several community development districts to the HCDA, and requires those representatives to be nominated only as a resident representative or a small business owner or nonprofit organization representative, but not both.</td>
<td>Passed first reading 1/22.</td>
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<tr>
<td>SB2231</td>
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<td>RELATING TO STATE BOARDS AND COMMISSIONS; Boards and Commissions; Holdover Members, Qualifications. Exempts unpaid board or commission members whose financial disclosure statements are not public records from the daily late disclosure filing fee.</td>
<td>Passed first reading. Referred to JDC, WAM 1/22.</td>
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<tr>
<td>SB2300</td>
<td></td>
<td>RELATING TO THE STATE COMMISSION FOR COMMUNITY INVESTMENT, DBEDT; Community Investment; State Commission for Community Investment; Revolving Fund; Appropriation (S)</td>
<td>Passed first reading. Referred to GVO/LBR 1/22.</td>
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</tr>
<tr>
<td>HB2183</td>
<td>SB2851</td>
<td>RELATING TO LAW ENFORCEMENT. Law Enforcement; Attorney General; DLNR; DPS; DOT. Establishes an enforcement division in the Department of the Attorney General. Transfers to the Department of the Attorney General enforcement division the law enforcement activities of the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement; the Department of Public Safety state law enforcement officers and the narcotics enforcement division; and the Department of Transportation harbors division. Repeals the sunset of Act 116, SLH 2013, as amended by section 4 of Act 101, SLH 2015. Effective 7/1/2019.</td>
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<td>HB2203</td>
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<td>RELATING TO LAW ENFORCEMENT. Law Enforcement; Attorney General; DLNR; DPS; DOT. Establishes an enforcement division in the Department of the Attorney General. Transfers to the Department of the Attorney General enforcement division the law enforcement activities of the Department of Land and Natural Resources, Division of Conservation and Resources Enforcement; the Department of Public Safety state law enforcement officers and the narcotics enforcement division; and the Department of Transportation harbors division. Repeals the sunset of Act 116, SLH 2013, as amended by section 4 of Act 101, SLH 2015. Effective 7/1/2019.</td>
<td>HB2203</td>
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<td>SB2909</td>
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<td>RELATING TO LAW ENFORCEMENT. Law Enforcement; Attorney General; DLNR; DPS; DOT.</td>
<td>Referred to GVO/JDC/PSM, WAM, GVO/JDC/PSM hearing for 2/18.</td>
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<tr>
<td>Bill Number</td>
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<tr>
<td>SE2098</td>
<td>Requires a percentage of units in a housing development on public land or real property in a county-designated transit-oriented development zone and under the control of the Board of Land and Natural Resources, the Hawaii Housing Finance and Development Corporation, or the Hawaii Community Development Authority to be sold or rented to low-income residents. Applies only to transfers of a leasehold interest in the public land or real property.</td>
<td>Passed first reading, Referred to WTL/HOU, WAM 1/22.</td>
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<tr>
<td>HB2142</td>
<td>Requires a percentage of units in a housing development on public land or real property in a county-designated transit-oriented development zone and under the control of the Board of Land and Natural Resources, the Hawaii Housing Finance and Development Corporation, or the Hawaii Community Development Authority to be sold or rented to low-income residents. Applies only to transfers of a leasehold interest in the public land or real property.</td>
<td>Passed first reading 1/22.</td>
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<tr>
<td>HB1865</td>
<td>Establishes Transit-Oriented Development Community Districts within the Hawaii Community Development Authority (HCDA) to develop districts along certain rail stations in the Honolulu rail station transit corridor. Allows the HCDA to enter into public-private partnerships for a lease-back arrangement of lands and coordinate activities outside of the district, including construction.</td>
<td>Passed first reading, Referred to TRN/HSG, WAL, FIN 1/22.</td>
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<td>HB2073</td>
<td>Authorizes a local redevelopment agency to contract with a developer for construction of non-residential uses on public land within a redevelopment area. Exempts construction of works or improvements of a redevelopment project from General Excise and Use Taxes.</td>
<td>Passed first reading 1/22.</td>
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<td>HB2123</td>
<td>Requires the Hawaii Community Development Authority to develop a transit-oriented development zone improvement program to foster infrastructure development by strategically investing in public facilities; Appropriates funds to HCDA for staff necessary to develop and manage the transit-oriented development zone improvement program.</td>
<td>Passed first reading 1/22.</td>
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<td>SB2943</td>
<td>Requires the Hawaii Housing Finance and Development Corporation, at the request of the Hawaii community development authority, to establish and operate transit-oriented development zone infrastructure subaccounts within the dwelling unit revolving fund for the benefit of transit-oriented development zone improvement projects within a transit-oriented development zone. Requires HCDA to develop a transit-oriented development zone improvement program to foster infrastructure development by strategically investing in public facilities. Requires the executive director of HHFDC in collaboration with the executive director of HCDA to conduct a study examining the current infrastructure of the transit-oriented development zone and the requirements necessary to upgrade the infrastructure to facilitate future transit-oriented development. Appropriates funds out of the dwelling unit revolving fund for HHFDC and HCDA to conduct an infrastructure study. Appropriates funds to HCDA for staff necessary to develop and manage the transit-oriented development zone improvement program.</td>
<td>Passed first reading 1/24. Referred to HOU, WAM, HOU hearing 2/1.</td>
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<tr>
<td>SB2214</td>
<td>Establishes transit oriented development districts along transit corridors as a community development district, empowers Hawaii community development authority to develop infrastructure in transit oriented development districts, and allows Hawaii community development authority to form public-private partnerships through a lease back arrangement.</td>
<td>Passed first reading. Referred to HOU/WTL, WAM 1/22.</td>
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### 2018 BILL STATUS

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<thead>
<tr>
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<tbody>
<tr>
<td>SB2630</td>
<td>RELATING TO HOUSING: Housing, Expedited Approvals, Eligible Affordable Housing Projects</td>
<td>Passed first reading 1/22.</td>
</tr>
<tr>
<td>SB2917</td>
<td>RELATING TO AFFORDABLE HOUSING: Affordable Housing; County Designated Transit-Oriented Development Zone</td>
<td>Referred to PSM, WAM, PSM hearing on 2/2.</td>
</tr>
<tr>
<td>SB3057</td>
<td>RELATING TO LAND-SECURED FINANCING: Counties; Land-Based Financing; Improvement District; Community Facilities District</td>
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<td>HB2613</td>
<td>MAKING AN APPROPRIATION FOR HE'EIA NATIONAL ESTUARINE RESEARCH RESERVE. He'eia National Estuarine Research Reserve, Staff Hiring: University of Hawaii: Appropriation (S)</td>
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<tr>
<td>HCR10</td>
<td>SCR17</td>
<td>Referred to WAL, JUD, FIN, WAL hearing 2/2, deleted from agenda.</td>
</tr>
<tr>
<td>HB2275</td>
<td>SB2953</td>
<td>Referred to serving with this action.</td>
</tr>
<tr>
<td>SB3016</td>
<td>RELATING TO CONVEYANCE TAX: Affordable Housing; Kakaako Community Development District; Conveyance Tax: Hawaii Housing Finance and Development Corporation</td>
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### KALAELOA
### DBEDT-HCDA Tracked Measure

**RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTIETH SENATORIAL DISTRICT. CIP; Twentieth Senatorial District: Appropriation ($)**

- **SB2835**: Appropriates funds for capital improvement projects in the twentieth senatorial district.

**RELATING TO ENERGY: Office of Science National Laboratory; Department of Business, Economic Development, and Tourism; United States Department of Energy**

- **SB3086**: Requires the department of business, economic development, and tourism to partner with the United States Department of Energy to establish an office of science national laboratory in the Kalaeloa community development district.

### 2018 BILL STATUS

**SB2835**

**RELATING TO HOMELESSNESS. Homelessness, Illegal Homeless Encampments; Pilot Project; Trespass Enforcement; Office of the Governor; Appropriation ($)**

- **HB2068**: Establishes a pilot program, within the office of the governor, to enforce trespass laws to prevent and address illegal homeless encampments on state lands. Appropriation.

**RELATING TO CRIMINAL TRESPASS. Criminal Trespass; Public Park or Recreational Ground; Homeless**

- **HR2222**: Amends the penalty for criminal trespass onto public parks and recreational grounds. Requires law enforcement officers to provide homeless individuals who trespass onto public parks and recreational grounds with information regarding homeless shelters, services, facilities, and safe zones.

**RELATING TO HOMELESSNESS. DLNR; Homelessness, Alternative Living Park Campsite Program**

- **HB2254**: This Act instructs DLNR to create a park maintenance campsite program which provides homeless individuals and families with legal campsite at parks in exchange for their services maintaining park grounds.

### PARK-RELATED ISSUES

- **HB2068** Passed first reading 1/22.
- **HR2222** Passed first reading 1/24.
- **HB2254** Passed first reading 1/24.

### PUBLIC LANDS

**RELATING TO INCREASING THE OFFICE OF HAWAIIAN AFFAIRS’ PRO RATA SHARE OF PUBLIC LAND TRUST FUNDS. OHA Package; Public Land Trust; Pro Rata Share; DLNR; Appropriation ($)**

- **SB2136**: Establishes $35,000,000 as the Office of Hawaiian Affairs' pro rata share of the public land trust. Transfers $119,000,000 less certain funds to the Office of Hawaiian Affairs for underpayment of the public land trust funds for 7/1/12 to 6/30/18. Requires the Department of Land and Natural Resources to provide an annual accounting of receipts from lands described in section 5(f) of the Admissions Act. Establishes a committee to recommend the annual amount of the income and proceeds from the public land trust that the Office of Hawaiian Affairs shall receive annually.

**RELATING TO THE TRANSFER OF LANDS. Transfer of Land; Department of Education; Property; Title; Public Schools**

- **SB2375**: Transfers certain public school lands from city and county of Honolulu and the department of land and natural resources, as applicable, to the department of education.

**RELATING TO PUBLIC LANDS. Public Lands; Hawaii Public Housing Authority Lands Exemption**

- **HB2358**: Exempts lands to which Hawaii Public Housing Authority holds title from the definition of "public lands" in section 171-2, Hawaii Revised Statutes.

- **SB2136** Passed first reading. Referred to O&M, FIN, referred sheet 4 on 1/22. Referred to HWN/WTL/DC. WAM: HWN/WTL/DC hearing on 2/1.
- **HR2222** Passed first reading. Referred to EDU/WTL/PSM, WAM 1/22.
- **SB2375** Passed first reading 1/24. Referred to HSG, WAL, FIN. HSG hearing 2/1.
### 2018 BILL STATUS

**RELATING TO PORT INFRASTRUCTURE. Department of Land and Natural Resources; Maintenance Dredging; Port Infrastructure; Strategic Plan; Appropriation ($)**

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HB2419
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Requires the Department of Land and Natural Resources to create a strategic plan for maintenance dredging of important port and harbor locations and report the plan to the Legislature. Appropriates funds.

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**REQUESTING THE DEPARTMENT OF BUSINESS; ECONOMIC DEVELOPMENT, AND TOURISM TO IDENTIFY POSSIBLE STATE-OWNED LAND AND ESTABLISH A PUBLIC-PARTNERSHIP TO BUILD A RACE TRACK FACILITY ON THE ISLAND OF OAHU; Race Track Facility; State-Owned Land; Department of Business Economic Development, and Tourism; Public-Private Partnership**

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SCR20
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Refers to ETT/WTL, WAM.

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**RELATING TO GOVERNMENT RECORDS. Hawaii State Association of Counties Package; Sunshine Law; Government Records; Permitted Inspections**

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SB2167
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Amends the Sunshine Law to allow certain government records to be shared among public board members where no commitment relating to a vote on the matter is made or sought.

Passed first reading. Referred to PSM, JDC 1/22. PSM hearing on 2/2.

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**RELATING TO BOARD MEETINGS. State Agencies; Boards; Public Meetings; Copy of Notice; Electronic Mail**

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SB2691
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Allows boards to file a copy of the notice of public meetings with the office of the lieutenant governor or appropriate county clerk's office via electronic mail.

Passed first reading 1/22. Referred to JDC, JDC hearing on 2/2.

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### CARRY-OVER BILLS

**RELATING TO SCHOOL IMPACT FEES. School Impact Fees; Affordable Housing**

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SB1146
SD2 HD2 HB1001
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Exempts the following from school impact fee requirements: housing developments reserved for persons or families with incomes up to 80 percent of the area median income located in a county having a population greater than 500,000; state or federal public housing projects; state low-income housing projects; housing projects certified or approved for a general excise tax exemption under section 201H-36, Hawaii Revised Statutes (HRS); and government housing projects and projects processed pursuant to sections 46-15.1 and 201H-38, HRS. (SB1146 HD2)

The conference committee deferred the measure 4/28/2017. Carried over to 2018 Regular Session 11/30. Senate Conference(s) discharged. Received notice of all Senate conferences being discharged (Sen. Com. No. 11/17/2018).

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**RELATING TO PUBLIC REAL PROPERTY. State Property Cleanup Program; Sheriff Patrol Program; Appropriation ($)**

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SB717
SD2 HD2
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Establishes a temporary program to clean up state real property after the departure of persons who have illegally camped or lodged on state real property. Requires the Governor to designate the state executive department responsible for the program. Establishes a temporary sheriff patrol program to enforce laws against illegally camping, trespassing, or being present on state real property. Makes appropriations. (SB717 HD2)

The conference committee deferred the measure. Carried over to 2018 Regular Session 11/30. Senate Conference(s) discharged. Received notice of all Senate conferences being discharged (Sen. Com. No. 11/17/2018).

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**RELATING TO THE HILO COMMUNITY ECONOMIC DISTRICT. HCDA**

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HB1479
HD2 SD2 SB1292
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Establishes the Hilo Community Economic District as a community development district located in East Hawaii under the Hawaii Community Development Authority. Establishes the Hilo Community Economic Revolving Fund. Repeals on the earliest of 6/30/2037, inclusion of lands within the District within a redevelopment area, or establishment of a special improvement district that encompasses the lands within the District. Effective 7/1/2050. (SD2)

Carried over to 2018 Regular Session. Senate Conference(s) discharged. Received notice of all Senate conferences being discharged (Sen. Com. No. 11/17/2018).
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<tr>
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<tr>
<td>HB588</td>
<td>MAKING AN APPROPRIATION FOR HE’EIA NATIONAL ESTUARINE RESEARCH RESERVE; Staff Hiring; University of Hawaii: Appropriation ($)</td>
<td>Carried over to 2018 Regular Session. Senate Conferees discharged. Received notice of all Senate conferees being discharged</td>
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<tr>
<td>HD1 SD2</td>
<td>Appropriates funds for fiscal year 2018-2019 to maintain the initial staff positions that are necessary to develop and manage the He’eia National Estuarine Research Reserve and its programs. Effective 7/1/2050. (SD2)</td>
<td>(Sen. Com. No. 1) 1/17/2018.</td>
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