



**HAWAII BUILDING AND CONSTRUCTION TRADES COUNCIL, AFL-CIO**  
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February 8, 2010

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Honorable Representative Ken Ito, Chair  
Honorable Representative Sharon E. Har, Vice Chair  
Members of the House Committee on Water, Land & Ocean Resources  
Hawaii State Capital  
415 South Beretania Street  
Honolulu, HI 96813

RE: **IN SUPPORT OF HB 2918**  
RELATING TO KAKAAKO COMMUNITY DEVELOPMENT DISTRICT  
Hearing: Mon., Feb. 8, 2010, 9:15 a.m., Room 325

Dear Chair Ito, Vice Chair Har and the House Committee on Water, Land & Ocean Resources:

For the Record my name is Buzz Hong, the Executive Director for the Hawaii Building & Construction Trades Council, AFL-CIO. Our Council is comprised of 16-construction unions and a membership of 26,000 statewide.

Our Council SUPPORTS the passage of HB2918 that enables the Hawaii Community Development Authority to enter into development agreements.

Thank you for the opportunity to submit this testimony in support of HB 2918.

Sincerely,

William "Buzz" Hong  
Executive Director

WBH/dg

*Skilled Craftsmanship Makes the Difference.*

**HOUSE COMMITTEE ON WATER, LAND & OCEAN RESOURCES**

Representative Ken Ito, Chair

Representative Sharon Har, Vice Chair

**HOUSE COMMITTEE ON HOUSING**

Representative Rida Cabanilla, Chair

Representative Pono Chong, Vice Chair

Monday, February 8, 2010

House Conference Room 325

9:15 AM

**HOUSE BILL 2918**

**Relating to the Kaka'ako Community Development District**

Testimony submitted by Wayne Takamine

**REVISED**

This testimony is respectfully submitted with strong opposition to portions House Bill 2918. This proposed legislation enables the Hawaii Community Development Authority (HCDA) to enter into development agreements.

I have strong concerns that HB 2918 will limit community input and collaboration for development in the Kaka'ako community development district. HCDA has in the past attempted to move development projects forward with limit community input and transparency that have suffered poor results. The failed A & B Luxury Condo RFP is an example of what can happen if HCDA development planning goes unchecked by the community.

HB 2918 in its current form will allow HCDA to fast track development projects without robust discussion with community groups, stakeholders and general public. It will also allow HCDA move projects forward without the proper due diligence and "side-step" established rules and processes for new developments projects.

Mahalo for letting me voice my concerns.

Wayne Takamine

## HOUSE COMMITTEE ON WATER, LAND & OCEAN RESOURCES

Representative Ken Ito, Chair  
Representative Sharon Har, Vice Chair

## HOUSE COMMITTEE ON HOUSING

Representative Rida Cabanilla, Chair  
Representative Pono Chong, Vice Chair

Monday, February 8, 2010  
House Conference Room 325  
9:15 AM

### HOUSE BILL 2918

#### Relating to the Kaka'ako Community Development District

Testimony submitted by Michelle S. Matson

This testimony is respectfully submitted with strong opposition to portions House Bill 2918. This proposed legislation enables the Hawaii Community Development Authority (HCDA) to enter into development agreements.

Significantly, the findings within the measure show that a reliable redevelopment process is predicated on having approved master plans with public benefits in place prior to entering into development agreements that provide predictability in the development approval process. House Bill 2918 also states that comprehensive master plans "are intended to create well-designed communities that improve the urban environment of Honolulu." This is clearly in concert with the community-based efforts invested in the development of both the Kaka'ako Mauka and Kaka'ako Makai master plans.

However, Section 3 of this measure is patently contrary to the public interest by stating:

"For purposes of this Act, the Hawaii community development authority may adopt rules without regard to chapter 91."

This flies in the face of the intent of Chapter 91 to provide government transparency through public proceedings and records. In addition, Section 3 contradicts Chapter 206E, Section 4, entitled "Powers, generally," which provides that the HCDA may "(5) Make rules with respect to its projects, operations, properties, and facilities, which rules shall be in conformance with chapter 91." Further, Section 3 is radically inconsistent with the intent and content of House Bill 2918 specific to the section entitled and enabling "Development agreements; general authorization" providing that "(2) A public hearing on the application shall be held by the authority," and the section entitled "Amendment and cancellation" providing that "a public hearing on the amendment shall be held by the authority before it consents to the proposed amendment." Therefore, Section 3 should be deleted from this measure.

In addition, Section 2 within the sub-section entitled "Development agreement; provisions" provides that HCDA development agreements shall "(2) Specify... the reserved housing requirements, which shall be consistent with the master plan in effect at the time of entering into the development agreement;" This appears to fly in the face of Chapter 205E, Section

31.5, which in the greater public interest prohibits residential development in Kaka'ako Makai. Thus this subsection would not be applicable to the Kaka'ako Makai master plan.

Section 2 also states under the same sub-section that HCDA development agreements "(1)...shall include land comprising the master plan area." In the case of the Kaka'ako Makai Master Plan this would be the entire Makai area comprised of State lands leased to separate entities, including the University of Hawaii, and private lands held by Kamehameha Schools. However, none would be entitled to a development agreement comprising the entire master plan area. Clearly, this phrase is inapplicable to development agreements relating to land within the Kaka'ako Makai shoreline management and master plan area.

Section 2 is additionally inconsistent specific to the section entitled and enabling "Development agreements; general authorization" providing that "(2) ... a public hearing held in connection with the approval process for the master plan shall be sufficient for this purpose;" This contradicts the overall intent of the measure that development agreements "shall be consistent with the master plan in effect..." (Development agreement; provisions, page 5.)

Given the above concerns it does not appear that this measure should move forward. The House Committee on Water, Land and Ocean Resources and Committee on Housing are respectfully requested to ensure that all master plans for Kaka'ako Mauka and Kaka'ako Makai are in place together with rules and policies consistent with these master plans prior to the HCDA entering into development agreements for lands within the respective master plan areas.

(Emphasis added.)