



HAWAII COMMUNITY
DEVELOPMENT AUTHORITY



KAKAOKO
KALAELOA

David Y. Ige
Governor

John Whalen
Chairperson

Garett Kamemoto
Interim Executive Director

STATEMENT OF

GARETT KAMEMOTO, INTERIM EXECUTIVE DIRECTOR
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

BEFORE THE
SENATE COMMITTEE ON JUDICIARY

Thursday, March 29, 2018
9:30 a.m.

State Capitol, Conference Room 016

in consideration, of
**HB 2275, HD2, SD1 RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY**

Chairs Taniguchi, Vice Chair Rhoads and Members of the Committee.

The Hawaii Community Development Authority (HCDA) appreciates the opportunity to provide comments on HB2275, HD2, SD1. This bill requires owners of private streets, highways, or thoroughfares in an HCDA development district to conform and maintain private roads to county standards and makes those owners who exercise ownership rights for financial gain or profit responsible for the costs of conforming and maintaining the private roads. We note that there are a number of private land owners in the Kakaako district and have attached a map of street owners.

Thank you for the opportunity to provide comments on this bill.

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TESTIMONY TO THE COMMITTEE ON JUDICIARY

Thursday, March 29, 2018 9:30 a.m.

State Capitol, Conference Room 016

TO: The Honorable Brian T. Taniguchi, Chair
The Honorable Karl Rhoads, Vice Chair
Committee Members

TESTIMONY IN SUPPORT OF HB2275 HD2 SD1 RELATING TO HCDA

I am Stafford Kiguchi with Bank of Hawaii testifying in support of HB2275 HD2 SD1 relating to the Hawaii Community Development Authority. This bill would require certain private streets, highways, or thoroughfares in a development district of the HCDA to conform to county construction and maintenance standards. Additionally, it would make owners who charge a fee to use private roads responsible for the costs of conforming and maintaining the private roads; exempts private roads used solely by the owner or its employees.

Bank of Hawaii is on title to a number of roads, although none in Kakaako, which were acquired when it purchased Hawaiian Trust and Bishop Trust companies in the 1980s. Decades ago, when the homes adjacent to these roads were developed and deeded to the homeowners by the trust companies as agent for the developers, these roads, by right, should have been dedicated to the city. However, for unknown reasons, that transfer never occurred and legal title appears to have remained in the trust companies and subsequently with Bank of Hawaii as successor in interest.

Over the decades, the bank has never attempted to exercise any rights of ownership and these roads have remained open to the public with unrestricted access for cars, buses, refuse trucks, and emergency vehicles, etc. We recognize the fact that ongoing maintenance along certain privately owned roads or roads where there is a dispute of ownership is a longstanding issue.

This current draft helps to narrow applicability and address situations whereby the owner(s) is passive and where the roads are open for public benefit with no restrictions regarding public use.

Thank you for the opportunity to testify.

Stafford Kiguchi
Executive Vice President

HB-2275-SD-1

Submitted on: 3/28/2018 4:46:28 AM

Testimony for JDC on 3/29/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments:

Kaka'ako Ūnited

To: Chair Brian Taniguchi, Vice Chair Karl Rhoads and Members, Committee on Judiciary

From: Sharon Moriwaki

Subject: Testimony in strong support of HB 2275, HD2, SD1, Relating to the Hawaii Community Development District, before the Committee on Judiciary, Thursday March 29, 2018, 9:30 a.m., in Conference Room 016

I am Sharon Moriwaki, Kaka'ako resident, and volunteer and president of Kaka'ako United, a voluntary community group working together to ensure a quality Kaka'ako community from Mauka to Makai.

HB2275, HD2, SD1, relating to the Hawaii Community Development Authority, adds a new section to Chapter 206E, HRS, to clarify that owners of private streets, highways or thoroughfares within the development district are responsible for meeting the county's construction and maintenance standards.

The Kaka'ako Community Development District has over 20 private streets which have not been maintained. They are in disrepair, with large potholes that make them unsafe to vehicles and pedestrians who continuously use them. These streets are also an eyesore.

HB2275, HD2, SD1, rightfully places responsibility for these streets on the owners who should pay for properly maintaining and cleaning these unsightly and dangerous streets that have plagued the residents, businesses and users of these roads.

For the above reasons, we the residents and businesses of Kaka'ako United urge your support of HB2275, HD2, SD1, to help Kaka'ako residents and businesses to improve the quality and safety of our neighborhoods by requiring private street owners to maintain them properly.

Thank you for the opportunity to testify.

KŪ: Kaka'ako Ūnited

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Ensuring the quality of life for an integrated Kaka'ako community from mauka to makai.

HB-2275-SD-1

Submitted on: 3/28/2018 9:10:51 PM

Testimony for JDC on 3/29/2018 9:30:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Scott Foster	Testifying for Hawaii Advocates For Consumer Rights	Support	No

Comments:

LATE

HB-2275-SD-1

Submitted on: 3/28/2018 10:13:42 PM

Testimony for JDC on 3/29/2018 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
lynne matusow	Individual	Support	No

Comments:

please pass but clean up the two defective dates. i find it interesting that the repeal is effective prior to the effective date of the bill.