
A BILL FOR AN ACT

RELATING TO KALAELOA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

PART I

SECTION 1. The legislature finds that Kalaeloa can address critical housing needs; provide jobs that strengthen and diversify Hawaii's economy; reduce Hawaii's dependence on imported fossil fuels; and create a community that will set a model for other regions of the State to emulate.

A recently completed two-year community planning process established a vision for Kalaeloa and defined a mission, process, and objectives to provide jobs, economic growth, and social value to the community. This process culminated in the preparation and adoption of a five-year strategic plan and a 20-year master plan.

The master plan will create:

- (1) Three million square feet of light industrial, commercial, retail and office space;
- (2) 7,000 jobs;
- (3) Approximately 6,350 residential units;

- 1 (4) A livable community that balances environmental,
2 cultural, and economic values; and
3 (5) An innovation environment to create opportunities for
4 high-technology and alternative energy development.

5 The purpose of this Act is to provide the necessary
6 authority to see that the master plan is implemented and a more
7 livable, prosperous future is brought to this undeveloped,
8 blighted, and abandoned area. This will be achieved by:

- 9 (1) Acquiring land to provide, under public-private
10 partnerships, recreational, housing and employment
11 opportunities;
12 (2) Promoting quality of life initiatives;
13 (3) Establishing renewable energy projects and the use of
14 green building practices by developments within the
15 district; and
16 (4) Providing the infrastructure necessary to effectuate
17 the above-stated objectives.

18 PART II

19 ACQUISITION OF U.S. NAVY LANDS

20 The legislature has identified 499 acres of land,
21 distributed largely along the northern boundary of the Kalaeloa
22 community development district, as meritorious for acquisition

1 by the Hawaii community development authority (HCDA).
2 Designated for disposal by the U.S. Navy under 10 U.S.C. §2814,
3 this law allows the Navy to sell or lease this land for the
4 purpose of generating revenue to support redevelopment
5 activities elsewhere. In October 2006, the U.S. Congress passed
6 a provision in the FY2007 DOD Authorization Bill (H.R. 5122)
7 that requires the Navy to enter into a binding agreement to
8 convey the 499 acres of land by September 30, 2008.

9 The Kalaeloa master plan identifies a variety of uses for
10 these lands including: moderate & high intensity mixed use,
11 commercial, light industrial, public facilities and open space.
12 These land uses were developed with input of the community.

13 The legislature finds that acquisition by HCDA of the
14 Navy's brokered land achieves this public purpose from the
15 standpoint of flexibility and control that could otherwise not
16 be achieved if the lands were in private hands. When land
17 ownership is coupled with HCDA's zoning authority, opportunities
18 for increased affordable housing, innovative technologies and
19 job creation, and other initiatives can be more readily pursued
20 through public private partnerships.

1 SECTION 2. General obligation bonds may be issued, as
2 provided by law, in the amount of one dollar to finance projects
3 authorized in part II.

4 PART III

5 PROMOTING COMMUNITY VALUES, RECREATION, PUBLIC HEALTH & SAFETY

6 SECTION 3. The legislature recognizes that the vision for
7 Kalaeloa cannot be achieved without meaningful community
8 involvement. As such, Act 188, Session Laws of Hawaii 2005, was
9 passed and signed into law to formalize and integrate community
10 needs and interests into the redevelopment process. Yet,
11 without safe streets, adequate parks and public facilities, and
12 the authority to ensure compliance to community desired
13 standards, such is simply not possible.

14 SECTION 4. Section 206E-197, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "§206E-197 Complaints and activities inconsistent with
17 community reuse plan. The authority [~~may~~] shall establish
18 procedures for receiving and processing district-related
19 complaints, conducting research, monitoring matters that arise
20 within the district, and reporting its findings."

21 SECTION 5. Section 206E-198, Hawaii Revised Statutes, is
22 amended to read as follows:

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1 "§206E-198 Remedies. (a) The authority may research any
2 complaint relating to the district that it determines to be an
3 appropriate subject for investigation, including:

- 4 (1) Unkempt appearance of property;
- 5 (2) Brushfires on property;
- 6 (3) Rubbish disposed of inappropriately; [~~or~~]
- 7 (4) Conditions on property otherwise incongruous with
8 generally accepted standards of maintenance[~~-~~];
- 9 or
- 10 (5) Activities and actions that are inconsistent with
11 the community reuse plan.

12 (b) The authority [~~may investigate, conduct research, or~~
13 ~~monitor any matter that arises within the district,~~] shall adopt
14 rules, including administrative procedures and penalties
15 relating to violations, pursuant to chapter 91, and may amend
16 the rules from time to time, in accordance with this part.

17 [~~(c) If the authority decides not to research a complaint~~
18 ~~filed with the authority, it shall inform the complainant of its~~
19 ~~decision and shall state its reasons.~~

20 ~~If the authority decides to research the complaint, it~~
21 ~~shall notify the complainant of its decision and shall also~~
22 ~~notify the landowner of its intention to investigate.~~

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1 ~~(d) Before giving any opinion or recommendation that is~~
2 ~~critical of a landowner or person who is the subject of the~~
3 ~~complaint, the authority shall consult with the landowner or~~
4 ~~person on the best means to remedy the situation.~~

5 ~~(e) After a reasonable time has elapsed, the authority~~
6 ~~shall notify the complainant of the actions taken by it and by~~
7 ~~the landowner.] "~~

8 SECTION 6. Section 206E-199, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§206E-199 Reports.** (a) ~~[After a reasonable time has~~
11 ~~elapsed, the authority may present its opinion and~~
12 ~~recommendations to the governor, the legislature, the public, or~~
13 ~~any of these. The authority shall include with this opinion any~~
14 ~~reply made by the landowner.~~

15 ~~(b)] The authority shall [submit to the various landowners~~
16 ~~in the district a quarterly report discussing] include, as part~~
17 ~~of its obligations under §206E-19, a discussion of the~~
18 ~~authority's activities under this part. [The report shall be~~
19 ~~made available to the public upon request.] "~~

20 SECTION 7. General obligation bonds may be issued, as
21 provided by law, to yield the amount of one dollar that may be
22 necessary to finance projects authorized in part III.

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PART IV

INFRASTRUCTURE DEVELOPMENT

SECTION 8. The legislature finds that not only must the current infrastructure systems in Kalaeloa function more efficiently to meet the demands of existing users, but implementation of the Kalaeloa master plan requires upgrading these systems or installing of new water, electrical, sewer, roadway, drainage, and telecommunication systems.

Such investments are not only necessary to lay the foundation from which the economic growth and prosperity is built; the legislature finds they are sound fiscally.

SECTION 9. General obligation bonds may be issued, as provided by law, to yield the amount of one dollar that may be necessary to finance projects authorized in part V.

PART V

MISCELLANEOUS PROVISIONS

SECTION 10. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 11. In codifying the new sections added by this Act, the revisor of statutes shall substitute appropriate

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1 section numbers for the letters used in designating the new
2 sections in this Act.

3 SECTION 12. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 13. This Act shall take effect on July 1, 2007.

6
7 INTRODUCED BY: Calvin K. Ray
8

BY REQUEST

JAN 22 2007

HB 1276

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development & Tourism

TITLE: A BILL FOR AN ACT RELATING TO KALAELOA.

PURPOSE: Provides the resources for bringing forth the potential of Kalaeloa as a Wahi Ho'okela (Center for Excellence) within the Ewa District and Leeward Coast of Oahu in meeting growing housing, recreation, job, and energy needs of Hawaii's people.

MEANS: Amend section 206E-197, Hawaii Revised Statutes (HRS). Provide appropriations.

JUSTIFICATION: Kalaeloa, the former Barbers Point Naval Air Station, offers a tangible opportunity through comprehensive planning, regulation, and development based on community values, to provide one of the last remaining non-ceded land areas available for mixed use development in the Second City area of Kapolei.

Impact on the public: Contributes to economic, social and environmental health and vitality of the area. Clarifies and strengthens the "ombudsman" role of the Hawaii Community Development Authority under Act 188, Session Laws of Hawaii 2005.

Impact on the department and other agencies: Supports strategic objectives including development of workforce housing; workforce development; energy for tomorrow; export of goods and services; creation of an "innovation infrastructure"; and improving Hawaii's small business environment.

GENERAL FUND: None.

OTHER FUNDS: General Obligation Bonds. Amount to be negotiated with U.S. Navy.

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PPBS PROGRAM
DESIGNATION:

None.

OTHER AGENCIES
AFFECTED:

Departments of Hawaiian Homelands,
Transportation, Defense, Human Services;
various City & County agencies.

EFFECTIVE DATE:

Upon approval for non-financial sections;
July 1, 2007 for financial sections.