

HAWAII COMMUNITY DEVELOPMENT AUTHORITY

547 Queen Street, Honolulu, Hawaii 96817 Telephone: (808) 594-0300 Fax: (808) 587-0299 Web site: http://dbedt.hawaii.gov/hcda/ DAVID Y. IGE GOVERNOR

JOHN WHALEN CHAIR

DEEPAK NEUPANE, P.E., AIA EXECUTIVE DIRECTOR

Statement of DEEPAK NEUPANE, P.E., AIA Executive Director Hawaii Community Development Authority before the

SENATE COMMITTEE ON WAYS AND MEANS

Thursday, April 1, 2021 9:30 A.M. VIA Videoconference State Capitol, Conference Room 211

In consideration of HB 1348, HD 2, SD1 RELATING TO THE STADIUM DEVELOPMENT DISTRICT

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee. The Hawaii Community Development Authority (HCDA), **supports** HB 1348, HD2, SD1. The bill provides that the HCDA may use its powers to assist in development of projects under the control of other public agencies and requires the HCDA, DAGS and Stadium Authority to enter into a memorandum of agreement for implementing the Stadium Development District. The bill also amends the general bond authorization made by Act 268, Session Laws of Hawaii 2019.

As HCDA continues its mission to join the strengths of private enterprise, public development and regulation into a new form capable of long-range planning and implementation of improved community development, we thank the legislature and community for its guidance and support.

Thank you for the opportunity to **support** this measure.

DAVID Y. IGE GOVERNOR

EMPLOYEES' RETIREMENT SYSTEM HAWAI'I EMPLOYER-UNION HEALTH BENEFITS TRUST FUND

OFFICE OF THE PUBLIC DEFENDER



CRAIG K. HIRAI DIRECTOR

ROBERT YU DEPUTY DIRECTOR

STATE OF HAWAI'I DEPARTMENT OF BUDGET AND FINANCE P.O. BOX 150 HONOLULU, HAWAI'I 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE BUDGET, PROGRAM PLANNING AND MANAGEMENT DIVISION FINANCIAL ADMINISTRATION DIVISION OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY TESTIMONY BY CRAIG K. HIRAI DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE TO THE SENATE COMMITTEE ON WAYS AND MEANS ON HOUSE BILL NO. 1348, H.D. 2, S.D. 1

April 1, 2021 9:30 a.m. Room 211 and Videoconference

RELATING TO THE STADIUM DEVELOPMENT DISTRICT

The Department of Budget and Finance (B&F) offers comments on House Bill

(H.B.) No. 1348, H.D. 2, S.D. 1.

H.B. No. 1348, H.D. 2, S.D. 1, establishes the Stadium Development Special

Fund (SDSF) under Chapter 109, HRS, to be administered by the Stadium Authority

(SA) into which shall be deposited:

- 1. All revenues from the Stadium Development District (SDD).
- 2. All gifts or grants awarded in any form from any public agency or from any other source for purposes of the SDD.
- 3. All proceeds from revenue bonds issued by the SA.
- 4. Appropriations made by the Legislature to the fund.

SDSF funds are directed to be used by the SA for the payment of expenses arising from any and all use, operation, repair, maintenance, alteration, improvement, or any unforeseen or unplanned repairs of the SDD. The measure also provides for the abolishment of the current Stadium Special Fund, directing that the remaining unencumbered balance shall be transferred into the SDSF.

In addition, the bill amends the general bond authorization made in Act 268, SLH 2019; revises the general development guidance policies for the SDD; broadens the powers and duties of the SA; exempts land to which the SA holds the title from the definition of "public lands"; authorizes the Hawai'i Community Development Authority, with approval by the Governor, to delegate to other State agencies implementation of capital improvement projects, under certain conditions; broadens the representation of the SA by adding two members to its membership; and makes the financial disclosures of members of the SA public records pursuant to Section 84-17(d), HRS.

As a matter of general policy, B&F does not support the creation of special funds that do not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) reflect a clear nexus between the benefits sought and charges made upon the users or beneficiaries of the program; 2) provide an appropriate means of financing for the program or activity; and 3) demonstrate the capacity to be financially self-sustaining. Regarding H.B. No. 1348, H.D. 2, S.D. 1, it is unclear if the sources of revenues will be able to adequately support the SDSF aside from appropriations into the special fund.

Thank you for your consideration of our comments.

-2-

CURT T. OTAGURO COMPTROLLER

AUDREY HIDANO DEPUTY COMPTROLLER

STATE OF HAWAII DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

WRITTEN TESTIMONY OF CURT T. OTAGURO, COMPTROLLER DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO THE COMMITTEE ON WAYS AND MEANS

THURSDAY, APRIL 1, 2021, 9:30 A.M. CONFERENCE ROOM 211 VIA VIDEOCONFERENCE, STATE CAPITOL

H.B. 1348, H.D. 2, S.D. 1

RELATING TO THE STADIUM DEVELOPMENT DISTRICT

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee, thank you

for the opportunity to submit testimony on H.B. 1348, H.D. 2, S.D. 1.

The Department of Accounting and General Services (DAGS) strongly supports and greatly

appreciates H.B. 1348, H.D. 2, S.D. 1. DAGS also recommends further refining the bill by incorporating the following revisions.

To ensure consistency of language within the sections referenced in the bill, edit the following lines as shown:

- Page 15, line 1: "(14) Lands to which the stadium authority holds title;" and
- Page 17, line 11: "(11) Land[s] to which the stadium authority holds title."

To appropriately include the Governor's approval for all delegations of projects by the Stadium authority to other state agencies, amend Part V, Section 17, of the Bill, Page 38, lines 8 through 16, as follows:

DAVID Y. IGE GOVERNOR "SECTION 17. Act 268, Session Laws of Hawaii 2019, is amended by adding a new section to read as follows:

"SECTION 7A. The stadium authority, as the designated expending agency for capital improvement projects authorized in this Act, with the approval of the governor, may delegate to other state agencies the implementation of projects when it is determined advantageous to do so by the stadium authority, as the original expending agency and the agency to which expending authority is to be delegated."

To maintain the accuracy of the description of the bill, revise page 43, "Description," as shown:

"Establishes the stadium development district special fund in chapter 109. Provides for the [sunset]abolishment of the stadium special fund. Revises the general development guidance policies for the stadium development district and clarifies the respective roles the stadium authority and Hawaii community development authority in the development of the stadium development district. Broadens the powers and duties of the stadium authority, including authorizing the stadium authority to acquire and hold title to real property. Exempts land to which the stadium authority holds title from the definition of "public lands." Authorizes the [Hawaii community development]stadium authority, with approval from the governor, to delegate to other state agencies implementation of capital improvement projects, under certain conditions. Adds two members to the stadium authority. Amends the general bond authorization made by Act 268, Session Laws of Hawaii 2019. Makes the financial disclosures of members of the stadium authority public records. Effective 1/1/2050. (SDI)" H.B. 1348, H.D. 2, S.D. 1 Page 3

The DAGS continues to collaborate closely with the Stadium Authority and the Hawaii Community Development Authority to ensure our on-going project efforts coincide with the future goals to bring benefit in the best interests of the State and its people.

Thank you for this opportunity to provide testimony on this matter.

DAVID Y. IGE GOVERNOR

CURT T. OTAGURO COMPTROLLER



An Agency of the State of Hawaii

TESTIMONY OF SCOTT L. CHAN, MANAGER ALOHA STADIUM STADIUM AUTHORITY TO THE SENATE COMMITTEE ON WAYS AND MEANS

APRIL 1, 2021, 9:30 A.M. CONFERENCE ROOM 211 & BY VIDEO CONFERENCE

H.B. 1348, H.D. 2, S.D. 1 RELATING TO THE STADIUM DEVELOPMENT DISTRICT

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee, thank you for the opportunity to submit this testimony strongly supporting HB 1348, H.D. 2, S.D. 1

We appreciate the Legislature's support and view the intent of this measure as a critical and essential component to providing the State of Hawaii – Stadium Authority with the ability to move forward in a careful, judicious, yet expeditious manner. We have been working closely with the Department of Accounting and General Services (DAGS) and support their position and testimony submitted on this measure. DAGS' comments are the product of many hours of collaborative work with subject matter experts in departments across the executive branch, as well as invaluable consultation and guidance from the Legislature and the Administration. We believe this comprehensive product provides the impetus required to bring the stadium development district project to fruition and clarifies roles and responsibilities of all parties involved, while fostering a collaborative process and platform on which to move forward.

In an effort to ensure short and long term project success; of note, this measure includes revision of development guidance policies for the Stadium Authority, clarifies roles between the Stadium Authority and the Hawaii Community Development Authority, authorizes the Stadium Authority to hold title to real property, establishes a stadium development special fund, exempts land to which the Stadium Authority hold title, and amends the general bond authorization enabled through Act 268, Session Laws of Hawaii 2019.

Thank you for your ongoing support and guidance over the years and for the opportunity to provide this testimony in strong support of HB 1348, H.D.2, S.D.1.

Ross I. Yamasaki Chairman, Stadium Authority

> SCOTT L. CHAN MANAGER

RYAN G. ANDREWS DEPUTY MANAGER



49 South Hotel Street, Room 314 | Honolulu, HI 96813 www.lwv-hawaii.com | 808.531.7448 | voters@lwv-hawaii.com

> SENATE COMMITTEE ON WAYS AND MEANS Thursday, April 1, 2021, 9:30 am, State Capitol Room 211 HB 1348, HD 2, SD 1 Relating to the Stadium Development District

TESTIMONY

Douglas Meller, Legislative Committee, League of Women Voters of Hawaii

Chair Dela Cruz and Committee Members:

The League of Women Voters requests amendment of HB 1348, HD 2, SD 1 to delete Part II Section 6 paragraph (c) which would exempt "establishing and amending of fees and charges" ... "from the public notice, public hearing, and gubernatorial approval requirements of chapter 91." Rule-making and gubernatorial oversight ensure predictability and accountability. If the Legislature authorizes the Stadium Authority to selectively adjust rental rates, fees, and charges every time the Authority meets, then inevitably the Authority wlll be pressured to negotiate arbitrary case-by-case adjustments. Exactly the same pressures occur with short-term, non-bid DHHL and DLNR rentals of public land.

Thank you for the opportunity to submit testimony.

Hawai'i Construction Alliance

P.D. Box 179441 Honolulu, HI 96817 (808) 220-8892

April 1, 2021

The Honorable Donovan M. Dela Cruz, Chair The Honorable Gilbert S.C. Keith-Agaran, Vice Chair and members Senate Committee on Ways and Means 415 South Beretania Street Honolulu, Hawai'i 96813

RE: SUPPORT for HB1348 HD1 SD1 RELATING TO THE STADIUM DEVELOPMENT DISTRICT

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and members:

The Hawai'i Construction Alliance is comprised of the Hawai'i Regional Council of Carpenters; the Laborers' International Union of North America, Local 368; the Operative Plasterers' and Cement Masons' Union, Local 630; International Union of Bricklayers & Allied Craftworkers, Local 1; and the Operating Engineers, Local Union No. 3. Together, the member unions of the Hawai'i Construction Alliance represent 15,000 working men and women in the basic crafts of Hawai'i's construction industry.

The Hawaii Construction Alliance is in support of establishing a stadium development district and redeveloping the stadium that is no longer structurally sound.

HB1348 allows the state to leverage the best of public and private sector investment in a way that large government projects typically have not done well.

The Aloha Stadium project presents a unique opportunity for Hawaii to upgrade needed sports facilities, develop critical infrastructure, and provide for much-needed affordable housing in an important transit-oriented development district.

The proposed Stadium Development District structure aligns with the way other major development districts in Hawaii are best governed.

Therefore, we strongly ask for your committee's favorable action on HB1348 HD1 SD1.

Mahalo,

Nadil of

Nathaniel Kinney Executive Director Hawai'i Construction Alliance execdir@hawaiiconstructionalliance.org

HAWAII GOVERNMENT EMPLOYEES ASSOCIATION AFSCME Local 152, AFL-CIO



RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-First Legislature, State of Hawaii The Senate Committee on Ways and Means

Testimony by Hawaii Government Employees Association

April 1, 2021

H.B. 1348, H.D. 2, S.D. 1 — RELATING TO THE STADIUM DEVELOPMENT DISTRICT

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly opposes one specific provision of H.B. 1348, H.D. 2, S.D. 1 beginning on page 10, line 8 which would strip state employees of their collective bargaining and civil service rights.

Section 2 of H.B. 1348, H.D. 2, S.D. 1 allows the Stadium Authority to hire officers, agents, and employees without regard to Chapters 76 and 89, Hawaii Revised Statues, effectively stripping current employees of their collective bargaining and civil service rights. Exempting employees from civil service and excluding employees from the right to collectively bargain creates a government workplace of "at will" employment with minimal employee rights. While we can understand the current statutory language that allows for the Manager, Deputy Manager, and Executive Secretary positions are "at will," we strongly oppose denying employment protections for all other staff without having further information on the classification of these positions. Collectively, the expansion of excluding and exempting positions in state government is in direct conflict with the Article XVI, Section 1 of the Hawaii State Constitution and state law which establish a merit-based civil service system free from coercive political influences.

Thank you for the opportunity to provide testimony in opposition to the provisions that would diminish state government employees' rights and benefits.

Respectfully submitted,

Randy Perreira Executive Director



UNIVERSITY OF HAWAI'I SYSTEM

Legislative Testimony

Testimony Presented Before the Senate Committee on Ways and Means April 1, 2021 at 9:30 a.m. by Kalbert K. Young Vice President for Budget and Finance/Chief Financial Officer University of Hawai'i System

HB 1348 HD2 SD1 – RELATING TO THE STADIUM DEVELOPMENT DISTRICT

Chair Dela Cruz, Vice Chair Keith-Agaran, and members of the Committee:

Thank you for the opportunity to present testimony today. The University of Hawai'i (UH) is supportive of House Bill No. 1348 HD2 SD1, Relating to the Stadium Development District, and requests further amendments to the bill where it relates to the UH. Among a number of things, this bill seeks to establish a special fund, broadens development authority of the Stadium Authority, amends the bond financing structure for the new stadium project, and adds two members to the Stadium Authority.

The UH requests that the bill be revised to allow the UH representative to have a vote on the Stadium Authority Board. Considering that the new stadium project is primarily for, and will rely on the UH use of the stadium as a major activity, it is more prudent to ensure that UH is a contributing participatory decision maker in the Authority decisions. I recommend the bill (page 7, lines 12 through 17) be amended, as follows:

Each member of the authority shall have been a citizen of the United States and a resident of the State for at least five years next preceding the member's appointment. The <u>eleven members shall include the</u> president of the University of Hawaii and the superintendent of education, or their designated representatives, who shall be exofficio members of the authority [but shall not vote].

The inclusion of the UH President to the Stadium Authority Board originated out of the recognition that UH athletics was a primary anchor of the stadium and a foremost purpose for the stadium itself. This purpose remains a prominent component of the planned new stadium and the broader stadium district project. Having the UH President, or their designee, serve in a full capacity on the Stadium Authority will ensure that the broader project and eventual operation of the completed project has the governance input and involvement of one of the primary users and beneficiaries.

Lastly, the UH recently provided a list of desired objectives to the State's project leadership (Department of Accounting and General Services) that should be incorporated as business outcomes as part of the structure for the new stadium and district project. Those items can be more thoroughly considered once the State gets underway negotiating terms with the project partners.

Thank you for this opportunity to testify.

HAWAII OPERATING ENGINEERS INDUSTRY STABILIZATION FUND



Uniting our strengths and working together

Affiliated AFL-CIO OPEIU - 3 - AFL-CIO (3)

March 30, 2021

Senate Committee on Ways and Means Honorable Donovan Dela Cruz, Chair Honorable Gil Keith-Agaran, Vice Chair Honorable Members of the Committee on Ways and Means

RE: H.B. 1348 H.D.2 S.D.1 RELATING TO THE STADIUM DEVELOPMENT DISTRICT

Dear Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee:

The Hawaii Operating Engineers Industry Stabilization Fund is a labor management fund representing 3000 unionized members in the heavy engineering site work and 500 general contractors specializing in heavy site and vertical construction. Hawaii Operating Engineers Industry Stabilization Fund would like to strongly encourage this committee to restore funding for the Hawaii Community Development Authority (HCDA) in the State Budget.

This measure will ensure immediate and long-term project success. It includes the revision of development guidance policies for the Stadium Authority, clarifies roles between the Stadium Authority and the Hawaii Community Development Authority, authorizes the Stadium Authority to hold title to real property, establishes a stadium development special fund, exempts land to which the Stadium Authority hold title, and amends the general bond authorization enabled through Act 268, Session Laws of Hawaii 2019.

H.B. 1348 H.D.2 S.D.1 allows the state to leverage the best of public and private sector investment in a way that large government projects typically have not done well. The Aloha Stadium project presents a unique opportunity for Hawaii to upgrade needed sports facilities, develop critical infrastructure, and provide for much-needed affordable housing in an important transit-oriented development district. Thank you for this opportunity to submit written testimony in support of H.B. 1348 H.D.2 S.D.1.

Sincerely,

Myles Miyasato Executive Director Hawaii Operating Engineers Industry Stabilization Fund



International Union of Bricklayers and Allied Craftworkers Local #1 of Hawaii 2251 North School Street, Honolulu, HI 96819 Phone: (808) 841-8822 • Fax: (808) 777-3456

April 1, 2021

The Hawaii State Senate Committee on Ways & Means The Honorable Donovan M. Dela Cruz, Chair The Honorable Gilbert S.C. Keith-Agaran, Vice Chair

RE: Support for HB1348, HD2, SD1, Relating to the Stadium Development District

The International Union of Bricklayers and Allied Craftworkers, Local #1 of Hawaii supports HD2348, HD2, SD1, Relating to the Stadium Development District. The bill would establish a Stadium Development District Special Fund, revise the general development guidance policies for the Stadium Development District, and clarify the respective roles of the Stadium Authority and Hawaii Community Development Authority in the development of the Stadium Development District, and would have several other outcomes.

This bill is critical to allowing the aging Aloha Stadium to be redeveloped in a way that leverages both public and private sector investment. The proposed redevelopment would build a new stadium, create much-needed housing, and support new infrastructure within the 98-acre stadium development district.

As we navigate out of the COVID-19 pandemic, the redevelopment proposal at the stadium site will help to create jobs for our members during the construction period, and housing for local residents, and other economic and entertainment opportunities for local residents on an ongoing basis.

Mahalo for the opportunity to provide this testimony.

Testimony of Pacific Resource Partnership

Senate Committee on Ways And Means The Honorable Donovan M. Dela Cruz, Chair The Honorable Gilbert S.C. Keith-Agaran, Vice Chair

HB1348, HD2, SD1—Relating to the Stadium Development District

Thursday, April 1, 2021 9:30 A.M. Conference Room 211

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committees:

Pacific Resource Partnership (PRP) writes in strong support of HB1348, HD2, SD1.

The passage of HB1348, HD1, SD1 is a critical step towards creating a new stadium, maximizing the development potential of the 98-acre campus with housing and commercial/retail, and developing a transitoriented community facilitated by a robust multimodal transportation network. Moreover, in this COVID-19 environment, Hawaii faces an economic crisis without parallel in its history as a state. The University of Hawaii Economic Research Organization (UHERO) predicts that Hawaii employment will not return to 2019 levels before 2026. The development of the new stadium before late 2023 will help with the economic recovery of the state by creating more jobs during these difficult times.

Given the above, we respectfully request your favorable decision on this measure. Thank you for this opportunity to submit written testimony.



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Uploaded via Capitol Website

March 31, 2021

TO: HONORABLE DONOVAN DELA CRUZ, CHAIR, HONORABLE GILBERT KEITH-AGARAN, VICE CHAIR, COMMITTEE ON WAYS AND MEANS

SUPPORT OF H.B. 1348 HD2 SD1, RELATING TO THE STADIUM SUBJECT: **DEVELOPMENT DISTRICT.** Establishes the stadium development district special fund in chapter 109. Provides for the sunset of the stadium special fund. Revises the general development guidance policies for the stadium development district and clarifies the respective roles the stadium authority and Hawaii community development authority in the development of the stadium development district. Broadens the powers and duties of the stadium authority, including authorizing the stadium authority to acquire and hold title to real property. Exempts land to which the stadium authority holds title from the definition of "public lands." Authorizes the Hawaii community development authority, with approval from the governor, to delegate to other state agencies implementation of capital improvement projects, under certain conditions. Adds two members to the stadium authority. Amends the general bond authorization made by Act 268, Session Laws of Hawaii 2019. Makes the financial disclosures of members of the stadium authority public records..

HEARING

DATE:Wednesday, April 1, 2021TIME:9:30 a.m.PLACE:Capitol Room 211

Dear Chair Dela Cruz, Vice Chair Keith-Agaran and Members of the Committee,

The General Contractors Association of Hawaii (GCA) is an organization comprised of approximately five hundred (500) general contractors, subcontractors, and construction related firms. The GCA was established in 1932 and is the largest construction association in the State of Hawaii. Our mission is to elevate Hawaii's construction industry and strengthen the foundation of our community.

GCA is in <u>Support</u> of H.B. 1348 H.D.2 S.D.1, which will not only allow the Stadium Development District to upgrade its sports facilities, but also allow the State to develop critical infrastructure and transit oriented development. This measure ensures the proper development of the stadium area by broadening the powers and duties of the stadium authority.

Thank you for this opportunity to testify in support this measure.



THE SENATE THE THIRTY-FIRST LEGISLATURE REGULAR SESSION OF 2021

COMMITTEE ON WAYS AND MEANS Senator Donovan Dela Cruz, Chair Senator Gilbert Keith-Agaran, Vice Chair

Thursday, April 1, 2021, 9:30 AM Conference Room 211 and Via Videoconference



Re: Testimony on HB1348 HD2, SD1 – RELATING TO THE STADIUM DEVELOPMENT DISTRICT

Chair Dela Cruz, Vice Chair Keith-Agaran, and Members of the Committee on Ways and Means:

The United Public Workers, AFSCME Local 646, AFL-CIO ("UPW") is the exclusive bargaining representative for approximately 14,000 public employees, which includes blue collar, non-supervisory employees in Bargaining Unit 1 and institutional, health, and correctional employees in Bargaining Unit 10, in the State of Hawaii and various counties. The UPW also represents 1,500 members in the private sector.

UPW **would like to provide the following comments** on HB1348 HD2, SD1, which establishes the stadium development district special fund in Chapter 109. This bill would also revise the general development guidance policies for the stadium development district and clarifies the respective roles the stadium authority and Hawaii community development authority in the development of the stadium development district.

UPW recognizes that the stadium development district, would help with redevelopment of a new stadium, housing and other infrastructure projects, as well as creating jobs to help with our state's economic recovery from the pandemic. However, UPW is concerned that a provision of the bill (page 10, line 8 through page 11, line 16) would strip state employees of their collective bargaining and civil service rights. We do have members that currently assist with maintaining the grounds and facilities at Aloha Stadium and are worried that this provision could result in unintended consequences towards our members who would be working in the development district moving forward.

Thank you for your consideration of our concerns and for the opportunity to provide this testimony.



HB-1348-SD-1 Submitted on: 3/29/2021 11:15:31 AM Testimony for WAM on 4/1/2021 9:30:00 AM

| Submitted By | Organization | Testifier Position | Present at Hearing |
|---------------|--------------|-----------------------|-----------------------|
| John D. Smith | Individual | Support | No |

Comments:

I support.