

STAND. COM. REP. NO.

3687

Honolulu, Hawaii

APR 20 2006

RE: H.C.R. No. 30
H.D. 1
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Water, Land, and Agriculture, to which was referred H.C.R. No. 30, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO IMMEDIATELY RESCIND BOTH ITS REQUEST FOR PROPOSALS AND ANY CONTRACT OR AGREEMENT AWARDED, OR COMMITMENT MADE, TO ALEXANDER & BALDWIN PROPERTIES, INC., FOR THE DEVELOPMENT OF KAKAAKO MAKAI,"

begs leave to report as follows:

The purpose of this measure is to urge the Hawaii Community Development Authority to immediately rescind both its request for proposals and any commitment made to Alexander & Baldwin Properties, Inc. for the development of Kakaako Makai.

Testimony in support of this measure was submitted by a City and County of Honolulu council member, Friends of Kewalo Basin Park Association, the Hawaii State Bodysurfing Association, and the Integrated Agriculture Network, Save Our Kaka'ako Coalition, and thirty-one individuals. Testimony in opposition to this measure was submitted by two individuals. Comments were also submitted by the Hawaii Community Development Authority, Alexander & Baldwin Properties, Inc., and one individual.

The State must demonstrate its commitment to withhold its valuable lands from development for short-term gains in exchange for the long-term good of its residents and the future of generations to come. Accordingly, your Committee finds that the

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Hawaii Community Development Authority is urged to reevaluate the current proposed project in the Kakaako Makai area.

Your Committee has amended this measure by:

- (1) Requesting the Hawaii Community Development Authority to immediately convene a working group to engage interested stakeholders, particularly the groups and individuals that have surfaced in this controversy, to meaningfully participate in the development, acceptance, and implementation of any future plans for the development of Kakaako Makai; and
- (2) Making technical, nonsubstantive changes for clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 30, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 30, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, and
Agriculture,




RUSSELL S. KOKUBUN, Chair



The Senate
 Twenty-Third Legislature
 State of Hawaii

Record of Votes of the
 Committee on Water, Land and Agriculture
 (Bills and Resolutions)

Measure:* HCR 30 HD1	Committee Referral: WLA	Date: 4/2/06		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to:				
<input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
KOKUBUN, Russell S. (C)	✓			
HOOSER, Gary L. (VC)	✓			
ENGLISH, J. Kalani				✓
FUKUNAGA, Carol	✓			
HEMMINGS, Fred				✓
TOTAL	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Do not list more than one measure per Record of Votes.

HOUSE CONCURRENT RESOLUTION

URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO IMMEDIATELY
RESCIND BOTH ITS REQUEST FOR PROPOSALS AND ANY CONTRACT OR
AGREEMENT AWARDED, OR COMMITMENT MADE, TO ALEXANDER &
BALDWIN PROPERTIES, INC. FOR THE DEVELOPMENT OF KAKAAKO
MAKAI.

1 WHEREAS, the area mauka of Ala Moana Boulevard within the
2 Kakaako Community Design District (Kakaako Mauka) is studded
3 with some of the State's highest high-rise residential
4 buildings, with some structures approaching 400 feet; and
5

6 WHEREAS, in October 2002, the Hawaii Community Development
7 Authority (HCDA) adopted the "Waterfront Business Plan" covering
8 the use and development of the area makai of Ala Moana
9 Boulevard, between Kewalo Basin and the University of Hawaii,
10 John A. Burns School of Medicine (Kakaako Makai); and
11

12 WHEREAS, in January 2005, HCDA issued a Request for
13 Proposals for Kakaako Makai to which there were 15 respondents;
14 and
15

16 WHEREAS, in September 2005, HCDA selected Alexander and
17 Baldwin Properties, Inc. (A&B Properties), over five other
18 plans, because HCDA found that at the time, it best met desired
19 criteria, including open space for public use; and
20

21 WHEREAS, public reaction to the A&B Properties' project
22 prompted A&B Properties to resubmit a "scaled down" version of
23 the project in December 2005, which continues to receive strong
24 public opposition; and
25

26 WHEREAS, Kakaako Makai is such an opportunity for a large
27 open space park with learning centers that cannot be trumped by
28 the short-term need to finance the State's participation in the
29 development of the Kakaako Community Design District (District);
30 and



1 WHEREAS, the State must demonstrate its commitment to
2 withhold its valuable lands from development for short-term
3 gains in exchange for the long-term good of its residents and
4 the future generations to come; and

5
6 WHEREAS, in establishing the HCDA, the Legislature, as
7 expressed in section 206E-1, Hawaii Revised Statutes (HRS),
8 believed that the "authority will result in communities which
9 serve the highest needs and aspirations of Hawaii's people"; and

10
11 WHEREAS, the mixed use mandate of the District where people
12 can live, work, visit, and play must be implemented in a
13 complementary manner that recognizes the "live and work" land
14 uses of Kakaako Mauka and the "learn and play" land uses of
15 Kakaako Makai; and

16
17 WHEREAS, the density of the urban core of Honolulu mandates
18 that every opportunity to create open space should be availed
19 for the public health and welfare; and

20
21 WHEREAS, HCDA has led the Legislature to believe that HCDA
22 and A&B Properties are currently in the stage of negotiations in
23 which only a non-binding award of the master development rights
24 contract has been awarded to A&B Properties, and no binding
25 letter of intent or development agreement has been entered into;
26 and

27
28 WHEREAS, judging from the volume of public opposition to
29 A&B Properties' "scaled down" version of its project, the
30 Legislature finds that A&B Properties' projects regarding
31 Kakaako Makai does not serve the highest needs and aspirations
32 of all segments of Hawaii's community; now, therefore,

33
34 BE IT RESOLVED by the House of Representatives of the
35 Twenty-third Legislature of the State of Hawaii, Regular Session
36 of 2006, the Senate concurring, that HCDA is urged to
37 immediately rescind both its Request for Proposals and any
38 contract or agreement awarded to, or commitment it may have with
39 A&B Properties, Inc., to develop Kakaako Makai; and

40
41 BE IT FURTHER RESOLVED that the Hawaii Community
42 Development Authority immediately convene a working group of
43 interested stakeholders, particularly the groups and individuals
44 that have surfaced in this controversy, to meaningfully



1 participate in the development, acceptance, and implementation
2 of any future plans for the development of Kakaako Makai; and

3
4 BE IT FURTHER RESOLVED that a certified copy of this
5 Concurrent Resolution be transmitted to the Hawaii Community
6 Development Authority.



Hawaii State Legislature 2006 Legislative Session

HCR30 HD1 SD1

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Measure Title: URGING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO IMMEDIATELY RESCIND BOTH ITS REQUEST FOR PROPOSALS AND ANY CONTRACT OR AGREEMENT AWARDED, OR COMMITMENT MADE, TO ALEXANDER & BALDWIN PROPERTIES, INC. FOR THE DEVELOPMENT OF KAKAAKO MAKAI.

Report Title: Urging HCDA to immediately rescind any contract or agreement with A&B Properties and to convene a working group of interested stakeholders.

Description:

Package: None

Companion:

Introducer(s): KANOHO, EVANS, MAGAOAY, B. OSHIRO, M. OSHIRO, SAY

Current Referral: WLA

Date		Status Text
2/21/2006	H	To be offered.
2/21/2006	H	Offered
2/22/2006	H	Referred to WLO, referral sheet 25
2/22/2006	H	Resolution scheduled to be heard by WLO on Monday, 02-27-06 at 9:00 am in conference room 423.
2/27/2006	H	The committee(s) recommends that the measure be deferred.
2/27/2006	H	Scheduled for decision making on Friday, 03-03-06 at 8:30 am in conference room 312.
3/1/2006	H	Scheduled for decision making on Friday, 03-03-06 at 10:00 am in conference room 312.

3/3/2006	H	The committees on WLO recommend that the measure be PASSED, WITH AMENDMENTS. The votes were as follows: 8 Ayes: Representative(s) Kanoho, Schatz, Berg, Harbin, Morita, Waters, Thielen; Ayes with reservations: Representative(s) Evans; 0 Noes: none; and 2 Excused: Representative(s) Carroll, Meyer.
3/8/2006	H	Reported from the committee on WLO (Stand. Com. Rep. No. 948-06) as amended in (HD 1), recommending adoption.
3/9/2006	H	Adopted as amended in (HD 1) with Representative(s) Halford, Moses, Nishimoto, Pine, Souki voting no and Representative(s) Cabanilla, Chang, Harbin, Meyer, Nakasone, Stonebraker excused.
3/9/2006	H	Transmitted to Senate.
3/10/2006	S	Received from House (Hse. Com. No. 348).
3/10/2006	S	Deferred One Day 03-13-06.
3/13/2006	S	Referred to WLA.
4/4/2006	S	The committee(s) on WLA has scheduled a public hearing on 04-07-06 at 1:00 pm in conference room 212.
4/7/2006	S	The committee(s) on WLA recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in WLA were as follows: 3 Aye(s): Senator(s) Kokubun, Hooser, Fukunaga; Aye(s) with reservations: none ; 0 No(es): none; and 2 Excused: Senator(s) English, Hemmings.
4/20/2006	S	Reported from WLA (Stand. Com. Rep. No. 3687) with recommendation of adoption, as amended (SD 1).
4/20/2006	S	One Day Notice 04-21-06.
4/21/2006	S	Report and Resolution Adopted, as amended (SD 1). Transmitted to House.
4/21/2006	H	Returned from Senate (Sen. Com. No. 798) in amended form (SD 1).
4/27/2006	H	House agrees to Senate amendment(s).
4/27/2006	H	Adopted as amended in (SD 1) with none voting no and Abinsay, Nakasone, Saiki, Takai, Takamine excused.
4/27/2006	H	Resolution adopted in final form.
4/28/2006	S	Received notice Adoption in House on 04-27-06 (Hse. Com. No. 844).

\$ = Appropriation measure

ConAm = Constitutional Amendment