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**STATE OF HAWAII
SCHOOL FACILITIES AUTHORITY
BOARD MEETING**

BOARD MEMBERS

Edmund Aczon Harold Edwards Jan Iwase Bettina Mehnert
Alan Oshima, Chairperson

NOTICE OF MEETING

Tuesday, February 6, 2024
9:00 a.m.

Public Meeting Location

2759 South King Street, Room C5
Honolulu, Hawaii 96826

Virtual Meeting Information

Click on this link to join the Zoom webinar:

<https://zoom.us/j/96390838134?pwd=Y2E5amRNOHZQY082QXRqY3RCRS9xZz09>

Webinar ID: 963 9083 8134

Meeting passcode: 049653

Join by phone:

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+16694449171,,94268787580#,,,,*049653# US

AGENDA

- I. Call to Order**
- II. Roll Call and Determination of a Quorum**
- III. Public Testimony**
- IV. Receipt of Executive Director's Resignation**
- V. Action Items**
 - A. Board Action on Operations Subcommittee recommendation regarding appointment of interim executive director and ratification of appointment of acting executive director
- VI. Approval of Meeting Minutes of January 9, 2024**
- VII. Workgroup and Subcommittee Reports**
 - A. Subcommittee on Learning Spaces
 - B. Subcommittee on Workforce Housing
 - C. Subcommittee on Operations
- VIII. Public Testimony**
- IX. Discussion Items**
 - A. Presentation on 2024 Legislative Session and Measure Tracking Process
- X. Adjournment**

Meeting material is available online at <https://www.hisfa.org/>.

The Board accepts written testimony on any agenda item and strongly encourages it as the primary means of submitting testimony. Written testimony received 49 hours before the meeting will be posted publicly and distributed to Board members before the meeting. Individuals may submit written testimony in advance of the meeting via email to sfboard@hisfa.org, or by mail addressed to: School Facilities Authority, 75 Aupuni Street, Basement, Hilo, Hawaii 96720.

Individuals interested in signing up to provide oral testimony at the meeting may submit their name, email, and phone number to sfboard@hisfa.org. Individuals may provide oral testimony in-person at the meeting.

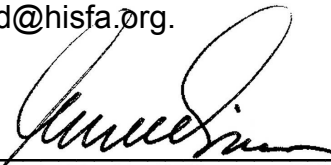
In accordance with Hawaii's Sunshine Law (Hawaii Revised Statutes, Chapter 92), all testimony, whether written or oral, should be related to an item that is on the agenda.

If you need an auxiliary aid/service or other accommodation due to a disability, contact Cindy Watarida at (808) 430-5531, or by email at cindy.watarida@hisfa.org as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

The Board will be meeting remotely using interactive conference technology. If the video conferencing link cannot be maintained either with all Board members participating in the meeting, or with the public, the meeting shall be automatically recessed for up to thirty (30) minutes to allow staff to attempt to restore communication with all participating members. If communication by the video conferencing link with all participating Board members is restored in those 30 minutes, the meeting will be reconvened. If communication by the video conferencing link cannot be restored in those 30 minutes, the meeting may be reconvened using the audio-only communication at the above-listed telephone number only, if within 15 minutes of establishing audio-only communication, copies of nonconfidential visual aids brought to the meeting by Board members or as part of a scheduled presentation are made available to the public via <https://www.hisfa.org/>. If the meeting is not reconvened as provided above, the Board may continue the meeting by notifying the public of the date, time, and place of the meeting at <https://www.hisfa.org/> Otherwise, the meeting will be automatically terminated.

For further information, email sfboard@hisfa.org.



Alan Oshima, School Facilities Authority Board Chairperson

SCHOOL FACILITIES AUTHORITY BOARD

MEETING MINUTES

Date: January 9, 2024

Time: 9:00 a.m.

Teleconference via Zoom

2759 South King Street, Room C5

Honolulu, Hawaii 96826

**This meeting was a remote meeting under Section 92-3.7, Hawaii Revised Statutes. The meeting recording is available on our website at*

<https://www.hisfa.org/board-meetings/>

Members Present:

Alan Oshima, Chairperson

Edmund Aczon

Harold Edwards

Jan Iwase

Bettina Mehnert

Staff Present:

Chad Keone Farias, Executive Director

Alison Kunishige, Deputy Executive Director

Cindy Watarida, Business Manager

Kenyon Tam, Policy and Program Officer

Wilmurf de Vera, Project Manager

Jiaping Fouse, Project Manager

Guest Present:

Emily Gillmar, Project Lead, University of Hawaii Community Design Center

Sophia Burger, Student, University of Hawaii Community Design Center

Joyce Lin, Student, University of Hawaii Community Design Center

Kayci Kumashiro, Student, University of Hawaii Community Design Center

AGENDA

I. Call to Order

Chairperson Alan Oshima called the meeting to order at 9:00 a.m.

II. Roll Call and Determination of a Quorum

Chairperson Oshima and Members Edmund Aczon, Harold Edwards, Jan

Iwase, and Bettina Mehnert were present at roll call. Quorum was established.

III. Approval of Meeting Minutes of December 12, 2023

Motion: Move to approve the December 12, 2023 meeting minutes (Edwards/Aczon). 5 Ayes (Oshima, Aczon, Edwards, Iwase, Mehnert), 0 Nos, 0 Abstentions. Motion carries; minutes are approved.

IV. Public Testimony

There was no public testimony.

V. Report of the School Facilities Authority Executive Director

A. Update on Expanding Inspiring Learning Spaces

1. Pre-Kindergarten. Executive Director (ED) Chad Farias reported the following:

- a) ED Farias reported that SFA has identified a total of 45 classrooms and eight more classrooms may be added to the list of renovations for this school year.
- b) ED Farias reported that work on some of the classrooms may require permits, which will affect SFA's ability to complete renovations before the beginning of next school year.

(1) Chairperson Oshima requested clarification regarding permitting challenges. ED Farias provided a brief summary of Department of Human Services (DHS) requirements and added that SFA will work with the Department of Education (DOE) with regards to any permits or permit exemptions.

(2) Board Member Iwase asked about the number of classrooms that would be completed for the 2024-2025 school year. ED Farias reported that the eight classrooms that he visited yesterday could fill the gap if some classrooms will not be completed in time because of permitting issues.

- c) ED Farias reported that Nanakuli Elementary School held a ribbon cutting ceremony on January 8, 2024 to celebrate the opening of two new pre-kindergarten classrooms. He reported that Board Member Aczon attended the ceremony.

2. New Schools.

- a) ED Farias reported that SFA continues to stand by and support DOE with its efforts to construct a temporary West Maui elementary school campus. ED Farias added that SFA will add sixty new pre-kindergarten seats on Maui by 2024.

B. Update on Spearheading Housing Solutions

1. Maui County.

- a) ED Farias reported that SFA intends to post a Request for Proposals (RFP) for teacher housing on Maui within the next couple of months.
- b) ED Farias reported that he met with staff from Governor Josh Green's Office last week on temporary teaching housing on Maui. He noted that efforts may include working with the Hawaii State Department of Transportation (DOT) and the Federal Emergency Management Agency (FEMA).
- c) ED Farias continues to meet weekly with Maui County officials and leadership from other state agencies on housing for Maui residents.

2. City and County of Honolulu.

- a) ED Farias reported that the Mililani Workforce Housing RFP was posted on December 15, 2024. He stated that the deadline to submit a Notice of Intent was last week and that SFA received a total of eight submittals.

C. Update on Laying an Operational Foundation

- 1. Office Space. ED Farias reported that SFA continues to work with the Department of Accounting and General Services (DAGS) to negotiate office space at 600 Kapiolani Boulevard.

- a) Chairperson Oshima asked ED Farias to reconsider previous locations viewed a year ago and revisit requests to use DOE space. He also asked that ED Farias keep the Board apprised of progress on the office space between SFA Board meetings.
2. Personnel. ED Farias reported that he selected a candidate for the vacant Project Manager position. SFA continues to work with DOE's Office of Talent Management on its remaining positions.
3. Administrative Rules. ED Farias reported that the Office of the Attorney General approved the draft rules as to form. He stated that if the Board approves rules to go to public hearing, the next step is Governor Green's approval of the public hearing request. ED Farias noted that this work on the Administrative Rules goes towards achieving SFA Goal 3d, the creation of SFA's legal framework.
4. Governance Structure. ED Farias reported that later in the meeting, the SFA Board will consider approving bylaws, which includes things like establishing a vice chairperson position and subcommittees.
5. Kaimuki Planning Study. ED Farias reported that later in the meeting, he will present on the study together with the University of Hawaii Community Design Center (UHCDC).
6. 2024 Legislative Session. ED Farias reported January 17th is the Opening Day of the 2024 Legislative Session. He stated that SFA has informational briefings scheduled with the Senate Committee on Ways and Means (WAM), the House Committee on Finance (FIN), and the House Committee on Education (EDN) next week.

VI. Board Reports

A. Board Member Report on events attended: (1) January 8, 2024 Nanakuli Elementary School pre-kindergarten classroom ribbon cutting ceremony

1. Board Member Aczon reported on the value and the great work that results when multiple agencies work together.

2. Chairperson Oshima asked if SFA staff can ask the Board's Deputy Attorney General (DAG) whether more than two Board members can attend events. ED Farias stated that staff will inquire with the Board's DAG.

VII. Action Items

- A. Board Action on proposed Chapter 8-600, Hawaii Administrative Rules, entitled "School Facilities Authority Rules of Practice and Procedure"**

Motion: Move to approve proposed HAR Chapter 8-600, attached as Exhibits A and B to ED Farias's memorandum dated January 9, 2024, for public hearing and authorize ED Farias to appoint a hearing officer to conduct the hearing (Edwards/Aczon). 5 Ayes (Oshima, Aczon, Edwards, Iwase, Mehnert), 0 Nos, 0 Abstentions. Motion carries.

- B. Board Action on School Facilities Authority bylaws**

Motion: Move to approve the proposed bylaws, attached as Exhibit A to Chairperson Oshima's memorandum dated January 9, 2024 (Aczon/Iwase). 5 Ayes (Oshima, Aczon, Edwards, Iwase, Mehnert), 0 Nos, 0 Abstentions. Motion carries; bylaws adopted.

- C. Board Action on selection (election) of vice-chairperson and appointment of a chairperson and member for each subcommittee (Subcommittee on Learning Spaces, Subcommittee on Workforce Housing, and Subcommittee on Operations)**

Motion: Move to select (elect) Harold Edwards as vice-chairperson of the Board (Iwase/Mehnert). 5 Ayes (Oshima, Aczon, Edwards, Iwase, Mehnert), 0 Nos, 0 Abstentions. Motion carries.

Motion: Move to:

- (1) Appoint Jan Iwase as chairperson and Bettina Mehnert as a member of the Subcommittee on Learning Spaces;**
- (2) Appoint Harold Edwards as chairperson and Bettina Mehnert as a member of the Subcommittee on Workforce Housing;**
- (3) Appoint Bettina Mehnert as chairperson and Edmund Aczon as a member of the Subcommittee on Operations; and**
- (4) Dissolve any existing workgroups and permitted interaction groups (Edwards/Aczon).**

5 Ayes (Oshima, Aczon, Edwards, Iwase, Mehnert), 0 Nos, 0 Abstentions. Motion carries.

VIII. Public Testimony

There was no public testimony.

IX. Discussion Items

A. Presentation on University of Hawaii Community Design Center's pre-report on Kaimuki and Kalani Complexes

Note: This item was taken out of order and before agenda item VII, Action Items.

1. ED Farias presented the background and context for the report, including how the study was initiated, the MOA with UHDCDC, the expansion of the project to include both the Kaimuki and Kalani Complexes. He explained that SFA initiated this project because Act 164 (Session Laws of Hawaii 2023) appropriated \$100,000 to SFA to plan and design for the redevelopment of the Queen Liliuokalani Elementary School property to pre-kindergarten classrooms and teacher housing. ED Farias explained that SFA opted to first study and facilitate a broader conversation about the greater Kaimuki area, not just the Queen Liliuokalani Elementary School property. He stated that UHDCDC later offered to expand the study area to include the Kalani Complex since the Kaimuki Complex does not cover all of the Kaimuki area. ED Farias expressed his hope that SFA can use this study to determine whether there are any sites in these complexes that could be developed in alignment with SFA's strategic goals. He reported that the next step would be SFA selecting potential opportunity sites for UHDCDC to conduct further analysis.
2. Emily Gillmar presented on the process UHDCDC used to create the preliminary report, the filtering methodology, data sources, workflow, examples of how the report could be used, and next steps.
3. Chairperson Oshima requested clarification on the use of identified sites. Gillmar stated that the sites could be used for pre-kindergarten, workforce housing, or office space. Next steps may help to determine whether revenue generation is a possibility with any of the sites.

- a) Board Member Edwards commented that SFA is focused on DOE-occupied parcels and its charge is to figure out how to better utilize those, so need to see the capacity of the real estate and how to get them to a higher or better use.
- b) ED Farias clarified that going forward the focus can be on DOE-occupied parcels.
- c) Chairperson Oshima stated that the first priority should be a DOE-occupied site and as SFA expands it can look at the other identified parcels.
- d) Board Member Mehnert stated that the study is a solid base, that the data needs to be applied with what SFA is tasked with, and that the next steps will help SFA achieve its goals.
- e) Board Member Aczon noted that this is a process and this discussion is part of that process.
- f) Board Member Iwase agreed with previous statements and expressed her appreciation for the data and report.
- g) ED Farias confirmed that SFA staff will work with the subcommittees on the next steps.
- h) Board Member Edwards suggested narrowing the study to DOE-occupied sites, regardless of land ownership or use.
- i) Gilmar asked about the possibility of SFA working with them to define and find a different term for underutilized properties.

X. Adjournment

Motion to adjourn the meeting (Iwase/Mehnert). 5 Ayes (Oshima, Aczon, Edwards, Iwase, Mehnert), 0 Nos, 0 Abstentions. Motion carries; meeting adjourned at 10:15 a.m.



STATE OF HAWAII
SCHOOL FACILITIES AUTHORITY
75 AUPUNI STREET, STE. BASEMENT
HILO, HAWAII 96720

February 6, 2024

MEMORANDUM

TO: SFA Board

FROM: Bettina Mehnert, Chairperson
Edmund Aczon, Member
Operations Subcommittee

SUBJECT: Board Action on Operations Subcommittee recommendation regarding appointment of interim executive director and ratification of appointment of acting executive director

I. BACKGROUND

Chad Keone Farias resigned as the School Facilities Authority's (SFA) Executive Director effective Monday, January 29, 2024. Board Chairperson Alan Oshima accepted his resignation.

Board Chairperson Oshima appointed Alison Kunishige, SFA Deputy Executive Director, to the position of Acting Executive Director, effective Tuesday, January 30, 2024, with no change to her monthly salary. This appointment was done so SFA's day-to-day operations could continue seamlessly. This appointment will terminate once the Board hires an interim executive director and the interim executive director starts working at SFA.

Subcommittees and the Board Chairperson met with a potential candidate and asked questions relating to the respective scope of authority of each of the subcommittees, as outlined in the SFA Board's bylaws.

II. PROCESS

Pursuant to Hawaii Revised Statutes (HRS) Section 302A-1704, entitled "School facilities authority board," the Board has the authority and responsibility to hire its executive director.¹

¹ HRS Section 302A-1704(f) provides, in pertinent part: "The board shall appoint an executive director of the school facilities authority who shall be exempt from chapters 76 and 89. The salary of the executive director shall be set by the board[.]"

Pursuant to Section 7.2(c) of the Board's bylaws, the Operations Subcommittee's scope of authority is the organization and operations of the Board, which includes the hiring of an executive director.²

The Operations Subcommittee was tasked with establishing a process to fill the executive director position, recommending a candidate, recommending whether the candidate be appointed on an interim or permanent basis, and recommending the salary that the Board should offer to the candidate.

The Learning Spaces and Workforce Housing Subcommittees will not provide a recommendation to the Board, but will be able to provide comments relating to meetings that they had with the potential candidate when the Board discusses the Operations Subcommittee's recommendation.

Because of the unexpected nature of the resignation and the desire to quickly fill the executive director position to continue SFA's momentum, the Operations Subcommittee elected to limit the pool of candidates to an individual familiar with the workings of SFA and DOE and determined that the Board should fill the executive director position on an interim basis at this time.

The Operations Subcommittee believes that the Board should offer the interim executive director the same salary as the previous executive director.

Board Chairperson Oshima appointed Ms. Kunishige as acting executive director so SFA could continue to operate while the Board looked to fill the executive director position. Because statute grants the Board the authority to hire an executive director, the Board must ratify Board Chairperson Oshima's action.

III. RECOMMENDATION

The Board has the authority and responsibility to hire its executive director. With the resignation of SFA's executive director on January 25, 2024, the Board immediately started the process of filling the leadership position to ensure that the

² Section 7.2 of the Board's bylaws, entitled "Subcommittees" provides:

"The Board may, as circumstances warrant, form a subcommittee to obtain information, make recommendations to the Board, advise the Executive Director, and perform any other functions assigned by the Board in an area of the Board's responsibility. The Board shall form a subcommittee through an amendment of these bylaws, subject to Article X of these bylaws, and shall specify the subcommittee's scope and mission in these bylaws.

The subcommittees of the Board shall be:

- (a) Subcommittee on Learning Spaces, whose scope is Authority projects related to the planning, design, construction, or renovation of learning spaces and whose mission is to assist the Board and Authority in achieving their goals under their "Expanding Inspiring Learning Spaces" strategic area of focus;
- (b) Subcommittee on Workforce Housing, whose scope is Authority projects related to the planning, design, construction, or renovation of educator workforce housing and whose mission is to assist the Board and Authority in achieving their goals under their "Spearheading Housing Solutions" strategic area of focus; and
- (c) Subcommittee on Operations, whose scope is the organization and operations of the Board and Authority and whose mission is to assist the Board and Authority in achieving their goals under their "Laying an Operational Foundation" strategic area of focus.

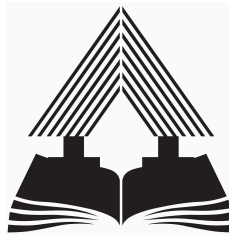
A subcommittee shall exist until repealed by the Board from these bylaws."

ongoing projects, including the Ready Keiki pre-kindergarten classrooms would continue without delay. Rick Fujitani, Director of the Department of Education's Office of Facilities and Operations's Auxiliary Service Branch has been deeply involved in the Ready Keiki effort and is knowledgeable about the needs, processes, upcoming renovations, and contracts and is willing to be considered.

The Operations Subcommittee recommends that the Board appoint Riki Fujitani to the position of SFA's executive director on an interim basis at the same salary as the previous executive director with an effective date determined by Chairperson Oshima.

The Operations Subcommittee also recommends that the Board ratify Board Chairperson Oshima's appointment of Ms. Kunishige as acting executive director, effective January 30, 2024.

Proposed motion: "Move to (1) approve the appointment of Riki Fujitani as interim executive director of SFA at the same salary as the previous executive director with an effective date determined by Chairperson Oshima; and (2) ratify Chairperson Alan Oshima's appointment of Alison Kunishige as acting executive director, effective January 30, 2024 and ending on Riki Fujitani's effective date."



STATE OF HAWAI'I
SCHOOL FACILITIES AUTHORITY
75 AUPUNI STREET, STE. BASEMENT
HILO, HAWAI'I 96720

February 6, 2024

MEMORANDUM

TO: Alan Oshima
Chairperson, School Facilities Authority Board

FROM: Alison Kunishige
Acting Executive Director

SUBJECT: Presentation on 2024 Legislative Session and Measure Tracking Process

I. BACKGROUND

The 2024 legislative session opened on January 17, 2024. That last day for legislators to introduce bills was on January 24, 2024. The School Facilities Authority (SFA) is tracking several dozen measures that could affect SFA operations or strategic goals.

II. SUMMARY

SFA is tracking legislative bills and resolutions that fall within four categories: prekindergarten facilities, educator workforce housing, school impact fees, and SFA operations. The prekindergarten facilities category includes measures that may affect SFA's strategic goals to renovate and construct prekindergarten classrooms, such as measures that would expand where certain prekindergarten classrooms may be built or how renovations or construction are funded. The educator workforce housing category includes measures that may affect SFA's strategic goal to plan, design, and construct education workforce housing projects, such as measures that would require the prioritization of educator workforce housing or exempt or eliminate certain requirements for such projects. The school impact fees category includes measures that would exempt certain projects from school impact fees or repeal

school impact fees altogether. The SFA operations category includes measures that may affect the operations of SFA, such as measures that would repeal the SFA, affect SFA's finances, or make changes to the Sunshine Law.

A list of bills the SFA is tracking is attached as Exhibit A.

III. TRACKING PROCESS

SFA would like to implement a measure tracking process that involves the SFA board in the legislative process. This tracking process includes the identification, categorization, and monitoring of bills and resolutions and the determination, development, and delivery of testimony.

Identification and categorization. SFA staff reviewed all the bills introduced during the 2024 legislative session and identified those that they determined to have the potential to have an effect on the strategic goals, operations, or duties of the SFA. Based on this review, SFA staff categorized these bills of interest into the four categories mentioned previously.

Each category is assigned to a subcommittee of the SFA board. Prekindergarten facilities measures are with the Subcommittee on Learning Spaces, education workforce housing measures are with the Subcommittee on Workforce Housing, and school impact fees and SFA operations measures are with the Subcommittee on Operations. It is possible for a measure to be related to more than one subject matter in which case the measure could be assigned to more than one subcommittee.

The board may add or change the categories for identifying and sorting legislative measures. However, it is advisable to do so as early in the legislative session as possible.

Determination of action and position. The SFA executive director leads the determination of whether to monitor or testify on a measure and the position of the SFA (*i.e.*, support, oppose, comment). The relevant subcommittees provide advice to the executive director on these determinations. To the extent possible, the executive director, in consultation with the relevant subcommittees, should establish the actions and positions that the SFA will take in advance of a hearing notice. A subcommittee can ask the executive director to change an action (from monitoring to testifying, for example) or a position on a measure at any time.

Monitoring and communication. SFA is monitoring measures daily through a tracker. SFA will be providing the SFA board with regular updates at the board's monthly meetings. In between board meetings, SFA staff will provide subcommittees with communications regarding the bills assigned to them. The subcommittees can determine the frequency of communication and the level of input they would like to provide.

Testimony, hearings, and meetings. SFA staff will develop written testimony for measures identified as requiring testimony from SFA. The executive director will approve any testimony in consultation with the relevant subcommittees. Written testimony will be from the executive director. To the extent possible, the executive

director will attend hearings of legislative committees to which SFA submitted written testimony and deliver oral testimony on behalf of SFA.

Generally, it is ideal for the executive director to handle any meetings with legislators related to SFA matters during the legislative session because of the fast-moving and dynamic nature of the legislative process to ensure consistent messaging from the SFA and its board. However, if a board member plans to or does speak with legislators about SFA matters, it is helpful to coordinate and debrief with the executive director.

Exhibit A

2024 Legislative Bill Tracking List

PREKINDERGARTEN FACILITIES

Assigned to Subcommittee on Learning Spaces

- HB1903 Expands access of early learning programs to other state properties and public lands besides public school campuses.
- HB2384/SB3073 Changes the means of financing for a portion of funds appropriated for deposit into the school facilities special fund to expand pre-kindergarten student capacity within the State from general funds to general obligation bond funds. Extends the lapse date of the funds.
- HB2398/SB3087 Expands access to early learning programs on other state properties and public lands besides Department of Education public school campuses.

EDUCATOR WORKFORCE HOUSING

Assigned to Subcommittee on Workforce Housing

- HB1631/SB2283 Requires the school facilities authority to work with the Department of Education to prioritize projects for the construction of educator workforce housing that will house teachers and other staff of the Department. Requires the School Facilities Authority to include in its annual report to the Governor, Board of Education, and Legislature the actions the Authority will take within the next year, three years, and five years toward increasing educator workforce housing. Requires the Department of Education to collaborate with the Department of Land and Natural Resources, Maui County, Kauai County, and other appropriate state departments and agencies to submit a preliminary report to the Legislature on the status of lands designated to be transferred to the Department of Education pursuant to Act 307, Session Laws of Hawaii 2022.
- HB1692 Allows condominiums to be eligible for commercial property assessed financing.
- HB1764/SB2015 Amends the priority for which moneys in the Rental Housing Revolving Fund are to be used.
- HB2358/SB3047 Codifies the exemption from environmental impact statements for affordable housing projects that meet certain criteria.
- HB2801/SB2533 Allows condominiums to be eligible for commercial property assessed financing.

- SB2002 Exempts certain housing projects reserved for certain students, faculty, and staff of public educational institutions from environmental assessment requirements.
- SB2025 Eliminates certain restrictions for developing state-owned real property located within one-half mile radius of any station along the elevated mass transit system. Permits high-density development of state-owned real property located within one-half mile radius of any station along the elevated mass transit system. Prohibits each county from adopting ordinances that restrict housing density on state lands that are within 0.5 miles of an elevated mass transit station.
- SB2041 Requires that in evaluating and determining the award for redevelopment of state or county lands through competitive sealed bidding or competitive sealed proposals, the number of housing units proposed in conjunction with project design and financial feasibility shall constitute forty per cent of the evaluation score criteria regardless of whether the development of housing is proposed. Applies to the urban areas of state or county land located within a one-half mile radius of mass transit stops or stations.
- SB2077 Establishes an Interim Construction Subaccount within the Dwelling Unit Revolving Fund to be used for the interim financing of new construction projects under section 201H-43, HRS, prioritizing projects located on state or county-owned lands in counties with a population of less than five hundred thousand; provided that, for units in for-sale projects, the units shall be made available only to Hawaii residents who are owner-occupants and own no other real property.
- SB2727 Allows high-rise residential condominium properties to be eligible for commercial property assessed financing.

SCHOOL IMPACT FEES
Assigned to Subcommittee on Operations

- HB2030/SB2651 Makes permanent the exemption from school impact fees of housing developed by the Department of Hawaiian Home Lands.
- HB2091 Repeals school impact fees. Transfers unencumbered balances of the school impact fee subaccounts to school facilities special fund.
- HB2419/SB3108 Repeals the July 1, 2024, sunset date of section 1 of Act 197, Session Laws of Hawaii 2021, to make permanent the exemption of housing developed by the Department of Hawaiian Home Lands from school impact fees.
- SB2022 Exempts certain housing developments from assessments of school impact fees.

SB3333 Exempts accessory dwelling units, ohana dwelling units, and certain affordable rental housing projects developed pursuant to a county ordinance from school impact fees. Effective 6/30/2024. Sunsets 7/1/2026.

SFA OPERATIONS

Assigned to Subcommittee on Operations

HB1537/SB2056 Proposes amendments to the Hawaii State Constitution to increase funding for public education for the children and adults of Hawaii by authorizing the Legislature to establish, as provided by law, a surcharge on residential investment property valued at \$3,000,000 or greater.

HB1597 Provides a specific right of action to challenge decisions of the Office of Information Practices relating to the State's open meetings law. Aligns the enforcement mechanisms for the State's open meetings law with the State's Uniform Information Practices Act.

HB1598 Establishes that board packets shall be made available for public inspection no later than two business days, rather than forty-eight hours, before a board meeting. Clarifies that public testimony may be submitted to the board before the meeting.

HB1599 Requires public meeting notices to inform members of the public how to provide remote oral testimony in a manner that allows the testifier, upon request, to be visible to board members and other meeting participants.

HB1600 Requires that a board may only schedule a meeting for discussion and decisionmaking on a report by an investigative group six days after the investigative group has made a report of its findings to the board.

HB1800/SB2234 Adjusts and requests appropriations for fiscal biennium 2023-2025 funding requirements for operations and capital improvement projects of Executive Branch agencies and programs.

HB1858/SB2198 Provides that supplemental information received within 48 hours of a meeting of a board subject to state open meetings law may be added to the board packet; provided that the public is promptly provided access to the supplemental information.

HB1859/SB2199 Authorizes any board that is subject to state open meetings law to hold a closed meeting for the purpose of providing training to new and current board members.

HB1975/SB2751 Establishes accessibility standards for the distribution of public documents and media presentations by boards as defined in section 92-2, Hawai'i Revised Statutes. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation.

- HB2168/SB2830 Amends the definitions of "board", "board business", and "meeting" within state open meetings law to expand the scope of the law to include state and county policymaking groups, including groups created by emergency proclamations.
- HB2211/SB2599 Prohibits a board or commission from authorizing a base salary for a position and prohibits an employee from receiving a base salary, in excess of the amount designated in the budget enacted by the Legislature or other legislative enactment, unless approved by the Legislature.
- HB2527/SB2353 Requires the Board of Education to adopt rules for facility maintenance. Requires that the condition of Department of Education facilities be periodically evaluated.
- SB2116 Requires boards to use interactive conference technology to remotely conduct public meetings in conjunction with in-person meetings that allow for public participation. Requires boards to archive minutes of meetings on their websites.
- SB2172 Establishes the priority of who may assume the authority and duties of a chairperson of a board or commission in the chairperson's and all co-chairperson's absence at a hearing or meeting of a board or commission. Prohibits staff members from assuming the authority and duties of the chairperson of a board or commission.
- SB2517 Required that heads of agencies that require board appointments be made through a publicly established process and timeline. Requires that a vote by a public agency board to hire an officer or employee be conducted in an open meeting.
- SB2597 Clarifies that the prohibition against board and commission holdover members from holding office beyond the end of the second regular legislative session following the expiration of the member's term of office takes precedence over any conflicting statutes.
- SB2636 Requires a board to offer remote testifiers an option to be seen and heard by the board and the public when offering remote testimony. Authorizes a board to remove or block any persons who intentionally disrupt or compromise the conduct of a meeting.
- SB2637 Clarifies that the third meeting of public agency meetings must occur not less than six calendar days after the second.
- SB2638 Requires boards to make available for public inspection board packets, if created, at the time the board packet is distributed to the board members but no later than two business days before the meeting. Carves out an exception by allowing public testimony to be distributed to board members within two business days before the meeting.

- SB3203 Enables boards to operate more effectively by amending sections of the Sunshine Law pertaining to the declaration of policy and intent, permitted interactions of members, limited meetings, executive meetings, exceptions, board packets, and minutes. Amends the definition of the term "meeting".
- SB3307 Requires the Director of the Office of Information Practices to adopt rules to establish a process for the selection and appointment of trusted public representatives. Allows the Director of the Office of Information Practices to assign trusted public representatives to observe board meetings closed to the public. Requires the Director of the Office of Information Practices to include in the Director's annual report the activities of trusted public representatives. Requires trusted public representatives to submit a confidential report to the Director of the Office of Information Practices that a board meeting was conducted in conformance with chapter 92, Hawaii Revised Statutes. Defines "trusted public representative". Allows boards to hold certain meetings closed to the public if a trusted public representative is assigned to the meeting by the Director of the Office of Information Practices and is present at the meeting.
- SB3328 Clarifies the Department of Education's authority to oversee public education facilities and real estate development. Establishes the Office of Facilities and Real Estate Development and the Office of School Operations and Services. Repeals the School Facilities Authority. Reorganizes the Department of Education's organizational structure for facilities and real estate development. Establishes positions. Makes conforming amendments. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation. Repeals the Office of Facilities and Real Estate Development and Office of School Operations and Services 7/1/2031.