

Meeting of the
HAWAI`I COUNTY HOUSING AGENCY
Hilo, Hawai`i
April 4, 2017

Agency Members Present

Aaron Chung
Maile Medeiros David
Karen Eoff
Eileen O'Hara, Ph.D.
Dru Mamo Kanuha
Susan "Sue" L. K. Lee Loy
Valerie T. Poindexter
Herbert M. "Tim" Richards III, DVM
Jen Ruggles

Absent and Excused

Excused --Arrived 9:43 a.m.

Staff Members Present

Neil S. Gytoku
Lance Niimi
Sharon Hirota
Alan Rudo
Royce Shiroma
Amy Bautista

Guest Speaker

David W. Leake, PhD, MPH

Deputy Corporation Counsel

Amy Self

Members of the Public

Ron Amundson
Chris Cholas

Mrs. Poindexter (9:05 a.m.): Are we ready? Yeah, ok...okay we'd like to get started, I'd like to welcome everyone to the Hawai'i County Housing Agency meeting. Today's April 4, it is now 9:05, we are here at the Hilo Council Chambers.

So I'm going to be serving as the *Chair Pro Tem* until we can duly elect a Chair for this Hawai'i County Housing Agency but at this time I would like to call the meeting to order. I'd like to introduce the members of our Housing Agency, to my far right we have Mrs. Lee Loy, good morning; Ms. O'Hara, I'm assuming will be joining us soon; Mr. Richards; Mrs. Eoff, to my far left;...coun...Mr...I wanna say Councilmember and I...Mr. Chung has an excuse, he will be joining us later; we have Ms. Ruggles, Mr. Kanuha; and Mrs. David and I am your *Chair Pro Tem* Mrs. Poindexter.

So before we get started and because this...we have new members on the Council, there is a clear separation of duties as being a Councilmember versus a Housing Agency member, because the duties

are different I'm going to ask our Deputy Clerk, Jon...is Jon here...oh okay...Jon Hendricks to come up...to try...explain to us what the difference is...is and what we're doing as the Housing Agency Member versus the County...being a County Council Member.

Mr. Hendricks: Okay, very briefly, but good morning members of the Hawai'i County Housing Agency, Jon Hendricks, Deputy County Clerk, County of Hawai'i. As your first meeting, just to be clear if you would like to see the provisions for...the County Provisions... for your role that its comprised of the nine Council members you look to Article 13, Chapter 2 of our Hawai'i County Code, Division 1, which talks about the Hawai'i County Housing Agency. We did a fair amount of research on this topic because we underwent revisions to this Article in 2014, I think Mrs. Self is here somewhere, we had worked on that together and part of that purpose of those revisions was to clearly delineate the roles of the Housing Agency and the Council and as Housing Agency Member Poindexter *Pro Tem Chair* just explained there is clearly a separation of duties, this is not a legislative function your serving. I wish I had a little bit more information historically...I do have it...there is a lot of research that's done...maybe we'll follow up with something written...e-mailed to you folks just so you have the clear background...weather that's relevant or not we'll provide that to you. But again, it just that essentially that you're a board and when serve...when you meet as a housing agency you are the housing agency, you don't performs legislative functions, you essentially meet as a board and provide input as the Office of Housing and Community Development needs your services, so how this all works essentially is that they create agendas for items when they need your approval or input or to share information with you and then we work...the Office of the County Clerk...works with the Office of Housing and Community Development, just to put these meetings together and coordinate...and again, the Housing Agency is not a Committee of the Council, we just schedule these meetings at this time because it's convenient, you all here and available, so just wanted to point out those things that Housing Agency Member Poindexter asked to just make those clear delineations on what you roles are and you know not that I really understand it, I'm sure these people explain it more but if you look to what powers and what your duties are its in section 2-68 and it basically says:

"Obtain loans, insurance and guarantees from the State or the United States, or subsidies from either as applicable; and

Enter into agreements, as applicable, with appropriate officials of any agency or instrumentality of the United States in order to induce such official to make, insure, or guarantee mortgage loans under the provisions of the National Housing Act, as amended."

And then very quickly your role is really to provide adequate housing in the county as you deem necessary, that general, so it's all about housing, it's not about Council, if there is matters that require legislative action that come to you as the committee, weather its finance or housing or human services and then you act on it as the Council.

Mrs. Poindexter: Thank you, thank you very much. Do we have any questions for Jon on the Housing Agency? So everybody's clear with what our...our responsibilities are as Housing Agency members? Okay? Thank you Jon. So at this time I would like to take statement from the public on agenda items...and I don't see anyone...does anyone want to testify?

(no response)

Mrs. Poindexter: Okay? So, okay. So were moving on to the approval of minutes. Can I have a motion to approve the minutes of May 16, 2016?

Mrs. Eoff: So moved.

Mrs. David: Second.

Mrs. Poindexter: Its been moved by Council...Mrs. Eoff and seconded by Mrs. David. Any discussion on the minutes? No, okay...all those in favor say Aye.

All (present) said aye.

Mrs. Poindexter: All those opposed...okay we have eight ayes and one excused (Aaron Chung). Okay, new business, so the appointment of the Chair, so would anyone like to nominate someone to be a Chairperson? Councilmember David?

Mrs. David: Yes, good morning and thank you Chair Poindexter Pro Tem. I'd like to nominate Mrs. Eoff if she'd be willing...thank you.

Mrs. Eoff: I'm in.

Mrs. Poindexter: okay...

(inaudible; laughter)

Mrs. Poindexter: Is there any other nominations...any other nominations?...

Mrs. Lee Loy: Motion now to close the nominations. I know how this works...

Mrs. David: Second.

Mrs. Poindexter: All in favor of closing the nominations say aye.

All (present) said aye.

Mrs. Poindexter: So doing a vote, Mrs. Eoff your willing to accept the Chairmanship?

Mrs. Eoff: Okay, yes, I will.

Mrs. Poindexter: Okay. So we'll move to approve Mrs. Eoff as Chair, all those in favor say aye.

All (present) said aye.

Mrs. Poindexter: All those opposed...okay, eight ayes and one excused (Aaron Chung). Now for Vice-Chair, any nomination for Vice-Chair on this committee? Mr. Kanuha...you are raising your hand to be a Chair?

Mr. Kanuha: I was waiving outside.

Mrs. Poindexter: Oh, okay (laughter) I thought...you...you almost...you almost got...got him elected as Vice-Chair whoever you are on the outside. Cause he was waiving his hand like yes I want to be a Vice-Chair, so I don't you may get nominated now, who knows...any nominations?

Mr. Kanuha: I nominate Mr. Richards.

Mrs. Poindexter: Okay.

Mr. Richards: (inaudible)...I get enough on my plate.

Mr. Kanuha: Okay, who wants to be Vice-Chair?

Mr. Richards: I nominate Dru.

Mr. Kanuha: No, no, no.

Mrs. Lee Loy: You know...I was going to say when your absent, you actually get the hall pass so since Mr. Chung is absent...

Ms. Poindexter: Ohhhhhh, okay, that's...okay, so we have a nomination on the floor as Mr. Chung as Vice-Chair, any other nomination?

Unidentified: No.

Mrs. Poindexter: Seeing or hearing none, okay, so nominations are closed. All those in favor of Mr. Chung as Vice-Chair say aye.

All (present) said aye.

Mrs. Poindexter: All those opposed...okay, eight ayes. Mr. Chung is the Vice-Chair. So at this time...

Mrs. Lee Loy: Nobody going be absent ever again.

Mrs. Poindexter: At this time I'd like to turn this Housing Agency meeting over to our newly elected Chair, Mrs. Eoff.

Mrs. Eoff: Okay, good morning. The next item on the agenda under new business is the approval of the Housing Agency Plan for the Housing Choice Voucher Section 8 Program for the County of Hawai'i. And I would like to ask our Housing Agency Administrator to please introduce himself and go ahead with the presentation.

Mr. Gyotoku: Good morning, my name is Neil Gyotoku, I'm the Housing Administrator and I would like to introduce some of my staff who are here today. I have my Deputy Lance Niimi, also my Existing Housing Section, Sharon Hirota, my Housing Specialist Royce Shiroma who does our IT, I also have Amy Bautista, my Private Secretary and Amy Self, of course our Corporation Counsel, like that. This morning...I'm sorry, Mr. Alan Rudo, he's my Housing Specialist, he's also our fair housing person. Thank you for the time Mrs. Chairman. First order of business, I guess, would be the approval of the Public Housing Agency Voucher Choice Five Year Plan and Annual Plan. I'd like to call Mrs. Sharon Hirota up my Existing Housing Division Chief.

Mrs. Hirota: So, good morning, my name is Sharon Hirota, I'm the Division Manager for the Existing Housing Division and were here today requesting your approval of our annual and five year plan. This is a required document for the Housing Choice Voucher Section 8 Program that we must file annually. So the plan details what we as an agency that manages the Housing Choice Voucher Section 8 Program will accomplish between July 1, 2017 thru June 30, 2018. The five year plan covers the period 2015-2019 so it talks in general. These are HUD forms that the agency puts out and we must complete to document our actions over the next twelve months. Before we...before you take a vote on it, I just also want to put on the record that a few weeks ago my office staff either sent you information regarding...asking you questions as to whether or not you are property owners on our island and are renting those, and are renting it through the section 8 program. We haven't received all of our responses but if your are currently a recipient as a landlord for section 8 monies, I have to ask that you refrain from voting cause there may be a conflict of interest. I'm having...my staff this morning called the ones that we are missing and is following up with your individual aids to make sure we have that documentation in our files.

Mrs. Eoff: So does that end your presentation?

Mrs. Hirota: Yes, yes it does, sorry.

Mrs. Eoff: I'll open it up to Councilmembers and they can continue to ask questions. Mrs. Lee Loy.

Mrs. Lee Loy: Hi good morning Sharon, Neil good morning...part of your PHA plan you had a goal of expanding assisted housing and I noticed that one of the measurable that you had was to continue to look for additional funding and then I guess in July there was an approval of 200 housing choice vouchers from Kauai? Share with me that...that's a lot. That's a lot!

Mrs. Hirota: So in calendar year 2016 we received additional funding from HUD based on our performance. We reached out to other agencies within our State and Kauai County had gotten vouchers after their natural disasters Iniki and Ewa. And so they had these vouchers that were "on the shelf" that were available but they had no funding. So we reached out to their administration asking if they were willing to transfer theses vouchers to our agency and it was approved by HUD on July 1st of last year.

Mr. Gyotoku: I would like to add that...I would like to add her office has been diligently working and they've leased out most of the vouchers and right now I think were at what 97%...

Mrs. Hirota: 98%

Mr. Gyotoku: 98% of our lease up.

Mrs. Lee Loy: So what's that dollar amount?

Mrs. Hirota: The addition funding we got was 1.2 million dollars. So right now we operate for housing choice voucher around 15 million.

Mrs. Lee Loy: and then does that 200 in addition to what we had stay in our inventory or do we ha...I...

Mrs. Hirota: stays in our inventory.

Mr. Gyotoku: We have a total of over 2000 housing vouchers.

Mrs. Lee Loy: okay.

Mrs. Eoff: Any other questions or comments committee members?
Mr. Richards.

Mr. Richards: Could you go over the...underneath your mission...you talk about violence against woman act goals. Could you go over that and just summarize that and what you're doing with it and where you are with all that.

Mrs. Hirota: So HUD places a big emphasis on ensuring that individuals who may violate program rules because of domestic violence situations are not put in the position where they will become homeless or asked to leave and so they are, through what they call the violence against woman act...so whether the violence is against a woman or a man, if there is an incident that the landlord is now saying...that because of the situation we want you out of our unit...then we will step in and ensure that nobody loses there voucher assistance. And that we will continue providing rental assistance either at the unit or if somebody is fleeing then the voucher assistance will follow them.

Mr. Richards: Follow up? Okay, so and it talks about a...a update, do you have that as far as what you've been able to accomplish with that or what you've been being able to deal with?

Mrs. Hirota: So HUD just put out new publication in December of 2016 which we've already implemented. There's additional notices and information that we, not only need to get to our participants of our landlord, but to applicants who are interested in our program as well as to our landlords so everybody...we need to make sure everybody is well aware that these individuals who are victims of domestic violence are protected.

Mr. Richards: Okay, could I get a copy of that, could you get that to my office?...Thank you.

Mrs. Hirota: Sure...we'll forward it.

Mrs. Eoff: Thank you Mr. Richards. Any other comments? Questions? Mrs. O'Hara.

Dr. O'Hara: Thank you Chair. I just have a couple little questions on page 8 of your report it mentions the self-help program and I'm familiar with habitat for humanity housing program but not so much the self-help, can you just give a little background on that?

Mrs. Hirota: So the self-help program on our island is managed by Hawai'i Island Community Development Corporation or HICDC. So our partnership with them is that as individuals increase their earned income or in a position to become...to transition from renters to home owners we connect with the non-profit to see how we can get our families connected to their self-help program. So far we've been fortunate enough that we have families who have connected through units in North Kohala as well as in Hawaiian Paradise Park in their latest project.

Dr. O'Hara: Okay, thank you.

Mrs. Eoff: Thank you. So at this time committee members I believe we need to take a vote to approve the housing agencies plan for the section 8 voucher program. All...all in favor please say aye, oh wait, did I need a motion?

(inaudible discussion)

Mrs. Eoff: I'm sorry...

Mr. Richards: I'll move.

Mrs. Eoff: ...I think I should have asked for a motion to...we have a motion to approve the housing agencies plan for the housing choice voucher program?

Mr. Richards: I moved, she seconded.

Mrs. Lee Loy: Seconded.

Mrs. Eoff: Moved by Mr. Richards; seconded by Ms. Lee Loy. All in favor say aye.

All (present) said aye.

[Note: record, 8 ayes (Aaron Chung excused)]

Mrs. Eoff: Thank you. Okay the next item is "D." Highlights of the Study prepared by Center on Disability Studies at the University of Hawai'i at Manoa presented by David Leake...I think that's how to pronounce it...Ph.D., MPH...is that correct? Mr. Lea...or Dr. Leake?

Response: David.

Mrs. Eoff: David, okay. Thank you. You may go ahead. Introduce yourself again for the record.

Mr. Rudo: Well, I'm Alan Rudo, Office of Housing, Housing Specialist.

Mrs. Eoff: Thank you.

Dr. Leake: Good morning Councilmembers, my name is David Leake and I've been asked to help give a summary of a study we did. I'm with the Center on Disabilities Studies at the University of Hawai'i at Manoa. So we have a power point presentation and at any time you can just ask questions if they come up. So we did this study because HUD requires jurisdictions that get federal money for housing to do a study of what they call impediments to fair housing choice. And every five years I think they have to submit and our Center on Disabilities Studies was contracted by 8 different agencies state and county level so we can do the statewide study and submit that to HUD. We were contracted because the fair housing work group decided that...to focus on disability population and this report, because disability is the most common basis for complaints about discrimination in fair housing. Oh by the way, you'll see a um, website, if you click

on that, you would get the full report...electronic version. Am I speaking too loud?

(inaudible discussion)

Dr. Leake: So I'm just going to talk about two basic issues for people with disabilities and focus on the Hawai'i, Big Island issues. So first of all we have the affordability challenge. Because people with disabilities tend to be in the lower income... over represented...among low income people. So if you look at the disability rate for Big Island, it's said to be, according to American Community Survey, 13.3% or so, of Big Island residents are considered to have disabilities by their self report and you compare that to 11.1% for the State and 12.3% for the country so Big Island has a slightly higher disability rate than many other places. If you look at the senior population 65 years and older it's a much higher rate, of course, 39.0% and then also look at the poverty rate, which is quite high for people with disabilities at almost 25% and that's compared to about 19% for all Big Island residents and also look at employment, the reported employment rate for Big Island people with disabilities, that's the working age (18-64) is only about 29%, compared to about 65% for all Big Island residents in that age group. So you can see, you know, people with disabilities are likely to have issues in affording housing. And especially consider people with more severe disabilities qualify for social security income, and for many of them that's their main income. The rate in 2014 was only 721, I think its 735 now. That only covers 78% of the rent for just a studio apartment on the neighbor islands.

And the other associated challenge is accessibility. For many people with disabilities have mobility impairments. Using wheelchairs, walkers, etc. One issue is that most affordable tends to be the older housing and less likely to be accessible. So in town areas you have walk up apartment buildings without elevators and rural areas you have a lot of single family homes that are raised above the ground so you've gotta have steps going up to the door and wheelchair ramps are expensive, so that's an issue. In our report we have a lot of complaints because in the section 8 vouchers there's a time limit of, I think, well it depends, but whether its 30 or 60 days, a lot of people with say a wheelchair or access issue cannot find such a place within that time limit. So in our report we did look at recommendations that are out there for affordable housing increase. So in our report we had all these, sort of, summaries of recommendations that came up from people we interviewed so

these are some of the things that came out, either through personal interviews or reports that were made on...on this issue by other organizations. So of course there's the issue of ADUs (Accessory Dwelling Units) which they've have started on Oahu, that's something to consider. Here on the Big Island the idea of allowing more single wall homes, that could reduce construction costs and increase affordable housing. The big advantage on Big Island is low land prices compared to the other islands so maybe there's more opportunities to build subsidies housing that could be rented more cheaply. For the UH college campuses, maybe UH should be building more dormitories for their students which would free up housing in the neighborhoods. Something that came up, especially on Oahu, at this point was...homes are not allowed to have more than one kitchen. Which was to prevent too much use of these home for rentals, to separate them into rental units. But if you want to increase affordable housing maybe you should allow multiple kitchens in a...one structure. Something that came up, especially for people with disabilities, that are very...what I call developmental disabilities, such as down syndrome, they have a lot of supports from the government, so they could live in a unit and they might get...somebody would be hired to come in and help them stay there and do their chores and support them. But there's sort of...the idea is there should be a way for two or three of them to combine there section 8 vouchers so they could get say a two or three...four bedroom place, where several could stay together and then they could have a caretaker, to take care of all of them. Also, Department of Health requirement that homes, if they add a bedroom...this is pretty relevant for Big Island, would have to upgrade from cesspool to septic system, if they add a bedroom...so if there's an exemption to that, that could increase affordable housing. And then in our report when you really just look at the accessibility issue for affordable housing...it would be good...if it could be located within in walking (inaudible) of rural town centers. On the Big Island you have large areas where people might live and need transport that are hard to reach so that paratransit service could be stronger and that would allow them to live in more low cost areas. Revise zoning requirements, so accessible home construction is required by your building and zoning codes. Then HUD has this requirement for all publicly financed housing to have at least 5% units to be physically accessible and 2% sensory...what they call sensory accessible. But there's no requirement, that, that can't be increased by your local jurisdictions...you could increase the percent...those percentages. And finally, you could require all new housing, even with private financing, not just public financing, to have accessible features. And that's call visitable housing. So the rest of this presentation all try to

go briefly over a case for visitability. So visitable housing that means, the housing is called visitable because people with mobility impairments are able to thereby visit their friends, their neighbors. So there are standards that have been developed for accessibility in US and international building codes and the lowest level is called type C or visible. So here are listed the six features, the most essential or common is at least one zero step entrance; and interior doors at least 32" wide; and on the ground floor a bath that they can...a bathroom that they can use...that's accessible; and you want for long term use, bathrooms often for people with disabilities they need grab bars so they can do it themselves without help, so the idea is bathroom walls should be reinforced at construction time so they can be...those grab bars can be installed later; and then less common but part of visitability would be space to maneuver a wheelchair in food preparation room and light switches and electrical outlets that are in comfortable reach, not too high, not too low. This is just a slide I cockroached from another power point, it just on the left side, you see...this survey found that in fact people with mobility impairments do not leave their homes quite often. Only 55% are said to leave their homes...I forget, you know, how often they're measuring...but it obviously a big difference between them and people without mobility impairments. And another big issue about visitability is the concept of aging in place. Which means that the home is already, you know, constructed so that if somebody who lives there ends up needing to use a wheelchair or have some other mobility device that they can easily get around the home and stay there. It doesn't have to be modified, which costs a lot, or they don't have to even go to a care facility, which is really expensive and of course people want to stay where they've lived...you know, been living. And the association...The American Association for Retired Persons (AARP) is, of course, a big proponent of that. And we can say Hawai'i has a greater need for aging in place, housing, compared to other states actually because we have the Nation's fastest growing population of seniors. It's been dubbed a silver tsunami because it threatens to overwhelm our health and elder care systems. Here's a...a graph from our report, and you'll see the top two bands are elderly 85+ years is the top tan band and the greyish band is the elderly 65-84 years, so from 1980 to about 2030 that proportion of the population will increase by about 3x from about 8% to 25% or 23%. So that's something to be aware of. This is another slide I cockroached. This was a study of...nationwide, urban versus rural. And you can just see that most housing does not have these essential features for accessibility such as step down (inaudible), inaccessible kitchen, the big rural urban difference is rural lacks elevators

when there's stairs that have to be go up...that have to be used. So those slides I just showed I have this slide added because it has a web address for the home usability network so if you're interested in finding out more they have a lot of materials and videos and publications. Because Big Island is rural this organization is...Montana...University of Montana, so they are very focused on rural issues also. And a couple of picture to show what we're talking about on the left is a pretty typical home, raised up above the ground, it has steps, and on the right is your ideal stepless entrance. And it shows a lady with a baby stroller, just to emphasize that this is something that benefits, not just people in a wheelchair but many other people. And then concerning bathrooms that always a big issue, on the left is a typical kind of local bathroom, which is clearly inaccessible, on the right is your ideal...its nice and open and it's got grab bars already installed. Were...were sort of stressing that it good to consider visitable housing as soon as possible because a lot of housing is in the pipeline across the state. And this...this is from our report...it's just showing the...you know Hawai'i Department of Business Economic Development and Tourism projections from 2015 to 25, based on the growth of the population, Hawai'i county is projected to have the most population growth at 29% over those 10 years and need...over 19...almost 20,000 new units it kinda incredible to believe that that will happen. As those new homes get built, it would be nice if they could be...the idea of visitability could be really promoted for them. So across the country since 1990 there's been a lot of efforts to promote visitable housing and, you know, there's a lot of places its more...they give tax credits and they encourage it. But you know, just looking at those, that hasn't resulted in much increase in visitable housing. The places where it's really worked...were its mandatory laws unfortunately...but we do have a good model is Pima County Arizona, so the large unincorporated area outside of Tucson had one of the first mandatory visitability laws. And Tucson joined, I think in 2006, 4 years later. So this...in this example at first the builders claimed this requirement would add 10-20 thousand dollars to their building costs but you have to take other things into consideration, so when we talk about a house for life if visitability is built in from the start you don't have to modify...so if a family is looking ahead...they should want this kind of house to begin with because otherwise...these are estimates for Hawai'i...adding a wheelchair ramp to an entrance costs \$3000-\$10,000; making a bathroom wheelchair accessible costs \$8,000-\$20,000; and strengthening the bathroom walls for grab bars, your gunna pay about \$500. In the slide it mentions, there've been estimated, up to 70% of homes will have someone

with a mobility impairment over their lifetime. So even if the first people to move in are fine, eventually somebody's gonna need it. So I mentioned Pima County, they said from 2002 to 2010, of course Arizona had a big building boom at that time. 21,000 visitable homes were built over the next 8 years. I quoted...there was visitability law proposed for the whole U.S. and the building...main building person from Pima County wrote the sub-committee in Congress and pointed out that with appropriate planning that construction could result in no additional costs, indeed the jurisdiction no longer receives builder complaints regarding the ordinance and the ordinance has been so well incorporated into the building safety plan review and inspection processes that there is no additional costs to the county to enforce its requirements. From a real estate perspective homes built to the standard are deemed more marketable, but even more importantly the accessible features of these homes remain unnoticed when toured by individuals not seeking accessibility. One of the initial concerns of the ordinance implementation was that it would result in homes appearing institutional in nature, this has not occurred within Pima County. So this brings up the idea that multi-generational...another way to look at it is not just visitability but multi-generational living which is...Hawai'i has the highest rate of that, its 7.2% and only about 32% of Hawai'i's older adults live alone compared to 41% nationally so homebuilders are finding what they call multi-generational home designs which are accessible but then you make sure your ground floors have bedrooms and accessible bathrooms, so elderly family members do not have to worry about going up and down stairs and ideally you'd have a kitchen up and down also. That's the presentation.

Mrs. Eoff: Thank you very much.

Mr. Rudo: I did want to add a comment, you know, part of getting this study done is, is you know, there was a lot of suspicion, we do this study every 3-5 years because its federally mandated and, you know, we were as the fair housing officers from the different counties and state were talking, we were feeling that, you know, Hawai'i County is the low cost county for land and that were going to be the ones housing people with disability, especially Puna. And I think a lot of that came out with the study. And I also wanted to tell you in that study there's a lot of other material about affordable housing in there, so please take a look at it and I think you'll find it an excellent study to read with a lot of wonderful background about the history and how we got to where we are today but there's another term in there that I think's real important to bring out, it called

universal design and I really like universal design because the concept is that its...when you build this way it universal...its good for us...it doesn't look institutional...its good for people without mobility issues and its good for people with mobility issues and I think it's a real...I'm really concerned about this from the affordable housing issue because we have a big push to get affordable units but we have the silver tsunami that nobody's really looking at, that's coming and you don't want to put people into these housing units...lifecare and stuff 9 to 14 thousand dollars a month, you know, so were trying to look at different solutions. So the disability rights group, Hawai'i Disability Rights and Disability Rights Hawai'i are both making efforts to try to get these efforts into law and their working with our office and were actually trying to work with them to see how we can bring this forward in a positive approach and try to make carrots for people to embrace this. The low income housing tax credit developers that I've talked to, they like this, like the Keith Kato's...and the guys...their doing the ADA units and then their also doing most of um...the ground floor accessible...to at least fair housing design requirements, so were trying to get a lot more buy in from the developer but we thought this was really important to bring forward because this really is something I think is gunna come to forefront more and more, you know, as the pressure for affordable housing and the pressure to do something for these elderly family members, you know, is something that we face. So anyways, I really appreciate the study and I hope you guys get a lot of value out of it too.

Mrs. Eoff: Thank you Mr. Rudo. Councilmembers do you have any questions? Ms. Ruggles...

Ms. Ruggles: Thank you, thank you for your presentation. I just had a quick question. Is it on? On one of your slides and the recommendations it says that we should allow for people with disabilities to combine section 8 vouchers. Do you know how we would do that?

Dr. Leake: I don't know, I don't even know if the federal regulations would prevent that.

Mr. Rudo: You know, that's something that's come up and I will actually take a look at it with Sharon and discuss it with her, cause she's not here right now, but one of the things I did hear, and I want to check out before...before I bring it forward but I was hearing something about them allowing them to rent rooms with vouchers and if that is so that may be a case for this. So I don't know if that's come to fruition here or if

there's steps because obviously the federal parameters are what we have to follow, but it's something that were going to look into.

Ms. Ruggles: okay, great...thank you.

Mrs. Eoff: Thank you, Mrs. David...

Mrs. David: Thank you, Chair. Mr. Rudo, I just have one question I think in follow up as you were doing your presentation I...the thought came to my mind, when you...when that certain seg...section...or segment of people of with disabilities are unable to use their section 8 vouchers, what happens to them? do you have them re-apply, and you tell them...they have...they can't...you know...I know...I know their expired...but I'm wanting to know what happens to them? Do they go somewhere? What?...

Dr. Leake: They end up having to return their voucher and they just continue wherever they were, which is probably an inaccessible place.

Mrs. David: ...Right...wow! And...and, so...I think, Ms. Ruggles...Ms. Ruggles question, and this is a federal program so another suggestion I was thinking about is the possibility, especially for the mobile class, is can they get an extension on a voucher until they find some place...

Dr. Leake: I have heard they sometimes get maybe an extra 30 days.

Mrs. David: Or, you know, I'm thinking...

Dr. Leake: ...Eventually they just give up...

Mrs. David: ...right, the whole thing in my mind is their not able to go around and pretty much look for places to...

Dr. Leake: ...That's a big issue...is...

Mrs. David: ...right, so I'm just thinking, if they can get an extension until they find something...I'm not sure how that would work but it just seems to me that I feel sad that they have to go back out because there voucher expired. That's not a real reason to turn...no...it's not a funny matter...I'm sitting here listening and I'm going but what happens to them?

Mr. Rudo: I'd like to answer that question...

Mrs. David:thank you Alan...

Mr. Rudo:cause I work with that every day and it's a sad reality, they don't go to the bottom of the list, their off the list when they don't find a place. Now, by Sharon's program, she automatically grants them an extension, okay, so they get, I think its an initial 60 days and they can get another 30 or 60 day extension, but they can't give too many extensions because there's the federal guidelines and then its done. And the problem is these people aren't like you and I were they can easily go out and just check out any place so a lot of them wind up, you know, in sub-standard housing...

Mrs. David: So therein lies the problem, we are mandated by the feds to develop housing for this special class of people and yet we hamstringing them in their effort to look for housing, I'm not sure how to fix that, but it concerns me.

Mr. Rudo: And it is...we are in...we are by law required to give them a reasonable accommodation, because of their disability, to give'um the extensions. And I know Sharon bend over backwards to give'um as many extensions as we can.

Mrs. David: Well I'm glad to hear that because, you know, just really sadden me to say that, what? It expires?...

Mr. Rudo: Yeah, with...

Mrs. David:...and then what?

Mr. Rudo:and with all the extensions...they still run out. It's hard for people without mobility issues to find housing...

Mrs. David: to find homes, right.

Mr. Rudo:in such a tight market...

Mrs. David:...and that's my point...

Mr. Rudo:that, it's a real big issue.

Mrs. David:...right. Well thank you very much and for all that you folks do in trying to address this problem because it's really, it's become a real huge one. Thank you. Aloha.

Mrs. Eoff: Thank you. Everybody has their light on but Mrs. Poindexter...I'll go to her...

Mrs. Poindexter: How many County owned housing facilities do we have on the Island?

Mr. Rudo: County owned?

Mrs. Poindexter: Yeah.

Mr. Rudo: Well we have...well when you say County owned...

Mrs. Poindexter: so like...Kula'imano.

Mr. Rudo: well we have Kula'imano, we have Kiniole, most of the County projects we actually have are land and then we lease'um to the developer and they build'um and manage'um and that a model that we like actually better, at least my preference. But we only have a handful of those...

Mrs. Poindexter: And those accept, I mean, those are a lot of elderly housing units, but it allows for disabled...the disabled population? Do we know what percentage do we allow in? or...

Mr. Rudo: Well most of um were build under just the ADA guidelines and they have the 5%. So if you go to Kula...Kula'imano, I think it's actually higher, I think it's 10 cause there's 50 units and there's 5 mobility. And were actually, under Neil's direction, doing a lot to try to upgrade...and I believe he just got money through CDBG to help look at these issues...

Mrs. Poindexter: upgrade the ADA...

Mr. Rudo: ...with accessibility.

Mrs. Poindexter: Okay, and I don't know, you know here we have these gentlemen...I don't...I would love to hear if there are any issues that you have that we as agency members could advocate for you at the federal level or would you want to come and express some of that...those concerns that we need to look at? So if you could come to the table I would love to hear...we would love hear from you.

(inaudible)

Mrs. Poindexter: Then if...I guess for the record, the minutes, if you could state your name, for the record, and then you could proceed, please.

(inaudible)

Mrs. Poindexter: Oh can you...can you...at the base...there you go...thank you.

Mr. Amundson: My name is Ron Amundson, I'm a retired philosophy professor from UH Hilo and I'm now working with a group called Disabilities Rights Hawai'i, I'm the Secretary of that group. The real expert on the visitability issue which I think is the largest issue is Chris Cholas...he left...he has a lot of specific information about the visitability rules and things like that, but just as an exa...just sorta as an example, I've talked with a lot of people who deal with the section 8 vouchers and that time limit is a really horrible thing...I mean...I'm...I'm...glad that Mrs. David expanded on that because, I mean its just such a catch 22, you get...so...now you can look for an accessible house but there aren't any accessible houses. You know, Philosophy professors aren't really rich but I own my own house and I...when I...when I started to become seriously disabled, when I was about 40, I...my wife and I had a contest, she looked for accessible houses that we could buy, because we live in a plantation house and in the meanwhile looking all over Hilo, wherever we could find one...in the meantime, I looked for how to install an elevator and it turned out that I won...we couldn't find an accessible house. I went out to...to locations at the time it was sunrise estates, where there were houses being built and I would rush out there to...to see the land and in many cases I would arrive and they had the...the slab poured already, and the concrete slab was poured with a lip of 7" to get into the doorway, so I...I was too late. I'd have to get there before they poured the slab because the rules for the builders are, you have to make your house inaccessible...you have to make it so a wheelchair can't get in. And that's just the standard. Why should...why should that be? Why can't we have a standard that says, you build a house so that it's accessible, so that a wheelchair can get in there. There is no reason to build in concrete the 7" step to get into the house. Its complicated to come up with visitability ordinances or, you know, as David was saying carrots, I guess that was probably Alan, but the carrots to try to convince people...its gunna be really slow if all we have is carrots and unless we have something...unless we have something to make people take seriously the accessibility problem and its very difficult to do that with a young couple who is building their first home and

somebody tells them well you should be sure you can get a wheelchair in there when you get older...there not gonna believe that, I mean...I would never have thought I was going to use a wheelchair...surprise...and I have friends who use wheelchairs. I guess I should stop with that because it is a really serious problem and it's a problem even for people like me who can buy their own home, I mean I'm ready to buy a home and I can't find one.

Mrs. Poindexter: Thank you very much. If...you wanna sta...if, yeah, you wa...right there, press the button at the bottom and then state your name for the record for the minutes.

Mr. Cholas: My names Chris Cholas, is that coming through...

Mrs. Poindexter: yeah.

Mr. Cholas: and I'm also on Disability Rights Hawai'i, it's a non-profit with Ron and a few others. So we look at a variety of issues that affect people with disabilities to make our county more inclusive. On the housing, it a big one, I think if you think about it, how many of these houses on the rental market started as a private home? Someone built for them self? No thinking about the future and now there rentals and now were trying to find homes for people that are low income that have wheelchairs or mobility issues from strokes or whatever and there's nothing available so had there been a visitability ordinance back in...in the 70s, or the 60s, or the 80s, right? We would have in the rental market a lot more choice, so I think one of our promotions is...let's stop the bleeding and make visitability the wave of the future. We would be in the forefront of the nation because there are efforts going all over the country now to try to get visitability, we could be part of that movement. So I'd like to promote that we really look at how we can get visitability to be for new housing for all family dwellings and, you know, we have federal units for seniors and disabled that have those provisions but the waiting list for those...I'm on a waiting list for Mohouli...there saying I probably have to wait 2 years...I'm 60...I'm almost 67. So I used to walk with crutches, now I'm in a chair. So I'm going to have to wait 2 years...probably...to be able to be into a unit that's accessible. The other problem we have lack of available units so we need, we need to have more, more units built that are for people that are seniors and people with disabilities. And then on the section 8, cause I...I'm with...I used to be the...I used to work with a peer advocate with the Hawai'i Disability Rights Center, and we like was mentioned by David, a high percentage of complaints in the

fair housing are disability related and the voucher system really has kinda a prejudice against disabled people because there's no way that you can move...get any special treatment...as you shouldn't...but in this case you should...because there's so few units that are...that are accessible that if there's an accessible unit on the rental market there should be some way that a person with a wheelchair or a mobility impairment would get a higher choice for that one, so that's one issue. And then the other thing of course is the long waiting list because I understand that are...just for families there's like a 5000, there's 5000 people waiting on that list. I understand Lanikila, which is State housing has a minimum of 2 year waiting list for a unit. So the demand for housing is just way over what we can provide in our County so we all know it a serious issue and we need to look at how we can...if we were gonna build affordable housing and there gonna be smaller that's fine but make sure that there accessible. Thank you.

Mrs. Poindexter: Thank you.

Mr. Amundson: Can I make, just a brief point, the federal rule about 5% being accessible has been mentioned already...5% is not nearly enough to...we've got such a demand for accessible housing...5% is not nearly enough and if there's some way for the County to require for some of these developers...perhaps even some incen...giv'em a carrot...to make 10% or 15% accessible, and I know of one development recently that...that has got...it has hand...it has grab bars in all of the bathrooms and there's like 25 units, they just put'um in. There not all accessible but more than then the minimum is accessible and that minimum is just so minimal if there's some way to increase that it might absorb some of this tremendous demand that we have.

Mrs. Poindexter: Thank you for your input...valuable input. I'll yield at this time. Thank you.

Mrs. Eoff: Thank you. Mrs. Lee...Mr. Richards...I know everybody had their light on when I looked this way before...go ahead Mrs. Lee Loy.

Mrs. Lee Loy: And maybe Alan or Neil or Lance can help me with this, cause Ms. Ruggles, Mrs. David, Mrs. Poindexter asked all the questions that I wanted, so now I'm moving into what do we do legislatively? And so when I read you analysis, you know, it's about DCAB getting people with disabilities on different boards and commissions so they bring that perspective, it's about changing the zoning and the building requirements to

make...allow for these types of exemptions, but then this last point about affordable housing really struck a cord with me because our developers are required to provide affordable housing but some of um don't meet these types of criteria so then I began to think, what if we began to expand the definition of the affordable housing for these rental units and incentivize them, because if I read the code correctly...an affordable housing credit could be 15 miles radius from the project site...so is there a way to incentivize a developer and then look at rental units within a 15 mile radius...incentivize them to upgrade, or upcycle their homes and then they could actually get an affordable housing credit besides what their doing in their development...is that...are you following me Alan?

Mr. Rudo: no I...I am...the affordable housing does work with new construction so we would have to modify that but I think their present...their...David has a...a draft bill, I think you might have gotten a copy but I'll make sure you do get a copy of it because they are preparing to draft a bill and I think the...what their preparing to draft is gunna apply to all new construction in general. And then of course, on this Island have come exemptions for where the slopes are too steep or wouldn't work or its just impossible, but there gunna be crafting something and of course we'll work with them to bring it forward because one of the problems you hav...that they pointed out, which is true, is people build the house for themselves and then it becomes a rental later. Most of the rental guys do have to do it because there are ADA and there are fair housing design accessibility guidelines, but not in all cases so were gunna try to work with them and the departments and see if we can't get something forw...that we can bring forward that, you know, will get buy in from all the different stakeholders.

Mrs. Lee Loy: yeah cause that idea of a multigenerational definition, I'm really excited about that, I mean, I have a mother, she lives with us, and I have a special needs child, so I got it all and so I have to design a home where he's gunna need a caregiver, while I care for my mom. And so I'm...I'm intimately familiar with what you guys are speaking of. And so when I look at this, it really is those building design guidelines that really is a hurdle for your folks but I also this it's a definition, where if we had a definition of multigenerational in our zoning code, or this visit...visibility type of definition, that could attract developers or a particular housing type in our, you know, RS...multifamily...you know, all those different zoning requirements, and then the carrot being if they develop this, this is actually an

affordable housing unit that a developer might wanna attach more funding to, to say yeah...we'll help you folks because we need the affordable housing credit that goes with it, and then open the door to the fudhut...the HUD funding that goes with seniors, disabilities, you know jus...just all of it, I think we just have to be very, very creative with the way we define these type of units and I'm really excited if you folks would get with the planning department cause I know there going through a comprehensive overhaul of their zoning code and dovetail that into the public works department cause our building codes really is the biggest hurdle that we have and then providing those types of exemptions cause that's single wall construction one, that is extremely expensive based on our current building codes right now, to rehabilitate it to meet the current code standards and I just don't see anybody nudg...budging...to make any exemptions to that type of single wall construction homes.

Mr. Rudo: Well I know that's definitely a push of our Mayor and what your talking about hitting all the right points because what we wanted to do is get the study out to show the data and then introduce it to the County and then now, you know, we'd like to start working with that study and that data with the planning department, the other agencies to try to see if we can't craft that. Because that's true, I mean, there a lot of other things that he pointed out that we went over very quickly cause of time but you know not allowing the second kitchen makes it very hard to be able to have a caregiver or to live in another unit with your elderly, you know, parents or something, or special needs child, so there are a lot of issues with building and regulation that we need to take a look at for this, but this was the first step, was getting the study done too...to see where we are.

Mrs. Lee Loy: And I was lucky enough to be...my daughter works for HPM...I've been in the construction and development industry for 20+ years, so we were actually looking around the corner when we were building our home, but your absolutely right, all to often when your in your thirties and you got a thirty year mortgage your building for what you have right now and not for what you need later and so even that education piece that nobody really wants to think about, you know were all gunna get older and we might need just one step up rather than a flight of stairs, so. Thank you so much, there's a lot here in your analysis, I also appreciate...there's actually no requirements for people with disabilities to be on certain boards and commissions, so like the planning commission, state land use commission, a lot of the places that would make those business decision for this type of

housing, and that's where the rubbers gunna meet the road so we gotta get you guys on those boards and commissions. So thank you, thank you so much.

Mrs. Eoff: Thank you Mrs. Lee Loy. Mr. Richards.

Mr. Richards: We could probably spend most of the day here talking a lot of this stuff and I know we ha...to keep it somewhat brief, just some quick numbers, on the section 8 vouchers that we rise up and then fall off the top and loose it, what kind of numbers of people have those vouchers? How many are in line? What percentage of vouchers are turned back in, I'm not sure how to ask the question, I'm not sure who to ask the question to.

Mr. Rudo: well I'm sorry that we don't have our existing housing division head here right now to answer that, she's the right person to ask, would be Sharon...I would need that...sorry

Mr. Gyotoku: sorry, we can get that information to you...

Mr. Richards: yeah, could you get that and forward it to the...the...

Mr. Gyotoku:...so exactly what do you need? The number of...

Mr. Richards: I'm curious on the number of people on the waiting list? How many with the section vouchers? Then how many fall off? Because they can't find accessible housing.

Mr. Gyotoku: Oh...I can answer most of the questions except for the last one. Right now we have 4,720 people on the waiting list. We have a total of two thousand...2,005 vouchers that are receiving assistance right now. I don't have the exact number of the number of people that couldn't find housing and fell off the waiting list...

Mr. Richards: okay.

Mr. Gyotoku:...that percentage, I can get that to you.

Mr. Richards: okay. I'd appreciate that and if you could...if someone could send us the link to the report, it looks like a long link and I can't read it, so if you can send us a link to the whole Council I'd appreciate that and final comment I appreciated your comment about...it sounded like...and this is probably the wrong term, but clustering accessible housing, so you have all accessible housing in one area, and that poses an

interesting prospect, I'm concerned about other aspects, but I think that there's a economy of scale when you start doing that and so I get that and I don't wanna belabor that point but I think that's an intriguing concept...employment...everything else that goes with it. Anyways, again I appreciate that and I would like to see the report if you could send us that link. Thanks.

Mr. Gyotoku: I just wanted to add..

Mrs. Eoff: I think the microphone...is it on?

Mr. Gyotoku: I just wanted to add that we do own and manage the Ulu Wini housing project in Kona and currently I am mandated to renovate, all our 43 bottom floor units to be handicap accessible, this it through Housing and Urban...Housing and Finance Development Corporation. It's gunna be taking a lot of money but are committed to do that...to make it accessible for handicap families, like that. So and, Kula'imano, we do have 10%, which is five units are handicap accessible but we're also going to be looking at trying to renovate several more units to include those handicap accessibilities, like that.

Mrs. Eoff: Thank you. Ms. Ruggles.

Ms. Ruggles: Thank you. I had a...a follow up question. In the suggestions to increase the affordable housing stock, it says here that we should allow for single wall construction and to also allow for multiple kitchens. Do you know currently where someone isn't allowed to build multiple kitchens?

Dr. Leake: I know that's the case in Oahu and Alan told me that's the case on the Big Island also.

Ms. Ruggles: Okay. I also wanted to ask the other members of the agency here, seeing how we really have direct jurisdiction over theses specific issues of making building more affordable, what your thoughts are on the single wall construction and allowing multiple kitchens? That's all.

Mrs. Eoff: I thinks that's getting a little bit off the...the topics here today but obviously any kind of legislation that would change the building code would come to this body. (inaudible) Would come to the County Council...I'm sorry, yes. So the Housing Agency today is...is just to get an overview of these programs and I believe that you folks said you were working on some draft legislation that the agency may get to review? Yeah? But just to answer, I don't know if we can take the time to

listen...hear from everybody on Jen's question but I would say that in general, if I could speak for...for us you have a very receptive body here and I think that we all know that were in a housing crisis whether it be for just low income families or the disabled but I think were, if anything this...this Council...this term, I think would like to accomplish would be to solve some of those housing crisis so...Ms. O'Hara did you want to add something? (inaudible) okay well we have one more...I'm sorry. I'm not really sure whether we need to close file on this, I'm not sure how to run this housing agency, and I don't see Jon here but I'm just (inaudible)in...abundance of caution...I'll just ask for a motion to close file on the presentation by David Leake Ph.D.?

Mrs. David: So.

Mrs. Poindexter: Second.

Mrs. Eoff: ...moved by Mrs. David. Second by Mrs. Poindexter. All in favor please say aye.

All said aye.

Mrs. Eoff: Okay, that's nine ayes. And were gunna move to the last item E., the Overview of the 201H process, Mr. Rudo has a Power Point presentation which was attached to the back of the first presentation. So, we'll go ahead with that.

Mr. Rudo: Thank you, again Alan Rudo, Office of Housing and you know I do apologize that some of you have seen some of this before but we did want to try to make a introduction to 201H from Housing for the new councilmembers and for the new agency members here because we think this is really important. One of the comments that we use to hear, previously when we would bring forward a 201H project is that a lot of the exemptions the developer would ask for...they were scared it would set a bad precedents for all development and I...that's why we wanted to kinda give this overview of what is a 201H project, what is 201H in the Hawai'i Revised Statutes. So...you know I do apologize if some of its repetitive and we'll try to give new material but I think it's really important. Okay, so the two...the two state laws that were gunna talk about are 201H-38 and 4615. Okay, so why is there a housing crisis? Where gunna look at what are the cost drivers? What we can control. 201H-38 and 4615 and when...when its applicable, what is the approval process and what are the results. Okay, so every year we know that we hear constantly there's this affordable housing crisis and, you know, the Big

Island by the way, you should know, out of all the counties is probably doing the most...were actually leading and achieving the best results through these. So prices are being pushed up consistently so housing process are going up and you have a lot of factors, you have labor issues, labors always going to cost more and were a big union state so we have prevailing wages. If you look at what a carpenter...you know a union carpenter makes and, you know, that's projecting jobs, the union will tell you they do better work, and they do a lot of times so but carpenters can make \$75-\$80 an hour, you know so, and that's always going up, that's just a reality of it. Whenever we have a project you have not in my back yard. Big issue. You're all familiar with the...the housing...the emergency housing that we've done on the west side, well you might not be aware...it took us 20 years to get that done and most of the reason it took over 20+ years is because several sites that we got...people would go shouting to the Mayor...to the Council...and get it shut down...not in my back yard. So that's constant, something that we face. And then the litigation and the regulations that are related to the process. So the cost drivers are having suitable land, we know there's always less and less suitable land. When we look at projects today from housing, most of the land that's coming in for development, has issues, all the really easy development land, the low fruits gone. So were dealing with projects now that have flooding issues, historic issues, all kinds of issues for the most part. The cost of land is always going up, that's just the reality that we have to deal with in the state and other states. Construction costs which are basically labor costs and materials, we can't really do anything about those. And then the regulations and the permits and the fees. So what we can't control, we can't control the suitable land, how much there is; we can't control the cost of the land really, those are market forces at work, constructions costs primarily continuously going up, labor costs, really don't have much that we can do there. The materials, you know if there's a shortage in lumber, that drives lumber prices up, that's just the reality of it. But where we can make an impact is in the regulations, the permits and the fees and that's usually why one of the big things you see as an exemption request from affordable housing developers is to wave those impact fees. That is one of the big areas that we can have some impact. So that's where the 201H-38 and 4615 tend to focus on the areas that we can control, okay. So a little bit of background, Hawai'i Revised Statutes chapter 201H is what created Hawai'i Housing Finance and Development Corporation. That is the State entity that we work with that oversees basically affordable housing. Now, the interesting thing is, in 201H-38 housing development, we can do exemptions

from statutes, ordinances, charter provisions and rules. The corporation, may develop on behalf of the state or with an eligible developer or may assist under a government assistance program in the development of housing projects that shall be exempt from all statutes, ordinances, charter provisions, rules of government, agencies relating to planning, zoning, construction standards for sub-division, development and improvements of land and the construction of dwelling units thereon; provided...and this is the big area...so we got all these tremendous exemptions that we can use to expedite affordable housing...provided that the corporation finds the housing project is consistent with the purposes of intent of affordable housing...which is the intent of the chapter...and meets the minimum requires of health and safety. And that's really what comes before you, and so you are in charge of deciding, what's the minimum for health and safety? Now, you know, planning, department of public works, there following there chapters, and there gunna tell you there whole code is health and safety...but when it gets down to it, were gunna have to decided on issue-by-issue what is really the health and safety related issues to that development? The second thing is...that it requires is the development of the proposed housing project does not contravene any safety standards, tariffs or rates and fees approved by the public utilities commission for public utilities or for the various boards of water supply authorized under chapter 54. So we haven't had any come forth that have asked for variances to water facilities fees, for instance. That's just not allowed. Number 3, the legislative body of the county of which the housing to be situated shall have approved the project with or without modifications. So as your probably aware and some of the new members, you'll see, when they come, they might come...developer will come forth with a whole list of exemptions and its really our job to kinda call that down to what is realistic and I do wanna let you know that, you know, working very closely with our corp counsel, we circulate this...the request and the draft resolution to all the agencies affected to get their input, cause we wanna know what ther...what they feel is health and safety related to. And then once we kinda work that down to the bare bones then that's usually what we bring forth to your body, actually the county agency. Chapter 4615 is very interesting law and you really have to look at it closely, it the county organization and administration but under HRS 4615 experimental and demonstration housing project, the Mayor of each county, after holding a public hearing on the matter and receiving the approval of the respective council shall be empowered to designate areas of land for experimental and demonstration housing projects the purposes of which to research

and develop ideas that would be...would [re]duce the cost of housing in the state. Except as hereinafter provided, the experimental and demonstration housing project shall be exempt from all statutes, ordinances, charter provisions and rules or regulations of any government agency or public utility relating to planning, zoning, construction standards for sub-division, development and improvements of land and the construction and sale of homes thereon...so it has that same clause...provided that the experimental and demonstration housing project shall not affect the safety standards or tariffs approved by the public utility commissions, but under 4615 what happens is we become the state...we...the office of housing community development actually steps into the housing...Hawai'i Housing and Finance Development Corporations shoes, in that role. It gives the county the power, with the agency, to step into the role and one of the issues a lot of times is some of the exemptions might be asking to exempt state laws and there was a mis-understanding for years that a county resolution cannot exempt state law; well that's not correct, we did find out through Amy Self and through our corp counsel carefully reading it that it can, in certain circumstances, the way the law is written. So we can step into the states shoes and we can exempts state laws when necessary for the affordable housing. I wanna caution it though that some state laws are also from federal laws and so we have to be careful, like the SMA...Special Management Area, is to keep us in line with the federal, so we don't exempt federal laws. So when is it applicable? Well first the developer has to have site control. We need to have...make sure that they have permission for what their doing, that they have control of the site. That they are an eligible developer. When we use the 201H powers, were looking at developers and qualifying um to make sure that they have the wherewithal to carry this ou...carry out this project. Or there teamed with some developer that can carry out this project and were seeing a lot more of that as well today. The majority of the project is for low income. The way its interpreted is 201H projects have to be mostly affordable. And typically that's been defined as 50% + 1 makes it majority affordable, well we like to see more, of course. And a lot of them that come forth are 100% affordable. They have to meet the state and county affordability requirements. So we do keep chapter 11 in view with this. There subject to county buy back restrictions. So there gunna have deed restrictions recorded with the land to protect our interests so that they can't be using these units, getting'um low and then flipping'um to make a profit. Okay, that's not acceptable. And that have to meet fate...federal, state and county health and safety standards. The approval process is basically, the developer comes in with a 201H application, they

usually have a good idea...most of these are ones that are low income housing tax-credit developers that are gonna be competing with other developers for state funding...not all...sometimes our office has come forth with a 201H project, for like Ulu Wini and Kamakoa Nui our workforce housing. We might need exemptions. But then we hold a community meeting, okay. Our office reviews the application, we hold a community meeting and we review all the comments. Once we get all the department reviews, then OHCD submits the application to departments for their comments and we draft a resolution. Then that goes to committee review. Which your familiar with, and then for council approval, but it only needs one reading I believe at council. And this is the result, Kamakoa Nui, you know, Riverside apartments, you know, these type of projects we get through this process. And that's what we all wanna see is more affordable housing. So that's a quick, brief overview on 201H. Thank you.

Mrs. Eoff: Thank you. Committee members do you have questions?
(no responses)

Mrs. Eoff: we look forward to working with you and unless you have something else to add we know how to reach you and we'll be looking forward to any other opportunities to discuss these matters and work on some solutions.

Mr. Rudo: Thank you.

Mrs. Eoff: oh, I'm sorry. Mr. Chung.

Mr. Chung: You know I...I have a lot of questions Alan. And thank you, I'll...I'll talk to you and Amy about this later because I know were running a little late and I'm glad that you did come and give us a refresher course, for some of us anyway.

Mrs. Poindexter: Chair, can I just, let...I don't think Councilmember Chung knows that he is now the Vice Chair of this committee...this...

Mrs. Eoff: This comm... this housing agency...

Mrs. Poindexter:...this housing agency. I just wanted to let you know that you're the Vice Chair...

Mr. Chung: Thank you very much. Usually I don't like to get interrupted as you guys know...it's a good interruption...

Mrs. Poindexter: you can speak with authority...

Mr. Chung: ...Thank you...thank you...

Mrs. Poindexter: that was...agency

Mrs. Lee Loy: I'll say it...it was me. I nominated Mr. Chung, in your absence...

Mr. Chung: I guess it is important to be here...at the meetings...

(laughter)

Mr. Chung: no but thank you very much. But anyway, you know I do have a lot of questions, I'll talk to you Alan later on yeah, thank you.

Mrs. Eoff: Oh, okay. Mahalo. Okay. We'll go ahead and I'm sorry ask for a motion to close file on this power point presentation of the 201H process.

Dr. O'Hara: So moved.

Mr. Richards: Second.

Mrs. Eoff: Moved by Ms. Ohara. Second my Mr. Richards. All in favor say aye.

All say aye.

Mrs. Eoff: Okay, we have nine ayes and now may I have for a motion to adjourne?

Mrs. Poindexter: So moved.

Mrs. David: Second.

Mrs. Eoff: Okay, moved by Mrs. Poindexter. Second by Mrs. David. All in favor?

All say aye.

Mrs. Eoff: Thank you we have nine ayes. This meetings adjourned. Thank you everybody.

Meeting adjourned at 10:36 a.m.