

**HAWAII PUBLIC HOUSING AUTHORITY
NOTICE OF MEETING
REGULAR BOARD OF DIRECTORS MEETING
1002 North School Street, Building A Boardroom
Honolulu, Hawaii 96817
Thursday, July 19, 2018
9:20 a.m.****

AMENDED AGENDA

I. CALL TO ORDER/ESTABLISHING QUORUM

II. PUBLIC TESTIMONY

Public testimony on any item relevant to this agenda shall be taken at this time. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules, the Board may limit public testimony to three minutes per agenda item.

III. APPROVAL OF MINUTES

- A. Regular Meeting Minutes, June 21, 2018; continued to June 25, 2018
- B. Executive Session Minutes, February 15, 2018 (not for public distribution)

IV. DISCUSSION AND/OR DECISION MAKING

- A. To Authorize the Executive Director to Conduct Public Hearings and Undertake All Other Actions Necessary under Chapter 91, Hawaii Revised Statutes, and Administrative Directive No. 09-01 to Adopt New Chapter 17-2038, Hawaii Administrative Rules (HAR), "State Eviction-Practice and Procedure," to Administratively Process State Evictions as Contested Case Hearings by a State Eviction Board, and to Make Non-Substantive Revisions to Formatting as May Be Required Prior to and Subsequent to the Public Hearings
- B. To Adopt Proposed Changes to the Hawaii Public Housing Authority's Policy on Smoking Prohibited for the Federally-Assisted Public Housing Program, to Include Vehicles Owned by the HPHA, to Increase the Minimum Distance From Entrances to Twenty-Five Feet and Specify the Inclusion of Administrative Offices and Maintenance Areas; and to Authorize the Executive Director to Conduct Public Hearings and Undertake All Other Actions Necessary Under Chapter 91, Hawaii Revised Statutes, and Administrative Directive No. 09-01 to Implement the

Amendments, Including Making Non-Substantive Revisions to Formatting Prior to and Subsequent to Public Hearings as May Be Required

- C. To Adopt Property Specific Utility Allowance Rates Provided by National Facility Consultants for the Fiscal Year July 1, 2018 to June 30, 2019, for the Federal Low Income Public Housing Program and to Authorize the Executive Director to Implement the Utility Allowance Rates Effective September 1, 2018**
- D. Status Update on Redevelopment Projects Mayor Wright Homes (Tax Map Key: 1-7-029-003-0000), Kuhio Park Terrace Low Rise/Kuhio Homes (Tax Map Keys 1-3-039-008-0000; 1-3-039-006-0000; and 1-3-039-003-0000) and School Street Administrative Offices (Tax Map Key: 1-6-009-003-0000)**

The Board may go into executive session pursuant to Hawaii Revised Statutes sections 92-4, 92-5(a)(8), and 103D-105 to discuss, deliberate or make a decision on information that must be kept confidential, 92-5(a)(3) to deliberate concerning the authority of persons designated by the Board to negotiate the acquisition of public property, and/or 92-5(a)(4) to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities related to the Redevelopment Projects Mayor Wright Homes, Kuhio Park Terrace Low Rise/Kuhio Homes and HPHA's School Street Administrative Offices.

- E. To Approve an Employment Contract for the Hawaii Public Housing Authority's Executive Assistant Barbara E. Arashiro**

The Board will go into executive session pursuant to Hawaii Revised Statutes sections 92-4, 92-5(a)(2) to consider the evaluation of an officer for consideration of matters affecting privacy will be involved, and/or 92-5(a)(4) to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities related to this agenda item.

- F. To Approve the Mediation Settlement Agreement in Fetu Kolio v. State of Hawaii, Department of Human Services, Hawaii Public Housing Authority (HCRC No. RE-O-1172; HUD No. 09-18-2726-08) and to Authorize the Executive Director to Take All Actions Necessary to Carry Out the Agreement**

The Board will go into executive session pursuant to Hawaii Revised Statutes sections 92-4 and/or 92-5(a)(4) to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities related to this matter.

V. REPORTS

Executive Director's Report:

- **Financial Report for the Month of May 2018 Financial Report is provided to the board in the monthly packet.**
- **The Report on Contracts Executed During June 2018 and Planned Solicitations for July/August 2018 are provided to the Board in the monthly packet. No formal report is planned.**
- **Public Housing Occupancy/Vacancy Report; Federal Public Housing; Eviction Hearings for the Month of June 2018.**
- **Obligation and Expenditure Status for Design and Construction Projects Funded Under the Federal Capital Fund Program (CFP) and the State Capital Improvement Program (CIP).**
- **Section 8 Subsidy Programs Voucher: Voucher Lease-up and Pending Placements; Update on Rent Supplement Program.**

**** This meeting time is an estimated start time. The HPHA's regular monthly meeting will begin immediately following the conclusion of the HHA Wilikina Apartments Project's Annual Meeting.**

If any person requires special needs (i.e., large print, taped materials, sign language interpreter, etc.) please call Ms. Jennifer Menor at (808) 832-4694 by close of business three days prior to the meeting date. Meals will be served to the Board and support staff as an integral part of the meeting.

HAWAII PUBLIC HOUSING AUTHORITY
MINUTES OF THE REGULAR MEETING
HELD AT 1002 NORTH SCHOOL STREET, BUILDING A
HONOLULU, HAWAII 96817
ON THURSDAY, JULY 19, 2018
IN THE CITY AND COUNTY OF HONOLULU, STATE OF HAWAII

The Board of Directors of the Hawaii Public Housing Authority held their Regular Board Meeting at 1002 North School Street, on Thursday, July 19, 2018. At approximately 9:25 a.m., Vice-Chairperson Alena Medeiros called the meeting to order and declared a quorum present. Those present were as follows:

PRESENT: Director Alena Medeiros, Vice-Chairperson
Director Jason Espero, Secretary
Director George De Mello
Designee Lila King
Director Albert Alapaki Nahale-a
Director Myoung Oh
Director Laura Smith

Deputy Attorney General Jennifer Sugita
Deputy Attorney General Klemen Urbanc

EXCUSED: Director Pono Shim, Chairperson
Director Lisa Darcy

STAFF PRESENT: Hakim Ouansafi, Executive Director
Barbara Arashiro, Executive Assistant
Kevin Auger, Redevelopment Officer
Robei Broadous, Property Management Branch Chief
Renee Blondin-Nip, Hearings Officer
Benjamin Park, Planner
Sarah Beamer, Planner
Jennifer Menor, Secretary

OTHERS PRESENT (and signing in as):
Desiree Kihano, Palolo Valley Homes resident
Fetu Kolio, Makamae resident
Andrew Nakoa Sr., Mayor Wright Homes resident

Public Testimony

Vice-Chairperson Medeiros stated that the Board would accept public testimony on any item relevant to the agenda. Pursuant to section 92-3, Hawaii Revised Statutes, and section 17-2000-18, Hawaii Administrative Rules, the Board may limit public testimony to three minutes per agenda item.

Andrew Nakoa Sr., Mayor Wright Homes resident, testified that he previously owned a pit-bull which served as a comfort animal for his daughter. The dog passed away several years ago. His wife accepted a chihuahua puppy from a neighbor. The dog was originally added to the household as a pet, but has since become attached to his daughter. He stated that the doctor who wrote the certification for the previous comfort animal has retired, and he is unable to get an updated certification for his daughter to have a new comfort animal. He also disagrees with the policy to have dogs spayed or neutered. The dog is not allowed out of the house unaccompanied, and he believes spaying is unnecessary. Mr. Nakoa is also requesting that the monthly pet fee be waived.

Mr. Nakoa stated that he pays a higher rent of \$1,725/month. He was trying to save money to move out of public housing. His son works full time. He is on the waiting list for homestead housing from the Department of Hawaiian Homelands.

Mr. Nakoa expressed difficulty with getting in communication with the property manager at Mayor Wright Homes. He stated that the property manager mentioned that there's no curfew. He requests curfew be reinstated.

Mr. Nakoa complained about kids playing in his back yard. When he called to complain to the security guards, they mocked him for being drunk. He feels the security guards should improve and patrol more.

Fetu Kolio, Makamae resident, expressed appreciation to the Executive Director, Executive Assistant and the Board of Directors for their hard work. He stated that Chairperson Shim has been a good Chairperson. Mr. Kolio reported that he had a good working relationship and regular communication regarding his situation with his previous Manager. He stated that the Manager was strict, but fair. After a period of time, Mr. Kolio was referred to the Compliance Office regarding a request for reasonable accommodation. He feels the Compliance Office was too strict and he was stonewalled. He later found out that there was a new Manager at his property and he felt he didn't have anyone to talk to. He feels that he couldn't get an explanation on the status of his request for reasonable accommodation. He asked the Board and staff to remember that tenants may lack education and don't always understand all of the requirements, but the tenants want to work with staff to move forward. He acknowledges that living in housing is a privilege and feels blessed. Mr. Kolio stated that communication should be priority.

Approval of Minutes:

Director Nahale-a moved,

To Approve the Regular Meeting Minutes of June 21, 2018; Continued on June 25, 2018

The minutes were unanimously approved as presented.

Vice-Chairperson Medeiros deferred consideration of the Executive Session Minutes of February 15, 2018 to a future Board meeting.

Vice-Chairperson Medeiros reported that Administrative Directive No. 09-01 was replaced by Administrative Directive No. 18-02 in 2018 by Governor David Ige.

Director Nahale-a moved,

To Amend the Board Agenda to Change the References from Administrative Directive No. 09-01 in Decision Making Items A. and B. to Administrative Directive No. 18-02.

The motion was unanimously approved.

Discussion and/or Decision Making

Director Oh moved,

To Authorize the Executive Director to Conduct Public Hearings and Undertake All Other Actions Necessary under Chapter 91, Hawaii Revised Statutes, and Administrative Directive No. 18-02 to Adopt New Chapter 17-2038, Hawaii Administrative Rules (HAR), “State Eviction-Practice and Procedure,” to Administratively Process State Evictions as Contested Case Hearings by a State Eviction Board, and to Make Non-Substantive Revisions to Formatting as May Be Required Prior to and Subsequent to the Public Hearings

Executive Assistant Arashiro explained that during the 2018 Legislative session, H.B. No. 2357 was passed and Governor Ige enacted Act 204 on July 10, 2018. This new law places the State public housing eviction process directly under Chapter 356D, HRS, to be processed by an eviction board similar to the federal public housing evictions.

(Designee Lila King joined the meeting at 9:50 a.m.)

Act 204 also authorizes HPHA to adopt these new administrative rules law to govern the State LIPH eviction process.

Once these rules are approved by the Board of Directors, HPHA will request approval by the Governor to hold public hearings. Following the public hearings, we'd like to make any non-substantive amendments to the draft rules.

One important note is that the HPHA is required to have a separate State Eviction Board. State law prohibits Board members from sitting on two Boards and so we would not be able to use the existing federal eviction board members. For the future, we are

researching the option of combining the Federal and State eviction rules which would allow Board members to hear both State and Federal evictions.

The proposed state eviction rules will mirror the federal eviction process and provide for administrative eviction hearings for tenants in State Public Housing.

Vice-Chairperson Medeiros clarified that the Board's vote today is to allow the rules to go to public hearing.

The motion was unanimously approved.

Director Nahale-a moved,

To Adopt Proposed Changes to the Hawaii Public Housing Authority's Policy on Smoking Prohibited for the Federally-Assisted Public Housing Program to Include Vehicles Owned by the HPHA, to Increase the Minimum Distance From Entrances to Twenty-Five Feet, and Specify the Inclusion of Administrative Offices and Maintenance Areas; and to Authorize the Executive Director to Conduct Public Hearings and Undertake All Other Actions Necessary Under Chapter 91, Hawaii Revised Statutes, and Administrative Directive No. 18-02 to Implement the Amendments, Including Making Non-Substantive Revisions to Formatting Prior to and Subsequent to Public Hearings as May be Required

Executive Assistant Arashiro reported that the United States Department of Housing and Urban Development (HUD) instituted its final rule requiring public housing agencies to implement a "smoke-free" policy, to be implemented within 18 months. While a smoke-free policy or statute for the HPHA currently exists, changes need to be made to abide by Federal standards of no smoking up to 25 feet away from public housing and administrative office buildings.

During the 2018 Legislative Session, Senate Bill 2783 was passed to amend Section 356D-6.5, HRS, to implement HUD's final rule into State statute. The two major proposed rule changes are:

1. Amending the no smoking prohibition to include vehicles owned by the HPHA.
2. Increasing the minimum distance from entrances from 20 feet to 25 feet, and specifying the inclusion of administrative offices and maintenance areas.

Since the issuance of the HUD rule in February 2017, the HPHA has notified the tenants through the rent newsletter at least 4 times and has held community meetings informing them of the new federal requirement.

The motion was unanimously approved.

Director Espero moved,

To Adopt Property Specific Utility Allowance Rates Provided by National Facility Consultants for the Fiscal Year July 1, 2018 to June 30, 2019, for the Federal Low Income Public Housing Program and to Authorize the Executive Director to Implement the Utility Allowance Rates Effective September 1, 2018

Executive Director Ouansafi explained that in 2018, the HPHA contracted with a consultant to develop site-specific allowances in accordance with federal requirements.

The newly established allowances for each property as established and studied by our consultant reflect the actual reasonable utility consumption for an energy conservative household, which may include energy saving lighting and fixtures and solar hot water with back-up gas heaters.

Information provided to the Board lists specific properties and shows that some allowances have remained the same, others either decreased or increased due to fluctuating utility rate charges.

The motion was unanimously approved.

For Discussion:

Status Update on Redevelopment Projects Mayor Wright Homes (Tax Map Key: 1-7-029-003-0000), Kuhio Park Terrace Low Rise/Kuhio Homes (Tax Map Keys 1-3-039-008-0000; 1-3-039-006-0000; and 1-3-039-003-0000) and School Street Administrative Offices (Tax Map Key: 1-6-009-003-0000)

Executive Director Ouansafi provided the following updates:

1. Mayor Wright Homes: The HPHA continues to work through environmental review issues with the Hunt Company. We will continue to meet with stakeholders and other government agencies. We are currently discussing relocation plans and are researching proposed strategies. All tenants will have ample time to comment and plan for their relocation accordingly. The HPHA does not anticipate that construction will occur before 2019-2020.
2. School Street Administrative Offices: The HPHA continues to work with the Developers on a final Master Development Agreement with HPHA's legal counsel.
3. KPT Phase I and Phase II: The HPHA sent the Michaels Development Company a letter regarding the termination of the master development agreement and outstanding issues. The HPHA is prepared to issue a request for qualifications for Phase II of the redevelopment at Kuhio Park Terrace and Kuhio Homes.

4. Rental Assistance Demonstration (RAD) Program: The HPHA submitted a letter of intent to participate in the RAD program. HPHA has another month to work with its development partners to submit an application. Under the RAD program, conventional public housing is converted to project based voucher housing. HPHA needs to be sure the master developer can execute all document and begin construction within that time frame.

Director Nahale-a moved,

To Approve an Employment Contract for the Hawaii Public Housing Authority's Executive Assistant Barbara E. Arashiro

Director Smith moved,

That the Board go into executive session pursuant to Hawaii Revised Statutes sections 92-4, 92-5(a)(2) to consider the evaluation of an officer for consideration of matters affecting privacy will be involved, and/or 92-5(a)(4) to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities related to this agenda item.

The motion to go into executive session was unanimously approved.

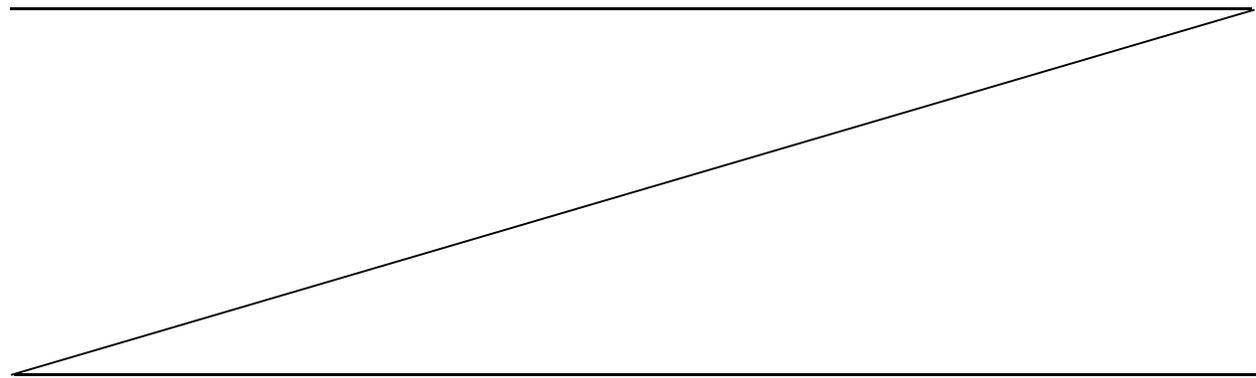
The Board went into executive session at approximately 10:08 a.m.

The Board reconvened from executive session at approximately 12:20 p.m.

Vice-Chairperson Medeiros reported that the Board went into executive session to consider the evaluation where matters affecting privacy were involved and to consult with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities related to this agenda item.

The motion was unanimously approved.

Vice-Chairperson Medeiros deferred the remaining agenda items to next month's Board meeting.



Director Espero moved,

To adjourn the meeting.

The motion was unanimously approved.

The meeting adjourned at 12:24 p.m.

MINUTES CERTIFICATION:

Minutes Prepared by:

Jennifer K Menor 08/16/18
Jennifer K. Menor Date
Secretary

Approved by the Hawaii Public Housing Authority Board of Directors at their Regular Meeting on August 16, 2018 [] As Presented [] As Amended

J. Espero AUG 20 2018
Director Jason Espero Date
Board Secretary