



Better Communities for Tomorrow



Report of the Executive Director

ED' s April 2014 Report

- **Summary Agency Financial Report**
- **Governor's Appointments**
- **Community Outreach Program**
- **Clarifying Hearing Process**
- **Next Meeting**

HCDA Financial Summary

Current Month - February

| Actual | Budget | Variance |
|---------------|-------------|------------|
| (KA) 243,594 | 219,495 | (24,099) |
| (KL) 17,942 | 27,343 | 9,401 |
| Revenue | Expenditure | Net Change |
| (ID) - 587 | 1,983 | (1,396) |
| (LM) 109,207 | 389,616 | (280,409) |
| (PFD) - 1,033 | 74,515 | (73,482) |
| (RH) 35,318 | - | 35,318 |
| (CL) 3,751 | - | 3,751 |
| (SDep) 650 | 300 | 350 |
| (KL) - 75 | - | 75 |
| (Heeia) - 4 | - | 4 |

Fiscal Year to Date

| Actual | Budget | Variance |
|-----------|-------------|-------------|
| 1,831,970 | 1,755,956 | (76,014) |
| 180,847 | 218,742 | 37,895 |
| Revenue | Expenditure | Net Change |
| 201,064 | 148,911 | 52,153 |
| 786,565 | 2,580,968 | (1,794,403) |
| 5,170 | 385,410 | (380,240) |
| 313,629 | - | 313,629 |
| 22,814 | 658 | 22,156 |
| 28,381 | 47,456 | (19,077) |
| 53,942 | 51,005 | 2,937 |
| 38 | 7,216 | (7,178) |

Governor's Appointments

- **Governor's Message #502**
 - **Brian Tamamoto (Kakaako)**
 - **Confirmation Hearing – March 31, 2014**

- **Governor's Message #558**
 - **H. K. Bruss Keppeler (Cultural Specialist – all boards)**
 - **Governor's Message Withdrawn**

- **Vacancies**
 - **Heeia – One**
 - **Kalaeloa – One**

Community Outreach Program

- **Monthly Newsletter/Printed Materials**
 - **E Newsletter to 2,000 PAX**
- **Community Briefings/Community Tours & Events**
 - **Proposed Expansion of Monthly Forum**
- **Further Community Input Meetings**
 - **Additional Forums to Solicit Comment/Disseminate Information**
 - **In Conjunction w/Neighborhood Board and KIA**
- **PSA and Media Outreach**
- **Building Better Communities Conference**

Clarifying HCDA Hearing Process

- **Pre-Application**
 - **Consultation & Application Preparation**
- **Preliminary Comment Period**
 - **Solicit Community & Agency Review and Comments**
- **Application Deemed Complete**
 - **Notice Provided of Completed Application**
- **Publication of Notice**
 - **Per Statute and Rule**

Clarifying HCDA Hearing Process

➤ First Hearing

- Presentation of Case by Applicant
- Exhibits & Sworn Testimony for the Record
- Cross Examination by Parties & Authority
- Public Comment Solicited (Not Sworn Testimony)
 - Although Not Routinely Allowed, Per Section 206E-5.6 is Required

➤ Second Hearing

- Findings-of-Fact, Conclusions of Law, Decision & Order Prepared by the Parties

Clarifying HCDA Hearing Process

- **Second Hearing (continued)**
 - **Authority Adopts those FOF, COL & Order of its own**
 - **Parties Have Opportunity to File Exception**
 - **Authority Required to Hear Any Exception Filed and Adopt Final Decision & Order**
- **Any Application for Variance Must Be Considered in Advance of Development Permit Application**

Definitions

- **Contested Case Hearing/HCDA Hearing**
 - Requirement for a Hearing
 - Rights, Privileges and Responsibilities Determined

- **HCDA Meeting**
 - Per Sunshine Law, Rules of Practice & Procedure

- **Variance**
 - Varying Application of Rule for a Specific Parcel

- **Rule Modification**
 - Arguable Allowance of Change or Alteration

- **Plan Amendment**

Next Meeting

➤ **Kalaeloa Special Meeting**

➤ **April 9, 2014 – Kapolei & Kalaeloa Field Trip**

➤ **Kakaako Public Hearing – April 30, 2014**

➤ **Keauhou Lane**

➤ **Block B**

➤ **Kakaako Regular Meeting – May 7, 2014**

➤ **Location - 461 Cooke Street**

Legislation Relating to HCDA



HCDA Legislation

- **HB 1866 HD 2 SD 2 (proposed)**
 - **Relating to the Hawaii Community Development Authority**
 - **Omnibus Measure**
 - **WAM Decisionmaking 4/02/14**
- **HCR 97/HR 71 Infrastructure Audit of the HCDA**
 - **Requesting an Audit of the HCDA's method & process for determining impact on & adequacy of infrastructure facilities for development projects in a community development district & the role of the C&C of Honolulu in that determination**
 - **FIN Hearing 4/02/14**

HCDA Legislation

➤ SB 2436 SD2 HD1

- Relating to the Hawaii Community Development Authority
- Establishes TOD Advisory Committee & Places it in 206E
- FIN Hearing – 4/2/2014

➤ SB 2699 SD1

- Relating to the Hawaii Community Development Authority's Affordable Housing Requirement
- Requires HCDA to implement affordable housing policies that are in greater conformity w/C&C Honolulu
- Referred to FIN

OHA Legislation

- **HB 2554 HD 1 Relating to the Hawaii Community Development Authority**
 - **Allows Residential Development in Kakaako Makai on Lands Owned by the OHA Subject to a Public Hearing**
 - **Did Not Cross Over to the Senate**
- **SB 3122 SD 2 HD 2 Relating to the Hawaii Community Development Authority**
 - **Allows Residential Development on Specific Lots in Kakaako Makai After HCDA Public Hearing; Payment of Association Fees by Residents; 400 Feet Height Limit**
 - **Passed FIN 4/01/14**

Authority Composition

- **Removal of Existing Board by Feb. 28, 2015**
 - **Appointment of New Board by March 1, 2015**
 - **One Board w/3 District Components**

- **Restructures Authority Membership**
 - **Ex-Officio DOT and DB&F Members**
 - **Cultural Specialist, Governor's at-large**
 - **Senate President/House Speaker – 1 at-large each**
 - **3 District Residents & Small Business Remain**
 - **County DPP Non-Voting Ex-Officio Member**
 - **DHHL Chairperson Non-Voting Ex-Officio Member for Kalaeloa only**

HCDA Hearing Proceedings

- **Establish & Clarify Contested Case Proceedings for Development Permit Applications**
 - **Notice According to Section 91 & Section 1-28.5 HRS**
 - **Contested Case Proceedings under Section 91 HRS**
 - **Public Participation in Accordance with Section 92 & Section 206E-5.6 HRS**
 - **Judicial Appeal in Accordance with Section 91-14 HRS**
- **Public Engagement & Notice**
 - **Notice Mailed by Applicant to Surrounding Land Owners w/in 300 feet**

Other Specifications

- **Allows Reserved Housing to be Bought Back & Resold**
- **Allows for Cash-in-Lieu Payments for Reserved Housing**
- **Prohibits Delegation to the Executive Director to Award Variance, Exemption or Modification of any Provision of Community Development Plan or Rules**
- **Limits Height to 400 feet plus 18 feet for Mechanical, Utility or Architectural Element**