Report of the Executive Director

HCDA

Better Communities for Tomorrow
ED’s April 2014 Report

- Summary Agency Financial Report
- Governor’s Appointments
- Community Outreach Program
- Clarifying Hearing Process
- Next Meeting
## Current Month - February

<table>
<thead>
<tr>
<th>Description</th>
<th>Actual</th>
<th>Budget</th>
<th>Variance</th>
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## Fiscal Year to Date

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<td>38</td>
<td>7,216</td>
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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  - Governor’s Message Withdrawn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
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
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
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
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
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