

STAND. COM. REP. NO.

498

Honolulu, Hawaii

FEB 20 2015

RE: S.B. No. 906
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Human Services and Housing, to which was referred S.B. No. 906 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY
DEVELOPMENT AUTHORITY, "

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Add a definition for "contested case";
- (2) Amend the deadline to intervene in a proceeding to accept a developer's proposal to thirty days after the first public hearing on a developer's proposal;
- (3) Require the Hawaii Community Development Authority (HCDA) to make certain findings on the proposed project and its negative impacts, including a finding that the proposed project addresses concerns expressed by community residents and stakeholders, in order to approve the proposed development; and
- (4) Require developers to abide by all representations and commitments made in the permit application process.

Your Committee received testimony in support of this measure from Kaka'ako United, Hawaii's Thousand Friends, FREE ACCESS COALITION, and twelve individuals. Your Committee received testimony in opposition to this measure from the Howard Hughes

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Corporation and Land Use Research Foundation of Hawaii. Your Committee received comments on this measure from the Office of Hawaiian Affairs; Executive Director of the Hawaii Community Development Authority; Alexander & Baldwin, Inc.; and one individual.

Your Committee finds that HCDA was established to fulfill unmet community needs, including the lack of suitable affordable housing. Some community members have found it difficult to provide input on modifications and variances for developer projects that will adversely impact Kaka'ako. This measure seeks to provide more openness and transparency in decision-making by HCDA and allows community residents more time in obtaining and processing information to participate in HCDA's decision-making process.

Your Committee has amended this measure by:

- (1) Inserting language to require HCDA to schedule a public information meeting for the presentation of the developer's project proposal and requests for modifications or variances and reasons therefor;
- (2) Deleting the definition for "contested case";
- (3) Adding requirements related to community and public notice procedures, including the convening of pre-application meetings, evidence that the developer has met with affected residents and stakeholders to identify certain concerns and issues, mandatory posting of relevant information on HCDA's website for transparency, and notification to boards of associations of apartment owners and condominium boards within the relevant community development district;
- (4) Amending language that requires HCDA to issue a public notice on its website within five business days after issuance of a certificate of completeness of a developer's application;
- (5) Specifying the contents of a public notice issued by HCDA on the acceptance of a developer's application;
- (6) Specifying that the deadline to intervene in a proceeding to accept a developer's proposal is twenty



days after the public informational meeting on a developer's proposal;

- (7) Amending language to require HCDA to make certain findings regarding the proposed project and its impacts in order for HCDA to approve the proposed development; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 906, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 906, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Human Services and
Housing,

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Eighth Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services and Housing
HSH

Bill / Resolution No.:* SB 906	Committee Referral: HSH, JDH	Date: 2/17/15		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, Josh (VC)	.			✓
HARIMOTO, Breene	✓			
RIVIERE, Gil	✓			
SLOM, Sam	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes