

SUMMARY - WORKSHOP
HAWAII COMMUNITY DEVELOPMENT AUTHORITY

State of Hawaii

March 16, 2007 – 2:00 p.m.

Hawaii Community Development Authority
677 Ala Moana Boulevard, Suite 1000, Conference Room
Honolulu, Hawaii 96813

ATTENDANCE

Members Present: C. Scott Bradley; Amanda Chang; Michael Goshi; Paul Kimura; Rick Manayan (for Theodore Liu, DBEDT); Kay Mukaigawa; Glenn Okimoto (for Barry Fukunaga, DOT); and Russ Saito (DAGS).

Members Absent: Grady Chun; Georgina Kawamura (B&F); and Jonathan Lai.

Others Present: Daniel Dinell; Cal Machida; Deepak Neupane; Teney Takahashi; Jill Sugihara; Stanton Enomoto; Ron Iwami; Michelle Matson; Dexter Okada; Janis Reischmann; Bruce Tsuchida; Harmonie Williams; and Dina Wong.

I. ROLL CALL

The workshop of the Hawaii Community Development Authority (HCDA) was called to order on March 16, 2007, by Chairperson Michael Goshi at 2:00 p.m. with the following roll call:

Chairperson Goshi	Present
Member Bradley	Present
Member Chang	Present
Member Kimura	Present
Member Manayan	Present
Member Mukaigawa	Present, arrived at 2:05 p.m.
Member Okimoto	Present
Member Saito	Present

MATERIALS DISTRIBUTED

1. Agenda for March 16, 2007 Workshop;
2. Discussion Outline for HCDA Workshop;
3. Bylaws of the Citizen Advisory Committee for the Oahu Metropolitan Planning Organization (September 2, 2004);
4. Opinion Letter No. 01-01 Summary – April 9, 2001 – Sunshine Law Applied to Neighborhood Vision Teams;
5. House Concurrent Resolution No. 30, House Draft 1, Senate Draft 1, Standing Committee Report No. 3687, of Twenty-Third State Legislature, Regular Session of 2006; and
6. List of Meetings Completed as of March 9, 2007, with Kakaako Waterfront Stakeholders.

II. INTRODUCTION

Chairperson Goshi stated that the purpose of the Workshop was to familiarize the Hawaii Community Development Authority (HCDA) board with plans for establishing the Kakaako Makai Advisory Working Group including its roles and responsibilities; membership; organizational structure; sequence of proposed meetings and the relationship between HCDA and the Advisory Working Group. He noted that no decision-making would take place as the Workshop was for the purpose of providing information and generating discussion only.

Chairperson Goshi introduced Bruce Tsuchida of Townscape, Inc.

Bruce Tsuchida introduced his team members, Harmonee Williams and Janis Reischmann, who would each go over different aspects of the process.

III. KAKAAKO MAKAI ADVISORY WORKING GROUP PROCESS

A. Roles and Responsibilities

Mr. Tsuchida explained that the Advisory Working Group (AWG) would potentially play a long-term role in the planning for Kakaako Makai, but the group would need to organize themselves.

Mr. Tsuchida shared the example of the Oahu Metropolitan Planning Organization's (OMPO) Citizen Advisory Committee (CAC). It is an entity

that exists in many different areas of the United States formed to do transportation plans. OMPO and its CAC were formed over 30 years ago in 1977. It has a planning and advisory function for all of the transportation projects out of Oahu. Townscape and HCDA staff met with OMPO to hear the lessons that they have learned over the course of 30 years.

The CAC is comprised of 45 member organizations, not individuals. However, if individuals are interested, they can attend the public meetings. The official membership consists of organizations, including all the neighborhood boards on the island of Oahu; environmental groups, like the Outdoor Circle; and City and State transportation agencies. One third of the membership or 15 people constitutes a quorum. The average attendance at its meetings is approximately 20 representatives of organizations.

Over the years the CAC has become very well-educated in transportation issues and concerns, so the group provides good advice to the OMPO policy committee, which is equivalent to the HCDA Board. During the early years of the CAC, there were people who tried to dominate the discussion, but eventually sensible leadership prevailed and the group organized and policed itself to become productive. The OMPO Executive Director Gordon Lum stated that with patience and faith in the process, the group can become good advisers.

When meeting with the stakeholders, Townscape relayed to them that the AWG would need to organize well, have good leadership, and develop a good process for developing their ideas. The AWG will be formed to advise, and not to make executive level decisions, which is the responsibility of the Authority. Mr. Tsuchida relayed that people expressed their concerns that the Authority might not listen to the AWG. Townscape has told them that the Authority has a strong incentive to listen to their advice. There will be differences of opinions, but they should be discussed openly to reach a reasonable compromise. Mr. Tsuchida cautioned Members that they should listen and act on good advice. Otherwise, the AWG will know if they are just being listened to in a token way.

Mr. Tsuchida reported that from the discussions with the stakeholders, it was felt that the AWG should be long-term, like the OMPO CAC. The AWG should have a continuing role with the planning and execution of the phased development of Kakaako Makai. To date, Townscape has interviewed over 40 organizations and it was a strong consensus that the group should be long-term.

Townscape and HCDA staff will team together to do the initial meeting and provide some suggestions on how the AWG might organize and structure itself.

The OMPO CAC bylaws was given as an example of clear organizational rules and guidelines in terms of how to conduct business, how to let new members apply for membership, election of chairperson, and attendance requirements. Mr. Tsuchida thought that it was a good model for how the Kakaako Makai AWG could be organized. This will be suggested to the group. Also an emphasis will be on how to organize and there needs to be some type of discipline.

Phase I is outreach, talking to people and stakeholders. That process is almost completed.

Phase II is to organize the AWG, select its own facilitator, define an overall vision and guiding principles for Kakaako Makai.

Townscape strongly advises that the AWG approach their task at a global level, not at details. If the group has a big picture set of principles, there is a better chance for the group to eventually agree on a more detailed planning. Mr. Tsuchida gave the example of the Waianae Sustainable Communities Plan. The plan should be what the stakeholders envision as a community 20 or 30 years into the future. It is hopeful that a common vision can be reached which would provide the overall guidance.

Once the AWG is formed, the group focuses on establishing an overall vision and guiding principles for Kakaako Makai. Once that has been completed, the group can focus on the big picture. As a group, they need to decide what the next steps for improving Kakaako Makai are.

Mr. Tsuchida suggested conducting a planning charrette, a two or three day intensive session with the AWG, general public, HCDA staff and planners working on a broad concept. Based on the charrette, a decision can be made on what elements would be priority, for example, bikeways or greenways.

Deliverables from Phase II would be: 1) vision; 2) guiding principles; and 3) decide the next steps.

Mr. Tsuchida asked whether there were any questions. There were none.

B. Membership of the Advisory Working Group

Ms. Williams reported that the main theme Townscape has been focusing on for the membership is inclusiveness and diversity. Townscape wanted to be sure that everyone was included. In order to do this, Townscape organized the stakeholders into categories: community groups, environmental groups, groups that represent culture and arts, businesses and developers, professional organizations, government agencies and legislators, and landowners and businesses located within Kakaako Makai. From those categories, they identified groups or organizations that could be represented on the AWG, to get a broad representation of people.

Townscape has met with over 40 individuals or small groups and HCDA issued a media statement which was published in the Honolulu Advertiser requesting that anyone interested in joining the group could contact Townscape. Ms. Williams fielded 36 calls generated from the news article and was involved in a total of over 70 conversations and interviews. In interviewing the people, Townscape asked two questions: 1) product – what is their vision for the Makai area 30 years from now; and 2) process – how to get there.

Although there were many different perspectives, she reported that there were some common themes.

- Most people recognized that it is State lands, so they wanted to have some public uses.
- Since it is on the waterfront, it was important to provide access to the ocean for surfers, boaters or strollers along the shoreline.
- Connection between Mauka-Makai; people who live or work in Mauka area wanted a connection to the waterfront. A lot of people realized that Ala Moana Boulevard cut through the area. Thus, there was discussion about the possibility of being more pedestrian-friendly and the need to bridge the connection.
- Connection to Diamond Head and Ewa: people wanted to connect Ala Moana Beach Park to Downtown in a “Lei of the Land” concept, having a promenade or walkway for people to walk, jog or bike along the way.
- Recognizing the potential of the area, its location near the water, downtown, and Waikiki with the views of Diamond

Head; people saw the area as the “gem” or “jewel” of Honolulu and they want to see it maximized.

- The number one thing people do not want to see is that the area remains as is – there is recognition that it is underutilized and there is a need to maximize the potential.

There were divergent views on the amount of development, types of uses (residential, commercial, etc.), and the level of income generation, i.e. whether it would be self sufficient. All these things will be worked out in the process.

Almost everyone mentioned that the group should be inclusive. The public should be involved in the process and call for transparency. In the past, people felt that things were decided by HCDA behind closed doors. The public was not aware of what was going on and they wanted to be more involved in putting their input into the vision.

Stakeholders interviewed also expressed the need for the public to be involved in the process and for the public to have input through larger meetings or other methods.

Townscape will hold the first meeting with the larger group, the second week of April. The topic of the meeting will be: who will be included, membership, and commitment over the long-term. The meeting will be open to the public. Townscape will come back to the Authority in May and will provide the lists of all the people interviewed, list of all the call-ins, the people who attended the first meeting, and volunteered to be on the AWG and Townscape’s recommendations for who should be included. Then HCDA would make the final decision. The last recommendation is that the membership should be evolving, so if certain groups want to participate, they can apply and people can also opt out.

Chairperson Goshi stated that he thought the group was going to decide its structure. He questioned the last remark about Townscape making recommendations and asked for clarification.

Ms. Williams replied that Townscape would make a recommendation for the people who would be included in the AWG and the Authority would decide.

Chairperson Goshi commented that it would be better if the group decides among themselves. He asked whether it was necessary that Townscape be

involved in the recommendation and whether it could be done by the group itself.

Mr. Tsuchida responded that would be fine.

Ms. Williams commented that the only people from that list that really didn't want to be a part of the group were mostly Legislators and State agencies.

Mr. Tsuchida stated that in his experience in working with community groups, he found that even if the group started out to be large at the first meeting or two, there was a strong tendency, by the third or fourth meeting, for the group to be cut in half or a third because people decide that they are not interested or they are too busy. By the time it gets to the hard thinking and work, there are usually only a dozen strong faithful individuals that will continue to participate. Those are the people who will carry the AWG.

Chairperson Goshi questioned whether it would be better to obtain commitment from organizations versus individuals because people's situations change.

Mr. Tsuchida replied in the affirmative. He stated that organizations should be members and each organization could name its representative and alternative with people changing from time to time.

Member Kimura asked for clarification from Chairperson Goshi to confirm that he did not want the Authority to decide who is on the AWG.

Chairperson Goshi replied in the affirmative.

Ms. Reischmann commented that after the meeting with OMPO the thing that stuck with her was that OMPO absolutely believed that it was the way to go. The CAC provided good feedback to their board about issues they were considering and each organization took it upon themselves to seek out information about the issue being considered. The group is knowledgeable and informed and is actively engaged in helping to define transportation policy. OMPO strongly believes in the value of having their CAC.

C. Structure

Ms. Reischmann explained the elements of structure that Townscape would suggest to the AWG to help organize itself so that they could provide good advice.

- Elect a Chair and Vice Chair and other officers as necessary.
- Set up a committee structure. Since the group would be large, one of the ways to get work done would be to set up ad hoc committees who would then work on selecting a facilitator or work on the bylaws.
- Adopt a set of bylaws or ground rules to assist in ways of conducting business, how members can join the group, and how decisions are made. This will ensure that the group will follow good business practices and work together effectively.
- Select a facilitator to help resolve difficult issues as there will surely be disagreements.
- Agree upon a method for conducting business. There should be a consensus on the decision-making process, i.e. Robert's Rules of Order and majority rules.
- Required attendance to demonstrate interest.
- AWG will be required to follow State Sunshine Law as determined by the Department of Attorney General and State Office of Information Practices.

Ms. Reischmann asked whether there were any questions or comments.

Dexter Okada from the audience questioned how the Sunshine Law would work because his understanding was that no more than two people can get together. He wanted clarification whether two or more people could meet if they were discussing another issue.

Mr. Dinell referred to the Office of Information Practice Opinion Letter 01-01 dated April 9, 2001, which would be the controlling document. This document will be provided to the group at the initial meeting. Sunshine Law applies in group interaction and meeting, but there can still be outside interaction.

Member Saito added that committees can meet as often as they want to outside of the Sunshine Law. No more than two members can meet to conduct business out of the Sunshine Law. Organization members can meet as often as they want because they are not part of the group itself.

Mr. Okada asked for clarification that if there is an individual that is a member and another individual from the AWG, would they be able to meet outside of the Sunshine Law.

Member Saito replied that they could meet outside (provided they do not conduct business).

Michelle Matson from the audience stated that there were bills currently at the Legislature that address this issue. She stated that the situation was that several members of an organization can attend public meetings or other meetings as long as there is less than a quorum and they would not be taking an action to vote.

Chairperson Goshi questioned whether the issue of the Sunshine Law would be left up to the group to decide.

Ms. Reischmann replied in the negative, that the government makes the requirement and it is not an option.

Member Saito commented that the group would operate under the direction of HCDA; thus, Sunshine Law would apply.

Member Chang expressed her concern that there may be more than one individual representing an entity versus just one person from another entity which might skew the results if majority rules. She asked whether there would be any type of guideline to control this.

Ms. Reischmann responded that the OMPO CAC only allows organizations to become members and each has only one vote. However, with the AWG it would be up to them to decide.

Member Chang asked for clarification whether an individual would then have to belong to some type of organization to become a member of the AWG.

Ms. Reischmann responded that while every OMPO CAC member is part of a group, it is in fact pretty loose; sometimes they are not sure whether it is a real

group. Thus, the CAC self-regulates their membership by asking the individual to provide more information about his/her organization.

Stanton Enomoto from the audience asked whether the AWG would have a budget and have access to funds.

Mr. Tsuchida responded that according to the organizational diagram, HCDA's role is to facilitate, provide resources and implement. Exactly what the resources will be is unknown at this time, but it would come from HCDA.

D. Sequence of Initial Meetings

Mr. Tsuchida explained that there would be an open public meeting on April 10, in which everyone who they interviewed would be invited to attend. The topic will primarily focus on membership, roles and responsibilities. Townscape will facilitate that meeting as part of their contract scope and they will make some suggestions to the group.

After the first meeting, Townscape hopes to be able to ask people what organization they are with and whether they are interested in participating in the AWG. Also they will ask whether there are any organizations that are not in attendance who should participate.

The second meeting of the AWG will be a more formal meeting. There will be a more detailed discussion on structure and organization including sharing with them the OMPO CAC bylaws. Also have the group appoint or agree on a subcommittee that will meet separately to review potential facilitators.

At the third meeting, some of the important organizational steps should be made including electing a Chairperson and Vice Chair. If the subcommittee that focused on selecting a facilitator is done, then they would report to the group their recommendation for a facilitator that can be ratified at the meeting.

Thereafter the group should discuss an overall big picture vision and guiding principles. Townscape would suggest to the group to have several key presentations: 1) HCDA staff on facts, rules and realities such as legislative mandates, land conditions, contaminants and costs involved, and lease terms of current tenants; and 2) several different companies or HCDA staff to present some of the past plans of Kakaako Makai.

Member Saito expressed his concern that this started out because no one agreed with the project. He thought the AWG would help create the vision not necessarily be the one to create the vision, but possibly advise a consultant or contractor on what the vision should include. The AWG wouldn't produce the plan or project, but they would advise everyone that had a plan or project so when it is presented to the Authority, it would have had meaningful review and input by the AWG. Member Saito stated that most of the members themselves have their own plan concepts that they would like to present to the Authority. The focus should be on having them assembled, organized and provide advice on whatever comes before them. The main outcome is the vision and for the AWG to provide their advice that will help formulate the various plans.

Mr. Tsuchida stated that it was not his intention to have the past plans presented so that it would be debated on, but embedded in those plans are strong vision, ideas, and guiding principles, not all of which would be valid today, but some would. It might be helpful for the group to see those plans to help them. Their most important job is to develop the vision because without that no one's plans will make sense.

Member Kimura questioned who would fund the project; whether it would be private sector or the government. He would like to see the alternatives that could be done.

Mr. Tsuchida stated that kind of issue is typically not a vision issue, but a guiding principle issue. The AWG would have to debate and discuss whether the future development at Kakaako Makai is economically self-sufficient, entirely self-sufficient or supported by tax dollars or whether there is an in-between compromise. That is a guiding principle that would need to be debated on by the AWG.

Member Saito stated that he did not think that the AWG should make that decision. The AWG is to help the decision of the Authority. The group shouldn't cutoff potentially beneficial plans, programs and initiatives because the main decision is for the project to be self-funded. That should be decided later because it would close down the range of options. To predetermine what the decision is going to be, would be more constraining.

Mr. Okada commented that if the Authority is ultimately responsible, it should be known what the group's limits are as far as what they can decide for example, whether the project would be funded by taxpayer's money.

Mr. Tsuchida reminded that the AWG advises, they don't make any decisions. The Authority's responsibility is to make the decision.

Mr. Okada stated that in the meeting it should be made clear that the Authority has the responsibility to make the decisions, otherwise people will get the wrong idea that they would be able to decide everything about Kakaako Makai and how the project will be funded.

E. Relationship Between the Advisory Working Group and HCDA

Mr. Tsuchida stated that the best possible future, which is similar to OMPO, is for HCDA and the AWG to work as a partnership. They need to understand each other, listen to each other, and work well together and if there are differences, discuss and work out a reasonable compromise. The Authority has the ultimate responsibility to make clear and final decisions. If there is a good working relationship between the Authority and the AWG, many of the AWG's concerns and ideas will carry forward into the planning and implementation of the project. That is the best scenario and that is the goal.

Mr. Okada commented that it is felt that at OMPO the Executive Director still has some control. The CAC is not a separate body.

Mr. Tsuchida responded that OMPO is a planning entity so it is a different kind of organization from HCDA; they don't administer rules for land use so the AWG is unique in that way.

Chairperson Goshi asked whether there were any other questions or comments.

Member Saito stated that he thought the AWG is a good idea. He wanted to know how mutually exclusive would the group be; would the Authority only have to use them for ideas and plans because there will be lots of people with ideas.

Mr. Tsuchida pointed once again to the OMPO program. The CAC is about one of a dozen different ways that they receive advice. The CAC is very important, but for certain issues, OMPO will do general public meetings, telephone and public surveys, public workshops, or newsletters, so there are various other ways that they receive input. The CAC is not the sole avenue for public input that OMPO uses.

Member Saito stated that there should be an understanding among everyone that the Authority will try to move as quickly as possible, and there may be times when the direction will come from the Authority and may bypass the AWG because it is the Authority's responsibility to take care of business at Kakaako Makai.

Member Chang added that Member Saito and Mr. Okada bring out good points. She suggested that at the first meeting it is emphasized that the AWG's role is to advise and not to decide and that the AWG is not the only advice that the Authority will be taking into consideration in decision-making. Those two principles should be basic and emphasized clearly at the first meeting.

Ms. Reischmann cautioned that HCDA should avoid a perception of a lock out and that the public wanted full transparency. She suggested that when advice is obtained from other sources, that it should be clear where that additional information came from and that it helped the Authority to come to a decision. There is a potential for the AWG to think that they are providing the Authority advice and it is being ignored and they won't understand why so it should be made clear how the Authority made that decision and other sources that were used. Ms. Reischmann cautioned to be mindful of the outside perception that there is a lack of transparency.

Ms. Matson noted that it would be a question among the membership of what the purpose of the AWG is. Her impression of OMPO's CAC is that it receives different ideas and proposals and the CAC filters the ideas and then it goes on to the board for a decision. It shouldn't be that the AWG is just a figurehead because the Legislature put them in place.

Mr. Tsuchida commented that the CAC is a key voice that OMPO listens to and they may receive other information through other sources for broader advice.

Ms. Matson stated that the more input from multiple sources is better. The AWG is there for a purpose.

Chairperson Goshi stated that the vision would provide the whole philosophy because ideas change, people change and initial philosophy sometimes change. The Authority is interested in the AWG to provide a wide range of input.

Member Saito stated that he was hearing the desire for the AWG to hear any idea, plan or proposal and the AWG would provide advice. The Authority's

obligation needs to be clear so that the Authority and HCDA staff understand that if something comes up, that it will go through the AWG and the AWG would provide advice on the proposal.

Mr. Okada commented that the AWG was formed because of a Legislative resolution, and if staff thinks that they are just going through the process because of the resolution, there may be a lack of communication. The staff and Authority need to buy in on the process.

Ms. Reischmann responded that it is perceived on both sides that this is a real opportunity for partnership.

Ron Iwami from the audience stated that from his standpoint he envisioned the AWG to come up with the basic guiding principles for example, “lei of the land” from Ala Moana Park to Kakaako Park with bikeways and if all the groups agreed, it would become a basic guiding principle. The AWG would then recommend to the Authority to use that in the RFP that would be sent out to the developers so the developers know that they would be required to build a park with a bikeway. The AWG would recommend these guiding principles and the developers would then take it from there, but everyone would agree on the guiding principles so that there won’t be any opposition.

Member Saito stated that was a really good approach. He asked if that approach was taken, once the guiding principle is accepted, how the AWG would be involved in the proposals.

Mr. Iwami responded that the Authority could decide whether to show the plan to the AWG for advice or the AWG could be involved in the planning.

Member Saito stated that he was fine with that, but everyone needs to understand it in the same way.

Chairperson Goshi commented that the lesson learned from the RFP process was that it may not be the best process. The RFP process is competitive so the proposal can not be made public until the very end. In the future, the Authority may want to consider the Request For Qualifications process, which selects the qualified person first, and then the developers will work with the AWG and Authority together.

Mr. Tsuchida agreed that would be a much more open process.

Mr. Okada commented that he related this to a remodeling project. The client would tell the architect what he wanted, but in the end it is not what the client

envisioned. The client needs to be there all the time to meet with the contractor if things change so in the end there is no squabble.

Mr. Tsuchida noted that is why the roles and responsibilities will be discussed.

Mr. Okada commented that people perceive guiding principles differently.

Member Saito stated that because the Authority wants to create a partnership and will depend on the advice of the AWG and decisions by the Authority are made on a monthly basis, there should be some form of communication so that the AWG would meet the same kind of timeframe if proposals need to go through the AWG for advice, it would have to be timely otherwise things would take too long.

Mr. Tsuchida noted that the OMPO CAC meets monthly on a regular basis. There are not always things for discussion, but some of the time is spent as part of educating the group with presentations so that the CAC becomes better equipped to help make recommendations.

Ms. Matson added that the Aloha Tower Development Corporation held a separate meeting for their advisory committee and there were a lot of interesting ideas that came forward through the committee. Committee members know experts in the field so she felt that it was a very productive process.

Chairperson Goshi asked whether there were any further questions or comments. He thanked everyone for attending and noted that he felt the workshop was extremely productive.

IV. ADJOURNMENT

There being no further business, Chairperson Goshi asked for a motion to adjourn the meeting. Member Mukaigawa motioned to adjourn, Member Manayan seconded the motion. The workshop was adjourned at 3:20 p.m.

Respectfully submitted,

/s/

Michael Goshi
Chairperson