Committee Meeting Held
April 3, 2012

Honorable Ernest Y. Martin
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Executive Matters and Legal Affairs, which considered Bill 8 (2012) entitled:

"A BILL FOR AN ORDINANCE RELATING TO PARKING STALLS FOR THE LEGISLATIVE BRANCH,"

introduced on February 7, 2012 and which passed Second Reading at the March 21, 2012 Council meeting, reports as follows:

The purpose of this Bill is to establish a procedure for allocation of parking stalls in the civic center complex for legislative branch officials and employees.

The Director of the Department of Facility Maintenance testified that the administration has concerns with the Bill and asked that the Bill be deferred. The Director and his staff answered questions and noted that the measure would affect 144 City employees who are on a wait list for an unassigned parking permit.
Your Committee amended the Bill to make the following changes:

A. Remove the phrase "or council chair's authorized representative" and therefore provides that the Council Chair will provide information to the chief engineer regarding legislative branch parking assignments within the allocation.

B. Provides for an additional 10 parking stalls for use by legislative branch visitors.

Your Committee on Executive Matters and Legal Affairs is in accord with the intent and purpose of Bill 8 (2012), as amended herein, and recommends that it pass Third Reading in the form attached hereto as Bill 8 (2012), CD1. (Ayes: Cachola, Berg, Chang, Gabbard, Garcia, Kobayashi, Martin -7; Noes: None; Excused: Anderson, Harimoto - 2.)

Respectfully submitted,

Committee Chair

At the 6/6/12 Council meeting, CR-107 and Bill were committed back to the EMLA Committee.
A BILL FOR AN ORDINANCE

RELATING TO PARKING STALLS FOR THE LEGISLATIVE BRANCH.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to establish a procedure for allocation of parking stalls in the civic center complex for legislative branch officials and employees.

SECTION 2. Section 15-16.5, Revised Ordinances of Honolulu 1990, as amended, is amended to read as follows:

"Sec. 15-16.5 City Hall and satellite off-street parking.

(a) It is unlawful for any person to park a vehicle in an unmetered parking stall within the areas described in subsection (d), unless the vehicle has affixed thereon a decal evidencing that a parking permit has been issued to the person by the chief engineer of the department of facility maintenance or the chief engineer's authorized representative authorizing the person to park within those areas.

(b) It is unlawful for any person to:

(1) Park a vehicle outside of a designated parking stall within the areas provided for parking by city and county officials and employees, described in subsection (d);

(2) Disregard or violate any direction, instruction or restriction indicated by or on appropriate signs and markings posted in or about the areas described in subsection (d); or

(3) Travel at a speed in excess of 10 miles per hour within the areas described in subsection (d).

(c) Members of the police department and other persons authorized by the chief of police are authorized to remove or cause to be removed any vehicle parked within the areas described in subsection (d) when:

(1) The vehicle does not display the decal required to be displayed under subsection (a); or

(2) The vehicle is not parked wholly within a designated stall and straddles an adjoining stall.
(d) Except as specified otherwise, the chief engineer of the department of facility maintenance is authorized to designate by appropriate signs and/or markings all parking areas described in this subsection for the exclusive use of officials and employees of the city and employees of the civic center child care facility. The chief engineer is authorized to issue parking permits under this section, upon receiving application therefor on forms furnished by the chief engineer and payment of the applicable monthly permit fee described in subsection (e). The designated parking areas are as follows:

(1) Except for off-street parking areas serving fire stations and fire repair facilities, all city off-street parking areas in the area bounded by Ward Avenue, Kinau Street, Lusitana Street, H-1 Freeway, Nuuanu Stream, North Nimitz Highway, South Nimitz Highway and Ala Moana Boulevard. These parking areas are under the jurisdiction of the department of facility maintenance.

(2) The Alapai parking facility located at the Waikiki makai corner of Alapai and Beretania Streets, which includes areas P-1, P-2, P-3, B-1 and B-2. These parking areas are under the jurisdiction of the chief of police. The chief of police of the city is authorized and directed to designate all parking areas by appropriate signs and/or markings for the exclusive use of officials and employees of the city. The chief of police is authorized to issue, upon receipt of an application therefor on forms furnished by the chief of police and payment of the applicable monthly parking fee, permits for parking in the facility described in this subdivision.

(3) The chief engineer and the chief of police may charge a fee of $15.00 for each parking decal that is replaced due to being lost, stolen, misplaced or not returned.

(e) Any city official or employee, including any elective or appointive official, and any employee of the civic center child care facility, who applies for and receives a parking permit under this section shall pay a fee for parking in accordance with the following schedule:
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From July 1, 2011 to June 30, 2012:

Assigned covered stall .......................................................... $63.00 per month

Assigned covered stall assigned to an elected or appointed official or employee of the city .................. $88.00 per month

Unassigned covered stall .......................................................... $48.00 per month

Assigned tandem covered stall .................................................. $38.00 per month

Assigned uncovered stall .......................................................... $53.00 per month

Unassigned uncovered stall ....................................................... $38.00 per month

Unassigned uncovered satellite stall with bus pass for commuting to working place not less than 3/8 mile away .......................................................... $33.00 per month

Assigned tandem uncovered stall .................................................. $28.00 per month

Carpool unassigned covered or uncovered stalls:

Two occupants ................................................................. 75% of specified rate

Three occupants .............................................................. 50% of specified rate

Four or more occupants ....................................................... No Charge.

From July 1, 2012:

Unassigned covered stall shall be at the same rate as the fare for an adult monthly bus pass as provided for in Section 13-2.1, Revised Ordinances of Honolulu 1990, as amended;

Assigned covered stall shall be $15 more than the unassigned covered stalls per month;

Assigned covered stall assigned to an elected or appointed official or employee of the city shall be $40 more than the rate for unassigned covered stalls per month;
Assigned tandem covered stall shall be $10 less than the rate for unassigned covered stalls per month;

Assigned uncovered stall shall be $5 more than the rate for unassigned covered stalls per month;

Unassigned uncovered stall shall be $10 less than the rate for unassigned covered stalls per month;

Unassigned uncovered satellite stall with bus pass for commuting to working place not less than 3/8 mile away shall be $15 less than the rate for unassigned covered stalls per month;

Assigned tandem uncovered stall shall be $20 less than the rate for unassigned covered stalls per month;

Carpool unassigned covered or uncovered stalls:

Two occupants .......................................................... 75% of specified rate

Three occupants ....................................................... 50% of specified rate

Four or more occupants .............................................. No Charge

(f) Appointive members of boards and commissions shall be entitled to park free of charge in areas that are set aside for such parking.

(g) A city official or employee who is the primary driver of a vehicle clearly identifiable on its exterior as a ridesharing vehicle provided under the state department of transportation's ridesharing program shall qualify for the applicable carpool fees established in subsection (e), based on the number of passengers assigned to the vehicle under the state's program. Other than the primary driver of the vehicle, the other occupants need not be city officials or employees.

(h) The chief engineer and the chief of police shall also set aside areas where city and county vehicles not assigned to specific city officials and which are utilized for the conduct of daily city business (motor pool cars) shall be parked. No fee shall be assessed for parking these vehicles.

(i) The chief engineer and the chief of police are also authorized and directed to establish, mark and designate metered and unmetered parking stalls within the areas designated in subsections (d)(1) and (d)(2).
(j) The chief engineer and the chief of police shall also post appropriate signs in and about the parking areas under their respective jurisdictions to indicate the type of parking in effect and in the case of metered parking spaces, the times during which meter fees are in effect.

(k) Bicycles, Motorcycles, Motorscooters and Mopeds. Notwithstanding the foregoing provisions, portions of the parking facilities which are not designated as parking stalls shall be designated for the parking of bicycles, motorcycles, motorscooters and mopeds as defined in HRS Section 291C-1, free of charge.

(l) The chief engineer shall allocate for use by the legislative branch the number of parking stalls within the civic center complex equal to the number of employees currently employed in the legislative branch, plus an additional 10 parking stalls for use by legislative branch visitors. The allocation may include assigned stalls, unassigned stalls, and specific locations of stalls. The types and locations of stalls in the first allocation made following the effective date of this ordinance shall conform generally to the allocation for the legislative branch prior to the effective date of this ordinance. The council chair shall, as needed, inform the chief engineer which city officials or employees of the legislative branch shall be assigned which stalls, and which stalls may be designated for legislative branch visitors within the allocation. The chief engineer shall issue the appropriate permits to the designated officials and employees in accordance with the designation of the council chair and with subsection (d)."

SECTION 3. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.
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SECTION 4. This ordinance shall take effect upon approval.

INTRODUCED BY:

Ann Kobayashi

DATE OF INTRODUCTION:

February 7, 2012
Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of ______________, 20__.

PETER B. CARLISLE, Mayor
City and County of Honolulu