

REPORT OF THE COMMITTEE ON PARKS, COMMUNITY & CUSTOMER SERVICES

Voting Members:

Kymerly Marcos Pine, Chair; Ron Menor, Vice-Chair;
Brandon J.C. Elefante, Carol Fukunaga, Joey Manahan

Committee Meeting Held
February 9, 2016

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

Mr. Chair:

Your Committee on Parks, Community & Customer Services, which considered Bill 9 (2016) entitled:

"A BILL FOR AN ORDINANCE RELATING TO CULTURAL SITES,"

which passed first reading at the January 27, 2016, Council meeting, reports as follows:

The purpose of the Bill is to establish a program within the Department of Parks and Recreation for the designation of sites of cultural value located in city public parks.

The Director of Parks and Recreation testified in support of the Bill and the proposed handcarried CD1 version.

Your Committee received written testimony in support of the Bill from eight individuals.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON **FEB 17 2016**

COMMITTEE REPORT NO. **29**

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Your Committee considered and approved a proposed handcarried CD1 version that makes the following amendments:

A. Amends Section 10-____.1 in Section 2 of the bill by:

1. Amending the definition of "cultural site" to read as follows:

"Cultural site" means any building, structure, object, area, or site that, because of its association with cultural practices or beliefs of a living community, is rooted in the community's history or important in maintaining the continuing cultural identity of the community; provided that the cultural site is also included in a city development plan or recommended by a neighborhood board;" and

2. Adding definitions for "department", "director", and "person".

B. Amends Section 10-____.2 in Section 2 of the bill by:

1. Removing the requirement that recommendations for cultural site designations in public parks, made by the director of parks and recreation, are subject to council approval and are in the form of a draft resolution to the council;

2. Removing the Council's authority to designate a cultural site by the adoption of a resolution;

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3. Providing that interested persons may recommend designations of cultural sites to the director of parks and recreation and that such recommendations would be subject to the director's approval;
 4. Adding the requirement that recommendations by interested persons for cultural site designations in public parks to the department include costs related to the labor and installation of the markers designating the cultural site; and
 5. Providing that upon the approval of the cultural site designation by the director, the department shall erect, install, or place a marker, in accordance with subsection (b)(5), informing the public of the designated cultural site; provided that the interested person making the recommendation, pursuant to subsection (a), agrees to reimburse the department for all costs related to the installation and maintenance of the marker and the marker itself, as determined by the director.
- C. Makes miscellaneous technical and non-substantive changes.

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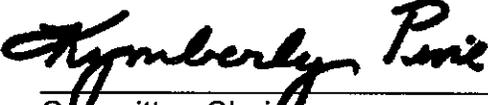
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Your Committee on Parks, Community & Customer Services is in accord with the intent and purpose of Bill 9 (2016), as amended herein, and recommends that it pass second reading, be scheduled for a public hearing, and be referred back to Committee in the form attached hereto as Bill 9 (2016), CD1. (Ayes: Pine, Elefante, Fukunaga, Menor - 4; Noes: None; Excused: Manahan - 1.)

Respectfully submitted,



Committee Chair

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON FEB 17 2016

COMMITTEE REPORT NO. 29



A BILL FOR AN ORDINANCE

RELATING TO CULTURAL SITES.

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 program within the department of parks and recreation for the designation of sites of cultural value located in city public parks.

SECTION 2. Chapter 10, Revised Ordinances of Honolulu 1990 ("Rules, Regulations, Charges and Fees for Public Parks and Recreation Facilities"), is amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

"Article __. Cultural Sites in Public Parks

Sec. 10-___.1 Definitions.

As used in this article, unless the context otherwise requires:

"Cultural site" means any building, structure, object, area, or site that, because of its association with cultural practices or beliefs of a living community, is rooted in the community's history or important in maintaining the continuing cultural identity of the community; provided that the cultural site is also included in a city development plan or recommended by a neighborhood board.

"Department" means the department of parks and recreation.

"Director" means the director of parks and recreation.

"Person" means a human being, a corporation, an unincorporated association, or other entity.

Sec. 10-___.2 Cultural Sites in Public Parks Program.

- (a) The director may establish a program for the designation of cultural sites located in public parks. Any interested person may recommend the designation of a cultural site to the director for approval.
- (b) The recommendation to the director by an interested person pursuant to subsection (a) must include the following:



A BILL FOR AN ORDINANCE

- (1) The name and address of the public park where the proposed cultural site is located;
 - (2) A description of the approximate location where the proposed cultural site will be located within the public park;
 - (3) A name and brief physical description of the proposed cultural site;
 - (4) A brief description of the cultural impact of the site on the city or surrounding communities; and
 - (5) Detailed information, such as the size, shape, types of materials to be used, any maintenance costs, and the total cost, including the labor required, of installing the marker at the designated cultural site.
- (c) Upon the approval of the designation by the director, the department shall erect, install, or place a marker, in accordance with subsection (b)(5), informing the public of the designated cultural site; provided that the interested person making the recommendation, pursuant to subsection (a), agrees to reimburse the department for all costs related to the installation and maintenance of the marker and the marker itself, as determined by the director."



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SECTION 3. This ordinance takes effect on July 1, 2016.

INTRODUCED BY:

Kymberly Marcos Pine

DATE OF INTRODUCTION:

January 21, 2016

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu