



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

COMMITTEE ON PARKS, COMMUNITY & CUSTOMER SERVICES

Voting Members:

Ann H. Kobayashi, Chair
Ikaika Anderson, Vice Chair
Ron Menor
Trevor Ozawa
Kymberly Marcos Pine

MINUTES

REGULAR MEETING
TUESDAY, MAY 1, 2018

COUNCIL COMMITTEE MEETING ROOM
2ND FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

The regular meeting of the Committee on Parks, Community and Customer Services was called to order by Committee Chair Ann H. Kobayashi at 9:03 a.m. Voting Members, Menor and Ozawa were present at the meeting. Nonvoting Members Fukunaga and Martin also attended the meeting. Voting Members Anderson and Pine were excused from the meeting.

STAFF PRESENT

Steve Uyeno, Senior Advisor to Committee Chair Kobayashi
Alden Lum, Attorney, Office of Council Services
Todd Swisher, Analyst, Office of Council Services
Dawn Spurlin, Deputy, Department of the Corporation Counsel, assigned to the Committee
Vicki Chung, Council Committee Aide, Office of the City Clerk

ORDER OF BUSINESS

APPROVAL OF MINUTES

The minutes of the Committee on Parks, Community and Customer Services meeting held on April 17, 2018 were approved as circulated.

AYES: MENOR, OZAWA, KOBAYASHI – 3.
NOES: None.
EXCUSED: ANDERSON, PINE – 2.

FOR ACTION

1. RESOLUTION 18-91 – COMMITTEE REPORT 164

TRANSFER OF HAWAII COMMUNITY DEVELOPMENT AUTHORITY’S PARK LANDS IN KAKAAKO MAKAI TO THE CITY. Urging the City Administration to include, as part of its negotiations and discussions with the Hawaii Community Development Authority regarding the transfer of the Authority’s park lands in Kakaako Makai to the City, the transfer of the parcel on which the Hawaii Children’s Discovery Center is located (identified as Tax Map Key No 2-1-060: 017), and the Center’s corresponding lease.

Administration/Others

Dawn Spurlin, Deputy Corporation Counsel, Department of the Corporation Counsel (COR)

Roy K. Amemiya, Jr., Managing Director

Garrett Kamemoto, Interim Executive Director, Hawaii Community Development Authority (HCDA)

Deputy Corporation Counsel Spurlin clarified that as she represents the Committee. She stated that she does not know what is involved in amending the HCDA lease nor HCDA’s procedure to transfer ownership and suggested the Committee request the information from COR.

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In response to Committee members, Interim Executive Director Kamemoto stated that:

- As a redevelopment agency, HCDA's mission is to improve certain lands and then dedicate those lands for the benefit of the community.
- Once the Kakaako Makai Park lands were brought up to park standards, HCDA intended to turn the parks over to the City. However, that never occurred, and now the HCDA is seeking Board authority for the transfer.
- He believes the Board would be amenable to including the Children's Discovery Center in the transfer which would make the area more cohesive, provided the Children's Discovery Center agrees. .
- In the past, when HCDA transferred property to the Office of Hawaiian Affairs (OHA), the terms and conditions of the lease were assumed by OHA. Similarly, the City would need to agree to assume the terms and conditions of the Children's Discovery Center lease.
- He does not believe there are any major stumbling blocks that would hinder the process.
- Once Board approval is obtained, HCDA would start executing deeds, and the City would be amenable to completing the transfer as soon as the paperwork is finalized.
- The Board has two general positions: (1) the transfer should have been processed all along; and (2) the transfer should have been processed all along, but maybe there needs to be another public hearing. The Board Chair's position on the transfer is generally positive.
- Effective enforcement requires a coordinated effort between HCDA, its security contractors, the various City departments, the State sheriffs and Department of Transportation (DOT).
- The streets surrounding the Children's Discovery Center would be included in the transfer which would give the City jurisdiction for enforcement purposes.

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- The transfer would not include Ala Moana Boulevard which falls under the jurisdiction of the State DOT, nor the parcel between Kewalo Basin and Ala Moana Beach Park
- The Community Policing Team has been invaluable in responding to HCDA's concerns.

In response to Committee members, Managing Director Amemiya stated that:

- The City's principal negotiator is Corporation Counsel Donna Leong is out of state.
- The City will be acquiring much of the contracts that HCDA has signed agreements for, as well as maintenance of the park until June 30, 2019.
- Discussions with HCDA focused on the parks and roads. Including the Children's Discovery Center was not contemplated, and the City has not had any discussions with Director Loretta Yajima. The Administration is not averse to incorporating the Children's Discovery Center, but has the same concerns raised by Councilmember Menor.
- The parks parcels would fall under the jurisdiction of the Department of Parks and Recreation. One parcel, the labs, may be assigned to the Department of Facility Maintenance.

The following individuals testified:

1. Kurt Fevella (comment)
2. Chu Lan Shubert-Kwock, Business & Community Association (support)

Resolution 18-91 reported out for adoption.

AYES: MENOR, OZAWA, KOBAYASHI – 3.

NOES: None.

EXCUSED: ANDERSON, PINE – 2.

Related communication:

M-248 Early testimony on Resolution 18-91

2. RESOLUTION 18-92 – COMMITTEE REPORT 165

RELATING TO THE CITY'S TOWING CONTRACT. Requesting the Department of Customer Services to convene a working group to discuss and recommend amendments to the City's towing contract.

Administration/Others

Randy Leong, Deputy Director, Department of Customer Services (CSD)
Wendy Imamura, Purchasing Administrator, Department of Budget and Fiscal Services (BFS)

Deputy Director Leong provided a brief overview of the City's towing contracts. He explained the steps the CSD has taken to resolve the issue of vehicles owned by servicemembers.

In response to Committee members, Deputy Director Leong and Purchasing Administrator Imamura stated that:

- The Request for Proposals (RFP) which closed on April 20, 2018 calls for one contractor who would have the ability to use subcontractors. The main contractor is responsible for paying the subcontractors and finding storage space.
- The BFS is working quickly to resolve a protest was received on the RFP in order to move forward in evaluating all the offers received.
- The towing industry has faced decreasing scrap metal prices, increasing storage costs, and Department of Health permitting issues.
- The City has reached out to the State for assistance in locating parcels of land to temporarily store vehicles. The Administration is close to an agreement with the military to store vehicles owned by servicemembers on military land.
- The last contract ended at the beginning of the year. The BFS gave them an emergency 6-month contract to give the City time to re-solicit. The City is seeking to award a contract on June 30. The contractor pays the City a premium for the exclusive right to tow every month.

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- The City supports House Bill 2442 introduced by Representative Gates. Director Kajiwara has worked closely with State representatives to include language that will allow the City to dispose of derelict vehicles.
- Acquisition of a municipal tow lot would allow the City to react quickly to any situation and hire companies to tow vehicles to the lot. Purchasing such a lot could also accommodate the storage needs of various City departments.
- An abandoned vehicle is one that has been on the street and not been moved for 24 hours. Components used to identify a derelict vehicle include: (1) a part is missing; (2) the vehicle was not registered for the previous 12-month period; and (3) the notice of transfer has not been fully executed.
- Once the City removes a vehicle, notification is mailed to the owner on record, and the owner is given time to pick up the vehicle before it is destroyed. In order to retrieve their vehicle, the owner must pay towing, mileage, and storage fees.
- Whenever the BFS does a solicitation, input is sought from impacted county agencies. However, the City must be careful about including industry input in the specifications.
- The City would not be able to convene a working group, incorporate their recommendations into the specifications, go out for bid, and select a contractor by June 30. If the City is unable to get a contract in place by June 30, the City would need to revisit the emergency procurement and open up negotiations for new terms for the additional time.
- Contracts have a 30-day termination for convenience clause, so the City always has the ability to terminate a contract.
- The Resolution should be amended to state that the working group analyze the situation and brainstorm ideas on how best to resolve some issues in order to prevent the possible implication that the working group assisted in developing the specifications.
- He will discuss with the Administration a possible budget amendment to request funding to purchase a municipal tow lot.

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The following individuals testified:

1. Jeanette Grace, Pinky Tows (M-250) (support)
2. George Grace III, Pinky Tows (support)
3. Kurt Fevella (comment)
4. Sabrina Grace (support)

Committee Chair Kobayashi recommended that the Resolution be amended to CD1 as discussed.

Council Chair Martin noted that since the RFP has been published and the deadline for submittals has passed, not much can be done to amend the RFP now. The request to delay the contract could be left up to the Department's discretion. Should the working group come up with improvements to the process or making the contract more economically efficient, it would be up to the Administration to determine whether or not to further amend the contract to ensure that the City receives the best bargain.

In response to Committee Vice Chair Ozawa, Deputy Director Leong stated that he would look into the removal of the seven abandoned vehicles on Castle Street.

Resolution 18-92 amended to CD1 and reported out for adoption.

AYES: MENOR, OZAWA, KOBAYASHI – 3.

NOES: None.

EXCUSED: ANDERSON, PINE – 2.

CD1 to Resolution 18-92 (Submitted by Councilmember Kobayashi) – The CD1 (OCS2018-0450/5/2/2018 3:58 PM) makes the following amendments:

- A. Amends the second BE IT FURTHER RESOLVED clause to read as follows:

BE IT FURTHER RESOLVED that the working group is requested to submit a report on its findings and recommendations to the Department of Customer Services within 60 days after the working group is convened; and

- B. Amends the third BE IT FURTHER RESOLVED clause to read as follows:

BE IT FURTHER RESOLVED that the City Administration is requested to consider postponement of the execution of a new towing contract until the working group has submitted its report; and

- C. Makes miscellaneous technical and nonsubstantive amendments.

Related communication:

M-250 Additional testimony on Resolution 18-92

3. BILL 2 (2018) – COMMITTEE REPORT 163

RELATING TO PUBLIC PARKS. Addressing commercial activities at certain City beach parks.

The following amendment was posted on the agenda:

CD1 to BILL 2 (2018) – (Submitted by Councilmember Martin) The CD1 (OCS2018-0390/4/16/2018 3:21 PM) makes the following amendments:

- A. In Bill Sections 2, 3, and 5: adds Haleiwa Beach Park to the list of North Shore beach parks impacted by this ordinance.
- B. In Bill Section 3, underscores language in Subdivision (11) that reads: city owned or operated beach rights-of-way and easements from Lanikai to Kapoho Point (Castle Point). This language was inadvertently NOT underscored in Bill 2 (2018) as introduced.
- C. Makes miscellaneous technical and nonsubstantive amendments.

Administration/Others

Michele Nekota, Director, Department of Parks and Recreation (DPR)

Committee Chair Kobayashi noted that at its April 17, 2018 meeting, the Committee amended the Bill to a CD1 version and postponed action until its May 1, 2018 Committee meeting.

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Director Nekota expressed appreciation for the intent of the Bill, but raised concerns that the definition of commercial activity is broad and the Bill is customized for a handful of parks. The camping rules were adopted a few weeks ago and the child care rules went out for public hearing last week. DPR staff continues to work on the rules governing commercial activities.

In response to Committee Member Menor and Council Chair Martin, Director Nekota stated that:

- Once completed, the draft rules and regulations will be transmitted to the Department of the Corporation Counsel for approval, and then DPR will proceed with the 30-day notice for a public hearing. The timeline for completion depends on whether public input results in major changes to the draft which would require another public hearing.
- She will check whether a copy of the working draft could be released to the Council.

The following individual testified:

Kathy Whitmire, North Shore Outdoor Circle (M-249) (support)

Council Chair Martin requested that the Bill be reported out with the understanding that he would defer scheduling the measure for final adoption for 60 days.

Committee Chair Kobayashi recommended that Bill 2 (2018), CD1 be reported out for passage on third reading.

Committee Vice Chair Ozawa clarified that the Bill only affects Council District 2.

Bill 2 (2018), CD1 reported out for passage on third reading.

AYES: MENOR, OZAWA, KOBAYASHI – 3.

NOES: None.

EXCUSED: ANDERSON, PINE – 2.

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Related communications:

M-249 Early testimony on Bill 2 (2018)
M-251 Additional testimony on Bill 2 (2018)

FOR DISCUSSION

4. UPDATE ON HANAUMA BAY

Administration/Others

Michele Nekota, Director, Department of Parks and Recreation (DPR)
Josh Stanbro, Executive Director, Office of Climate Change, Sustainability
and Resiliency (CCSR)

In response to the concerns raised by Committee Chair Kobayashi, Director Nekota stated that:

- The orientation video was completed.
- Volunteers are acknowledged and thanked at the Annual Volunteer Dinner.
- The State approved the carrying capacity study which begins May 1, 2018.
- The City has completed the new air condition at the visitor center; replaced the copper flashing at the comfort station; replaced the thatched roof; installed new security lights in the parking lot; finished both Phase 1 and Phase 2 of the rock fall mitigation, and has a pre-final for Phase 3 of the rock fall mitigation on Friday (April 27); resurfaced a portion of the parking lot; and are working on the rest of the parking lot and road resurfaced.

In response to Committee Vice Chair Ozawa, Director Nekota stated that she will talk to her staff about why the acknowledgments and recognition on Hanauma Bay receiving its preservation designation were not allowed to be displayed at the Visitor Center.

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In response to Committee Vice Chair Ozawa, Executive Director Josh Stanbro stated that:

- CCSR has not specifically studied how Hanauma Bay will be affected the rising sea levels.
- The crater is quite steep on the edges, and a sea level rise of 3.2 feet would likely dissipate most of the beach, and because there is no berm behind it, there would not be a huge impact on the coral.
- Infrastructure would not be at risk.

The following individuals testified:

1. Lisa Bishop, Friends of Hanauma Bay (comment)
2. Sid McWhirter, Friends of Hanauma Bay (M-252) (comment)
3. Steve Oppenheimer (comment)

Related communication:

M-252 Additional testimony on Update on Hanauma Bay

At this juncture, Committee Chair Kobayashi appointed Councilmember Fukunaga as a temporary voting member to fulfill quorum.

5. UPDATE ON FERAL CHICKENS

Administration/Others

Randy Leong, Deputy Director, Department of Customer Services
Wendy Imamura, Purchasing Administrator, Department of Budget and
Fiscal Services (BFS)

There was no public testimony.

Deputy Director Leong explained that each department is tasked with addressing their own feral chicken problems on a case-by-case basis. The Department of Enterprise Services Golf Division has a paid a service provider \$1,200 in fees to catch chickens at the Ala Wai and West Loch Golf Courses. The Board of Water Supply has hired a vendor for \$5,000 to address chickens at their substations.

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Purchasing Administrator Wendy Imamura stated that chickens know no jurisdictional boundaries, and the only way to successfully eradicate chickens is through an islandwide cooperative effort.

Committee Vice Chair Ozawa urged the Administration to move on from the jurisdictional argument and find a solution.

Deputy Director Leong stated that the Administration is willing to work with the Council to look at other proposals.

Committee Chair Kobayashi noted that the issue of feral chickens will be placed on the agenda periodically for updates.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:50 a.m.

Respectfully submitted,

GLEN I. TAKAHASHI
City Clerk

vc

DATE APPROVED

June 26, 2018