



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

JADE T. BUTAY  
DIRECTOR

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IN REPLY REFER TO:

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

OAHU

ISSUANCE OF A REVOCABLE PERMIT TO THE DEPARTMENT OF CUSTOMER SERVICES, CITY & COUNTY OF HONOLULU, HONOLULU, HAWAII, OAHU – KEEHI INDUSTRIAL PARK, TAX MAP KEY NO. (1) 1-2-23:40 & 72

**LEGAL REFERENCE:**

Sections 171-13 and 171-55, Hawaii Revised Statutes, as amended.

**APPLICANT:**

City & County of Honolulu Department of Customer Services whose business and mailing address is 550 South King Street, Honolulu, Hawaii 96813

**CHARACTER OF USE:**

To allow Applicant and its permitted agents (assignees, contractors, sub-contractors, and agents) the right to enter upon and take possession of the premises for the purposes of storing towed and abandoned vehicles and equipment found on streets and roads under the jurisdiction of the City and County of Honolulu.

**LOCATION:**

Certain lots in the vicinity of Pier 60, Honolulu Harbor, in the Keehi Industrial Park, Kapalama, Honolulu, Oahu, identified by Tax Map Keys No.: (1) 1-2-23:40 & 72, as shown on the attached map labeled Exhibit A.

**AREA:**

25,350 square feet, more or less

**CONSIDERATION:**

Gratis. In lieu of a rent payment, the Applicant shall provide a security guard at the premise for a minimum of eight (8) hours per every 24-hour period this permit is in effect for the purpose of ensuring the premises is used solely for the purposes intended and to

prevent unauthorized access to and use of the premises. This service shall be valued at the prevailing wage rate paid by the Department of Transportation Harbors Division, which currently equals \$21.75 per hour. This value equals \$5,220 per 30-day period, or \$63,510 per year.

The Applicant also agrees to provide assistance to the Department of Transportation Harbors Division, as practicable, with the prompt removal of abandoned vehicles on roadways under the Applicant's jurisdiction abutting and adjacent to Harbors Division property.

**ZONING:**

State Land Use District: Urban  
City & County of Honolulu: Industrial, Intensive (I-2)

**TERM OF PERMIT:**

Month-to-month for up to one year, with the option to continue for additional one-year periods with approval from the Board

**COMMENCEMENT DATE:**

The first day of the month to be determined by the Director of Transportation.

**TRUST LAND STATUS:**

Subsection 5(a) of The Admission Act (non-ceded)

**CURRENT USE STATUS:**

Parcels are currently vacant. The previous uses included a baseyard for a general contractor and the storage of heavy equipment and building materials.

**LAND TITLE STATUS:**

Encumbered under Governor's Executive Order 3708 issued to the Department of Transportation for Harbors Purposes

**CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:**

This use is exempt from Office of Environmental Quality Control requirements pursuant to Sub-Chapter 11-200-8 of the Hawaii Administrative Rules that exempts the "operation, repairs, or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously existing."

**APPLICANT REQUIREMENTS:**

Applicant shall be required to comply with all permit terms, including all exhibits, addendums, and other lease documents, and specifically shall be required to:

1. At its sole cost and expense, remove all property, tools, equipment, temporary improvements, machinery and unused or surplus materials, if any, and other property stored or placed upon the premises, and the ingress and egress thereto, and restore the premises to the condition it was in immediately prior to the effective date of the Revocable Permit;
2. Use due care for public safety and shall be responsible for any damage or injury caused by its officers, employees and agents in the course and scope of their employment to the extent that its liability for such damage or injury has been determined by a court or otherwise agreed to. Permittee shall pay for such damage and injury to the extent permitted by law provided that an appropriation is enacted for that purpose; and
3. Provide a security guard at the premise for a minimum of eight (8) hours per every 24-hour period this permit is in effect for the purpose of ensuring the premises is used solely for the purposes intended and to prevent unauthorized access to and use of the premises. This service shall be provided in lieu of a rent payment and shall be valued at the prevailing wage rate paid by the Department of Transportation Harbors Division.

**REMARKS:**

The Applicant, the City and County of Honolulu Department of Customer Services, has experienced a tenfold increase in abandoned vehicles totaling approximately 1,000 vehicles per month. The Applicant recently reached a settlement with the U. S. Department of Justice regarding the treatment and processing of abandoned vehicles registered to active duty members of the U.S. Armed Forces. As such, the Applicant requires use of these premise for the storage of these vehicles to facilitate the removal of the vehicles from roadways under the jurisdiction of the City and County of Honolulu while the required administrative procedures are followed.

The Department of Transportation Harbors Division is in the process of redeveloping its properties in the Keehi Industrial Park and most tenants have vacated these properties to accommodate the redevelopment. However, while the redevelopment is underway, the presence of the City and County of Honolulu in the Keehi Industrial Park with the requirement for security presence will be beneficial in general and helpful in specifically deterring unauthorized access to these parcels.

RECOMMENDATION:

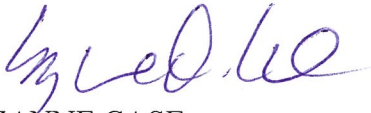
That the Board authorize the Department of Transportation, Harbors Division to issue a revocable permit to the Applicant for the above stated purposes, subject to the terms and conditions of the most current revocable permit form, as may be amended from time to time and such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. T. Butay", written in a cursive style.

Director of Transportation  
JADE T. BUTAY

APPROVED FOR SUBMITTAL:

A handwritten signature in purple ink, appearing to read "Suzanne Case", written in a cursive style.

SUZANNE CASE  
Chairperson and Member  
Board of Land and Natural Resources



