

From: [Karen Boyer](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] No to J-1
Date: Thursday, August 10, 2023 9:10:46 AM

Dear board member.

Please vote no on measure J-1. Intentional and malicious towing occurs at the Ala wai small boat harbor frequently

Thank you, Karen Boyer, Honolulu resident

From: [Korynn Grenert](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony in opposition of continuation of revocable permit for Secure Parking LLC (Agenda Item J1)
Date: Thursday, August 10, 2023 9:12:17 AM

Good morning BLNR.

I am writing testimony in opposition of the continuation of the Revocable Permit Issued to Secure Parking LLC within the Ala Wai Small Boat Harbor. This is Agenda Item J1 on tomorrow's BLNR board meeting.

The current towing situation that Secure Parking LLC has created in the Ala Wai Boat Harbor is predatory, unjustified, and not beneficial to anyone except the towing company. Hawaii is supposed to be a place of Aloha, but the immediate and calculated towing of cars that have expired their parking time or that have accidentally parked in reserved stalls (due to poor signage by Secure Parking LLC) is wrong.

The signage in the harbor should be immediately updated to be clearer, there should be a grace period for cars in paid parking stalls, and Hawaii towing companies should accept payment via both cash and credit card. Unfortunately, Secure Parking LLC has failed to implement any of these suggestions, and should thus be replaced by a towing company with more honesty and integrity.

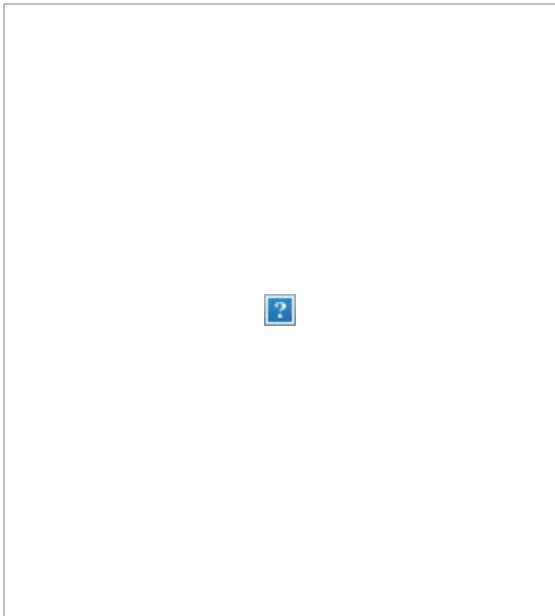
Thank you for taking the time to consider my testimony before your meeting tomorrow. Have a wonderful rest of your day.

Sincerely, Korynn E. Grenert

From: [Maggie Hallahan](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Parking at the Ala Wai Small Boat Harbor J-1
Date: Thursday, August 10, 2023 9:00:05 AM
Attachments: [Screen Shot 2023-08-10 at 11.56.29 AM.png](#)

Aloha Board of Land and Natural Resources Meeting,

I am requesting to be able to give testimony on Parking at the Ala Wai Small Boat Harbor J-1 tomorrow.



As a Captain I want to talk about the dangers of Surfers not using the parking at the harbor and paddling over across the entrance to the Harbor.

Mahalo,

Captain Maggie Hallahan
C-415-305-7553



Parking at the Ala Wai Small Boat Harbor: Vote No on J-1

August 11, 2023

Board of Land and Natural Resources
Meeting

Presentation by Kate Thompson

Co-Founder of www.surfparking.org

J-1

SUBJECT: Continuation of Revocable Permit Issued to Secure Parking Hawaii LLC, dba Concierge Car Wash and Traffic Monitoring Services for Management of Vehicular Parking in the Designated Areas Located Within the Ala Wai Small Boat Harbor, Honolulu, Oahu, Hawaii.

Identified by Tax Map Keys: (1) 2-6-010:003 (Portion), (1) 2- 3-037:012 (Portion), :024, :027, :033, :035 and :037

The APPLICANT:

Secure Parking Hawaii LLC, a Hawaii limited liability company, to monitor parking.

This Revocable Permit should not be renewed at this time.

The concerns of citizens about parking and towing policies at the Ala Wai Small Boat Harbor must be addressed before a new contract can be agreed to.

The questionable administrative policy & the issues created by the handling of the current parking contact clearly indicates that the terms of the Revocable Permit need further review & community input before a contract 'continuation' is considered.

Three points being discussed today on J-1:

#1 Citizen Outrage

With the current Ala Wai Harbor paid parking management and instant towing policies.

#2 J-1 Not Clear - Conflicting Requests

The submittal J-1 is written so poorly that it's obscuring what DOBOR is really asking for.

#3. Vote No On J-1 and Go Directly to the RFI

Why go through this J-1 effort when DOBOR says they are going to do a RFI? Does J-1 secure DOBOR the right to review seal the bids and not be transparent?

#1 Citizen Outrage

No Tickets are given. Just 'Instant Tow'.

Who can give parking tickets?

DOCARE: Yes. Do you really think these State Officers ought to spend their professional time walking around in full uniform giving parking tickets?

Police: In certain situations, HPD might write a ticket but the officers do not work as 'parking attendants'.

DOBOR says the Parking Permittee has not been approved as a ticketing agent by the BLNR.

Secure Parking: There is an **implied YES** in the 'permittee' contract, but it's not specific. Does the Board think Secure Parking LLC gives tickets?

Harbor Agents: NO. See testimony on HCR 176 by DLNR Chair S. Case, 2022, 'due to complaints of favoritism and arbitrary citing, the authority was revoked' (from Harbor agents giving tickets in small boat harbors.)

https://www.capitol.hawaii.gov/sessions/Session2022/Testimony/HCR176_TESTIMONY_WAL_03-22-22_.PDF

#1 Citizen Outrage

Which agency should be responsible for ticketing?

Hawaii residents and visitors are frustrated with the current parking and towing policies.

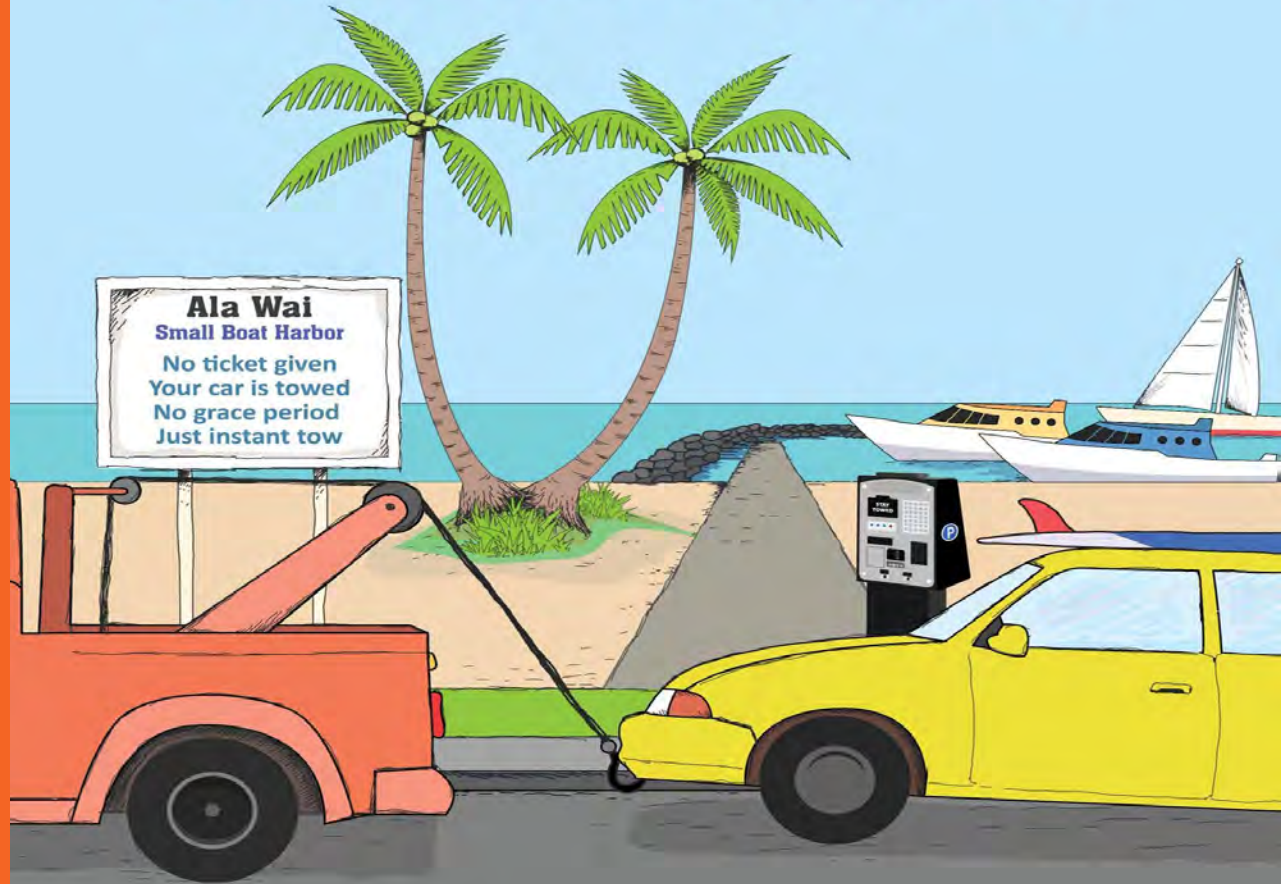
We are asking that 5 tickets are given before a vehicle can be towed, like they have in the parking lots in Maui and at Ko'Olina.

Without specific direction, each agency/entity seems to be washing their hands of the job and assuming, or charging the other with administration of the ticketing. As such, the towing company that simply removes the vehicle at an inflated charge to the owner.



STOP THE INSTANT TOW POLICY

#1 Citizen Outrage



We are asking the AG & BLNR members to incorporate terms in the contract that require measurable accountability & transparency, requirements to ensure adherence to the terms of the contract.

The Tow Truck Drivers are the enforcers.

Secure Parking provides the tow truck drivers with specialized software.

This software allows tow truck drivers to scan license plate numbers. If the meter has expired, the driver can immediately tow.

The Board can research this by:

- 1) Obtaining any documents such as MOA's between these two LLCs.
- 2) Obtain the monthly towing records. By contract, both the parking and towing companies are obligated to retain for a period of three years.
- 3) The tow company must keep photos and towing records for driver payment and "post-tow hearing" meetings over the previous year. BLNR members could demand these records before permits are continued.

#1 Citizen Outrage

Stop the demanding of cash payment for tows.

DOBOR and DLNR have allowed Mr. Tow to continue to demand cash payment from the public/clients.

This is illegal practice that is not reviewed by an government authority. Where is the oversight by an government authority to protect the people?

[October 1, 2020, according to HRS 290-11\(b\)\(5\)](#) *“Accommodate payment by the vehicle owner for charges under paragraph (1) by cash, credit card, or debit card.”*

When brought to DOBOR Administor’s attention that Mr. Tow is still demanding cash, [their reply on was October 27th, 2021.](#)

“They are not required by law to take a credit card and **we will not advise them on their business practices.**” - Meghan Statts, DOBOR Assistant Administrator. State law overrides administrative policy so this statement is clearly in violation, in addition to being in conflict with the terms of a State contracts with tow companies.

#1 Citizen Outrage



Towing records are not researchable.

DOBOR has refused to obtain towing records. [See UIPA request from Kate Thompson.](#)

Even Senator Moriwaki can not get the towing records, when she asked.

DLNR Chair Dawn Chang briefly mentioned in a 2023 Legislative Informational session that she could obtain towing records but this information has not been made public.

Compliance is a requirement, not a request & the documentation should be provided as soon as possible.

#1 Citizen Outrage

In light of DLNR goals for privatization, Surfparking.org was founded by the Ala Wai Community to preserve our longstanding recreational area. We have three goals for the Ala Wai Small Boat Harbor:

Uphold the 2008 policy stipulating, “No less than 300 free recreational parking stalls,” out of the 1025 total parking stalls, as quoted in the UHCDC Vision document.

Halt the large-scale privatization goals of DLNR. This harbor is already generating substantial revenue through boater fees, parking fees, and film industry income. we need the allocate the money to the AWSBH first.

Stop the DLNR-sanctioned ‘Instant Tow’ policy.

[See our detailed letter to Governor Green](#) with additional background and photos.

#2 J-1 Not Clear - Conflicting Request

The community is asking the Board to provide more oversight of DLNR on parking and towing in our State boating and recreational harbors.

We are asking the Board to extend the month-to-month for Secure Parking and require a **third-party assessment** of the parking lot **signage and parking violation/towing** policies.

It seems that Secure Parking has been working without a formal contract for 10 months already, so why not delay two or three more months? Please do not commit to a new contract before an open bid process & the terms protecting both the State & its citizens have been clearly addressed & set forth in the contract.

The state Board of Land and Natural Resources will consider Friday whether to renew a month-to-month revocable permit for the vendor that currently manages parking at the Ala Wai Small Boat Harbor.

The state Department of Land and Natural Resources' Division of Boating and Ocean Recreation has recommended the permit be renewed. It was last awarded to Secure Parking Hawaii LLC in September 2021.

According to the division's submittal to the Land Board, Secure Parking's responsibilities under the permit would include management of 329 paid and 312 monthly permit parking stalls in an 8-1/2-acre site. Secure Parking also must manage the 300 public parking stalls in designated free-parking areas.

The new permit period would run from Sept. 15 to Sept. 14, 2024. Under the agreement, Secure Parking would keep gross receipts from its parking operation and remit 80% back to the state monthly. The vendor also would need to pay a surety bond of \$42,800.

Kate Thompson, co-founder of the Save Surf Parking Coalition, said members are opposed to renewal of the permit, especially if it is kept status quo. She said there have been complaints about management of parking at the Ala Wai Small Boat Harbor, which is a popular place to park for ocean users, including those who surf at Rockpiles, Kaisers and Bowls.

Thompson said parking signage and ground stall markings at the harbor are unclear and poorly maintained, even faded, making it difficult to adhere to parking rules.

"It is especially difficult to distinguish a white line from a yellow line on the pavement at night," Thompson said.

She said fixing these issues are critical given that parking violations at the harbor result in expensive tows.

"It costs about \$200 to get your car back. Tow trucks are in the harbor daily, and the punishment doesn't fit the crime," she said. "We believe ticketing should be an option."

The coalition is asking the community to share their parking experiences at the Ala Wai Small Boat Harbor by participating in a survey at 808ne.ws/parkingsurvey.

The survey asks participants if they have had a car ticketed, towed, vandalized or stolen while parked at the harbor. It also asks if harbor users have seen tow trucks waiting or witnessed parking attendants issuing tickets or helping people.

"We are seeking to document community experiences regarding parking lot management with this survey, which will be presented to BLNR before their decision making," she said. "We are hoping (board members) look into the issues of harbor parking and require more specific public-protecting language in contracts with the parking and towing companies."

#2 J-1 Not Clear - Conflicting Request

We understand that these funds from Ala Wai Parking Spaces are vital income for the work of DOBOR to maintain Hawaii's Harbors. There's a widespread desire for Ala Wai Harbor to operate independently from the Boating Special Fund. We believe if a new parking RFI and careful look at the RFP, and with community input, we might not need privatize this harbor.

In fact, the Ala Wai Boat Harbor generated a profit of \$9 million during the fiscal year 2022-23

The monthly parking revenue alone amounts to \$140,000, resulting in an annual contribution of over \$1 million to the Boating Special Fund. Additionally, Secure Parking generates approximately \$250,000 annually.

The revenue from parking money goes into the the Boating Special Fund, but the money earned at the Ala Wai harbor does NOT go directly to the harbor where the revenue was generated. There seems to be a disconnect between who creates the funds & who profits from those funds. Are we robbing Peter to pay Paul?

#2 J-1 Not Clear - Conflicting Request

Please see Page 4 of J-1 This appears to to be unjust. Is DOBOR trying to shortcut important environmental concerns? Is DOBOR aiming to establish a 25 year contract? Is DOBOR trying to add Chapter 343, HRS, and Chapter 11-200.1, HAR, when the potential designs have not been decided on yet by the legislature and the BLNR? Why Is DOBOR trying create a Sept 14, 2024 contract if they are planning to do a 2023 RFI?

*RECOMMENDATION: That the Board of Land and Natural Resources: Declare that, after considering the potential effects of the proposed disposition as provided by **Chapter 343, HRS, and Chapter 11-200.1, HAR**, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.*

*Subject to the terms and conditions noted in this submittal, approve the continuation of Revocable Permit No. 120 on a month-to-month basis for another one-year period, from **September 15, 2023, to September 14, 2024**, except if the permit is in arrears of rental payment for more than 60 days and/or has been approved for forfeiture by a separate Board action. If the permit is in arrears of rental for 60 days or more and/or approved by the Board for forfeiture it shall not be renewed.*

#3 Vote No On J-1 and Go Directly to the RFI

Fair Bidding Process Benefits

- Increased revenue for the Hawaii State Boating Special Fund
- Effective bidding process to meet the RFI
- Community input in the new RFI
- Preservation of public access to special cultural sites, such as Duke Kahanamoku beach within this parking area.
- Better clarify parking & towing policies, improve signage & standardize signage throughout all state harbors.
- Help inform DOBOR that the instant tow policy may be outdated, and it might actually be decreasing revenue, while creating undue suffering for the local people of Hawaii and visitors.
- Prospective Parking Vendors could help generate higher revenue and best practices with their new technologies, creating more options to review in a updated RFI.

#3 Vote No On J-1 and Go Directly to the RFI

Next steps: Require the Parking Permittee

- Hire parking attendants who issue \$30.00 tickets, given the fact that this is a public recreational area. Valuable State owned downtown parking spots are managed by DAGS, and meter overstays get a \$40.00 fine.
- Prohibit any affiliation between the tow company and the parking signage. Currently, the tow company is involved in both the creation and 'approval' of the existing parking signs.
- Develop signage that meets the State requires for signage, using DAGS parking as a model.

#3 Vote No On J-1 and Go Directly to the RFI

Please see Page 3 of J-1 This appears to be unclear and contradictive. Is DOBOR trying to create a retroactive contract and including these acts? Is DOBOR trying to create a new contract or our they going to create a RFI? Why is DOBOR not putting important dates below of when they will make a RFI?

*BACKGROUND: At its meeting on September 10, 2021, under agenda Item J-1, the Board approved the Secure Parking Hawaii LLC for management of vehicular parking at the Ala Wai small boat harbor from **September 15, 2021, through September 14, 2022.** Act 163 (2022) was enacted on June 27, 2022. Act 163 (2022) services and parking lot operations at small boat harbors from the sealed bid*

*This allows DOBOR to negotiate directly with a parking management company to run the parking operation at the Ala Wai small boat harbor. See **Exhibit B.***

*Staff has begun the process to directly negotiate a contract with a parking management company. It plans to post a Request for Interest (RFI) on HlePRO to solicit interest from parking vendors. **Staff will then select a vendor, with whom to conduct negotiations, from the responses generated from the RFI.** Once a contact has been negotiated and approved as to form by the Department of the Attorney General, staff will return to the Board for approval.*

#3 Vote No On J-1 and Go Directly to the RFI

Did DOBOR make exception to Secure Parking LLC on the original contract? If so, would it have been better to change the RFI and allow other competitors to know that exceptions were being made? How can we safeguard this from not happening again and keep to proper procurement protocol?

In the BLNR meeting of July 2023, Ed Underwood described how in 2020 during the Diamond Parking left during the first months of the COVID Pandemic.

“We could not agree on a contract with Diamond Parking and the company stopped providing services and they took their pay machines with them. That’s when we decided to buy our own pay machines.”

Secure Parking did not meet the criteria for contract. They did not have 5 years experience in running a parking lot.

Secure Parking LLC was primarily the Biki Bike company and is now dba

“

**Let's Work Together For
A Brighter Future for the
Ala Wai Harbor
Boating, Surfing and Recreational
Community**



From: [Elizabeth Weitz](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] written testimony for J-1, 8/11/23
Date: Thursday, August 10, 2023 8:57:21 AM
Attachments: [Vandalized.png](#)
[Stolen.png](#)

Aloha,

I am a graduate student in psychology at UH Mānoa and I am the person who has organized the survey of parking lot users at the Ala Wai Small Boat Harbor. I have approached this as a social issue, and I want to facilitate voices being heard. My intention with the survey is to provide feedback that is actionable and pinpoint concerns regarding the management of the lot. All questions in this survey are about experiences in the last 2 years.

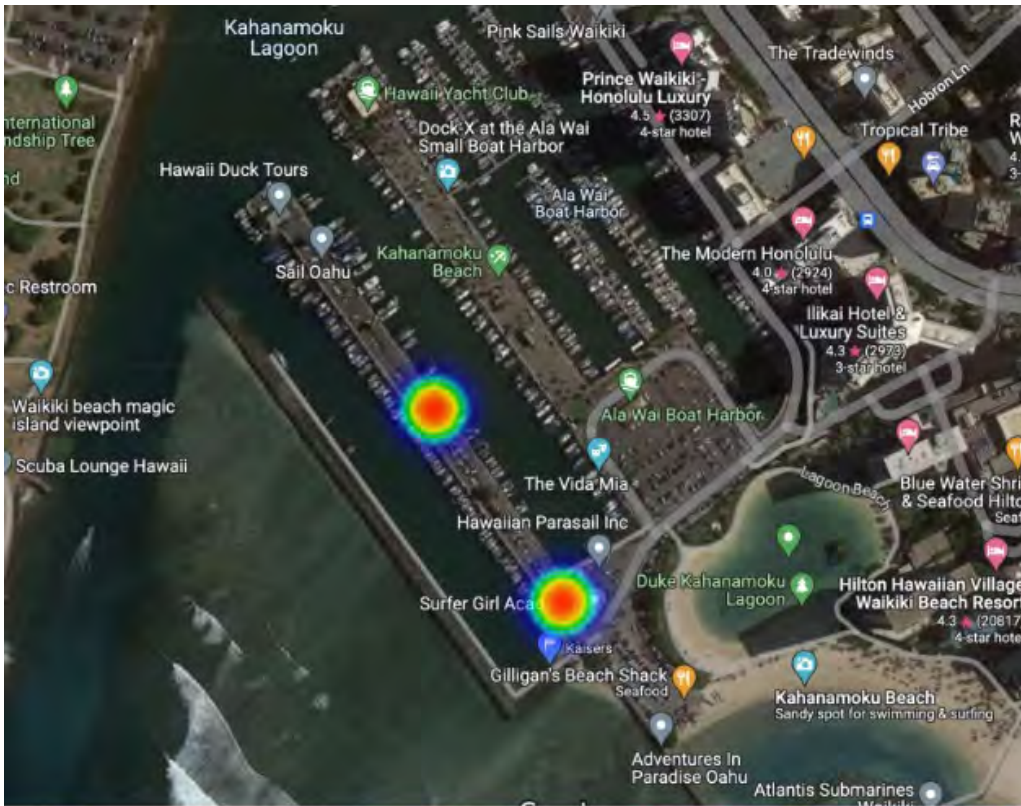
We expected this issue to come up in September, so it only went out on Sunday (4 days ago as of the date of this testimony), and was published in the Star Advertiser today. This testimony includes a basic summary of what I can report to date, and I am happy to provide an updated and full report at a later date - I know time is important so I will keep this brief, but I did ask a lot of questions and can provide more insight than is in this email.

People whose vehicle had been vandalized or stolen were asked to pinpoint on a map where this had taken place, and at what time of day. It's notable that from what we have so far, nearly every occurrence was in a central area, and most occurred when it was light outside (5/7). This is a quote from one person whose car was vandalized, "The deciding factor in suspended sentence was that the security camera footage was grainy and too far away for the judge's liking. She said you can't really tell what she is doing circling your car...We received no restitution for \$17,000 of damage, except for our \$100 deductible. We were extremely disappointed that the cameras in such a high crime area are so ineffective!" This lot is known to be high-crime, so a clear actionable item would be to improve quality and sufficient cameras such that crimes can be clearly documented.

Vandalized



Stolen



One concern the community has is that the current lot management, Secure Parking, has created an aggressive tow policy - towing immediately and rarely issuing tickets. Katie is speaking to that in some ways, and the survey shows some complimentary data.

- **Half** of people who responded said **they have seen tow-trucks waiting in the parking lot (not actively towing) once a week, or more often**. That is an alarming rate - can you think of other parking lots where this is the case?
- However, **only 15% have ever seen an attendant issuing tickets** (which could have also been police, not the parking management company)
- **Only 1.5% of the respondents had ever seen an attendant helping people.**
- *In sum: people generally never have seen an attendant helping people, rarely see anyone issuing tickets, but very frequently see a tow truck waiting while not actively towing in the lot. This speaks to the concern that management company is not managing the lot, but is deferring to towing instead. As one person said, "Tow truck drivers have been extremely aggressive in the last 2 months."*

When people were towed, they cited the following reasons that contributed to the incident:

- Faded parking stall paint, not knowing what the different paint colors meant, not seeing any sign with parking instructions, and the sign not being clear.

Why does it matter when people are towed? Should the state care?

One person said that being towed resulted in going to the harbor less. Two said it presented a financial difficulty, where one was living paycheck to paycheck. Their children were with them and blamed themselves.

1/3 of people feel the lot is managed in neither good nor bad faith, 1/3 said they thought good faith (which is great), but 1/3 feel it is managed in bad faith. It's important to think of these statistics in terms of what they mean. I think a parking lot should be banal - users shouldn't notice them or have to agonize over them; what will happen to their car while they are using the facility they came there for. I can think of so many parking lots for public recreation areas in Hawai'i that are banal and are managed perfectly fine, and that's the goal here. I think we should look to other recreational + public lots that are managed well, and see how this can be improved, either holding Secure Parking to those standards, or allowing other parking management companies to give it a try that do have a record of providing more reliable and secure experiences, so people can enjoy the amazing rec areas they are using the lots for. I'll wrap up with some parting quotes from participants:

- *This is a public recreation area and DOBOR has a responsibility to the public to provide safe and reasonable ocean access. The parking situation has gotten chaotic and punitive.*
- *I've never seen a parking attendant or anyone working at the harbor, but I see tow trucks waiting almost every time I use the harbor. I tried to pay for parking but accidentally mistyped my license plate by 1 letter. The rest of my license was entered correctly. I got back to my stall before the time was up but my car was already towed. The towing company said it was cash only and I didn't have cash, so I had to call my dad to come drive to help me from the other side of the island.*
- *Parking is already at a premium throughout Oahu and with the influx of tourists, us locals get forgotten about.*
- *It's been neglected for years. Shame on C&C!*

Mahalo,
Elizabeth Weitz