From:
 arleen Velasco

 To:
 DLNR.BLNR.Testimony

Subject: [EXTERNAL] Testimony Opposing Agenda Item J-1 **Date:** Wednesday, September 24, 2025 9:12:56 PM

Dear Chair Chang and Members of the Board,

I strongly oppose Item J-1.

Currently, paid parking at the Ala Wai Boat Harbor is managed by Secure Parking LLC. This company shares electronic parking management data directly with tow truck drivers through devices similar to tablets. Vehicles that exceed their time limit are labeled "unauthorized" and can be towed immediately.

I have personally witnessed tourists, local families, and surfers in extreme distress upon finding their cars towed. The tow company is known to demand cash payments, which allows them to hide the true amount of money being collected. There is no transparency in how much revenue this company is making from land that belongs to the public.

To make matters worse, the contract between the State of Hawaii and the towing company does not even require monthly towing records. We know that over 2,500 cars were towed last year alone, and not a single dollar was returned—or "set aside"—for the State. This is appalling and unacceptable.

Rather than fixing these problems, excuses are being made about why ticketing is "too difficult." Now, instead of requiring transparency and accountability, there is a proposal to let Secure Parking operate an AI-equipped vehicle costing \$180,000 per year—paid for by the public. This high-tech car will only make it easier for the tow company to profit, not improve fairness.

The truth is simple: ticketing could be handled by DOCARE, DOBOR, Secure Parking staff, or even entry-level positions, at an estimated cost of about \$100,000 per year—far less than this AI car, and without handing more power to the towing industry.

Finally, I must strongly object to the idea of giving the DLNR Chair—an unelected individual—the sole authority to award a lucrative parking management contract on public lands. This undermines the role of the Board, and it is a betrayal of public trust.

For these reasons, I urge you to vote NO on Item J-1.

Sincerely,

Arleen Velasco

 From:
 Gabriel Huang

 To:
 DLNR.BLNR.Testimony

 Subject:
 [EXTERNAL] Oppose J-1

Date: Wednesday, September 24, 2025 6:18:16 PM

Aloha Board Members,

My name is Gabriel Huang, and I am a resident living on Oahu. I frequent Ala Moana Beach Park and Ala Wai Harbor often as a place to gather with the community, surf, cook, and enjoy recreational activities.

As a community member, I urge the Board Members to:

Ensure Board member approval of these parking contracts, not just the DLNR Chairperson.

Protect free Kama'aina access to the beach at the Ala Wai Harbor.

Decide who will be responsible for issuing parking citations before a "camera car" is deployed. Require the government to issue a standard parking ticket before escalating directly to towing.

My hope is that this special place will remain available for all local people for generations to come.

Mahalo for your time and consideration.

Sincerely,

Gabe

From: <u>Jan Koehler</u>

To: <u>DLNR.BLNR.Testimony</u>
Subject: [EXTERNAL] Oppose J-1

Date: Thursday, September 25, 2025 10:24:54 AM

Dear BLNR,

Please give us Tickets Not instant Towing. Save some of the Boat Owner parking in certain places like near G/F docks and near HYC.

I appreciate your attention to this matter. Mahalo!

Jan Koehler jannko@gmail.com 415-260-3490 text

From: Karen R Boyer
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] Oppose J-1 Protect kama"aina Surf Access

Date: Wednesday, September 24, 2025 9:24:52 PM

Aloha DLNR committee members.

I oppose J-1 because of the poor signage and stall markings at the Ala Wai Small Boat Harbor and the instant towing practices that occur to unsuspecting victims. No citations or ability to extend time is provided - only towing.

Please assure all board members are involved in approving future parking contracts and avoid the use of a "camera car" for surveillance.

The 300 remaining free to the public stalls was by design, not accident.

Please help us protect this space for kama'aina and their ohana.

Respectfully,

Karen Boyer (sailor, paddler)

From: Kate Thompson

Testimony Opposing Agenda Item J-1

Board of Land and Natural Resources Meeting Honolulu, Hawaii

September 26, 2025

Chair Chang and Members of the Board Members Smith, Canto, Ono, Yoon, Iseri-Matsubara, and Young:

Aloha, I am grateful for the opportunity to share with you my views, collected data points and the general community sentiment.

I respectfully urge you to oppose Agenda Item J-1, which proposes delegating authority to the DLNR Chairperson to negotiate, approve, execute, and extend a service contract with Secure Parking Hawaii LLC for License Plate Recognition (LPR) enforcement at the Ala Wai Small Boat Harbor.

My biggest concern in the list of authorities up for 'delegation' is the word: 'approve'.

Key Concerns

The Excutive Summary Version:

The problem isn't technology—it's policy. Without a "citation-first" system, this proposal risks locking in an unfair tow-first enforcement scheme that harms the community and diverts scarce funds.

Key Concerns

1. The Tow-First Policy = A Broken Path to a well organized parking management system





- 2,305 vehicles were towed in 2023; 2,512 in 2024 but only 4 parking citations each year were issued by DOCARE officers.
- Harbor Agents once had citation authority, but DLNR revoked it due to complaints of favoritism, supposedly 'leaving towing as the only option'.
- DLNR Chair Case 2022, told Legislators, HCR 176, that DOCARE Officers issue parking citations in the State Harbors and it should say that way.
- Yet, DLNR Chair Chang 2024, acknowledged DOCARE is too short-staffed for daily parking enforcement.
- An expensive LPR "camera car" will not solve the problem—it will accelerate towing for minor infractions such as meter overstays, or unclear "permit only" stalls.
- Other public facilities (Honolulu Zoo, Diamond Head State Park, 'Iolani Palace) manage parking with citations, not towing. Why should Ala Wai be different?

2. Excessive Cost to the Public

- Contract price: \$15,316 per month (\$183,000+ per year, with 5% increases).
- Funds should be directed to essential harbor needs:
 - Reopening bathrooms (one near the hot-dog stand has been closed for years; the main restroom by the beach closes at 4:00 pm on weekdays).
 - Repairing the fuel dock (out of service for 16 years).
 - Restoring water hose access at the sewage pump-out station.
 - Re-stenciling ADA and "PERMIT ONLY" stalls for clarity.
- Towing generates over \$400,000/year in private profit for the Tow Company, while the State and harbor users see no benefit.

3. Secure Parking's Poor Track Record Certain Duties

- Under its 2021 permit, Secure Parking was obligated to:
 - Monitor 6-hour recreational stalls.
 - Maintain clear and accurate signage.
- In practice, neither has been done. Paid parking areas are signed, but recreational areas remain unclear, leading to unnecessary tows.
- Awarding another contract despite this nonperformance undermines accountability.

4. Community Concerns Ignored

- Since 2023, the public has consistently opposed the "tow-first" system in BLNR testimony and 'Contested Case' petitions.
- Community members have proposed constructive solutions—warning notices, clear ground stenciling, and a citation-first phase—which DOBOR has ignored.
- The Legislature 2023–24 presented legislation that would have permanently preserved (maintained) 300 free stalls and required a lag time before towing on public land. Yet DOBOR/DLNR testified against these measures.
- The one "public meeting" on this issue (June 2025) was advertised just 6
 days prior and it was held at a private yacht club, that enjoys near by free
 City parking—hardly representative of the public users in the main harbor.

Request to the Board Members

- 1. Vote NO on J-1.
- 2. Direct DOBOR to pursue legislation or rule changes allowing citation-first enforcement.

- 3. Require Secure Parking to fulfill existing obligations before awarding new contracts.
- 4. Redirect funds toward harbor improvements—fuel dock, bathrooms, ADA compliance, stenciling, and environmental safety.

Closing

Ala Wai is a public recreational harbor. The community has offered reasonable solutions, but those have been ignored. Approving this contract will only make conditions worse.

I respectfully ask the Board to stand with the community and vote NO on J-1.

Thank you to all the members of the Board of Land and Natural Resources for your time and service, the community greatly appreciates your oversight.

Mahalo for the opportunity to testify today.

Kate Thompson

Founding member of <u>surfparking.org</u>

info@surparking.org

katet@me.com

The Tedious Intense Version of Testimony: For BLNR 9-26-2025

- 1. The 'Towing-First' Parking Enforcement Penalty is a 'Loophole'
- Using Hawaii Police Department Records, in 2023: there were 2305 vehicles towed from the Ala Wai Boat Harbor. (See HPD UIPA attached)

- In 2024: there were 2512 vehicles towed.
- The J-1 submittal asserts that the DOBOR staff (Harbor Agents) lack authority to issue citations for parking violations, leaving towing as the only enforcement option. DLNR Chair's S. Case March 22, 2022, testimony on HCR 176 stated: Harbor Agents had the authority to cite for parking violations at Small Boat Harbors. However, due to complaints of favoritism and arbitrary citing, the authority was revoked. (See attached, Case, 2022)
- In that same written testimony, DLNR Chair S. Case she refers to DOCARE Officers as the citation writers. She states: Additionally, sworn law enforcement officers are trained to provide court testimony, while Harbor Agents are not. In the event a citation is challenged in court, the Department has concerns about the ability of its Harbor Agents to attend and testify in court. The Department's Division of Conservation and Resources Enforcement provides comprehensive training to its officers so that they are equipped to handle all types of enforcement tasks, including parking enforcement and providing court testimony. The Department therefore believes that parking enforcement authority should remain with sworn law enforcement officers only.
- We think that members of Legislature believe that DOCARE Officers are assigned to parking citation duty in the State Small Boat Harbors.
- However, in DLNR Chair Chang's November 7, 2024, letter to Kate Thompson and cc'd to Governor Josh Green, Chairperson Chang states that: 'DOCARE is already short-staffed to begin with and should be focusing its efforts on its main mandate and area of expertise: protection on the State's natural resources, (and therefore it is not feasible for DOCARE to monitor for parking violations daily is not feasible). See attached November 7, 2024 letter. For the record, I, Kate Thompson have consistently requested that 'someone needs to give the parking tickets' and its fine if the parking 'Concessionaire' issues the parking citations/fines. This 'citation duty' would be consistent with other public parking lots, such as the Honolulu Zoo, where ProPark under the ACT 163 law is a 'Parking Concessionaire' is allowed to issue the \$20.00 'meter expiration citations'. See Kate Thompson powerpoint in August 11, 2023 BLNR testimony.
- DOCARE Officers are allowed to issue parking citations, but they are not assigned to ticketing duty on a daily basis (only 4 parking citations were issued by DOCARE in 2023, and additional 4 parking citations 4 were issued by DOCARE in 2024). See DLNR, UIPA request attached.
- Installing an expensive LPR system does not resolve the underlying problem: the absence of a citation-first policy. Instead, this contract risks automating and accelerating the amount of tows, without offering a fair penalty to the public, for minor parking infractions such as a meter overstay, or paint to park but accidentally parking in special parking spot with <u>no</u> ground labels words, such 'PERMIT ONLY'.

2. Excessive Cost to the Public

- The proposed contract costs \$15,316 per month (over \$183,000 per year, with 5% annual increases).
- These funds would be better invested in direct harbor improvements—repairing the nonfunctional fuel dock (out of service for 16 years), making a water hose available the sewage pump-out station (the water hose is currently locked behind a fence) or re-stenciling handicap and 'AWSBH permit-only' on the parking stalls. Opening the bathrooms, is an important public resource in a recreational harbor, and one of the bathrooms near the 'hot-dog stand' has been closed for years. The main bathroom by the beach closes at 4:00 pm M-Th, just about the time the public is getting off work/school.
- Paying a private parking vendor for the use of a LPR 'Camera Car' to patrol the parking areas, diverts scarce DOBOR funds away from essential harbor safety and environmental needs.
- If parking citations were to be issued and the funds split 50/50 with the parking company and the State, then the cost of the 'Camera Car' might be justified. Keep in mind that 100% of the tow moneys go to the towing company, and that number is over \$400,000.00 a year. (HPD record shows 2512 tows in 2024, and the cost of a tow from the Ala Wai Harbor is generally (an average) cost of \$165.00, see receipt attached.

3. Failure of Secure Parking to Meet Past Obligations

- When Secure Parking was awarded the original Revocable Permit as a parking management company, September 15, 2021, DOBOR Administrator Ed Underwood told the BLNR members that Secure Parking LLC would monitor the 6-hour recreational parking stalls with 'normal parking management' and implied Secure Parking would have a physical daily presence in the recreational parking area.
- In practice, Secure Parking has never carried out this obligation, despite it being explicitly listed in the Scope of Services. (See Attached)
- Another obligation of Secure Parking was to 'Ensure proper parking signage throughout the premises', which has not happened. Secure Parking created signage for the Paid Parking areas but not the recreational areas. Many of the signs are misleading or confusing, which leads to people 'getting it wrong' and being towed.
- Awarding yet another contract to Secure Parking—despite prior nonperformance on specific duties—sets a poor precedent and undermines accountability.

4. Community Concerns Ignored

• At every prior BLNR meeting, in 2023, 2024, and thus far in 2025 where Secure Parking has been on the BLNR agenda, community members have

expressed frustration over the harsh "Tow-first", and "Instant Towing" parking enforcement system.

- This current (J-1) proposal, 9-26-2025, fails to address those concerns and instead doubles down on enforcement with a costly technology based system that could lead to even more towing!
- It is the public's thought that DOBOR/DLNR has not done its due diligence to create 'citation-first' phase in its parking enforcement, with either new HAR's or BOARD approval using the latitude given to the Board in the (2022) ACT 163 rewrite. This has been a big topic in the 2 years, and at least six Petitions for Contested Case Hearings were filed. Members of surfparking.org and Kama'aina Boaters have asked that BLNR members go deeper into the issues by requesting greater transparency with Tow Records, Analytics from the pay stations (particularly the pay station information), since the Boater mooring fees significantly contributed to the purchase of the 'Pay Stations' when is 2020 Boating Special Fund monies were used for this.
- DLNR has testified against community promoted legislation to Save the 300 Free Parking stalls (Jan. 2023, SB1034) even though the measure was well received and advanced in many Legislative committees. In fact, in 2024, the Senate Transportation Committee offered a measure to create a minimum 'lagtime' before a tow could occur on Public Land for normal parking stalls (excluding ADA stalls or 'Rush Hour' stalls), but DLNR was not in favor of such legislation.
- Whereas, in other Divisions within DLNR, namely State Parks, there is essentially <u>no</u> towing.
- Secure Parking LLC is already failing to meet two important 'Minimum Duties of the Parking Permittee' such as fixing the parking signage throughout the premises and monitoring the 6-hour parking.
- If the DLNR Chair was proposing to the Board Members today that a 'parking ticket' stage to enforcement would be part of the 'LPR' camera car service, then the public would likely be more favorable it its adoption.
- Other public land facilities (Honolulu Zoo, ProPark lots) and the different Divisions of DLNR, such as Diamond Head State Park are managing parking with almost no towing—why should the public who use the Ala Wai Small Boat Harbor face towing as the only type of enforcement?

Community Contributions:

Attempts to made by the community to create a more public protecting contract in 2023, BEFORE Secure Parking was given the longer term, 3 year Direct Issuance Contract in 2024.

This included the need for Ground (paint) signage to distinguish the three three main types of parking stalls, establish 'lag times' before towing, sample 'WARNING' sheet that could be used by Secure Parking Staff was offered and

well has 'more friendly to read' and 'universal' signage with a 'tow truck' image were all offered and rejected by DOBOR Staff.

Also, a more detailed Rubrics and and Scoring Sheet was offered and presented at BLNR meetings, see attached.

Meaningful suggestions were made by the public, mostly at BLNR meetings, to reduce towing and provide and 'create a better experience' for harbor visitors but the suggestions were essentially ignored.

No public meetings were offered on State property in the past 5 years by the Division of Boating and Ocean Recreation regarding the Ala Wai Small Boat Harbor. To the credit of the DLNR Chair, she held a multi-division 'listening session in November of 2023.

There was one meeting this past summer offered by DOBOR/Secure Parking but is was advertised only 6 days before the event, and the meeting was held at Waikiki Yacht Club, a private yacht club, and in an area of the harbor that enjoys free City and County parking, with completely different parking signage.

If the Division of Boating offered a Zoom meeting with the Public it would be better than nothing. In terms the criteria for State and County Public Meetings, the June 2025 meeting at the Waikiki Yacht Club, did not come close to the Office of Information Service guidelines.

Request

For these reasons, I respectfully urge the Board to vote NO on Item J-1, at this time and defer the request, until a ticketing phase of parking endorsement can be established.

We encourage the BLNR to:

- Direct DOBOR to pursue legislation or administrative rule changes enabling citation-first parking enforcement.
- Require Secure Parking to fulfill its existing contractual obligations before considering new agreements.
- Redirect funds toward critical harbor needs—pavement resurfacing, parking lot ground stenciling, including ADA compliance, environmental safety, restroom availability on weekday evenings (Sunrise to Sunset) and restore essential harbor infrastructure, such as fuel dock.

These are the towing records for 2023, and 2024.

NOTICE TO REQUESTER

TO: Kate Thompson

FROM: Honolulu Police Department

Attn: UIPA/Public Records Requests

801 South Beretania Street

Honolulu, HI 96813

Email: hpdgeneral@honolulu.gov

(Agency, and agency contact person's name, telephone number, & email address)

DATE REQUEST RECEIVED: August 7, 2025

DATE OF THIS NOTICE: August 22, 2025

GOVERNMENT RECORDS YOU REQUESTED (attach copy of request or provide brief description below):

Requesting the number/amount of calls from the Mr. Tow company to HPD for vehicles towed from the Ala Wai Small Boat Harbor during the calendar years 2023 and 2024.

THIS NOTICE IS TO INFORM YOU THAT YOUR RECORD REQUEST:

Will be granted in its entirety.

	2023	2024
January	116	196
February	116	267
March	161	227
April	153	188
May	164	185
June	222	229
July	203	258
August	226	333
September	272	247
October	273	158
November	209	119
December	190	105
Totals:	2305	2512

Cannot b	Cannot be granted. Agency is unable to disclose the requested records for the following reason:				
	Agency does not maintain the records. (HRS § 92F-3)				
	Other agency that is believed to maintain records:				
	Agency needs further clarification or description of the records requested. Please contact the agency				
	and provide the following information:				
	$Request\ requires\ agency\ to\ create\ a\ summary\ or\ compilation\ from\ records,\ but\ requested\ information$				

Thank you for considering this testimony. I respectfully request that the Board stand with the community and oppose any change in decision making authority and reject the expensive LPC Vehicle that has great cost and little benefit, unless it can be used to 'issue parking citations'.

Respectfully submitted,

Kate Thompson

On Aug 7, 2025, at 1:49 PM, Li, Bin C < mailto:bin.c.li@hawaii.gov > wrote:

Aloha Kate,

Please see below for the data you requested. Thank you for your patience.

For Citations at Ma'alaea Small Boat Harbor:

2021 - 22

2022 - 16

2023 - 7

2024 - 49

For Citations at Ala Wai Small Boat Harbor:

2021 - 10

2022 - 1

2023 - 4

2024 -- 4

Bin C. Li

Department of Land and Natural Resources Administrative Proceedings Coordinator 1151 Punchbowl St, Rm 131, Honolulu, Hawaii 96813 Phone (808)587-1496, mailto:bin.c.li@hawaii.gov DAVID Y. IGE GOVERNOR OF HAWAII





STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621 HONOLULU, HAWAII 96809

Testimony of SUZANNE D. CASE Chairperson

Before the House Committee on WATER & LAND

Tuesday, March 22, 2022 9:30 AM State Capitol, Conference Room 430, Via Videoconference

In consideration of HOUSE CONCURRENT RESOLUTION 176/HOUSE RESOLUTION 176 URGING THE BOARD OF LAND AND NATURAL RESOURCES TO APPOINT HARBOR AGENTS AS ENFORCEMENT OFFICERS FOR THE PURPOSES OF ENFORCING PARKING VIOLATIONS AT SMALL BOAT HARBORS IN THE STATE.

House Concurrent Resolution 176/House Resolution 176 urge the Board of Land and Natural Resources to appoint Harbor Agents as Enforcement Officers to enforce parking violations at state small boat harbors. The Department of Land and Natural Resources (Department) appreciates the intent of these measures and offers comments.

When the Small Boat Harbor Program was under Department of Transportation (DOT) jurisdiction, Harbor Agents had authority to cite for parking violations at small boat harbors. However, due to complaints of favoritism and arbitrary citing, the authority was revoked. Additionally, sworn law enforcement officers are trained to provide court testimony, while Harbor Agents are not. In the event a citation is challenged in court, the Department has concerns about the ability of its Harbor Agents to attend and testify in court. The Department's Division of Conservation and Resources Enforcement provides comprehensive training to its officers so that they are equipped to handle all types of enforcement tasks, including parking enforcement and providing court testimony. The Department therefore believes that parking enforcement authority should remain with sworn law enforcement officers only.

Additionally, the Department encountered issues with accepting parking payments due to parking vendor interruptions. Without also being able to address this issue, the Department may not be able to determine which vehicles are violating parking regulations.

Thank you for the opportunity to comment on these measures.

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA FIRST DEPUTY

M. KALEO MANUEL DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENPORCEMENT
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

DAVID Y. IGE GOVERNOR OF HAWAII





STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621 HONOLULU, HAWAII 96809

Testimony of SUZANNE D. CASE Chairperson

Before the Senate Committee on GOVERNMENT OPERATIONS

Tuesday, February 1, 2022 3:00 PM State Capitol, Via Videoconference, Conference Room 016

In consideration of **SENATE BILL 2726** RELATING TO PARKING CONCESSIONS

Senate Bill 2726 proposes to exempt parking concessions from the public bidding requirements under the state procurement law. The Department of Land and Natural Resources (Department) strongly supports this measure.

The Department operates vehicle parking plans through its various divisions and has found that being restricted to only offering vehicle parking plans by either Chapter 102 or 103D, Hawaii Revised Statutes (HRS), to be disadvantageous and requests the ability to offer vehicle parking plans using different procurement methods other than being limited to using Chapter 102, HRS. This will give the Department the ability to create parking plans that are more advantageous to the State and can be tailored to specific locations and conditions on a case by case basis. The Department will follow the appropriate procurement code when issuing solicitations for parking services.

Thank you for the opportunity to testify on this measure.

SUZANNE D. CASE

CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA FIRST DEPUTY

M. KALEO MANUEL DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES BOATING AND OCEAN RECREATION BUREAU OF CONVEYANCES COMMISSION ON WATER RESOURCE MANAGEMENT CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION

LAND STATE PARKS

DEPARTMENT OF BUDGET AND FISCAL SERVICES

CITY AND COUNTY OF HONOLULU

530 SOUTH KING STIREET, ROOM 208 • HONOLULU, HAWAII 96813 PHONE: (808) 768-3900 • FAX: (808) 768-3179 • INTERNET: www.honolulu.gov

RICK BLANGIARDI MAYOR



ANDREW T. KAWANO DRECTOR

CARRIE CASTLE

TESTIMONY OF ANDREW T. KAWANO DIRECTOR OF BUDGET AND FISCAL SERVICES CITY AND COUNTY OF HONOLULU BEFORE THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS February 1, 2022, 3:00 PM, Conference Room 016 and Videoconference

TO: The Honorable Sharon Y. Moriwaki, Chair

and Members of the Senate Committee on Government Operations

RE: OPPOSITION OF SENATE BILL 2726, RELATING TO PARKING

CONCESSIONS

The Department of Budget and Fiscal Services, City and County of Honolulu (City), opposes Senate Bill (SB) 2726, Relating to Parking Concessions.

Hawaii Revised Statutes ("HRS") 102-1(2) defines "concessions" as meaning to grant a person the privilege to "operate a parking lot on property owned or controlled by the State with the exception of buildings, facilities, and grounds operated by or otherwise under the jurisdiction of the department of education."

Parking concessions can generate large amounts revenue and it should not be exempt from a fair and transparent competitive process. Agencies should factor in potential delays when planning and soliciting concessions, the same as in procurement contracts for services. The City would support a competitive sealed proposal process under HRS Chapter 102, if the State is looking to receive a "best value" option, but highly opposes removing any type of competition, especially for parking lot concessions.

For the reasons stated above, the City respectfully opposes Senate Bill 2726.

Mahalo for the opportunity to testify on this bill. Should you have any questions or concerns, please feel free to contact the Department of Budget & Fiscal Services' Division of Purchasing at 808-768-5535 or bfspurchasing@honolulu.gov.

Waikīkī Neighborhood Board Briefing 'Towing-First' Parking Enforcement at Ala Wai Small Boat Harbor

September 9, 2025

This fact sheet provides key questions and answers for the Waikīkī Neighborhood Board regarding the parking enforcement at the Ala Wai Small Boat Harbor (AWSBH).

Minor edits done September 10, 2025, following questions for the Neighborhood Board members. Namely, "How does the tow truck driver find out the meter is expired?"

Prepared by Surfparking.org • Advocating for Fair Coastal Access

Presenting today: Kate Thompson Email: info@surfparking.org PH: 808-383-3334

Question	Answer
What are the fines people are pay for an expired meter parking violation n Honolulu?	ProPark Honolulu Zoo: \$20.00 HPD/DOCARE: \$35.00 DAGS Downtown: \$40.00 Ala Wai Harbor is \$165.00 tow charge (No daily parking citations are issued at AWSBH)
When a vehicle is towed from the AWSBH, what portion of the towing fee goes to the towing company?	100% of towing fees go to Mr. Tow LLC. The State receives zero. The State pays the tow company \$1.00 a year to provide towing services.
Who approves the State contract with the towing company?	Signed by the Department of Land and Natural Resources (DLNR) Chairperson, who has authority over State Small Boat Harbors. The contract is reviewed by the State Attorney General

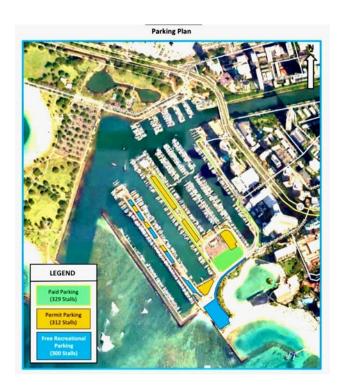
Who is supposed to issue parking	Members of legislature think DOCARE Officers issue
citations in State Boat Harbors?	the parking citations in the State Harbors based on March 22, 2022, testimony from DLNR Chair S. Case, that only DOCARE Officers issue and should continue to issue parking citations in State Harbors (2022, HCR176)
How many parking citations were actually issued by DOCARE Officers at the Ala Wai Small Boat Harbor last year?	In 2024, only 4 parking citations were issued by DOCARE officers. In 2023, the prior year, again only 4 parking citations were issued by DOCARE officers. HPD is allowed to issue parking citations, but does not issue citations on a routine basis, HPD assists with parking management on the July 4 holiday.
How many vehicles are towed per year from the Ala Wai Small Boat Harbor?	In 2024: there were 2512 tows In 2023: the prior year, there were 2305 tows About half of the tows are meter overstays, and half are after hours (10:30 pm till 4:30 am), and a few persons paid for parking but were still towed, due to parking in an incorrect type of stall.
Who manages harbor parking revenue and enforcement?	DLNR. The Secure Parking LLC manages the pay stations, in contracts approved by BLNR. The pay stations are purchased with Boating Special Fund money. The DLNR Chair and AG approved the Mr. Tow LLC, in 2020 and it has been continuous since then, renewing once a year. The parking management 'concessions contract' is voted on at BLNR, but the towing contract is done at DLNR level.
What is the parking enforcement method at the Ala Wai Small Boat Harbor?	For many years, Towing is the first and only step of parking enforcement, for a meter overstay. No citation is issued, and no enforcement officer is on site to approve the tow. The tow truck driver decides if the vehicle is in violation.
How does the tow truck driver know the meter has expired?	The Mr. Tow LLC tow company tow truck driver employees have direct access to meter expiration times by opening a parking computer software application managed by the Secure Parking LLC company. The original software package was given to Secure Parking by the Division of Boating (DOBOR) and the 'pay here kiosks' were purchased from Boating Special Fund money, primarily earning from boater Mooring fees. No employee from Secure king LLC is on site, for the towing events.
What is the impact of the high towing numbers on the community?	Residents, boaters and tourists report 1) financial hardship from the towing fees, 2) inconvenience of retrieving their vehicle and 3) 'feeling discouraged' from visiting this recreational harbor again.

Has signage been parking signage been reviewed?	No comprehensive signage inspections were conducted, and many of the parking signs do not meet legal requirements. We need an 'third-party' review from a State agency such as DAGS, that also manages parking on State land. Secure Parking LLC and DOBOR are responsible for the parking signage, and they talk about new designs, but even the new draft signage, remains vague, using phrases like 'unauthorized vehicles'. In contrast, a direct sign would say: "An expired meter results in a tow. The cost of a tow is a minimum of \$160.00 USD." Even if the parking signage is improved, the public is asking for a citation phase.
DOCARE officers are the officers that can issues tickets in the Harbor. Are DOCARE officers assigned to 'citation duty' at the Ala Wai Harbor?	No, the DLNR Chairperson does not want to staff the harbor with DOCARE officers to issue parking citations. But, if DOCARE officers, or Secure Parking staff, issued the parking 'tickets', then a portion of the revenue could go to the State, and the 'set-aside' funds could go to the improvement of harbor parking areas.
Has leadership been notified?	Yes, Governor Josh Green and Attorney General Anne Lopez have been asked to review this situation and halt the 'tow-first' policy. Governor Green wants DOBOR (Boating)/DLNR to find the solution, but for the past 5 years, towing prevails as the first and only parking enforcement 'penalty'.
Was this situation discussed at BLNR?	Yes. The August 11, 2023, BLNR meeting, and the December 7, 2023, BLNR meeting included strong community opposition to the 'towing-first' policies. BLNR only reviews the Parking Management Permittee (concessionaire) contracts, not the Towing contract.
What alternatives exist under ACT 163, new wording was added in the 2022 legislation session, allowing DLNR/BLNR bypass procurement under Chapter 103, and to make longer term Direct Issuance 'parking concession contracts' in State Boat Harbors.	Citation-first enforcement for minor parking violations and improved signage have been discussed but not adopted. The community is asking to have DLNR use its contract making rights under ACT163 to 'create policies similar to City and County' and allow Secure Parking LLC to issue parking fines and the same cost as ProPark issues tickets which is \$20.00, or at the DOCARE/HPD 'meter expired' citation which is \$35.00.
What is the main community concern?	Towing costs (\$165,00+) far exceed a \$20.00 or \$35.00 parking citation cost. In a recent public survey (N-100) showed that 85% of the public think that a \$20.00 fine is a appropriate penalty for a meter overstay at the AWSBH . 13% of the public think a \$35.00 fine is appropriate. Only 2% think a tow at \$165.00 is fair.

Requested Action: We ask that the Waikīkī Neighborhood Board write a letter to DLNR Chair Dawn Chang asking her to use a similar parking enforcement model to the City and County, for parking 'concession' contracts used at the Waikīkī Zoo parking lot.

Since ProPark is allowed to issue \$20.00 parking fines for meter overstays (including non-payment), at the Honolulu Zoo, under ACT 163, we think DLNR can set this up for the Ala Wai Small Boat Harbor as well.

The new wording was added to Act 163, in 2022 allows DLNR/BLNR to make its own parking concession Direct Issuance Contracts. Yet the new contracts lead to profits for the tow company, not ensuring public access. Please support the community request for 'citation-first' parking enforcement, transparency in citation and towing numbers, better accountability to the public regarding revenues earned, in-depth oversight by the BLNR on Towing Contracts, as well as the Parking Concession Contracts. Members of the public are requesting better fiscal ethics and better protection of the public for boating and beach access in Waikiki, at the Ala Wai Small Boat Harbor.



Why ACT 163 is Important to today's 9-26-2025 J-1 Submittal

2022: links to the path of DOBOR/DLNR/BLNR getting the opportunity to join Act !63, to write Direct Issuance contracts at all. These documents contain, intense testimony, including that of City and County Budget and Finance Director Andrew Kawano, OPPOSE testimony on SB2726, against the idea of DLNR breaking away from normal procurement under Chapter 102 and 103. After the legislature rejected DLNR's attempts to write their own parking concession contracts, a 'work around' was found.

That of adding DLNR to the ACT 163, parking concessions could be included, providing that BLNR, and the Attorney General's Office would be reviewing the contracts.

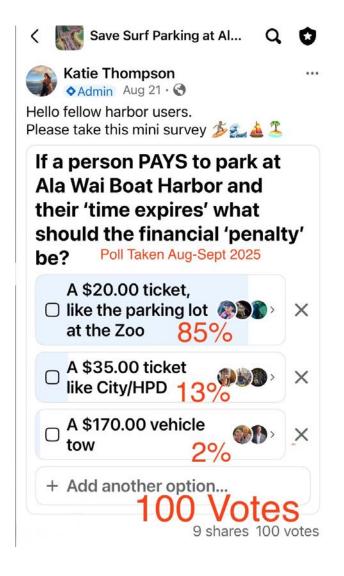
It was a privilege to for added to the, primarily, City and County bill about 'Concessions' and that need longer term contracts might be needed for capitol investment, such other 'Enterprise Services' contracts.

HB1432 (became Act 163 (2022) https://www.capitol.hawaii.gov/session/archives/measure indiv Archives.aspx?
billtype=HB&billnumber=1432&year=2022

The bill status page in the above link notes it as part of the City/County of Honolulu package. Language of HB1432 as originally introduced: https://www.capitol.hawaii.gov/sessions/session2022/bills/HB1432 .PDF Language of the finalized Act 163 (2022) https://www.capitol.hawaii.gov/slh/Years/SLH2022/SLH2022 Act163.pdf

Two companion bills related to parking concessions from 2022 that didn't pass SB2726 – made it through the Senate and died because wasn't heard

by 2nd of 3 House committees https://www.capitol.hawaii.gov/sessions/session2022
Language of SB2726 as originally introduced: https://www.capitol.hawaii.gov/sessions/session2022/bills/SB2726 .PDF
SB2726 SD2 HD1 – the last version of bill language before it died: https://www.capitol.hawaii.gov/session2022/bills/SB2726 .PDF
HB1673 (companion to SB2726) – deferred by first House committeehttps://www.capitol.hawaii.gov/session/archives/
measure_indiv_Archives.aspx?billtype=HB&billnumber=1673&year=2022



JOSH GREEN, M.D. GOVERNOR | KE KIA'ĀINA

SYLVIA LUKELIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA





STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I DEPARTMENT OF LAND AND NATURAL RESOURCES KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621 HONOLULU, HAWAII 96809

November 7, 2024

DAWN N.S. CHANG

CHAIRPERSON BOARD OF LAND AND NATURAL RESOURCES COMMISSION ON WATER RESOURCE

> RYAN K.P. KANAKA'OL FIRST DEPUTY

CIARA W.K. KAHAHANE

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

Kate Thompson

Sent via Email: katet@me.com

Aloha Ms. Thompson:

Governor Green has asked me to respond to your October 27, 2024, email regarding the towing of vehicles at state small boat harbors (SBHs).

As you are aware, the Division of Boating and Ocean Recreation (DOBOR), which has jurisdiction over state SBHs, has contracted with a vendor for parking management at some SBHs. We understand that you oppose towing of vehicles at SBHs and prefer citing for parking violations, but under existing law, DOBOR's parking vendors do not have authority to issue parking citations.

Your recommendation to have the Division of Conservation and Resources Enforcement (DOCARE) monitor for parking violations daily is not feasible, given that DOCARE is already short-staffed to begin with and should be focusing its efforts on its main mandate and area of expertise: protection of the State's natural resources.

DOBOR is working closely with Secure Parking Hawaii to develop a procedure for providing a one-time warning to a vehicle committing a parking violation. If there are any further parking violations for that vehicle, it would be towed in accordance with applicable signage. However, this warning procedure would not apply to recreational parking areas during closure hours (from 10:30pm to 4:30am), as the parking area would be closed to the public, and any vehicles in these areas after-hours would be subject to immediate tow.

DOBOR is working to finalize the parking concession contract. Upon execution of the contract, Secure Parking Hawaii will be conducting public outreach with the community. We hope you will engage in meaningful discussions with them.

Sincerely,

Dawn N.S. Chang Chairperson

c: Governor Green, M.D. DOBOR

From: Korynn Grenert
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL]: OPPOSE J-1 — No Parking Enforcement LPR "Camera Car" Without Citation-First System

Date: Thursday, September 25, 2025 8:14:40 AM

Attachments: Testimony in Opposition to J-1 - Korynn Grenert.docx

Good morning Chair Chang and Board Members,

Please accept my attached testimony **opposing J-1**, which would allow an LPR "Camera Car" contract without first establishing a fair citation process. This will lead to **due process violations**, even more **predatory towing practices**, and **reduced public access in violation of Hawai'i's public trust obligations**, which include protecting and maintaining public access to natural resources.

Thank you.

Sincerely,

Korynn Grenert

Dear Chair Chang and Members of the Board of Land and Natural Resources,

I **strongly oppose Item J-1** on the September 26, 2025 agenda, which seeks to authorize a \$183,000/year contract with Secure Parking LLC for a license plate reader "camera car" system at Ala Wai Small Boat Harbor.

This proposal is deeply troubling for several reasons:

- **Disproportionate Punishment:** In 2024, 2,512 vehicles were towed from the harbor, yet only four parking citations were issued. Immediate towing for expired meters is an extreme penalty compared to the \$35-\$50 citation system used statewide. Towing should be reserved for true safety hazards or abandoned vehicles, not for minor overstays.
- Lack of a Citation-First Process / Due Process Violations: Under the Due Process Clause, individuals are entitled to fair notice and an opportunity to contest alleged violations before being subjected to severe penalties. A citation system provides that essential notice and recourse. By contrast, towing vehicles without first issuing a citation denies the public this basic due process protection. This practice is not only unfair but constitutionally suspect.
- **Predatory Practices:** Secure Parking LLC and its tow subcontractors have already been the subject of numerous complaints in Hawai'i for predatory and unjust towing. Allowing them to expand operations without accountability or oversight will only increase harm to residents and visitors, while eroding public trust in DLNR's management.

I respectfully urge the Board to **vote NO on Item J-1** and to instead direct DLNR and DOBOR to establish a citation-first enforcement system that ensures fairness, transparency, and consistency with statewide parking enforcement practices.

Hawai'i's public harbors are a trust resource meant to serve recreational users, cultural practitioners, surfers, paddlers, sailors, and the broader community. Privatizing enforcement through predatory towing undermines public access and punishes park users against the intent of the public trust doctrine to protect and maintain public access to natural resources.

Thank you for considering my testimony and for standing up for fair treatment of harbor users.

From: <u>Liann Jimmons</u>
To: <u>DLNR.BLNR.Testimony</u>

Subject: [EXTERNAL] Oppose J-1: Protect Kama'aina Surf Access, and Stop Towing Us

Date: Wednesday, September 24, 2025 7:29:36 PM

Aloha Board Members,

My name is Liann Jimmons, and I am a community member living on Oʻahu in Moʻiliʻili. I frequent Ala Moana Beach Park and Ala Wai Harbor often as a place to gather with the community, surf, cook, and enjoy recreational activities.

As a community member, I urge the Board Members to:

Ensure Board member approval of these parking contracts, not just the DLNR Chairperson.

- Protect free Kama'aina access to the beach at the Ala Wai Harbor.
- Decide who will be responsible for issuing parking citations before a "camera car" is deployed. Require the government to issue a standard parking ticket before escalating directly to towing.

My hope is that this special place will remain available for all local people for generations to come.

Mahalo for your time and consideration.

Sincerely, Liann Jimmons From: Marisa Pangilinan

To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] Oppose J-1

Date: Thursday, September 25, 2025 6:35:19 AM

Aloha,

I'm writing as a concerned citizen and avid beach-goer at Ala Wai Boat Harbor. I have been towed from this exact lot and without any police ticket given first. When I visit this lot I often see private tow companies prowling the area like sharks looking for an opportunity to take a car before the city gets to ticketing it. I find it creates a sense of money hungry tow companies who cause traffic, fear and stress. Give our officers a reason to do their job and use their time wisely if they deem it valuable enough, which will help with community welfare at the same time. Rather than invest in cameras to do the job, which will require more money on our already strained city. I ask that the government do their own ticketing before choosing to call in the tow companies.

Sincerely, Marisa Pangilinan 808-971-1230 From: Monica Kenny
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] TESTIMONY Oppose J-1

Date: Thursday, September 25, 2025 9:36:20 AM

Aloha,

In regards to the J-1 project, I am emailing to express my opposition and strongly urge the board to protect public parking access to the beach at Ala Wai harbor. I oppose the deploymeny of drone technology or a "camera car". A standard parking ticket should be issued before towing vehicles.

Mahalo, Monica Kenny From: <u>krisnutritionist</u>
To: <u>DLNR.BLNR.Testimony</u>

Subject: [EXTERNAL] Testimony opposing J-1 - BLNR Meeting September 26, 2025

Date: Wednesday, September 24, 2025 9:11:33 PM

Testimony in Strong Opposition to Item J-1 and to the Board of Land and Natural Resources delegating authority to the Chairperson to Negotiate, Approve, Execute, Manage, and Extend a Service Contract for Parking Monitoring Service with Secure Parking Hawaii LLC, at the Ala Wai Small Boat Harbor

9/26/2025

"I am submitting this testimony in strong opposition to the proposed measure regarding parking and towing enforcement at Ala Wai Small Boat Harbor (SBH), specifically the proposed purchase by the State of the LTR camera car system to be owned and used by Secure Parking at a 3-year cumulative cost of \$579,404.28.

Further, it is an abdication of duty to the public for BLNR to remove themselves from oversight in this matter. What is the intent of doing so? Is it to remove the opportunity for public input regarding parking management at the Ala Wai SBH? That would certainly be the result.

As a handicapped person with a valid disabled parking permit and a commercial use permit to teach surfing at Ala Wai SBH, I am deeply concerned that this proposal authorizes Secure Parking on DOBOR's authority to tow my legally parked vehicle, disregarding State and Federal laws protecting persons with disabilities. I regularly park in a handicapped stall located directly across from the permit holder parking. How will Secure Parking distinguish whether I (or any other commercial use permit holder) am engaging in recreational or permitted commercial activity?

Staff's assertion that this proposal "will address community concerns" about abuse of the six (6)-hour parking limit is unsupported by the facts provided. How will one patrol vehicle conducting randomized patrols for 30 hours a week identify vehicles parked for longer than 6 hours in a consistent manner?

The time limit would be determined by the time the camera notes the vehicle, not by the time the vehicle actually parked. It would therefore identify a fraction of vehicles parked for more than six (6)-hours. This method is haphazard, inefficient, and unlikely to improve "fair access."

It does nothing to identify non-ocean recreational parkers from employees working 4 hour shifts, shoppers, diners, etc.

Responsible oversight regarding citations and tows made in error is not addressed in this proposal, setting a dangerous precedent. The State has DOCARE enforcement officers who can write parking citations. DOBOR Staff points out that they don't currently have rules that establish a fine schedule or enforcement mechanism, such as deputized employees who can

issue parking citations.

Staff could and should write and submit these rules for legislative approval, it simply hasn't. Instead, it prefers to place the burden on the public, with the only recourse being to the vendor. This policy spits in the face of the very public trust that the State is legally and morally bound to uphold.

Because the measure in question relates to commercial parking management and enforcement at Ala Wai Small Boat Harbor (SBH)—on ceded lands—any regime that confers to a third-party (like Secure Parking) the authority to tow, fine, or otherwise interfere with a permittee's rights constitutes a disposition, since it transfers an appreciable element of control and benefit over the land's use and proceeds. Such a system must meet the highest standards for protecting public trust rights and demonstrating that actions are consistent with fiduciary obligations.

The monthly cost cited of \$15,316 per month with 5% annual increases for Secure Parking is excessive when compared to other possible enforcement models, such as using currently employed State workers, which have proven to be far less costly and more publicly accountable. Towing those with disabilities, particularly when they are operating under valid permits, is not only a violation of Hawaii Revised Statutes guaranteeing accessible parking, but also a violation of the ADA and the spirit of aloha that defines our community.

I urge the Board and all decision-makers to reject this ill-conceived proposal and to consider their responsibility to create truly public-serving solutions that do not outsource enforcement to unaccountable vendors at great cost to public trust, equity, and basic human dignity."

Respectfully, Nathan Kimo Chung and Kristine Chung From: Selma Hopstock Skah

To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] Oppose J-1: Protect Kama'aina Surf Access, and Stop Towing Us

Date: Wednesday, September 24, 2025 6:46:09 PM

Aloha Board Members,

My name is Selma Hopstock Skah, and I am a resident and surfer living in Mānoa, Honolulu, on Oʻahu. I frequently spend time at Ala Moana Beach Park and Ala Wai Harbor as places to gather with the community, surf, cook, and enjoy recreational activities.

As a community member, I respectfully urge the Board to:

- Ensure that parking contracts require full Board approval, not just the DLNR Chairperson.
- Protect free Kama'āina access to the beach at Ala Wai Harbor.
- Clarify who will be responsible for issuing parking citations before a "camera car" is deployed, and require that the government issue a standard parking ticket before escalating directly to towing.

My hope is that this special place will remain accessible and welcoming to all local people for generations to come.

Mahalo for your time and consideration.

Sincerely,

Selma Hopstock Skah

From: Riana Eppler

To: <u>DLNR.BLNR.Testimony</u>

Subject: [EXTERNAL] Oppose J-1: Protect Kama'aina Surf Access, and Stop Towing Us

Date: Thursday, September 25, 2025 8:27:37 AM

Aloha Board Members,

My name is Skye Eppler, and I am a resident and avid Ala Moana beach goer. I live in Honolulu along the Ala Wai and love living in town. I go to Ala Moana Beach Park and Ala Wai Harbor since it is so close very often as a place to gather with my community, swim, and relax at the beach.

As a community member, I urge the Board Members to:

Ensure Board member approval of these parking contracts, not just the DLNR Chairperson.

Protect free Kama'aina access to the beach at the Ala Wai Harbor. (Almost everywhere is requiring to pay to park. It is already so expensive to live here and our taxes take away so much money. Please don't take away our recreational free parking as well after so long of having it.)

Decide who will be responsible for issuing parking citations before a "camera car" is deployed. Require the government to issue a standard parking ticket before escalating directly to towing. Towing feeds into many harsh towing companies that operate illegally (VIP Towing) and causes fees around \$300. In today's economy it is so hard to pay fines that large.

My hope is that this special place will remain available for all local people for generations to come.

Mahalo for your time and consideration.

Sincerely, Skye Eppler / eppler@hawaii.edu From: Wade Easterling
To: DLNR.BLNR.Testimony

Subject: [EXTERNAL] Oppose J-1 Protect Kamaaina Ala Wai Surf and Harbor Parking

Date: Wednesday, September 24, 2025 10:50:44 PM

Aloha,

As a long time Hawaii resident surfer the Ala Wai parking has always been a locals spot not a tourist parking lot. We believe decisions concerning new parking enforcement tactics and contracts should be open to public forums to keep local residents informed and parking enforcement companies accountable.

We believe all Board BLNR Members should be involved in Ala Wai Harbor parking decisions as a broader perspective. Also we would like to see ticketing for parking violations instead of towing as a first option. Please note my concerns as someone who regularly uses and appreciates Ala Wai Parking.

Best Regards, Wade Easterling

Sent from my iPad