

BF-129 Concessions and Sponsorships

Amendment Summary

Description: Amends proposed bill to require standards and criteria as it relates to the provision of "Naming Rights" of the proposed bill relating to Concessions and Sponsorships in County Parks and Recreational Facilities.

Motion: Move to amend Section 13.04A.430.A.1.b of proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO CONCESSIONS AND SPONSORSHIPS IN COUNTY PARKS AND RECREATIONAL FACILTIES" to read:

b. Naming rights under a sponsorship shall be exempt from the requirements of chapter 2.98 of this code., except for section 2.98.040.C establishing criteria and standards for naming parks and facilities.

Move to amend Section 13.04A.430.F of proposed bill entitled "A BILL FOR AN ORDINANCE RELATING TO CONCESSIONS AND SPONSORSHIPS IN COUNTY PARKS AND RECREATIONAL FACILTIES" to read:

F. Approval. All sponsorship agreements shall be subject to review by the corporation counsel and those with a value in excess of \$5,000 shall be subject to council approval by resolution. Notwithstanding the foregoing, all sponsorship agreements involving naming rights shall be subject to criteria and standards set forth in section 2.98.040.C, and shall be by council approval by resolution.

RECEIVED AT BF MEETING ON 9-29-17
Submitted by Council member Guzman

Chapter 12.40

NAMES OF PUBLIC FACILITIES DESIGNATED **Sections:**

12.40.010	Names designated.
12.40.020	Alfred "Flako" Boteilho, Sr., Gym.
12.40.030	Maalaea Haycraft Beach Park.
12.40.040	"Duke" Maliu Regional Park.
12.40.050	Satoki Yamamoto (Track and Field) Stadium.
12.40.060	Ichiro "Iron" Maehara Baseball Stadium.
12.40.070	Coach Soichi Sakamoto Pool.
12.40.080	Keopuolani Park.
12.40.090	Kamehameha Iki Park.
12.40.100	Mayor Hannibal Tavares Community Center.
12.40.110	Tom Morrow Equestrian Center.
12.40.120	Kihei Community Center.
12.40.130	Kenolio Recreational Complex.
12.40.140	Dorvin D. Leis Little League Field.
12.40.160	Maui A.J.A. Veteran's Pony League Ballpark.
12.40.170	Toshio "Tata" Fujimoto Field.
12.40.180	Velma McWayne Santos Community Center.
12.40.190	Kaoru Moto Memorial Pavilion.
12.40.200	West Maui Senior Center.
12.40.210	Tom Tagawa Bridge.
12.40.220	Justin Costa Sr. Baseball Field.
12.40.230	Richard "Pablo" Caldito Park.
12.40.240	David Kanaloa Kaho'okele Jr. Nahiku Community Center.
12.40.250	William "Blee" Amoral Sr. Field.
12.40.260	Coach Spencer Shiraishi Pool.

12.40.010 Names designated.

The names of public facilities described hereinafter are named as indicated. (Ord. 2452 § 1 (part), 1995)

12.40.020 Alfred "Flako" Boteilho, Sr., Gym.

Alfred "Flako" Boteilho, Sr., Gym shall refer to the gymnasium formerly known as the Paia Gym, located at 640 Baldwin Avenue, Paia, Hawaii. (Ord. 3399 § 1, 2006; Ord. 2452 § 1 (part), 1995)

12.40.030 Maalaea Haycraft Beach Park.

Maalaea Haycraft Beach Park shall refer to the area formerly known as the Maalaea Beach Park, and

identified as TMK: (2)3-8-005:032, Hauoli Road, Maalaea, Hawaii. (Ord. 3399 § 2, 2006; Ord. 2500 § 1, 1996)

12.40.040 "Duke" Maliu Regional Park.

"Duke" Maliu Regional Park shall refer to the area formerly known as the Kaunakakai Regional Park, and identified as TMK: (2)5-3-003:001, Kamehameha V Highway, Molokai, Hawaii. (Ord. 3399 § 3, 2006; Ord. 2501 § 1, 1996)

12.40.050 Satoki Yamamoto (Track and Field) Stadium.

Satoki Yamamoto (Track and Field) Stadium shall refer to the area formerly known as the Track and Field Complex at War Memorial Stadium, located at 201 Kanaloa Avenue, Wailuku, Hawaii. (Ord. 3399 § 4, 2006; Ord. 2531 § 1, 1996; Ord. 2508 § 1, 1996)

12.40.060 Ichiro "Iron" Maehara Baseball Stadium.

Ichiro "Iron" Maehara Baseball Stadium shall refer to the area formerly known as the War Memorial Baseball Stadium, located at 211 Kanaloa Avenue, Wailuku, Hawaii. (Ord. 3399 § 5, 2006; Ord. 2531 § 2 (part), 1996)

12.40.070 Coach Soichi Sakamoto Pool.

Coach Soichi Sakamoto Pool shall refer to the area formerly known as the War Memorial Complex swimming pool, located at 700 Hali'a Nakoa Street, Wailuku, Hawaii. (Ord. 3399 § 6, 2006; Ord. 2531 § 2 (part), 1996)

12.40.080 Keopuolani Park.

Keopuolani Park shall refer to the area formerly known as the Maui Central Park, located at 300 Kanaloa Avenue, Kahului, Hawaii, and a plaque containing an historical biography of Keopuolani shall be placed thereon. (Ord. 3399 § 7, 2006; Ord. 2577 § 1, 1997)

12.40.090 Kamehameha Iki Park.

Kamehameha Iki Park shall refer to the area formerly known as the Lahaina Armory Park, located at 525 Front Street, Lahaina, Hawaii. (Ord. 3399 § 8, 2006; Ord. 2589 § 1, 1997)

12.40.100 Mayor Hannibal Tavares Community Center.

Mayor Hannibal Tavares Community Center shall refer to both the premises and improvements formerly known as the Upcountry Community Center, located

at 91 Pukalani Street, Pukalani, Hawaii. (Ord. 3399 § 9, 2006; Ord. 2601 § 1, 1997)

12.40.110 Tom Morrow Equestrian Center.

Tom Morrow Equestrian Center shall refer to the area formerly known as the proposed Equestrian Center located at the 4th Marine Division Park, 1775 Kokomo Road, Ha'iku, Hawaii. (Ord. 3399 § 10, 2006; Ord. 2607 § 1, 1997)

12.40.120 Kihei Community Center.

Kihei Community Center shall refer to the area formerly known as the proposed Community Center, located at 303 East Lipoa Street, Kihei, Hawaii. (Ord. 3399 § 11, 2006; Ord. 2673 § 1, 1998)

12.40.130 Kenolio Recreational Complex.

The Kenolio Recreational Complex shall refer to the area formerly known as the Old Community Complex and Park, located at 131 South Kihei Road next to Kenolio Street, Kihei, Hawaii. (Ord. 3399 § 12, 2006; Ord. 2674 § 1, 1998)

12.40.140 Dorvin D. Leis Little League Field.

Dorvin D. Leis Little League Field shall refer to the baseball diamond and baseball field area formerly known as Kalama Park, located at 1910 South Kihei Road, Kihei, Hawaii. (Ord. 3399 § 13, 2006; Ord. 2664 § 1, 1998)

12.40.160 Maui A.J.A. Veteran's Pony League Ballpark.

Maui A.J.A. Veteran's Pony League Ballpark shall refer to the baseball field area formerly known as Kahului School Ballpark, and identified as TMK: (2)3-8-007:041 (portion of), Hina Street, Kahului, Hawaii. (Ord. 3399 § 14, 2006; Ord. 2939 § 1, 2001)

12.40.170 Toshio "Tata" Fujimoto Field.

Toshio "Tata" Fujimoto Baseball Field shall refer to the area formerly known as the War Memorial Baseball Field No. 2, located at 201 Kanaloa Avenue, Wailuku, Hawaii. (Ord. 3399 § 15, 2006; Ord. 2938 § 1, 2001)

12.40.180 Velma McWayne Santos Community Center.

Velma McWayne Santos Community Center shall refer to the area formerly known as the Wailuku Community Center, located at 395 Waena Street, Wailuku, Hawaii. (Ord. 3399 § 16, 2006; Ord. 3035 § 1, 2002)

12.40.190 Kaoru Moto Memorial Pavilion.

The building located at 3355 Baldwin Avenue, Makawao, Hawaii, on the grounds of the Makawao Veterans Cemetery, shall be referred to as the Kaoru Moto Memorial Pavilion and a plaque denoting the accomplishments of Kaoru Moto shall be placed thereon. (Ord. 3399 § 17, 2006; Ord. 3089 § 1, 2002)

12.40.200 West Maui Senior Center.

The facilities located at 778 Pauoa Street, Lahaina, Hawaii, shall be referred to as the West Maui Senior Center. (Ord. 3399 § 18, 2006; Ord. 3243 § 1, 2005)

12.40.210 Tom Tagawa Bridge.

The structure, located at 1819 Nani Street, Wailuku, Hawaii, providing a vehicular crossing over the Speckels Ditch, shall be referred to as the Tom Tagawa Bridge. (Ord. 3399 § 19, 2006; Ord. 3230 § 1, 2004)

12.40.220 Justin Costa Sr. Baseball Field.

The field located at 931 Makawao Avenue, Makawao, Hawaii, and identified as 1C on the Mayor Eddie Tam Memorial Park Expansion, Makawao, Hawaii, Conceptual Phasing Master Plan, shall be referred to as the Justin Costa Sr. Baseball Field. (Ord. 3399 § 20, 2006; Ord. 3370 § 1, 2006)

12.40.230 Richard "Pablo" Caldito Park.

Richard "Pablo" Caldito Park shall refer to the area formerly known as the Waihee (Ball) Park, and identified as TMK: (2) 3-2-012:002, Halewaiu Road and Kahekili Highway, Wailuku, Hawaii. (Ord. No. 4055, § 1, 2013)

12.40.240 David Kanaloa Kaho'okele Jr. Nahiku Community Center.

David Kanaloa Kaho'okele Jr. Nahiku Community Center shall refer to the area formerly known as the proposed Nahiku Community Center, located at 0 Nahiku Road, Nahiku, Maui, Hawaii. (Ord. No. 4073, § 1, 2013)

12.40.250 William "Blee" Amoral Sr. Field.

The field located at 931 Makawao Avenue, Makawao, Hawaii, and identified as Field #6 on the Eddie Tam Complex, shall be referred to as the William "Blee" Amoral Sr. Field. (Ord. No. 4123, § 1, 2014)

12.40.260 Coach Spencer Shiraishi Pool.

Coach Spencer Shiraishi Memorial Pool shall refer to the area formerly known as the Kahului Pool, and

identified as TMK: (2)3-7-013:001, Kaulawahine Street,
Kahului, Hawaii. (Ord. No. 4124, § 1, 2014)

Chapter 2.98

PUBLIC WORKS COMMISSION

Sections:

2.98.010	Establishment.
2.98.020	Definitions.
2.98.030	Powers and duties.
2.98.040	Criteria for naming streets, parks and facilities.

2.98.010 Establishment.

A. Members. There is established a public works commission which shall consist of nine members and two alternates appointed by the mayor, with the approval of the council. The members shall consist of three registered, State of Hawaii licensed engineers, one member who is knowledgeable in the Hawaiian language, one member who is a resident of Lanai, and one member who is a resident of Molokai. One alternate shall be a registered, State of Hawaii licensed engineer.

B. Terms and operation. Section 13-2 of the revised charter of the County of Maui shall apply to the public works commission in the same manner as said provisions apply to boards and commissions recognized by the revised charter.

C. The department of public works shall provide staffing, technical, and clerical services as may be required by the commission.

D. The commission shall, after consultation with the director of the department of public works, adopt rules of practice and procedure pursuant to chapter 91, Hawaii Revised Statutes.

E. All members shall serve without compensation, but members shall be entitled to receive actual travel and other expenses incurred in the performance of their duties.

(Ord. No. 4078, § 2, 2013)

2.98.020 Definitions.

Unless otherwise expressly stated, whenever used in this chapter, the following terms shall have the following meanings:

"Commission" means the public works commission.

"Department" means the department of public works.

"Director" means the director of the department of public works or the director's designee.

"Existing facility" means any facility accepted by dedication or whose construction by the County was completed on or prior to September 6, 1994.

"Existing park" means any park whose deed was delivered to and accepted by the County on or before September 6, 1994.

"Existing street" means any street whose deed was delivered to and accepted by the County on or prior to September 6, 1994.

"Facility" means any building or other physical structure owned and maintained by the County.

"Name" means a designated word or phrase which distinguishes one street, park, or facility from another.

"New facility" means any facility accepted by dedication or whose construction was completed after September 6, 1994.

"New park" means any park whose deed was accepted by the County after September 6, 1994.

"New street" means any street whose deed was accepted by the County after September 6, 1994.

"Organization" means any group of people who have organized themselves, formally or informally, for the purpose of providing service to the community, including but not limited to, partnerships, corporations, and associations.

"Park" means an area of land used by the public for recreational purposes, including playgrounds, athletic fields, beaches, and other areas owned and maintained by the County.

"Person" means any individual.

"Plaque" means any type of commemorative sign or fixture.

"Street" means highway, street, road, alley, lane, or any other roadway used primarily for vehicular access. (Ord. No. 4078, § 2, 2013)

2.98.030 Powers and duties.

A. Regarding traffic safety, the commission shall:

1. Serve as the traffic safety council as required by section 286-6, Hawaii Revised Statutes, as amended;
2. Upon request, advise, assist and make recommendations to the council on matters relating to traffic safety;
3. Upon request, make recommendations to the director on requests from the public for maintenance of old government roads as provided in chapter 12.50 of this code.

B. Regarding naming of streets, parks and facilities, the commission shall:

1. Recommend names to the council and/or the department in accordance with the criteria set forth in section 2.98.040. The commission may also recommend more than one name as alternate choices for each street, park, or facility it has considered; and

2. Upon request, advise and assist any subdivider who desires to name roads within a subdivision in the County.

C. Regarding subdivision engineering standards and specifications, the commission shall:

1. Review proposed modifications, deletions, or additions to existing engineering standards and specifications which are adopted and kept on file by the department, the department of water supply, and the department of environmental management, and transmit the same with recommendations thereon to the respective departments;

2. Review new engineering specifications and standards, and transmit the same with recommendations thereon to the respective departments; and

3. Upon request, review proposed ordinances relating to the standards of roads and related facilities in subdivisions.

D. Regarding outdoor lighting, the commission, upon request, shall:

1. Review and advise the department on outdoor lighting matters involving projects within the County; and

2. Review and advise the department on requests by persons to add, retrofit, or remove an outdoor lighting fixture on County property or public right-of-way. (Ord. No. 4078, § 2, 2013)

2.98.040 Criteria for naming streets, parks and facilities.

A. Naming of private streets. Owners of private streets, which include private highways, roads, alleys, lanes, and ways, shall not name such private streets with names similar to or closely resembling names of existing public streets within the County. The commission shall review and provide its recommendation on all proposed new private street names to the director. The director shall have the authority to approve or deny all proposed new private street names.

B. Standards for naming streets.

1. Names of existing streets. Existing streets shall retain the name which has been historically accepted through common usage, unless the renaming of an existing street is processed pursuant to subsection F.

2. Names of new public and private streets shall:

a. Be named in the Hawaiian language; or

b. Have an appropriate meaning, and, whenever possible, relate to the area's historic significance or follow a uniform theme (i.e., flowers, fish, people, etc.).

3. The commission shall avoid, as much as practicable, using a street name more than once on any island.

C. Standards for naming parks and facilities.

1. Names of existing parks or facilities. Unless otherwise renamed in accordance with the provisions herein, existing parks or facilities shall retain the name which has been historically accepted through common usage. When renaming an existing park or facility, the council may also include the name of a person or organization, provided the person or organization meets at least one of the criteria set forth in subsection C.3.

2. New parks or facilities may be named:

a. For the neighborhood, community, district, region, or other identifying geographical location in which the park or facility is located;

b. In the Hawaiian language, in a manner which describes significant features of the area, or which describes the site or its use, function, or purpose; or

c. In exceptional cases, a new park or facility may be named for a person or organization where at least one of the criteria set forth in subsection C.3. is met.

3. A person's name or an organization's name may be used in connection with a park or facility where at least one of the following criteria is satisfied:

a. The person or organization has a significant association with the park or facility;

b. The person or organization has contributed significantly to programs in the region in which the park or facility is located; or

c. The person or organization has achieved significant recognition on the County, state, national, or international level for contributions to the region or to the park or facility itself.

4. When a person's name is proposed as the name for a new or existing park or facility, the following information shall be included in the proposal:

- a. The person's full name, date of birth, and, if appropriate, the date of death;
- b. The address of the person's last residence;
- c. The association of the person with the park or facility to be named;
- d. A brief biography of the person, including all data relevant to the commemorative naming; and
- e. Five letters of recommendation from various community members, at least one of which must be from the director of the County department which has the control and maintenance of the park or facility, confirming the contributions of the individual to the region in which the park or facility is located.

5. When an organization's name is proposed as the name for a new or existing park or facility, the following information shall be included in the proposal:

- a. The organization's name, names of current officers and directors, date of formation, and address;
- b. A brief description outlining the organization's association with the park or facility to be named; and
- c. Five letters of recommendation from various community members, at least one of which must be from the director of the County department which has the control and maintenance of the park or facility, confirming the contributions of the organization to the region in which the park or facility is located.

D. Establishing commemorative plaques at parks or facilities in lieu of, or in addition to, naming or renaming parks or facilities.

1. Provided the director of the County department having control and maintenance of the park or facility has sufficient funds to establish, erect, and maintain such commemorative plaques, the commission may recommend to the council that a person's or organization's name be inscribed on such commemorative plaques in lieu of, or in addition to, the naming or renaming of such parks or facilities for the person or organization.

2. Requests for inscription on such plaques shall be processed in accordance with the provisions set forth in subsection F.

3. The commission shall consider the criteria set forth in subsection C.3., and further require the information listed in subsections C.4. or C.5., be provided.

E. Use of the Hawaiian language.

1. Hawaiian spelling and diacritical marks shall be used whenever Hawaiian names or words are used to name new streets, parks, or facilities.

2. Appropriate diacritical marks shall be included on all signs for existing streets, parks, or facilities, whenever those signs are first repaired, replaced, or repainted.

F. Procedure to adopt names for streets, parks, and facilities.

1. The mayor or the council may submit requests to the commission. Requests for renaming a street, park, or facility shall be submitted to the commission and the cultural resources commission.

2. Members of the public, including other governmental entities, may submit a request to name a street, park or facility, on a form approved by the commission, which may be obtained from the department. Requests for renaming a street, park or facility shall be submitted on a form approved by the commission and the cultural resources commission, which may be obtained from the department.

3. Within sixty days after a request first appears on the commission's and/or the cultural resources commission's agenda for review, the commission and/or the cultural resources commission shall make its recommendation to the council regarding the proposal.

4. The director shall transmit the commission's and/or the cultural resources commission's recommendations to the council within thirty days after the commission and/or the cultural resources commission has made its recommendations.

5. The council may adopt, modify, or reject the commission's and/or the cultural resources commission's recommendations. Approval of a park and facility name or renaming shall be by ordinance. Approval of a street name shall be by a resolution adopting the street as County property, or by the director in the case of private streets.

6. Public safety exception. Notwithstanding the requirements of this section, existing streets may be renamed, in whole or in part, by the council upon the request of the chief of police, the fire chief, or the director, provided the renaming is necessary to improve the response of authorized emergency personnel.

(Ord. No. 4078, § 2, 2013)