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DEPARTMENT OF CUSTOMER SERVICES
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CITY AND COUNTY OF HONOLULU

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February 13, 2025

The Honorable Val Okimoto, Chair
and Members
Committee on Public Safety and Customer Services
Honolulu City Council
530 S. King Street, Room 202
Honolulu, Hawai'i 96813

Dear Chair Okimoto and Councilmembers:

SUBJECT: Bill 5 – Relating to Animal Recovery

The Department of Customer Services (CSD) respectfully offers comments to Bill 5, Relating to Animal Recovery, which repeals Chapter 3, Article 4, Revised Ordinances of Honolulu 2021 ("Poundmasters"), amends Chapter 4, Revised Ordinances of Honolulu 2021 by adding a new Article 4 ("Farm Animal Control Contractor"), and authorizes CSD to adopt administrative rules to implement, administer, and enforce the program.

As the Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition) (the "Charter") does not enumerate any express powers, duties, or functions (hereinafter collectively referred to as "Charter powers") to CSD relating to performing farm animal control, CSD has concerns that the proposed legislation mandates certain powers, duties, and functions for which CSD has not been duly and properly granted by the Charter.

One option may be to amend the proposed bill to administratively attach the "Farm Animal Control Contractor" as defined in the bill to CSD, in a similar manner to the "poundmasters" as defined in Section 3-4.4, Revised Ordinances of Honolulu 2021, as amended (ROH), which is administratively attached to the Department of Parks and Recreation for administrative, fiscal, and budgeting purposes.

DEPT. COM. 106 PS

While Bill 5 authorizes CSD to promulgate administrative rules to implement, administer, and enforce a farm animal control contractor program, CSD does not have the subject matter expertise relating to farm animal control, and, therefore, will require adequate time to research and consider implementation requirements in order to proceed to promulgate such administrative rules. Additional time will also be needed to research and consider contract specifications for the procurement of a farm animal control contractor, as specified in the bill.

We look forward to working with you to address farm animal estrays and thank you for the opportunity to submit comments regarding Bill 5.

Sincerely,

Digitally signed by Hashiro, Kimberly
Date: 2025.02.13 08:26:52 -10'00'

Kimberly M. Hashiro
Director Designate

APPROVED:

Michael D. Formby, Managing Director Designate
Office of the Managing Director