

MINUTES

PARKS & RECREATION COMMITTEE July 23, 2008

A meeting of the Parks and Recreation Committee of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Councilmember Tim Bynum, Chair, at the Historic County Building, Room 201, Lihu'e, Kaua'i, on Wednesday, July 23, 2008, at 9:17 a.m., after which the following members answered the call of the roll:

Honorable Ron Kouchi
Honorable Shaylene Iseri-Carvalho
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura
Honorable Jay Furfaro, Ex-Officio Member
Honorable Daryl W. Kaneshiro, Ex-Officio Member

Minutes of the June 18, 2008 and July 2, 2008 Parks & Recreation Committee Meetings.

Upon motion duly made by Councilmember Kouchi, seconded by Councilmember Rapozo, and unanimously carried, the Minutes of the June 18, 2008 and July 2, 2008 Parks & Recreation Committee Meetings were approved.

There being no objections, the Committee recessed at 9:18 a.m.

The Committee was called back to order at 9:25 a.m. and proceeded on its agenda items as follows:

- Bill No. 2265 A BILL FOR AN ORDINANCE TO AMEND SECTION 19-1.3 AND SECTION 19-1.4 OF THE KAUA'I COUNTY CODE 1987, AS AMENDED RELATING TO PARKS AND RECREATION
[This item was deferred.]
- Bill No. 2266 A BILL FOR AN ORDINANCE TO AMEND CHAPTER 22, ARTICLE 2, KAUA'I COUNTY CODE 1987, RELATING TO STRAY DOGS
[This item was deferred.]
- Bill No. 2267 A BILL FOR AN ORDINANCE TO ESTABLISH A NEW ARTICLE 18, CHAPTER 22, KAUA'I COUNTY CODE 1987, AS AMENDED, RELATING TO THE CREATION OF DOG PARKS
[This item was deferred.]

TIM BYNUM, PARKS & RECREATION CHAIR: Thanks for your patience. The Council's been through a lot of change in the last few days and I had originally very much hoped to work and act on these bills today, but change brings inevitable consequence. So, Councilmember Kaneshiro.

Mr. Kaneshiro: I appreciate you giving me the courtesy as I am not a member of this Committee, but for myself, because of all the testimonies that have been coming in on these particular three bills, I needed more time. I just needed more time to go over some of the testimonies that were presented, to look at and listen to some of the tapes. I know there's, I tried to catch up on as much as I could,

but it hasn't given me the opportunity to really work on the bill itself. So, all I'm asking is if this Committee would just consider deferring these bills for one Committee meeting, giving me the opportunity when it comes back. I believe, in practice from previous Council Chairs, most of the work is done in committee, and amendments are produced in committee and then later on moved up to the full Council. So, I would really appreciate it if the Committee would consider my request and again, I'm not a member of this Committee like I said, so I'm hoping that someone would make that motion.

Mr. Bynum: Thank you, Councilmember Kaneshiro. I certainly would want to honor that request. I do want to just point out that for other Councilmembers, we, at the last Committee meeting, requested that any amendments to the three bills be presented by the 16th. I haven't received any amendments as of today and so I'm assuming at this point that other than any amendments you may want to propose, that there aren't any other being proposed.

Ms. Iseri-Carvalho: I have proposed amendments and they were being prepared by staff.

Mr. Bynum: So what would be a reasonable time. I'm sorry, Councilmember Kouchi.

Mr. Kouchi: I just was going to say that Mayor Asing has asked me to introduce an amendment on his behalf relative to the ordinance for dog parks. And his amendment essentially would try to address how you can bring a dog or your animal from the parking lot through an area that may be a park where animals are prohibited to get to the legal dog park. And so, he had it in writing already, and so I will have that amendment available to be circulated to all councilmembers by today so that you'll have two weeks to review Mayor Asing's proposed amendment before the next Committee meeting. And while I have the floor, I would just say that I was prepared to vote on this matter at the last Committee meeting, but I will honor Councilmember Kaneshiro's request and support the deferral of the bills today but fully expect to be here to vote on the matter in the next Committee meeting and I will be prepared on August 6 to take action on this. The only thing that I would inform the members of is that I have scheduled business and so I won't be here on August 13 until the 1:30 p.m. portion of the Council meeting when there would be second and final reading. So, should you need my vote for the final Council meeting, I'll be available after 1:30 p.m. that day.

Mr. Bynum: Thank you, Councilmember Kouchi.
Councilmember Yukimura.

Ms. Yukimura: Thank you. I too was ready to vote at the last Committee meeting and will be ready to vote at the next Committee meeting for sure. And I have no problem honoring the request of both Mayor Asing, who's asked for a deferral, as well as Councilmember Kaneshiro to defer it for another time. I

just would hope that this would apply in all committees, recalling that in the Community Assistance Committee both yourself, Committee Chair Bynum, and I asked for a deferral on a very important affordable housing bill and that was not honored to the detriment of our decision-making process. So, I hope that we can stand by this standard of honoring these requests so that there'll be sufficient time for all members to review the matter.

Mr. Bynum: Councilmember Furfaro.

Mr. Furfaro: Well, you have a Committee member first and I can be recognized afterwards.

Mr. Bynum: Thank you. Councilmember Iseri-Carvalho.

Ms. Iseri-Carvalho: I will support the deferral today. I will not do a standing support of a deferral for any other item unless it is warranted. I think the people are entitled to have decision making when all the information is received. We've received a lot of information on this matter. Because Councilmember Kaneshiro was newly selected to replace that position, he is entitled to that. But I will not be supporting deferrals unless there are other reasons that warrant such deferrals and likewise, in the Community Assistance Committee, we had a whole year and 17 meetings on it and that did not warrant a deferral and therefore, there was not sufficient votes for a request to honor that deferral. However, in this case I will be supporting the deferral based on Mayor Asing's request and also newly selected Councilmember Kaneshiro. But I am prepared to vote. I was prepared to vote before, I am prepared to vote today. The amendments, I believe, that I had made have been prepared by staff and they shall be available today.

Mr. Bynum: Councilmember Furfaro.

Mr. Furfaro: Thank you. As an ex-officio of the Committee, I believe the request from the Mayor's Office is a reasonable one, but I also do want to suggest that, you know, we as a new organized body move forward. Let's refrain from reflecting on past encumbrances on past procedures and I will ask the County Clerk...Is he in the room?...or so note, let's re-issue our rules as a Council to all members. And do I also understand that your request stands that all amendments, including the ones supported by Mr. Kouchi and Councilwoman Iseri, you're expecting the deadline for those amendments to be at the end of business today. Am I correct in...

Mr. Bynum: For other than Councilmember Kaneshiro, who, you know, may want to introduce an amendment by request from another member.

Mr. Furfaro: So that exception is with Mr. Kaneshiro as a new member of the body. Thank you for the time.

Mr. Bynum: Councilmember Yukimura.

Ms. Yukimura: With respect, I appreciate that there will be the amendments provided today so that we can have some time to look at them. And with respect to Councilmember Kaneshiro's amendments, can we expect them at least a week before our committee meeting?

Mr. Kaneshiro: Absolutely, absolutely.

Ms. Yukimura: Okay, thank you.

Mr. Kaneshiro: Yes.

Ms. Yukimura: And...one more comment, Mr. Chair. I just want to complete the history. I think it's sometimes important. I just want to say that on the affordable housing bill, the day of the Committee we received a bill with major amendments that nobody had been able to review...

Mr. Furfaro: You know, Councilwoman, I need to...

Ms. Yukimura: ...and so thank you very much.

Mr. Furfaro: I need to point out, I know you want to value having the whole history, but this is not the agenda item today. Perhaps we can have discussion after we re-issue the rules to all members.

Ms. Yukimura: Thank you.

Mr. Furfaro: Mr. Bynum, it's your Committee.

Mr. Bynum: Anyone else? I'll entertain a motion to...

Ms. Iseri-Carvalho: Public testimony?

Mr. Bynum: So, those of you that have followed this closely, we've heard a lot of testimony. You have a right to provide testimony today. Councilmember Kaneshiro indicated that he would be reviewing the previous testimony and so, if you have something to share that you haven't shared before, you certainly have that opportunity, and you have the right to come and give the testimony that you've given before as well, if you like. But, you know, in order to not belabor this, I ask you to make a choice about whether you need to do your full testimony today. But having said that, it's open for public testimony. Glenn?

There being no objections, the rules were suspended.

Glenn Mickens: For the record, Glenn Mickens. Good morning, Councilmembers. Good morning, Cowboy, welcome aboard.

Mr. Kaneshiro: Good morning, thank you.

Mr. Mickens: Good morning, Jay. Welcome aboard as a new Chair, appreciate that.

Mr. Furfaro: Good morning, Mr. Mickens.

Mr. Mickens: You have a copy of my testimony. I'll read it; it's not that long. I support Bills 2266 after re-reading the bill and 2267, but I'm highly opposed to Bill 2265. If the law is changed to allow dogs on this path, meaning animals in this park, then it will open the door for all animals to use this path. Councilman Kaneshiro has horses and burros as do many other people on Kaua'i, and if dogs (being animals) have the right to be on this path, then certainly all animals have the same right. We're talking about a 10-foot wide cement path that the federal government said was supposed to be built for transportation, not recreation. In other words, it was to be built to take cars off the roads, but no rational person will presume that to be the case. By opening this park to animals, it will only create further liability risk for the walkers, joggers, and bikers. That is a fact.

To presume that police, wardens or deputized citizens will ever be able to patrol that entire path is ludicrous and is not going to happen. You heard from a man and his wife who testified, I think two meetings ago, who called the Humane Society regarding an incident on the path with a dog and you have heard them say that no one ever responded in three days. And to ever believe that all dog walkers are going to pick up the waste left by their animals is a dream and will be just another problem for other people on the path, mostly for those taking care of the parks area.

My friend Joe Rosa has raised an excellent point that I've never heard anyone address. If there are 20,000 dogs on Kaua'i, as has been stated, why have there only been 3,900 licenses issued? If whatever enforcement mechanisms we have in place can't even make sure that 16,000 dogs have licenses, then how will anyone ever presume that we will have the enforcement to take care of dogs being on the path and being legal?

I support Bill 2266 to make it tougher for all dogs to abide by the law with reservations, again, about enforcement as with everything on the island. And I totally support Bill 2267 to have dog parks around the island, which would make dogs on a path a non-issue. People who own the dogs can take them to these parks and get all the exercise they might need while the dogs play.

Mr. Bynum: Thank you.

Mr. Mickens: Thank you, Tim.

Mr. Bynum: Anyone else? Mr. Rosa?

Joe Rosa: Good morning, members of the Council.

Councilmembers: Good morning.

Mr. Rosa: And our new Chairman, Mr. Jay Furfaro.

Mr. Furfaro: Thank you.

Mr. Rosa: And welcome aboard, Daryl Kaneshiro.

Mr. Kaneshiro: Thank you.

Mr. Rosa: I've circulated some information that I had addressed to individual members of the Council. I sent those letters out because I know I can't cover everything in 30 minutes, I mean 3 minutes. JoAnn, you know, I always hear you (inaudible) select special groups of people. You're only representing one group of people, select group of people. I can recommend up to five, but I've listed only four. One of the things I look at, even as a safety factor I should have put it on, is what fishermen told me. They used to park their cars along that roadway or pathway and they used to put a beacon on their car dashboards when they go out for torching, fishing, so they could locate their car and see where they are and what direction they're going. Those are things, a safety factor that has been taken away from my select group of people. I've talked to people that they say no, they don't want the dogs, keep it up. Yesterday at the rally out here, people were approaching me, thanking me. I said, "Thank you." It enlightens (sic) me to hear that you people are listening to Ho'ike. You know, Tim Bynum, I address you about let's be realistic with figures. Again, in the paper 20,000 dogs, you know. Daryl, you can look at the letter that I sent. I gave you the opportunity to kind of upgrade yourself on the issues that we are faced with. You're a horse owner and your horse people were turned down in use of the path. But I didn't say it because I didn't know whether you'd meet the approval of the Council this morning. Apparently you are. You're an animal lover. You have horses and those are your people out there. Jay Furfaro, I look at your amendment, like I put the dates, 6 months from what date? August? So that takes it to next year in February. Our Council is already out of three people. Possibly one might get out of office in November. Ron Kouchi, I address you simply on what I heard you say that they might have to come to where you might have to change the pathway from a park to whatever. But you read on my definition of the parkway, part D, and it's exactly what it is. It was preserved and made into a park to preserve the natural resources that's out there. Think about it. You know, those are the kinds of things that I have looked into the foresight. And the definition of park came from the Webster International Dictionary. And, you know, I do research. I don't just come

out here and blabber. But, you know, those are the kinds of things I see and I can say I represent a group of special select people too. Like JoAnn keeps emphasizing and she asked the speakers how can you solve the problem for your special select people.

Mr. Bynum: Three minutes, Mr. Rosa.

Mr. Rosa: Yes, but she cannot come up with an answer herself, so anyway, read that. Take your time, read it, and I think it's something that you can benefit from like as I say, especially on a definition of a park.

Mr. Bynum: Okay, thank you very much.

Mr. Rosa: Read it and think all about it.

Mr. Bynum: Thank you.

Mr. Rosa: And let your conscience be your guide for the better of Kaua'i. Like I've heard it time and time again from the Administration from Bryan's time and even it's been spoken around today. So...

Mr. Bynum: Thank you, Mr. Rosa.

Mr. Rosa: Good day.

Mr. Bynum: Good day.

Ms. Iseri-Carvalho: Thank you.

Mr. Rosa: Thank you.

Laura Wiley: Aloha Kakahiaka. Good morning, Council.

Councilmembers: Aloha, good morning.

Ms. Wiley: For the record, I'm Laura Wiley and today I represent many responsible dog owners that are here but very many more that are not able to make it here today. And because your time is valuable, I will be the only one from our group that is testifying today. We really truly appreciate all the time, energy and hard work that the Council has expended to reach a compromise solution in this important issue. We feel very strongly that allowing leashed dogs on the Coastal Path is a normal, responsible and positive activity for this community as it is a normal, reasonable and positive activity for many, many other communities. The Humane Society has already committed to daily enforcement of the Leash Law and the Waste Disposal Law if passed. The Humane Society has also developed a stewardship program for volunteers to act as goodwill ambassadors

to educate dog owners about the laws with respect to public spaces. We feel that the amendment excluding leashed dogs from Lydgate Park is a very reasonable compromise. We also feel that the amendment establishing a sunset provision of 18 months will hold dog owners to a high standard. It's unfortunate that there are irresponsible members of our society. It's very frustrating to us responsible citizens. We view the possibility of walking our dogs on the Coastal Path as a privilege and we will treat it as such. We respectfully ask to give us a chance and to vote yes on the proposed ordinances. Thank you.

Mr. Bynum: Thank you. Councilmember Iseri-Carvalho.

Ms. Iseri-Carvalho: Question. Hi.

Ms. Wiley: Hi.

Ms. Iseri-Carvalho: Did you have an opportunity to speak with the Bike Path Task Force at all?

Ms. Wiley: No, we haven't. I'm not really sure what the next step is. We've spoken with the past Mayor, with Bernard Carvalho, and several other members of that committee, and so I don't know if it's appropriate for us to join the committee or...

Ms. Iseri-Carvalho: Well, I don't think it's appropriate for you to join the committee because...

Ms. Wiley: Because we're not part of the County.

Ms. Iseri-Carvalho: Administration.

Ms. Wiley: Right.

Ms. Iseri-Carvalho: I think the committee was made up of all the administrative officials that were responsible, including the County Attorneys, Public Works...

Ms. Wiley: Right.

Ms. Iseri-Carvalho: ...County Engineers, yeah.

Ms. Wiley: And we've spoken to the County Attorneys too. And so no one told us to join the committee, but I will certainly do what Council thinks is best in regards to that advisory committee.

Ms. Iseri-Carvalho: The last time that Bernard Carvalho was here and was asked whether or not the Advisory Task Force, who is responsible for

enforcement of, you know, issues on the bike path, design, construction, etc., their position was that they did not, I believe they took a vote among that task force, and it was their position that they did not want dogs on the path.

Ms. Wiley: Mm-hm.

Ms. Iseri-Carvalho: So I was wondering if there was any communication of that nature to your group.

Ms. Wiley: No, not that I'm aware of and if I'm wrong, I apologize, but I don't believe so.

Ms. Iseri-Carvalho: Okay. Thank you.

Ms. Wiley: Thank you.

Mr. Bynum: Any other questions? If not, thank you very much.

Ms. Wiley: Thank you.

Ken Taylor: Chair, members of the Council, my name is Ken Taylor. First, I'd say thank you, Jay, for stepping forward and taking on a new endeavor as Chair of the Council.

Mr. Furfaro: Thank you.

Mr. Taylor: Thank you, Daryl, for coming back and spending some more aggravating hours here, listening to all of us, but...

Mr. Kaneshiro: Thank you.

Mr. Taylor: I would say that I'm supportive of the past speakers' comments and I believe that dogs should be on a leash and on the path, but I do believe that there should be a fine included in the proposal that would allow people who don't follow the rules and regulations can be prosecuted for. And it should be a multiple-step proposal that the first offense, make it tough, \$300-\$500 for the first offense, \$500-\$1,000 for a second offense and a much higher number for a third offense and possibly even some jail time because, I think, these are issues that are important. It's not only health issues, it's safety issues and it...people...I've always had dogs, I don't have a dog at this point in my life, but I've always felt that it was my job to be responsible for my animals. I've had horses and other animals in the past and it's important that people with animals take on that responsibility of caring for not only the animals but the safety of anybody that may come in contact with those animals. So, I do believe that this thing should move forward with provisions to be able to fine heavily anybody that misuses the rules and regulations. Thank you.

Mr. Bynum: Okay. Ken, just for your information, currently any violation that is cited does carry a potential fine. It also, it's not a fine that you can just pay the ticket. You actually have to show up in court and appear before a judge, and currently, he can, he or she can fine you anywhere from \$50 to \$500 for a first offense. So, you know, any violation of a regulation, including the new ones that are being proposed, would be something that required a fine and required an appearance in court. Okay?

Mr. Taylor: I just think if it's in the ordinance that spells that out, then when people read the ordinance or when you're talking to somebody, you can say, "Hey, here's the ordinance and here's what the potential problem is if you don't obey."

Mr. Bynum: Yeah, and it is in there. Councilmember Iseri-Carvalho.

Ms. Iseri-Carvalho: My amendments do address that issue, Ken. Because part of the problem has been that the cost, which is currently at \$50, really doesn't pay for the cost of the enforcement and the fact that these, as mentioned by Chair Bynum, that these cases you have to show up in court and the reason why you have to show up in court is because they ask the person whether or not there was injury involved because there's automatic restitution at that point and also they could be subjected to other civil damages. And that's why you can't just pay for it because there's potential for injury at every instance and many times there are. I mean, they'll ask the prosecutor to make sure that they contact the victim to assure that if there has been injury, that there is proof that is provided so that the owner is liable for that. So, that is when we had gone through a lot of the bills as they come up piecemeal, unfortunately, we have increased the penalties as you've noticed, you know, when we did a concession bill and increased the penalties because the cost of having that worker enforce the law a lot of times is a lot more than the ticket itself. So, we will, in my amendment, we will be, I will be addressing that.

Mr. Bynum: Thank you. Anyone else? Okay.

Mr. Furfaro: Mr. Rosa, there is someone else coming up and the Chairman will give you your second three minutes, I'm sure.

Sam Dowling: Hi, my name is Sam Dowling. I live in Kapa'a and my only question is I'm in favor of the bills. My only question is on the liability that they keep bringing up. Right now I understand it's legal for me to walk my dogs on any sidewalk in the County. How is your liability higher on this path? Is it just because it's called a park? Can you explain that? I don't understand why that's a question when it's already legal for me to walk my dog as long as he's on a leash anywhere else.

Mr. Furfaro: Sam, you need to direct your questions, to the Committee Chairperson.

Mr. Dowling: Oh, I'm sorry.

Mr. Furfaro: And then he will select somebody to respond. No, that's fine. Thank you for being here.

Mr. Dowling: I'll ask...Also, I just don't feel that responsible dog owners should be responsible for the irresponsible dog owners.

Mr. Bynum: I understand and, you know, any potential liability, I assume, occurs anywhere you walk in public.

Mr. Dowling: Right.

Mr. Bynum: So, I don't know that there would be any difference...

Mr. Dowling: There would be no more risk for the County...

Mr. Bynum: Than there is currently.

Mr. Dowling: Than there is currently, right.

Mr. Bynum: I understand your point.

Mr. Dowling: That's all I have to say. Thank you.

Mr. Bynum: Anyone else who would like to testify for the first time? Okay, Mr. Rosa, did you want to take your opportunity for three additional minutes?

Mr. Rosa: Good morning once again. Basically, I'm here to speak in behalf of Mr. Ben and Sheila Herr. You all got a letter that was sent to you people by email and I'd like to read what she had to say about our so-called Humane Society talking about enforcement. And I quote, "I'd like to follow up since participating in the recent public testimony on the Coastal Path. Ben and I had a long phone conversation with Dr. Rhoades this week concerning the report mentioned during my recent testimony we made a few weeks ago that received no response from the Humane Society. She apologized. In her words 'she dropped the ball' and went on to say and state that they have a lot of employee turnovers." Read that, turnovers. Now how can they go do enforcement when she has turnovers and turmoil within her organization? Read the lines. "We understand staff and currently the existing officers are not all certified. Humane Society representative testified to Council that they would have certified volunteers patrolling the path. If

they are so overwhelmed while not currently enforcing violations on the path, why the full-on radio blitz? That's Mr. Ron Wiley's radio program in the morning. He was blasting it out for weeks for the dog path and a very vocal presence in front of the Council to add to this burden. It is a coincidence that the treasurer of the Humane Society is the main spokesperson for the Society. Will the next step be to request more funds from the County to provide an adequate enforcement that will be needed if the existing law is compromised with this bill? It just doesn't add up that the Humane Society so aggressively pushes for a bill that will further burden their already overworked staff, create additional liability for the County out of dogs and people at risk. It's not as good an exercise source for dogs as a grassy park area will do." And I got a statement from a veterinarian that says a dog park would be better than having a person or a dog on a leash. You do free running yourself, you get more exercise than walking. A dog is the same thing. You get 'em on a leash, you confine his restriction to exercise. A dog park is 100% better than walking a dog on a leash. Think about it. That's common sense. So, those are the kind of things I read and there's mixed emotion that people try to come here, use fictitious figures just to get a dog law passed which says no animals or dogs. Let it be. Don't cause trouble. Don't open a can of worms, etc. because one of the main things is, already been mentioned time and time again, is the enforcement of the law.

Mr. Bynum: Three minutes, Mr. Rosa.

Mr. Rosa: Well, thank you very much. You have the letter from the Herrs, read it and there's a lot of sense in it.

Mr. Bynum: I have it.

Mr. Rosa: And she told me personally that they felt so intimidated at the meeting they were here, so she sent me this letter and she sent those out to you people too. There's so much intimidation by people that want the dog path that, you know, they always put fear into some people that want to testify. That's why a lot of our local people don't come here...because of so much intimidation. I thank you.

Mr. Bynum: Thank you. I'm sorry, I see a hand at the back of the room.

(Inaudible.)

Mr. Bynum: Some folks came in late. We had our first round of testimonies. So...

(Inaudible.)

Marcia McPhail: Aloha, County Councilmembers. I did take time off from my work because I feel it's important to be here. We all have a lot of stress in our days and I really enjoy...

Mr. Bynum: Can you state your name for the record, please?

Ms. McPhail: Oh, I'm sorry, Marcia McPhail. This is my third time coming to County Council and giving testimony, so I'm just gonna be, I guess, really brief. I would just like an opportunity, that 18-month trial period, to see how things go, rather than just saying no way, no how, we're not gonna do it. Let's just give us a chance, okay? Again, like Sue said, let's just give dogs a chance and see how it goes for the 18 months. I'd be glad to personally get involved with whatever I can to help out with the path and to make sure it's safe and secure. So, again, thank you for your time and my dog thanks you for her time too.

Mr. Bynum: Thank you. Anyone else? Yes, sir.

Cowboy Molina: My name is Cowboy Molina and I come to represent, I guess, the people of Kaua'i for your guys bike path that you guys made out there in Kapa'a. Most of the people that been talking to me that's why I took off work, come over here, spend my time with you guys, my three minutes, whatever I have to spend, but you guys know when I show up, I show up because of the people, not because one individual, one company, one body. I show up for all people for or against, but I'm here for just represent what people said. Before the bike path came out out there, everybody riding their horses, motorcycles was going through there, dog guys was walking, people were walking. No trouble. Nobody had no confliction between people. Now, since they put one concrete 10-foot walkway over there, everybody fighting each other, right? Seems like that's what going on now. Now you guys trying to get the dog guys for walk their dogs, guys without the horses, no can ride their horses, you know, I just come in here for say what I hear and what people talking to me for represent to you guys. Well, dog park, everybody game for dog parks because the guys going get their dog in their own park and (inaudible). If you guys get the dogs on the walkway, people with the horses going start coming on the walkway. How they going control their dogs and how you guys going control the horse people because horses get four legs, dogs get four legs. You know what I mean? That's what people saying. The rest of the people that are out there say that you know what, if they going start walking their dogs, we going start walking our dogs and our dogs, like they said, people that know they dogs, oh we behave, our dogs behave. Not every dog going behave the same, you know. I get one pit bull and I can tell 'em sit down right there. He going stay there the whole day, you know. I can walk 'em down the road right next to me without one leash and he going listen to what I say. You know what I mean? But dogs do lose their temper like that. I had to put one of my dogs down because of that, because he get crazy. I don't know why, but they just go off. So, one of these dog leash dogs going be walking on the (inaudible) I no can say what or how the dog might flip out, bite somebody, bite whatever, what going happen then? That is why people worried

now. I mean, the local people that no can make it to this meeting that's why I'm here but. That is the reason why I'm here. I'm trying to represent most of the people that I hear outside that cannot come and they cannot talk. I mean, they all talk to me. If you guys notice, I only show up to the big meetings and only I gotta talk, but everybody else in the back backing me up. But today, everybody stay home working and doing their thing, so I gotta take off and come. But I get three minutes for say what I gotta say and we oppose the bike path with the dogs on 'em right now, most of the people does, majority, 90% of the community saying, from what I hearing, is opposing that thing. So, I just hope you guys listen to what the people get to say and hopefully the thing go through and they all game for the dog park. Dog park, they have no problem with dog parks. It's just that bike path out there because going cost, they feeling going cost us more money because somebody going have to pay for maintain the people that gotta patrol that thing now and I heard from the County workers dog poop is one of the worst for hit with one weedwacker. When the thing fly, they fly all over them, you know. I mean, I, that's from the workers I hearing this now. I just come and to let you guys know what they telling me. I mean, they said they gotta go weedwack the roads now and if the thing stay there and the, like she said the person that really take care that dog going pick up the dog poop, but the ones that don't, those guys that working going be subject to the mess, you know. I mean, that's what I been hearing, just the last couple days from the workers and stuff so. I not here for me. You guys all should know that. I come when the community start going off and start telling me, "Eh, we gotta go do something." That's why I'm here for do something. And hopefully, all your guys' ears are open and see what the people doing, I mean, the people want, most of them. Certain people like the people who like their dogs, I know they like their dogs, but I think the dog park for everybody would be a better one because going save gas.

Mr. Bynum: Okay, thank you very much.

Mr. Molina: Okay, thank you.

Mr. Bynum: Okay, seeing no other public testimony, I call the meeting back to order.

There being no other wishing to testify, the meeting was called back to order and proceeded as follows:

Mr. Bynum: I'll entertain a motion to defer, if there is no further discussion, all three bills.

Mr. Rapozo: I get little bit discussion. I just, I know, I think the Cowboy left, but I just want the public to understand that and especially Cowboy that, you know, we all hear that as well. I mean we get the emails and the phone calls as well. So, yes, granted not everyone can show up to testify, but, you know, we heard, we hear the cries from both sides of the issue and not, not just one side.

And he made a good point about prior to the concrete being laid that area was wonderful and there were no problems, but today it's a different issue. So, he brings up some valid points and I just want to make that point that we're hearing that as well and we need to take all of that into consideration. Thank you.

Mr. Bynum: Councilmember Iseri-Carvalho.

Ms. Iseri-Carvalho: I just wanted again to reference Mr. Molina. We did receive a letter from the UPW Union which represents, they have 800 members. They did talk about specifically about them being responsible for cleaning up the dog poop and also the fact that they, in fact that one worker had said about the weedwacker; he had even mentioned that. So what he had spoken about was clearly something that the UPW, which is the blue-collar workers here, had provided a testimony of their membership, which again they referenced 800 members that strongly oppose the bills, so. There are definitely pros and cons of having dogs on the park. There are people definitely on either side. I don't think there's a majority on either side. It's very difficult to determine what the pulse of the community is because there are people that have testified, whether it has been in written form or verbal, actually coming to the meetings regarding their concerns about dogs on the path.

Mr. Bynum: Any other discussion? I'll entertain a motion to defer.

Upon motion duly made by Councilmember Iseri-Carvalho, seconded by Councilmember Yukimura, and unanimously carried, Bills Nos. 2265, 2266, and 2267 were deferred.


There being no further business, the meeting was adjourned at 10:04 a.m.

Respectfully submitted,



Wilma Akiona
Secretary

APPROVED at the Committee Meeting held on August 6, 2008:



TIM BYNUM
Chair, Parks & Recreation Committee

