

COUNCIL OF THE COUNTY OF MAUI
**PUBLIC WORKS AND
TRAFFIC COMMITTEE**

February 7, 2003

Committee
Report No.

03-9

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Public Works and Traffic Committee, having met on January 23, 2003, makes reference to County Communication No. 02-211, from Councilmember Michael J. Molina, requesting that the Council review the authority of the Director of Public Works and Waste Management granted by Resolution No. 00-100 to approve the location of utility poles within the County rights-of-way when the height of such utility poles does not exceed the height of existing utility poles and the number of utility poles does not exceed six.

The communication attaches a copy of Resolution No. 00-100 entitled "AUTHORIZING DESIGNATION OF THE DIRECTOR OF PUBLIC WORKS AND WASTE MANAGEMENT AS AUTHORIZED REPRESENTATIVE TO IMPLEMENT CHAPTER 12.16, MAUI COUNTY CODE".

The purpose of Resolution No. 00-100 is to authorize the Director of Public Works and Waste Management to grant approval for utility poles within the County rights-of-way when the height of such utility poles does not exceed the height of existing utility poles and the number of utility poles does not exceed six.

At its meeting of January 10, 2003, the Council referred County Communication No. 02-211 to your Public Works and Traffic Committee (County Communication No. 03-12).

By correspondence dated January 15, 2003, your Committee Chair requested the Department of the Corporation Counsel to review and approve as to form and legality a proposed resolution entitled "DESIGNATING THE DIRECTOR OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT AS THE AUTHORIZED REPRESENTATIVE TO GRANT PERMISSION TO INSTALL UTILITY POLES PURSUANT TO CHAPTER 12.16, MAUI COUNTY CODE". The purpose of the proposed resolution is to grant the Director of Public Works and Environmental Management authority to approve the placement of utility poles within County rights-of-way.

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By correspondence dated January 15, 2003, the Director of Public Works and Environmental Management submitted a report outlining the installation of utility poles authorized by the Director from December 28, 2001.

By correspondence dated January 16, 2003, the Corporation Counsel submitted the proposed resolution approved as to form and legality.

By correspondence dated January 16, 2003, your Committee Chair requested the Director of Public Works and Environmental Management to provide a report outlining the number of utility poles that have been installed over the last two years since the adoption of Resolution No. 00-100.

By correspondence dated January 22, 2003, your Committee Chair transmitted a letter dated December 28, 2001, from the Director of Public Works and Waste Management outlining the number of utility poles that have been approved for installation from the period July 19, 2001 to December 28, 2001.

At its meeting, your Committee met with the Director of Public Works and Environmental Management and a Deputy Corporation Counsel.

The Director of Public Works and Environmental Management distributed correspondence dated July 19, 2001, from the Director of Public Works and Waste Management, identifying the number of utility poles approved for installation for the period August 4, 2000 to July 19, 2001.

The Director of Public Works and Environmental Management provided your Committee with an overview of the matter. He stated that Resolution No. 00-100 designated the Director as the authorized representative to approve the installation of utility poles that met certain guidelines. The Resolution noted that such approval be limited to a term of two years, which expired on August 4, 2002. The Director explained that the proposed resolution will once again designate the Director as the County's representative to approve the location of utility poles within the County rights-of-way when the height of such utility poles does not exceed the height of existing utility poles and the number of poles does not exceed six.

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Your Committee noted that the proposed resolution requests that reports identifying the number of poles approved for installation by the Director be sent to the Council on a quarterly basis. Your Committee requested that the above-referenced reports be submitted to the Council on a semi-annual basis. Your Committee requested that the proposed resolution be revised accordingly.

Your Committee suggested that under grounding of overhead power lines be encouraged. Your Committee noted that while installing under ground utilities may be costly, it would improve safety along public rights-of-way and reduce the occasion of service interruption, especially during inclement weather. Your Committee suggested that potential cost savings may result by concurrently relocating overhead power lines during road improvements when trenches are excavated to install or relocate existing under ground utilities. Your Committee urged the Department of Public Works and Environmental Management to install overhead power lines under ground whenever possible.

Your Committee voted to recommend the adoption of the revised resolution and the filing of the communication.

Your Committee is in receipt of a revised resolution, approved as to form and legality, by the Department of the Corporation Counsel, incorporating the revision recommended by your Committee.

Your Public Works and Traffic Committee **RECOMMENDS** the following:

1. That Resolution No. _____, attached hereto, entitled "DESIGNATING THE DIRECTOR OF PUBLIC WORKS AND ENVIRONMENTAL MANAGEMENT AS THE AUTHORIZED REPRESENTATIVE TO GRANT PERMISSION TO INSTALL UTILITY POLES PURSUANT TO CHAPTER 12.16, MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication No. 02-211 be FILED.

Adoption of this report is respectfully requested.

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MICHAEL J. MOLINA Chair

DAIN P. KANE Member

CHARMAINE TAVARES Vice-Chair

JOSEPH PONTANILLA Member

G. RIKI HOKAMA Member