

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

March 5, 2004

**Committee
Report No.**

04-49

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 October 16, 2003, January 15, 2004, and February 19, 2004, makes reference to County Communication No. 03-236, from the Director of Public Works and Environmental Management, transmitting a proposed resolution entitled "AUTHORIZING MAUI ELECTRIC COMPANY, LIMITED, TO REPLACE AND INSTALL UTILITY POLES ON LOWER MAIN STREET, WAIALE ROAD, OIHANA STREET, AND NAKOA DRIVE, WAILUKU, MAUI".

The purpose of the proposed resolution is to authorize the replacement of 21 existing wooden utility poles with 20 steel utility poles and 1 wooden utility pole, ranging in height from 49 feet to 94 feet, along various roadways in Wailuku, Maui.

By correspondence dated September 24, 2003, your Committee's Chair requested that Maui Electric Company, Limited (MECo) provide additional information relating to size, location and alternatives to steel poles.

By correspondence dated October 9, 2003, Gregorysenn Kauhi, Distribution Engineering Supervisor, MECo provided a detailed review of the proposed utility pole installation.

At its meeting of October 16, 2003, your Committee deferred the matter with no discussion.

By correspondence dated October 17, 2003, your Committee's Chair requested that the Wailuku Main Street Association and Wailuku Community Association review and comment on the proposed utility pole installation.

By correspondence dated November 20, 2003, Barbara Long expressed concerns regarding the installation of tall steel utility poles.

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At its meeting of January 15, 2004, your Committee met with the Director of Public Works and Environmental Management; a Deputy Corporation Counsel; Neal Shinyama, Manager, Engineering Department, MECo; Gregorysenn Kauhi, Distribution Engineering Supervisor, MECo; Darin Olaso, Customer Designer, MECo; and Alexa Betts Basinger, President, Wailuku Community Association (WCA).

Your Committee received public testimony from seven individuals.

Three testifiers requested that the electrical transmission wires be installed underground. Two testifiers requested that an archaeological survey be conducted and that the utility poles be realigned along Mahalani Street in lieu of Waiale Road. Two individuals opposed the proposed utility pole installation.

Ms. Basinger stated that the WCA did not take a formal position on the proposal. However, WCA conducted a community meeting with MECo representatives on the proposed utility pole installation.

The Director indicated that the Department of Public Works and Environmental Management has reviewed the plans for the proposed utility pole installation and is recommending adoption of the proposed resolution. He noted that the option to realign the utility poles along Mahalani Street was not considered because the road has not been dedicated to the County.

Your Committee noted concerns regarding potential liability for the installation of utility poles in public rights-of-way.

Mr. Shinyama advised your Committee that the utility pole installation project begins in Puunene and runs along Wakea Avenue to Kaahumanu Avenue, over the Wailuku Bridge to Waiinu Road. He indicated that the first two phases of the project from Puunene to Wailuku Bridge was completed in 2001. He noted that the Public Utilities Commission (PUC) approved the three-phase project.

In response to an inquiry by your Committee, Mr. Shinyama indicated that because of existing underground utilities in the right-of-way, space is very limited and the proximity to private property is not conducive to underground transmission wires. He noted that the area is potentially a Hawaiian burial site,

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which may restrict trenching. He also noted that the cost for placing utilities underground is difficult to estimate because of site-specific conditions. Additionally, he stated that as a “rule of thumb” the cost for installing utilities underground is typically two to six times more than utilizing utility poles. He further indicated that the utility poles are designed to withstand winds of up to 100 miles per hour (mph), as a result of Hurricane Iniki. He stated that the life of a utility pole is typically 25 to 30 years. He noted that the existing poles were installed in 1972 and must be replaced because they have reached their life expectancy and are experiencing deterioration.

Mr. Kauhi stated that the diameter of the utility poles along Wakea Avenue is approximately 30 to 36 inches. He noted that one pole may be as much as 42 inches in diameter.

Your Committee requested the following:

1. That MEdCo provide:
 - a. a cost estimate for realigning the transmission lines along Waiale Road to Mahalani Road;
 - b. a cost estimate for installing transmission lines underground;
 - c. an overview of the potential impacts to the ratepayer for realigning the transmission lines to Mahalani Road and placing the transmission lines underground;
 - d. a continuous open dialogue with the community about the project installation;
 - e. a written response outlining potential constraints for installing the transmission lines underground; and
 - f. an explanation of the wind tolerance capacities of the proposed utility poles.
2. That the Department of the Corporation Counsel confirm that MEdCo indemnifies the County of any losses arising from the construction or installation of utility poles.
3. That the Departments of Planning, Water Supply, the Corporation Counsel and Public Works and Environmental Management indicate:

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- a. whether the County or individual departments maintain records on the status of compliance with infrastructural requirements that the County imposes in various circumstances, including compliance with conditions of County permits or other approvals; and
- b. whether any action has been taken by the County or individual departments to defer or extend deadlines for infrastructural requirements.

Your Committee deferred the matter pending further discussion.

By correspondence dated February 12, 2004, Neal Shinyama, Manager, Engineering Department, MECo, provided your Committee with a detailed response to questions asked at your Committee's meeting of January 15, 2004.

By correspondence dated February 12, 2004, the Planning Director indicated that the Department is normally not involved with enforcing compliance with infrastructural requirements.

By correspondence dated February 13, 2004, the Department of the Corporation Counsel advised that MECo must indemnify the County for any loss arising from the construction or installation of utility poles, according to an Insurance Agreement executed between MECo and the County on February 12, 1997.

By correspondence dated February 17, 2004, the Director of Water Supply stated that the Department establishes a checklist to monitor the completion of infrastructural improvements. He further noted that no deadlines are established for infrastructural improvements for individual projects.

By correspondence dated February 18, 2004, the Department of the Corporation Counsel indicated that the Department does not ordinarily maintain compliance records or monitor compliance with conditions placed upon the issuance of a permit or other approval.

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At its meeting of February 19, 2004, your Committee met with the Director of Public Works and Environmental Management; a Deputy Corporation Counsel; Neal Shinyama, Manager, Engineering Department, MECo; Gregorysenn Kauhi, Distribution Engineering Supervisor, MECo; and Darin Olasso, Customer Designer, MECo.

Your Committee received public testimony from one individual.

The testifier requested that an archeological survey be performed on the proposed utility pole installation. She noted that 11 of the 19 poles along Waiale Drive would be appropriate for such a survey. She also requested that MECo work very closely with the Maui and Lanai Islands Burial Council (MLIBC) during the survey.

Mr. Shinyama presented a portion of a utility pole, which experienced significant termite damage. He noted that many of the utility poles proposed to be replaced have experienced such damage.

In response to inquiries by your Committee, Mr. Shinyama stated that the cost for the proposed replacement project is approximately \$1.8 million. He also indicated that MECo will work closely with MLIBC during the archeological survey. Mr. Kauhi indicated that a consultant for the archeological survey has been selected and was advised to consult with MLIBC on the project.

Mr. Shinyama also noted that the proposed project will repair deteriorating poles, meet height and spacing requirements established by the PUC and mitigate maintenance and easement issues. He stated that current heights of the poles range from 57.5 feet to 62.5 feet. The proposed heights of the new steel utility poles range from 72 feet to 94 feet. However, MECo has reassessed the standards and is recommending that the proposed utility pole heights be revised to a range of 62.5 feet to 69.5 feet.

Your Committee requested the following:

1. that MECo continue to work closely with MLIBC on the archeological survey;

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2. that the Department of Public Works and Environmental Management coordinate utility or road work with MECo to reduce disturbance to the surrounding neighbors; and
3. that MECo and the Department of Public Works and Environmental Management be encouraged to install utilities underground where possible.

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

Your Public Works and Traffic Committee RECOMMENDS the following:

1. That Resolution No. _____, attached hereto, entitled "AUTHORIZING MAUI ELECTRIC COMPANY, LIMITED, TO REPLACE AND INSTALL UTILITY POLES ON LOWER MAIN STREET, WAIALE ROAD, OIHANA STREET, AND NAKOA DRIVE, WAILUKU, MAUI", be ADOPTED; and
2. That County Communication No. 03-236 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