

REQUEST FOR LEGAL SERVICES

Date: December 29, 2017
From: ELLE COCHRAN, Chair

RECEIVED
CORPORATION COUNSEL
2017 DEC 29 PM 12:31

TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Richelle Thomson, Esq.

Subject: **RESOLUTION URGING THE MAYOR AND THE DEPARTMENT OF PUBLIC WORKS TO PERFORM EMERGENCY TEMPORARY REPAIRS TO THE LOWER NAHIKU BRIDGE**

(IEM-10)

Background Data: Please review and approve as to form and legality. Provide a signed hard copy with your response.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

RECEIVED
OFFICE OF THE
COUNTY COUNCIL
2017 DEC 29 PM 2:58

Requestor's signature <i>Elle Cochran</i> Elle Cochran	Contact Person <i>Maggie Clark</i> (Telephone Extension: 7661)
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- ROUTINE (WITHIN 15 WORKING DAYS)
- PRIORITY (WITHIN 10 WORKING DAYS)
- RUSH (WITHIN 5 WORKING DAYS)
- URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): January 2, 2018, noon
REASON: For posting on January 2, 2018 for the the January 8, 2018 IEM Committee meeting.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO: <i>RMT</i>	ASSIGNMENT NO: <i>2017 0092</i>	BY: <i>RAM</i>
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE):

DEPARTMENT OF THE CORPORATION COUNSEL

Date 12/29/17

By *R Thomson*

(Rev. 7/03)

iem:ltr:010acc03:mcc

Attachment

Resolution

No. _____

URGING THE MAYOR AND THE DEPARTMENT OF PUBLIC WORKS TO PERFORM EMERGENCY TEMPORARY REPAIRS TO THE LOWER NAHIKU BRIDGE

WHEREAS, in September 2011, the County retained the structural engineering firm of Nagamine Okawa Engineers Inc. (“NOEI”), to conduct a structural assessment of the Lower Nahiku Bridge (“bridge”), on Lower Nahiku Road, Hana, Hawaii; and

WHEREAS, after conducting a field survey of the bridge, NOEI concluded that vehicular traffic should be limited to a maximum of 5,000 pounds, or a maximum of 3,000 pounds per axle, whichever is less; and

WHEREAS, in October 2014, NOEI was instructed to update the structural assessment of the bridge; and

WHEREAS, according to the updated assessment, it was recommended the bridge be completely closed to vehicular traffic because of structural deterioration and that only pedestrian traffic be allowed; and

WHEREAS, since 2014, the bridge has been accessible only for pedestrian traffic to allow residents and visitors to access the Nahiku Landing; and

WHEREAS, residents have indicated heightened disrepair, including rotten planks and holes, may imminently pose danger for residents and visitors crossing the bridge by foot; and

WHEREAS, residents have expressed an urgent and immediate need for temporary repairs; and

WHEREAS, the Department of Public Works has indicated sufficient funding is available in the Fiscal Year 2018 budget to complete emergency temporary repairs; and

Resolution No. _____

WHEREAS, sound and knowledgeable decisions relating to long-term action on repairing and replacing the bridge should also be made at a later date; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

1. That it does hereby urge the Mayor and the Department of Public Works to perform emergency temporary repairs to the Lower Nahiku Bridge; and
2. That certified copies of this resolution be transmitted to the Mayor, the Director of Public Works, the Planning Director, and the Infrastructure and Environmental Management Committee.

APPROVED AS TO FORM AND LEGALITY



Deputy Corporation Counsel
County of Maui

iem:misc:010areso02:mcc