

# REQUEST FOR LEGAL SERVICES

**Date:** February 2, 2016  
**From:** Elle Cochran, Chair  
Infrastructure and Environmental Management Committee

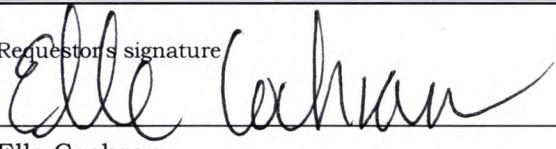
TRANSMITTAL

**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: Jeffrey Ueoka, Esq.

**Subject:** AUTHORIZING THE INSTALLATION OF UTILITY POLES FOR THE KAHOMA VILLAGE PROJECT (LAHAINA) (IEM-48)

**Background Data:** At its meeting of January 25, 2016, the IEM Committee revised the attached proposed resolution. Nonsubstantive revisions have also been incorporated. A track changes and clean version of the revised resolution are included for your convenience.

**Work Requested:** ☒ [X] FOR APPROVAL AS TO FORM AND LEGALITY  
☐ [ ] OTHER:

<p>Requestor's signature  Elle Cochran</p>	<p>Contact Person <u>Scott Jensen</u> (Telephone Extension: <u>7662</u>)</p>
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☐ [ ] ROUTINE (WITHIN 15 WORKING DAYS) ☐ [ ] RUSH (WITHIN 5 WORKING DAYS)  
☐ [ ] PRIORITY (WITHIN 10 WORKING DAYS) ☐ [ ] URGENT (WITHIN 3 WORKING DAYS)

☒ [X] SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): Wednesday, February 17, 2016  
REASON: For posting on the February 26, 2016 Council meeting agenda.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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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 \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)

iem:ltr:048acc01

Attachments

# Resolution

No. \_\_\_\_\_

## RESOLUTION GRANTING PERMISSION TO PLACE UTILITY POLES ALONG A PUBLIC HIGHWAY FOR THE KAHOMA VILLAGE PROJECT

WHEREAS, the construction of the Kahoma Village Project, as approved by Resolution 14-14, necessitates that eight existing utility poles be replaced and relocated; and

WHEREAS, eleven new poles will be installed, replacing the existing eight poles; and

WHEREAS, the replacement poles exceed the height of the existing poles which are being replaced by more than five feet; and

WHEREAS, Chapter 12.16, Maui County Code, requires that County Council permission be obtained prior to utility poles being placed upon any public highway in the County; now, therefore,

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

1. That it hereby grants permission for Stanford Carr Development, LLC to place utility poles along the public highway in conjunction with the construction of the Kahoma Village Project, as approved by Resolution 14-14; and
2. That certified copies of this resolution be transmitted to the Mayor, the Director of Public Works, and Stanford Carr Development, LLC.

APPROVED AS TO FORM  
AND LEGALITY:

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JEFFREY UEOKA  
Deputy Corporation Counsel  
County of Maui

iem:misc:048areso01:scj



# Resolution

No. \_\_\_\_\_

## RESOLUTION GRANTING PERMISSION TO PLACE UTILITY POLES ALONG A PUBLIC HIGHWAY FOR THE KAHOMA VILLAGE PROJECT

WHEREAS, the construction of the Kahoma Village Project, as approved by Resolution 14-14, necessitates that eight ~~(8)~~ existing utility poles be replaced and relocated; and

WHEREAS, ~~eleventen~~ ~~(10)~~ new poles will be installed, replacing the existing eight ~~(8)~~ poles; and

WHEREAS, the replacement poles exceed the height of the existing poles which are being replaced by more than five ~~(5)~~ feet; and

WHEREAS, Chapter 12.16, Maui County Code, requires that County Council permission be obtained prior to utility poles being placed upon any public highway in the County; now, therefore;

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

1. That it hereby grants permission for Stanford Carr Development, LLC ~~the Developer of the Kahoma Village Project~~ to place utility poles along the public highway in conjunction with the construction of the Kahoma Village Project, as approved by Resolution 14-14; and
2. That certified copies of this resolution be transmitted to the Mayor, the Director of Public Works, and Stanford Carr Development, LLC.

APPROVED AS TO FORM  
AND LEGALITY:

\_\_\_\_\_  
JEFFREY UEOKA

Deputy Corporation Counsel  
County of Maui

2015-5200iem:misc:048areso01:scj