

COUNCIL OF THE COUNTY OF MAUI
WATER AND INFRASTRUCTURE
COMMITTEE

March 8, 2019

Committee
Report No. _____

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

Chair and Members:

Your Water and Infrastructure Committee, having met on February 11, 2019, makes reference to County Communication 14-308, from Council Vice-Chair Robert Carroll, relating to the matter of health and safety concerns of Lower Nahiku Bridge.

By correspondence dated February 20, 2018, the Department of the Corporation Counsel transmitted a proposed resolution entitled "URGING THE MAYOR TO TAKE THE STEPS NECESSARY TO ACQUIRE AND REPLACE THE LOWER NAHIKU BRIDGE."

The purpose of the proposed resolution is to urge the Mayor to take the steps necessary to acquire and replace the Lower Nahiku Bridge, located on Lower Nahiku Road, Nahiku, Maui, Hawaii.

Your Committee notes that the Council's Infrastructure and Environmental Management Committee (2015-2017 Council Term) met on this matter February 1, 2016, and November 28, 2016; and the Council's Infrastructure and Environmental Management Committee (2017-2019 Council Term) met on this matter on January 30, 2017, October 16, 2017, November 27, 2017, January 8, 2018, February 26, 2018, and December 3, 2018.

By correspondence dated January 13, 2017, the Director of Public Works transmitted the following: a copy of the title report for the property; a copy of the latest structural assessment completed; a copy of the latest inspection report completed; a detailed list of all maintenance work performed on the bridge by the County to date, including cost; a map outlining the location of the bridge with respect to the surrounding

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properties, including ownership of the properties; the Department's recommendation for repair or replacement of the bridge, including estimates and timeline for repair or replacement; and identification of funding.

The Acting Director of Public Works told your Committee the bridge is old and wooden and restricted to pedestrian traffic because of its poor condition. Residents made some improvements to the bridge and installed a gate across the bridge. He said some residents may use the bridge to access their property.

A Deputy Corporation Counsel advised your Committee on liability issues.

The Acting Director of Public Works said the State of Hawaii may have an interest in the bridge because the Department of Land and Natural Resources may use it to access State property. He said the County may have an interest in the bridge because the County owns the road that leads to the bridge. He said adopting the proposed resolution would provide the Department with the direction it needs.

Your Committee revised the proposed resolution by updating the Fiscal Year Budget reference from 2019 to 2020 and deleting a reference to the Infrastructure and Environmental Management Committee.

Your Committee voted 5-0 to recommend adoption of the revised resolution and filing of the communication. Committee Vice-Chair Paltin and members Kama, Molina, Rawlins-Fernandez, and Sinenci voted "aye." Committee Chair Lee and member Hokama were excused.

Your Committee is in receipt of a revised proposed resolution, approved as to form and legality by the Department of the Corporation Counsel, incorporating your Committee's revisions and nonsubstantive revisions.

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Your Water and Infrastructure Committee RECOMMENDS the following:

1. That Resolution _____, attached hereto, entitled "URGING THE MAYOR TO TAKE THE STEPS NECESSARY TO ACQUIRE AND REPLACE THE LOWER NAHIKU BRIDGE," be ADOPTED; and
2. That County Communication 14-308 be FILED.

This report is submitted in accordance with Rule 8 of the Rules of the Council.



ALICE L. LEE, Chair

Resolution

No. _____

URGING THE MAYOR TO TAKE THE STEPS NECESSARY TO ACQUIRE AND REPLACE 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, Nahiku, Maui, 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 that the bridge be completely closed to vehicular traffic because of structural deterioration and that only pedestrian traffic be allowed; and

WHEREAS, since then, the bridge has remained open for pedestrian traffic so that residents and visitors can access Nahiku Landing; and

WHEREAS, the residents in the area have expressed interest in seeing the bridge repaired and restored; and

WHEREAS, a title report obtained by the Department of Public Works concluded that the ownership of Lower Nahiku Road from approximately the Makapipi Bridge to the coastline is undetermined, and that owners of property adjacent to or traversed by the roadway include various private parties and the State of Hawaii, but not the County; and

WHEREAS, the Director of the Department of Public Works has noted the bridge is in such severe disrepair that replacement, rather than temporary repairs, is necessary to ensure the safety of residents and visitors; now, therefore,

Resolution No. _____

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

1. That it does hereby urge the Mayor to take the steps necessary to acquire and replace the Lower Nahiku Bridge, including requesting the necessary authorization and monies from the Council in the proposed Fiscal Year 2020 Budget to take such action; and
2. That certified copies of this resolution be transmitted to the Mayor, the Director of Public Works, and the Planning Director.

APPROVED AS TO FORM AND LEGALITY



RICHELLE M. THOMSON
Deputy Corporation Counsel
County of Maui
2019-0102
WAI-3 2019-02-12 Resolution