



RESOLUTION

REQUESTING THE CITY ADMINISTRATION TO ACCEPT THE DEDICATION OF HALEMALUHIA PLACE IN MĀ'ILI, OR IN THE EVENT THE CITY IS UNABLE TO ACCEPT THE DEDICATION, TO TAKE THE STEPS NECESSARY TO ACQUIRE HALEMALUHIA PLACE, INCLUDING, IF NECESSARY, THE PREPARATION OF A RESOLUTION TO INITIATE PROCEEDINGS IN EMINENT DOMAIN.

WHEREAS, according to City and County of Honolulu ("City") databases, Halemaluhia Place in Mā'ili is a private roadway that encompasses the entirety of 11,499 square feet of land identified as Lot 107-A-12 (Tax Map Key 8-7-039:068), and owned in fee simple by the owners of an adjoining parcel of land identified as Lot 107-A-4 (Tax Map Key 8-7-039:060) ("roadway owners"); and

WHEREAS, apparently, Halemaluhia Place was never dedicated to the City and remains a private roadway, which until recently was unknown even to the roadway owners; and

WHEREAS, this situation came to light when neighboring residents on Halemaluhia Place contacted the Hawaiian Electric Company ("HECO") to repair a streetlight that went out; and

WHEREAS, HECO asserted that it was a private road that did not fall under their jurisdiction, with the City confirming that Halemaluhia Place had never been dedicated to the City; and

WHEREAS, in further reviewing its streetlight accounts, HECO found that the streetlights on Halemaluhia Place did not have ownership information and thus HECO could not bill the unknown owners for streetlight electric energy costs of \$18,000; and

WHEREAS, upon researching the history of Halemaluhia Place, HECO recently billed the roadway owners the full \$18,000; and

WHEREAS, although HECO has since notified the shocked roadway owners that they will not be required to pay this bill, HECO is still trying to determine who is legally responsible to pay the bill for the Halemaluhia Place streetlight energy costs; and

WHEREAS, the City Council finds that Halemaluhia Place is a roadway that, for public safety purposes, should have been dedicated to the City but never was; now, therefore,



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. 22-159

RESOLUTION

BE IT RESOLVED by the Council of the City and County of Honolulu that the City Administration is requested to determine whether City subdivision ordinances and rules permit Halemaluhia Place to be dedicated to the City, and thus, whether the City can accept ownership of the roadway; and

BE IT FURTHER RESOLVED that if the City Administration determines that Halemaluhia Place may be dedicated to and accepted by the City, the City Administration is requested to work with the legal owners of the roadway to initiate the dedication and acceptance process in a timely fashion; and

BE IT FURTHER RESOLVED that, alternatively, if it finds that the dedication and acceptance of Halemaluhia Place is precluded, the City Administration is requested to complete the following actions, as may be required, to prepare for the City's acquisition of Halemaluhia Place:

1. Prepare a land survey of this roadway;
2. Prepare a land survey map of this roadway;
3. Prepare a metes and bounds description of this roadway;
4. Conduct a title search for this roadway to confirm the current ownership; and
5. Prepare an appraisal of the market value of this roadway; and

BE IT FURTHER RESOLVED that, upon deciding to pursue the acquisition of Halemaluhia Place other than by dedication, the City Administration is requested to submit to the Council, within 45 days after the adoption of this resolution, a schedule with estimated completion dates for each action set forth above; and

BE IT FURTHER RESOLVED that upon completion of the preparatory actions set forth above, the City Administration is requested to accept the dedication of Halemaluhia Place or, in the event the City is unable to accept the dedication, to submit to the Council for its approval a resolution authorizing the Corporation Counsel to initiate proceedings in eminent domain to acquire Halemaluhia Place for the purpose of ensuring public safety by maintaining functioning streetlights, and guaranteeing repair and maintenance services for the roadway; and



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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, the Chief Engineer of the Department of Facility Maintenance, the Director of Transportation Services, the Director of Design and Construction, the Director of Planning and Permitting, and the Corporation Counsel.

INTRODUCED BY:

A. Ippola

DATE OF INTRODUCTION:

JUL 19 2022

Honolulu, Hawai'i

Councilmembers

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII
CERTIFICATE

RESOLUTION 22-169

Introduced: 07/19/22 By: ANDRIA TUPOLA

Committee: COUNCIL (CCL)

Title: REQUESTING THE CITY ADMINISTRATION TO ACCEPT THE DEDICATION OF HALEMALUHIA PLACE IN MĀTILI, OR IN THE EVENT THE CITY IS UNABLE TO ACCEPT THE DEDICATION, TO TAKE THE STEPS NECESSARY TO ACQUIRE HALEMALUHIA PLACE, INCLUDING, IF NECESSARY, THE PREPARATION OF A RESOLUTION TO INITIATE PROCEEDINGS IN EMINENT DOMAIN.

Voting Legend: * = Aye w/Reservations


07/19/22	INTRO	Introduced.
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08/10/22	CCL	Adopted.
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8 AYES: CORDERO, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA, TUPOLA, WATERS

1 ABSENT: ELEFANTE

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



TOMMY WATERS, CHAIR AND PRESIDING OFFICER