HONOLULU CITY COUNCIL

KE KANIHELA O KE KALANA O HONOLULU

CITY AND COUNTY OF HONOLULU

No. 24-265

RESOLUTION

APPROVING THE GRANT OF A PERPETUAL NON-EXCLUSIVE WATERLINE EASEMENT TO THE UNITED STATES OF AMERICA, DEPARTMENT OF THE NAVY TO REPLACE AND INSTALL A NEW WATERLINE IN THE INTERSECTION OF SALT LAKE BOULEVARD AND BOUGAINVILLE DRIVE, TMK (1) 9-9-002 (ROADWAY).

WHEREAS, Section 46-66, Hawaii Revised Statutes as amended (HRS), authorizes each county, subject to council approval, to grant, sell, or otherwise dispose of any easement for particular purpose in perpetuity by direct negotiation or otherwise, subject to reverter to such county upon the termination or abandonment of the specific purpose for which the easement was granted, including easements for any government or public utility purpose; and

WHEREAS, the United States of America, acting by and through its Department of the Navy, Naval Facilities Engineering Systems Command, Hawai'i ("Navy"), has requested a perpetual non-exclusive waterline easement in the intersection of Salt Lake Boulevard and Bougainville Drive (identified as TMK: 9-9-002 – Road) to replace its existing waterline; and

WHEREAS, the specific location of the Navy's requested new perpetual non-exclusive easement is designated as Easement W-1 (consisting of a total area of approximately 2,501 square feet), as shown on the map attached hereto as Exhibit "A"; and

WHEREAS, pursuant to Section 6-1803 of the Revised Charter of the City & County of Honolulu, the Director of the Department of Land Management (the "Director") held a public hearing to determine whether the subject transaction affecting City real property serves the public interest; and

WHEREAS, the Director, having received no opposition to the granting of the easement at said public hearing and having determined that the subject transaction affecting City real property serves the public interest, has recommended the granting to the Navy of the new perpetual non-exclusive waterline easement in the location designated as Easement W-1, for a total easement fee of $49,300.00; and

WHEREAS, the $49,300.00 will be deposited into the general fund; and

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WHEREAS, the various City agencies have no objections to the granting of the perpetual non-exclusive easement, subject to the conditions set forth by the agencies; and

WHEREAS, the grant of the above-described perpetual non-exclusive easement will be in accordance with Section 46-66, HRS; and

WHEREAS, the City Council, having duly considered all of the submittals and testimony, desires to accept and approve the grant of easement, now, therefore:

BE IT RESOLVED by the City Council that:

1. The grant of the non-exclusive and perpetual easement to the Navy is approved; and

2. The granting of the easement shall be in accordance with the recommendations of the Director, and/or designee, and all applicable laws and City policies; and

3. The Council of the City and County of Honolulu approves the granting of the easement for a total easement fee of $49,300.00; and

4. The Director of the Department of Budget and Fiscal shall be authorized to sign the grant of easement and other necessary documents; and

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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor; the Director of the Department of Budget and Fiscal Services; the Director of the Department of Land Management; and the Navy, via Naval Facilities Engineering Systems Command, Hawai'i, whose address is 400 Marshall Road, JBPHH, Hawai'i 96860.

INTRODUCED BY:

(br)

DATE OF INTRODUCTION:

OCT 22 2024

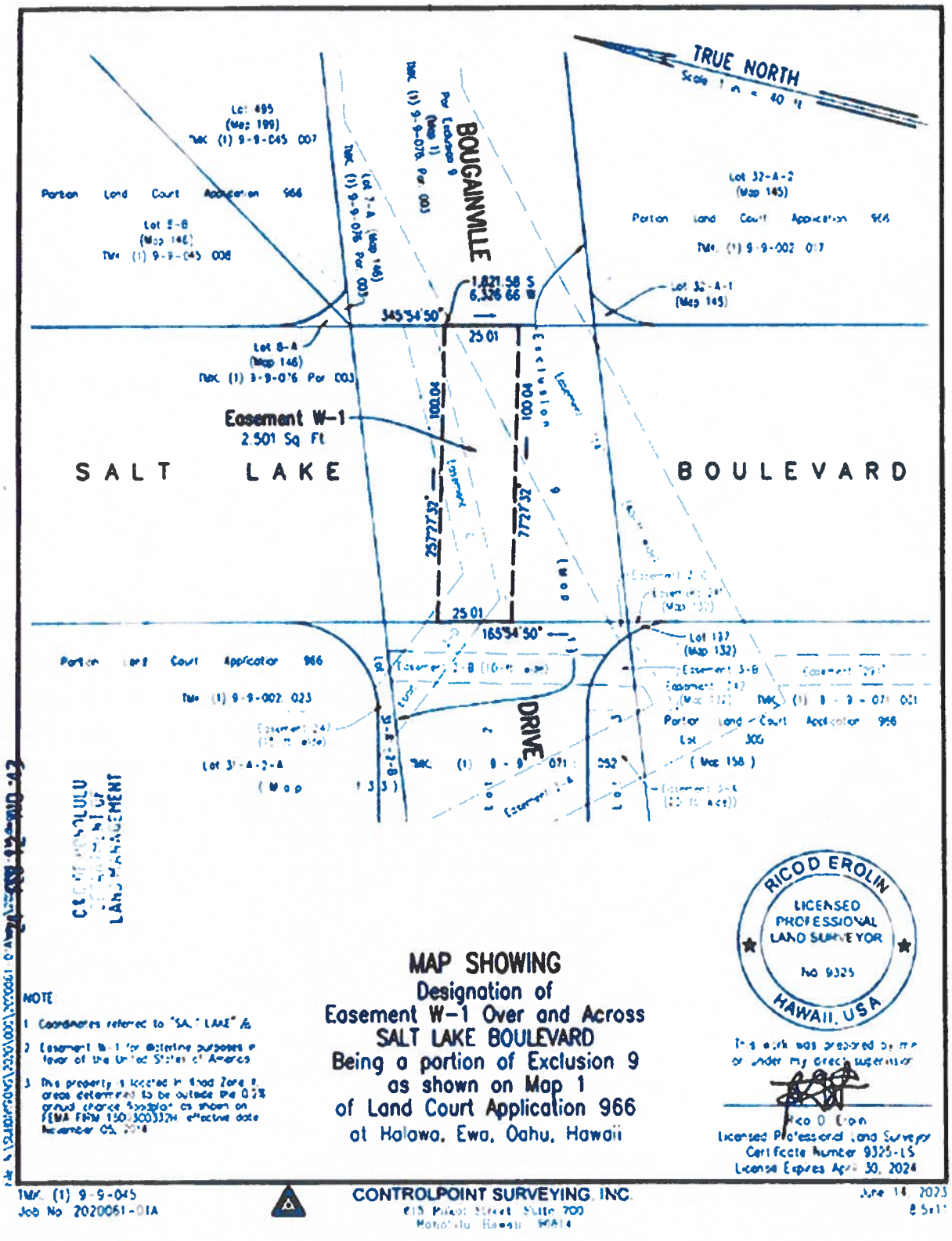
Honolulu, Hawai'i

Councilmembers

DLMEASEMENT24-001.R24

Exhibit "A"

Exhibit "A


TRUE NORTH
BOUGAINVILLE
DRIVE
SALT LAKE BOULEVARD
Easement W-1
2,501 Sq. Ft.
Lot 495
(Map 199)
Lot 8-B
(Map 146)
Lot 8-A
(Map 146)
Lot 32-A-2
(Map 145)
Lot 32-A-1
(Map 145)
Lot 137
(Map 132)
Lot 300
(Map 158)
Lot 31-A-2-A
(Map 133)
345°34'50"
165°34'50"
25.01
100.04
257°27'32"
77°27'32"
MAP SHOWING
Designation of
Easement W-1 Over and Across
SALT LAKE BOULEVARD
Being a portion of Exclusion 9
as shown on Map 1
of Land Court Application 966
at Halawa, Ewa, Oahu, Hawaii
NOTE
1 Coordinates referred to "SALT LAKE" Datum
2 Easement W-1 for driveway purposes in favor of the United States of America
3 This property is located in Flood Zone X, areas determined to be outside the 0.2% annual chance floodplain as shown on FEMA FIRM 15003C0332H effective date December 08, 2016
RICOD EROLIN
LICENSED PROFESSIONAL LAND SURVEYOR
No. 9325
HAWAII, U.S.A.
This work was prepared by me or under my direct supervision
Ricod D. Erolin
Licensed Professional Land Surveyor
Certificate Number 9325-LS
License Expires April 30, 2024
TMK: (1) 9-9-045
Job No. 2020061-01A
CONTROLPOINT SURVEYING, INC.
615 Pilani Street, Suite 200
Honolulu, Hawaii 96814
June 14, 2023

Additional Information to Resolution

Public Hearing Report

PUBLIC HEARING REPORT

Pursuant to the Revised Charter of the City & County of Honolulu 1973 (Amended 2017 Edition), Section 6-1803, the Director of the Department of Land Management (DLM) is to conduct a public hearing to determine whether a transaction or activity relating to City real property serves the public interest.

Notice of Public Hearing:	May 20, 2024 Internet Posting: http://www.honolulu.gov/dlm Legal Publication: Honolulu Star-Advertiser
Date/Time:	Tuesday, June 4 2024, 3:00 p.m.
Place:	Fasi Municipal Building 650 South King Street, 3rd Floor Honolulu, Hawai'i 96813
Proposed Transaction:	Grant a non-exclusive perpetual easement to the United States Navy to replace and install a new waterline in City-owned land located at the intersection of Salt Lake Boulevard and Bougainville Drive.
Purpose:	The United States Navy request for easement will result in the aged waterline being deactivated and the installation of a new waterline serving potable water and fire protection to Joint Base Pearl Harbor-Hickam.
Staff Attendance:	Keith Suzuka, Deputy Director, DLM Asha Smith, Planner, DLM
Persons in Attendance:	Jesse R. Allen, Director and Real Estate Contracting Officer, Naval Facilities Engineering Systems Command Hawai'i Cey Murakami, Project Manager, Naval Facilities Engineering Systems Command Hawai'i
Written Testimony Received:	None
Directors Findings:	The subject transaction affecting a City real property interest will result in the installation of a new waterline serving potable water, and which will increase fire protection. The United States Navy represents that installation of the new waterline will be done in compliance with the environmental laws of the city, State of Hawaii and the United States of America. This serves the public interest as defined in Chapter 18, Section 6-1803(2), Revised Charter of the City and County of Honolulu 1973 (Amended 2017 Edition).

Director's Finding of Public Interest

DEPARTMENT OF LAND MANAGEMENT
KA 'OIHANA HO'OKELE 'ĀINA
CITY AND COUNTY OF HONOLULU
650 SOUTH KING STREET 3RD FLOOR • HONOLULU, HAWAII 96813
PHONE (808) 768-4277 • FAX (808) 768-4256 • WEBSITE [illegible]

RICK BLANGIARDI
MAYOR
MEIA

CATHERINE A. TASCHNER
DIRECTOR
PO'O

KEITH SUZUKA
DEPUTY DIRECTOR
HOPE PO'O

July 10, 2024

MEMORANDUM

TO Catherine A. Taschner, Director
Department of Land Management

Digitally signed by Taschner Catherine A
Date 2024.07.11 07:51:25 -10'00'

FROM: Asha Smith, Planner
Department of Land Management

SUBJECT Public Hearing Held
Grant of Easement to Replace and Install a Waterline
Tax Map Key (TMK) (1) 9-9-002 (roadway portion)

The United States Navy, by way of the Naval Facilities Engineering Systems Command, Hawai'i, requested that the City, by and through its Department of Land Management ("***DLM***") to grant a non-exclusive perpetual easement to the United States Navy to replace and install a new waterline in City-owned land located at the intersection of Salt Lake Boulevard and Bougainville Drive. The easement required is 2,501 square feet. A copy of the map depicting the easement location is attached hereto as **Exhibit "A"**.

Pursuant to the Revised Charter of the City & County of Honolulu 1973 (2017 Edition), Section 6-1803, the Director of the DLM conducted a public hearing to determine whether the aforementioned transaction relating to City real property serves the public interest. The public hearing was held on Tuesday, June 4, 2024, and DLM received no opposition to granting the easement. The current waterline is currently sixty-four years old and is past its design life. If not replaced, deterioration may cause catastrophic breakage, loss of potable water, and fire protection to Navy operations at Joint Base Pearl Harbor-Hickam. In conclusion, the transaction serves the public interest.

If you have any questions, please call Asha Smith, Planner of the Asset Development Division of the Department of Land Management, at (808) 768-4290.

Attachments Exhibit "A" – Easement Map
Exhibit "B" – Public Hearing and Announcement from Star-Advertiser

Exhibit "A"

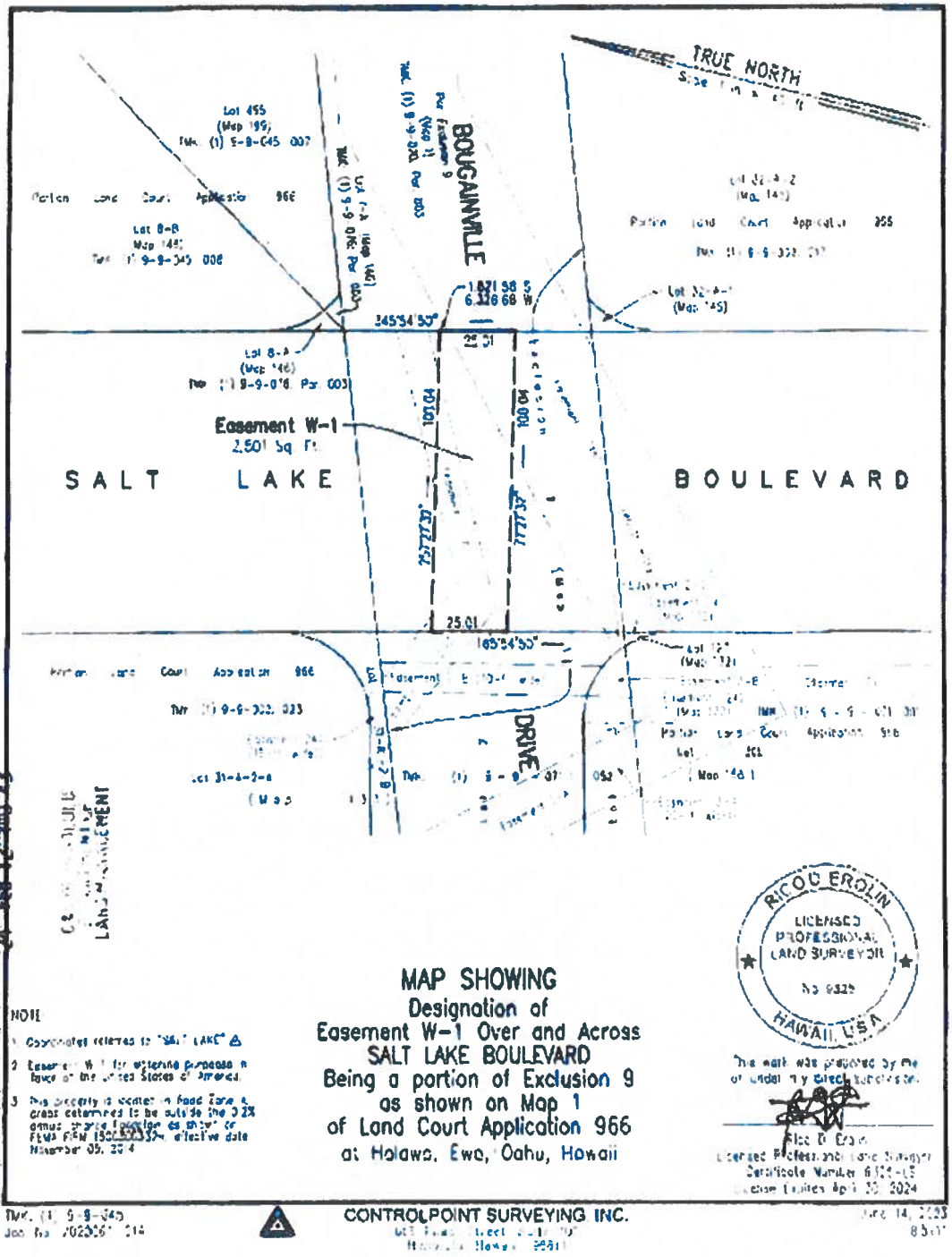
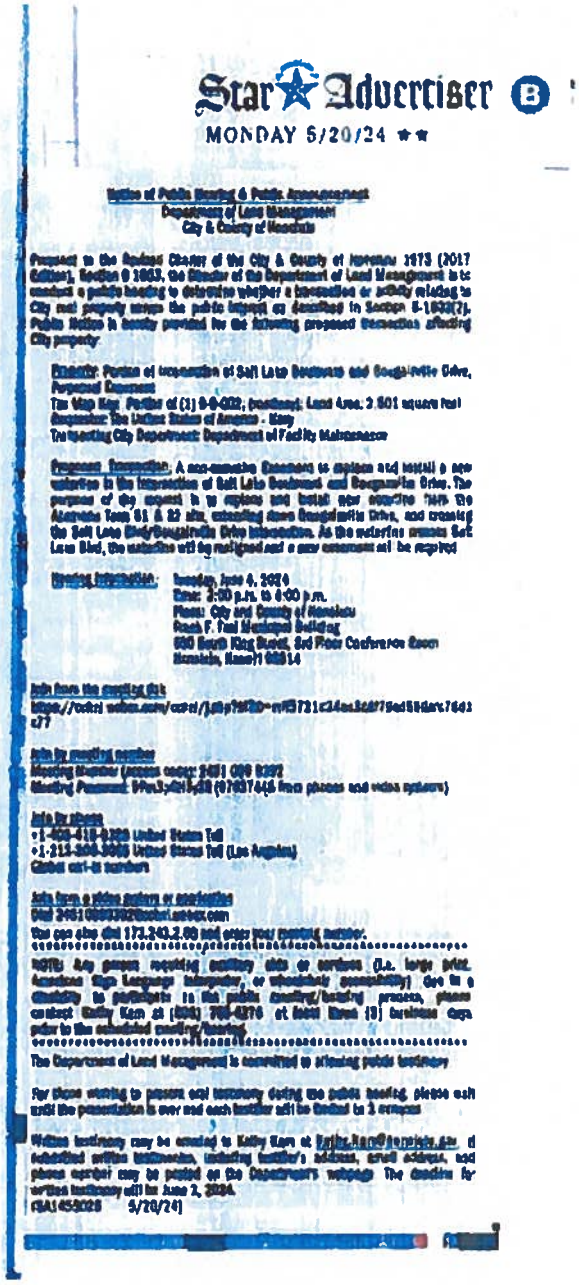

TRUE NORTH
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RICO EROLIN
LICENSED
PROFESSIONAL
LAND SURVEYOR
No. 9329
HAWAII, U.S.A.
CONTROLPOINT SURVEYING INC.

Exhibit "B"



Star Advertiser B

MONDAY 5/20/24 ★★

Notice of Public Hearing & Public Announcement
Department of Land Management
City & County of Honolulu

Pursuant to the Revised Charter of the City & County of Honolulu 1973 (2017 Edition), Section 9-1603, the Director of the Department of Land Management is to conduct a public hearing to determine whether a transaction or activity relating to City real property serves the public interest as described in Section 8-1603(2). Public Notice is hereby provided for the following proposed transaction affecting City property:

Property: Portion of intersection of Salt Lake Boulevard and Boogieville Drive, Perpetual Easement
Tax Map Key: Portion of (1) 9-9-022, (portion); Land Area: 2,501 square feet
Requestor: The United States of America - Navy
The Managing City Department: Department of Facility Maintenance

Proposed Transaction: A non-exclusive Easement to replace and install a new waterline in the intersection of Salt Lake Boulevard and Boogieville Drive. The purpose of the request is to replace and install new waterline from the Alawaina Road 81 & 82 site, extending down Boogieville Drive, and crossing the Salt Lake Blvd/Boogieville Drive intersection. As the waterline crosses Salt Lake Blvd, the waterline will be realigned and a new easement will be required.

Meeting Information: Tuesday, June 4, 2024
Time: 2:00 p.m. to 6:00 p.m.
Place: City and County of Honolulu
Frank F. Fasi Municipal Building
550 South King Street, 3rd Floor Conference Room
Honolulu, Hawai'i 96813

Join from the meeting link
https://[illegible]

Join by meeting number
Meeting Number (access code): 2481 009 8392
Meeting Password: [illegible]

Join by phone
+1-408-418-9388 United States Toll
+1-213-306-3065 United States Toll (Los Angeles)
Global call-in numbers

Join from a video system or application
Dial 2481[illegible]@[illegible].webex.com
You can also dial 173.243.2.68 and enter your meeting number.

NOTE: Any person requiring auxiliary aids or services (i.e. large print, American Sign Language interpreter, or wheelchair accessibility) due to a disability to participate in the public meeting/hearing process, please contact Kelly Kam at (808) 768-8270 at least three (3) business days prior to the scheduled meeting/hearing.

The Department of Land Management is committed to allowing public testimony.

For those wishing to present oral testimony during the public hearing, please wait until the presentation is over and each testifier will be limited to 3 minutes.

Written testimony may be emailed to Kelly Kam at [illegible]. If submitted written testimonies, including testifier's address, email address, and phone number may be posted on the Department's webpage. The deadline for written testimony will be June 3, 2024.

(SA1459028 5/20/24)

Environmental Compliance Letter

DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING SYSTEMS COMMAND, HAWAII
400 MARSHALL ROAD
JBPHH, HAWAII 96860-3139

11011
Ser RE/ 00320
July 29, 2024

Ms. Catherine A. Taschner
Director, Department of Land Management
City and County of Honolulu
650 South King Street, 3rd Floor
Honolulu, HI 96813

Dear Ms. Taschner:

SUBJECT: HALAWA WATERLINE REQUEST- CITY REQUEST CONFIRMATION ON COMPLIANCE WITH THE ENVIRONMENTAL LAWS OF THE CITY, STATE OF HAWAII, AND THE UNITED STATES OF AMERICA

The Department of the Navy shall comply with all applicable environmental laws, ordinances, rules, and regulations and all other Federal, state, and local laws, ordinances, regulations, and standards that are or may become applicable to the Navy's activities on the Premises.

Please contact Ms. Regina Hugh at (808) 471-4656 or regina.k.hugh.civ@us.navy.mil, to address any questions regarding this matter.

Sincerely,

SATO.CRAIG.T.1273599971

Craig T. Sato
Real Estate Contracting Officer
By direction of the Commanding

DEPARTMENT OF LAND MANAGEMENT
KA 'OIHANA HO'OKELE 'ĀINA
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR • HONOLULU, HAWAI'I 96813
PHONE: (808) 768-4277 • FAX: (808) 768-4266 • WEBSITE: honolulu.gov/dlm

RICK BLANGIARDI
MAYOR
MEIA

CATHERINE A. TASCHNER
DIRECTOR
PO'O

KEITH SUZUKA
DEPUTY DIRECTOR
HOPE PO'O

September 19, 2024

MEMORANDUM

TO: The Honorable Rick Blangiardi, Mayor

VIA: Dana M.O. Viola, Corporation Counsel
Department of the Corporation Counsel

Andrew T. Kawano, Director
Department of Budget and Fiscal Services

Michael D. Formby, Managing Director
Office of the Managing Director

FROM: Keith K. Suzuka, Deputy Director
Department of Land Management

SUBJECT: Resolution Approving the Grant of Easement to The United States Navy, by way of the Naval Facilities Engineering Systems Command, Hawai'i ("***NAVFAC***"), to replace and install new waterline in the intersection of Salt Lake Boulevard and Bougainville Drive, TMK (1) 9-9-002.

The Department of Land Management respectfully requests your consideration and approval to submit to Council the above-referenced Resolution with attachments.

The purpose of this action is for City to grant a non-exclusive and perpetual easement right to NAVFAC to replace and install new waterline in the intersection of Salt Lake Boulevard and Bougainville Drive. The total easement fee of $49,300.00, will be deposited into the general fund.

Your favorable consideration of the attached Resolution is appreciated. Should you need further information or have any questions, please contact me at (808) 768-4271.

LIST OF RESOURCE DOCUMENTS ATTACHED:

- Resolution with Exhibit "A"
- Additional Information to Resolution
  - Public Hearing Report
  - Director's Finding of Public Hearing
  - Environmental Compliance Letter

APPROVED AS TO FORM AND LEGALITY:

for Dana M.O. Viola, Corporation Counsel
Department of the Corporation Counsel

APPROVAL RECOMMENDED:

Andrew T. Kawano, Director
Department of Budget and Fiscal Services

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

CERTIFICATE

RESOLUTION 24-265

Introduced: 10/22/24 By: TOMMY WATERS - BY REQUEST Committee: PUBLIC INFRASTRUCTURE AND TECHNOLOGY (PIT)

Title: APPROVING THE GRANT OF A PERPETUAL NON-EXCLUSIVE WATERLINE EASEMENT TO THE UNITED STATES OF AMERICA, DEPARTMENT OF THE NAVY TO REPLACE AND INSTALL A NEW WATERLINE IN THE INTERSECTION OF SALT LAKE BOULEVARD AND BOUGAINVILLE DRIVE, TMK (1) 9-9-002 (ROADWAY).

Voting Legend: * = Aye w/Reservations

10/22/24	INTRO	Introduced.
11/21/24	PIT	Reported out for adoption. CR-361 3 AYES: SAY, TULBA, TUPOLA 1 ABSENT: WEYER
12/11/24	CCL	Committee report and Resolution were adopted. 6 AYES: KIA'ĀINA, OKIMOTO, SAY, TULBA, WATERS, WEYER 3 ABSENT: CORDERO, DOS SANTOS-TAM, TUPOLA

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