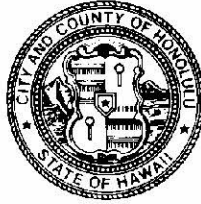


DEPARTMENT OF FACILITY MAINTENANCE
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



ROSS S. SASAMURA, P.E.
DIRECTOR AND CHIEF ENGINEER

EDUARDO P. MANGLALLAN
DEPUTY DIRECTOR

IN REPLY REFER TO:

March 1, 2016

The Honorable Sylvia Luke, Chair
and Members of the Committee on Finance
Hawaii State Capitol
415 South Beretania Street, Room 308
Honolulu, Hawaii 96813

Dear Chair Luke and Members of the Committee:

Subject: Relating to Highways

On behalf of the City and County of Honolulu (City), the Department of Facility Maintenance (DFM) submits this testimony on HB 2250, HD 1, Relating to Highways (the "Bill"). We support the intent of this measure but have concerns with the specifics of this endeavor. We recommend the creation of a Roads Commission to address our concerns and to make implementable recommendations prior to the convening of the 2017 Regular Session of the Legislature.

This version of the Bill proposes that State of Hawaii (State) funds be appropriated to the City in fiscal Year 2016-2017 for repair work including flood mitigation, installing drainage infrastructure, and resurfacing.

The matter of flood mitigation and the construction of associated drainage infrastructure will require consideration of the respective areas in and around Kalani Street, Auld Lane, and Rawlins Lane to be effective and benefit public health and safety. Without detailed analysis, the anticipated planning, design, and construction phases appear to require substantial funding. We are willing to begin planning and design for the repairs of the three streets if provided with sufficient funding for this mandate.

For example, the previously mentioned streets may also require curbs and gutters with roadway widths appropriate to accommodate City street sweeping equipment to comply with existing and projected storm water quality permits and regulations. Such designs would result in the unintended consequence of right-of-way widening and the associated loss of property frontage and on-street parking.

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and Members of the Committee on Finance
March 1, 2016
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The City acknowledges the various challenges that this Bill and other similar bills attempt to address. It remains a difficult issue with far-ranging consequences.

The City embraces a State and Counties Road commission that is staffed by the State and tasked with developing a recommendation to the 2018 State legislature that addresses how to accomplish the transfer of ownership of private roadways to the State and/or applicable county in order for the applicable roadway to be improved and maintained.

This Commission may also serve over a long term to implement the findings and decisions of the State Legislature, the Governor and the City. Subtasks might include the following:

1. Allocation of the roadways between the State and the City.
2. Phasing of the transfer over a period of time, such as 20 years.
3. The mechanism to effect such transfer, especially when the ownership of the private roadway is unclear.
4. The funding for not only the transfer of ownership, but also for the improvements and ongoing maintenance.

The City supports the intent of this Bill and looks forward to working cooperatively with the State to reach a workable solution to this issue.

Sincerely,

/s/ Ross S. Sasamura, P.E.
Director and Chief Engineer



TESTIMONY TO THE COMMITTEE ON FINANCE

Wednesday, March 2, 2016, 11 a.m.

State Capitol, Conference Room 308

TO: The Honorable Sylvia Luke, Chair
The Honorable Scott Y. Nishimoto, Vice Chair
Members of the Committee on Finance

TESTIMONY IN SUPPORT OF HB2250 HD1 RELATING TO HIGHWAYS

I am Stafford Kiguchi with Bank of Hawaii testifying in support of HB2250 HD1 dealing with private roads. This bill would appropriate revenues for repair work and resurfacing of Kalani Street, Auld Lane, and Rawlins Lane on Oahu.

There are hundreds of roads that may be privately owned but where access is unrestricted and open to the public. In such situations, where property taxes are being paid by homeowners or other landowners, there is an accompanying expectation that these roads would be appropriately maintained.

Bank of Hawaii is on title to a number of roads that were acquired when it purchased Hawaiian Trust and Bishop Trust companies back in the 1980s or early 1990s. It is believed that decades ago when the homes adjacent to these roads were developed and deeded to the homeowners by the trust companies as agent for the developers, these roads, by right, should have been dedicated to the city. However, for unknown reasons, that transfer never occurred and legal title appears to have remained in the trust companies and subsequently with Bank of Hawaii as successor in interest.

Many of these roads were likely built to city standards at the time, but over the years may not have been brought up to standards to conform to current codes. There are no remedies available to a non-government owner to address this dilemma. If there is a desire to bring such roads up to modern standards, there would potentially need to be an exercise of eminent domain of which only a government entity could do.

Funding to help improve drainage, resurfacing and other maintenance would help ensure safe roads for the community. We respectfully encourage the committee to pass this bill. Thank you for the opportunity to testify.

Stafford Kiguchi
Executive Vice President, Bank of Hawaii
694-8580