RESOLUTION NO. 32 19

A RESOLUTION AUTHORIZING THE OFFICE OF THE MAYOR TO ENTER INTO AGREEMENTS WITH: 1) THE STATE OF HAWAI'I DEPARTMENT OF LAND AND NATURAL RESOURCES AND 2) THE STATE OF HAWAI'I DEPARTMENT OF HAWAIIAN HOME LANDS TO ASSIST WITH THE CLEARING OF EXCESSIVE VEGETATION FROM CERTAIN STATE LANDS LOCATED AT WAIĀKEA, SOUTH HILO, HAWAI'I PURSUANT TO HRS § 46-7

WHEREAS, there are certain State lands located at Waiākea, South Hilo, Hawai'i, which are separately under the jurisdiction of the State of Hawai'i Department of Land and Natural Resources ("DLNR") and the State of Hawai'i Department of Hawaiian Home Lands ("DHHL"); and

WHEREAS, said State lands are identified as: 1) TMK Nos.: (3) 2-1-012:041 and (3) 2-1-012:149 under the jurisdiction of DLNR and 2) TMK No.: (3) 2-1-012:070 under the jurisdiction of DHHL, as depicted on the map attached hereto as Exhibit "A" (collectively "State lands"); and

WHEREAS, excessive vegetation has grown on the State lands and the County's Police Department has received numerous complaints of illegal activities occurring thereon due to the excessive vegetation impairing visibility onto those State lands; and

WHEREAS, representatives from the County's Police Department and Department of Public Works met with representatives of DLNR and DHHL and all parties agreed that clearing the excessive vegetative growth from the State lands would likely deter the illegal activities occurring on State lands; and

WHEREAS, the County's Department of Public Works has equipment which could be used to assist in clearing the excessive vegetative growth from State lands, and DLNR and DHHL have requested that the County enter into right of entry agreements to allow for the equipment to be used on the State lands; and

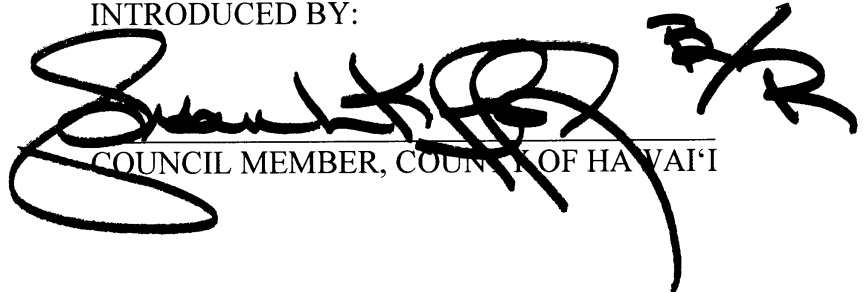
WHEREAS, pursuant to Hawai'i Revised Statutes, Section 46-7, this Council's authorization is required for the County to enter into such right of entry agreements; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I that in accordance with Hawai'i Revised Statutes Section 46-7, the Mayor of the County of Hawai'i is authorized to execute, on behalf of the County, the rights of entry agreements and any related documents with DLNR and DHHL, respectively, to enter the State lands for the purpose of clearing excessive vegetation.

BE IT FINALLY RESOLVED that the County Clerk shall transmit a copy of this resolution to the Director of the Department of Public Works, Mayor Harry Kim, the Office of Corporation Counsel, the State of Hawai'i Department of Land and Natural Resources, and the State of Hawai'i Department of Hawaiian Home Lands.

Dated at Kona, Hawai'i, this 23rd day of January, 2019.

INTRODUCED BY:



 COUNCIL MEMBER, COUNTY OF HAWAII

COUNTY COUNCIL
 County of Hawai'i
 Hilo, Hawai'i

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on January 23, 2019.

ATTEST:

 
 COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

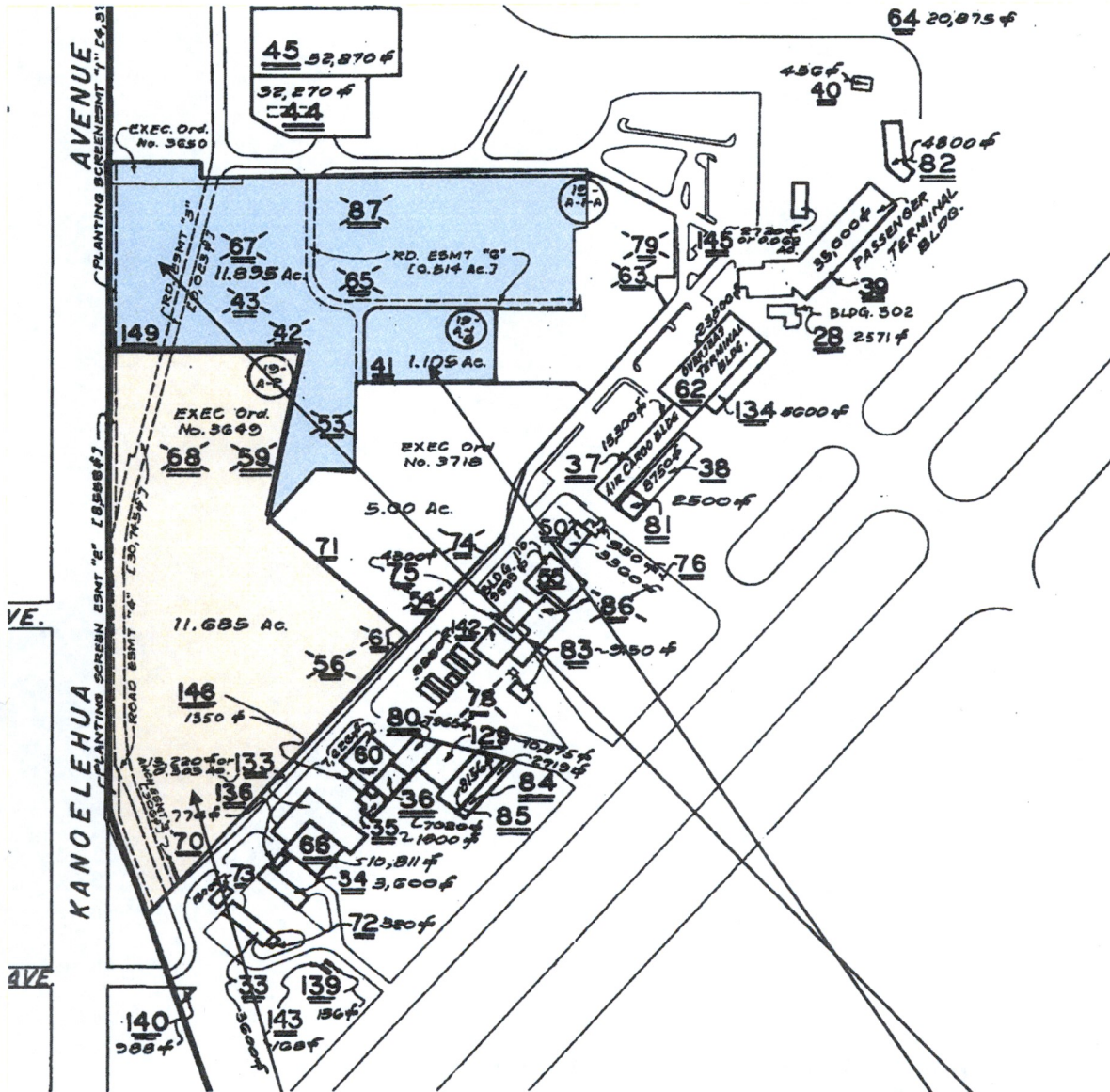
	AYES	NOES	ABS	EX
CHUNG			X	
DAVID	X			
EOFF	X			
KANEALI'I-KLEINFELDER	X			
KIERKIEWICZ	X			
LEE LOY	X			
POINDEXTER	X			
RICHARDS	X			
VILLEGAS	X			
	8	0	1	0

Reference: C-55/Waived PWMTC
 RESOLUTION NO. 32 19

Right of Entry to
County of Hawaii DPW
TMK: (3) 2-1-012:041,149

EXHIBIT A

TMK: (3) 2-1-012: 70, 041 & 149



TMK: (3) 2-1-012:070
DHHL

TMK: (3) 2-1-012: 041 & 149
DLNR