

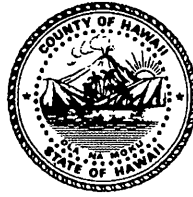
Res. 631-20: AUTHORIZES THE DIRECTOR OF PUBLIC WORKS TO ISSUE LICENSES AND PERMITS FOR CONSTRUCTION OR MODIFICATION OF SMALL WIRELESS FACILITIES IN COUNTY OF HAWAI'I OWNED RIGHT-OF-WAYS AND COLLOCATION OF SMALL WIRELESS FACILITIES ON COUNTY OF HAWAI'I OWNED UTILITY POLES, PURSUANT TO CHAPTER 206N, HAWAI'I REVISED STATUTES, RELATING TO WIRELESS BROADBAND AND COMMUNICATIONS NETWORKS

Communication service providers would be able to obtain licenses and permits to access public right-of-ways and use public utility poles for their wireless services.

Reference: Comm. 932
 Intr. by: Ms. Lee Loy (B/R)
 Waived: PWMTC

POSTPONED TO THE CALL OF THE CHAIR:

Ayes: Council Members David, Eoff, Kaneali'i-Kleinfelder, Kierkiewicz, Lee Loy, Poindexter, Richards, Villegas, and Chair Chung – 9.
 Noes: None.
 Absent: None.
 Excused: None.

RESOLUTION NO. 631 20

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO ISSUE LICENSES AND PERMITS FOR CONSTRUCTION OR MODIFICATION OF SMALL WIRELESS FACILITIES IN COUNTY OF HAWAI'I OWNED RIGHT-OF-WAYS AND COLLOCATION OF SMALL WIRELESS FACILITIES ON COUNTY OF HAWAI'I OWNED UTILITY POLES, PURSUANT TO CHAPTER 206N, HAWAI'I REVISED STATUTES, RELATING TO WIRELESS BROADBAND AND COMMUNICATIONS NETWORKS.

WHEREAS, the County of Hawai'i owns and maintains certain public right-of-ways and utility poles; and

WHEREAS, pursuant to Chapter 2, Article 9, Hawai'i County Code, the Department of Public Works is responsible for County of Hawai'i owned public right-of-ways and utility poles; and

WHEREAS, pursuant to Chapter 206N, Hawai'i Revised Statutes, relating to Wireless Broadband and Communications Networks, construction or modification of small wireless facilities by communications service providers shall be a permitted use in County of Hawai'i owned public right-of-ways and the County of Hawai'i shall permit the collocation of small wireless facilities on County of Hawai'i owned utility poles by communications service providers; and

WHEREAS, pursuant to Section 2-111, Hawai'i County Code, except as otherwise provided by law and subject to other provisions of Chapter 2, Article 19, Hawai'i County Code, the Council may by resolution direct the director of public works to dispose of County of Hawai'i owned real property by license or permit; and

WHEREAS, pursuant to Section 2-119, Hawai'i County Code, the Council may, after consulting with the chief of police, direct the director of public works to issue licenses and permits through negotiation and without public auction, to enter and occupy County of Hawai'i owned right-of-ways; and

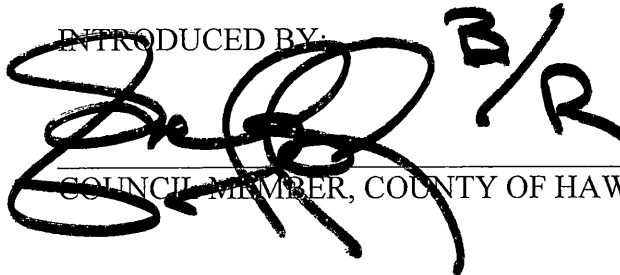
WHEREAS, the chief of police has no comments or objections to said communications service providers entry and occupation County of Hawai'i owned right-of-ways pursuant to Chapter 206N, Hawai'i Revised Statutes as evidence by Exhibit A attached hereto and by reference made a part hereof; and

WHEREAS, pursuant to Sections 2-111 and 2-119, Hawai'i County Code, the Council may by resolution, direct the director of public works to issue such licenses and permits to said communications service providers; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I, in accordance with Sections 2-111 and 2-119, Hawai'i County Code, the director of the Department of Public Works of the County of Hawai'i is authorized to issue licenses and permits and any related documents with communications service providers pursuant to Chapter 206N, Hawai'i Revised Statutes, allowing entry and occupation of County of Hawai'i owned public right-of-ways for the purpose of allowing small wireless facility attachments to County of Hawai'i owned utility poles.

BE IT FINALLY RESOLVED that the County Clerk of the County of Hawai'i shall transmit copies of this resolution to the Office of the Mayor, the Department of Public Works, and the Office of the Corporation Counsel.

Dated at _____, Hawai'i, this ____ day of _____, 20__.

INTRODUCED BY:


 COUNCIL MEMBER, COUNTY OF HAWAI'I

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 _____.

ATTEST:

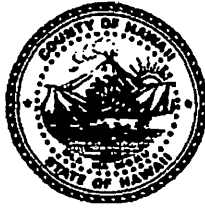
COUNTY CLERK CHAIRPERSON & PRESIDING OFFICER

ROLL CALL VOTE

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

Reference: _____ C-932/PWMTG _____

RESOLUTION NO. **631 20**



Harry Kim
Mayor

Roy Takemoto
Managing Director

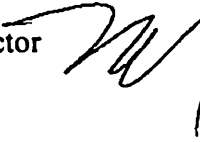
David Yamamoto, P.E.
Director

Allan G. Simeon, P.E.
Deputy Director

County of Hawai'i
DEPARTMENT OF PUBLIC WORKS

Aupuni Center
101 Pauahi Street, Suite 7 · Hilo, Hawai'i 96720-4224
(808) 961-8321 · Fax (808) 961-8630
public_works@hawaiicounty.gov

MEMORANDUM

To: Chief Paul Ferreira
From: David Yamamoto, Director 
Date: May 5, 2020
Subject: Request for Comment
Resolution for Small Wireless Facilities

Pursuant to HCC 2-119(b), we are forwarding the attached Resolution for your review and comment.

Please provide response by Friday, May 8, 2020. If we do not receive a response by this date, we will assume you have no comments or objections.

Should you have any questions, please feel free to contact me at (808) 961-8324.

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: Kenneth Bugado, Jr.
for
Print Name: Chief Paul K. Ferreira
Date: MAY - 7 2020

EXHIBIT A