

CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 5TH FLOOR
HONOLULU, HAWAII 96813

Phone: (808) 768-7684 □ Fax: (808) 527-6272 □ Internet: www.honolulu.gov

JAN 5 4 32 PM '06

MUFI HANNEMANN
MAYOR



RECEIVED
GORDON J. BRUCE
DIRECTOR & CIO

December 29, 2005

The Honorable Donovan Dela Cruz, Chair
and Members of the City Council
City Council
City and County of Honolulu
Honolulu, Hawaii 96813

Dear Chair Dela Cruz and Council Members:

The Department of Information Technology would like to request for council approval to grant a non-exclusive easement as described below for Sandwich Isles Communication.

Sandwich Isles Communications, Inc. (SIC) is a rural telephone company with a license to provide service to Department of Hawaiian Home Lands (DHHL). Its mission is to provide modern, high-speed broadband telecommunications services to Hawaiian home lands. This resolution will allow SIC to locate their fiber optic lines within the public right-of-way and will tie together SIC network into DHHL areas on the six major Hawaiian Islands. An abstract is attached to summarize the agreement terms.

Thanking you in advance for your prompt attention. If you have any questions or concerns, please contact me at 768-7601.

GORDON J. BRUCE
DIRECTOR & CIO

GJB:jh
Attachments

APPROVED:

Jeff J. Coelho, Managing Director
Office of the Mayor

Dept. Com. No. 0017



RESOLUTION

APPROVING THE GRANT OF A NON-EXCLUSIVE, TERM, SUBSURFACE TELECOMMUNICATIONS EASEMENT WITHIN WAIANAЕ VALLEY ROAD FOR THE INSTALLATION OF FIBER OPTIC LINES BY SANDWICH ISLES COMMUNICATIONS, INC.

WHEREAS, Section 46-66, Hawaii Revised Statutes, as amended, authorizes each county, subject to council approval, to grant, sell or otherwise dispose of by negotiation without public auction, an easement for governmental or public utility purposes; and

WHEREAS, Sandwich Isles Communications, Inc. ("SIC") is a duly licensed "telecommunications carrier" or "telecommunications common carrier" as those terms are defined by: (a) Title 47, Section 153 of the United States Code, and (b) Hawaii Revised Statutes, Section 269-1 (2005), registered and licensed to do business in the State of Hawaii, and is authorized by the State of Hawaii Public Utilities Commission to provide telecommunications service on Department of Hawaiian Home Lands; and

WHEREAS, SIC has submitted a site application request to the City and County of Honolulu ("City"), requesting access through a certain right-of-way owned by the City for the purpose of installing, operating, maintaining, repairing, removing and replacing an underground fiber optic conduit with manholes and other appurtenant equipment including fiber optic lines, as part of SIC's fiber optic telecommunication system which will provide telecommunication services to Hawaiian Home Land residences; and

WHEREAS, by this Resolution, SIC seeks this Council's grant of a non-exclusive, term, subsurface telecommunication easement, with an area of 9,940 linear feet, within Waianae Valley Road, as designated on the map attached hereto as Exhibit "A," and by this reference made a part hereof; and

WHEREAS, the various affected city agencies have no objection to the granting of the above-referenced easement; and

WHEREAS, the sale of the above-described easement will be in accordance with Section 46-66, Hawaii Revised Statutes; and

WHEREAS, in granting the above-referenced easement, the City shall reserve the right to charge SIC fair and reasonable compensation, on the condition that it is imposed on a competitively neutral and nondiscriminatory basis in compliance with Section 253(c) of 47 U.S.C. 253 (Federal Telecommunications Act of 1996), as that law is construed and amended from time to time; and



RESOLUTION

WHEREAS, 47 U.S.C. § 253(c) of the Federal Telecommunications Act of 1996, which forms the framework for the nation’s telecommunications policy, expressly preserves state or local government authority to manage public rights-of-way and to require fair and reasonable compensation from telecommunications providers on a competitive neutral and nondiscriminatory basis, for use of public rights-of-way on a nondiscriminatory basis, if the compensation required is publicly disclosed by such government; and

WHEREAS, the above-referenced easement shall be for a term of five (5) years, renewable upon the request of SIC and the written consent of the City, for additional five (5) year terms subject to the City’s right of termination; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it approves the grant of the above-described easement to SIC, without public auction, for the purpose of constructing, installing, operating, maintaining, repairing, and removing fiber optic through, under and across the said site; and

BE IT FURTHER RESOLVED that the grant of easement be in accordance with the recommendations of the Directors of the Department of Information Technology (“DIT”), the Department of Facility Maintenance (“DFM”), and the Department of Budget and Fiscal Services (“BFS”), and/or their respective designee(s), including such terms and conditions as said Directors may impose or require, and with all applicable laws and city policies; and

BE IT FURTHER RESOLVED that the Director of BFS and/or designee shall be authorized to sign the easement and other necessary documents; and

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RESOLUTION

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Directors of the BFS, DIT, and DFM.

INTRODUCED BY:

Councilmembers

DATE OF INTRODUCTION:

Honolulu, Hawaii

SANDWICH ISLES COMMUNICATIONS, INC.
 PAUAAHI TOWER, 27TH FLOOR
 1001 BISHOP STREET
 HONOLULU, HAWAII 96813

FARRINGTON TO KANEAKI FIBER OPTICS DUCTLINE

(SSFM PROJECT NO: 2000_075.208; DPP PROJECT NO: 2005/CP-90)

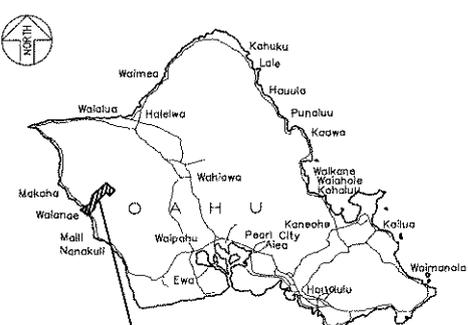
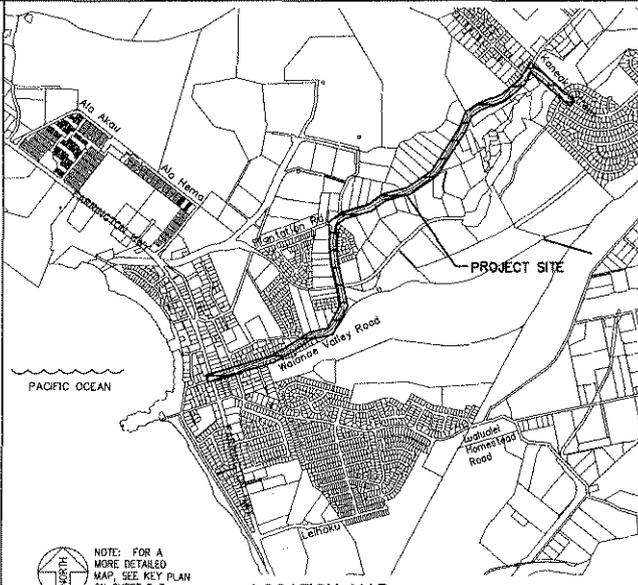
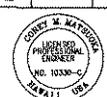
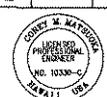
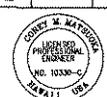
TMK: 8-5-7, 8, 9, 10, 19, 20, 21, 22, 29

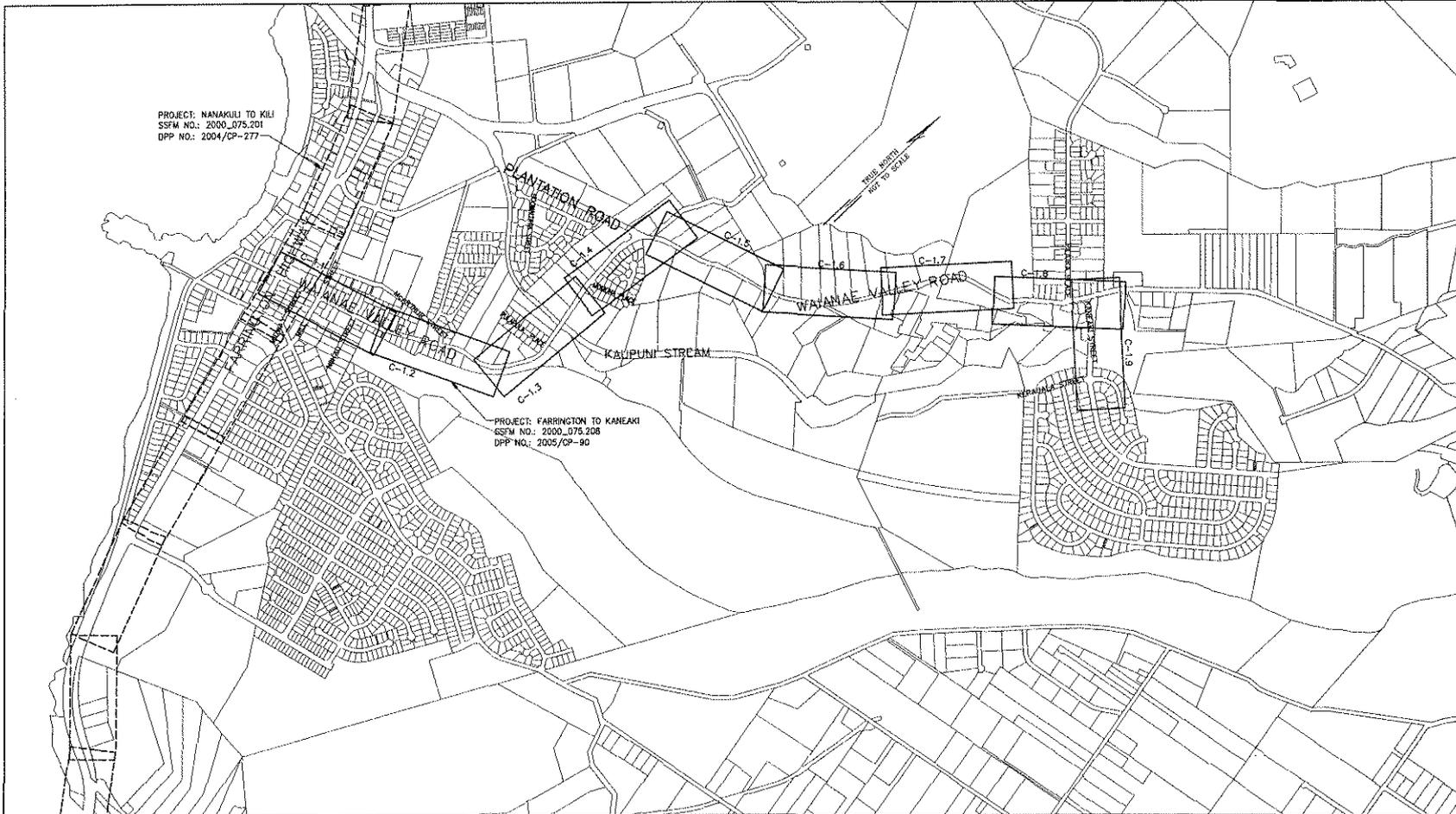
FINAL SUBMITTAL 2

PREPARED BY:
SSFM INTERNATIONAL, INC.
 501 SUMNER ST., SUITE 620
 HONOLULU, HAWAII 96817

APPROVED:

DIRECTOR, DEPARTMENT OF PLANNING AND PERMITTING DATE

VICINITY MAP	LOCATION MAP	DRAWING INDEX																																																				
 <p style="text-align: center;">VICINITY MAP NOT TO SCALE</p>	 <p style="text-align: center;">LOCATION MAP NOT TO SCALE</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;">DRAWING NO.</th> <th style="width:70%;">SHEET TITLE</th> <th style="width:20%;">SHEET NO.</th> </tr> </thead> <tbody> <tr> <td>T-1</td> <td>TITLE SHEET, VICINITY MAP, LOCATION MAP AND DRAWING INDEX</td> <td>1</td> </tr> <tr> <td>T-2</td> <td>LEGEND, ABBREVIATIONS, AND ALTERNATE DUCT CONFIGURATIONS</td> <td>2</td> </tr> <tr> <td>T-3</td> <td>KEY PLAN</td> <td>3</td> </tr> <tr> <td>T-4 TO T-6</td> <td>GENERAL NOTES</td> <td>4 TO 6</td> </tr> <tr> <td>C-1.1 TO C-1.7</td> <td>WAIANA'E VALLEY ROAD DUCTLINE - PLAN AND PROFILE</td> <td>7 TO 13</td> </tr> <tr> <td>C-1.8</td> <td>WAIANA'E VALLEY ROAD AND KANEAKI STREET DUCTLINE - PLAN AND PROFILE</td> <td>14</td> </tr> <tr> <td>C-1.9</td> <td>KANEAKI STREET AND PLANTATION ROAD DUCTLINE - PLAN AND PROFILE</td> <td>15</td> </tr> <tr> <td>C-2.1</td> <td>TRENCH SECTION, PAVEMENT RESTORATION, AND LIMITS OF REPAIRING DETAILS</td> <td>16</td> </tr> <tr> <td>C-2.2</td> <td>MANHOLE DETAILS</td> <td>17</td> </tr> <tr> <td>C-2.3</td> <td>EROSION CONTROL DETAILS</td> <td>18</td> </tr> <tr> <td>C-2.4 TO C-2.5</td> <td>TRAFFIC CONTROL PLANS</td> <td>19 TO 20</td> </tr> </tbody> </table> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:15%;">REVISION</th> <th style="width:15%;">DATE</th> <th style="width:40%;">DESCRIPTION</th> <th style="width:30%;">BY</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">  COREY M. MATLOCK PROFESSIONAL ENGINEER NO. 10380-C HAWAII USA EXP. DATE: 6/30/2008 Corey Matlock </td> <td></td> <td> SSFM INTERNATIONAL, INC. 501 SUMNER ST., SUITE 620 (908) 633-1308 HONOLULU, HAWAII 96817 PROJECT: FARRINGTON TO KANEAKI FIBER OPTICS DUCTLINE TITLE SHEET, VICINITY MAP, LOCATION MAP, AND DRAWING INDEX </td> <td></td> </tr> <tr> <td></td> <td></td> <td> PROJECT NO.: 2000_075.208 </td> <td> DRAWING NO.: T-1 </td> </tr> <tr> <td></td> <td></td> <td> DRAWN BY: CHECKED BY: DATE: NOVEMBER 2005 </td> <td> SHEET: 1 OF 20 SHEETS </td> </tr> </tbody> </table>	DRAWING NO.	SHEET TITLE	SHEET NO.	T-1	TITLE SHEET, VICINITY MAP, LOCATION MAP AND DRAWING INDEX	1	T-2	LEGEND, ABBREVIATIONS, AND ALTERNATE DUCT CONFIGURATIONS	2	T-3	KEY PLAN	3	T-4 TO T-6	GENERAL NOTES	4 TO 6	C-1.1 TO C-1.7	WAIANA'E VALLEY ROAD DUCTLINE - PLAN AND PROFILE	7 TO 13	C-1.8	WAIANA'E VALLEY ROAD AND KANEAKI STREET DUCTLINE - PLAN AND PROFILE	14	C-1.9	KANEAKI STREET AND PLANTATION ROAD DUCTLINE - PLAN AND PROFILE	15	C-2.1	TRENCH SECTION, PAVEMENT RESTORATION, AND LIMITS OF REPAIRING DETAILS	16	C-2.2	MANHOLE DETAILS	17	C-2.3	EROSION CONTROL DETAILS	18	C-2.4 TO C-2.5	TRAFFIC CONTROL PLANS	19 TO 20	REVISION	DATE	DESCRIPTION	BY	 COREY M. MATLOCK PROFESSIONAL ENGINEER NO. 10380-C HAWAII USA EXP. DATE: 6/30/2008 Corey Matlock		SSFM INTERNATIONAL, INC. 501 SUMNER ST., SUITE 620 (908) 633-1308 HONOLULU, HAWAII 96817 PROJECT: FARRINGTON TO KANEAKI FIBER OPTICS DUCTLINE TITLE SHEET, VICINITY MAP, LOCATION MAP, AND DRAWING INDEX				PROJECT NO.: 2000_075.208	DRAWING NO.: T-1			DRAWN BY: CHECKED BY: DATE: NOVEMBER 2005	SHEET: 1 OF 20 SHEETS
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PROJECT: NANAKULI TO KILI
SSFM NO.: 2006_075.201
DPP NO.: 2004/CP-277

PROJECT: FARRINGTON TO KANEAKI
SSFM NO.: 2006_075.208
DPP NO.: 2005/CP-90

KEY PLAN

SCALE: NOT TO SCALE

TRK: 8-5-7, 8, 9, 10, 19, 20, 21, 21, 22, 29



Cory M. Mathison
REGISTERED PROFESSIONAL ENGINEER
STATE OF HAWAII
LICENSE NO. 16420-C
EXP. 04/30/2008



SSFM International, Inc.
201 Center Street
Suite 202
Honolulu, Hawaii 96817

NO.	DATE	DESCRIPTION	BY	CHKD.

SANDWICH ISLES
COMMUNICATIONS, INC.
Pacifi Tower, 27th Floor
1001 Bishop Street
Honolulu, Hawaii 96813

FARRINGTON
TO KANEAKI
FIBER OPTICS
DUCTLINE
ISLAND OF OAHU

KEY PLAN

APPROVED

CORY MATHISON, ENGINEER

DATE

DESIGNED BY: CMC DRAWING NO.: T-3
CHECKED BY: CMC
DATE: NOV 2006 SHEET NO. 3 OF 20