

COUNCIL OF THE COUNTY OF MAUI
PUBLIC WORKS COMMITTEE

August 5, 2005

Committee
Report No.

05-104

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Public Works Committee, having met on June 27, 2005 and July 11, 2005, makes reference to County Communication No. 05-153, from the Director of Public Works and Environmental Management, transmitting the following:

1. A proposed resolution entitled "ACCEPTING DEDICATION OF ROADWAY LOTS FOR THE ALI'I VILLAGE SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE". The purpose of the proposed resolution is to accept the dedication of roadway Lots 28 and 29, Waikalani Hema Place and Hakoi Hema Place, respectively, located on the southerly side of Kulanihako Road and the westerly side of Piilani Development Subdivision – Phase I, TMK: (2) 3-9-01:155(portion) (the Ali'i Village Subdivision), Kihei.
2. A proposed resolution entitled "ACCEPTING DEDICATION OF A DRAINAGE LOT FOR THE ALI'I VILLAGE SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE". The purpose of the proposed resolution is to accept the dedication of drainage Lot 31 of the Ali'i Village Subdivision, Kihei.
3. A proposed resolution entitled "ACCEPTING DEDICATION OF EASEMENTS PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE". The purpose of the proposed resolution is to accept the dedication of Drainage Easements D-1 and D-2 of the Ali'i Village Subdivision, Kihei.

At its meeting of June 27, 2005, your Committee met with the Director of Public Works and Environmental Management and a Deputy Corporation Counsel.

There was no public testimony.

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The Director informed your Committee that the three lots and two easements are being dedicated to the County to comply with subdivision requirements. The subdivision was granted final approval on September 17, 2004, and the improvements were subsequently approved by the Department as well as the Department of Water Supply.

Your Committee discussed liability issues related to the properties being dedicated, and requested that representatives of the subdivision appear before your Committee.

Your Committee deferred the matter.

At its meeting of July 11, 2005, your Committee met with the Director of Public Works and Environmental Management; a Deputy Corporation Counsel; and Shaun Mukai of McCorrison Miller Mukai MacKinnon LLP, representing Kiawe Partners, the developer.

Mr. Mukai informed your Committee that one of the conditions placed upon the developer when the subdivision received preliminary approval in 2003 was that the roadway lots, drainage lots, and easements all be dedicated to the County. He reported that had this condition not been indicated, the developers would have formed a homeowners' association and established common areas to be maintained by the association.

Your Committee voted to recommend adoption of the proposed resolutions and filing of the communication.

Your Public Works Committee **RECOMMENDS** the following:

1. That Resolution No. _____, attached hereto, entitled "ACCEPTING DEDICATION OF ROADWAY LOTS FOR THE ALI'I VILLAGE SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE" be **ADOPTED**;

2. That Resolution No. _____, attached hereto, entitled "ACCEPTING DEDICATION OF A DRAINAGE LOT FOR THE ALI'I VILLAGE SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE" be **ADOPTED**;

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3. That Resolution No. _____, attached hereto, entitled "ACCEPTING DEDICATION OF EASEMENTS PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE" be ADOPTED; and

4. That County Communication No. 05-153 be FILED.

Adoption of this report is respectfully requested.

pw:cr:0516aa:scj

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