

MINUTES

**HUMAN SERVICES &
ECONOMIC DEVELOPMENT COMMITTEE
Council of the County of Maui**

Council Chamber

March 1, 2001

CONVENE: 9:02 a.m.

PRESENT: Councilmember Robert Carroll, Chair
Councilmember Jo Anne Johnson, Vice-Chair
Councilmember Patrick S. Kawano, Member (in 9:04 a.m.)
Councilmember Michael J. Molina, Member

EXCUSED: Councilmember G. Riki Hokama, Member (NACo Conference)

ABSENT: NONE

STAFF: Shannon Alueta, Legislative Analyst
Karean Zukeran, Committee Secretary

ADMIN.: Floyd Miyazono, Director, Department of Parks and Recreation
Traci Fujita Villarosa, Deputy Corporation Counsel, Department
of the Corporation Counsel

OTHERS: NONE

PRESS: NONE

CHAIR CARROLL: The Human Services and Economic Development Committee will now come to order. . . . *(gavel)* . . . We'll do that one more time so that they can record it for the record. ...(laughter)... The Human Services and Economic Development Committee will come to order. . . . *(gavel)* . . .

All right. We have ...(pause and sigh)...

COUNCILMEMBER KAWANO: ...(entering Chamber)... I'm sorry I'm late.

CHAIR CARROLL: Good morning, Mr. Kawano.

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COUNCILMEMBER KAWANO: Good morning. I'm sorry I'm late. ...(laughter)...

CHAIR CARROLL: That's all right, Mr. Kawano. We have already convened since we had a quorum of three. Now we are much better off for your presence.

COUNCILMEMBER KAWANO: I was going blame the airlines, but that's a lie.

CHAIR CARROLL: Okay, members. We have two items on our agenda this morning: HSED-4, RESOLUTION AUTHORIZING THE GRANTING OF EASEMENT ON COUNTY OF MAUI REAL PROPERTY TO VERIZON HAWAII INCORPORATED, and HSED-1, HOSPICE MAUI REQUESTING AMENDMENT TO CURRENT LEASE AGREEMENT WITH COUNTY.

We will now note, and if there is no one signed up for public testimony and no one wishes to give public testimony...

VICE-CHAIR JOHNSON: Excuse me, Mr. Chair. Just...just for the record, so, because I know that they have...this basically, on verbal, just...just note the members that are here and acknowledge the, uh...

CHAIR CARROLL: Yes.

VICE-CHAIR JOHNSON: That's all right. ...(laughter)...

CHAIR CARROLL: I would like...

VICE-CHAIR JOHNSON: It's early in the morning.

CHAIR CARROLL: ...to acknowledge this morning that we have Vice-Chair Jo Anne Johnson, Pat Kawano...

COUNCILMEMBER KAWANO: Good morning.

CHAIR CARROLL: .. and Michael Molina...

COUNCILMEMBER MOLINA: Good morning.

CHAIR CARROLL: ...with us this morning. And I am very happy that we at least have a quorum. That, uh, and we have Floyd with us from Parks. ...(pause)... I cannot think.

MR. MIYAZONO: Traci.

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CHAIR CARROLL: Traci. I am sorry. Traci. And, of course, we have Shannon with us, our research and...Alueta, our research analyst and Karean Zukeran, our secretary.

ITEM NO. 4: RESOLUTION AUTHORIZING THE GRANTING OF AN EASEMENT ON COUNTY OF MAUI REAL PROPERTY TO VERIZON HAWAII, INC. [TMK: (2)2-3-009-026, 300 sq. ft.] (C.C. 00-317)

CHAIR CARROLL: All right. I think we can begin. We have no public testimony. At this time, Floyd, would you like to give us an overview?

MR. MIYAZONO: Okay. I would be glad to, Mr. Chairman. This particular case we're looking at the possible approval of a resolution in granting of an easement on County of Maui property to Verizon Hawaii Incorporated.

For this particular issue here is...is the request to install a 15 x 20 foot x 300 square foot, um, uh, easement. Basically, it's an easement in order to install a telecommunication transmission cabinet. The location is along side Iolani Street. That's within the outer boundaries of our park—our Pukalani Park. Currently, there is three cabinets there—telecommunications cabinets. We do have two easements, uh, utility easements, with the GTE Hawaiian Tel. The request is to req...for one more easement and, as far as our prior discussion, is that their plan is to eventually, after time, do some upgrades to the transmission area. So, therefore, their plan is to eventually get rid of the three cabinets there and their improvements will be all into that one particular transmission cabinets.

So I think in...in...in lieu of that and, basically, the area that we're talking about is outside of the boundary area, and it is not within our recreational complex area where, um, um, our public utilize. I would be in favor of this particular resolution. Thank you.

CHAIR CARROLL: Thank you. Any questions for Floyd?

VICE-CHAIR JOHNSON: Yes, Mr. Chairman.

CHAIR CARROLL: Ms. Johnson. After that, Pat Kawano.

VICE-CHAIR JOHNSON: I just wanted to find out—I know that many times I'm familiar with the type of utility boxes that they have even though they're not in an active area of recreation. If I may ask Floyd, are they surrounded by some kind of fencing or protective material?

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MR. MIYAZONO: Okay. That is a good question. Currently they are not but, as based on this agreement, we have requested from Verizon Hawaii to install chain link fencing—not only on this new cabinet or this easement area—but we're also requesting that they install chain link fencing around the three existing cabinets there right now.

VICE-CHAIR JOHNSON: Okay. Thank you very much. And...and the reason I ask that is for liability purposes. Public safety, I just think with children, even just anywhere in the vicinity and even sometime adults, animals also, I think it's very prudent that we do that. And...and that would be my only concern really about this easement. And neighbors do not seem to have any problem with this either ...(inaudible)...?

MR. MIYAZONO: As far as I know, no.

VICE-CHAIR JOHNSON: All right. Thank you very much. That's all I have.

CHAIR CARROLL: Mr. Kawano.

COUNCILMEMBER KAWANO: Yeah. Mr. Chairman, can you tell the two guys over there to shut up or get out of here or do something, because I can hear them almost as loud as we hearing them talk here.

MS. ALUETA: I'm sorry, Mr. Chairman.

COUNCILMEMBER KAWANO: We'll, Mr. Chairman, I have the same concern as far as Jo Anne, as far as the...whether they, you have any complaint as far as from the people using...utilizing the place? And, do...do we get anything from these guys as far as using the easement?

MR. MIYAZONO: Based on what I have before me, Councilman Kawano, um, based on the utility easement, it does mention here, in the amount of \$183, for the actual utility easement...payment to the County of Maui.

COUNCILMEMBER KAWANO: Okay. I see that. I just want to make sure that...that...that's the right...right figure. And as far as, uh, okay, that...that's all I have, Mr. Chairman. Thank you.

CHAIR CARROLL: We have a representative from Verizon Hawaii here this morning if anyone would...has any questions. ...(pause)... Thank you.

...There are several things. First of all, I would like to insert wording in the motion that no cellular-type towers be installed on this property unless they come back

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to the County Council. And also wording inside there that they will maintain that area—the maintenance in here refers only to the equipment—that they maintain the area—the grass, any plantings they might have, et cetera. And I would like to have wording like that inserted into the motion. ...(inaudible)...

VICE-CHAIR JOHNSON: And, Mr. Chair, would that also include wording to go along with what Mr. Miyazono had stated as far as the fencing, the chain link fencing? Would that also be included within the conditions of the easement?

CHAIR CARROLL: Yes.

VICE-CHAIR JOHNSON: Okay. Thank you.

CHAIR CARROLL: All right. With that...if there's no further discussion, the Chair will entertain a motion to recommend that the proposed resolution be adopted with the aforementioned amendments.

COUNCILMEMBER KAWANO: So moved.

VICE-CHAIR JOHNSON: So moved.

COUNCILMEMBER MOLINA: Second.

CHAIR CARROLL: ...(chuckle)... You...you guys are fast for me.

VICE-CHAIR JOHNSON: I know. ...(laughter)...

CHAIR CARROLL: Discussion? All in...

COUNCILMEMBER MOLINA: Um...

CHAIR CARROLL: Yes.

COUNCILMEMBER MOLINA: .. Yeah. I just want to make a comment. I think it's...adding that provision would, uh, regards to Sprint towers is, I think is very, uh, excuse me, cellular towers, I should say, I think is very appropriate at this time. And I think it shows a real concern for the neighborhood and people who have major concerns about ce...cellular towers, in general. So I just wanna, uh, commend the Chair for making that recommendation in the motion.

CHAIR CARROLL: Thank you, Mr. Molina. Any other further comments? If not, all in favor.

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VOTE: AYES: Councilmembers Kawano, Molina, Vice-Chair Johnson and Chair Carroll.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Hokama.

MOTION CARRIED.

ACTION: FILING of communication.

ITEM NO. 1: HOSPICE MAUI REQUESTING AMENDMENT TO CURRENT LEASE AGREEMENT WITH COUNTY [TMK: (2)3-8-46:17] (C.C. 99-104)

CHAIR CARROLL: We now go to Hospice Maui, and you have in your folder that they have withdrawn their request.

COUNCILMEMBER KAWANO: Thank God! ...(laughter)...

CHAIR CARROLL: And seeing as they have withdrawn their request, if there is no discussion, I would ask that County Community 99-014 be filed.

VICE-CHAIR JOHNSON: So moved.

COUNCILMEMBER MOLINA: Second.

CHAIR CARROLL: Discussion? All in favor?

COUNCILMEMBER KAWANO: Aye.

COUNCILMEMBER MOLINA: Aye.

VICE-CHAIR JOHNSON: Aye.

CHAIR CARROLL: Opposed? Motion carried.

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VOTE: AYES: Councilmembers Kawano, Molina, Vice-Chair Johnson and Chair Carroll.

NOES: None.

ABSTAIN: None.

ABSENT: None.

EXC.: Councilmember Hokama.

MOTION CARRIED.

ACTION: FILING of communication.

CHAIR CARROLL: Thank you very much. I think we have set a new record.
...(laughter)...

VICE-CHAIR JOHNSON: I think so. I thought my meetings in Parks were fast.
...(laughter)...

CHAIR CARROLL: Do any of the members have anything, uh, announcements or anything else they would like to bring up at this time? If not, this meeting is adjourned. . . . (gavel) . . .

ADJOURN: 9:12 a.m.

APPROVED BY:


Robert Carroll, Chair
Human Services and Economic
Development Committee

Transcribed by Karean Zukeran

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