

MEETING WAS CANCELED AFTER POSTING DUE TO LACK OF A QUORUM.

PARKS AND RECREATION COMMITTEE
Council of the County of Maui

Meeting Agenda

June 14, 2001

1:30 p.m.

Council Chamber, 8th Floor

200 South High Street, Wailuku, Maui, Hawai`i

website: <http://www.co.maui.hi.us/committees/PR/index.html>

e-mail: pr.committee@co.maui.hi.us

COMMITTEE MEMBERS

Jo Anne Johnson, Chair

Robert Carroll, Vice-Chair

Patrick S. Kawano

Michael J. Molina

Charmaine Tavares

AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Jan Inouye-Ogata or Camille Sakamoto) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Moloka`i), 1-800-272-0098 (toll-free from Lana`i), 808-270-7686 (fax).

ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted prior to the discussion of each agenda item. Oral testimony shall not exceed ten minutes. If written testimony is submitted at the meeting, 15 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.

INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.

DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.

TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television (see attached Akaku Taping and Playback Schedule).

PR-1 RELATING TO PARK DEDICATIONS, SECTION 18.16.320 OF THE MAUI COUNTY CODE

DESCRIPTION: The Committee is in receipt of County Communication No. 97-328, from Councilmember Wayne K. Nishiki, regarding the effectiveness of Section 18.16.320 of the Maui County Code, relating to park dedications. The Committee is also in receipt of a proposed bill entitled "A BILL FOR AN ORDINANCE TO AMEND SECTION 18.16.320 OF THE MAUI COUNTY CODE RELATING TO DEDICATION OF PARKS AND PLAYGROUNDS" (transmitted by the Department of the Corporation Counsel on June 6, 2001). The purposes of the proposed bill are:

1. to allow park dedications to occur in either the community plan district of the proposed subdivision or, subject to Council approval by resolution approved by a majority of its members, in the community plan district adjacent to the community plan region in which

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- the proposed subdivision is located, excluding Moloka'i and Lana'i (Subsection 18.16.320.B.2.b);
2. to revise the formula for payment of money in lieu of providing park lands by multiplying 100 percent of the assessed valuation of the subdivided lands prior to subdivision (Subsection 18.16.320.C.1);
 3. to provide full credit for privately owned and maintained parks and playgrounds if the Director of Parks and Recreation determines that the park or playground fulfills the specified conditions (Subsection 18.16.320.E);
 4. to require subdividers that provide land to the County to install automatic irrigation to the site (Subsection 18.16.320.E.5);
 5. to clarify that the Director of Parks and Recreation can make recommendations as to whether any of the required improvements should be waived because similar features are available nearby or because the improvements are impractical or unnecessary (Subsection 18.16.320.E.5);and
 6. to clarify that, although the Director of Parks and Recreation and Director of Public Works and Waste Management may make recommendations to the Council, the Council has the ultimate authority in determining whether any of the required improvements shall be waived (Subsection 18.16.320.E.5).

The proposed bill, in Section 3, also provides that its terms shall not apply to subdivisions that have received final subdivision approval within 60 calendar days from the effective date of the ordinance.

STATUS:

On May 31, 2001, the Committee recommended passage of an earlier version of the proposed bill. The proposed bill transmitted by the Department of the Corporation Counsel on June 6, 2001 differs from the earlier version of the proposed bill as follows: (1) it incorporates technical, non-substantive revisions; and (2) it contains a new Section 3, which provides that, if enacted, the ordinance shall not apply to subdivisions that have received final subdivision approval within 60 calendar days from the effective date of the ordinance. That recommendation has not yet been transmitted to the Council so that the Committee may review the current version of the proposed bill. The Committee will consider whether to recommend the passage of the proposed bill. The Committee may also consider other related action, including the filing of County Communication No. 97-328.