

WATER RESOURCES COMMITTEE
Council of the County of Maui

MINUTES

August 31, 2004

Council Chamber

CONVENE: 9:03 a.m.

PRESENT: Councilmember Danny A. Mateo, Chair
Councilmember Charmaine Tavares, Vice-Chair
Councilmember Robert Carroll, Member
Councilmember Dain P. Kane, Member
Councilmember Michael J. Molina, Member
Councilmember Wayne K. Nishiki, Member (Arrive 9:04 a.m.)
Councilmember Joseph Pontanilla, Member

EXCUSED: Councilmember G. Riki Hokama, Member
Councilmember Jo Anne Johnson, Member

STAFF: Richelle Kawasaki, Legislative Attorney
Tammy M. Frias, Committee Secretary

ADMIN.: George Tengan, Director, Department of Water Supply
Edward S. Kushi, Jr., Deputy Corporation Counsel, Department of the
Corporation Counsel

CHAIR MATEO: . . .(*gavel*) . . . Meeting of the Water Resources Committee for August 31, 2004 is called to order. For the record, the Members present this morning: the Vice-Chair of the Committee, Member Tavares; Member Carroll; Kane; Molina; Pontanilla. Also present this morning, Committee Staff Richelle Kawasaki, Tammy Frias. . .the Corporation Counsel Ed Kushi, Jr. and Director of Water Supply Mr. George Tengan. Has anyone signed up for testimony?

MS. FRIAS: No, Mr. Chair.

CHAIR MATEO: Thank you. Members, with no objections, no one has signed up and the gallery is empty at this point, and the Chair would like to close public testimony at this time.

COUNCIL MEMBERS: No objections.

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CHAIR MATEO: Thank you.

ITEM NO. 13: WATERLINE EASEMENT CONVEYANCES REPORT (C.C. Nos. 03-169, 03-216, 03-218, 03-219, 04-87, 04-88, 04-107, 04-199)

CHAIR MATEO: Members, this morning if you take a look at your, your agenda, you will see that we are addressing a housekeeping matter. In April of this year the Council passed and ordinance that allows the Director of Water Supply to accept the conveyances of water, of waterline easements, storage tanks, reservoir sites, etcetera. A number of the easements were transmitted to the Committee prior to the passage of that ordinance. So in order to address this, I have a posted a number of the easements on the agenda for this morning.

If you would please refer to your agenda items, number 1 through 7 are easements and number 8 is the Department's Quarterly Report on easements that it has already accepted. This report shows that the easements listed under entries. . . number 1, accepting dedication of waterline easements for the Aina-Hau Tract Subdivision; number 2, accepting dedication of a waterline easement for the Maui Lani Island and Bluff Subdivision, Phase III; number 5, accepting dedication of a waterline easement for the Kulamalu 12-inch Transmission Line Additional Project; number 6, accepting dedication of waterline easements for the Munoz Subdivision; number 7, accepting dedication of waterline easements for the Ka'ono'ulu Lots Subdivision. On today's agenda, these have already been accepted. The other two entries, number 3, accepting dedication of waterline easements for the Kilohana Mauka Subdivision; and number 4, accepting dedication of waterline easements for the Palauea Subdivision, these are still pending, but there's no. . . it does not require any action. And lastly, item number 8 on our agenda, the Fiscal Year 2004 Fourth Quarter Report on Waterline Easement Conveyances is for informational purposes only, requiring no, no action.

Therefore, Members, before opening the floor I'd like to, once again, remind the Committee that we're merely addressing a housekeeping matter at this time and for your information, the Chair is prepared to offer its recommendation. Open the floor to, to any questions the Members might have. Mr. Kane.

COUNCILMEMBER KANE: Mr. Chair, if the Water Director has any comments specifically to numbers 3 and 4, the ones that have not been approved and what the current status is from their, from their standpoint.

CHAIR MATEO: Thank you, Mr. Kane. Mr. Tengan.

MR. TENGAN: Thank you, Mr. Chair. I believe there might be a couple of. . . issues with regard to these two items. Anyway, I know I have a meeting with the, the developers for

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item number 4 later on in the week. I would, I would have to go back and check on item number 3.

COUNCILMEMBER KANE: So status-wise. . .they have not been processed or are being considered in the near future?

MR. TENGAN: Like I said, I'm not sure exactly what's happening with item number 3 right now--

MS. KAWASAKI: Mr. Chair.

MR. TENGAN: --but I am meeting with the developers on number 4. . .later on in the week.

CHAIR MATEO: Yeah. Staff.

MS. KAWASAKI: Mr. Chair, for items 3 and 4 our Committee records indicate that those items were both sent back to Corporation Counsel for various revisions to the documents related to the easements and that was why this Committee hadn't taken them up, that they are probably still pending with Corporation Counsel.

CHAIR MATEO: Thank you. Mr. Kane? Yeah, thank you. Members, any additional questions?

COUNCILMEMBER KANE: The Chair's recommendation?

CHAIR MATEO: Thank you, Mr. Kane. The Chair would recommend filing of WR-13, items 1 through 8.

VICE-CHAIR TAVARES: Second.

COUNCILMEMBER KANE: So moved.

VICE-CHAIR TAVARES: Oh.

COUNCIL MEMBERS: . . .*(chuckle)*. . .

VICE-CHAIR TAVARES: I'm sorry. I thought you said move.

CHAIR MATEO: Thank you. Moved by Member Kane, second by Member, Member Tavares. . .*(chuckle)*. . . Any discussion? Hearing none, all those in favor say aye.

COUNCIL MEMBERS: Aye.

