

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS AND  
TRANSPORTATION COMMITTEE**

October 19, 2001

**Committee  
Report No.**

01-200

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

Chair and Members:

Your Public Works and Transportation Committee, having met on September 5, 2001 and October 3, 2001, makes reference to County Communication No. 01-238, from the Director of Public Works and Waste Management, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF KUALAPU`U ROADWAY LOTS PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of roadway Lots 181, 182, 183, 216, 217, 218, 144, 145, 146, 147, 148, 149, 150, and 151, in conjunction with an experimental and demonstration housing project in Kualapu`u, Molokai.

At its meeting of September 5, 2001, your Committee met with the Director of Public Works and Waste Management, the Director of Water Supply, and the First Deputy Corporation Counsel.

The Director of Public Works and Waste Management briefly summarized the history behind the experimental and demonstration housing project in Kualapu`u. He indicated that pursuant to Chapter 46-15 of the Hawaii Revised Statutes, relating to experimental and demonstration housing projects, the Kualapu`u housing project was exempt from all government statutes relating to planning, zoning and construction standards for subdivisions and for the development and improvement of land. Therefore, some infrastructural elements for the subject housing project do not meet County standards.

He noted that the infrastructure was constructed in accordance with an agreement between the County of Maui and the developer of the housing project, Molokai Ranch Land Co. Ltd, and in accordance with standards as they existed in 1985. He further noted that the existing wastewater facility for the project will be maintained by the developer as the facility does not meet County standards.

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS AND  
TRANSPORTATION COMMITTEE**

October 19, 2001  
Page 2

Committee  
Report No. 01-200

The Director further noted that as part of the agreement, a fund was established to maintain the development's infrastructure. Although the County once considered accepting the roads, it never did so because the roads did not meet County standards. However, the County did pave the roads with monies from the fund in 1990, 1993 and 1995. The Director stated that he is now requesting that the County move forward and accept the dedication of the roads.

Your Committee requested a copy of the agreement concerning the Kualapu'u Village Subdivision and deferred the matter pending further discussion.

By correspondence dated September 14, 2001, to the Director of Public Works and Waste Management, your Committee requested copies of the agreement and any amended agreements between the County of Maui and the developer of the housing project, Molokai Ranch Land Co. Ltd, as it relates to infrastructural requirements.

By correspondence dated September 19, 2001, the Director of Public Works and Waste Management transmitted copies of the original agreement executed between Molokai Ranch Land Co. Ltd. and the County of Maui, the cancellation agreement, and the amended agreement.

At its meeting of October 3, 2001, your Committee met with the Director of Public Works and Waste Management, the Deputy Director of Water Supply, and the First Deputy Corporation Counsel.

The Director of Public Works and Waste Management informed your Committee of the agreements transmitted by letter dated September 19, 2001.

Your Committee agreed to recommend adoption of the proposed resolution and filing of the communication.

COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS AND  
TRANSPORTATION COMMITTEE**

October 19, 2001  
Page 3

**Committee**  
**Report No.** 01-200

Your Public Works and Transportation Committee RECOMMENDS the following:

1. That Resolution No. \_\_\_\_\_, attached hereto, entitled "ACCEPTING DEDICATION OF KUALAPU`U ROADWAY LOTS PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication No. 01-238 be FILED.

Adoption of this report is respectfully requested.

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COUNCIL OF THE COUNTY OF MAUI  
**PUBLIC WORKS AND  
TRANSPORTATION COMMITTEE**

October 19, 2001  
Page 4

Committee  
Report No. 01-200

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**MICHAEL J. MOLINA** **Chair**

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**G. RIKI HOKAMA** **Member**

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**DAIN P. KANE** **Vice-Chair**

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**PATRICK S. KAWANO** **Member**

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**ALAN M. ARAKAWA** **Member**

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**CHARMAINE TAVARES** **Member**

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**ROBERT CARROLL** **Member**