

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

April 5, 2002

Committee
Report No.

02-52

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 March 13, 2002, makes reference to County Communication No. 02-57, from the Director of Public Works and Waste Management, transmitting a proposed resolution entitled "AUTHORIZING A GRANT OF A LICENSE TO USE COUNTY REAL PROPERTY TO CASTLE & COOKE RESORTS, LLC".

The purpose of the proposed resolution is to authorize a grant of a license to Castle & Cooke Resorts, LLC to use County real property along Sixth Street, on the island of Lanai, for the encroachment of a roof on the County's right-of-way.

By correspondence dated March 11, 2002, the Department of the Corporation Counsel transmitted a revised proposed resolution entitled "AUTHORIZING A GRANT OF A LICENSE TO USE COUNTY REAL PROPERTY TO CASTLE & COOKE RESORTS, LLC". The resolution was revised to incorporate nonsubstantive typographical changes.

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

The Deputy Director of Public Works and Waste Management provided a brief overview of the matter. He indicated that the encroachment of the existing roof is relatively minor in size; thus, the Department recommends adoption of the proposed resolution.

Your Committee noted that prior to constructing the existing structure many years ago, the resident of the property received all appropriate approvals from the County. Recently, however, at the landowner's request to subdivide the property, the existing roof was found to be encroaching onto the County's right-of-way.

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

April 5, 2002
Page 2

Committee
Report No. 02-52

The Deputy Corporation Counsel advised your Committee that the proposed resolution was revised to change the area of the encroaching property from 39 to 93 square feet.

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

Your Public Works and Transportation Committee RECOMMENDS the following:

1. That Resolution No. _____, as revised herein and attached hereto, entitled "AUTHORIZING A GRANT OF A LICENSE TO USE COUNTY REAL PROPERTY TO CASTLE & COOKE RESORTS, LLC" be ADOPTED; and
2. That County Communication No. 02-57 be FILED.

Adoption of this report is respectfully requested.

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

April 5, 2002
Page 3

Committee
Report No. 02-52

MICHAEL J. MOLINA **Chair**

G. RIKI HOKAMA **Member**

DAIN P. KANE **Vice-Chair**

PATRICK S. KAWANO **Member**

ALAN M. ARAKAWA **Member**

CHARMAINE TAVARES **Member**

ROBERT CARROLL **Member**