

PUBLIC WORKS AND FACILITIES COMMITTEE

Council of the County of Maui

Meeting Agenda

February 28, 2007

9:00 a.m.

Council Chamber, 8th Floor
200 South High Street, Wailuku, Hawaii

website: www.mauicounty.gov/committees/PWF/

e-mail: pwf.committee@mauicounty.us

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<p><u>COMMITTEE MEMBERS</u></p> <p>Bill Kauakea Medeiros, Co-Chair</p> <p>Michael P. Victorino, Co-Chair</p> <p>G. Riki Hokama</p> <p>Danny A. Mateo</p> <p>Joseph Pontanilla</p>	<p><i>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 (Scott Jensen or Pauline Martins) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Molokai), 1-800-272-0098 (toll-free from Lanai), 808-270-7686 (fax).</i></p> <p><i>ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 16 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.</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.</i></p>
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NOTE: Questions have been raised regarding the Maui County Council's tradition of allowing all Council members to participate (but not vote) in Committee meetings, even if they are not Committee members. The resolution of these issues will affect the participation by Councilmembers Anderson, Baisa, Johnson, and Molina in this meeting.

PWF-18 INDEMNIFYING THE STATE DEPARTMENT OF HEALTH PURSUANT TO A CONTRACT FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM

DESCRIPTION: The Committee is in receipt of County Communication No. 07-61, from the Director of Public Works and Environmental Management, transmitting a proposed resolution, entitled "INDEMNIFYING THE STATE OF HAWAII PURSUANT TO A CONTRACT FOR GOODS AND SERVICE FOR THE DEPOSIT BEVERAGE CONTAINER PROGRAM". The purpose of the proposed resolution is to indemnify the State of Hawaii in order to allow the Department to execute a contract with the State Department of Health for implementation of the Deposit Beverage Container Program.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication No. 07-61 and other related action.

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PWF-11 GRANT OF A NON-EXCLUSIVE EASEMENT TO MAUI LAND & PINEAPPLE COMPANY, INC. FOR PRIVATE WASTEWATER SYSTEM PURPOSES (HALIIMAILE)

DESCRIPTION: The Committee is in receipt of County Communication No. 06-316, from the Director of Public Works and Environmental Management, transmitting a proposed resolution entitled "AUTHORIZING THE GRANTING OF A NON-EXCLUSIVE EASEMENT FOR UNDERGROUND PRIVATE WASTEWATER SYSTEM PURPOSES ON COUNTY OF MAUI REAL PROPERTY SITUATED AT HALIIMAILE, MAUI, HAWAII, TO MAUI LAND & PINEAPPLE COMPANY, INC.". The purpose of the proposed resolution is to grant a non-exclusive easement of approximately 480 square feet across, through and under County property, described as a portion of Haliimaile Road located near TMK: (2) 2-4-01:003, for private wastewater system purposes.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication No. 06-316 and other related action.

PWF-75 GRANT OF AN EASEMENT TO MAUI ELECTRIC COMPANY, LIMITED, AND HAWAIIAN TELCOM, INC. (WAILUKU)

DESCRIPTION: The Committee is in receipt of County Communication No. 06-265, from the Director of Public Works and Environmental Management, transmitting a proposed resolution entitled "AUTHORIZING THE GRANTING OF AN EASEMENT ON COUNTY OF MAUI REAL PROPERTY SITUATED AT KALUA, WAILUKU, MAUI, HAWAII, TO MAUI ELECTRIC COMPANY, LIMITED, AND HAWAIIAN TELCOM, INC., FOR ELECTRICAL AND COMMUNICATION TRANSMISSION". The purpose of the proposed resolution is to grant an easement containing an area of 3,744 square feet and affecting a 15-foot wide portion of the Wailuku Highways Baseyard along Waiale Road, identified as TMK: (2) 3-4-03:portion of 001, for electrical and communication purposes.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication No. 06-265 and other related action.

PWF-77 GRANT OF A NON-EXCLUSIVE EASEMENT TO ANTHONY J. RODRIGUES AND IRENE G. RODRIGUES FOR PRIVATE WATERLINE PURPOSES (KAHAKULOA)

DESCRIPTION: The Committee is in receipt of County Communication No. 06-278, from the Director of Public Works and Environmental Management, transmitting a proposed resolution entitled "AUTHORIZING THE GRANTING OF A NON-EXCLUSIVE EASEMENT ON COUNTY OF MAUI REAL PROPERTY SITUATED AT KAHAKULOA, MAUI, HAWAII, TO ANTHONY J. RODRIGUES, TRUSTEE OF THE REVOCABLE LIVING TRUST OF ANTHONY J. RODRIGUES DATED JULY 9, 2003, AND IRENE G. RODRIGUES, TRUSTEE OF THE REVOCABLE LIVING TRUST OF IRENE G. RODRIGUES DATED JULY 9, 2003". The purpose of the proposed resolution is to grant a non-exclusive easement of approximately 1,256 square feet across, through and under County property, described as a portion of the Kahekili Highway right-of-way located near TMK: (2) 3-1-01:052, (2) 3-1-01:053, and (2) 3-1-01:076, for private waterline purposes.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication No. 06-278 and other related action.

PWF-15 BEACH ACCESS EASEMENT (NORTH KIHEI ROAD)

DESCRIPTION: The Committee is in receipt of the following:
1. County Communication No. 05-267, from the Council Chair, transmitting correspondence dated July 29, 2005, from Gwen Ohashi Hiraga, Munekiyo & Hiraga, Inc., relating to a draft document entitled "Beach Access Easement", pursuant to Condition No. 3 of Ordinance No. 3060 for property situated at 101 North Kihei Road, Kihei, Maui, and identified as TMK: (2) 3-8-13:012.
2. Correspondence dated April 18, 2006, from the Department of the Corporation Counsel, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF BEACH ACCESS EASEMENT PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE". The purpose of the proposed resolution is to accept a ten-foot wide non-exclusive easement, comprised of approximately 3,093 square feet, to be used as a non-vehicular pedestrian walkway for public beach access from North Kihei Road in Kihei.

STATUS: The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider the filing of County Communication No. 05-267 and other related action.

PWF-14 PENALTIES PERTAINING TO THE RECREATIONAL AREA REGULATIONS GOVERNING CAMPING

DESCRIPTION: The Committee is in receipt of the following:
1. Miscellaneous Communication, dated September 23, 2003, from the County Clerk, relating to penalties in Chapter 13.04, Maui County Code.
2. Correspondence dated August 24, 2005, from the Director of Parks and Recreation, transmitting a revised proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING CHAPTER 13.04, MAUI COUNTY CODE, PERTAINING TO THE RECREATIONAL AREA REGULATIONS". The purpose of the revised proposed bill is to amend Chapter 13.04, Maui County Code, as it relates to camping.

STATUS: The Committee may receive an update on the status of this matter from the Administration. No legislative action will be taken.