

COUNCIL OF THE COUNTY OF MAUI
PUBLIC WORKS AND
FACILITIES COMMITTEE

January 25, 2008

Committee
Report No.

_____ 08-17

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

Chair and Members:

Your Public Works and Facilities Committee, having met on January 9, 2008, makes reference to County Communication No. 07-319, from the Director of Public Works, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE MAILEPAI HUI LAND SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of road widening Lot 51-C-4-D, along Lower Honoapiilani Road, Lahaina, Maui, consisting of approximately 784 square feet, TMK: (2) 4-3-03:portion of 043.

Your Committee notes that, pursuant to Section 3.44.015.C, Maui County Code (MCC), the Council may accept gifts or donations of real property or any interest in real property by the passage of a resolution, approved by a majority of its members.

Your Committee further notes that the subdivider has deferred roadway improvements by completing the requirements of a subdivision agreement for lots on existing streets containing three lots or less, pursuant to Section 18.20.040.A, MCC.

By correspondence dated January 2, 2008, the Co-Chairs of your Committee requested that the Department of the Corporation Counsel revise the proposed resolution and warranty deed as necessary to correct the omission of an Exhibit "A".

By correspondence dated January 3, 2008, the Department of the Corporation Counsel transmitted a revised proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE MAILEPAI HUI LAND SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE". The revised proposed resolution clarifies the pages intended as Exhibit "A" by labeling them accordingly.

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

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There was no public testimony.

The Deputy Director provided an overview of the matter, and stated that the subject road widening lot on Lower Honoapiilani Road resulted from a three-lot subdivision north of Napilihau Road. He further stated that acquiring this right-of-way will assist the County with the planned project to widen Lower Honoapiilani Road.

Your Committee asked the Deputy Director to identify the improvements completed by the subdivider, and the roadway improvements to be deferred.

The Deputy Director stated that certain frontage improvements, such as grading for access to the property, a wastewater treatment connection, and a driveway, were completed at the time of inspection. He further stated that the deferred improvements include items such as curbs, gutters, and sidewalks, and that the subdivider will eventually have to complete these improvements once the County begins the road-widening project.

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

Your Public Works and Facilities Committee **RECOMMENDS** the following:

1. That Resolution No. _____, as revised herein and attached hereto, entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE MAILEPAI HUI LAND SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be **ADOPTED**; and
2. That County Communication No. 07-319 be **FILED**.

Adoption of this report is respectfully requested.

