

COUNCIL OF THE COUNTY OF MAUI
PUBLIC WORKS AND
FACILITIES COMMITTEE

April 10, 2007

Committee
Report No.

_____ 07-42

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 March 14, 2007, makes reference to County Communication No. 07-15, from the Director of Public Works and Environmental Management, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF SEWERLINE EASEMENTS FOR THE ROYAL LAHAINA RESORT BULK SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of nonexclusive sewerline easements and document the County's rights to locate, maintain, repair, and replace the existing sewerline on property in Lahaina, Maui, identified as TMK: (2) 4-4-08:007.

Your Committee notes that, pursuant to Section 3.44.015(C), Maui County Code, 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.

By correspondence dated March 12, 2007, the Co-Chairs of your Committee requested that the Department of the Corporation Counsel make nonsubstantive revisions to the proposed resolution to ensure consistency and clarity.

By correspondence dated March 13, 2007, the Department of the Corporation Counsel transmitted a revised proposed resolution, entitled "ACCEPTING DEDICATION OF SEWERLINE EASEMENTS FOR THE ROYAL LAHAINA RESORT BULK SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", incorporating the requested revisions.

By correspondence dated March 13, 2007, the Director of Public Works and Environmental Management transmitted copies of a map depicting the location of the subject easements.

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

There was no public testimony.

The Director stated that the Department had discovered that the County did not have easements to accommodate the two sewerline segments while processing the latest subdivision of the Royal Lahaina Resort. He stated that the County maintains the sewerlines that were originally constructed in 1961. Therefore, he recommended that the County accept Easement 133, consisting of 9,761 square feet, and Easement 142, consisting of 4,430 square feet.

Your Committee noted that neighboring condominiums are being served by sewerlines that are considered private.

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 SEWERLINE EASEMENTS FOR THE ROYAL LAHAINA RESORT BULK SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication No. 07-15 be FILED.

Adoption of this report is respectfully requested.

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BILL KAUAKEA MEDEIROS Co-Chair

DANNY A. MATEO Member

MICHAEL P. VICTORINO Co-Chair

JOSEPH PONTANILLA Member

G. RIKI HOKAMA Member