

COUNCIL OF THE COUNTY OF MAUI
PUBLIC WORKS AND
FACILITIES COMMITTEE

July 6, 2007

Committee
Report No.

_____ 07-61

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 June 13, 2007, makes reference to County Communication No. 07-167, from the Director of Public Works and Environmental Management, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A SEWER EASEMENT OVER, UNDER, ACROSS AND THROUGH, PROPERTY IDENTIFIED AS TAX MAP KEY NO. (2) 3-8-046:013 (PORTION), PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of a nonexclusive sewerline easement from the Hawaii Health Systems Corporation (HHSC), consisting of approximately 12,754 square feet, to locate, maintain, repair, and replace the existing sewerline on property in Wailuku, Maui, identified as TMK: (2) 3-8-46:portion of 013.

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.

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 when the HHSC processed plans for the expansion of Maui Memorial Medical Center (MMMC) in 2005, the Department of Public Works and Environmental Management noted that portions of the existing 6-inch and 8-inch sewerlines were outside the easement existing at that time. He further stated that the easement was deleted in 2005 when the subdivision was processed. The proposed easement measures 15 feet wide and would reestablish the County's right to allow the existing sewerline, which connects to a sewerline in the vicinity of the nearby police station, to remain and to be maintained and replaced if necessary.

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

July 6, 2007
Page 2

Committee
Report No. 07-61

Your Committee questioned whether future expansion of MMMC would require the County to redirect the existing sewerline, and what costs would be associated with such a realignment.

The Director stated that the HHSC will have to show how they intend to meet any additional wastewater needs should future expansion of their facility be necessary. He further noted that the proposed easement prohibits any building on the subject property. He also clarified that any realignment of the sewerline to accommodate expansion would be at HHSC's expense.

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

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

1. That Resolution No. _____, attached hereto, entitled "ACCEPTING DEDICATION OF A SEWER EASEMENT OVER, UNDER, ACROSS AND THROUGH, PROPERTY IDENTIFIED AS TAX MAP KEY NO. (2) 3-8-046:013 (PORTION), PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be **ADOPTED**; and
2. That County Communication No. 07-167 be **FILED**.

Adoption of this report is respectfully requested.

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

July 6, 2007
Page 3

Committee
Report No. 07-61

BILL KAUAKEA MEDEIROS Co-Chair

DANNY A. MATEO Member

MICHAEL P. VICTORINO Co-Chair

JOSEPH PONTANILLA Member

G. RIKI HOKAMA Member