

COUNCIL OF THE COUNTY OF MAUI
PUBLIC WORKS AND
FACILITIES COMMITTEE

December 21, 2007

Committee
Report No.

07-161

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 December 5, 2007, makes reference to County Communication No. 07-318, from the Director of Environmental Management, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF SEWERLINE EASEMENT D FOR OHIA AT KEHALANI PHASE II, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept sewerline Easement D, consisting of approximately 2,878 square feet, for Ohia at Kehalani Phase II Subdivision. Acceptance of the easement would allow the County to construct, reconstruct, maintain, operate, repair, and remove an eight-inch sewerline running through the subject property along Komo Ohia Street, Wailuku, Maui, identified as TMK: (2) 3-5-26:portion of 045.

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 Wastewater Reclamation Division Chief from the Department of Environmental Management and a Deputy Corporation Counsel.

There was no public testimony.

The Wastewater Reclamation Division Chief stated that this type of easement is commonly obtained when housing projects are built by a private developer. He explained that the subject easement will provide the County access to a sewerline that will traverse private property. He further stated that this easement will provide contiguous access to the entire sewerline.

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

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Your Public Works and Facilities Committee RECOMMENDS the following:

1. That Resolution No. _____, attached hereto, entitled "ACCEPTING DEDICATION OF SEWERLINE EASEMENT D FOR OHIA AT KEHALANI PHASE II, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be ADOPTED; and

2. That County Communication No. 07-318 be FILED.

Adoption of this report is respectfully requested.

pwf:cr:07064aa:scj

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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