

COUNCIL OF THE COUNTY OF MAUI
PUBLIC WORKS COMMITTEE

November 3, 2006

Committee
Report No.

06-133

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

Chair and Members:

Your Public Works Committee, having met on October 16, 2006, makes reference to County Communication No. 06-194, from the Director of Public Works and Environmental Management, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE WOLFORD SUBDIVISION I, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept road widening Lot 2-C located at TMK: (2) 2-7-13:147 along East Kuiaha Road, Haiku, Maui, for public purposes.

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".

By correspondence dated October 9, 2006, the Chair of your Committee requested that the Department of the Corporation Counsel make nonsubstantive revisions to label the attached exhibit and consecutively number the pages to the exhibit attached to the proposed resolution.

By correspondence dated October 11, 2006, the Department of the Corporation Counsel transmitted a revised proposed resolution, entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE WOLFORD SUBDIVISION I, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", incorporating the requested revisions.

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.

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The Director provided your Committee with background information regarding the subject lot. He noted that Lot 2-C consists of 1,478 square feet. He further noted that the subdivision was granted final subdivision approval on June 28, 2006.

The Director stated 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.

The Director stated that although correspondence dated July 5, 2006, from the Department of Public Works and Environmental Management to the Council, indicated that "improvements are complete and were approved by the Department of Public Works and Environmental Management on March 16, 2006", no roadway improvements are necessary because the subdivider is dedicating a road widening lot to the County.

The Director informed your Committee that the Department will transmit to the Council a proposed bill amending Section 18.20.040(A), MCC, that would require a subdivider to provide, instead of defer, roadway improvements for lots on existing streets containing three lots or less.

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

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

1. That Resolution No. _____, as revised herein and attached hereto, entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE WOLFORD SUBDIVISION I, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be ADOPTED; and
2. That County Communication No. 06-194 be FILED.

Adoption of this report is respectfully requested.

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JOSEPH PONTANILLA Chair

G. RIKI HOKAMA Member

MICHAEL J. MOLINA Vice-Chair

DANNY A. MATEO Member

ROBERT CARROLL Member