

# COMMITTEE OF THE WHOLE

Council of the County of Maui

## Meeting Agenda

Date: March 5, 2003 (1:30 p.m.) [Council Chamber, 8<sup>th</sup> Floor, Kalana O Maui Bldg.,  
200 South High Street, Wailuku, Maui, Hawai'i]

website: <http://www.co.maui.hi.us/committees/COW/>

e-mail: [cow.committee@co.maui.hi.us](mailto:cow.committee@co.maui.hi.us)

### COMMITTEE MEMBERS

Robert Carroll, Chair

Dain P. Kane, Vice-Chair

G. Riki Hokama

Jo Anne Johnson

Danny A. Mateo

Michael J. Molina

Wayne K. Nishiki

Joseph Pontanilla

Charmaine Tavares

*AGENDA ITEMS ARE SUBJECT TO CANCELLATION. For a confirmation of the meeting date and time, and for tentative scheduling of agenda items, please contact the Committee Staff (Carla Nakata or Pauline Martins) at: Office of Council Services, 200 South High Street, Wailuku, HI 96793, 808-270-7838, 1-800-272-0026 (toll-free from Moloka'i), 1-800-272-0098 (toll-free from Lana'i), 808-270-7686 (fax).*

*ORAL OR WRITTEN TESTIMONY on any agenda item will be accepted. If written testimony is submitted at the meeting, 15 copies are requested. If written testimony is e-mailed or faxed, please submit at least 24 hours before the meeting so that copies can be provided to Council members in a timely manner.*

*INDIVIDUALS WHO INTEND TO ATTEND THE MEETING AND WHO HAVE DISABILITIES REQUIRING SPECIAL ASSISTANCE should call the Office of Council Services at least three days in advance.*

*DOCUMENTS ON FILE WITH THE COMMITTEE, which may include correspondence relating to the agenda items below, may be inspected prior to the meeting date. Photocopies may be ordered, subject to charges imposed by law (Maui County Code, Sec. 2.64.010). Please contact the Office of Council Services to make arrangements for inspection or photocopying of documents.*

*TO LEARN MORE ABOUT COUNCIL-RELATED ISSUES, tune in to Akaku: Maui Community Television.*

### COW-4

### GRANT OF A LEASE TO OCCUPY COUNTY REAL PROPERTY TO HALE MAHAOLU EHIKU, INC.

#### DESCRIPTION:

The Committee is in receipt of the following:

1. County Communication No. 02-226, from the Director of Housing and Human Concerns, transmitting the following:
  - a. A proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE TO OCCUPY COUNTY REAL PROPERTY TO HALE MAHAOLU EHIKU, INC.". The purpose of the proposed resolution is to authorize the grant of a lease of real property located in Kihei, and identified as TMK No. (2)2-2-002:073, for the purpose of constructing and operating an affordable, elderly rental housing facility.
  - b. A proposed Grant Agreement for a Lease of County Real Property.
  - c. A proposed Lease;
2. Correspondence dated February 25, 2003, from the Mayor, in support of the lease of the subject property to Hale Mahaolu Ehiku, Inc.; and
3. Correspondence dated February 27, 2003, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE TO OCCUPY COUNTY REAL PROPERTY TO HALE MAHAOLU EHIKU,

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INC.” The revised proposed resolution corrects a typographical error found in the earlier version.

**STATUS:** The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without revisions. The Committee may consider other related action, including the possible filing of County Communication No. 02-226.

**COW-6 SALE OF COUNTY REAL PROPERTY TO ODIE AND JOHN DRISCOLL**

**DESCRIPTION:** The Committee is in receipt of the following:  
1. County Communication No. 01-156, from the Director of Finance relating to the sale of County real property located in Makawao to Odie and John Driscoll.  
2. Correspondence dated February 25, 2003, from the Department of the Corporation Counsel, transmitting a revised proposed resolution entitled “ACCEPTING DEDICATION OF LAND PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE”. The purpose of the revised proposed resolution is to accept the dedication of land in Makawao, identified as TMK No. (2)2-4-15:Abutting Parcel 31 from the State of Hawaii.

**STATUS:** The Committee may consider whether to recommend adoption of the revised proposed resolution, with or without revisions. The Committee may consider other related action..

**COW-1(5) SETTLEMENT AUTHORIZATION OF CLAIMS AND LAWSUITS (DEBORAH CHARBONNEAU V. COUNTY OF MAUI, ET AL., CIVIL NO. 01-1-0245 (2))**

**DESCRIPTION:** The Committee is in receipt of correspondence dated February 24, 2003, from the Department of the Corporation Counsel, requesting consideration of a proposed resolution entitled “AUTHORIZING SETTLEMENT OF DEBORAH CHARBONNEAU V. COUNTY OF MAUI, ET AL., CIVIL NO. 01-1-0245 (2)” and transmitting a copy of the first amended complaint. The complaint alleges that plaintiff was injured on July 9, 1999, on Baldwin Avenue, Paia, Hawaii, when she stepped on the metal lid covering a water valve belonging to the Board of Water Supply, and the lid flipped open, causing her to trip. The purpose of the proposed resolution is to authorize settlement of the case.

**STATUS:** The Committee may consider whether to recommend adoption of the proposed resolution, with or without revisions. The Committee may also consider other related action.

**NOTE:** With reference to this agenda item, one or more executive meetings pursuant to Section 92-5(a)(4), HRS, are anticipated to consult with legal counsel on questions and issues pertaining to the powers, duties, privileges, immunities, and liabilities of the County, the Council, and the Committee.