

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

July 1, 2005

**Committee
Report No.**

_____ 05-84

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

Chair and Members:

Your Committee of the Whole, having met on June 14, 2005, makes reference to County Communication No. 05-180, from the Council Chair, transmitting correspondence dated April 21, 2005 from the Department of the Corporation Counsel, transmitting a proposed bill entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE COUNTY OF MAUI".

The purpose of the proposed bill is to authorize the Mayor to enter into an intergovernmental agreement with the United States of America to perform specified work in order to comply with the Americans with Disabilities Act.

At its meeting, your Committee met with a Deputy Corporation Counsel. There was no public testimony.

The Deputy Corporation Counsel provided a brief overview of the request. She indicated that the proposed bill results from an agreement between the County of Maui and the United States of America for specified work to comply with the Americans with Disabilities Act similar to agreements the United States government has entered into with numerous other municipalities. She indicated that approximately \$467,000 of work will be needed to comply with the agreement.

The Deputy Corporation Counsel presented copies of a revised "Exhibit 1" to the proposed bill and noted that "Exhibit 1" has been revised to reflect a change in the title of the program from "Compliance Agreement Between the United States of America and County of Maui, Hawaii Under the Americans with Disabilities Act DJ 204-21-80" to "Project Civic Access Agreement Between The United States of America and County of Maui, Hawaii Under the Americans with Disabilities Act DJ 204-21-80". She also noted that: (1) the signature page has been revised to correctly reflect the people who will be executing the document, if approved; and (2) language has been added to allow the County of Maui to ask an individual for information necessary to determine whether the

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individual has a disability-related need for reasonable accommodations for a disability that is not readily apparent or is otherwise unknown.

Based on this explanation, your Committee agreed to revise the proposed bill to correct the title of the program.

Your Committee voted to recommend passage of the revised proposed bill and filing of the communication.

Your Committee is in receipt of a revised proposed bill incorporating your Committee's suggested revisions.

Your Committee of the Whole RECOMMENDS the following:

1. That Bill No. _____ (2005), as revised herein and attached hereto, entitled "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR OF THE COUNTY OF MAUI TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE COUNTY OF MAUI", be PASSED ON FIRST READING and be ORDERED TO PRINT; and
2. That County Communication No. 05-180 be FILED.

Adoption of this report is respectfully requested.

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