

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE

June 23, 2009

**Committee
Report No.** _____

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 4, 2009, makes reference to County Communication No. 09-89, from the Director of Housing and Human Concerns, transmitting a proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO KAUPAKALUA ROPING CLUB & YOUTH RODEO, INC."

The purpose of the proposed resolution is to authorize a grant of a ten-year lease to Kaupakalua Roping Club & Youth Rodeo, Inc. (Roping Club), for property comprised of approximately 4.833 acres located at 240 Lower Ulumalu Road, Haiku, Maui, Hawaii, to develop and maintain a rodeo arena and related activities.

The Director of Housing and Human Concerns informed your Committee that the Roping Club has occupied the property for many years, maintaining a rodeo arena and providing related rodeo activities for the community. She also indicated that the Roping Club has been waiting for some time for a new lease while the Department has experienced a backlog of requests for leases of County real property.

Your Committee noted that the Roping Club has been a good steward of the property during its many years there, and provides a unique and valuable service to the community.

Your Committee voted 5-0 to recommend adoption of the proposed resolution and filing of the communication. Committee Chair Molina and members Johnson, Nishiki, Pontanilla, and Victorino voted "aye". Vice-Chair Mateo and members Baisa, Kaho'ohalahala and Medeiros were excused.

Your Committee of the Whole RECOMMENDS the following:

1. That Resolution No. _____, attached hereto, entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL

COUNCIL OF THE COUNTY OF MAUI
COMMITTEE OF THE WHOLE


June 23, 2009
Page 2

Committee
Report No. _____

PROPERTY TO KAUPAKALUA ROPING CLUB & YOUTH RODEO,
INC.”, be ADOPTED; and

2. That County Communication No. 09-89 be FILED.

This report is submitted in accordance with Rule 7 of the Rules of the Council.



MICHAEL J. MOLINA, Chair

cow:cr:09017aa:kmh

Resolution

No. _____

AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL
PROPERTY TO KAUPAKALUA ROPING CLUB & YOUTH RODEO, INC.

WHEREAS, KAUPAKALUA ROPING CLUB & YOUTH RODEO, INC., a Hawaii nonprofit corporation (hereinafter called "Kaupakalua Roping Club"), desires to obtain a lease of certain real property from the County of Maui for a nominal sum; and

WHEREAS, the real property Kaupakalua Roping Club desires to occupy are that certain parcels more particularly identified as TMK: (2)2-8-002:008, consisting of approximately .642 acres, and TMK: (2)2-8-002-032, consisting of approximately 4.191 acres, and more particularly described and depicted in Exhibit "1", attached hereto and made a part hereof (hereinafter called the "Premises"); and

WHEREAS, an application has been made to the Council of the County of Maui by Kaupakalua Roping Club, through the Department of Housing and Human Concerns, with the approval of the Grants Review Committee, as evidenced by their Certification of Review of Request for Grants of Real Property attached hereto and made a part hereof as Exhibit "2", to obtain a lease of the Premises at a nominal rental; and

Resolution No. _____

WHEREAS, pursuant to Maui County Code Section 3.36.090, the Council of the County of Maui may authorize the grant of a lease of real property by resolution; and

WHEREAS, the Council of the County of Maui desires to approve the grant application of Kaupakalua Roping Club, in accordance with the terms and conditions of that certain "Grant Agreement for a Lease of County Real Property" (hereinafter called "Grant Agreement"), and proposed "Lease" between the County of Maui and Kaupakalua Roping Club, on file with the Department of Housing and Human Concerns; now, therefore,

BE IT RESOLVED by the Council of the County of Maui:

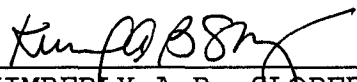
1. That Kaupakalua Roping Club be granted the right to occupy the Premises in accordance with the terms and conditions of the proposed Lease, at an annual rental of ONE AND NO/100 DOLLARS (\$1.00) for a period of ten (10) years; and

2. That the Mayor and the Director of Finance or their authorized representatives are authorized to execute the proposed Grant Agreement and Lease; and

Resolution No. _____

3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Director of Housing and Human Concerns, and the Executive Director of Kaupakalua Roping Club.

APPROVED AS TO FORM
AND LEGALITY:



KIMBERLY A.B. SLOPER
Deputy Corporation Counsel
County of Maui

S:\ALL\KBS\Housing\Grants Review\Kaupakalua Roping Club\Reso.wpd



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

CHARMAINE TAVARES
Mayor
LORI TSUHAKO
Director
JO-ANN T. RIDAO
Deputy Director

2200 MAIN STREET, SUITE 546 • WAILUKU, HAWAII 96793 • PHONE (808) 270-7805 • FAX (808) 270-7165
MAILING ADDRESS: 200 SOUTH HIGH STREET • WAILUKU, HAWAII 96793 • EMAIL director.hhc@mauicounty.gov

MAUI COUNTY GRANTS REVIEW COMMITTEE
Certification of Review of Request for Grants of Real Property

Subject to Chapter 3.36.090, Maui County code, the "committee shall transmit to the council any request for a grant of real property, including concessions at less than fair market value, and its recommendations with respect to the request."

By this document, the Grants Review Committee (GRC) certifies that, at its meeting on January 22, 2009, the following application for Grant of Real Property was reviewed:

Applicant: **Kaupakalua Roping Club**
Location: **Ulumalu Road, Haiku Maui**
Address: **P.O. Box 88086, Pukalani, HI 96788**
TMK: **(2) 8-02-032 (4.191 acres) and (2) 2-8-02-008 (0.642 acres)**
Length of Time: 10 years
Purpose: **Operate a rodeo arena and sponsor youth and adult events**

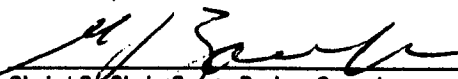
Initiating Dept: **Department of Parks and Recreation**

Subject to its review and discussions, the following action was taken:

- Recommend approval of request at fair market value (to be determined by appropriate appraisal).
- Recommend approval of request at less than fair market value. The GRC recommends lease rent of \$ 1.00 per year.
- Recommend disapproval of request for the following reason(s):

Subject to Chapter 3.36.090, MCC, the Council shall be notified of this request. Notice of this recommendation shall also be provided to the Initiating Department, who will transmit this certification along with appropriate resolution and other required documents to the Maui County Council for review and authorization of grant.

Certified by:

 on this 22 day of January, 2009
Chair / Co-Chair, Grants Review Committee
Print Name: Gene Zarro, Jr.

Reviewed and approved for transmittal by: 
Director, Department of Housing & Human Concerns