

COUNCIL OF THE COUNTY OF MAUI

**ECONOMIC DEVELOPMENT, AGRICULTURE,
AND RECREATION COMMITTEE**

August 25, 2009

Committee
Report No. _____

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

Chair and Members:

Your Economic Development, Agriculture, and Recreation Committee, having met on August 6, 2009, makes reference to County Communication No. 09-203, from the Director of Parks and Recreation, transmitting a proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO LAHAINA RESTORATION FOUNDATION".

The purpose of the proposed resolution is to authorize a grant of a 20-year lease for property comprised of approximately 0.3898 acre located at 636 Luakini Street, Lahaina, Maui, to the Lahaina Restoration Foundation (LRF). The LRF will restore, maintain, and operate the Hale Aloha building for administrative purposes and other related activities at the nominal rent of \$1 per year.

Your Committee notes that pursuant to Section 3.36.090, Maui County Code, the Council may authorize the grant of a lease of real property by resolution. Your Committee further notes that the Grants Review Committee recommended that a lease of 20 years be granted at a nominal rental of \$1 per year.

The Director of Parks and Recreation stated that granting of the lease will allow the LRF, a nonprofit organization, to continue to restore and maintain the historic Hale Aloha building. She further stated that there were no violations of the previous 15-year lease.

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

Your Economic Development, Agriculture, and Recreation Committee RECOMMENDS the following:

COUNCIL OF THE COUNTY OF MAUI

ECONOMIC DEVELOPMENT, AGRICULTURE, AND RECREATION COMMITTEE

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Committee
Report No. _____

1. That Resolution No. _____, attached hereto, entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO LAHAINA RESTORATION FOUNDATION", be ADOPTED; and
2. That County Communication No. 09-203 be FILED.

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



JO ANNE JOHNSON, Chair

Resolution

No. _____

AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO LAHAINA RESTORATION FOUNDATION

WHEREAS, LAHAINA RESTORATION FOUNDATION, a Hawaii nonprofit corporation (hereinafter called "LRF"), desires to obtain a lease of certain real property from the County of Maui for a nominal sum; and

WHEREAS, the real property LRF desires to occupy is that certain parcel located at 636 Luakini Street, Lahaina, Maui, Hawaii, more particularly identified as TMK: (2)4-6-008:043, consisting of approximately .3898 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 LRF, 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 LRF, 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 LRF, on file with the Department of Housing and Human Concerns; now, therefore,

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

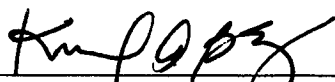
1. That LRF be granted the right to occupy the Premises in accordance with the terms and conditions of the proposed Lease, at an annual rental of ONE AND NO/100 DOLLARS (\$1.00) for a period of twenty (20) years; and

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 LRF.

APPROVED AS TO FORM
AND LEGALITY:



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

S:\ALL\KBS\Housing\Grants Review\Lahaina Restoration Foundation\Hale Aloha\Reso.wpd

EXHIBIT " 1 "

PLAT 11

WAINEE STREET

STREET

PLAT 09

DICKENSON STREET

STREET

PLAT 07

CHAPEL STREET

STREET

STREET

LUAKINI

PRISON STREET

FRONT STREET

STREET

PLAT 01

PLAT 02

MARKET ST.

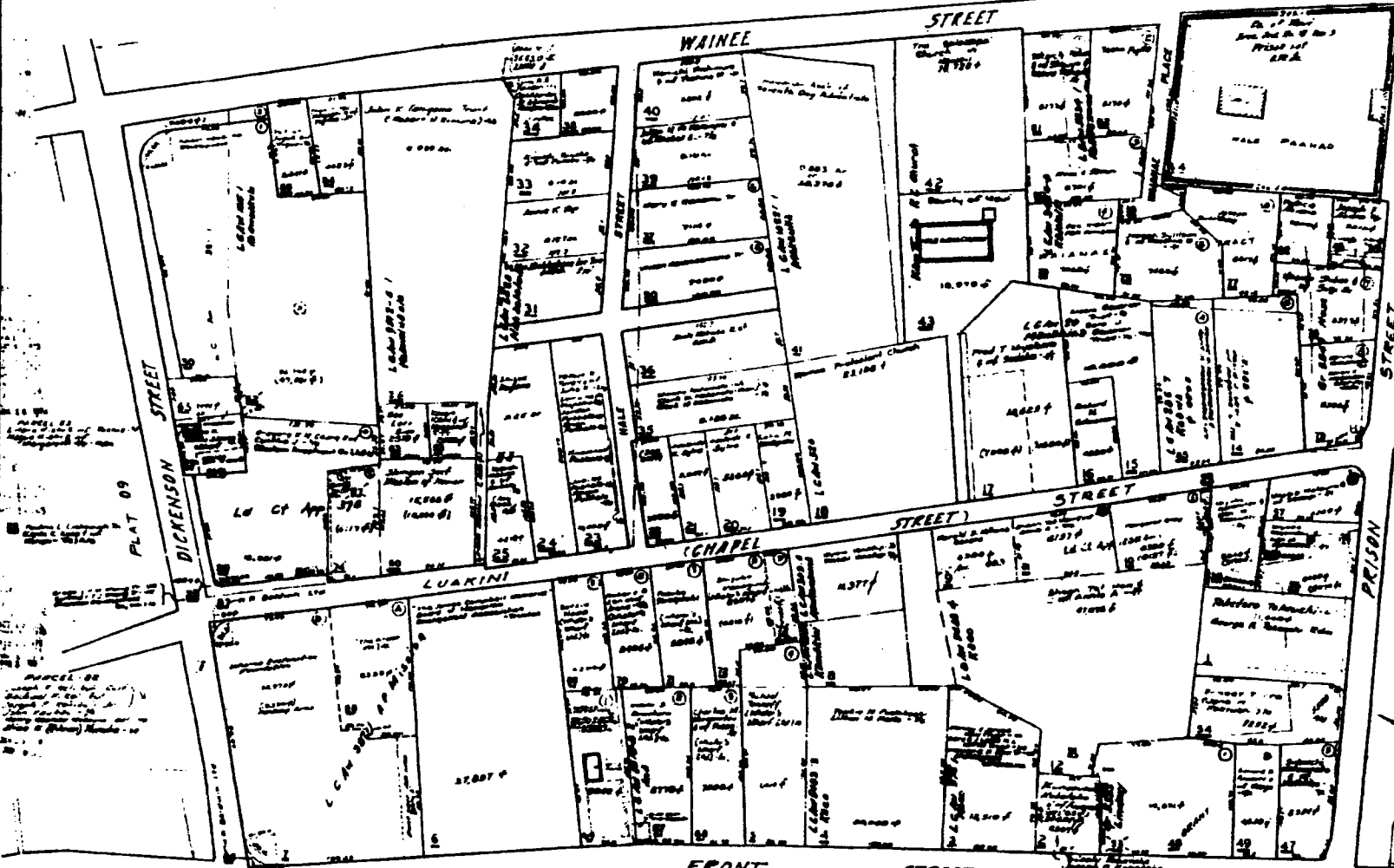
PAPELEKANE STREET

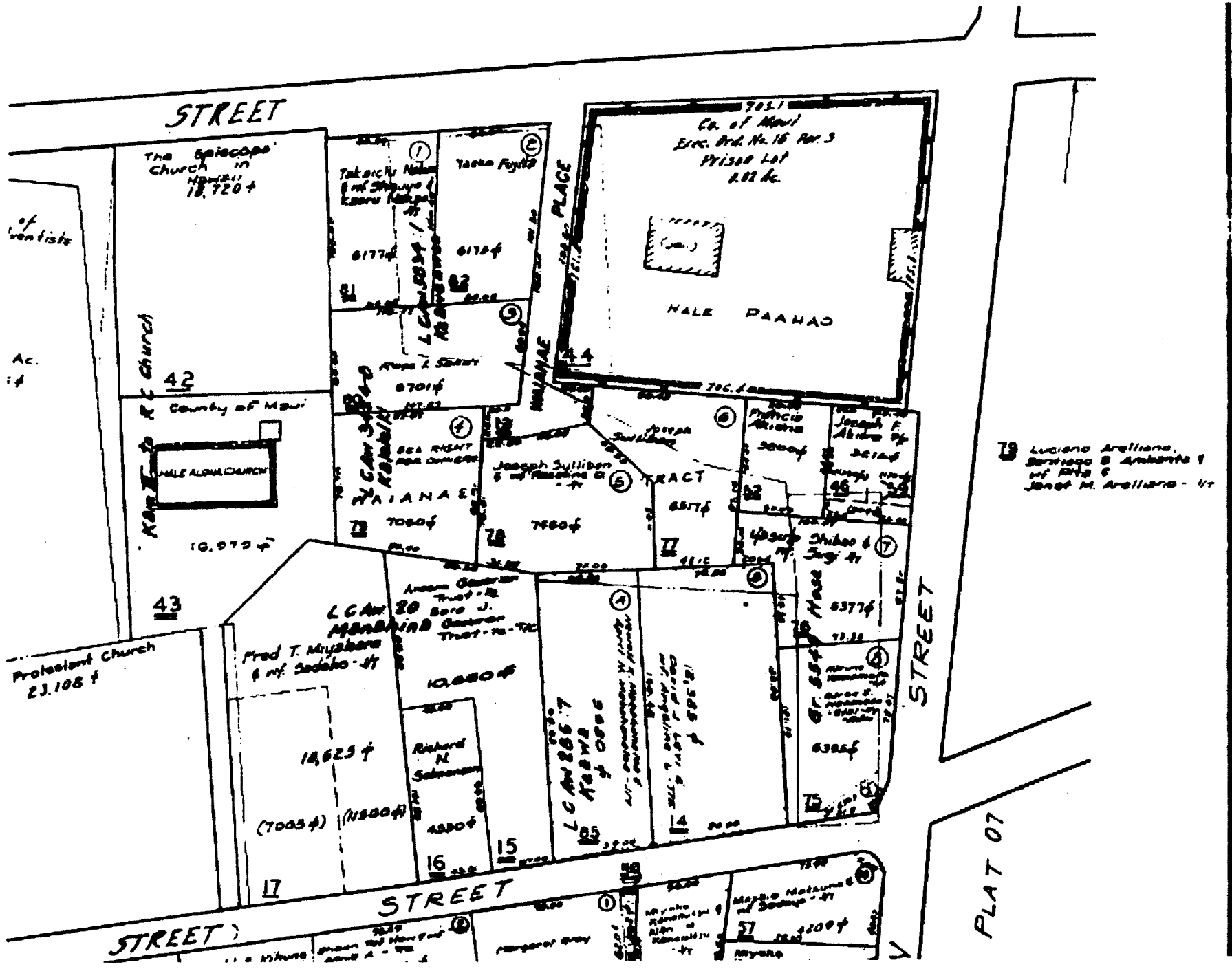
HOTEL ST.

CANAL STREET

SECOND DIVISION
 ZONE SEC. PLAT
4608
 COUNTY OF HAWAII
 1959

Map No. 2867
 By: S. L. ...
 Date: ...





STREET

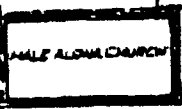
The Episcopal Church in Honolulu 18,720 ±

Co. of Maui
Exec. Ord. No. 16 Par. 3
PL 1300 LOT
2.02 Ac.

HALF PAANAO

42

County of Maui



10,972 ±

43

Protestant Church 23,108 ±

Fred T. Meyers & wife Sadako - 47

14,625 ±

(7005 ±) (11800 ±)

Richard N. Salmon

4800 ±

L.C. AN 25
Meyers

15

STREET

STREET

PLAT 07

STREET

PLATE PLACE

19 Luciano Arrellano, Santiago & Amalita & wife Janet M. Arrellano - 47



DEPARTMENT OF
HOUSING AND HUMAN CONCERNS
COUNTY OF MAUI

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

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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: **Lahaina Restoration Foundation**
Location: **Hale Pa'ahao and Hale Aloha, Lahaina, HI 96761**
Address: **120 Dickenson Street, Lahaina, HI 96761**
TMK: **Hale Aloha TMK: (2) 4-6-008:043 Hale Pa'ahao TMK (2) 4-6-008:044**
Length of Time: 20 years
Purpose: The right to restore, maintain and operate Hale Pa'ahao as a walk in historical museum and the right to restore, maintain and operate Hale Aloha as administrative offices


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

EXHIBIT " 2 "