

COUNCIL OF THE COUNTY OF MAUI
POLICY COMMITTEE

December 19, 2008

Committee
Report No.

08-159

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

Chair and Members:

Your Policy Committee, having met on December 2, 2008, makes reference to County Communication No. 08-266, from the Director of Housing and Human Concerns, transmitting the following:

1. A proposed resolution entitled "AUTHORIZING A GRANT OF A LEASE OF COUNTY REAL PROPERTY TO KA LIMA O MAUI, LTD."

The purpose of the proposed resolution is to authorize a grant of a 50-year lease for a property consisting of approximately two acres situated at 95 Mahalani Street, Wailuku (TMK: (2) 3-8-46:016) to Ka Lima O Maui, Ltd., for \$1 per year.

2. A copy of the Lease, dated October 17, 2008, between the County of Maui and Ka Lima O Maui, Ltd.

The purpose of the proposed lease is to establish the terms and conditions for the use of the property by Ka Lima O Maui, Ltd.

3. A copy of the Grant Agreement for a Lease of County Real Property, dated October 27, 2008.

The purpose of the proposed grant agreement is to establish the terms and conditions of a grant of a lease to Ka Lima O Maui, Ltd., to occupy approximately two acres situated at 95 Mahalani Street, Wailuku (TMK: (2) 3-8-46:016) to Ka Lima O Maui, Ltd., for 50 years, to operate Ka Lima O Maui, Ltd. on the premises.

At its meeting, your Committee met with the Director of Housing and Human Concerns and a Deputy Corporation Counsel.

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Your Committee received public testimony from Chantal Ratte, Executive Director of Ka Lima O Maui, Ltd., in support of the proposed lease. Ms. Ratte stated that the 50-year lease is necessary for her organization to obtain funding for a proposed residential housing facility for low-income disabled adults.

Your Committee expressed support for Ka Lima O Maui, Ltd. and the work that they do throughout the community.

Your Committee expressed concerns with building a residential housing facility on the proposed site, noting that (1) the lease does not include residential housing units under the “use of premises” section; and (2) the property’s R-3 Residential District zoning may not be compatible with the Public/Quasi-Public Community Plan designation.

Your Committee stated that amendments to the lease and the property’s current zoning may be required before any residential units could be constructed. Your Committee noted that Ka Lima O Maui, Ltd. and the Department of Housing and Human Concerns should address these issues and submit a revised lease. Your Committee requested that the Department provide a list of all leases where the rental amount is \$1 per year.

Your Committee noted that Ka Lima O Maui, Ltd. has an existing lease on the property that expires in 2024.

Your Committee voted to recommend the filing of the communication.

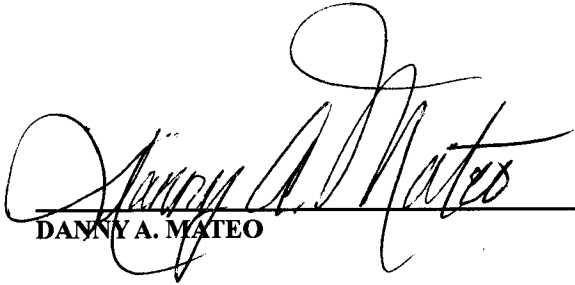
Your Policy Committee **RECOMMENDS** that County Communication No. 08-266 be FILED.

Adoption of this report is respectfully requested.

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