

RESOLUTION NO. 252 17

RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO NEGOTIATE THE LEASE OF REAL PROPERTY, SITUATED AT WAIĀKEA, SOUTH HILO, COUNTY AND STATE OF HAWAI'I, IDENTIFIED AS TAX MAP KEY: (3) 2-4-057:030, TO HKI KAWILI, LLC, A NONPROFIT CORPORATION.

WHEREAS, pursuant to an Executive Order approved by the State of Hawai'i Board of Land and Natural Resources on April 13, 2017 which is pending Governor David Ige's execution, the County of Hawai'i has control and management of real property identified as Tax Map Key: (3) 2-4-057:30 (hereinafter referred to as "Property"), situated at the corner of Kapi'olani and Kāwili Streets, across from Waiākea High School, at Waiākea, South Hilo, County and State of Hawai'i, for the purpose of affordable senior housing with preference to veterans and their spouses; and

WHEREAS, HKI KAWILI, LLC, a Hawai'i limited liability company, the sole member of which is Hui Kauhale, Inc., a Hawai'i 501(c)(3) nonprofit organization and affiliate of EAH Inc., a California non-profit public benefit corporation (hereinafter referred to as "HKI"), desires to enter into a sixty-five (65) year lease of the subject Property for the purpose of the construction, development and operation of an affordable senior housing project with preference to veterans and their spouses; and

WHEREAS, the subject Property is currently being leased to Hawai'i Island Veterans Memorial, Inc. ("HIVM"), which lease will expire on August 31, 2017 (the "HIVM lease"); and

WHEREAS, HIVM supports having the subject Property leased to HKI; and

WHEREAS, Article 19, Section 2-120 (a) (2) of the Hawai'i County Code, provides that the Council of the County of Hawai'i may, by resolution approved by a majority of members, direct the Finance Director to negotiate the disposition of real property by leasing it to governments, governmental agencies, nonprofit organizations, or affordable housing developers at such rentals and on such terms and conditions as deemed proper; and

WHEREAS, Article 19, Section 2-120 (b) provides such lease of real property to governments, governmental agencies, nonprofit organizations, or affordable housing developers may be made without notice or appraisal as required in Chapter 2, Article 19 of the Hawai'i County Code.

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAI'I, that under Chapter 2, Article 9, Section 2-120 (a) (2) of the Hawai'i County Code, the Director of Finance is hereby authorized to negotiate a lease of the Property with HKI, a non-profit organization, and/or an affordable housing developer that is controlled by HKI, without notice or appraisal; and

BE IT FURTHER RESOLVED that the Honorable Harry Kim, Mayor of the County of Hawai'i is hereby authorized to execute said lease agreement on behalf of the County of Hawai'i following its approval by the Council as noted herein.

BE IT FINALLY RESOLVED that a copy of this resolution be forwarded to:

- (1) the Honorable Mayor Harry Kim; (2) Director of Finance Collins Tomei; (3) Deputy Corporation Counsel J Yoshimoto; and (4) HKI.

Dated at Hilo, Hawai'i, this 7th day of September, 2017.

INTRODUCED BY:


COUNCIL MEMBER, COUNTY OF HAWAI'I

COUNTY COUNCIL
County of Hawai'i
Hilo, Hawai'i

ROLL CALL VOTE

	AYES	NOES	ABS	EX
CHUNG	X			
DAVID	X			
EOFF	X			
KANUHA	X			
LEE LOY	X			
O'HARA	X			
POINDEXTER	X			
RICHARDS	X			
RUGGLES	X			
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I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawai'i on September 7, 2017.

ATTEST:



COUNTY CLERK



CHAIRPERSON & PRESIDING OFFICER

Reference: G-384/FC-34

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