

**COUNTY OF HAWAII STATE OF HAWAII**

**RESOLUTION NO. 215 94**

(DRAFT 2)

RESOLUTION AUTHORIZING NEGOTIATION AND EXECUTION OF AN AGREEMENT TO PURCHASE A 4.75-ACRE PARCEL FROM OULI HAWAII PROPERTIES LIMITED PARTNERSHIP TO DEVELOP THE PROPOSED OULI EKAHI AFFORDABLE HOUSING PROJECT.

WHEREAS, Ouli Hawaii Properties Limited Partnership (hereinafter "OHPLP"), a Hawaii limited partnership, is the owner of 4.75 acres of land at Ouli, South Kohala, Hawaii, identified as TMK: 6-2-01: Por. 74 (the subject property); and

WHEREAS, on July 28, 1993, the County Council adopted Resolution No. 84-93, approving the exemption of a 15-acre portion of the Ouli Golf Community from certain zoning, subdivision and roadway codes and requirements; and

WHEREAS, on November 17, 1993, the County Council adopted Resolution No. 133-93, approving exemptions to allow the subdivision of the Ouli Golf Community parcel into three (3) lots; and

WHEREAS, by virtue of Chapter 46-15.1, Hawaii Revised Statutes, (HRS) as amended, and by the regulations related thereto, the County is empowered to develop real property, either by itself, on behalf of the State of Hawaii, or in partnership with qualified developers or contractors; and

WHEREAS, by virtue of Chapter 2, Article 13, Section 2-70, of the Hawaii County Code of the County of Hawaii, the County is empowered to develop and construct dwelling units, alone or in partnership with developers or contractors; and

WHEREAS, the Hawaii County Housing Agency finds that adequate housing accommodations are not available in the Ouli area; and

WHEREAS, by virtue of Chapter 2, Article 13, Section 2-68, of the Hawaii County Code of the County of Hawaii, the Hawaii County Housing Agency is empowered to appropriate moneys out of the County to carry out the purposes of this Article; and

WHEREAS, by virtue of Chapter 2, Article 13, Section 2-70, of the Hawaii County Code of the County of Hawaii, the Housing Administrator is empowered to acquire and utilize public and private lands for the purposes of this section; and

WHEREAS, the County has or is in the process of transferring \$550,000 of unencumbered funds appropriated for the Waikoloa Village affordable housing project revolving fund account to the Ouli Ekahi project revolving fund account for the purchase of the subject property; and

WHEREAS, the County hereby acknowledges that (1) the Ouli Ekahi Limited Partnership (hereinafter "OELP") is an acceptable and qualified partner in satisfaction of the requirements of Chapter 201E of the HRS; and (2) the Ouli area is a good and proper choice for housing development and construction; and

WHEREAS, the County desires to use its funds to provide decent, safe and sanitary housing to qualified families; and

WHEREAS, the County and the OELP mutually desire to combine resources to develop an affordable rental complex for families with income levels of 60 percent (60%) and below of the median family income for the County of Hawaii.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF HAWAII that the Mayor of the County of Hawaii or his duly authorized representative is hereby authorized to negotiate and execute an agreement with Ouli Hawaii Properties Limited Partnership to purchase approximately 4.75 acres of land to develop the Ouli Ekahi affordable housing project.

BE IT FURTHER RESOLVED that the Mayor of the County of Hawaii or his duly authorized representative is hereby authorized to execute other documents required to acquire the subject parcel.

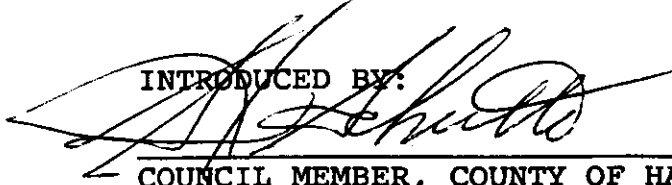
BE IT FURTHER RESOLVED that instructions to Escrow shall include a provision that no County funds shall be released until documentation and interim financing sufficient to complete the project shall have been executed and delivered to Escrow.

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the Department of Finance, the Office of Housing and Community Development, and the Ouli Ekahi Limited Partnership.

This resolution shall take effect upon the availability of funding.

Dated at Hilo, Hawaii, this 11th day of May, 1994.

INTRODUCED BY:



COUNCIL MEMBER, COUNTY OF HAWAII

COUNTY COUNCIL  
County of Hawaii  
Hilo, Hawaii

I hereby certify that the foregoing RESOLUTION was by the vote indicated to the right hereof adopted by the COUNCIL of the County of Hawaii on May 11, 1994.

ATTEST:



COUNTY CLERK



CHAIRMAN & PRESIDING OFFICER

ROLL CALL VOTE

	AYES	NOES	ABS	EX
ARAKAKI	X			
BONK - ABRAMSON		X		
CHILDS	X			
DE LIMA	X			
DOMINGO	X			
HALE		X		
RATH		X		
ROSEHILL	X			
SCHUTTE	X			
	6	3	0	0

Reference \_\_\_\_\_  
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