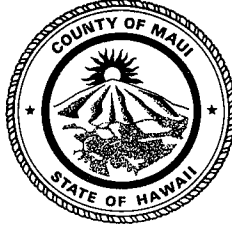


ALAN M. ARAKAWA
Mayor



PATRICK K. WONG
Corporation Counsel

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July 27, 2018

MEMO TO: Yuki Lei K. Sugimura, Chair
Policy, Economic Development and Agriculture Committee

FROM: Richelle Thomson, Deputy Corporation Counsel 

SUBJECT: **AUTHORIZING AN AMENDMENT TO EXTEND THE TERM AND
MODIFY CONDITIONS RELATING TO REMOVAL OF EQUIPMENT
FOR THE GRANT OF A LICENSE OF COUNTY REAL PROPERTY FOR
ELECTRIC VEHICLE QUICK CHARGERS AND LOCAL BATTERY
UNITS (PEA 70)**

Please find attached a revised proposed resolution, which corrects typographical errors in the draft transmitted on July 23, 2018. The attachments to the resolution remain unchanged.

LF2016-0312

Resolution

No. _____

AUTHORIZING AN AMENDMENT TO EXTEND THE TERM AND MODIFY
CONDITIONS RELATING TO REMOVAL OF EQUIPMENT FOR THE GRANT OF A
LICENSE OF COUNTY REAL PROPERTY FOR ELECTRIC VEHICLE QUICK
CHARGERS AND LOCAL BATTERY UNITS

WHEREAS, pursuant to authorization by County Council's Approval of County Resolution No 15-28, on December 17, 2014, the County and Hitachi Advanced Clean Energy Corporation ("HACEC") entered a license agreement to conduct the JUMP Smart Maui project, which included installing, operating and maintaining Electric Vehicle Quick Chargers and battery units for use by the public at Kihei Aquatic Center; the Lahaina Aquatic Center; the Kalana o Maui Building located at 200 S. High Street, Wailuku; and the Haiku Community Center, hereinafter referred to as the "License Agreement," a copy of which is attached hereto as Exhibit "1"; and

WHEREAS, the License Agreement was amended by the First Amendment thereto, a copy of which is attached hereto as Exhibit "2"; and

WHEREAS, through the proposed Second Amendment, attached hereto as Exhibit "3", the Parties to the License Agreement desire to extend the term of the Agreement to March 31, 2020, and make other modifications of the agreement, including a proposed release payment to the County in lieu of requiring removal of the equipment at the end of the term; and

Resolution No. _____

WHEREAS, the Council of the County of Maui may authorize an Amendment to the License Agreement for use of County real property pursuant to Chapter 3.36, Maui County Code by resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Maui:

1. That pursuant to Chapter 3.36, Maui County Code, the Second Amendment to the License Agreement, Exhibit "3", is hereby authorized; and
2. That the Mayor and the Director of Finance or their authorized representatives may execute the Second Amendment to the License Agreement; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, and the HACEC.

APPROVED AS TO FORM
AND LEGALITY:



JS JERRIE SHEPPARD
Deputy Corporation Counsel
County of Maui
2016-0312
2018-07-27 Resolution (Second Amendment)