

REQUEST FOR LEGAL SERVICES

Date: August 6, 2021
From: Yuki Lei K. Sugimura, Vice-Chair
Human Concerns and Parks Committee

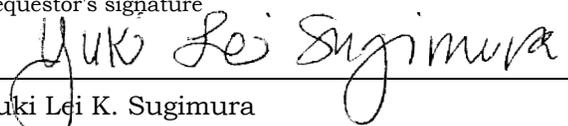
TRANSMITTAL

Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: Mimi DesJardins, Esq.

Subject: GRANT OF A LEASE EXTENSION TO MAUI NUI BOTANICAL GARDENS (KAHULUI)
(HCP-24)

Background Data: Please see attached resolution. Please attach an updated Exhibit "1" to include the extended lease date of June 30, 2050. Please provide your response to hcp.committee@mauicounty.us.

Work Requested: FOR APPROVAL AS TO FORM AND LEGALITY
 OTHER:

Requestor's signature  Yuki Lei K. Sugimura	Contact Person <u>Wilton Leauanae</u> (Telephone Extension: <u>7761</u>)
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ROUTINE (WITHIN 15 WORKING DAYS) RUSH (WITHIN 5 WORKING DAYS)
 PRIORITY (WITHIN 10 WORKING DAYS) URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): August 13, 2021
REASON: To meet posting deadline for Council meeting on August 24, 2021.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: APPROVED DISAPPROVED OTHER (SEE COMMENTS BELOW)
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

hcp:ltr:024acc01:wal

Attachment

Resolution

No. _____

AUTHORIZING A GRANT OF A LEASE OF COUNTY RECREATIONAL SPACE TO MAUI NUI BOTANICAL GARDENS INC.

WHEREAS, Maui Nui Botanical Gardens Inc., a Hawaii nonprofit corporation, desires to obtain a lease for the portion of Keopuolani Regional Park, known as the Maui Nui Botanical Gardens, from the County of Maui for a nominal sum; and

WHEREAS, Maui Nui Botanical Gardens Inc. desires to occupy that certain parcel identified as tax map key (2) 3-8-007:001 (por.), an area measuring 6.367 acres (“Premises”), and described and depicted in the Lease Agreement, attached as Exhibit “1”; and

WHEREAS, in accordance with Section 3.36.090, Maui County Code, the Council of the County of Maui may authorize the grant of a lease of County Recreational Space by Resolution; now, therefore,

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

1. That Maui Nui Botanical Gardens Inc. be granted the right to occupy the Premises in accordance with the terms and conditions of the proposed Lease, for an annual rental amount of \$100 to expire on June 30, 2050;
2. That the Mayor and the Director of Finance or their authorized representatives be authorized to execute the proposed Lease Agreement; and
3. That certified copies of this Resolution be transmitted to the Mayor, the Director of Finance, the Director of Parks and Recreation, and the Executive Director of Maui Nui Botanical Gardens Inc.

Resolution No. _____

APPROVED AS TO FORM AND LEGALITY

MIMI DESJARDINS
Deputy Corporation Counsel
County of Maui

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