



RESOLUTION

APPROVING A 55-YEAR LEASE AGREEMENT FOR HAWAIIAN HUMANE SOCIETY FOR THE WAIAKA DOG POUND, WITH AN AREA OF 2.54 ACRES, TMK: 2-8-024:37.

WHEREAS, the parcel of land situated at Kamoiliili, Honolulu, Hawaii, identified as TMK: 2-8-024:37, is set aside to the City and County of Honolulu for the operation of a dog pound to be under the control and management of the City and County of Honolulu under the State of Hawaii Executive Order No. 996, dated February 20, 1943, as shown colored in yellow on the Exhibit A, attached hereto and by reference made a part hereof; and

WHEREAS, the Hawaiian Humane Society ("HHS") currently leases said property for a term of fifty-five (55) years for the purpose of operating and maintaining a dog pound and animal shelter; and

WHEREAS, the Indenture of Lease of said property is dated May 23, 1969, and the term of the lease is for fifty-five (55) years for the period from July 1, 1969 to June 30, 2024; and

WHEREAS, the HHS is proposing in excess of \$7.0 million dollars in capital improvements on the property to meet its long-term goals of becoming a contemporary animal care facility, and to increase its operational efficiency, animal holding capacity and the number of adoptions; and

WHEREAS, the proposed capital improvements will provide increased space and a new veterinary clinic, and will help to provide better quality care for the animals; and

WHEREAS, the City and County of Honolulu is not providing funding for the proposed capital improvements and the HHS must raise the funds for its proposed improvements through donations and other fundraising activities; and

WHEREAS, by receiving a new 55-year lease agreement, the HHS can commence with its capital funding campaign for the proposed improvements on said property; and

WHEREAS, said property shall be used at all times under the 55-year lease term as an animal shelter and dog pound, under the control and management of the City and County of Honolulu, in accordance with said State Executive Order No. 996; and



RESOLUTION

WHEREAS, the HHS shall be authorized and empowered by law to seize and impound stray dogs running at large, and shall seize and impound stray dogs running at large at all times during the 55-year lease term; and

WHEREAS, Section 28-3.1 (7), Revised Ordinances of Honolulu, 1990, as amended ("ROH") permits the director, department of budget and fiscal services, to award contracts to lease or rent property on terms, conditions and rentals approved by the corporation counsel as to form and legality without calling for public bids when the real property and/or improvements are leased or rented to any eleemosynary corporation, society or organization formed for the prevention of cruelty to animals, and which is authorized and empowered by law to seize and impound stray dogs running at large; and

WHEREAS, ROH Section 28-4.1(1) permits the council to authorize by resolution the leasing or renting of property of the City and County of Honolulu for a longer period than five years when deemed necessary in the public interest and when the lessee or tenant is required by the terms of the proposed contract to expend the sum of \$25,000.00 or more for capital assets or to provide for the renovation or maintenance of any capital asset, or the lessee's or tenant's expenditure is equal to or in excess of the sum of \$25,000.00, as determined by the council; and

WEREAS, the proposed capital improvements by the HHS meet the requirement for the expenditure of \$25,000.00 or more for capital assets or to provide for the renovation of maintenance of any capital asset, or the expenditure is equal to or in excess of the sum of \$25,000.00; and

WHEREAS, the continued use of said property for a dog pound and animal shelter, and the proposed capital improvements by HHS under a new 55-year lease would serve the public interest; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it authorizes the leasing or renting of said property to HHS under a new 55-year lease term; and



RESOLUTION

BE IT FINALLY RESOLVED that the Clerk be directed to transmit a certified copy of this resolution to the director of the department of budget and fiscal services.

INTRODUCED BY:

[Handwritten signature]

(br)

Councilmembers

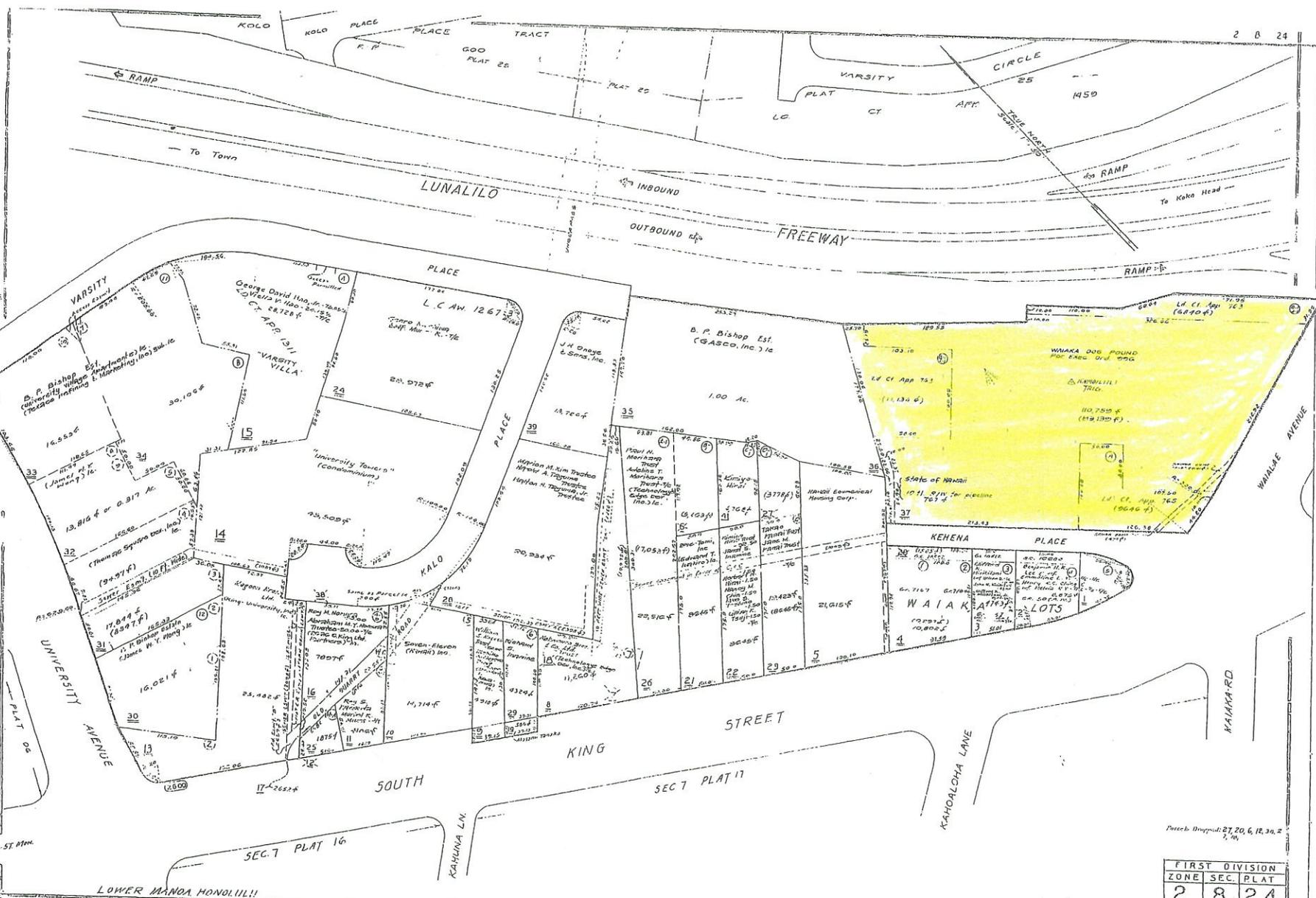
DATE OF INTRODUCTION:

OCT 24 2013

Honolulu, Hawaii

MAY 16 1984
FEB 20 1984

DBG
TALKING TO...
Source: E.A.C.C. Eng. Dept.
ST. 0104



Parcel Grouped: 27, 20, 6, 12, 30, 2

FIRST DIVISION		
ZONE	SEC.	PLAT
2	8	24
CONTAINING PARCELS		
SCALE: 1/4" = 50' ±		
PRINTED		

EXHIBIT A