

DEPARTMENT OF TRANSPORTATION SERVICES
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813
Phone: (808) 768-8304 • Fax: (808) 768-4730 • Internet: www.honolulu.gov

KIRK CALDWELL
MAYOR



WES FRYSZTACKI
DIRECTOR

JON Y. NOUCHI
DEPUTY DIRECTOR

TE 749342
BK18.226

December 10, 2018

The Honorable Ernest Y. Martin
Chair and Presiding Officer
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

Dear Chair Martin and Councilmembers:

SUBJECT: Report of Gift Valued in Excess of \$2,500 and Requested Acceptance

We respectfully request the acceptance by the City Council on behalf of the City and County of Honolulu a gift to the City from A & B Properties Hawaii, LLC to construct the "Complete Streets Demonstration Project, Phase 2, Kailua Road" project. The request is made under the provisions of Resolution No. 05-349, CD1, FD1. The Department of Transportation Services (DTS) desires utilization of the gift valued at \$100,000 for the City's Complete Streets Program. Attached is the draft resolution for the favorable action of the Council that includes as Exhibit A, the Declaration of Gift. The DTS has agreed to manage the project, which is expected to be completed by the end of 2019.

Please contact Kelly Akasaki, of my staff at 768-8320, should you have any questions regarding this request.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Frysztacki".

Wes Frysztacki
Director

Attachments

APPROVED:

A handwritten signature in blue ink, appearing to read "Roy K. Amemiya, Jr.".
Roy K. Amemiya, Jr.
Managing Director

18DEC20 PM 12:55 CITY CLERK



RESOLUTION

RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM A&B PROPERTIES HAWAII, LLC, SERIES R, FOR THE CONSTRUCTION OF THE "COMPLETE STREETS DEMONSTRATION PROJECT, PHASE 2, KAILUA ROAD" PROJECT.

WHEREAS, Section 13-113 of the Revised Charter of the City and County of Honolulu ("City") provides for the acceptance of gifts to the City by the Council of the City and County of Honolulu ("Council"); and

WHEREAS, Resolution No. 05-349, CD1, FD1, establishes a policy of the Council for the solicitation and acceptance of gifts donated to the City executive agencies; and

WHEREAS, the policy provides for acceptance of the gift by affirmative action by the Council; and

WHEREAS, A&B Properties Hawaii, LLC, Series R own, operate and manage local properties at the heart of Hawaii's business and retail communities with nearly 150 years of history caring for the future of Hawaii.

WHEREAS, through a Declaration of Gift dated October 24, 2018, attached hereto as Exhibit A and incorporated herein, A&B Properties Hawaii, LLC, Series R has submitted a request to the Council for the acceptance of a gift to the City valued at \$100,000.00 to be used solely for a portion of the cost of construction of the Complete Streets Demonstration Project, Phase 2, Kailua Road, estimated at approximately \$330,000.00; and

WHEREAS, through a letter approved by the Managing Director, the Director of Transportation Services (DTS), has submitted a request to the Council for the acceptance of a gift to the City valued at \$100,000.00 for a portion of the construction of the Complete Streets Demonstration Project, Phase 2, Kailua Road, estimated at approximately \$330,000.00; and

WHEREAS, DTS will utilize the \$100,000 gift donation towards construction expenses associated with the Complete Streets Demonstration Project, Phase 2, Kailua Road, or the \$100,000 gift donation shall be returned to A&B Properties Hawaii, LLC, Series R, in full, should the project not be awarded and given notice to proceed within nine (9) months of acceptance of this Resolution; and



RESOLUTION

WHEREAS, the description and value of the gift are set forth in the Declaration of Gift attached hereto as Exhibit A and is incorporated herein; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that this body accept the gift valued at \$100,000.00 from A&B Properties Hawaii LLC, Series R that is more fully described in the above-mentioned letter from the Director of Transportation Services and the Declaration of Gift attached as Exhibit A; and

BE IT FURTHER RESOLVED that no special treatment or consideration will be given to the donor by the city as a result of the gift; and

BE IT FURTHER RESOLVED that the Council and DTS express its appreciation to A&B Properties Hawaii, LLC, Series R for this gift to the City; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the Director of Transportation Services and to A&B Properties Hawaii, LLC, Series R, 822 Bishop Street, Honolulu, Hawaii, 96813.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers



CITY AND COUNTY OF HONOLULU

DECLARATION OF GIFT

| | |
|--------------------------|-----------------------------------------|
| NAME OF DONOR | A&B Properties Hawaii, LLC |
| DONOR'S ADDRESS | 822 Bishop Street Honolulu, HI 96813 |
| DONOR'S TELEPHONE | 808-525-6611 |

STATEMENT OF OWNERSHIP AND/OR TERMS OF CONVEYANCE

This Declaration of Gift supercedes the previous Declaration of Gift dated 3/27/17 signed by Richard Stack, Sr. Vice President.

On behalf of A&B Properties Hawaii, LLC, I do hereby give, grant, and convey the item described below to the City & County of Honolulu.

| DESCRIPTION OF GIFT | VALUE |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| A&B Properties Hawaii, LLC (A&B) will contribute \$100,000.00 towards the City & County of Honolulu, Department of Transportation Services' (DTS) "Complete Streets Demonstration Project Phase 2, Kailua Road" based on construction plans given to A&B as of Dec. 31, 2016 prepared by SSFM International, Inc. (the "Project"). A&B will contribute the gift after the City Council has approved acceptance of the gift via the applicable resolution. The gift shall be returned to A&B in full if DTS does not award the contract and issue a notice to proceed to complete the Project within nine (9) months of the acceptance of the City & County's resolution towards the project. | 100,000 |
| TOTAL | \$ 100,000 |

SIGNATURE:

DATE: October 24, 2018

PRINT NAME: Christian A. Millan

TITLE: Vice President