



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

OAHU

ISSUANCE OF A GRATIS RIGHT-OF-ENTRY AND REVOCABLE PERMIT TO PARTNERS IN CARE FOR TEMPORARY STORAGE OF FURNITURE AND FURNISHING IN SUPPORT OF A RAPID RE-HOUSING PROGRAM FOR INDIVIDUALS AND FAMILIES EXPERIENCING HOMELESSNESS DUE TO COVID-19 AT THE UNIMPROVED GRAVEL LOT, PIERS 19 AND 20, HONOLULU HARBOR, ISLAND OF OAHU, TAX MAP KEY NO. (1) 1-5-039:015 (P), GOVERNOR'S EXECUTIVE ORDER NO. 2903

LEGAL REFERENCE:

Sections 171-6, 171-11, 171-12, 171-43.1, and 171-55, Hawaii Revised Statutes (HRS), as amended.

APPLICANT:

Partners in Care ("PIC") ("Applicant") is a coalition composed of representatives of organizations from nonprofit homeless providers, government stakeholders, private businesses, community advocates, public housing agencies, hospitals, universities, affordable housing developers, law enforcement, and persons experiencing homelessness and formerly homeless persons located on island of Oahu. The Applicant's mailing address is 200 North Vineyard Boulevard, Suite A-210, Honolulu, Hawaii 96817. PIC is an eleemosynary organization which has been certified to be tax exempt under Sections 501(c)(1) or 501(c)(3) of the Internal Revenue Code of 1986, as amended.

CHARACTER OF USE:

To allow the Applicant and its permitted agents (assignees, contractors, sub-contractors, and agents), and specifically Island Demo, Inc., the right to enter upon and take possession of the premises for the temporary placement of between three (3) to five (5) donated containers of various sizes to be used for storage of beds, mattresses, furniture and furnishings, purchased by or donated to PIC that will eventually be gifted to persons and families experiencing homelessness as part of an island wide rapid re-housing program.

ITEM M-15

LOCATION:

Portion of Government lands situated at 703 North Nimitz Highway, Honolulu, Hawaii 96817 at Piers 19 and 20, Honolulu Harbor, Honolulu, Island of Oahu, as shown on the attached map labeled Exhibit A. As stated below, said lands have been set aside to the State of Hawaii Department of Transportation, Harbors Division ("DOT Harbors") by Executive Order 2903.

AREA: See attached Exhibit A

Approximately 4,400 square feet, more or less.

CONSIDERATION:

Gratis, it is noted the Right-of-Entry and revocable permit facilitates the placement of shipping containers on concrete blocks to prevent damage to the corner casters for the purposes of temporary storage of furniture and furnishings in support of a City and County of Honolulu sponsored rapid re-housing project and upon completion, the surrounding property may be re-purposed to generate additional revenue for the DOT Harbors.

ZONING:

State Land Use Commission:	Urban
City and County of Honolulu:	I-3 (Waterfront Industrial District)

TERM:

Six (6) months, with the option to extend the term in increments of thirty (30)-days until the scope of work as described herein is complete.

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

TRUST LAND STATUS:

Land acquired after statehood (non-ceded lands).

CURRENT USE STATUS:

Vacant unimproved gravel lot.

LAND TITLE STATUS:

Acquired by the DOT Harbors, through eminent domain proceedings by the issuance of Governor's Executive Order No. 2903.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action is exempt from Office of Environmental Quality Control (OEQC) requirements pursuant to Sub-Chapter 11-200.1, Hawaii Administrative Rules, that exempts the following:

“Exemption Class 6: Construction or placement of minor structures accessory to existing facilities.”

The DOT Harbors will submit its publication request of this Exemption Notice to the OEQC for publication on the 8th of each month.

APPLICANT REQUIREMENTS:

Applicant shall:

1. Ensure that their contractors, sub-contractors shall obtain the following insurance during the term of the Right-of-Entry and naming the DOT Harbors as additional insured:
 - a. Bodily injury or property damage caused by Applicant's or its permitted agent's negligence in the form of a general liability insurance policy with a combined single limit of not less than \$1,000,000.00 for bodily injury and damage to property per occurrence, and \$2,000,000.00 in the aggregate.
 - b. Automobile insurance for any vehicles used to access and are on the Premises with a minimum limit of not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate.
 - c. All insurance required to be maintained by Applicant and its permitted agents hereunder shall be pursuant to policies in form and substance consistent with policies of similar type issued to businesses similar to Applicant and its permitted agents and issued by companies of sound and adequate financial responsibility, who are authorized to do business in the State of Hawaii, all as reasonably satisfactory to the State.

- d. Applicant shall name the State as an additional insured on the policies or provide other assurances, reasonably acceptable to the State, that Applicant's insurance policies shall be primary, not excess or pro-rata and noncontributing as to and with any other insurance held or maintained by the State, for any injury or claim arising on the premises due to Applicant's negligence or the negligence of its permitted agents. The State shall include the State's officers and employees acting within the scope of their duties.
 - e. Applicant shall provide proof of all required insurance to the State either by production of the actual insurance policies or by an insurance certificate on an ACORD Certificate on Liability Insurance form or other written form reasonably acceptable to the State, together with appropriate written evidence, reasonably satisfactory to the State, that the insurance premiums have been paid.
2. Applicant shall use due care for public safety and agrees to defend, hold harmless, and indemnify the State, its officers, agents, and employees, or any person acting for and on its behalf, from and against all claims or demands for damage, including claims for property damage, personal injury, or death, arising on, about or in connections with the exercise of the rights and privileges herein granted, caused directly or approximately by any failure on the part of the Applicant in its use of the premises.
3. Applicant shall take all necessary steps to ensure that any of its work involving the premises will not cause any permanent damage to property or improvements situated on, adjacent to, or near the premises.
4. The State grants Applicant a right to enter upon the lands herein described. Upon expiration of the Right-of-Entry, Applicant shall, sole cost and expense, restore the premises, and the ingress and egress thereto, to the condition it was in immediately prior to commencement of the Right-of-Entry, to the satisfaction of the State within a reasonable time after such expiration.
5. Applicant shall take all necessary steps to ensure that the work done on the premises does not interfere with any of the operational activities of any adjacent property owners or operations.
6. Applicant shall coordinate all activities with DOT Harbors staff.
7. Applicant shall, at all times, during the term of Right-of-Entry, comply with all applicable laws, statutes, ordinance, rules and regulations, whether State, County, or Federal, which are now or hereafter may be in effect.

REMARKS:

Due to the impacts of the pandemic had on our community, many families have lost employment or faced a reduction in hours which caused many families to experience homelessness. The City and County of Honolulu, Department of Community Services (“DCS”), with support of the United States Department of Housing and Urban Development has created a rapid re-housing program that will follow consistent standards and policies to provide eligible participants with medium-term rental assistance, financial assistance, and housing relocation and stabilization services, in order to prevent, prepare for, and respond to the coronavirus. All providers will implement a single uniform program.

DCS is providing ONE MILLION ONE HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$1,150,000.00) in grant funds to a lead agent PIC to coordinate with DCS to oversee the rapid re-housing program. PIC will provide grant funds to homeless service providers chosen by the DCS, which includes the Family Promise and Alternative Structures International, to provide consistent case management and housing navigation services and to make financial assistance payments when needed.

DCS has also contracted with Housing Solutions Inc., for a total of EIGHT MILLION EIGHT HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$8,850,000.00), for contract services and for financial assistance payments which includes assistance for: rent, rental application fees, security deposits, last month’s rent, utility deposits, utility payments, moving costs, and other eligible financial assistance costs.

Aulani, a Disney Resort and Spa in Ko Olina, is generously donating beds, dressers, and other furniture as it undergoes a renovation of its property for this endeavor. These pieces of equipment, supplemented by other furniture and furnishings donated or purchased by PIC, need to be temporarily stored between the time of donation and the time when persons experiencing homelessness are ready to move into rental housing.

Young Brothers, LLC, has agreed to generously donate the usage of three (3) to five (5) weather tight shipping containers of various sizes upon availability to be set up and used on these requested premises to temporarily store furniture or furnishing collected or purchased by PIC.

DOT Harbors provided a site inspection and graciously submitted this gratis request, and the Board of Land and Natural Resources acceptance and permission to allow this gratis disposition, will go a long way in stretching CARES Act funds to assist as many impacted Oahu families as possible for the longest period of time in the hopes of breaking the cycle of homelessness.

The goal of this project is to house 300 individuals or families through this rapid re-housing effort providing rental and case management services for a 12-month duration. To date, as of the end of April 2021, more than 25 families, a total of 90 individuals have been assisted through this effort. Because this storage arrangement is temporary, once this project is complete, the surrounding property may be re-purposed to generate additional revenue for the DOT Harbors.

RECOMMENDATION:

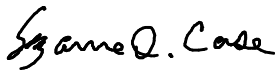
The Board authorized the issuance of a Right-of-Entry and temporary revocable permit to the Applicant and its permitted agents covering the subject area for the purposes cited above, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation.

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member
Board of Land and Natural Resources

Atts.: Exhibit A
Department of Community Services letter request
Internal Revenue Service 501(c)(3) Determination



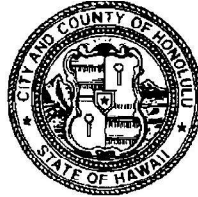
DEPARTMENT OF COMMUNITY SERVICES
CITY AND COUNTY OF HONOLULU

925 DILLINGHAM BOULEVARD, SUITE 200 • HONOLULU, HAWAII 96817

PHONE: (808) 768-7762 • FAX: (808) 768-7792

www.honolulu.gov/dcs

RICK BLANGIARDI
MAYOR



SARAH ALLEN
DIRECTOR

JOY BARUA
DEPUTY DIRECTOR

May 12, 2021

Mr. Davis Yogi
Harbors Administrator
State of Hawaii
Department of Transportation, Harbors Division
Hale Awa Ku Moku Building
79 South Nimitz Highway
Honolulu, Hawaii 96813-4898

Mr. Neil Takekawa
Oahu District Harbormaster
700 Fort Street
Pier 11 Gallery
Honolulu, Hawaii 96813

Dear Messrs. Yogi and Takekawa:

SUBJECT: Requesting the issuance of a gratis right of entry or revocable permit from the Board of Land and Natural Resources

I am writing to you as a follow up to recent discussions between yourselves at the Department of Transportation, Harbors Division (DOT Harbors), members of the Department of Community Services (DCS) and our lead agent for the Rapid Re-Housing project, Partners in Care (PIC) regarding the temporary use of U.S. Coast Guard Maritime Security (MARSEC) secured, unimproved gravel area behind Piers 19-20 for the purposes of storing three to five shipping containers to house furniture and furnishings to be used to house up to 300 households experiencing homelessness due to COVID.

I have attached a draft submittal to the Board of Land and Natural Resources on behalf of our lead agent, PIC, and am extremely grateful for your consideration of this request for a gratis disposition. PIC is an eleemosynary organization which has been certified to be tax exempt under sections 501(c)(1) or 501(c)(3) of the Internal Revenue Code of 1986, as amended. A copy of their IRS exemption is attached.

The goal is to house 300 households, as much as 1,000 individuals, through this rapid

Mr. Davis Yogi
Mr. Neil Takekawa
May 12, 2021
Page 2

re-housing effort and to provide rental and case management services for a 12-month duration. To date, as of the end of April 2021, more than 25 families equating to 90 individuals have been assisted through this effort.

Aulani, a Disney Resort and Spa in Ko Olina, is generously donating beds, dressers, and other furniture as it under goes a renovation of its property for this endeavor. These pieces of equipment, supplemented by other furniture and furnishings donated or purchased by PIC, need to be temporarily housed between the time of donation and the time when persons experiencing homelessness are ready to move into rental housing.

Young Brothers, LLC, has agreed to generously donate the usage of 3-5 weather tight shipping containers of various sizes upon availability to be set up and used on these requested premises to temporarily store furniture or furnishing collected or purchased by PIC.

DOT Harbors' generosity, and the Board of Land and Natural Resources (BLNR) acceptance and permission to allow a gratis disposition for this project, will go a long way in leveraging CARES Act funds to assist as many impacted Oahu families as possible, in the hopes of breaking the cycle of homelessness. A draft submittal, including a story that ran recently on Hawaii News Now on this project, is included for your review.

DCS point of contact for this project is Darrell Young, who can be reached at (808) 768-5480 or via email at darrell.young@honolulu.gov. Should you have any questions regarding this matter, please call me at (808) 768-7760.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Allen', with a long, sweeping horizontal line extending to the right.

Sarah Allen
Director

Attachment:

- PIC IRS Tax Exemption
- Draft of BLNR submittal

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 30 2019**

PARTNERS IN CARE - OAHU CONTINUUM
OF CARE
200 N VINEYARD BLVD STE A-210
HONOLULU, HI 96817

Employer Identification Number:
84-1705573
DLN:
17053067309009
Contact Person:
SHEILA M ROBINSON ID# 31220
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
509(a) (2)
Form 990/990-EZ/990-N Required:
Yes
Effective Date of Exemption:
May 15, 2011
Contribution Deductibility:
Yes
Addendum Applies:
Yes

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

Based on the information you submitted in your application, we approved your request for reinstatement under Revenue Procedure 2014-11. Your effective date of exemption, as listed at the top of this letter, is retroactive to your date of revocation.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar

Letter 947

PARTNERS IN CARE - OAHU CONTINUUM

to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

We sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stephen A. Martin". The signature is written in a cursive, slightly slanted style.

Director, Exempt Organizations
Rulings and Agreements