

Agricultural Facility (e.g. Greenhouses and Processing Plants)	1,000	100%
Retailing	300	60%

Credit for other types of facilities will be determined on a case-by-case basis.

c. Start-Up Capital, Business Incentives and Job Training

Petitioner may receive one (1) job credit for (i) each \$50,000 invested by Petitioner in a start-up of a non-tourism related business (by way or equity or investment into a loan fund for such business), (ii) each \$25,000 in incentives provided to a new, non-tourism related business, and/or (iii) each \$25,000 contributed in training programs for non-tourism related jobs. Petitioner shall consult with OSP to identify investments, incentives and training programs which qualify for credits under this category.

A minimum of 10% of Petitioner's job-generation requirement shall be satisfied in this manner.

d. Earning Job Credits

Credits for jobs generated under subparagraphs a. through c. above, shall not be eligible for satisfaction of this condition unless, within two years after they accrue they are reported to the LUC in Petitioner's annual report. Job credits shall be considered to have accrued under subparagraph a. when the Developer pays for the labor; under subparagraph b. when the certificate of occupancy is issued or such earlier date as may be approved by the LUC; and under subparagraph c. when the investment is made, the incentive is given, or the job training program is funded.

Petitioner's annual report to the LUC shall discuss in detail its progress in earning job credits. Additionally, Petitioner shall provide OSP with information concerning the

manner in which Petitioner's claim for job credits is calculated as well as written certification by the Developer that all information provided is correct.

Job credits shall be considered earned only upon approval by the LUC. In the event Petitioner has earned job credits prior to the issuance of a building permit for the construction of hotel or hotel/condominium units, Petitioner may accumulate such job credits.

At the time Petitioner obtains a building permit, Petitioner shall satisfy this condition by depositing cash or posting a bond or a letter of credit, in a form satisfactory to OSP, in an amount equal to the product of \$25,000 multiplied by the number of hotel or hotel/condominium units for which a building permit is issued, less any job credits previously earned. As job credits are earned and applied in satisfaction of this condition, Petitioner may submit a motion to the LUC for the refund of the funds paid to OSP or a reduction of the bond or letter of credit issued in favor of OSP. Five(5) years after the date the building permit is issued, OSP shall have the right to retain cash or make claim on the bond or letter of credit in an amount equal to the product of \$25,000 multiplied by the number of hotel or hotel/condominium units for which the building permit is issued, less any job credits previously earned.

Prior to the expiration of the five-year period, Petitioner may seek an extension of time to satisfy its job-generation requirement. An extension may be granted upon such additional terms as may be appropriate, provided that Petitioner establishes substantial compliance with this condition and specifies the methods, means and time in which it intends to satisfy this condition.

Except for the limitations regarding subparagraphs a. and b. and the 10% minimum required by subparagraph c., Petitioner shall



HASEKO

HASEKO (Ewa), Inc.

820 Mililani Street, Suite 810, Honolulu, Hawaii 96813-2938
Phone (808) 599-1444 Fax (808) 543-5590

COPY

September 15, 1993

West Oahu Employment Corporation
92-605 Makakilo Drive
Ewa Beach, Hawaii 96707

Ladies and Gentlemen:

Enclosed is our check in the amount of \$28,560 which represents our third lump sum contribution towards seed grant funding for the Ewa Beach schools. The relationship we have established with WOEC has allowed us to fund programs without duplicating other efforts and at the same time has allowed us to maximize resources through matching funds from other sources administered by WOEC. This has been an extremely beneficial relationship which we are eager to continue.

I would like to take this opportunity to reiterate several of the terms under which our original agreement was established.

- o While general guidelines have been established for the amount of seed money available to each school, specific requests for funding must be reviewed and approved jointly by WOEC staff and HASEKO.
- o WOEC will administer the funds by soliciting, screening and processing grant requests, distributing funds, monitoring the effectiveness of funded programs, and reporting quarterly to HASEKO.

We look forward to continuing our work with West Oahu Employment and would like to once again thank you for the terrific guidance you have provided.

Most sincerely,
HASEKO (Ewa), Inc.

Vicki Gaynor
Manager
Community and Government Affairs

GUIDELINES FOR HASEKO GRANT MONEY
September 15, 1993

Seed Money Grants

Campbell High School	\$5,500	
Ilima Intermediate	3,500	
Kaimiloa Elementary	2,000	
Pohakea Elementary	2,000	
Ewa Beach Elementary	2,000	
Other area schools	2,000	
Seed Money Grants Subtotal		\$17,000

Campbell PTA	\$ 100	
Ilima PTA	100	
Kaimiloa PTA	100	
Pohakea PTA	100	
Ewa Beach PTA	100	

PTA Subtotal		\$ 500
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Campbell PCNC	\$ 100	
Ilima PCNC	100	
Kaimiloa PCNC	100	
Pohakea PCNC	100	
Ewa Beach PCNC	100	

PCNC Subtotal		\$ 500
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Special Funding

Friendship Youth Center	\$1,780	
Boys & Girls Club	1,780	
District Track Meet	250	
Miscellaneous	750	
Special Funding Subtotal		\$ 4,560

Scholarships

Campbell High School \$1,000
(2 @ \$500/each)

Ewa Beach Residents 2,000
(Max of \$200 per person)

Scholarships Subtotal \$ 3,000

Adminstration of Funds

West Oahu Employment Corporation \$ 3,000

TOTAL **\$28,560**

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMT	DEDUCTION	BALANCE
9-04-93	80493	GRANTS TO EWA SCHOOLS	28,560.00	.00	28,560.00
CHECK DATE	9-10-93	CHECK NUMBER	3070	TOTALS	28,560.00
					.00
					28,560.00

PLEASE DETACH THIS PORTION AND RETAIN FOR YOUR RECORDS.

HASEKO (EWA), INC.
820 MILILANI STREET, SUITE 100
HONOLULU, HAWAII 96813-2906

MAIN OFFICE
FIRST HAWAIIAN BANK
HONOLULU, HAWAII

59-101
1213

3070

Pay: Twenty-eight thousand five hundred sixty dollars and no cents

DATE
September 10, 1993

CHECK NO. AMOUNT
3070 \$****28,560.00**

PAY
TO THE
ORDER
OF

WEST OAHU EMPLOYMENT CORP
92-605 MAKAKILO DRIVE
EWA BEACH, HI 96707

[Signature]

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Mse Esther Ueda
October 19, 1992
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determine the manner in which the remainder of its job-generation requirement may be allocated.

All funds obtained by OSP under this condition shall be applied to any one or more of the programs specified in subparagraph c.4 above.

Status. To date, no approved job credits have been earned. Very shortly and under separate cover, however, HASEKO will submit to the LUC and OSP a request for approval of job credits based on jobs and incentives generated by the Project, and also by several non-tourism related projects which HASEKO, through its affiliates, is currently involved in. That request for approval of job credits will set forth in detail the nature of the credit, the project which generated it, the manner in which the credit is calculated, and other pertinent information.

Condition 2

The Petitioner shall make available adequate golf tee times (no less than 40% of total tee times) at affordable rates for public play by Hawaii residents based on prevailing rates for public play at privately owned golf courses. This condition may be fully satisfied by the development by the Petitioner of an 18-hole public play course within and/or outside the Petition Area acceptable to the Office of State Planning.

Status. HASEKO is committed to providing at least forty percent (40%) of tee times to the public at prevailing rates for public play at privately owned golf courses. As an alternative, HASEKO has been exploring the possibility of acquiring an adjoining piece of property which would enable HASEKO to construct two 18-hole golf courses, in which case one will be private and the other dedicated totally to public play.

HASEKO also stands ready to implement a community integration program for the golf course as expressed in City Ordinance 91-82. Preference will be given to local companies for the construction, operation, maintenance and supply contracts for the facilities. Moreover, HASEKO is currently participating, and would like to continue to participate, in a job training program to ensure that local residents will be qualified and given full consideration for all employment opportunities associated with the golf course. Additionally, HASEKO is already encouraging Campbell High School to develop ~~programs in areas such as golf and agronomics.~~

(October 18, 1993 Annual Report)
(Motion for approval pending:
2.47 credits through 1991)

(October 18, 1993 Annual Report)
(Motion for approval pending : 2.47 credits through 1991)

Ms. Esther Ueda
October 18, 1993
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~~by the end of this year.~~

Also pending before the City Council are applications for a Special Management Area use permit and a shoreline setback variance for the Project. City Council action on these applications are also expected by the end of this year.

Assuming the governmental approvals described above are obtained according to currently anticipated schedules, HASEKO plans to begin excavation of the marina in 1995.

Conditions of the Decision and Order

The 1990 Decision and Order contains twenty-one conditions. Each of these conditions is set forth below, followed by a brief status report on compliance efforts.

Condition 1

Petitioner [HASEKO and its successors and assigns] shall generate one (1) non-tourism related job, or the equivalent value thereof, for each hotel or hotel/condominium unit Petitioner is allowed to build. As used herein, "non-tourism related" means not related to hotels or residential condominiums intended for use as transient accommodations, or recreational, entertainment or other facilities and services used primarily by tourists. The "equivalent value" of a non-tourism related job is in the range of \$25,000 to \$50,000.

Satisfaction of this condition shall occur at the time Petitioner obtains a building permit and may be accomplished by the payment of \$25,000 for each hotel or hotel/condominium unit intended for transient accommodation for which a building permit is issued or in the following manner (provided that, with respect to subparagraphs a. and b., below, Petitioner may not receive credit under both subparagraphs for the same facility):

a. Jobs Generated

Development of residential, commercial, industrial, recreational, institutional or other non-tourism related facilities generates construction jobs not related to tourism. Petitioner, therefore, directly or through local affiliates, may receive one job credit for each 25 man-years of labor generated by a qualified project, which may be either within or outside of the Petition Area. (Hereafter, Petitioner and/or its affiliates shall collectively be referred to as "Developer".) One man-year shall equal 1,920 hours of work;