

**THE THIRTIETH LEGISLATURE
APPLICATION FOR GRANTS
CHAPTER 42F, HAWAII REVISED STATUTES**

Type of Grant Request:

Operating Capital

Legal Name of Requesting Organization or Individual: Db:

Korean And Vietnam War Memorials Foundation, Inc. KAVWMFI

Amount of State Funds Requested: \$ 2,000,000.00

Brief Description of Request (Please attach word document to back of page if extra space is needed):

The Korean And Vietnam War Memorials on the grounds of the State Capitol was dedicated on July 24,1994 and needs maintenance & landscaping, wall & fencing and security monitors & lighting.

Act 63 in 1994 requires the State Office Of Veterans Services to to "Inspect every three years, all state war memorials and veterans cemeteries for repair and maintenance deficiencies, and report all repair and maintenance problems at +

Amount of Other Funds Available:

State: \$ -0-

Federal: \$ -0-

County: \$ -0-

Private/Other: \$ -0-

Total amount of State Grants Received in the Past 5 Fiscal Years:

\$ -0-

Unrestricted Assets:

\$ -0-

New Service (Presently Does Not Exist): Existing Service (Presently in Operation):

Type of Business Entity:

501(C)(3) Non Profit Corporation

Other Non Profit

Other

Mailing Address:

632 Hunakai Street

City: State: Zip:

Honolulu Hawaii 96816

Contact Person for Matters Involving this Application

Name:
Robert M. Imose

Title:
president

Email:
pres@kwfi.us

Phone:
(808) 398-5796

Federal Tax ID#:

XXXXXXXXXX

State Tax ID#

Authorized Signature

Robert M. Imose, president

Name and Title

01/16/2024

Date Signed



STATE OF HAWAII
STATE PROCUREMENT OFFICE

CERTIFICATE OF VENDOR COMPLIANCE

This document presents the compliance status of the vendor identified below on the issue date with respect to certificates required from the Hawaii Department of Taxation (DOTAX), the Internal Revenue Service, the Hawaii Department of Labor and Industrial Relations (DLIR), and the Hawaii Department of Commerce and Consumer Affairs (DCCA).

Vendor Name: KOREAN WAR FOUNDATION, INC.

DBA/Trade Name: KWFI

Issue Date: 01/19/2024

Status: **Compliant**

Hawaii Tax#:

New Hawaii Tax#:

FEIN/SSN#: XX-XXX5071

UI#: No record

DCCA FILE#: 329075

Status of Compliance for this Vendor on issue date:

Form	Department(s)	Status
A-6	Hawaii Department of Taxation	Compliant
8821	Internal Revenue Service	Compliant
COGS	Hawaii Department of Commerce & Consumer Affairs	Exempt
LIR27	Hawaii Department of Labor & Industrial Relations	Compliant

Status Legend:

Status	Description
Exempt	The entity is exempt from this requirement
Compliant	The entity is compliant with this requirement or the entity is in agreement with agency and actively working towards compliance
Pending	A status determination has not yet been made
Submitted	The entity has applied for the certificate but it is awaiting approval
Not Compliant	The entity is not in compliance with the requirement and should contact the issuing agency for more information

Application for Grants

If any item is not applicable to the request, the applicant should enter "not applicable".

I. Certification – Please attach immediately after cover page

1. Hawaii Compliance Express Certificate (If the Applicant is an Organization)

If the applicant is an organization, the applicant shall submit one (1) copy of a Hawaii Compliance Express Certificate from the Comptroller of the Department of Accounting and General Services that is dated no earlier than December 1, 2023.

Applicant is submitting screenshots of applicant's Hawaii Compliance Express-Certificate of Compliance Application Details as of 01/18/2024.

Applicant was incorporated as a Hawaii nonprofit corporation 12/08/23, received a Federal Tax ID 12/19/2023 and received a State Tax ID 01/18/2024.

Applicant has no income, bank accounts, checking accounts, employees, property, inventory and assets in Hawaii.

Applicant was not aware that the 2024 Application For Grants would no longer be requiring a Certificate of Good Standing from, the Director of Commerce and Consumer Affairs as it has in the past 30+ years.

Applicant downloaded and printed out last year's GIA 2023 Instructions, Checklist, FAQs, Cover Page, Pages 1-4, Page 5, Page 6, Page 7, Page 8, Page 9 and page 10 in July 2023. Applicant also downloaded and printed out the past years applications that would be helpful.

The major change between previous years and this year is changing the requirement to submit a Hawaii Compliance Express Certificate instead of a Certificate of Good Standing. Certificate of Good Standing takes a few minutes to apply on the internet and receive a Certificate of Good Standing. Hawaii Compliance Express Certificate takes 7 to 10 days according to the FAQs.

Applicant will submit the Hawaii Compliance Express Certificate of Compliance as soon as it is ready.

2. Declaration Statement

The applicant shall submit a declaration statement affirming its compliance with [Section 42F-103, Hawaii Revised Statutes](#).

Page 5 (Word) from 2024 GIA is attached.

3. Public Purpose

The applicant shall specify whether the grant will be used for a public purpose pursuant to [Section 42F-102, Hawaii Revised Statutes](#).

Applicant states that the grant will be used for a public purpose pursuant to Section 42F-102, Hawaii Revised Statutes.

§42F-102 Applications for grants. Requests for grants shall be submitted to the appropriate standing committees of the legislature at the start of each regular session of the legislature. Each request shall state:

- (1) The name of the requesting organization or individual;
- (2) The public purpose for the grant;
- (3) The services to be supported by the grant;
- (4) The target group; and
- (5) The cost of the grant and the budget. [L 1997, c 190, pt of §3; am L 2014, c 96, §6]

II. Background and Summary

This section shall clearly and concisely summarize and highlight the contents of the request in such a way as to provide the State Legislature with a broad understanding of the request. Please include the following:

1. A brief description of the applicant's background;
2. The goals and objectives related to the request;
3. The public purpose and need to be served;
4. Describe the target population to be served; and
5. Describe the geographic coverage.

Applicant was incorporated as a Hawaii nonprofit corporation 12/08/23, received a Federal Tax ID 12/19/2023 and received a State Tax ID 01/18/2024.

Applicant was incorporated to continue the work of the Korean War Veterans Association, Inc. Hawaii Chapter #1 and continue the legacy of the Korean War.

Goal and objectives is to implement Act 323 H.B. No. 3658 Act Relating to Veterans War Memorials.

Goal and objectives is to do maintenance & landscaping, wall & fencing and security monitor & light at the Korean And Vietnam War Memorials.

The first target population are the Korean War Veterans and Korean War Veterans families & friend.

The second target population are the members of the community, businesses and government that can benefit from learning about the Korean War Veterans and Korean War.

The third target population are the children in grade school and high school that will benefit from learning at the Korean War Veterans and Korean War.

The fourth target populations are the Asia Pacific communities that can learn how to work together.

Geographic coverage is statewide.

ACT 323 H.B. NO. 3658 (1992) A Bill for an Act Relating to Veterans War Memorials. Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The memorial to the veterans of the Korean and Vietnam conflicts shall be constructed on the Ewa lawn of the state capitol among the trees near the Richards Street border, bounded on one side by the covered stairway (with appropriate setback), Richards Street (with appropriate setback), and Beretania Street (with appropriate setback). The height of the memorial shall not exceed 20 feet, keeping in proportion with other statuary located in the immediate area. The design of the memorial shall utilize the natural assets of the site, with secluded areas of wall and trees for purposes of remembrance and meditation.

SECTION 2. The veterans memorial commission established pursuant to section 6E-44, Hawaii Revised Statutes, shall have ninety days after the effective date of this Act to finalize a design for the memorial that meets the criteria set forth in section 1, and to submit the design to the veterans memorial review board established in section 3. In formulating its design for the memorial, the commission shall consider the suitability of the proposals of the seven finalists of the original design competition to the criteria set forth in section 1, and shall consult with all interested

veterans and community groups. If the commission fails to submit a design to the review board within ninety days after the effective date of this Act, or ceases its work prior to that deadline, then the department of accounting and general services shall submit a final design as provided in section 3

III. Service Summary and Outcomes

The Service Summary shall include a detailed discussion of the applicant's approach to the request. The applicant shall clearly and concisely specify the results, outcomes, and measures of effectiveness from this request. The applicant shall:

1. Describe the scope of work, tasks and responsibilities;
2. Provide a projected annual timeline for accomplishing the results or outcomes of the service;
3. Describe its quality assurance and evaluation plans for the request. Specify how the applicant plans to monitor, evaluate, and improve their results; and
4. List the measure(s) of effectiveness that will be reported to the State agency through which grant funds are appropriated (the expending agency). The measure(s) will provide a standard and objective way for the State to assess the program's achievement or accomplishment. Please note that if the level of appropriation differs from the amount included in this application that the measure(s) of effectiveness will need to be updated and transmitted to the expending agency.

Applicant project name is Project Schreiner named after the last president of Korean War Veterans Association, Inc. Hawaii Chapter #1 who worked two (2) years meeting with government officials to repair and maintain the Korean And Vietnam War Memorials.

Applicant has met with all the stakeholders, i.e., state Department of Defense Office of Veterans Services, state Department of Defense, state Department of Accounting & General Services and Lieutenant Governor Sylvia Luke.

State Department of Accounting & General Services is willing to enter into a Right Of Entry and Memorandum Of Agreement similar to what was done with the Hawaii Law Enforcement Memorial Foundation for the Hawaii Law Enforcement Memorial located on the Diamond Head side of the Kalanimoku Building.

Applicant has had several meetings with Mitsunaga & Associates, Inc. and Palekana Permitting and Planning to do a design building project for the Korean And Vietnam War Memorials.

Mitsunaga & Associates, Lois Mitsunaga, Steve Wong, Chris Ball and many others at Mitsunaga & Associates rushed a Development Concept Site Plan and two (2) renderings. One rendering is of the Korean And Vietnam War Memorials from the front entry and the other rendering is of the Korean And Vietnam War Memorials from the back entry.

Mitsunaga & Associates design build would do the maintenance & landscaping as phase 1, wall & fencing as phase 2 and security monitors & lighting as phase 3.

Palekana Planning & Permitting would process the state and city permits.

Permitting time may take sixty (60) to ninety (90) days.

Construction could take sixty (60) to ninety (90) days.

State Department of Defense Office of Veterans Services, state Department of Defense would be monitoring the permitting and construction.

IV. Financial

Budget

1. The applicant shall submit a budget utilizing the enclosed budget forms as applicable, to detail the cost of the request.
 - a. Budget request by source of funds ([Link](#))
 - b. Personnel salaries and wages ([Link](#))
 - c. Equipment and motor vehicles ([Link](#))
 - d. Capital project details ([Link](#))
 - e. Government contracts, grants, and grants in aid ([Link](#))

Page 6 (Excel) from 2024 GIA Budget Request By Source Of Funds is attached.
 Page 7 (Excel) from 2024 GIA Budget Justification-Personnel Salaries And Wages is attached.
 Page 8 (Excel) from 2024 GIA Budget Justification-Equipment And Motor Vehicles is attached
 Page 9 (Excel) from 2024 GIA Budget Justification-Capital Projects Details is attached
 Page 10 (Excel) from 2024 GIA Government Contracts, Grants, And/Or Grants In Aid is attached

2. The applicant shall provide its anticipated quarterly funding requests for the fiscal year 2025.

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total Grant
\$1,000,000.00	\$1,000,000.00			\$2,000,000.00

3. The applicant shall provide a listing of all other sources of funding that they are seeking for fiscal year 2025.

Applicant will be using the kwfi.us website to coordinate the programs, activities & events, volunteers and calendar. kwfi.us will be a virtual headquarters for applicant.

Applicant will be targeting two (2) dates every year. July 24, 1994 is the date the Korean And Vietnam War Memorials was dedicated. July 27, 1953 is the date of the Korean War Armistice.

For each date, Applicant will have a ceremony, community festival lunch and fundraising dinner.

Applicant will be setting up working committees for each activity and event and looking for advertiser, contributors, donors, sponsors, ticket purchasers, table purchasers and vendors.

The list of all sources of funding are as follows:

1. July 24, 2024 30th Anniversary of the dedication of the Korean And Vietnam War Memorials located on the grounds of the State Capitol ceremony.
2. July 24, 2024 30th Anniversary of the dedication of the Korean And Vietnam War Memorials located on the grounds of the State Capitol community festival lunch.
3. July 24, 2024 30th Anniversary of the dedication of the Korean And Vietnam War Memorials located on the grounds of the State Capitol fundraising dinner.
4. July 27, 2024 71st Anniversary of the Korean War Armistice ceremony.
5. July 27, 2024 71st Anniversary of the Korean War Armistice community festival lunch.
6. July 27, 2024 71st Anniversary of the Korean War Armistice dinner.
7. Oral History Project: Interviews & Podcasts.
8. Oral History Project: Multi-Media Interactive Display Boards.
9. Oral History Project: Short Films, Feature Length Films & Documentaries.
10. Oral History Project: Story Book.

Hawaii's Role In The Korean War Oral History project will be developed in phases.

Phase 1: Research will be done to put together a list of Hawaii people who served in the Korean War. Research will identify the names of the fatal casualties, non-fatal casualties, medal of honor recipients, unawarded medal of honor recipients, passed away, Hawaii residents and non-Hawaii residents. KWFI will make a collection of oral histories that have been done and not done. KWFI will interview living Hawaii Korean War veterans and the families and friends of past Hawaii Korean War veterans and collect their Korean War items. KWFI will produce podcasts that will be available on kwfi.us, University Of Hawaii Korea War platform, allhawaiiitv, YouTube and on the internet.

Phase 2: The oral histories and the items collected during the oral histories will be put together as multi-media interactive display boards that will go on exhibition at schools, libraries and other public places in Hawaii.

Phase 3: Short films, feature length films and documentaries will be created out of the filming of the oral history and collection of Korean War items.

Phase 4: Story Book will be created on Hawaii's role in the Korean War. The story book will be distributed to the Hawaii schools and libraries and sold at the bookstores, kwfi.us and the internet.

4. The applicant shall provide a listing of all state and federal tax credits it has been granted within the prior three years. Additionally, the applicant shall provide a listing of all state and federal tax credits they have applied for or anticipate applying for pertaining to any capital project, if applicable.

Not Applicable. Applicant has not received state and federal tax credits within the prior 3 years. Applicant has not applied for state and federal tax credits.

5. The applicant shall provide a listing of all federal, state, and county government contracts, grants, and grants in aid it has been granted within the prior three years and will be receiving for fiscal year 2025 for program funding.

Not Applicable. Applicant has not received any federal, state, and county government contracts, grants, and grants within the prior 3 years. Applicant has not applied for any federal, state, and county government contracts, grants, and grants other than this Grant-In-Aid for fiscal year 2025 for program funding.

6. The applicant shall provide the balance of its unrestricted current assets as of December 31, 2023.

Not Applicable. Applicant does not have any assets.

V. Experience and Capability

1. Necessary Skills and Experience

The applicant shall demonstrate that it has the necessary skills, abilities, knowledge of, and experience relating to the request. State your experience and appropriateness for providing the service proposed in this application. The applicant shall also provide a listing of verifiable experience of related projects or contracts for the most recent three years that are pertinent to the request.

Applicant's officers, directors, board members, board committee members and working committee members are volunteers. Most of the officers, directors, board members, board committee members and working committee members have special qualifications due to their education, employment, experiences and extracurricular.

Applicant's president Robert M. Imose is a retired U.S. Air Force Colonel, retired Hawaii state Hawaii Housing Authority and state Housing Finance & Development Corporation special projects coordinator, senior supervising project coordinator and second in the housing development branch. He also worked for other companies managing projects.

Applicant's board member Don D.K. Kim is the retired president of Sony Hawaii Company, president of The Founding president of Syngman Rhee Society, board of director of Kuakini Health System, former president The National Unification Advisory Council, former president Korean American Foundation Hawaii, former co-chair East West Center Foundation, former board of director Hawaii Baptist Academy and former president GCS International Club Hawaii.

Applicant's board member Yoon-kyo Yi has been a resident of Hawaii for over 40 years, worked for Outrigger Hotels and is Hawaii Branch president of the Association of Korea-U.S.A. Friendship Alliance.

Applicant's board members Ellie Kim is the Korean Studies librarian at the University of Hawaii Manoa.

Applicant's advisory member Captain Soonkun is the defense attache assigned to the Consulate General of the Republic of Korea in Hawaii.

Applicant's advisory member Hyeyeon Park is consul of the Consulate General of the Republic of Korea in Hawaii.

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Applicant's advisory member Rodney Y. Sato was a deputy attorney general, special assistant and general counsel for the state Hawaii Housing Authority and general counsel for the state Housing Finance & Development Corporation. He was vice president of Kona Beach Company, vice president of Kona Beach Development Corporation, executive vice president Airport Management Services, Inc., executive vice president OTM, Inc., executive vice president Oahu Entertainment (Sea Life Park and Waimea Falls Park), chair Pacific Health Community, Inc., managing member of Shangri-la Company, LLC, Global Associates Company, LLC, Global Innovation & Entrepreneurship Center LLC and several other companies.

Applicant's officers, directors, board members, board committee members and working committee members have very good project management skills and have retained high qualified companies in Hawaii to implement the projects covered under this Grant-In-Aid.

Applicant will retain the best independent contractors and companies that we can find in Hawaii.

2. Facilities

The applicant shall provide a description of its facilities and demonstrate its adequacy in relation to the request. If facilities are not presently available, describe plans to secure facilities.

Not Applicable. Applicant does not own, lease, rent or have any facilities. Applicant will use public facilities for free or nominal costs and expenses.
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VI. Personnel: Project Organization and Staffing

1. Proposed Staffing, Staff Qualifications, Supervision and Training

The applicant shall describe the proposed staffing pattern and proposed service capacity appropriate for the viability of the request. The applicant shall provide the qualifications and experience of personnel for the request and shall describe its ability to supervise, train and provide administrative direction relative to the request.

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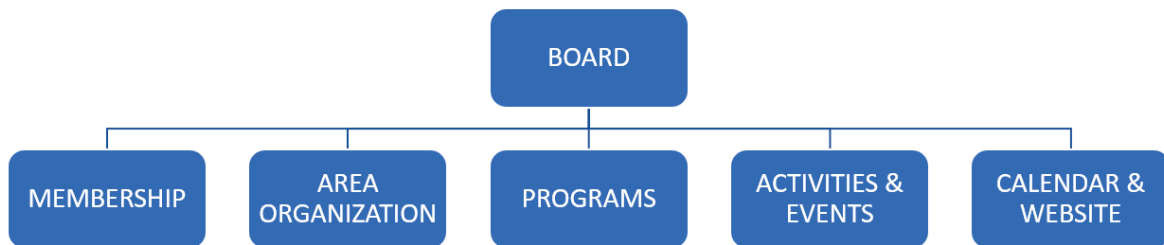
2. Organization Chart

The applicant shall illustrate the position of each staff and line of responsibility/supervision. If the request is part of a large, multi-purpose organization, include an organization chart that illustrates the placement of this request.

Applicant's Organization Chart is pasted below.

Applicant's Organization Chart is setup for a nonprofit organization.

KOREAN AND VIETNAM WAR MEMORIALS FOUNDATION, INC. ORGANIZATION CHART



NOTES:

1. Board consists of board members, officers, board committees and advisory members.
2. Working Committees will manage and operate membership, area organization, programs, activities & events and calendar & website.
3. Independent contractors will be retained to implement projects that are supervised by the Working Committees.
4. No board members, officers, board committees and advisory members will receive compensation.

Applicant's 1st priority will be it's membership and growing the membership. The members define what kind of organization the Applicant will become in the future. Applicant will target Korean War Veterans, Korean War Veteran's families & friends, U.S. & Korean government officials, U.S. & Korean military officials and U.S. & Korean business and community leaders.

Applicant's 2nd priority will be to have members in every area in this state and have members from the community, business and government.

Applicant's 3rd priority will be the programs that the membership selects. Repair and maintenance is the lifelong program.

Applicant's 4th priority will be activities & events for the members, community, business and government. Activities & Events are short time period projects and not programs.

Applicant's 5th priority will be the calendar and the website. Calendar will be the roadmap for the Applicant and the website will be used for communications tool.

Oral History Project will help grow the membership, area organization, programs, activities & events and calendar & website.

3. Compensation

The applicant shall provide an annual salary range paid by the applicant to the three highest paid officers, directors, or employees of the organization by position title, not employee name.

Not Applicable. Applicant does not have any paid officers, directors or employees.

VII. Other

1. Litigation

The applicant shall disclose any pending litigation to which they are a party, including the disclosure of any outstanding judgement. If applicable, please explain.

Not Applicable. Applicant does not have any pending litigation and outstanding judgment.

2. Licensure or Accreditation

The applicant shall specify any special qualifications, including but not limited to licensure or accreditation that the applicant possesses relevant to this request.

Applicant's officers, directors, board members, board committee members and working committee members are volunteers. Most of the officers, directors, board members, board committee members and working committee members have special qualifications due to their education, employment, experiences and extracurricular.

Applicant's president Robert M. Imose is a retired U.S. Air Force Colonel, retired Hawaii state Hawaii Housing Authority and state Housing Finance & Development Corporation special projects coordinator, senior supervising project coordinator and second in the housing development branch. He also worked for other companies managing projects.

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Applicant will retain the best independent contractors and companies that we can find in Hawaii.

3. Private Educational Institutions

The applicant shall specify whether the grant will be used to support or benefit a sectarian or non-sectarian private educational institution. Please see [Article X, Section 1, of the State Constitution](#) for the relevance of this question.

Not Applicable. Applicant will not use this grant to support or benefit a sectarian or non-sectarian private educational institution.

4. Future Sustainability Plan

The applicant shall provide a plan for sustaining after fiscal year 2024-25 the activity funded by the grant if the grant of this application is:

- (a) Received by the applicant for fiscal year 2024-25, but
- (b) Not received by the applicant thereafter.

Applicant president Robert M. Imose is 93 years old this year. Robert M. Imose is also president of Korean War Veterans Association, Inc. Hawaii Chapter #1 (KWVA). Most of the KWVA members are over ninety (90) years old and there is no future sustainability plan.

Robert M. Imose understands the need for “future sustainability” and on December 8, 2024 incorporated two (2) Hawaii nonprofit companies.

Korean War Foundation, Inc. was incorporated to work with community, business and government to continue the legacy of the Korean War.

Korean And Vietnam War Memorials Foundation, Inc. was incorporated to work with community, business and government to continue the repairs and maintenance of the Korean And Vietnam War Memorials.

KWVA is part of the national organization which limits who can be members and requires annual dues at the national level and department/chapter level. There are very few that are willing to be members at ninety (90) years old.

KWFI and KAVWMI will not be part of a national organization, will not charge dues, will not require members to pay for uniforms and other items and have restrictive policies & procedures.

KWFI and KAVWMI will invite anyone to join as members without any dues, fees and costs & expenses.

It is the goal of KWFI and KAVWMI to find community, business and government support to design & build and manage & operate the War Memorial Hall that the State Legislature proposed at State Rainbow Park at Aiea.

ACT 323 H.B. NO. 3658 (1992) A Bill for an Act Relating to Veterans War Memorials. SECTION 4. The department of land and natural resources shall solicit the participation of all veterans’ organizations, including veterans of the Korean and Vietnam conflicts, in the planning and design of the war memorial hail within the Aiea (Rainbow) bay state recreation area, as proposed in the Aiea bay state recreation area conceptual master plan. This participation shall supplement input provided by community groups and members relating to park development. Use of the memorial hall by the community and veterans is intended to foster a better’ understanding of the sacrifices of veterans and their fallen comrades, and the design of the hall shall appropriately reflect this intent.

ACT 323 H.B. NO. 3658 A Bill for an Act Relating to Veterans War Memorials. Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The memorial to the veterans of the Korean and Vietnam conflicts shall be constructed on the Ewa lawn of the state capitol among the trees near the Richards Street border, bounded on one side by the covered stairway (with appropriate setback), Richards Street (with appropriate setback), and Beretania Street (with appropriate setback). The height of the memorial shall not exceed 20 feet, keeping in proportion with other statuary located in the immediate area. The design of the memorial shall utilize the natural assets of the site, with secluded areas of wall and trees for purposes of remembrance and meditation.

SECTION 2. The veterans memorial commission established pursuant to section 6E-44, Hawaii Revised Statutes, shall have ninety days after the effective date of this Act to finalize a design for the memorial that meets the criteria set forth in section 1, and to submit the design to the veterans memorial review board established in section 3. In formulating its design for the memorial, the commission shall consider the suitability of the proposals of the seven finalists of the original design competition to the criteria set forth in section 1, and shall consult with all interested veterans' and community groups. If the commission fails to submit a design to the review board within ninety days after the effective date of this Act, or ceases its work prior to that deadline, then the department of accounting and general services shall submit a final design as provided in section 3.

SECTION 3. There is established within the department of accounting and general services for administrative purposes only, a temporary veterans memorial review board comprised of five members. Three of the members shall be appointed by the governor, one member shall be appointed by the speaker of the house, and one member shall be appointed by the president of the senate. Members appointed to the board shall at least include veterans of the Korean and Vietnam conflicts, members with expertise in the field of architecture, and a representative from neighborhood board number 13. The review board shall elect a chairperson from among its members, who shall serve without pay. Sections 26-34, 26-35, and 26-41, Hawaii Revised Statutes, shall not apply to the board. The review board's function shall be to monitor and review the work of the commission in developing the design and to approve or disapprove the final design of the memorial submitted by the commission or the department of accounting and general services in accordance with section 2. The review board's decision shall be rendered within seven days of a timely submission by the commission. Approval shall be predicated upon a finding that the design and its selection conform to the criteria set forth in sections 1 and 2. If the board disapproves the submitted design, or the commission ceases its work or fails to meet the deadline established in section 2, then the department of accounting and general services shall submit a final design within thirty days after the date of disapproval or the date it assumes responsibility from the commission. The board shall cease to exist following its approval of a final design for the memorial.

SECTION 4. The department of land and natural resources shall solicit the participation of all veterans' organizations, including veterans of the Korean and Vietnam conflicts, in the planning and design of the war memorial hall within the Aiea (Rainbow) bay state recreation area, as proposed in the Aiea bay state recreation area conceptual master plan. This participation shall supplement input provided by community groups and members relating to park development. Use of the memorial hall by the community and veterans is intended to foster a better understanding of the sacrifices of veterans and their fallen comrades, and the design of the hall shall appropriately reflect this intent.

SECTION 5. Any law to the contrary notwithstanding, the appropriation under Act 316, Session Laws of Hawaii 1989, Section 222 as amended and renumbered by Act 299, Session Laws of Hawaii 1990, Section 6 in the amount indicated or balance thereof is hereby lapsed: Item, No. DEF1 12-1A in the amount of \$840,000.00.

SECTION 6 The director of finance is authorized to issue general obligation bonds in the sum of \$840,000, or so much thereof as may be necessary, and the same sum, or so much thereof as may be necessary, is appropriated for fiscal year 1992-1993, to carry out the purposes of this Act. The sum appropriated shall be expended by the department of accounting and general service for plans, land acquisition, design, construction and equipment for a Korean and Vietnam conflicts memorial on Oahu.

SECTION 7. Any law or any provision of this Act to the contrary not with standing, the appropriation made for the capital investment project authorized in this Act shall not lapse at the end of the fiscal year for which the appropriation is made provided that all appropriations made to be expended in fiscal year 1992- 93 which are unencumbered as of June 30 1994 shall lapse as of the date SECTION 8. This Act shall take effect upon its approval; provided that section 6 shall take effect on July 1 1992 (Became law on July 7 1992 without the Governor s signature pursuant to Art III § 16 State Constitution.)

From: **Earing, Joseph M** <joseph.m.earring@hawaii.gov>
Date: Mon, Dec 4, 2023 at 6:21 PM
Subject: KWVA Hawaii Chapter 1 Meetings with DAGS
To: bbrimose@alo.com <bbrimose@alo.com>, rodneysato@shangrilacompanyllc.com <rodneysato@shangrilacompanyllc.com>
Cc: Kinimaka, Chris <chris.kinimaka@hawaii.gov>, Kurata, James K <james.kurata@hawaii.gov>, Choy, Dora WF <dora.wf.choy@hawaii.gov>

Aloha Bob and Rodney,

Following up on our 11/29/23 meeting, attached is a copy of the revocable right of entry (ROE) and memorandum of agreement (MOA) between DAGS and the Hawaii Law Enforcement Memorial Foundation (HLEMF). This ROE and MOA authorizes the HLEMF to enter, construct and maintain the Hawaii Law Enforcement Memorial located on the Diamond Head side of the Kalanimoku Building. **I believe a similar agreement between DAGS and your organization could be used to allow you to maintain and construct improvements for the Korean and Vietnam War Memorial located on the Ewa side of the State Capitol Building grounds.**

As mentioned at our last meeting, you may want to consider hiring a private security guard for the Korean and Vietnam War Memorial until such time as a protective fence can be constructed. Following is information on the State Procurement Office (SPO) Vendor List for Unarmed Security Guard Services:

[Vendor-List-23-17-Change-No.-2-part-2-signed-1.pdf \(hawaii.gov\)](#)

Nonprofit organizations may utilize the SPO Vendor List provided they apply, and their application is approved by the SPO. Click on the following link for Information on the SPO Cooperative Purchasing Program:

[State Procurement Office | Cooperative Purchasing Program \(hawaii.gov\)](#)

Lastly, your organization, may want to consider applying for a CIP grant-in-aid (GIA) from the Hawaii State Legislature. The GIA 2024 instructions have not yet been published, but the following link has information on the 2023 and prior year grants.

<https://www.capitol.hawaii.gov/session/gia.aspx>

Please let me know if you have any questions.

Thanks,
Joe

Joseph M. Earing, P.E.
Chief, Planning Branch
Public Works Division
Department of Accounting and General Services
1151 Punchbowl Street, Room 430
Honolulu, Hawaii 96813
808-586-0500
joseph.m.earring@hawaii.gov

NEIL ABERCROMBIE
GOVERNOR



Dean H. Seki
Comptroller
Maria E. Ziellinski
Deputy Comptroller

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

DEC 27 2012

(P)1302.2

Mr. Thomas K. Aiu
Hawaii Law Enforcement Memorial Foundation
4348 Waiialae Avenue, Suite 527
Honolulu, Hawaii 96818

Dear Mr. Aiu:

Subject: Revocable Right of Entry (ROE) for a
Hawaii Law Enforcement Memorial Foundation

This is in response to your request for approval to construct and maintain the Hawaii Law Enforcement Memorial on the Diamond Head side of the Kalanimoku Building.

Pursuant to the authority granted to me by the Governor by Executive Order No. 3576, I grant to the Hawaii Law Enforcement Memorial Foundation (Foundation) a revocable ROE to the State Land identified as TMK: 2-1-33:25 (Premises), including its grounds and the buildings thereon, commonly known as the Kalanimoku Building, for use by the Foundation, its representatives, contractors, and agents in order to access the Premises to construct and maintain the Hawaii Law Enforcement Memorial (Memorial).

1. This ROE shall take effect from the acceptance date of this letter by the Foundation, or the date of approval by the Department of Accounting and General Services (DAGS) of the location and placement of the memorial, whichever is the latter. The ROE will expire upon mutual agreement or removal of the memorial and related memorial elements, whichever is sooner, and in accordance with the attached memorandum of agreement (MOA) dated November 30, 2012.
2. This ROE is limited to areas necessary for the installation and maintenance of the subject memorial and is conditioned upon the Foundation providing full maintenance of the Memorial and related services upon completion of the installation, all in accordance with the attached MOA, to ensure that it remains a respectable work of art and symbol in perpetuity.
3. The Foundation shall indemnify, defend, and hold harmless the State of Hawaii, DAGS, its officers, employees, and agents, from and against any and all liability, loss, damage, cost, or expense, and all claims and demands arising out of or

Mr. Thomas K. Aiu
(P)1302.2
Page 2

resulting from the acts or omissions, of the Foundation or its officers, employees, contractors, and agents under this ROE. The Foundation shall ensure that its contractors, consultants, agents, and/or persons acting for or on its behalf, shall indemnify, defend and hold harmless the State of Hawaii, DAGS, its officers, employees, and agents, from and against any and all liability, loss, damage, cost, or expense, and all claims or demands arising out of or resulting from any act or omission of the Foundation's contractors, consultants, agents, and/or persons acting for or on its behalf, under this ROE.

4. The Foundation shall ensure that its contractors, consultants, agents, and/or persons acting for or on its behalf, procure at their own expense and maintain during the entire period of this ROE, from an insurance company or companies licensed to do business in the State of Hawaii, a policy or policies of comprehensive public liability insurance, in the amount acceptable to the State (\$1,000,000 per incident/\$2,000,000 aggregate) insuring the State of Hawaii against all claims for personal injury, death and property damage. The State shall be named as an additional insured. The policy or policies shall cover the entire ROE area in the use of the Foundation and/or its contractor, consultants, agents, and/or persons acting for or on its behalf in the exercise of this ROE.
5. The Foundation, its contractors, consultants, agents, and/or persons acting for or on its behalf in the exercise of this ROE, shall use appropriate precautions and measures to minimize inconveniencing surrounding landowners, building occupants, and the general public.
6. In the event any unanticipated burial sites remains such as shell bone or charcoal deposits, human remains, rock or coral alignments, paving or walls, are encountered by the Foundation, its contractors, consultants, agents, and/or persons acting for or on its behalf in the exercise of this ROE, the Foundation shall stop work and contact the State Historic Preservation Division in Honolulu at 692-8015 immediately.
7. DAGS reserves the right to impose additional, responsible terms and conditions, at any time it deems necessary while this ROE is in effect.

If you concur with the above terms and conditions, please sign and return to me making a copy for the Foundation.

Mr. Thomas K. Aiu
(P)1302.2
Page 3

If you have any questions, please call me at 586-0400 or have your staff call Mr. Alva Nakamura of the Public Works Division at 586-0488.

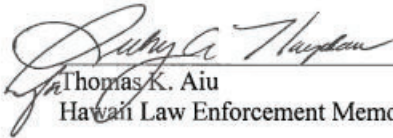
Sincerely,



DEAN H. SEKI
Comptroller

AN:lnn
Enclosure
c: DAGS-CSD
DLNR-Land Division

ACCEPT:


Thomas K. Aiu
Hawaii Law Enforcement Memorial Foundation

Date: 12/28/12

MEMORANDUM OF AGREEMENT
HAWAII LAW ENFORCEMENT MEMORIAL FOUNDATION

THIS MEMORANDUM OF AGREEMENT (MOA), is effective this 30 day of November, 2012, by and between the Department of Accounting and General Services, State of Hawaii, hereinafter (DAGS) or (State) by and through its Comptroller, and the Hawaii Law Enforcement Memorial Foundation, a non-profit corporation organized under the laws of the State, whose address is 4348 Waiialae Ave., #527, Honolulu, Hawaii 96816, hereinafter (HLEMF) or (Foundation).

RECITALS

- A. During the 25th Legislative Session in 2010, the House and Senate unanimously passed House Concurrent Resolution 139, which requests DAGS to work with the HLEMF and others to plan and construct the Hawaii State Law Enforcement Memorial (Memorial) on the grounds of the Hawaii State Capitol.
- B. During the 26th Legislative Session in 2011, the HLEMF worked with former Representative and current Deputy Chief of Staff Blake Oshiro for the passage of House Bill 1622 which identified a preference for the location of the Memorial to be on the Diamond Head side of the Kalanimoku Building and that private funds shall be solicited and used for the construction of the Memorial.
- C. House Bill 1622 was signed into law as Act 14 and took effect on July 1, 2011.
- D. By Executive Order No. 3576, DAGS was given control and management over the property comprised of approximately 203,000 square feet on the corner of Beretania and Punchbowl Streets (TMK: No. 2-1-33:25) (Premises), including its grounds and the buildings thereon, also commonly known as the Kalanimoku Building. See Exhibit A attached hereto and made a part hereof.
- E. As the State agency responsible for controlling, managing and maintaining the Premises, DAGS is responsible for capital and day-to-day upkeep of the buildings and grounds of the Premises.

NOW THEREFORE, in consideration of the promises contained in this MOA, as follows:

- 1. Rights and Prerogatives of the HLEMF. At its own expense and consistent with the reservations by the State contained in this MOA, the HLEMF agrees to use its best efforts to:
 - a. Stimulate the interest of all citizens in Hawaii's history, more particularly the role that Hawaii's Federal, State, local, and military law enforcement agencies have played in protecting and serving the people of Hawaii.

- b. Assist the State with all aspects of the historic research, interpretation, preservation, restoration, repair and maintenance of the Memorial.
 - c. Solicit private funds to be used for the construction of the Memorial, including requesting and obtaining any revenues, grants, and donations, whether in money or in kind.
2. Responsibilities of the HLEMF. The HLEMF further agrees that throughout the term of this MOA, it shall:
- a. Liability Insurance. Insure that its contractors, consultants, and/or persons acting for or on the HELMF's behalf, procure at their own expense, and maintain during the entire period of this MOA, from an insurance company or companies licensed to do business in the State of Hawaii, a policy or policies of comprehensive public liability insurance, in the amount acceptable to the State (\$1,000,000 per incident/\$2,000,000 aggregate) insuring the State of Hawaii against all claims for personal injury, death, and property damage. The State of Hawaii is to be named as additional insured on the HLEMF's policy or policies. The policy or policies shall cover the entire area in use by the memorial.
 - b. Assignments. Not transfer or assign any right, interest, or obligation under this MOA, without the prior written consent of the State.
 - c. Compliance with Laws. Comply with all Federal, State, and County laws, ordinances, codes, rules, and regulations, as they may be amended, that in any way affect the HLEMF's performance under this MOA.
 - d. Installation and Maintenance of New CCTV Surveillance Cameras. Install and maintain two (2) new CCTV surveillance cameras to record all activities 24 hours a day, seven (7) days a week, surrounding the Memorial. The recording equipment will be installed in the offices of the Department of Land and Natural Resources (DLNR) however, monitoring by police personnel will be done on a sporadic and not on a continuous basis. All agreements and approvals with DLNR shall be coordinated and maintained by the HLEMF.
 - e. Maintenance of the Memorial. Provide general maintenance of the Memorial on a monthly or quarterly basis, including sweeping of leaves, removal of debris, polishing each fallen officer's marble/granite marker, fertilizing shrubs and plants, and addressing other maintenance matters as they arise. In doing so, the HLEMF, its contractors, consultants, and/or persons acting for or on its behalf, shall use appropriate

precautions and measures to minimize inconveniencing the occupants of the Kalanimoku Building and the public in general.

3. Responsibilities of the State. Throughout the term of this MOA, the State agrees it will:
 - a. General Maintenance. Water the Memorial lawn, plants, and trees and cut the lawn on the same regular schedule that is utilized for the Kalanimoku Building.
 - b. Make Premises Available. Make the Premises available to the HLEMF to organize and conduct activities that are open to the public, including tours, lectures, exhibits, group events and other programs; subject to closure from time to time for maintenance, repair, renovation and other good cause. All public areas shall be subject to such use restriction, security controls, and other requirements as the State deems reasonably necessary or appropriate for the safety, preservation and security of the Premises. The Governor and the State may use the Premises for official State functions and will use best efforts to coordinate its needs to use the Premises for official State functions with the HLEMF.
 - c. Approvals Not Unreasonably Withheld. Not unreasonably withhold its consent or approval when its approval or consent is required by this MOA and requested by the HLEMF.
 - d. Appropriate Permitted Use. All future requests for additional permitted use of the memorial area shall be reviewed to ensure the desired activity is commensurate with the intended use of the area.
 4. Term of the MOA. The original term of this MOA shall be for the life of the Memorial. Either party may terminate this MOA for cause with one (1) year's prior written notice to the other party. This MOA may also be terminated by the mutual agreement of the parties at any time.
 5. Hawaii Law. This MOA shall be construed, interpreted, and governed by the laws of the State of Hawaii.
 6. Partial Invalidity. If any term, provision, or condition of this MOA should be held to be invalid, void, or unenforceable, the remainder of this MOA shall continue in full force and effect and shall in no way be affected, impaired or invalidated thereby.
 7. Notices. Any notice, demand, request, consent, approval or communication that either party desires or is required to give the other party or any other
-

person shall be in writing and either personally delivered or sent by prepaid, first-class mail, to the other party at the address set forth below. A notice shall be deemed to have been received forty-eight (48) hours from the time of mailing or at the time of actual receipt, whichever is earlier.

To State: Department of Accounting and General Services
Attention: Public Works Division
1151 Punchbowl Street
Honolulu, Hawaii 96813

To Foundation: Hawaii Law Enforcement Memorial Foundation
4348 Waialae Avenue, #527
Honolulu, Hawaii 96816

- 8. Integration and Amendments. This MOA sets forth all of the agreements, conditions, understandings, promises, and representations made by or on behalf of the State and the HLEMF with respect to this MOA. This MOA supersedes any prior agreement, condition, understanding, promise, and representation. There are no agreements, conditions, understandings, promises, or representations, oral or written, express or implied, between the State and the HLEMF other than as set forth or as referenced herein. No amendment or modification of this MOA shall be effective unless incorporated in writing and executed by the State and the HLEMF.

In View of the Above, the parties execute this MOA on the dates below, to be effective as of the date first above written.

HAWAII LAW ENFORCEMENT
MEMORIAL FOUNDATION

DEPARTMENT OF ACCOUNTING &
GENERAL SERVICES

By: Thomas A. Aina
Its: Executive Director

By: [Signature]
Its: Comptroller

APPROVED AS TO FORM:

[Signature]
Deputy Attorney General



Internet FORM DNP-1
1208202347280 10/2023

STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
Business Registration Division
335 Merchant Street
Mailing Address: P.O. Box 40, Honolulu, Hawaii 96810
Phone No. (808) 586-2727



ARTICLES OF INCORPORATION
(Section 414D-32, Hawaii Revised Statutes)

PLEASE TYPE OR PRINT LEGIBLY IN BLACK INK

The undersigned, desiring to form a nonprofit corporation under the laws of the State of Hawaii, certify as follows:

I

The name of the corporation shall be :

KOREAN AND VIETNAM WAR MEMORIALS FOUNDATION, INC.

II

The mailing address of the corporation's initial principal office is:

632 HUNAKAI STREET, HONOLULU, HI 96816 USA

III

The corporation shall have and continuously maintain in the State of Hawaii a registered agent who shall have a business address in this State. The agent may be an individual who resides in this State, a domestic entity or a foreign entity authorized to transact business in this State.

- a. The name (and state or country of incorporation, formation or organization, if applicable) of the corporation's registered agent in the State of Hawaii is:

ROBERT M. IMOSE

(Name of Registered Agent)

(State or Country)

- b. The street address of the place of business of the person in State of Hawaii to which service of process and other notice and documents being served on or sent to the entity represented by it may be delivered to is:

632 HUNAKAI STREET, HONOLULU, HI 96816 USA

12/08/202347280

www.BUSINESSREGISTRATIONS.COM

Internet FORM DNP-1
1208202347280 10/2023

IV

The name and address of each incorporator is:

<u>Name</u>	<u>Address</u>
<u>ROBERT M. IMOSE</u>	<u>632 HUNAKAI STREET, HONOLULU, HI 96816 USA</u>
<u>BRIAN Y.C. LAU</u>	<u>395 KUPAUA PLACE, HONOLULU, HI 96821 USA</u>
<u>WALTER M. OZAWA</u>	<u>1434 PUNAHOU STREET, ROOM 700, HONOLULU, HI 96822 USA</u>
<u>THOMAS T. TAHARA</u>	<u>949 HAHAIONE STREET, HONOLULU, HI 96825 USA</u>

V

Please check one:

The corporation has members.

The corporation has no members.

VI

The corporation under this chapter shall not authorize or issue shares of stock. No dividend shall be paid and no part of the income or profit of a corporation shall be distributed to its members, directors, or officers. A corporation may pay compensation in a reasonable amount to its members, directors, or officers for services rendered, may confer benefits upon its members in conformity with its purposes, and upon dissolution or final liquidation may make distributions to its members as permitted by this chapter; provided that no such payment, benefit, or distribution shall be deemed to be a dividend or a distribution of income or profit.

The undersigned certifies under the penalties of Section 414D-12, Hawaii Revised Statutes, that the undersigned has read the above statements, that I/we are authorized to sign this Articles of Incorporation, and that the above statements are true and correct.

Signed this 08 day of DECEMBER 2023

<u>ROBERT M. IMOSE</u>	
(Type/Print Name of Incorporator)	(Type/Print Name of Incorporator)

<u>ROBERT M. IMOSE</u>	
(Signature of Incorporator)	(Signature of Incorporator)

12/08/2023 47280

www.BUSINESSREGISTRATIONS.COM
Nonrefundable Filing Fee \$25.00

Internet FORM DNP-1
1208202347281 10/2023



STATE OF HAWAII
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
Business Registration Division
335 Merchant Street
Mailing Address: P.O. Box 40, Honolulu, Hawaii 96810
Phone No. (808) 586-2727



ARTICLES OF INCORPORATION
(Section 414D-32, Hawaii Revised Statutes)

PLEASE TYPE OR PRINT LEGIBLY IN BLACK INK

The undersigned, desiring to form a nonprofit corporation under the laws of the State of Hawaii, certify as follows:

I

The name of the corporation shall be :

KOREAN WAR FOUNDATION, INC.

II

The mailing address of the corporation's initial principal office is:

632 HUNAKAI STREET, HONOLULU, HI 96816 USA

III

The corporation shall have and continuously maintain in the State of Hawaii a registered agent who shall have a business address in this State. The agent may be an individual who resides in this State, a domestic entity or a foreign entity authorized to transact business in this State.

- a. The name (and state or country of incorporation, formation or organization, if applicable) of the corporation's registered agent in the State of Hawaii is:

ROBERT M. IMOSE

(Name of Registered Agent)

(State or Country)

- b. The street address of the place of business of the person in State of Hawaii to which service of process and other notice and documents being served on or sent to the entity represented by it may be delivered to is:

632 HUNAKAI STREET, HONOLULU, HI 96816 USA

12/08/202347281

www.BUSINESSREGISTRATIONS.COM

Internet FORM DNP-1
1208202347281 10/2023

IV

The name and address of each incorporator is:

Name	Address
ROBERT M. IMOSE	632 HUNAKAI STREET, HONOLULU, HI 96816 USA
BRIAN Y.C. LAU	395 KUPAUA PLACE, HONOLULU, HI 96821 USA
WALTER M. OZAWA	1434 PUNAHOU STREET, ROOM 700, HONOLULU, HI 96822 USA
THOMAS T. TAHARA	949 HAHAIONE STREET, HONOLULU, HI 96825 USA

V

Please check one:

The corporation has members.

The corporation has no members.

VI

The corporation under this chapter shall not authorize or issue shares of stock. No dividend shall be paid and no part of the income or profit of a corporation shall be distributed to its members, directors, or officers. A corporation may pay compensation in a reasonable amount to its members, directors, or officers for services rendered, may confer benefits upon its members in conformity with its purposes, and upon dissolution or final liquidation may make distributions to its members as permitted by this chapter; provided that no such payment, benefit, or distribution shall be deemed to be a dividend or a distribution of income or profit.

The undersigned certifies under the penalties of Section 414D-12, Hawaii Revised Statutes, that the undersigned has read the above statements, that I/we are authorized to sign this Articles of Incorporation, and that the above statements are true and correct.

Signed this 08 day of DECEMBER 2023

ROBERT M. IMOSE (Type/Print Name of Incorporator)	_____	(Type/Print Name of Incorporator)
ROBERT M. IMOSE (Signature of Incorporator)	_____	(Signature of Incorporator)

12/08/202347281

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

Mr. Bob Imose
Korean War Memorial Foundation
632 Hunakai Street
Honolulu, HI 96816

Dear Mr. Imose:

Subject: Revocable Right of Entry (ROE) for the Korean War Memorial Foundation

This is in response to your request for approval to construct and maintain fencing around the Korean and Vietnam War Memorial on the West Lawn of the State Capitol.

Pursuant to the authority granted to me, I grant to the Korean War Foundation (Foundation) a revocable ROE to the State Land, including its grounds, for use by the Foundation, its representatives, contractors, and agents in order to access the Premises to construct fencing around and maintain the Korean and Vietnam War Memorial (Memorial).

1. This ROE shall take effect from the acceptance date of this letter by the Foundation, or the date of approval by the Department of Accounting and General Services (DAGS). The ROE will expire upon mutual agreement or removal of the memorial and related memorial elements, whichever is sooner, and in accordance with the attached memorandum of agreement (MOA) dated December __, 2023.
2. This ROE is limited to areas necessary for the installation and maintenance of the subject fencing and is conditioned upon the Foundation providing full maintenance of the Memorial and related services upon completion of the installation, all in accordance with the attached MOA, to ensure that it remains a respectable work of art and symbol in perpetuity.
3. The Foundation shall indemnify, defend, and hold harmless the State of Hawaii, DAGS, its officers, employees, and agents, from and against any and all liability, loss, damage, cost, or expense, and all claims and demands arising out of or resulting from the acts or omissions, of the Foundation or its officers, employees, contractors, and agents under this ROE. The Foundation shall ensure that its contractors, consultants, agents, and/or persons acting for or on its behalf, shall indemnify, defend and hold harmless the State of Hawaii, DAGS, its officers, employees, and agents, from and against any and all liability, loss, damage, cost, or expense, and all claims or demands arising out of or resulting from any act or omission of the Foundation's contractors, consultants, agents, and/or persons acting for or on its behalf, under this ROE.

4. The Foundation shall ensure that its contractors, consultants, agents, and/or persons acting for or on its behalf, procure at their own expense and maintain during the entire period of this ROE, from an insurance company or companies licensed to do business in the State of Hawaii, a policy or policies of comprehensive public liability insurance, in the amount acceptable to the State (\$1,000,000 per incident/\$2,000,000 aggregate) insuring the State of Hawaii against all claims for personal injury, death and property damage. The State shall be named as an additional insured. The policy or policies shall cover the entire ROE area in the use of the Foundation and/or its contractor, consultants, agents, and/or persons acting for or on its behalf in the exercise of this ROE.
5. The Foundation, its contractors, consultants, agents, and/or persons acting for or on its behalf in the exercise of this ROE, shall use appropriate precautions and measures to minimize inconveniencing surrounding landowners, building occupants, and the general public.
6. In the event any unanticipated burial sites remains such as shell bone or charcoal deposits, human remains, rock or coral alignments, paving or walls, are encountered by the Foundation, its contractors, consultants, agents, and/or person acting for or on its behalf in the exercise of this ROE, the Foundation shall stop work and contact the State Historic Preservation Division in Honolulu at (808) 692-8015 immediately.
7. DAGS reserves the right to impose additional, responsible terms and conditions, at any time it deems necessary while this ROE is in effect.

If you concur with the above terms and conditions, please sign and return to me making a copy for the Foundation.

If you have any questions, please call me at 586-0400 or have your staff call the Public Works Division at 586-0488.

Sincerely,

Keith Regan
Comptroller

MEMORANDUM OF AGREEMENT
KOREAN WAR FOUNDATION

THIS MEMORANDUM OF AGREEMENT (MOA), is effective this ___ day of December 2023, by and between the Department of Accounting and General Services, State of Hawaii, hereinafter (DAGS) or (State) by and through its Comptroller, and the Korean War Foundation, a non-profit corporation organized under the laws of the State, whose address is 632 Hunakai Street, Honolulu, HI 96816, hereinafter (KWF) or (Foundation).

RECITALS

- A. House Bill 3658 became law on July 7, 1992, without the Governor's signature, pursuant to Art. III, State Constitution.
- B. In July 1994, the Korean and Vietnam Memorial was unveiled on the grounds of the Hawaii State Capitol in downtown Honolulu, in remembrance of the fallen veterans who sacrificed their lives while defending our country during the Korean and Vietnam wars.
- C. Currently, DAGS has control and management over the property on the Ewa lawn of the State Capitol among the trees near the Richards Street border, bounded on one side by the covered stairway, Richards Street, and Beretania Street (Premises), including its grounds and the buildings thereon.
- D. As the State agency responsible for controlling, managing and maintaining the Premises, DAGS is responsible for capital and day-to-day upkeep of the buildings and grounds of the Premises.

NOW THEREFORE, in consideration of the promises contained in this MOA, as follows:

- 1. Rights and Prerogatives of the KWF. At its own expense and consistent with the reservations by the State contained in this MOA, the KWF agrees to use its best efforts to:
 - a. Stimulate the interest of all citizens in Hawaii's history, more particularly the role that Hawaii's veterans have played in protecting and serving the people of Hawaii during the Korean and Vietnam Wars.
 - b. Assist the State with all aspects of the historic research, interpretation, preservation, restoration, repair and maintenance of the Memorial.
 - c. Solicit private funds to be used for the construction of the Memorial, including requesting and obtaining any revenues, grants, and donations, whether in money or in kind.
- 2. Responsibilities of the KWF. The KWF further agrees that throughout the term of this MOA, it shall:

- a. Liability Insurance. Insure that its contractors, consultants, and/or persons acting for or on the KWF's behalf, procure at their own expense, and maintain during the entire period of this MOA, from an insurance company or companies licensed to do business in the State of Hawaii, a policy or policies of comprehensive public liability insurance, in the amount acceptable to the State (\$1,000,000 per incident/\$2,000,000 aggregate) insuring the State of Hawaii against all claims for personal injury, death, and property damage. The State of Hawaii is to be named as additional insured on the KWF's policy or policies. The policy or policies shall cover the entire area in use by the memorial.
 - b. Assignments. Not transfer or assign any right, interest, or obligation under this MOA, without the prior written consent of the State.
 - c. Compliance with Laws. Comply with all Federal, State, and County laws, ordinances, codes, rules, and regulations, as they may be amended, that in any way affect the KWF's performance under this MOA.
 - d. Installation and Maintenance of New CCTV Surveillance Cameras. Install and maintain two (2) new CCTV surveillance cameras to record all activities 24 hours a day, seven (7) days a week, surrounding the Memorial. The recording equipment will be installed in the offices of the State Sheriffs at the State Capitol building; however, monitoring by police personnel will be done on a sporadic and not on a continuous basis. All agreements and approvals with State Sheriffs shall be coordinated and maintained by the KWF.
 - e. Maintenance of the Memorial. Provide general maintenance of the Memorial on a monthly or quarterly basis, including sweeping of leaves, removal of debris, polishing each fallen officer's marble/granite marker, fertilizing shrubs and plants, and addressing other maintenance matters as they arise. In doing so, the KWF, its contractors, consultants, and/or persons acting for or on its behalf, shall use appropriate precautions and measures to minimize inconveniencing the occupants of the State Capitol and the public in general.
3. Responsibilities of the State. Throughout the term of this MOA, the State agrees it will:
- a. General Maintenance. Water the Memorial lawn, plants, and trees and cut the lawn on the same regular schedule that is utilized for the State Capitol Building.
 - b. Make Premises Available. Make the Premises available to the KWF to organize and conduct activities that are open to the public, including tours, lectures, exhibits, group events and other programs; subject to closure from time to time for maintenance, repair, renovation and other good cause. All public areas shall be subject to such use restriction, security controls, and other requirements as the State deems reasonably necessary or appropriate for the safety, preservation and security of the Premises. The Governor and the State may use the Premises for

official State functions and will use best efforts to coordinate its needs to use the Premises for official State functions with the KWF.

- c. Approvals Not Unreasonably Withheld. Not unreasonably withhold its consent or approval when its approval or consent is required by this MOA and requested by the KWF.
 - d. Appropriate Permitted Use. All future requests for additional permitted use of the memorial area shall be reviewed to ensure the desired activity is commensurate with the intended use of the area.
4. Term of the MOA. The original term of this MOA shall be for the life of the Memorial. Either party may terminate this MOA for cause with one (1) year's prior written notice to the other party. This MOA may also be terminated by the mutual agreement of the parties at any time.
 5. Hawaii Law. This MOA shall be construed, interpreted, and governed by the laws of the State of Hawaii.
 6. Partial Invalidity. If any term, provision, or condition of this MOA should be held to be invalid, void, or unenforceable, the remainder of this MOA shall continue in full force and effect and shall in no way be affected, impaired or invalidated thereby.
 7. Notices. Any notice, demand, request, consent, approval or communication that either party desires or is required to give the other party or any other person shall be in writing and either personally delivered or sent by prepaid, first-class mail, to the other party at the address set forth below. A notice shall be deemed to have been received forty-eight (48) hours from the time of mailing or at the time of actual receipt, whichever is earlier.

To State: Department of Accounting and General Services
 Attention: Public Works Division
 1151 Punchbowl Street
 Honolulu, Hawaii 96813

To Foundation: Korean War Foundation
 632 Hunakai Street
 Honolulu, HI 96816
 8. Integration and Amendments. This MOA sets forth all of the agreements, conditions, understandings, promises, and representations made by or on behalf of the State and the KWF with respect to this MOA. This MOA supersedes any prior agreement, condition, understanding, promise, and representation. There are no agreements, conditions, understandings, promises, or representations, oral or written, express or implied, between the State and the KWF other than as set forth or as referenced herein. No amendment or modification of this MOA shall be effective unless incorporated in writing and

executed by the State and the KWF.

In View of the Above, the parties execute this MOA on the dates below, to be effective as of the date first above written.

DRAFT

Applicant _____

KOREAN AND VIETNAM WAR MEMORIALS

West Lawn of the Hawaii State Capitol
T.M.K. 2-1-24-08

FOR: DEPARTMENT OF DEFENSE

BY: DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

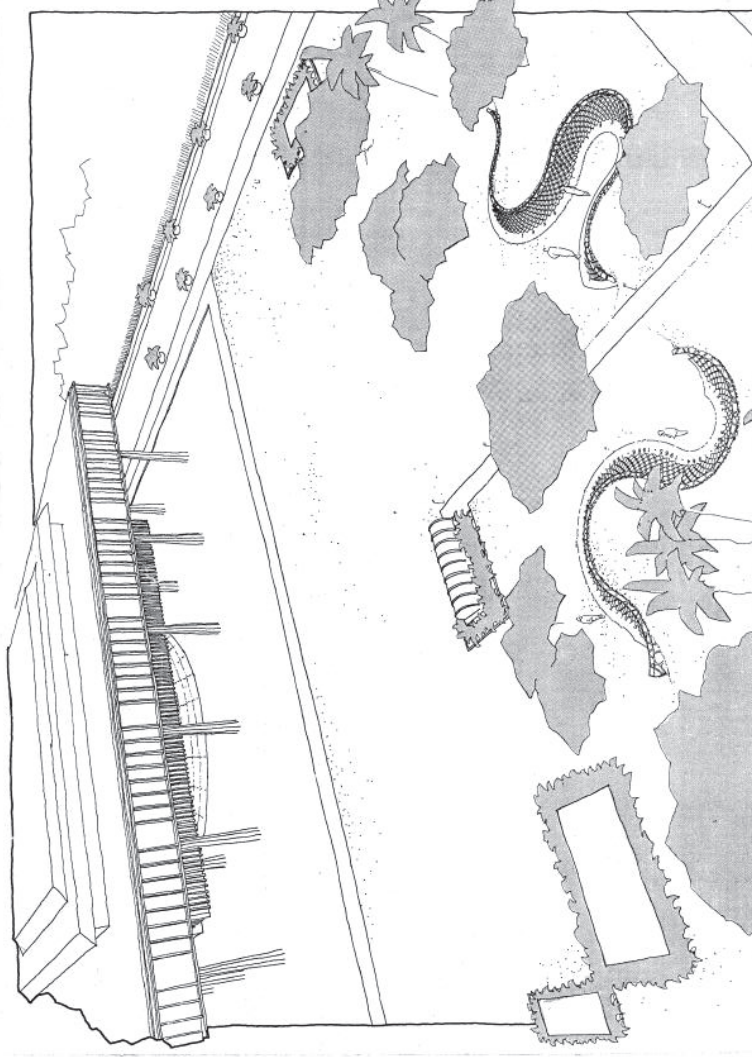
Ch. R. ... ADJUTANT GENERAL & DIRECTOR OF CIVIL DEFENSE DATE 4/23/23
 DEPARTMENT OF DEFENSE STATE OF HAWAII

... E. N. ... STATE ENGINEER DATE 4/23/23
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STATE OF HAWAII

... G. C. ... CONSULTING STRUCTURAL ENGINEERS DATE 4/23/23
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STATE OF HAWAII

fritz johnson inc. 31 W KING STREET HONOLULU
 CONSULTING STRUCTURAL ENGINEERS
 1008 BISHOP STREET SUITE 2809 HONOLULU, HI 96813
 PHONE: (808) 531-6189 FAX: (808) 538-4132

HUGHES AND HUGHES • LANDSCAPE ARCHITECTURE
 841 BISHOP STREET SUITE 450 HONOLULU, HAWAII 96813
 (808) 538-7619



VICINITY

THE EWA LAWN

INDEX OF SHEETS

- A1 TITLE / COVER SHEET
- A2 SITE PLAN
- A3 WORKPOINT LOCATION PLAN
- A4 1/4" PLANS
- A5 ELEVATIONS
- A6 FOUNDATION PLAN
- A7 DETAILS
- A8 TIME CAPSULE / MARKER
- A9 PEDESTAL DETAIL SHEET
- A10 PEDESTAL DETAIL SHEET
- A11 PEDESTAL DETAIL SHEET
- A12 PEDESTAL DETAIL SHEET
- A13 PEDESTAL DETAIL SHEET
- A14 KOREAN PEDESTAL REF. SHT.
- A15 KOREAN REF. SCHEDULE
- A16 VIETNAM PEDESTAL REF. SHT.
- A17 VIETNAM REF. SCHEDULE
- C1 GRADING / DRAINAGE PLAN
- C2 DRAINLINE / TELE. COMM.
- C3 CONDUIT PROFILE, & DETAILS
- C4 NOTES
- L1 LANDSCAPE SITE PLAN
- L2 LANDSCAPE IRRIGATION PLAN
- L3 LANDSCAPE IRRIGATION DETAILS
- L4 LANDSCAPE PLANTING PLAN
- L5 LANDSCAPE PLANTING DETAILS

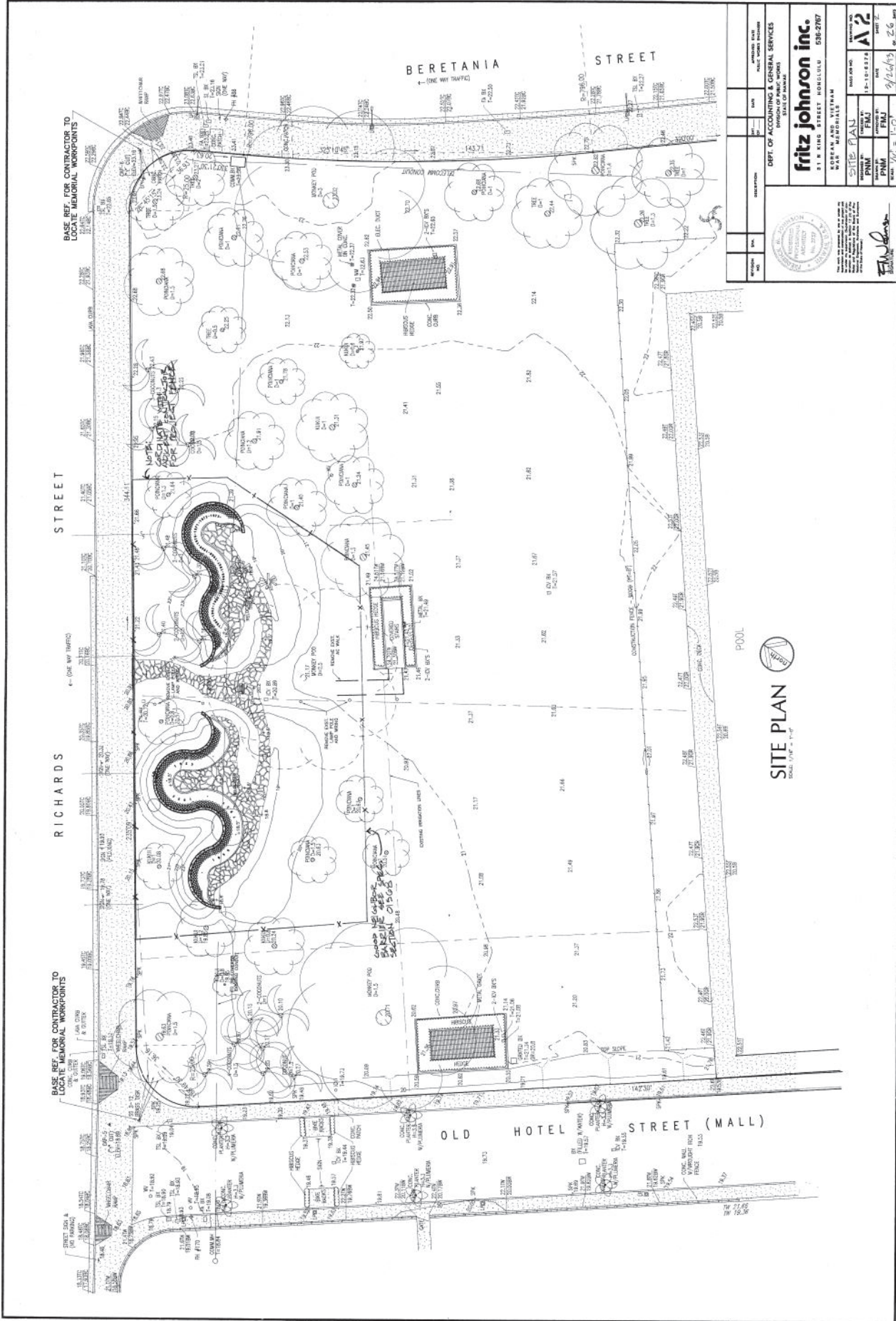
REVISION	DATE	DESCRIPTION	BY	DATE

DEPT. OF ACCOUNTING & GENERAL SERVICES
 DIVISION OF PUBLIC WORKS
 STATE OF HAWAII

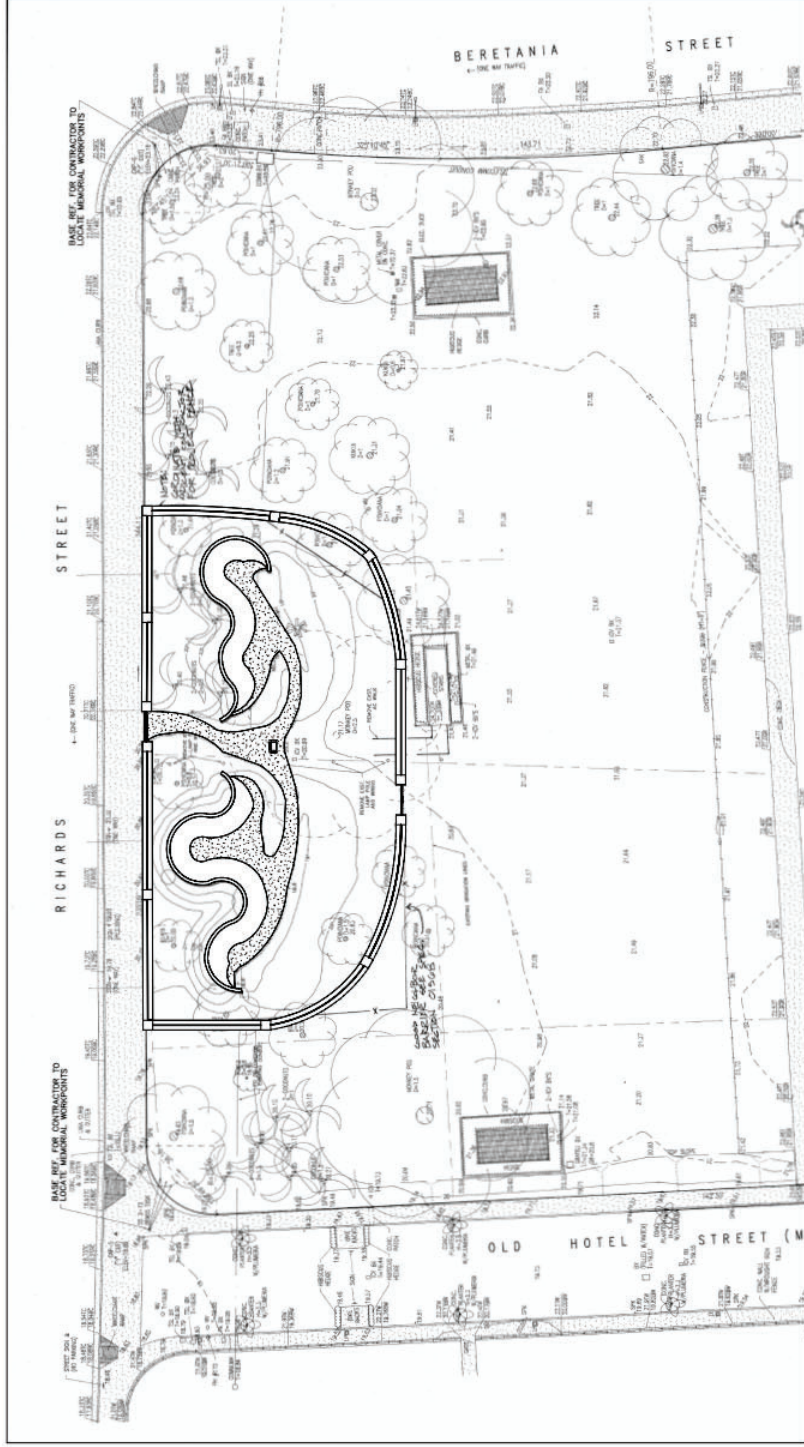
fritz johnson inc.
 ST. W KING STREET HONOLULU HI 96813

KOREAN AND VIETNAM WAR MEMORIALS
 WEST LAWN OF THE HAWAII STATE CAPITOL

DATE: 4/23/23
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 APPROVED BY: [Signature]



PROJECT NO.	DATE	APPROVED DATE
DESCRIPTION	SHEET	PROJECT NUMBER
DEPT. OF ACCOUNTING & GENERAL SERVICES LAND ACQUISITION DIVISION STATE OF HAWAII		
fritz johnson inc. 311 KING STREET HONOLULU HI 96813-2787		
KOREAN AND VIETNAM WAR MEMORIALS		
SITE PLAN	DATE: 12-10-2022	SHEET: A12
OWNER: PNH	DESIGNER: PNH	SCALE: 1" = 20'
DATE: 12/26/22	BY: [Signature]	DATE: 12/26/22



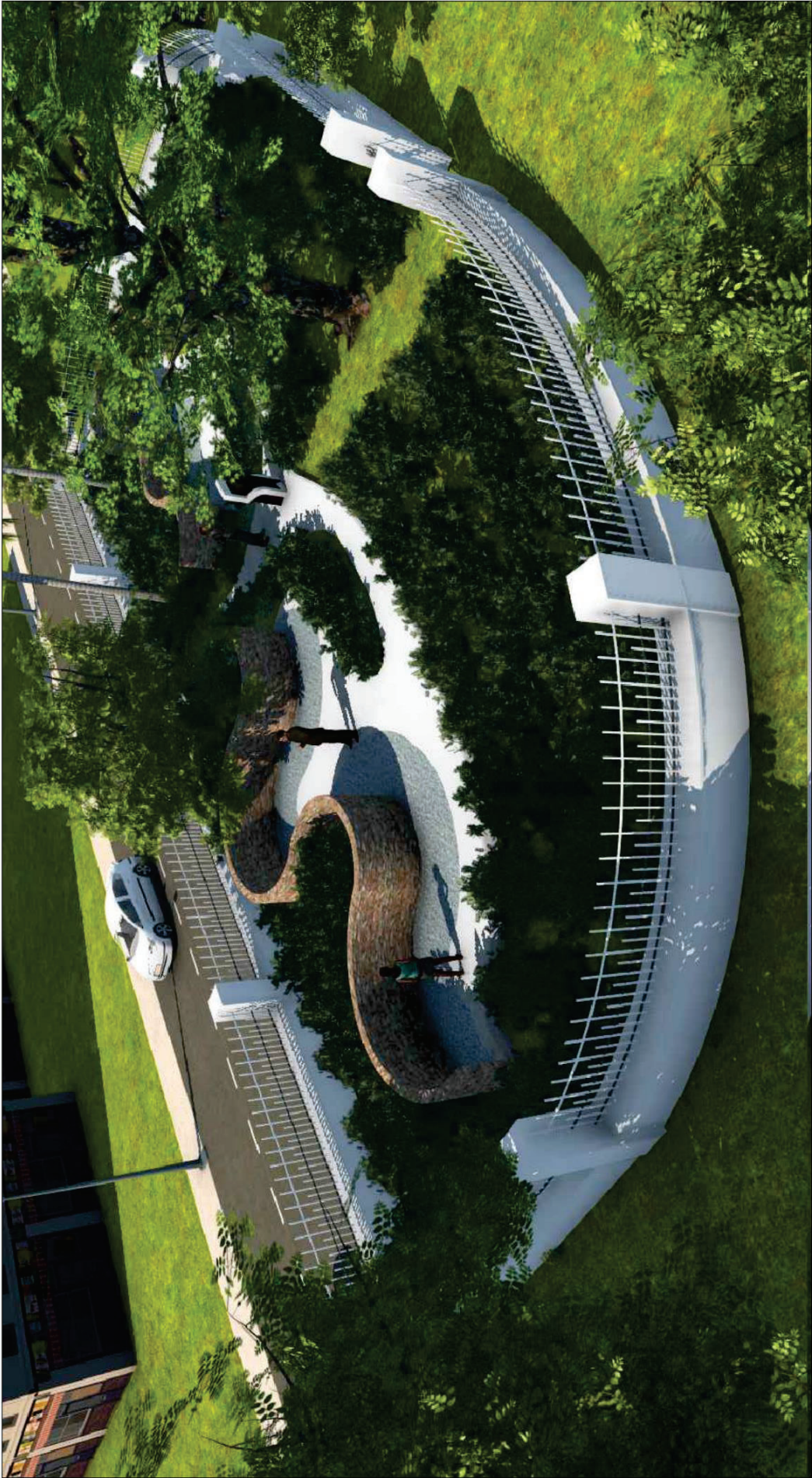
MITSUNAGA & ASSOCIATES, INC.
747 AMANA STREET, SUITE 216
HONOLULU, HAWAII 96814

Korean and Vietnam War Memorial Fencing Project

WEST LAWN OF THE HAWAII STATE CAPITAL - TMK: 2-1-024: 008

**CONCEPTUAL
DEVELOPMENT
DATE:**
12/11/2023





**DECLARATION STATEMENT OF
APPLICANTS FOR GRANTS PURSUANT TO
CHAPTER 42F, HAWAII REVISIED STATUTES**

The undersigned authorized representative of the applicant certifies the following:

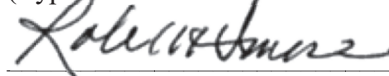
- 1) The applicant meets and will comply with all of the following standards for the award of grants pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which a grant is awarded;
 - b) Complies with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
 - c) Agrees not to use state funds for entertainment or lobbying activities; and
 - d) Allows the state agency to which funds for the grant were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant.
- 2) If the applicant is an organization, the applicant meets the following requirements pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is incorporated under the laws of the State; and
 - b) Has bylaws or policies that describe the manner in which the activities or services for which a grant is awarded shall be conducted or provided; and
- 3) If the applicant is a non-profit organization, it meets the following requirements pursuant to Section 42F-103, Hawai'i Revised Statutes:
 - a) Is determined and designated to be a non-profit organization by the Internal Revenue Service; and
 - b) Has a governing board whose members have no material conflict of interest and serve without compensation.
- 4) The use of grant-in-aid funding complies with all provisions of the Constitution of the State of Hawaii (for example, pursuant to Article X, section 1, of the Constitution, the State cannot provide "... public funds ... for the support or benefit of any sectarian or nonsectarian private educational institution...").

Pursuant to Section 42F-103, Hawai'i Revised Statutes, for grants used for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant was awarded and disposes of the land in fee simple or by lease, the organization shall negotiate with the expending agency for a lump sum or installment repayment to the State of the amount of the grant used for the acquisition of the land.

Further, the undersigned authorized representative certifies that this statement is true and correct to the best of the applicant's knowledge.

Korean And Vietnam War Memorials Foundation, Inc.

(Typed Name of Individual or Organization)



(Signature)

Robert M. Imose

01/16/2024

(Date)

President

(Typed Name)

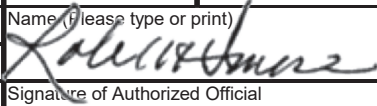
(Title)

BUDGET REQUEST BY SOURCE OF FUNDS

Period: July 1, 2024 to June 30, 2025

Korean And Vietnam War Memorials Foundation, Inc .

App .


BUDGET CATEGORIES	Total State Funds Requested (a)	Total Federal Funds Requested (b)	Total County Funds Requested (c)	Total Private/Other Funds Requested (d)
A. PERSONNEL COST				
1. Salaries				
2. Payroll Taxes & Assessments				
3. Fringe Benefits				
TOTAL PERSONNEL COST	0	0	0	0
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island				
2. Insurance				
3. Lease/Rental of Equipment				
4. Lease/Rental of Space				
5. Staff Training				
6. Supplies				
7. Telecommunication				
8. Utilities				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
TOTAL OTHER CURRENT EXPENSES	0	0	0	0
C. EQUIPMENT PURCHASES	0	0	0	0
D. MOTOR VEHICLE PURCHASES	0	0	0	0
E. CAPITAL	2,000,000	0	0	0
TOTAL (A+B+C+D+E)	2,000,000	0	0	0
SOURCES OF FUNDING		Budget Prepared . Korean And Vietnam War Memorials Foundation, Inc. (808) 398-5796		
(a) Total State Funds Requested	2,000,000	Name (Please type or print) _____ Phone _____		
(b) Total Federal Funds Requested	0			
(c) Total County Funds Requested	0			
(d) Total Private/Other Funds Requested	0	Signature of Authorized Official _____ Date 01/16/2024		
TOTAL BUDGET	2,000,000	Name and Title (Please type or print) Robert M. Imose President		

BUDGET JUSTIFICATION - EQUIPMENT AND MOTOR VEHICLES

Period: July 1, 2024 to June 30, 2025

Applicant: Korean And Vietnam War Memorials

DESCRIPTION EQUIPMENT	NO. OF ITEMS	COST PER ITEM	TOTAL COST	TOTAL BUDGETED
			\$ -	0
			\$ -	0
			\$ -	0
			\$ -	0
			\$ -	0
TOTAL:				0
JUSTIFICATION/COMMENTS:				

DESCRIPTION OF MOTOR VEHICLE	NO. OF VEHICLES	COST PER VEHICLE	TOTAL COST	TOTAL BUDGETED
			\$ -	0
			\$ -	0
			\$ -	0
			\$ -	0
			\$ -	0
TOTAL:				0
JUSTIFICATION/COMMENTS: 				

BUDGET JUSTIFICATION - CAPITAL PROJECT DETAILS

Period: July 1, 2024 to June 30, 2025

Applicant: Korean And Vietnam War Memoria

TOTAL PROJECT COST	FUNDING AMOUNT REQUESTED							
	ALL SOURCES OF FUNDS RECEIVED IN PRIOR YEARS	STATE FUNDS REQUESTED	OTHER SOURCES OF FUNDS REQUESTED	FUNDING REQUIRED IN SUCCEEDING YEARS				
				FY: 2022-2023	FY: 2023-2024	FY: 2024-2025	FY: 2025-2026	FY: 2026-2027
PLANS	0							
LAND ACQUISITION	0	0	0				0	
DESIGN								
CONSTRUCTION		2000000						
EQUIPMENT	0	0	0				0	0
TOTAL:	0	0	2,000,000				0	0
JUSTIFICATION/COMMENTS: design build								



GOVERNMENT CONTRACTS, GRANTS, AND / OR GRANTS IN AID

Apf And Vietnam War Memorials Foundation, Inc.

Contracts Total: -

	CONTRACT DESCRIPTION	EFFECTIVE DATES	AGENCY	GOVERNMENT ENTITY (U.S./State/Hawaii/ Honolulu/ Kauai/ Maui County)	CONTRACT VALUE
1	no contracts				
2					
3					
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