

House District \_\_\_\_\_

Senate District \_\_\_\_\_

**THE TWENTY-FOURTH LEGISLATURE  
HAWAII STATE LEGISLATURE  
APPLICATION FOR GRANTS & SUBSIDIES  
CHAPTER 42F, HAWAII REVISED STATUTES**

Log No: 81-0

For Legislature's Use Only

Type of Grant or Subsidy Request:

GRANT REQUEST - OPERATING

GRANT REQUEST - CAPITAL

SUBSIDY REQUEST

"Grant" means an award of state funds by the legislature, by an appropriation to a specified recipient, to support the activities of the recipient and permit the community to benefit from those activities.

"Subsidy" means an award of state funds by the legislature, by an appropriation to a recipient specified in the appropriation, to reduce the costs incurred by the organization or individual in providing a service available to some or all members of the public.

"Recipient" means any organization or person receiving a grant or subsidy.

STATE DEPARTMENT OR AGENCY RELATED TO THIS REQUEST  
OFFICE OF YOUTH SERVICES - HAWAII YOUTH CORRECTIONAL FACILITY  
AND PROGRAM I.D. NO. \_\_\_\_\_

1. APPLICANT INFORMATION:

Legal Name of Requesting Organization or Individual:  
Hawaii Human Development Corporation  
Dba:

Street Address: 1150 South King Street, Suite 901B  
Honolulu, HI 96814

Mailing Address: Same as Above

2. CONTACT PERSON FOR MATTERS INVOLVING THIS APPLICATION:

Name A.G. AGUILLON

Title President and CEO

Phone # (808) 591-8628

Fax # (808) 593-8129

e-mail agaglln@aol.com

3. TYPE OF BUSINESS ENTITY:

- NON PROFIT CORPORATION
- FOR PROFIT CORPORATION
- LIMITED LIABILITY COMPANY
- SOLE PROPRIETORSHIP/INDIVIDUAL

4. FEDERAL TAX ID #: 00-8942882

5. STATE TAX ID #: 10545100

6. SSN (IF AN INDIVIDUAL): \_\_\_\_\_

7. DESCRIPTIVE TITLE OF APPLICANT'S REQUEST:

Reintegration and Employment Program (REP)  
(Maximum 300 Characters)

8. FISCAL YEARS AND AMOUNT OF STATE FUNDS REQUESTED:

FY 2008-2009 \$ 191,165

9. STATUS OF SERVICE DESCRIBED IN THIS REQUEST:

- NEW SERVICE (PRESENTLY DOES NOT EXIST)
- EXISTING SERVICE (PRESENTLY IN OPERATION)

SPECIFY THE AMOUNT BY SOURCES OF FUNDS AVAILABLE AT THE TIME OF THIS REQUEST:

STATE \$ \_\_\_\_\_

FEDERAL \$ \_\_\_\_\_

COUNTY \$ \_\_\_\_\_

PRIVATE/OTHER \$ \_\_\_\_\_

TYPE NAME & TITLE OF AUTHORIZED REPRESENTATIVE:



A.G. AGUILLON, PRESIDENT AND CEO  
NAME & TITLE

1/30/09  
DATE SIGNED

## Application for Grants and Subsidies

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

### I. 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. Include the following:

1. A BRIEF description of the applicant's background;

Since its inception in 1985, Hawaii Human Development Corporation (HHDC), initially as part of the California Human Development Corporation and as a subsequent 501(c)(3) private non-profit Hawaii corporation, has been consistently providing employment training and related supportive services for economically disadvantaged, displaced, and other disenfranchised individuals.

Listed below is a summary description of programs currently administered by HHDC:

Work Readiness Training: Provision of competency-based job readiness instruction for at-risk and otherwise disadvantaged youth/young adults that is focused on the development of applied academic skills such as reading and math. (Funding Source: City and County of Honolulu – Workforce Investment Act – Federal Funds)

Section 8 Housing Program: Acquisition, renovation and rental of affordable housing for qualified seniors. (Funding Source: City and County of Honolulu – Section 8 – Federal Funds)

Job Readiness Skills Development Program: Provision of pre-employment, occupational skills development and related supportive services for youth offenders. (Funding Source: City and County of Honolulu – Youth Offender

Demonstration and Juvenile Accountability Incentive Block Grant programs)

Youth Offender Reintegration and Employment Program:

Provide youth offenders from the Hawaii Youth Correctional Facility with a continuum of educational, socialization and pre-occupational skills to enhance employability and economic self-sufficiency upon their release from incarceration.

(Funding Source: State of Hawaii – Grant-In-Aid)

2. The goals and objectives related to the request;

**Primary Purpose:** The purpose of Hawaii Human Development Corporation's Reintegration and Employment Program (REP) is to provide youth offenders from the Hawaii Youth Correctional Facility with a continuum of job readiness skills development services to enhance employability and economic self-sufficiency upon their release from incarceration. Additionally, follow-up training and counseling services, and if necessary, placement in subsidized housing, will also be extended to the participants to successfully transition the participants towards employment, advanced occupational training or post-secondary educational endeavors.

The specific goal and objectives of the program are as follows:

**Goal:** To provide program youth offenders with a continuum of job readiness skills development services to include, but no limited to, pre-occupational skills training, educational, counseling, supportive and other follow-up services, to include subsidized residential services, to enhance their potential for unsubsidized employment upon release from incarceration.

**Objectives:** A minimum of sixty (60) youth offenders will be served through HHDC's REP program. Of the individuals served, the following objectives are projected:

100% of the program participants will be assessed and provided with individualized career planning assessments;

80% of the program participants will be enrolled in pre-occupational development, job search and/or educational placement workshops that are intended to enhance basic skills, work readiness, and/or pre-occupational skills goals; &

60% of program participants will attain basic skills, work readiness, and/or pre-occupational skills competencies that are detailed in their individualized career planning assessments prior to program completion.

3. State the public purpose and need to be served;

According to the report, The 2000 Hawaii Student Alcohol and Drug Abuse Use Study (1987-2000), Hawaii Adolescent Prevention and Treatment Needs Assessment (Hawaii State Department of Health), experts in the field have linked substance abuse to other societal problems, including family dysfunction, juvenile delinquency, poor academic achievement, impaired emotional functioning, and lowered social competence. These characteristics, unfortunately, are prevalent among the youth that are incarcerated at the Hawaii Youth Correctional Facility.

Furthermore, the economic costs to society are often astronomical, with much of the burden falling on persons who are not substance abusers. Nearly half of all twelfth graders, approximately one-fourth of tenth and eighth graders, and nearly one-tenth of sixth graders have tried at least one drug, with the most prevalent being marijuana, followed by inhalants, hallucinogens, and ecstasy.

Furthermore, according to the United States Attorney for the District of Hawaii, drug use is increasing in Hawaii due to the highly addictive nature of crystal methamphetamine, which is estimated to account for forty-four per cent of Hawaii's homicides. All drugs account for an estimated ninety per cent of the State's 2,300 confirmed cases of child abuse each year. Forty per cent of people arrested by Honolulu police tested positive for crystal methamphetamine, according to the most recent United States Justice Department report. No other city in the country comes close to thirty per cent!

These populations are considered "hard to serve" because of the array of intensive treatment and supportive services that are necessary prerequisites for the transition to independent and non-deviant life circumstances. Therefore, programs that provide a

continuum of services that provide structure as well as substance (i.e., unsubsidized employment) must be coordinated in order to facilitate recovery and reduce the risk of recidivism.

4. Describe the target population to be served; and

Through this grant, HHDC is targeting youth offenders from the Hawaii Youth Correctional Facility, a population that is categorized as a "hard to serve" economically disadvantaged population and who face serious barriers to employment and economic self-sufficiency.

5. Describe the geographic coverage.

HHDC is targeting its services to individuals from the Hawaii Youth Correctional Facility with a minimum of sixty (60) individuals being served over the grant term. These incarcerated youth are from all counties in the State of Hawaii.

## **II. 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.

1. Describe the scope of work, tasks and responsibilities;

The purpose of Hawaii Human Development Corporation's Reintegration and Employment Program (REP) is to provide youth offenders from the Hawaii Youth Correctional Facility with a continuum of educational, socialization, and pre-occupational skills development services to enhance employability upon their release from incarceration.

Specific program services include pre-occupational skills training, educational, counseling, supportive and other follow-up services to attain unsubsidized employment. HHDC will also work with existing residential treatment programs in supporting its participants with subsidized housing if necessary to allow for continued occupational and/or academic aptitude development.

The Project Coordinator/Director, under the direction of the President/CEO of HHDC, shall be responsible for coordinating these program services. In addition to case management

responsibilities, the Employment/Training Specialist will also be responsible for client recruitment, assessment and follow-up. Independent contractors will be utilized for the provision of training and counseling services (e.g., pre-employment and/or occupational skills enhancement training and substance abuse counseling services) as necessary.

2. The applicant shall provide a projected annual timeline for accomplishing the results or outcomes of the service;

In order maximize service delivery; HHDC intends to serve twenty (20) individuals per class for a total of sixty (60) youth offenders to be served for the grant term.

Accordingly, the following is a proposed timeline of significant events in the implementation of the HHDC's REP program for FY08-09:

| FY08-09                |               |               |                           |
|------------------------|---------------|---------------|---------------------------|
| Activity               | Class One     | Class Two     | Class Three               |
| Recruitment/Assessment | 7/08          | 10/08         | 01/09                     |
| Training Services      | 8/08 to 11/08 | 12/08 to 2/09 | 3/09 to 6/09              |
| Follow-Up Services     | 12/08 to 2/09 | 3/09 to 5/09  | 7/09 to 9/09 <sup>1</sup> |

3. The applicant shall describe its quality assurance and evaluation plans for the request. Specify how the applicant plans to monitor, evaluate, and improve their results; and

HHDC has been a qualified employment service and job training provider for economically disadvantaged and other high risk populations for over twenty (20) years and has adapted its information management system to accommodate the client profiles and program reporting requirements of the specific funding source. This includes the CETA, JTPA, CDBG, JAIBG, YO and WIA programs among others.

Program participants shall be tracked through computer generated client profiles. The Program Director/Coordinator shall be responsible for tracking and monitoring participant progress on weekly basis. Cost calculation will be recorded through individual program components (i.e., initial job search, advanced employability skills training and vocational training activities).

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<sup>1</sup> Follow-up services beyond the grant term are to be provided by HHDC through other funding sources.

Furthermore, as part of its evaluation plan, HHDC will initiate quarterly evaluations on the following program activities:

- Number of Participants Enrolled;
- Number of Participants Completing Pre-Employment Training;
- Number of Participants Enrolled in a Traditional or Alternative Secondary Educational Institution;
- Number of Participants Completing Secondary Educational Goal;
- Number of Participants Enrolled in Occupational Skills Training;
- Number of Leadership Development Hours Completed Per Participant;
- Number of Participants Placed in Post-Secondary Educational/Vocational Institutions/ Programs;
- Number of Participants Placed in Unsubsidized Employment;
- and,
- Operating Costs in Meeting Program Objectives.

To minimize any potential conflict in fiscal policies/administration and program delivery, financial management responsibilities are provided to HHDC by an independent monitor, Stephen Poole who has more than ten (10) years of financial management and audit experience (see attached resume.)

Notably, through this delegation, HHDC has been able to administer approximately \$20 million in federal employment training and economic development funds for economically disadvantaged and other disenfranchised populations throughout the State of Hawaii. More importantly, an independent audit is conducted annually for HHDC and no negative findings have ever been identified.

Finally, in addition to the aforementioned annual independent financial audit, HHDC is also evaluated annually by its Board of Directors for program and organizational management. In terms of program performance and service delivery, each program administered by HHDC is monitored in accordance with specific contractual deliverables and program compliance by the applicable funding agency.

4. The applicant shall 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.

A minimum of sixty (60) youth offenders will be served through HHDC's REP program to be served grant term. Of the individuals served, the following objectives are projected:

100% of the program participants will be assessed and provided with individualized career planning assessments;

100% of the program participants who have been assessed as in need of housing to achieve his/her program goals and objectives, will be placed in subsidized residential programs for a minimum of 4 months upon release from HYCF;

80% of the program participants will be enrolled in pre-occupational development, job search and/or educational placement workshops that are intended to enhance basic skills, work readiness, and/or occupational skills goals; &

60% of program participants will attain basic skills, work readiness, and/or pre-occupational skills competencies that are detailed in their individualized career planning assessments prior to program completion.

### III. Financial

#### Budget

1. The applicant shall submit a budget utilizing the enclosed budget forms as applicable, to detail the cost of the request.

See attached budget forms.

2. The applicant shall provide its anticipated quarterly funding requirements for the fiscal year 2008-2009.

| Quarter 1   | Quarter 2   | Quarter 3   | Quarter 4   | Total Grant  |
|-------------|-------------|-------------|-------------|--------------|
| \$50,000.00 | \$50,000.00 | \$50,000.00 | \$41,165.00 | \$191,165.00 |



#### IV. Experience and Capability

##### A. 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.

In addition to the programs which are currently being administered by HHDC and which are detailed in Section I.1. above, the following are summary descriptions of projects that have been administered by HHDC in last ten (10) years:

**Occupational Skills Development Program:** Development and implementation of a pre-employment and occupational skills training program in the fields of construction trades and environmental waste management. (Funding Source: City and County of Honolulu – Community Development Block Grant)

**Employment Training Program:** Provision of pre-employment, occupational skills, career enhancement, job development, and job placement assistance services for economically disadvantaged and/or social disenfranchised individuals and families. (Funding Source: State of Hawaii – Department of Labor & Industrial Relations)

**Job Readiness Skills Development Program:** Provision of pre-employment, occupational skills development and related supportive training services for parolees and/or ex-offenders. (Funding Source: Fresh Start, Inc. – Emergency Shelter Grant)

**Supportive Housing Program:** This program, in partnership with the Hawaii Drug Court, provides residential, employment training and related supportive services for homeless youth, in particular, those youth that have been categorized as chronic substance abusers. (Funding Source: U.S. Department of Housing and Urban Development – Supportive Housing Program)

**Big Island Employment and Training Program:** This program provides employment and training opportunities for displaced agricultural workers, their families and communities in transition along the Hamakua Coast.

**Pre-Employment Training Program – HYCF:** Through a contract with Hale Kipa, provided pre-employment training services for incarcerated youth at the Hawaii Youth Correctional Facility. Classes were held on the following topics: Essential Job Search Skills and Job Retention & Maintenance.

**Center for Employment Training (CET):** Development and provision of industry-based employment training services for economically disadvantaged youth and young adults, particularly those with multiple barriers (*i.e.*, hard-to-serve) and displaced (*i.e.*, dislocated) workers.

Significantly, HHDC has consistently exceeded pre-determined performance standards in the delivery of these innovative and cost-effective employment training services for these special needs populations.

**B. 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. Also describe how the facilities meet ADA requirements, as applicable.

Administrative responsibilities will be provided through the corporate offices of Hawaii Human Development Corporation in Honolulu, Hawaii. The specific address is listed below:

Hawaii Human Development Corporation  
1150 South King Street, Suite 901B  
Honolulu, Hawaii 96814

HHDC will provide all program services for participants directly within the Hawaii Youth Correctional Facility.

**V. Personnel: Project Organization and Staffing**

**A. 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.

The President serves as the Chief Executive Officer for HHDC and is directly accountable to the Board of Directors. The President also serves as Program Manager over all programs administered by HHDC. See attached Organizational Chart for specific lines of accountability.

Each program implemented by HHDC is to be coordinated by a Program Director/Coordinator. The minimum educational qualifications for the Program Director/Coordinator shall be a Bachelor of Arts in Social Work or an equivalent field of study and 2 years of experience in employment training programs for economically disadvantaged populations. Ms. Kelsey Furuta shall serve as the Program Coordinator for this project (see attached resume.)

Program staff is dependent on the specific level of services to be provided for the target population. For HHDC's REP program, an Employment Specialist(s) shall provide case management services, which includes the coordination of individualized service strategies (i.e., Employment Development Plans) to attain program goals and/or objectives. The Employment Specialist, at the minimum, shall possess a Bachelor of Arts in Social Work or an equivalent field of study or 2 years of experience in employment training/job development services for economically disadvantaged populations.

With respect to specific program services, independent contractors will be utilized to alleviate program costs. These contractors shall possess, at the minimum, the necessary licenses, educational qualifications and two (2) years of experience in the applicable service area. With respect to this project and in consideration of the population targeted (i.e., substance abusers and ex-offenders), HHDC will enter into contracts for educational, life skills and psychological services.

**B. 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 organizational chart that illustrates the placement of this request.

See attached Organizational Chart.

**VI. Other**

**A. 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.

None.

**B. Licensure or Accreditation**

Specify any special qualifications, including but not limited to licensure or accreditation that applicant possesses relevant to this request.

Not Applicable.

**BUDGET REQUEST BY SOURCE OF FUNDS**  
(Period: July 1, 2008 to June 30, 2009)

Applicant: Hawaii Human Development Corporation

| BUDGET CATEGORIES                   | Total State Funds Requested (a) | (b)   | (c) | (d) |
|-------------------------------------|---------------------------------|---|-----|-----|
| <b>A. PERSONNEL COST</b>            |                                 |   |     |     |
| 1. Salaries                         | 83,520                          |   |     |     |
| 2. Payroll Taxes & Assessments      |                                 |   |     |     |
| 3. Fringe Benefits                  | 25,515                          |   |     |     |
| <b>TOTAL PERSONNEL COST</b>         | <b>109,035</b>                  |   |     |     |
| <b>B. OTHER CURRENT EXPENSES</b>    |                                 |   |     |     |
| 1. Airfare, Inter-Island            | 5,000                           |   |     |     |
| 2. Insurance                        | 2,500                           |   |     |     |
| 3. Lease/Rental of Equipment        |                                 |   |     |     |
| 4. Lease/Rental of Space            | 7,200                           |   |     |     |
| 5. Staff Training                   |                                 |   |     |     |
| 6. Supplies                         |                                 |   |     |     |
| 7. Telecommunication                |                                 |   |     |     |
| 8. Utilities                        |                                 |   |     |     |
| 9. Training Costs/Stipends          |                                 |   |     |     |
| 10. Contractual Services            | 30,000                          |   |     |     |
| 11. Administrative Costs            |                                 |   |     |     |
| 12. Travel/Per Diem                 | 4,180                           |   |     |     |
| 13. Equipment/Computers             | 0                               |   |     |     |
| 14. Residential Services            | 32,000                          |   |     |     |
| 15. Audit                           | 1,250                           |   |     |     |
| 16                                  |                                 |   |     |     |
| 17                                  |                                 |   |     |     |
| 18                                  |                                 |   |     |     |
| 19                                  |                                 |   |     |     |
| 20                                  |                                 |   |     |     |
| <b>TOTAL OTHER CURRENT EXPENSES</b> | <b>82,130</b>                   |   |     |     |
| <b>C. EQUIPMENT PURCHASES</b>       |                                 |   |     |     |
| <b>D. MOTOR VEHICLE PURCHASES</b>   |                                 |   |     |     |
| <b>E. CAPITAL</b>                   |                                 |   |     |     |
| <b>TOTAL (A+B+C+D+E)</b>            | <b>191,165</b>                  |   |     |     |
| <b>SOURCES OF FUNDING</b>           |                                 | Budget Prepared By:   |     |     |
| (a) Total State Funds Requested     | 191,165                         | A.G. AGUILLON, President & CEO 808-591-8628                             |     |     |
| (b)                                 |                                 | [Redacted Signature] Phone  |     |     |
| (c)                                 |                                 | [Redacted Signature] Date   |     |     |
| (d)                                 |                                 | 1/22/09   |     |     |
| <b>TOTAL REVENUE</b>                | <b>191,165</b>                  | A.G. AGUILLON, President & CEO<br>Name and Title (Please type or print) |     |     |

## BUDGET JUSTIFICATION PERSONNEL - SALARIES AND WAGES

Applicant: Hawaii Human Development Corporation

Period: July 1, 2008 to June 30, 2009

| POSITION TITLE                  | FULL TIME EQUIVALENT | ANNUAL SALARY<br>A | % OF TIME BUDGETED TO REQUEST<br>B | TOTAL SALARY BUDGETED IN REQUEST<br>A x B |
|---------------------------------|----------------------|--------------------|------------------------------------|---|
| President/CEO                   | 1                    | \$81,600.00        | 20.00%                             | \$ 16,320.00                              |
| CFO                             | 1                    | \$42,000.00        | 20.00%                             | \$ 8,400.00                               |
| Program Director                | 1                    | \$36,000.00        | 80.00%                             | \$ 28,800.00                              |
| Educational/Training Specialist | 1                    | \$30,000.00        | 100.00%                            | \$ 30,000.00                              |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
|                                 |                      |                    |                                    | \$ -                                      |
| <b>TOTAL:</b>                   |                      |                    |                                    | <b>\$ 83,520.00</b>                       |

JUSTIFICATION/COMMENTS: See page 10 of the Application for Grants and Subsidies.

## BUDGET JUSTIFICATION - EQUIPMENT AND MOTOR VEHICLES

Applicant: Hawaii Human Development Corp.      Period: July 1, 2008 to June 30, 2009

| DESCRIPTION<br>EQUIPMENT | NO. OF<br>ITEMS | COST PER<br>ITEM | TOTAL<br>COST | TOTAL<br>BUDGETED |
|--------------------------|-----------------|------------------|---------------|-------------------|
| None                     |                 |                  | \$ -          |                   |
|                          |                 |                  | \$ -          |                   |
|                          |                 |                  | \$ -          |                   |
|                          |                 |                  | \$ -          |                   |
|                          |                 |                  | \$ -          |                   |
| <b>TOTAL:</b>            |                 |                  | \$ -          |                   |
| JUSTIFICATION/COMMENTS:  |                 |                  |               |                   |

| DESCRIPTION<br>OF MOTOR VEHICLE | NO. OF<br>VEHICLES | COST PER<br>VEHICLE | TOTAL<br>COST | TOTAL<br>BUDGETED |
|---------------------------------|--------------------|---------------------|---------------|-------------------|
| None                            |                    |                     | \$ -          |                   |
|                                 |                    |                     | \$ -          |                   |
|                                 |                    |                     | \$ -          |                   |
|                                 |                    |                     | \$ -          |                   |
|                                 |                    |                     | \$ -          |                   |
| <b>TOTAL:</b>                   |                    |                     | \$ -          |                   |
| JUSTIFICATION/COMMENTS:         |                    |                     |               |                   |

**BUDGET JUSTIFICATION  
CAPITAL PROJECT DETAILS**

Applicant: Hawaii Human Development Corpora

Period: July 1, 2008 to June 30, 2009

| FUNDING AMOUNT REQUESTED |                    |   |               |                       |              |                                      |              |
|--------------------------|--------------------|---|---------------|-----------------------|--------------|--------------------------------------|--------------|
| NOT APPLICABLE           | TOTAL PROJECT COST | ANY OTHER SOURCE OF FUNDS RECEIVED IN PRIOR YEARS |               | STATE FUNDS REQUESTED |              | FUNDING REQUIRED IN SUCCEEDING YEARS |              |
|                          |                    | FY: 2005-2006                                     | FY: 2006-2007 | FY:2007-2008          | FY:2008-2009 | FY:2009-2010                         | FY:2010-2011 |
|                          | PLANS              |   |               |                       |              |                                      |              |
|                          | LAND ACQUISITION   |   |               |                       |              |                                      |              |
|                          | DESIGN             |   |               |                       |              |                                      |              |
|                          | CONSTRUCTION       |   |               |                       |              |                                      |              |
|                          | EQUIPMENT          |   |               |                       |              |                                      |              |
|                          | <b>TOTAL:</b>      |   |               |                       |              |                                      |              |
| JUSTIFICATION/COMMENTS:  |                    |   |               |                       |              |                                      |              |



**DECLARATION STATEMENT  
APPLICANTS FOR GRANTS AND SUBSIDIES  
CHAPTER 42F, HAWAII REVISED STATUTES**

The undersigned authorized representative of the applicant acknowledges that said applicant meets and will comply with all of the following standards for the award of grants and subsidies pursuant to section 42F-103, Hawaii Revised Statutes:

- (1) 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 or subsidy is awarded;
- (2) Comply 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;
- (3) Agree not to use state funds for entertainment or lobbying activities; and
- (4) Allow the state agency to which funds for the grant or subsidy 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 assuring the proper expenditure of the grant or subsidy.

In addition, a grant or subsidy may be made to an organization only if the organization:

- (1) Is incorporated under the laws of the State; and
- (2) Has bylaws or policies that describe the manner in which the activities or services for which a grant or subsidy is awarded shall be conducted or provided.

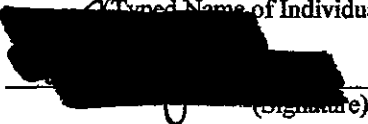
Further, a grant or subsidy may be awarded to a non-profit organization only if the organization:

- (1) Has been determined and designated to be a non-profit organization by the Internal Revenue Service; and
- (2) Has a governing board whose members have no material conflict of interest and serve without compensation.

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

Hawaii Human Development Corporation

(Typed Name of Individual or Organization)

  
\_\_\_\_\_  
(Signature)

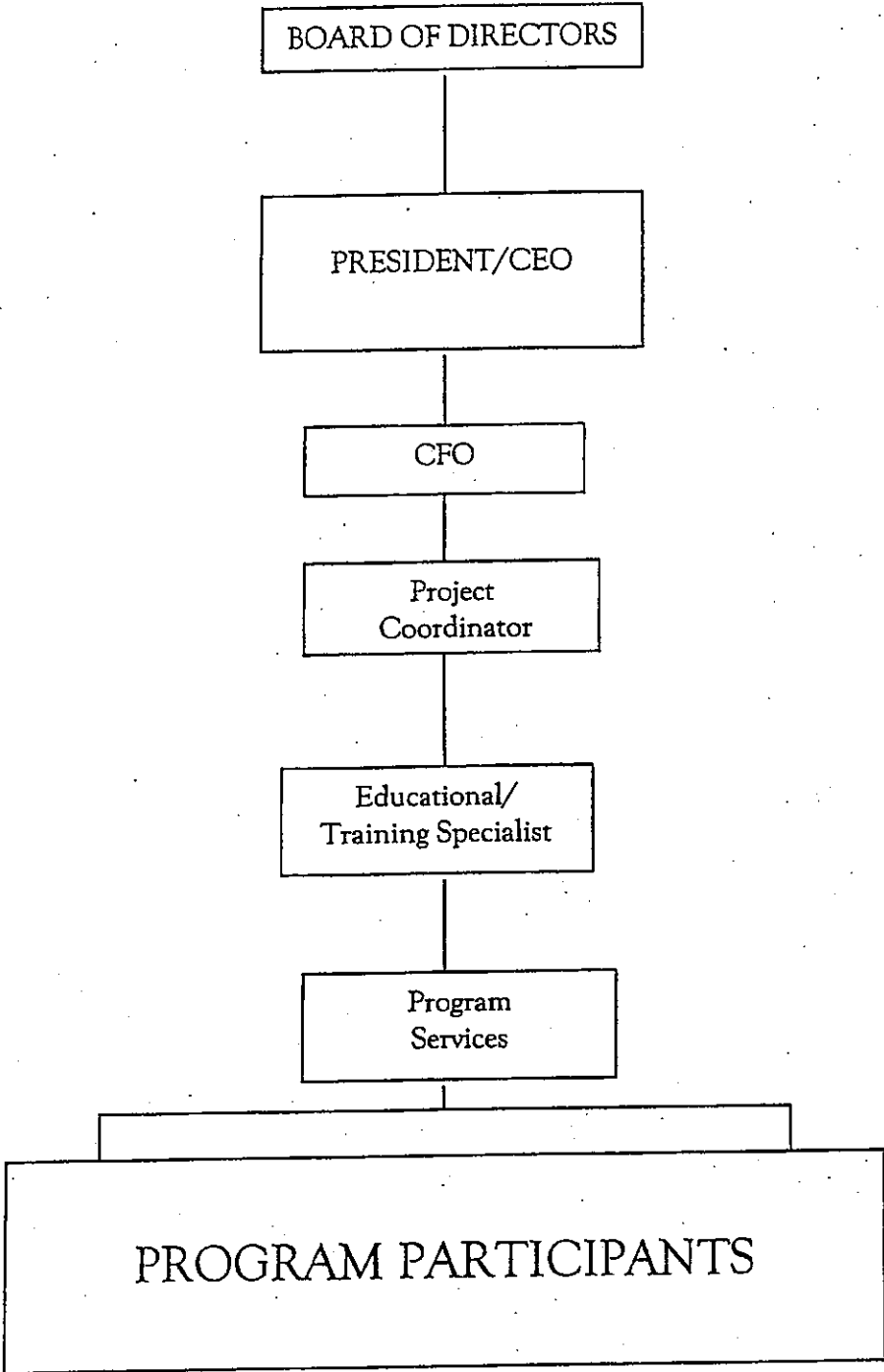
1/20/09  
\_\_\_\_\_  
(Date)

A.G. Aguilon  
(Typed Name)

President and CEO  
(Title)

HAWAII HUMAN DEVELOPMENT CORPORATION

Organizational Chart



A.G. Aguillon  
3021 Lincoln Avenue  
Honolulu, Hawaii 96816  
(808) 732-1066 (res.), (808) 591-8628 (bus.)

## WORK EXPERIENCE

### **President/CEO, Hawaii Human Development Corporation (10/94 - present)**

Responsible for all aspects of HHDC's operations including contract development and management, organization compliance with legal and regulatory requirements, maintaining political awareness and representing HHDC to the public. Supervises and establishes standards of conduct and work performance for the organization. Responsible for all long-range operational and strategic planning. Works with current and prospective funding sources to gain appropriate renewals and determine Request for Proposals (RFP) parameters for new programs.

### **Corporate Vice-President, California Human Development Corporation dba Hawaii Human Development, (9/86 - 10/94)**

Responsible for the overall management of the corporation's operations in the State of Hawaii. CHDC is a non-profit corporation that provides services in Northern California, Oregon, Washington, and Hawaii with a budget in excess of \$18,000,000 and a staff of over 500. CHDC operates job training, housing, energy, child care, ESL, community education, drug and alcohol counseling and rehabilitation.

### **Job Development Supervisor, Child and Family Services, Honolulu, Hawaii (1/83 - 8/86)**

Coordinate, organize, approve and oversee implementation of job development plans for participants. Supervise job development staff. Coordinate program operations with other human services operators.

### **Real Estate Agent, BARCO, Honolulu, Hawaii (1/81 - 1/83)**

### **Youth Community Conservation Improvement Project Coordinator, Honolulu Job Resource Center, City and County of Honolulu (7/77 - 12/80)**

Coordinated island-wide programs to enhance employability of low-income and at risk youth by placing them in community conservation projects.

### **Stage Manager, Royal Hawaiian Hotel (7/74 - 12 /81)**

Coordinated stage productions for local entertainers. Responsible for hiring of musicians, logistics and support of all stage productions.

## EDUCATION

University of Hawaii at Manoa  
B.S. in Human Resources Development, 1977

Certificate of Real Estate, John Stapleton School of Real Estate  
Honolulu, Hawaii, 1981

## COMMUNITY ACTIVITIES

Western Alliance of Farmworkers Advocates

## REFERENCES

Available upon request.

## Kelsey Furuta

### Objective

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To obtain a position that will utilize my interests and experience.

### Experience

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2/2007 – present                      Hawaii Human Development Corporation                      Honolulu, HI

#### Educational Programs Coordinator

- Teaches Job-Readiness-Training to at-risk youth in a classroom setting
  - Teaches Life Skills and Job-Readiness-Training in the youth correctional facility for individuals and small groups
- 

9/2005 – 5/2006                      Center for Career Alternatives                      Seattle, WA

#### Development Assistant

- Organized the annual benefit auction for over 800 guests
  - Raised over \$14,000 from annual benefit auction
  - Networked with local businesses and community members to acquire donations
- 

9/2003 – 5/2004                      TAIKOPROJECT                      Los Angeles, CA

#### Professional Performer

- Participated in west coast tour, residencies, and school outreach
  - Show required training in taiko, acting, dance, and vocals
- 

9/2000 – 6/2001                      Kimball Elementary School                      Seattle, WA

#### Student Intern

- Created lesson plans and taught fourth grade class daily
  - Organized and taught weekly cheer and dance club
  - One on one tutoring with special needs students
- 

### Education

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9/2001 – 3/2006                      Seattle University                      Seattle, WA

#### B.A., Liberal Studies

- Minor in Japanese language
- Magna Cum Laude

8/2005                      The Bartending College                      Bellevue, WA

- Completion of the one-week course
- 

### References

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References are available on request.

**STEPHEN POOLE**

email: nomad.stephen@gmail.com phone: 503-449-1753 or 808-782-1256

**QUALIFICATIONS SUMMARY**

A consistent history of adding value through risk and efficiency analysis, an understanding of human factors and team dynamics, business process reengineering, the implementation of program/project management procedures, logistical planning and tracking, and the ability to multi-task and function at all levels of an organization.

**PROFESSIONAL EXPERIENCE**

**Nomad Ventures LLC; Project Manager/Owner**

April 2007 – Present

- Created LLC to facilitate contract PM and consulting role for start-up business
- Project Manager/Assistant to the CEO/Chairman of Barrister Executive Suites, Inc.

**Independent World Travel; Nomad**

March 2006 – March 2007

- Planned and budgeted a year of world travel to 14 different countries
- Analyzed buyout proposals, lease documents, and new business proposals for business owners

**Charles Schwab & Co., Inc.; Senior Compliance Analyst, Project Manager II, Trust Specialist**  
February 1997 – February 2006

- Based on internal and regulatory policies and procedures, conducted compliance monitoring & testing of new accounts, trading (greenbar), incoming & outgoing email/written correspondence, appropriateness of representative investment recommendations, wires, journals, address changes, appropriate registration of personnel, outside meetings, gift log, supervisory review, insurance, complaints, employee disclosure, marketing material, timeliness of reviews, and maintenance of required on site documentation
- Planned and implemented annual compliance exam cycle for a 400+ national branch and call center network, tracking progress and results for regulatory requirement
- Created excel workbooks to expedite data input and analysis for call center exams, reducing travel requirements for management personnel
- Used business process reengineering to flatten hours and responsibilities of 16 person group, removing inefficiencies, the need for regular overtime, and 80% of the on-site team meetings
- Conducted 250+ branch and call center compliance exams, with 25% minimum travel
- Formulated national/regional data collection options for more actionable analysis
- Cross-trained in Brand & Marketing Compliance for Schwab and U.S. Trust
- Facilitated regulatory inquiries
- Program/Project Manager tasked with doubling a national branch and call team network
- Managed team through all phases of 100+ projects, dealing with multiple departments and levels of management, and signing authority up to \$500,000 per project
- Established solid and trusting relationships with all project leads
- One of four specialists, advising internal and external clients on the intricacies of estate planning
- Researched and submitted proposal for 529 Plan product offering

**EDUCATION & LICENSES**

- Project Management Certificate, UC Berkeley Extension
- Political Science, BA, University of Hawaii at Manoa
- Series 7 & 63

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

DEPARTMENT OF THE TREASURY

Date: JUN 26 2000

HAWAII HUMAN DEVELOPMENT CORP  
C/O A G AGUILLON  
1150 S KING ST STE 901DE  
HONOLULU, HI 96814-1953

Employer Identification Number:  
99-0313383  
DIN:  
310088246  
Contact Person: DAVID V SCIAN ID# 31369  
Contact Telephone Number:  
(877) 829-5500  
Our Letter Dated:  
October 1994  
Addendum Applies:  
No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Letter 1050 (DO/CG)

HAWAII HUMAN DEVELOPMENT CORP

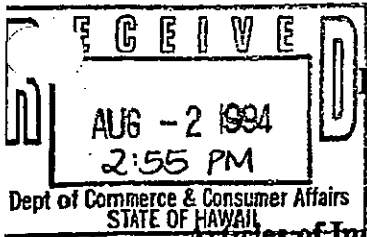
Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

**Steven T. Miller**

Steven T. Miller  
Director, Exempt Organizations



**ARTICLES OF INCORPORATION  
HAWAII HUMAN DEVELOPMENT CORPORATION**

**Articles of Incorporation of the undersigned, desiring to form a Non-Profit Corporation under the Non-Profit Corporation Law of the State of Hawaii, do hereby certify:**

**I**

The name of the Corporation shall be Hawaii Human Development Corporation.

**II**

The place in this state where the initial office of the Corporation is to be located on 1150 South King Street, #901 D-E, Honolulu, Hawaii 96814.

**III**

The period of its duration is perpetual.

**IV**

Said Corporation is organized exclusively for charitable and educational purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 (c)(3) of the Internal Revenue Code or the corresponding section of any future federal tax code. The specific and primary purposes for which this corporation is formed are (a) to operate for the advancement of education, improvement of social conditions, and improvement of the job opportunities of low-income, unemployed, and underemployed citizens of communities in which the corporation shall function, (b) to construct, own, improve, and maintain facilities and programs of every kind and nature whatsoever which will improve the education, social conditions, and job opportunities of low-income, unemployed, and under-employed citizens and the communities in which they reside.

**V**

The names and addresses of the persons who are the initial Directors of the corporation are as follows:

Ms. Gailene Wong, 1903 Wilhelmina Rise, Honolulu, Hawaii 96816

Ms. Barbara Bianchi, 2745-A Laniloa Road, Honolulu, Hawaii 96813

Mr. Guy Fujimura, 451 Atkinson Drive, Honolulu, Hawaii 96814



Mr. Corey Moriyama, 2490 Kalakaua Avenue, Honolulu, Hawaii 96815

Mr. Walter Choy, 1063 Kamaole Street, Honolulu, Hawaii 96825

## VI

The names and addresses of the persons who are the initial officers of the corporation are as follows:

### President

Mr. Andres G. Aguillon, 3021 Lincoln Avenue, Honolulu, Hawaii 96816

### Vice-President

Timothy Donahue, 47-742 Hui Kelu Street, Kaneohe, Hawaii 96744

### Secretary/Treasurer

Juvy G. Mandado, 1125 Young Street, #705, Honolulu, Hawaii 96814

## VII

This corporation shall exercise all powers conferred upon nonprofit corporations by the State of Hawaii under Chapter 415B, HRS, currently or in the future; in all events, however, said powers will be used in furtherance of the corporation's exempt purposes as defined in Paragraph IV. The corporation will not engage in activities, other than in an insubstantial amount, which do not further such purposes. The corporation shall have all powers, rights, privileges and immunities, and shall be subject to all of the liabilities conferred or imposed by law upon corporations of this nature, and shall be subject and have all the benefits of all general laws with respect to corporations.

## VIII

The corporation has no members.

## IX

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article Fourth hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation.

X

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

We certify under the penalties of Section 415B-158, HRS, that we have read the above statements and that the same are true and correct.

In witness whereof, we have hereunto subscribed our names this 21st day of July, 1994.

  
Andres G. Aguillon, Incorporator

  
Timothy Donahue, Incorporator

  
Judy G. Mandado, Incorporator

# BYLAWS

## HAWAII HUMAN DEVELOPMENT CORPORATION

*Name of Corporation*

### ARTICLE I

#### OFFICES

The principal office of the Corporation shall be located in the City and County of Honolulu in the State of Hawaii. The Corporation may have other such offices, either *within or beyond the State of Hawaii*, as the Board of Directors may designate or as business of the Corporation may require from time to time.

### ARTICLE II

#### PURPOSES

The primary purposes of the Corporation are as follows:

- A. To operate for the advancement and improvement of education, economic development, residential, employment and other social conditions affecting low-income, unemployed, underemployed and other socially impoverished &/or economically disadvantaged individuals and families of communities in which the Corporation shall function.
- B. To construct, own, lease, improve and maintain facilities as the Corporation deems necessary to improve the education, economic development, residential, employment and other social conditions of low-income, unemployed, underemployed and other socially impoverished &/or economically disadvantaged individuals and families of communities in which the Corporation shall function.
- C. To design and implement programs as the Corporation deems necessary to improve the education, economic development, residential, employment and other social conditions of low-income, unemployed, underemployed and other socially impoverished &/or economically disadvantaged individuals and families of communities in which the Corporation shall function.

### ARTICLE III

#### FISCAL YEAR

The fiscal year of the Corporation shall begin on the 1<sup>st</sup> day of July and end on the 30<sup>th</sup> day of June of the succeeding year.

### ARTICLE IV

#### MEMBERSHIP

The Board of Directors shall comprise the membership of the organization.

### ARTICLE V

#### BOARD OF DIRECTORS

**SECTION 1: General Powers.** The business and affairs of the Corporation shall be managed by its Board of Directors.

**SECTION 2: Specific Powers.** Without prejudice to these general powers, the Directors shall have the power to:

- a. Select and remove all officers, agents, and employees of the Corporation; prescribe any powers of duties for them that are consistent with the law, with the Articles of Incorporation, and with these Bylaws; and fix their compensation.
- b. Borrow money and incur indebtedness on behalf of the Corporation and cause to be executed and delivered for the Corporation's purpose, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations, and other evidences of debt and securities.

**SECTION 3: Number.** The number of directors of the Corporation shall be fixed by the Board of Directors, but in no event shall be not less than three (3) and no more than five (5).

**SECTION 4: Selection and Term of Office.** All Directors shall be elected by a majority vote of the Directors present at the annual meeting of the

**Corporation.** The term of office for any one Director shall be fixed at four (4) years subject to the limitations listed in Article V, Section 4.6 as listed below.

1. Reappointments – There shall be no reappointment limitations.
2. Events Causing Vacancies – A vacancy on the Board shall exist upon:
  - a. A Director's death, resignation, or removal.
  - b. A Director's being declared of unsound mind by a final court order and or being found by final court of any felony.
  - c. The authorized number of Directors being increased.
3. Resignations. A Director may resign by giving written notice to the Chair, the President, the Secretary, or the Board. The Board of Directors will elect a successor to take office after the resignation becomes effective.
4. Changes in Number of Directors. No reduction in the authorized number of Directors shall have the effect of removing a Director before his/her term of office expires.
5. Removal Without Cause. Any Director may be removed without cause by a vote of two-thirds (2/3) of the authorized Board members.
6. Appointment of New Board Member. Whenever a Board Member has resigned his position of the Board of Directors in the manner herein described or whenever a Board Member is removed for cause, the Board of Directors, no later than the first Regular Meeting of the Board of Directors within ninety (90) days from the effective date of the resignation or removal, shall fill the vacancy by a majority of the Directors then in office, whether or not less than a quorum, or by a sole remaining Director. Replacement Director will serve the remainder of the term.

**SECTION 5: Officers.** The Directors shall elect a Chair, Vice-Chair, and a Secretary/Treasurer at the regular Annual Meeting and whenever these offices are vacant. The Chair, Vice-Chair, Secretary/Treasurer shall serve for a period coinciding with their terms as Directors. No Officers shall succeed him/herself for a term. The Chair shall preside over meetings of the Board except that in his/her absence, the Vice-Chair shall preside. When the Chair and Vice-Chair are absent, the President of the Corporation shall preside without voting powers.

## ARTICLE VI

### MEETINGS

SECTION 1: Annual Meeting. The Board shall hold an Annual Meeting for the purpose of organization, election of officers and Directors, and the transaction of other business.

SECTION 2: Special Meeting. The Chair, the President of the Corporation, or any two Directors, may call Special Meetings of the Board. Special meetings of the Board may be held on ample notice being given to each Director. The written notice will be considered as given when it is deposited in the mail, or actually transmitted to the Director by electronic means. Oral notice will be considered as given at the time it is communicated in person or by telephone to the Director or to a person answering the phone. No business other than the general nature of which was set forth in the notice of the meeting may be transacted at a specifically called meeting.

SECTION 3: Quorum. A majority of the Board of Directors members currently in office, but no less than three members, constitutes a quorum of the Board for transaction of business, except to adjourn. (See Section 4: Adjournment.) Every decision made by a majority of the Directors present at a meeting shall be regarded as the act of the Board. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of enough Directors to leave less than a quorum if the action is approved by at least a majority of the required quorum.

SECTION 4: Adjournment. A majority of the Directors present may adjourn a meeting to another time and place. Notice need not be given to absent Directors, except as provided in the next sentence. If the meeting adjourned for more than 24 hours, notice of the new time and place shall be given to the Directors who were not present at the time of adjournment.

SECTION 5: Action Without Meeting. Any action by the Board may be taken without a meeting if all of the Directors shall individually or collectively consent in writing or by verbal affirmation to the President of the Corporation to such action. Such consent shall have the same effect as a unanimous vote of the Board and shall be filed with minutes of the proceeding of the Board.

## ARTICLE VII

### COMMITTEES

Any committee may be created and the members ratified by the Board and may be designated by such name as the Chair shall specify.

## ARTICLE VIII

### OFFICERS OF THE CORPORATION

**SECTION 1: Officers.** The officers of the corporation shall be limited to a President, Vice-President and a Secretary/Treasurer. The President and Vice-President shall be selected by majority of the full Board of Directors upon recommendation by the Chair. The Secretary/Treasurer shall be appointed by the President or upon the concurrence of the Board, the position and duties of the Secretary/Treasurer may be assumed by the President. All corporate officers shall serve at the pleasure of the appointing power and shall hold their respective offices until their resignation, removal, or other disqualification from service.

#### 1. President

The President is the General Manager and Chief Executive Officer of the corporation and has, subject to the control of the Board, general supervision, direction and control of the business and officers of the corporation. The President has the general powers and duties of management usually vested in the office of General Manager and Chief Executive Officer of a corporation, and such other powers and duties as may be prescribed by the Board to include the power to hire any additional employees or to contract any agents necessary to fulfill the mission and purposes of the Corporation.

#### 2. Vice President

In the absence or disability of the President, the Vice-President designated by the Board shall perform all the duties of the President and, when so acting, shall have all powers of, and be subject to all the restrictions upon, the President. The Vice-President shall have such other powers and perform such other duties as from time to time may be prescribed for them by the President or by the Board.

#### 3. Secretary/Treasurer

The Secretary/Treasurer shall attend to the following:

- a. The Secretary/Treasurer shall keep at the principal executive office a book of minutes and actions of Directors with the time

and place of holding, whether regular or special and if special how authorized the notice given the names of those present at such meetings, the number of Board Members present at meetings and the proceedings of such meetings:-

- b. The Secretary/Treasurer shall give notice of all meetings of the Board of Directors required by the Bylaws to be given. She/He shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the Bylaws, or the President.
- c. The Secretary/Treasurer will keep and maintain adequate and correct books and records of accounts of the properties and business transactions of the Corporation, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, retained earnings, and other matters, customarily included in financial statements. The books and records of accounts shall be open to inspection by any Director at all reasonable times.
- d. The Secretary/Treasurer will deposit all money and other valuables in the name and to the credit of the Corporation with such depositories as may be designated by the Board of Directors; will render to the President and Directors whenever they request it, an account of the financial condition of the Corporation; and will have other powers and perform such other duties as may be prescribed by the Board of Directors or the President.

**SECTION 2: Removal and Resignation.** Any officer may be removed, either with or without cause, by the Board at any time or, except in the case of an officer chosen by the Board, by any officer upon whom power of removal may be conferred by the Board. Any such removal shall be without prejudice to the rights, if any, of the officer under contract of employment. Any officer may resign at any time by giving written notice to the Corporation, but without prejudice to the rights of the Corporation under any contract to which the officer is a party. The resignation shall take effect upon receipt of the notice or any later time specified therein and the acceptance of the resignation shall not be necessary to make it effective.

## ARTICLE IX

### EXECUTION OF INSTRUMENTS

#### SECTION 1: Authority.



- a. The President of the Corporation, subject to the provisions of applicable law and within the limits established by the Board, is authorized to sign and execute any note, mortgage, evidence of indebtedness, contract, conveyance, or other instrument in writing any assignment or endorsement thereof executed or entered into between the Corporation and any other person, to include organizational entities. Such instruments, when signed by the President of the Corporation, shall be valid and binding on the Corporation.
- b. Any such instruments may be signed by any other person or persons and in such manner as from time to time shall be determined by the Board and, unless so authorized by the Board, no officer, agent, or employee shall have power or engagement or to pledge its credit or to render it for any purpose or amount.

## ARTICLE X

### INDEMNIFICATION OF DIRECTORS, OFFICERS, EMPLOYEES AND OTHER AGENTS

#### SECTION 1: Definitions Pertaining To Indemnification.

1. "Agent" means any person who is a Director, officer, employee, or other agent of this corporation, or is or was serving at the request of this Corporation as a Director, that was a predecessor corporation of this Corporation or of another enterprise at the request of the predecessor corporation.
2. "Proceeding," means any threatened, pending, or completed action or proceeding, whether civic, criminal, administrative, or investigative.
3. "Expenses" includes, without limitations, all attorney's fees, costs, and any other expenses incurred in the defense of any claim or proceedings against an agent by reason of his/her position or relationship as agent and all attorney's fees, costs, and other expenses incurred in establishing a right to indemnification under this Article.

SECTION 2: Successful Defense By Agent. To the extent that an agent of this Corporation has been successful on the merits in the defense of any proceeding referred to in this Article, or in the defense of any claim, issue, or matter herein, the agent shall be indemnified against expenses actually and reasonably incurred by the agent in connection with the claim. If an agent either settles any

such claim or sustains a judgment rendered against him/her, then the provisions of Article X shall determine whether the agent is entitled to indemnification.

**SECTION 3: Actions Brought By Persons Other Than The Corporation.** Subject to the required findings to be made pursuant to Article X, this Corporation shall indemnify any person who was or is a party, or is threatened to be made a party, to any proceeding other than an action brought by or on behalf of, this Corporation or by an officer, Director of person granted related status by the Attorney General, or by the Attorney General on the ground that the defendant Director was or is engaging in self-dealing or by the Attorney General, for any breach of duty relating to assets held in chargeable trust by reason of the fact that such person is or was an agent of this corporation, for all expenses, judgment, fines, settlements, and other amounts actually and reasonable incurred in connection with the preceding.

**SECTION 4: Action Brought By Or On Behalf Of The Corporation.**

1. **Claims Settled Out of Court.** If any agent settles or otherwise disposed of a threatened or pending action brought by or on behalf of this Corporation, with or without court approval, the agent shall receive no indemnification for either amounts paid pursuant to the settlement or other disposition or for any expenses incurred in defending against the proceeding, unless approved by the Attorney General.
2. **Claims and Suits Awarded Against Agent.** This Corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action brought by or on behalf of this Corporation by reason of the fact that the person is or was an agent of this Corporation, for all expenses actually and reasonably incurred in connection with the defense of that action, provided that both of the following are met.
  - a. The determination of good faith conduct required by Section 5 below must be made in the manner provided for in that section; and
  - b. Upon application, the court in which the action was brought must determine that, in view of all of the circumstances of the case, the agent should be entitled to indemnity for the expenses incurred. If the agent is found to be so entitled, the court shall determine the appropriate amount of expenses to be reimbursed.

**SECTION 5: Determination Of Agents Good Faith Conduct.** The indemnification granted to an agent under Article X is conditioned on the following:

1. Required Standard of Conduct. The agent seeking reimbursement must be found, in the manner prescribed in Article X that he/she acted in good faith, in a manner he/she believed to be in the best interest of this corporation, and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use in similar circumstances. The termination of any proceeding by judgment, order, settlement conviction or on a plea of sole contender or its equivalent shall not, or itself, create a presumption that the person did not act in good faith or in a manner which he/she reasonably believed to be in the best interest of this Corporation or that he/she had reasonable cause to believe that his/her conduct was unlawful. In the case of a criminal proceeding, the person must have had no reasonable cause to believe that his/her conduct was unlawful.

2. Manner of Determination of Good Faith Conduct. The determination of that agent did act in a manner complying with Section 5 above shall be made by:

- a. The Board of Directors by a majority vote of a quorum consisting of Directors who are not parties to the proceeding; or
- b. The affirmative vote of a majority of the votes represented and voting at duly held meeting at which a quorum is present (which affirmative votes also constitute a majority of the required quorum); or
- c. The court in which the proceeding is or was pending. Such determination may be made on application brought by this Corporation or the agent or the attorney or other persons rendering a defense to the agent, whether or not the application by the agent, attorney, or other person is opposed by this Corporation.

SECTION 6: Limitations. No indemnifications shall be made under Article X under any circumstances when it appears;

1. That the indemnification would be inconsistent with provision of the Articles, a resolution of directors, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceedings in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or
2. That the indemnification would be inconsistent with any condition expressly imposed by a court in approving a settlement.

SECTION 7: Contractual Rights On Nondirectors and Nonofficers. Nothing contained in this Article shall affect any right to indemnification to which persons

other than Directors and Officers of this Corporation, or any subsidiary hereof, may be entitled by contract or otherwise.

SECTION 8: Insurance. The Board of Directors may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any agent of the Corporation against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, whether or not this Corporation would have the power to indemnify the agent against that liability under the provisions of this section.

SECTION 9. Fiduciaries Of The Corporation Employee Benefit Plan. This article does not apply to any proceeding against any trustee, investment manager, or other fiduciary of any employee benefit plan in that person's capacity as such, even though that person may also be an agent of the Corporation as defined in Section 1 of this Article. Nothing contained in this Article shall limit any right to indemnification to which such a trustee, investment manager, or other fiduciary may be entitled by contract or otherwise, which shall be enforceable to the extent permitted by applicable law.

## ARTICLE XI

### RIGHTS OF INSPECTION

Each Director, expending agency, committees of legislative bodies and their staff, and the legislative auditor has the right at any reasonable time to inspect and copy any corporate books, records or documents of any kind and to inspect the physical properties of the Corporation. The Board will establish the procedure.

## ARTICLE XII

### NONPARTISAN ACTIVITIES

This Corporation has been formed under Chapter 415B of the Hawaii Revised Statutes (HRS), entitled, Hawaii Nonprofit Corporation Act, for the purposes described above, and it shall be nonprofit and nonpartisan. No substantial part of the activities of the Corporation shall consist of the publication or dissemination of materials with the purpose of attempting to influence legislation, and the Corporation shall not participate or intervene in any political campaign on behalf of any candidate for public office, or for or against any cause of measure being submitted to the people for vote. The Corporation shall not, except in an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes described above.

The Corporation shall employ or have under contract persons qualified to engage in the activity to be funded in whole or in part provided that no two or more members of a family or kin of the first or second degree shall be employed or under contract by the organization unless specifically permitted in writing by the director of the expending agency.

### ARTICLE XIII

#### DISSOLUTION OF ASSETS

The properties and assets of this Corporation are irrevocably dedicated to charitable or educational purposes. No part of the net earnings, properties, or assets of this Corporation, on dissolution or otherwise, shall inure to the benefit of any private person or individual, or any member of Director of this Corporation. On liquidation or dissolution, all properties and assets and obligations shall be distributed and paid over to an organization dedicated to charitable purposes as specified in Internal Revenue Code Section 501(c)(3).

### ARTICLE XIV

#### CONSTRUCTION AND DEFINITIONS

Unless the context otherwise requires, the general procedures, rules of construction and definitions contained in Chapter 415B of the Hawaii Revised Statutes (HRS), entitled, Hawaii Nonprofit Corporation Act, shall govern the construction of these Bylaws.

### ARTICLE XV

#### AMENDMENTS TO BYLAWS

These Bylaws may be altered, amended, or repealed, and new Bylaws may be adopted by majority vote of the Board members present at any regular meeting, or at any special meeting provided that at least fourteen calendar days notice has been given prior to the meeting at which a change in the Bylaws is intended. Any member of the Board of Directors may propose changes to these Bylaws.

**ARTICLE XV**

**CORPORATE SEAL**

The Board of Directors shall adopt a corporate seal which shall bear the name of the Corporation and words and figures showing that it was incorporated in the State of Hawaii in the year 1994.

**ARTICLE XVI**

**GIFTS**

The President and/or the Board may accept on behalf of the Corporation any contributions, gifts, bequests, or devises for general or primary purposes of the Corporation.

**ARTICLE XVII**

**RULES OF ORDER**

In the event of disputes, "Roberts Rules of Order Revised" shall prevail.

**ADOPTION OF BYLAWS**

I, the undersigned, certify that I am currently the President and Secretary/Treasurer of Hawaii Human Development Corporation, and that these amended Bylaws, consisting of twelve (12) pages, were adopted by the Board of Directors on July 24, 2000. I further certify that these amended Bylaws are prevailing on the Corporation upon their date of adoption.



A.G. AGUILLON 10/3/01 Date  
President and Secretary/Treasurer  
Hawaii Human Development Corporation

STATE OF HAWAII )

CITY & COUNTY OF HONOLULU )

SS:

On this 3<sup>rd</sup> day of October, 2000, before me personally appeared A.G. AGUILLON, to me personally known, who being sworn, did say that he is the President and Secretary/Treasurer of HAWAII HUMAN DEVELOPMENT CORPORATION, a Hawaii General Nonprofit Corporation, and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

  
\_\_\_\_\_  
Notary Public, State of Hawaii

My Commission expires: 11/7/2001