

**TOM BLACKBURN-RODRIGUEZ
TESTIMONY BEFORE THE HHT COMMITTEE MEETING
THURSDAY, DECEMBER 14, 2017**

GOOD AFTERNOON CHAIR CRIVELLO AND COMMITTEE MEMBERS AND MERRY CHRISTMAS TO EVERYONE.

MY NAME IS TOM BLACKBURN-RODRIGUEZ.

I AM A RESIDENT OF KIHEI AND I AM TESTIFYING ON BEHALF OF GO MAUI ON "AMENDMENTS TO THE RESIDENTIAL WORKFORCE HOUSING POLICY AND AFFORDABLE HOUSING FUND (HHT-27)."

GO MAUI CANNOT SUPPORT THE PROPOSED BILL, WHICH HAS MANY PROBLEMS, INCLUDING THE MISTAKEN ASSUMPTION THAT "A ONE-SIZE FITS ALL" APPROACH WILL WORK IN THE DEVELOPMENT OF AFFORDABLE HOUSING AND THAT THE "ONE SIZE" WILL BE A GOVERNMENT DEMAND NOT AN OPTION AS IT IS NOW.

THE BILL ATTEMPTS AND FAILS TO BUILD ON THE WORK OF THE COMMUNITY AND PREVIOUS COUNCILS BY MISTAKENLY APPROPRIATING "PERPETUITY LANGUAGE" WITHIN CHAPTER 3.35- AFFORDABLE HOUSING FUND.

THE BILL IGNORES THE CLEAR LANGAUGE OF 3.35.010 OR "PURPOSE" WHICH LAYS OUT IN DETAIL WHAT ACTIVITIES MAY BE FUNDED BY THE AFFORDABLE HOUSING FUND AND IS REFERRED TO SEVERAL TIMES IN DIFFERENT SECTIONS OF THE AFFORDABLE HOUSING FUND, ESTABLISHING A DOMINANT CLAUSE IN THE LEGISLATION THAT SUBORDINATE CLAUSES, SUCH AS THE LANGAGE IN 3.35.060 "CRITERIA FOR SELECTION OF GRANT OR LOAN PROPOSALS MUST BE GUIDED BY," YET EVEN THERE, THE #1 SELECTION CRITERIA LISTED ARE THE REQUIREMENTS LAID OUT IN SECTION 3.35.010 AS PREVIOUSLY MENTIONED.

AS ONE WHO SPENT MANY HOURS, ALONG WITH THE THEN NA HALE O MAUI EXECUTIVE DIRECTOR JOHN ANDERSON, WORKING WITH MEMBERS TO SUPPORT THEIR LEGISLATION I CAN TELL YOU THAT THE PHRASE "NONPROFIT OR COMMUNITY LAND TRUST" THAT IS IN THE HOUSING FUND LEGISLATION IS NOT THERE BY ACCIDENT.

FOR EXAMPLE SELECTION CRITERIA B-3 OF 3.35.060 WAS DESIGNED TO PROVIDE AN OPTION FOR FUNDING COMMUNITY LAND TRUST PROPOSALS AT A TIME WHEN A CLT WAS A NEW, UNKNOWN AND AN UNTESTED IDEA ON MAUI AND FOR THAT MATTER IN HAWAII.

THE LANGUAGE PROVIDED A WAY FOR "IN PERPETUITY" PROPOSALS TO BE CONSIDERED AND WAS PUT IN AS A FUNDING OPTION NOT AS A MANDATE.

THERE NOTHING IN THE AFFORDABLE HOUSING FUND LEGISLATION THAT MANDATES THAT EACH AND EVERY SELECTION CRITERIA MUST BE APPLIED TO EACH AND EVERY PROPOSED PROJECT.

THAT WOULD BE IN DIRECT CONFLICT WITH THE OVERRIDING LANGUAGE OF 3.35.010 "PURPOSE." AND WOULD NOT BE PRACTICAL IN THE REAL WORLD GIVEN THE DIVERSITY OF THE HOUSING POPULATIONS IN NEED AND THE ORGANIZATIONS THAT HAVE EVOLVED METHODS FOR ADDRESSING LOW AND MODERATE INCOME, DISABLED, SENIORS AND RECOVERY HOUSING NEEDS.

IT WOULD ALSO ELIMINATE ADMINISTRATIVE DISCRETION IN DECISION MAKING—WHICH IS CLEARLY ALLOWED UNDER THE LAW.

AT THE BEGINNING OF THE MAUI POLITICAL SEASON THIS IS AN AMBITIOUS AND OVER REACHING PIECE OF LEGISLATION THAT DOES NOT DELIVER AND MAY BE MORE OF A HOUSING TROJAN HORSE THAN THE SALVATION IT PURPORTS TO BE.

THANK YOU FOR THE OPPORTUNITY TO TESTIFY.