

# REQUEST FOR LEGAL SERVICES


**Date:** March 28, 2017  
**From:** Riki Hokama, Chair  
Budget and Finance Committee

TRANSMITTAL  
**Memo to:** DEPARTMENT OF THE CORPORATION COUNSEL  
Attention: James Giroux, Esq.

**Subject:** COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM (PROGRAM YEAR 2017/FISCAL YEAR 2018: JULY 1, 2017 TO JUNE 30, 2018) BF-2(1)

**Background Data:** Revise resolution to incorporate nonsubstantive revisions as noted on the attached marked-up copy. In your response, please provide an original, signed hard copy.

**Work Requested:**  FOR APPROVAL AS TO FORM AND LEGALITY  
 OTHER:

Requestor's signature  Riki Hokama, Chair	Contact Person Michele Yoshimura (Telephone Extension: 7663)
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ROUTINE (WITHIN 15 WORKING DAYS)       RUSH (WITHIN 5 WORKING DAYS)  
 PRIORITY (WITHIN 10 WORKING DAYS)       URGENT (WITHIN 3 WORKING DAYS)

SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): Wednesday, March 29, 2017  
REASON: For posting on Friday, March 31, 2017 for the Council meeting of April 7, 2017.

## FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR:  APPROVED  DISAPPROVED  OTHER (SEE COMMENTS BELOW)  
 RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DEPARTMENT OF THE CORPORATION COUNSEL

Date \_\_\_\_\_

By \_\_\_\_\_

(Rev. 7/03)

bf:ltr:002(1)acc01

Attachment

# Resolution

No. \_\_\_\_\_

AUTHORIZING THE FILING OF AN APPLICATION  
WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT,  
UNITED STATES OF AMERICA,  
FOR A GRANT UNDER THE  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, pursuant to Title I, Housing and Community Acts of 1974 and 1977, and Section 7(d), Department of Housing and Urban Development Act, the United States of America has authorized the making of grants to public bodies to aid in financing housing and community development projects; and

WHEREAS, the assistance of the U.S. Department of Housing and Urban Development is desired to aid in the development of several community development projects within the County of Maui; now, therefore,

BE IT RESOLVED BY THE Council of the County of Maui:

1. That it does hereby authorize the Mayor of the County of Maui, or his duly authorized representative, to execute and file an application on behalf of the County of Maui with the U.S. Department of Housing and Urban Development for a grant of ONE MILLION SEVEN HUNDRED - THIRTY ONE THOUSAND ONE HUNDRED NINETY-ONE DOLLARS (\$1,731,191) to aid in the development of the following projects:

1. Hale Mahaolu \$ 550,000

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*construction of* Project: Hale Mahaolu Ewalu Senior Center, ~~is~~ a senior center within a community campus which will include affordable housing for the elderly.

2. Hale Makua Health Services \$ 495,000  
Project: Hale Makua Kahului Generator Upgrade ~~will~~ replace <sup>ment of</sup> a 400kw generator with a 500kw generator. The new generator will ensure adequate electricity is provided during commercial power outages.

*Rehabilitation because of* 3. Maui Family Support Services, Inc. \$ 325,070  
Project: Rehabilitation of MFSS building ~~due~~ to deterioration of the building roof and walls.

4. Ka Hale A Ke Ola Homeless Resource Centers, Inc. \$ 14,883  
Project: KHAKO Renewal Project Phase II ~~will~~ rehabilitate two residential buildings, Building 5 and Building 6. The KHAKO Renewal Project is a multi-phase plan developed by Cooper and Cooper Real Estate Solutions to accomplish necessary updates, replacements and improvements to ensure long term operational viability and protect the health and safety of residents and staff. ~~The \$14,883 is a partial funding, total requested is \$756,787.~~

5. CDBG Program Administration \$ 346,238

Total \$1,731,191

Furthermore, as recommended by the U.S. Department of Housing and Urban Development to avoid compromising the performance of the County of Maui CDBG Program in the accomplishment of its objectives, should any of the projects listed above prove not feasible for funding, is not in the position for funding as represented in the CDBG application, or should any funds from prior years become available for

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reprogramming actions by the CDBG Program Manager during Program Year 2017, the funds may be reallocated among the current open projects if funds have been progressively spent down and upon substantiated need of additional funding for completion of the project, or the current alternate projects may be funded in the order presented herein. If in the absence of viable current alternate projects proposed in the CDBG 2017 Program Year for the consideration of reprogrammable funds, alternate projects from prior years may be considered, but shall be required to first submit an updated application and be evaluated for its project readiness and viability in meeting the desired community needs pursuant to the Consolidated Plan. In the assignment of reprogrammable funds, primary considerations shall be the substantiated and justifiable need for additional funding, the readiness of use of funds and the timely expenditure of funds.

If the current alternate projects are not funded during the CDBG 2017 Program Year, the alternate projects will be required to submit an updated application to be considered for reprogrammable funds in future program years.

These Alternate Projects shall be:

1. Ka Hale A Ke Ola Homeless Centers, Inc. \$ 741,904  
Project: KHAKO Renewal Project Phase II ~~will~~  
~~Rehabilitate~~ two buildings, Building 5 and  
Building 6.
2. Mental Health Kokua \$ 300,000  
Project: Mental Health Kokua Market Street  
House, ~~Rehabilitation~~ of existing space.
3. ARC of Maui County \$ 405,000  
Project: ARC Group Home Solar PV ~~Installation~~  
~~Project.~~  
Installation of Solar PV.

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4.	CFS Real Property, Inc. Project: Neighborhood Place of Wailuku Rehabilitation, <sup>new line</sup> Demolish and rebuild 2 story structure.	\$1,000,000
5.	Maui Youth & Family Services, Inc. Project: <del>Planning &amp; Design of</del> MYFS Behavioral Health Crisis Shelter. <i>Planning and Design of a crisis shelter.</i>	\$ 204,300
	Total	\$2,651,204

2. That the Mayor, or his duly authorized representative, is also hereby authorized to receive and accept any grant award, to execute and file all understandings and assurances contained therein, and to furnish such information as the U.S. Department of Housing and Urban Development may request in connection with the application which is herein authorized to be filed; and further, the Mayor is hereby authorized to accept the grant upon its approval by the U.S. Department of Housing and Urban Development, and to execute all documents necessary for the acceptance and implementation of any grant award received pursuant to the application filed; and

3. That the Mayor, or his duly authorized representative, is hereby authorized to execute any and all documents necessary to process and accept such funds, including any amendments thereto; and

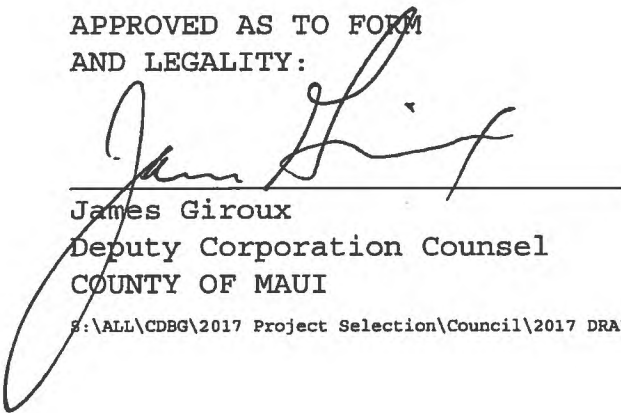
4. That in as much as the amount of the grant specified herein above may vary when finally approved, the authorizations herein granted shall be applicable to the amount or amounts specified in the notification of grant award or similar comparable document, including any contingency funds that

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the U.S. Department of Housing and Urban Development may allocate, and that such amounts may be expended if appropriated under the terms of the budget ordinance or any amendment thereof; and

5. That certified copies of this resolution be transmitted to the Mayor, the Director of Finance, the Budget Director and the CDBG Program Manager.

APPROVED AS TO FORM  
AND LEGALITY:



\_\_\_\_\_  
James Giroux  
Deputy Corporation Counsel  
COUNTY OF MAUI

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