

REQUEST FOR LEGAL SERVICES

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

RECEIVED
By Dept. of The Corporation Counsel at 11:58 am, Mar 28, 2017

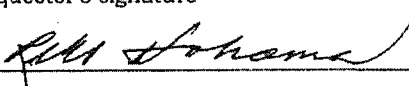
TRANSMITTAL
Memo to: DEPARTMENT OF THE CORPORATION COUNSEL
Attention: James Giroux, Esq.

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:

RECEIVED
2017 MAR 29 PM 2 51
OFFICE OF THE
COUNTY COUNCIL

Requestor's signature  Riki Hokama, Chair	Contact Person Michele Yoshimura (Telephone Extension: 7663)
--	--

- ROUTINE (WITHIN 15 WORKING DAYS)
- PRIORITY (WITHIN 10 WORKING DAYS)
- RUSH (WITHIN 5 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: JAG	ASSIGNMENT NO. 2017-0093	BY: kku
-------------------------	---------------------------------	----------------

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): Revised and approved.

DEPARTMENT OF THE CORPORATION COUNSEL

Date 3/29/17

By Jag

(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

Resolution No. _____

NINETY-ONE DOLLARS (\$1,731,191) to aid in the development of the following projects:

- | | | |
|----|---|-------------------|
| 1. | Hale Mahaolu
Project: Hale Mahaolu Ewalu Senior Center
Construction of a senior center within a
community campus which will include
affordable housing for the elderly. | \$ 550,000 |
| 2. | Hale Makua Health Services
Project: Hale Makua Kahului Generator Upgrade
Replacement of a 400kw generator with a 500kw
generator. The new generator will ensure
adequate electricity is provided during
commercial power outages. | \$ 495,000 |
| 3. | Maui Family Support Services, Inc.
Project: Rehabilitation of MFSS building
Rehabilitation because of deterioration of
the building roof and walls. | \$ 325,070 |
| 4. | Ka Hale A Ke Ola Homeless Resource Centers,
Inc.
Project: KHAKO Renewal Project Phase II
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. | \$ 14,883 |
| 5. | CDBG Program Administration | <u>\$ 346,238</u> |
| | 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

Resolution No. _____

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 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.

Resolution No. _____

These Alternate Projects shall be:

1.	Ka Hale A Ke Ola Homeless Centers, Inc. Project: KHAKO Renewal Project Phase II Rehabilitate two buildings, Building 5 and Building 6.	\$ 741,904
2.	Mental Health Kokua Project: Mental Health Kokua Market Street House Rehabilitation of existing space.	\$ 300,000
3.	ARC of Maui County Project: ARC Group Home Solar PV Project Installation of Solar PV.	\$ 405,000
4.	CFS Real Property, Inc. Project: Neighborhood Place of Wailuku Rehabilitation Demolish and rebuild 2 story structure.	\$1,000,000
5.	Maui Youth & Family Services, Inc. Project: MYFS Behavioral Health Crisis Shelter. Planning and Design of a crisis shelter.	\$ 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

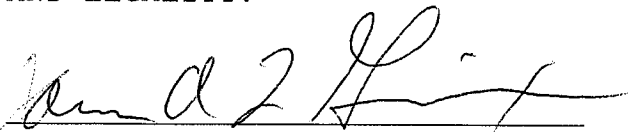
acceptance and implementation of any grant award received pursuant to the application filed; and

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 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 A. Q. GIROUX
Deputy Corporation Counsel
COUNTY OF MAUI