54(2) ✓

Budget, Finance, and Economic Development Committee on 2021-09-15 1:30 PM

Meeting Time: 09-15-21 13:30

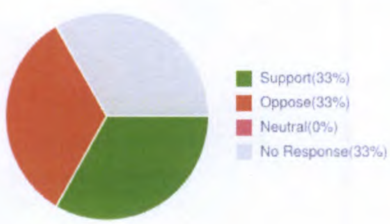
eComments Report

Meetings	Meeting Time	Agenda Items	Comments	Support	Oppose	Neutral
Budget, Finance, and Economic Development Committee on 2021-09-15 1:30 PM	09-15-21 13:30	7	3	1	1	0

Sentiments for All Meetings

The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



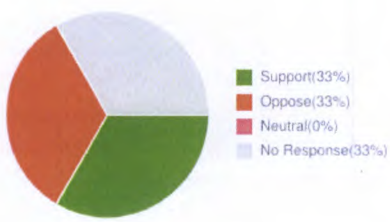
Budget, Finance, and Economic Development Committee on 2021-09-15 1:30 PM
09-15-21 13:30

Agenda Name	Comments	Support	Oppose	Neutral
BFED-54(2) AMENDMENTS TO APPENDIX A, GRANTS AND RESTRICTED USE REVENUES - SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2022 (DEPARTMENT OF HOUSING AND HUMAN CONCERNS (DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), EMERGENCY HOUSING VOUCHERS)) (BFED-54(2))	1	1	0	0
BFED-78 CC 21-29 COUNTY PROPERTY TAX REFORM (BFED-78)	1	0	1	0
BFED-85 CC 20-207 LEGISLATION AND DISCUSSION ON THE EFFECT OF THE CORONAVIRUS PANDEMIC, RULES, CARES ACT, AND RELATED ISSUES (BFED-85)	1	0	0	0

Sentiments for All Agenda Items

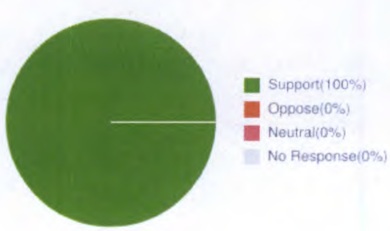
The following graphs display sentiments for comments that have location data. Only locations of users who have commented will be shown.

Overall Sentiment



Agenda Item: eComments for BFED-54(2) AMENDMENTS TO APPENDIX A, GRANTS AND RESTRICTED USE REVENUES - SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR 2022 (DEPARTMENT OF HOUSING AND HUMAN CONCERNS (DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD), EMERGENCY HOUSING VOUCHERS)) (BFED-54(2))

Overall Sentiment

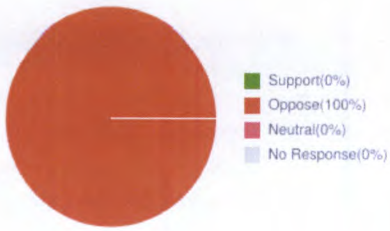


Guest User
Location:
Submitted At: 2:09pm 09-15-21

https://home.treasury.gov/system/files/136/Treasury_Fact_Sheet_6-24-21.pdf

Agenda Item: eComments for BFED-78 CC 21-29 COUNTY PROPERTY TAX REFORM (BFED-78)

Overall Sentiment



Jason Economou
Location:
Submitted At: 12:23pm 09-14-21

Aloha Committee Chair Rawlins-Fernandez and Committee Members,

I am submitting this testimony on behalf of the REALTORS Association of Maui (RAM) and our 1,800+ REALTOR members and affiliates in opposition to BFED-78 and the legislative proposal to establish a vacancy tax. Not only does this proposal seek to abridge basic property rights by instituting a punitive tax structure, but it is also impractical and impossible to administer and enforce.

Property rights are often discussed as a "bundle of rights," which includes the right of possession, the right of control, the right of enjoyment, the right of exclusion, and the right of disposition. The imposition of a vacancy tax is a direct affront on this "bundle of rights," because it creates a penalty against a lawful use of property, simply because that use is not precisely as the County Council desires at this time. Property owners have a long recognized right to exclude others from their property, a right to refuse title permanently or temporarily to another if they so choose, a right to use their property in a lawful manner without undue scrutiny or burden imposed on them from government, as well as a right to occupy or not occupy their property at any given time. Imposing a penalty on property owners simply for using their property in a lawful manner that is not precisely as this Council desires is a fundamental violation of property rights, and an exercise in government overreach. What will the Council do next, impose a penalty for having an unoccupied accessory dwelling? Impose a penalty for having an unoccupied room in their homes? Impose a penalty for going on a trip or being hospitalized for too long? If you will impose a penalty on people who aren't occupying their properties for more than 50 days in a year, the rest of these penalties are plausible and foreseeable from this Council as well.

Aside from the affront on property rights this legislation represents, it is also written in a manner that makes it overly subjective and impossible to practically administer in a reasonable manner. What does it mean that a property "could easily be used for long-residential use?" Does that include properties that need renovations or improvements? To what extent or cost? Who will be responsible for checking that the property is being used for residential purposes for more or less than 50 days? Who will have the burden of proof? What will be permissible evidence of residential use? Has the Council or Department of Finance considered any of these questions? I simply do not see how this law could be implemented and administered in an equitable manner, and I question if equitable enforcement is even the intent of this bill.

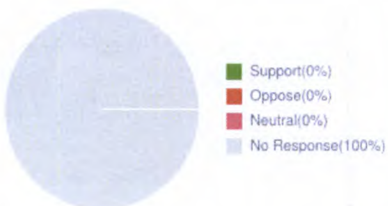
This bill seems designed to punish certain property owners for not using their properties precisely in the manner that this Council deems appropriate, and that should not be the role of government. In the period of a year, this Council's tax policy has shifted from taxation based on actual use, to taxation based on "highest and best use," to taxation based on the attitude of the Council toward the use. If a residential property is not conducting short term rentals, and is not permitted to conduct short term rentals by zoning or license, the Council should not just arbitrarily categorize them as such for the sake of punishing the property owner. If you want a proliferation of illegal short term rentals, along with a slew of other unintended consequences, pass this bill. However, RAM and our members would strongly prefer if you leave property rights intact and leave property taxes as they are.

Mahalo,

Jason A. Economou
Government Affairs Director
REALTORS Association of Maui

Agenda Item: eComments for BFED-85 CC 20-207 LEGISLATION AND DISCUSSION ON THE EFFECT OF THE CORONAVIRUS PANDEMIC, RULES, CARES ACT, AND RELATED ISSUES (BFED-85)

Overall Sentiment



Guest User
Location:
Submitted At: 2:44pm 09-15-21

Good Afternoon Maui County Council members,

I offer the following questions and comments in regards to BFED-85:

1. Why has it been more than 7 months since this item was included on the agenda?

2. Why is the current bid for expanded free community testing open 31 days? Residents have needed expanded testing since at least the beginning of August. Last year when more testing was needed, the bid was open for 5 days.

Earlier this year when Mayor Victorino wanted a new mandatory post arrival COVID test for transpacific travelers the bid was open for just 5 days and the program was up and running within a week.

3. Why has the County continued to allow mass commercial events, including dozens of events in excess of the 200 person maximum in the Public Health Emergency Rules, to operate amidst the delta variant surge? MMMC is strained, non-essential surgeries have been postponed and yet tourists are gathering by the hundreds at luaus and other commercial events every day at multiple locations across the island.

4. Why are the details regarding large commercial events not posted on the County website? Within days of Governor Ige's July 8, 2021 Executive Order requiring mitigation plans for all gatherings in excess of 50 people, Honolulu County had a tab on its website that allowed the public to view all planned large events and their mitigation plans. I recently submitted a public records request for this information for Maui County and have been charged $391 in order to access these records. I am being charged for estimated time spent to respond to the records request. This is not transparent policy and flies in the face of open government best practices.

5. Why is Maui's new Health Pass program that starts today less stringent than the O'ahu program? Are you concerned that the more reckless, risk tasking tourists will divert their plans from O'ahu to Maui to avoid the stricter rules for restaurants, bars etc on O'ahu? Are you concerned that allowing people who are not vaccinated or tested to eat outside at restaurants still poses a health risk to other patrons and restaurant staff?

6. On 5.26.2020 and 6.5.2020, when you approved the Mayor's request to add the $66.7 million in CARES Act funds as a supplemental appropriation to the FY 2020 Budget, you approved the appropriation with non-

substantive changes! The spending plan provided to the Governor and the Council was as follows:

Public Safety - 18.769%
Community Needs - 12.687%
Public Health - 31.75%
Economic Support - 36.78%

On the June 9, 2021 Cover Letter for the County's Monthly CARES Act Report, Finance Director Teruya reported that all of Maui County's CARES money had been EXPENDED. The final allocations reported are radically and SUBSTANTIVELY different from what the County Council approved back in May/June 2020.

On the June 9, 2021 Cover Letter, Mr. Teruya reports the following breakdown:

Public Safety - 10.21%
Community Needs - 15.67%
Public Health - 16.2%
Economic Support - 57.9%

Why didn't you speak up and question this?

The June 9, 2021 Letter reports Maui County over spent on Economic Support by $10,353,185.53 and under spent on Public Health by $14,064.268.08.

8. What are the planned uses for the County's $30,000,000+ in ARPA funds? How much is the County receiving? Where is a copy of the Interim Report that was due to the U.S. Treasury by 8.31.2021? When did Maui County receive its first installment of the ARPA funds?

9. Why has there been no public discussion of the planned use of Maui County's ARPA funds? A 8.31.2021 Civil Beat article noted that Mayor Blangiardi and the Honolulu County Council have been discussing ARPA funding expenditures at Council meetings for months. Why have there not been similar discussions at Maui County Council meetings?

10. Kauai and the Big Island County Councils had Senator Schatz attend Council meetings to discuss their County's COVID federal relief funds. Did Maui County invite Senator Schatz to speak to this issue?

11. Why did the Maui County Council approve a $66.7 million supplemental appropriation, via Bill 61 on Second and final reading on 6.5.2020, for a FY budget that was ending 25 days later. There is no way Maui County could spend that much money in 25 days. Furthermore, the County was never going to receive the entirety of its CARES Act funds by 6.30.2020. The rules regarding the distribution of the funds were outlined by Governor Ige in a 6.3.2020 letter which noted that prior to the disbursement of the 2nd installment of CARES Act funds, the County needed to provide proof that it had EXPENDED the first half in full. Maui County clearly did not do that!

On his 8.11.2020 Cover Letter, Director Teruya reports, as of 8.10.2020, Maui County had only expended $2,814,298.91.

Also, Charter Section 9-9 requires the Mayor to certify the availability of funds prior to Council approval of any supplemental appropriations to a FY Budget. How and when did Mayor Victorino certify the availability of $66.7 million in CARES Act funds for the FY Budget ending 6.30.2020? As of the date Mayor Victorino requested Council approval of the supplemental appropriation, 5.14.2020, the County had not even received the guidelines/rules for applying for the CARES Act sub award from the State. And Mayor Victorino did not submit the completed application for the County's CARES Act funds until June 9, 2020. There was no guarantee that even the first half of the CARES Act funds would be received by 6.30.2020 let alone expended.

12. If Maui County expended only $2,814,298.91 by 8.10.2020, what happened to the other $60,000,000+ in CARES Act funds? The area in the Budget, Exhibit A - Grant Revenues, that reports the County's COVID related federal funds, does not list any CARES Act funds for the FY21 Budget beginning 7.1.2020.

The entirety of the County's $66.7 million in CARES Act funds is listed on Exhibit A - Grant Revenues for the FY20 Budget that ended 6.30.2020.

13. Why are the Monthly Reports for November and December 2020 and January and February 2021 not included in BFED-85 Board Packet (Meeting Details)?

14. Did any of the Council members ever receive a final report for the expenditure of the initial $2,000,000 for the HELP program?

Finance Department officials promised to provide this report by June 2020 but it does not appear to be included in the BFED-85 Board Packet.

15. Did any of the Council members ever receive a final accounting report for the Emergency Funds appropriation that expired back in June 2020?

In March 2020, the Council approved a $4,000,000 Emergency Funds appropriation for COVID-related expenses.

The Finance Office provided an EF Expenditure Report thru 5.31.2020 but it does not appear a final EF Report was ever provided that included the June 2020 expenditures.

June 24, 2021

U.S. Department of the Treasury
Emergency Rental Assistance Fact Sheet

Treasury Announces Further Action to Support Housing Stability for Renters at Risk of Eviction

Today, as part of a broader interagency effort to support renters and prevent evictions, Treasury took new steps to continue supporting the rapid deployment of Emergency Rental Assistance (ERA) by states, territories, localities and tribal governments. These steps – including new Frequently Asked Questions (FAQs) to help grantees with implementation, as well as published promising practices – will build on prior actions to provide ERA grantees with the tools they need to deliver relief to renters in need.

By February 10, 2021, the US Treasury Department had paid all of the $25 billion made available by the Consolidated Appropriations Act, 2021 to states, territories, localities and tribes for the purpose of providing emergency rental assistance to eligible households in their jurisdictions. As directed in the law, Treasury has also made available 40 percent – more than $8.6 billion – of the additional funding for states, territories and localities for emergency rental assistance provided in the American Rescue Plan. Prior to this year, few governments had robust programs for delivering this type of rental assistance, and none were operating at the scale now made possible by ERA resources. In recent months, grantees have hired staff, engaged contractors, developed web portals and established policies and procedures, to implement these programs. Now, many programs are ramping up their deployment of funds, building a set of promising practices that all grantees can implement to meet the needs of their renters – and today's announcement is designed to support that ramp-up.

Summarized below, Treasury's updated FAQs offer additional clarity for grantees and work in concert with guidance and actions being taken by other federal agencies.

- **Strongly encourage partnerships with courts to actively prevent evictions and develop eviction diversion programs.** Emergency Rental Assistance funds can be used to help families at-risk of eviction remain in their homes, including working with courts to connect such families and their landlords with mediation and emergency rental assistance resources, engaging providers of housing stability services for active support, and working directly with court administrators to facilitate eviction diversion programs. New Treasury FAQs also make clear that funds from the State and Local Fiscal Recovery Funds can be used to support these activities and a wide range of other eviction prevention and housing stability services.

- **Help families experiencing homelessness gain access to assistance**. For vulnerable families that do not have a current rental obligation—which is a requirement for emergency rental assistance eligibility—Treasury is creating a commitment letter process to help those families gain access to assistance. ERA can help families who have lost, or are at imminent risk of losing, their housing, by paying for relocation assistance, prospective rent, security deposits, and temporary hotel accommodations.

- **Drive towards equal access by removing language and cultural barriers in securing emergency rental assistance.** Treasury is strongly encouraging grantees to provide culturally and linguistically-relevant housing stability services and to conduct outreach in multiple languages so that eligible families do not face unnecessary barriers to access. Grantees who cannot provide such services themselves should be engaging partners with the capacity to do so to ensure equal access to emergency rental assistance for all eligible households.

- **Provide a streamlined payment option for utility providers and large landlords to make accessing emergency rental assistance on behalf of multiple tenants easier and more attractive.** Treasury is clarifying how grantees may achieve economies of scale by obtaining information in bulk from utility providers and landlords with multiple units to help speed the determination of household eligibility and to bundle, in a single payment, approved amounts for the benefit of multiple eligible tenants.

- **Encourage grantee coordination to reduce the burdens, and delays in providing assistance created by differences in locally-imposed requirements among programs operating in the same regions**. Grantees providing services to overlapping or neighboring areas should collaborate to develop consistent or complementary policies to avoid unnecessary confusion or burdens for families or landlords seeking aid.

- **Lifting up grantees implementing effective practices to ensure that assistance quickly reaches the renters who need it most.** Treasury is highlighting "promising practices" inspired by successes achieved in the field, including partnerships with local court systems and legal services to prevent evictions and housing instability; options for reducing documentation barriers that might keep eligible families from accessing ERA; and application procedures that speed eligibility determinations through increased reliance on automation and fact-specific proxies.

Today's announcement follows on efforts Treasury has taken over recent months – in consultation with grantees, tenant advocates and property owners – to speed the provision of relief. In March 2021, Treasury substantially revised ERA program rules to provide grantees with flexibility and encourage rapid assistance. On May 7, Treasury announced the launch of the second round of Emergency Rental Assistance made available under the American Rescue Plan Act of 2021and made significant additional updates to program rules to allow grantees to speed assistance to eligible households. Feedback from grantees indicates that Treasury's guidance has accelerated the pace of funds being used to support renters -- for example, numerous state and local grantees have implemented fact-specific proxies as described in Treasury's FAQs to speed up income verification, which is often the most time-consuming part of the eligibility verification process.

The promising practices published today are reflected in the ramp-up of activity in the field, with the number of households receiving rental assistance growing substantially in May compared to prior months. Treasury expects continued acceleration of assistance – particularly before this fall when Treasury will have a statutory obligation to reallocate funds from grantees who fail to meet the ERA legislation's funding obligation deadlines.