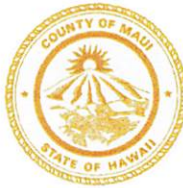


Michael P. Victorino
Mayor

Sananda K. Baz
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

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COUNTY CLERK

REFERENCE NO. BD-BA 22-58&59

December 30, 2021

Honorable Michael P. Victorino
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Michael P. Victorino 12/30/21
Mayor Date

For Transmittal to:

Honorable Alice L. Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Lee and Members:

**SUBJECT: AMENDMENTS TO APPENDIX A, GRANTS AND
RESTRICTED USE REVENUES - SCHEDULE OF
GRANTS AND RESTRICTED USE REVENUES BY
DEPARTMENTS AND PROGRAMS FOR FISCAL YEAR
("FY") 2022 (DEPARTMENT OF HOUSING AND
HUMAN CONCERNS, STATE OF HAWAII -
HOMEOWNER ASSISTANCE FUND)**

On behalf of the Department of Housing and Human Concerns, I am transmitting the following:

1. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX A, PART I, GRANTS AND RESTRICTED USE REVENUES - SCHEDULE OF GRANTS AND RESTRICTED USE REVENUES BY DEPARTMENTS AND PROGRAMS, DEPARTMENT OF HOUSING AND HUMAN CONCERNS (STATE OF HAWAII - HOMEOWNER ASSISTANCE FUND)."

Alice L. Lee, Chair
December 30, 2021
Page 2

The purpose of the proposed bill is to amend Appendix A, Part I of the Fiscal Year 2022 Budget by adding a new grant entitled "State of Hawaii – Homeowner Assistance Fund" for \$8,060,550 and 1.0 Limited Term Appointment (LTA) equivalent personnel.

2. A proposed bill entitled "A BILL FOR AN ORDINANCE AMENDING THE FISCAL YEAR 2022 BUDGET FOR THE COUNTY OF MAUI AS IT PERTAINS TO APPENDIX D – CONDITIONAL LANGUAGE, DEPARTMENT OF HOUSING AND HUMAN CONCERNS (STATE OF HAWAII – HOMEOWNER ASSISTANCE FUND)."

The purpose of the proposed bill is to amend Appendix D by adding a new grant entitled "State of Hawaii – Homeowner Assistance Fund" and by adding a condition for salary and premium pay, and 1.0 equivalent personnel.

The funds are to be provided to eligible entities for the purpose of preventing homeowner mortgage delinquencies, defaults, forfeitures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing.

The subaward is for \$8,060,550 and a maximum administrative cost that may be charged to the subaward is \$1,133,050. A copy of the notification of subaward is attached for your reference and satisfies the notification requirement of Section 11 of the General Budget Provisions.

Thank you for your attention in this matter. Should you have any questions, please contact me at ext. 7212.

Sincerely,



MICHELE M. YOSHIMURA
Budget Director

Attachments

cc: Lori Tsuhako, Director of Housing and Human Concerns



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

December 20, 2021

The Honorable Michael P. Victorino
Mayor, County of Maui
200 S. High Street
Wailuku, Maui, Hawai'i 96793

Subject: Homeowner Assistance Fund Federal Subaward to the County of Maui

Dear Mayor Victorino:

The State of Hawai'i received a Homeowner Assistance Fund (HAF) federal award on May 3, 2021 from the U.S. Department of the Treasury as appropriated in the American Rescue Plan Act of 2021 (ARPA), P.L. 117-2. I am authorizing a subaward of \$8,060,550 to the County of Maui. The funds will be transferred upon receipt of the signed Subaward Agreement.

These funds are to be provided to eligible entities for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardships after January 21, 2020, through qualified expenses related to mortgages and housing.

Please note the U.S. Department of the Treasury is continuing to issue guidance regarding the use and management of the HAF: <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/homeowner-assistance-fund>

I have designated Mr. Hirai as the contact person for the State of Hawai'i regarding the terms and conditions of this subaward. Please submit the signed copy of the Subaward Agreement electronically to: dbf.docs@hawaii.gov.

With warmest regards,

David Y. Ige
Governor, State of Hawai'i

Attachment

c: Craig K. Hirai, Director, Department of Budget and Finance

STATE OF HAWAI'I
Homeowner Assistance Fund
Subaward Agreement – County of Maui

County Name and Address: COUNTY OF MAUI 200 S. High Street Wailuku, Maui, Hawai'i 96793	DUNS Number: 077680155
	Taxpayer Identification Number: 996000618

Section 3206 of the American Rescue Plan Act of 2021 (P.L. 116-2) authorizes the U.S. Department of the Treasury (Treasury) to mitigate financial hardships associated with the coronavirus pandemic by providing funds to eligible entities for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing.

On May 3, 2021, the State of Hawai'i received a financial assistance award from the U.S. Department of the Treasury in the amount of \$50,000,000. The Federal Award Identification Number (FAIN) for this award is HAF0002 and the CFDA number is 21.026.

The purpose of the agreement is to provide a subaward to the County of Maui:

SUBAWARD AMOUNT: **\$8,060,550**

**MAXIMUM ADMINISTRATIVE COST
THAT MAY BE CHARGED TO SUBAWARD:** **\$1,133,050**

I hereby agree, as a condition to receiving a subaward from the State of Hawai'i, to the terms attached hereto:

Mayor Michael P. Victorino
County of Maui

Date Signed

REVIEWED BY:

Craig K. Hirai, Authorized State Representative:

Date Signed

STATE OF HAWAII
Homeowner Assistance Fund
Subaward Agreement-County of Maui

1. Use of Funds. County understands and agrees that the funds disbursed under this award will only be used for the purposes set forth in section 3206 of the American Rescue Plan Act of 2021 (the HAF Statute) and the Guidance for the Homeowner Assistance Fund issued by Treasury on April 14, 2021, as amended from time to time, and any other guidance issued by Treasury regarding the HAF (the Guidance).
2. Period of Performance. The period of performance for this award begins on the date hereof and ends on September 30, 2026. County shall not incur any obligations to be paid with funding from this award after such period of performance ends.
3. Reporting. County agrees to comply with any reporting obligations established by the State related to this award. County acknowledges that any such information required to be reported pursuant to this section may be publicly disclosed.
4. Maintenance of and Access to Records.
 - a. County shall maintain records and financial documents sufficient to evidence compliance with the HAF Statute and the Guidance.
 - b. The Department of Budget and Finance and the Department of the Attorney General, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of County in order to conduct audits or other investigations.
 - c. Records shall be maintained by County for a period of five (5) years after the end date of the Period of Performance.
5. Cost Sharing. Cost sharing or matching funds are not required to be provided by County.
6. Compliance with Applicable Law, Regulations, and Guidance.
 - a. County agrees to comply with the HAF Statute and the Guidance. County also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and County shall provide for such compliance in any agreements it enters into with other parties relating to this award.
 - b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.

STATE OF HAWAII
Homeowner Assistance Fund
Subaward Agreement-County of Maui

- ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, and pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180 (including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19).
 - v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
- c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the grounds of race, color, or national origin under programs or activities receiving federal financial assistance;
 - ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.

STATE OF HAWAI'I
Homeowner Assistance Fund
Subaward Agreement-County of Maui

- d. **Conflict of Interest.** County agrees that it will maintain in effect a conflict-of-interest policy consistent with 2 C.F.R. § 200.318(c) covering each activity funded under this award. County shall disclose in writing to Treasury or State, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.
7. **False Statements.** County understands that false statements or claims made in connection with this award is a violation of federal criminal law and may result in fines, imprisonment, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
8. **Publications.** Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."
9. **Protections for Whistleblowers.**
- a. In accordance with 41 U.S.C. § 4712, County may not discharge, demote, or otherwise discriminate against an employee as a reprisal for disclosing information to any of the list of persons or entities provided below that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
- i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. An authorized official of the State of Hawai'i;
 - vii. A court or grand jury; and/or
 - viii. A management official or other employee of the County, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. County shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.
10. **Increasing Seat Belt Use in the United States.** Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 8, 1997), County should and should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

STATE OF HAWAI'I
Homeowner Assistance Fund
Subaward Agreement-County of Maui

11. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 1, 2009), County should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and County should establish workplace safety policies to decrease accidents caused by distracted drivers.