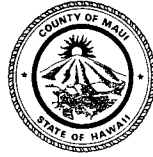


DANNY A. MATEO
County Clerk



RECEIVED JOSIAH K. NISHITA
Deputy County Clerk

2014 FEB -7 PM 3:34

OFFICE OF THE COUNTY CLERK

COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov/county/clerk

**OFFICE OF THE
COUNTY COUNCIL**

February 7, 2014

Honorable Michael B. White, Chair
Budget and Finance Committee
Council of the County of Maui
Wailuku, Hawaii 96793

Dear Chair White:

Respectfully transmitted are copies of the following communications that were referred to your Committee by the Council of the County of Maui at its meeting February 7, 2014:

COUNTY COMMUNICATIONS:

- No. 14-27 - Danilo F. Aagsalog, Director of Finance
- No. 14-28 - Anthony T. Arakaki, CDBG Program Manager
- No. 14-29 - Sananda K. Baz, Budget Director
- No. 14-30 - Sananda K. Baz, Budget Director
- No. 14-31 - Gladys C. Baisa, Council Chair
- No. 14-32 - Gladys C. Baisa, Council Chair

Respectfully,

A handwritten signature in black ink that reads "Danny A. Mateo".

DANNY A. MATEO
County Clerk

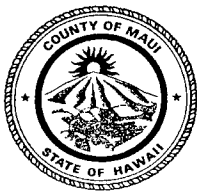
/jym

Enclosures

cc: Director of Council Services

ALAN M. ARAKAWA
MAYOR

ANTHONY T. ARAKAKI
PROGRAM MANAGER



200 South High Street
Wailuku, Maui, Hawaii USA 96793-2155
Telephone (808) 270-7213
Fax (808) 270-7159
E-mail: cdbg@mauicounty.gov

RECEIVED
2014 JAN 27 AM 10:10
OFFICE OF THE MAYOR

OFFICE OF THE MAYOR
COUNTY OF MAUI
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

January 27, 2014

Honorable Alan M. Arakawa
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

For Transmittal to:

Honorable Gladys C. Baisa, Chair
and Council Members
Maui County Council
200 South High Street
Wailuku, Hawaii 96793

RECEIVED
2014 JAN 29 PM 2:28
OFFICE OF THE
COUNTY CLERK

APPROVED FOR TRANSMITTAL
Alan Arakawa 1/27/14

Mayor Date

Dear Chair Baisa:

SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR THE PROGRAM YEAR 2014/FISCAL YEAR 2015

I am transmitting a proposed resolution entitled, "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".

The purpose of the proposed resolution is to authorize the filing of an application with the Department of Housing and Urban Development (HUD) that includes the recommended projects and amounts for CDBG funding for Program Year 2014 (July 1, 2014 - June 30, 2015). These projects were selected for recommendation via competitive application and panel evaluation process with approval by the Mayor.

The following documents regarding the recommended projects are included for your information: (1) a summary of the applications received for CDBG funding in Program Year 2014; (2) listings of recommended projects and alternate projects with contact information; (3) executive summaries and selected budget forms from applicant's application for each project; and (4) documents of significance that address "24 CFR 570.611 conflict of interest."

COUNTY COMMUNICATION NO. 14-28

Honorable Gladys C. Baisa, Chair
Page 2
January 27, 2014

The complete proposal applications, rating worksheets, scoring results and other related documents are available for your review. Please be advised that these documents are confidential until the grants have been awarded. If you wish to view these documents, please contact our office.

Pursuant to our HUD Application Submission Schedule (enclosed), the Draft Annual Action Plan (AAP) to initiate the request for federal assistance is targeted for completion by April 4, 2014. Therefore, your expeditious review and consideration of this proposed resolution would be greatly appreciated.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me at Ext. 7213.

Sincerely,



ANTHONY T. ARAKAKI
CDBG Program Manager

Enclosures

xc: Sananda Baz, Budget Director, w/o Attachments

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 SIX HUNDRED FIFTEEN THOUSAND ONE HUNDRED

Resolution No. _____

FOURTEEN DOLLARS (\$1,615,114) to aid in the development of the following projects:

- | | | |
|-------|--|-------------|
| 1. | Maui Food Bank, Inc.
Project: Maui Food Bank Rehabilitation
Rehabilitation of the Maui Food Bank facility to include additional energy conservation related improvements, repaving of parking lot/loading area and the installation of energy efficient refrigeration and freezer units. | \$ 416,000 |
| 2. | County of Maui, Department of Fire and Public Safety
Project: Molokai Tanker
Acquisition of a fire tanker apparatus with upgraded capabilities of a larger water tank, bumper turret and higher pumping capacity for the Molokai community. | \$ 675,000 |
| 3. | County of Maui, Police Department
Project: Lanai Emergency Incident Response Vehicle
Acquisition of a mid-sized, four-wheel drive pickup truck to increase the level of public service provided to the Lanai community. | \$ 39,300 |
| 4. | The Maui Farm, Inc.
Project: The Maui Farm Rehabilitation
Rehabilitation of the Maui Farm facility to include interior/exterior rehabilitation activities and septic system upgrade. | \$ 153,375 |
| 5. | County of Maui, Police Department
Project: Lanai Message Board/Speed Sign
Acquisition of a trailer mounted electronic message/speed sign board that will increase the level of public service provided to the Lanai community. | \$ 8,416 |
| - | CDBG Program Administration | \$ 323,023 |
| TOTAL | | \$1,615,114 |

Resolution No. _____

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 reprogramming actions by the CDBG Program Manager, the alternate projects may be funded in the order presented herein. If the alternate projects are not funded during the CDBG 2014 Program Year, the alternate projects will be required to submit an updated application to be considered for funding in future program years. These Alternate Projects shall be:

- | | | |
|----|--|------------|
| 6. | County of Maui, Police Department
Project: Lanai Message Board/Speed Sign
Acquisition of a trailer mounted electronic message/speed sign board that will increase the level of public service provided to the Lanai community. | \$ 17,384 |
| 7. | County of Maui, Department of Fire and Public Safety
Project: Molokai Pumper
Acquisition of a pumper apparatus with upgraded capabilities of a compressed air and foam system and higher pumping capacity for the Molokai community. | \$ 600,000 |
| | Total | \$ 617,384 |

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

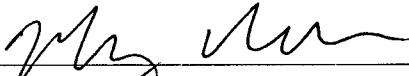
3. That the Mayor, or his duly authorized representative, is hereby authorized to execute any and all documents necessary to process and accept such funds, including any amendments thereto; and

4. That inasmuch as the amount of the grant specified hereinabove 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.

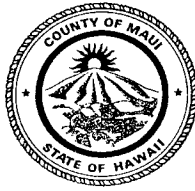
APPROVED AS TO FORM
AND LEGALITY:



JEFFREY UEOKA
Deputy Corporation Counsel
COUNTY OF MAUI

ALAN M. ARAKAWA
MAYOR

ANTHONY T. ARAKAKI
PROGRAM MANAGER



200 South High Street
Wailuku, Maui, Hawaii USA 96793-2155
Telephone (808) 270-7213
Fax (808) 270-7159
E-mail: cdbg@mauicounty.gov

OFFICE OF THE MAYOR
COUNTY OF MAUI
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Applications Received for CDBG Funding in Program Year 2014

Eight (8) applications were received for consideration

Project proposals meeting minimum threshold factors and approved by Panel:

A. Recommended for full funding (in ranking order):

	<u>Amount</u>
1. Maui Food Bank, Inc. – Maui Food Bank Rehabilitation	\$ 416,000
2. COM, Department of Fire & Public Safety – Molokai Tanker	675,000
3. COM, Police Department – Lanai Emergency Incident Response Vehicle	39,300
4. The Maui Farm, Inc. – The Maui Farm Rehabilitation	153,375

B. Recommended for partial funding:

6. COM, Police Department – Lanai Message Board / Speed Sign	<u>8,416</u>
Funds available for projects	\$1,292,091

C. - CDBG Administration – Not to exceed 20 percent of the annual grant amount. 323,023

ESTIMATED CDBG ALLOCATION FROM HUD FOR PROGRAM YEAR 2014 – TOTAL **\$1,615,114**

Project proposals meeting minimum threshold factors and proposed as Alternates:

Alternate Projects (in ranking order):

7. COM, Police Department – Lanai Message Board / Speed Sign	17,384
8. COM, Department of Fire & Public Safety – Molokai Pumper	<u>600,000</u>
	\$617,384

Note: As recommended by HUD, alternated projects are identified to facilitate funding should projects proposed for funding not be viable upon official HUD award or other reprogramming funds become available.

Project proposals (or an apportion of) not meeting minimum threshold factors:

A. KHAKO Homeless Resource Center, Inc. \$ 218,400

Reason: Applicant did not provide unaudited financial statements in the interim period between the last audited financial statement and the ending of their most current fiscal year in the application.

B. Lanai Community Health Center 866,546

Reason: Applicant did not provide evidence of IRS Section 501(c)3 exemption in the application.

\$1,084,946

TOTAL FUNDING REQUESTED FOR Program Year 2014

\$3,317,444

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
RECOMMENDED PROJECTS FOR FUNDING
PROGRAM YEAR 2014

PROJECT NAME	APPLICANT	CONTACT PERSON	ADDRESS/TELEPHONE
1. Maui Food Bank Rehabilitation	Maui Food Bank, Inc.	Richard Yust Executive Director	760 Kolu Street Wailuku, HI 96793 Ph# (808) 243-9500
2. Molokai Tanker Acquisition	County of Maui, Department of Fire & Public Safety	Reza Azman Firefighter III	200 Dairy Road Kahului, Hawaii 96732 Ph# (808) 270-7562
3. Lanai Emergency Incident Response Vehicle Acquisition	County of Maui, Police Department	Tessie Morimoto Office Operations Assistant II	855 Fraser Avenue Lanai City, Hawaii 96763 Ph# (808) 565-6428
4. The Maui Farm Rehabilitation	The Maui Farm, Inc.	Paula Ambre Executive Director	P. O. Box 1776 Makawao, Hawaii 96768 Ph# (808) 242-6600
5. Lanai Message Board / Speed Sign Acquisition - (partial funding)	County of Maui, Police Department	Tessie Morimoto Office Operations Assistant II	855 Fraser Avenue Lanai City, Hawaii 96763 Ph# (808) 565-6428

ALTERNATE

PROJECT NAME	APPLICANT	CONTACT PERSON/ POSITION TITLE	ADDRESS/TELEPHONE
6. Lanai Message Board / Speed Sign Acquisition - (funding shortfall portion - 1st Alternate)	County of Maui, Police Department	Tessie Morimoto Office Operations Assistant II	855 Fraser Avenue Lanai City, Hawaii 96763 Ph# (808) 565-6428
7. Molokai Pumper Acquisition (2nd Alternate)	County of Maui, Department of Fire & Public Safety	Reza Azman Firefighter III	200 Dairy Road Kahului, Hawaii 96732 Ph# (808) 270-7562

Recommended 2014 CDBG Project
Executive Summary

Based on information provided by the Applicant

Applicant: Maui Food Bank, Inc.
Funding Requested: \$416,000
Funding Recommended: \$416,000 (Rank #1 – Fully Funded)

Project: Maui Food Bank Rehabilitation

Rehabilitation of the Maui Food Bank facility to include additional energy conservation related improvements, repaving of parking lot/loading area and the installation of energy efficient refrigeration and freezer units which is an eligible activity under 24 CFR 570.201(c). The primary beneficiaries of the Maui Food Bank are presumed to benefit those that are of low and moderate income as defined under 24 CFR 570.208(a)(2)(i).

Estimated (Annual) Number of Beneficiaries: 9,000

Eligible Activity: The project meets the requirements of 24 CFR 570.201(c)
 Public Facilities & Improvements

National Objective: The project will meet the national objective of 24 CFR 570.208(a)(2)(i) Limited Clientele Activities as the primary beneficiaries of the Maui Food Bank are required to submit information on family size and income so that it is evident that at least 51 percent of the clientele are persons whose family income does not exceed the low and moderate income limit

Community Development Goal: The Project satisfies **Goal PF-5:** Acquire, construct or rehabilitate facilities including child care, domestic violence, food distribution, and other social service facilities that benefit predominantly low- and moderate-income persons.

Priority Community Development Need: The Project satisfies Public Facility Needs for Food Distribution Facilities (High).

Budget (as provided by Applicant):

Anticipated Funding	Funds	Major Project Expenses	Estimated Expenses
CDBG	\$416,000	Architectural, Planning and Engineering	\$ 3,000
		Demolition and Removal	15,000

		Rehabilitation	378,000
		Project and Construction Management	20,000
Total Funds:	\$416,000	Total Expenses:	\$416,000

Recommended 2014 CDBG Project
Executive Summary

Based on information provided by the Applicant

Applicant: County of Maui, Department of Fire and Public Safety
Funding Requested: \$675,000
Funding Recommended: \$675,000 (Rank #2 – Fully Funded)

Project: Molokai Tanker

Funding is requested for acquisition of a fire tanker apparatus with upgraded capabilities of a larger water tank, bumper turret and higher pumping capacity for the Molokai community which is an eligible activity under 24 CFR 570.201(c) and who are residents in a particular area where at least 51 percent of the residents are of low to moderate income as defined under 24 CFR 570.208(a)(1)(i).

Estimated Annual Number of Beneficiaries: 7,241

Eligible Activity: The Project meets the requirements of 24 CFR 570.201(c) Public Facilities & Improvements as fire protection equipment is considered for this purpose to be an integral part of a public facility.

National Objective: The Project meets the National Objective of 24 CFR 570.208(a)(1)(i) Area Benefit Activities where at least 51 percent of the residents in a particular area are low to moderate income persons.

Community Development Goal: The Project satisfies **Goal PF-3:** Acquire public safety equipment / apparatus in low- and moderate- income communities.

Priority Community Development Need: The Project satisfies Public Facility Needs for Fire Stations / Equipment (High).

Budget (as provided by Applicant):

Anticipated Funding	Funds	Major Project Expenses	Estimated Expenses
CDBG	\$675,000	Acquisition of fire tanker apparatus	\$675,000
Total Funds:	\$675,000	Total Expenses:	\$675,000

Recommended 2014 CDBG Project

Executive Summary

Based on information provided by the Applicant

Applicant: County of Maui, Maui Police Department
Funding Requested: \$39,300
Funding Recommended: \$39,300 (Rank #3 – Fully Funded)

Project: Lanai Emergency incident Response Vehicle

Funding is requested for acquisition of a mid-sized, four-wheel drive pickup truck to increase the level of public service provided to the Lanai community which is an eligible activity under 24 CFR 570.201(e) and who are residents in a particular area where at least 51 percent of the residents are of low to moderate income as defined under 24 CFR 570.208(a)(1)(i).

Estimated (Annual) Number of Beneficiaries: 3,102

Eligible Activity: The project meets the requirements of 24 CFR 570.201(e) Public Service - Quantifiable increase in the level of an existing public service.

National Objective: The Project meets the National Objective of 24 CFR 570.208(a)(1)(i) Area Benefit Activities where at least 51 percent of the residents in a particular area are low to moderate income persons.

Community Development Goal: The Project satisfies **Goal PS-2:** Acquire public emergency/safety equipment in low- and moderate-income areas.

Priority Community Development Need: The Project satisfies Public Services needs for Public Safety (High).

Budget (as provided by Applicant):

Anticipated Funding	Funds	Major Project Expenses	Estimated Expenses
CDBG	\$39,300	Acquisition of mid-sized, four-wheel drive pickup truck	\$39,300
Total Funds:	\$39,300	Total Expenses:	\$39,300

Recommended 2014 CDBG Project
Executive Summary

Based on information provided by the Applicant

Applicant: The Maui Farm, Inc.
Funding Requested: \$153,375
Funding Recommended: \$153,375 (Rank #4 – Fully Funded)

Project: The Maui Farm Rehabilitation

Rehabilitation of the Maui Farm facility to include interior/exterior rehabilitation and septic system upgrades which is an eligible activity under 24 CFR 570.201(c). The primary beneficiaries of the Maui Farm are presumed to benefit those that are of low and moderate income as defined under 24 CFR 570.208(a)(2)(i).

Estimated (Annual) Number of Beneficiaries: 32

Eligible Activity: The project meets the requirements of 24 CFR 570.201(c) Public Facilities & Improvements.

National Objective: The project will meet the national objective of 24 CFR 570.208(a)(2)(i) Limited Clientele Activities as the primary beneficiaries of the Maui Farm are required to submit information on family size and income so that it is evident that at least 51 percent of the clientele are persons whose family income does not exceed the low and moderate income limit.

Community Development Goal: The Project satisfies **Goal PF-1:** Acquire, construct or rehabilitate buildings to serve homeless persons and families.

Priority Community Development Need: The Project satisfies Public Facility Needs for Homeless Facilities (High).

Budget (as provided by Applicant):

Anticipated Funding	Funds	Major Project Expenses	Estimated Expenses
CDBG	\$153,375	Advertising	\$ 4,000
		Rehabilitation	119,500
		Project and Construction Management	29,875
Total Funds:	\$153,375	Total Expenses:	\$153,375

Recommended 2014 CDBG Project
Executive Summary

Based on information provided by the Applicant

Applicant: County of Maui, Maui Police Department
Funding Requested: \$25,800
Funding Recommended: \$25,800 (Rank #5 – Partial Funding \$8,416 & Rank #6 - Alternate \$17,384)

Project: Lanai Message Board/Speed Sign

Funding is requested for acquisition of a trailer mounted electronic message/speed sign board that will increase the level of public service provided to the Lanai community which is an eligible activity under 24 CFR 570.201(e) and who are residents in a particular area where at least 51 percent of the residents are of low to moderate income as defined under 24 CFR 570.208(a)(1)(i).

Estimated (Annual) Number of Beneficiaries: 3,102

Eligible Activity: The project meets the requirements of 24 CFR 570.201(e) Public Service - Quantifiable increase in the level of an existing public service.

National Objective: The Project meets the National Objective of 24 CFR 570.208(a)(1)(i) Area Benefit Activities where at least 51 percent of the residents in a particular area are low to moderate income persons.

Community Development Goal: The Project satisfies **Goal PS-2:** Acquire public emergency/safety equipment in low- and moderate-income areas.

Priority Community Development Need: The Project satisfies Public Services needs for Public Safety (High).

Budget (as provided by Applicant):

Anticipated Funding	Funds	Major Project Expenses	Estimated Expenses
CDBG Partial Funding	\$ 8,416	acquisition of a trailer mounted electronic message/speed sign board	\$25,800
CDBG Alternate	17,384		
Total Funds:	\$25,800	Total Expenses:	\$25,800

Recommended 2014 CDBG Project

Executive Summary

Based on information provided by the Applicant

Applicant: County of Maui, Department of Fire and Public Safety
Funding Requested: \$600,000
Funding Recommended: \$600,000 (Rank #7 – Alternate)

Project: Molokai Pumper

Funding is requested for acquisition of a pumper apparatus with upgraded capabilities of a compressed air and foam system and higher pumping capacity for the Molokai community which is an eligible activity under 24 CFR 570.201(c) and who are residents in a particular area where at least 51 percent of the residents are of low to moderate income as defined under 24 CFR 570.208(a)(1)(i).

Estimated Annual Number of Beneficiaries: 7,241

Eligible Activity: The Project meets the requirements of 24 CFR 570.201(c) Public Facilities & Improvements as fire protection equipment is considered for this purpose to be an integral part of a public facility.

National Objective: The Project meets the National Objective of 24 CFR 570.208(a)(1)(i) Area Benefit Activities where at least 51 percent of the residents in a particular area are low to moderate income persons.

Community Development Goal: The Project satisfies **Goal PF-3:** Acquire public safety equipment / apparatus in low- and moderate- income communities.

Priority Community Development Need: The Project satisfies Public Facility Needs for Fire Stations / Equipment (High).

Budget (as provided by Applicant):

Anticipated Funding	Funds	Major Project Expenses	Estimated Expenses
CDBG	\$600,000	Acquisition of pumper apparatus	\$600,000
Total Funds:	\$600,000	Total Expenses:	\$600,000

CONFLICT OF INTEREST QUESTIONNAIRE

County of Maui CDBG Statement on Conflict of Interest, quotation of 24 CFR § 570.611 and the Conflict of Interest Questionnaire

Federal, State and County regulations prohibits employees and public officials from participating on behalf of the County of Maui in any transaction in which they have a financial interest in or perception thereof. This questionnaire must be completed and submitted by each applicant for County of Maui Community Development Block Grant (CDBG) funding as Attachment P. The purpose of this questionnaire is to determine if the applicant, or any of the applicant's staff, or any of the applicant's Board of Directors would be in conflict of interest. Carefully read and understand the following:

HUD REGULATION REGARDING CONFLICT OF INTEREST

24 CFR § 570.611 Conflict of interest

(a) Applicability. (1) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 24 CFR 84.42, respectively, shall apply. (2) In all cases not governed by 24 CFR 85.36 and 84.42, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient or by its subrecipients to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to Sec. 570.202; or grants, loans, and other assistance to businesses, individuals, and other private entities pursuant to Sec. 570.203, 570.204, 570.455, or 570.703(i)).

(b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decisionmaking process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.

(c) Persons covered. The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

(d) Exceptions. Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis

when it has satisfactorily met the threshold requirements of (d)(1) of this section, taking into account the cumulative effects of paragraph (d)(2) of this section.

(1) Threshold requirements. HUD will consider an exception only after the recipient has provided the following documentation:

- (i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- (ii) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(2) Factors to be considered for exceptions. In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient administration of the recipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decisionmaking process with respect to the specific assisted activity in question;
- (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section.
- (vi) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and

Any other relevant considerations.

After reading and understanding the **HUD REGULATION REGARDING CONFLICT OF INTEREST** (24 CFR § 570.611) above please answer the following questions:

ATTACHMENT P

1. Is there any member(s) of the applicant's staff or any member(s) of the applicant's Board of Directors or governing body who is or has/have been within one year of the date of this questionnaire (a) a County of Maui employee or consultant, (b) a Maui County Council member, (c) an appointee of the Mayor of Maui County, and/or (d) a member of a County of Maui Board(s) and/or Commission(s)?

Yes No

If yes, please list the name(s) and information requested below:

Name of person	Job Title of person	Indicate County of Maui employee (appointee or civil service) or consultant, Maui County Council member and/or a member of a County of Maui Board(s) and Commission(s).
Mark Vaught	Chairperson, Board of Directors	Member of Fire & Public Safety Commission
Richie Campas	Facilities Coordinator	Member of Maui County Arborist Committee

2. Will the CDBG funds requested by the applicant be used to award a subcontract to any individual(s) or business affiliate(s) who is/are currently or has/have been within one year of the date of this application (a) a County of Maui employee or consultant, (b) a Maui County Council member, (c) an appointee of the Mayor of Maui County, and/or (d) a member of a County of Maui Board(s) and/or Commission(s)?

Yes No

If yes, please list the name(s) and information requested below:

Name of person	Job Title of person	Indicate County of Maui employee (appointee or civil service) or consultant, Maui County Council member and/or a member of a County of Maui Board(s) and Commission(s).

3. Is there any member(s) of the applicant's staff or member(s) of the applicant's Board of Directors or other governing body who are business partners, doing or has done business with (a) a County of Maui employee or consultant, (b) a Maui County Council member (c) an appointee of the Mayor of Maui County, and/or (d) a member of a County of Maui Board(s) and Commission(s)?

Yes No

If yes, please list the name(s) and information requested below:

Name of member	Indicate County of Maui employee (appointee or civil service) or consultant, Maui County Council member and/or a member of a County of Maui Board(s) and Commission(s).	Indicate type of tie (Family or Business)	If family, indicate relationship

4. If there is a significant conflict of interest present, as indicated by answering **Yes** to any of the three (3) questions above, what have you done or will propose to do in order to address the conflict of interest? Please explain in detail. You may provide supplemental information as an Attachment to this questionnaire.

The individuals named above are members of the County of Maui's Boards and Commissions, and are not involved in the County's CDBG decision-making process. These individuals are also not in a position to exert any influence over the CDBG decision-making process, nor to seek a subcontractual award from The Maui Farm under this proposal. Therefore, The Maui Farm has determined that there is no need to implement any actions to address conflicts of interest issues.

I have fully read and understood the HUD regulation regarding conflict of interest, 24 CFR 570.611 and have answered all of the questions truthfully to the best of my knowledge. **Failure to disclose conflicts of interest, intentionally or unintentionally, will result in disqualification of your application and will be immediately rejected.** The date of this attachment must correspond exactly to the date of the CDBG application.

Name of Applicant: The Maui Farm,

Inc. _____

Signature of Applicant's Representative *Paula Ann*

Title Executive Director Date December 9,

2013 _____

CONFLICT OF INTEREST QUESTIONNAIRE

County of Maui CDBG Statement on Conflict of Interest, quotation of 24 CFR § 570.611 and the Conflict of Interest Questionnaire

Federal, State and County regulations prohibits employees and public officials from participating on behalf of the County of Maui in any transaction in which they have a financial interest in or perception thereof. This questionnaire must be completed and submitted by each applicant for County of Maui Community Development Block Grant (CDBG) funding as Attachment P. The purpose of this questionnaire is to determine if the applicant, or any of the applicant's staff, or any of the applicant's Board of Directors would be in conflict of interest. Carefully read and understand the following:

HUD REGULATION REGARDING CONFLICT OF INTEREST

24 CFR § 570.611 Conflict of interest

(a) Applicability. (1) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 24 CFR 84.42, respectively, shall apply. (2) In all cases not governed by 24 CFR 85.36 and 84.42, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient or by its subrecipients to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to Sec. 570.202; or grants, loans, and other assistance to businesses, individuals, and other private entities pursuant to Sec. 570.203, 570.204, 570.455, or 570.703(i)).

(b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decisionmaking process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.

(c) Persons covered. The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

(d) Exceptions. Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis

when it has satisfactorily met the threshold requirements of (d)(1) of this section, taking into account the cumulative effects of paragraph (d)(2) of this section.

(1) Threshold requirements. HUD will consider an exception only after the recipient has provided the following documentation:

- (i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- (ii) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(2) Factors to be considered for exceptions. In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient administration of the recipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decisionmaking process with respect to the specific assisted activity in question;
- (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section.
- (vi) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and

Any other relevant considerations.

After reading and understanding the **HUD REGULATION REGARDING CONFLICT OF INTEREST** (24 CFR § 570.611) above please answer the following questions:

1. Is there any member(s) of the applicant's staff or any member(s) of the applicant's Board of Directors or governing body who is or has/have been within one year of the date of this questionnaire (a) a County of Maui employee or consultant, (b) a Maui County Council member, (c) an appointee of the Mayor of Maui County, and/or (d) a member of a County of Maui Board(s) and/or Commission(s)?

Yes No

If yes, please list the name(s) and information requested below:

Name of person	Job Title of person	Indicate County of Maui employee (appointee or civil service) or consultant, Maui County Council member and/or a member of a County of Maui Board(s) and Commission(s).
Michele McLean- MFB Board Member	Deputy Director - Planning - CofM	County of Maui employee - Planning
Jeff Pearson- MFB Board Member	CIP - Head Engineer - CofM	County of Maui employee- DWS

2. Will the CDBG funds requested by the applicant be used to award a subcontract to any individual(s) or business affiliate(s) who is/are currently or has/have been within one year of the date of this application (a) a County of Maui employee or consultant, (b) a Maui County Council member, (c) an appointee of the Mayor of Maui County, and/or (d) a member of a County of Maui Board(s) and/or Commission(s)?

Yes No

If yes, please list the name(s) and information requested below:

Name of person	Job Title of person	Indicate County of Maui employee (appointee or civil service) or consultant, Maui County Council member and/or a member of a County of Maui Board(s) and Commission(s).

3. Is there any member(s) of the applicant's staff or member(s) of the applicant's Board of Directors or other governing body who are business partners, doing or has done business with (a) a County of Maui employee or consultant, (b) a Maui County Council member (c) an appointee of the Mayor of Maui County, and/or (d) a member of a County of Maui Board(s) and Commission(s)?

Yes No

If yes, please list the name(s) and information requested below:

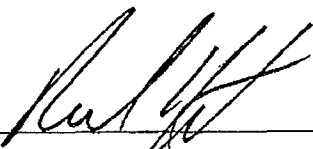
Name of member	Indicate County of Maui employee (appointee or civil service) or consultant, Maui County Council member and/or a member of a County of Maui Board(s) and Commission(s).	Indicate type of tie (Family or Business)	If family, indicate relationship

4. If there is a significant conflict of interest present, as indicated by answering **Yes** to any of the three (3) questions above, what have you done or will propose to do in order to address the conflict of interest? Please explain in detail. You may provide supplemental information as an **Attachment** to this questionnaire.

The two Board members that are employed by the County of Maui are unpaid, volunteer members of the MFB Board of Directors and their positions at the County have no influence with regard to the administration of the CDBG Program or CDBG-related decision making.

I have fully read and understood the HUD regulation regarding conflict of interest, 24 CFR 570.611 and have answered all of the questions truthfully to the best of my knowledge. **Failure to disclose conflicts of interest, intentionally or unintentionally, will result in disqualification of your application and will be immediately rejected.** The date of this attachment must correspond exactly to the date of the CDBG application.

Name of Applicant: Maui Food Bank

Signature of Applicant's Representative 
Title EXECUTIVE DIRECTOR Date 12/5/13

**SUBMISSION SCHEDULE
ANNUAL ACTION PLAN
for Program Year 2014**

***DATES ARE SUBJECT TO CHANGE**

Open Application Period (Min. 30 days required)	November 8 – December 9, 2013
CDBG Screens Proposals for Threshold Factors	December 11 - December 19, 2013
Evaluation and Selection Panel Priority Factors Rating and Ranking	December 20, 2013 - January 16, 2014
CDBG Finalizes Panel Recommendation For Mayor’s Approval	January 14 - 17, 2014
2014 Project Recommendations Review/Approval by Mayor	January 17 - 24, 2014
CDBG Transmits to B&F Committee	February 4, 2014
CDBG Prepares County’s Draft 2014 AAP	February 4 – April 5, 2014
County Council Latest Date to Approve 2014 CDBG Resolution	March 18 2014
Publish Public Notice (disclosure of projects, Draft 2014 AAP)	April 4, 2014
Mayor’s Review of Draft 2014 AAP	April 7 – May 5, 2014
Comment Period for Draft 2014 AAP (30-days min)	April 7 – May 5, 2014
Draft 2014 AAP Mailed to Libraries	April 3, 2014
Draft 2014 AAP On-line	April 7, 2014
Public Hearing on Proposed Projects, Draft 2014 AAP	April 23, 2014
Submittal of Final 2014 AAP to HUD for review and approval	May 15, 2014