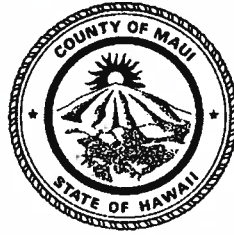


EVALINA "NANI" WATANABE
Chair

KIMBERLY WEST
Vice Chair



Commissioners:

ANDREA ROGERS
BEVERLY STANICH
JOSEPH D'ALESSANDRO
MELISSA JOHNSON
RICKY SANCHES
SARAH M. COLLINS
SUSAN LUSSIER

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COUNTY CLERK

COUNTY OF MAUI
COMMISSION ON PERSONS WITH DISABILITIES

J. Walter Cameron Center
95 Mahalani Street, Room 20
Wailuku, Hawaii 96793
Phone: (808) 270-7755
Fax: (808) 270-7935

Mission: To make recommendations to the Mayor, the Council & county officials for policies, programs & systemic changes that maximize independence & community integration for Maui County residents with disabilities & promote compliance with the American Disabilities Act.

Vision: Promote and enhance equality of life for Maui County residents with disabilities through advocacy & education by working with our community, elected & other county officials who have the ability to make change.

NOTICE OF MEETING AND AGENDA

PURSUANT TO CHAPTER 92, PART 1, HAWAII REVISED STATUTES, AS AMENDED, AND THE GOVERNOR'S EMERGENCY PROCLAMATIONS RELATED TO THE COVID-19 CRISIS, NOTICE IS HEREBY GIVEN OF A MEETING OF THE COMMISSION ON PERSONS WITH DISABILITIES.

DATE: November 9, 2021
TIME: 12:30 p.m.
MEETING SITE: Online Only via Bluejeans
Meeting ID: 268 768 907
<https://bluejeans.com/268768907>

To provide written testimony, email testimony to rae-ann.pagatpatan@mauicounty.gov at least 24 hours prior to the meeting; written testimony will be distributed to Commissioners prior to the meeting.

To listen to the meeting or provide oral testimony via phone, dial 1-408-915-6290 and enter Meeting ID 268 768 907

To watch the meeting or provide video testimony, log on to <https://bluejeans.com> and enter Meeting ID 268 768 907

Each testifier will be limited to a maximum of three (3) minutes.

Testifiers via video are asked to sign-up using the Chat function by sending a direct message to the Commission Secretary, providing your name and which item you will be testifying on. Testifiers via phone will be called by the Chair after video testimony is finished.

The meeting chat room is only available for individuals to make known their desire to testify. No other comments are allowed.

Except for Commissioners, those attending the meeting are to mute their audio and video unless called upon by the Chair to speak. Those who have signed up to testify will be called by the Chair to offer their testimony at which time they can unmute their audio and video. After completing their testimony, testifiers will mute their audio and video.

An individual's request to testify may be deemed withdrawn if the individual does not answer when called to testify.

Commissioners shall not be contacted via the Chat function.

Americans with Disabilities Act Accommodations: If you require an auxiliary aid or service or accommodation due to a disability, please contact the Commission Secretary at least three (3) working days prior to the scheduled meeting at (808) 270-7908 or rae-ann.pagatpatan@mauicounty.gov.

Agenda items are subject to cancellation. Please visit <https://www.mauicounty.gov/177/Commission-on-Persons-With-Disabilities> for information or contact the Commission Secretary at (808) 270-7908 or rae-ann.pagatpatan@mauicounty.gov.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC TESTIMONY** – Written or oral testimony must relate to an item on the meeting agenda. Testifiers will state their name and which agenda items they will be testifying on for the record. Maximum time limit of three (3) minutes per agenda item. At the discretion of the Chair, public testimony may also be taken when each agenda item is discussed.
4. **APPROVAL OF MEETING MINUTES – October 14, 2021**
5. **NEW BUSINESS – None**

6. UNFINISHED BUSINESS

- A. A BILL FOR AN ORDINANCE AMENDING CHAPTER 3.36, MAUI COUNTY CODE, RELATING TO THE MAUI COUNTY GRANTS PROGRAM, RELATED TO SELF-SUFFICIENCY PREFERENCE -**
Discussion with and comments to Councilmember Tasha Kama regarding her proposal to amend Maui County Code Chapter 3.36, Relating to the Maui County Grants Program, related to a self-sufficiency preference
- B. THE COUNSELING COMPACT -** Status report by Commissioner Collins on potential conflict of interest

8. UPCOMING EVENTS/ANNOUNCEMENTS

9. AGENDA SETTING

A. SCHEDULED OR PENDING SCHEDULING

- 1) Presentation by Gail Rumbaoa of Section 8 Rental Assistance Program (December)

B. OTHER AGENDA SETTING REQUESTS

10. NEXT MEETING

The next meeting is scheduled for Thursday, December 9, 2021 at 12:30 p.m. via Bluejeans video/teleconferencing.

11. ADJOURNMENT

Council Chair
Alice L. Lee

Vice-Chair
Keani N.W. Rawlins-Fernandez

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Gabe Johnson
Kelly Takaya King
Michael J. Molina
Tamara Paltin
Shane M. Sinenci
Yuki Lei K. Sugimura



Director of Council Services
Traci N. T. Fujita, Esq.

Deputy Director of Council Services
David M. Raatz, Jr., Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.MauiCounty.us

September 28, 2021

Chairperson Evalina "Nani" Watanabe
Maui County Commission on Persons with Disabilities
Maui County Office on Aging & ADRC
J. Walter Cameron Center
95 Mahalani Street, Room 20
Wailuku, HI 96793

Dear Chairperson Watanabe:

SUBJECT: **PROPOSED LEGISLATION TO PROMOTE CLIENT
SELF-SUFFICIENCY IN COUNTY GRANT AWARDS
(PAF 20-168)**

Thank you for your inquiry regarding my proposed legislation that is in the process of being vetted with County Administration and interested stakeholders. Your email of September 16, 2021 is helpful in that process of vetting. As noted in a prior email, I will be in attendance at your November 9, 2021 12:30 p.m. meeting to discuss the legislation with your Commission. This letter addresses the specific questions you asked in your email. I have also attached the current proposed legislation for your information.

In response to your specific questions, I reply to each after a restatement of your questions for ease of reference:

Question 1: What is the purpose of the proposed bill?

The proposed draft bill has a purpose statement with a clearly stated preference in the awarding of grants for applications for the provision of social services. The preference would be given to social service programs that would provide clients the ability to wean themselves from social assistance. The bill seeks the practical application of "give a man a fish and you feed him for a day; teach a man to fish and you feed him for a lifetime."

The bill is further recognizes the possibility of a less prosperous future for Maui County and the likely emergence of budgetary constraints. Recent events triggered by COVID-19 have created a greater interest by the taxpaying public in shifting the economic base of the county away from tourism to a broader range of activities. That shift in economic base will likely reduce the County’s revenue in the short term and prompt higher levels of budget scrutiny.

Further, it appears to me that there is an emergence of organizations seeking County grant funding that have questionable purposes. I suspect they exist only to perpetuate the conditions that they state they are solving. By incorporating a preference for organizations and agencies seeking to truly help their client base, I hope to discourage organizations with dysfunctional assistance models from seeking County grant funding.

Question 2: What are the benefits of the proposed bill to persons with disabilities on Maui?

I would hope that every organization seeking to serve those with disabilities have as part of their client goals the promotion of the fullest life possible for those individuals. As a parent with a child with a developmental disability, my hope is that the services she receives assists her in developing her potential to the best of her abilities. I want every organization that serves persons with disabilities to set goals to provide the skills, to the limits of their clients’ abilities, to have that best life. This legislation makes that goal a priority for social service organizations and agencies that seek County grants.

To the extent that this legislation prioritizes funding for those “client-first” organizations, this will provide a clear benefit to persons with disabilities. To the extent that organizations that do not put their clients first are defunded, that will increase the availability of county grants for those who do.

Question 3: What are the drawbacks of the proposed bill to persons with permanent disabilities on Maui?

As with any public policy measure, there could be some negative outcomes. One of the challenges is the increased effort for both the County Administration and for the organizations/agencies submitting grant applications. The County Administration through the Department of Housing and Human Concerns noted that some programs are not, by design, expected to promote client self-sufficiency. Further, the Department noted that establishing

the measurement of the degree of self-sufficiency especially between programs that serve different populations would be a challenge.

The County Charter clearly separates the duties of Council and the Administration. The Council, as the County’s legislative branch, adopts public policy goals and directions. It is the Administration’s responsibility to determine how to implement measures to achieve those public policy goals and directions. If this bill amending Title 3 is adopted by Council, it will be up to the Administration to determine how it is implemented.

Given the stated purposes of the bill, I would welcome any proposed amendments or considerations from the Commission on Persons with Disabilities that would improve the likely efficacy of the bill while reducing likely drawbacks.

Question 3: What feedback have you received from social service providers who receive grants from the County regarding the proposed bill?

The draft bill was sent to the County Administration in May 2021 for review and comment. The Department of Housing and Human Concerns responded quickly with their suggestions and concerns. We are waiting for the Mayor’s Office of Economic Development, which also administers grants, for a similar review. The bill has not been circulated directly to social service providers. We would welcome any and all review by those providers.

Question 4: If the proposed bill passes, what actions will the Council take, if any, to assist people with permanent disabilities who can never become fully independent and who can no longer receive social services because the agencies they currently receive services from are not in the preferred category?

As an individual Councilmember, I cannot speak for the Council as a whole. I can reply with my expectations as to action I may propose to address unintended consequences of this proposed legislation.

I do not expect unintended consequences since I expect all agencies are capable of demonstrating their desire to encourage their clients to progress to the best of their abilities towards independence. The bill calls for a preference for agencies/program that clearly state in their applications that intent (versus agencies/programs that do not). The preference does not mean that programs

Chairperson Evalina “Nani” Watanabe
Maui County Commission on Persons with Disabilities
Proposed Legislation to Promote Client Self-Sufficiency in County Grant Awards
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that serve populations that have limited practical opportunity to achieve client independence would be excluded from County grants. The Department of Housing and Human Concerns suggested that only similar programs/agencies be compared to assess their intent so that programs/agencies would not be penalized based on the nature of their client base. I am open to that suggestion.

Social service agencies in Maui County should not expect that Maui County will always be their sole source of funding. There is always the potential that County Council will be required to cut the fiscal year budget to match projected reductions in revenues, since the County is required by law to adopt a balanced fiscal year budget. There are activities and programs that the County is obligated by law to fund in each budget. Grants are typically not an obligation on the County but an optional appropriation. As a member of County Council, I would encourage programs/agencies seeking County grant funding to try to maximize the amount of funding obtained from the State and Federal governments and private charitable entities. Such additional non-County funding demonstrates the grantee’s ability and willingness to leverage limited County funding to maximize their service provision to their client base.

Thank you for this opportunity to address your questions. I look forward to discussing this matter with you at your November 9, 2021 meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Tasha Kama", written in a cursive style.

TASHA KAMA
Presiding Officer Pro Tempore

cc: Mayor Victorino
Director Lori Tsuhako, Department of Housing and Human Concerns
Director JoAnn Inamasu, Office of Economic Development

ORDINANCE NO. _____

BILL NO. _____ (2021)

A BILL FOR AN ORDINANCE AMENDING TITLE 3, MAUI COUNTY CODE,
RELATIING TO THE MAUI COUNTY GRANTS PROGRAM

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. The purpose of this ordinance is to improve the long-term viability of Maui County grants program by providing a clearly stated preference in the awarding of grants for applications for the provision of social services. The preference would be given to social service programs that would provide clients the ability to wean themselves from social assistance – the practical application of “give a man a fish and you feed him for a day; teach a man to fish and you feed him for a lifetime.”

SECTION 2. Chapter 3.36, Maui County Code is hereby amended by adding thereto a new section to be appropriately designated and to read as follows:

“3.36.200 Self-Sufficiency Preference. In the review of a grant application submitted by a social service provider to any agency of the County governed by this chapter of the county code, the agency must give a clearly stated preference to providers offering programs that are designed to reduce the dependency of their clients on a long-term basis. That preference must be substantial and be included in any request or solicitation by the agency for grant applications.”

SECTION 3. New material is underscored. In printing this bill, the County Clerk need not include the underscoring.

SECTION 4. This ordinance shall take effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel
County of Maui
PAF 20-168a

Follow up questions from the Commissions of Persons with Disabilities for Council Member Tasha Kama:

1. Are there other possible avenues of weeding out those "organizations with dysfunctional assistance models from seeking County grant funding", outside of her proposed legislation?
2. What are her thoughts about proposing a piece of legislation that overlooks clients who, due to the severity of their disability, may require lifelong social service funding?
3. What safeguards, if any, will be implemented in order to protect these individuals from being leaned on to terminate their needed social service benefits (as there is a financial benefit to the agency)?
4. What are the safeguards, if any, should "unintended consequences" arise, given that there is already a concern regarding "dysfunctional assistance models"?
5. Do you recognize that some people with disabilities will never be able to fully "wean themselves" from social service assistance and that the proposed bill will penalize social service programs that assist the permanent and severely disabled population and in turn penalize that disabled population?
6. With regard to your quote about the man and fish, do you recognize that some people will never be able to fish on their own without some sort of assistance?
7. Regarding the future of Maui County and budgetary constraints, have you researched and analyzed other places within the County that funds could and should be cut and if so, what does your research indicate?
8. If there are questionable Grantees, wouldn't it be better to review the grant application and review processes so that the Grantees must ensure measurable deliverables and if they are not keeping up with their deliverables, then do not provide grants to those questionable Grantees?
9. For questionable Grantees who may only be depending on County grant funds to exist, have you considered and/or what are your thoughts about a grant condition that requires the Grantees themselves to become economically self-sufficient (Grantees should become economically self-sufficient instead of the severely disabled needing to become physically and mentally self-sufficient)?
10. Do you believe that your child with developmental disabilities will one day be able to live completely on his or her own without you, your family, or any social service program assisting him/her?
11. Don't you think that your proposed bill will penalize severely disabled people who need to rely on others for their daily living?
12. Suggestion to inform bonafide social service providers of the disabled to provide comment to your proposed bill.