

COUNTY OF KAUA'I

## ANNUAL ACTION PLAN 2019

**Fifth Program Year**

**FOR PROGRAM YEAR JULY 1, 2019 THROUGH JUNE 30, 2020**

**Revised: July 2020**

(Substantial Amendment No. 1)

Prepared By:  
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IDIS Version: "AMD1"

Annual Action Plan  
2019

1

**Substantial Amendment 1 (SA1) - to include a special allocation of CDBG funds to prevent, prepare for, and respond to the coronavirus (COVID-19); new CDBG-CV funds; and cancel an activity with unexpended CDBG funds and reprogram to a new activity to respond to COVID-19 emergency.**

## **Executive Summary**

### **AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)**

#### **1. Introduction**

The County of Kauai (County) is required to submit a five-year Consolidated Plan (CP) to the U.S. Department of Housing and Urban Development (HUD) to receive federal Community Development Block Grant (CDBG) program funds. The purpose of the Consolidated Plan is to ensure that jurisdictions receiving federal assistance develop a plan on how to invest federal funds to address the needs of low- and moderate-income families.

The Annual Action Plan 2019 is a one-year snapshot of the Consolidated Plan and an application for the use of CDBG funds to the U. S. Department of Housing and Urban Development. The Action Plan identifies the linkage between federal resources and specific objectives identified in the County's Consolidated Plan. The Action Plan also identifies programs and resources that leverage other funds with CDBG funds during the program year to address the County's strategic goals.

The overall goal of the CDBG Program is to develop viable communities, principally for low- and moderate-income persons, by providing decent housing, a suitable living environment, and expanding economic opportunities. On Kauai, the CDBG Program is administered by the Kauai County Housing Agency.

The County is the designated subgrantee for the HOME Investment Partnerships Program (HOME) and National Housing Trust Fund (HTF). These programs are funded by HUD and administered by the state Hawaii Housing Finance and Development Corporation (HHFDC), to develop and provide affordable housing opportunities for extremely low- to low-incomes at or below 30% to 80% of the area median income.

On April 2, 2020, the County received a letter from HUD announcing a special allocation of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). The allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Acts (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020. The County's allocation of CDBG-CV funds is \$412,929. The CARES Act added suspensions, waivers and flexibilities to

CDBG-CV funds and the annual FY19 and FY20 CDBG grants. In a waiver notification letter to HUD on April 17, 2020, the County implemented the following: 1) waive the normal 30-day public comment period in lieu of a 5-day public comment period, in order to reprogram and/or allocate funds expeditiously; 2) waive the Citizen Participation Plan's reasonable notice and opportunity to comment, to allow the County to post amendments to plans on the website for public review and comment.

In May 2020, the County received a second allocation of CDBG-CV funds in the amount of \$261,137. The additional funds will be allocated to the current projects that respond to the coronavirus.

## **2. Summarize the objectives and outcomes identified in the Plan**

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The Consolidated Plan addresses three principle areas of need: Housing and Special Needs Housing, Homeless, and Community Development needs.

An activity will have one of three low-mod objectives:

Suitable Living Environment - activities are designed to benefit communities, families or individuals by addressing their living environment.

Decent Housing - activities are designed to cover housing programs to meet individual family or community needs.

Creating Economic Opportunities - applies to the types of activities related to economic development, commercial revitalization, or job creation.

Once an objective is selected for an activity, an outcome will be selected from three categories:

Availability/Accessibility - this outcome category applies to activities that make services, infrastructure, public facilities, housing or shelter available or accessible to low- and moderate-income people, including those with disabilities.

Affordability - this outcome category applies to activities that provide affordability to low- and moderate-income people through creating, improving, or maintaining affordable housing, basic infrastructure, or services for transportation.

Sustainability - this outcome category applies to projects that are aimed at improving communities and neighborhoods by making them livable or viable for low- and moderate-income persons.

The County of Kauai focuses its HTF activities on the production, preservation of affordable rental housing and use funds to increase and preserve the supply of decent, safe, and sanitary affordable rental housing, primarily for extremely low-income (30% AMI) households.

### **3. Evaluation of past performance**

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The County of Kauai Housing Agency has effectively administered the CDBG grant for more than three decades and has been successful in implementing activities that meet the four priority concerns by the U.S. Department of Housing and Urban Development: housing and special needs housing, homelessness, community development, and fair housing.

### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

The County's Citizen Participation Plan (CPP) is included in the five-year Consolidated Plan 2015-2020 and can be accessed at [www.kauai.gov](http://www.kauai.gov), under Government, Agencies, Housing Agency, Housing & Community Development and CDBG. The County's CPP describes the policies and procedures for citizen participation in the administration of the CDBG program. The plan seeks to involve citizen participation, especially among persons in lower income groups.

The Consolidated Plan and Assessment of Fair Housing (AFH) is required by the U.S. Department of Housing and Urban Development for jurisdictions to continue to receive federal housing and community development funding. The County of Kauai receives Community Development Block Grant funding annually. The Consolidated Plan examines the housing and community development needs of the County, sets priorities for CDBG funds, establishes an Annual Action Plan for meeting current and future needs, and identifies the County's performance in meeting its annual goals through the Consolidated Annual Performance Evaluation Report (CAPER). The County supports the Analysis of Impediments to Fair Housing (AI) to assist the County in identifying fair housing issues and related contributing factors to achieve comprehensive community development goals and further fair housing. The Consolidated Plan and AI are also required to have a strategy for resident participation in the planning process. The County will make appropriate amendments to its Consolidated Plan to incorporate strategies and proposed actions consistent with the fair housing goals, issues, and other elements identified in the AI.

In developing the Annual Action Plan, a series of public hearings were held to solicit input on community development, affordable housing and homeless needs. Public hearing notices were published in The Garden Island Newspaper. Public workshops were conducted at various locations on the island not only to receive input but also to provide information on CDBG grant eligibility and the application process. Another venue to disseminate information and solicit input is the County's website. Input provided

through surveys, consultations and/or collaboration was included in the development of the plan and the County's goals.

**5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

On April 5, 2019, the County conducted a hearing to receive comments from the public on the 2019 proposed projects. No comments were received.

A public notice was published in the Garden Island Newspaper on April 30, 2020 to give notice to citizens of the additional CDBG-CV funds and the proposed projects through amendments to the AAP19 and CPP.

**6. Summary of comments or views not accepted and the reasons for not accepting them**

Not applicable.

## PR-05 Lead & Responsible Agencies – 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	KAUAI COUNTY	Housing Agency
	KAUAI COUNTY	Housing Agency

**Table 1 – Responsible Agencies**

### Narrative (optional)

The County of Kaua'i Housing Agency is a grantee for the CDBG Program and receives CDBG allocations directly from HUD. The County is also a state recipient for the HOME and HTF programs and receives allocations as a pass-through from the State of Hawai'i, Department of Business, Economic Development and Tourism, Hawai'i Housing Finance and Development Corporation (HHFDC). Goals, projects and allocations can be found in the State's Consolidated Plan, Annual Action Plan, Fifth Year, 2019 at <http://dbedt.hawaii.gov/hhfdc/resources/reports/>.

ESG and HOPWA programs are administered by the State of Hawai'i through the Department of Human Services, DBEDT, Homeless Programs Office.

Note: While we strive to honor traditional Hawaiian values and the Hawaiian language, limitations of current technology and the current reporting program did not allow us to use the diacritic mark, kahako. Exclusion of the diacritic mark is not a result of carelessness or disrespect. When possible, the okina, has been utilized.

### Consolidated Plan Public Contact Information

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## **AP-10 Consultation – 91.100, 91.200(b), 91.215(I)**

### **1. Introduction**

KCHA has administrative responsibility for the CDBG program and the implementation of the five-year Consolidated Plan, Annual Action Plan, and Consolidated Annual Performance and Evaluation Report. KCHA works with a variety of public agencies and non-profit organizations to ensure that benefits from the CDBG Program are delivered to the community.

### **Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))**

To enhance coordination between public and assisted housing providers, the Housing Director participates in monthly meetings with other directors from U.S. Department of Agriculture (USDA), Hawai'i Housing, Finance, & Development Corporation (HHFDC), Hawai'i Public Housing Authority (HPHA), U.S. Department of Housing and Urban Development (HUD), U.S. Department of Hawaiian Home Lands (DHHL), Office of Hawaiian Affairs (OHA), Native American Housing Assistance and Self Determination Act (NAHASDA), City & County of Honolulu, Maui and Hawai'i County Housing divisions. The Housing Director also attends weekly meetings with department heads from Kaua'i County to coordinate planning with economic development, aging, public safety, recreation, public works and other County officials. Other housing staff members participate in meetings and serve on various committees involving: fair housing; Section 8 eviction hearings; Workforce Investment Board; and CDBG & HOME programs. CDBG staff partners and collaborates with various state health agencies and community organizations, such as: State of Hawai'i Adult Mental Health, Vocational Rehabilitation, and Developmental Disabilities; Easter Seals of Hawai'i, EPIC Ohana, Young Life Capernum, Malama Pono Health Services, Hoola Lahui, and more. Consultations occur on a year-round basis with diverse providers that service the low- and moderate-income populations on Kaua'i.

### **Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The State of Hawai'i Department of Human Services (DHS) and Homeless Programs Office (HPO) contractually requires all homeless provider agencies funded by state and/or federal resources to participate in their respective County's Continuum of Care (CoC) for collaboration and input into community planning efforts. These agencies provide outreach, emergency/transitional shelters, permanent supportive housing, rapid re-housing, homeless prevention, Housing First Program, and other support services. These programs serve the following populations: chronic substance abuse; persons with HIV/AIDS; victims of domestic violence; mental health and unaccompanied youth.

Bridging the Gap (BTG) is a geographically-based group of relevant stakeholder representatives that carry out planning responsibilities of the CoC programs and the goal to end homelessness. BTG is the union of three (3) rural county chapters:

- 1) Kaua'i Community Alliance (Kaua'i Chapter of BTG)
- 2) Community Alliance Partners (Hawai'i Island Chapter of BTG)
- 3) Maui Homeless Alliance (Maui Chapter of BTG)

Members of the local chapters collectively convene at least twice annually for general membership meetings. Because of the non-contiguous nature of each island, the meetings are conducted via electronic means (webinar, video teleconference, teleconference, or other generally available technologies).

Bridging the Gap Executive Board convenes every other month for the statewide Continuum of Care meeting. Members of the group include the chairperson of each local chapter and a respective county government representative. The statewide planning body collaborates on priorities, strategic planning and resources. The group also takes an expanded role of advising the state on funding priorities and legislative initiatives.

In accordance with the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act, BTG works to use multiple resources to prevent homelessness or quickly rehouse homeless individuals and families while minimizing trauma and dislocation. BTG mandates collaboration among providers, promotes access to homeless assistance programs, encourages effective utilization of mainstream programs especially for special populations, and strives to optimize self-sufficiency among individuals and families experiencing homelessness or are at-risk of being homeless.

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

BTG, elected to allocate the most recent ESG grant by apportioning forty percent (40%) to emergency shelter operations and sixty percent (60%) to homelessness prevention and rapid re-housing activities. This allocation formula reflects BTG's greater emphasis on rapid re-housing and helping people to quickly regain stability in permanent housing after experiencing a housing crisis and homelessness. Homelessness prevention and rapid re-housing activities include financial assistance for rent, security deposits, utilities, and housing relocation and stabilization services. BTG elected to allocate HPRP funds to one agency each in Maui, Kaua'i and Hawai'i counties.

Neighbor island representatives continue to engage in planning, advocacy, and data committee activities in conjunction with Partners In Care (PIC), the O'ahu Continuum of Care. Additionally, BTG has adopted a



formal HMIS Security and Privacy Plan and a Policies and Procedures Manual which include security policies that detail how data is secured in HMIS; data sharing policies that detail with whom data is shared and for what purposes; and user access to HMIS.

Data-driven performance standards are continuously being updated and refined to meet requirement standards. These enhancements will allow the CoCs to utilize outcome measures to determine funding levels for applicants. HPO is in the process of developing a means to transform state funding determinations to more concisely reflect performance standards and performance based funding as HUD. While these systemic changes will take time to fully implement, the mechanisms to achieve and maintain progress have been executed.

To further promote collaboration among the CoC bodies, a portion of each Bridging the Gap meeting is set aside for the PIC chair and City and County of Honolulu representative to share information. This allows for discourse on legislative, advocacy, policy and data issues being addressed statewide. Additionally, many more neighbor island participants have requested placement on the PIC mailing list so that they can keep their agencies and their counties up-to-date, especially on state government issues during the legislative session. These efforts continue to build toward a greater sense of community across the state for homeless service providers, and thus, a more cohesive approach to our statewide infrastructure.

BTG also receives help from HUD with technical assistance with HMIS, performance measures, evaluation criteria, CoC operations, and guidance in creating policies and procedures.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities**

**Table 2 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	KAUAI HOUSING DEVELOPMENT CORP
	<b>Agency/Group/Organization Type</b>	Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a non-profit housing developer. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.

2	<b>Agency/Group/Organization</b>	HOOLA LAHUI HAWAII
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Services - Victims
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a healthcare service provider. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
3	<b>Agency/Group/Organization</b>	MALAMA PONO KAUAI HEALTH SERVICES
	<b>Agency/Group/Organization Type</b>	Services-Persons with HIV/AIDS

	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Homelessness Needs - Veterans Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a healthcare service provider. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
4	<b>Agency/Group/Organization</b>	DEPARTMENT OF HAWAIIAN HOME LANDS
	<b>Agency/Group/Organization Type</b>	Housing Other government - State
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a government land management department. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.

5	<b>Agency/Group/Organization</b>	ST. CATHERINE SCHOOL
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Education
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as an educational institution. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
6	<b>Agency/Group/Organization</b>	CONTRACTORS ASSOCIATION OF KAUAI
	<b>Agency/Group/Organization Type</b>	Housing Business Leaders
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Market Analysis
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a community business association. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.

7	<b>Agency/Group/Organization</b>	KUPU A'E, KAUAI TEAM CHALLENGE INC.
	<b>Agency/Group/Organization Type</b>	Services-Children Business and Civic Leaders Services-Neighborhood Residents, Substance Abuse
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a non-profit leadership development organization. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
8	<b>Agency/Group/Organization</b>	WORKFORCE DEVELOPMENT DIVISION
	<b>Agency/Group/Organization Type</b>	Services-Employment Other government - State
	<b>What section of the Plan was addressed by Consultation?</b>	Market Analysis Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a government employment entity. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
9	<b>Agency/Group/Organization</b>	COUNTY OF KAUAI OFFICE OF ECONOMIC DEVELOPMENT
	<b>Agency/Group/Organization Type</b>	Other government - County Business and Civic Leaders

	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homelessness Needs - Veterans Non-Homeless Special Needs Market Analysis Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a County government agency. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
10	<b>Agency/Group/Organization</b>	KIDS SCHOOL
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Education
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Non-Homeless Special Needs Market Analysis
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a community preschool/daycare center. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.

11	<b>Agency/Group/Organization</b>	DHS-DIVISION OF VOCATIONAL REHABILITATION
	<b>Agency/Group/Organization Type</b>	Services-Persons with Disabilities Other government - State
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Market Analysis
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a government entity. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
12	<b>Agency/Group/Organization</b>	BOYS AND GIRLS CLUB OF HAWAII
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Education Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Public Housing Needs Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a community service organization for youth. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.



13	<b>Agency/Group/Organization</b>	DOH-KAUAI COMMUNITY MENTAL HEALTH CENTER
	<b>Agency/Group/Organization Type</b>	Services-Health Publicly Funded Institution/System of Care Other government - State
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a government healthcare entity. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
14	<b>Agency/Group/Organization</b>	MUTUAL HOUSING ASSOCIATION OF HAWAII
	<b>Agency/Group/Organization Type</b>	Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a non-profit housing developer. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
15	<b>Agency/Group/Organization</b>	DEPARTMENT OF VETERANS AFFAIRS
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Persons with Disabilities Services-homeless Services-Health Services-Employment Other government - Federal
	<b>What section of the Plan was addressed by Consultation?</b>	Homelessness Needs - Veterans
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a government entity providing services for veterans. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
16	<b>Agency/Group/Organization</b>	WAIMEA HIGH SCHOOL
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Education Other government - State

	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a public educational institution. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
17	<b>Agency/Group/Organization</b>	KAUAI BOARD OF REALTORS
	<b>Agency/Group/Organization Type</b>	Housing Planning organization Business and Civic Leaders
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Market Analysis
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a business organization. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
18	<b>Agency/Group/Organization</b>	AMERICAN CANCER SOCIETY
	<b>Agency/Group/Organization Type</b>	Services-Health Health Agency
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a community service provider. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
19	<b>Agency/Group/Organization</b>	KAUAI COMMUNITY COLLEGE
	<b>Agency/Group/Organization Type</b>	Services-Education Other government - State
	<b>What section of the Plan was addressed by Consultation?</b>	Market Analysis Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as an educational institution. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
20	<b>Agency/Group/Organization</b>	CHILD AND FAMILY SERVICE
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Children
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a non-profit community service provider. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
21	<b>Agency/Group/Organization</b>	Kauai Habitat for Humanity
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homeless Needs - Families with children Homelessness Needs - Veterans Non-Homeless Special Needs Market Analysis
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a non-profit housing developer. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
22	<b>Agency/Group/Organization</b>	KILAUEA ELEMENTARY SCHOOL
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Education Other government - State

	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Families with children Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as an educational institution. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.
23	<b>Agency/Group/Organization</b>	HANAPEPE UNITED CHURCH OF CHRIST
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-homeless Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a community faith-based organization. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.

24	<b>Agency/Group/Organization</b>	COUNTY OF KAUAI DEPARTMENT OF LIQUOR
	<b>Agency/Group/Organization Type</b>	Other government - County
	<b>What section of the Plan was addressed by Consultation?</b>	Non-Homeless Special Needs Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Participated in online 2015-2020 COK Housing Agency Consolidated Plan Needs Survey to provide input as a government agency. COK Housing Agency will foster on-going consultation and when necessary, seek input with the agency/group/organization when opportunities arise for projects in applicable fields and to ensure benefits from the CDBG Program are delivered to the community.

**Identify any Agency Types not consulted and provide rationale for not consulting**

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

<b>Name of Plan</b>	<b>Lead Organization</b>	<b>How do the goals of your Strategic Plan overlap with the goals of each plan?</b>
Continuum of Care	Refer to State of Hawaii Consolidated Plan	The goals of Kauai County is to partner, coordinate and collaborate with the State's plan to end homelessness through joint funding with the HOME partnerships program and to fund local non-profit organizations who provide essential services to the homeless population.

**Table 3 – Other local / regional / federal planning efforts**

### **Narrative (optional)**

The following plans, reports, and assessments were consulted, reviewed, considered, and when applicable, incorporated in the Consolidated Plan:

- 1) The Kaua'i General Plan 2000 by County of Kaua'i Planning Department

- 2) Kaua'i Economic Development Plan, 2010-2015, Kaua'i's Comprehensive Economic Development Strategy (CEDS) Report by County of Kaua'i Office of Economic Development
- 3) 4-Year Area Plan on Aging 2011-2015 by County of Kaua'i Agency on Elderly Affairs
- 4) Kaua'i Community Drug Response Plan 2008-2013 by County of Kaua'i Office of the Mayor
- 5) Kaua'i's Community Health Needs Assessment 2013 and Kaua'i Community Health Improvement Plan 2014, Our Keiki, Our Kupuna, Our 'Ohana by Hawai'i Department of Health and various partnering agencies including County of Kaua'i
- 6) Kaua'i Youth Report 2012 by Hawai'i State Department of Education, Kaua'i District Complex Area and Kaua'i Planning & Action Alliance
- 7) Measuring What Matters for Kaua'i-Community Indicators Report 2012 by Kaua'i Planning & Action Alliance
- 8) Hawaiian Community Assets, Final Report Narrative July 2014
- 9) Holo Holo 2020, Growing Kaua'i Responsibly by Mayor Bernard P. Carvalho, Jr.
- 10) Kaua'i Parks & Recreation Master Plan 2013 by County of Kaua'i Department of Parks & Recreation
- 11) Kaua'i Rental Housing Study 2014
- 12) Hawai'i Housing Planning Study 2011
- 13) Childhood Lead Poisoning Prevention Guidelines, State of Hawai'i, Department of Health, Maternal and Child Health Branch
- 14) Center on the Family, University of Hawai'i, College of Tropical Agriculture and Human Resources
- 15) Neighbor Island Point-in-Time Count Analysis
- 16) State of Hawaii Point-in-Time Count 2019



17) Lead Based Paint Pamphlet

18) Kaua'i Multimodal Land Transportation Plan; Planning for a Sustainable Transportation System in Kaua'i County through 2035, County of Kaua'i.

## AP-12 Participation – 91.105, 91.200(c)

### 1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

In developing the Annual Action Plan, a series of public hearings were held to solicit input on community development, affordable housing and homeless needs. Public hearing notices were published in The Garden Island Newspaper. Public workshops were conducted at various locations on the island not only to receive input, but also to provide information on CDBG grant eligibility and the application process. Another venue to disseminate information and solicit input is the County's website. Input provided through surveys, consultations and/or collaboration was included in the development of the Consolidated Plan and the County's goals.

#### Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	Internet Outreach	Non-targeted/broad community	Information on the CDBG grant opportunity, application with instructions, and deadlines were posted on the Housing Agency's website.	Not applicable.	Not applicable.	<a href="http://www.kauai.gov">www.kauai.gov</a>

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
2	Newspaper Ad	Non-targeted/broad community	Legal notices were published in the Garden Island Newspaper to announce locations and times for meetings, hearings, workshops; request participation to review and comment on the draft Annual Action Plan; and location to obtain hard copies of the draft plan.	No comments were received.	Not applicable.	
3	Public Meeting	Non-targeted/broad community	A total of three meetings were conducted in the planning and development of the Annual Action Plan.	No comments were received.	Not applicable.	
4	Public Meeting	Non-targeted/broad community	A hearing was conducted in the development and review of the draft Annual Action Plan.	All comments were favorable to the proposed projects.	Not applicable.	

**Table 4 – Citizen Participation Outreach**

Annual Action Plan  
2019

## **Expected Resources**

### **AP-15 Expected Resources – 91.220(c)(1,2)**

#### **Introduction**

The amount available in "Prior Year Resources" reflect the current combined balances from the Housing Agency's CDBG revolving loan fund activities, Homebuyer Loan Program and Home Purchase Program. The County will make a request to HUD to reprogram or carry over prior year resources to each designated PY 2019 activity. Additionally, all other home sales, ground lease fees and loan repayments generated from the agency's housing programs will be receipted to the designated activities' revolving fund. The County is the designated state Housing Trust Fund (HTF) subgrantee for HUD's National HTF, to develop and preserve affordable rental housing serving extremely low-income (30% AMI) households. The County will receive PY 2019 HTF allocation totaling \$1,425,000 in accordance with the rotation of HOME funds.

In April 2020, the County received a special allocation of \$412,929 under the CARES Act to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). The County also reprogrammed \$465,752 in PY19 unexpended grant funds to be added to the funding, totaling \$878,681.

In May 2020, a second round of CDBG-CV funds, in the amount of \$261,771, was awarded to the County. For project funding identification

purposes, the second round is titled, "CDBG-CV2".

### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	695,071	0	755,816	1,450,887	0	"Prior Year Resources" reflect the combined amount available from revolving loan fund balances.
Housing Trust Fund	public - federal	Admin and Planning Housing Multifamily rental new construction	1,425,000	0	0	1,425,000	0	HTF will be used on the production and preservation of affordable rental housing units serving households with incomes at or below 30% of the area median income (AMI).

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
Other	public - federal	Acquisition Admin and Planning Economic Development Homebuyer assistance Housing Multifamily rental new construction Multifamily rental rehab New construction for ownership Public Improvements Public Services	674,700	0	0	674,700	0	CARES Act funding made available in April 2020 to be used to prevent, prepare for, and respond to the coronavirus (COVID-19): CDBG-CV1 - \$412,929.2nd allocation of CARES Act funding made available in May 2020: CDBG-CV2 - \$261,771

**Table 5 - Expected Resources – Priority Table**

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

Many community non-profit organizations leverage CDBG funds with other private and non-federal public sources. The leveraging of resources

and anticipated amounts are identified with the description of CDBG activities that will take place during the program year. Other sources of funds that are potentially available to support the objectives of an Annual Action Plan may include: Low-Income Housing Tax Credits, Section 8 Housing Choice Vouchers, Economic Development Initiative, U.S. Department of Agriculture Rural Development programs, private foundations, state CIP funds, and County funds.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

To meet the housing needs of Kaua'i County, there are various public housing for elderly and families developed with funding or support from federal, state or county resources. The following is a list of county owned or leased land or property that could meet housing needs identified in the plan:

- 1) Kalepa Village I, II, III, IV - existing; 180 affordable rental units.
- 2) Pa'anau Village I & II - existing; 110 affordable rental units.
- 3) Kaniko'o (Rice Camp Senior Housing) - existing; 90-unit affordable rental complex for seniors 62 years or older.
- 4) Lima Ola - 75 acres for workforce housing development; could potentially develop 550 affordable homes of various units types to include single-family detached units, duplexes and small-lot units intended for aging in place; anticipated groundbreaking for onsite infrastructure of Phase 1, 149 residential lots, in December 2019.
- 5) Ko'ae - 11 acres for workforce housing development with 150 units of residential density; anticipated completion in December 2020.

**Discussion**

"Prior Year Resources" reflect the combined amount available from revolving loan fund balances and grant funds remaining balances from completed, closed projects. Funds from RLF balances will be utilized in the Home Buyer Loan Program and Home Purchase Program. Funds available from cancelled projects or completed projects, or by the receipt of program income, may be reprogrammed to any approved CDBG, HOME or Action Plan or County eligible project in accordance with the requirements of the County's Citizen Participation Plan and approval from U.S. Department of Housing & Urban Development, Honolulu Field Office.

Pursuant to regulations at 2 CFR 200.458, 24 CFR 570.200(h) and to assist the County's efforts to comply with the CDBG timeliness regulations, the County may exercise the option to incur pre-award costs up to 25 percent of the annual allocation or \$300,000, whichever is greater.

The County makes disaster response and recovery priority for all Community Planning and Development programs funded by HUD, to include: CDBG, CDBG-CV, CDBG-DR, HOME and HTF programs.



## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	PS-1	2015	2020	Non-Housing Community Development	Island of Kauai	Community Development Needs - Public Services	CDBG: \$277,519 CDBG-CV: \$539,760	Public service activities other than Low/Moderate Income Housing Benefit: 741 Persons Assisted
2	PF-1	2015	2020	Non-Housing Community Development	Island of Kauai	Community Development Needs - Public Facilities	CDBG: \$110,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 7137 Persons Assisted
3	FH-1	2015	2020	Non-Housing Community Development	Island of Kauai	Community Development Needs - Fair Housing Needs	CDBG: \$0	Other: 60 Other
4	A-1	2015	2020	Administration	Island of Kauai	Community Development Needs - Planning and Admin	CDBG: \$139,014 CDBG-CV: \$134,940	Other: 1 Other
5	HO-1	2015	2020	Affordable Housing	Island of Kauai	Housing and Special Needs Housing - Homeowner	CDBG: \$755,816	Homeowner Housing Added: 1 Household Housing Unit Direct Financial Assistance to Homebuyers: 1 Households Assisted

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
6	HR-1	2015	2020	Affordable Housing	Island of Kauai	Housing and Special Needs Housing - Rental Housing	Housing Trust Fund: \$1,425,000	Rental units constructed: 4 Household Housing Unit
7	H-1	2015	2020	Homeless	Island of Kauai	Homeless Needs - Emergency Shelter & Transitional	CDBG-CV: \$246,095	Overnight/Emergency Shelter/Transitional Housing Beds added: 2 Beds

**Table 6 – Goals Summary**

## Goal Descriptions

1	Goal Name	PS-1
	Goal Description	<p>Funds will be used towards two (2) public service programs:</p> <p>1) Provide HUD-certified housing education workshops and counseling; and</p> <p>2) Purchase a delivery van to transport prepared meals for homebound seniors to promote nutritional health and independence.</p> <p>Special allocation CDBG-CV funds will be used towards two (2) public service programs:</p> <p>1) Provide emergency housing and utilities assistance to LMI individuals or families; and</p> <p>2) Provide kupuna with free, fresh produce from local farmers.</p> <p>CDBG-CV1: \$330,343</p> <p>CDBG-CV2: \$209,417</p>

<b>2</b>	<b>Goal Name</b>	PF-1
	<b>Goal Description</b>	Funds will be used to: 1) Make improvements to provide ADA accessibility to the parking lot and entrance of the public facility which provides support services and programs to strengthen low- to moderate-income families;
<b>3</b>	<b>Goal Name</b>	FH-1
	<b>Goal Description</b>	To conduct outreach, educate, coordinate, and train the public--Section 8 participants, landlords, tenants, and property management staff in order to increase knowledge and awareness of federal and state fair housing laws.
<b>4</b>	<b>Goal Name</b>	A-1
	<b>Goal Description</b>	Will provide program management functions to include: administration, coordination, monitoring program activities for progress and compliance, prepare reports, develop agreements with subrecipients, conduct evaluation, training and oversight. Regular CDBG PY19: \$139,014; CDBG-CV1: \$82,586; CDBG-CV2: \$52,354.
<b>5</b>	<b>Goal Name</b>	HO-1
	<b>Goal Description</b>	The County will use "Prior Year Resources" from the Housing Agency's revolving loan fund activities, Homebuyer Loan Program and Home Purchase Program. All home sales, ground lease fees and loan repayments generated from the County Housing programs will be receipted to the designated activities' revolving fund.
<b>6</b>	<b>Goal Name</b>	HR-1
	<b>Goal Description</b>	HTF will be used to finance new construction of affordable rental units.
<b>7</b>	<b>Goal Name</b>	H-1
	<b>Goal Description</b>	Provide CDBG and CDBG-CV funds to acquire, rehab, and/or construct emergency shelters or tiny homes for the homeless. CDBG-CV1: \$246,095

## Projects

### AP-35 Projects – 91.220(d)

#### Introduction

For the program year 2019, the County of Kauai proposes to fund two (2) public service projects and two (2) public facility projects. Additionally, the County will continue its two (2) revolving loan fund programs. An alternate project has been identified should any project not proceed as represented in the CDBG application or additional funds become available.

April 2020 - Substantial Amendment No.1 - a special allocation under the CARES Act added \$412,929 in CDBG-CV funding to address the coronavirus (COVID-19) pandemic. The County cancelled one public facility project, Kauai Acquisition Transitional Housing (Women in Need) \$465,752 in unexpended funds, and added two (2) public service projects (to be carried out by 3 organizations) and one other public facility project.

May 2020 - the County received a second allocation of CDBG-CV funds in the amount of \$261,771. The additional funds will be allocated to current projects #10 and #11 to respond to the increasing housing need in the community and the on-going effects of the health crisis.

#### Projects

#	Project Name
1	Homeownership Education and Counseling Project
2	KEO Meals on Wheels Vehicle Purchase
3	Hale Hoomalu Parking Lot Accessibility Project
4	KCHA Homebuyer Loan Program RLF
5	KCHA Home Purchase Program RLF
6	General Administration
7	(ALTERNATE) YWCA of Kauai Disaster Preparedness Improvement
8	HTF: Pua Loke Affordable Housing Development
9	HTF: Administration
10	CDBG-CV: COVID-19 Emergency Housing and Utilities Assistance (MPHS)
11	CDBG-CV: COVID-19 Emergency Housing and Utilities Assistance (FLC)
12	CDBG-CV: Kupuna Kare for Farmer Fare
13	CDBG-CV: Kauhale Project - Kauai
14	CDBG-CV: Administration

**Table 7 - Project Information**

**Describe the reasons for allocation priorities and any obstacles to addressing underserved needs**

The County does not use a formula for allocating CDBG funds. CDBG funds are allocated through a competitive application which scores and ranks applications for eligibility, project readiness, experience and qualifications, and priorities. Final outcomes for project selection and funding levels are subject to the approval of the mayor and fund appropriation of the County Council. The allocation of CDBG funding varies from year to year. Annual funding cuts pose obstacles to addressing underserved needs. Annual requests for public service funding far exceeds the 15 percent cap. Organizations are forced to decrease the intended amount of participants to serve.

The CARES Act added suspensions, flexibilities, and waivers to CDBG-CV funds and the annual FY19 and FY20 CDBG grants. In a waiver notification letter to HUD on April 17, 2020, the County implemented the following: 1) waive the normal 30-day public comment period in lieu of a 5-day public comment period, in order to reprogram and/or allocate funds expeditiously; 2) waive the Citizen Participation Plan's reasonable notice and opportunity to comment, to allow the County to post amendments to plans on the website for public review and comment.

The second round of CDBG-CV funds was added to the COVID-19: Housing and Utilities Assistance programs. There was an overwhelming response with the first round funding. Additional funding will provide assistance to individuals or families on the waitlist.

**AP-38 Project Summary**  
**Project Summary Information**

1	<b>Project Name</b>	Homeownership Education and Counseling Project
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	PS-1
	<b>Needs Addressed</b>	Community Development Needs - Public Services
	<b>Funding</b>	CDBG: \$25,787
	<b>Description</b>	Homeownership Education & Counseling Project (\$25,787), Hawaiian Community Assets, Inc. will use funds to provide HUD-certified homebuyer education, counseling and foreclosure prevention workshops to low- to moderate-income individuals. Participants who successfully complete homebuyer education and counseling will be eligible to be placed on the Kauai Resident Homebuyer List as potential first-time homebuyers of the County's mortgage finance programs. The activity is eligible under 24 CFR 570.201(e), matrix code 05U. Additionally, this activity meets CDBG national objective under 24 CFR 570.208(a)(2), Limited Clientele or LMC. Hawaiian Community Assets, Inc. will obtain data to determine total family size and income utilizing the County's policy on the Use of Self-Certification to verify that the percentage of low- to moderate-income beneficiaries are at least 51%. This is a current public service project with increased service. Other leveraged funds \$121,891
	<b>Target Date</b>	7/1/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	61 low- to moderate-income persons
	<b>Location Description</b>	4523 Ioane Road, Anahola, HI 96703
2	<b>Planned Activities</b>	Homeownership Education & Counseling - Hawaiian Community Assets, Inc - will use funds to provide HUD-certified pre-purchase homebuyer education and foreclosure prevention. Participants who successfully complete homebuyer education and counseling will be eligible to be placed on the County's or privately developed housing units, or any of the County's mortgage finance programs.
	<b>Project Name</b>	KEO Meals on Wheels Vehicle Purchase
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	PS-1

	<b>Needs Addressed</b>	Community Development Needs - Public Services
	<b>Funding</b>	CDBG: \$32,075
	<b>Description</b>	KEO Meals on Wheels Vehicle Purchase (\$32,075), Kauai Economic Opportunity, Inc. will use funds to purchase a delivery van to transport prepared meals for homebound seniors. The activity is eligible under 24 CFR 570.201(e), matrix 05A. Additionally, this activity meets the CDBG national objective under 24 CFR 570.208(a)(2)(A), Limited Clientele, presumed benefit. KEO will obtain documentation to verify participants meet eligibility requirements and will provide verification under the presumed benefit. Other leveraged funds: \$0
	<b>Target Date</b>	7/1/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	50 elderly individuals
	<b>Location Description</b>	2804 Wehe Road, Lihue, HI 96766
	<b>Planned Activities</b>	KEO Meals on Wheels Vehicle Purchase - Kauai Economic Opportunity, Inc. will use funds to purchase a delivery van to transport prepared meals for homebound seniors.
<b>3</b>	<b>Project Name</b>	Hale Hoomalu Parking Lot Accessibility Project
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	PF-1
	<b>Needs Addressed</b>	Community Development Needs - Public Facilities
	<b>Funding</b>	CDBG: \$110,000
	<b>Description</b>	Hale Hoomalu Parking Lot Accessibility Project (\$110,000), Child and Family Services Real Properties, Inc., will make improvements to provide ADA accessibility to the parking lot and entrance to the facility which provides support services and programs to strengthen low- to moderate-income families. The activity is eligible under 24 CFR 570.201(c), matrix 03Z. Additionally, this activity meets the CDBG national objective under 24 CFR 570.208(a)(2)(A), and qualifies by serving the disabled population island wide. Other leveraged funds: \$10,000.
	<b>Target Date</b>	7/1/2020



	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	7,107 - island-wide, disabled population
	<b>Location Description</b>	4-1112 Kuhio Hwy., Kapaa, HI 96746
	<b>Planned Activities</b>	Hale Hoomalu Parking Lot Accessibility Project, CFS Real Properties, Inc., will make improvements to provide ADA accessibility to the parking lot and entrance to the facility which provides support services and programs to strengthen low- to moderate-income families.
<b>4</b>	<b>Project Name</b>	KCHA Homebuyer Loan Program RLF
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	HO-1
	<b>Needs Addressed</b>	Housing and Special Needs Housing - Homeowner
	<b>Funding</b>	CDBG: \$377,908
	<b>Description</b>	Kauai County Housing Agency Homebuyer Loan Program RLF (\$377,908) will use dedicated revolving loan funds to continue its mortgage financing for low-cost primary or gap loans for first-time homebuyers. The activity is eligible under 24 CFR 570.201(n), matrix code 13B. Additionally, this activity meets CDBG national objective under 24 CFR 570.208(a)(3), low- to moderate-income households or LMH. KCHA will obtain data to determine total household size and income utilizing the agency's Verification of Income and Asset Policy and HUD's Part 5 definition of annual income in order to verify that the income is at or below 80% of HUD's income limits for Kauai County. Other leveraged funds: \$0
	<b>Target Date</b>	7/1/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1 LMH
	<b>Location Description</b>	4444 Rice Street, Suite 330, Lihue, HI 96766
	<b>Planned Activities</b>	Kauai County Housing Agency Homebuyer Loan Program RLF will use dedicated revolving loan funds to continue its mortgage financing for low-cost primary or gap loans for first-time homebuyers.

5	<b>Project Name</b>	KCHA Home Purchase Program RLF
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	PS-1
	<b>Needs Addressed</b>	Housing and Special Needs Housing - Homeowner
	<b>Funding</b>	CDBG: \$377,908
	<b>Description</b>	Kauai County Housing Agency Home Purchase Program (\$377,908) will use dedicated revolving loan funds to continue its program that purchases affordably priced homes on Kauai to resell to eligible, first-time, low- to moderate-income families by way of the County's 90-year Ground Lease program. The activity is eligible under 24 CFR 570.201(n), matrix code 13B. Additionally, this activity meets CDBG national objective under 24 CFR 570.208(a)(3), low- to moderate-income households or LMH. KCHA will obtain data to determine total household size and annual income by utilizing the agency's Verification of Income and Asset Policy and HUD's Part 5 definition of annual income in order to verify that income is at or below 80% of HUD's Income Limits for Kauai County. Other leveraged funds: \$0
	<b>Target Date</b>	7/1/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	1 LMH
	<b>Location Description</b>	4444 Rice Street. Suite 330, Lihue, HI 96766
6	<b>Planned Activities</b>	Kauai County Housing Agency Home Purchase Program will use dedicated revolving loan funds to continue its program that purchases affordably priced homes on Kauai to resell to eligible, first-time, low- to moderate-income families by way of the County's 90-year Ground Lease program.
	<b>Project Name</b>	General Administration
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	FH-1 A-1
	<b>Needs Addressed</b>	Community Development Needs - Fair Housing Needs Community Development Needs - Planning and Admin
	<b>Funding</b>	CDBG: \$139,014

	<b>Description</b>	Kauai County Housing Agency (\$139,014) will use funds to provide program management that includes: administration, coordination, training, project implementation, compliance monitoring, evaluation, record-keeping and reporting. This activity is eligible under 24 CFR 570.206, matrix code 21A. Funds will also be used to conduct outreach, educate, coordinate and train the public: Section 8 participants, landlords, tenants, and property management staff in order to increase knowledge and awareness of federal and state fair housing laws. This activity is eligible under 24 CFR 570.206(c), matrix code 21D. Other leveraged funds: \$0
	<b>Target Date</b>	7/1/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Fair Housing: 60 Section 8 participants, landlords, tenants and property management staff.  Administration: 1 KCHA staff
	<b>Location Description</b>	4444 Rice Street, Suite 330, Lihue, HI 96766
	<b>Planned Activities</b>	Kauai County Housing Agency will use funds to provide program management that includes: administration, coordination, training, project implementation, compliance monitoring, evaluation, record-keeping and reporting. Funds will also be used to conduct outreach, educate, coordinate and train the public: Section 8 participants, landlords, tenants, and property management staff in order to increase knowledge and awareness of federal and state fair housing laws.
7	<b>Project Name</b>	(ALTERNATE) YWCA of Kauai Disaster Preparedness Improvement
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	PF-1
	<b>Needs Addressed</b>	Community Development Needs - Public Facilities
	<b>Funding</b>	:
	<b>Description</b>	(ALTERNATE) YWCA of Kauai Disaster Preparedness Improvement (\$204,325) - YWCA of Kauai - will use funds to make improvements to the energy system to harden the domestic violence shelter and facility in order to maintain full operation in time of a disaster or service interruption. The activity is eligible under 24 CFR 570.201(c), matrix code 03Q. Additionally, the activity meets the national objective under 24 CFR 570.208(a)(2)(A), Limited Clientele, presumed benefit, abused and neglected children and victims of domestic violence.

	<b>Target Date</b>	7/1/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	80 individuals, presumed benefit
	<b>Location Description</b>	3094 Elua Street, Suite 330, Lihue, HI 96766
	<b>Planned Activities</b>	(ALTERNATE) YWCA of Kauai Disaster Preparedness Improvement will use funds to make improvements to the energy system to harden the domestic violence shelter and facility in order to maintain full operation in time of a disaster or service interruption.
<b>8</b>	<b>Project Name</b>	HTF: Pua Loke Affordable Housing Development
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	HR-1
	<b>Needs Addressed</b>	Housing and Special Needs Housing - Rental Housing
	<b>Funding</b>	Housing Trust Fund: \$1,350,000
	<b>Description</b>	Kauai County Housing Agency - HTF - Pua Loke Affordable Housing Development (\$1,350,000) will use HTF funds for the development of a 50 unit rental project consisting of 1, 2 & 3-bedroom units on 1.5 acre parcel of County-owned land.
	<b>Target Date</b>	7/1/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	50 extremely-, very-, and low-income households, of which 4 will be HTF assisted units.
	<b>Location Description</b>	(4) 3-8-005, Parcels 28 and 29
	<b>Planned Activities</b>	HTF funds will be used for the development of a 50 unit affordable rental housing project which will provide 1, 2, and 3 bedroom units for households below 30% AMI, of which 4 will be HTF assisted.
<b>9</b>	<b>Project Name</b>	HTF: Administration
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	HR-1
	<b>Needs Addressed</b>	Housing and Special Needs Housing - Rental Housing

	<b>Funding</b>	Housing Trust Fund: \$75,000
	<b>Description</b>	Kauai County Housing Agency (\$75,000) will use HTF funds to provide program management.
	<b>Target Date</b>	7/1/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	n/a
	<b>Location Description</b>	4444 Rice Street, Suite 330, Lihue, HI 96766
	<b>Planned Activities</b>	General program administration.
	<b>Planned Activities</b>	General program administration.
10	<b>Project Name</b>	CDBG-CV: COVID-19 Emergency Housing and Utilities Assistance (MPHS)
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	PS-1
	<b>Needs Addressed</b>	Community Development Needs - Public Services
	<b>Funding</b>	CDBG-CV: \$304,709
	<b>Description</b>	COVID-19 Emergency Housing and Utilities Assistance (\$304,455), Malama Pono Health Services, will use funds to pay for rent or mortgage and utilities for no more than 3 months on behalf of low- to moderate-income individuals or families who lost their jobs, as a result of the COVID-19 pandemic. The activity is eligible under 24 CFR 570.201(e), matrix code 05Q. Additionally, this activity meets CDBG national objective under 24 CFR 570.208(a)(2), Limited Clientele or LMC. MPHS will obtain data to determine total family size and income utilizing the County's policy on the Use of Self-Certification to verify that the percentage of low- to moderate-income beneficiaries are at least 51%. This a new public service project. Other leveraged funds \$0. CDBG-CV1: \$200,000; CDBG-CV2: \$104,709
	<b>Target Date</b>	6/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	45 low- to moderate-income persons; plus an additional 20 for CV2 funds, TOTAL 65.
	<b>Location Description</b>	4370 Kukui Street, Suite #115, Lihue, HI 96766

	<b>Planned Activities</b>	COVID-19 Emergency Housing and Utilities Assistance - Malama Pono Health Services will use funds to pay for rent or mortgage and utilities for no more than 3 months on behalf of low- to moderate-income individuals or families who lost their jobs, as a result of the COVID-19 pandemic. The short-term subsistence payments assistance will help residents maintain shelter during the unprecedented time of global pandemic.
<b>11</b>	<b>Project Name</b>	CDBG-CV: COVID-19 Emergency Housing and Utilities Assistance (FLC)
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	PS-1
	<b>Needs Addressed</b>	Community Development Needs - Public Services
	<b>Funding</b>	CDBG: \$69,657 CDBG-CV: \$235,051
	<b>Description</b>	COVID-19 Emergency Housing and Utilities Assistance (\$304,455), Family Life Center, will use funds to pay for rent or mortgage and utilities for no more than 3 months on behalf of low- to moderate-income individuals or families who lost their jobs, as a result of the COVID-19 pandemic. The activity is eligible under 24 CFR 570.201(e), matrix code 05Q. Additionally, this activity meets CDBG national objective under 24 CFR 570.208(a)(2), Limited Clientele or LMC. FLC will obtain data to determine total family size and income utilizing the County's policy on the Use of Self-Certification to verify that the percentage of low- to moderate-income beneficiaries are at least 51%. This a new public service project. Other leveraged funds \$0. Regular CDBG PY19: \$69,657; CDBG-CV1: \$130,343; CDBG-CV2 \$104,708.
	<b>Target Date</b>	6/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	45 low- to moderate-income persons; plus an additional 20 for CV2 funds, TOTAL 65.
	<b>Location Description</b>	3016 Umi Street, Suite 206, Lihue, HI 96766

	<b>Planned Activities</b>	COVID-19 Emergency Housing and Utilities Assistance - Family Life Center will use funds to pay for rent or mortgage and utilities for no more than 3 months on behalf of low- to moderate-income individuals or families who lost their jobs, as a result of the COVID-19 pandemic. The short-term subsistence payments assistance will help residents maintain shelter during the unprecedented time of global pandemic.
<b>12</b>	<b>Project Name</b>	CDBG-CV: Kupuna Kare for Farmer Fare
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	PS-1
	<b>Needs Addressed</b>	Community Development Needs - Public Services
	<b>Funding</b>	CDBG: \$150,000
	<b>Description</b>	Kupuna Kare for Farmer Fare (\$150,000), County of Kauai, Office of Economic Development will use funds to provide Kauai Grown produce bags to our senior community residents, free of charge. Produce is purchased from participating Kauai farmers. The program helps to ensure kupuna can stay fed and healthy, while helping local farmers during the COVID-19 crisis. The activity is eligible under 24 CFR 570.201(e), matrix code 05A. Additionally, this activity meets CDBG national objective under 24 CFR 570.208(a)(2)(A), Limited Clientele, presumed benefit, seniors. OED will obtain documentation to verify participants meet eligibility requirements and will provide verification under the resumed benefit. This is a current public service project with increased service. Other leveraged funds: \$86,660
	<b>Target Date</b>	6/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	500 elderly/senior individuals.
	<b>Location Description</b>	4444 Rice Street, Suite 200, Lihue, HI 96766
	<b>Planned Activities</b>	Kupuna Kare for Farmer Fare - Office of Economic Development - will use funds to provide Kauai Grown produce bags to our senior community residents, free of charge. Produce is purchased from participating Kauai farmers.
	<b>Project Name</b>	CDBG-CV: Kauhale Project - Kauai

13	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	H-1
	<b>Needs Addressed</b>	Homeless Needs - Emergency Shelter & Transitional
	<b>Funding</b>	CDBG: \$246,095
	<b>Description</b>	Kauhale Project - Kauai (\$246,095), Kauai County Housing Agency will use funds to purchase tiny homes based on the Kauhale (Hawaiian term for village) concept as a cultural model housing with communal areas for homeless residents. The transitional units will support homeless individuals or families in response to the COVID-19 pandemic. The activity is eligible under 24 CFR 570.201(c), matrix code 03C. Additionally, this activity meets the CDBG national objective under 24 CFR 570.208(a)(2)(A), Limited Clientele, presumed benefit, homeless. KCHA will obtain documentation to verify participants meet eligibility requirements and will provide verification under the presumed benefit. Other leveraged funds: \$0
	<b>Target Date</b>	6/30/2021
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	2 HH, homeless
	<b>Location Description</b>	4444 Rice Street, Suite 330, Lihue, HI 96766
	<b>Planned Activities</b>	Kauhale Project – Kauai, Kauai County Housing Agency will use funds to purchase tiny homes based on the Kauhale concept as a cultural model housing with communal areas for homeless residents.
14	<b>Project Name</b>	CDBG-CV: Administration
	<b>Target Area</b>	Island of Kauai
	<b>Goals Supported</b>	A-1
	<b>Needs Addressed</b>	Community Development Needs - Planning and Admin
	<b>Funding</b>	CDBG-CV: \$134,940
	<b>Description</b>	Kauai County Housing Agency (\$134,940) will use funds to provide program management that includes: administration, coordination, training, project implementation, compliance monitoring, evaluation, record-keeping and reporting. CDBG-CV1: \$82,586; CDBG-CV2: \$52,354.
	<b>Target Date</b>	6/30/2021



	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Administration:1
	<b>Location Description</b>	4444 Rice Street, Suite 330, Lihue, HI 96766
	<b>Planned Activities</b>	Kauai County Housing Agency will use funds to provide program management that includes: administration, coordination, training, project implementation, compliance monitoring, evaluation, record-keeping and reporting.

## **AP-50 Geographic Distribution – 91.220(f)**

### **Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

The County plans to utilize CDBG funds that provide direct benefits to various locations and area-wide benefits for geographic areas of the island designated as low-mod areas. Using the American Community Survey (ACS) on LMSID by State - All block groups based on 2011-2015 dataset, the County will qualify low-mod areas where 51% have incomes at or below 80% HUD CDBG Income Limits.

### **Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
Island of Kauai	100

**Table 8 - Geographic Distribution**

### **Rationale for the priorities for allocating investments geographically**

The County does not use a formula for allocating CDBG funds. CDBG funds are allocated through a competitive application which scores and ranks applications for eligibility, project readiness, experience and qualifications, and priorities. Final outcomes for project selection and funding levels are subject to the approval of the mayor and fund appropriation of the County Council. As a result of using this process, the allocation of CDBG funding varies from year to year.

## Affordable Housing

### AP-55 Affordable Housing – 91.220(g)

#### Introduction

One Year Goals for the Number of Households to be Supported	
Homeless	2
Non-Homeless	0
Special-Needs	0
Total	2

**Table 9 - One Year Goals for Affordable Housing by Support Requirement**

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	2
Total	2

**Table 10 - One Year Goals for Affordable Housing by Support Type**

#### Discussion

Through homebuyer education and counseling, sixty-one (61) individuals will receive direct homeownership assistance and could have opportunities and be eligible to buy leasehold properties from the County or receive low-cost, long-term mortgage financing from the County.

Kaua'i County will continue to administer programs that are sustainable through revolving funds: Homebuyer Loan Program and Home Purchase Program. These numbers are reflected in the table above.

One hundred thirty four (134) new affordable rental units will be constructed using HTF and HOME funds. Koa'e, a workforce housing project is slated for completion in July 2019.

In April 2020, the County reprogrammed CDBG funds will be used to address COVID-19 emergency and homeless needs through the Kauhale Project-Kauai.

## **AP-60 Public Housing – 91.220(h)**

### **Introduction**

#### **Actions planned during the next year to address the needs to public housing**

Refer to the State of Hawai'i Annual Action Plan.

#### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

KCHA will continue its efforts to outreach and provide information on current housing programs that: 1) offer low-cost, low-interest loans to eligible first-time homebuyers; 2) provide homebuyer education and counseling classes; and 3) provide opportunities for first-time buyers to purchase their own home via the County's leasehold program. KCHA will provide brochures and posters and meet with interested public housing residents and staff.

#### **If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

Not applicable.

## **AP-65 Homeless and Other Special Needs Activities – 91.220(i)**

### **Introduction**

Kauai Community Alliance (KCA), a local chapter of the Continuum of Care (CoC), works in collaboration with the County of Kauai and the State's Homeless Programs Office (HPO) to provide services and assess the needs of our homeless community to ensure that they receive the proper level of care and or services.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

The Statewide annual Point-in-Time (PIT) count is held at the end of January. During this count, volunteers are visually able to locate individuals and offer immediate or future assistance. Kauai Economic Opportunity, Inc. (KEO) operates the island's only homeless outreach van which travels island wide on a daily schedule to provide care kits, and services to the island's homeless population. The County has implemented its Coordinated Entry System (CES). The CES institutes a consistent and uniform access, assessment, prioritization, and referral process to determine the most appropriate response to each family or individuals immediate housing needs.

#### **Addressing the emergency shelter and transitional housing needs of homeless persons**

April 2020 – in response to the COVID-19 emergency, the County reprogrammed CDBG funds to be used to address COVID-19 emergency and homeless needs through the Kauhale Project-Kauai.

#### **Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

Support services and programs are in place to provide guidance and resources for individuals and families transitioning from homelessness, shelter or transitional housing to permanent housing or independent living. Housing assistance programs include, but are not limited to, Housing Choice Voucher (HCV) program, Tenant Based Rental Assistance (TBRA) voucher assistance program. Service programs that are available for families who have experience homelessness and to prevent them from becoming homeless again, are provided through the Permanent Supportive Housing (PSH) program,

Rapid Rehousing Program (RRH) and Transitional Housing (TH) program.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

The State's HPO division works diligently to seek and provide funds to assist with prevention of homelessness. Kauai County has implemented its CES program, which follows the Housing First (HF) model. The HF model provides housing as a first step, without preconditions and wrap around services to follow. The model is created to assist individuals and/or families with support and/or social services to sustain and thrive in their new living environment and thus becoming productive members of their communities. KCA's participating agencies and local churches currently provide services to people who are incarcerated. While services are limited during their incarceration, it continues after they are released. Assistance is also offered to families of incarcerated persons after their release. KCA agencies work together to provide a variety of services for homeless, at-risk homeless and formerly homeless individuals and families. Services include, but are not limited to, case management, employment skills, financial education, substance abuse classes, ATV classes, etc. These are just a few of the services offered, again, assistance varies from agencies and funding availability. KCHA will continue to work with the CoC, HPO and other institutions or systems of care to make funding available for eligible activities to help meet the needs of the specific populations they serve.

**Discussion:** HOPWA funds are administered through the State Homeless Programs Division. Maui Aids Foundation receives the annual allocation for HOPWA and distributes funds to the neighboring Counties (Kauai, Maui and Hawaii County). Goals are listed in the State of Hawaii Consolidated Plan, Annual Action Plan, fourth program year, July 1, 2018 - June 30, 2019.

One year goals for the number of households to be provided housing through the use of HOPWA for:

- Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family
- Tenant-based rental assistance
- Units provided in housing facilities (transitional or permanent) that are being developed, leased, or operated
- Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds

## **AP-75 Barriers to affordable housing – 91.220(j)**

### **Introduction:**

In the context of building homes that are affordable, many government regulations are in place to ensure health and safety and to protect natural resources. However, government regulations can work against developing affordable housing. The most common types of regulation that affect housing are building codes, environmental regulations, zoning, land use, impact fees and exactions, fiscal policy and administrative practices. The negative effects from regulation are delays and additional costs to develop. In developing affordable housing, this can directly impact project feasibility.

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

**Tax Policy** -- No actions or reform steps proposed.

**Land Use Controls** -- The Housing Agency will support efforts that streamline the planning, zoning and permitting process through the administration of the County's 201-H policy and processing of development exemptions for eligible applicants that develop at least 51% of the total project units as affordable housing.

**Affordable Housing Task Force** – The Housing Agency will continue to assist private developers through its Affordable Housing Task Force. The Task Force consists of representatives from County line review agencies and provides a private developer the opportunity to dialogue and receive feedback to help streamline project review time.

**Expedited Permitting** – The Housing Agency, under authority of the Mayor, will continue to recommend expedited permitting for affordable housing projects. Projects so designated will be given preferential permitting by review agencies.

**Fee and Charges** -- The Housing Agency will continue to administer requests for waivers of fees and charges allowed for affordable housing pursuant to Kaua'i County Code for building permits, sewer connection fees, environmental impact assessment fees, etc.

**Growth Limits** -- The County will continue to support the development of comprehensive planning for the island's communities consistent with the general plan update and endorse planning principles that integrate reasonable growth principles.

**Policies that Affect the Return on Residential Investment** -- The County will impose deed restrictions on the transfer of dwelling units according to the minimum requirements of Ordinance No. 860. This

deed restriction requires owner occupancy of the units. If the owner wishes to sell their unit within a buyback period, the unit must be first offered to the County at a price determined by a prescribed formula.



## **AP-85 Other Actions – 91.220(k)**

### **Introduction:**

Promoting activities within the County brings awareness and education to the public on relevant issues on fair housing. Under the PY 2019 Action Plan, the County will continue to take actions to address obstacles to meet underserved needs, foster and maintain housing, and remove barriers to affordable housing.

### **Actions planned to address obstacles to meeting underserved needs**

To address obstacles, the County will undertake the following actions:

- Leverage federal resources (e.g. Low Income Housing Tax Credits) to increase the supply of rental housing for underserved lower income populations.
- Invest federal resources to maintain the supply of rental housing for the underserved lower income populations.
- Invest federal resources (e.g. HOME) to produce low cost rental units for transitional programs for a segment of the island's population preparing for a transition to permanent housing.
- Utilize the County's Fast Track Permitting for Workforce Housing Projects that speed the process in order to accelerate development for new affordable housing.
- Support applications that seek funding by non-profit organizations from other federal sources that are consistent with Consolidated Plan objectives and priorities.

### **Actions planned to foster and maintain affordable housing**

- Provide CDBG loan assistance through the Home Buyer Loan Program to provide low-cost mortgage loans to low- and moderate-income households.
- Provide CDBG funds to purchase and/or rehabilitate homes to resell to low-and moderate-income households.
- Operate and maintain County's inventory of 160 affordable rental units primarily for low-income households at affordable and stable rents.

### **Actions planned to reduce lead-based paint hazards**

The County will continue to address lead-based paint to:

- Comply with federal guidelines under 24 CFR 35 for testing and abating lead-based paint hazards in projects receiving federal assistance;
- Require owner participants in the Section 8 Rental Assistance Program to certify that they will advise the County and tenant-family of any lead-based paint on surface of homes used to

- participate in the program;
- Provide each tenant participant in the Section 8 Rental Assistance Program, Home Buyer Loan Program and Home Purchase Program with a copy of the EPA Bulletin, "Protect Your Family From Lead in Your Home"; and
- Abate lead-based paint on structures undergoing major renovation with financing through government programs, such as HOME and CDBG, and provide technical assistance in the abatement design and construction process.

### **Actions planned to reduce the number of poverty-level families**

The County will continue to operate the Family Self-Sufficiency (FSS) Program that assists Section 8 Housing Choice Voucher clients develop skills, abilities, and self-confidence needed to find and maintain jobs which pay adequate wages to minimize a need for public assistance.

The County will support services designed towards achieving self-sufficiency:

- Provide funds to non-profit organizations with social services that will strengthen families;
- Make funds available to organizations that provide protective services for children and adults; and
- Provide funds to organizations for job training and placement services to help individuals become financially self-sufficient.

### **Actions planned to develop institutional structure**

The County will utilize the Fast Track Permitting for Workforce Housing Projects that will speed the permitting process on projects with at least 51% affordable housing units.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

The County will continue to provide public meetings in which citizens, agencies and interested parties are encouraged to give input and participate in identifying community needs and strategies. The County will continue to foster relationships with private organizations, businesses, and developers to build partnerships that can initiate and support economic and community development. Additionally, the County will continue to maintain, foster, and find new public agencies and non-profit organizations to ensure that benefits from the CDBG program are delivered to the community.

## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.220(l)(1,2,4)

#### Introduction:

The County does not expect to receive CDBG program income during the Annual Action Plan 2019. All home sales, ground lease fees and loan repayments generated from County Housing programs will be receipted to the designated activities' revolving fund.

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

**Housing Trust Fund (HTF)**  
**Reference 24 CFR 91.220(I)(5)**

1. Distribution of Funds

a. Describe the eligibility requirements for recipients of HTF funds (as defined in 24 CFR § 93.2).

Rental Housing - County will focus HTF funds on providing affordable rental housing to 30% AMI households. HTF funds may be used for the production, preservation, and rehabilitation of affordable rental housing through the acquisition, new construction, reconstruction, or rehabilitation of non-luxury housing with suitable amenities.

All rehabilitation projects must meet applicable HTF rehabilitation standards and the requirements of 24 CFR 93.301(b). However, the County intends to expend HTF funds received in PY 2019 only for the new construction of rental housing.

Eligible HTF activities and expenses include: real property acquisition, site improvements and development hard costs, related soft costs, conversion, demolition, financing costs, relocation assistance, operating cost assistance and reasonable administrative and planning costs for HTF program administration.

b. Describe the jurisdiction's application requirements for eligible recipients to apply for HTF funds.

An organization, agency or other entity (including a public housing agency, or a for-profit entity, or a nonprofit entity) is eligible to apply for HTF assistance as an owner or developer to carry out an HTF-assisted project. An HTF Recipient must:

- Make assurances to the County that it will comply with the requirements of the HTF program during the entire period that begins upon the selection of the recipient to receive HTF funds, and ending upon the conclusion of all HTF-funded activities;
- Demonstrate the ability and financial capacity to undertake, comply and manage the eligible activity;
- Demonstrate its familiarity with the requirements of other Federal, State, or local housing programs that may be used in conjunction with HTF funds to ensure compliance with all applicable requirements and regulations of such programs; and
- Have demonstrated experience and capacity to conduct an eligible HTF activity as evidenced by its ability to own, construct, or rehabilitate, and manage an affordable multifamily rental housing development.

c. Describe the selection criteria that the jurisdiction will use to select applications submitted by eligible recipients.

The following selection criteria shall be used in the evaluation of HTF Applications:

- **Timeliness and Readiness to Proceed (Max. 30 pts.)** – The proposed project is feasible and will meet the required timelines to commit and expend HTF funds. Factors to be considered for timeliness and readiness are site control, financial commitments, environmental factors, zoning, utilities and site and neighborhood standards;
- **Consolidated Plan Priorities (Max. 10 pts.)** – The extent to which the project proposes accomplishments that will meet the rental housing objectives for the County. Preference to projects will be based on several factors, such as accessibility to employment opportunities, public transportation, schools, etc. Geographical distribution will be targeted to the three primary areas of Kauai’s transit and employment, which are, Kawaihau district, Lihue district and the Koloa district. Other factors are considered, are housing that includes green building and sustainable building features or housing that serves special needs populations;
- **Development Experience and Financial Capacity (Max 25 pts.)** – Applicant’s ability to obligate HTF dollars and undertake funded activities in a timely manner, past performance using federal funds, evidence of experience in developing and managing projects of similar type of scope, staff qualifications, fiscal soundness, and qualifications of the proposed project team, including proven record of experience with comparable projects;
- **Financially Feasible Project (Max. 25 pts.)** – Project pro forma to cover a minimum 30-year HTF affordability period and include rents that are affordable to extremely low-income households. Priority to be given for projects with extended affordability periods and project-based rental assistance; and
- **Use of Non-Federal Funding Sources (Max. 10 pts.)** – For extremely low-income targeting of 30% AMI, other funding sources compatible with HTF are needed. Priority consideration will be given to the extent HTF leverages non-federal funding sources.
- **A minimum score of 50 points (out of the 100 total points) must be scored in order to be recommended for the award of HTF funds.** Successful Recipient(s) will receive a Notice of Award, which will state that the County’s intent to award HTF funds is subject to approval by the approving authorities of the County, HHFDC, and HUD.
- **Maximum Per-Unit Development Subsidy Limits** – Each year, HHFDC must establish maximum limitations on the total amount of HTF funds that may be invested per-unit for development of non-luxury rental housing projects. The HOME Program Maximum Per-Unit Subsidy Limits have been adopted for the HTF program. The development costs of affordable rental housing across the state are generally higher in comparison with the HOME subsidy limits. However, due to the limited funding, the HTF projects will require leveraging with other significant sources of funds. The HOME subsidy limit provides a reasonable maximum to develop a greater number of HTF assisted units throughout the state.

d. Describe the jurisdiction's required priority for funding based on geographic distribution, which is a description of the geographic areas of the State (including areas of low-income and minority concentration) in which it will direct assistance during the ensuing program year.

Geographical distribution will be given preference to the three primary areas of Kauai's transit and employment, which are: Kawaihau district, Lihue district and the Koloa district. Other factors considered are housing that includes green building and sustainable building features or housing that serves special needs populations.

e. Describe the jurisdiction's required priority for funding based on the applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner.

An organization, agency or other entity (including a public housing agency, or a for-profit entity, or a nonprofit entity) is eligible to apply for HTF assistance as an owner or developer to carry out an HTF-assisted project. An HTF Recipient must:

- Make assurances to the County that it will comply with the requirements of the HTF program during the entire period that begins upon the selection of the recipient to receive HTF funds, and ending upon the conclusion of all HTF-funded activities;
- Demonstrate the ability and financial capacity to undertake, comply and manage the eligible activity;
- Demonstrate its familiarity with the requirements of other Federal, State, or local housing programs that may be used in conjunction with HTF funds to ensure compliance with all applicable requirements and regulations of such programs; and
- Have demonstrated experience and capacity to conduct an eligible HTF activity as evidenced by its ability to own, construct, or rehabilitate, and manage an affordable multifamily rental housing development.

f. Describe the jurisdiction's required priority for funding based on the extent to which rents for units in the rental project are affordable to extremely low-income families.

Rental Housing – County will focus HTF funds on providing affordable rental housing to 30% AMI households. HTF funds may be used for the production, preservation, and rehabilitation of affordable rental housing through acquisition, new construction, reconstruction, or rehabilitation of non-luxury housing with suitable amenities.

g. Describe the jurisdiction's required priority for funding based on the financial feasibility of the project beyond the required 30-year period.

Financially Feasible Project – Project pro forma to cover a minimum 30-year HTF affordability period and include rents that are affordable to extremely low-income households. Priority to be given for projects with extended affordability periods and project-based rental assistance.

h. Describe the jurisdiction's required priority for funding based on the merits of the application in

meeting the priority housing needs of the jurisdiction (such as housing that is accessible to transit or employment centers, housing that includes green building and sustainable development features, or housing that serves special needs populations).

Consolidated Plan Priorities – The extent to which the project proposes accomplishments that will meet the rental housing objectives for the County. Preference to projects will be based on several factors, such as accessibility to employment opportunities, public transportation, schools, etc. Geographical distribution will be targeted to the three primary areas of Kauai’s transit and employment, which are: Kawaihau district, Lihue district and the Koloa district. Other factors considered are housing that includes green building and sustainable building features or housing that serves special needs populations.

i. Describe the jurisdiction’s required priority for funding based on the location of existing affordable housing.

The National Housing Trust Fund priority for funding based on the location of existing affordable housing is to focus on the preservation of rental housing for extremely low-income (30% AMI) families in Kauai County.

j. Describe the jurisdiction’s required priority for funding based on the extent to which the application makes use of non-federal funding sources.

Use of Non-Federal Funding Sources – For extremely low-income targeting of 30% AMI, other funding sources compatible with HTF are needed. Priority consideration will be given to the extent HTF leverages non-federal funding sources.

2. Does the jurisdiction’s application require the applicant to include a description of the eligible activities to be conducted with HTF funds?

Yes

3. Does the jurisdiction’s application require that each eligible recipient certify that housing units assisted with HTF funds will comply with HTF requirements?

Yes

**4. Performance Goals and Benchmarks.** The jurisdiction has met the requirement to provide for performance goals, consistent with the jurisdiction’s goals established under 24 CFR 91.215(b)(2), by including HTF in its housing goals in the housing table on the SP-45 Goals and AP-20 Annual Goals and Objectives screens.

Yes

**5. Rehabilitation Standards.** The jurisdiction must establish rehabilitation standards for all HTF-assisted

housing rehabilitation activities that set forth the requirements that the housing must meet upon project completion. The jurisdiction's description of its standards must be in sufficient detail to determine the required rehabilitation work including methods and materials. The standards may refer to applicable codes or they may establish requirements that exceed the minimum requirements of the codes. The jurisdiction must attach its rehabilitation standards below. If the jurisdiction will not use HTF funds for the rehabilitation of housing, enter "N/A".

In addition, the rehabilitation standards must address each of the following: health and safety; major systems; lead-based paint; accessibility; disaster mitigation (where relevant); state and local codes, ordinances, and zoning requirements; Uniform Physical Condition Standards; and Capital Needs Assessments (if applicable).

N/A. During this program year, HTF funds will not be used for Rehabilitation.

**6. Resale or Recapture Guidelines.** Below, the jurisdiction must enter (or attach) a description of the guidelines that will be used for resale or recapture of HTF funds when used to assist first-time homebuyers. If the jurisdiction will not use HTF funds to assist first-time homebuyers, enter "N/A".

N/A

**7. HTF Affordable Homeownership Limits.** If the jurisdiction intends to use HTF funds for homebuyer assistance and does not use the HTF affordable homeownership limits for the area provided by HUD, it must determine 95 percent of the median area purchase price and set forth the information in accordance with §93.305. If the jurisdiction will not use HTF funds to assist first-time homebuyers, enter "N/A". N/A

**8. Limited Beneficiaries or Preferences.** Describe how the jurisdiction will limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population to serve unmet needs identified in its consolidated plan or annual action plan. If the jurisdiction will not limit the beneficiaries or give preferences to a particular segment of the extremely low- or very low-income population, enter "N/A."

Any limitation or preference must not violate nondiscrimination requirements in § 93.350, and the jurisdiction must not limit or give preferences to students. The jurisdiction may permit rental housing owners to limit tenants or give a preference in accordance with § 93.303 only if such limitation or preference is described in the action plan.

N/A

**9. Refinancing of Existing Debt.** Enter or attach the jurisdiction's refinancing guidelines below. The guidelines describe the conditions under which the jurisdiction will refinance existing rental housing project debt. The jurisdiction's refinancing guidelines must, at minimum, demonstrate that rehabilitation is the primary eligible activity and ensure that this requirement is met by establishing a minimum level of rehabilitation per unit or a required ratio between rehabilitation and refinancing. If the jurisdiction will not refinance existing debt, enter "N/A." N/A



## Attachments

## Grantee SF-424's and Certification(s)

OMB Number: 4846-0004  
Expiration Date: 12/31/2022

Application for Federal Assistance SF-424		
<p>* 1. Type of Submission:</p> <p><input type="checkbox"/> Preapplication</p> <p><input checked="" type="checkbox"/> Application</p> <p><input type="checkbox"/> Changed/Corrected Application</p>		
<p>* 2. Type of Application:</p> <p><input checked="" type="checkbox"/> New</p> <p><input type="checkbox"/> Continuation</p> <p><input type="checkbox"/> Revision</p>		
<p>* If Revision, select appropriate letter(s):</p> <p>_____</p> <p>* Other (Specify):</p> <p>_____</p>		
<p>* 3. Date Received:</p> <p>_____</p>		<p>4. Applicant Identifier:</p> <p>_____</p>
<p>5a. Federal Entity Identifier:</p> <p>_____</p>		<p>5b. Federal Award Identifier:</p> <p>_____</p>
<p>State Use Only:</p>		
<p>6. Date Received by State:</p> <p>_____</p>		<p>7. State Application Identifier:</p> <p>_____</p>
<p>8. APPLICANT INFORMATION:</p>		
<p>* a. Legal Name: County of Kauai</p>		
<p>* b. Employer/ Taxpayer Identification Number (EIN/TIN):</p> <p>59-6003558</p>		<p>* c. Organizational DUNS:</p> <p>1132189450000</p>
<p>d. Address:</p>		
<p>* Street1: 4440 Rice Street, Suite 330</p>		
<p>Street2: _____</p>		
<p>* City: Eleele</p>		
<p>County/Parish: _____</p>		
<p>* State: HI: Hawaii</p>		
<p>Province: _____</p>		
<p>* Country: USA: UNITED STATES</p>		
<p>* Zip / Postal Code: 96756</p>		
<p>e. Organizational Unit:</p>		
<p>Department Name:</p> <p>Kauai County Housing Agency</p>		<p>Division Name:</p> <p>Development Division</p>
<p>f. Name and contact information of person to be contacted on matters involving this application:</p>		
<p>Prefix: _____</p>		<p>* First Name: Keri Lynn</p>
<p>Middle Name: _____</p>		
<p>* Last Name: RAYOS</p>		
<p>Suffix: _____</p>		
<p>Title: _____</p>		
<p>Organizational Affiliation: _____</p>		
<p>* Telephone Number: 808-241-4638</p>		<p>Fax Number: _____</p>
<p>* Email: kbarron@kauai.gov</p>		

Application for Federal Assistance SF-424	
<b>* 9. Type of Applicant 1: Select Applicant Type:</b> <input type="text" value="b: County Government"/>	
<b>Type of Applicant 2: Select Applicant Type:</b> <input type="text"/>	
<b>Type of Applicant 3: Select Applicant Type:</b> <input type="text"/>	
<b>* Other (specify):</b> <input type="text"/>	
<b>* 10. Name of Federal Agency:</b> <input type="text" value="U.S. Department of Housing and Urban Development"/>	
<b>11. Catalog of Federal Domestic Assistance Number:</b> <input type="text" value="14.228"/> <b>CFLDA title:</b> <input type="text" value="Community Development Block Grant"/>	
<b>* 12. Funding Opportunity Number:</b> <input type="text"/> <b>* Title:</b> <input type="text" value="Community Development Block Grant HUD Administered Non-Beneficiary Counties in Hawaii Program"/>	
<b>13. Competition Identification Number:</b> <input type="text"/> <b>Title:</b> <input type="text"/>	
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b> <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
<b>* 15. Descriptive Title of Applicant's Project:</b> <input type="text" value="COVID-19 Emergency Housing &amp; Utility assistance; Kapuna Kapa for Farmers Share; Tiny Homes Village"/>	
Attach supporting documents as specified in agency instructions. <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/>	

Application for Federal Assistance SF-424																																	
<b>16. Congressional Districts Of:</b> <div style="display: flex; justify-content: space-between;"> <span>* a. Applicant: <input type="text" value="2nd HI"/></span> <span>* b. Program/Project: <input type="text" value="2nd HI"/></span> </div>																																	
Attach an additional list of Program/Project Congressional Districts if needed. <div style="display: flex; justify-content: space-between; align-items: center;"> <input style="width: 300px;" type="text"/> <div> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div> </div>																																	
<b>17. Proposed Project:</b> <div style="display: flex; justify-content: space-between;"> <span>* a. Start Date: <input type="text" value="05/01/2020"/></span> <span>* b. End Date: <input type="text" value="06/30/2021"/></span> </div>																																	
<b>18. Estimated Funding (\$):</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">* a. Federal</td> <td style="border: 1px solid black; text-align: right;">412,929.00</td> </tr> <tr> <td>* b. Applicant</td> <td style="border: 1px solid black;"></td> </tr> <tr> <td>* c. State</td> <td style="border: 1px solid black;"></td> </tr> <tr> <td>* d. Local</td> <td style="border: 1px solid black;"></td> </tr> <tr> <td>* e. Other</td> <td style="border: 1px solid black;"></td> </tr> <tr> <td>* f. Program Income</td> <td style="border: 1px solid black;"></td> </tr> <tr> <td>* g. TOTAL</td> <td style="border: 1px solid black; text-align: right;">412,929.00</td> </tr> </table>		* a. Federal	412,929.00	* b. Applicant		* c. State		* d. Local		* e. Other		* f. Program Income		* g. TOTAL	412,929.00																		
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* g. TOTAL	412,929.00																																
<b>* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?</b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input style="width: 50px;" type="text"/>  <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.  <input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.         </div> <div style="border: 1px solid black; width: 50px; height: 20px;"></div> </div>																																	
<b>* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)</b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No         </div> <div style="border: 1px solid black; width: 150px; height: 20px;"></div> </div> <p style="font-size: small;">If "Yes", provide explanation and attach</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="border: 1px solid black; width: 200px; height: 20px;"></div> <div> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div> </div>																																	
<b>21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 1001)</b> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div> <input checked="" type="checkbox"/> ** I AGREE         </div> <div style="font-size: x-small;">           ** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.         </div> </div>																																	
<b>Authorized Representative:</b> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Prefix:</td> <td style="border: 1px solid black; width: 100px;"></td> <td style="width: 20%;">* First Name:</td> <td style="border: 1px solid black; width: 150px;">Derek</td> </tr> <tr> <td>Middle Name:</td> <td style="border: 1px solid black; width: 250px;">S. K.</td> <td></td> <td></td> </tr> <tr> <td>* Last Name:</td> <td colspan="3" style="border: 1px solid black; width: 400px;">Kawakami</td> </tr> <tr> <td>Suffix:</td> <td colspan="3" style="border: 1px solid black; width: 100px;"></td> </tr> <tr> <td>* Title:</td> <td colspan="3" style="border: 1px solid black; width: 350px;">Mayor, County of Kauai</td> </tr> <tr> <td>* Telephone Number:</td> <td style="border: 1px solid black; width: 150px;">808-241-4500</td> <td>Fax Number:</td> <td style="border: 1px solid black; width: 150px;"></td> </tr> <tr> <td>* Email:</td> <td colspan="3" style="border: 1px solid black; width: 450px;">mayor@kauai.gov</td> </tr> <tr> <td>* Signature of Authorized Representative:</td> <td colspan="2" style="border: 1px solid black; width: 250px; text-align: center; vertical-align: middle;"> </td> <td style="width: 100px;">           * Date Signed: <input style="width: 30px;" type="text" value="4"/> <input style="width: 30px;" type="text" value="30"/> <input style="width: 30px;" type="text" value="20"/> </td> </tr> </table>		Prefix:		* First Name:	Derek	Middle Name:	S. K.			* Last Name:	Kawakami			Suffix:				* Title:	Mayor, County of Kauai			* Telephone Number:	808-241-4500	Fax Number:		* Email:	mayor@kauai.gov			* Signature of Authorized Representative:			* Date Signed: <input style="width: 30px;" type="text" value="4"/> <input style="width: 30px;" type="text" value="30"/> <input style="width: 30px;" type="text" value="20"/>
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# ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 02/29/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

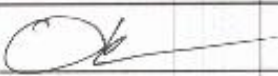
- Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
- Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
- Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
- Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
- Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
- Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
- Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4726-4763) relating to prescribed standards of merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
- Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4901 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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Standard Form 424D (Rev. 7-87)  
Prescribed by OMB Circular A-102

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	Mayor, County of Kauai
APPLICANT ORGANIZATION	DATE SUBMITTED
Kauai County Housing Agency	4/30/20

SF-424D (Rev. 7-97) Back

## CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the County certifies that:

**Affirmatively Furthering Fair Housing --** It will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Anti-Displacement and Relocation Plan --** It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

A. **Drug-Free Workplace --** It will or will continue to provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about -
  - (a) The dangers of drug abuse in the workplace;
  - (b) The grantee's policy of maintaining a drug-free workplace;
  - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;



5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
  - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5, and 6.

**B. Anti-Lobbying --** To the best of the County's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.



- C. **Authority of County** -- The submission of the consolidated plan is authorized under County ordinance and the County possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.
- D. **Consistency with plan** -- The housing activities to be undertaken with CDBG and HOME funds are consistent with the strategic plan.
- E. **Section 3** -- It will comply with Section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

  
\_\_\_\_\_  
Signature/Authorized Official

4/30/20  
\_\_\_\_\_  
Date

Mayor, County of Kauai  
\_\_\_\_\_  
Title

### Specific CDBG Certifications

The County certifies that:

**Citizen Participation** – It is in full compliance and following a detailed citizen participation plan that satisfied the requirements of 24 CFR 91.105.

**Community Development Plan** – Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income (24 CFR 570.2 and 24 CFR part 570).

**Following a Plan** – It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** – It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available;
2. **Overall Benefit.** The aggregate use of CDBG funds, including section 108 guaranteed loans, during the program year of 2019, shall principally benefit low-and moderate-income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessment.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.


**Excessive Force** -- The County has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

**Lead-based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, K, and R:

**Compliance with Laws** -- It will comply with applicable laws.

  
\_\_\_\_\_  
Signature/Authorized Official

4/30/20  
Date

Mayor, County of Kauai  
Title

## APPENDIX TO CERTIFICATIONS

### INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

#### A. Lobby Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal government, may take action authorized under the Drug Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the changes(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Kauai Economic Opportunity, Inc., 2804 Wehe Road, Lihue, HI 96766  
Hawaiian Community Assets, Inc., 4523 Ioane Road, Anahola, HI 96703  
Child and Family Services Real Properties, Inc., 4-1112 Kuhio Hwy, Kapaa, HI 96746  
YWCA's of Kauai, 3094 Elua, Street, Lihue, HI 96766 (alternate)  
Malama Pono Health Services, 4370 Kukui Grove Street, Suite #115, Lihue, HI 96766  
Family Life Center, 3016 Umi Street, Suite 206, Lihue, HI 96766  
COK, Office of Economic Development, 4444 Rice Street, Suite 200, Lihue, HI 96766  
Kauai County Housing Agency, 4444 Rice Street, Suite 330, Lihue, HI 96766

Check ☐ if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace required by 24 CFR part 24, subpart E,

7. Definitions of terms in the Non-procurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

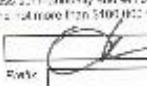
"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).



# DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C.1352

Approved by OMB  
0316-0048

<b>1. * Type of Federal Action:</b> <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. * Status of Federal Action:</b> <input type="checkbox"/> a. public application <input checked="" type="checkbox"/> b. initial award <input type="checkbox"/> c. renewal	<b>3. * Report Type:</b> <input checked="" type="checkbox"/> a. new filing <input type="checkbox"/> b. material change
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee * Name: Kauai County Housing Agency * Street 1: 4444 Kalia Street, Suite 300    Street 2: * City: Honolulu    State: Hawaii    Zip: 96816 * Phone:		
<b>5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime:</b>  		
<b>6. * Federal Department/Agency:</b> U.S. Department of Housing and Urban Development		<b>7. * Federal Program Name/Description:</b> Community Development Block Grant CDBA Number, if applicable: 14.225
<b>8. Federal Action Number, if known:</b>  		<b>9. Award Amount, if known:</b> \$
<b>10. a. Name and Address of Lobbying Registrant:</b> * First Name: Catherine    * Middle Name: * Last Name: Smith    * Suffix: * Street 1: 1150 Connecticut Ave., Suite 1025    Street 2: * City: Washington    State: DC District of Columbia    Zip: 20005		
<b>b. Individual Performing Services (provide address if different from No. 10a)</b> * First Name:    * Middle Name: * Last Name:    * Suffix: * Street 1:    Street 2: * City:    State:    Zip:		
<b>11. Information required by this form is set forth by 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the law above when the transaction was made or entered into. This disclosure is subject to audit by 31 U.S.C. 1352. This information will be reported to the Congress and will be available for public inspection. Any person who fails to file this disclosure or someone who is subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each violation.</b> * Signature:  * Name:    * First Name: Derek    * Middle Name:    * Last Name:    * Suffix: Title: Mayor, County of Kauai    Telephone No.: 808-241-4000    Date: 4/30/20		
<b>Federal Use Only:</b>		

Application for Federal Assistance SF-424		
* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application		* 2. Type of Application: <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision
		* If Revision, select appropriate label(s): <input type="text"/> * Other (Specify): <input type="text"/>
* 3. Date Received: <input type="text"/>		4. Applicant Identifier: <input type="text"/>
5a. Federal Entity Identifier: <input type="text"/>		5b. Federal Award Identifier: <input type="text"/>
State Use Only:		
6. Date Received by State: <input type="text"/>		7. State Application Identifier: <input type="text"/>
<b>B. APPLICANT INFORMATION:</b>		
* a. Legal Name: <input type="text" value="County of Kauai"/>		
* b. Enterprise/Unique Identification Number (EUN/UN): <input type="text" value="99-600656"/>		* c. Organizational OUNS: <input type="text" value="113210910000"/>
<b>d. Address:</b>		
* Street1:	<input type="text" value="3444 Rice Street, Suite 330"/>	
* Street2:	<input type="text"/>	
* City:	<input type="text" value="Lihue"/>	
* County/Parish:	<input type="text"/>	
* State:	<input type="text" value="HI; Hawaii"/>	
* Province:	<input type="text"/>	
* Country:	<input type="text" value="USA; UNITED STATES"/>	
* Zip / Postal Code:	<input type="text" value="96766"/>	
<b>e. Organizational Unit:</b>		
Department Name: <input type="text" value="County Boarding Agency"/>		Division Name: <input type="text" value="Development Division"/>
<b>f. Name and contact information of person to be contacted on matters involving this application:</b>		
Title:	* First Name: <input type="text" value="Kathryn"/>	
Middle Name: <input type="text"/>		
Last Name: <input type="text" value="Barnes"/>		
Suffix: <input type="text"/>		
Title: <input type="text" value="CDBG Coordinator"/>		
Organizational Affiliation: <input type="text"/>		
* Telephone Number: <input type="text" value="808-241-6433"/>		* Fax Number: <input type="text"/>
* Email: <input type="text" value="kbarnes@kauai.gov"/>		

Application for Federal Assistance SF-424	
<b>* 9. Type of Applicant 1- Select Applicant Type:</b> B: County Government Type of Applicant 2: Select Applicant Type Type of Applicant 3: Select Applicant Type * Other (specify):	
<b>* 10. Name of Federal Agency:</b> U.S. Department of Housing and Urban Development	
<b>11. Catalog of Federal Domestic Assistance Number:</b> 14.228 <b>CFDA Title:</b> Community Development Block Grant	
<b>* 12. Funding Opportunity Number:</b> B-20-2K-13-001 <b>* Title:</b> Community Development Block Grant Coronavirus (CDBG-CV)	
<b>13. Competition Identification Number:</b> <b>Title:</b>	
<b>14. Areas Affected by Project (Cities, Counties, States, etc.):</b> <div> <input type="text"/> <input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/> </div>	
<b>* 15. Descriptive Title of Applicant's Project:</b> COVID-19 Emergency Housing and Utility Assistance: Business Rent For Farmer Policy Initiative Project - Santa	
Attach supporting documents as specified in agency instructions. <div> <input type="button" value="Add Attachments"/> <input type="button" value="Delete Attachments"/> <input type="button" value="View Attachments"/> </div>	



Application for Federal Assistance SF-424	
16. Congressional Districts Of:	
* a. Applicant	2nd. HI
* b. Program/Project	2nd. HI
Attach an additional list of Program/Project Congressional Districts if needed.	
<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
17. Proposed Project:	
* a. Start Date:	06/01/2020
* b. End Date:	06/30/2021
18. Estimated Funding (\$):	
* a. Federal	674,700.00
* b. Applicant	
* c. State	
* d. Local	
* e. Other	
* f. Program Income	
* g. TOTAL	674,700.00
* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?	
<input type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on <input type="text"/>	
<input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review.	
<input checked="" type="checkbox"/> c. Program is not covered by E.O. 12372.	
* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes," provide explanation and attach <input type="text"/>	
<input type="button" value="Add Attachment"/> <input type="button" value="Delete Attachment"/> <input type="button" value="View Attachment"/>	
21. "By signing this application, I certify (1) to the statements contained in the list of certifications" and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances" and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 28, Section 100*)	
<input checked="" type="checkbox"/> ** I AGREE	
<small>** The list of certifications and assurances, or an Internet site where you may obtain this list, is contained in the announcement or agency specific instructions.</small>	
Authorized Representative:	
Prefix:	* First Name: Scott
Middle Name:	S. K.
* Last Name:	Randall
Suffix:	
* Title:	Mayor, County of Kauai
* Telephone Number:	808-241-4300
* Fax Number:	
* Email:	scott@kauai.gov
* Signature of Authorized Representative	* Date Signed: 7/20/2020

# ASSURANCES - CONSTRUCTION PROGRAMS

OMB Number: 4040-0009  
Expiration Date: 02/28/2022

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

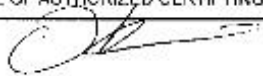
1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, the right to examine all records, books, papers, or documents related to the assistance, and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4783) relating to prescribed standards of merit systems for programs funded under one of the 18 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. Those include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 et seq. and 290 et seq.), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

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Standard Form 424D (Rev. 7-97)  
Prescribed by OMB Circular A-102

11. Will comply or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1505 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11733; (c) protection of wetlands pursuant to EO 11590; (d) evaluation of flood hazards in floodplains in accordance with EO 11588; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
20. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from: (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
	Mayor, County of Kauai
APPLICANT ORGANIZATION	DATE SUBMITTED
Kauai County Housing Agency	7/29/20

SF-424D (Rev. 7/97) Back

## CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the County certifies that:

**Affirmatively Furthering Fair Housing** -- It will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

**Anti-Displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

A. **Drug-Free Workplace** -- It will or will continue to provide a drug-free workplace by:

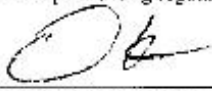
1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing an ongoing drug-free awareness program to inform employees about
  - (a) The dangers of drug abuse in the workplace;
  - (b) The grantee's policy of maintaining a drug-free workplace;
  - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph 1;
4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
  - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
7. Making a good faith effort to continue to maintain a drug free workplace through implementation of paragraphs 1, 2, 3, 4, 5, and 6.

**B. Anti-Lobbying** -- To the best of the County's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraphs 1 and 2 of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

- C. **Authority of County** -- The submission of the consolidated plan is authorized under County ordinance and the County possesses the legal authority to carry out the programs under the consolidated plan for which it is seeking funding, in accordance with applicable HUD regulations.
- D. **Consistency with plan** -- The housing activities to be undertaken with CDBG and HOME funds are consistent with the strategic plan.
- E. **Section 3** -- It will comply with Section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.

  
\_\_\_\_\_  
Signature/Authorized Official

8/11/2020  
\_\_\_\_\_  
Date

Mayor, County of Kauai  
\_\_\_\_\_  
Title

### **Specific CDBG Certifications**

The County certifies that:

**Citizen Participation** – It is in full compliance and following a detailed citizen participation plan that satisfied the requirements of 24 CFR 91.105.

**Community Development Plan** – Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low and moderate income (24 CFR 570.2 and 24 CFR part 570).

**Following a Plan** – It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** – It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give the maximum feasible priority to activities that will benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available;
2. **Overall Benefit.** The aggregate use of CDBG funds, including section 108 guaranteed loans, during the program year of 2019, shall principally benefit low- and moderate-income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period;
3. **Special Assessment.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements. However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

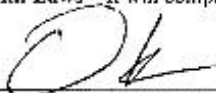
**Excessive Force** -- The County has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from, a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), the Fair Housing Act (42 U.S.C. 3601-3619), and implementing regulations.

**Lead-based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, subparts A, B, K, and R;

**Compliance with Laws** -- It will comply with applicable laws.

  
\_\_\_\_\_  
Signature/Authorized Official

8/11/2020  
\_\_\_\_\_  
Date

Mayor, County of Kauai  
\_\_\_\_\_  
Title



## APPENDIX TO CERTIFICATIONS

### INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

#### A. Lobby Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

#### B. Drug-Free Workplace Certification

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
2. The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal government, may take action authorized under the Drug-Free Workplace Act.
3. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
4. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the changes(s), if it previously identified the workplaces in question (see paragraph three).
6. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Malama Pono Health Services, 4370 Kukui Grove Street, Suite #115, Lihue, HI 96766  
Family Life Center, 3016 Umi Street, Suite 206, Lihue, HI 96766

Check ☐ if there are workplaces on file that are not identified here.

The certification with regard to the drug-free workplace required by 24 CFR part 24, subpart F.

7. Definitions of terms in the Non-procurement Suspension and Debarment common rule and Drug Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

"Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement, consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces)

# DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

OMB Number: 4040-0013  
Expiration Date: 02/28/2022

<b>1. * Type of Federal Action:</b> <input type="checkbox"/> a. contract <input checked="" type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. * Status of Federal Action:</b> <input type="checkbox"/> a. in development <input checked="" type="checkbox"/> b. initiated award <input type="checkbox"/> c. backordered	<b>3. * Report Type:</b> <input checked="" type="checkbox"/> a. existing <input type="checkbox"/> b. material change
<b>4. Name and Address of Reporting Entity:</b> <input checked="" type="checkbox"/> Prime <input type="checkbox"/> Subawardee * Name: <u>Army Corps of Engineers</u> * Street 1: <u>444 23rd Street, Suite 100</u> Street 2: _____ * City: <u>San Francisco</u> State: <u>CA</u> Zip: <u>94114</u> Congressional District: <u>9th</u>		
<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b>  		
<b>6. * Federal Department/Agency:</b> <u>U.S. Department of Energy and Education</u>		<b>7. * Federal Program Name/Description:</b> <u>Departmental Secretariat for Energy &amp; Education</u> CFDA Number, if applicable: <u>40.205</u>
<b>8. Federal Action Number, if known:</b>  		<b>9. Award Amount, if known:</b> \$ <u>                    </u>
<b>10. a. Name and Address of Lobbying Registrant:</b> * First Name: _____ * Last Name: <u>Carroll</u> * Middle Name: _____ * Title: <u>Director</u> * Office: _____ * Street 1: <u>171 Commonwealth Ave., Suite 1025</u> Street 2: _____ * City: <u>San Francisco</u> State: <u>CA</u> Zip: <u>94114</u>		
<b>b. Individual Performing Services (including address if different from No. 10a)</b> * First Name: _____ * Last Name: _____ * Middle Name: _____ * Title: _____ * Street 1: _____ Street 2: _____ * City: _____ State: _____ Zip: _____		
<b>11. Information recorded through this form is authorized by 31 U.S.C. section 1352. The disclosure of lobbying activities is a material representation of fact, upon which inducement was placed by the Government when the proposed contract was awarded. This disclosure is a material statement to 31 U.S.C. 1352. This information will be recorded in the Congressional Record and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each violation.</b> * Signature: _____ * Name: * First Name: _____ * Last Name: _____ * Middle Name: _____ * Title: _____ Telephone No.: <u>415-441-1000</u> Date: <u>7/21/10</u>		