



## RESOLUTION

**AUTHORIZING THE MAYOR OR THE MAYOR'S DESIGNEE TO APPLY FOR VETERANS AFFAIRS SUPPORTIVE HOUSING (VASH) VOUCHERS AND TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT RELATED THERETO**

WHEREAS, Section 1-8.2 of the Revised Ordinances of Honolulu, 1990, as amended, requires that when carrying out the provisions of any intergovernmental agreement, all applications and/or amendments thereof, statistical data programs, reports or other official communications which support the application and which are required to be provided by the City and County of Honolulu or its component departments to any other governmental or quasi-governmental agency shall first be presented to the City Council for its review and approval prior to its transmittal; and

WHEREAS, said Section 1-8.2 further requires City Council approval of any intergovernmental agreement, or any amendments thereto, which places an obligation upon the City and County of Honolulu ("City"); and

WHEREAS, with funding from the Consolidated and Further Continuing Appropriations Act, 2016, Public Law No. 114-113, enacted December 18, 2015, the U.S. Department of Housing and Urban Development (HUD) on April 18, 2016, invited the City to apply for 57 Veterans Affairs Supportive Housing (VASH) vouchers to be administered in partnership with the Department of Veterans Affairs (VA) facility, VA Pacific Islands Health Care System/Spark M. Matsunaga (Honolulu) VA Medical Center; and

WHEREAS, the VASH vouchers will assist in our City's efforts to end veterans' homelessness by providing rental assistance for veterans to reside in housing of their choice on Oahu with the Department of Veterans Affairs providing case management and clinical services; and

WHEREAS, the Department of Community Services has prepared a funding application, which is due May 2, 2016, and a copy of the completed application is attached as Exhibit A; and

WHEREAS, the City will receive an amendment to its ongoing Annual Contributions Contract with HUD, and the amendment will be in substantially the same form as other amendments, a copy of which is attached hereto as Exhibit B; and

WHEREAS, as an Intergovernmental Agreement not Requiring Expenditure of City Funds, a 15-day notice to the Council is required for prior to application; however,



RESOLUTION

the U. S. Department of Housing and Urban Development is requiring application submittal before such 15-day period may be concluded; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the Mayor of the City and County of Honolulu or his designee, the Director of the Department of Community Services, is hereby authorized to apply for 57 VASH vouchers from HUD under the FY2016 HUD-VASH program; and

BE IT FURTHER RESOLVED by the Council of the City and County of Honolulu that the Mayor or his designee is hereby authorized to enter into any amendment to the City's Annual Contributions Contract with HUD, substantially in the form of Exhibit B for the receipt, use, and administration of said funds; and

BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu, that the Clerk be, and is hereby directed to transmit a copy of this Resolution to the Director of the Department of Community Services, 715 South King Street, Suite 311, Honolulu, Hawaii, 96813.

INTRODUCED BY:

*[Handwritten Signature]*  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(br)

DATE OF INTRODUCTION:

*APR 20 2016*

\_\_\_\_\_  
Honolulu, Hawaii

\_\_\_\_\_  
Councilmembers

**Funding Application**

Section 8 Tenant-Based Assistance  
 Rental Certificate Program  
 Rental Voucher Program

U.S. Department of Housing  
 and Urban Development  
 Office of Public and Indian Housing

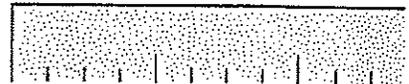
OMB Approval No. 2577-0169  
 (exp.04/30/2018)

Send the original and two copies of this application form and attachments to the local HUD Field Office

Eligible applicants (HAs) must submit this information when applying for grant funding for tenant-based housing assistance programs under Section 8 of the U.S. Housing Act of 1937 (42 U.S.C. 1437f). HUD will use the information to evaluate an application based on selection criteria stated in the Notice of Funding Availability (NOFA). HUD will notify the HA of its approval/disapproval of the funding application. Responses are required to obtain a benefit from the Federal Government. The information requested does not lend itself to confidentiality.

Name and Mailing Address of the Housing Agency (HA) requesting housing assistance payments

City and County of Honolulu  
 Department of Community Services  
 715 S. King Street, Suite 311  
 Honolulu, Hawaii 96813



Do you have an ACC with HUD No  Yes  No  Date of Application

for Section 8 Certificates?

for Section 8 Vouchers?

Legal Area of Operation  
 (area in which the HA has authority under State and local law to administer the program)

**A. Area(s) From Which Families To Be Assisted Will Be Drawn.**  
 Locality (city, town, etc.)

Locality (city, town, etc.)	County	Congressional District	Units

**B. Proposed Assisted Dwelling Units.**  
 (Complete this section based on the unit sizes of the applicants at the top of the waiting list)

	0-BR	1-BR	2-BR	3-BR	4-BR	5-BR	6+BR	Total Dwelling Units
Certificates								
Vouchers								57

**C. Average Monthly Adjusted Income.** Complete this section based on actual incomes of current participants by unit size. Enter average monthly adjusted income for each program separately and only for the unit sizes requested in Section B.

	0-BR	1-BR	2-BR	3-BR	4-BR	5-BR	6+BR
Certificates	\$	\$	\$	\$	\$	\$	\$
Vouchers	\$	\$	\$	\$	\$	\$	\$

**D. Need for Housing Assistance.** Demonstrate that the project requested in this application is responsive to the condition of the housing stock in the community and the housing assistance needs of low-income families residing in or expected to reside in the community. (If additional space is needed, add separate pages)

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**E. Housing Quality Standards (HQS).** (Check applicable box) HUD's HQS will be used with no modifications Attached for HUD approval are HQS acceptability criteria variations

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**F. New HA Information.** Complete this section if HA currently does not administer a tenant-based certificate or voucher program.

**Financial and Administrative Capability.** Describe the experience of the HA in administering housing or other programs and provide any other relevant information which evidences present or potential management capability for the proposed rental assistance program. Submit this narrative on a separate page.

**Qualification as an HA.** Demonstrate that the applicant qualifies as an HA and is legally qualified and authorized to administer the funds applied for in this application. Submit the relevant enabling legislation and a supporting legal opinion.

**Note:** If this application is approved, the HA must submit for HUD approval a utility allowance schedule and budget documents.

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**G. Certifications.** The following certifications are incorporated as a part of this application form. The signature on the last page of this application of the HA representative authorized to sign the application signifies compliance with the terms of these certifications.

### Equal Opportunity Certification

The Housing Agency (HA) certifies that:

- (1) The HA will comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and regulations issued pursuant thereto (24 CFR Part 1) which state that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives financial assistance; and will take any measures necessary to effectuate this agreement.
- (2) The HA will comply with the Fair Housing Act (42 U.S.C. 3601-19) and regulations issued pursuant thereto (24 CFR Part 100) which prohibit discrimination in housing on the basis of race, color, religion, sex, handicap, familial status, or national origin, and administer its programs and activities relating to housing in a manner to affirmatively further fair housing.
- (3) The HA will comply with Executive Order 11063 on Equal Opportunity in Housing which prohibits discrimination because of race, color, creed, or national origin in housing and related facilities provided with Federal financial assistance and HUD regulations (24 CFR Part 107).
- (4) The HA will comply with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and regulations issued pursuant thereto (24 CFR Part 8) which state that no otherwise qualified individual with handicaps in the United States shall solely by reason of the handicap be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.
- (5) The HA will comply with the provisions of the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and regulations issued pursuant thereto (24 CFR Part 146) which state that no person in the United States shall on the basis of age be excluded from participation in, be denied the benefits of, or be subjected to discrimination under a program or activity receiving Federal financial assistance.
- (6) The Housing Agency will comply with the provisions of Title II of the Americans with Disabilities Act (42 U.S.C. 12131) and regulations issued pursuant thereto (28 CFR Part 35) which state that subject to the provisions of Title II, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity.

The following provisions apply only to housing assisted with Project-Based Certificates:

- (7) The HA will comply with Executive Order 11246 and all regulations pursuant thereto (41 CFR Chapter 60-1) which state that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in all phases of employment during the performance of Federal contracts and shall take affirmative action to ensure equal employment opportunity.
- (8) The HA will comply with Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) and regulations issued pursuant thereto (24 CFR Part 135), which require that, to the greatest extent feasible, opportunities for training and employment be given to low-income persons residing within the unit of local government for metropolitan area (or non-metropolitan county) in which the project is located.

### Certification Regarding Lobbying

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an 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, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
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(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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.

### Certification Regarding Drug-Free Workplace Requirements

#### Instructions for Drug-Free Workplace Requirements Certification:

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below 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, the agency, 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 studios).
5. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph three).
6. Definitions of terms in the Nonprocurement 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 or subrecipients or subcontractors in covered workplaces).

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) 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;
- (b) Establishing an ongoing drug-free awareness program to inform employees about:
  - (1) The dangers of drug abuse in the workplace;
  - (2) The grantee's policy of maintaining a drug-free workplace;
  - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) 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 (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
  - (1) Abide by the terms of the statement; and
  - (2) 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;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d)(2) 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;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d)(2), with respect to an y employee who is so convicted:

(1) 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

(2) 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;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. 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)

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

**Housing Agency Signature**

Signature of HA Representative

Print or Type Name of Signatory

Gary K. Nakata

Phone No.

(808) 768-7760

Date

**Consolidated  
Annual Contributions Contract**

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing

EXHIBIT B

Rental Certificate and Rental Voucher Programs

Section 8

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**HUD NOTICE TO HOUSING AGENCY AMENDING  
CONSOLIDATED ANNUAL CONTRIBUTIONS CONTRACT**

Housing Agency: CITY AND COUNTY OF HONOLULU HI003  
(Type or print name of housing agency.)

In accordance with Paragraph 2.c. of the Consolidated Annual Contributions Contract between HUD and the HA, you are notified that the funding exhibits of the Consolidated Annual Contributions Contract are hereby revised to add a new funding increment as provided in the attached revised funding exhibits A and B. (This notice adds one or more funding increments listed on the attached funding exhibits.)

Revised funding exhibits A and B are attached to this HUD notice. These revised funding exhibits replace and revise the prior funding exhibits.

In accordance with Paragraph 2.d. of the Consolidated Annual Contributions Contract, this HUD notice and the attached funding exhibits constitute an amendment to the Consolidated Annual Contributions Contract.

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United States of America Secretary of Housing and Urban Development  
Signature of Authorized Representative

Date signed:

x

Name & Official Title:

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