

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



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

October 18, 2024

Richard T. Bissen, Jr.
Mayor, County of Maui
200 South High Street
Wailuku, Hawaii 96793

APPROVED FOR TRANSMITTAL

Richard T. Bissen, Jr. 10-21-24
Mayor Date

For Transmittal to:

Yuki Lei K. Sugimura
Chair, Budget, Finance and Economic Development Committee
200 South High Street
Wailuku, Hawaii 96793

Dear Chair Sugimura,

SUBJECT: BILL 138 (2024), AMENDING THE FISCAL YEAR 2025 BUDGET: OFFICE OF THE MAYOR (ECONOMIC DEVELOPMENT PROGRAM; GRANTS AND DISBURSEMENTS FOR CULTURE, ARTS AND TOURISM (ALEXANDER ACADEMY)) (BFED-104)

Thank you for your inquiry regarding Bill 138. Please see below for responses to your questions.

Regarding if an organization can apply for a County Grant for work that has already started or been completed, Section 3.36.100.A, Maui County Code states "Reimbursement is limited to expenses incurred after the date an application, approved in writing, is accepted by the County or the first day of the fiscal year that the contract is encumbered, whichever date is later."

In response to your second question, grantees are not required to follow County procurement guidelines. However, the general terms and conditions of the grant agreements issued by the Office of Economic Development address procurement and state: "If Grantee contracts for the design and/or construction of any structure, defined for purposes hereof as any construction involving a load-bearing wall, Grantee shall comply with the Hawaii Public Procurement Code, Chapter 103D, Hawaii Revised Statutes, any County procurement policies for the procurement of contracts for design and/or construction of any structures as defined herein. Grantee shall ensure that all procurement transactions for construction of non-structures, as defined herein, and all

Yuki Lei K. Sugimura, Chair
October 18, 2024
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procurement transactions for goods and services are conducted in a manner to provide, to the maximum extent possible, open and free competition.”

Should you have any questions, please contact me at ext. 7208.

Sincerely,

Signed by:

435198200584D8
Cynthia Lallo
Chief of Staff

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore
Tasha Kama

Councilmembers
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



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

October 16, 2024

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

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

Ms. Cynthia Lallo, Chief of Staff
Office of the Mayor
County of Maui
Wailuku, Hawaii 96793

Dear Ms. Lallo:

SUBJECT: BILL 138 (2024), AMENDING THE FISCAL YEAR 2025 BUDGET: OFFICE OF THE MAYOR (ECONOMIC DEVELOPMENT PROGRAM; GRANTS AND DISBURSEMENTS FOR CULTURE, ARTS, AND TOURISM (ALEXANDER ACADEMY)) (BFED-104)

The Budget, Finance, and Economic Development Committee is in receipt of Bill 138 to authorize a \$55,285 grant to Alexander Academy of Performing Arts. At its meeting of October 8, 2024, the Committee received testimony on the Academy's potential use of the grant.

May I please request your response to the following:


1. Explain whether a person or organization can apply for a County grant for work that has already started or been completed.
2. Are grantees subject to procurement laws? If so, what is required from the grantee to ensure compliance and how is compliance enforced?

May I further request you transmit your response to bfed.committee@mauicounty.us by **October 21, 2024**. To ensure efficient processing, please include the Committee item number in the subject line.

Ms. Cynthia Lallo
October 16, 2024
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Should you have any questions, please contact me or the Committee staff (James Krueger at ext. 7761, or Yvette Bouthillier at ext. 7758).

Sincerely,


YUKI LEI K. SUGIMURA, Chair
Budget, Finance, and Economic
Development Committee

bfed:ltr:104aom01:jgk

cc: Mayor Richard T. Bissen, Jr.
Budget Director

Resolution No. 24-178

WHEREAS, establishment of the West Maui Hospital and Medical Center would also further the Countywide Policy Plan to “Encourage the expansion and improvement of local hospitals, facilitate the establishment of new healthcare facilities, and facilitate prompt and high-quality emergency- and urgent-care services for all”; and

WHEREAS, on December 16, 2022, the Council adopted Resolution 22-252, CD1, entitled “URGING THE STATE LEGISLATURE AND THE GOVERNOR OF THE STATE OF HAWAII TO PROVIDE FOR THE ESTABLISHMENT OF THE PROPOSED WEST MAUI HOSPITAL AND MEDICAL CENTER”; and

WHEREAS, Act 73, Session Laws of Hawai‘i 2023, authorized the issuance of state-special purpose revenue bonds to assist West Maui Hospital Foundation, Inc., in the construction of the West Maui Hospital and Medical Center, including any necessary infrastructure, in a total amount not to exceed \$20 million; and

WHEREAS, following the August 2023 wildfires, the Government Relations, Ethics, and Transparency Committee held two public meetings in West Maui where several community members testified in support of a West Maui hospital to improve access to healthcare; and

WHEREAS, West Maui Hospital Foundation, Inc., intends to utilize the state-special purpose revenue bond proceeds to fund the purchase of the parcel, complete updates to architectural and engineering study plans previously approved by the County, and complete infrastructure improvements on the site; and

WHEREAS, West Maui Hospital Foundation, Inc., will continue its efforts to secure funding for the construction of and equipment for the West Maui Hospital and Medical Center through federal, state, and private entities; and

WHEREAS, requiring the County to serve as the guarantor for the debt service on the state-issued special purpose revenue bonds will help to build the capital required to realize the construction and operation of this long-overdue medical facility; now, therefore,

Resolution No. 24-178

BE IT RESOLVED by the Council of the County of Maui:

1. That it urges the Administration to provide for the establishment of the proposed West Maui Hospital and Medical Center through the guarantee of state special purposes revenue bond issuance; and
2. That certified copies of this Resolution be transmitted to Jo Anne Johnson Winer, President, West Maui Hospital Foundation, Inc.; the Honorable Josh Green, M.D., Governor, State of Hawai'i; the Honorable Ronald Kouchi, Senate President, State of Hawai'i; the Honorable Scott Saiki, Speaker of the House, State of Hawai'i; the County's delegation to the State Legislature; and the Honorable Richard T. Bissen, Jr., Mayor, County of Maui.

paf:jpp:24-252a

BFED Committee

From: Michelle Santos <Michelle.Santos@co.maui.hi.us>
Sent: Monday, October 21, 2024 3:30 PM
To: BFED Committee
Cc: Cynthia Lallo; Cynthia Sasada; Josiah Nishita; Kelii Nahooikaika; Priya Landgraf
Subject: MT#10829 Bill 138
Attachments: Scanned from a Xerox Multifunction Printer_51.pdf

NOTE: PLEASE DO NOT FORWARD MY EMAIL TO ANYONE OUTSIDE OF THE COUNTY OF MAUI. YOU MAY CLICK ON THE ATTACHMENT ITSELF AND CREATE YOUR OWN EMAIL TO FORWARD THE DOCUMENT TO ANOTHER PERSON OUTSIDE OF THE COUNTY.

Michelle L. Santos

Office Operations Assistant

Office of the Mayor

County of Maui

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