

REQUEST FOR LEGAL SERVICES

D a t e: March 28, 2026

F r o m: Yuki Lei K. Sugimura, Chair

Budget, Finance, and Economic Development Committee

TRANSMITTAL

Memo to:

DEPARTMENT OF THE CORPORATION COUNSEL

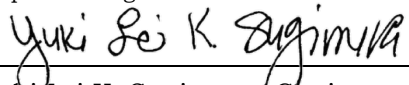
Attention: Kristie Wrigglesworth, Esq.

Subject: ADMINISTRATION AND MANAGEMENT OF GRANTS (BFED-20(12))

Background Data: Please see the attachment. Please submit your response to bfed.committee@mauicounty.us with a reference to BFED-20(12).

Work Requested: ☐ FOR APPROVAL AS TO FORM AND LEGALITY

☒ OTHER: Legal opinion.

Requestor's signature  Yuki Lei K. Sugimura, Chair	Contact Person <u>Kirsten Szabo or Peter Hanano</u> (Telephone Extension: <u>7662 or 8007, respectively</u>)
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☐ ROUTINE (WITHIN 15 WORKING DAYS)

☐ RUSH (WITHIN 5 WORKING DAYS)

☐ PRIORITY (WITHIN 10 WORKING DAYS)

☐ URGENT (WITHIN 3 WORKING DAYS)

☒ SPECIFY DUE DATE (IF IMPOSED BY SPECIFIC CIRCUMSTANCES): April 2, 2026

REASON: The Councilmembers' requested information for developing priorities, conditions, and amendments.

FOR CORPORATION COUNSEL'S RESPONSE

ASSIGNED TO:	ASSIGNMENT NO.	BY:
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TO REQUESTOR: ☐ APPROVED ☐ DISAPPROVED ☐ OTHER (SEE COMMENTS BELOW)

☐ RETURNING--PLEASE EXPAND AND PROVIDE DETAILS REGARDING ITEMS AS NOTED

COMMENTS (NOTE - THIS SECTION NOT TO BE USED FOR LEGAL ADVICE): _____

DEPARTMENT OF THE CORPORATION COUNSEL

Date _____

By _____

(Rev. 7/03)

bfed:020(12)acc02:kes

Attachment

Thank you for participating in the Council's Budget, Finance, and Economic Development Committee's discussion on the Administration and Management of Grants at its meeting of March 25, 2026.

The Committee discussed the County's grantmaking processes, including the distinction between grants and contracts and the possibility that some items may be structured as contracts rather than grants.

May I please request the following:

1. Explain when an item must be treated as a grant versus a contract, including the factors the Administration and your Department use to make that determination. Please include a copy of any written checklist, guidance, or criteria currently used.
2. Explain the implications under Chapter 343, Hawai'i Revised Statutes, when an item that was traditionally structured as a grant is instead structured as a contract, including:
 - Whether that change may trigger environmental review and when an environmental assessment or environmental impact statement may be required;
 - What exemptions may apply; and
 - Whether the change may affect the timing of a project or service delivery.

BFED Committee

From: BFED Committee
Sent: Saturday, March 28, 2026 10:19 AM
To: CorpCounselRFLS
Cc: Kristie.Wrigglesworth@co.maui.hi.us
Subject: ADMINISTRATION AND MANAGEMENT OF GRANTS (BFED-20(12))
Attachments: 020(12)acc02.pdf