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MEMO TO: Maui County Council - BFED Committee
Yuki Lei K. Sugimura, Chair

FROM: Kristie M. Wrigglesworth, Deputy Corporation Counsel

DATE: February 12, 2026

SUBJECT: BFED-20(24) Bill 4 (2026) Amending Fiscal Year 2026 Budget
for Grant to Lahaina Community Land Trust (LCLT) and
Status of 266 Dickinson Matter

We respond to your request for legal services dated January 21, 2026
requesting an opinion on the questions present below.

1. Please provide a written status update on the 266 Dickinson matter and transfer, or sale to the Lahaina Community Land Trust. Please include: 1) the current step in the process; 2) the reason for any delay; 3) the remaining approvals or actions needed before funds can be released; and 4) the expected date to finalize documents and release funds.
 - 1) Drafting was initiated but documents have not been finalized or executed due to ongoing discussions between the Department of Management, Department of Housing, and LCLT.
 - 2) This question should be directed to the Department of Housing as it administers this grant.
 - 3) Corporation Counsel is not aware of funding associated with this lot; it is a grant of real property.
 - 4) This question should be directed to the Department of Housing as it administers this grant.

2. Please identify any Charter, Maui County Code, Hawai'i Revised Statutes, Federal law, or written County policies that control the timing or conditions for releasing these funds.

Corporation Counsel is not aware of any funds being released in this matter; rather, it involves a grant of real property.

There are no laws imposing specific time limits or deadlines for executing grant and conveyance documents following council authorization by resolution.

Under Section 7-5 of the Charter, the Mayor retains authority to execute instruments on behalf of the County, including deeds and other conveyances, subject to approval by Corporation Counsel as to form and legality, except where the Charter, ordinance, or resolution authorizes the Director of Finance or another officer to sign.

When the Council adopts a resolution authorizing the Mayor to execute a grant agreement for real property, the legal effect depends on whether the resolution is advisory or constitutes a binding legislative directive.

In this instance, the resolution does not appear to create a directive; rather, it authorizes the Mayor, or the County's duly authorized representative, to execute all necessary documents related to the grant and disposition of the Properties.

The Charter establishes a clear separation of powers, with legislative authority vested in the Council and executive authority vested in the Mayor (Charter Sections 3-7 and 6-1). Section 3-8 further provides that neither the Council nor its members may give orders to County employees or officers, except those appointed pursuant to Section 3-7 (OCS) or Article 5 (County Clerk), whether publicly or privately. A willful violation of this provision constitutes grounds for removal from office by impeachment.

APPROVED FOR TRANSMITTAL:



KRISTIE M. WRIGGLESWORTH
Deputy Corporation Counsel

BFED Committee

From: Kristie M. Wrigglesworth <Kristie.Wrigglesworth@co.maui.hi.us>
Sent: Thursday, February 12, 2026 2:04 PM
To: BFED Committee
Cc: Melody A. Andrion
Subject: BFED-20(24) Bill 4 (2026) Response memo re 266 Dickinson matter
Attachments: BFED-20(24) Bill 4 (2026) Response Memo to Chair Sugimura re 266 Dickinson matter_Closing.PDF

Dear BFED Committee,

See the attached memorandum in response to the request for legal services received on January 21, 2026.

Mahalo,
Kristie

***Department of the Corporation Counsel emails may contain attorney-client privilege information and should not be forwarded without approval.

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