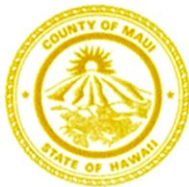


RICHARD T. BISSEN, JR.
Mayor

VICTORIA J. TAKAYESU
Corporation Counsel

MIMI DESJARDINS
First Deputy

LYDIA A. TODA
Risk Management Officer



DEPARTMENT OF THE CORPORATION COUNSEL
COUNTY OF MAUI
200 SOUTH HIGH STREET, 3RD FLOOR
WAILUKU, MAUI, HAWAII 96793
EMAIL: CORPCOUN@MAUICOUNTY.GOV
TELEPHONE: (808)270-7740

November 3, 2025

Yuki Lei Sugimura, Chair
Budget, Finance, and Economic Development Committee
Maui County Council
Kalana O Maui Building
200 South High Street, 8th Floor
Wailuku, Hawaii 96793

Re: BFED-4 Relating to "A BILL FOR AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATION FOR A JOINT TERRORISM TASK FORCE."

Dear Chair Sugimura:

This letter responds to the following inquiries:

1. What constitutes a financial obligation under Chapter 2.20, Maui County Code; and
2. Does the proposed intergovernmental agreement between the County of Maui's Police Department and the Federal Bureau of Investigation for a Joint Terrorism Task Force place any financial obligation on the County that would require Council authorization under Section 2.20.020, Maui County Code?

RESPONSE: Maui County Code 2.20.010.B defines "obligation" broadly:

Obligation means "any commitment, promise, or similar representation contained in an intergovernmental agreement that the county or any agency thereof will provide funds, documents, statistical data or any professional or technical service, or establish any rules, regulations, or other law within the county to any other governmental or quasi-governmental agency."

Yuki Lei Sugimura, Chair
Budget, Finance, and Economic Development Committee
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Maui County Code 2.20.020 requires passage of an ordinance if an intergovernmental agreement (“IGA”) places a ***financial*** obligation on the County:

“Unless authorized by ordinance, the mayor shall not enter into any intergovernmental agreement or any amendment thereto which places a financial obligation upon the county or any department or agency thereof.”

The Code does not specifically define “financial obligation”. Therefore, what constitutes a “financial obligation” must be evaluated on a case-by-case basis.

I have reviewed the proposed IGA between the Maui Police Department and the Federal Bureau of Investigation for a Joint Terrorism Task Force and have conferred with the Police Department regarding any financial obligations on the County. It is MPD and this office’s position that this IGA does not place any financial obligations on the County and therefore does not require Council authorization under Section 2.20.020, Maui County Code.

Please contact us if you have any further questions.

Sincerely yours,



THOMAS KOLBE
Deputy Corporation Counsel

BFED Committee

From: Thomas W. Kolbe <Thomas.Kolbe@co.maui.hi.us>
Sent: Monday, November 3, 2025 10:53 AM
To: BFED Committee
Cc: Melody A. Andrion; Peter A. Hanano; Kirsten E. Szabo
Subject: BFED-4 Bill 92 Re JTTF IGA
Attachments: 2025-11-03 Letter to Sugimura re JTTF IGA.PDF; 2025-11-03 BFED-4 2025-10-14 RFLS Re JTTF IGA.PDF

Please see attached letter.