

**State of Hawai'i
Office of Hawaiian Affairs
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817**

**Minutes of the Office of Hawaiian Affairs Board of Trustees Meeting
Thursday, March 12, 2015, 10:00 am**

I. CALL TO ORDER

Chair Robert K. Lindsey, Jr. called the meeting of the Office of Hawaiian Affairs Board of Trustees to order at 10:00 am. Those present were as follows:

Attendance

Trustee Robert K. Lindsey, Jr., Chair	Trustee S. Haunani Apoliona
Trustee Dan Ahuna, Vice Chair	Trustee Colette Machado
Trustee Rowena Akana	Trustee John Waihe'e IV (arrived 10:04 am)
Trustee Peter Apo	

Excused

Trustee Lei Ahu Isa	Trustee Carmen Hulu Lindsey
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Staff Present

Dr. Kamana'opono Crabbe, Ka Pouhana/CEO	Claudine Calpito
Lisa Cataldo, Esq., Board Counsel	Davis Price
Harold Nedd, Chief of Staff	Louise Yee Hoy
Capsun M. Poe, Board Secretary	Reynold Freitas
Jeremy Kama Hopkins	Liana Pang
Kauikeaolani Wailehua	Lady Garrett Momilani Lazo
Lehua Itokazu	Jim McMahan
Laurene Kalua-Kealoha	Kehau Abad

Others Present

Dan Purcell	Louis Agard
Clyde Wadsworth	Thomas Shirai

Motion

At 10:02 am, Trustee Ahuna moved, seconded by Trustee Apoliona, to waive the 72-hour materials distribution policy for Item IV.A.2) 2015 OHA Legislative Positioning – Matrix 1 of March 11, 2015. The motion passed via voice vote.

II. COMMUNITY CONCERNS

Mr. Thomas Shirai addressed the Board to share information about the Kaulana Na Pua medical marijuana publication, which he also shared with the Legislature. His sentiments are that the medical marijuana at www.kaulananapua.com is offensive, noting that it means famous are the flowers, not famous are the marijuana buds. OHA funded this initiative and he is trying to ask for support to get this medical marijuana publication to change their names, out of respect to the ali'i referenced.

Dr. Crabbe responded that this is a very serious issue. In a similar instance, OHA wrote to another entity that had a website related to dating, but using hula, in Colorado to change the name. Public Policy was able to communicate on behalf of OHA and get the business to change their name.

Trustee Apo noted that the whole notion of misappropriation for marketing and advertising purposes is problematic. He encouraged Administration to come up with a way we can create a more focused way of policing some of these and pursuing the more egregious ones. This would let people know we are watching.

Trustee Machado thanked Mr. Shirai for sharing and feels it is offensive and is not right.

Chair Lindsey asked Mr. Shirai to work with Dr. Crabbe to work with the appropriate staff to follow-up on this matter and see what is possible.

Trustee Apoliona noted she supports Administration in this pursuit.

III. UNFINISHED BUSINESS

A. Chair's Update on Board Activities

Chair Lindsey had no updates.

B. CEO's Updates on Ho'oulu Lāhui Aloha and OHA Activities

Dr. Crabbe reported two updates.

First, regarding Bo Kahui and La'i'Ōpua 2020, Administration successfully forwarded his application to Hi'ilei Aloha and is currently working with Dr. Peter Hanohano on applying for Federal monies for Capital Improvement Project and programmatic funding. Dr. Crabbe and the Chief Operating Officer will work with Hi'ilei Aloha on how their grants program can work with OHA's, but Administration did try to resolve the matter given Mr. Kahui's needs.

Second, regarding the KI'I site for the BOT secured site, the memo should have gone to Trustees and Aides, with Trustees having privileges to access the information. This is what will be used for Administration to report quarterly and other updates to the BOT, ARM, BAE, and LAP. The information can be found in KI'I, under Resources, then BOT Reporting. He asked that any questions be directed to him or his staff.

IV. NEW BUSINESS

A. Committee on Beneficiary Advocacy and Empowerment

A. 1) 2015 OHA Legislative Positioning – Matrix 1 of March 4, 2015

Trustee Waihe'e reported that the Committee on Beneficiary Advocacy and Empowerment, having met on March 4, 2015, and after full and free discussion, recommends approval of the following action to the Board of Trustees:

- To approve Administration's recommendations on *NEW BILLS (1 – 7)* and *BILL POSITIONS FOR RECONSIDERATION (8 – 11)* on the OHA Legislative Positioning Matrix dated March 4, 2015, as amended.

Motion

At 10:19 am, Trustee Ahuna moved, seconded by Trustee Machado, to approve Administration's recommendations on <i>NEW BILLS (1 – 7)</i> and <i>BILL POSITIONS FOR RECONSIDERATION (8 – 11)</i> on the OHA Legislative Positioning Matrix dated March 4, 2015, as amended .						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA						X
TRUSTEE DAN AHUNA	1		X			
TRUSTEE ROWENA AKANA				X		
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA			X			
TRUSTEE HULU LINDSEY						X
TRUSTEE COLETTE MACHADO		2	X			
TRUSTEE JOHN WAIHE'E			X			
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			6	1	0	2
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed with six (6) YES votes, one (1) NO votes, no (0) abstentions, and two (2) excused.						

Trustee Akana asked if HCR19, HCR20, and HCR21 include public trust lands because she is concerned that it requires a two-thirds vote of the Legislature. Dr. Crabbe called on Ms. Jocelyn Doane, who responded that if the State is going to dispose of public land, they need both the House and Senate to vote by two-thirds to sell. OHA received an advanced notice of these sales. Basically, the Board's policy is to oppose all sales. However, 90 percent of the homes in this area have already sold it. This was before the Lei Ali'i lawsuit. Oftentimes, when the sales came up, OHA opposed them, but they would receive calls from Hawaiian families who are trying to get the fee after living there for decades. This is an exception to the Board's policy to otherwise oppose.

Trustee Akana stated that the Board never approved of that, but did allow OHA's portion to go to DHHL. Ms. Doane responded they are guided by the Executive Policy Manual and do take into consideration if a project moved forward prior to the Board's policy.

A. 2) 2015 OHA Legislative Positioning – Matrix 1 of March 11, 2015

Trustee Waihe'e reported that the Committee on Beneficiary Advocacy and Empowerment, having met on March 11, 2015, and after full and free discussion, recommends approval of the following action to the Board of Trustees:

- To approve Administration's recommendations on *NEW BILLS (1 – 19)* and *BILL POSITIONS FOR RECONSIDERATION (20 – 22)* on the OHA Legislative Positioning Matrix dated March 11, 2015, as amended.

Motion

At 10:26 am, Trustee Waihe'e moved, seconded by Trustee Machado, to approve Administration's recommendations on NEW BILLS (1 – 19) and BILL POSITIONS FOR RECONSIDERATION (20 – 22) on the OHA Legislative Positioning Matrix dated March 11, 2015, as amended.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA						X
TRUSTEE DAN AHUNA			X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA			X			
TRUSTEE HULU LINDSEY						X
TRUSTEE COLETTE MACHADO		2	X			
TRUSTEE JOHN WAIHE'E	1		X			
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			7	0	0	2

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passed with seven (7) YES votes, no (0) NO votes, no (0) abstentions, and two (2) excused.

VI. EXECUTIVE SESSION

Motion

At 10:28 am, Trustee Waihe'e moved, seconded by Trustee Ahuna, to go into Executive Session to consider the following:

VI. Executive Session***

- A. Consultation with OHA Consultant Clyde Wadsworth, Esq. re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding *Akana v. Machado*, Civil No. 1CC13-1-002485. Pursuant to HRS §92-5(a)(4).
- B. Trustees' evaluation of and expectations for Ka Pouhana/CEO under CEO's contract extension. Pursuant to HRS §92-5(a)(2)

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA						X
TRUSTEE DAN AHUNA		2	X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE PETER APO			X			
TRUSTEE HAUNANI APOLIONA			X			
TRUSTEE HULU LINDSEY						X
TRUSTEE COLETTE MACHADO			X			
TRUSTEE JOHN WAIHE'E	1		X			
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			7	0	0	

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passed with seven (7) YES votes, no (0) NO votes, no (0) abstentions, and two (2) excused.

The Board went into Executive Session at 10:29 am and exited Executive Session at 11:34 am.

VII. BENEFICIARY COMMENTS

There were no Beneficiary Comments.

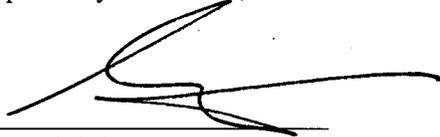
VIII. ANNOUNCEMENTS

There were no Announcements.

IX. ADJOURNMENT

Having no further business, Chair Lindsey adjourned the meeting at 11:36 am.

Respectfully Submitted,



Capsun M. Poe
Board Secretary

As approved by the Board of Trustees on April 9, 2015:



Trustee Robert K. Lindsey, Jr.
Chair, Board of Trustees