

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

**Minutes of the Office of Hawaiian Affairs Board of Trustees Meeting  
Thursday, October 6, 2016, 9:30 am**

**I. CALL TO ORDER**

Chair Robert K. Lindsey, Jr. called the Office of Hawaiian Affairs Board of Trustees Meeting to order at 9:32 am. Those present were as follows:

**Attendance**

Trustee Robert K. Lindsey, Jr., Chair	Trustee S. Haunani Apoliona
Trustee Lei Ahu Isa (arrived 9:49 am)	Trustee Carmen Hulu Lindsey
Trustee Rowena Akana	Trustee Colette Machado
Trustee Peter Apo (arrived 9:35 am, departed 11:36 am)	

**Excused**

Trustee Dan Ahuna, Vice Chair	Trustee John Waihe'e IV
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**Staff Present**

Dr. Kamana'opono Crabbe, CEO	Jim McMahon
Robert G. Klein, Board Counsel	Kai Markell
Harold Nedd, Chief of Staff	Kamakana Ferreira
Capsun M. Poe, Board Secretary	Kawika Riley
Jeremy Kama Hopkins	Keith Yabusaki
Kauikeaolani Wailehua	Lauren Morawski
Claudine Calpito	Lisa Victor
Lady Garrett	Lisa Watkins-Victorino
U'ilani Tanigawa	Mehana Hind
Lehua Itokazu	Miles Nishijima
Laurene Kalua-Kealoha	Momilani Lazo
Louise Yee Hoy	Nancy King
Liana Pang	Natashja Wahine Tong
Makana Chai	Raina Gushiken
Carla Hostetter	Riz Donna Almagro
David Greer	Ronald Gervacio
Derek Kauano'e	Tiger Li
Ernest Kimoto	

**Others Present**

Kealii Makekahu	Asami Kobayashi
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**II. APPROVAL OF MINUTES**

Chair Lindsey noted the draft minutes of September 6, 2016, September 20, 2016, and September 22, 2016 were distributed and asked if there were any changes.

Motion

At 9:33 am, Trustee Machado moved, seconded by Trustee Apoliona, to approve the minutes of September 6, 2016, September 20, 2016, and September 22, 2016.						
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		2	X			
TRUSTEE HULU LINDSEY			X			
TRUSTEE COLETTE MACHADO	1		X			
TRUSTEE JOHN WAIHE'E						X
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			5	0	0	4
MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED						
Motion passed with five (5) YES votes, no (0) NO votes, no (0) abstentions, and four (4) excused.						

**III. COMMUNITY CONCERNS**

There were no Community Concerns.

**IV. UNFINISHED BUSINESS**

Chair's Update

Chair Lindsey informed the Trustees that a group photo of the Trustees was planned for the October 20, 2016 meeting for use in the OHA Annual Report.

CEO's Updates

Dr. Lisa Watkins-Victorino shared a PowerPoint presentation regarding a Strategic Plan Update including the following information:

- Ho'ona'auao
  - To increase the percentage of Native Hawaiian students meeting and exceeding standards in:
    - Reading: 55% - 65%
    - Math: 32% - 45%
  - To increase the percentage of Native Hawaiian students who graduate from Post-Secondary institutions by 12%.
- Ho'okahua Waiwai
  - To decrease from 55% to 50% the percent of Native Hawaiian renters who are paying more than 30% of income for rent
  - To increase the percent of Native Hawaiian owner-occupied housing from 57% to 58%
  - Native Hawaiian Median Family Income will be equal to or greater than 92% of the statewide Median Family Income

- Maui Ola
  - Reduce the rate of obesity among Native Hawaiians from 49.3% to 35%
  - Decrease the number of Native Hawaiians in State DOH substance abuse treatment from 45.9% to 39%
  - Increase the number of Native Hawaiian mothers receiving prenatal care in the first trimester from 75.2% to 83.6%
- Mo‘omeheu
  - 85% of Hawaii residents appreciate and value Native Hawaiian history and culture
  - 51% of Native Hawaiians living in the State of Hawaii participating in cultural activities, including language, and who interact with the ‘āina for cultural, spiritual, religious, and subsistence.
- ‘Āina
  - 71% of all Hawaii residents understand and agree that a viable land base is necessary for the new Native Hawaiian governing entity
  - Increase from 12% to 15% the ahupua‘a that are managed sustainably
- Ea
  - Adoption by the Board of Trustees of a Transition Plan that includes the legal transfer of assets and other resources to the new Native Hawaiian governing entity

Trustee Akana asked if data regarding Native Hawaiian students in the DOE includes charter schools. Dr. Watkins-Victorino confirmed that it does. She noted additional discussion would be necessary on philosophy regarding assessments and making sure they better reflect the standards of charter schools.

Trustee Ahu Isa suggested OHA could reach out to DBEDT and HTA to help with information collection regarding culture and other issues OHA is interested in.

Trustee Hulu Lindsey asked at what point changes to the priorities in the plan can be made. She believes the substance abuse problem is more important than the obesity problem. She also noted that in a recent visit to the State’s prison system, the administrators report that the largest problem is with substance abuse.

Trustee Apo noted that currently OHA operates in a framework of a combination of a State agency and a trust. That means the business models and governance models are both fairly Western. He believes that the entire strategic plan can be framed within culture. This would help with thinking about how everything that falls under that would be culturally-significant.

Trustee Akana stated that OHA’s priorities must be clear. There are many priorities, but if you approach all of them, it will not have a big impact. She believes substance abuse and drugs are a bigger priority than obesity.

Trustee Machado stated that to her OHA has only had one success regarding the strategic plan, exceed education standards. To her, the other results show that OHA has failed on every other indicator. She added that it has been seven years, so she wonders if OHA has been wise in its spending and commitment of resources.

Dr. Watkins-Victorino responded that OHA has some specific results, but sometimes indicators are not available. She added that sometimes it is just that data is not available to confirm OHA’s efforts. She noted OHA has been doing work to improve each of the areas, whether statewide data is available or not.

Dr. Crabbe added that he sees validity in all of the points. While some priorities can be shifted, he would advise against changing the plan or priorities entirely. Although OHA is not entirely successful, he looks at the progress as moving the needle.

Trustee Apoliona stated the bigger picture is about the balance between man, nature, and spirituality. She said this lōkahi is key and the overarching effort should be directed there. It is very basic, but without it, there is something missing.

Dr. Crabbe and Ms. Lisa Victor demonstrated an internal OHA BOT Reporting Site only available to Trustees. It is an effort to consolidate reporting in one area, with access restricted to Trustees.

Trustee Apoliona stated it was very promising to have all this information in one place and for previous years.

Mr. Mahi LaPierre provided updates on HLID. He noted through the project, OHA is trying to restore lōkahi. Currently, there are two cultural preservation plans, one for Halawa and one for Luluku, which are with DLNR. There is a third plan for Ha'ikū, which is currently with State DOT. Halawa and Luluku have decent size land bases, while Ha'ikū has small areas with heiau, which are just in the right of way. There are contract negotiations with architects and engineers who are working on the temporary structures and masonry. He also reported site stewards have been selected. They are setting them up for success by providing buildings and parking to help sustain the stewards.

Trustee Hulu Lindsey asked if DHHL is planning to build housing in the area. Mr. LaPierre stated he cannot answer on their behalf. Dr. Crabbe responded that is correct from his discussions with DHHL.

Trustee Akana asked if the stewards are going to develop their own plan. Dr. Crabbe confirmed this. Trustee Akana stated that OHA should help them where possible.

Trustee Hulu Lindsey asked how big the areas are. Mr. LaPierre responded that in talks with the working groups, they do not believe OHA is taking enough into consideration. He clarified that it is 5 acres in Halawa and 5 acres in Luluku for mitigation.

Trustee Apo stated that he is amazed how many tour buses visit Kukaniloko, so he believed once the HLID areas are mapped, there will be additional traffic to visit the areas.

Dr. Crabbe added that he recently had a meeting with DOT and was impressed with Mr. LaPierre's team to approach the discussion in a respectful way that resulted in more cooperation.

Mr. Ernest Kimoto distributed printed copies of the most recent draft of OHA's governing documents. Today is just for review and discussion, there is nothing to approve as of yet. A committee comprised of Momilani Lazo, Nola Ota, Raina Gushiken, Shirley Okamoto, Craig Kodama, and Mr. Kimoto had responsibility to oversee drafting the revised governing documents. He noted the Duty of Obedience requires those with fiduciary duties to comply with all applicable laws as well as their own policies.

Trustee Akana stated trust law is missing. Mr. Kimoto stated the Uniform Trustee Powers Act would fall under the External Legal Structure box. He stated that he will recommend that the previous Bylaws be rescinded and replaced by the new draft Bylaws.

## **V. NEW BUSINESS**

OHA Resolution Recognizing and Thanking all Service Providers, Contractors, and other OHA Partners who graciously assisted the Office of Hawaiian Affairs in its illegal camping enforcement action in Wahiawā

Motion

At 11:28 am, Trustee Machado moved, seconded by Trustee \_\_, to approve an OHA Resolution, “Thanking all the Service Providers, Contractors, and other Partners who graciously assisted the Office of Hawaiian Affairs in its illegal camping enforcement action in Wahiawā”

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		2	X			
TRUSTEE HULU LINDSEY			X			
TRUSTEE COLETTE MACHADO	1		X			
TRUSTEE JOHN WAIHE'E						X
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			7	0	0	2
MOTION: [ ] UNANIMOUS [ X ] 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 11:30 am, Trustee Machado moved, seconded by Trustee Apoliona, to go into Executive Session to consider the following:

- VI. Executive Session\*\*
- A. Approval of Executive Session Minutes
- 1) September 6, 2016
  - 2) September 22, 2016
- B. Consultation with Robert G. Klein, Esq. re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding ongoing legal and personnel matters. *Pursuant to HRS 92-5(a)(4).*

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		2	X			
TRUSTEE HULU LINDSEY			X			
TRUSTEE COLETTE MACHADO	1		X			
TRUSTEE JOHN WAIHE'E						X
CHAIR ROBERT LINDSEY			X			
TOTAL VOTE COUNT			7	0	0	2

MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED

Motion passed with six (6) YES votes, no (0) NO votes, no (0) abstentions, and three (3) excused.

The Board went into Executive Session at 11:31 am and exited Executive Session at 12:02 pm.

**VII. BENEFICIARY COMMENTS**

There were no Beneficiary Comments.

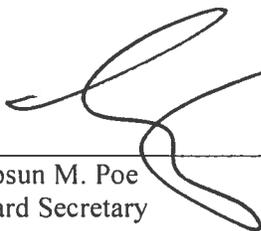
**VIII. ANNOUNCEMENTS**

Chair Lindsey announced the next Board meeting will be held on Thursday, October 20, 2016 at 9:30 am.

**IX. ADJOURNMENT**

Having no further business, Chair Lindsey adjourned the meeting at 12:03 pm.

Respectfully Submitted,



Capsun M. Poe  
Board Secretary

Approved by the Board of Trustees on October 20, 2016



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