

COMMITTEE ON RESOURCE MANAGEMENT  
 Dan Ahuna, Chairperson  
 Robert K. Lindsey, Jr., Vice Chairperson  
 Leina'ala Ahu Isa, At-Large  
 Kalei Akaka, O'ahu  
 Keli'i Akina, At-Large  
 Brendon Kalei'aina Lee, At-Large  
 Carmen Hulu Lindsey, Maui  
 Colette Y. Machado, Moloka'i/Lāna'i  
 John Waihe'e IV, At-Large



**STATE OF HAWAII  
 OFFICE OF HAWAIIAN AFFAIRS**

**MEETING OF THE COMMITTEE ON  
 RESOURCE MANAGEMENT**

**DATE:** Wednesday, November 27, 2019  
**TIME:** 9:00 am  
**PLACE:** OHA Board Room, Nā Lama Kukui  
 560 N. Nimitz Hwy., Suite 200  
 Honolulu, HI 96817

**AGENDA (Amended)**

- I. Call to Order
- II. Public Testimony\*
- III. New Business
  - A. Approval of Minutes
    - 1. November 6, 2019
    - 2. November 20, 2019
  - B. Workshop #2 – Kaka'ako Makai Discussion re: Programmatic Elements
- IV. Executive Session†
  - A. Approval of Minutes
    - 1. January 9, 2019
    - 2. April 10, 2019
    - 3. May 1, 2019
    - 4. July 31, 2019
    - 5. October 2, 2019
  - B. Consultation with Board Counsel Robert G. Klein, Esq., Kama Hopkins and RM Leadership re: questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities relating to CLA – OHA & LLCs Contract & Disbursement Review Draft Report, Pursuant to HRS 92-5(a)(4).
- V. Announcements
- VI. Adjournment

If you require an auxiliary aid or accommodation due to a disability, please contact Raina Gushiken at telephone number 594-1772 or by email at: [rainag@oha.org](mailto:rainag@oha.org) no later than three (3) business days prior to the date of the meeting.

\*Notice: Persons wishing to provide testimony are requested to submit 13 copies of their testimony to the Chief Executive Officer at 560 N. Nimitz, Suite 200, Honolulu, HI, 96817 or fax to 594-1868, or email [BOTmeetings@oha.org](mailto:BOTmeetings@oha.org) 48 hours prior to the scheduled meeting. Persons wishing to testify orally may do so at the meeting, provided that oral testimony shall be limited to five minutes.

† Notice: The 72 Hour rule, pursuant to OHA BOT Operations Manual, Section 49, shall be waived for distribution of new committee materials.

‡ Notice: This portion of the meeting will be closed pursuant to HRS § 92-5.

Trustee Dan Ahuna  
 Chairperson, Committee on Resource Management

Date

**DRAFT**

**STATE OF HAWAI'I  
OFFICE OF HAWAIIAN AFFAIRS  
560 N. Nimitz Hwy, Suite 200  
HONOLULU, HI 96817**

**Minutes of the Office of Hawaiian Affairs Committee on Resource Management  
November 20, 2019  
10:00 am**

**ATTENDANCE:**

Trustee Dan Ahuna, Chairperson  
Trustee Robert Lindsey, Vice-Chair  
Trustee Keli'i Akina  
Trustee Carmen Hulu Lindsey  
Trustee Colette Machado

Trustee John Waihe'e  
Trustee Brendon Kalei'aina Lee  
Trustee Leina'ala Ahu Isa

**EXCUSED:**

Trustee Kalei Akaka

**STAFF PRESENT:**

Sylvia Hussey, ICEO  
Raina Gushiken  
Ray Matsuura  
Everett Ohta  
Gloria Li  
Jim McMahan  
Jonathan Ching  
Lee Miller  
Lisa Watkins-Victorino  
Miles Nishijima  
Lehua Itokazu  
Claudine Calpito  
Anuheia Patoc  
Paul Harleman  
Maria Calderon  
Crayn Akina  
Melissa Wennihan  
Brandon Mitsuda  
Kauikeaolani Wailehua  
Zuri Aki  
Lei Ann Durant  
Priscilla Nakama  
Nathan Takeuchi

**Guest and Community:**

Robert G. Klein, Esq.  
Rodney Lee, SPIRE  
Lucas Sayin, SPIRE

**I. CALL TO ORDER**

**Chair Ahuna** welcomes everyone to the Committee on Resource Management and states it is 10:00 am.

	<b>Present</b>	<b>Excused</b>	<b>Comments</b>
TRUSTEE LEI AHU ISA	X		
TRUSTEE KALEI AKAKA			<b>EXCUSED</b>
TRUSTEE KELI 'I AKINA	X		
TRUSTEE BRENDON KALEI 'AINA LEE	X		
TRUSTEE HULU LINDSEY	X		
TRUSTEE ROBERT LINDSEY	X		
TRUSTEE COLETTE MACHADO	X		
TRUSTEE JOHN WAIHE'E			
CHAIRPERSON DAN AHUNA	X		
<b>TOTAL</b>	<b>8</b>		
At the Call to Order, there are eight (8) Trustees present.			

**Chair Ahuna** asks if anyone would like to provide public testimony.

**II. PUBLIC TESTIMONY**

None.

**III. NEW BUSINESS**

- A. Approval of Minutes**
  - 1. July 31, 2019**
  - 2. September 25, 2019**
  - 3. November 6, 2019**

**Chair Ahuna** stated we would be deferring July 31, 2019 and November 6, 2019 minutes. Asked for motion to approve minutes for September 25, 2019.

**Trustee Waihee moved.**

Trustee Hulu Lindsey seconded.

Trustee Waihee, MOVED, SECOND by Trustee Hulu Lindsey, to approve minutes of September 25, 2019,						
TRUSTEE	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE KALEI AKAKA						EXCUSED
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON LEE			X			
TRUSTEE HULU LINDSEY		2	X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE COLETTE MACHADO			X			
TRUSTEE JOHN WAIHE'E	1		X			
CHAIRPERSON DAN AHUNA			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with eight (8) YES votes.</b>						

**B. Action Item RM #19-18: Approval of Reimbursement Proposal from State Street Bank for Inaccurate Accounting and Performance Reporting.**

Chair Ahuna calls Sylvia Hussey to the table for item III. B.

Sylvia Hussey calls Ray Matsuura for discussion.

Chair Ahuna can we get a motion.

Trustee Waihee moved.

Trustee Machado seconded.

Chair Ahuna asks for discussion.

Trustee Lee states point of inquiry, this motion talks about a confidential settlement, but yet the discussion is in open session. How is it confidential?

Robert Klein states it says to execute a confidential settlement and release agreement, you don't have to do that in open session.

Trustee Lee states we are doing it in open session.

**Robert Klein** states executing the signing the agreement, if you are going to talk about something confidential then you are waiving confidentiality to do it in public.

**Trustee Lee** says which is my question, because this is going to be open for discussion.

**Robert Klein** states if you are going to discuss the confidential settlement and release agreement, the confidential part of that, not the merits but the confidential agreement itself and go through it line by line then yes, I would agree with you.

Trustee Waihee states I think what its saying is were authorizing you to execute the confidential settlement and release agreement and that's attached as attachment F, right.

**Sylvia Hussey** says right. I will ask Corp. Counsel to walk us through this issue.

**Raina Gushiken** states State Street is aware this was to be brought before the board in open session. This can be discussed in open session.

**Trustee Lee** states thank you.

**Trustee Akina** asked if we had legal counsel from Corp. Counsel or Board counsel.

**Sylvia Hussey** stated yes, Corp. Counsel.

**Trustee Akina** stated thank you.

**Chair Ahuna** calls for the vote.

<b>TRUSTEE</b>		<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>'A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
TRUSTEE LEI	<b>AHU ISA</b>			X			
TRUSTEE KALEI	<b>AKAKA</b>						<b>EXCUSED</b>
TRUSTEE KELI'I	<b>AKINA</b>			X			
TRUSTEE BRENDON	<b>LEE</b>			X			
TRUSTEE HULU	<b>LINDSEY</b>			X			
TRUSTEE ROBERT	<b>LINDSEY</b>			X			
TRUSTEE COLETTE	<b>MACHADO</b>		<b>2</b>	X			
TRUSTEE JOHN	<b>WAIHE'E</b>	<b>1</b>		X			

CHAIRPERSON DAN AHUNA			X		
<b>TOTAL VOTE COUNT</b>			<b>8</b>		
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>					
<b>Motion passes with eight (8) YES votes.</b>					

**C. Action Item RM #19-19: Approval for investment consultant, Segal Marco Advisors, to initiate an active core fixed Income Manager search.**

Chair Ahuna we are onto item III. C. and calls for motion.

Trustee Waihee moved.

Trustee Machado seconded.

Trustee Ahu Isa asked if Segal Marco will give the results to the board, and the board decides.

Chair Ahuna states yes. Asks for discussion. Hearing none, calls for the vote.

**Trustee Waihee, MOVED, SECOND by Trustee Machado To approve Administration's recommendation that the BOT approve and authorize for investment consultant, Segal Marco Advisors, to begin a search for an active core fixed income manager.**

TRUSTEE	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA				X		
TRUSTEE KALEI AKAKA						EXCUSED
TRUSTEE KELI'I AKINA				X		
TRUSTEE BRENDON LEE				X		
TRUSTEE HULU LINDSEY				X		
TRUSTEE ROBERT LINDSEY				X		
TRUSTEE COLETTE MACHADO		2		X		
TRUSTEE JOHN WAIHE'E	1			X		
CHAIRPERSON DAN AHUNA				X		

<b>TOTAL VOTE COUNT</b>				<b>8</b>		
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with eight (8) YES votes.</b>						

**D. Action Item RM #19-20: Approval of the Non-OHA Executive Managers' Selection and Seating Process for Hi'ilei Aloha, LLC**

Chair Ahuna states we are on to item III. D.

Chair Ahuna asks for a motion.

Trustee Waihee moved.

Trustee Robert Lindsey seconded.

Trustee Robert Lindsey states I am glad we are finally resolving this matter today, we have been rocking and rolling on this for a long long time. It seems like the end is near.

Chair Ahuna asks for discussion. Hearing none, calls for the vote.

<b>Trustee Waihee, MOVED, SECOND by Trustee Robert Lindsey, to approve Administration's recommendation that the BOT approve the Non-OHA Executive Manager's Selection and Seating Process for Hi'ilei Aloha, LLC and revised LLC Manager Position Description.</b>						
<b>TRUSTEE</b>	<b>1</b>	<b>2</b>	<b>'AE (YES)</b>	<b>'A'OLE (NO)</b>	<b>KANALUA (ABSTAIN)</b>	<b>EXCUSED</b>
TRUSTEE LEI AHU ISA				X		
TRUSTEE KALEI AKAKA						EXCUSED
TRUSTEE KELI'I AKINA				X		
TRUSTEE BRENDON LEE				X		
TRUSTEE HULU LINDSEY				X		
TRUSTEE ROBERT LINDSEY		2		X		
TRUSTEE COLETTE MACHADO				X		
TRUSTEE JOHN WAIHE'E	1			X		
CHAIRPERSON DAN AHUNA				X		
<b>TOTAL VOTE COUNT</b>				<b>8</b>		
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with eight (8) YES votes.</b>						

**E. Workshop #1: Kakaako Makai Overview, Programmatic Elements, Sequence and Options**

Sylvia Hussey called Jonathan Ching to give summary and overview on the Kakaako Makai presentation materials.

Jonathan Ching gave summary and overview on the Kakaako Makai presentation materials.

**IV. ANNOUNCEMENTS**

None.

**V. ADJOURNMENT**

Chair Ahuna calls for motion to adjourn.

Trustee Lee moved.

Trustee Machado seconded.

<b>Trustee LEE, MOVED, SECOND by Trustee MACHADO. Motion to adjourn.</b>						
	1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA			X			
TRUSTEE KALEI AKAKA						EXCUSED
TRUSTEE KELI'I AKINA			X			
TRUSTEE BRENDON LEE	1		X			
TRUSTEE HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE COLETTE MACHADO		2	X			
TRUSTEE JOHN WAIHE'E			X			
CHAIRPERSON DAN AHUNA			X			
<b>TOTAL VOTE COUNT</b>			<b>8</b>			
<b>MOTION: [ ] UNANIMOUS [ X ] PASSED [ ] DEFERRED [ ] FAILED</b>						
<b>Motion passes with eight (8) YES votes.</b>						

Chair Ahuna adjourned meeting at 11:23 am.



Respectfully Submitted,

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Claudine Calpito, Trustee Aide  
Committee on Resource Management

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Dan Ahuna, Chairperson  
Committee on Resource Management

Approved: RM Committee meeting \_\_\_\_\_

Attachment(s): 1) Excuse letter – Trustee Kalei Akaka



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**OFFICE OF HAWAIIAN AFFAIRS**  
Interoffice Memorandum

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**DATE:** November 20, 2019

**TO:** Trustee Dan Ahuna,  
Chair of Committee on Resource Management

**FROM:** Trustee Kaleihikina A. Akaka, Board of Trustees  
Vice Chair of Committee on Beneficiary Advocacy & Empowerment

**RE:** Excused Physical Absence

Aloha Chair Ahuna:

I will not be able to attend the committee meeting scheduled for today at 10:00 a.m. and request my physical absence be excused.

Mahalo.

KAA:brm



## Programmatic Uses

In reviewing the Pae'āina rresponses from June 2015, CPM chose fourteen programmatic uses for Kaka'ako Makai that could accommodate hundreds of comments surrounding recommended uses. Two (2) questions were posed at the various pae'aina meetings:

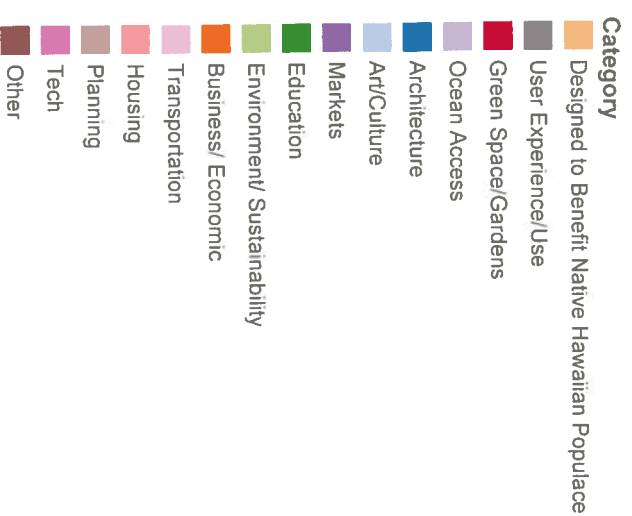
Pae'aina Question #1: How would you describe an Urban Hawaiian space?

Pae'aina Question #2: What uses would support both commerce and culture at Kaka'ako Makai?

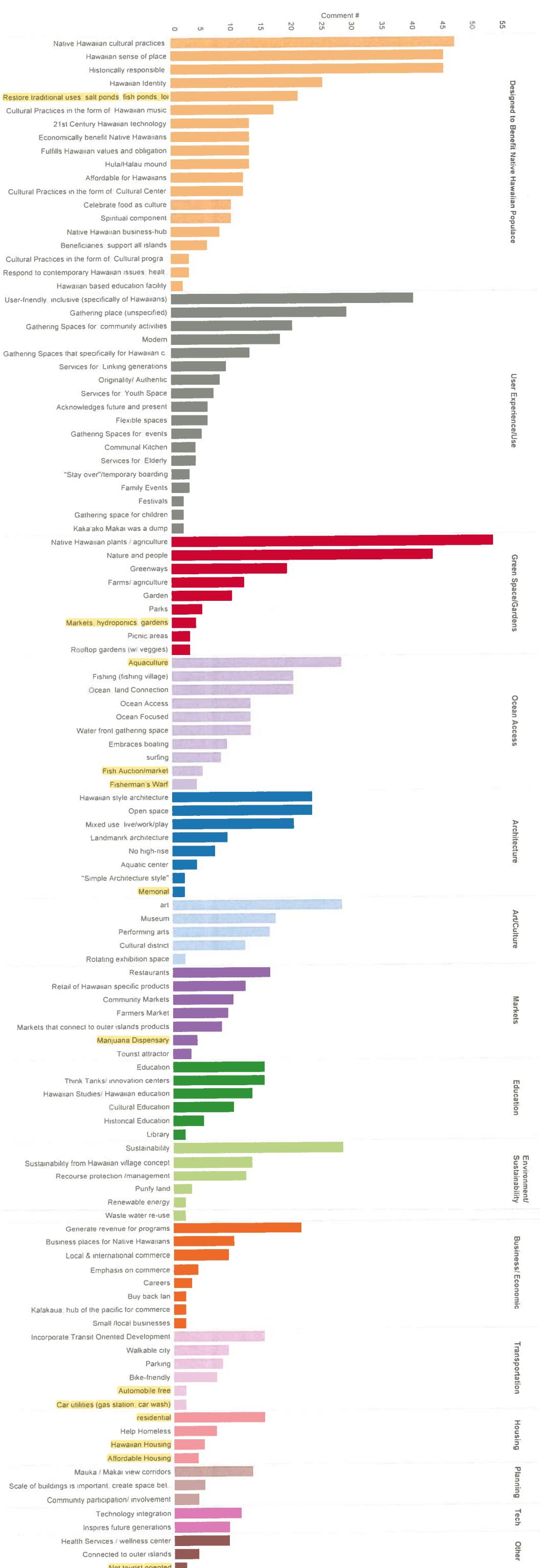
CPM did not include the following comments for uses at Kaka'ako Makai due to either zoning restrictions, feasibility, etc. They are as follows:

1. **Restore Traditional Uses such as Salt Ponds, Fish Ponds (suggested in 20 comments)**– not economically feasible for revenue generation, but could be a feature of the aquarium, and incorporated into the history of use;
2. **Markets and Hydroponic Gardens (suggested in 5 comments)**– not economically feasible for revenue generation but could be a feature of landscaping display or exhibit;
3. **Aquaculture (suggested in 28 comments)** – not economically feasible for revenue generation, but could be a feature of the aquarium; and incorporated into history of use;
4. **Fish Auction/Market (suggested in 5 comments)** – currently accommodated at Pier 38 nearby;
5. **Fisherman's Wharf (suggested in 4 comments)**– other restaurants offering seafood and great views may be part of new tenant mix;
6. **Memorial (suggested in 2 comments)** – various displays and exhibits throughout the project may include a memorial;
7. **Marijuana Dispensary (suggested in 5 comments)** – possible tenant of the development;
8. **Automobile Free (suggested in 2 comments)** – not practical at this time; both customers and employees need transportation;
9. **Car Utilities (Gas Station, Car Wash) (suggested in 2 comments)** – restricted by zoning;
10. **Residential (suggested in 16 comments)** – prohibited by statute at this time
11. **Hawaiian Housing (suggested in 8 comments)** – prohibited by statute at this time;
12. **Affordable Housing (suggested in 6 comments)** – prohibited by statute at this time;
13. **Not Tourist Oriented (suggested in 3 comments)** – our target market will be both residents and visitors to attract as large an audience for our tenants financial well being;
14. **Fisheries, Build Aku Fishing Boats (suggested in 5 comments)** – not economically feasible for revenue generation, but could be a feature of the aquarium re history of use;
15. **Underwater Tunnel (suggested in 4 comments)** – not economically feasible;
16. **Dry Dock (suggested in 2 comments)** – prohibited by zoning;
17. **Services for Elderly (suggested in 4 comments)** – could be included as part of the development as a tenant use;
18. **Work Force Training (Hawaiian Focused) (suggested in 9 comments)** – could be included as part of the development as a tenant use, or innovation center;
19. **Foreign Trade Zone (suggested in 2 comments)** – determined by Federal government;
20. **Non-Profit Hub (suggested in 2 comments)** – could be included as part of the development as a tenant use;
21. **Loi (suggested in 2 comments)** – not economically for revenue generation; but perhaps a dry land taro area can be incorporated as part of the landscaping design;

22. **No High Rise (suggested in 6 comments)** – the maximum height is 200 ft on select parcels;
23. **Affordable Housing at Other Locations (suggested in 5 comments)** – perhaps revenues at Kaka’ako Makai can assist with loan program for housing;
24. **Help Homeless (suggested in 4 comments)** – perhaps revenues at Kaka’ako Makai can assist with grants for services and assistance;
25. **Health Services/Wellness Center (suggested in 22 comments)** – could be included as part of the development as tenant use and is otherwise incorporated into the 14 proposed areas/uses for inclusion;
26. **Transit Oriented Development (suggested in 10 comments)** – Kaka’ako Makai is outside TOD zoning enhancement area



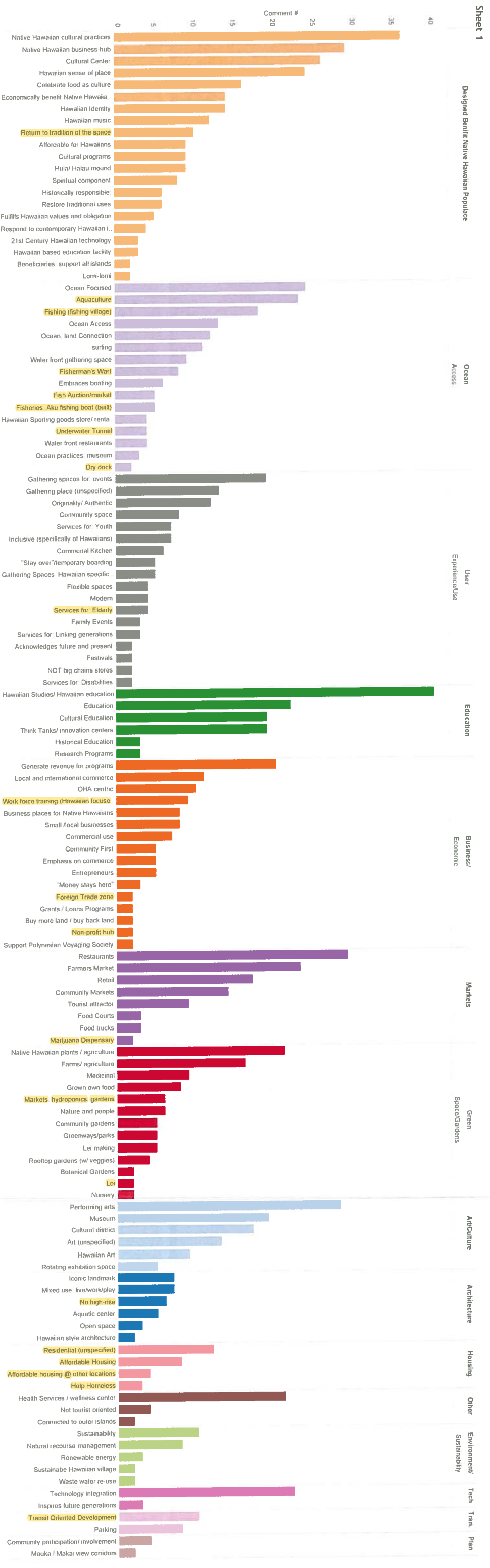
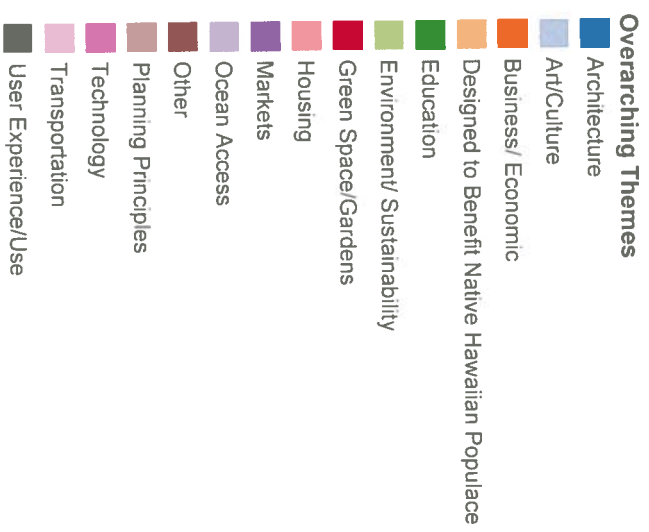
Sheet 1



Sum of Comment # for each F2 broken down by Category. Color shows details about Category.

## Question 1: How would you describe an Urban Hawaiian space?

In response to the first question the most common feedback revolved around the concept of a space designed to benefit Native Hawaiians. It was suggested this could take the form of spaces for cultural practitioners to practice (i.e. Iomi, la'aulapa'au, hula), Hawaiian owned business, products, foods, and acknowledging and incorporating the history of a particular space in design and programming. The other most frequently mentioned comments explored the user experience and the incorporation and cultivation of the natural elements. See Appendix XX for more detailed chart.



## Question 2: What uses would support both commerce and culture at Kaka'ako Makai

In response to the second question, the most common feedback revolved around the concept of creating a space for Native Hawaiians to practice. This concept of practice took a multitude of forms including the concept of a cultural center, a business hub for Hawaiian entrepreneurs, restaurants, and facilities for cultural practitioners. The second most frequently mentioned comments focused around uses at Kaka'ako Makai being ocean focused and taking advantage of the areas close proximity to aquatic resources.

Sum of Comment # for each F2 broken down by Overarching Themes - Split 1 and Overarching Themes - Split 2. Color shows details about Overarching Themes. The view is filtered on F2, which excludes Teach gardening.