

PHONE (808) 594-1888

FAX (808) 594-1868

BOARD OF TRUSTEES
Colette Y. Machado, *Chairperson*
Dan Ahuna, *Vice Chairperson*
Leina'ala Ahu Isa, *At-Large*
Rowena Akana, *Trustee At-Large*
Keli'i Akina, *At-Large*
Peter Apo, *O'ahu Trustee*
Carmen. Hulu Lindsey, *Maui Trustee*
Robert K. Lindsey, Jr., *Hawai'i Trustee*
John Waihe'e IV, *Trustee At-Large*



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS

MEETING OF THE BOARD OF TRUSTEES

DATE: Thursday, August 30, 2018
TIME: 11:00 am
PLACE: OHA Board Room, Nā Lama Kukui
560 N. Nimitz Hwy., Suite 200
Honolulu, HI 96817

AGENDA

- I. Call to Order
- II. Approval of Minutes
 - A. July 12, 2018
 - B. July 26, 2018
- III. Public Testimony*
- IV. Unfinished Business
 - A. CEO's 15-Minute Update on Ho'oulu Lāhui Aloha and OHA Activities
 - B. Action Item BOT #18-03: Approval of reformatted and comprehensive update of the OHA Board of Trustees' (BOT) Bylaws as approved and adopted by the BOT and that conform to BOT approved action and state statutes, 2nd Reading †
- V. New Business
 - A. Committee on Resource Management
 1. Action Item RM #18-08: Approval for Administration to amend the contract to Peninsula Real Estate Partners †
- VI. Executive Session ‡
 - A. Consultation with Attorney Sherry Broader, Esq. on questions and issues pertaining to the OHA Board of Trustees' powers, duties, privileges, immunities, and liabilities regarding *OHA v. Hawaii Housing Authority*, Civil No. 95-2682-07, Pursuant to HRS §92-5(a)(4).
 - B. Approval of Minutes
 1. May 17, 2018
 2. May 24, 2018
 3. May 31, 2018
- VII. Community Concerns*
- VIII. Announcements
- IX. Adjournment

*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 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.

Colette Y. Machado
Trustee Colette Y. Machado
Chairperson, Board of Trustees

8/22/2018
Date

Office of Hawaiian Affairs
Board of Trustee Meeting
August 30, 2018
11:00 am

- II. Approval of Minutes
 - A. July 12, 2018*
 - B. July 26, 2018

****PLEASE INSERT THE JULY 12, 2018 MINUTES
THAT WERE DISTRIBUTED IN THE AUGUST 9,
2018 BOT FOLDER.***

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
Lāna‘i Elementary and High School Cafeteria
555 Fraser Ave.
Lāna‘i City, HI 96763**

**Minutes of the Office of Hawaiian Affairs Board of Trustees
Thursday, July 12, 2018
10:30 am**

ATTENDANCE:

TRUSTEE COLETTE MACHADO
TRUSTEE LEINA‘ALA AHU ISA
TRUSTEE DAN AHUNA
TRUSTEE W. KELI‘I AKINA
TRUSTEE PETER APO
TRUSTEE CARMEN HULU LINDSEY

ROBERT K. KLEIN, ESQ. BOARD COUNSEL

EXCUSED:

TRUSTEE ROWENA AKANA
TRUSTEE ROBERT LINDSEY
TRUSTEE JOHN WAIHE‘E IV

ADMINISTRATION STAFF:

KAMANA‘OPONO CRABBE, CEO
EVERETT OHTA, CC
KAWENA CARVALHO-MATTOS, DPM
MISTI PALI-ORIOLO, OUTR
ANTHONY PACHECO, COC

BOT STAFF:

CAROL HO‘OMANAWANUI
LADY GARRETT
LŌPAKA BAPTISTE
KAMA HOPKINS
CRAYN AKINA
DAYNA PA
LIANA PANG
MARIA CALDERON
NATHAN TAKEUCHI

GUESTS:

ROSELANI KAHALEANU
WINIFRED BASQUES
RON MCOMBER
KELLI GIMA
NATALIE ROPA
DIANE PREZA
PAM ALCONCEL
ROBIN KAYE
ROSELANI KAHALEANU

I. CALL TO ORDER

Chair Colette Machado Calls the Board of Trustees meeting to order at 10:45am. Roll call is taken; Trustees Ahu Isa, Ahuna, Akina, Apo, Carmen Hulu Lindsey, Waihe‘e and Machado are present; constituting a quorum of seven (7) trustees. Excuse memos were received from Trustee Rowena Akana and Trustee Robert Lindsey.

We will not move on to the approval of minutes.

II. APPROVAL OF MINUTES

- A. June 20, 2018 (Community Meeting)
- B. June 21, 2018
- C. June 26, 2018

Trustee Dan Ahuna moves to approve the Board of Trustees Meeting minutes for the following dates; June, 20, 2018, June 21, 2018 and June 26, 2018.

Trustee Peter Apo seconds the motion.

Chair Colette Machado – Any discussion? Hearing none, roll call please.

Trustee Dan Ahuna moves to approve the Board of Trustees Meeting minutes for the following dates; June, 20, 2018, June 21, 2018 and June 26, 2018. Trustee Peter Apo seconds the motion.						
TRUSTEE	1	2	‘AE (YES)	A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA‘ALA AHU ISA			X			
TRUSTEE DAN AHUNA	X		X			
TRUSTEE ROWENA AKANA						Excused
TRUSTEE KELI‘I AKINA			X			
TRUSTEE PETER APO		X	X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY						Excused
TRUSTEE JOHN WAIHE‘E						Excused
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			6			3
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passed with Six (6) yes votes and three (3) excused.						

Chair Colette Machado – Before we move on I’d like to begin with introductions from the Trustees. We will start with Trustee Keli‘i Akina on my right.

Trustee Keli‘i Akina – Madame Chair thank you very much and aloha to all of you here on Lanai. I’m Trustee Keli‘i Akina, Trustee At-Large and I am looking forward to learn more about your concerns today. I have with me one of my Trustee Aides, Ms. Maria Calderon. Thank you for joining us, aloha.

Trustee Carmen Hulu Lindsey – Aloha mai kakou. Trustee Carmen Hulu Lindsey from the island of Maui. Thank you for being with us this morning. We look forward to hearing your concerns, your interest, your mana‘o. Thank you again.

Trustee Leina‘ala Ahu Isa – Aloha mai, Leina‘ala Ahu Isa Trustee At-Large from Oahu but representing all of you. My Trustee aide is here Lady Garrett.

Trustee Peter Apo – Aloha mai kakou. It’s always wonderful to be on Lanai. But you know I am really bummed. We used to come to Lanai as a board and be able to stay the night and spend time in the community and get to know people and to talk about issues. But the cost of coming to Lanai, the hotel rooms are so expensive, it kind of really bums me out that we have to limit our stay to one day because otherwise we are probably going to get a call from the ethics commission on why we are spending that much. I miss you guys, I miss having to spend nights here. Mahalo it’s good to be back to see all of you.

Trustee Dan Ahuna – Aloha. I just want to thank all you guys for being here. I am excited, the reason why I am excited is first of all my staff didn’t make it on this trip and I might be staying here tonight. I am in love with afterschool programs and football is one. I just wanted to come help your players out. I see a lot of your students from Lanai on Oahu attending clinics and stuff like that. I just want to see your football team do well this year. I have a prediction this year, this is going to be the first year they are going to win the championship. Thank you.

Chair Colette Machado – I am your Trustee for the island of Lanai and Molokai. Because of the high cost of travel, not so much the airfare but the high cost of residing overnight I have not done my due diligence to attend some of your activities on island. My favorite was the Aloha Week parade. One of my most memorable experience was walking with the students from the program here and we chanted up by the housing, they did the lanai chants all in Hawaiian. That was my most memorable experience because ‘ōlelo was not spoken as publicly I recall as at the parade. I know we see sister Roselani and she will probably give us an update. I’d like to introduce my staff, I have the board secretary Dayna Pa, my aide Lōpaka Baptiste, and Chief of Staff Carol Hoomanawanui. We also have our Board attorney Lisa Cataldo. Thank you Lisa. I’ll call on Kamana‘opono Crabbe.

Kamana‘opono Crabbe – Mahalo, welina kealoha. I am Kamana‘opono Crabbe, CEO for administration. I’d like to introduce the staff that are present this morning. From Lanai, our Lanai Community Outreach Coordinator Anthony Pacheco. We have our Community Neighbor Island outreach assistant manager, I really want to thank her, Misti Pali-Oriol. We have our Corp Counsel, particularly for environment, land issues to hear your concerns today, Everett Ohta. And operating our livestream camera is Kawena Carvalho-Mattos. That is our staff for admin Chair.

Chair Colette Machado – I wanted to take the time to introduce Anthony Pacheco our OCC on Lanai all of you know him. In addition to that he prepared us a summary of the issues prevalent on the island called “Hot Topics” and some of those issues we will be talking about. With that said I’d like to call on our first community presentation. Is Natalie Ropa here?

III. COMMUNITY PRESENTATIONS

A. Lāna‘i High and Elementary School Foundation – Natalie Ropa

Ms. Natalie Ropa – Hello and welcome back to Lanai. I hope that you guys had a smooth and on time flight. My name is Natalie Ropa, I am the director of the Lāna‘i High and Elementary School Foundation, it’s a 501 (c)(3) nonprofit organization. Our mission is to engage students, parents and the community into our school community. We also have made a huge effort into bringing higher education opportunities that enhance the learning that happens in the school. We are very connected to our only school on the island.

The Lanai High and Elementary School and the Foundation would like to express a huge mahalo for the support that you guys have given us this year. For the two major events in our community. The first one was a College and Career Fair in November 2017. Our 587 pre K thru 12 grade students were able to participate. We were able to bring over from Lanai and the outer island 70 representatives from University, Community Colleges, Industry professionals and the military.

It was a great event. It was extra exciting to see our pre K and elementary students, they did a walkthrough of the event and they were so amazed to see all the people in uniform. We had the Army, National Guard, Coast Guard, Maui Police Department and the Fire Department. It was super exciting for them. Our mission is that it is never too early for them to start thinking about what they want to do when they grow up. That was a huge experience for our students and we were able to have everyone benefit from it.

The second event that we had was in March 2018 we began cultural workshops that were in line with our May Day programs in our schools. So we ran hula workshops, we ran lei making workshops and we also ran sewing workshops so that the kids could sew their own pau skirts. We were able to have the community participate, we had elementary, middle high school and also adults and kupuna. It was a series that started in

March from Spring Break and then ended with the May Day program being the hoike to present everything that was done. It provided a beautiful, cultural experience within our school, especially for our native Hawaiian community as well. Thank you again for all your support and we hope to continue this relationship with your folks. Mahalo.

Chair Colette Machado – The foundation is a 501 (c)(3)?

Ms. Ropa – Yes.

Chair Colette Machado – Have you applied to OHA other than this one time for any kind of grant?

Ms. Ropa – No but I am meeting with Anthony, we've been talking story about applying for a OHA program. The foundation wasn't really active in providing direct services until a few years ago. We are starting to really get our grant efforts going and being able to provide the support for our school that it was intended for. We are going to start doing it and we hope to get lucky this year or next year.

Chair Colette Machado – I want to encourage you because in spite of the intermittent activities you have you may want to invest in a long term kind of funding. If you qualify for our community grants you will be eligible for 2 years and that's what would provide you some stability to ensure the students that they get continuity with some of the priorities that you set forth with your board. Just I want to encourage you to do all that you can.

Trustee Leina'ala Ahu Isa – The two year grants, so you have to like a plan for two years and apply for next year? Is there a cut off when they apply?

Kamana'opono Crabbe – I'd like to call Misti Pali-Oriol.

Misti Pali-Oriol – So the current year Fiscal 19 is the second year of our biennium. So our next round of community grants should come out later this year and be for Fiscal Years 20 and 21.

Chair Colette Machado – Let me explain the Kūlia Process. We will be recommending the approval of the Kūlia grant that would provide for 1 year because that is all the funding we had. That would be for 12 months because that is the extent of the funding. That is not approved yet although we have allocated it in our budget. WE are coming up with the details and the solicitation procedures. When that gets approved the Trustees will make their decisions. How did you guys do on Molokai with the minors?

Ms. Ropa – We lost the first two games but we had a vacation afterwards.

Chair Colette Machado – They just fell in love with you guys. The next presenter is Lanaians for Sensible Growth, we have Kelli Gima today.

B. Lanaians for Sensible Growth – Kelli Gima

Ms. Kelli Gima – Hi good morning Trustees, thank you so much for being here and giving us this opportunity to present and share with you. I think our board president did a presentation last year when you folks were here. Unfortunately, he could not be here today. I was tasked with giving you guys a few updates, things that Lanaians for Sensible Growth are involved in.

Just a little background for those who are not familiar. LSG has been around for about 30 years. With Mr. McOmber being one of our founding members. Currently we are a small board, still tacking various

community issues, some long term issues that we are still tackling. That is where the president of our board is today currently on Oahu in appellant court appealing LUC's decision and order last year. Questions?

Kamana'opono Crabbe – No but Everett maybe you can comment and give an update.

Chair Colette Machado – Do you have a summary?

Everett Ohta – I don't have a summary or a current status of their case we are not involved in it.

Ms. Gima – We are currently in court right now so I don't really have any updates. Basically what happened is the LUC had ruled that the Castle and Cook resorts now Pulama Lanai did not utilize potable water from our high level aquifer. That was their decision and order and LSG with our attorneys from Native Hawaiian Legal Corp decided to appeal. That is where we are at right now. Hopefully we get some updates. I haven't heard anything yet. He apologizes he isn't able to be here today. That is one that we have been battling that has been ongoing for decades.

Some other new and exciting things LSG has been doing is actually this weekend we will be hosting a County of Maui Mayoral forum. We a really sat down that thought what we as LSG do something good for the community. Often times we are looked at as something adversarial and always fighting against the company. That is not always the case we are looking out for our community members. So one thing was how can we get our residents more informed voters so we reached out to all the County of Maui mayoral candidates, 6 out of the 7 have committed to being here this weekend and we are going to do a forum, we have pre-selected questions for them, we are going to have random and audience questions. It will be really great Lanai residents please come out for that. It's just getting our residents more involved with that whole political process and we are hoping closer to the general election we will also do a forum for our council member spot as well.

We are still involved in advocating the County of Maui affordable housing project. That has also been an ongoing issue for decades. It's been about 4 years now since we have really tried to reach out to the Count of Maui and be the squeaky wheel and question where are we. Housing is an issue here on Lanai, we need affordable housing. The county has lands. There have been a few community meetings since you guys were here. Although there seems there is more planning and some slight direction it doesn't look like it will be happening any time soon. There is a lot of issues of having to go back and get that Federal thing for affordable housing part of it. It's still in the works, LSG is still advocating that we get this housing project that was promised to our residence here on Lanai.

Another thing that we are always involved with is our Hulupoe beach park council. That is our beach park down at Manele bay. That is what sparked the formation of LSG with the MOA that went into effect to keep that beach public access for our residents. We have three seats on the Hulupoe Beach Park Council, we are still very active in that to make sure that our residents have access to our beach park. We are also involved with the Lanai Archeological Committee. One of our board members is still the interim Chair, attempted to transfer \$140,000 to their board for more autonomy and authority instead of having to ask Pulama Lanai to transfer that money. They fund various different projects and they have put money.

With our Lanai water advisory committee. They are contemplating in pursuing an ordinance to institutionalize this LWAC committee for the same reason. We would like to make LWAC like any other County or State Board or commission that would need to be consulted on in every application before the planning department, LWAC is comprised of people who are so knowledgeable about our water on Lanai. So we really wanted to

see that get having ordinances to get that more formal. That is a brief overview of the various things that LSG is participating in. Any questions?

Trustee Dan Ahuna – Can you tell me who owns the beach?

Ms. Gima – Not the beach itself is the State of Hawaii. The beach park is Pulama Lanai. So what happened was back when Murdock was going to build the hotel down Manele Bay he wanted to try and privatize the beach. Which is our only beach accessible by paved road. So that was when LSG formed, and MOA was made to ensure that it will always be accessible to the public and there is a beach park council that is comprised of different members of the community.

Chair Colette Machado – I am reading the hot topics that was prepared by Anthony. It says that the land use commission in the opinion that was render by the hearing officer dated April 5, 2017 regarding condition 10 of the 1991 ruling. It allows the Lanai Company to continue to use potable water for irrigation of the golf course rather brackish.

Ms. Gima – Yes, they are appealing that. He might be better to answer those specific questions because he has been around this entire time. But it has still been an ongoing battle that LSG believes that our potable water should not be used for irrigating a golf course period. That is why we are not giving up this fight and we will continue to move forward with the Native Hawaiian Legal Corporation, they have been amazing to LSG.

Chair Colette Machado – Would you like to add before I call up Mr. McOmber, Everett.

Everett Ohta – Aloha Trustees and everyone. As I understand the matter that was heard before the land use commission it fell in the determination on what is potable water for the terms of the Land Use Commission's 1991 order. The parties have been in ins issue for quite a while. It was previously decided on by the land use commission back in 96, appealed at the Supreme Court which issued a decision saying that it really was a determination on whether or not the water being pumped for golf course irrigation was potable or not. That was sent back to the land use commission for further determination and fact finding. So that is the decision that was issued by a hearings officer and adopted by the land Use Commission last year and that's really the determination on what I believe are chloride levels and the like that are what constitutes potable water. I think there was various experts brought in to determine what is potable and what is non- potable and that is what the decision was based on. That is what is being appealed at the Hawaii Supreme court and that is based on the land use commission's order that allowed the development from Lanai Company to move forward. I am not particularly family with the current status of the appeal as it is ongoing today. I think that maybe shed further light on that issue that is currently pending right now.

Chair Colette Machado – There is a note there that LSG may seek OHA's inclusion in their appeal. Is this something that you had some discussion with Native Hawaiian Legal Corporation?

Everett Ohta – I think in terms of what was before the land use commission, OHA previously was a party to those proceedings before the land use commission back in the early 90s so OHA was a part along with LSG and also represented by Native Hawaiian Legal Corporation at the time. Following the order that was issued in 1991 there were further proceedings. But those later motions, really the order to show cause before the Land Use Commission to try and get them to enforce that condition that OHA wasn't a part of those further proceedings to try and get that conditions enforced. So we have not been a party to any of the proceedings before the Land Use Commission since approximately since 1991.

We are also signatory for the Memorandum of Agreement with LSG, Castle and Cook, so that something that is outstanding that OHA is a party to and there is a similar provision within the MOA that discusses the use of the High level ground level aquifer and the use for gold course irrigation. That might be something that OHA can look at further. The Trustees can make a latter decision on whether or not to involved OHA in anything further.

Ms. Gima – Mahalo and thank you for your time.

Trustee Dan Ahuna – What is considered potable water?

Ms. Gima – This is what has been the confusion, when you think about potable you think drinkable water. What came down to the LUC is the chloride levels, and what not. I can't really answer that for you specifically.

Everett Ohta – I am sorry I am not a hydrologist. As I understand it chlorides are really a measure salinity, so how salty water is and understanding the ground water aquifer, the fresh sits on top of a deeper salt ocean water. There is some level of salt water and that is how much can be drawn from the aquifer without affecting people's ability to drinking or domestic uses. So chloride really is not like a pool water but is a matter of measuring salt content for drinking and domestic use purposes.

Trustee Peter Apo – I understand how the island works in terms of its economy. What is the project in being able to maintain a labor pool to service the industry if they don't take care of affordable housing, things where the labor pool, and the service sector can afford to live here.

Ms. Gima - Couldn't comment on what the projections are but I think that is one of the valid concerns, that yes do we have enough housing for people working and sustaining the economy on Lanai. I don't have those numbers or projections but it is a huge concern.

Trustee Peter Apo – But someone is working on it?

Ms. Gima – I would hope so. Anything else? Thank you so much.

Chair Colette Machado – Ron is that anything you want to add?

Mr. Ron McOmber – Aloha, my name is Ron McOmber and I am one of the original LSU members. There were seven of us that meet at Martha Evans Home. It all started with the protection of Hulupoe. Hulupoe is a beautiful beach. Hulopo'e is the marine life conservation district the third one in the State. Hulupoe and the Manele area is corner stone of this island. Its proven day after day, the boats come in from Maui, they come to Hulupoe because it's the only beach in Maui County who let people come in. Kaanapali you can't go to their beaches.

The problem with the water has been going on since Jesus was a private. We have one single source aquifer. No matter what these other people tell you, it comes from one source. The last time we had a community plan change this company brought in experts and started drilling holes out in Manele to treat salt water. Why are you doing that you get all the water you need from above. They know as well as I am sitting here right now, there is a limited amount of water on this island. Potable water, drinking water. They drilled holes, they must have spent millions of dollars drilling holes. They were going to take salt water and desalinization it and pump it back in the ocean. As soon as the community plan was done they stopped it. Because what they were doing

to us, they were throwing a puck shot. They were saying they were going to do all this stuff, Ellison's got more money than Gods got little people, it's amazing what is going on over here.

Maui news yesterday reported that shocked me, Molokai has a problem with vacation rentals. Everything is based on it, the same thing happened on Lanai. This whole thing, water, housing, we are in a really unkind spot. We have plenty of water on this island if they do it right and manage it right. Go look Koele, it is one of the neatest places on this island. Look at what they are doing to it, they are destroying Koele, they are going to have a zip line, this is BS folks, they are taking Lanai and turning it into a vacation land for rich people. And the local people can't even get housing here. All the housing is being swept up by some corporation on Maui which rent them as vacation rentals. All the houses that are up right now are being incorporated by some outfit in Maui. All these people who bought up the homes and want to vacation once a month the rest of time they are using it for vacation rental. This is what is happening. We are in court today about this water issue. I been here seems like forever and this is very special place and thank God for people like you and thank God for Native Hawaiian Legal Corp. We have support and please keep supporting Native Hawaiian Legal Corp because they are a great organization. There is no other place like Lanai. We need affordable housing; we have the land that was given over 30 years ago but there is no housing on there. They can't make up their mind, the County doesn't have money. We have the COO of Pulama but doesn't have the to stand up for his own island. I am so disappointed about this. Please support Native Hawaiian Legal Corp and the Hawaiians on this island.

Chair Colette Machado – Can you please summarize?

Mr. McOmber – Thank you, I appreciate what you guys do and don't stop coming to Lanai, please.

V. PUBLIC TESTIMONY/COMMUNITY CONCERNS

Chair Colette Machado – We have one individual that has signed up, we have Diane Preza she is a board member with the Lanai Cultural and Heritage Center.

Ms. Diane Preza – Aloha I am representing the Lanai Heritage and Cultural Center today. Kapa wishes he could have been here.

Chair Colette Machado – We have received his email and we did distribute it.

Ms. Preza – Thank you for being here. Basically I just wanted to thank you and mahalo for all of your support all these years. The programs that we do. I wanted to keep you abreast on how those programs are continuing. Kapa moved to Hilo however he is still the Executive Director. The last few months we lost our sole employee. With the help of Pulama Hawaii we have been able to keep the doors open. We offer staffing and out expertise up there through Pulama Hawaii. The cultural center continues to work alongside with the community, with the schools, with Pulama Hawaii, Four Seasons and visiting groups. Some things that we did this past year is the Ike Hou program the cultural literacy program with students from 7th to 11th grade. This is the 6th year this program is going on. We also hosted 2 state conferences this year. The State Loko Ia conference and also the Aha Kupuna, the DOE resource teacher conference here.

The cultural center works alongside Pulama Hawaii and different groups within the community to help carry out these kinds of program. It is kind of a big thing when you have 80 people camping down at Waiopae fishpond. We try to go together and work to accomplish these things. The cultural center is also involved in archival workshops so through a GIA grant we are able to bring over an archivist to do community workshops on the weekend. We are trying organize our archives. It is a big job. We are assisting with Four Season, them embark program which is like an orientation for their new workers. We've done cultural exchanges with

groups that come. We've done incentive groups, sharing the culture and doing different types of activities with them. We try to reach out to not only the community here but people that come from outer islands. Sometimes we get involved with supervising photo shoots and making sure the sites don't get upset. At the school they are trying to get their staff involved in space learning things on our island. What we've done through a grant through Hawaii Community Foundation and NOAA, we contract the Pacific American Foundation to develop Aloha Aina curriculum specific to Lanai.

As much as possible through the course of the year we try to bring the kids out to the 'āina. We feel that it is so important that these kids understand the history of this place and their culture. For all kids not just if you are native Hawaiian but all these children, this place is so special. The center works very hard to get the children involved in learning. That's very important for us. We also work with the Lanai archeological committee, we do community workshops, lei making, kapa making, oli. We try our best to be involved. The struggle right now is funding it's hard to get money and we are exploring options.

Chair Colette Machado – We have a question and it's part of the hot topics issue, there is a statement in here that says Pulama Lanai is relocating your folk's current location?

Ms. Preza – The Cultural Center?

Chair Colette Machado – Yes.

Ms. Preza – No in fact they gave us additional space to house our artifacts for the archives but we are not moving anywhere. Not that I know of.

Chair Colette Machado – You folks have not had any discussion with Pulama Lanai seeking relocation of the current location.

Ms. Preza – Pulama donates.

Chair Colette Machado – Pulama Lanai is considering a relocation of Lanai Cultural and Heritage Center from its current location which OHA contributed \$750,000 to construct in fiscal years 2008 and 2009 the current location is owned by Pulama Lanai. The Lanai Community Outreach Coordinator will monitor the progress. This is what I am reading on this notification for hot topics for this island.

Ms. Preza – As far as I know the only thing I can think of is that they are planning to expand the center but I haven't heard of us moving from that place we now occupy.

Chair Colette Machado – I think it's a little more deep than that. I think because we provided \$750,000 for the actually reconstruction to get ready the facility with the climate control rooms. We don't want to see the money mina mina if they are going to relocate your folks and I don't know what they will provide you folks.

Ms. Preza – I have not been told anything so far.

Chair Colette Machado – That is very enlightening.

Trustee Keli'i Akina – Perhaps Ka Pouhana and address this question we are reading from a Memo from Kawika Riley.

Chair Colette Machado – May I ask Anthony because you are part of the consult with this Hot Topics. We don't want you folks to be left high and dry.

Anthony Pacheco – Aloha Trustees, I originally prepared some of that info that you folks are reading. It went through several of the folks before it got to you. All I was really sharing was, what I had heard through the grapevine and then followed up with some Board member of the Cultural and Heritage Center. It sounds a little more like that it is going to happen in that memo. What I had originally written out was a little more like something that was thrown out there. So as opposed to that there are many plans or any real discussion about the center moving at all. I wanted to give you guys a heads up because there is some talks and not there is anything more concrete than that.

Chair Colette Machado – Thank you I just wanted to assure the board of the cultural center, because of our initial commitment to where you guys are at I know that it is difficult to sustain yourself. You may want to rely on Pulama Lanai to provide some support. I wanted to let you folks know and Pam if that changes please notify the Office of Hawaiian Affairs. Because we have a stake as well because of our initial investment.

Ms. Preza – That is understood. Right now the doors can stay open because of Pulama Lanai.

Ms. Pam Alconcel – Lanai Cultural and Heritage Center has been going through a lot this year and we really are thankful for Pulama for stepping in, providing us with daily coverage so that we can keep the center open. We have been very fortunate to get some smaller grants to keep many of our programs going and we will look into the next round with you folks. Mahalo.

Chair Colette Machado – Thank you.

Trustee Peter Apo - With all these things going on and separating the public sector and the private sector what is the scenario in terms of your council person and any connections that you may have to Maui and the power group over there, is there any attempt at intervention to help you folks here from where in terms of public issues and all of that growth models and all of that. Is there any kind of center of gravity outside of Lanai, or some kind of advocacy effort that is coming from higher levels in economic issues?

Mr. Robin Kaye – The short answer is No. It is very difficult to get our elected officials to come. It has been very challenging. I would like to throw one long term issue at you. It's very hard to die on this island. We have wonderful senior center, we need hospice but there is nothing between that, we don't have an adult day care facility, we have no assisted living facility. When this community, 20% of our community is over 60 faces health care needs, there is no place for care here. If you go into the hospital it is \$30,000 a month because it's a hospital. So many of our seniors have to go to Maui or Oahu. One of the things we hope to see is a miracle collaboration between State, County, Pulama Lanai, OHA and perhaps DHHL to have a place here where there is care for Seniors as they age. I have not specific request to you but I just wanted to put into your thoughts it is going to be an issue for this community.

Chair Colette Machado – Thank you.

Trustee Peter Apo – I am very saddened by what little I know about the growth model here it does seem that Lanai seems to be a money pit and is going to end up being a theme park.

Mr. Kaye – It's a very unique situation here. You have people from Maui who come over and sit at our park and take benches away from the resident to use. I shared this with someone from off island and she looked at me and said have you been to Ala Moana beach park, and Waikiki. So it's also relative for us there is a very significant increase in tourism and people who are not from here and it's hard to make that argument to folks.

(conversation indiscernible)

Chair Colette Machado – Do we have questions for Diane, if not Mahalo Diane, Ron did you want to speak?

Mr. Ron McOmber – If it wasn't for the Ferry boat between Lahaina and Lanai we would have not transportation off this island. The airline suck they can never be on time. When they are coming in they are two hours late. In the last deer draw we had 2900 applicants. That many people coming to Lanai in a 9-week period and we have to help find housing, trucks for these people. Because it is an asset to this community, the stores benefit, stores benefit and restaurants benefit for it. The people who come in to the Four Season they don't care. They don't have the curtesy to let Dollar rent a car to rent jeeps to them because they buy their own fleet. This is BS, this is not helping the community. We can't get cars, if you run out of gas you are SOL. This is controlled by a few select people. We are controlled by someone who has more money than God got. You need to understand the underlying things that are going on Lanai. Mahalo.

Chair Colette Machado – We doing livestream so its Statewide.

Mr. McOmber - I know that.

Chair Colette Machado – Mahalo nui.

Ms. Winifred Basques – Good morning. My name is Winifred Basques I have lived here for 56 years. Talk about water there was a big fight in palawai, they couldn't use the potable water so here come the helicopters with the big tank throwing water and peel. Fine. Talking about hunting, I'm a hunter I been hunting on this island for 54 years. The thing is we live here sustainability we take care of people. When you have family and you have deer you give your family and friends. We don't ask for anything back because ke akua is watching for what we doing to the people here.

I want to talk about the water. They pump the water out down Manele, it's called a desalinization water tank. 6 million water per day. Golf course you cannot use salt water. They want to use our potable water and that is our drinking water, but who going tell him that straight to his fact. I seen it and been there. (conversation indiscernible) The people on this island is surviving. The Lanai water company belongs to him and he can do whatever he wants with the water.

This thing doesn't cut it. I am an advocate; people ask me I tell them straight. I go to all the organizations and legislators. I never lie, I tell the truth, it tells I am doing something. Pulama Lanai, they penalize you, you get fired form your job you have to get out of his house. Controlling, the man up there he control more. Thank you very much.

(conversation indiscernible)

Chair Colette Machado – Thank you aunty.

Trustee Keli'i Akina – I'd like to address comments to my fellow Trustees. Mahalo to all who came here today. To my Trustees, perhaps you are asking the same questions that I am asking, what can OHA do, what specifically can OHA do so that when we return in a year from now there will be a remarkable difference with the people of Lanai. As I think about we can do, one of the issues is pretty clear today is that just giving grants to particular nonprofits which is very good for those particular nonprofits and their work may not address the issue clearly all issues are related whether they are water or tourism or housing or development or growth and transportation as we learned today. And also all people are related, it's not going to be easy just say we are going to help one group of people this island is so small it has the same water system the same land. I am thinking that now is a very good time on how we do our Strategic Planning process and how we strategize in giving of our grants. As you know on your calendar we are on that process right now. A couple of things may be very helpful. Number one the development of a specific island plan for each of the islands. Lanai is different from all other islands it has specific needs all issues are integrated and if we can find people who are already doing that work where we can come up with a blue print that can guide the strategy for our grants,

against some goals that are measureable, if this can be worked in somehow in the bottom level of our strategic planning process that can be good.

In addition to having a clear island plan I think the second thing would be very good and that is to ask the question what role should OHA play. Is OHA primarily the provider of money, is OHA the provider of technical expertise. My suggestion is that there is a role that we can play that has somehow eluded to today but it has not been played. We can use our influence to collaborate with Government, Corporations, with community groups and nonprofits. That is an area of expertise we can grow. Just to summarize my comments. I have been inspired today and what inspires me is to ask the question on what can OHA do and I think there are two things. Number one, incorporate an island plan into our strategic planning as well as our grant strategy that really focuses on what Lanai needs. Number two define where we have the greatest mana or power. I don't think that is in giving money, I don't think that is in doing things on the ground necessarily because there are great groups that can do it, I think our power is in our ability to collaborate, influence and bring together different organizations, Government agencies, nonprofits and community groups. I want to plant those ideas with you. They are not original many of you have thought about them but I think that is a good direction for our strategic planning.

(conversation indiscernible)

Chair Colette Machado – Kamana‘opono can you explain our role with Native Hawaiian Legal Corporation.

Kamana‘opono Crabbe – Aloha, for a number of year the Office of Hawaiian Affairs has been a principle financial supporter for the continuation of legal services for the Native Hawaiian Legal Corporation. We do every biennium year to request funding from the State to match those funding. We have a good relationship with Native Hawaiian Legal Corporation. They address a number of key areas that have been discussed today. Water rights for the community, they recently won a major land mark decision for East Maui irrigation which restored instream flow to a number of streams. They also work on land issues with respect to development or encroachment on cultural sites. That's been our principal support for legal support for the community. They have been supporting you folks as well as well and Lanaians for Sustainable Growth. That is why we have our corp counsel who works collaboratively with them.

One of the roles we play is the funder for legal services, but we also collaborate legally across these matters of land, water. I think land and water are principle areas, not just community lifestyle, but it's also a well-being and a governance issue. Even though he is a private owner, there are access issues that are legal issues as well but also for the welfare of the community residences as well. We will regroup with our counsel and see how we can advocate even further beyond just the legal case you have against Pulama.

Chair Colette Machado – We do provide with the legislature and dollar for dollar match and I don't see that changing unless the Legislature redirects their priorities and removes their support.

Trustee Peter Apo – You need to figure out a way to create a situation where the community has leverage for high level engagement. The reason they ought to be talking to you directly. That choke point is water. So I was thinking if there were a save Lanai fund, so the Native Hawaiian Legal Corporation I don't know what they can do above and beyond by providing legal resources, so that they have NHLC or some legal entity through the help of OHA can provide you with the best legal services focus on the water issue. But the water issue is the trigger to get them to come to table to talk about other things. So if you want to talk about water we need to talk about affordable housing. You create that choke point. *(conversation indiscernible)*

Trustee Peter Apo – They don't need to let the attorneys do it, water attorneys that helps people who can't speak up.

Chair Colette Machado – Any other testimony? Come up Roselani.

Ms. Roselani Kahalenau – Mahalo for coming. We still do not have Hawaiian Immersion on Lanai. I would like to reiterate Ron’s invitation for you folks to take a short drive up Koele you will get a better idea of why many of the residents of what is going on. There is desecration going on up there, desecration of pōhaku that is being imported. After using the pōhaku from Manele they started bringing them in on the barge. I have pictures of boulders on trailers that say Young Brothers on it each of the boulders were strapped down individually. I’ll be very interested in knowing where they are coming from so I can inform my friends from wherever they came from. This is very disturbing. I am very affected by what I can hear. The machines that cut these stones in half. I urge you to and see what they are doing to us here on Lanai. Mahalo.

Trustee Carmen Hulu Lindsey – How recent have you seen these trucks with pōhaku?

Ms. Kahaleanu – As recent as this morning I went up to see. I’ve been making daily trips up there to learn what they are doing with those pōhaku. They are still baskets of pōhaku next to the machines. Those big boulders were on the ground yesterday this morning they are gone.

Trustee Carmen Hulu Lindsey – You don’t know where the barge came from?

Ms. Kahaleanu – No, I’ve asked several personnel but no one wants to share.

Trustee Carmen Hulu Lindsey – The reason I am concerned is during the storm on Maui many pōhaku were taken from Iao Valley and put in a holding area by the concrete company, some of them were crushed before our people were aware and stopped it. I just wondering if it’s the same rocks. Mahalo.

IV. UNFINISHED BUSINESS

A. CEO’s 15-Minutes Update on Ho‘oulu Lāhui Aloha and OHA Activities

Kamana‘opono Crabbe – Yes twice a year in our grants we provide Aha Hui Grants they go up to \$10,000 it can be for a community event, festival, a health fair, anything community related. You are welcome to apply it goes up to \$10,000. We are moving to an online application system. You can go to the Office of Hawaiian Affairs website and go to Community grants and fill out the application. They will review for a couple months and usually by November we will have an indication whether or not you are funded. I strongly encourage organizations and communities to take a look at that grant.

Second, in May the board approved for disaster relief funding for the Kauai floods as well as for the situation in Puna in respect to the lava flow and loss of homes and the disbursement of families. Last month the Board held a community meeting in Waipa and disbursed funding. We just received word that the contract for relief funding in Puna was just signed so we will be going by next week to the community to disburse funding there.

Lastly, we would invite you. The Office of Hawaiian Affairs is part sponsor of the Year of Hawaiian, it is a gathering at Aloha Stadium on August 4th. There will be hula, music, food booths and crafts all day until the evening. In the past they had it a long weekend. This year we are just having it for a day. It’s at Aloha Stadium on August 4th, the Year of the Hawaiian. That is it Madame Chair.

VI. Announcements

None

VII. ADJOURNMENT

Chair Colette Machado - Anything else Trustees, if not I would like to entertain a motion to adjourn.

Trustee Dan Ahuna Moves to adjourn the meeting.

Trustee Carmen Hulu Lindsey Seconds the motion.

Chair Colette Machado – Is there any opposition for the adjournment, roll call please.

Trustee Dan Ahuna moves to adjourn the meeting. Trustee Carmen Hulu Lindsey seconds the motion.						
TRUSTEE	1	2	‘AE (YES)	A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA‘ALA AHU ISA			X			
TRUSTEE DAN AHUNA	X		X			
TRUSTEE ROWENA AKANA						Excused
TRUSTEE KELI‘I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY		X	X			
TRUSTEE ROBERT LINDSEY						Excused
TRUSTEE JOHN WAIHE‘E						Excused
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			6			3
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 and three (3) excused.						

The meeting was adjourned at 12:35 pm.

Respectfully submitted,

Dayna Pa, Board Secretary

As approved by the Board of Trustees on _____ .

Colette Y. Machado, Chairperson
Board of Trustees

Attachment:

1. Excuse Memo – Trustee Rowena Akana
2. Excuse Memo – Trustee Robert Lindsey
3. Excuse Memo – Trustee John Waihe‘e IV
4. Letter from Bob Hear dated May 26, 2018
5. Email from Kepa Maly dated July 11, 2018.

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 N. Nimitz Highway, Suite 200
Honolulu, HI 96817**

**Minutes of the Office of Hawaiian Affairs Board of Trustees
Thursday, July 26, 2018
10:00 am**

ATTENDANCE:

TRUSTEE COLETTE MACHADO
TRUSTEE DAN AHUNA
TRUSTEE LEINA‘ALA AHU ISA
TRUSTEE ROWENA AKANA
TRUSTEE W. KELI‘I AKINA
TRUSTEE PETER APO
TRUSTEE CARMEN HULU LINDSEY
TRUSTEE ROBERT LINDSEY
TRUSTEE JOHN WAIHE‘E IV

ROBERT G. KLEIN, ESQ., BOARD COUNSEL

ADMINISTRATION STAFF:

KAMANA‘OPONO CRABBE, CEO
ALBERT TIBERI, CC
MILES NISHIJIMA, LPD
MOMILANI LAZO, SR. EA to CEO
STERLING WONG, PR
DAVID LAEHA, CFO
MEHANA HIND, CE
JIM MCMAHON, ADV
JIM PATTERSON, PROG
PHYLLIS ONO-EVANGELISTA, AS
CARLA HOSTETTLER, RES
CHARMAINE MATSUURA, AS
GLORIA LI, CTRLLR
JOCLYN DOANE, PP
KAWIKA RILEY, ADV
KEITH GUTIERREZ, RES
MISTI PALI-ORIOLO, OUTF
MONICA MORRIS, PP
RAINA GUSHIKEN, CC
WAHINE TONG, CULTU
MAILE LUUWAI, TAPS

BOT STAFF:

CAROL HO‘OMANAWANUI
LÖPAKA BAPTISTE
MELISSA WENNIHAN
DAYNA PA
LADY GARRETT
DAVIS PRICE
LAURENE KALUAU-KEALOHA
PAUL HARLEMAN
LEHUA ITOKAZU
CLAUDINE CALPITO
LIANA PANG
MARIA CALDERON

GUESTS:

CRAIG KODAMA
GERMAINE MEYERS

I. CALL TO ORDER

Chair Colette Machado Calls the Board of Trustees meeting to order at 10:02 am. Roll call is taken; Trustees Ahu Isa, Ahuna, Akana, Akina, Carmen Hulu Lindsey, Robert Lindsey, and Machado are present; constituting a quorum of seven Trustees. Trustee Peter Apo and Trustee John Waihe‘e IV are expected to arrive shortly.

II. PUBLIC TESTIMONY

Chair Colette Machado –Is there anyone signed up? There is no one that has signed up at this time we will moved to unfinished business. Before we proceed I'd like to seek a 72-Hour Waiver for V.B. and V. D.

Trustee Dan Ahuna moves for a 72-Hour waivers for the following items:

V. New Business

- B. Action Item BOT #18-03: Approval of reformatted and comprehensive update of the OHA Board of Trustees' (BOT) Bylaws as approved and adopted by the BOT and that conform to BOT approved action and state statutes, 1st Reading**
- D. Presentation by OHA's CEO on OHA's Strategic Planning 2020+**

Trustee Carmen Hulu Lindsey seconds the motion.

Chair Colette Machado – Any discussion? Hearing none, roll call vote.

Trustee Dan Ahuna moves for a 72-Hour waivers for the following items:						
VI. New Business						
C. Action Item BOT #18-03: Approval of reformatted and comprehensive update of the OHA Board of Trustees' (BOT) Bylaws as approved and adopted by the BOT and that conform to BOT approved action and state statutes, 1 st Reading						
E. Presentation by OHA's CEO on OHA's Strategic Planning 2020+						
Trustee Carmen Hulu Lindsey seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO						Excused
TRUSTEE CARMEN HULU LINDSEY		x	X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E						Excused
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			2
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passes with seven (7) yes votes and two (2) excused.						

Chair Colette Machado – We are now back on public testimony, we have no one that has signed up at this time we will now move on to unfinished business and I will call on Kamana'opono Crabbe.

III. UNFINISHED BUSINESS

A. CEO's 15-Minute Update on Ho'oulu Lāhui Aloha and OHA Activities

Kamana'opono Crabbe – Mahalo at this time I call upon Mehan Hind the Community Engagement Director to give an update regarding the PUna relief as well as the August 4 year of the Hawaiian event at the Stadium.

Mehana Hind – Mahalo Chair, mahalo Trustees this morning. Mahalo Trustee Robert Lindsey for your pule this morning for the lines of joy and compassion in our hearts. Thank you for your patients Trustee Robert Lindsey and the island of Hawaii we are finally going into Puna. Kauai, is doing good we are about rounding up and going

into our phase of doing follow ups, 30 and 60 day follow up there. Our staff right now on Hawaii Island are getting trained on a data base system that the neighborhood place of Puna is using in order to keep track of everyone who has reached out for assistance. That database carries more than 1,200 names and households and from that, it has opened up a lot of potential for us to impact very deeply the people of Puna.

We will be going to Puna this Saturday. There is a community meeting that is called by Councilwoman O'Hara that we are going to appear at. There are other native Hawaiian Trusts that are going to be there also. It was a call out to the Native Hawaiian Community to come, it's going to be held at Maku'u Farm Lots and from that time on, we will launch Statewide because we know a lot of the people have moved off the island and found shelter in relative's homes on other islands and also on the continent. Today we are going to do a press release, we will also be updating our website. Our Hawaii Island Offices both East and West side are ready to help with the intake along with Neighborhood Place of Puna. And we are going to go back to the list that have been reaching out to our offices over the past few months and reconnect with them and let them know we are ready and it is time.

Trustee Robert Lindsey – I want to mahalo you Mehana and our staff for all that you have been doing in being able to kōkua our people in Puna based on the current eruption. I know that we need to be cautious, careful and thoughtful, we need to dot our “i’s” and cross our “t’s”. Thank you for being patient with us and I want to mahalo our folks on Kauai for the lessons that we have learned from your experience with the flood which we can apply to kōkua our people in Puna. Thank you.

Mehana Hind – We have heard what the Trustees at the board table have been resonating about the schools. The schools that we have relationships with like Nāwahīkalanī'ōpu'u, also some of the air quality issues. We are still working actively with them on those issues there in Puna. Just and update on Kua o Ka Lā, the charter school that was actually taken by the lava. They wanted help just to let everyone know that they are still operating, they do have alternate sites. They want our help and our assistance in getting that word out so that their enrollment doesn't drop because that will affect their per pupil amount, that will affect a lot of other things. They said this is where we could help them and we are going to jump in and help them with their advertising that as well as getting the word out through our channels.

Now for Ke Au Hawai'i, the festival happening on August 4th, that is next week Saturday. We have a full line up starting with Protocol. And performances by Hālau that was at the 1988 year of the Hawaiian, Vicky Holt Takamine, Robert Uluwehi Cazimero, Michael Pili Pang and then some of the newer Kumu Hula whose Kumu were there, Snowbird Bento and Niulii Heine whose mama's voice was very prominent at that 1988 but she is no longer with us. They will open up that festival. Following that will be a string or younger groups that are targeting the age groups from the 18-35 year olds who we want to get engaged civically in this season of civic engagement. If any of you would like to come, we have ticket available we can pass out to you.

Trustee Leina'ala Ahu Isa – I just wanted to share that my Trustee Aide, Lady, her two children are going to be singing on Mana Mele.

Mehana Hind – So Mana Maoli is going to be there with mana mele and there are different acts that are going to represent them, Paula Fuga, Kaumakaiwa Kanakaole, and Kimie Miner but also the Charter school kids will be representing with them. Mana Mele has worked with the Charter School kids from across the paeaina, all of the native Hawaiian serving Charter Schools have had children involved in that. We are going to gather up as much kids as we can that day, and they will be on stage along with the performers.

Trustee Dan Ahuna – Are you the MC?

Mehana Hind – I am not, I am the backup MC. I am plan B when the other MC takes break I will jump on stages.

Trustee Keli'i Akina – Is there a schedule online or could we get a copy?

Mehana Hind – Not yet but there will be one so they plan to put that out a week ahead. They are just doing some last minute moving around of bands and so forth because we've had some last minute additions, which is a good thing.

Trustee Keli'i Akina – Is there something that you would especially recommend to Trustees to be present for?

Mehana Hind – Not necessarily, I would say come and enjoy the festival; there will be food vendors, craft vendors, a concert and our people there. So it a great opportunity to mix it up, see our people face to face, along with music. The reason why this kind of path was chosen and the partnerships between us and Kamehameha Schools and the promoters is we understand that music throughout at least through our modern history has been a really gathering tool for our people. They have gathered around music, they have gathered around watching music, participating in it, singing along with the songs. It has become one of our channels for us to really reach our people and touch different places. To really grab them in their na'au, and usually these kinds of concerts go down in history. They really have an impact over time.

Kamana'opono Crabbe – Thank you Mehana. As an update from Admin, there are a number of our staff that are working with Chair Machado on the Grants Ad Hoc Committee. They are doing a very deep dive and I think you can expect within the next month or so, or by September, the Chair and the Grants Ad Hoc Committee will be coming up with very specific recommendations. I will defer to the Chair regarding that. We are really, really busy based on the previous audit. Also consistent with that Administration is also working with the Chair on the audit findings specific to programmatic. For example, we've already moved forward with redesigning a new grants management system. Next month we are bringing in a new high quality grants database system. It is the system that Kamehameha Schools is using, it hits the points a lot what the audit had brought out in terms of monitoring, schedules, and it can do multiple levels. We are happy about that moving forward. We are actually bringing the software company here to train out staff regarding that database.

Lastly, Trustees I did want to introduce our new grants manager. She has a wealth of experience in grants program as well as grant program management. She is very familiar with federal as well as State processes as well as private sector. So I'd like to introduce Maile Luuwai as our new grants manager.

Maile Luuwai – Aloha mai kakou. I know some of you from crossing paths between Maui and Molokai and Hawaii Island. I am very happy to be here. I come with a back ground with Federal grants administration under a variety of projects throughout the State under RCUH, Department of Labor, NASA, HUD and other Federal Grants area. I am really happy to be here. I am excited that we are going to get a grant database. Thank you for having me.

Trustee Keli'i Akina – Thank you Kamana'opono Crabbe, appreciate the report on that. Is the working group you described in regards to grants planning to suggest the implementation of the audit recommendations?

Kamana'opono Crabbe – Yes, that is the purview of the Chair and she will come up with the recommendations. We are lending the staff so we are going item by item from the audit on the findings.

Trustee Keli'i Akina – In other words, if the Board is saying lets implement the auditors recommendations they would be the ones to structure that.

Kamana'opono Crabbe – That is correct.

Trustee Keli'i Akina – So that would be for us to mandate that.

Trustee Peter Apo – I'd just like to suggest to Administration that it might be worthwhile to touch base with the Hawaii Community Foundation, Micah Kane is there. I recall when I was involved with HTA and their grants programs for Hawaiians; they went for a period of years when they actually turned over their grants management to the Hawaii Community Foundation. And what happens because the Hawaii Community Foundation has access

to all these millions, and millions of other grant programs they are able to leverage the money. They would take the HTA money, they would put it out there and they would actually help solicit additional matching funds for the specific programs. I don't know whether that would work in our case but is an interesting model. Just go talk to Micah about it.

Kamana'opono Crabbe – We are open to that, we've had a few but they haven't been as specific as that. I think Trustee Dan Ahuna has had some discussions with Micah but I think we are open to that now moving forward.

Trustee Carmen Hulu Lindsey – Are we giving money to that foundation?

Trustee Rowena Akana – Yes we are.

Kamana'opono Crabbe – I can't recall recently but in the past we have. They used to administer our postgraduate scholarships.

Trustee Carmen Hulu Lindsey – Are we still doing that?

Kamana'opono Crabbe – No the last biennium the approval was to go with the University of Hawaii grants administration.

Trustee Rowena Akana – I think its priority for the new grants manger and her staff to look at the recommendations of the audit. Because consistently the auditor will, point out that OHA has not taken seriously the recommendations of previous years. So I'd like to see that done and the ideal of matching grants is very important. The board was not involved and we should be involved in who manages, who gets our grant money. Because the University of Hawaii, while they are going to serve the Hawaii students, they don't serve Hawaiians who are going to mainland colleges. This is a problem; we've never isolated our students that way. There are many, many Hawaiians going to mainland colleges and we should not prohibit giving them money. Money going only to the University of Hawaii is, in my view very, very prejudice and I don't want to see that happen again. I don't know how long that contract it but it's something that we need to discuss and I hope that it would be brought to the board before the administration makes that kind of allocation.

(conversation indiscernible)

Trustee Rowena Akana – No, it's not a policy. The board is supposed to weigh in on who gets the money. But we haven't been able to do that. I am saying now that we need to do that because we've had many parents call, at least my office, and I am sure some of you. And wonder why their students are not eligible for OHA money when they have been in the past. Those are my comments.

Trustee Carmen Hulu Lindsey – In all fairness to the grants committee, I do recall that discussion in the RM committee that we did not have applicants other than the University of Hawaii for that grant money and that was stated in their application that they would not be giving monies away from Hawaii. I don't think it's our fault but we need, I believe Hawaiian Foundation applied late and was not considered. As a result, we only had a choice of one or two of the Universities of Hawaii different campuses. So that's why it happened the way it did.

Chair Colette Machado – Your point is well taken Trustee Akana.

Trustee Rowena Akana – Yes, we have to consider that. If they are the only applicant then we go out again.

IV. EXECUTIVE SESSION

Chair Colette Machado – Any other comments Kamana‘opono Crabbe. Thank you for the updates. The Chair would like to seek a motion to recuse ourselves into Executive Session pursuant to HRS§92-4, §92-5(a)(8) and §103D-304 and §92-5(a)(4) to consult with our board attorney.

Trustee Dan Ahuna motions to move into Executive Session Pursuant to HRS§92-4, §92-5(a)(8) and §103D-304 and §92-5(a)(4).

Trustee Carmen Hulu Lindsey seconds the motion.

Chair Colette Machado – It has been moved and seconded any disuccssion? Hearing none, roll call vote please.

Trustee Dan Ahuna motions to move into Executive Session Pursuant to HRS§92-4, §92-5(a)(8) and §103D-304 and §-2-5(a)(4).						
Trustee Carmen Hulu Lindsey seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY		X	X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			
MOTION: [x] UNANIMOUS [] PASSED [] DEFERRED [] FAILED						
Motion passed with nine (9) yes votes.						

The Board resolved into Executive Session at 10:23 am.

- A. Action Item RM #18-07: Independent Audit. Pursuant to HRS §92-4, §92-5(a)(8) and §103D-304, Board discussions, deliberations, decisions regarding a matter that requires the consideration of information that must be kept confidential pursuant to State Law.**
- B. Consultation with Board Counsel Robert G. Klein, Esq. re: questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities regarding Civil No. 17-1-1823-11 JPC, OHA v. State, et. al. Pursuant to HRS § 92-5(a)(4).**
- C. Approval of Minutes**
 - 1. March 22, 2018**
 - 2. April 26, 2018**
 - 3. May 10, 2018**

The Board reconvenes in Open Session at 11:23 am

11:23 am Recess is called.

11:30 am Reconvene meeting.

V. NEW BUSINESS

A. Committee on Resource Management

1. Action Item RM #18-07: Independent Audit

Chair Colette Machado – Aloha everyone, let us reconvene our BOT meeting and let us subject ourselves to New Business V.A. The Committee on Resource Management Action Item RM 10-07. I will call on Trustee Carmen Hulu Lindsey the Chair of the RM Committee.

Trustee Keli'i Akina – Are we broadcasting?

Chair Colette Machado – There the light is now blinking, we are broadcasting live.

Trustee Carmen Hulu Lindsey moves to approve and authorize OHA's independent audit to proceed with a review of contracts and transactions less than the quantity and percentages authorized in Action Item RM #17-03 and RM #17-06 in addition to other audit terms and conditions discussed and approved by the OHA Board of Trustees (BOT) in executive session.

Trustee John Waihe'e IV seconds the motion.

Chair Colette Machado – Any further discussion? If not, roll call vote.

Trustee Carmen Hulu Lindsey moves to approve and authorize OHA's independent audit to proceed with a review of contracts and transactions less than the quantity and percentages authorized in Action Item RM #17-03 and RM #17-06 in addition to other audit terms and conditions discussed and approved by the OHA Board of Trustees (BOT) in executive session. Trustee John Waihe'e IV seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY	X		X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E		X	X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			
MOTION: [x] UNANIMOUS [] PASSED [] DEFERRED [] FAILED Motion passed with nine (9) yes votes.						

B. Action Item BOT #18-03: Approval of reformatted and comprehensive update of the OHA Board of Trustees' (BOT) Bylaws as approved and adopted by the BOT and that conform to BOT approved action and state statutes, 1st Reading

Chair Colette Machado – Members we are now on item B. BOT #18-03 I will call on Kamana'opono Crabbe and Albert.

Kamana'opono Crabbe – Thank you Madame Chair. The action item before you BOT 18-03 with respect to the reformatted and comprehensive update of the OHA Board Governing by laws is for your and vote. I wanted Corp Counsel here in terms of the history because we've taken awhile to make all of the appropriate corrections to put it in a format to present it to you at this time.

Albert Tiberi – Good Morning Trustees. The purpose of this meeting and I hope you all had a chance to review the binders that Momi distributed last week. There are two reasons, one there are some amendments we are recommending for approval by the Board and this would be the first reading. Secondly just to explain the format. This is Craig Kodama, he is one of our contractors who helped us reformat the bylaws into the form that was provided to you and we will talk about that a little bit more.

What the working group did is go through it and make sure that everything that has been approved is included in this updated version of the bylaws. I think they went back to 2007 and saw all the board actions taken relating to the bylaws and there were about 6 of them and incorporated them into this new comprehensive version. Just a little legal authority. Your authority to adopt, amend, repeal by laws comes from HRS 10-4 you also have a provision in by laws article 13 which specifies the process, 2/3 vote two readings. This would be the first reading.

There are two categories of amendments that we are looking to propose today and seek your approval. The first is the re-designation of all references in the bylaws from administrator to Chief Executive Officer. In several prior BOT actions, the board has approved changes including to the bylaws to the executive policy manual, to the position description. You contract with the CEO; it's what we do within in our organizational documents and its part of our organization structure. One of the clean ups is to make those changes consistent with the policy manual and other organizational documents is to change all the references in the bylaws from administrator to CEO.

Trustee Rowena Akana – Last year the board in discussions had decided and we even tried to get the Legislature to do something about it. We don't want to make the change. We want to go back to administrator.

Albert Tiberi – We have several board actions which you've approved changes from administrator to CEO. You guys had board discussions about it on several occasions.

Trustee Rowena Akana – But those were years ago. We have not had on regarding this change since we did it in, I don't know 5, 6, 7 years ago.

Albert Tiberi – It was in 2009, 2010, 2011, 2012. That is the issue before the board. Either you want to make the change in the bylaws to be consistent with everything else or you don't.

Trustee Rowena Akana – We should have been asked that before this was put into an action item.

Albert Tiberi – By laws changes must be presented to the board in an action item format. That is what we are here for. You guys can discuss it. The constitution describes his position as an executive officer, you appointed executive officer. Chapter 10 says administrator.

Robert Klein, Board Counsel – You have a constitutional provision that says, the board shall have the power to exercise its control over the Office of Hawaiian Affairs through its executive officer the administrator of the Office of Hawaiian Affairs who shall be appointed by the board. There is nothing wrong with calling the administrator an executive officer because the constitution, which is the highest law of the land, allows it. That doesn't mean you have to do it, but that is the constitutional authority. That is the preference you folks have to make.

Trustee Rowena Akana – That is right.

Robert Klein, Board Counsel – But I am just saying the constitution calls for an executive officer.

Trustee Rowena Akana – We no longer, the majority of the Board does not, do not want to continue with the CEO. We want to go back to administrator.

Robert Klein, Board Counsel – I am just saying you have constitutional authority to do it. I am not telling you what to do, I am given you the legal authority.

Trustee Rowena Akana – Thank you.

Chair Colette Machado – Albert the action item we may have to bifurcate this and take a separate action.

Albert Tiberi – Yes, that is fine, that is why there are two categories of amendments we are proposing. The second category of amendments are amendments that are related to changes of the sunshine law, which is Hawaii Revises Statutes Chapter 92, which took effect July 1, 2018. These changes are on page 5 of your action item. And it relates to meeting provisions, notice provisions and then the board packets. Rather than describe it if you guys have any questions the changes are underlined for the additions. Anything that has been deleted is struck through and Raina updated you guys at a BAE meeting on the changes that were required by Chapter 92. Under section IV recommended amendments to the bylaws the changes to article 9 starts on the bottom. The page numbering is at the top, so it starts on page 5.

Trustee Carmen Hulu Lindsey – I don't have a page 5.

Albert Tiberi – It should be in your board folder. It starts on the bottom of page 5. It's also on the board if you want to read it.

Trustee Rowena Akana – This is what we need to bifurcate.

Chair Colette Machado – You want to bifurcate number two which is the.

Trustee Rowena Akana – No not number 2, the prior.

Chair Colette Machado – The administrator to Chief Executive Officer is what you trying to bifurcate. He already knows that when we take action we will bifurcate. You want feedback to number 2, which is amendments to HRS Chapter 92.

Albert Tiberi – Yes it's just to make our bylaws consistent when you read them, they are consistent with Chapter 92. There are a few things in there, laws have changed, and we wanted to make sure that if someone goes to the bylaws they have clear guidance as to what we should be doing for notices, meeting and minutes.

Trustee Carmen Hulu Lindsey – We actually can change this every year right. I just wondered why it took 11 years to come before us. A lot of these changes there are four of us who were not here. I am not familiar with these changes. Not that it matters.

Chair Colette Machado – That is a good point though.

Trustee Dan Ahuna – We can recommended changes at any time.

Robert Klein, Board Counsel – You are going to have two readings so.

Albert Tiberi – The actions that you took as a board to amend, adopt new bylaws they were posted as part of the older by laws in KII. We are just trying to consolidate everything into one document so that you have one source and it is easier to read. If we go through the formatting, Craig did a really good job of adding historical records so that you have the history of the changes for references so that you folks can go to the actions to see what the votes were. You also have a statutory references section that I don't think previously existed, a legal authority section that Craig added. He has a new enumeration system so when we make changes it is easier to take our sections and replace them without having to change the whole document. He also added an index section so hopefully the key words would help us find subject matter within the bylaws. Is it going to be searchable on KII.

Mr. Craig Kodama – It is through the identifier. When you go to the history there is a thing called DOI, Digital Object Identifier. It tells you how to find it in KII, like it coming from the KII source, the date and the specific reference the number of it. You will see it in the history.

Kamana‘opono Crabbe – Trustees, just for an FYI. To get to Trustee Hulu Lindsey’s question, when Trustee Robert Lindsey was Chair he directed Administration to update it, so this working group actually started 4 years ago and we’ve complied and it went through a number of revisions. So we are bringing it back before the board at Corp Counsel has shared so that you are informed of all of the updates and we have a current updated copy of the bylaws.

Trustee Rowena Akana – It took four years.

Trustee Peter Apo – I am going to be the broken record. I support this. I actually came in; I wasn’t going to support this. But the helpful Trustee over here, whispered in my ear. I don’t have a problem with the body of the work. Reason I wasn’t going to support it, the broken record part of my remark is that I am still hanging on to the policies that Judge Klein, Hulu Lindsey and I had worked hard to develop that never got voted on. To me the bylaws and the policies are interlocking documents. So when we pass this out whether it’s bifurcated or not, and I do support the bifurcation. When we pass this out which I think we will do today. I have asked Trustee Lindsey if she will be willing to agendize the policies and hopefully bringing these policies forward if the Board musters itself and it passed then it be checked against this to see, there are few things that cross both ways. So based on my hope that, that is how it may play out I am going to support.

Trustee Rowena Akana – I supported Trustee Apo and there were really four of us that agreed not to pass this today. Because we wanted to compare it with the policies that they had been looking at. To make sure that everything matches rather than trying to correct two separate documents at a later date. If it is the will of the board to go ahead and pass this at this time, then go ahead. But I will be voting no because of that because it’s more work for us to have us look at the policies to see if they really match so that there is no conflict between anything that we are going to pass on the policies. That is why I am going to vote no.

Chair Colette Machado – Albert.

Albert Tiberi – To be clear this wasn’t an exercise to come back and recommend new policies, I think the exercise was to ensure that the document was accurate to what the board has approved, amended and that it was current and to make any changes, you know little clean up. The things we are recommending are clean up things. They are not substantive and housekeeping, and the sunshine law stuff is, you know the law will trump our bylaws anyway so we should make it consistent. I think that’s where we are at with this and I understand where you are coming from Trustee Apo and Trustee Akana.

Trustee Carmen Hulu Lindsey – I think I inadvertently agendized our policies for next in asking our BAE Chair to join me, in a conversation with Carol yesterday it probably is supposed to come back to the Chair of the Board because the Chair of the Board appointed the Ad Hoc Committee. We need to determine whether you will assign us to report into RM or if you will agendize of us to report at the Board level. That is your prerogative.

Trustee Dan Ahuna – I like say something. Maybe we should just defer this, because it is a violation of the sunshine law when four Trustees get together. That’s not right.

Chair Colette Machado – Nobody got together.

Trustee Dan Ahuna – She just said four Trustees got together.

Trustee Rowena Akana – I didn’t say we all got together to decide this, I said that we had talked about it.

Robert Klein, Board Counsel – I am glad to hear that.

Trustee Dan Ahuna – Glad to hear that.

Chair Colette Machado – I had no doubt that you folks didn't meet altogether, two by two, two by two.

Trustee Robert Lindsey – Just a quick remark. We are dealing with an alignment issue here between our bylaws and our policy and HRS. So we are trying to take care of stuff that's been dangling, been hanging for 11 years. So if we can make current 11 years of history today and then deal with policy issues that I know Trustee Apo has been very passionate about and other policy issues that we'd like to bring forward sometime soon that would be easily handled. If we can take care of the past so that we can move forward into the future.

Chair Colette Machado – Let's see the motion and bifurcate number one on the question on administrator to Chief Executive officer.

Trustee John Waihe'e IV – In the future when we add new policies or bylaws can we just have them put in to the document the following year and given to us and not reapprove them all over again like this.

Robert Klein, Board Counsel – We've talked about that.

Trustee John Waihe'e IV – Are we going to have to do this every time I have to go through this experience, it's not fun. Just give me the document.

Albert Tiberi – We are not reapproving anything.

Trustee John Waihe'e IV – That is what I mean, so if it doesn't get approved, it's still exists we just don't have a copy of it. So why not make it and give it to us.

Trustee Rowena Akana – It is administrations job, they should have done that four years ago.

Robert Klein, Board Counsel – There are different ways to handle it, if you are expressing a better way to do it then you are within your rights to express that. But if you look at some of these things, at one time we had three standing committees. Now we collapsed the land committee into RM Committee so if you approve that particular bylaw amendment you are only reflecting what is the actuality of the way it is now. It is not likely to interfere with any policy its merely updating the bylaws to reflect we have two standing committees; the rest is the history of how that happened. If you examine each of these recommended by law changes with the exception of the one that we are not looking at, at the moment. I don't think you are going to find that they are going to have a problem with respect to the policies that deserve to be heard and adopted by the board. They will dovetail but I don't think they will conflict that is the problem we are talking about conflicting. Then having to change it all over again. That example that I gave you is not likely to conflict with any policy because it represents how you are doing business right now.

Trustee Keli'i Akina – I appreciate the work that administration has done on this. They have produced a valuable tool. As a new Trustee, I wanted to have in one place a compendium of all of our bylaws and the ability to know what is current. I see what Albert has said is on face value is a worthwhile purpose is simply to perform and housekeeping function and clean up the bylaws. We still as Trustees have the opportunity to challenge any particular by law and revisit that in our discussion. But in terms of its housekeeping function I will vote yes today and I think administration on their good work on this.

Trustee Leina'ala Ahu Isa – I just want to say if 11 years in the making and what we are doing now is not really included, that is auditor had a hard time figuring out. The policies the bylaws, I think it's just updating and housekeeping like when we do taxes. When we do our tax returns, we have the Federal law and the State law and at one point we combined it when we don't have to do schedule A anymore for the State. This point in time we

need this and we have Craig here to help us write it. I went through it and it is very well done, I can understand it clearly and I am new to this. I think it's necessary to bring us up to date.

Trustee Carmen Hulu Lindsey – I think that Trustee Waihee was really saying is as we amend the bylaws it should be inserted as soon as it is approved then it will always be updated and we would never have needed this meeting. Then it will help all the Trustees to be able to refer to an update bylaws book. I think that's something that can occur from here forward.

Chair Colette Machado – Any last comments. So we are working on the motion because we are bifurcating the original motion.

Trustee Peter Apo – On the question of the CEO Title, how does that interface itself with how the State describes the position and with the salary ranges? Is that affected by that at all.

Robert Klein, Board Counsel – The salary considerations for State Directors, they are called directors of departments, the Attorney General by that title. We have separate contracting authority with CEO. We mindfully pay attention to what the directors, etc. are paid but there is not comparable position in the State Agencies.

Trustee Peter Apo – The reason I ask, when I first came in 2010 I had put forward a proposal for us to take a look at changing the aide position to something that has a little bit more value for when they leave here, what is an aide. So if they should leave here and should apply for a job someplace else, they would have a title that shows that they were actually important. But we really didn't act on it. That is my interest on how it connects to the State.

11:55 am Chair Colette Machado calls a recess.

11:59 am Chair Colette Machado reconvenes the meeting.

Chair Colette Machado – I'd like to reconvene the meeting. We have drafted the motion for number one at the request of Trustee Rowena Akana and myself to bifurcate and there is a second one. I'd like to call on Trustee Dan Ahuna to read the first motion.

Trustee Dan Ahuna moves to approve all recommended updates and amendments to the Board of Trustees Bylaws as provided in this Action Item and as set forth in Section IV, herein and as shown in Exhibit "A" appended to this Action item, with the exception of the Re-Designation of all references in Bylaws from "Administrator" to "Chief Executive Officer", which will be separately considered.

Trustee John Waihe'e IV seconds the motion.

Chair Colette Machado – Do we understand the motion? If we voted yes then we are moving to bifurcate the Chief Executive Officer title from Administrator right.

Robert Klein, Board Counsel – And to approve the other 5.

Chair Colette Machado – Roll call vote.

Trustee Dan Ahuna moves to approve all recommended updates and amendments to the Board of Trustees Bylaws as provided in this Action Item and as set forth in Section IV, herein and as shown in Exhibit “A” appended to this Action item, with the exception of the Re-Designation of all references in Bylaws from “Administrator” to “Chief Executive Officer”, which will be separately considered.

Trustee John Waihe‘e IV seconds the motion.

TRUSTEE	1	2	‘AE (YES)	A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA‘ALA AHU ISA			X			
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI‘I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE‘E		x	X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			9			

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

Motion passed with nine (9) yes votes.

Chair Colette Machado – Trustee Dan Ahuna the second motion please.

Trustee Dan Ahuna moves to approve an amendment to the Board of Trustees Bylaws to include the re-designation of all references in the Bylaws from “Administrator” to “Chief Executive Officer”.

Trustee John Waihe‘e IV seconds the motion.

Chair Colette Machado – What are we doing?

Carol Hoomanawanui – You are re-titling all references in the Bylaws from Administrator to Chief Executive Officer.

Chair Colette Machado – Are we back to the original motion?

Robert Klein, Board Counsel - No you are voting on two pieces. The first part passed. That was the 5, we bifurcated the change in designation to a separate motion. That separate motion is what Trustee Dan Ahuna just read. So if you vote “Aye” then the Chief Executive Officer designation will be part of the Bylaws and now the policies. If you vote “No” then it won’t change it will be administrator.

Trustee Keli‘i Akina – Madame Chair, I would benefit from discussion on the matter. I did not come here prepared.

Trustee Robert Lindsey – I will support this amendment. In our government, we have an executive branch and the head of that branch is the Governor of the State of Hawaii. In the Judiciary, we have a Chief Justice, and in our Legislative Branch, we have a Senate President and we have a Speaker of the House. As we are regarded to be the 4th branch of Government, the title of Chief Executive rings better for me than Administrator.

Trustee Dan Ahuna – Trustee Apo brought up a great point about our aides how we wanted to get them to a better level. I believe this was something similar. We want to attract a CEO; we want to make this position important, so it was very important to add the Chief Executive Officer to this because we don’t really pay them that much like a Chief Executive Officer but this would attract better people to the table, which I think, is very

important. I not saying better, I not counting Ka Pouhana out. I'm just saying the importance of this was to make this position great. All State Agencies have Administrators, but we wanted to be different that is why we put Chief Executive Officer that is my understanding.

Trustee Peter Apo – I'm not, what I'm looking for is to have a full discussion about the title. I agree that administrator is not sufficient in what this person does. I'm not sure Chief Executive Officer, maybe there is a better title or more appropriate title. I am just looking for the opportunity to have a full discussion as opposed to not. It is the only thing in here that I think where there is a question mark in the Bylaws. So hopefully we'll, Trustees will give us an opportunity to have that discussion. Lastly, it is addressed in the policies so when the policies come up that would be.

Trustee Keli'i Akina – Discussion has been helpful to me and let me address my esteemed senior colleague Trustee Robert Lindsey's comments. I do appreciate the significance of OHA in terms of its role in the State with reference to other branches of Government I am glad that you pointed it out. I would see once difference in the illustration that you use, while the President of the United States is the Commander in Chief, and while the Chief Justice of the Supreme Court is just that the Chief. Our administrator is a noble position but it is the Board that is the Chief of OHA. It is the Board that leads OHA, represents OHA, is the spokesperson of OHA and the Board has a designated Spokesperson the Chairperson. I just humbly support your understanding of the importance of OHA as another entity but at the same time realize that the President and the Chief Justice are roles that actually that we as the Board should play. I would support Trustee Peter Apo suggestion that we have further discussion. Perhaps we may defer this matter.

Chair Colette Machado – I don't think he asked that, I think he was saying that we may not be ready. I feel that both you and Hulu are strong-arming me Peter Apo to list what you prepared to be on the BOT for discussion. I have not had ample time to discuss this with my Chief of Staff, neither am I prepared to identify a date, but the earliest might be the 23rd and it's only going to be for discussion purposes no more than that. I just feel strong arm that you are forcing me to place this on the BOT agenda. Your recommendation that you submitted. Let me speak that openly on the record.

Trustee Carmen Hulu Lindsey – The reason that we are pushing this is because it's been two years since this committee completed that study.

Trustee Rowena Akana – Three years.

Trustee Carmen Hulu Lindsey – Two years, when Trustee Peter Apo, myself and Judge Klein we put this report together it went through Chair Lindsey, no action. We brought it to you no action. So this is why we pushing, we not pushing for nothing.

Chair Colette Machado – I resent that, because of that discussion and you folk's intent to look at the administrator or CEO's description that was the purpose of your folks gathering, the intent of the Ad Hoc Committee was to repurpose the position and look at the title and some of job responsibilities to increase. You folks did a good job but it included other issues related to the overall organization. I just want to make that clear; I am feeling very uncomfortable with this push.

Trustee Rowena Akana – Madame Chair, since this brings up a great discussion, not just about the CEO position but because the Board has not taken an official position since we gave Mr. Namuo this position there has been a lot of discomfort among Trustees. To deny this is just to bury it under a rug and we can't do that any longer. The policies are very important. Our people outside are looking at us and saying this Board is dysfunctional and it is. Because we won't face up to things that are critical in this office. A lot of it has to do with the position of the CEO or Administrator or whoever that person maybe. The problem is we want to try and fix this for you to kick the can down the road, continue to do this when it's obvious that the majority wants to pass these policies so we have rules that we can operate under. It's not unreasonable. We've waited years for this and its way beyond passing. So if we are going to vote on this action right now I would vote no. And if you don't want to hear a whole bunch of no then

we need to defer this and have a discussion in Executive Session among ourselves about what to do with our polices and how to address this question.

Trustee John Waihe'e IV – I wanted to say that I appreciate the desire by people to want to be consistent with the policies. I am thinking if the board did vote and by the way, this was before Kamana'o pono Crabbe was the administrator, it was when Clyde was here they voted to change the title to CEO. My problem is though at the time I didn't support that endeavor so for me now it's hard to now vote yes when I never did like the changing. This was when Clyde was the administrator. To me I always felt like the CEO sounds like a title where Administrator sounds like a responsibility and I like the idea of an Administrator, administrating things and doing that. That was how I felt then so I would, even though I want the manuals consistent I just never did support that name change I would feel uncomfortable doing it now.

Trustee Robert Lindsey – Why don't we stay with Ka Pouhana?

Trustee Leina'ala Ahu Isa – In the real world where I worked, we have a president, vice-presidents or sales, human resources. So we have a CFO, we have a COO and we are going to have Administrator so that doesn't sit well.

Trustee Rowena Akana – That would all change.

Trustee Leina'ala Ahu Isa – So that would all change too?

Trustee Rowena Akana – Yes to deputies.

Trustee Leina'ala Ahu Isa – Going back to Trustee Apo where his aide. I take Lady to a lot of things with me; they don't understand when I say Aide so I say she is my Executive Assistant. So if we can change that title we can change your title. At Hilton, I have an Executive Administrative Assistant and I have an Administrative Assistant. We have two staffers. That's what I am thinking if we change the Administrator, I don't feel comfortable with.

Trustee Robert Lindsey – Just one last quick one, Kamehameha Schools, has a Board of Trustees and they have a CEO. I sit on the North Hawaii Hospital Board, which is an affiliate of Queens Hospital; we have a CEO, Arch Ushijima. And we have a Board of Trustees.

Chair Colette Machado – Anyone else wants to have the last comment? Albert Tiberi.

Albert Tiberi – Yes, just to be clear and we went through the history and the action item. The board took an action in 09-05 and you guys are right it was a long time ago. And an action regarding the Executive Policy Manual to make the changes from Administrator to CEO and you changed his PD. I am just saying that the recommendation here is looking at the history of the Boards actions and coming back to make the Bylaws consistent with all the other changes you made in all the other organizational documents and the organizational structure. I hear the discussion but I just wanted to make that clear. We are not changing the responsibilities of the position, we are not changing anything else but making the change in the Bylaws to say we refer to him at CEO in practice do you want to do it in the Bylaws as well.

Chair Colette Machado – Roll call vote.

Trustee Peter Apo – If we defer the CEO question right it doesn't change the fact that he can continue to be CEO correct.

Albert Tiberi – You are just changing in the Bylaws.

Trustee Peter Apo – I think we all agree that Administrator is not enough of a title to describe the level of responsibility but what it should be called personally I would like to have discussion on. I think at some point all 9 of us to agree to some language that is appropriate for that rather than both sides falling on our swords today.

Chair Colette Machado – Would you like to make a motion to defer this motion?

Trustee Carmen Hulu Lindsey moves to defer the action.

Trustee Rowena Akana seconds the motion.

Chair Colette Machado – Roll call vote please.

Trustee Carmen Hulu Lindsey moves to defer the action. Trustee Rowena Akana seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA					XX	
TRUSTEE DAN AHUNA			X			
TRUSTEE ROWENA AKANA		X	X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY	X		X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO					XX	
TOTAL VOTE COUNT			7			
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed with seven (7) yes votes and two (2) abstentions.						

C. Discussion and deliberations on the Ad Hoc Committee on Grants and Sponsorships' recommendation to adopt the "Kūlia Grants 2018 Guidelines and Process"

Chair Colette Machado – Thank you for your consideration. We are not moving on to V.C. I'd like to call to the table Everett and Misti Pali-Oriol. The Chair is recommending to approve the recommendation of the Ad Hoc Committee.

Trustee Carmen Hulu Lindsey moves to adopt the Kūlia Grants 2018 Guidelines and Process, as recommended in the Report on the Findings and Recommendations from the Ad Hoc Committee on Grants and Sponsorships related to the Kūlia Grants via a memo to the BOT dated May 25, 2018 and presented to the BOT meeting on June 7, 2018, and approves the OHA Administration to implement the Kūlia Grants 2018 Guidelines and Process.

Trustee John Waihe'e IV seconds the motion.

Chair Colette Machado – Roll call vote if we are ready.

Trustee Carmen Hulu Lindsey moves to adopt the Kūlia Grants 2018 Guidelines and Process, as recommended in the Report on the Findings and Recommendations from the Ad Hoc Committee on Grants and Sponsorships related to the Kūlia Grants via a memo to the BOT dated May 25, 2018 and presented to the BOT meeting on June 7, 2018, and approves the OHA Administration to implement the Kūlia Grants 2018 Guidelines and Process. Trustee John Waihe‘e IV seconds the motion.						
TRUSTEE	1	2	‘AE (YES)	A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA‘ALA AHU ISA			X			
TRUSTEE DAN AHUNA			X			
TRUSTEE ROWENA AKANA				X		
TRUSTEE KELI‘I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY	X		X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE‘E		X	X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8	1		
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passed with eight (8) yes votes and one (1) no vote.						

D. Presentation by OHA’s CEO on OHA’s Strategic Planning 2020+

Chair Colette Machado – Ok members we have a very important decision to make on the moving forward with our strategic plan. I’d like to now defer this discussion to Ka Pouhana.

Kamana‘opono Crabbe – Yes, thank you Madame Chair. I’d like to call upon our research manager for special projects Carla Hostettler as well as our Community Engagement Director Mehana Hind. Missing today is Lisa Watkins-Victorino who is away on vacation but we had an administrative planning committee on the Strategic Plan and we’ve been meeting together for over the past year to prepare for this. We brought a number of discussions before Chair Machado for consideration to appoint an Ad Hoc Committee. We had that discussion and today what we wanted to do was present to the Board in terms of our understanding moving forward in respect to the different phases and timeline for the Strategic Plan that both Carla and Mehana will present at this time.

12:17 pm Trustee Leina‘ala Ahu Isa leaves the meeting.

Carla Hostettler – Thank you Trustees for your time. We have a request for a BOT Strategic Ad Hoc Planning Committee for you today to guide the Strategic Planning Process. So wanted to suggest that the new plan would be implemented in Fiscal 2020, so that would be July 2019. That would give us 1 year to complete our planning activities. So in order to do this we wanted to suggest having a BOT Ad Hoc Committee. To coordinate the activities between the Administration and the decision making of the Board. Today we will just go over the general outline of the phases that we see could be involved and then specific tasks associated with each of those phases.

Just to provide a little bit of context in terms of our 2010-2018 Strategic Plan and the close out of that plan. Administration will be working on a close out community report on our activities and progress from our previous plan. The first phase of that would be to complete data collection through the end of December of this year, which is the official close out of the plans. Just continue data collection and data analysis through the end of December. Moving forward we put together the final content by mid-January and then we would have our digital print and media team work on the design and the layout and print to have that ready for publication mid-April. That would be to wrap up the final plan.

During the same year, we would want to move forward with the Strategic Planning process for the new plan. What would envision is strong roles for both the Board and for Administration with the Board making the critical decisions that are necessary and the Administration to be feeding all the data and information to the board in order to make the necessary decisions. Today we are just going to review the phases and discuss those specific tasks. The timeline that we see here is from July 2018 to June 2019 so we are ready for plan implementation in fiscal 2020. On the top, we will see the BOT related activities and on the bottom, we will see Administrative activities.

Phase 1 the first phase we envision would be to affirm OHA's identity. The first role of administration would be to review the foundational documents so to present on our mandate in Chapter 10. Our vision of what we want to achieve our mission of what we want to do our current roles and approaches to achieving that change. We will be providing you with a review of all of those foundation documents then it would be to re-envision or reaffirm the identity. And also to specially define what those foundation documents mean to you as Trustees. At that point, we will be ready to move in to the second phase.

Which is to select our priority areas. As we know currently, our priority areas are Education, Health, Economic Self Sufficiency, Aina, Culture and Governance. In this phase, we would want to select what we see moving forward. So this phase will start with community input and then it would be the role of Administration to conduct an analysis of current condition and provide that recommendation and findings back to the Board for their agreement on our priority areas moving forward.

In the next phase 3, we would want to select our OHA's strategies so that is how we are going to address those priority areas. Again, we will be seeking community input; Administration will be providing assessment, recommendation, and review back to the board to come to an agreement on the final strategic plan.

That would lead us to June 2019 and the plan should be ready at that point provide back to the community. What we can see is our task for both the BOT and Ad Hoc committee that we are requesting today. Again, for the first phase for the OHA identity, we would just be preparing those presentations and information for you folks on the foundational documents. We will be able to hold a discussion and vote sometime in August. Moving forward to phase 2, we will be collecting community input thought stakeholder focus groups. Analysis of current data available on conditions of Native Hawaiians and we would also be providing a review of additional strategic plans from other Native Hawaiian organizations and trusts. To see where there might be gaps in the strategic plans or areas for collective impact. That would be ready in February and we would be ready for discussion with the board providing them all that information to hold workshops and vote on the final priority areas.

During the same time, we would be starting on the 3rd phase our strategies to complete a beneficiary study for recommendations on OHA's strategies. We would on the administration and the Ad Hoc Committee provide research on innovate financial models that we might want to support and the development of the conceptual framework of the strategic plan.

By May we hope to be ready to have the Board perform workshops and meetings and eventually vote to solidify our strategies moving forward. As you can see, we have a lot of large tasks moving forward this year on both the Board and the Administrative side. Our request for today would have an Ad Hoc Committee appointed in order to have us move forward into the 3rd phase of implementation planning by the following fiscal year.

Trustee Keli'i Akina – Thank you I like this process and I am looking forward to it. I notice that as you look at your four phases this is a linear process that goes forward in time, moving forward. I am wondering and you probably thought this through how we can go backward. For example when we get to phase 4 and we implement we are going to learn things it may make us say we need to go back to phase 3 and revise our strategies. There we may say we need to go back to our priorities and we may ultimately have to after doing some input from the public and our own discussion go back to reframing our original statements. Will we have that capacity to go both directions?

Carla Hostettler – So one of the things that we have discussed and this would be in the purview of the Ad Hoc committee and when we present on the actual planning process with the Ad Hoc Committee. One of the things that we had started to discuss is the ability to move back; although it is linear, we tried to show a looping back process so that we can actually review the strategic plan every two to four years. So those changes can happen at that time so it would be a little bit different than our current strategic plan where we would have that opportunity to loop back base don't be outcomes.

Trustee Peter Apo – Just one suggestion that as you, when you do the public input or the community engagement stuff you consider funding a beneficiary survey. I think it's really important. The last survey that we did was fascinating to me. Unfortunately, we never actually used that survey to make any changes in the way we are operating. This could be a great opportunity that goes in-depth that we have a good sampling and all of that.

Trustee Rowena Akana – Since we are talking about surveys, we have engaged I understand SMS Company doing surveys. Can you tell me what SMS is doing for OHA right now?

Mehana Hind - So right now as related to the strategic plan that we currently have they are doing part of our close out. Because some of our strategic results are very large for instance in Culture, 80% of the population of the State of Hawaii being exposed to Hawaiian culture and then the other result is 51% of practices encouraging practitioners to increase 51%. So surveying is one of the methodology that we found that is what we are going to use in order to see how we move the needle in those particular areas. So right now we have a contract with them to collect that kind of data by survey specific to the close out.

Trustee Rowena Akana – Is the collection of data relative to the close out, how much of it impacts just Hawaiians. All of it? Some of it?

Mehana Hind – For instance in the example that I just gave, in our strategic plan in our results we have two. It is one of the unique areas that deals with both Hawaiian and non-Hawaiian. So it's very fitting that when they call, no matter who they touch whether they are Hawaiian or non-Hawaiian all of that data is relevant to our work. Some of the other ones the strategic results that deal with just Native Hawaiians there are other methodologies that are being applied to get them. But for the survey in particular 100% of the information that we collect based on Hawaiian or non-Hawaiian will be used.

Trustee Rowena Akana – Is SMS being used in any other capacity for OHA at this point?

Carla Hostettler – To my knowledge we are also involved in a collaborative project looking at native Hawaiian wellbeing but that is a collaboration with other native Hawaiian organizations.

Trustee Rowena Akana – Nothing else?

Mehana Hind – That is all we know.

Trustee Keli'i Akina – Just to pick up on that comment about SMS and to move into a different topic. Obviously SMS is being used to help us understand how effective were we in our existing strategic plan and to get some measurements or metrics and that is going to be valuable. But recognize that somewhat after the fact in terms of a process so I want to flash back to the many discussions since our budget approval process here for the current budget. One of the things that we were discussion was the importance of having metrics built in, in a way that we can all use them. We talked about a PPBS system and I know today is not the place to talk about that but I want to remind us we wanted to move forward on that. This is a great opportunity now at the design of our strategic planning process to integrate our budgeting measurements, our PPBS system with the strategic planning process so that we would have perhaps SPIRE or other aspects or parts of the administration working with this planning process. In short, this is what I am suggesting, that not only do we do the visionary work that we've seen today for the strategic planning process but we find some way to integrate that with our budgeting PPBS system so that

when a two-year budget comes before us it's tightly linked to outcomes measured within the strategic planning process. Again, that will take us back to the PPBS discussion. That is what I want to recommend very strongly.

Trustee Carmen Hulu Lindsey – On the community input, I just want to recommend that we get creative in reaching out to our people. Because I have been to many of the community outreach in many different areas of the State all the way to Hawaii Island, Kauai, down Country of Oahu and they are so few people that attend. Sometimes there are only 5 and to have our resources in companies that we hire bring out their whole staff to staff 5 people is to me very unreasonable. I think that if we can connect to our people through other means such as maybe emails to get their feelings back to us I think that would be a lot more comprehensive and probably better for us to get more positive results.

12:31 pm Trustee Robert Lindsey leave the meeting.

Mehana Hind – Thank you so much Trustee Lindsey and that's exactly the route that we are going to take, ways that we can do more outreach so that we accommodate our communities times. Sometimes it's just not a good timing, like we out in Wailua, its 5 o'clock and people neva get home from work, that kind of thing. But where they can participate at their own leisure. We've learned a few lessons from our other Trusts that have been going through the Strategic Process over the last 5 to 10 years and that was one of the lessons they were clear about in sharing with us. Use your social media, use your email blasts, utilize stakeholder groups, utilize that kind of a representative group that can put the time into it and go back into the communities, survey their own communities and come forward and talk. That is part of the plan. Thank you.

Trustee Peter Apo – Besides the survey I think, I hope you folks will be I think it's important to somehow at the end of the day to be able to quantify the amount of input that we got. Measure how many voices are being heard. The other thing and I am not saying anything you guys don't already know in terms of the system, I really love the detail model Malia Kaaihue them where to allow everyone to have their voices heard not only heard but documented and posted. They break everybody up into little groups and each one has a leader so not just one big community meeting where someone can take over the meeting and then they each have a facilitator so it gets a little expensive, because if you have 10 groups you have to get 10 facilitators. They notate everything, they bring in graphic artists so as the discussion is going on they actually start drawing pictures, I mean it's a fascinating process.

Trustee Dan Ahuna – They did it here.

Trustee Carmen Hulu Lindsey – They did it with Kukaniloko.

Trustee Dan Ahuna – I wanted to add all of this. Today we are voting on the process, one of the priority areas in this was PLT input, I didn't want to be the one taking all the information and then making a decision, it was about all of us so that we can have this kind of discussion. So this linear approach is an approach where we can all feel a part of it. You want to bring up your concerns that is where it's at. We are policy writers that this is what it's about. So today it's about passing this process. If you like this process I think it's a great process it includes all of us. I am hoping that everyone is going to voting on this.

Trustee Keli'i Akina – I just wanted to go back to the point I was discussing earlier with reference to calendar. So we definitely have a good strategic planning process going forward. But if we are going to integrate that with our budgeting process, we need to look at the calendar. We would have to decide to move ahead with a program planning budgeting system early enough to integrate with the strategic planning process according to the calendar we have here we probably would need that to decide on budgeting by spring, not the budget but decide on our budgeting process. Madame Chair, I am hoping that we can refer to RM Committee to take a look at that on how we can establish our PPBS System and have it available to integrate with the Strategic Planning process. So that we are on the same page by the time we get through phase 3 in the spring and Phase 4 for implementation. Will we be able to refer this matter to RM?

Let me just repeat that, I'm saying we have two processes going on. We have the strategic plan.

Chair Colette Machado – Lets kick this off first. There are areas of feedback that can provide for all of the things that you are describing. It is on the record now. Did you want to integrate?

Trustee Keli'i Akina – Sure, I just want to make sure that we realize that the process of strategic planning as it is now is good but it's not sufficient to get us forward, but we also need to do the budgeting. I just want to make sure that we are going to bring the two systems together. Our strategic planning and our PPBS Budgeting system and would like to have the RM Committee to take a formal look at that.

Chair Colette Machado – If you approve this motion, the will of the committee you would have agreed to appoint two Trustees to represent your interest. That would be one of those interest that they could carry to the table for discussion and could amend. There is a lot of areas that you could consider open ended that could include that.

Trustee Keli'i Akina – That is a good start Madam Chair, I just hope.

Chair Colette Machado – Because this is an Ad Hoc Committee, they would report directly to the BOT.

Trustee Keli'i Akina – I hope on the outside of it, on a budgeting bases be proceeding with deciding on a PPBS system because that falls outside of the scope of this committee. I think we've already begun the process that RM can take a look at if we just refer this to RM. We will take a vote on this. I am not in any way standing in the way of that. I am voting yes on this.

Trustee Rowena Akana – I think what Trustee Akina is trying to say is that all of these things in many of the instances we are looking at probably contractors and people to gather information besides SMS and staff. We really do need to look at what it is going to cost us as we move into the different analysis gathering data collection. Unless all of this is going to be done in house and I haven't heard that yet.

Kamana'opono Crabbe – In fact, the only contract we are looking at is a facilitation contract everything will be done by our research staff as well as community outreach.

Trustee Rowena Akana – With the facilitator, you are talking about hiring a facilitator at every one of these phases or just one or two, because that contract can get very expensive.

Mehana Hind – I can see it getting to that, that is not what our plans are. We are planning to work as close to a zero additional budget as possible. Along with the tight timeline. So our teams have been geared up to really hustle in this coming year in putting this in the forefront. Research has already started doing that and organizing themselves that way, Community Engagement will soon be getting on track to that soon. We don't see in any of these phases thus far any outside or large or even substantial contract work.

Trustee Rowena Akana – The reason I voted against this Ad Hoc Committee because something as important as this strategic planning should be done by the whole board or should be done in a committee so that all Trustees are aware of what is going on. Unless the board is going to have an update at every board meeting on Ad Hoc Committees and their progress and where we are, because to wait until you want an action item to decide what we are going to do is really too late. We want input into these things before it gets out of our control. As far as priorities, the priorities come from the board. Besides the input from the community, the board should set what the properties are, then take that out to the community, and see what they thing about that.

Mehana Hind – That is the process now.

Trustee Rowena Akana – It shouldn't be backwards.

Trustee Carmen Hulu Lindsey – I just want to say I have been in many community meetings where our staff has taken control and I think they do a very good job and my comments is just if we keep it in house it we will spend less money and you folks are so qualified there is no reason why we should bring in outside people.

Trustee Peter Apo – Well if you do Community engagement and that kind of stuff, you are going to have to have outside people. There is no way they will do it without it and not do something that is legitimate. I get back, first of all, I have tremendous respect for Mehana and I think you get it. You understand exactly what we are trying to do. I kind of disagree with Trustees should set the priorities. We have long needed to quantify how our beneficiaries feel about what we do and where we ought to be headed. We have never done any kind of comprehensive survey.

Trustee Rowena Akana – Yes, we have.

Trustee Peter Apo – Well the one survey, which gave us some surprising answers, that was not following what we were doing. So now, in the end it is up to us whether we agree with the beneficiaries or the majority of the input or not, that is our call. But I don't think there is anything more important than this strategic plan that would drive this organization. We need to be as inclusive as thorough for whatever it costs. We need to do that.

Trustee Rowena Akana – I don't disagree.

Trustee Carmen Hulu Lindsey – That is why they are going to use a lot of social media. Because people don't want to come to meetings.

Trustee Peter Apo – Social media it still doesn't create a framework, again I think Mehana understands. It doesn't create a framework of data collection that can be measured, that can be quantified, that can be sorted into themes. This takes a lot of work. This is not just write in and then I no like what he said so you throw it out the window. You cannot be like that.

Trustee Dan Ahuna - So today is about, do we like the framework? Yes, or not that is what this is about. If you don't like it I am telling you, you will have a lot of time for input in all phases. It's important to me that we all have a voice. I don't think we represent people but we should have a voice. It's in there. Almost every phase.

E. Approval of the Ad Hoc Committee for OHA Strategic Planning 2020+

Chair Colette Machado – Can I get a motion Trustee Dan Ahuna?

Trustee Dan Ahuna moves to approve the appointment of the following members to the Ad Hoc Committee for OHA Strategic Planning 2020+:

- 1. Trustee Dan Ahuna, Ad Hoc Committee Chair**
- 2. Trustee Robert Lindsey, Ad Hoc Committee Vice-Chair**
- 3. Ka Pouhana Kamana'opono M. Crabbe**
- 4. Lisa Watkins-Victorino, Ka Pou Kihi Kane - Research Director**
- 5. Mehana Hind, Ka Pou Kihi Lono-Community Engagement Director**
- 6. Carla Hostetter, Ka Pou Kako'o Noi'i Pahana Kuikawa**

The term of the ad hoc committee expires at the completion of the assigned task, or at the discretion of the Chair of the Board of Trustees, subject to later adjustment. The charge and purview of the ad hoc committee would be for Trustees and administrative staff to work together to achieve the goals in the following phases:

- Preparation**
 - o Strategic Planning Process Development**
 - o Transition Planning**

- **Phase 1**
 - o **Revisit OHA's identity: HRS Chapter 10, Vision, Mission, Roles, and Approaches**
 - o **Obtain BOT agreement on elements**
- **Phase 2**
 - o **Presentation of data on current conditions of Native Hawaiians, Stakeholder input, and Matrix of Native Hawaiian Serving Organization's Strategic Plan**
 - o **Obtain BOT agreement on Priority Areas**
- **Phase 3**
 - o **Presentation on Conceptual Framework and Financial Strategic Approach**
 - o **Obtain BOT agreement on Strategies**
- **On-going**
 - o **Implementation Planning**

The ad hoc committee shall perform duties, including external consultations, necessary to accomplish its task.

Trustee John Waihe'e IV seconds the motion.

Chair Colette Machado – Further discussions. Trustee Rowena Akana.

Trustee Rowena Akana – I just want to say to this group that is going to head this group that you know what the last strategic plan it turned out to be a wish list that was impossible to fill. I want to make sure that doesn't happen with this strategic plan. It has to be achievable at the end goal. There has to be earmarks so that each goal as we complete is measured. I don't want to see culture as one of the top goals because culture should be incorporated in all things. But it should not be isolated by itself. Because the problem we've had in the past is that, you look at the strategic plan and staff have said this appropriation matches this in the strategic plan, boom they throw some money at it out of their bailiwick, that's not the kind of stuff that we want to see anymore. We want to see results based on realistic kinds of things in this strategic plan. So that's all I have to say.

Trustee Keli'i Akina – I will vote yes with one provision is that we make sure that the strategic planning process and outcomes are tightly integrated with our budgeting that we tightly integrate them with a program planning budget system. That means we will have some work to do apart from the strategic planning process but that is the bases that I am going to vote yes. I appreciate the insights that SMS will give us but I think we want to have a stronger control of metrics then to ask for a survey after a 5-year strategic plan. I'd like us the next time we come to the board to approve a budget to be able to tell how each item is related to a strategic plan out some with the metric of a PPBS system. Thank you but I will vote yes on that basis.

Trustee Peter Apo – Again, I raise the question of the need perhaps as part of this process to revisit (conversation indiscernible)

Trustee Carmen Hulu Lindsey – Do we have a budget for this?

Kamana'opono Crabbe – We have very minimal, we've already worked it in to our work plans for the fiscal year 17-18 and it now included for Biennium 18-19 and then 20-21. As we shared earlier, the only contract we are doing is with the facilitation. But all of the heavy lifting in terms of work, analysis will be with our staff.

Trustee Carmen Hulu Lindsey – Thank you for that hard work.

Chair Colette Machado – Roll call vote.

Trustee Dan Ahuna moves to approve the appointment of the following members to the Ad Hoc Committee for OHA Strategic Planning 2020+:

1. Trustee Dan Ahuna, Ad Hoc Committee Chair
2. Trustee Robert Lindsey, Ad Hoc Committee Vice-Chair
3. Ka Pouhana Kamana'opono M. Crabbe
4. Lisa Watkins-Victorino, Ka Pou Kihl Kane - Research Director
5. Mehana Hind, Ka Pou Kihl Lono-Community Engagement Director
6. Carla Hostetter, Ka Pou Kako'o Noi'i Pahana Kuikawa

The term of the ad hoc committee expires at the completion of the assigned task, or at the discretion of the Chair of the Board of Trustees, subject to later adjustment. The charge and purview of the ad hoc committee would be for Trustees and administrative staff to work together to achieve the goals in the following phases:

- Preparation
 - o Strategic Planning Process Development
 - o Transition Planning
- Phase 1
 - o Revisit OHA's identity: HRS Chapter 10, Vision, Mission, Roles, and Approaches
 - o Obtain BOT agreement on elements
- Phase 2
 - o Presentation of data on current conditions of Native Hawaiians, Stakeholder input, and Matrix of Native Hawaiian Serving Organization's Strategic Plan
 - o Obtain BOT agreement on Priority Areas
- Phase 3
 - o Presentation on Conceptual Framework and Financial Strategic Approach
 - o Obtain BOT agreement on Strategies
- On-going
 - o Implementation Planning

The ad hoc committee shall perform duties, including external consultations, necessary to accomplish its task.

Trustee John Waihe'e IV seconds the motion.

TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA						x
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY						x
TRUSTEE JOHN WAIHE'E		X	X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			2

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

Motion passed with seven (7) yes votes and two (2) excused.

Chair Colette Machado - We have one more item to go Community Concerns, we have on individual that has signed up. Trustee Keli'i Akina.

Trustee Keli'i Akina – Following the vote we just took I wonder if we might consider forming a FIG, a group where multiple Trustees can feed some feedback into the Strategic Planning group. We may not need to decide

that today, but I'd like to put that out there that, that might be a good way to let Trustees brainstorm with each other and feed that input back into the strategic planning process if we formed a FIG.

VI. COMMUNITY CONCERNS

Chair Colette Machado – I will call on Germaine Meyers, who signed up and waited patiently to speak to us.

Ms. Germaine Meyers – Aloha Chair, thank you Chair and Trustees. Aloha, my name is Germaine Meyers and I am OHA beneficiary for beneficiary advocacy and empowerment. And I am also a Nānākuli Hawaiian Homestead Lessee. Today I would like to provide my public testimony, which is now in community concerns regarding four agenda items. They are items IV.A, V.A., V.B. and V.C. which I think is still relevant that this time. Regarding Action item 18-07 independent audit BOT 18-03 approval of reformatted and updated OHA BOT Bylaws and the discussion and deliberations on the Ad Hoc Committee on grants sponsorships recommendations to adopt the Kūlia Grants 2018 guidelines and process.

What are the common elements of these four agenda items. Each of today's agenda items were discussed in the State's audit report 18-03 released 5 months ago in February 2018. Most especially these four agenda items were discussed in Chair Machado's audit response letter to State Auditor Les Kondo dated February 7, 2018. I would like to share Chair Machado's response verbatim as follows, as it relates to these agenda items. First and foremost Chair Machado stated on page 8 verbatim, "the auditor's report was thorough, balance and helpful". Beginning on page 4 Chair Machado stated verbatim, "recognizing deficiencies in a spending policies and protocols, OHA has proactively implemented changes consonant with the Auditor's current recommendations. As the Auditor was gathering information, reviewing documents and preparing its report, OHA took proactive steps to implement change through its fiscal sustainability plan, FSP working groups." On March 23, 2017 one year and four months ago OHA approved the procurement, I emphasis procurement, of an external auditor to examine OHA's financial condition and that of its LLCs. I would like to insert here that the OHA's procurement authority lies and lays with the Chairman of the Board of Trustees, Chair Machado. Then please correct me if I am wrong, Chair Machado has given, or shares her procurement authority with OHA's administrator and CEO. Procurement authority over OHA's RFQs, OHA's Contracts. On page 6 Chair Machado stated verbatim, "current policies give the board discretionary authority to fund Kūlia initiatives and to provide sponsorships to support beneficiaries", such as myself, who may not qualify or otherwise compete for grants. In light of the auditor's preliminary findings, Trustees have personally addressed some of the allowances questioned by the Auditor by taking immediate action, which has included in some instances repaying the trust.

Also in page 6 Chair Machado stated verbatim, "OHA's Ad Hoc Committee on grant and Sponsorships will recommend policy changes for Administrative guidance and fiscal accountability on grants, sponsorship and Trustee Allowances." On August 1, 2017, the board approved the appointment of members to an Ad Hoc Committee on Grants and Sponsorships. Side bar, the Ad Hoc Committee was created in the BOT by Chair Machado yet on February 3, 2017 exactly 6 months prior and according to the BOT meeting minutes, Trustee Machado stated that to ex-chair Akana that it was against BOT executive policy for such an Ad Hoc Committee to be created by the BOT Chair. Instead, it was supposed to be in the RM Committee. So I'm still wondering if the Executive Policy has such as rule.

Page 7 Chair Machado stated verbatim, "OHA appreciates the Audit's recommendations as to Kūlia Initiatives, Sponsorship and Trustee Allowances and it committed to implementing the appropriate changes that reflect increased transparency and accountability in these policies and procedures." I repeat, increase transparency and accountability in these policies and procedures. What happened to transparency and accountability in following the current policies and procedures?

I reviewed Chapter 10 and it give details about the Administrator's role in OHA and its Trust. Chapter 10 includes responsibilities of the administrator. The administrator's current title is CEO, which you discussed earlier. Never the less a change or title or otherwise, the position of Administrator and its duties are described in Chapter 10. According to Chapter 10 the Administrator has equal fiduciary duty to: 1. The Trust, 2. Trustees, 3. The

beneficiaries. The fiduciary role of Administrator is outline in Chapter 10 and it's not different then the fiduciary role of a lawyer, a certified public accountant or a Doctor. If a doctor prescribes for you the wrong medication and you die, you can sue them because there is a fiduciary duty of the doctor to all of its patients.

Increase transparency and accountability. Earlier I mentioned procurement authority and OHA's RFQ and OHA's contracts. While the board is looking at the grants and sponsorships policies and the administrator or Chairman issue various RFQ's. One of them was for an event planner. I was shocked to see that the RFQ stated that OHA's budget for the contract, the event planner's budget is \$92,500 for a one-year contract. The responsibilities to plan 4 small event, one per quarter, with 52-100 attendees and to plan 8 large events 2 per quarter with 100+ attendees. I really thought OHA's outreach department plans events for OHA. And I also thought OHA awarded Aha Hui grants totaling \$200,000 per year to various non-profits to execute their events for Hawaiians throughout the years. I wonder how much money will be spent on the 12 events that this event planner is supposed to execute. At least we know that he or she will be paid \$92,500 for the contract because who would bid less than \$92,500 when the RFQ states that is the budget. Regarding the RFQ for the year of the Hawaiian event that is being held on August 4, the RFQ states that the entrance fee is no more than \$10 per year. Yet the entrance fee is \$15. I wonder what happened. Yes, OHA is desperately in need of transparency and accountability. Ke Akua pu. God be with all of you and God help us all.

Chair Colette Machado – Thank you Germaine.

Ms. Meyers – Thank you.

Trustee Rowena Akana – What is the event planner supposed to do and what is this for?

Kamana'opono Crabbe – I believe that is a contract with community outreach.

Trustee Rowena Akana – Are they doing it for the elections?

Kamana'opono Crabbe – Not at all what it is related to.

12:58 am Trustee Peter Apo leaves the meeting.

Trustee Rowena Akana – Thank you. Madame Chair, at some point in time I would like to see in Executive Session a review of Contracts that you have signed without the Board approval. And I intend to protest against that because anything having to do with the Board requires a Board vote. I am very disappointed that this was done but you can be assure that I will not let this pass. Thank you.

VII. ANNOUNCEMENTS

None

VIII. ADJOURNMENT

Chair Colette Machado – The Chair would like to entertain a motion to adjourn.

Trustee Dan Ahuna moves to adjourn.

Trustee John Waihe'e IV seconds the motion.

Chair Colette Machado – Roll call vote please.

Trustee Dan Ahuna moves to adjourn. Trustee John Waihe'e IV seconds the motion.						
TRUSTEE	1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA'ALA AHU ISA						Excused
TRUSTEE DAN AHUNA	x		X			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO						Excused
TRUSTEE CARMEN HULU LINDSEY			X			
TRUSTEE ROBERT LINDSEY						Excused
TRUSTEE JOHN WAIHE'E		X	X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			6			3
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED Motion passed with six (6) YES votes, and three (3) excused.						

The meeting was adjourned at 12:59 am.

Respectfully submitted,

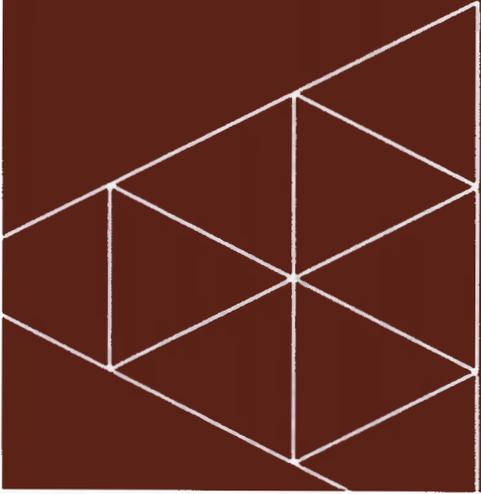
Dayna Pa, Board Secretary

As approved by the Board of Trustees on _____.

Colette Y. Machado, Chairperson
Board of Trustees

Attachment:

1. Powerpoint presentation: Request for BOT Strategic Planning Ad Hoc Committee, July 26, 2018



Request for BOT Strategic Planning Ad Hoc Committee

July 26, 2018

2010-2018 Strategic Plan Closing-Out Community Report

2018

Jul.

Aug.

Sep.

Oct.

Nov.

Dec.

Jan.

Feb.

Mar.

Apr.

May

Jun.

2019

Data Collection

Data Analysis

Final Content

Layout/Print

Administration

Strategic Planning Process

BOT

Phase 1
OHA's Identity

2018

Review
of
Foundation

Revision/
Reaffirmation

Community
Input

Phase 2
Priority Areas

Agreement
on Priority
Areas

Analysis of
Current
Conditions

Community
Input

Phase 3
OHA Strategies

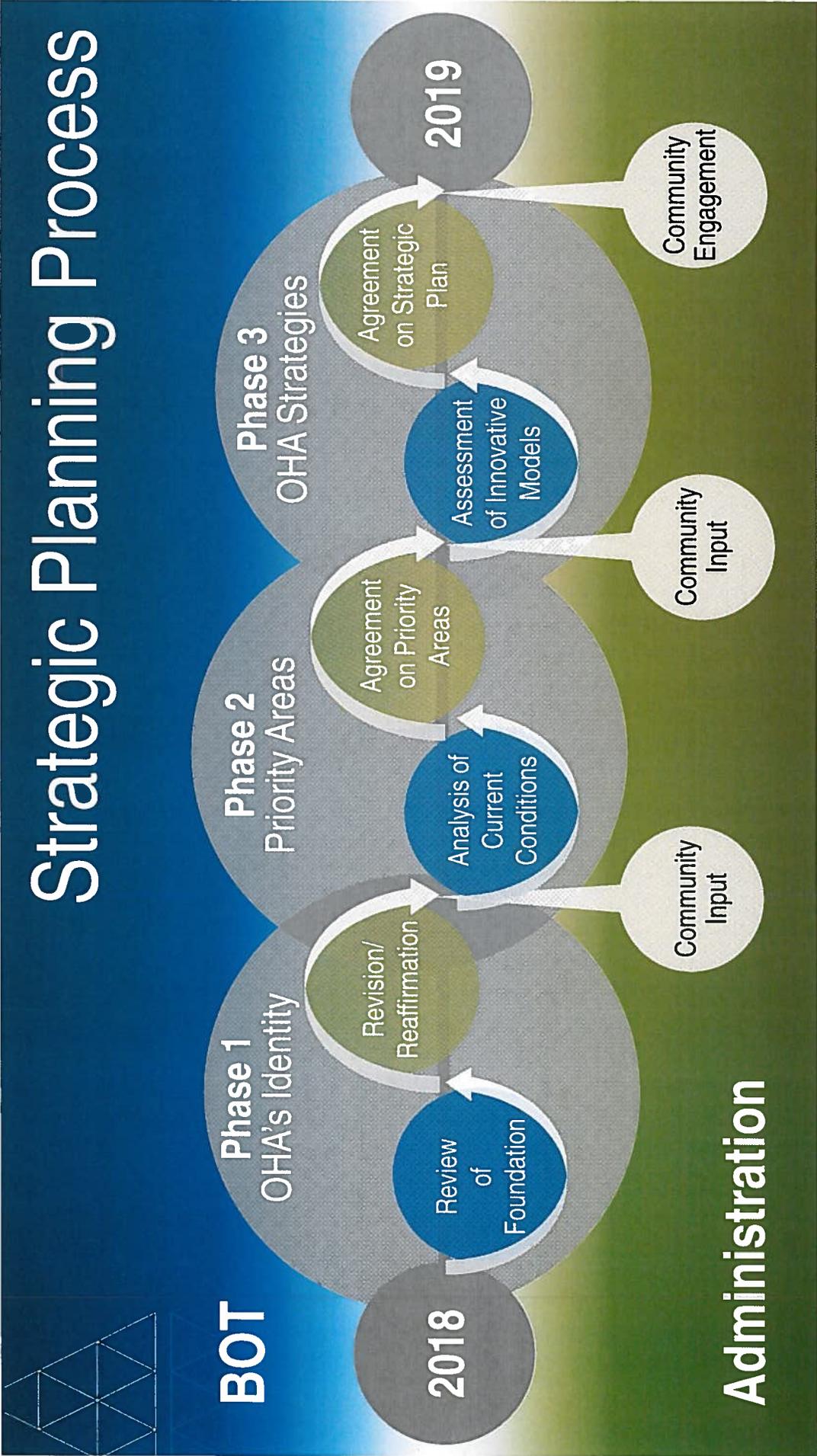
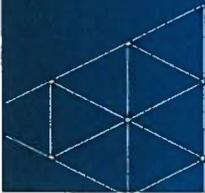
Agreement
on Strategic
Plan

Assessment
of Innovative
Models

Community
Engagement

2019

Administration



Strategic Planning Process

BOT

Phase 1

OHA's Identity

VOTE

2018

Jul.

Aug.

Sep.

Oct.

Nov.

Dec.

Jan.

Feb.

Mar.

Apr.

May

Jun.

2019

Phase 2

Priority Areas

Workshops/
VOTE

Phase 3

OHA Strategies

Workshops/
VOTE

Phase 4

Implement

Prepare presentations

Stakeholder Focus Groups

Analysis of current data

Beneficiary Survey

Research on financial models

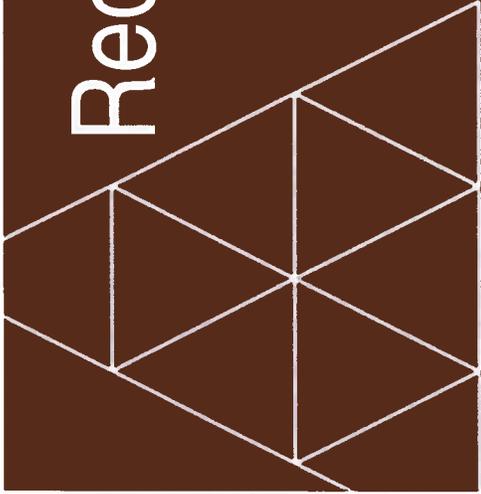
Development of conceptual framework

Implementation Planning

Ad Hoc

Committee

Crosswalks



Request for BOT Strategic Planning Ad Hoc Committee

Mahalo!
Questions?

Office of Hawaiian Affairs
Board of Trustee Meeting
August 30, 2018
11:00 am

IV. Unfinished Business

B. Action Item BOT #18-03: Approval of reformatted and comprehensive update of the OHA Board of Trustees' (BOT) Bylaws as approved and adopted by the BOT and that conform to BOT approved action and state statutes, 2nd Reading †

****PLEASE INSERT ACTION ITEM BOT #18-03 THAT WAS DISTRIBUTED IN THE JULY 26, 2018 BOT FOLDER.***



Office of Hawaiian Affairs

BOARD OF TRUSTEES
Action Item

July 26, 2018

BOT #18-03

Action Item Issue: Request the OHA Board of Trustees approve all recommended updates and amendments to the Board of Trustees Bylaws

Prepared by: Momilani Lazo 7/24/18
Momilani Lazo Date
Senior Executive Assistant

Reviewed by: Albert Tiberi 7/24/18
Albert Tiberi Date
Senior Legal Counsel

Reviewed by: Kamana'opono M. Crabbe, Ph.D. 7/25/18
Kamana'opono M. Crabbe, Ph.D. Date
Ka Pouhana, Chief Executive Officer

Reviewed by: Colette Y. Machado 7/25/18
Chairperson Colette Machado Date
OHA Board of Trustees

I. Action.

To approve all recommended updates and amendments to the Board of Trustees Bylaws as provided in this Action Item and as set forth in Section IV. herein and as shown in Exhibit "A" appended to this Action Item.

II. Issue.

Whether or not the OHA BOT should approve all recommended updates and amendments to the Board of Trustees Bylaws as provided in this Action Item as set forth in Section IV. herein and as shown in Exhibit "A" appended to this Action Item.

III. Discussion.

1. Since 2007, six separate action items for Bylaw amendments were brought before the Board and its Standing Committees for review, discussion, approval, and adoption.

- For reference, all six action items as previously approved by the BOT are described below and have been incorporated along with page numeration as well as recommended updates resulting from amendments to the “Sunshine Law” as discussed below and included in the updated version of the Board of Trustees Bylaws as shown in Exhibit “A”.

The six actions are summarized below in Table 1.

Action Item No.	Actions Proposed and Passed	Affected Bylaw Article As Appropriate	JOINT Committee Review	BOT 1 st Reading	BOT 2 nd Reading
ARM-BAE 07-22	To add a new paragraph on Members to Duties of Officers. An amendment to the OHA Bylaws Article VI was recommended by the Board of Trustees Attorney. An amendment to conform the OHA BOT Executive Policy Subseries 1030 (Trustee Duties, Responsibilities, and Conduct) Manual to the Bylaw amendment is proposed to ensure consistency of meaning and substance between Bylaw and Executive Policy.	Article VI Duties of Officers and Members	10/24/2007	11/1/2007	11/8/2007
BOT 09-05	Whether or not to approve and authorize the re-designation of position title from OHA “Administrator” to OHA “Chief Executive Officer” and to approve and authorize the Chief Executive Officer to make technical changes to Chapter 10, HRS, OHA’s governing documents, to include Bylaws, Executive Policies and operational procedures, and to any other policies, procedures, documents and/or instruments as appropriate to reflect the re-designation of position title.	All related references to Administrator to be changed to Chief Executive Officer	N/A	12/17/2009 Per BOT minutes; this is a technical update, no changes to position.	
ARM-BAE 13-01	Whether or not the Board of Trustees’ Bylaws and the OHA Board of Trustees’ Executive Policy Manual should be amended to allow each Trustee to have options in the manner in which their offices are staffed while at the same time ensuring that the staff selected considering adequate and	Article XIV Board of Trustee Staff	3/7/2013	3/7/2013	3/21/2013

	<p>qualified staff to help them fulfill their fiduciary duties. An amendment to Article XIV of the OHA Bylaw is necessary to provide a uniform approach to exercising these options in the configuration of their respective offices. An amendment to conform the OHA BOT Executive Policy Manual Subseries 3100 Personnel (BOT Staffing) to the Bylaw amendment is proposed to ensure consistency of meaning and substance between Bylaw and Executive Policy Manual.</p>				
BOT 14-01	<p>Add a third standing committee called Committee on Land and Property. Duties include the following:</p> <ul style="list-style-type: none"> a. develop policies and criteria for OHA's land acquisitions, dispositions, development, management, and the use of real estate in which OHA has an interest; b. develop policies relating to OHA's real estate asset allocation, desired returns, and balancing OHA's real estate portfolio including legacy lands, corporate real estate, programmatic lands and investment properties; c. oversee the use and condition of OHA's real estate and develop policy for the proper use and stewardship of such real estate; d. develop policies and programs for OHA's ownership, financing and development of real estate, including capital improvements, spending policy and forms of ownership for OHA's real estate; e. with respect to real estate not owned by OHA in its 	Article VIII Committees of the Board	N/A	1/23/2014	2/6/2014

	<p>own name, but owned in one or more limited liability companies or other entities in which OHA, directly or indirectly, maintains an ownership interest, oversee OHA's performance of its rights and obligations with respect to real estate under the terms and conditions of the applicable limited liability company agreement or other operating agreement; and</p> <p>f. provide oversight over Permanent Special Councils or Commissions as assigned by the Board.</p>				
BOT 15-03	<p>As part of a larger effort to help ensure that the Board of Trustees can perform and function in the best possible manner with the least waste of time and effort, this action item is designed to enhance the ability of the Board of Trustees to oversee, as effectively and efficiently as possible, OHA's land assets to assure that those assets are well managed and that its financial situation remains sound.</p> <p>At present, there are three Standing Committees of the Board of Trustees. This action item if approved will organizationally combine and consolidate the purviews of the Committee on Asset and Resource Management and the Committee on Land and Property into what will be entitled the "Committee on Resource Management."</p>	Article VIII Committees of the Board	N/A	7/30/2015	8/27/2015
BR 16-1	<p>This Action Item contemplates the amendment of OHA Bylaws Article XVII, the creation of a code of conduct for OHA trustees and sanctions for trustees for the violation of the code of conduct, and the concurrent approval, adoption and ratification of the</p>	Article XVII Trustee Code of Conduct and Sanctions for Violation of the Code of Conduct	N/A	2/25/2016	3/15/2016

	<p>code of conduct as a stand-alone policy to comport with the recommendation of the Board of Trustees.</p> <p>The modification to conform the OHA BOT Executive Policy Manual, Subseries 1030 (Trustee Duties, Responsibilities, and Conduct), to Bylaw amendment is proposed to ensure consistency of meaning and substance between Bylaw and Executive Policy.</p>				
--	---	--	--	--	--

Table 1.

IV. Recommended Amendments to Bylaws:

1. ***Re-Designation of all references in Bylaws from “Administrator” to “Chief Executive Officer”.***

Action Item BOT 09-05 authorized the re-designation of the position title of OHA “Administrator” to OHA “Chief Executive Officer” and further authorized the Chief Executive Officer to make technical changes to OHA’s governing documents to include the Bylaws, Executive Policies, operational procedures, and any other policies, procedures, documents and/or instruments as necessary and/or appropriate to reflect the re-designation of position title. Subsequent actions taken by the BOT consistent with the changes approved in BOT 09-05 included approval, in 2010, of changes to the Executive Policy Manual (EPM) to reflect the re-designation of position title from “Administrator” to “Chief Executive Officer”. On 1/19/2012, by way of Action Item ARM 12-01, the BOT further approved a revised position description for the “Chief Executive Officer”.

To be consistent with prior BOT actions related to re-titling Administrator references to CEO and to be consistent with the current organizational and operational structure, it is recommended that the BOT approve replacing references to “Administrator” in the Bylaws with “Chief Executive Officer”.

2. ***Amendments due to changes to Hawai’i Revised Statutes Chapter 92, effective July 1, 2018.***

The new language (underlined) and deletions (strike-through) that follow are recommended to be consistent with the amendments to chapter 92, Hawai’i, Revised Statutes (“Sunshine Law”), as amended, that took effect on July 1, 2018.

ARTICLE IX. MEETINGS

- E. The Board shall give written public notice of any regular, special, emergency or

rescheduled Board, Standing Committee, Advisory Committee, Ad hoc Committee, Council and Commission meetings at least six calendar days before the meeting and in the manner as required by Chapter 92, Hawai'i Revised Statutes, as amended.

H. **Minutes of Meetings.** The Board and each Committee, Council or Commission shall keep written or recorded minutes of all meetings as required under Chapter 92, Hawai'i Revised Statutes, as amended. The Board shall adopt standardized forms for use in the recordation of minutes of meetings. Minutes of all preceding meetings shall be available as provided by Section 92-9(b), Hawai'i Revised Statutes. ~~at the time the agenda for the next meeting is available.~~ The minutes shall include, but need not be limited to:

1. The date, time, and place of the meeting;
2. The members of the Board, Committee, Council, or Commission recorded as either present, absent, or excused;
3. A summary of all matters proposed, discussed, or decided; and a record, by individual member, of motions made, motions seconded, and votes taken to include dissenting votes and abstentions;
4. Staff assignments for investigation and the date staff reports are due;
5. Departure and arrival of members from meetings so as to show matters discussed before arrival, while there, or after departure; and
6. Any other information that any member of the Board, Committee, Council, or Commission requests be included or reflected in the minutes.

I. **Board Packet.** Pursuant to Section 92-7.5, Hawai'i Revised Statutes, at the time the board packet is distributed to the trustees, the Board shall also make the board packet available for public inspection in the Board's office. The Board shall provide notice to persons requesting notification of meetings pursuant to Section 92-7(e), Hawai'i Revised Statutes, that the board packet is available for inspection in the board's office and shall provide reasonably prompt access to the board packet to any person upon request. The Board is not required to mail board packets. As soon as practicable, the Board shall accommodate requests for electronic access to the board packet.

"Board packet" means documents that are compiled by the Board and distributed to board members before a meeting for use at that meeting, to the extent the documents are public under chapter 92F, Hawai'i Revised Statutes. Section 92-7.5, Hawai'i Revised Statutes, shall not require disclosure of executive session minutes, license applications, or other records for which the Board cannot reasonably complete its redaction of nonpublic information in the time available before the public inspection required by Section 92-7.5, Hawai'i Revised Statutes.

3. Approval Process.

The BOT Bylaws shall be amended by two-thirds affirmative vote of all members to which the Board is entitled and shall become effective upon approval and adoption by the Board upon **second reading**.

If this action is approved as recommended, all prior versions of the BOT Bylaws shall be superseded by the BOT Bylaws attached to this Action Item as Exhibit "A".

V. Action for Consideration.

1. To approve all recommended updates and amendments to the Board of Trustees Bylaws as provided in this Action Item and as set forth in Section IV. herein and as shown in Exhibit "A" appended to this Action Item.
2. Decline to approve all recommended updates and amendments to the Board of Trustees Bylaws as provided in this Action Item and as set forth in Section IV. herein and as shown in Exhibit "A" appended to this Action Item.
3. Take no action.

VI. Funding.

No funding required.

VII. Timeframe.

The amended BOT Bylaws shall take effect immediately upon approval by the BOT after second reading.

VIII. Attachments.

1. Exhibit "A" – Board of Trustees Bylaws, as amended, including Appendices A - E

IX. Recommended Action.

To approve all recommended updates and amendments to the Board of Trustees Bylaws as provided in this Action Item and as set forth in Section IV. herein and as shown in Exhibit "A" appended to this Action Item.

Office of Hawaiian Affairs
Board of Trustee Meeting
August 30, 2018
11:00 am

V. New Business

A. Committee on Resource Management

1. Action Item RM #18-08: Approval for Administration to amend the contract to Peninsula Real Estate Partners

**THE COMMITTEE ON RESOURCE
MANAGEMENT**

COMMITTEE REPORT

August 23, 2018

The Honorable Colette Machado,
Chairperson Board of Trustees
Office of Hawaiian Affairs

Madame Chair Machado,

Your Committee on Resource Management, having met on August 15, 2018 and after full and free discussion, recommends approval of the following action to the Board of Trustees:

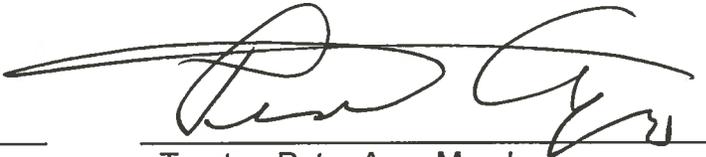
Subject to review and approval of the State Procurement Office and compliance with applicable laws, approve a contract amendment with Peninsula Real Estate Partners to add additional funding in the amount of \$20,000.00 for sub-contracting of architecture schematic designs and related services.

Relevant attachments are included for your information and reference. Attachment(s):

1. Action Item RM#18-08
2. RM Roll Call Vote Sheet (1)

Respectfully submitted:

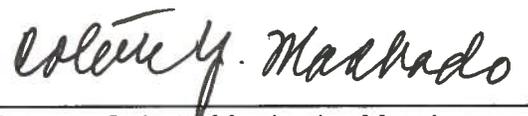

Trustee Carmen Hulu Lindsey, Chair


Trustee Peter Apo, Member

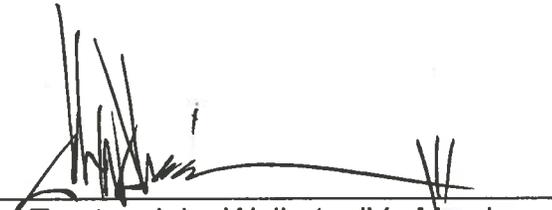

Trustee Leina'ala Ahu Isa, Member

Excused
Trustee Robert Lindsey, Member


Trustee Dan Ahuna, Member


Trustee Colette Machado, Member

Absent
Trustee Rowena Akana, Member


Trustee John Waihe'e, IV., Member


Trustee Keli'i Akina, Member

OFFICE OF HAWAIIAN AFFAIRS

Action Item

Committee on Resource Management

August 15, 2018

RM # 18-08

Action Item Issue: Approval for Administration to amend the contract with Peninsula Real Estate Partners to clearly allow for sub-contracting as needed and within the budget approved by the Resource Management Committee; and to approve a budget of twenty thousand dollars for architecture schematic designs.

Reviewed by: _____
Miles Nishijima, Date
Ka Pou Nui, Interim Chief Operating Officer

Reviewed by: Carmen Hulu Lindsey 8/15/2018
Trustee Carmen Hulu Lindsey Date
Chair, Committee on Resources Management

Reviewed by: [Signature] 8/15/2018
Trustee John Waihe'e IV Date
Vice Chair, Committee on Resource Management

I. Proposed Action

Subject to review and approval of the State Procurement Office and compliance with applicable laws, approve a contract amendment with Peninsula Real Estate Partners to add additional funding in the amount of \$20,000.00 for sub-contracting of architecture schematic designs and related services.

II. Issue

Our BOT Real Estate Consultant is requesting the authority to sub-contract companies in compliance with applicable laws to provide technical expertise on initiatives set forth by the Board of Trustees. To provide continuity, technical drawings, develop scenarios and validate financial assumptions. It is critical that the consultant is able to seek professional organizations to compliment real estate strategy.

III. Discussion

Additional funds need to be allocated to existing contract to pay for these services.

IV. Alternatives

- 1- If contract amendment is not approved, authorize Administration to procure for the requested services.
- 2- If both are not approved, development of architectural products cannot be completed for financial analysis and concept design.

V. Recommended Action

Subject to review and approval of the State Procurement Office and compliance with applicable laws, approve a contract amendment with Peninsula Real Estate Partners to add additional funding in the amount of \$20,000.00 for sub-contracting of architecture schematic designs and related services.

VI. Timeframe

This action shall be effective upon approval by the BOT.

VII. Funding

Proceeds from Commercial Property investments.

VIII. Attachments

None

Office of Hawaiian Affairs
 560 N Nimitz Hwy. Ste. 200
 Honolulu, HI 96817
Roll Call Vote Sheet – ACTION ITEM

Committee on Resource Management	DATE: August 15, 2018 Motion: Vote:
---	--

AGENDA ITEM: V. New Business
A. RM #18-08: Approval for Administration to amend the contract with Peninsula Real Estate Partners to clearly allow for sub-contracting as needed and within the budget approved by the Resource Management Committee; and to approve a budget of twenty thousand dollars for architecture schematic designs.

Motion:
 Subject to review and approval of the State Procurement Office and compliance with applicable laws, approve a contract amendment with Peninsula Real Estate Partners to add additional funding in the amount of \$20,000.00 for sub-contracting of architecture schematic designs and related services.

AMENDMENT:

MEANS OF FINANCING:

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

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

--	--

Office of Hawaiian Affairs
Board of Trustee Meeting
August 30, 2018
11:00 am

VI. Executive Session

- A. Consultation with Attorney Sherry Broader, Esq. on questions and issues pertaining to the OHA Board of Trustees' powers, duties, privileges, immunities, and liabilities regarding *OHA v. Hawaii Housing Authority*, Civil No. 95-2682-07, Pursuant to HRS §92-5(a)(4).
- B. Approval of Minutes
 - 1. May 17, 2018
 - 2. May 24, 2018
 - 3. May 31, 2018

Note: Any material that is relevant to this section will be distributed at the table.