

**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, September 6, 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  
PAUL ALSTON, ESQ.

**ADMINISTRATION STAFF:**

KAMANA‘OPONO CRABBE, CEO  
MILES NISHIJIMA, LPD  
MEHANA HIND, CE  
DAVID LAEHA, CFO  
KAWIKA RILEY, ADV  
SCOTT HAYASHI, LAND ASSET  
JONATHAN CHING, LPM  
BRUTUS LA BENZ, LPM

**BOT STAFF:**

CAROL HO‘OMANAWANUI  
LŌPAKA BAPTISTE  
ANI PANG  
MELISSA WENNIHAN  
DAYNA PA  
LADY GARRETT  
DAVIS PRICE  
LAURENE KALUAU-KEALOHA  
PAUL HARLEMAN  
MARIA CALDERON

**GUESTS:**

ALI‘I NUI ALEKA AIPOALANI

**I. CALL TO ORDER**

**Chair Colette Machado** Calls the Board of Trustees meeting to order at 10:00 am. Roll call is taken; Trustees Akina, Apo, Carmen Hulu Lindsey, Robert Lindsey, and Machado are present; constituting a quorum of five Trustees. Trustee Leina‘ala Ahu Isa has stated that she will be arriving late. Trustees Ahuna, Akana, and Waihee are expected to arrive shortly.

I wanted to ask before I amend the agenda whether or not there is anybody who would like to address the Board of Trustees regarding VI. Executive Session item B. Is there anyone that has signed up? With that said, I want to begin by amending the agenda by removing Item II. A. That was an error as it was listed, because on Molokai we didn't have quorum so there are no minutes. I'd like to seek a 72-Hour Waiver for II. B. the August 9<sup>th</sup> meeting and V.A. 1. and 2. which is the referral from the Committee on Resource Management.

**Trustee Carmen Hulu Lindsey moves for a 72-Hour waiver for the following items:**

**II. Approval of Minutes**

**B. August 9, 2018**

**V. New Business**

**A. Committee on Resource Management**

**1. Action Item RM #18-10: Master Plan for OHA's 511-Acre Property surrounding the**

**Kūkaniloko Birthing Stone**

2. **Action Item RM #18-11: OHA recognizes and thanks the Kūkaniloko Master Plan Working Group - Nā Lālā 'Ike Pono a Kūkaniloko - for participating in the creation of the Kūkaniloko Master Plan and issues to each the attached certificate.**

**Trustee Robert Lindsey** seconds the motion.

*10:01 am Trustee Dan Ahuna arrives.*

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

Trustee Carmen Hulu Lindsey moves for a 72-Hour waivers for the following items:						
II. Approval of Minutes						
B. August 9, 2018						
V. New Business						
A. Committee on Resource Management						
1. Action Item RM #18-10: Master Plan for OHA’s 511-Acre Property surrounding the Kūkaniloko Birthing Stone						
2. Action Item RM #18-11: OHA recognizes and thanks the Kūkaniloko Master Plan Working Group - Nā Lālā 'Ike Pono a Kūkaniloko - for participating in the creation of the Kūkaniloko Master Plan and issues to each the attached certificate.						
Trustee Robert Lindsey seconds the motion.						
TRUSTEE	1	2	‘AE (YES)	A‘OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEINA‘ALA AHU ISA						Excused
TRUSTEE DAN AHUNA			X			
TRUSTEE ROWENA AKANA						Excused
TRUSTEE KELI‘I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY	x		X			
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE‘E						Excused
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			6			3
MOTION: [ ] UNANIMOUS [ x ] PASSED [ ] DEFERRED [ ] FAILED						
Motion passes with six (6) yes votes and three (3) excused.						

**II. APPROVAL OF MINUTES**

- A. **August 8, 2018 (Community Meeting)** – *Item removed it was listed in error. There was no quorum for this agendized meeting.*
- B. **August 9, 2018**

**Chair Colette Machado** – Members lets proceed. I will not be moving the executive session as item number two. Let’s begin with the approval of the minutes of August 9, 2018.

Trustee Dan Ahuna moves to approve the Board of Trustees Meeting Minutes of August 9, 2018.  
Trustee Carmen Hulu Lindsey 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						Excused
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY		x	X			
TRUSTEE ROBERT LINDSEY			X			
TRUSTEE JOHN WAIHE'E						Excused
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			6			3
MOTION: [ ] UNANIMOUS [ x ] PASSED [ ] DEFERRED [ ] FAILED						
Motion passes with six (6) yes votes and three (3) excused.						

### III. PUBLIC TESTIMONY

**Chair Colette Machado** – We are now on item III. which is Public testimony. We have Ali'i Nui Aleka Aipoalani who has signed up to speak and address the Board of Trustees on Kūkaniloko. Normally we provide 5 minutes but I believe that someone else has signed up so you will be given 10 minutes, the other person yielded to you.

**Ali'i Nui Aleka Aipoalani** - I probably won't need that much time.

**Chair Colette Machado** – Just under curtesy that was requested.

#### *10:03 am Trustee John Waihe'e IV arrives*

**Ali'i Nui Aleka Aipoalani** – Thank you. If you guys know who I am, Aipoalani, Polynesian Kingdom Hawaiian Kingdom. I believe these lands that you guys are talking about belong to the Kingdom. I am willing to challenge you guys if I need to. Because these are crown lands. It is not ceded lands. Ceded lands were not ceded by my family. Stolen property never becomes the property of the thief. It's that simple. I only have a few words to say. Mahalo Kamana'ō 2013 in doing the ceremony for me in recognizing Ali'i Nui and the accomplishments that we did for our people. The Government building that I am doing. As we speak now I am one of the heads of the world in the United Nations First Nations assemblies that I have been putting together for the past few years. 80 something nations. There is a lot more I can say to bring you guys up to date. I wanted to get a personal meeting with you guys so I can let you guys know how we can achieve nationhood. From what I understand, the last meeting that I came you guys not doing no nation building no more. I understand why, because you guys haven't been successful honestly. I've been successful doing this because I follow God. God's Kingdom of Hawaii. I have the Royal Union of the Pacific Nations called TEMAK, which is involving all the Kings and Chiefs of the Polynesian Nations also in Micronesia and Melanesia. First Nations Assembly of the first 6 Nations of Canada already achieved many treaty relations, diplomatic relations and foreign relations.

We can actually help the people of Hawaii gain their status on Nationhood. Let you guys know that we are here to work with you. Worst things come to worst, because OHA was built for when the Ali'i come and the Ali'i has what he needs. The evidence he needs to build the nations. I have an easy time a couple of years ago having a meeting with Ban Ki-moon who is the United Nations Head. When I wanted a meeting with you guys I got turned down. Kind of shameful that what we trying to do is we trying to gather our people to be together and not be apart. Unity is the key and that is what we stand for. Even in the future, in December the United Nations is releasing a documentary on the Kingdom. Because we are the first Kingdom is coming back in the UN as a peace nation.

NAFTA has 10 zones and they asked me what zone I would like to be a part of for NAFTA for the trade. I say 11 zone; the Ali'i Nui says the 11<sup>th</sup> zone is theirs. 11 is even. Also when you turn 11 this way we equal. That is what we are trying to provide equality for all of Hawaii and Polynesia. We cannot leave out brothers and sisters out, this movement is not just about Hawaii, it's about the Polynesian islands and the brothers and sisters and cousins and family out there that need the help. Because we working with the SDG program with the United Nations, Jeffery Sachs is my head advisor putting together this conference that is coming up. Polynesia her own SDG, 17. Everything we will be doing we will be collaborating with the Vatican also. Because I been to a meeting at the Vatican. I go to the Vatican 4 times a year, I am on the Vatican's list for travel, I don't have to pay expenses. I am honored because it costs me a lot to build a nation where I am right now and how I got this far with thousands of dollars being spent. Not millions but thousands.

Mahalo for listening, I got a lot more to say. But maybe we better have a meeting if you guys would like to plan a special meeting for the Ali'i Nui because I have special meetings planned for me at the UN and at the Vatican, why not at home. Thank you all for you do for me and all you try to do back then. Its five years later and we haven't gone through any transition. No transition took place you guys know who I am; you know why I am here. Please make a decision because it is not over. Building a nation can never be out of the book. That is what we need to bring back to our people. Just remember who comes first, people and his children, children's children. The future generation. That's what this is for; it's not for any one of us. I am not here to be Ali'i Nui to be above any of you. I am here to be in alignment with you so that we can all get on the table together so that we can make this happen because it is already done. November I will be throwing a Frist Nations Assembly conference here. Many nations will be coming here that signed my treaties from the 6 nations, 22 nations will be coming. America we have 11 nations coming. From South America, we have 11 nations coming. The Mayans the Aztecs, all of these indigenous nations that are coming we went to the Vatican to have a big meeting about ethics in justice and ethics in action. Ethics is doing the right thing. Action it taking action to doing the right thing. The Kingdom already has its own Judiciary because of the agreement that I made at the Vatican. Recognition that we have. Plus we understand the paddle law because it's the only law we understand to protect the weak from the strong. That is what we are here for. We are Ali'i we are servants as you Trustees ought to be servants. I am also a servant. Mahalo again for listening. Thank you.

**Chair Colette Machado** – Mahalo nui. Members let us go back to the agenda. I will take out of order VI. B. and A.

## **VI. EXECUTIVE SESSION**

**Chair Colette Machado** –The Chair would like to seek a motion to recuse ourselves into Executive Session pursuant to HRS§92-2-2.5 (b)(1)(B) and §92-5(a)(4) to consult with our board attorney.

**Trustee Dan Ahuna motions to move into Executive Session Pursuant to HRS§92-2-2.5 (b)(1)(B), 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§92-2-2.5 (b)(1)(B), and §92-5(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							Excused
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				X			
TRUSTEE JOHN WAIHE'E				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** – Members help us clear the room. Kamana‘o you are excused, all staff is excused including aides. The room will just have the Trustees and the Attorney that is representing the Permitted Interaction Group, which is Paul Alston, Esq.

**The Board resolved into Executive Session at 10:15 am.**

- A. 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).**
- B. Presentation by OHA’s Permitted Interaction Group of its findings and recommendations with legal assistance provided by OHA Attorneys Paul Alston, Esq. and Judy Tanaka, Esq., without discussion, re: Contract Number 3147 pursuant to HRS §92-2.5(b)(1)(B) and §92-5(a)(4).**

**The Board reconvenes in Open Session at 11:04 am.**

**IV. UNFINISHED BUSINESS**

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

**Chair Colette Machado** – Members of the Board of Trustees are now on IV. A., which is CEO update. I will turn this over to Kamana‘o.

**Kamana‘opono Crabbe** – Thank you Madame Chair. The announcements I have relate to grants. Currently there is a call out to the community for Ahahui Grants. They are up to \$10,000 so if you know any nonprofit or community that is holding an event, they can apply to the Ahahui. They can go online for the application.

**Trustee Carmen Hulu Lindsey** – KP that’s for January to June 2019 yes?

**Kamana‘opono Crabbe** – Yes.

**Trustee Carmen Hulu Lindsey** – A six-month period.

**Kamana‘opono Crabbe** – Also we are looking, the grants staff if preparing for the request for proposals for the Community Grants and the Kūlia Grants to call out to the community sometime in September and early October.

That will be coming out soon so that we can get the word out and similarly these grants, the proposals will be for the fiscal year 2020-2021. That is it for our announcements Chair.

**Chair Colette Machado** – We will move on to item V.

## **V. NEW BUSINESS**

### **A. Committee on Resource Management**

#### **1. Action Item RM #18-10: Master Plan for OHA's 511-Acre Property surrounding the Kūkaniloko Birthing Stone**

**Chair Colette Machado** - Under New Business, we have two referrals from the Committee on Resource Management. I'd like to call on Trustee Carmen Hulu Lindsey regarding Action item RM 18-10 Master Plan for OHA's 511-Acre Property surrounding the Kūkaniloko Birthing Stone.

**Trustee Carmen Hulu Lindsey moves to support and approve the long-term direction of the Master Plan for OHA's 511-acre property in Wahiawā surrounding the Kūkaniloko Birthing stones, and authorize OHA's Administration to take further steps toward its implementation.**

**Trustee Dan Ahuna seconds the motion.**

**Trustee Keli'i Akina** – I think we are all in agreement that we want to move forward here and it has my support. I did want to mention that yesterday I felt that we should have given greater guidance to our Administration. While it is true and it was pointed out that the Administration will come back with a Budget and we can approve up or down, I think there is so many dreams and hope expressed it would have been good for us to give a range of expectation. We could be talking about a \$50,000 or \$100,000 investment or even \$30 million. Depending upon where we land expectations are set so I had a concern. So the practical thing I want to suggest is this, that as RM Chair had agreed to do, we agreed some work that begun on the Board, a Hawaii Direct Assets Portfolio Investment Policy and that we get that statement developed and implemented it will help us be in alignment with our 2009 State Audit. Basically, what that will do is give us a context, it will help us determine what our policy is on legacy lands overall so we are not just making a decision based on one item. I will give my yes to this but I have a strong encouragement to the Board that we develop that HDAP Policy.

**Trustee Leina'ala Ahu Isa** – When I talked to Tom, they are concerned that the whole zoning is Ag. He wants part of it, or we should look at part of it being conservation. That means going to the City Council and getting a zoning change. There are some other issues. That is why that budget things is not that much money if we go conservation. Also, the ability to build a shed or something where they can hold their educational classes because they stand out in the rain, sun, Wahiawa rains a lot so those are the things involved. So the budget thing is still nebulous.

**Trustee Rowena Akana** – Both things are important. The establishment of the policy for our legacy lands and our Hawaii Investment Portfolio is very important. Because we are going to needs monies not just for legacy lands but for other properties that we want to procure. Like I said yesterday, this property has so many encumbrances that the State has put on it that you can't do everything that you want to do. The restrictions are overwhelming so OHA will have to do a lot of things to clear those restrictions so we can move forward on some of the dreams that the people have from that community. The other thing I noticed too, whether or not the consultants or not who helped put together this draft plan in place are all consultants that we used in the Kaka'ako Makai project. Whether that's an accident or that's part of the other contract, I don't know, maybe that is for another meeting for discussion. It seems to be that the dream of the people, we don't want to disappoint the people because they seem to be taken by what can be and OHA agreeing to do this Master Plan which I support, we have to be careful that we don't encourage them to think that the sky is the limit as far as money goes. Because when you look at the total master plan, we can be looking at \$30 million down the road. I just caution everyone about that. That we have much to look at regarding this project.

**Trustee Peter Apo** – Madame Chair, I strongly support the Master Plan. From my perspective it is a vision, it is a concept. Kūkaniloko is as important if not more so than Mauna Kea. When you look at the cultural history and the incredible pre contact, that entire property and at the center of gravity that connects that whole part of the island is huge. The statement of intent is great, it is going to be a lot of challenges to try to make the vision happen. But I think it's important at that point in time to support the vision. Support the vision and as Trustee Akina points out work out how do we get there. Start carving out the specifics of how we attempt it. I am really stoked by the way that the master plan came out and again I congratulate the people who were involved in it. I think it not only represents, Hawaiians, it represents all of Hawaii. Because it's an inclusive vision because it includes everybody not just Hawaiians I love it.

**Trustee Robert Lindsey** – I too strongly support the Kūkaniloko Master Plan. I appreciated yesterday the fact that the community was here in force. It is a community plan; it's a bottom up plan from the community to our table. I don't have a problem with the economics. Professor Meyers spoke to the living economy; Profession Lincoln spoke to the ULU project that is going on, on the Big Island. It's our people coming forward with their model of finance for us to consider. When we look at our capitalist situation here in the US, I mean we are in debt in trillions of dollars. When we look at our State, we are in debt in billions of dollars when you talk about the unfunded liability. Before our Government, our Queen was overthrown, our people were producers, and we produced everything that we needed to support our people. Then when we overthrown we had to take on a gold standard and what has that done for us as a people. It has bankrupted us. So in my view give our people a chance. They made a commitment to come forward with a financing model for their plan and I think we are obliged to give them that opportunity to develop what they committed to us yesterday.

**Trustee Dan Ahuna** – I want to remind everyone that they met for every month for two years. They worked hard on this plan and I too am in support. But we talk about financials and everything; I am not going against any of the Trustees. I want them to develop a good plan and in order for them to develop a good plan, it might take a lot of money it might not. But the thing is let them plan, let them work out. Because we all know there are a lot of State restrictions, there are a lot of moving parts that they are going to have to get around. It is important for us as policy makers to support these kinds of people and the financial stuff that is when we setting our policy, that is something totally different because we are the ones that are okaying the project. But sometimes we are mixing a lot of things that shouldn't be mixed in and it takes a long time just to get to the vote. When we finally get to the vote, everyone votes yes. It just didn't make sense to me. Let's support this group and let's see what they got but it's up to us to okay whatever they are going, to okay that's when we can have feedback. I think it's important that we support them all the way. This is an important place. The first thing I thought about were the piko rights, identity, it important to know who we are. Are we the big "N" or the small "n", are you kanaka, we hears so much people of Hawaii. For me I want to support this project and the hard work that this group is doing and this is what we should be supporting.

**Trustee Carmen Hulu Lindsey** – Call for the question.

**Chair Colette Machado** - Yes, roll call please.

Trustee Carmen Hulu Lindsey moves to support and approve the long-term direction of the Master Plan for OHA's 511-acre property in Wahiawā surrounding the Kūkaniloko Birthing stones, and authorize OHA's Administration to take further steps toward its implementation.  
Trustee Dan Ahuna 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: <input checked="" type="checkbox"/> UNANIMOUS <input type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passes unanimously with nine (9) yes votes.						

- 2. Action Item RM #18-11: OHA recognizes and thanks the Kūkaniloko Master Plan Working Group - Nā Lālā 'Ike Pono a Kūkaniloko - for participating in the creation of the Kūkaniloko Master Plan and issues to each the attached certificate.**

**Chair Colette Machado** – We are now on RM 18-11 OHA recognizes and thanks the Kūkaniloko Master Plan Working Group - Nā Lālā 'Ike Pono a Kūkaniloko - for participating in the creation of the Kūkaniloko Master Plan and issues to each the attached certificate, that is the reso that we agreed to.

**Trustee Dan Ahuna moves to recognize and thank the Kūkaniloko Master Plan Working Group (KMPWG) – Nā Lālā 'Ike Pono a Kūkaniloko – member for participating in the creation of the Kūkaniloko Master Plan.**

**Trustee John Waihe'e IV seconds the motion.**

**Chair Colette Machado** - Any discussion on the reso that we will prepare and we will bring them back for a presentation. Hearing none, roll call vote.

Trustee Dan Ahuna moves to recognize and thank the Kūkaniloko Master Plan Working Group (KMPWG) – Nā Lālā ‘Ike Pono a Kūkaniloko – member for participating in the creation of the Kūkaniloko Master Plan.

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 passes unanimously with nine (9) yes votes.						

## VII. COMMUNITY CONCERNS

**Chair Colette Machado** – Is there anyone signed up for Community Concerns? Hearing none, I would like to adjourn the meeting.

## VIII. ANNOUNCEMENTS

None

## IX. ADJOURNMENT

**Trustee Dan Ahuna Lindsey moves to adjourn.**

**Trustee John Waihe‘e IV seconds the motion.**

**Chair Colette Machado** – It has been moved and seconded. Anyone voting no, hearing none we stand adjourned.

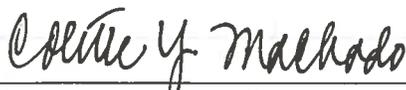
The meeting was adjourned at 11:19 am.

Respectfully submitted,



Dayna Pa, Board Secretary

As approved by the Board of Trustees on September 20, 2018.



Colette Y. Machado, Chairperson  
Board of Trustees