

STATE OF HAWAI'I
OFFICE OF HAWAIIAN AFFAIRS
560 N. NIMITZ HIGHWAY, SUITE 200
(VIRTUAL MEETING - VIA ZOOM WEBINAR)

Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Nineteenth Supplementary Proclamation dated April 9, 2021 that suspend parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

The OHA Board of Trustees will hold virtual meetings until further notice. The virtual meetings can be viewed and observed via livestream on OHA's website at www.oha.org/livestream or listen by phone: (213) 338-8477

Minutes of the Office of Hawaiian Affairs
Board of Trustees
MINUTES
April 22, 2021

ATTENDANCE:

Chairperson Carmen Hulu Lindsey
Trustee Lei Ahu Isa
Trustee Dan Ahuna
Trustee Kaleihikina Akaka
Trustee Luana Alapa
Trustee Brendon Kalei'āina Lee
Trustee Keola Lindsey
Trustee John Waihe'e, IV

BOT STAFF:

Colin Kippen
Amber Kalua
Kanani Iaea
Lehua Itokazu

ADMINISTRATION STAFF:

Sylvia Hussey, Ka Pouhana / CEO
Casey Brown, Pou Nui / COO
Kalani Fronda, Land Assets Director
Raina Gushiken, CC
Everett Ohta, CC
Ramona Hink, CFO
Kevin Chak, IT Support
Erin Nakama, IT Support

Call to Order

Chair Hulu Lindsey Calls the Board of Trustees Meeting to order for Thursday April 22, 2021 at 10:02 a.m. Chair Hulu Lindsey calls for a roll call.

MEMBERS			Present	TIME ARRIVED
TRUSTEE	LEINA'ALA	AHU ISA	X	
TRUSTEE	DAN	AHUNA		Joins meeting at 10:13 am
TRUSTEE	KALEI	AKAKA	X	
TRUSTEE	KELI'I	AKINA		Excused
TRUSTEE	LUANA	ALAPA	X	
TRUSTEE	BRENDON KALEI'ĀINA	LEE	X	
TRUSTEE	KEOLA	LINDSEY	X	
TRUSTEE	JOHN	WAIHE'E		Joins meeting at 10:15 am
CHAIRPERSON	CARMEN HULU	LINDSEY	X	
			6	

At the Call to Order, **six (6)** Trustees are PRESENT, thereby constituting a quorum.

Chair Hulu Lindsey Due to the threat of COVID-19, Governor Ige issued the most recent Emergency Nineteenth Supplementary Proclamation dated April 9, 2021 that suspends parts of Hawai'i Revised Statutes Chapter 92, Public Agency Meetings and Records to, among other things, enable boards to conduct business without any board members or members of the public physically present at the same location.

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New Business

A. Committee on Resource Management

- 1. Action Item RM #21-04: Approval of a Third Amendment to BOT #12-05 – Kaka'ako Makai Policy Relating to the Allocation of Revenue from Kaka'ako Makai Properties to the Land Legacy Program. (1st reading)**

Chair Hulu Lindsey Since there is no one signed up for Public testimony, I will move on to New Business. I would like to call upon the Resource Committee. I will have Trustee Alapa read the motion on the board.

Trustee Alapa Your Committee on Resource Management, having met on April 20, 2021 and after full and free discussion, recommends approval of the following two actions to the Board of Trustees:

To approve a third amendment to BOT #12-05 – Kaka'ako Makai Policy, relating to the allocation of revenue from Kaka'ako Makai properties to the Land Legacy Program at Attachment A, including ministerial edits.

Such an amendment includes the following changes:

- A. Eliminate the allocation of the gross revenues from Kaka'ako Makai (KM) to OHA's Grants program
- B. Increase the allocation of the net revenues to OHA's Legacy Land Program (LLP) from 50% to 60%;
- C. Amend the review date of June 30, 2021 to June 30, 2025; and
- D. Address ministerial edits.

Trustee Ahu Isa Seconds the motion.

Trustee Alapa moves

To approve a third amendment to BOT #12-05 – Kaka'ako Makai Policy, relating to the allocation of revenue from Kaka'ako Makai properties to the Land Legacy Program at Attachment A, including ministerial edits.

Such an amendment includes the following changes:

- A. Eliminate the allocation of the gross revenues from Kaka'ako Makai (KM) to OHA's Grants program
- B. Increase the allocation of the net revenues to OHA's Legacy Land Program (LLP) from 50% to 60%;
- C. Amend the review date of June 30, 2021 to June 30, 2025; and
- D. Address ministerial edits.

Trustee Ahu Isa Seconds the motion.

	1	2	'AE (YES)	'A'OL E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI AHU ISA		X	X			
TRUSTEE DAN AHUNA						
TRUSTEE KALEI AKAKA			X			
TRUSTEE KELI'I AKINA						X
TRUSTEE LUANA ALAPA	X		X			
TRUSTEE BRENDON LEE			X			
TRUSTEE KEOLA LINDSEY			X			
TRUSTEE JOHN WAIHE'E						
CHAIRPERSON HULU LINDSEY			X			
TOTAL VOTE COUNT			6			

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passes with six (6) YES votes and zero (1) EXCUSED vote.

A. Committee on Resource Management

2. Action Item RM #21-05: Amendment to the Executive Policy Manual Section, Budget Management Policy. (1st reading)

Trustee Alapa Action two: To approve the expansion of the Executive Policy Manual section described in Attachment A:

- (1) New section 3045 Budget Management;
- (2) New section 3046 Fiscal Stabilization Policy;
- (3) Relocate and renumber two sections currently located in section 3050 Fiscal to section 3040 Planning, Programming, Budget; and
- (4) Relocate and renumber five sections currently located in section 3040 Planning, Programming, Budget to new section 3045 Budget Management.

Trustee Ahu Isa Seconds the motion

Trustee Alapa moves							
To approve the expansion of the Executive Policy Manual section described in Attachment A:							
(3) New section 3045 Budget Management;							
(4) New section 3046 Fiscal Stabilization Policy;							
(3) Relocate and renumber two sections currently located in section 3050 Fiscal to section 3040 Planning, Programming, Budget; and							
(4) Relocate and renumber five sections currently located in section 3040 Planning, Programming, Budget to new section 3045 Budget Management.							
Trustee Ahu Isa Seconds the motion.							
		1	2	'AE (YES)	'A'OL E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI	AHU ISA		X	X			
TRUSTEE DAN	AHUNA						
TRUSTEE KALEI	AKAKA			X			
TRUSTEE KELI'I	AKINA						X
TRUSTEE LUANA	ALAPA	X		X			
TRUSTEE BRENDON	LEE			X			
TRUSTEE KEOLA	LINDSEY			X			
TRUSTEE JOHN	WAIHE'E						

CHAIRPERSON HULU LINDSEY			X		
TOTAL VOTE COUNT			6		
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED					
Motion passes with six (6) YES votes and zero (1) EXCUSED vote.					

B. Action Item BOT#21-06: Approval of Exempt Status of Trustee Aide (SR 22), Trustee Secretary, and Board Secretary consistent with the Fair Labor Standards Act of 1938, as amended, in accordance with 29 C.F.R. § 553.11.

Executive Session

Trustee Lee I am not comfortable taking action on this item and then talking about it in executive session. I would rather talk about it in executive session before we take action. I move that we take the agenda out of order and recuse ourselves into executive session.

Trustee K. Lindsey Seconds the motion.

The Board recuses into Executive Session at 10:10 a.m.

Motion to recuse into executive session pursuant to HRS Section 92-5							
		1	2	'AE (YES)	'A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI	AHU ISA			X			
TRUSTEE DAN	AHUNA						
TRUSTEE KALEI	AKAKA			X			
TRUSTEE KELI'I	AKINA						X
TRUSTEE LUANA	ALAPA			X			
TRUSTEE BRENDON	LEE	X		X			
TRUSTEE KEOLA	LINDSEY		X	X			
TRUSTEE JOHN	WAIHE'E						
CHAIRPERSON HULU	LINDSEY			X			
TOTAL VOTE COUNT				6			
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED							
Motion passes with six (6) YES votes and one (1) EXCUSED vote.							

The Board returns to open session at 11:36 a.m.

Continuation of New Business

B. Action Item BOT#21-06: Approval of Exempt Status of Trustee Aide (SR 22), Trustee Secretary, and Board Secretary consistent with the Fair Labor Standards Act of 1938, as amended, in accordance with 29 C.F.R. § 553.11.

Trustee K. Lindsey Madam Chair, I think the session we just came out of, we had valuable discussion and received a lot of information for us to think about. For me at this time, I am not ready to take action on this matter. I'd like to review the material more and have some question for administration. **I move to defer this matter till a future meeting.**

Trustee Akaka Seconds the motion.

Trustee K. Lindsey moves							
To defer agenda item III.B. to a future meeting.							
Trustee Akaka Seconds the motion.							
		1	2	'AE (YES)	'A'OL E (NO)	KANALUA (ABSTAIN)	EXCUSED
TRUSTEE LEI	AHU ISA			X			
TRUSTEE DAN	AHUNA			X			
TRUSTEE KALEI	AKAKA		X	X			
TRUSTEE KELI'I	AKINA						X
TRUSTEE LUANA	ALAPA			X			
TRUSTEE BRENDON	LEE					X	
TRUSTEE KEOLA	LINDSEY	X		X			
TRUSTEE JOHN	WAIHE'E				X		
CHAIRPERSON HULU	LINDSEY			X			
TOTAL VOTE COUNT				6	1	X	
MOTION: [] UNANIMOUS [X] PASSED [] DEFERRED [] FAILED							
Motion passes with six (6) YES votes, one (1) NO vote, and one (1) ABSTAIN							

No Community Concerns

Announcements

Chair Hulu Lindsey Our next Board meeting is scheduled for next week Thursday, April 29, 2021 at 10:00 am.

Adjournment

Chair Hulu Lindsey I would like to entertain a motion for adjournment.

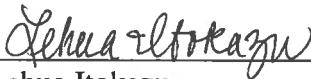
Trustee Waihe'e moves to adjourn the meeting.

Trustee Akaka Seconds the motion.

Adjournment							
TRUSTEE		1	2	'AE (YES)	A'OLE (NO)	KANALUA (ABSTAIN)	EXCUSED
LEINA'ALA	AHU ISA			X			
DAN	AHUNA			X			
KALEIHIKINA	AKAKA		X	X			
KELI'I	AKINA						X
LUANA	ALAPA			X			
BRENDON KALEI'ĀINA	LEE			X			
KEOLA	LINDSEY			X			
JOHN	WAIHE'E	X		X			
CHAIR CARMEN HULU	LINDSEY			X			
TOTAL VOTE COUNT				8		0	1

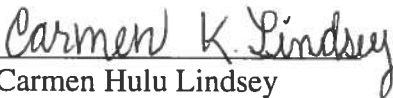
Chairperson Carmen Hulu Lindsey adjourns the Board of Trustees meeting at 11:41 a.m.

Respectfully submitted,



Lehua Itokazu
Board Secretary

As approved by the Board of Trustees on May 6, 2021.



Carmen Hulu Lindsey
Chairperson, Board of Trustees

Attachments:

1. Excused Memo – Trustee Akina



OFFICE OF HAWAIIAN AFFAIRS

Trustee Keli'i Akina, Ph.D.

Interoffice Memorandum

Date: April 23, 2021

To: Trustee C. Hulu Lindsey, Chairperson

From: Trustee Keli'i Akina, Ph.D.

Subject: Unexcused absence from April 22, 2021 Board of Trustees meeting

Aloha e Madam Chair,

Regretfully, I am writing to document my absence from the April 22, 2021 Board of Trustees meeting due to a scheduling error. I apologize for the oversight.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Keli'i Akina', is written over a light blue rectangular background.

Trustee Akina