

**State of Hawai'i
Office of Hawaiian Affairs
560 North Nimitz Hwy.
Honolulu, HI 96819**

**Minutes of the Office of Hawaiian Affairs Board of Trustees Meeting
Thursday, August 25, 2016, 9:30 am**

I. CALL TO ORDER

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

Attendance

Trustee Robert K. Lindsey, Jr., Chair
Trustee Dan Ahuna, Vice Chair
Trustee Rowena Akana
Trustee Peter Apo

Trustee S. Haunani Apoliona
Trustee Carmen Hulu Lindsey
Trustee Colette Machado
Trustee John Waihe'e IV (arrived at 10:18 am)

Excused

Trustee Lei Ahu Isa

Staff Present

Dr. Kamana`opono Crabbe, CEO
Robert G. Klein, Board Counsel
Harold Nedd, Chief of Staff
Capsun M. Poe, Board Secretary
Jeremy Kama Hopkins
Kauikeaolani Wailehua
U'ilani Tanigawa
Lehua Itokazu
Dayna Pa
Claudine Calpito
Reynold Freitas

Liana Pang
Makana Chai
Lady Garrett
Kai Markell
Kawika Riley
Lisa Victor
Mehana Hind
Miles Nishijima
Momilani Lazo
Sterling Wong
Matthew Kodama

Others Present

Renwick Tassill
June Toguchi-Tassill

Healani Sonoda-Pale

II. APPROVAL OF MINUTES

Chair Lindsey noted that Item V. A., Approval of the Ad Hoc Committee on Charter Schools was deferred to a future Board meeting.

Motion

At 9:33 am, Trustee Ahuna moved, seconded by Trustee Apoliona, to waive OHA's 72-hour materials distribution policy for Item V.B. RM #16-06 and Item V.C. RM #16-07 of the agenda.

| TRUSTEE | 1 | 2 | 'AE (YES) | A'OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
|--------------------------|---|---|--------------|---------------|----------------------|---------|
| TRUSTEE LEI AHU ISA | | | | | | X |
| TRUSTEE DAN AHUNA | 1 | | X | | | |
| TRUSTEE ROWENA AKANA | | | X | | | |
| TRUSTEE PETER APO | | | X | | | |
| TRUSTEE HAUNANI APOLIONA | | 2 | X | | | |
| TRUSTEE HULU LINDSEY | | | X | | | |
| TRUSTEE COLETTE MACHADO | | | X | | | |
| TRUSTEE JOHN WAIHE'E | | | | | | X |
| CHAIR ROBERT LINDSEY | | | X | | | |
| TOTAL VOTE COUNT | | | 7 | 0 | 0 | 2 |

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passed with seven (7) YES votes, no (0) NO votes, no (0) abstentions, and two (2) excused.

Chair Lindsey noted the draft July 13, 2016 minutes were distributed and asked if there were any changes.

Motion

At 9:34 am, Trustee Ahuna moved, seconded by Trustee Apoliona, to approve the minutes of July 13, 2016.

| TRUSTEE | 1 | 2 | 'AE (YES) | A'OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
|--------------------------|---|---|--------------|---------------|----------------------|---------|
| TRUSTEE LEI AHU ISA | | | | | | X |
| TRUSTEE DAN AHUNA | 1 | | X | | | |
| TRUSTEE ROWENA AKANA | | | X | | | |
| TRUSTEE PETER APO | | | X | | | |
| TRUSTEE HAUNANI APOLIONA | | 2 | X | | | |
| TRUSTEE HULU LINDSEY | | | X | | | |
| TRUSTEE COLETTE MACHADO | | | X | | | |
| TRUSTEE JOHN WAIHE'E | | | | | | X |
| CHAIR ROBERT LINDSEY | | | X | | | |
| TOTAL VOTE COUNT | | | 7 | 0 | 0 | 2 |

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passed with seven (7) YES votes, no (0) NO votes, no (0) abstentions, and two (2) excused.

III. COMMUNITY CONCERNS

Joe Tassill stated the last time he was here the Board received testimony in support of renewing the CEO's contract. He asked how many Hawaiians have a member of their family incarcerated. He stated those prisoners who are away from Hawai'i have a hardship for families that want to visit them. There is a task force that is trying to make improvements to the correctional program.

Kama Hopkins explained the HCR 85 Task Force is tasked with making those recommendations. Dr. Crabbe reported there is an upcoming meeting on September 30 and that the Department of Public Safety will be looking at cultural activities to implement into their programs and services.

Mr. Tassill stated that OCCC needs to be returned to its original intent of being a classroom.

IV. UNFINISHED BUSINESS

Chair's Updates on Board Activities

Chair Lindsey had no updates.

CEO's Update on Ho'oulu Lāhui Aloha and OHA Activities

Dr. Crabbe reported that Administration sent a memo to Trustees regarding the IUCN with their invitation to attend as VIP guests to the opening ceremony, which OHA supported. He requested any other Trustees interested reply ASAP as the expected attendance is 8,000, with registration currently at 7,500.

He also reported Administration is moving forward with a report in response to a legislative Concurrent Resolution concerning the \$15.1 million OHA receives annually.

Finally, he reminded Trustees that the BOT reporting site was launched in 2014 and updated in 2015. This is where Administration posts required reports to the Board, including investments and Transitional Assistance.

Trustee Apoliona asked if there are restrictions on accessing the information. Dr. Crabbe responded that standard operating procedures have been developed. Access is limited to Trustees, certain BOT staff, and Administrative Assistants in Administration as they are the ones who upload the information.

Trustee Apo stated his concern that some things may be inappropriate to be accessed by staff.

Dr. Crabbe added that certain information, like personnel, is governed by State and Federal law as far as who can access it and what they can access.

V. NEW BUSINESS

Approval of the Ad Hoc Committee on Charter Schools

This item was deferred.

RM #16-06, OHA's Preliminary FB 2018-2019 General Funds and Community Grants

Trustee Machado reported the following on behalf of the Committee on Resource Management:

August 24, 2016

The Honorable Robert K. Lindsey, Jr., Chair
Board of Trustees
Office of Hawaiian Affairs

Chair Robert Lindsey,

Your Committee on Resource Management, having met on August 24, 2016, after a full and free discussion, recommends approval of the following action to the Board of Trustees:

The Committee on Resource Management approves and recommends that the Board of Trustees approve:

- (1) OHA's preliminary general funds budget of \$3,521,574 per fiscal year to fulfill its requirement of submitting OHA's FB budget bill to the State Legislature in December 2016 for the FY 2017-2018 and FY 2018-2019 biennium and
- (2) OHA's preliminary community grants program budget of up to \$3,200,000 per fiscal year for the FY 2017-2018 and FY 2018-2019 biennium.

Motion

At 10:01 am, Trustee Machado moved, seconded by Trustee Apoliona, to approve:

- (1) OHA’s preliminary general funds budget of \$3,521,574 per fiscal year to fulfill its requirement of submitting OHA’s FB budget bill to the State Legislature in December 2016 for the FY 2017-2018 and FY 2018-2019 biennium and
- (2) OHA’s preliminary community grants program budget of up to \$3,200,000 per fiscal year for the FY 2017-2018 and FY 2018-2019 biennium.

| TRUSTEE | 1 | 2 | ‘AE (YES) | A’OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
|--------------------------|---|---|--------------|---------------|----------------------|---------|
| TRUSTEE LEI AHU ISA | | | | | | X |
| TRUSTEE DAN AHUNA | | | X | | | |
| TRUSTEE ROWENA AKANA | | | X | | | |
| TRUSTEE PETER APO | | | X | | | |
| TRUSTEE HAUNANI APOLIONA | | 2 | X | | | |
| TRUSTEE HULU LINDSEY | | | X | | | |
| TRUSTEE COLETTE MACHADO | 1 | | X | | | |
| TRUSTEE JOHN WAIHE’E | | | | | | X |
| CHAIR ROBERT LINDSEY | | | X | | | |
| TOTAL VOTE COUNT | | | 7 | 0 | 0 | 2 |

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

Motion passed with seven (7) YES votes, no (0) NO votes, no (0) abstentions, and two (2) excused.

RM #16-07, FY 2017 Total Operating Budget Realignment #1

Trustee Machado reported the following on behalf of the Committee on Resource Management:

August 24, 2016

The Honorable Robert K. Lindsey, Jr., Chair
 Board of Trustees
 Office of Hawaiian Affairs

Chair Robert Lindsey,

Your Committee on Resource Management, having met on August 24, 2016, after a full and free discussion, recommends approval of the following action to the Board of Trustees:

The Committee on Resource Management approves and recommends that the Board of Trustees approve OHA’s Total Operating Budget Realignment #1 for fiscal year 2017 as outlined in ATTACHMENT #1.

Motion

At 10:03 am, Trustee Machado moved, seconded by Trustee Apoliona, to approve OHA's Total Operating Budget Realignment #1 for fiscal year 2017 as outlined in ATTACHMENT #1.

| TRUSTEE | 1 | 2 | 'AE (YES) | A'OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
|--------------------------|---|---|--------------|---------------|----------------------|---------|
| TRUSTEE LEI AHU ISA | | | | | | X |
| TRUSTEE DAN AHUNA | | | X | | | |
| TRUSTEE ROWENA AKANA | | | | | X | |
| TRUSTEE PETER APO | | | X | | | |
| TRUSTEE HAUNANI APOLIONA | | 2 | X | | | |
| TRUSTEE HULU LINDSEY | | | X | | | |
| TRUSTEE COLETTE MACHADO | 1 | | X | | | |
| TRUSTEE JOHN WAIHE'E | | | | | | X |
| CHAIR ROBERT LINDSEY | | | X | | | |
| TOTAL VOTE COUNT | | | 6 | 0 | 1 | 2 |

MOTION: UNANIMOUS PASSED DEFERRED FAILED

Motion passed with six (6) YES votes, no (0) NO votes, one (1) abstention, and two (2) excused.

VI. EXECUTIVE SESSION

Motion

At 10:02 am, Trustee Ahuna moved, seconded by Trustee Apoliona, to go into Executive Session to consider the following:

- VI. Executive Session**
 - A. Approval of Executive Session Minutes
 - 1) June 30, 2016
 - 2) July 13, 2016
 - B. Consultation with Robert G. Klein, Esq. re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding Kaka'ako Makai. *Pursuant to HRS 92-5(a)(4).*
 - C. Consultation with Robert G. Klein, Esq. re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding a new three-year contract for the position of OHA CEO. *Pursuant to HRS 92-5(a)(4).*

| TRUSTEE | 1 | 2 | 'AE (YES) | A'OLE (NO) | KANALUA (ABSTAIN) | EXCUSED |
|--------------------------|---|---|--------------|---------------|----------------------|---------|
| TRUSTEE LEI AHU ISA | | | | | | X |
| TRUSTEE DAN AHUNA | 1 | | X | | | |
| TRUSTEE ROWENA AKANA | | | X | | | |
| TRUSTEE PETER APO | | | X | | | |
| TRUSTEE HAUNANI APOLIONA | | 2 | X | | | |
| TRUSTEE HULU LINDSEY | | | X | | | |
| TRUSTEE COLETTE MACHADO | | | X | | | |
| TRUSTEE JOHN WAIHE'E | | | | | | X |
| CHAIR ROBERT LINDSEY | | | X | | | |
| TOTAL VOTE COUNT | | | 7 | 0 | 0 | 2 |

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

Motion passed with seven (7) YES votes, no (0) NO votes, no (0) abstentions, and two (2) excused.

The Board went into Executive Session at 10:03 am and exited Executive Session at 11:34 am.

VII. BENEFICIARY COMMENTS

There were no Beneficiary Comments.

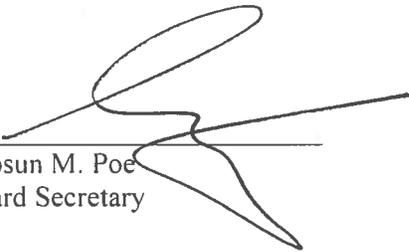
VIII. ANNOUNCEMENTS

Chair Lindsey announced the next Board meeting will be held on Thursday, September 8, 2016 at 9:00 am on Hawai'i Island.

IX. ADJOURNMENT

Having no further business, Chair Lindsey adjourned the meeting at 11:35 am.

Respectfully Submitted,



Capsun M. Poe
Board Secretary

Approved by the Board of Trustees on September 22,
2016:



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