

**STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
560 No. Nimitz Highway, Suite 200
Honolulu, HI 96817**

**Minutes of the Office of Hawaiian Affairs Board of Trustees
Thursday, March 9, 2017
10:00 am**

ATTENDANCE:

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

ADMINISTRATION STAFF:

KAMANA'OPONO CRABBE, CEO
LISA VICTOR, COO
DEJA OSTROWSKI, PP
KAI MARKELL, COMP
MOMILANI LAZO, EA CEO
STERLING WONG, MEDIA
WAYNE TANAKA, PP
EVERETT OHTA, CC
JEROME YASUHARA, COMP
JOCELYN DOANE, PP
JOHNATHAN CHING, LAND
KUHIO LWEIS, OUTR
KEITH GUTIERREZ, LPM
MEHANA HIND, CE
MILES NISHIJIMA, LPD
TIMMY WAILEHUA, NHRLF

EXCUSED:

None

BOT STAFF:

ALVIN AKEE
LADY GARRETT
CLAUDINE CALPITO
DAVIS PRICE
PAUL HARLEMANN
ANI PANG
MAKANA CHAI
U'ILANI TANIGAWA
LEHUA ITOKAZU
MELISSA WENNIHAN
CAROL HOOMANAWANUI
DAYNA PA
LAURENE KALUAU-KEALOHA
LOPAKA BAPTISTE

GUESTS:

DEMONT CONNER
HEALANI SONODA-PALE
KA'IULANI MILHAM
KUPONO ANA
KAPUA KELIIOKA-KAMAI
KAUKAOHU WAHILANI
RACHEL L. KAILIANU-CONNER
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; Apo; Robert Lindsey and Machado are present; constituting a quorum of seven (7) trustees. Trustee Carmen Hulu Lindsey and Trustee John Waihe'e are expected to arrive shortly.

Chair Colette Machado Requests a 72 hour waiver for BAE Committee transmittal distributed to the Board yesterday.

V. New Business

- A. Committee on Beneficiary Advocacy and Empowerment**
 - 3. 2017 OHA Legislative Positioning – Matrix, March 8, 2017**

Trustee Dan Ahuna Moves to waive the 72 Hour meeting materials requirement for the items expressed by Chair Colette Machado.

Trustee Robert Lindsey Seconds the motion.

Chair Colette Machado Asks for the roll call vote.

Trustee Dan Ahuna Moves to waive the 72-Hour meeting material requirement for the following items:

V. New Business

A. Committee on Beneficiary Advocacy and Empowerment

3. 2017 OHA Legislative Positioning – Matrix 1 March 8, 2017

Trustee Robert 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						Not present at time of vote
TRUSTEE ROBERT LINDSEY		X	X			
TRUSTEE JOHN WAIHE'E						Not present at time of vote
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			7			2
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) excused.						

II. APPROVAL OF MINUTES

A. Meeting of the Board of Trustees

1. January 12, 2017
2. January 26, 2017
3. February 2, 2017
4. February 9, 2017

Trustee Dan Ahuna moves to approve the Board of Trustees meeting minutes for January 12, 2017, January 26, 2017, February 2, 2017 and February 9, 2017.

Trustee Robert Lindsey Seconds the motion.

Chair Colette Machado Asks if there is any discussion, hearing none she calls for the roll call vote.

Trustee Dan Ahuna moves to approve the Board of Trustees meeting minutes for January 12, 2017, January 26, 2017, February 2, 2017 and February 9, 2017.

Trustee Robert 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					Not present at time of vote	
TRUSTEE ROBERT LINDSEY		X	X			
TRUSTEE JOHN WAIHE'E					Not present at time of vote	
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.

B. Special Meeting of the Board of Trustees

1. January 24, 2017 continued to February 8, 2017

2. February 2, 2017

Trustee Dan Ahuna Moves to approve the Special Meeting of the Board of Trustees minutes for January 24, 2017 continued to February 8, 2017 and February 2, 2017.

Trustee Robert Lindsey Seconds the motion.

(10:05 am Trustee John Waihee arrives.)

Chair Colette Machado Asks if there is any discussion, hearing none she calls for the roll call vote.

Trustee Dan Ahuna Moves to approve the Special Meeting of the Board of Trustees minutes for January 24, 2017 continued to February 8, 2017 and February 2, 2017.

Trustee Robert 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					Not present at time of vote	
TRUSTEE ROBERT LINDSEY		X	X			
TRUSTEE JOHN WAIHE'E			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) excused.

III. COMMUNITY CONCERNS

Chair Colette Machado States that for the record there are several individuals who have signed up. She calls on DeMont R.D. Connor, followed by Healani Sonoda-Pale.

Mr. DeMont R.D. Connor Introduces himself to the board and states that he is the co-manager of Ho‘omana Pono, LLC, native Hawaiian Corporation operating out of the Waianae Coast. The first thing is I’d just like to ask that if we can get an update on the forensic audit that was called for. There are rumors flying around saying that the audit is being set up to not bring out a lot of issues and that there is a guy who is on trial right now Oki, who did your audit some time ago and he is proven to be a fraudulent guy. So we just got concerns about that. Just ask that the Board let us know and lay our concerns regarding any shenanigans that may try to hide what is going on with the audit.

The other thing is, this is for you guys I just ran into him this morning. Let me just say some things in another language, parlez-vous francais? J’ mappelle DeMont Connor, my mom is pure Hawaiian and my dad is Creole. So I saw this, this morning it was interesting Hawaii News Now reported that there is a rare collection of Hawaiian artifacts that are going up for auction in Paris. And I just shared this with Trustee Dan Ahuna this morning and they talking about a lot of artifacts from 1779 to 1780 estimated at nearly 83 million dollars. There are a lot of our artifacts over there and Kamanaopono Crabbe when you brought back the cape that was like a moving thing for our lahui, and that helped galvanized our people together. I just ask that you consider that, this is our stuff, I am upset that we might have to think about buying something that belongs to us. With your leverage I am sure you can work on something to bring back our artifacts. This is for our Hawaiian nation to ignite our people around a common good. I wish you to consider this, this would be a good thing for us. I ask that we continue to stay on positive a path and focus on issues that matter to our lahui. Instead of the stuff like bickering and stuff. I like the atmosphere this morning, it seems nice, everyone is polite and good. I would like us to continue to stay on that path and I’d like to commend Kamanaopono Crabbe for continuing to stand his ground and stay here just got to continue to re-iterate, anytime you speak you should always speak ‘olelo, if no one can understand like me, they can go get an interpreter and interpret where ever you go. That should send a good message forward so that people can understand we in Hawaii and not in the United States. Aloha.

Chair Colette Machado Requests that Trustee Keli‘i Akina provide an update on the movement for the Financial Committee because this afternoon we will be taking an official position from the Resource Management Committee. Already there has been identification the both Trustee Leina‘ala Ahu Isa and Trustee Keli‘i Akina will serve as the Chair and other staff members that will be part of this financial committee.

Trustee Keli‘i Akina Thanks all the beneficiaries who have a strong interest in a good audit of OHA. The Trustees voted unanimously, nine to zero that we want to be audited in a manner that goes beyond the current three audits that are done. Because we care very much about being transparent and open about the organization and we have heard the calls of beneficiaries I can assure you that the process is going forward. What has happened so far is that the Board has approved it in the Committee on Resource Management now that must go to the full board of trustees so Chair will be scheduling that so that the full board may affirm that action. That is the protocol that takes place. I am not aware of anything that is interfering with that process.

Secondly in the meantime the Committee on Resource Management Chair Trustee Carmen Hulu Lindsey has appointed a committee to oversee the process of calling for the bid for the audit. That committee will be affirmed hopefully today at the CRM meeting which takes place at 1 today. Trustee Carmen Hulu Lindsey has announced my memo already and has appointed myself to be the chair of that committee for that audit and as vice chair Trustee Leina‘ala Ahu Isa. We are honored to be joined by three very capable staff members from my staff, from Trustee Dan Ahuna and from Trustee Carmen Hulu Lindsey’s staff. Where it is now is that we are in the process of confirming at the board level that this audit will take place. We’ve established the committee and that will be confirmed as well. The next step is to create a bid, a

request for qualification. Once that is done the administration will then take it and go through the procurement process. When it is put out to bid, I know that you mentioned one particular firm the former PKF which is now SPIRE. No arrangement has been made to prefer any party, that party or any other party. When the bid goes out it's anyone across the nation can bid to fulfill the audit. I would welcome any questions directly off line if you care to ask them. I hope that we have answered your question. I thank you for your concern and appreciate all the beneficiaries who will stand behind this action. Mahalo.

Trustee Leina'ala Ahu Isa Comments that Mr. Mahi is very visible at the legislature and the city Council. I talked to him before I came in, maybe OHA can look at certain bills at the city council table because they want to tax paper bags. I walk to Safeway with my little dog and I don't have a bag with me and I decide to stop in. They want to tax everything. I think Councilman Elefante, and OHA doesn't really have a presence at the Council and yet it affects a lot of our beneficiaries.

Trustee Keli'i Akina Addresses DeMont and thanks him for expressing that there has been some concern. I want to point out that we must be very cautious when we go to Social Media. There has been quite a bit of rumor on Social Media and what I would encourage all beneficiaries to do is simply contact us directly to determine if something is a rumor and not to believe things just because they are on Social Media. Even in the media itself I would caution our beneficiaries sometime the media sources report what is on Social Media. We want to be very transparent and open about this, I will certainly welcome and I know the chair will welcome any inquiries where we can clear up any questions that are raised through Social Media.

Mr. Connor States that is why I brought it up in an open forum where all our lahui, a lot of our people from our lahui is here and it is open. If I just contacted you by phone you would just tell me what you tell me and there would be no accountability for our lahui. When we bring it out on the table like this and we are able to discuss it like this everyone can hear and see it, it's recorded on Social Media, the same Social Media that might twist stuff now we have our facts straight. This is the best thing for us because this is a good institution it is a good vehicle for us to be able to move forward as a people and if we can keep this one pono. We are going to be ok and I appreciate that.

Kamanaopono Crabbe States that he would like to make two points. First regarding Trustee Leina'ala Ahu Isa's comment we do have a public policy specialist is devoted to issues at the City Council. We have been doing it sparsely over the years but now that we have Kika Bukoski. He is down there regularly looking at all the bills.

The second is what DeMont has brought up with the difference, maybe that is for Trustee Keli'i Akina to explain, because the previous meetings it has been brought up as a forensic audit. What the Adhoc responsibilities will have to discern or determine is exactly what kind of a specific audit or financial review that will be recommended to the RM and the Board.

Trustee Keli'i Akina States that people have used the term forensic audit and we have deliberately chosen not to use the term in the action. The term is an emotional term, it's a term that is subjective and can mean anything from a hunt for going after individuals for criminal information, to something that might hurt the organization. Rather than leaving it open ended we have drafted a very specific set of criteria and that would come out in the RFQ that shows we are going to do things like go beyond what the current audits do, currently the State audits us, we have financial audits and the Federal Government audits us. And they point out a few things but they don't do a systematic job of looking at procurement practices for example they don't go out looking for any forms of fraud or waste and abuse. Although we are not using the word forensic we are definitely going to target this audit in order to go after anything that is irregular so if there has been we will say so to the public and where it has not taken place and we can confirm that OHA has operated well. I want you to know personally I am tremendously honored to have been selected as chair of this audit committee. I want to commit myself to serve this board and our beneficiaries to ensure we have the best process.

Mr. Connor States that with his experience in litigating with the State, when I see forensic, I know what forensic means. It means a detailed, going back to stuff that might still be in the rubbish can somewhere. What we really trying to get at is where did all the money go and who did it go to and why did they get that money. We need to know that because there are a lot of rumors saying that money was wasted. How do we really know that unless we get the detail about where every penny went, who went cash the check. In a document that was produced it said the payment went to 1027 what is 1027? Turns out it was an address. So who went cash that check? That is what we are talking about, we understand what forensic is. It's not an emotional thing for us, we just want facts. We want to know who got paid when they got paid and why they got paid. So that we can understand whether or not is that was someone just giving money to their friends or that was actually something that went benefit us.

Trustee Rowena Akana States that you are going to be satisfied with the results when it is all done. Sometime ago, last year maybe even the year before there was a person who subpoenaed records from OHA, his name was Keli Blaisdell. He subpoenaed check registers that go back many years. It's surprising to see what kinds of checks were cashed and by whom and for so many years. I am sure that the audit will also look at these things. It's been very revealing to me personally but these are the kinds of things that an audit will probably pick up when you see repeated year after year people getting, certain people getting the same kinds of monies and I think that more than anything it would be an eye opener for this board and future boards that we can do better. Make this agency a much better agency for all people. So that what we've learned won't be repeated. Madam Chair I hope that we are going to look at the 5 existing LLCs. A couple of years ago we were told by Sheryl Nicholson that our CEO and COO who are now the administrators or they oversee the LLCs. That was supposed to be a temporary thing and we were supposed to replace them with real board members but we never have. And this is something that we're in violation and we need to correct this. Because it will certainly be looked at in the audit. I'm sure we are going to be criticized so I would like for you to schedule a meeting for us to go over these 5 LLCs and for us to discuss whether we even need to have 5 LLCs because one of those LLCs really just looks at one of the Federal Grants which is the PTAC grant. That was a grant that was given to OHA and then moved over there. That is something that can be moved back to OHA we don't need an LLC just for that. Let's hope that we can take a look at those LLCs and make sure we are not going to be criticized.

Trustee Dan Ahuna States that he doesn't want DeMont to walk away and wants to discuss the artifacts. Some ways of getting back artifacts is that my boy used to race dirt bikes on the mainland and we used to ride on the Indian reservations. On Social Media I saw they were selling some artifacts from this reservation what happened is that they got a billionaire to buy it on Craig's list and they give it back to the Indian reservation.

Chair Colette Machado Calls on Healani Sonoda-Pale.

Ms. Healani Sonoda-Pale States that she is here representing two organizations so it's going to look like I am talking about two different things. But since the matrices are on your agenda I want to address the legislature,

(Ms. Sonoda-Pale reads from the attached written testimony from Ka Lāhui Hawai'i)

Ms. Sonoda-Pale Thanks OHA for starting to post agendas in Hawaiian. It is a really good step because OHA should take the lead on this. I've been at the legislature for awhile they are doing over all very good job but I think OHA can do a lot more. There are some stances that we didn't agree with OHA about at the legislature.

Kamanaopono Crabbe Asks what were the changes that she was concerned with.

Ms. Sonoda-Pale States that the changes are that only the letterheads will have Hawaiian on them but we wanted all transactions or at the very least, if they print it in Tagalog, if they print it in Chinese, they should

print it in Hawaiian at the very least. So that is our bill we are trying to push through and we would appreciate OHA's support on that.

Chair Colette Machado Clarifies that we meet every week at the BAE Committee to take positions and we will be able to address it then.

Trustee Rowena Akana Comments that in the State's statute it is in the statute that Hawaiian is the State's language.

Ms. Sonoda-Pale States that it is in the Constitution as well.

Trustee Rowena Akana States that we should make that point at the Legislature.

Trustee Peter Apo Adds that this board a number of years ago was success in leading an effort to get Bank of Hawaii to include Hawaiian on the ATM. It's amazing how complicated a process it is to language an ATM. It takes pages and pages of dialogue. What we need to do now is we need to encourage Hawaiians to use that. So that the use and the level of frequency rises so that it validates that Hawaiian is an important language to keep on the ATM. Whatever we can do in terms of information or an education program, because it's not that easy to navigate. Whatever Ka Lāhui can join in the effort to encourage Hawaiians to use the ATM would be helpful.

Ms. Sonoda-Pale States that one of the legislators also suggested that when the census comes up to say that we speak Hawaiian. We get federal funds to fund those documents and I heard you guys talk about the City Council, we are also trying to work with the City Council to also do some signage in Hawaiian also.

(Ms. Sonoda-Pale reads her Testimony from Protest Na'i Aupuni. This testimony as well as a flyer are attached)

Ms. Sonoda-Pale Asks if the Audit committee meetings be open to the public?

Chair Colette Machado States that I think the intent is to have them convene because they only have two Trustees so they can convene without notice. When they give the report back it can be housed in the RM Committee for full discussion. The whole intent is to allow flexibility for the committee to move forward with the details. The Work product will be presenting through the RM Committee then to the BOT.

Trustee Rowena Akana States that I would check with OIP because I think Adhoc Committee adhere to the sunshine law.

Chair Colette Machado Calls on Ka'iulani Milham.

Ms. Ka'iulani Milham States that her initial comments this morning are concerning the sexual misconduct allegations against Trustee Peter Apo. When the Monica Lewinsky scandal was first reported in January 1998 President Bill Clinton denied the affair but by the end of that year he was impeached. The impeachment trial lasted through February and in this painful public process all though he survived the impeachment Clinton's culpability became clear by the time it was over the whole world knew about the American President's affair and the lies he told to avoid accountability. In the end, the office of the President was permanently stained as Monica Lewinsky's blue dress.

OHA as an institution has faced its shares of scandals over the years. When the allegations surfaced on January 7th that Trustee Peter Apo has used his office at OHA to conduct private business for the Peter Apo Company OHA's name and reputation took another hit. Just 11 days later on January 18th the lahui learned that \$50,000 had been paid in the sexual misconduct lawsuit against Trustee Peter Apo. OHA's reputation sunk even further. In quick succession came the drama over the CEO Contract, the retaliatory removal of the Trustee Rowena Akana as Chair and the public outcry for a supplemental detailed audit. OHA's

reputation takes another hit the lahui suffers. While all of these internal struggles are playing out in a public arena the story of Trustee Peter Apo's sexual misconduct continues to make headlines.

The internal struggles will understandably take time to resolve and the lahui is prepared to keep the pressure on to see that they are. But like the Bill Clinton's scandal the Peter Apo scandal is not going to go away. Already two lawsuits have been filed by High Profile members of our lahui, Princess Abigail Kawananakoa and Mililani Trask. Now because Trustee Peter Apo has not put the reputation of OHA and the best interest of lahui before his need to deny the allegations against him in an effort to protect his own reputation the name of OHA and by association all Hawaiians is at risk for many more months of scandal and sordid headlines and the details of these story are slowly pulled into the light. I have personally heard from a reliable source details of these allegations and I know several others who also have. Just like in the Bill Clinton scandal it is only a matter of time before the truth will come out. Along the way more beneficiary funds that are meant to improve the conditions of Hawaiian will be spent. The longer this goes on the less money for our people. It is a travesty you must not allow to continue. I strongly recommend that you Trustees not wait until then to urge Trustee Peter Apo to immediately stand down so that the reputation of OHA and the Hawaiian people can stand up. If I have any more time I would like to request that the Trustees and everyone here speak into your microphones. Half of the comment could not be heard. This is an ongoing problem the lahui is watching. The other concern I have is HB 622 which crossed over and would have OHA expending our beneficiary funds up to \$3 million per year for rehabilitation of Kahoolawe. OHA didn't bomb Kahoolawe, United States military bombed Kahoolawe they are the ones that need to pay for that clean up. As I understand it is only at 13% now. I don't know if you guys are supporting that bill I strongly suggest that you remove support.

Chair Colette Machado States that we are in opposition for that bill.

Trustee Peter Apo Comments to Ms. Milham's testimony that no one wants more than I to resolve the issues, a response is coming and I think when the response comes you will change your mind.

Chair Colette Machado Calls on Kuponono Ana.

Mr. Kuponono Ana States that he is here today to speak to the Trustees about the mismanagement of Mauna Kea. I was wondering what the progress and if there is any new information that is available. I would like to know if you followed up with that.

Kamanaopono Crabbe Defers to Trustee Dan Ahuna who is the chair of the Adhoc Committee on Mauna Kea discussion.

Trustee Dan Ahuna Thanks Mr. Ana and that the only thing he can add to that is we haven't been in any type of meetings on Mauna Kea for a long time. But just recently we went back to the table to understand where we are at this process how we can move forward and how we can make a better decision for our lahui. That is basically where we are at right now.

Mr. Ana Clarifies that this is his 5th time that he has come to speak to the Trustee about this situation. It's been almost two years now I'm just really worried about the Mauna. Because they are having these contested cases, it doesn't seem like they are really listening too much. I guess maybe I should formally ask if you guys could personally nominate Mauna Kea for the National Federal Preservation Act 106 because I know you have to be a Hawaiian organization to do it. And it's pretty easy to do you just contact the ACHP and they help you during the whole process and I was wondering if you guys would be willing to do that.

Chair Colette Machado Asks Kamanaopono Crabbe to respond to Mr. Ana's request.

Kamanaopono Crabbe States that what we can say is that we've done a very comprehensive and historical understating in terms of the obligations of the University of Hawaii as well as the DLNR process

in which they receive the conditions of the sub lease which is the Mauna Kea and what are their responsibility in developing not only a comprehensive management plan but also the historical record of what was recommended. The national preservation act in terms of nominating it as a historic wahi pana is one of those areas that we are very aware of. With all of those recommendations the process and identifying who is responsible for what, the Adhoc committee has come up with a strategy however we are observing the outcome and have been monitoring the contested case hearings. We are trying to find out when the ruling will be and we are prepared to take action as well.

Mr. Ana Clarifies that in the beginning one of the main reasons I went over there and ku'e against the TMT is because I was made aware that Mauna Kea was supposed to be put on initial master lease. I know they changed the lease, but in the beginning they were supposed to do it. I think you guys should really get on those guy's case on that. They were supposed to put the adze quarry as well.

Trustee Rowena Akana States that as the last Chair, my conversation with the Governor and his Assistant, when I asked him if he was going to sign this agreement with OHA, he said he was still considering it. That was the last comment in early January. So whether it's him or someone else in DLNR I'm not sure, but it's not an easy issue because he probably would have signed it. But I really think that at the bottom of all this is the University of Hawaii and maybe after the legislative session is over this board will take some action against the University and really get serious about doing something with the State and the University because it has been too long.

Trustee Leina'ala Ahu Isa Adds that from the news reports, the Judge for the contested case hearing was going to make the decision within 44 days and that was last week. The Judge heard over 50 testimonies.

Chair Colette Machado Calls on Kapua Keliikoa-Kamai

Ms. Kapua Keliikoa-Kamai Introduces herself. She wanted to share some concerns, the first thing is that she appreciates community concerns. I would appreciate if we could raise our concerns at the time the items are being discussed as opposed to the beginning because this way we are not sharing outdated information, because your information may have already been changed. Perhaps we could have the community concerns at the specified item time after you folks have already discussed it.

Secondly I was here back in November and I had previously invited this board to the Waianae Community, followed up with an email to then Chairman Lindsey who thoughtfully responded to allow the Board time to settle. Hopefully leadership and committees have settled so that you folks are in a more permanent situation at least during this election cycle. Again I reiterate that I would like to and my community would love to host the Office of Hawaiian Affairs Board of Trustees Community Meeting in Waianae at your convenience. So again I can follow up with an email, you can let us know. I believe you folks should be coming out to the communities, especially if the communities want to hear from you.

I reiterate the expenditures towards Native Hawaiian Governance, although you folks had agreed to support the Na'i Aupuni, Kana'iolowalu process, I would like us to go back to 2000 to pre Akaka bill as to how much monies all together has been spent towards that one perception of Hawaiian Governance. Because as you know if you have been paying attention to the DOI hearing throughout our islands the kanaka maoli came forward and we said we don't want to speak to a secretary, under the secretary of the DOI. We want to speak to the secretary of the United States because we recognize we are still a sovereign nation. So there are sending the wrong representative to have the conversation. I appreciate Kamanaopono Crabbe who sent that letter which many of you rescinded. I find that unfortunate so I am asking you folks to consider multiple voices of Hawaiian Governance not the one. Because as you folks have multiple voices here individually you pursue them but we kanaka maoli are doing the same things. But it would be so great if you could provide finances for our unity as well so that we could come and speak collectively and educate and inform our kanaka but not limiting this to the kanaka because we know what is good for the Hawaiian is good for Hawaii. We are not just about us, that is not our people that is not who we are. This is

a larger conversation not limited to the ethnic Hawaiians. Although that maybe the appropriate place to start.

Regarding the video, I appreciate that we are live streaming this would be good if you could save it for further viewing because some of us are here therefore we can't be recording it at home. So if we could save that and make sure that the volumes are loud enough so that we can hear your response that would be appreciated. Perhaps even having close captioning in olelo Hawaii. If item number V.B. was HR 335 the \$2 million Hawaiian Affairs added for this Biennium I did provide support for that. So as much as I can I am supporting OHA initiatives and I would like for OHA to push back against the legislature whenever they say appropriation but it's not coming from the State, they want it to come from OHA. We need to stop allowing them from directing our payments and our funds. Let us, through you determine how we spend our Trust Funds.

Chair Colette Machado Calls on Kaukaohu Wahilani.

Mr. Kaukaohu Wahilani Greets the Board and introduces himself. He speaks for Lauren Andrade who got into an accident and could not be here today. He states that Uncle Lauren asks if there is a way for the Trustees to create a political action committee who can go against the legislature and watch dog anything that is for the lahui and also against the lahui. If there is way that OHA can form or the Trustees can form and political action committee that would be good.

Secondly I wanted to also say that I love the ambiance today from the last couple times we came here you can feel little bit more light today and Mahalo to all you Trustees. I wanted to reiterate what I mentioned the other month for ho'oponopono for everyone here starting with the leadership, the Trustees, administration and all the employees. When we came here the other month when Trustee Rowena Akana was Chair, we had a meeting with her and later we had a meeting with Kamanaopono Crabbe. As we walked in it felt like we were walking into the lions den. When we came in that morning to meet with Chair Akana you could feel the tension, you could cut it with a knife. I just want to reiterate ho'oponopono, because at the end of the day we are kanaka. And the point of being kanaka like you folks close your guys eyes and go back to your earliest memories of a keiki growing up being with your kupuna as a kanaka and what was instilling in you and using that memory to refocus yourself and say you know what this is not about me but we and we holomua together as a lahui. When we go together as one, we can agree to disagree, when the day is done we still ohana. Our koko tie all of us here back to the kumulipo. If you folks can ho'olohe and to also OHA can help out financially with the school Kamakau, as you folks see their hale kuai where they sit to eat, when we had the bad weather. It would be great for OHA to help. I want to show a little support for Auntie Moani Keala who is in hospice right now.

Chair Colette Machado Calls on Rachel Kailihau-Conner.

Ms. Rachel Kailihau-Conner Introduces herself to the Board. She is so grateful that she is following a group that not only olelo. Coming this morning I was talking to Healani, and Healani talked about the education of our children especially in Hawaiian. This past week at the legislature we had agriculture day and hotel and all the travel agencies came in. And during that time we had a lot of people trying to teach our people how to manage the land, what we should and shouldn't do with the water, how we should spend our money and our resources, that all comes under education. One of the things when we were there talked about education because the University of Hawaii Maona was fighting with the University of Hawaii Hilo. They came in with a bill that wanted to get a pilot program started to teach not only preschool to 12th grade but to colleges. We have them at college but we don't teach them at a professional level so to speak. When a Senator says, do we have any professionals to be teaching them? We don't have them calculus or chemistry so they can be doctors or lawyers. We have to look at them a long time and say maybe because when the laws way back when said that we was going to have equal access. They wasn't only going to teach English they was going to teach Hawaiian equally. It was never done, it was always shelved or put on the side.

Unfortunately for me I came through school not being able to learn Hawaiian. I had to pay to learn Hawaiian, because my tutu stopped teaching it because they got tired of seeing two generations before me getting punished whenever they spoke hawaiian. We get plenty Kamehameha Schools graduates; they never cared for Kamehameha Schools because they never spoke Hawaiian either. They speak English properly. So today in the University of Hawaii they are teaching you their style of Hawaiian. It is not the home style growing up language. Especially when you get scolding from your mo'opuna saying 'a'ole that is not the word, we really have to work on that part of education. Kamanaopono Crabbe because you speak Hawaiian very, very well and you understand English and Hawaiian very, very, well I suggest that whenever you go into legislature, because you are the face for OHA, that you only speak Hawaiian and you get them to bring someone that can interpret what you say. Stop interpreting for them. That is an easy out. Because in a court of law, this is what the judge says, now speak to me in English. Why? We bring every other language into the court of law.

Now legislature, this last legislation go around, the first go around because we doing cross overs now. There was a bill in there that no one paid attention to, it was in the Senate and the House. That bill had nothing to do with anyone but the fact that they were starting a group that was going into the statues and the new sessions law that are going to pass and they are going in there to correct the language. They are going to delete what no need and cross out everything and rewrite them. How are we going to know what is open and transparent if there is going to be a group doing that? There are a141 pages, when you first read it seems they are going to clean up the law for the Veterans. But if you read through agriculture, our land, the waters, that is all in that bill. That means they can go in after pau when no one is paying attending and go through each line and rewrite them. You cannot find a law if you don't know what the law is if they are going to change it.

(indiscernible source inquires what was the bill number)

Ms. Kailianu-Connor States that she will get that information to them. It's like the bill showed up then it disappeared they table it, they didn't defer it or delete it. It can still move around it does not die. I am trying to keep a tab on that because it is really important. The last thing is in order for the four people who have a vote in Congress; we need to supply them the proper tools to fight for us. They are only four votes to all the many others. In order for Hawaii to stay in there and stay afloat, we have to give them tools. We have to give them the proper tools and say you know what you guys talk for us. Not only all the Hawaiian people but for Hawaii. We had Tulsi Gabbard come to Waianae, we had all the people come from Kailua because they was pissed off because they went to her office and she wasn't there and she never made their town hall meeting. They came to Waianae and their biggest concern is they wanted to know if we are safe against any attack? I am thinking to myself we are in the middle of ocean, hello people? We have to understand if they don't have the proper tools to fight on our behalf we are nobody over there. So that is my mana'o, I will give the bill numbers to you.

Chair Colette Machado Calls Germaine Meyers to the table.

Ms. Germaine Meyers Introduces herself to the Board, she is a beneficiary and a lessee of Nanakuli Hawaiian Homestead.

(Ms. Meyers reads her written testimony which is attached)

Kamanaopono Crabbe Responds to Ms. Meyers. We actually publish in the new employee handbook a whistleblower notification but it also has a standard operating procedure according the federal whistleblower act.

Ms. Meyers Asks if it follows the State.

Kamanaopono Crabbe States that he needs to check but it is in our handbook. We also have, but haven't launched it yet, we have and that was part of the Board's request of me for administration to implement a beneficiary complaint process. So we haven't launched it but we will soon within the next several months. So every beneficiary phone call, or meeting are documented and those that are regarding a program will go to the program. If is a complaint, it is actually logged in to a computer so all staff and managers will be responsible moving forward to correct that. Some of your testimony is very important to me. Also if the staff is sharing different information then it is our responsibility to correct.

Ms. Meyers States that it was from two different departments. Can I get a copy of the policy? Once it is implemented I would like to give suggestions as and HR person..

Kamanaopono Crabbe Clarifies that we have to rely on legal counsel. We have a legal attorney that recommends to us in terms of both State and Federal Laws in HR policies.

Ms. Meyers Clarifies that she was talking about the beneficiary complaint log. And in terms of the whistleblower policy so that there is no confusion that it is crossing over into understanding of OHSa policy I will send to Trustees and the administrator the State whistleblower protection act, in addition to that I am still waiting from the Ombudsmen office to send me the amendments. The reason for that is that the amendments actually increase the violation which is in the original HRS from maximum \$5000 to \$10,000 per violation. I just want to make sure there is no confusion. Because there are so many types of laws. I also would like to have feedback regarding the one for non-employees. It could include a vendor, it could be someone in the community who have seen or heard a violation, of course it needs to be investigated but we would like to stop if something being violated.

IV. UNFINISHED BUSINESS

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

Chair Colette Machado Calls on Kamanaopono Crabbe.

Kamanaopono Crabbe Notifies Trustees that this Saturday at Kapolei Theaters Community Engagement and Outreach are holding at 10 am a viewing of Nā Hulu Lehua regarding the return of the Kalani'ōpu'u Cape. If you want to go you can see manager Kuhio Lewis for information. It is free to the public and we have gone to every island to show it. It has been welcomed very well by the community. Our Biennium Budget, Chair Machado and I with Jocelyn and interim CFO John Kim went yesterday to testify before the WAM. For the House we are positive and hopefully that our budge will move forward and be approved. We did receive over the past couple meeting community input regarding beneficiary report quarterly. Robin Danner and Michelle Kauhane made some suggestions in terms of many of the issues that some of the beneficiaries brought today that we are considering is going through corporation counsel review for us to post quarterly. That includes our grants data base. We already had it on KII intranet site as well as our initiatives. We are determining the security to make sure that it's properly maintained and there are no breeches. We are moving forward to be more responsive to the community. Lastly, Trustees, Lisa Victor is conducting the interviews for our next CFO I believe we have one more interview and hopefully we can make a decision on the CFO within the next couple of weeks.

Trustee Leina'ala Ahu Isa States that she saw on TV Waimea Valley, they were interviewing Richard. I didn't know they suffered damage and its going to cost how much it is going to fix.

Kamanaopono Crabbe States that I did speak with Richard and Lisa over this past weekend, it was considerable damage. We were lucky that he had a group of volunteers from one of the native Hawaiian 8A organizations. They came in with equipment and tons of volunteers. Waimea is open now however the damage to the infrastructure will be considerable. They are still waiting for estimates, we do have insurance that will cover the major damages. But the cleanup will take a number of weeks. Fortunately there was no one hurt and the staff were prepared to manage all the resources. It will take probably another

week or two to actually determine the final damage which we anticipate will be in the hundreds of thousands. We already have savings exactly for this operations to recover.

V. NEW BUSINESS

A. Committee on Beneficiary Advocacy and Empowerment

1. 2017 OHA Legislative Positioning – Matrix 1, February 22, 2017

Chair Colette Machado Calls on Trustee Robert Lindsey

Trustee Robert Lindsey Moves to approve Administration’s recommendations on NEW BILLS (Item 1-20) and BILL POSITIONS FOR RECONSIDERATION (Items 21-34) on the OHA Legislative Positioning Matrix dated February 22, 2017, as amended along with the following revision:

- **CHANGE Item 829, SB1315 from Support > COMMENT;**

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION	
			New Bills		
1	HB874	RELATING TO HOUSING.	Requires use of an unspecified percentage of funds in the Mental Health and Substance Abuse Special Fund to provide housing for residents who qualify for Social Security disability benefits and are diagnosed with a life-long serious mental illness. (HB874 HD1)	MONITOR	
2	HB912	RELATING TO NURSING.	Allows advanced practice registered nurses to offer care and services to minors and patients in assisted community treatment programs similar to care and services offered by physicians and other health care service providers. (HB912 HD1)	MONITOR	
3	HB968	RELATING TO AFFORDABLE TEMPORARY HOUSING.	Gives property owners the ability to lease yard space or driveway space for temporary residential purposes, subject to certain conditions, including allowing lessees to camp in a temporary structure on a property owner's yard or a vehicle designed for camping on a property owner's driveway. (HB968 HD1)	MONITOR	
4	HB983	RELATING TO CHILD VISITATION.	Amends the guidelines for the court to consider in awarding reasonable visitation rights to a grandparent or the grandparents of a minor child. Clarifies procedures for an order awarding reasonable visitation rights to grandparents and that a violation of the terms and conditions of such an order is subject to sanctions or contempt of court. (HB983 HD1)	MONITOR	
5	HB1009	RELATING TO THE LANDLORD TENANT CODE.	Requires a landlord to provide tenant access to a dwelling unit for a period of 24 hours solely for removal of the tenant's possessions when the tenant quits the premises or fails to pay rent. Provides that after the 24-hour period, the tenant's property shall be deemed abandoned and may be immediately disposed. (HB1009 HD1)	MONITOR	
6	HB1240	RELATING TO APPROPRIATIONS TO ADDRESS HOMELESSNESS.	Appropriates funds to the Department of Human Services for the coordinated statewide homeless initiative, subject to certain conditions. (HB1240 HD1)	MONITOR	
7	HB1335	RELATING TO THE LOW-INCOME HOUSING TAX CREDIT.	Specifies that certain provisions of the Internal Revenue Code related to at-risk rules and deductions and to passive activity loss do not apply with respect to claims for the state low-income housing tax credit. Appropriates funds to establish one position in the Hawaii Housing Finance and Development Corporation to oversee the Low-Income Housing Tax Credit Program. (HB1335 HD1)	MONITOR	
8	HB1447	RELATING TO HOMELESSNESS.	Directs DHS to develop and implement residential campgrounds for the homeless.	MONITOR	

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION	
9	HB1454	RELATING TO EDUCATION.	Exempts remote schools from the weighted student formula. Provides that remote schools will be funded based on categorical allotments that guarantee the funding of a minimum number of instructional and support staff positions to ensure that at least minimum course requirements are maintained. Defines "remote school." Makes appropriations.	MONITOR	
10	HB1500	RELATING TO CRIMINAL TRESPASS.	Provides for minimum prison sentence of forty-eight hours, or \$150 fine, or both for the second act of criminal trespass in the second degree of commercial premises within a seven-day period.	MONITOR	
11	HB1536	RELATING TO IRRIGATION.	Clarifies that the BOA has the power to acquire property by eminent domain for the construction and maintenance of water facilities that convey, distribute, and transmit water for agricultural uses, but not for domestic use. Amends the definition of "public utility" to exclude entities that convey, transmit, and distribute nonpotable water. (HB1536 HD1)	COMMENT	
12	SB2	RELATING TO HOMELESSNESS.	Beginning January 1, 2018, requires all health plans in the State, including EUTF health plans and medicaid managed care programs, to provide coverage for the treatment of homelessness.	MONITOR	
13	SB8	RELATING TO MEDICAL ASSISTANCE.	Requires providers and health plans to gather data regarding homeless individuals' use of medical assistance programs.	MONITOR	
14	SB107	RELATING TO MINIMUM WAGE.	Increases the minimum wage to \$10.50 per hour in 2018 and \$12 per hour in 2019, \$13.50 per hour in 2020, and \$15 per hour in 2021. Increases the tip credit to an unspecified amount of cents in 2018. Requires the department of labor and industrial relations to annually calculate the adjusted minimum wage rate to the nearest 5 cents using the Honolulu region CPI-W. Takes effect 1/7/2019. (SD1)	MONITOR	
15	SB202	RELATING TO SERVICE AREA BOARDS.	Amends statutory provisions relating to quorum and voting requirements for service area boards on mental health and substance abuse. Designates service area boards on mental health and substance abuse within the department of health for administrative purposes.	MONITOR	
16	SB203	RELATING TO STATE COUNCIL ON MENTAL HEALTH.	Amends the membership of the State Council on Mental Health, defines quorum for the Council, and specifies number of votes required to constitute valid acts of the Council. Designates the State Council on Mental Health within the department of health for administrative purposes.	MONITOR	
17	SB553	RELATING TO EDUCATION.	Requires remote schools to be allocated funds using categorical allotments, rather than through the weighted student formula. Defines a remote school as any public school that is a high school located at least a one-hour drive away from the next nearest high school or a high school located on the island of Lana'i, Moloka'i, or Ni'ihau. Specifies minimum number of teachers for Hana high and elementary school.	MONITOR	
18	SB671	RELATING TO LANDS CONTROLLED BY THE STATE.	Authorizes the department of land and natural resources and the Hawaii community development authority to negotiate and execute ninety-nine year leases on the department's and authority's lands located within one mile of the city and county of Honolulu's planned rail transit stations, provided that all housing in the mixed-use development for the lands to be leased is reserved for residents and families earning up to sixty per cent of the area median income. Effective 3/15/2050. Sunsets on 6/30/2050. (SD1)	COMMENT	
19	SB1165	RELATING TO MINIMUM WAGE.	Allows the counties to set a county minimum wage at a rate higher than the state minimum wage rate and a reduced county minimum wage rate for minors under eighteen that is at least 80 percent of the county minimum wage rate. Increases the minimum wage by \$1.00 each year until 2023 to reach \$15.10 per hour.	MONITOR	

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION	
20	HCR41		URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO CALL FOR COMPREHENSIVE, INDEPENDENT TESTING AND MONITORING TO DETERMINE THE EXTENT OF RADIOACTIVE CONTAMINATION AT THE POHAKULOA TRAINING AREA.	SUPPORT	
			Bill Positions for Reconsideration		
21	HB77	RELATING TO AN OFFICE OF ADMINISTRATIVE HEARINGS.	Requires the Legislative Reference Bureau to study the feasibility and cost effect of establishing an Office of Administrative Hearings that conducts administrative hearings for the State's executive branch agencies. A report of findings and recommendations, including proposed legislation shall be presented to the Legislature prior to the Regular Session of 2018. (HB77 HD1)	COMMENT > MONITOR	
22	HB121	RELATING TO OCEAN MANAGEMENT.	Establishes the Papahānaumokuākea Marine National Monument Program within DLNR-DAR to coordinate and fulfill the State's co-management role with federal authorities. Establishes a goal of effective management of thirty per cent of nearshore waters by 2030 under the Coastal Zone Management Program. (HB121 HD2)	MONITOR > COMMENT	
23	HB169	RELATING TO HOMELESSNESS.	Establishes a working group in the Department of Human Services to solicit donations and services and to assist in the regulation and development of policies relating to the Next Step Shelter facility and its residents. Requires the working group to submit a report to the Legislature prior to the 2018 Regular Session. Appropriates funds for the working group. (HB169 HD1)	COMMENT > MONITOR	
24	HB437	RELATING TO COASTAL ZONE MANAGEMENT.	Prohibits variances for installation of shoreline hardening structures in shoreline areas, unless a public hearing is held, the applicant demonstrates that the shoreline hardening structure is necessary to protect an existing legal object, structure, or activity from damage due to seawater inundation or shoreline erosion, and no reasonable alternative locations exist. (HB437 HD1)	SUPPORT WITH AMENDMENTS > SUPPORT	
25	HB599	RELATING TO THE HAWAII STATE PLAN.	Amends Hawaii State Planning Act to prioritize housing opportunities for extremely low- to above moderate- income households, require periodic updates to functional plans, and amend member nomination process for advisory committees for the functional plans. (HB599 HD1)	MONITOR > COMMENT	
26	HB804	RELATING TO THE PAPAHAUUMOKUAKEA MARINE NATIONAL MONUMENT.	Establishes the Papahānaumokuākea Marine National Monument Program within DLNR-DAR to coordinate and fulfill the State's role and responsibilities in co-managing the Papahānaumokuākea Marine National Monument with federal authorities.	MONITOR > COMMENT	
27	HB928	RELATING TO AFFORDABLE HOUSING.	Exempts the development of affordable housing projects developed in the urban core by the Hawaii Housing Finance and Development Corporation from environmental assessment and environmental impact statement requirements. (HB928 HD1)	MONITOR > OPPOSE	
28	HB998	RELATING TO BOTTOMFISH.	Requires the DLNR to allow bottomfish fishing in six of the Bottomfish Restricted Fishing Areas and to amend any administrative rules to provide that any restriction on fishing shall be based on scientific evidence of environmental necessity. (HB998 HD1)	OPPOSE > MONITOR	
29	SB110	RELATING TO AQUATIC RESOURCES.	Authorizes the Department of Land and Natural Resources to use in-lieu fee mitigation to restore, create, enhance, or preserve aquatic habitats or resources as compensatory mitigation. (SD1)	SUPPORT > MONITOR	
30	SB140	RELATING TO DARK NIGHT SKIES PROTECTION.	Establishes a Dark Night Skies Protection Advisory Committee to assist the University of Hawaii in developing a statewide dark night skies protection strategy.	SUPPORT WITH AMENDMENTS > SUPPORT	

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION	
31	SB580	RELATING TO HOUSING AND MIXED-USE DEVELOPMENT.	Allows the department of land and natural resources to enter into housing, commercial, and mixed-use leases for terms in excess of sixty-five years but not exceeding ninety-nine years. Gives the lessee a right of first refusal following a public auction at the termination of the lease; provided that the lessee shall match the highest lease rental bid offered.	MONITOR > COMMENT	
32	SB658	RELATING TO AN AIRPORT CORPORATION.	Authorizes the establishment of the Hawaii airport corporation within the department of transportation for administrative purposes on July 1, 2018. Sets out appointment of members to the board of directors and powers and duties of the Hawaii airport corporation. Transfers the aeronautics functions of DOT to the Hawaii airport authority.	COMMENT > OPPOSE	
33	SB848	RELATING TO HIGHER EDUCATION.	Establishes the Hawaiian language university college as an autonomous entity within the University of Hawaii system to be located at the University of Hawaii at Hilo. Implements an indigenous university college model by transferring the University of Hawaii at Hilo Hawaiian language college's rights, duties, powers, and functions to the Hawaiian language university college. Mandates the Hawaiian language university college and University of Hawaii at Hilo to enter into a memorandum of agreement by the end of the 2017-2018 academic year to establish shared operations and administration.	MONITOR > SUPPORT	
34	SB1105	RELATING TO HOUSING.	Expands the types of rental housing projects that can be exempt from general excise taxes. Allows the terms of collective bargaining agreements and associated provisions to be deemed the prevailing wages and terms serving as the basis of compliance with chapter 104, Hawaii Revised Statutes, for the construction of certain rental housing projects. Sunsets on an unspecified date. (SD1)	MONITOR > COMMENT	
829	SB1315	RELATING TO HEALTH.	Requires all health benefits plans to include coverage for Native Hawaiian culture-based activities, including but not limited to canoe paddling, hula, and lua, that have empirically shown to be effective in the management of weight, cardiovascular health, diabetes, and chronic kidney disease.	SUPPORT > COMMENT	

Trustee Dan Ahuna Seconds the motion.

Chair Colette Machado Asks if there are any questions, hearing none she calls for the roll call vote.

Trustee Robert Lindsey Moves to approve Administration's recommendations on NEW BILLS (Item 1-20) and BILL POSITIONS FOR RECONSIDERATION (Items 21-34) on the OHA Legislative Positioning Matrix dated February 22, 2017, as amended along with the following revision:

- CHANGE Item 829, SB1315 from Support > COMMENT;

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					Not present at time of vote	
TRUSTEE ROBERT LINDSEY	x		X			
TRUSTEE JOHN WAIHE'E			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) excused.						

2. 2017 OHA Legislative Positioning – Matrix 1. March 1, 2017

Chair Colette Machado Calls on Trustee Robert Lindsey

Trustee Robert Lindsey Moves to approve Administration's recommendations on NEW BILLS (items 1-4) and BILL POSITIONS FOR RECONSIDERATION (items 5-6) on the OHA Legislative Positioning Matrix dated March 1, 2017.

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION	
New Bills					
1	HCR32		REQUESTING THE COUNTIES TO CONSIDER PROVIDING INCENTIVES, SUCH AS WAIVING INFRASTRUCTURE CAPACITY COSTS AND PERMITTING FEES, FOR DEVELOPERS TO DEVELOP HOUSING FOR HOUSEHOLDS EARNING LESS THAN EIGHTY PERCENT OF THE AREA MEDIAN INCOME.	COMMENT	
2	HCR47		REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION CONDUCT A STUDY ON THE NEED AND FEASIBILITY OF ESTABLISHING A GOVERNMENT-SUBSIDIZED FERRY SERVICE BETWEEN THE ISLANDS OF MAUI AND MOLOKAI.	MONITOR	
3	SCR53		REQUESTING A STUDY ON THE PER-PUPIL FUNDING SYSTEM FOR PUBLIC CHARTER SCHOOLS TO DETERMINE WHETHER THE SYSTEM FULFILLS ITS STATUTORY PURPOSE OF EQUALIZING OPERATIONAL FUNDING AMONG PUBLIC SCHOOLS.	SUPPORT WITH AMENDMENTS	
4	HR22		REQUESTING THAT THE DEPARTMENT OF TRANSPORTATION CONDUCT A STUDY ON THE NEED AND FEASIBILITY OF ESTABLISHING A GOVERNMENT-SUBSIDIZED FERRY SERVICE BETWEEN THE ISLANDS OF MAUI AND MOLOKAI.	MONITOR	
Bill Positions for Reconsideration					
5	HB427	RELATING TO DARK NIGHT SKIES	Establishes a Dark Night Skies Protection Advisory Committee to assist the University of Hawaii in developing a statewide dark night skies protection strategy. (HB427 HD2)	SUPPORT WITH AMENDMENTS > SUPPORT	

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION
		PROTECTION.		
6	SBI1312	RELATING TO THE LICENSURE OF MIDWIVES.	Establishes mandatory licensing for midwives. Effective 7/1/2019. Establishes temporary advisory committee on midwife licensing until 7/1/19.	COMMENT > MONITOR

Trustee Dan Ahuna Seconds the motion.

Chair Colette Machado Asks if there are any questions, hearing none she calls for the vote.

Trustee Robert Lindsey Moves to approve Administration's recommendations on NEW BILLS (items 1-4) and BILL POSITIONS FOR RECONSIDERATION (items 5-6) on the OHA Legislative Positioning Matrix dated March 1, 2017.							
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							Not present at time of vote
TRUSTEE ROBERT LINDSEY		x		X			
TRUSTEE JOHN WAIHE'E				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) excused.							

3. 2017 OHA Legislative Positioning – Matrix 1. March 8, 2017

Chair Colette Machado Calls on Trustee Robert Lindsey.

Trustee Robert Lindsey Moves to approve Administration's recommendations on NEW BILLS (Item 1-26)

- **Add HCR81 as SUPPORT on the OHA Legislative Positioning Matrix dated March 8, 2017.**

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION
			New Bills	
1	HCR14		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-648 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT
2	HCR15		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-652 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT
3	HCR16		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-659 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT
4	HCR17		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1362 WAIKALOA STREET, WAIMANALO, HAWAII.	COMMENT
5	HCR18		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-029 KUAHELANI AVENUE, NO. 128, MILILANI, HAWAII.	COMMENT
6	HCR19		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-946 MEHEULA PARKWAY, NO. 264, MILILANI, HAWAII.	COMMENT

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION	
7	HCR20		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-946 MEHEULA PARKWAY, NO. 363, MILILANI, HAWAII.	COMMENT	
8	HCR21		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-950 MEHEULA PARKWAY, NO. 367, MILILANI, HAWAII.	COMMENT	
9	HCR22		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 47-394 KEOHAPA PLACE, KANEOHE, HAWAII.	COMMENT	
10	HCR60		AUTHORIZING THE AMENDMENT OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU, FOR THE MAINTENANCE AND REPAIR OF PORTIONS OF THE EXISTING CHANNEL, CONCRETE SURGE BREAK OR BREAKWATER, SEAWALL, STEP, AND FILLED LAND, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.	MONITOR	
11	HCR66		URGING THE CITY AND COUNTY OF HONOLULU TO REFRAIN FROM APPROVING INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECTS THAT ALLOW CASH PAYMENTS IN LIEU OF AFFORDABLE HOUSING REQUIREMENTS.	COMMENT	
12	HCR69		REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A TARGET DATE OF 2045 FOR THE REDUCTION AND ULTIMATE ELIMINATION OF HAWAII'S DEPENDENCE ON IMPORTED FOSSIL FUELS FOR ELECTRICAL GENERATION AND GROUND TRANSPORTATION.	MONITOR	
13	SCR9		URGING THE DEPARTMENT OF EDUCATION TO CARRY ON ITS WORK TO BETTER ENGAGE COMMUNITY GROUPS IN THE EDUCATION OF CHILDREN AND YOUTH IN HAWAII'S PUBLIC SCHOOLS.	MONITOR	
14	SCR14		REQUESTING THE COUNTIES TO CONSIDER PROVIDING INCENTIVES, SUCH AS WAIVING INFRASTRUCTURE CAPACITY COSTS AND PERMITTING FEES, FOR DEVELOPERS TO DEVELOP HOUSING FOR HOUSEHOLDS EARNING LESS THAN EIGHTY PERCENT OF THE AREA MEDIAN INCOME.	COMMENT	
15	SCR19		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-529 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT	
16	SCR20		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-648 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT	
17	SCR21		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-652 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT	
18	SCR22		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-659 INOAOLE STREET, WAIMANALO, HAWAII.	COMMENT	
19	SCR23		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1362 WAIKALOA STREET, WAIMANALO, HAWAII.	COMMENT	
20	SCR24		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-029 KUAHELANI AVENUE, NO. 128, MILILANI, HAWAII.	COMMENT	
21	SCR25		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-946 MEHEULA PARKWAY, NO. 264, MILILANI, HAWAII.	COMMENT	
22	SCR26		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-946 MEHEULA PARKWAY, NO. 363, MILILANI, HAWAII.	COMMENT	
23	SCR27		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-950 MEHEULA PARKWAY, NO. 367, MILILANI, HAWAII.	COMMENT	
24	SCR28		APPROVING THE SALE OF THE LEASED FEE INTEREST IN 47-394 KEOHAPA PLACE, KANEOHE, HAWAII.	COMMENT	
25	HR33		URGING THE CITY AND COUNTY OF HONOLULU TO REFRAIN FROM APPROVING INTERIM PLANNED DEVELOPMENT-TRANSIT PROJECTS THAT ALLOW CASH PAYMENTS IN LIEU OF AFFORDABLE HOUSING REQUIREMENTS.	COMMENT	

ITEM#	BILL#	REPORT	DESCRIPTION	POSITION
26	SR16		REQUESTING THE UNITED STATES DEPARTMENT OF VETERAN AFFAIRS TO TAKE CERTAIN ACTIONS TO PROVIDE COMPACT OF FREE ASSOCIATION VETERANS EQUAL QUALITY AND ACCESS TO HEALTH CARE AS VETERANS IN UNITED STATES TERRITORIES.	MONITOR
n/a	HCR81		REQUESTING THE DEPARTMENT OF BUDGET AND FINANCE TO STUDY THE PER-PUPIL FUNDING SYSTEM FOR PUBLIC CHARTER SCHOOLS TO DETERMINE WHETHER THE SYSTEM ENSURES EQUITABLE FUNDING AMONG ALL PUBLIC SCHOOLS AND WHETHER AN ALTERNATIVE SYSTEM MAY ACHIEVE GREATER FUNDING PARITY AND FINANCIAL AND LONG-TERM OPERATIONAL SUSTAINABILITY FOR PUBLIC CHARTER SCHOOLS.	SUPPORT

Trustee Dan Ahuna Seconds the motion

Chair Colette Machado Asks if there are any questions or discussions, Hearing none calls for the roll call vote.

Trustee Robert Lindsey Moves to approve Administration's recommendations on NEW BILLS (Item 1-26)						
<ul style="list-style-type: none"> Add HCR81 as SUPPORT on the OHA Legislative Positioning Matrix dated March 8, 2017. 						
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					Not present at time of vote	
TRUSTEE ROBERT LINDSEY	x		X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: <input type="checkbox"/> UNANIMOUS <input checked="" type="checkbox"/> PASSED <input type="checkbox"/> DEFERRED <input type="checkbox"/> FAILED						
Motion passed with eight (8) YES votes and one (1) excused.						

4. BAE #17-02 Nelson Moku III, NHRLF BOD [Native Hawaiian Revolving Loan Fund Board of Directors] Member, for Oahu 2nd Term Approval

Chair Colette Machado Calls on Trustee Robert Lindsey.

Trustee Robert Lindsey Moves to approve and recommend that the Board of Trustees approve Mr. Nelson Moku III to serve a second and final term on the Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors.

Trustee Dan Ahuna Seconds the motion.

Chair Colette Machado Asks if there are any discussions, hearing none calls for the Roll call vote.

Trustee Robert Lindsey Moves to approve and recommend that the Board of Trustees approve Mr. Nelson Moku III to serve a second and final term on the Native Hawaiian Revolving Loan Fund (NHRLF) Board of Directors.						
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					Not present at time of vote	
TRUSTEE ROBERT LINDSEY	x		X			
TRUSTEE JOHN WAIHE'E			X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8		1	1
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passed with eight (8) YES votes and one (1) excused.						

B. Committee on Resource Management

1. RM #17-01: Approval of Increase in OHA's General Fund Personnel Biennium Budget FY 2017-2018/FY2018-2019

Chair Colette Machado Calls on the vice chair of the RM Committee Trustee John Waihe'e.

Trustee John Waihee Moves to approve the increase in OHA's General Fund Personnel Biennium Budget FY2017-2018/FY2018-2019.

Trustee Dan Ahuna Seconds the motion.

Chair Colette Machado Asks if there are any discussions, hearing none she calls for the vote.

Trustee John Waihee Moves to approve the increase in OHA's General Fund Personnel Biennium Budget FY2017-2018/FY2018-2019.						
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					Not present at time of vote	
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) excused.						

VI. EXECUTIVE SESSION

Trustee Dan Ahuna motions to move into Executive Session Pursuant to HRS§92-5(a)(4).

Trustee Robert Lindsey Seconds the motion.

Chair Colette Machado Calls for the vote.

Trustee Dan Ahuna Move to resolve into Executive Session Pursuant to HRS§92-5(a)(4).						
Trustee Robert 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			
TRUSTEE ROWENA AKANA			X			
TRUSTEE KELI'I AKINA			X			
TRUSTEE PETER APO			X			
TRUSTEE CARMEN HULU LINDSEY					Not present at time of vote	
TRUSTEE ROBERT LINDSEY		x	X			
TRUSTEE JOHN WAIHE'E	x		X			
TRUSTEE COLETTE MACHADO			X			
TOTAL VOTE COUNT			8			1
MOTION: [] UNANIMOUS [x] PASSED [] DEFERRED [] FAILED						
Motion passed unanimously with eight (8) YES votes, and one (1) excused.						

The Board moved into Executive Session at 11:30 am.

A. Approval of Executive Session Minutes

1. Meeting of the Board of Trustees

a) October 20, 2016

- b) January 3, 2017
2. Special Meeting of the Board of Trustees
a) January 4, 2017

- B. Consultation with Attorney Paul Alston, Esq. re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding *Civil Number 17-1-0231-02 ECN Abigail K. Kawanakoa v. Robert K. Lindsay[sic], Kamana'opono Crabbe, Office of Hawaiian Affairs. Pursuant to HRS § 92-5(a)(4).***
- C. Consultation with Attorney Paul Alston, Esq. re: questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities regarding *Akana v. Machado et. al. Civil No. ICC13-1-002482. Pursuant to HRS § 92-5(a)(4).***

The Board moved into Open Session at 12:49 pm

(Chair Colette Machado leaves the meeting at 12:49 pm)

VII. BENEFICIARY COMMENTS

NONE

VIII. ANNOUNCEMENTS

NONE

IX. ADJOURNMENT

Trustee Dan Ahuna Asks for a motion to adjourn the meeting.

Trustee Carmen Hulu Lindsey Moves to adjourn the meeting

Trustee John Waihee Seconds the motion.

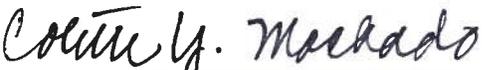
The meeting was adjourned at 12:55 pm.

Respectfully submitted,



Dayna Pa, Board Secretary

As approved by the Board of Trustees on April 6, 2017.



Colette Y. Machado, Chairperson
Board of Trustees

Attachment:

Testimony of Healani Sonoda-Pale
Testimony of Germaine Meyers